

**PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946**

## **OFFICIAL NOTIFICATION OF DECISION**

Arthur Salas  
9232 Jill Patricia St NW  
ABQ, 87114

**Project# PR-2021-004941**  
**Application#**  
**SD-2021-00044 PRELIMINARY/FINAL PLAT**  
**SD-2021-00051 VACATION OF PUBLIC**  
**EASEMENT**

### **LEGAL DESCRIPTION:**

For all or a portion of:

**LOTS 16-P1 and 17-P1 BLOCK 1, LAS  
MARCADAS SUBDIVISION** zoned R-ML, located  
on **JILL PATRICIA AVE NW between MARNA  
LYNN AVE NW and YVONNE MARIE DR NW**,  
containing approximately 0.3402 acre(s). (C-  
12)

On March 31, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

### **SD-2021-00040 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a blanket drainage easement recorded on March 17, 1994.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The existing drainage infrastructure will remain and be located in a new dedicated easement. The land use within this temporary easement for drainage has now been better defined by the installation of improvements over the years and will be unaffected by the vacation. Further, the vacation is of a temporary easement, which was created to be maintained until "such a time as... ..the city will accept maintenance of said drainage improvements" within the easement. With the accompanying consolidation of areas for drainage into one drainage right-of-way owned and controlled by the City of Albuquerque, this condition of release of the easement was anticipated and is coming to pass.

**SD-2021-00043 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat revises the lot line between lots 16-P1 and 17-P1 BLOCK 1, LAS MARCADAS SUBDIVISION to create Lot 16-A-P1, .1722 acres and dedicate .1680 acres of drainage right of way as shown on sheet 2 of 2.
2. The property is zoned R-ML, future development must be consistent with the underlying zone.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
4. The plat contains the required noted regarding the Administrative Waivers, to the existing 4 foot sidewalk to remain and the existing 44 foot right of way to remain, rather a 5 foot sidewalk and a 48 foot right of way.

**Conditions:**

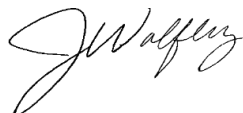
1. Final sign-off is delegated to Planning for the DXF file.
2. The applicant will obtain final sign off from Planning by May 26, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 15, 2021**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Jolene Wolfley  
DRB Chair

Official Notice of Decision

Project # PR-2021-004941 Application# SD-2021-00051, SD-2021-00044

Page 3 of 3

JW/mg

Cartesian Surveys PO BOX 44414 Rio Rancho NM 87174