



12-11-06A07:59 RCVD

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

06DRB-01411 Major-Preliminary Plat Approval
06DRB-01412 Major-Vacation of Public Easements
06DRB-01413 Minor-Subd Design (DPM) Variance
06DRB-01414 Minor-Sidewalk Waiver
06DRB-01415 Minor-Temp Defer SDWK

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, WILDERNESS @ HIGH DESERT (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713, 04DRB-01723] [*Deferred from 10/25/06 & 11/8/06 & 11/15/06 & 11/22/06 & 11/29/06*] (F-23)

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

The vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

A sidewalk variance for waiver of sidewalks was approved as shown on Exhibit C in the Planning file. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

PAGE 3

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval expires one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in cursive script, reading "Sheran Matson", is positioned above the typed name.

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio
Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness PI NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

SEPTEMBER 5, 2007

3. Project# 1004989
07DRB-70183 MAJOR - AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC. agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, WILDERNESS AT HIGH DESERT, UNIT 2 (to be known as WILDERNESS CANON AT HIGH DESERT) zoned SU-2 HD/R-R, located on HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE containing approximately 4.6006 acre(s). (F-23)

At the September 5, 2007, Development Review Board meeting, the amended preliminary plat, the amended grading and drainage plan dated 7/17/07 and amended infrastructure list dated 09/05/07 were approved. This amendment does not extend the expiration date of the already approved preliminary plat. That date is extended, however, for the length of the appeal period.

If you wish to appeal this decision, you must do so by September 20, 2007, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).


Sheran Matsor, AICP, DRB Chair

Cc: BOHANNAN HUSTON INC, 7500 Jefferson NE, 87109
MESA VERDE DEVELOPMENT CO, 8300 Carmel Ave NE, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File