



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 3, 2009

Project# 1007263

09DRB-70012 MAJOR - PRELIMINARY PLAT APPROVAL
09DRB-70013 SIDEWALK WAIVER
09DRB-70185 SUBDIVISION DESIGN
VARIANCE

BOHANNAN HUSTON INC agent(s) for KHANI COMPANY-NASER ALIKHANI request(s) the above action(s) for all or a portion of Tract(s) A-1, **FOUR HILLS VILLAGE- 21ST INSTALLMENT**, zoned R-1, located on HIDEWAY LN SE AND WARM SANDS DR SE AND OPEN SPACE containing approximately 7.2734 acre(s). (M-23)[*Deferred from 2/11/09, 3/4/09, 3/18/09, 4/8/09, 4/29/09, 5/6/09, 5/20/09, 5/27/09*]

At the June 3, 2009 Development Review Board meeting, based on the Drainage Report/ Engineer stamp dated 05/22/09, and with the signing of the Infrastructure List dated June 3, 2009, the preliminary plat was approved subject to the following Variances and Findings:

Based on the absence of sidewalks in the Four Hills Subdivision and existing conditions, a Sidewalk Waiver was approved; with no sidewalks to be built, there is no need for a Sidewalk Variance for Temporary Deferral of Construction.

Based on physical constraints, existing topography and the minimal number of lots affected, a Subdivision Design Variance was approved for Hideaway Lane SE to have a modified cul-de-sac radius of approximately 30 feet; a stub street length of approximately 320 feet north of the modified cul-de-sac; and a street pavement width of 24 feet north of the modified cul-de-sac.

Findings:

- (1) The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community; and
- (2) The variance will not conflict significantly with the goals and provisions of any city, county, or AMAFCA adopted plan or policy, the applicable zoning ordinance, or any other city code or ordinance; and
- (3) The variance will not permit, encourage or make possible undesired development in the 100-year Floodplain; and
- (4) The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements; and

(5) Varying from the normal requirements will encourage flexibility, economy, and ingenuity in design of a subdivision, in accordance with accepted principles of site planning; and

(6) Extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards; and

(7) Roadway improvements that are required with this project will impact the accessibility to Lorman Place for Lot 4, Block 3, of the Four Hills Village First Installment (1007 Warm Sands Dr. SE). These improvements are necessary in order to ensure compliance with the City Subdivision Ordinance and City Design Standards applicable to subdivision actions. Lot 4 will continue to have access to Warm Sands Drive SE. As Lot 4 will continue to have accessibility to City Right of Way, it is the determination of the Development Review Board that this replat abridges no substantial property right.

If you wish to appeal this decision, you must do so by June 18, 2009, 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).


Jack Cloud, AICP, DRB Chair

Cc: Roger Mickelson – 1432 Catron Ave SE – Albuquerque, NM 87123
Karen Little – 13727 Winterwood – Albuquerque, NM 87123
Charles Massey – 1206 Hideaway Lane SE – Albuquerque, NM 87123
Joseph Zamuda – 1605 Wagontrain SE – Albuquerque, NM 87123
Chuck Cremer – 600 Autumnwood PL SE – Albuquerque, NM 87123
Ed Barsis – 4538 Catron Ave SE – Albuquerque, NM 87123
Robert Singer – 7501 Elmorro NE – Albuquerque, NM 87109
Noel Rogers – 907 Warm Sands – Albuquerque, NM 87123
Mike Knight – 2518 Eubank Blvd – Albuquerque, NM 87112
Mori Jafari – 13819 Winterwood – Albuquerque, NM 87123

Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 26, 2010

Project# 1007263
10DRB-70138 EXT OF MAJOR PRELIMINARY PLAT

RODEY LAW FIRM agent(s) for KHANI CONSTRUCTION-NASER ALIKHANI request(s) the above action(s) for all or a portion of Lot(s) A-1, **FOUR HILLS VILLAGE 21ST INSTALLMENT** zoned R-1, located on HIDEAWAY LANE SE AND WARM SANDS DR SE BETWEEN OPEN SPACE AND HIDEAWAY LANE SE containing approximately 7.2734 acre(s). (M-23)

At the May 26, 2010 Development Review Board meeting, the one-year extension of the preliminary plat was approved.

If you wish to appeal this decision, you must do so by June 10, 2010 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).

The conditions of final plat still apply.

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 is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)


Jack Cloud, AICP, DRB Chair

Cc: Rodey Law Firm (Robert L. Lucero) – P.O. Box 1888 – Albuquerque, NM 87103
Khani Construction-Naser Alikhani – 13816 Winterwood Way SE – Albuquerque, NM 87123

Marilyn Maldonado
File