

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

Albuquerque Public Schools
P.O. Box 25704
Albuquerque, NM, 87125

Project# PR-2024-010189

Application#

VAC-2025-00017 VACATION OF EASEMENT FOR
STORM DRAIN EASEMENT

VAC-2025-00016 VACATION OF AMAFCA
DRAINAGE EASEMENT AND PUBLIC STORM
DRAINAGE EASEMENT

DHOWVR-2025-00006 DPM WAIVER MINIMUM
CENTERLINE RADIUS

DHOWVR-2025-00007 DPM WAIVER RIGHT OF
WAY WIDTH

DHOWVR-2025-00008 IDO/DPM WAIVER BLOCK
LENGTH

DHOWVR-2025-00009 SIDEWALK WAIVER

DHOWVR-2025-00010 SIDEWALK WAIVER

LEGAL DESCRIPTION:

For all or a portion of:

TRACT N1, WATERSHED zoned **PC**, located at
9601 TIERRA PINTADA BLVD NW containing
approximately **109.582** acre(s). (**H-08, J-07, J-08**)

On April 23, 2025 the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, based on the following Findings:

VAC-2025-00017 VACATION OF PUBLIC EASEMENT

1. This is a request to remove all the public easement that encompasses a portion of Tract N-1-B. Previously the easements were granted to convey flow to Ladera Dam 5S via storm drain under Arroyo Vista.

6-6(M)(3)

Review and Decision Criteria

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

- 6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.
- 6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

The diversion channel is no longer necessary with the majority of the upstream flow being cut-off by the Inspiration Subdivision and the remaining to be carried via internal storm drain to a proposed pond located at the southeast corner. No site flow will discharge to Dam 5S, therefore, the storm drain easement north of Arroyo Vista as well as the existing AMAFCA drainage easement is no longer necessary.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(M)(3) of the IDO.

VAC-2025-00016 VACATION OF AMAFCA DRAINAGE AND PUBLIC STORM DRAINAGE EASEMENT

1. This is a request to vacate the existing AMAFCA drainage easement.

6-6(M)(3)

Review and Decision Criteria

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

- 6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.
- 6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

The diversion channel is no longer necessary with the majority of the upstream flow being cut-off by the Inspiration Subdivision and the remaining to be carried via internal storm drain to a proposed pond located at the southeast corner.

No site flow will discharge to Dam 5S, therefore, the storm drain easement north of Arroyo Vista as well as the existing AMAFCA drainage easement is no longer necessary.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(M)(3) of the IDO.

DHOWVR-2025-00006 DPM WAIVER MINIMUM CENTERLINE RADIUS

1. This is a request for waivers to DPM Table 7.4.62, local residential street with 90 degree or near 90 degree turns which may be designed with a minimum centerline radius of 75' with the approval of the Traffic Engineer. There are six locations where there is a 75' centerline radius, where the road is 90 or near 90-degrees. Two are located on Logic Lane, two are located on Insight Lane, one on Scholastic Trail, and one on Literacy Lane.

6-6(P)(3)**Review and Decision Criteria****6-6(P)(3)(a)****General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
 - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

1.d applies per the DPM Table 7.4.62 **A local residential street with 90 degree or near 90 degree turns may be designed with a minimum centerline radius of 75' with the approval of the Traffic Engineer.

There are six locations where there is a 75' centerline radius, where the road is 90 or near 90-degrees. Two are located on Logic Lane, two are located on Insight Lane, one on Scholastic Trail, and one on Literacy Lane. Given that the locations mentioned will have no public thoroughfare the vehicular speeds will be low, allowing for a tighter turning radius.

2. The Waiver will not be materially contrary to the public safety, health, or welfare.
3. The Waiver does not cause significant material adverse impacts on surrounding properties.
4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.
9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(P)(3)(a) of the IDO.

2. The Applicant provided the required notices as outlined in Table 6-1-1 of the IDO.

DHOWVR-2025-00007 DPM WAIVER RIGHT OF WAY WIDTH

1. This is a request to to reduce the right-of-way to 40.5' wide right-of-way and 26' wide pavement for Pi R Squared Way along the north property boundary.

6-6(P)(3)

Review and Decision Criteria

6-6(P)(3)(a)

General

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
 - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

1. a, b, c and d applies for the locaton along Pi R Squared road as this is adjacent to the HOA open space tract adjacent to the Petroglyph Natonal Monument. There are large knobs in this area that are being preserved so in order to have less disturbance to the steep slopes of the knobs, a smaller ROW is being requested.

2. The Waiver will not be materially contrary to the public safety, health, or welfare.
3. The Waiver does not cause significant material adverse impacts on surrounding properties.
4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.
9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).
10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(P)(3)(a) of the IDO.

2. The Applicant provided the required notices as outlined in Table 6-1-1 of the IDO.

DHOWVR-2025-00008 IDO/DPM WAIVER BLOCK LENGTH

1. This is a request for waivers to the block length to include:
 - a. The westside of Logic Lane -the block is approx. 980LF.
 - b. Insight Lane where no access is available along the east/south side - the block is approx. 988 LF.

6-6(P)(3)**Review and Decision Criteria****6-6(P)(3)(a)****General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.

1.a applies per the DPM Section 7-4(A)(5) and IDO 14-16-5-4(E) where block length maximum is 600'. The waivers include along the westside of Logic Lane, as no access will be available to the west since there is an existing subdivision with private residential lot. The block is approx. 980LF. There is a pedestrian access along the east side of Logic Lane which bisects the length at approximately 589' and 403' which are both less than the maximum 600' length. Also, along Insight Lane where no access is available along the east/south side there is private property and a proposed pond and private property along this location. The block is approx. 988 LF. There is a roadway (Literacy Lane) which intersection with the west/northside which creates block lengths of 200', 518' and 269' which are less than the maximum 600' length. All other internal street networks meet the 600' max block length.

- b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
 - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.
2. The Waiver will not be materially contrary to the public safety, health, or welfare.
3. The Waiver does not cause significant material adverse impacts on surrounding properties.
4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).
10. If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

The block length waiver does not adversely affect items 2-5 and the criteria does not apply as a floodplain in the area is not applicable once the LOMR is complete. (see findings)

Based upon these justifications, this request complies with the decision and review criteria of 6-6(P)(3)(a) of the IDO.

2. The Applicant provided the required notices as outlined in Table 6-1-1 of the IDO.

DHOWVR-2025-00009 SIDEWALK WAIVER

1. This is a request for sidewalk deferral to enable the developer to delay construction of sidewalks within the subdivision for lots with sidewalks in front of the lot(s) before residences are built.

6-6(P)(3)**Review and Decision Criteria****6-6(P)(3)(a)****General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.

- c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
- d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

1.d applies per the DPM Part 2-3(C) Construction Agreements. The Sidewalk Deferral Agreement allows the developer to delay construction of sidewalks within a subdivision until lot development.

- 2. The Waiver will not be materially contrary to the public safety, health, or welfare.
- 3. The Waiver does not cause significant material adverse impacts on surrounding properties.
- 4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
- 5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
- 6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
- 7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
- 8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).
10. If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(P)(3)(a) of the IDO.

2. The Applicant provided the required notices as outlined in Table 6-1-1 of the IDO.

DHOWVR-2025-00010 SIDEWALK WAIVER

1. This is a request for a sidewalk to be waived on one side of Knowledge Lane and Savio Ridge Way to allow only on secured access into the gated subdivision, as well as for a sidewalk to be waived on one side of Pi R Squared Way and Insight Lane.

6-6(P)(3)**Review and Decision Criteria****6-6(P)(3)(a)****General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.

- d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

1.d applies for the two sidewalk waivers requested on the two entry roads Knowledge Lane and Savio Ridge Way. This is a gated subdivision and for security reasons one pedestrian gates would be preferred to limit access into the subdivision.

- 2. The Waiver will not be materially contrary to the public safety, health, or welfare.
- 3. The Waiver does not cause significant material adverse impacts on surrounding properties.
- 4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
- 5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
- 6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
- 7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
- 8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.
- 9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

The sidewalk proposed to be waived are located in a private gated subdivision and the absence of sidewalk does not create a gap in an existing sidewalk system on either side of the property.

Based upon these justifications, this request complies with the decision and review criteria of 6-6(P)(3)(a) of the IDO.

2. The Applicant provided the required notices as outlined in Table 6-1-1 of the IDO.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MAY 9TH , 2025**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th 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 electronically to [ABQ-PLAN](#) (place mouse cursor over hyperlink, right-click, choose "open hyperlink"). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (place mouse cursor over hyperlink, right-click, choose "open hyperlink"). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

Sincerely,

Brennon Williams

Brennon Williams (Apr 30, 2025 17:05 MDT)

Brennon Williams

Development Hearing Officer

BW/am/jr

Bohannon Huston Inc., 7500 Jefferson St NE, Albuquerque, NM 87109







PR-2024-010189 April 24th, 2025 Notice of Decision - DHO

Final Audit Report

2025-04-30

Created:	2025-04-30
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAhYdRq0IEaOUZ8c_DV4ZDUrIQD_RcbhYC

"PR-2024-010189 April 24th, 2025 Notice of Decision - DHO" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2025-04-30 - 9:48:24 PM GMT
-  Document emailed to brennonwilliams295@gmail.com for signature
2025-04-30 - 9:48:29 PM GMT
-  Email viewed by brennonwilliams295@gmail.com
2025-04-30 - 10:25:44 PM GMT
-  Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams
2025-04-30 - 11:05:02 PM GMT
-  Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)
Signature Date: 2025-04-30 - 11:05:04 PM GMT - Time Source: server
-  Agreement completed.
2025-04-30 - 11:05:04 PM GMT