

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

OFFICIAL NOTICE OF DECISION

MDS Investments, LLC
Steven B. Chavez
7500 Jefferson St. NE
Albuquerque, NM 87109

Project# PR-2024-010653
Application#
DHOWVR-2025-00026 DHO WAIVER
DHOWVR-2025-00027 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion of:

Lot/Tract 1 & 5, ARTISTE zoned PC, located on UNIVERSITY BLVD SE containing approximately 158.4669 acres (s). (S-15, R-15)

On November 12, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications, approved the request for a DHO Waiver, based on the following Findings:

DHOWVR-2025-00026 & 00027 DHO WAIVER

1. This is a request for two DHO Waivers to the IDO and DPM, for a waiver to the block length requirements, and for a waiver to the centerline radius requirements. These actions will be followed by a Major Preliminary Plat.
2. On September 10, 2025, a Bulk Land Plat was approved by the DHO. That approval subdivided the existing tract, Tract 1 of the Artiste subdivision, into new Tracts 1-12 and 14-16 at 239.06-acres in size. Replatting 15 Tracts into 10. It is located at 99999 University Boulevard SE, at the intersection of Bobby Foster Road and Chicago Drive SE.
3. The subject property was reviewed for a Sketch Plat by the Development Facilitation Team (DFT) on July 24, 2024.

4. The subject property is within the Mesa Del Sol, zoned PC (Planned Community), and is in an Area of Change. It is also within the mapped area for Referrals to Commenting Agencies per IDO section 6-4, Sunport and KAFB. Future development is subject to the Mesa Del Sol Plan. Where silent, the standards and provisions within the IDO and the DPM would apply.
5. A Waiver shall be approved if it complies with all of the criteria of 6-6(P)(3)(a) of the IDO. The DHO determined the review and decision criteria for a DHO Waiver were met, the requirements of the IDO and not being contrary to the public safety, health, or welfare, including the following which were verbally determined at the hearing:

6-6-P-3-1-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 Section 7-4(A)(5) and IDO 14-16-5-4(E) where block length maximum is 600'. The IDO states the maximum block length for local streets is 600'. After meeting with city planning, it was our understanding that this was to allow for pedestrian connectivity. We are requesting a waiver to the pedestrian access points as it relates to the proposed layout and adjacent property to follow the pedestrian specific movements and connectivity. The waivers include along Scholer Ave in which putting a pedestrian\vehicle access to Houser Ave doesn't provide any advantage as Houser Ave is 638' (which is within the allowable 10% deviation) and providing an access provides no advantage to connectivity than continuing to Dillingham and Rockwell directly. With that said, we are also requesting a waiver to Houser Ave as it is in the allowable 10% deviation. Another waiver, along Paolo Alley is being requested, which is a private, alley tract. We don't feel this waiver is necessary and it is not a public access and the lots the roadways are fronting do meet the 600' block criteria. We wanted to include it in case a variance was necessary. The alley only accesses the garages for the adjacent home and there are no thoroughfare or pedestrian facilities. This same request for Cassett Alley is being requested as it is also a private alley, which is slightly longer than the 600' but like Paolo Alley above, it is a private tract with only access to the garages for the lots backing to it with no thoroughfare or pedestrian facilities. The fronting streets do meet the criteria of the 600' block length.

6-6-P-3-1-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. Local residential centerline for 20mph is 107' and 25mph is 198'. We used 198' as a typical centerline radius.*

Where they are 90 deg or near 90deg we are asking for this approval. There are five locations where there is a 75' centerline radius, where the road is 90 or near 90-degree. Two are located on Miro Avenue which is a local residential road. The other four are located on the private alleyways. Two are in Cassett Alley and one is in Paolo Alley.

Given that the locations mentioned will have no public thoroughfare, the vehicular speeds will be low, allowing for a tighter turning radius.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **DECEMBER 2, 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.

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,

Brennon Williams

[Brennon Williams \(Nov 14, 2025 07:32:38 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/rw/jr

Bohannon Huston Inc., Yolanda Padilla Moyer, P.E. 7500 Jefferson St Ne, Albuquerque, Nm 87109


PR-2024-010653_November_12_2025_Notice_o f_Decision_DHO


Final Audit Report


2025-11-14


Created:	2025-11-13
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAfFAzi4oW68yMEbJk87QBk-nPkUIVU1Zf


"PR-2024-010653_November_12_2025_Notice_of_Decision_DH O" History


 Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2025-11-13 - 7:59:21 PM GMT

 Document emailed to brennonwilliams295@gmail.com for signature
2025-11-13 - 7:59:26 PM GMT

 Email viewed by brennonwilliams295@gmail.com
2025-11-14 - 2:31:40 PM GMT

 Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams
2025-11-14 - 2:32:36 PM GMT

 Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)
Signature Date: 2025-11-14 - 2:32:38 PM GMT - Time Source: server

 Agreement completed.
2025-11-14 - 2:32:38 PM GMT