

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

March 1, 2019

Gamma Development
9798 Coors BLVD Bldg C suite 400
ABQ NM 87114

Project# PR-2018-001903

Application#

SD-2018-00123 – PRELIMINARY PLAT
VA-2018-00223 – TEMP DEFERRAL OF
SIDEWALKS

SD-2018-00125 – VACATION OF PUBLIC
EASEMENT

SD-2018-00124 – VACATION OF PRIVATE
EASEMENT

VA-2018-00227 – SIDEWALK WAIVER

LEGAL DESCRIPTION:

All or a portion of TRACT 3B-3 PLAT OF TRS 3B-1,
3B-2 & 3B-3 A SUBD OF TR 3B LAND OF IHS
ACQUISTION NO. 120 INC, zoned R-T, located on
HORIZON BLVD. NE between BALLOON
MUSEUM DR. NE and ALAMEDA BLVD NE,
containing approximately 7.76 acre(s). (B-17)

On February 27, 2019, the Development Review Board (DRB) held a public hearing concerning the above referenced application and approved the requests based on the following Findings:

Findings: SD-2018-00123 – PRELIMINARY PLAT

1. This a request for a preliminary plat to create 34 residential lots and 7 associated HOA tracts adjacent to the North Diversion Channel and the Balloon Fiesta Park.
2. A Grading + Drainage Plan was approved by Hydrology with an engineer's stamped date 1-21-19
3. The required Infrastructure List was signed and dated by the DRB at the hearing.
4. Per Section 14-16-6-6(J)(2)(c)(1), a Sketch Plat was reviewed by the DRB.

5. The preliminary plat complies with the applicable standards of the IDO and the DPM.

Conditions:

1. Per Section 14-16-6-6(J)(2)(f) of the IDO, a Final Plat shall be approved by the DRB within one year of the Preliminary Plat approval.
2. Required easements must be called out on the infrastructure list.

Findings: VA-2018-00223 – SIDEWALK DEFERRAL

1. The sidewalk deferral is acceptable provided all City requirements are met.

Findings: VA-2018-00227 – SIDEWALK WAIVER

2. This request complies with all applicable standards of the IDO and the DPM.
3. A request for a Variance to sidewalk requirements, shall be approved if it meets all of the applicable criteria in Subsection (a) above and all of the following criteria:
 - a. 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 or area.

The sidewalks that are waived is on the side sides of the the street without houses, the street deadends and so the lack of sidewalk does not impact pedestrian circulation in the adjacent area.

b. The City's right-of-way is insufficient in width to permit the construction of a sidewalk of standard dimension and placement, but there is sufficient right-of-way to meet minimum ADA or PROWAG guidance.

The variance is based on the surrounding area and character of the roadway. Pedestrian activity in the roadway may not be desirable due to the character of the roadway.

c. The adjoining sidewalks are non-standard as to width and/or location, and the Variance would enable the new and existing sidewalks to match in width and/or location, or could create a smooth transition between areas of different width and/or character.

There are no sidewalks adjacent to the sidewalk that will be waived

4. The sidewalk waiver is shown in exhibit B Sidewalk Deferral and Waiver

Findings :SD-2018-00077 – VACATION OF PRIVATE EASEMENT

1. The applicant proposes to vacate one Private Drainage Easement and Public Roadway Easement, as shown in Exhibit C.
2. The public welfare does not require that the public right-of-way or easement be retained because the flow from the drainage easement will be routed into the private streets containing a public storm drain easement

Official Notice of Decision

Project# PR-2018-001903, SD-2018-00123, VA-2018-00223, SD-2018-00125, SD-2018-00124, VA-2018-00227

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Conditions:

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval.

Findings: SD-2018-00125 – VACATION OF PUBLIC EASEMENT

1. The applicant proposes to vacate one Private Drainage Easement and Public Roadway Easement, as shown in Exhibit C.
2. The public welfare does not require that the public right-of-way or easement be retained the MST and T Easement will no longer be need because the building that it serves will be demolished (see exhibit A).

Conditions:

2. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **MARCH 14, 2019**. The date of the DRB'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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Kym Dicome
DRB Chair

KD/mg

Bohannon Huston 7500 Jefferson ST. NE ABQ, NM 87109