

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

AMENDED OFFICIAL NOTIFICATION OF DECISION

August 30, 2019

PV Trails, LLC
4350 La Jolla Village Drive, Suite 110
San Diego, CA 92122

Project# #PR-2018-001991
SD-2019-00026 – PRELIMINARY PLAT
VA-2019-00033- TEMPORARY DEF OF SIDEWALK
SD-2019-00027- VACATION OF TEMP PUBLIC
DRAINAGE EASEMENT

LEGAL DESCRIPTION:

For all or a portion of portion of TRACT 6 BULK LAND PLAT OF THE TRAILS UNIT 3A & TRACT C CORRECTION PLAT OF VALLE PRADO UNIT 3 (AKA VALLE PRADO UNITS 4 & 5), zoned R-1B, located on WOODMONT AVE between RAINBOW AVE and PASEO DEL NORTE BLVD, containing approximately 15.52 acre(s). (C-9)

On August 28, 2019 the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and Hydrology, based on the following Findings

SD-2019-00026 – PRELIMINARY PLAT

1. This Preliminary Plat creates 93 residential lots in the two remaining phases of Valle Prado (units 4 + 5). This site is subject to an approved site plan (SI-2019-00254) and the Infrastructure List (IL) is tied to this preliminary plat.
2. The lots are allowed under the R1-B zone and meet the minimum lot size requirements.
3. The plat contains the required easements.
4. The Parks Department had no comments for the request.

VA-2019-00033- TEMPORARY DEFERRAL OF SIDEWALK

1. The deferral allows the applicant to construct the sidewalks on a lot by lot basis as each home is completed. This prevents damage to sidewalks during construction. The required sidewalks will still be built as shown on Exhibit B in the file.

2. The deferral is acceptable to Transportation.
3. The Parks Department had no comments for the request.

SD-2019-00027- VACATION OF TEMP PUBLIC DRAINAGE EASEMENT

1. This is a request to vacate temporary public drainage easement, shown in Exhibit C, that was granted in to allow for future storm drain runoff on Woodmont Avenue.
2. Vacation requests must meet the criteria in IDO Section 14-16-6-6-(K)(3)(a): *The public welfare does not require that the public right of way or easement be retained:* Storm drain inlets were constructed west of the Nightshine Street and Woodmont Avenue intersection on Valle Prado Unit 1 and Durango Unit 1. Woodmont Avenue has the capacity to convey storm drain runoff. Due to these improvements, the drainage is no longer needed.
3. Vacation requests must meet the criteria in 14-16-6-6(K)(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 that right.*

The request allows the site to develop and has sufficient drainage infrastructure. The applicant controls the site that contains the vacated easement. Because there is sufficient drainage infrastructure, no property owners will be impacted.

4. Hydrology had no objection to the vacation.

Conditions:

1. A plat is required to complete the vacations. The plat must be recorded within one year of this action.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 12, 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. Note: Preliminary Plats cannot be appealed according to the IDO section 14-16-6-4(T)(1).

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

Official Notice of Decision

Project# PR-2018-001991 Application# SD-2019-00026, VA-2019-00033, SD-2019-00027-

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of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Maggie Gould
Acting DRB Chair

KD/mg

Price Land Development 303 Roma Ave NW Suite 110 ABQ, NM 87102