

**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

Nafeesa Pashton
9423 Black Farm
Albuquerque, NM 87114

Project# PR-2020-003484
Application#
SD-2023-00048 – PRELIMINARY PLAT

LEGAL DESCRIPTION:

For all or a portion of
**Lots 2 & 3, Block 12 Unit 3, VOLCANO
CLIFFS SUBD** zoned **R1-D** located on **Mojave
Street NW between Unser and Tesuque**
containing approximately **4.25** acre(s).
(L-10)

On November 8, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced application and approved the request, based on the following Findings:

1. This is a request for a Preliminary Plat to subdivide 1 tract a total of 4.25 acres in size into 1 tract and 19 lots, grants easements as depicted on the Plat, and dedicate right-of-way to the City of Albuquerque as depicted on the Plat.
2. The property is zoned R1-D. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
3. The Applicant requested a determination to maintain the 60-foot right-of-way on Mojave and the request was justified per 6-6(P)(3) of the IDO.

4. The subdivision will connect to the sewer main in the 150 foot Boca Negra Arroyo that is zoned NR-PO-B, Major Public Open Space (MPOS) through an existing manhole in that channel. The Applicant provided a plan view and trench cross sections from two planes to indicate they may bore underground with no visible disturbance of the soil of the Boca Negra Arroyo. The Applicant must get a permit from the National Park Service prior to making this connection.
5. The Applicant completed a sensitive lands analysis and no sensitive land features were identified. The site slopes are 8% or less and the property is not in the 100-year flood plain.
6. The subdivision complies with the IDO requirements of 5-2(J)(2)(a) for subdivisions abutting Major Public Open Space by means of a 47-foot wide tract along the properties northern boundary. The Plat shows that the westernmost portion of Tract A to a dotted line is an open space buffer. The easternmost portion of Tract A is a drainage pond. Both of these areas must have plant material approved by the Superintendent of Open Space. The middle, and longest portion of Tract A, is a single-loaded street.
7. The Applicant will build a scour wall 6 feet away from the northern property line and on the private parcel to retain stormwater on site and protect the MPOS.
8. The grading plan complies with IDO 3-6(E) for parcels within the VPO-2 Height Restricted Sub Area, wherein, 'Building and/or structure height shall not exceed 15 feet, as measured from natural grade.' The Applicant has shown height measurements from finished grade and natural grade and established maximum building heights that do not exceed 15 feet.
9. The Applicant complies with the contextual standards of IDO 5-1(C)(2) wherein the proposed lots meet contextual standards when compared to lots on each side of Mojave.
10. The submittal of a Final Plat is required within one year of Preliminary Plat approval per Table 6-4-3 of the IDO.
11. A recorded Infrastructure Improvement Agreement (IIA) based on the DFT-approved Infrastructure List must be submitted prior to the acceptance of a Final Plat and placement on a DHO agenda.
12. The Applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

The Preliminary Plat is conditioned as follows:

- a. Per ABCWUA: Add the following note to the Cover of the: 'ABCWUA Public Water & Sanitary Sewer Easements Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted perpetual, exclusive easement(s) in gross in the dimensions noted on this plat for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.'
- b. Per Parks and Recreation: Add note on the plat that the parcel adjacent to the subject site "Boca Negra Arroyo (150' R/W)" is zoned NR-PO-B for MAJOR PUBLIC OPEN SPACE - PETROGLYPH NATIONAL MONUMENT.
- c. Per Planning: Revise the Infrastructure List Notes on Drainage to state 'City Standard Specification 1013.' Add a note to the Plat indicating DHO approval of the determination to retain a 60 foot Right-of-Way on Mojave Street.
- d. City Engineer must approve the Erosion and Sediment Control Plan addressing the sensitive lands issue to the north and that sheet must be approved by the City Engineer prior to any grading and drainage on the site AND prior to the Final Plat application.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **DECEMBER 1st, 2023**. 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(V) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

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,

Ronald R. Bohannon, P.E.

Ronald R. Bohannon, P.E. (Nov 15, 2023 08:00 MST)

Ronald R. Bohannon, P.E.
Development Hearing Officer

RRB/jw

The Group/Ron Hensley, 300 Branding Iron Rd. SE, Rio Rancho, NM 87124







PR-2020-003484_November_08_2023- Notice of Decision

Final Audit Report

2023-11-15

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