

**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

DR Horton, Inc.
8440 Wyoming Blvd. NE
Albuquerque, NM, 87113

Project# PR-2021-005717
Application#
SD-2023-00148 PRELIMINARY PLAT
SD-2023-00158 FINAL PLAT
SD-2023-00149 VACATION OF PUBLIC
EASEMENT
SD-2023-00150 VACATION OF PRIVATE
EASEMENT
VA-2023-00212 WAIVER IDO – BLOCK
DIMENSION
VA-2023-00214 STUB STREET WAIVER
VA-2023-00215 REAR YARDS WAIVER ALONG
ARTERIAL ROADWAY

LEGAL DESCRIPTION:
TRACT 2 UNIT 2, THE TRAILS zoned **R-ML**
located on **OAKRIDGE ST NW** between
UNIVERSE BLVD NW and SILVER MESA ST
NW containing approximately **10.3941**
acre(s). (C-9)

On September 13, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, based on the following Findings:

SD-2023-00148 PRELIMINARY PLAT

1. This Preliminary Plat subdivides one existing tract into 72 lots and 7 tracts a total of 10.4 acres in size, grants and vacates easements as depicted on the Plat, and dedicates right-of-way as depicted on the Plat.

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Project # PR-2021-005717 Applications# SD-2023-00148, SD-2023-00158, SD-2023-00149, SD-2023-00150, VA-2023-00212, VA-2023-00214, VA-2023-00215

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2. The property is zoned R-ML. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
3. A recorded Infrastructure Improvements Agreement (IIA) was submitted with the Preliminary Plat.
4. Development Facilitation Team (DFT) staff administratively approved a Temporary Deferral of Sidewalk Construction for sidewalks as depicted on the "Tract 2 Trails Deferred Sidewalk Exhibit" included in the application submittal, per PR-2021-005717 / VA-2023-00225.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
6. The review and decision criteria for a Preliminary Plat were met per 6-6(L)(3) of the IDO.

SD-2023-00158 FINAL PLAT

1. This request subdivides one existing tract into 72 lots and 7 tracts a total of 10.4 acres in size, grants and vacates easements as depicted on the Plat, and dedicates right-of-way as depicted on the Plat.
2. The property is zoned R-ML. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
3. A recorded IIA was submitted with the Final Plat.
4. The Final Plat is consistent with the Preliminary Plat (SD-2023-00148).
5. The review and decision criteria for a Final Plat were met per 6-6(L)(3) of the IDO.

SD-2023-00149 VACATION OF PUBLIC EASEMENT

1. The applicant proposes to vacate an existing public drainage easement as depicted on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require the easement to be retained, as no substantial property right will be abridged against the will of the property owners of the public by the vacation of this easement, and there is a net benefit to the public welfare as the vacated easement permits right-of-way to be dedicated to the public and allow freer access to the public.

SD-2023-00150 VACATION OF PRIVATE EASEMENT

1. The applicant proposes to vacate an existing private access easement as depicted on the Plat.

2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require the easement to be retained, as no substantial property right will be abridged against the will of the property owners of the public by the vacation of this easement, and there is a net benefit to the public welfare as the vacated easement permits right-of-way to be dedicated to the public and allow freer access to the public.

VA-2023-00212 WAIVER IDO – BLOCK DIMENSION

1. The applicant proposes a waiver to permit the block length of the western block of the proposed development to be 796-feet in length and exceed the maximum allowable block length of 600-feet per 5-4(E)(3) of the IDO.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The approval of the waiver will enable Tract A as depicted on the Plat to provide a common area consistent with a neighboring subdivision.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2023-00214 STUB STREET WAIVER

1. The applicant proposes a waiver to permit a stub street due to the unfeasibility of providing a connection to an existing street or future road extension per 5-3(E)(1)(d) of the IDO.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. ABCWUA has requested that a waterline stub be provided to the adjacent tract to the east of the subject property for a future connection, and the stub street was added to provide ROW for the waterline stub.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2023-00215 REAR YARDS WAIVER ALONG ARTERIAL ROADWAY

1. The applicant proposes a waiver to permit rear yards for the lots along Paseo del Norte, an arterial street. 5-4(F)(2)(b) discourages layouts where the rear lot line is adjacent to a collector or arterial street.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The existing subdivisions located west of the subject property have backyards along Paseo del Norte, and providing a similar layout with the proposed development would be consistent with the subdivisions to the west. Furthermore, an additional 10-feet is being provided for the rear-yard setback to help buffer future homes from Paseo del Norte, and a multi-use trail is being developed along Paseo del Norte which will add variety to the streetscape.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **SEPTEMBER 29TH, 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. Bohannan

[Ronald R. Bohannan \(Sep 21, 2023 06:10 MDT\)](#)

Ronald R. Bohannan
Development Hearing Officer

RRB/jr

RESPEC - Jeremy Shell, 5971 Jefferson Street NE, Suite 101, Albuquerque, NM 87109







PR-2021-005717_September_13_2023- Notice of Decision

Final Audit Report

2023-09-21

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