

**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**

Danny Spurlock  
555 The Esplande Apt. 1003  
Venice, FL, 34285

**Project# PR-2021-006308**  
**Application#**  
**SD-2023-00159 PRELIMINARY PLAT**

### **LEGAL DESCRIPTION:**

For all or a portion of:

**LOT 17, TRACT 2 BLOCK 4 UNIT 3, NORTH ALBUQUERQUE ACRES** zoned **R-1A** located on **WYOMING BLVD between ALAMEDA BLVD NE and SIGNAL AVE NE** containing approximately **0.6148** acre(s). **(C-19)**

On September 27, 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 request subdivides an existing lot (Lot 17, Tract 2 Block 4 Unit 3, North Albuquerque Acres) into three lots (Lot 1 at 0.1457-acres in size, Lot 2 at 0.0980-acres in size, and Lot 3 at 0.1083-acres in size), grants easements as depicted on the Plat, and dedicates 0.2714-acres of public street right-of-way to the City of Albuquerque.
2. The property is zoned R-1A. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) based on the DFT-approved Infrastructure List or proof of construction of the infrastructure improvements must be submitted prior to the acceptance of the Final Plat and placement on a DHO agenda.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

5. A DHO Determination from the Landscape/Buffer Zone requirements to allow an existing 4.2-foot wide landscape buffer in lieu of the minimum 5-foot wide landscape buffer along Wyoming Blvd. NE per Table 7.2.29 of the DPM was justified and approved with the Preliminary Plat; the application is dedicating over 46-feet of land for the purposes of ensuring that Wyoming Boulevard has the right-of-way it needs to accommodate all the elements identified in Table 7.2.29 of the DPM, and the dedication of right-of-way is in anticipation of roadway improvements that could widen Wyoming. Requiring the widening of the landscape buffer would be untimely for the project and a hardship for the applicant, and the determination will not cause significant material adverse impacts on surrounding properties per 6-6(P)(3) of the IDO.
6. The review and decision criteria for a Preliminary Plat were met per 6-6(L)(3) of the IDO.
7. Per Table 6-4-3 of the IDO, the Preliminary Plat will expire if a Final Plat is not submitted within 1-year of this DHO approval.

**Conditions:**

This Preliminary Plat approval is conditioned as follows:

- a. DHO determination for landscaping buffer must be added to the plat.
- b. AGIS DXF file approval must be provided.
- c. DHO meeting approval date must be added to plat.
- d. Recorded Infrastructure Improvements Agreement (IIA) or proof of construction.
- e. ABCWUA condition for signature note added to the plat as provided.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **OCTOBER 16<sup>TH</sup>, 2023**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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](mailto: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](mailto: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.

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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,

A handwritten signature in black ink, appearing to read "David S. Campbell". The signature is fluid and cursive, with the first name "David" and last name "Campbell" clearly distinguishable.

David S. Campbell  
Development Hearing Officer

DSC/rw

Juanita Garcia-JAG Planning & Zoning, LLC, PO Box 7857, Albuquerque, NM 87194







# PR-2021-006308\_September\_27\_2023- Notice of Decision

Final Audit Report

2023-10-03

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