

**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**

Pulte Group (Kevin Patton)  
7601 Jefferson St NE Suite 320  
Albuquerque, NM 87109

**Project# PR-2021-004968**  
**Application#**  
**SD-2023-00233 – EXTENSION OF PRELIMINARY  
PLAT (2<sup>nd</sup> EXTENSION)**

### **LEGAL DESCRIPTION:**

For all or a portion of:

**TRACT B-1 AND B-2, LA CUENTISTA  
SUBDIVISION** zoned **R-ML**, located on  
**ROSA PARKS RD NW between UNSER  
BLVD NW and KIMMICK DR NE** containing  
approximately **59.0** acre(s). **(C-10)**

On January 10, 2024, 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 to extend the approval of the Preliminary Plat for PR-2021-004968/SD-2021-00260, which was approved by the DRB on March 30, 2022, and was extended for the first time to April 7, 2024, by Development Hearing Officer (DHO), on March 22, 2023 per PR-2021-004968/SD-2023-00040.
2. Per Table 6-4-3 of the IDO, a Final Plat submittal must be received within 1-year after the approval of the Preliminary Plat should the Preliminary Plat be approved by the DHO. Pursuant to 14-16-6-4(X)(4) of the IDO, the applicant has made this extension request in writing prior to the expiration of the previous approval and the DHO, the original approving body, has made a decision using the same procedure required for the initial approval of the Preliminary Plat.

14-16-6-4(X)(2) Expiration or Repeal of Approvals:

***Unless specified otherwise in this IDO, the DPM, an IIA, a Development Agreement approved by the City, or the terms attached to a permit or approval, each permit or approval shall be valid for the period of time shown in Table 6-4-3 and shall be of no force or effect after that time has passed, unless any of the following applies.***

From the criteria mentioned under 14-16-6-4(X)(2), the following criteria applied to this request:

***6-4(X)(2)(a) The period of validity is extended pursuant to Subsection 14-16-6- 4(X)(4) (Extensions of Period of Validity) or another provision of this IDO or the DPM.***

14-16-6-4(X)(4)(a) General Provisions:

***1. For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that both of the following requirements are met.***

- a. The applicant has submitted a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
- b. The extension is considered and a decision is being made by the same decision-making body as the initial approval, except that no public hearing shall be required, if one would have been required under the IDO for the initial approval.*

14-16-6-4(X)(4)(c), Additional Provisions for Extensions of Preliminary Plats:

***In addition to the general provisions in Subsection (a) above, additional extensions for Preliminary Plats may be granted by the DHO for good cause, but the Preliminary Plat may be required to come into compliance with any applicable standards adopted since the application was submitted.***

All the above required criteria under 14-16-6-4(X)(2), 14-16-6-4(X)(4)(a) and 14-16-6-4(X)(4)(c) of the IDO are being met by the applicant.

The applicant has provided a written request before the expiration of the approval to the same decision-making body as the initial approval. In their written request, the applicant provided good cause for the extension of the approval of the Preliminary Plat by noting that the site is situated on basalt; that the site is currently being graded and basalt being blasted; Phase 1 is complete; and Phase 2 is starting the construction.

This extension will allow Phase 2 to complete construction and subsequent Phases 3 and 4 to continue with design and ultimately construction.

3. This action will extend the approval of the Preliminary Plat to January 29<sup>th</sup>, 2025.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JANUARY 29<sup>TH</sup>, 2024**. 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.

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. (Jan 15, 2024 16:45 MST)

Ronald R. Bohannon, P.E.

Development Hearing Officer

RRB/jr/ha

Bohannah Houston, Inc. (Yolanda Padilla Moyer, PE), 7500 Jefferson St. NE, Albuquerque, NM 87109

# PR-2021-004968\_January\_10\_2024-Notice of Decision\_DHO

Final Audit Report

2024-01-15

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