

**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**

Landco LLC  
P.O. Box 12949  
Albuquerque, NM 87195

**Project# PR-2019-002089**  
**Application#**  
**SD-2023-00196 PRELIMINARY/FINAL PLAT**

### **LEGAL DESCRIPTION:**

For all or a portion of:

**LOTS 18-P1 & 19A-P1, UNIT 2, SUNSET FARM** zoned **R-1B**, located at **239-243 ANNA MARIA PL SW between SUNSET RD and RIO GRANDE (river)** containing approximately **0.3552 acre(s). (K-12)**

On March 27, 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 consolidate two existing lots into one lot (Lot 19A-P1-A, Sunset Farm Unit 2 at 15,417.20 square feet in size). Existing zoning for this site is R-1B, and the site is not located within a Center or a Corridor. The subject property is located within the Valley Drainage Area, and within 330' of Major Public Open Space.
2. On May 16, 2023, the ZHE approved a Variance to the Contextual Lot Size Requirements for the subject site per PR-2019-002089 / VA-2023-00098 & VA-2023-00099.
3. A DHO Determination to maintain the existing sidewalk width along Anna Maria PL width at 3.83 feet was approved. This is a consistent sidewalk width throughout the subdivision this lot is located within. This DHO Determination request was compliant with all applicable criteria of 6-6(P)(3)(a):

The existing sidewalk width has been functioning properly for this subdivision and maintaining the sidewalk width throughout the subdivision will maintain the neighborhood character and will not cause material adverse impacts on surrounding properties.

This request is not contrary to the public safety, health, or welfare, will not hinder future planning, will not materially undermine the intent and purpose of this IDO, will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, and does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district.

4. Per 6-6(K)(3) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. The review and decision criteria for a Subdivision of Land-Minor were met by this project per 6-6(K)(3) of the IDO.
5. All signatures from the utility companies, AMAFCA, City Surveyor, Surveyor, Middle Rio Grande Conservancy District, and Property Owner have been obtained by the applicant on the Plat.
6. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
7. Per 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided.

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## **CONDITIONS**

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Final sign-off of the Plat by the DFT staff is conditioned as follows:

- a. A note on the Plat must be added indicating that the Variances were obtained.
- b. The signature from ABCWUA must be obtained on Form S, Prior to the approval of the Plat by the DHO.
- c. Application number must be added to the Plat prior to final sign-off by DFT staff.
- d. The date of the DHO approval shall be recorded on the Plat.
- e. Prior to final sign-off of the plat, the AGIS office must approve the DXF file and proof of approval must be provided.
- f. Any Waivers granted that are associated with a subdivision shall be noted on the Plat.

Official Notice of Decision

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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 **APRIL 12<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,

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, J.D.  
Development Hearing Officer

DSC/jr/ha

ARCH+PLAN Land Use Consultants LLC, P.O. Box 25911, Albuquerque, NM 87125






# PR-2019-002089 March 27th, 2024 Notice of Decision

Final Audit Report

2024-04-02

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