

**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**

Aces and Eights Development, LLC  
P.O. Box 9043  
Albuquerque, NM, 87119

**Project# PR-2018-001499**  
**Application#**  
**SD-2024-00139 PRELIMINARY PLAT**

### **LEGAL DESCRIPTION:**

For all or a portion of:

**LOT/TRACT A, MCMAHON COMMONS**  
**zoned MX-L** located on **MCMAHON** between  
**MCMAHON BLVD and UNIVERSE BLVD**  
containing approximately **5.9** acre(s). **(A-10)**

On October 30, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, with conditions of approval, based on the following Findings:

1. This is a request to subdivide an existing lot (Tract A, McMahan Commons) into four tracts (Tract A-1, Tract A-2, Tract A-3 and Tract A-4), while also granting easements and dedicating right-of-way as depicted on the Plat.
2. An Infrastructure List was approved with the Preliminary Plat, which included major public infrastructure for roadway, curb/gutter, and sidewalk. 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.
3. The subject property is zoned R-1B (Residential – Single-family Zone District) and MX-L (Mixed-Use, Low-Intensity Zone District). Future development must be consistent with the underlying zone district and IDO/DPM requirements.

4. The subject property is currently split-zoned R-1B and MX-L, and would continue to be split-zoned per this request. Per 6-6(K)(2)(c) of the IDO, if the subdivision will result in a lot line that does not coincide with a zone district boundary (i.e. create a “floating zone line”), the applicant shall obtain a Zone Map Amendment to establish zone boundaries that coincide with the lot line before a final plat can be approved (see conditions of approval below).
5. A comprehensive Sensitive Lands Analysis was provided by the applicant. The report demonstrated that Sensitive Lands features will not be negatively impacted or do not exist.
6. An Archaeological Certificate of No Effect was submitted with this request.
7. Per 6-6(L)(3)(a) Review and Decision Criteria, an application for a Subdivision of Land – Major 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 application meets these criteria once all conditions of approval are met (identified below). The subdivision developer will build the required infrastructure on the submitted infrastructure list, which will also fulfil the subdivision criteria.
8. Per Table 6-1-1 of the IDO, public notice and pre-application meeting requirements for the application have been satisfied by the Applicant prior to this submittal.
9. The submittal of a Final Plat is required within one year of Preliminary Plat approval per Table 6-4-3 of the IDO.

---

## CONDITIONS

---

The Preliminary Plat was approved with the following conditions:

### Hydrology:

- a. Add Cross Lot Drainage Easement note specifying beneficiary and maintenance agreement.
- b. Add a Public Drainage Easement over the Storm Water Quality Pond at the NE portion of the site.

### Planning:

- c. The Project and Application numbers must be added to the Plat.
- d. A copy of the AGIS-approved DXF file must be submitted.
- e. Per 6-6(L)(2)(d)(7) of the IDO, the date of the DHO approval shall be recorded on the Plat.
- f. Proof of completed Zone Map Amendment-EPC resolving remaining R-1B lot issue.

Transportation:

- g. Infrastructure for Westside, including half roadway construction fronting property, curb, gutter, 5' sidewalk and 4 to 6 foot landscape buffer must be added to the Infrastructure List.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **NOVEMBER 18<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,

*Brennon Williams*

[Brennon Williams \(Nov 3, 2024 14:11 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/rw/jr/jw


# PR-2018-001499 October 30th, 2024 Notice of Decision


Final Audit Report


2024-11-03


Created:	2024-11-01
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAANv57mlQGDlSDhjuqGzem426Rx_iR3Wi4


## "PR-2018-001499 October 30th, 2024 Notice of Decision" History


 Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
2024-11-01 - 11:13:10 PM GMT

 Document emailed to brennonwilliams295@gmail.com for signature  
2024-11-01 - 11:13:15 PM GMT

 Email viewed by brennonwilliams295@gmail.com  
2024-11-03 - 9:09:55 PM GMT

 Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams  
2024-11-03 - 9:11:13 PM GMT

 Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)  
Signature Date: 2024-11-03 - 9:11:15 PM GMT - Time Source: server

 Agreement completed.  
2024-11-03 - 9:11:15 PM GMT