

**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

D.R. Horton, Inc. – ATTN: Xavier Garcia
8440 Wyoming Blvd. NE, Suite A
Albuquerque, NM 87113

Project# PR-2019-002411

Application#

SD-2024-000126 FINAL PLAT

SD-2024-000127 VACATION OF PUBLIC SANITARY
SEWER EASEMENT

SD-2024-000128 VACATION OF 20' PUBLIC
WATERLINE EASEMENT

SD-2024-00129 VACATION OF PUBLIC SANITARY
SEWER EASEMENT

SD-2024-00130 VACATION OF PRIVATE
DRAINAGE EASEMENT

LEGAL DESCRIPTION:

**TRACT FD2 & FD3, UNIT 1, ASPIRE
SUBDIVISION** zoned **R-1A**, located on
**AMOLE MESA AVE between BIG SPRINGS
RD SW and MESSINA DR** containing
approximately **18.0824** acre(s). **(N-08)**

On September 11, 2024, the Development Hearing Officer (DHO) held a public meeting concerning the above referenced applications and approved the requests, with conditions, based on the following Findings:

SD-2024-00126 FINAL PLAT

1. This is a request for a Final Plat to subdivide an existing Tract (Tract FD3-A, Aspire Subdivision, Unit 3) into 117 lots and 13 tracts of the Aspire Subdivision Unit 4.
2. Per 6-6(L)(3)(b), this Final Plat was approved because it included all changes, conditions, and requirements contained in the Preliminary Plat approval.

3. The subject property is zoned R-1A (Residential – Single-Family Zone District). Future development must be consistent with all the relevant standards.
4. Per 6-6(L)(2)(d)(8), the applicant shall then record the final plat with the Bernalillo County Clerk as soon as possible, but in no case more than 30 consecutive days from the date of the last signature on the final plat, or the subdivision shall be voided.

CONDITIONS

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

- a. The project and application numbers must be added to the Plat.
- b. The date of the DHO approval shall be recorded on the Plat.

SD-2024-00127, SD-2024-00128 SD-2024-00129 & SD-2024-00130 VACATION OF PUBLIC SANITARY SEWER EASEMENTS, 20' PUBLIC WATERLINE EASEMENT, AND PRIVATE DRAINAGE EASEMENT

1. These are requests for the vacations of Public Sanitary Sewer easements [22,10], a Public Waterline Easement [21], and a Private Drainage Easement [23]. The easements being vacated will be replaced with blanket Public Water-Sanitary Sewer and Private drainage easements.
2. These Vacation of Easement requests meet the following criteria of the IDO:

6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.

6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

The public welfare does not require that the easements be retained and there is no convincing evidence that any substantial property right is abridged with the approval of these Vacations; the easements being vacated will be replaced with blanket Public Water and Sanitary Sewer and Private Drainage easements to provide consistency with the final configuration.

Official Notice of Decision

Project # PR-2019-002411 Applications# SD-2024-00126, SD-2024-00127, SD-2024-00128, SD-2024-00129
& SD-2024-00130

Page 3 of 3

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **SEPTEMBER 27TH, 2024**. 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(U) 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,

Robert L. Lucero, Jr.

Robert L. Lucero, Jr. (Sep 15, 2024 18:25 MDT)

Robert L. Lucero Jr.

Development Hearing Officer

RLL/mi/jr

Isaacson & Arfman, Inc. – 128 Monroe Street NE, Albuquerque, NM 87108







PR-2019-002411_Sept_11_2024 - Notice of Decision

Final Audit Report

2024-09-16

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