

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

September 12, 2018

Las Ventanas NM  
8330-A Washington Place NE  
ABQ, NM 87113

### Project# PR-2018-001327

Application#

SI-2018-00107 – DRB Site Plan

SD-2018-0050 - Preliminary Plat

VA -2018-00057-Variance (S/W Waiver)

SD-2018-00051-Vacation of Private Easement

SD-2018-0052- Vacation of Public Easement

### LEGAL DESCRIPTION:

All or a portion of Tract 2A and a portion of Tract 3, Kelly Tracts, zoned R-A, located on Gabaldon RD SW between Mountain RD and I-40 Containing Approx. 5.48 acres (H-12)

On September 12, 2018, the Development Review Board (DRB) voted to Recommend Approval of Project PR-2018-001327, a 15 lot residential cluster development subdivision, based on the following Findings:

#### SI-2018-00107 – Site Plan

1. Pursuant to 6-6(G)(3) Review and Decision Criteria An application for a Site Plan – DRB shall be approved if it meets all of the following criteria:

*6-6(G)(3)(a) The Site Plan 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.*

*6-6(G)(3)(b) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.*

The site has access to a full range of urban services including roads, utilities, and public safety services. The project has an availability statement from the ABCWUA .

*6-6(G)(3)(c) The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable. The required open space around the edges of the*

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project provides a buffer for the existing development from the new development.

2. The request meets the criteria in 14-16-3-(B)(2) including project site size, required open space and density.

**SD-2018-0050 - Preliminary Plat**

1. Pursuant to section 14-16-6-6(J)(3)(a) the Plat is consistent with the Comprehensive Plan and complies with all the applicable provisions of the 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.

**VA -2018-00057-Variance (S/W Waiver)**

1. The request meets the requirements of 14-16-6-6(L)(3)(b) Variance to Sidewalk Requirements:
  - a. The subject site and surrounding lots are zoned RA, the lowest intensity residential zone. There are no existing sidewalks along Gabaldon Drive , so the variance will not create a gap in the existing system.  
There are no existing sidewalks; c. is not applicable to the request.

**SD-2018-00051-Vacation of Private Easement**

1. Pursuant to section 14-16-6-6(K)(3) The public welfare does not require that the easements be retained because the easements will be relocated or are no longer needed to accommodate the utilities.
2. The vacation of the easement provides a net benefit to the public welfare because there will be no detriment resulting from the vacation because the new easements will accommodate the required utilities. The applicant provided a letter of authorization from the property owner.

**SD-2018-0052- Vacation of Public Easement**

1. Pursuant to section 14-16-6-6(K)(3) The public welfare does not require that the easements be retained because the easements will be relocated or are no longer needed to accommodate the utilities.
2. The vacation of the easement provides a net benefit to the public welfare because there will be no detriment resulting from the vacation because the new easements will accommodate the required utilities. The applicant provided a letter of authorization from the property owner.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 27, 2018**. The date of the DRB'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(U) of the Integrated

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Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Kym Dicome  
DRB Chair

KD/mg