

**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**

Elk Haven  
13 Bishop Lamy Road  
Lamy, NM 87540

**Project# PR-2021-004968**  
**Application#**  
**SD-2021-00260** PRELIMINARY PLAT  
**VA-2021-00453** WAIVER TO STREET FACING  
REAR YARD  
**VA-2021-00455** DEFERRAL OF SIDEWALK  
CONSTRUCTION  
**VA-2021-00452** SIDEWALK WAIVER  
**VA-2021-00454** WAIVER TO BLOCK LENGTH

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACT B-1 & B-2, LA  
CUENTISTA SUBDIVISION** zoned **R-ML**,  
located on **ROSA PARKS RD NW** between  
**UNSER BLVD NW** and **KIMMICK DR NW**  
containing approximately **59.0** acre(s). **(C-10)**

On March 30, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

### **SD-2021-00260 PRELIMINARY PLAT**

1. This Preliminary Plat subdivides 2 existing tracts into 248 lots. The Preliminary Plat vacates and grants easements as depicted on the Plat.
2. The property is zoned R-ML. Future development must be consistent with the underlying zone districts.
3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) is needed prior to the final DRB sign-off of the Final Plat.

4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**VA-2021-00453 WAIVER TO STREET FACING REAR YARD**

1. The applicant proposes a waiver to permit rear yards for lots along Paseo del Norte, an arterial street. 5-4(F)(2)(b) discourages layouts where the rear lot line is adjacent to a collector or arterial street.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. Paseo del Norte will have an additional landscape buffer and trail where adjacent to subdivision lots. In addition, these lots add an additional 8-feet of backyards to allow for a greater buffer from the roadway.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**VA-2021-00455 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

1. The applicant proposes the temporary deferral of sidewalk construction along roadways as depicted on the Sidewalk Exhibit in the application submittal. The deferred sidewalks within the subdivision will be constructed with the development of each single-family home so when the subdivision is complete there will not be gaps in the sidewalk system.
2. Transportation engineering had no objections.

**VA-2021-00452 SIDEWALK WAIVER**

1. The applicant proposes a waiver from the requirement to construct a sidewalk along both sides of Suess Way NW at the intersection of Azucena Place NW and Twain Way NW at the intersection of Rosa Parks Road NW as depicted on the Sidewalk Exhibit.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. Single sidewalks were requested along portions of Suess Way NW and Twain Way NW to permit secured access into the gated subdivision only.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**VA-2021-00454 WAIVER TO BLOCK LENGTH**

1. The applicant proposes a waiver from the maximum block length for local streets of 600-feet.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The block length waiver was requested to strategically place the pedestrian access points as it relates to the proposed layout and adjacent property so as to follow the pedestrian specific movements and connectivity.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Official Notice of Decision

Project # PR-2021-004968 Applications# SD-2021-00260, VA-2021-00453, VA-2021-00455, VA-2021-00452, VA-2021-00454

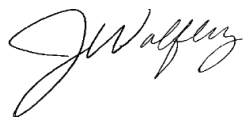
Page 3 of 3

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 14, 2022**. 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 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 'J. Wolfley', written in a cursive style.

Jolene Wolfley  
DRB Chair

JW/jr

Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109