OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 13, 2013

Project# 1004906
13DRB-70414 SUBDN DESIGN VARIANCE FROM MIN DPM STDS
13DRB-70421 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

THOMPSON ENGINEERING CONSULTANTS, INC & CARTESIAN SURVEYS INC agent(s) for THOMAS SLATES request(s) the above action(s) for all or a portion of Tract(s) 118-C, 118-D, &118-E, **MRGCD MAP 32** zoned R-1, located on GUADALUPE TR NW BETWEEN GRIEGOS RD NW AND MONTANO RD NW containing approximately 2.06 acre(s). (F-14)

At the February 13, 2013 Development Review Board meeting, the subdivision design variance was approved as shown on the Exhibit in the planning file, based on the following findings:

FINDINGS:

(1) The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community, and in fact would improve emergency access for this subdivision with a wider and improved surface, and the minimal 25 foot length of asphalt paving is not considered a significant impact or injurious to adjacent property; and

(2) The variance will not conflict significantly with the goals and provisions of any city, county, or AMAFCA adopted plan or policy, the applicable zoning ordinance, or any other city code or ordinance, and in fact is consistent with the zoning ordinance and the North Valley Area Plan which encourages the proposed development, and is also similar to an existing street, Bayita Lane NW, on the opposite site of Guadalupe Trail NW from the subject subdivision; and

(3) The variance will not permit, encourage or make possible undesired development in the 100-year Floodplain, but will aid in management of storm water drainage; and

(4) The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements because this involves a private street; and

(5) Varying from the normal requirements will encourage flexibility and economy in subdivision design, allowing a gravel road surface in conjunction with ponding street flow runoff in front yards.

With an approved grading and drainage plan engineer stamp dated 7/22/11 and with the signing of the infrastructure list dated 1/18/13, based on compliance with the minimum

requirements of the Zoning Code and not meeting the thresholds for a Traffic Impact Study or Air Quality Analysis, the preliminary plat was approved; the final plat was delegated to Planning for Final Sign-off pending the acceptance of the Close Out Package by DRC for the Infrastructure List, utility company signatures, and expiration of the appeal period.

If you wish to appeal this decision, you must do so by March 7, 2013, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form with a fee of $190.00, to the Planning Department at 600 2nd St NW, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Jack Cloud, DRB Chair

Cc: Thompson Engineering Consultants – P.O. Box 65760 – Albuquerque, NM 87193
Cc: Thomas Slates – 5108 Guadalupe Trail NW – Albuquerque, NM 87107
Cc: Cartesian Surveys Inc. – P.O. Box 44414 – Albuquerque, NM 87174
Cc: Candice Knight – 1858 Griegos Rd. NW, Albuquerque, NM 87107
Cc: Nicholas Koluncich – 5033 Guadalupe Tr. NW, Albuquerque, NM 87107

Marilyn Maldonado
File