



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 27, 2017

Project# 1010010

14DRB-70089 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LLAVE ENTERPRISES INC request(s) the above action(s) for all or a portion of Lot(s) 6, **SIGNAL POINTE SUBDIVISION**, zoned RD/ 5 DUA, located on SIGNAL BETWEEN BARSTOW AND VENTURA containing approximately .41 acre(s). (C-20) [Deferred 4/5/17]

At the **October 25, 2017** Development Review Board/ DRB meeting, in accordance with the adopted RULES OF PROCEDURES regarding DECISIONS of the Board, the referenced application was deemed **DENIED** because the DRB failed to achieve a consensus to exercise administrative approval, based on the following:

1. The subject application is for a parcel that was part of the original 2014 DRB application for property which is now known as Signal Pointe Subdivision.
2. The Applicant submitted a Sketch Plat for Review and Comment in 2014 for a total of 9 lots in Signal Pointe Subdivision; comments from the Planning Department advised the Applicant that 9 lots would not conform to the density regulations of the La Cueva Sector Development Plan.
3. The Applicant subsequently submitted a Sketch Plat for Review and Comment in 2014 for a total of 8 lots in Signal Pointe Subdivision; the 8 lot subdivision was ultimately approved in 2015.
4. In 2015 the Applicant requested a Variance from the City's minimum Subdivision Design Standards for a Private Access Easement in an 8 lot subdivision; based on the design for the 8 lot subdivision, the DRB granted the Variance concurrent with the Subdivision approval.
5. The City's Subdivision Design Standards for Private Access are gradated into four categories: access to 1 lot; access to 2-3 lots; access to 4-8 lots; and, access to more than 8 lots.
6. The subject application would result in a total of 9 lots in Signal Pointe Subdivision, but there have been no changes to the La Cueva Sector Development Plan or the City's Subdivision Design Standards for Private Access since 2014.
7. An amendment to the zoning density of the La Cueva Sector Development Plan and a revised Private Access Easement would be required for approval of the subject application.

If you wish to appeal this decision, you must do so by **November 9, 2017** in the manner described below and in accordance with Part § 14-14-8 of the Subdivision Ordinance.

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, to the Planning Department, 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

Llave Enterprises INC, 8830 Keeran Ln NE, 87122

Cc: J. Douglas Foster, P.O. Box 1607, 87103
Greg Saunders, 7408 Blue Cypress Ave NE, 87113
Elizabeth Meek, VENA, 8301 Mendocino Dr NE, 87122
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