

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

December 15, 2017

JMD McMahon LLC  
2325 San Pedro NE  
Albuquerque, NM 87106

**Project# 1005280**  
17EPC-40064 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of Lots 6-A1, 9-A, 9-B, 9-C, 9-D, Plat of McMahon Marketplace, zoned SU-1 for C-1 uses and SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption, located on McMahon Blvd. NW between Unser Blvd. NW and Fineland Dr. NW, containing approximately 7 acres. (A-11)

Staff Planner: Cheryl Somerfeldt

PO Box 1293

Albuquerque On December 14, 2017 the Environmental Planning Commission (EPC) voted to DEFER Project 1005280/17EPC-40064, a Site Development Plan for Building Permit, based on the following Findings:

### FINDINGS:

NM 87103

1. This is a request for a Sector Development Plan for Building Permit for Lots 6A1, 9A, 9B, 9C, 9D, Plat of McMahon Market Place.
2. The applicant has requested a 30-day deferral to discuss the Site Plan for Subdivision and Condition Number 3.

www.cabq.gov

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 29, 2017**. The date of the EPC'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 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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. Successful applicants are reminded that other regulations of the City Zoning

**OFFICIAL NOTICE OF DECISION**

**Project #1005280**

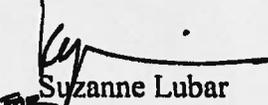
**December 14, 2017**

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**Code must be complied with, even after approval of the referenced application(s).**

**SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.**

Sincerely,

  
Suzanne Lubar  
Acting Planning Director

SL/CS

cc: JMD McMahon, LLC, 2325 San Pedro NE, ABQ, NM 87106  
Martin Grummer, 331 Wellesley Pl. NE, ABQ, NM 87106  
Tuscany NA & WS Coali Assoc, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, ABQ, NM 87114  
Tuscany NA, Janelle Johnson, P.O. Box 6270, ABQ, NM 87197  
Westside Coali. of Neigh. Assoc., Gerald Worrall, 1039 Pinatubo Pl. NW, ABQ, NM 87120