

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

February 10, 2017

JM, McMahon, LLC
2325 San Pedro NE
ABQ, NM 87110

Project# 1005280
16EPC-40080 Site Development Plan for Building Permit
16EPC-40081 Amended Site Development Plan for Subdivision

LEGAL DESCRIPTION:

The above actions for all or a portion of Lots 4, 5, 6a, 9c, 9d, McMahon Market Place, zoned SU-1/C-1 Uses, located on McMahon Blvd. NW between Unser Blvd. NW and Fineland NW, containing approximately 14 acres. (A-11)
Staff Planner: Cheryl Somerfeldt

PO Box 1293

On February 9, 2017 the Environmental Planning Commission (EPC) voted to **DEFER** Project 1005280/16EPC-40080, a Site Development Plan for Building Permit and 16EPC-40081, an Amended Site Development Plan for Subdivision, for 30 days based on the following findings:

Albuquerque

FINDINGS:

NM 87103

www.cabq.gov

1. This is a request for a Site Development Plan for Subdivision Amendment for the approximately 14-acre subdivision described as McMahon Market Place (the "subject site") that comprises the southeastern corner of the intersection of Unser Boulevard NW and McMahon Boulevard NW. In addition, this is a request for a Site Development Plan for Building Permit for Lots 4, 5, 6a, and 9 within the McMahon Market Place shopping center.
2. The application submitted by the applicant cites the incorrect legal description of the subject site. As a result the legal advertisement/notice included an incorrect legal description of the subject site.
3. Staff recommends a 30-day deferral to the March 09, 2017 EPC hearing to allow time to re-advertise the correct legal description of the subject site.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **FEBRUARY 24, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th 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
Albuquerque - Making History 1706-2006

OFFICIAL NOTICE OF DECISION

Project #1005280

February 9, 2017

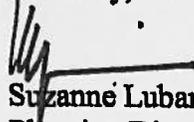
Page 2 of 2

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 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,


TOL Suzanne Lubar
Planning Director

SL/CS

cc: JMD, McMahon, LLC, 2325 San Pedro NE, ABQ, NM 87110
Martin Grummer, 331 Wellesley Pl NE, ABQ, NM 87106
Tuscany N.A (TUS) "R", Harry Hendriksen, 10592 Rio Del Sol NW, Albuquerque, New Mexico 87114
Tuscany N.A. (TUS) "R", Janelle Johnson, P.O. Box 6270, Albuquerque, New Mexico 87197
Westside Coalition of Neighborhood Asso., Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120
Westside Coalition of Neighborhood Asso., Harry Hendriksen, 10592 Rio Del Sol NW, ABQ, NM 87114