

**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**

Chick-fil-A, Inc.  
5300 Buffington Road  
Atlanta, GA 30349

**Project# PR-2020-004218**  
**Application#**  
**SI-2024-00923** Site Plan Administrative DFT

### **LEGAL DESCRIPTION:**

For all or a portion  
**TR D-1-B PLAT OF TRS D-1-A & D-1-B  
MONTGOMERY PLAZA (BEING A REPL OF TR D-1  
MONTGOMERY PLAZA) CONT 1.0171 AC**, zoned  
**MX-M**, located at **5009 MONTGOMERY BLVD NE**  
**between MONTGOMERY BLVD NE and SAN  
MATEO BLVD NE** containing approximately **1.02**  
acre(s). **(F-17)**

On December 2<sup>nd</sup>, 2024, the Development Facilitation Team (DFT) administratively approved a site plan concerning the above referenced application based on the Findings noted below:

1. This is a request to add an additional drive-through lane with updated striping and signage, replace the existing order canopy, and add an additional canopy to increase the capacity of the Drive-through. The additional space lane will add 4 stacking spaces, giving the site a total of 16 stacking spaces. The changes made to the site to accommodate this additional drive-through lane will not affect existing off-street loading spaces, motorcycle spaces, ADA spaces, or ADA pathways.
2. The subject property is zoned MX-M (Mixed Use Medium Intensity Zone District) and is currently occupied by a restaurant with a drive-through (Chick-fil-A).
3. There are no easements that encroach on the proposed location of the drive-through expansion. There are existing gas lines, sanitary sewer lines, and underground electricity lines which will be protected. There are no proposed renovations to the interior or exterior of the building.

4. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.
5. No public Infrastructure improvements are proposed to be done with this project.
6. Pursuant to 6-5(G)(3) Review and Decision Criteria: An application for a Site Plan – Administrative shall be approved if it meets all of the following criteria:

- a. 6-5(G)(3)(a) *The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.*

Per IDO 4-3, Use Specific Standards, this project is compliant with Drive-Through Or Drive-Up Facility standards.

Per IDO 5-3, On-Site parking, the number of parking spaces are still compliant with the IDO requirements.

Per IDO 5-6, Landscaping, Buffering, and Screening, four missing street trees are going to be replanted and irrigation is going to be extended to the street trees. Some maintenance to the existing trees will be done at the request of the City Forestry.

Per DPM Table 7.2.29, existing sidewalk and landscape buffer along Montgomery Boulevard is compliant with the DPM requirements.

- b. 6-5(G)(3)(b) *The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, or the applicant has agreed to install required infrastructure and public improvements pursuant to Subsection Subsection 14-16-1-7(B)(2) and 14-16-5-4(N) and/or a signed an Infrastructure Improvements Agreement (IIA) pursuant to Subsection 14-16-5-4(O) to add adequate capacity.*

Existing roadway, utility and drainage infrastructure exists with capacity to service the proposed development. Therefore, the project will not burden the existing systems.

- c. 6-5(G)(3)(c) *If the subject property is within an approved Master Development Plan, the Site Plan shall meet any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.*

The subject property is not located within an approved Master Development Plan; therefore, this criterion does not apply.

- d. 6-5(G)(3)(d) *If the subject property is within an approved Framework Plan, the Site Plan shall meet any relevant standards in the Framework Plan in addition to any IDO standards applicable to the type of development.*

The subject property is not located within an approved Framework Plan; therefore, this criterion does not apply.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DFT's decision or by **DECEMBER 18<sup>TH</sup>, 2024**. The date of the DFT'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). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) using <https://wetransfer.com>. 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,



For Alan Varela  
Planning Department Director

JW/jr/ha

Andrew Wilson, Alexis Xiong - Bowman/ 11475 Great Oaks Way STE 350, Alpharetta GA 30022