

**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

Issa Rabadi
1464 E. Victor Hugo Ave.
Phoenix, AZ 85022

Project# PR-2020-004596
Application#
SI-2024-00390 Site Plan Administrative DFT

LEGAL DESCRIPTION:

For all or a portion of:

**Lot 1 Block A Unit 17, Universe View
Subdivision** zoned **MX-L**, located on **UNIVERSE
BLVD NW between SPINNING BALLE AVE NW
and ROSA PARKS RD NW** containing
approximately **2.936** acre(s). **(D-10)**

On July 31th, 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 construct two new commercial buildings (approx. 21,955 SqFt) for general retail and office use.
2. Site is located in the Volcano Mesa – CPO-13 Character Protection Overlay Zone, the NORTHWEST MESA ESCARPMENT – VPO View Protection Overlay Zone, and the Zone District for this site is MX-L.
3. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.
4. The development review and approval include an accessory Drive-Through Use for both buildings. Per CPO-13, it cannot be associated with a Restaurant Use.

5. 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 4-2, Allowable Uses, table 4-2-1, the proposed commercial development and associated accessory uses are permissive under the MX-L zoning designation.

Per IDO 5-1 Dimensional Standards for MX-L, the Site Plan as proposed meets the dimensional standards for the MX-L zone district, including setback and building height requirements.

Per IDO 5-5, 107 parking spaces provided exceeds the requirement of 76 spaces.

Per IDO 5-6, the minimum required landscape area (15% of net lot area) for this project is 29,023 SF; the provided landscape area is 74,520 SF.

- 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 with the improvements identified on the approved infrastructure to augment existing systems. General infrastructure improvements for this project were financially guaranteed with the Plat for this and adjoining sites. 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 **AUGUST 16TH, 2024**. The date of the DFT'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 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). Files larger than 9MB can be sent to 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, J.D.
Planning Department Director

JW/jr/rw

Huitt-Zollars, Inc. / Donald Duneman, PE, 333 Rio Rancho Drive NE, Suite 101, Rio Rancho, NM 87124