

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

WFC Wyoming NM, LLC  
C/O Westwood Financial Corp Property Mgt.  
1233 W. Loop S., Ste. 1500  
Houston, TX 77027

**Project# PR-2023-005461**

**Application#**

**SI-2023-01170** EPC SITE PLAN AMENDMENT  
FINAL SIGN-OFF / SITE PLAN ADMINISTRATIVE  
DFT

### LEGAL DESCRIPTION:

**Parcel 5-A of the amended summary plat of the Wyoming Mall Parcel 1-6; Parcel 3 & Parcel 6 summary plat Wyoming Mall; Parcel 1-A, 1-B, 1-C, 4-A & 5-A Plat of Parcel 1-A, 1-B, 1-C, 4-A & 5-A Wyoming mall. Zoned MX-M.**

On October 12, 2023, the Development Facilitation Team (DFT) administratively approved a site plan concerning the above referenced application based on the Findings noted below:

1. The Environmental Planning Commission (EPC) approved this project on April 20, 2023 per PR-2021-005461 / SI-2023-00513. The EPC request was for a Site Plan EPC-Major Amendment for the development of a new drive-through restaurant on Parcel 5-A (making two drive-through uses on Parcel 5-A).
2. The subject site is zoned MX-M. The proposed use(s) as depicted on the Site Plan are permitted uses in the noted zone district.
3. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.
4. 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.*

The site plan is compliant with the following applicable IDO sections: 4-3 (Use-Specific Standards), 5-1 (Dimensional Standards), 5-5 (Parking and Loading for a Drive-Through Restaurant), 5-6 (Landscaping, Buffering, and Screening Standards and Requirements), 5-8 (Outdoor and Site Lighting), and 5-11 (Building Design) that includes façade design.

- 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.*

The site has access to a full range of urban services including utilities, roads and emergency services. The project, therefore, 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.

- b. 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.

**Condition:**

1. Provide confirmation that all EPC conditions have been met.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DFT's decision or by **OCTOBER 30<sup>TH</sup>, 2023**. 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.

Official Notice of Decision

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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://wettransfer.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,

A handwritten signature in black ink, appearing to read 'J. Varela', written in a cursive style.

for Alan Varela,  
Planning Director

JW/rw

Modulus Architects & Land Use Planning, Inc., 100 Sun Ave. NE, Ste 600, Albuquerque, NM 87109