

**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

United Supermarkets, LLC.
7830 Orlando Ave.
Lubbock, TX, 79423

Project# PR-2023-008615

Application#

**SI-2023-01429 EPC SITE PLAN AMENDMENT
FINAL SIGN-OFF / SITE PLAN ADMINISTRATIVE
DFT**

LEGAL DESCRIPTION:

For all or a portion of **LOTS 1, 2, & 3 PLAT OF
LOTS 1, 2, & 3 SAN ANTONIO CENTER AND
TRACTS B2A1 AND B2A2 PLAT OF TRACTS B2A1
& B2A2 ACADEMY ACRES UNIT 17** zoned **MX-L**,
located on **7301 SAN ANTONIO DR NE between
WYOMING AND SAN ANTONIO** containing
approximately **0.8413** acre(s). **(E-19 & D-19)**

On September 27, 2023, the Development Facilitation Team (DFT) administratively approved the above referenced application for the EPC Site Plan Final Sign-off, based on the following Findings:

1. The Environmental Planning Commission (EPC) approved this project on June 15, 2023 per PR-2023-008615 / SI-2023-00865. The EPC request was for a Site Plan EPC-Major Amendment for an approximately 1-acre portion of an approximately 8-acre site legally described as Lots 1, 2, & 3 Plat of Lots 1, 2, & 3 San Antonio Center and Tracts B2A1 and B2A2 Plat of Tracts B2A1 & B2A2 Academy Acres Unit 17, between San Antonio Dr. NE, and Wyoming Blvd. NE (the "subject site"). The request was to amend the previously approved Site Plan – EPC to facilitate future development of a 640 square foot restaurant with a drive-through.

2. The EPC approved this project because it was consistent with Comprehensive Plan Goals and Policies regarding Character in Chapter 4: Community Identity, Centers and Corridors in Chapter 5: Land Use, Complete Communities and Efficient Development Patterns in Chapter 5: Land Use, City Development Areas and Area of Change in Chapter 5: Land Use, Sense of Place in Chapter 7: Urban Design. The request met the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3).
3. The subject site is zoned MX-L (Mixed-use – Low intensity), a zoning designation received upon adoption of IDO in May 2018. The subject site is located in an Area of Change and in a designated Activity Center, the Cherry Hills Vintage Activity Center. Wyoming is functionally classified as a Principal Arterial, and San Antonio Dr. is a minor arterial.
4. The Site Plan meets the EPC conditions. DFT staff coordinated with EPC staff on the request. EPC staff provided written correspondence stating the conditions were addressed.
5. The Applicant provided the required notice as outlined by the IDO in Table 6-1-1.
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.*

The site plan is compliant with the following applicable IDO sections: 4-3 (Use-Specific Standards), 5-1 (Dimensional Standards), 5-8 (Outdoor and Site Lighting), 5-9 (Neighborhood Edges), and 5-11 (Building Design) that includes façade design. The Site Plan will be compliant with 5-6 (landscaping, buffering, and screening Standards and Requirements) once the DFT conditions of approval for this Site Plan are addressed.

- 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.

Conditions:

1. Of the required vegetative coverage, a minimum of 25 percent shall be provided as ground-level plants (shrubs, grasses, etc.) as measured of the mature size of the actual vegetation. Show how this requirement is being met in Landscape Data.
2. Organic mulch is required as ground cover under trees with a 5' radius around the tree trunk. Show organic mulch requirements on tree planting detail. [IDO 5-6(C)(5)(e)].
3. Confirm that existing trees to remain along San Antonio Dr. are 25' on center to count as street trees.
4. Landscape Data notes that existing trees will be evaluated to determine if they need to be removed and/or replaced. Planning staff recommends consulting with the City Forester to determine the health of the existing trees to remain. Applicant shall update note to say "If existing trees must be removed, they shall be replaced with similar species chosen from the Official Albuquerque Plant Palette that is capable of achieving a similar mature size".
5. At least 10% of the parking lot area shall be landscaped. Show how this requirement is being met in Landscape Data.
6. No parking space may be less than 100' in any direction from a tree trunk. Dimension site plan as necessary to show how this requirement is being met.
7. At least 75% of the required parking area trees shall be deciduous canopy-type shade trees, capable of achieving a mature canopy diameter of at least 25'. Show how this requirement is being met in Landscape Data.
8. Project and application numbers must be added to the Site Plan.
9. If any public infrastructure is required, an infrastructure list must be provided, and a recorded Infrastructure Improvements Agreement (IIA) must be submitted prior to final sign-off of the Site Plan.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DFT's decision or by **OCTOBER 16TH, 2023**. 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.

Official Notice of Decision

Project # PR-2023-008615 Application# SI-2023-01429

Page 4 of 4

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). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. 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

BS/jw/jr

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