

**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

Smith's Food & Drug Center Inc.
1014 Vine St., 7th floor
Cincinnati, OH 45202

Project# PR-2023-008767

Application#

SI-2023-01512 EPC SITE PLAN AMENDMENT
FINAL SIGN-OFF / SITE PLAN ADMINISTRATIVE
DFT

LEGAL DESCRIPTION:

Tract J-1, Replat of Tracts F, H-1, J and unplatted land, Four Hills Village Shopping Center and Apartment Complex, located south of Central Ave. SE, north of Wenonah Ave. SE, and between Tramway Blvd. SE and Four Hills Rd. SE (200 Tramway Blvd. SE), approximately 8.5 acres. (L-22-Z)(L-23-Z)

On February 14, 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 for a 1,310 square foot restaurant with a drive-through (Starbucks), located at 200 Tramway Boulevard SE.
2. On July 20, 2023 the Environmental Planning Commission (EPC) voted to Approve Project # PR-2023-008767, SI-2023-001056 – Site Plan – EPC, Major Amendment for the development of a new drive-through restaurant. The EPC Planner reviewed the revised application submittal and found that the EPC conditions of approval for the Major Amendment had been met.
3. The Development Facilitation Team (DFT) completed a full Site Plan review which ensured the project meets all relevant standards in the IDO and DPM, and completed a Final Sign-Off for the EPC approval.

4. 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.
5. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.
6. A Preliminary/Final Plat was approved by the DHO on the subject property featuring this proposed development on October 25, 2023 per PR-2023-008767 / SD-2023-00180.
7. An Infrastructure List was included with this submittal. It was approved and attached to the Site Plan. An approved Financial Guaranty and recorded Infrastructure Improvements Agreement (IIA) must be submitted prior to final sign-off from Planning.
8. 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:

IDO 4-3 Use-Specific Standards are met.

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

Per IDO 5-5 Parking and Loading for a Drive-Through Restaurant, 11 parking spaces are provided where 8 parking spaces are required; 2 motorcycle parking spaces are provided where 1 motorcycle parking space is required.

Per IDO 5-6 Landscaping, Buffering, and Screening Standards and Requirements, 6,681 square feet of landscaping is provided where 2,991 square feet is required.

IDO 5-8 Outdoor and Site Lighting requirements are met.

IDO 5-11 Building Design, including façade design, are met.

- 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. The infrastructure featured on the Infrastructure List approved with the Site Plan will augment the existing urban services.

- 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.

Conditions:

1. A recorded IIA must be completed and recorded prior to 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 **MARCH 4TH, 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://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).

Official Notice of Decision

Project # PR-2023-008767 Applications# SI-2023-01512

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Sincerely,

A handwritten signature in black ink, appearing to read "Alan Varela".

for Alan Varela,
Planning Director

JW/rw

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