

# CITY OF ALBUQUERQUE

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

July 18, 2018

Legacy Hospitality  
6501 Eagle Rock Ave. NE Suite B-5  
ABQ, NM, 87113

**Project 2018-001280 (1011396)**  
SI-2018-00049

### LEGAL DESCRIPTION:

all or a portion of: Lots 1-3 and lots 30-32, Block  
28, North Albuquerque Acres Unit B, zoned  
R-MH, containing approximately 4.8 acres (C-  
18-Z

Staff Planner: Maggie Gould

PO Box 1293 On July 18, 2018, the Development Review Board (DRB) voted to **CONDITIONALLY APPROVE**  
with delegation to ABCWUA and Planning Project 2018-001280/SI-2018-00049 a Major Site Plan  
Amendment based on the following Findings:

### Albuquerque **FINDINGS:**

1. This a request for a Major Amendment to an approved Site Development Plan for Building Permit approved by the DRB on March 14, 2018.
- NM 87103 2. The originally approved site development plan for building permit was processed through the DRB as required by the North I-25 Sector Development Plan (N I-25 SDP). This is Phase 2 of an apartment complex that was originally approved on May 18, 2016.
- www.cabq.gov 3. The N I-25 SDP allowed a maximum building height of 39 feet. The originally approved site development plans for building permit for both Phases 1 and 2 complied with this restriction.
4. On May 17, 2018, the Integrated Development Ordinance (IDO) became effective and the building height restriction was changed to allow a maximum height of 45 feet.
5. The request adds 12 additional housing units to buildings 1, 2 and 3 for a total of 36 additional units but does not significantly alter the site layout.
6. The request meets the criteria in 14-16-6-4(Y)(1)(b) for a Major Amendment because it exceeds the thresholds in Table 6-4-5 for Minor Amendment.
7. The request meets the Review and Decision Criteria for approval as outlined in Section 14-16-6-6(G)(3) of the IDO as follows:
  - a. The site plan complies with all applicable city regulations including parking, building height, landscaping and building design.
  - b. The proposed infrastructure has adequate capacity to serve the site as evidenced by the availability statement from the ABCWUA and the traffic information submitted by the applicant. An Infrastructure List was approved by the DRB on April 4, 2018.



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- c. The project is the second phase of an existing multifamily development and therefore will not have an adverse impact on the surrounding area.
8. A Neighborhood Meeting must be held or a responsible attempt to hold one must be made prior to submittal of a DRB Site plan as described in Section 14-16-6-4 (C) of the IDO. The applicant submitted the required notice via return receipt E-mail to offer a meeting to the West La Cueva and Noreste Neighborhood Associations on May 24, 2018. A meeting was held on June 8, 2018. According to the notes from the meeting, attendees expressed concern regarding loss of views to the Sandias, process for the proposed changes, building height and demand for the proposed multi-family uses.
9. The building elevations that were shown to the attendees were of pitched roof design but exceeded the 45 feet height restriction and would require a deviation or variance to the restriction. The applicant made changes to the architectural renderings that were shown at the Neighborhood meeting to ensure the building comply with the building height requirements of the IDO. This changed the pitched roof design to a flat roof design.
10. The Noreste Neighborhood Association submitted a letter of opposition to this request on July 9<sup>th</sup>. Concerns included zoning conversion process, increased density, architectural style, lack of a facilitated meeting and increased traffic.
11. There was opposition voiced at the DRB hearing. The concerns voiced at the hearing were speeding traffic down Oakland currently and that this development will add traffic, the architectural design of the buildings. They preferred the pitched roof design.
12. The DRB voted to conditionally approve the request with delegation to Hydrlogy for an updated Grading and drainage plan and to Planning to allow the applicant and neighbors to participate in a facilitated meeting. Planning may approve changes to the building elevations based on outcome of the meeting.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 9, 2018**. The date of the DRB'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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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 Kym Dicome

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DRB Chair

KD/mg

cc: Consensus

cc: Bob Smith – 8916 Olivine NE – Albuquerque NM, 87113

Jason Young – 6901 Schist Ave NE – Albuquerque, NM 87113

Frank Capuano – 7804 William Moyers Ave NE – Albuquerque, NM 87113

Ava Miller – 8500 Jefferson St Suite B. – Albuquerque, NM 87113

Jim Griffie – 8208 Eagle Rock Ave NE – Albuquerque, NM 87122