

**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**

April 29, 2020

Buglo Properties, LLC  
449 Live Oak Loop NE  
Albuquerque, NM  
87122

**Project# PR-2019-002333**  
**Application#**  
**SI-2019-00420 SITE PLAN – DRB**  
**SD-2020-00046 PRELIMINARY/FINAL PLAT**

**LEGAL DESCRIPTION:**

All or a portion of: Lots 10A, 11A, 11B, and 12A,  
UNIT 1 PARADISE HILLS zoned MX-L, located at  
5520, 5516, 5512 BUGLO NW, containing  
approximately 2.5187 acre(s). (B-11)

On April 29, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning, Transportation and ABCWUA to address minor issues discussed at the hearing, based on the following Findings:

**SD-2020-002333 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat consolidates the four existing lots 10A, 11-A, and 12-A into one new lot, Tract A, 1.9667 acres. The plat vacates a private easement and dedicates easements.
2. The property is zoned MX-L and has no minimum lot size.
3. The infrastructure list is tied to the site plan (below).
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**Condition:**

1. Final sign off delegated to Planning for utilities signatures and the AGIS DXF file.

**SI-2019-00085 SITE PLAN – DRB**

1. This is a request to develop three lots with low density townhouses. The proposed development is adjacent to 5512 Buglo Ave. NW as Phase II of the Viva Paradise Town Home development. Phase I of the development is located in 5512 Buglo Ave. and has been completed.

1. Pursuant to 6-6(G)(3) Review and Decision Criteria An application for a Site Plan – DRB shall be approved if it meets all of the following criteria:

- a. 6-6(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 building heights, parking, façade and landscaping meet the IDO requirements.

- b. 6-6(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, and any burdens on those systems have been mitigated to the extent practicable.*

The site has access to a full range of urban services including utilities, roads and emergency services. A traffic impact study was not required for the project.

- c. 6-6(G)(3)(c) *The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.*

Landscape buffers are provided, and the applicant will add additional trees to help the development blend into the area landscape.

2. The site will utilize an offsite temporary pond for drainage.
3. This site proposes infrastructure improvements
4. This site requires an Infrastructure List.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.; the applicant notified property owners within 100 feet and affected neighborhood associations.
6. The proposed use is allowed within the MX-L zone.

**Conditions:**

1. This Site Plan is valid 5 years from DRB approval (4/29/2020). An extension may be requested prior to the expiration date.

Official Notice of Decision

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2. Final sign off of the site plan is delegated to Transportation for a note to be added to the site plan regarding the need for a traffic study for future development on adjacent properties and Planning to finalize the landscape plan.
3. The applicant will obtain final sign off by July 22, 2020 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.
4. Once the site plan has all the required signatures, a pdf of the complete signed off set will then be email to the PLNDRS.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **May 14, 2020**. 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). 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,



Jolene

Wolfley

DRB Chair

JM

Don Briggs, PE, 5324 Oakledge Ct. NW, Albuquerque, NM, 87120