

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

Sustainability Engineering Group, LLC
8280 E. Gelding Dr., Suite 101
Scottsdale, AZ 85260

Project# PR-2018-001346
Application#
SI-2022-00184 SITE PLAN AMENDMENT

LEGAL DESCRIPTION:

All or a portion of: **1-A, BLOCK 29, UNIT B, NORTH ALBUQUERQUE ACRES** zoned **NR-BP**, located on **SOUTHEAST CORNER of ALAMEDA BLVD and SAN PEDRO** containing approximately **1.001** acre(s). **(C-18)**

On May 4, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Transportation and Planning, based on the following Findings:

1. The original project consisted of 44,524 GFA square feet of commercial facilities (restaurant, container development, climbing gym, and pad site) in four buildings on a 4.4-acre site. This is a request to construct a 2,999 restaurant with a drive-thru on 1.001 acres of the 4.4-acre site in the location formally occupied by a 3,000 GFA square foot restaurant (Building 1) on the original Site Plan approval which was not constructed.
 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(l)(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 dimensional standards, parking, landscaping, and façade design comply with the applicable provisions of the IDO: the restaurant is proposed to be constructed 36 feet from the boundary along Alameda, 31 feet from the boundary along San Pedro, and 119.5 feet from the boundary to the south, meeting the 20-foot front yard setback requirement and the 10-foot side and rear yard setback requirements; the 186-foot width of the lot meets the 100-foot minimum lot width

requirement; the maximum height of the proposed building is 22-feet in height where a maximum height of 65-feet is permitted; 33 parking spaces are proposed where a total of 24 parking spaces are required (including 2 EV spaces); 8,380 square feet of landscaping is proposed where 4,500 square feet is required; and the building/facade design requirements of 5-11(E) of the IDO are met.

- b. 6-6(l)(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 (TIS) was required, and the items required per the TIS were placed on an Infrastructure List which was approved by the DRB with the Site Plan Amendment.

- c. 6-6(l)(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.

2. An Infrastructure List was approved with the Site Plan Amendment. A Financial Guaranty/Infrastructure Improvements Agreement (IIA) must be approved and recorded.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
4. The proposed use is allowed within the NR-BP zone district, and is subject to the requirements of the underlying zone district.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (5/4/2021). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Transportation for the turn-over calculation for the restaurant and to ensure there's a 4-foot ADA pathway around the back of the perpendicular ramp on the site.
3. Final sign-off is delegated to Planning for project and application numbers to be added to the Amended Site Plan, the recorded IIA, and the payment of pro rata.

4. The applicant will obtain final sign-off from Transportation and Planning by August 3, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **MAY 19, 2022**. The date of the DRB'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).

Sincerely,



Jolene Wolfley
DRB Chair

JW/jr