

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

City of Albuquerque
P.O. Box 2248
Albuquerque, NM 87103

Project# PR-2020-003847
Application#
SI-2021-01955 SITE PLAN

LEGAL DESCRIPTION:

For all or a portion of: **MAP 33 TR 90C,001 001REPL of FITZGERALD ADD, ALL of LOT 2, BLK 1, REPLAT of FITZGERALD ,003 001 REPL of FITZGERALD ADD** zoned **MX-M**, located on **3525 4TH ST NW, 420 FITZGERALD RD NW** between **MILDRED AVE NW** and **FITZGERALD RD NW** containing approximately **2.103** acre(s). (**G-14**)

On January 26, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Transportation and Planning, based on the following Findings:

1. This is a request to construct 61 multi-family residential dwellings in three buildings: a 3-story 53,966 square foot multi-family residential building (Building A), a 2-story 8,360 square foot live-work building (Building B), and a 2-story 7,260 square foot live-work building (Building C). The multi-family residential units will consist of a mixture of 4 live-work units, studio units, 1-bedroom units, 2-bedroom units, and 3-bedroom units. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G)(1)(e) of the IDO more than 50 multi-family dwelling units are proposed to be constructed.

1. Pursuant to 6-6(I)(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 proposed development meets/exceeds the dimensional standards, parking, and landscaping/screening requirements of the IDO. The setbacks of the buildings complies with the setbacks of the North 4th Corridor – CPO-9 and the MX-M zone district. The maximum height of 40-feet for Building A and 25-feet for Buildings B and C comply with the 55-foot maximum building height of the North 4th Corridor – CPO-9. The proposed parking is 118 spaces where a minimum of 97 parking spaces are required. The proposed landscaping being provided is 20,407 square feet where a minimum of 16,045 square feet is required. The façade design requirements of 5-11(E)(2)(b) must be met per the Planning conditions of approval below.

- 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 not required for this project.

- 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. The breezeway tunnel design must include windows and doors as appropriate.
3. The neighborhood will be consulted on the outdoor play area design, and the design must follow the requirements of the New Mexico Finance Authority.
4. An Infrastructure List was approved with this Site Plan. A recorded Infrastructure Improvements Agreement (IIA) must be submitted.
5. The proposed development is permitted within the MX-M zone district.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (1/26/2022). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Transportation for the revision of the Plat (SD-2021-00219) to clarify the details of the shared access way to include all elements of the Site Plan as well as the addition of the sidewalk easement with the revision of the sidewalk moving along 4th Street; the redesign of the road and sidewalk accessed from Fitzgerald as stated by Parks and Recreation; the clarification of work order items; minor labeling and labeling of all pedestrian ways, dimensioning as stated, labeling of overhang for the 16-foot parking spaces, and labeling of curbed and paved surfaces.
3. Final sign off is delegated to Planning to update the Utility Plan to the version distributed to ABCWUA on January 19, 2022 and as emailed January 26, 2022; the inclusion of a required note specifying that the southernmost building footer shall be designed such as the adjacent sewer main can be maintained without dividing the footer on behalf of ABCWUA; revise the material of the walkway from gravel to stabilized crusher fine; clarify the planting of vines along the southern edge of the property by either enlarging the symbol or adding a detail; eliminate the tree at the northeast corner of the Landscape Plan and chamfer the sidewalk corners of the sidewalk to provide an easier transition on behalf of Parks and Recreation; a recorded IIA; a note be added to the Landscape Plan as follows: "Drainage pond to be stabilized per COA Interim guidelines for drainage pond seeding and slope stabilization (Section 1013) or per a future landscape plan that provides equivalent and better outcome for stabilization, maintenance and aesthetic quality;" Solid Waste signature; the north and south facades be re-checked and re-designed as needed to be compliant with the IDO; add north elevations for Buildings 2 and 3; detail how the façade design requirements for Buildings 2 and 3 are met; confirm that the windows on the upper floors are recessed at least 2 inches; and confirm that a minimum of 30% of the surface is transparent windows or doors.
4. The applicant will obtain final sign off from Transportation and Planning by April 27, 2022 or the case may be scheduled for the next DRB hearing and could be denied her 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 **FEBRUARY 10, 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.

Official Notice of Decision

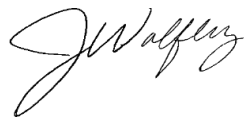
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For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 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. Wolfley', written in a cursive style.

Jolene Wolfley
DRB Chair

JW/jr

Will Gleason, Dekker/Perich/Sabatini, 7601 Jefferson Street NE Suite 100, Albuquerque, NM 87109