

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

Bowman Consulting Group
5601 Democracy Dr., Suite 205
Plano, TX 75024

Project# PR-2021-005864
(AKA: PR-2019-002402)
Application#
SI-2021-02080 SITE PLAN

LEGAL DESCRIPTION:

For all or a portion of:
LOT 12, UNIT 5, AVALON SUBDIVISION zoned
NR-BP, located on **98TH** containing
approximately **1.46** acre(s). **(K-9)**

On March 30, 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 a 3,751 square foot restaurant with a drive-thru. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G)(1)(e) of IDO the tract the site area is located on at 16.1 acres is more than 5-acres in size.
 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(I)(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 dimensions, parking, landscaping/screening, and façade design meet/exceed the IDO requirements. The proposed restaurant meets the 20-foot front-yard and 10-foot side-yard and rear-yard setback requirements of the NR-BP zone district.

The 21.8-foot maximum height of the proposed building is less than the 65-foot maximum permitted building height; the proposed parking is 47 spaces where a minimum of 31 parking spaces are required; and the proposed landscaping is 15,616 square feet where 9,524 square feet is required. The façades meet the façade design requirements of 5-11(E)(2) of the IDO.

- 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.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (3/30/2022). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Transportation for clarification of curbs and ramps on site adding directional arrows in the pavement within the one-way isle, for "Intersection Site Distance" to be applied on 98th Street for landscape plan purposes, and for the removal of the "Preliminary Construction Note" from the Site Plan.
3. Final sign off is delegated to Planning for the recorded Final Plat, and the complete/finalized Site Plan set.
4. The applicant will obtain final sign off from Transportation and Planning by June 29, 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 **APRIL 14, 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

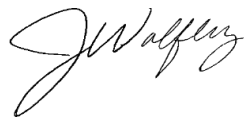
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For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 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". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital 'J'.

Jolene Wolfley
DRB Chair

JW/jr