

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

Legacy Development & Management, LLC
5051 Journal Center Blvd. NE, Suite 500
Albuquerque, NM 87109

Project# PR-2021-006307
Application#
SI-2022-00327 SITE PLAN

LEGAL DESCRIPTION:

For all or a portion of:
LOTS 6,7 AND 26A BLOCK 25 TRACT A UNIT B,
NORTH ALBUQUERQUE ACRES zoned **MX-L,**
located on **GLENDALE AVE NE** between **SAN**
PEDRO DR NE and **LOUISIANA BLVD NE**
containing approximately **3.77** acre(s). **(B-18)**

On April 6, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to ABCWUA and Planning, based on the following Findings:

1. This is a request to construct a 120-unit multi-family residential development on the subject property. The Site Plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G)(1)(e) of IDO more than 50 multi-family residential units are being proposed.
 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 multi-family residential buildings meet the 5-foot front-yard and 15-foot rear-yard setback requirements of the MX-L zone district.

The approximately 32-foot maximum height of the proposed building is less than the 38-foot maximum permitted building height; the proposed parking is 180 spaces where a minimum of 180 parking spaces are required; and the proposed landscaping is 35,289 square feet where 27,900 square feet is required. The façades meet the façade design requirements of 5-11(D) of the IDO; building entrances have been emphasized and provide weather protection using porticos, awnings, and balconies.

The Landscape Plan (Sheet L101) depicts a landscape buffer up to approximately 63-feet in depth between the Solid Waste Convenience Center to the south of the subject property and the multi-family residential units. Sheet A4.30 of the Site Plan notes that all windows and walls facing the Solid Waste Convenience Center will be scheduled to obtain 50 STC (Sound Transmission Class) standard requirements to further mitigate sound from the Solid Waste Convenience Center to the multi-family residential units. An 8-foot high CMU wall will be constructed along the southern boundary of the subject property. These improvements will make the multi-family residential more compatible with the existing Solid Waste Convenience Center.

- 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 applicant provided notice as required by 6-1-1 of the IDO.
3. A Zoning Map Amendment (Zone Change) from NR-SU to MX-L was approved by the Environmental Planning Commission (EPC) on September 16, 2021.

4. The proposed development is permitted within the MX-L zone district.
5. Two Infrastructure Lists were approved with the Site Plan. A Financial Guaranty/Infrastructure Improvements Agreement (IIA) must be approved and recorded for the Infrastructure List not labeled as a "Procedure A Agreement." An approved Financial Guaranty and recorded IIA are not required for the Infrastructure List labeled as a "Procedure A Agreement."

Conditions:

1. This Site Plan is valid 7 years from DRB approval (4/6/2022). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to ABCWUA for the payment of the pro rata.
3. Final sign off is delegated to Planning for the recorded IIA, Solid Waste signature, for a bolded note added to the Site Plan as indicated by Transportation stating that all public improvements within the ROW shall be built per work order, and a for a note to be added to the Site Plan stating that Solid Waste will not be held liable for any damage to the enclosure for the water heater that is located in the trash enclosure.
4. The applicant will obtain final sign off from ABCWUA and Planning by July 6, 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 21, 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). 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).

Official Notice of Decision

Project # PR-2021-006307 Application # SI-2022-00327

Page 4 of 4

Sincerely,

A handwritten signature in black ink that reads "Jay Rodenbeck". The signature is written in a cursive, flowing style.

Jay Rodenbeck
DRB Chair

JW/jr

Jacqueline Fishman, AICP, Principal, Consensus Planning, Inc., 302 8th St. NW, ABQ, NM 87102