

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

BETA Investment LLC
9798 Coors Blvd., NW, #400
Albuquerque, NM 87114

Project# PR-2022-007875
Application#
SI-2022-02109 SITE PLAN

LEGAL DESCRIPTION:

All or a portion of for all or a portion of: **LOT 1, VOLCANO CLIFFS SUBDIVISION** zoned **R-ML**, located on **ROSA PARKS** between **KIMMICK** and **VALIENTE** containing approximately **3.24** acre(s). **(C-11)**

On March 15, 2023, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Water Authority, Parks & Recreation, and Planning, based on the following Findings:

1. This request proposes 28-unit, low-density townhome project on a site of 3.24 acres. This request is required to be reviewed by the DRB because per 6-5(G)(1)(b) of the IDO the development requires major public infrastructure.
 1. Pursuant to 6-6(I) (of the 2021 IDO effective draft of July 28,2022) Review and Decision Criteria for 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, any conditions specifically applied to development of the property in a prior permit or approval affecting the property.*

The dimensional standards comply with the IDO, except that two deviations were approved to allow a reduced setback: (1) from 25 feet to 22.5 feet along Rosa Parks and (2) from 15 feet to 13.5 feet along Valiente.

The site plan complies with the Volcano Mesa Character Protection Overlay CPO-13 with a maximum height of 26 feet on a maximum of 50 percent of the building footprint. The units comply with the requirement for rear-loaded garages.

The site plan complies with the Northwest Mesa Escarpment VPO-2 using colors that match the area with a light reflective value between 20 and 50 percent. Roof mounted equipment will be screened.

The project meets the requirements for net lot landscaping and usable open space. Parking and accessible parking comply with the IDO; each unit will have a two-car accessible garage and there is one van parking space. Sidewalks, street trees and landscape buffers are provided along Rosa Parks, Valiente, and Kimmick.

The project will build the entire width of Rosa Parks with a public trail on the south side of Rosa Parks. This fulfills IDO 5-2(J)(2)(a) for a single-loaded street to be incorporated between the Major Public Open Space and the development.

- b. 6-6(I)(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. Transportation determined that a Traffic Impact Study (TIS) was not required. Transportation approved a conceptual TCL dated 9/2/2022; a full TCL will be required prior to Building Permit.

- c. 6-6(I)(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. An approved Financial Guaranty and Recorded Infrastructure Improvements Agreement (IIA) based on the approved Infrastructure List must be submitted prior to final sign-off of the Site Plan.
3. Per 6-4(P)(3) of the IDO, as the decision-making body of the Site Plan, the DRB approved Deviations to setbacks within the limits of Table 6-4-1 of the IDO.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The proposed use is allowed within the R-ML 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 (3/15/2023). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Water Authority for a development agreement to be completed and approved/executed with the understanding that if denied, the application shall be revised.
3. Final sign-off is delegated to Parks and Recreation for plant selection which is subject to approval by the Open Space Superintendent per IDO 5-2(J)2(a) and 5-2(J)1(b)1; and for the trail on the Infrastructure List on lines 3 and 7 to be revised to state "paved trail."
4. Final sign-off is delegated to Planning for notes to be added to the Site Plan to show DRB approval of setback deviations for Rosa Parks and Valiente; for height modification on Site Plan to 26 feet; to provide calculations for a maximum of 26 feet for 50 percent of the building footprint; to verify screening of roof-mounted equipment; to make changes on site plan to add "usable" for the open space calculation and "net lot" for the landscaping calculation; to ensure that all Site Plan sheets are signed and sealed by the appropriate design professional who is licensed in the State of New Mexico; for a recorded IIA; and for a recorded Plat.
5. The applicant will obtain final sign-off from Planning by June 21, 2023 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 **MARCH 31, 2023**. 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).

Official Notice of Decision

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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/lis

Development Managing Consultants, 9320 Manual Blvd., NE, Suite D, Albuquerque, NM 87112