PLANNING DEPARTMENT URBAN DESIGN & DEVELOPMENT DIVISION 600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102 P.O. Box 1293, Albuquerque, NM 87103 Office (505) 924-3860 Fax (505) 924-3339



# OFFICIAL NOTIFICATION OF DECISION

June 15, 2023

ABQ Termial LLC Attn: LB Walker & Associates 13111 NW Freeway Suite 125 Houston, TX 77040 Project # PR-2022-007103 SI-2023-00691 - Site Plan- EPC SI-2023-00693 – Variance- EPC

#### LEGAL DESCRIPTION:

Tierra West, LLC, agent for ABQ Terminal LLC Attn: LB Walker & Associates, requests a Site Plan- EPC and a Variance-EPC, for all or a portion of Map 44 Tract 64C2, excluding 0.3 acre and excluding all of Tract 64C3A2, located at 3200 Broadway Blvd. SE, west of Arno St. SE, and south of Wesmeco Dr. SE, approximately 22 acres (M-14-Z)

Staff Planners: Megan Jones & Robert Messenger

On June 15, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007103 SI-2023-00691 - Site Plan- EPC, SI-2023-00693, based on the following Findings and subject to the following Conditions of approval:

### FINDINGS - SI-2023-00691

- 1. The request is for a new Site Plan for a property legally described as all or a portion of Map 44 Tract 64C2, excluding 0.30 acres and excluding all of Tract 64C3A2, at the SE corner of Broadway Blvd. SE and Woodward Rd. SE, approximately 22-acres (the "subject site").
- 2. The subject site is zoned NR-LM (Non-residential Light Manufacturing) is in an Area of Change and is not in a designated center.
- 3. The EPC is hearing this case as required by IDO section 14-16-6-6(I)(1)(c)5. for development within ½ a mile of the Railroad and Small Spur Small Area, which requires a Cumulative impact analysis pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements). A cumulative impacts analysis was included with this request (see attachments).
- 4. The applicant is requesting 1) a new Site Plan-EPC on approximately 7 acres of the northern portion of the subject site to develop a light and heavy vehicle fueling station with an incidental convenience store (the "Travel Center"), and 2) a concurrent Variance-EPC to four sign requirements/standards (SI-2023-00693) which is pursuant to EPC review and decision following the proposed Site Plan-EPC decision.

- 5. The proposed Site Plan would facilitate development of a light and heavy vehicle fueling station with a convenience store and restaurant uses. Convenience stores are an incidental use to a light vehicle fueling station.
- 6. The southern 15-acre portion of the 22-acre site is included with this request as an existing "As Built" Site Plan because the fueling depot was developed in the 1950s and is not governed by an existing Site Development Plan.
- 7. The subject site is not subdivided; therefore, the entire site shall be included on this Site Plan request to create clarity and consistency which would ensure that any future amendments to the site are pursuant to IDO standards.
- 8. The subject site is in the Airport Protection Overlay zone for the Albuquerque International Sunport (IDO APO 14-16-3-3). The proposed Site Plan is required to comply with the APO and associated Federal Aviation Administration (FAA) sub-zones.
- 9. The subject site is within the Air Space Protection Sub-area for the Albuquerque International Sunport. All signs and structures shall not be taller than the horizontal surface of the Albuquerque International Sunport, per IDO 3-3(D)(1) Height Standards in the Airport Protection Overlay Zone, specifically 3-3(D)(1)(b). An exhibit depicting that the proposed structures and buildings are under the Horizontal Surface of the Airport Surface at 5,504.9 was provided with the Site Plan set. This requirement is met.
- 10. The proposed structure and sign materials and any features therein comply with the glare and reflectivity standards per IDO APO 3-3(D)(2) Reflectivity standards.
- 11. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
- 12. The request is consistent with the following Comprehensive Plan Goal and Policy from Chapter 4: Community Identity
  - A. <u>Goal 4.1 Character:</u> Enhance, protect, and preserve distinct communities.

The request would enhance, protect, and preserve the distinct community of the surrounding South Broadway light industrial areas. The proposed Site Plan-EPC would allow the subject site to be developed pursuant to IDO development standards for NR-LM uses and would place stringent standards on the subject site that would protect the character of the surrounding Central Albuquerque community, and comply with standards for the Airport Protection Overlay Zone APO-3 pursuant to IDO 14-16-3-3.

The subject site is in an Area of Change as designated by the Comp Plan, where new development is desired. By directing growth to Areas of Change, there is less pressure on established neighborhoods to absorb the types of growth that would negatively impact their character. The proposed Site Plan would enhance the surrounding area by facilitating similar light industrial and commercial development. It would protect residential neighborhoods north and west of the subject site by absorbing new commercial development that is most appropriate in the industrial portion of South Broadway.

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B. <u>Policy 4.1.1 – Distinct Communities:</u> Encourage quality development that is consistent with the distinct character of communities

The request would ensure quality development that is consistent with the character of the surrounding light and industrial uses of the South Broadway corridor at the southern edge of the City limits. It would be sited at the southeast corner of Broadway Blvd. SE and the soon-to-be completed Sunport Blvd. extension from the I-25 interstate exit west to the intersection of Woodward Rd. SE and Broadway Blvd. SE.

The request is to redevelop the northern portion of the subject site, approximately 6 acres, into a travel stop. The subject site would be controlled by IDO development standards. The IDO standards will ensure that character of building, landscape, and parking design on the NR-LM zoned site will be generally consistent with the scale of the light industrial land uses in the area. The proposed commercial land use will be an appropriate location of development in an Area of Change as well as within the South Broadway MRA.

- 13. The request is consistent with the following Goals and Policies regarding Desired Growth and Complete Communities from Comprehensive Plan Chapter 5: Land Use.
  - A. <u>Policy 5.1.1 Sub-policy(c)</u>: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The requests would encourage redevelopment on an infill site within an Area of Change and near a Commuter Corridor. Locating a new travel stop in an established light industrial area with easy access to I-25 and Broadway Blvd. SE is the most appropriate area to serve highway travelers, surrounding light and heavy industrial customers, and residents. The request would add more commercial uses to an established light industrial area.

B. <u>Goal 5.2 Complete Communities</u>: Foster communities where residents can live, work, learn, shop, and play together.

The requested Site Plan-EPC would generally foster a community where residents can live, work, learn, shop, and play together. It would facilitate development of a travel center, which includes a convenience store. This new development would be located in an established light industrial area with easy access to I-25 and Broadway Blvd. SE. The request would add more commercial uses to an established light industrial area.

C. <u>Policy 5.2.1 Sub-policy (a)— Land Uses:</u> Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request would encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents. The subject site is within easy, 1/8-mile walking and biking distance of single-family zoned residential neighborhoods. Future City and MRMPO transportation plans include more multi-modal trails throughout the area to provide more options for walking and biking travel. This development will promote good access for all residents by its location near a major arterial (Broadway Blvd. SE) and soon-to-be completed access to an I-25 exit onto Sunport Blvd. SE.

D. Policy 5.2.1 Sub-policy (h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development

The request would encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development. A highway travel stop that serves local residential and industrial customers as well as highway travelers complements existing light industrial and auto-related uses in the south Broadway Blvd. industrial corridor. The form of buildings, landscaping, driveway accesses, and parking/circulation is compatible with existing light industrial uses in the area.

E. <u>Policy 5.2.1 – Sub-policy (n):</u> Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would encourage more productive use of vacant lots and under-utilized lots, including surface lots. The request would allow redevelopment of the under-utilized northern portion of the subject site, and would be a more productive use of existing parking surfaces than their current use, which has sat vacant for years in an established light industrial community.

- 14. The request is consistent with the following goal and policies regarding infill and city development areas from Comprehensive Plan Chapter 5: Land Use.
  - A. <u>Policy 5.3.1 Infill Development:</u> Support additional growth in areas with existing infrastructure and public facilities.

The subject site would support additional growth in areas with existing infrastructure and public facilities. It would utilize existing infrastructure along Broadway Blvd. SE, as well as new infrastructure being developed with the Sunport Blvd. extension from I-25 to the intersection of Broadway Blvd. SE and Woodward Rd. SE., including water, sewer, and fiber optic cables for communication.

B. <u>Goal 5.6 -City Development Areas:</u> Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The request would encourage and direct growth to Areas of Change where it is expected and desired, and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area. By locating an intense auto-oriented commercial use in an Area of Change near an interstate exit, the request would locate uses that would be potentially harmful in a residential area to an established industrial area where such uses are most appropriate. At the same time, the request would reinforce the character and intensity of the nearby residential areas (e.g., San Jose neighborhood) by not allowing growth that is inconsistent with the character and intensity of those existing residential land uses.

C. <u>Policy 5.6.2 Areas of Change:</u> Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request would direct growth and more intense auto-oriented development near a Commuter Corridor within both an Area of Change and the South Broadway Metropolitan Redevelopment Area, where change is encouraged.

D. Policy 5.6.2 Sub-policy (b): Ensure development that expands employment opportunities.

The proposed development would expand employment opportunities by providing temporary construction employment and permanent employment, as well as support existing and potential employment opportunities nearby. It would support direct and entrepreneurial employment opportunities by providing convenient fueling services for nearby employees.

15. The request is consistent with policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy, from Comprehensive Plan Chapter 8: Economic Development.

The request would facilitate development of a light and heavy vehicle fueling station with an incidental convenience store that could contribute to economic development of the surrounding community near the South Broadway corridor. The Travel Center would help to improve quality of life of nearby residents and new customers by offering a commercial use (gas, a dog park for travelers, and convenience items) in an industrial area of the City near Interstate-25.

- 16. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-6(I)(3)-Review and Decision Criteria for a Site Plan-EPC, as follows:
  - A. <u>Criterion A:</u> The applicant's policy-based response demonstrates that the request is generally consistent with applicable Comprehensive Plan Goals and Policies (and other applicable City Plans), therefore, the request is consistent with the City's health, safety, morals and general welfare.
  - B. Criterion B: The subject site is zoned NR-LM; therefore, criterion B does not apply.
  - C. <u>Criterion C:</u> The request is for a Site Plan-EPC. The proposed Site Plan is required to comply with all applicable provisions of the IDO, DPM, other adopted City regulations. All conditions must be met prior to building permit approval.

The applicant has stated that the development will comply with all applicable provisions pursuant to the NR-LM zone district including landscaping, lot sizes, setbacks, and parking. At the time of building permit, Grading and Drainage plans must be approved by City Hydrology as part of the DFT process.

D. <u>Criterion D:</u> The subject site is already served by existing infrastructure and public facilities, and new infrastructure associated with the extension of Sunport Blvd. will have adequate capacity to serve the proposed development at full build-out. The applicant has stated that any additional infrastructure improvements necessary to serve the project – such as extending Arno Street and providing additional driveway accesses off it – will be provided by the Applicant as required by the Development Procedures Manual (DPM).

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- E. <u>Criterion E:</u> The subject site is within ¼ mile of the Railroad and Spur Small area and a Cumulative Impact Analysis was provided with the request. The request mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable. Safety systems and features such as earthen spill containment berms around fuel storage tanks will be maintained and expanded as necessary to mitigate any impacts of such uses from natural or manmade disasters. The applicant was required to provide a Cumulative Impacts analysis due to the subject site's location within the Railroad and Small Spur area, and because the subject site and adjacent properties met all the applicability criteria in IDO 14-16-5-2(E)(1). The Site Plan is required to follow all standards of the IDO, DPM and other applicable City standards, which the applicant has agreed to follow.
- F. <u>Criterion F:</u> The subject property is not within an approved Master Development Plan; therefore, criterion F does not apply.
- G. <u>Criterion G:</u> The subject property is within the Railroad and Spur Area and a cumulative impacts analysis is required. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances. Existing and proposed design features such as containment berms for fuel tanks, safety features, sufficient queuing and driving aisles, parking spaces, lighting and signage design, and other features will comply with all standards in the IDO, DPM, and other applicable City standards. These designs and features will ensure that the development sufficiently mitigates any adverse impacts on surrounding areas including compliance with Airport Protection Overlay (IDO 14-16-3-3) standards.
- 17. The affected, registered neighborhood organization is the San Jose Neighborhood Association, which was notified as required. Property owners within 100 feet of the subject site were also notified as required.
- 18. A facilitated meeting was nor held nor requested and staff has not received any comments of opposition or support as of this writing.
- 19. The proposed site plan would go to the DFT upon approval of this request. Any future platting action would go to the DHO.
- 20. Staff has crafted conditions of approval needed to improve compliance and provide clarity moving forward.
- 21. The signage shown on the site plan is not in compliance with the IDO and will be subject to change based on the outcome of the associated Variance requests.

## CONDITIONS OF APPROVAL -SI-2023-00691

1. Once the Site Plan and any associated Variance-EPC requests are approved by the EPC, the proposed site plan shall go to the Development Facilitation Team (DFT) for final sign-off. The reviewer will be responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements have been met.

- 2. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT to ensure that EPC Conditions have been met.
- 3. Site Plan Clean up (SP1 & SP2):
  - A. The index to drawings shall include SP3 and all sheets associated with the request.
  - B. The 0.30 tract that is excluded in the legal description on the southern portion of the site shall be highlighted and referenced as "not included" on the overall site plan sheet and on the Fueling Depot As Built site plan sheet 3.
  - C. Pursuant to IDO 6-6(N)(2)(f) Any Variances granted that are associated with the Site Plan shall be noted on the approved Site Plan sheet 1 and sign detail sheets.
- 4. Site Plan Clean up (SP3).
  - A. A note stating: "The existing fueling depot on the southern ~15-acre portion of the site is to remain as developed and is included in this request as an As Built Site Plan for clarity and compliance moving forward" shall be added to the sheet.
  - B. The 0.30 tract that is excluded in the legal description on the southern portion of the site shall be highlighted and referenced as "not included" on the overall site plan sheet and on the Fueling Depot As Built site plan sheet.
  - C. The title of Site Plan sheet 3 for the Fueling depot shall be changed to "As built Site Plan.
- 5. Parking
  - A. Parking for the general retail small use shall be included.
  - B. A note shall be added under parking data stating that it the General Retail Small use is incidental to Light Vehicle Fueling.
- 6. Landscape Plan:
  - A. The Buffalo Juniper species of shrub shall be female only.
  - B. The note stating that the southern portion of the site is "not a part of project" shall be removed. The 15-acre portion of the site is included with this request.
  - C. The title of the Landscape plan shall be changed to
  - D. The lot area shall be updated to reflect the total lot area on the site plan sheet and landscape sheet. Landscape calculations shall be updated based on this total.
- 7. Sign Details
  - A. Sign details shall include height dimensions.

- B. Sign details shall remain a part of the site plan set for DFT Submittal.
- 8. Detail Sheets:
  - A. Parking Lot light poles and light details pursuant 4-3(D)(17)(d) shall be included.
  - B. The trash compactor enclosure shall be provided on a detail sheet with colors, height and finishes.
- 9. Airport Protection Overlay Zone (APO 3-3)
  - A. The Airspace Protection Sub-Area analysis shall be its own detail sheet.
  - B. Light Reflective Value (LRV) shall be called out for each surface and for each sign pursuant to IDO 3-3(D)(2) Reflectivity.
  - C. A note shall be added to the Site Plan stating that Structure and sign materials and any features therein comply with the glare and reflectivity standards per IDO 3-3(D)(2) Reflectivity.
- 10. Grading and Drainage Plan: The Drainage narrative shall be updated to state that the northern portion of the site is proposed to be redeveloped as a Travel Center, not the southern.
- 11. The Site Plan shall be pursuant to all IDO standards unless a variance is obtained.
- 12. Pursuant to IDO 6-6(N)(2)(f) Any Variances granted that are associated with the Site Plan shall be noted on the approved Site Plan sheet 1 and sign detail sheets.

On June 15, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007103, SI-2023-00693 – Variance- EPC, based on the following Findings:

## FINDINGS – SI-2023-00693

- 1. The request is for a Variance-EPC for a property legally described as all or a portion of Map 44 Tract 64C2, excluding 0.30 acres and excluding all of Tract 64C3A2, at the SE corner of Broadway Blvd. SE and Woodward Rd. SE, approximately 22-acres (the "subject site").
- 2. The subject site is zoned NR-LM (Non-residential Light Manufacturing) is in an Area of Change and is not in a designated center.
- 3. The EPC is required to review and decide on the request for a Variance-EPC as part of the associated Site Plan EPC review and decision as required by IDO section 14-16-6-6(N). The EPC is hearing this case as required by IDO section 14-16-6-6(I)(1)(c)5. for development within ½ a mile of the Railroad and Small Spur Small Area, which requires a Cumulative impact analysis.
- 4. With the approval of the concurrent Site Plan EPC Request (SI-2023-00693), the applicant requests a Variance to four sign standards pursuant to IDO Table 14-16-5-12-2 and IDO 5-12(H)(3)(a)4) that 1) raises the allowable maximum height of a Freestanding sign, 2) expands the

allowable area (SF) of a Freestanding sign, 3) increases the number of Free-Standing Signs by 2, and 4) increases the maximum number of electronic signs by 1.

- 5. The Variance request affects the northern 7-acre portion of the site. The southern 15-acre portion of the 22-acre site is included with this request as an existing "As Built" Site Plan.
- 6. The subject site is in the Airport Protection Overlay zone for the Albuquerque International Sunport (IDO APO 14-16-3-3). All proposed structures are required to comply with the APO and associated Federal Aviation Administration (FAA) sub-zones.
- 7. The subject site is within the Air Space Protection Sub-area for the Albuquerque International Sunport. All signs shall not be taller than the horizontal surface of the Albuquerque International Sunport, per IDO 3-3(D)(1) Height Standards in the Airport Protection Overlay Zone, specifically 3-3(D)(1)(b). An exhibit depicting that the proposed structures and buildings are under the Horizontal Surface of the Airport Surface at 5,504.9 was provided with the Site Plan set. This requirement is met.
- 8. The proposed sign materials and any features therein comply with the glare and reflectivity standards per IDO APO 3-3(D)(2) Reflectivity standards.
- 9. The Variance request consists of four parts:
  - A. (as amended at hearing) variance sign area cat scale sign 107.5 sf total, increase of 7.5 sf
  - B. (as amended at hearing) variance sign area pricer signs, 148.33 sf, increase of 48.33 sf
  - C. (as requested). number of freestanding signs in non-residential zone district- increase from 3 to 5 (a variance of 2), and
  - D. (as requested). number of electronic signs in non-residential zone district- increase from 1 to 2 (variance of 1).
- 10. The applicant has adequately justified the request pursuant to Integrated Development Ordinance (IDO) 14-16-6-(N)(3) Variance-EPC Review and Decision Criteria. An application for a Variance EPC shall be approved if it meets all of the criteria.
  - A. 6-6(N)(3)(a)1. There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

The subject site is within an area characterized by industrial uses surrounding the property and unincorporated Bernalillo county to the east. The subject site sits lower in elevation than Interstate 25. The applicant claims that several structures would block the views of signage, which could create a limitation on the property's economic return. The applicant claims that this circumstance is not self-imposed because the surrounding area was developed before the proposed development. The request generally meets criterion (3)(a)(1).

B. 6-6(N)(3)(a)2. The Variance will not be materially contrary to the public safety, health, or welfare.

The Variance for a higher maximum height to the freestanding sign, square footage of sign areas, or the number of signs on the property would not be materially contrary (incompatible/opposite) to the public safety, health, or welfare. The variance to the height, area, and number of signs would allow the applicant to market the proposed development to potential customers driving in the vicinity and along Interstate 25, although this could be accomplished through other means of marketing and without a variance to Sign Standards in the Non-residential zone district. A variance to the Sign Standards would generally not be incompatible with public safety, health, or welfare. The request generally meets criterion (3)(a)(2).

C. 6-6(N)(3)(a)3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The variance to the IDO development standards for signs would not cause significant material adverse impacts on infrastructure improvements in the vicinity, but the subject site is within the Airport Protection Overlay zone for the Albuquerque International Sunport. The proposed Site plan shall comply with standards pursuant to IDO 3-3(D) for allowable Height and Reflectivity for all structures and buildings.

The applicant has provided an analysis of the air space protection horizontal surface pursuant to IDO (3-3(B)(1)). The proposed structures and would be lower in elevation than 5,504.9 feet, which is the Sunport's surface elevation and the proposed materials of the sign comply with Reflectivity standards. Overall, the request generally meets criterion (3)(a)(3).

D. 6-6(N)(3)(a)4. The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

The proposed variance is required to be heard as part of the associated Site Plan-EPC request for a Travel Center, which includes a light and heavy vehicle fueling station, convenience store, and restaurant uses. The proposed site plan does not undermine the intent or purpose of the IDO or NR-LM zone district and would follows all applicable development standards. The applicant claims that the variance would allow a combined sign, therefore eliminating sign clutter, which is an intent of the IDO. Therefore, the variance request would not undermine the intent and purpose of the IDO and generally meets criterion (3)(a)(4).

E. 6-6(N)(3)(a)5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

The applicant has adequately demonstrated that the request is the minimum necessary to avoid extraordinary hardship regarding visibility of signage and that the variance could help avoid the practical difficulties. The additional signage and square footage are the minimum necessary that would reasonably cover the 22-acre subject site. The request generally meets criterion (3)(a)(5).

11. The affected, registered neighborhood organization is the San Jose Neighborhood Association, which was notified as required. Property owners within 100 feet of the subject site were also notified as required.

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- 12. A facilitated meeting was nor held nor requested and staff has not received any comments of opposition or support as of this writing.
- 13. The proposed site plan would go to the DFT upon approval of this request. Any future platting action would go to the DHO.
- 14. Pursuant to IDO 6-6(N)(2)(f) Any Variances granted that are associated with the Site Plan shall be noted on the approved Site Plan sheet 1 and sign detail sheets.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by June 30, 2023. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,

Catalina Lehner

Planning Director

AV/CL/MJ

ABQ Terminal LLC, Attn: LB Walker & Associates, 13111 NW Freeway Suite 125, Houston, TX 77040 Tierra West, LLC, vcarrica@tierrawestllc.com San Jose NA, Olivia Greathouse sinase@gmail.com San Jose NA, Deanna Barela bacadeanna@gmail.com Legal, dking@cabq.gov EPC File