



May 29, 2020

RE: Administrative Amendment Justification Letter – 700 Coors Blvd NW, Albuquerque, NM

Dear Staff,

Accelerated Development Services (the "Applicant") in partnership with California Gold Development, together, CAV Albuquerque Coors, LLC (the "Land Owner"), are proposing an 862 square foot Dutch Bros Coffee stand on approximately +/-0.57-net acres located at 700 Coors Blvd NW in Albuquerque, New Mexico, as depicted on the enclosed site plan (the "Project"). The Project will include a drive-through facility and pick-up window with a covered waiting area to shade patrons in the walk-up line. The existing gas station canopy will be demolished and existing site infrastructure will be re-used. Access on Coors Blvd (NM-45) will be closed as required by New Mexico Department of Transportation ("NMDOT").

The Applicant is requesting an Administrative Amendment (the "Amendment") to a previously approved site plan for a Fina gas station (File No. CC-89-8). The gas station has been vacant for years and the proposed Project will reduce blight, be a catalyst for future redevelopment to the north and will create new jobs and retail services for the area.

The following findings establish justification for granting approval of the Administrative Amendment:

**1. The amendment is necessary because of site conditions or user requirements that were not known, and could not reasonably have been known, at the time the City approved the approval that is proposed to be amended, and that were not created by the actions of the owner of the property.**

This Amendment is necessary for Dutch Bros Coffee "user" requirements which were not known at the time of the previous City approval.

**2. The amendment does not increase or decrease the dimension of any standard beyond the thresholds allowed as minor amendments pursuant to Table 6-4-5 (cumulative of any earlier deviations or amendments).**

The previous gas station included a 2,936 SF canopy with a 334 SF station house. The total footprint of the proposed Dutch Bros Coffee stand is substantially less than the previously approved gas station. All other standards defined in Table 6-4-5 comply with the MX-L zoning district.

**3. The amendment does not decrease the total amount of open space in the development and does not reduce the size of any open space abutting a lot containing a residential use.**

The site is currently an abandoned gas station that does not provide any visible open space. The Project will provide a substantial increase to open space.

**4. The amendment does not reduce any building setback adjacent to development containing residential uses by any amount.**

There are no adjacent residential uses abutting this Project.

**5. The amendment does not increase the maximum number of residential dwelling units in the development from that shown in the existing permit, approval, or plan. If the property is located in a DT-UC-MS-PT area, the amendment does not decrease the required number of residential dwelling units in the development from that shown in the existing permit, approval, or plan.**

There are no proposed residential dwelling units. This is not applicable.

**6. The amendment does not adjust a building design standard unless doing so improves the perception of building quality, variety, durability, and articulation when viewed from adjacent streets and abutting properties.**

The site is currently an abandoned gas station that is in disrepair. This Project will provide a new high-quality retail development with a variety of materials, colors and articulation that will enhance the intersection.

**7. The amendment does not reduce the amount of total landscaping installed on the property or the amount of screening or buffering required on portions of the site abutting any property containing residential dwelling units and does not waive or weaken any other landscaping or buffering requirement unless the ZEO determines that alternative building design elements included in the amendment improve the visual quality and screening and buffering effect of landscaping as viewed from adjacent streets and public areas.**

The Project does not abut residential properties. The proposed landscape palette will enhance the street frontage through the planting of drought tolerant, desert/native plants with colorful blooms that are in conformance with Section 14-16-5.

**8. The amendment does not increase the traffic accessing the property from local streets and does not increase or decrease the number of through streets, sidewalks, trails, or trail connections passing through the property or connecting to or designed to connect to abutting properties.**

A traffic study has been previously approved by the City of Albuquerque Transportation Department and NMDOT. A Driveway Easement and Special Use Permit (required by NMDOT) has been approved which allows access from the Project to the right-in/right-out at Coors Blvd (south of Weck's). This Driveway Easement will decrease trips from Fortuna Blvd as stated in the traffic study.

**9. Other than those allowed within the threshold of a minor amendment pursuant to Table 6-4-4, the amendment does not affect a standard in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-5 (Parking and Loading), or the DPM, in which case DRB review is required through a Site Plan – DRB pursuant to Subsection 14-16-6-6(G).**

This Amendment complies with standards in Section 14-16-5-3; 14-16-5-5 and the DPM. Section 14-16-5-4 is not applicable because the Project is already subdivided.

**10. The amendment does not change a specific condition attached by a decision-making body listed in Table 6-1-1 to a prior development permit, approval, or plan for or including the property. For example, a specific condition attached to a prior approval requiring additional buffering to mitigate development impacts shall not be removed through a minor amendment process.**

The Project complies with conditions specified in the Notification of Decision for File No. VA-2019-00201. These conditions include Use-Specific Standards for Section 14-16-4-3(F)(4) Drive-through or Drive-up Facility; Section 14-16-5-5 Parking and Loading and 14-16-5-9 Neighborhood Edges.

**11. The amendment does not affect a property in an Overlay zone as regulated per Part 14-16-3, in which case amendments may be granted per the original approval process for the Site Plan governing the site.**

The Project is in a Character Protection Overlay Zone (Coors Boulevard CPO-2) and complies with all of the standards described in 14-16-3-4(C).

**12. The amendment does not approve any land use that was not authorized by the permit or approval or that is not allowed by right on the property.**

The Notification of Decision for File No. VA-2019-00201 allows for a drive-through use in an MX-L zoning district.

**13. The amendment does not expand a nonconformity as regulated per Section 14-16-6-8 (Nonconformities).**

There are no proposed nonconformities for this Project.

If you have any questions regarding this justification letter, please feel free to reach out to me at 602-682-8153 or via email at [jake@accelerateddevco.com](mailto:jake@accelerateddevco.com).

Our team is looking forward to your expedited response.

Sincerely,



Jake Palmer  
Accelerated Development Services