

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, Suite 500
Albuquerque, NM 87109

Project# PR-2018-001284
Application#
SI-2021-01962 SITE PLAN
VA-2021-00458 SIDEWALK WIDTH WAIVER

LEGAL DESCRIPTION:

For all or a portion of: **A-2-A-1-A and A-2-A-2-A; A-2 and 2A, BLOCK F, PARK SQUARE; BEVERLY-WOOD ADDITION** zoned **MX-H**, located on **6500 AMERICAS PARKWAY, 6400 INDIAN SCHOOL RD between INDIAN SCHOOL RD and LOUISIANA BLVD NE** containing approximately **5.0 acre(s). (J-18)**

On January 19, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to ABCWUA and Planning, based on the following Findings:

SI-2021-01962 SITE PLAN

1. This is a request to construct a 103-parking space temporary parking lot. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G)(1)(e) of the IDO the site area at 5.0-acres is more than 5-acres in size.

1. Pursuant to 6-6(l)(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(l)(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 parking and landscaping/screening meet/exceed the IDO requirements. The proposed parking is 695 spaces (in the total development) where a minimum of 589 parking spaces are required (in the total development). This request adds 103 temporary parking spaces and removes 72 temporary parking spaces.

- 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 (1/19/2022). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to ABCWUA for an updated utility plan as discussed.
3. Final sign off is delegated to Planning for minor parking labeling, barrier protection of structural columns, and for tree list resolution as indicated by Parks and Recreation.
4. The applicant will obtain final sign off from ABCWUA and Planning by March 16, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

VA-2021-00458 SIDEWALK WIDTH WAIVER

1. The applicant proposes a waiver to permit the reduction of the sidewalk width along Indian School Road from the required 10-foot minimum to permit the existing 6-foot wide sidewalk.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. There are utility obstructions at the west property line of the subject property, and the existing sidewalk at 6-feet in width is wider than the existing sidewalk to the west. Allowing a 6-foot wide sidewalk along Indian School Road permits the applicant to consider future landscaping and street frontage improvements more thoroughly with future approvals for the site once the temporary parking lot is no longer needed.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Official Notice of Decision

Project # PR-2018-001284 Applications# SI-2021-01962, VA-2021-00458

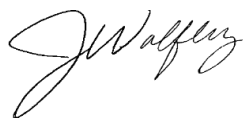
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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **FEBRUARY 3, 2022**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, 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).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Wolfley', written in a cursive style.

Jolene Wolfley
DRB Chair

JW/jr

Consensus Planning, Inc., 302 8th Street NW, Albuquerque, NM 87102