

**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

Darryl Chitwood – Eco Green Building
1116 Glorieta St. NE
Albuquerque, NM 87112

Project# PR-2018-001398

Application#

SD-2021-00242 PRELIMINARY PLAT

VA-2021-00447 SIDEWALK WAIVER

SI-2021-01966 EPC SITE PLAN FINAL SIGN-OFF

LEGAL DESCRIPTION:

All or a portion of **TRACT B, LANDS OF ELLA G. ROSSITER** zoned **PD**, located on **704 GRIEGOS RD NW between 7th ST NW and 9th ST NW** containing approximately **0.75** acre(s). **(F-14)**

On May 11, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Planning for the EPC Site Plan Final Sign-off, based on the following Findings:

SD-2021-00242 PRELIMINARY PLAT

1. This Preliminary Plat replats a portion of an existing tract into five (5) lots a total of 0.7582 acres in size, and grants easements as depicted on the Plat.
2. The property is zoned PD. Future development must be consistent with the PD zone district and the EPC-approved Site Plan (PR-2018-001398 / SI-2021-00024) and DRB-approved EPC Site Plan Final Sign-Off (PR-2018-001398 / SI-2021-01966).
3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) is needed prior to the acceptance and processing of the Final Plat and placement on a DRB agenda.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2021-00447 SIDEWALK WAIVER

1. The applicant proposes a waiver to the IDO/DPM standard(s) consisting of a waiver from the IDO/DPM requirements for sidewalk construction to construct sidewalks as listed in the Infrastructure List for the DRB-approved Preliminary Plat (PR-2018-001398 / SD-2021-00242) and depicted on the DRB-approved EPC Site Plan Final Sign-Off (PR-2018-001398 / SI-2021-01966).
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The absence of a sidewalk will not create a gap in an existing sidewalk system extended to one or more sides of the subject property or site.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

SI-2021-01966 EPC SITE PLAN FINAL SIGN-OFF

1. The EPC approved this project on February 18, 2021 per PR-2018-001398 / SI-2021-00024.
2. The Site Plan meets the EPC conditions. DRB staff coordinated with EPC staff on the request, and EPC staff provided written correspondence stating the EPC conditions were addressed and no unauthorized changes were made.
3. The request proposal includes the development of five (5) single family detached dwellings on the site (a Preliminary Plat subdividing the site into five (5) lots from an existing tract was concurrently applied for with the EPC Site plan Final Sign-Off application). Per 6-6(J)(1)(a), a Site Plan – EPC approval was required for the proposed development as the site is unsubdivided and located within PD zoning.
4. The proper notice was given as required by the IDO in Table 6-1-1.
5. Pursuant to 6-6(H)(3) Review and Decision Criteria An application for a Site Plan – EPC shall be approved if it meets all of the following criteria:

- a. 6-6(H)(3)(a) The Site Plan is consistent with the ABC Comp Plan as amended.*

The Site Plan is consistent with the ABC Comp Plan as amended.

- b. 6-6(H)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.*

The site is zoned PD, therefore future development must be consistent with the applicable terms and conditions of the EPC-approved Site Plan (PR-2018-001398 / SI-2021-00024) and DRB-approved EPC Site Plan Final Sign-Off (PR-2018-001398 / SI-2021-01966).

- c. *6-6(H)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.*

The features and improvements depicted on the Site Plan must meet the IDO requirements.

- d. *6-6(H)(3)(d) 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 by Transportation. The site has an approved Grading and Drainage Plan.

- e. *6-6(H)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent possible.*

The proposed development protects and enhances the character of the area by adding five (5) single family detached dwellings in an area primarily consisting of low-density residential development and utilizing design standards from the R-1B zone district (the site is abutting R-1C zoning to the south and to the east).

Conditions:

1. Final sign-off is delegated to Planning for all the Site Plan sheets to be sealed and signed by a design professional licensed in the State of New Mexico, verification of Solid Waste signature, and for verification of the Sidewalk Waiver note on the Preliminary Plat (PR-2018-001398 / SD-2021-00242).
2. The applicant will obtain final sign off from Planning by July 13, 2022 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 **MAY 26, 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.

Official Notice of Decision

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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 cursive script, appearing to read "J. Wolfley".

Jolene Wolfley
DRB Chair

JW/jr

JAG Planning & Zoning – Juanita Garcia, P.O. Box 7857, ABQ, NM 87194