

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

Nuevo Atrisco, LLC  
7620 Jefferson ST. NE  
Albuquerque, NM 87109

**Project# PR-2018-001405**  
**Application#**  
**SI-2022-01115 SITE PLAN AMENDMENT**  
**VA-2022-00165 SIDEWALK WAIVER**

### LEGAL DESCRIPTION:

All or a portion of: **TRACT A-2 PLAT FOR TRACTS A-1 & A-2, NUEVO ATRISCO** zoned **MX-M**, located at **201 UNSER BLVD NW** between **CENTRAL AVE NW** and **SARRACINO PL NW** containing approximately **6.2231** acre(s). **(K-10)**

On August 3, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Parks and Recreation and Planning, based on the following Findings:

### SI-2022-01115 SITE PLAN AMENDMENT

1. The original project (Site Plan – DRB: PR-2018-001405 / SI-2018-00092) consisted of 80 multi-family residential dwelling units, 8 live/work units, 6,544 GFA square foot retail/restaurant building (Building A), 18,980 GFA square foot retail/office building (Building B), and a 5,580 GFA square foot retail building on a 6.22-acre site. The multi-family residential units on the north portion of the site have been constructed. This is a request to amend the southern portion of the site plan to construct a 5,200 GFA square foot building (Building 1), a 6,000 square foot GFA building (Building 2), a 2,500 – 4,350 square foot GFA future building (Building 3), a micro-restaurant court, and a public plaza for visitors to the food vendors in the location formally occupied by the three retail/restaurant/office buildings which were approved in the original project and were not constructed. The new buildings proposed in this request (Buildings 1, 2, and 3) would feature community, retail, and restaurant uses.

1. Pursuant to 6-6(G)(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 dimensional standards, parking, and façade design comply with the applicable provisions of the IDO: the proposed buildings meet the setback requirements, the maximum height of the proposed buildings would be 29.3-feet in height where a maximum height of 65-feet is permitted; 94 parking spaces are proposed where a total of 44 parking spaces are required; 10,158 square feet of landscaping is proposed where 6,768 square feet is required; landscaping is proposed within the right-of-way along Central that will not impede the underground stormwater/water lines and is deemed to meet the street frontage landscaping requirements of 5-6(D) of the IDO (a revised Landscape Plan sheet depicting additional shrubs within the right-of-way along Central is required per a Parks and Recreation condition of approval); street trees are provided along Unser to comply with 5-6(D) of the IDO; and the building/facade design requirements of 5-11(E) of the IDO are met.

- 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. Transportation determined that a Traffic Impact Study (TIS) was not required.

- 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.

2. An Infrastructure List was approved with the Site Plan Amendment. A Financial Guaranty/Infrastructure Improvements Agreement (IIA) must be approved and recorded.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
4. The proposed uses are allowed within the MX-M zone district, and are subject to the requirements of the underlying zone district.

**Conditions:**

1. This Site Plan Amendment is valid 7 years from DRB approval (8/3/2022). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Parks and Recreation for an updated Landscape Plan to include additional landscaping within the right-of-way of Central as discussed at the August 3, 2022 hearing.
3. Final sign-off is delegated to Planning for the recorded IIA.
4. The applicant will obtain final sign-off from Parks and Recreation and Planning by November 2, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**VA-2022-00165 SIDEWALK WAIVER**

1. The applicant proposes a waiver to the IDO/DPM standard(s) consisting of a waiver from the IDO/DPM requirements to construct a 10-foot sidewalk along Unser Boulevard NW and accept the existing, newer 6-foot sidewalk.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. A 3-foot easement has been granted on the Minor Preliminary/Final Plat approved with this waiver (PR-2018-001405 / SD-2022-00100) which will enable the sidewalk along Unser to be widened to 9-feet in width in the future. Additionally, the adjoining sidewalks along Unser in the vicinity of the site are not in compliance with the DPM, and this waiver will allow the existing sidewalks to match the width of adjoining sidewalks along this segment of Unser.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 18, 2022**. The date of the DRB'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(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto: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.

Official Notice of Decision

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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".

Jolene Wolfley  
DRB Chair

JW/jr

Jessica Lawlis, D/P/S, 7601 Jefferson St. NE, Albuquerque, NM 87109