

PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946

## AMENDED OFFICIAL NOTIFICATION OF DECISION

June 6, 2019

Mark 3S, INC  
6501 Wyoming Blvd NE Building G  
ABQ, NM 87109

**Project# PR-2018-001632**  
**Application# SI-2018-0000176**- Site Plan DRB

### LEGAL DESCRIPTION:

All or a portion of TRACTS C & D VACATION REQUEST AND PLAT OF TRACTS A-1, C AND D, MARK 3S HOLLY DEVELOPMENT, zoned M-XL, located on HOLLY AVE. NE between VENTURA ST NE and HOLBROOK ST NE, containing approximately 1.9 acre(s)

On November 14, 2018, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request with delegation to Transportation and Planning to address the remaining minor issues as stated in the comments and as discussed at the hearing, based on the following Findings:

1. The application/project meets the applicable requirements of the IDO and the DPM.
2. The project consists of a 76,172 square foot 76 bed assisted living facility.
3. 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(G)(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 use and height are allowed in the MX-L zone; the site has sufficient parking for the use.
  - b. 6-6(G)(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 existing urban infrastructure. A traffic Impact study was not required and the site has service from

ABCWUA.

- c. 6-6(G)(3)(c) *The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.* The site excess landscaping and pedestrian amenities. The site will also provide a trail to the adjacent pre-school allowing positive interaction between residents and students.
4. The applicant complied with the notification requirements of the IDO.
5. Site Plan is valid 7 years from DRB approval. An extension may be requested prior to the expiration date.
6. The DRB approved a deviation, pursuant to table 6-4-2, to allow an additional 3.5 feet in height to accommodate the wood trusses for taller ceilings, HVAC system and ceiling fans in the fitness room.
7. The applicant requested a Variance to the required 12 foot 6 inch sidewalk width to allow sidewalks between 6 and 8 feet in width. The site has changes in grade, existing easements and is constrained by existing development (see October 16, 2018 letter in file). The more narrow sidewalks will still allow pedestrian circulation and access to the adjacent pre-school.
8. Code Enforcement requires that the replat be recorded prior to final off of the site plan because the proposed building crosses an existing lot line which is not allowed per the IDO.

**Conditions:**

1. The applicant will provide the easement documents requested by Transportation and will address comments from Code Enforcement (required replat). Planning took delegation for Code Enforcement to sign the site plan only after the replat is recorded.
2. The applicant must obtain Transportation and Planning signatures by **December 12, 2018** or the case will be scheduled for the next DRB hearing and can 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 **NOVEMBER 29, 2018**. 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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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).

Amended Official Notice of Decision  
Project # PR-2018-001632 SI-2018-00176,  
June 6, 2019  
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Sincerely,



Kym Dicome  
DRB Chair

KD/mg

DPS 7601 Jefferson NE Suite 100 ABQ, NM 87109