

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

Chick-fil-A, Inc
5200 Buffington Rd.
Atlanta, GA 30349

Project# PR-2019-002213
Application#
SI-2022-02430 SITE PLAN AMENDMENT

LEGAL DESCRIPTION:

All or a portion of:

**LOT 3-A-1, zoned NR-BP, located at 8110
SAN PEDRO DR NE between SAN PEDRO
DR NE and PASEO DEL NORTE BLVD NE
containing approximately 1.5213 acre(s).
(C-18)**

On February 1, 2023, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning, based on the following Findings:

1. The original project (1006868/07-DRB-70390) approved by the DRB on November 28, 2007 consisted of seven pad sites on 8.6 acres for restaurants and retail uses which included the Chick fil A restaurant that comprises this request. This request proposes the addition of a second drive-through lane, an OMD canopy, the re-striping, the removal of parking spaces east of the restaurant, and the addition of a landscape island east of the restaurant and drive-through lanes. This request is required to be reviewed by the DRB because per 6-4(Z)(1)(a)(3) of the IDO there is a significant change to circulation patterns on the site caused by the addition of a second drive-through lane, requiring a major amendment approval by the original approving body (the DRB).
 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(I)(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, landscape, parking, and façade design comply with the applicable provisions of the original Site Plan approval (1006868/07-DRB-70390) and the IDO.

- 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. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
3. The proposed use is allowed within the NR-BP zone district, and is subject to the requirements of the underlying zone district.

Conditions:

1. This Site Plan Amendment is valid 7 years from DRB approval (2/1/2022). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Planning for the Plan sheets to be sealed and signed by the appropriate design professional licensed in the State of New Mexico, and for the Landscape Plan to be updated to show screening in the parking area and drive-through lane fronting Paseo del Norte as discussed at the February 1, 2023 DRB hearing.
3. The applicant will obtain final sign-off from Planning by March 29, 2023 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

Official Notice of Decision

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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 17, 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). Files larger than 9MB can be sent to 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.

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,



Jolene Wolfley
DRB Chair

JW/jr

Merrick & Company, 5970 Greenwood Plaza Blvd, Greenwood Village, CO 80111