

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

September 13, 2019

Bella Tesoro  
12809 Donnette Ct. NE  
Albuquerque, NM 87112

**Project# PR-2018-002496**  
**Application#**  
**SI-2019-00180 SITE PLAN – DRB**  
**SD-2019-00161 PRELIMINARY/FINAL PLAT**

### LEGAL DESCRIPTION:

All or a portion of LOTS 1--4 BLOCK 4 TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES, zoned MX-L, located at the SEC of BARSTOW ST NE AND ALAMEDA BLVD NE, containing approximately 3.38 acre(s). (C-19 & 20)

On September 11, 2019, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and Code Enforcement and ABCWUA to address minor issues as stated in the comments and discussed at the hearing, based on the following Findings:

### **SD-2019-00161 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat consolidates the four existing lots 1-4, into one new lot, Lot 1A, 2.9023 acres. The plat dedicates Right-of-Way along Alameda Boulevard and Barstow Street NE.
2. The property is zoned MX-L and has no minimum lot size.
3. The infrastructure list is tied to the site plan (below).
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Condition:

1. Final sign off delegated to Planning and ABCWUA for verification of Pro Rata payment.

### **SI-2019-00085 SITE PLAN – DRB**

1. This is a request for a 75,083 square foot apartment complex including two 34,017 square foot residential buildings and a 7,049 square foot community building with a maximum height of 35 feet. The site contains open spaces, a dog park, pool and picnic area.
2. The site will be developed in three phases as shown on sheet DRB 1.2.

3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.; the applicant notified property owners within 100 feet and affected neighborhood associations.
4. The proposed use is allowed within the MX-L zone. The IDO does not address density, but restricts height and requires parking, landscaping and open space. The MX-L allows for building to have a height of 35 feet.
5. The abutting property to the south is zoned MX-T. The Neighborhood Edge requirements of the IDO applies to subject sites that abut residentially zoned property(s), therefore the Neighborhood Edge requirements do not apply in this case.
6. A Traffic Impact Study is not required for this project because it does not meet the threshold for such study as stated by Transportation.
7. Staff received several letters of opposition to the project and there were members of the public who spoke at the three DRB meetings. Major concerns included the density of the development, increased traffic, impact on local school capacity, lack of privacy for the residential development to the south, the voluntary zone conversion process and Neighborhood Edge protections and safety.
8. The carports along the southern boundary are structures and must be set back 15 feet from the rear property line. These structures must be relocated to meet this requirement as described by Code Enforcement.
9. 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. *Specifically, the height, parking, open space, landscaping and façade, meet the IDO requirements.*
  - 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. *The site has access to a full range of urban services including utilities, roads, and emergency services. The ABCWUA issued an availability statement for the site. A Traffic Impact Study was not required. A grading and drainage plan for the entire site has been approved by Hydrology.*
  - c. 6-6(G)(3)(c) The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable. *The proposed buildings are set back approximately 90 feet from the residential development to the south. The site has landscaping around the perimeter and on-site landscaping and usable open space. The plat dedicates the right of way and the Infrastructure list includes the roadway improvements along Barstow and Alameda.*

**Conditions:**

1. This Site Plan is valid 5 years from DRB approval (9-26-2019). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Planning to check for an executed IIA and Code Enforcement for carport placement.
3. Once the site plan has all the required signatures, a pdf of the complete signed off set will then be email to the PLNDRS.

Official Notice of Decision

Project # PR-2019-0019 Application# SI-2019-00180, PR-2019-002496

September 13, 2019

Page 3 of 3

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 26, 2019**. 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).

Sincerely,



Maggie Gould  
Acting DRB Chair

KD/mg

Consensus Planning 302 8<sup>th</sup> Street NW ABQ, NM 87102