

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 Road  
Atlanta, GA 30349

**Project# PR-2019-002574**  
**Application#**  
**SI-2022-02061 SITE PLAN AMENDMENT**

### LEGAL DESCRIPTION:

All or a portion of: **LT 6 PLAT OF LOTS 1 THRU 9 COORS PAVILION (BEING A REPLAT OFTRACT X-1-A2, UNIVERSITY OF ALBUQUERQUE URBAN CENTER) CONT 1.1637 AC & LT 5 PLAT OF LOTS 1 THRU 9 COORS PAVILION (BEING A REPLAT OFTRACT X-1-A2, UNIVERSITY OF ALBUQUERQUE URBAN CENTER) CONT .7018 AC** zoned **NR-C**, located on **4001 COORS BLVD NW between COORS BLVD and ST. JOSEPH'S** containing approximately **1.8655 acre(s)**. **(G-11)**

On November 30, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to ABCWUA, Parks and Recreation, and Planning, based on the following Findings:

1. The original project (Site Plan – DRB: PR-2019-002574 / SI-2019-00191) consisted of a 5,021 square foot restaurant with a drive-through. This is a request to amend the site plan to construct a parking lot addition, a modification to the existing drive-through to add a second drive-through lane, transformer re-location, and a modification of the existing single-lane OMD canopy extension to dual lane.
  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 parking and landscaping comply with the original Site Plan approval and the applicable provisions of the IDO: 4 parking spaces are proposed to be removed, with 26 parking spaces proposed to be added by the parking lot addition, for a total of 73 parking spaces proposed with the amendment where a total of 36 parking spaces are required per the original Site Plan approval. The Landscape Plan depicts landscaping which meets 5-6 (Landscaping, Buffering, and Screening) of the IDO regarding coverage of the net lot area, with landscaping proposed to cover 26% of the net lot area, exceeding the minimum required 15% coverage of the net lot area. The Landscape Plan also meets the landscaping requirements in the setback along Coors Boulevard per the Coors Boulevard Character Protection Overlay zone (CPO-2), 3-4(C)(5)(c) of the IDO, by featuring vegetative coverage/landscaping within the setback between the drive-through and the parking areas and Coors Boulevard as well as a proposed retaining/screening wall between the landscaping and drive-through and parking areas. Conditions of approval for Parks and Recreation and Planning respectively require additional trees east of the wall along Coors Boulevard as well as the correct number of parking lot trees to ensure that 5-6 and 3-4(C)(5)(c) are met.

- b. 6-6(1)(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(1)(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 uses are allowed within the NR-C 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 (11/30/2022). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to ABCWUA to ensure that trees are not within the easement as discussed at the November 30, 2022 hearing and are not a species with roots that would cause issues with the public sewer line; for the inclusion of the easement document numbers and clarification of the use of those easements; and to ensure that the 20-foot public sanitary sewer easement supersedes the use of the 10-foot private sanitary sewer easement, due to the change of private to public ownership of the 8-inch sanitary sewer line.
3. Final sign-off is delegated to Parks and Recreation to add trees along Coors Boulevard east of the proposed retaining/screening wall.
4. Final sign-off is delegated to Planning for the correct number of parking lot trees; to provide a Landscape Plan which shall bring the original Landscape Plan forward with modifications per the Site Plan Amendment; to replace all unhealthy plants with new plants; confirm compliance with the Coors Pavilion Site Plan for Subdivision and the addition of an associated note on the Site Plan Amendment; to confirm that the light poles meet the requirements of 3-4(C)(5)(D) of the IDO; and for the project and application numbers to be added to the Site Plan Amendment.
5. The applicant will obtain final sign-off from ABCWUA, Parks and Recreation, and Planning by March 1, 2023 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 **DECEMBER 16, 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://wetansfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

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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". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital "J".

Jolene Wolfley  
DRB Chair

JW/jr

Interplan LLC – Amanda Bishop C/O Chick-fil-A, 220 East Central Parkway, Suite 4000, Altamonte Springs, FL 32701