

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

Uptown Tower LLC
9201 Montgomery Blvd. NE, Building 1
Albuquerque, NM 87111

Project# PR-2019-003021
Application#
SI-2022-00308 SITE PLAN AMENDMENT
VA-2022-00072 SIDEWALK WAIVER

LEGAL DESCRIPTION:

All or a portion of: **5-A-1, BLOCK C, LOUISIANA SUBDIVISION** zoned **MX-H**, located at **2440 LOUISIANA BLVD NE** between **MENAU BLVD NE** and **INDIAN SCHOOL RD NE** containing approximately **1.2137** acre(s). (**H-19**)

On April 27, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Transportation and Planning, based on the following Findings:

SI-2022-00308 SITE PLAN AMENDMENT

1. The original project consisted of a 26,352 GFA square foot two-story retail, restaurant, and multi-family residential facility that wasn't constructed on the 1.2137-acre site. This is a request to construct a 5,881 square foot office building on the site.

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, parking, landscaping, and building design comply with the applicable provisions of the IDO: 21 parking spaces are reserved for the proposed office building (additional parking spaces are shared parking spaces) where a total of 21 parking spaces are required; 4,854 square feet of landscaping is proposed where 3,886 square feet is required; the maximum height of the

proposed building is 25-feet in height where a maximum height of 68-feet is permitted; and the building 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 use is allowed within the MX-H zone district, and is subject to the requirements of the underlying zone district.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (4/27/2021). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Transportation for the referencing of 2430 for the new sidewalk as discussed and for the revocable permit to be in place prior to signature.
3. Final sign-off is delegated to Planning for project and application numbers to be added to the Amended Site Plan, the Sidewalk Waiver to be noted on the Amended Site Plan, and the recorded IIA.
4. The applicant will obtain final sign-off from Transportation and Planning by July 27, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

VA-2022-00072 SIDEWALK WAIVER

1. The applicant proposes a waiver to the IDO/DPM standard(s) consisting of a waiver of the required width of 10 to 12 feet for the sidewalk along the east side of Louisiana Boulevard on the west side of the proposed development due to its location along a Major Transit Corridor within the Uptown Center. The applicant proposes to widen the sidewalk to an average of 9 feet (see approved Infrastructure List).
2. The request is justified per 14-16-6-6(P)(3) of the IDO. There is an existing retaining wall on the east side of the landscaping strip which limits the ability to widen the sidewalk more than an average of 9 feet. Additionally, the curb ramp on the south side of the sidewalk contains several additional obstructions.
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 **MAY 12, 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