

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

Diamond Tail Realty LLC
20 Fall Pippin Lane Suite 203
Asheville, NC 28803

Project# PR-2020-004024
Application#
SI-2021-01388 SITE PLAN

LEGAL DESCRIPTION:

For all or a portion of: : **TRACT H-11 PLAT OF TRACTS H-1 THRU H-11 VENTANA SQUARE AT VENTANA RANCH A REPLAT OF TRACT H-A, VENTANA RANCH** zoned MX-M, located on **PASEO DEL NORTE between UNIVERSE BLVD and PASEO DEL NORTE** containing approximately 1.08 acre(s). (B-10)

On September 29, 2021, 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. This is a request to construct a 7,380 square foot commercial facility on the site. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G(1)(b) of the IDO the proposed development is requiring major public infrastructure.
 1. Pursuant to 6-6(I)(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 dimensions, parking, landscaping/screening, and façade design meet/exceed the IDO requirements. The proposed mixed-use facility is set back in accordance with the requirements of the MX-M zone district. The 24-foot maximum height of the proposed facility is less than the 65-foot maximum permitted building height. The Site Plan includes 12,083 square feet of landscaping where 6,015 square feet is required. The Site Plan includes 41 parking spaces where 30 parking spaces are required. The ground floor windows, primary entrance, awnings over the windows (providing shade and protection from the weather), three-dimensional cornice, and wall plane of the building element surrounding the storefront system are in accordance with the Façade Design Requirements.

- 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. A traffic impact study (TIS) was not required for this project.

- 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. An Infrastructure List was approved with this Site Plan. A recorded Infrastructure Improvements Agreement (IIA) must be submitted.
3. The proposed development is permitted within the MX-M zone district.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (9/29/2021). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Planning for the Solid Waste signature and recorded IIA.
3. The applicant will obtain final sign off from Planning by December 29, 2021 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 **OCTOBER 14, 2021**. 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,

A handwritten signature in black ink, appearing to read 'J. Wolfley', written in a cursive style.

Jolene Wolfley
DRB Chair

JW/jr

Tierra West, LLC, 5571 Midway Place NE, Albuquerque, NM 87109