

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

Calabacillas Group C/O Donald Harville
3301 R Coors Boulevard NW
ABQ, NM 87120

Project# PR-2020-004030
Application#
SI-2020-00540 SITE PLAN – DRB

LEGAL DESCRIPTION:

For all or a portion of: **TRACT E-1 PLAT OF TRACTS D-1, E-1 AMAFCA BLACK ARROYO CHANNEL ROW PARADISE HEIGHTS**, zoned MX-M, located at **GOLF COURSE RD NW between GOLF COURSE RD NW, BLACK ARROYO and WESTSIDE BLVD** containing approximately 8.77 acre(s). (A-12,13)

On March 10, 2021, per remand from the Land Use Hearing Officer (LUHO) per AC-20-12, 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 (the DRB previously approved the application request on September 30, 2020 and the decision was appealed to the LUHO):

1. This is a request to construct 208 multi-family residential dwellings on the subject property. The site plan is required to be reviewed by the Development Review Board (DRB) because more than 50 dwelling units are being proposed.
 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(G)(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 structure heights, parking, and landscaping meet the IDO and site plan requirements: the building height of 45 feet complies with the maximum allowed 45-foot building height; 374 parking spaces are provided where 312 parking spaces are required; and 141,280 square feet of landscaping is proposed where 48,141 square feet is required. A landscape buffer adjoining the existing low density residential neighborhood to the east is 50 feet wide. Usable open space is proposed to be 144,030 square feet, featuring a pool area, a 5-foot wide crushed gravel trail around the perimeter of the site, and park benches; 45,600 square feet of usable open space is required.

- 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, 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 is not required for this project because it does not meet the threshold for such study as stated by Transportation.

- c. 6-6(G)(3)(c) *The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.*

The applicant will provide screening through landscaping and walls/fencing to shield the proposed development from adjacent residential development. The southern border of the site is adjacent to a concrete arroyo channel owned by AMAFCA and 3 feet of view fencing on top of 3 feet of block wall complies with the IDO for property adjacent to an arroyo.

2. This site requires an Infrastructure List. This was previously approved by the DRB at the meeting of September 30, 2020 and was approved again by the DRB at the meeting of March 10, 2021.
3. The Neighborhood Edge requirement of 14-16-5-9 of the IDO is met; a 15-foot wide landscape buffer is required, while a 50-foot wide buffer is provided. The applicant chose to hold a facilitated meeting on February 9, 2021 to work with the Seven Bar North Homeowners Association, West Side Coalition of Neighborhood Association, and neighbors, and they mutually agreed to the wall design and color, gate placement, as well as the type and location of trees within the landscape buffer as depicted on the site plan.

Official Notice of Decision

Project # PR-2020-004030 Application# SI-2020-00540

Page 3 of 4

4. Members of the public spoke at the hearing in opposition to the request. Concerns included traffic, building height, privacy, crime, impact on neighborhood character, and opportunities for neighborhood meetings.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1. In compliance with the LUHO remand instructions, all properties owners within 100 feet of the subject site excluding the arroyo were given mailed notice of the DRB meeting and also all the property owners who were noticed in the initial application in 2020.
6. The proposed use is allowed within the MX-M zone.

Conditions:

1. This Site Plan is valid 5 years from DRB approval (3/10/2021). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Planning to add a note to the site plan as follows: "The color of the CMU of all the perimeter walls shall be tan," and for the recorded IIA.
3. The applicant will obtain final sign off from Planning by June 10, 2021 or the case may be scheduled for the next DRB hearing and could be denied her 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 **MARCH 25, 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).

Official Notice of Decision

Project # PR-2020-004030 Application# SI-2020-00540

Page 4 of 4

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter "J" being particularly large and stylized.

Jolene Wolfley
DRB Chair

JW/jr

Tierra West, LLC, 5571 Midway Park Place NE, ABQ, NM 87109