

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 September 30, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Parks and Recreation, ABCWUA, and Planning, based on the following Findings:

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 144,030 square feet of landscaping is proposed where 48,141 square feet is required. A landscape buffer adjoining the existing low density residential neighborhood is 50 feet wide and will be designed to meet the IDO and site plan requirements with the adherence to the conditions of approval (see below). 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 approved by the DRB at the meeting of September 30, 2020.
3. The Neighborhood Edge requirement of 14-16-5-9 of the IDO is met; a 15-foot wide landscape buffer is required, but a 50-foot wide buffer is provided.
4. Staff received letters of opposition to the request and members of the public spoke at the hearing in opposition to the request. Concerns included traffic, building height, privacy, crime, and impact on neighborhood character.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
6. The proposed use is allowed within the MX-M zone.

**Conditions:**

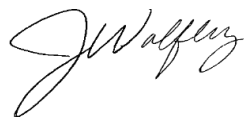
1. This Site Plan is valid 5 years from DRB approval (9/30/2020). An extension may be requested prior to the expiration date.
2. A note will be added to the site plan: "Pursuant to IDO 5-6(C)(5)(b) Organic mulch, such as wood chips or pecan shells, is required as ground cover for the portion of any landscaped area surrounding the vegetation root ball, as well as beneath the entire tree canopy or dripline, in each required landscape area."
3. Final sign off is delegated to ABCWUA for execution of the development agreement.
4. Final sign off is delegated to Planning to finalize the wall and landscaping in the 15 foot portion of the landscape buffer adjacent to the existing residential subdivision.
5. The applicant will obtain final sign off from ABCWUA, and Planning by December 30, 2020 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 **OCTOBER 15, 2020**. 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://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

Official Notice of Decision

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

Page 4 of 4

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