

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

98th & 1-40 Land LLC
6300 Riverside Plaza Ln. NW
Albuquerque, NM 87120

Project# PR-2020-004747
Application#
SI-2021-00484 SITE PLAN
SD-2021-00117 FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of: **TRACT 2 PLAT OF TRACTS 1 THRU 12, AVALON SUBDIVISION UNIT 5** zoned NR-BP, located on **DAYTONA RD NW between I-40 and DAYTONA** containing approximately 13.81 acre(s). (J-9)

On June 23, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests, with delegation to Parks and Recreation and Planning for the Site Plan, and delegation to Planning for the Final Plat, based on the following Findings:

SI-2021-00484 SITE PLAN

1. This is a request to construct a facility 32,402 square feet in size, consisting of 3,173 square feet of office space, a 6,868 square foot service area, 7,038 square feet for truck bays, 11,223 square feet of warehouse space, and 4,100 square feet of covered docks on the subject property. The site plan is required to be reviewed by the Development Review Board (DRB) because the site area at 5.83-acres is more than 5-acres in size.

1. Pursuant to 6-6(l)(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 dimensions, parking, landscaping/screening, and façade design meet/exceed the IDO requirements: Tracts 2-A and 2-B, created by the Final Plat, exceed the minimum 100-foot lot width requirement, the proposed building covers approximately 12.8% of the site, less than the 50% maximum building coverage requirement, the proposed building meets the 20-foot front-yard setback requirement and 10-foot side-yard and rear-yard setback requirements, and the 26-foot maximum height of the proposed building is less than the 65-foot maximum permitted building height; 49 parking spaces are proposed when a minimum of 18 parking spaces are required; 90,203 square feet of landscaping is proposed where 34,719 square feet is required, and the screening requirement of 4-3(D)(16)(c) of the IDO is met with the proposed placement of trees along the northern boundary of the site, providing an adequate buffer from the residential development north of the site; and the ground-floor transparent windows, clerestory windows, pedestrian entrance, shade structures, wall plane projections/recesses, three-dimensional cornice, and change in parapet height along the length of the facades as proposed meet the façade design requirements.

- 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. A traffic impact study (TIS) was required for this project, and all recommendations from the TIS were incorporated into an Infrastructure List which was approved with a Preliminary Plat by the DRB on May 19, 2021.

- 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. The proposed use, Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair, is permitted with a Conditional Use approved by the Zoning Hearing Examiner (ZHE) within the NR-BP zone district. On April 20, 2021, the ZHE approved a Conditional Use for the proposed use, permitting the proposed use on the site.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (6/23/2021). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Parks and Recreation for the addition of a hydro-mulch note and for a general note correction to reference "The City of Albuquerque."
3. Final sign off is delegated to Planning.
4. The applicant will obtain final sign off from Parks and Recreation and Planning by August 23, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

SD-2021-00117 FINAL PLAT

1. This Final Plat subdivides an existing tract (Tract 2, Avalon Subdivision Unit 5) into two tracts: Tract 2-A at 7.930 acres in size, and Tract 2-B at 5.8255 acres in size (the proposed development for SI-2021-00484 is located entirely on Tract 2-B, Tract 2-A will remain vacant).
2. The property is zoned NR-BP, future development must be consistent with the underlying zoning.
3. An Infrastructure List was approved by the DRB on May 19, 2021 per SD-2021-00074. An Infrastructure Improvements Agreement (IIA) must be approved and recorded.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The Final Plat is consistent with the approved Preliminary Plat (SD-2021-00074).

Conditions:

1. Final sign-off is delegated to Planning for the application number (SD-2021-00117) to be added to the Plat, the AGIS DXF file, and the recorded IIA.
2. The applicant will obtain final sign off from Planning by August 23, 2021 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 **JULY 8, 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.

Official Notice of Decision

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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 "J" being particularly large and stylized.

Jolene Wolfley
DRB Chair

JW/jr

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