

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

Greater Albuquerque Housing Partnership  
320 Gold Avenue SW, Suite 918  
Albuquerque, NM 87102

**Project# PR-2021-005390**  
**Application#**  
**SI-2021-00832** SITE PLAN  
**VA-2021-00217** SIDEWALK WIDTH WAIVER

### LEGAL DESCRIPTION:

For all or a portion of: **LOTS 1-22, VALLEY VIEW ADDITION** zoned MX-M, located at **5000 CENTRAL AVE SE between JACKSON ST SE and SAN MATEO BLVD** containing approximately 1.61 acre(s). (K-17)

On August 4, 2021, 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-2021-00832 SITE PLAN

1. This is a request to construct 92 multi-family residential units and two commercial spaces approximately 2,000 square feet in size. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G(1)(e) it's a mixed use development with more than 75 dwelling units.
  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, Main Street Corridor Area, and Premium Transit Station Area. The 50-foot maximum height of the proposed facility is less than the 65-foot maximum permitted building height. The Site Plan includes 17,150 square feet of open space where 11,395 square feet of open space is required; and 9,954 square feet of landscaping is proposed where 7,185 square feet is required. The Site Plan includes 62 parking spaces where 52 parking spaces are required. The windows will be recessed at least 2 inches in accordance with the Façade Design Requirements. A Deviation to allow for a patio railing up to 39-inches in height (from the required 3-foot, 6-inches) was administratively approved in association with the Site Plan (see finding #2 below). A Sidewalk Width Waiver along Jackson Street was justified and approved by the DRB in association with the Site Plan as application VA-2021-00217.

The Zoning Hearing Examiner (ZHE) separately approved variances to Façade Design Requirements for windows (see Findings #3, #4, and #5).

- 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 not required for this project.

- 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. A Deviation to allow for a patio railing up to 39-inches in height (from the required 3-foot, 6-inches) was administratively approved in association with the Site Plan.
3. On August 4, 2021, the ZHE approved Variances of 6 inches to the 30 inch window sill height requirement to allow a 36 inch window sill height on upper facades facing Jackson Street.
4. On August 4, 2021, the ZHE approved Variances allowing of 20% to the 60% transparent window requirement on the ground floor façade facing Central Avenue.

5. On August 4, 2021, the ZHE approved Variances of 20% to the 40% mixed-use development transparent window requirement on upper facades facing Jackson Street.
6. An Infrastructure List was approved with this Site Plan. A recorded Infrastructure Improvements Agreement (IIA) must be submitted.
7. The proposed development is permitted within the MX-M zone district.

**Conditions:**

1. This Site Plan is valid 7 years from DRB approval (8/4/2021). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Transportation for notes to be placed on the Site Plan regarding private and public ramps.
3. Final sign off is delegated to Planning for the Solid Waste signature, the recorded IIA, for the ZHE Variances to be noted on the Site Plan, for the patio railing Deviation to be noted on the Site Plan, for the Sidewalk Width Waiver to be noted on the Site Plan, and for the 15-day appeal period deadline for the ZHE Variances approved on August 4, 2021 to expire (by August 19, 2021).
4. The applicant will obtain final sign off from Transportation and Planning by November 4, 2021 or the case may be scheduled for the next DRB hearing and could be denied her the DRB Rules of Procedure.

**VA-2021-00217 SIDEWALK WIDTH WAIVER**

1. The applicant proposes a waiver to the IDO/DPM standard(s) consisting of a waiver from the IDO/DPM requirements to permit a 6-foot wide sidewalk along Jackson Street.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The 6-foot sidewalk width, while not meeting the IDO requirements, meets the minimum DPM sidewalk width requirement and ADA standards for a pedestrian access route. Additionally, a 6-foot wide sidewalk is an increase in width over the existing sidewalk width presently in this location and surrounding properties, and the Jackson Street frontage is not projected to receive the same level of foot traffic as the Central Avenue frontage along the site, with the Central Avenue frontage featuring a 10-foot wide sidewalk.
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 **AUGUST 19, 2021**. 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.

Official Notice of Decision

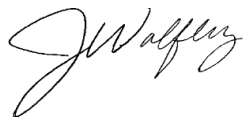
Project # PR-2021-005390 Applications# SI-2021-00832, VA-2021-00217

Page 4 of 4

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://wetransfer.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". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital "J".

Jolene Wolfley  
DRB Chair

JW/jr

Consensus Planning Inc., 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102