

**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

Albuquerque ANUSA, LLC –
Charles W. Sabadash III
200 SW 1st Avenue, 14th Floor
Fort Lauderdale, FL 33301

Project# PR-2021-005411
Application#
SI-2021-00760 SITE PLAN
SD-2021-00100 PRELIMINARY PLAT
SD-2021-00101 VACATION OF PRIVATE
EASEMENT – PNM
SD-2021-00102 VACATION OF PRIVATE
EASEMENT – TEMP CONSTRUCTION

LEGAL DESCRIPTION:

For all or a portion of: **LOTS 8, 14, 15, 18, 19,**
TRACT A UNIT 8 NORTH, EAST PORTION OF
LOT 21 BLOCK 8 NORTH ALBUQ ACRES,
TRACT A, UNIT B, zoned NR-LM & NR-BP,
located at **9100 PAN AMERICAN between**
ALAMEDA PL NE and GLENDALE containing
approximately 5.2896 acre(s). (B-18)

On July 21, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Planning for the Site Plan, based on the following Findings:

SI-2021-00760 SITE PLAN

1. This is a request to construct a facility 18,645 square feet in size for light vehicle sales and rental on the subject property. The site plan is required to be reviewed by the Development Review Board (DRB) because the site area at 5.2896-acres is more than 5-acres in size.
 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(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: The consolidated lots per the associated approved Preliminary Plat exceed the minimum 100-foot lot width requirement, the proposed building covers approximately 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 of the NR-BP zone district and the 5-foot front yard setback requirement of the NR-LM zone district (the NR-LM zone district doesn't have side or rear-yard setback requirements), and the 22-foot maximum height of the proposed building is less than the 65-foot maximum permitted building height; 365 parking spaces are proposed when a minimum of 61 parking spaces are required (70 parking spaces are proposed to be utilized for the sales force, office, and service employees and customers, and the remaining 295 parking spaces are proposed to be utilized for vehicle inventory storage); 114,573 square feet of landscaping is proposed where 31,635 square feet is required; and the entire façade meets the façade design requirements of 5-11(E) of the IDO required of the NR-BP portion of the proposed development despite the façade design requirements of 5-11(E) not applying to the NR-LM portion of the proposed development.

- 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.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (7/21/2021). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to Planning to occur after Final Plat approval.

3. The applicant will obtain final sign off from Planning by October 21, 2021 or the case may be scheduled for the next DRB hearing and could be denied her the DRB Rules of Procedure.

SD-2021-00100 PRELIMINARY PLAT

1. This Preliminary Plat consolidates 7 lots a total of 5.2896 acres in size, and grants 2 easements as depicted on the Plat.
2. The property is zoned NR-LM and NR-BP. Future development must be consistent with the underlying zone districts.
3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) is needed prior to the final DRB sign-off of the Final Plat.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

SD-2021-00101 VACATION OF PRIVATE EASEMENT-PNM

1. The applicant proposes to vacate a 5-foot private PNM easement recorded in 1960.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The PNM easement is no longer needed as the lots are being consolidated and service will be taken from the existing PNM lines along Glendale Avenue.

SD-2021-00102 VACATION OF PRIVATE EASEMENT-TEMP CONSTRUCTION

1. The applicant proposes to vacate a temporary construction easement that was for the construction of the San Pedro Storm Sewer (City Project No. 5304.10) and recorded in 2010.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The temporary construction easement should have been released when that project was completed.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 5, 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-2021-005411 Applications# SI-2021-00760, SD-2021-00100, SD-2021-00101, SD-2021-00102

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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