

**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

Legacy Development & Management, LLC
5051 Journal Center Blvd., Suite 500
Albuquerque, NM 87109

Project# PR-2020-005689
Application#
SI-2021-00987 SITE PLAN AMENDMENT

LEGAL DESCRIPTION:

For all or a portion of: **TRACT B-1-A, MESA DEL NORTE ADDITION** zoned MX-M, located on **CONSTITUTION AVE NE, between LOUISIANA BLVD NE and MESILLA ST NE** containing approximately 1.7414 acre(s). (J-19)

On September 15, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Transportation and Planning, based on the following Findings:

1. The original Site Plan governing the site is a Site Plan for Subdivision approved by the DRB in 2010 (Project 1004532; 10DRB-70324) consisting of Tracts B-1-A and B-1-B of the Mesa Del Norte Addition and comprising a total of 4.53-acres. This is a request to amend a note on the Site Plan for Subdivision approved in 2010, which restricted the height of buildings on the site to 36 feet in height, to permit a maximum building height of 77 feet (a maximum of 65-feet in height per the MX-M zone district requirement with a structured parking bonus of 12 additional feet), and to develop the currently vacant site consisting of the 1.7414-acre Tract B-1-A by constructing a 102,625 square foot, 5-story, 151-unit multi-family residential facility on the site under the standards of the IDO.

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(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 dimensional standards, parking, landscaping, and facades comply with the applicable provisions of the IDO: 22,963 square feet of open space is provided where a total of 17,648 square feet are required, the maximum height of the building is 69-feet in height where a maximum height of 77-feet is permitted, and the setback requirements are met; 187 parking spaces are provided where a total of 151 parking spaces are required; 12,278 square feet of landscaping is proposed where 3,087 square feet is required; and the change in color and texture and 2" recessed windows on the upper floors 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 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 site is not located within an approved Master Development Plan, therefore this criterion does not apply.

2. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. Final sign-off is delegated to Transportation for curb ramp configurations of the access-way.
2. Final sign-off is delegated to Planning for the Solid Waste signature.
3. The applicant will obtain final sign off from Transportation and Planning by November 15, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

Official Notice of Decision

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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 30, 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).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Wolfley', written in a cursive style.

Jolene Wolfley
DRB Chair

JW/jr

Consensus Planning, Inc., 302 8th Street NW, Albuquerque, NM 87102