

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

NM Educators Federal Credit Union
(Nusenda)
P.O. Box 8530
Albuquerque, NM 87198-8530

Project# PR-2022-006960
Application#
SI-2022-01494 SITE PLAN AMENDMENT

LEGAL DESCRIPTION:

All or a portion of: **E2A2, JEANNEDALE ADDN UNIT 1A** zoned **MX-H**, located at **6501 INDIAN SCHOOL RD NE between AMERICAS PARKWAY and INDIANA ST** containing approximately **1.4802** acre(s). **(H-18)**

On August 31, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning, based on the following Findings:

1. This is a request to amend a DRB-approved site plan to construct an 8-foot tall wrought-iron fence enclosing an outdoor courtyard patio on the street side yard along Indiana Street NE. Table 6-4-4 of the IDO notes that any wall or fence proposed to be constructed more than 6 inches higher than an original approval is not an allowable minor amendment, and this request proposes the construction of a fence which is more than 6 inches taller than the original DRB approval. Per 6-4(Y)(3) of the IDO, all amendments or approvals that do not qualify as minor amendments under subsection (2) of the IDO may only be approved by the decision-making body that issued the approval being amended, requiring this request to be amended by the DRB (as the DRB was the original decision-making body for the site plan on the subject property).
 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(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.*

This request is limited to the construction of an 8-foot wrought-iron fence. Per Table 5-7-1 of the IDO, the maximum height of a fence in the location proposed by this request is 3-feet in height. On June 21, 2022, the Zoning Hearing Examiner (ZHE) approved a Variance of 5-feet to allow for the 8-foot fence in the location as depicted in this amendment. As this request meets the requirements of the ZHE Variance approval, this criterion is met.

- 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. Transportation determined that a Traffic Impact Study (TIS) was not required.

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

Conditions:

1. This Site Plan Amendment is valid 7 years from DRB approval (8/31/2022). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Planning for the DRB signature blocks to be placed on the Amended Site Plan, for the project and application numbers to be added to the Amended Site Plan, and for the appropriate Plan sheets to be sealed and signed by a design professional as discussed at the August 31 DRB hearing for the application.
3. The applicant will obtain final sign-off from Planning by November 2, 2022 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 15, 2022**. 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,



Jolene Wolfley
DRB Chair

JW/jr

ABQ Land Use Consulting LLC – Carl Garcia, 6062 Staubach Ave. NE, Albuquerque, NM 87120