

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

Rose Miranda
1111 North Loop West, Suite 800
Houston, TX 77008

Project# PR-2022-007229
Application#
SI-2022-01237 SITE PLAN

LEGAL DESCRIPTION:

For all or a portion of: **TR 2 CORRECTION PLAT FOR 98TH STREET PLAZA (BEING COMPRISED OF PORTIONS OF TRACTS 1 AND 2, ROW 2, UNIT A, ORIGINAL TOWNSITE OF WESTLAND) CONT 0.9726 AC, TOWN OF ATRISCO GRANT** zoned **MX-M**, located at **261 98th ST between VOLCANO DR and BLUEWATER** containing approximately **0.09726** acre(s). **(K-09)**

On August 17, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to ABCWUA and Planning, based on the following Findings:

1. This is a request to construct a 2,600 square foot restaurant with a drive-thru on the subject property. The site plan is required to be reviewed by the Development Review Board (DRB) because per 6-5(G)(1)(b) of the IDO the proposed development requires major public infrastructure.
 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.

- 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 submitted, and the applicant is proposing to construct infrastructure along the frontage of the site along 98th Street per the Infrastructure List approved with this Site Plan.

- 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, so this criterion does not apply.

2. An Infrastructure List was approved with this Site Plan. A recorded Infrastructure Improvement Agreement (IIA) must be submitted.
3. The proposed development is permitted within the MX-M zone district.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. This Site Plan is valid 7 years from DRB approval (8/17/2022). An extension may be requested prior to the expiration date.
2. Final sign off is delegated to ABCWUA for an Infrastructure List modification indicating that two abandoned water services are removed and capped at the main as discussed at the August 17, 2022 DRB hearing, and for a recorded paper easement for the fire hydrant.

3. Final sign off is delegated to Planning for the recorded IIA.
4. The applicant will obtain final sign off from ABCWUA and Planning by November 16, 2022 or the case may be scheduled for the next DRB hearing and could be denied her 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 **SEPTEMBER 1, 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). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. 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,



Jay Rodenbeck
DRB Chair