

February 4, 2025

Alan Varela, JD
Director of Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Hello Mr. Varela:

Our company, D&B Limited Trust LLC, since December 2023, has been seeking permitting for the construction of D&B U Sell It, a used vehicle sales consignment lot. This business has been operating since 1994 and due to the long arduous process of obtaining our building permit, we were not able to continue our operations on the expired leased property on Coors and Fortuna, leaving over 20 independent businesses displaced looking for alternate locations, and doing irreparable harm to our business. We request your help to promptly resolve the permitting situation as we have been unable to attain satisfactory resolution as of yet. We specifically request your intervention with the alternate landscaping plan we are proposing under **IDO_2023_ Section 5-6(C)(16)** and the 25% reduction of landscaping required as a result of using permeable paving materials under **IDO_2023_ Section 5-6(F)(1)(g)**.

The controversy for landscaping requirements has been raised by using the vehicle parking space criteria to reflect the use of the Display Areas of our business. It is our contention that the display areas and the parking spaces are different, and that the display areas outlined on our site plan should not be used to tabulate any required landscaping calculations. The requested fulfillment of 57,312sf for landscaping, identified by the planning staff, is inappropriate when the basis of calculations is for this type of development (ie. vehicle sales). We propose the total of 33,945sf of landscaping is more reasonable as the 57,312sf is just a result of the ratio sizes of buildings and the total lot area not accounting for this unique condition as a vehicle sales company.

Following are the detailed responses to the Sections being requested for consideration, the Alternate Landscaping Plan comparison calculations, and the history of our submission. We are also attaching to the email the Landscaping Plans 101, 103 and 104.

Thank you for your consideration and we look forward to hearing back from you soon.

Sincerely,
Miriam Ruiz,
D&B Limited Trust LLC

IDO SECTION 5-6(c)(16) ALTERNATIVE LANDSCAPE PLANS -

The Planning Director may approve alternative landscape plans that do not meet the specific requirements stated in Section 14-16-5-6 if the Planning Director determines that the alternatives meet all of the following criteria:

(Submittal Reference: Drawings LA-101, LS-103 and LS-104)

(16)(a) Are consistent with the purposes of this Section 14-15-5-6

Response: A pleasant and comfortable exterior experience as viewed from the street

(16)(b) Does not include invasive vegetation

Response: Only plant materials on the approved plant lists will be installed

(16)(c) Does not reduce the quantity of the required number of trees

Response: Street tree and interior tree requirements are met

(16)(d) Provides required buffering from adjacent properties

Response: Buffering has been designed to be in accordance with this and other sections of the IDO

(16)(e) Provides equal visual appearance on the street side

Response: Street edge landscaping design complies with the CP and IDO design requirements

(16)(f) Provides equal carbon dioxide absorption and heat island reduction

Response: The use of permeable material reduces the amount of heat absorption and lowers surface temperatures mitigating the effects of heat islands. The placement and number of interior trees complies with the tree installation requirements.

IDO SECTION 5-6(f)(1) PARKING LOT EDGES -

(1)(g) The landscape area may be reduced by up to 25 percent if the surface of the **parking or vehicle circulation area** is of a permeable material, with approval of the Planning Director.

Response: As required for reduction, the parking areas, vehicle circulation areas and drive aisles, as shown on the Paving Plan AC3, will use City approved permeable material (-z- L101).

Regular maintenance will be provided using a regenerative air street sweeper acquired specifically for this purpose.

Proposed Alternative Landscaping Plan:

DISPLAY AREAS CONSIDERATION-

NET AREA FOR LANDSCAPING PLAN :

TOTAL LOT AREA (Lot 5 & Tract B) inside the property lines	262,667 SF
LESS TOTAL BUILDING FOOTPRINT - 5,925 SF	
LESS OUTDOOR STORAGE AREA - 11,339 SF	
LESS ROW LANDSCAPE* - 16,024 SF	
LESS LOT 5 DISPLAY AREA - 14,656 SF	
LESS TRACT B DISPLAY AREA - 110,804 SF	
NET LOT AREA	103,919 SF
CWMP LANDSCAPE COVERAGE REQUIREMENT @ 18%	18,705 SF
LANDSCAPING AREA PROVIDED	17,921 SF + *16,024 = 33,945 SF
TOTAL LANDSCAPING AREA REQUIRED	18,705 SF + *16,024 = 34,729 SF

DISPLAY AREAS NOT CONSIDERED -

(Alternative Landscaping Plan with 25% Permeable Material credit ID05.6-F-1-g)

NET AREA FOR LANDSCAPING PLAN :

TOTAL LOT AREA (Lot 5 & Tract B) inside the property lines	262,667 SF
LESS TOTAL BUILDING FOOTPRINT - 5,925 SF	
LESS OUTDOOR STORAGE AREA - 11,339 SF	
LESS ROW LANDSCAPE* - 16,024 SF	
NET LOT AREA	229,379 SF
CWMP LANDSCAPE COVERAGE REQUIREMENT @ 18%	41,288 SF
LESS PERMEABLE MATERIAL REDUCTION @ 25%	37,250 SF
TOTAL LANDSCAPING AREA REVISED REQUIREMENT	4,038 SF
LANDSCAPING AREA PROVIDED	17,921 SF + *16,024 = 33,945 SF
TOTAL LANDSCAPING AREA REQUIRED	4,038 SF + *16,024 = 20,062 SF