

**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

Sun Lasso Energy Center LLC
c/o Aypa Power Development LLC, 11801
Domain Blvd, Suite 450
Austin, TX 78758

Project# PR-2024-009768
Application#
SI-2024-01305 Site Plan Administrative DFT

LEGAL DESCRIPTION:

For all or a portion
**TRACT 3 & 4, Unit B, LANDS OF TOWN OF
ATRISCO zoned NR-LM, located at 10100
CENTRAL AVE SW between 102nd ST SW and
98th ST SW containing approximately 8.88
acre(s). (L-8, L-9)**

On September 26th, 2024, the Development Facilitation Team (DFT) administratively approved a site plan concerning the above referenced application based on the Findings noted below:

1. This is a request to construct a Battery Storage Facility on the subject property containing a total of approximately 8.9 acres. The proposed battery storage facility is intended provide support to the power grid in the Southwest Mesa community. A later phase to be completed by others will include Major Amendment for a future PNM substation at the south end of the subject property.
2. The subject property is NR-LM Zone District (Non-Residential – Light Manufacturing Zone District).
3. On February 15, 2024, the Environmental Planning Commission (EPC) approved a Zone Map Amendment rezoning the subject property from NR-C (Non-Residential – Commercial Zone District) to NR-LM per PR-2024-009768 / RZ-2024-00003.

4. In August of 2024 the IDO changes included the addition of section 4-3(E)(9) related to Energy Storage Systems. The proposed Battery Storage Facility is classified as an “Electric Storage System” use, which is a permitted use in the NR-LM zone district as allowed by table 4-2-1 of the IDO.
5. On July 17, 2024, DHO approved a platting request associated with this project to consolidate two existing tracts (Lots 3 and 4, Block 1, Lands of Atrisco Grant) into a single lot (Lot 3-A at approximately 8.87-acres in size). This request was approved with conditions among which is the condition that a recorded IIA based on the Infrastructure List approved with the associated Site Plan DFT application needs to be submitted before the final sign-off of the Plat.
6. An Archaeological Certificate application has been submitted for review; an Archaeological Certificate of No Effect and/or Approval would be required for the future platting/site development applications due to the size of the subject property.
7. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.
8. Per Solid Waste’s request the applicant has added a note to their site plan (note number 6) mentioning that there are no occupied or inhabitable structures proposed for the site. Solid Waste management has signed N/A in the signature block.
9. An Infrastructure List is included with this application. This Infrastructure List covers sidewalks along Central Avenue and Sunset Garden Road; standard curb and gutter for both roadways; driveway entrances on Central Avenue; asphalt paving for a ½ section of Sunset Garden Road; and a fire hydrant.
10. Pursuant to 6-5(G)(3) Review and Decision Criteria: An application for a Site Plan – Administrative shall be approved if it meets all of the following criteria:
 - a. 6-5(G)(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.*

Per IDO 4-2, Allowable Uses, table 4-2-1, the proposed Battery Storage Facility is an appropriate and permissive use under this zoning designation (NR-LM).

Per IDO 4-3, Use Specific Standards for Energy Storage System, the proposed Battery Storage Facility meets the use specific standards under 4-3(E)(9).

Per IDO 5-1 Dimensional Standards, for NR-LM, the Site Plan as proposed meets the dimensional standards for the NR-LM zone district, including setbacks, and building height requirements.

Per 5-2 Site Design and Sensitive Lands, a Sensitive Lands Analysis has been included in the application and no sensitive land features were found. Subject site is in an area of minimal flooding. It is outside of the 500-year flood zone and protected by levees from the 100-year flood. The subject site has limited slopes and is relatively flat. This property is not within a riparian area and there are no arroyos, irrigation facilities, large stands of mature trees, and or rock outcroppings on this property.

Per IDO 5-3 , On-Site parking, no parking spaces are provided for this project since there will be no occupants for this project and on the subject property.

Per IDO 5-6, Landscaping, Buffering, and Screening, the required number of street trees are 34 and the proposed number of street trees is 34. Per section 1-8(A)(2) “use specific standards shall prevail regardless of whether the use-specific Standard is more or less restrictive than the Development Standard.” The Use Specific Standard for battery storage is met with 10 feet of landscaping buffer with at least 1 tree per every 25 feet along the lot lines is required per 4-3(E)(9) of the IDO – Energy Storage Systems (ESS). Applicant is unable to place the street trees 20 feet from back of the curb due to the existing Utility Easements.

Per DPM Table 7.2.29, Sunset Gardens Road is a local street. A 5-foot sidewalk and a 4-6-foot landscape Buffer are required. Central Avenue is a Regional Principal Arterial. A 6-foot sidewalk and a 5-6-foot landscape Buffer are required. Sidewalk and landscape buffers will be provided along both streets with this project.

- b. 6-5(G)(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, or the applicant has agreed to install required infrastructure and public improvements pursuant to Subsection Subsection 14-16-1-7(B)(2) and 14-16-5-4(N) and/or a signed an Infrastructure Improvements Agreement (IIA) pursuant to Subsection 14-16-5-4(O) to add adequate capacity.*

Existing roadway, utility and drainage infrastructure exists with capacity to service the proposed development with the improvements identified on the approved infrastructure list. Therefore, the project will not burden the existing systems. Adequate sidewalk and landscape buffer is going to be built along the frontage of this property along Central Ave and Sunset Garden Road.

- c. 6-5(G)(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.

- d. 6-5(G)(3)(d) *If the subject property is within an approved Framework Plan, the Site Plan shall meet any relevant standards in the Framework Plan in addition to any IDO standards applicable to the type of development.*

The subject property is not located within an approved Framework Plan; therefore, this criterion does not apply.

Conditions

Water Utility Authority Conditions of Approval

1. Site Utility Plan:
 - a. Update to include the water meter and provide any water meter sizing calculations that have been completed. This needs to include peak demand and a maximum continuous demand.
 - b. If a large meter is required, a 35'x35' easement will be required for the meter.
 - c. Configure the domestic service to have a separate line than the proposed fire protection line.
 - d. The fire protection line can be an unmetered line and must be separated from the domestic service as presented on the current utility exhibit.
2. Infrastructure List:
 - a. Only include the sanitary sewer infrastructure that is public (i.e. a public manhole at the terminus of the existing collector).
 - b. 12" Waterline – Please indicate connection to both existing waterlines to the east and west of the subject site.

Planning Conditions of Approval

1. The Infrastructure List must be approved and a recorded IIA based on the Infrastructure List must be submitted to the DFT.
2. The platting action request associated with this project must be approved by the DHO and the plat must be recorded with the County Clerk before final sign-off of the site plan.

3. All Plan sheets must be sealed and signed by a design professional licensed in the State of New Mexico.
4. All One Seed Junipers and Desert Willow trees that are within 15 feet of the sidewalk along Central Ave NW must be replaced with any of the recommended species by the City Forester for this edge.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DFT's decision or by **October 11, 2024**. The date of the DFT'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,



For Alan Varela
Planning Department Director

JW/ha/jb

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