



# Environmental Planning Commission

## Staff Report

**Agenda Number: 3**  
**Project #: PR-2024-009768**  
**Case #: RZ-2024-00003**  
**Hearing Date: February 15, 2024**

<b>Agent</b>	Consensus Planning, Inc
<b>Applicant</b>	Sun Lasso Energy Center, LLC
<b>Request</b>	<b>Zoning Map Amendment (zone change)</b>
<b>Legal Description</b>	for all or a portion of Tract 69 AKA Tract 3, ROW 1, South of unit B, West of Westland, AKA lot 3, Block 1 Lands of Town and Tract 4, ROW 1, South of unit B, West of Westland aka Lot 4, Block 1, Lands of Town of Atrisco
<b>Location</b>	located at 10100 Central Avenue SW, between 102nd Street SW, and 98th Street SW
<b>Size</b>	Approximately 9.1-acres
<b>Existing Zoning</b>	NR-C
<b>Proposed Zoning</b>	NR-LM

### Staff Recommendation

**APPROVAL of RZ-2024-00003, based on the Findings beginning on Page 22.**

**Staff Planner**  
**William Steele, Current Planner**

### Summary of Analysis

The request is for a zoning map amendment for an approximately 9.1-acre site located south of Central Ave SW and between 98<sup>th</sup> St SW and 102<sup>nd</sup> St SW. The applicant intends to change the subject site's zoning from NR-C to NR-LM to facilitate development of the subject site. The subject site is in an Area of Change and within 660' of the Central Ave. SW Premium Transit and Major Transit Corridors. The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community because it furthers a preponderance of applicable Comprehensive Plan Goals and policies.

The affected neighborhood organizations are the South West Alliance of Neighborhoods (SWAN Coalition) and Route 66 West Neighborhood Association, which was notified as required. Property owners within 100 feet of the subject site were also notified as required. As of this writing, Staff is unaware of any opposition.

Staff recommends approval.



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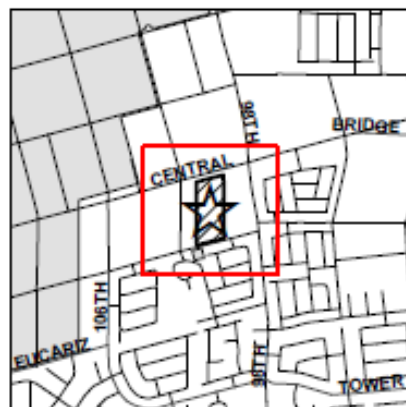
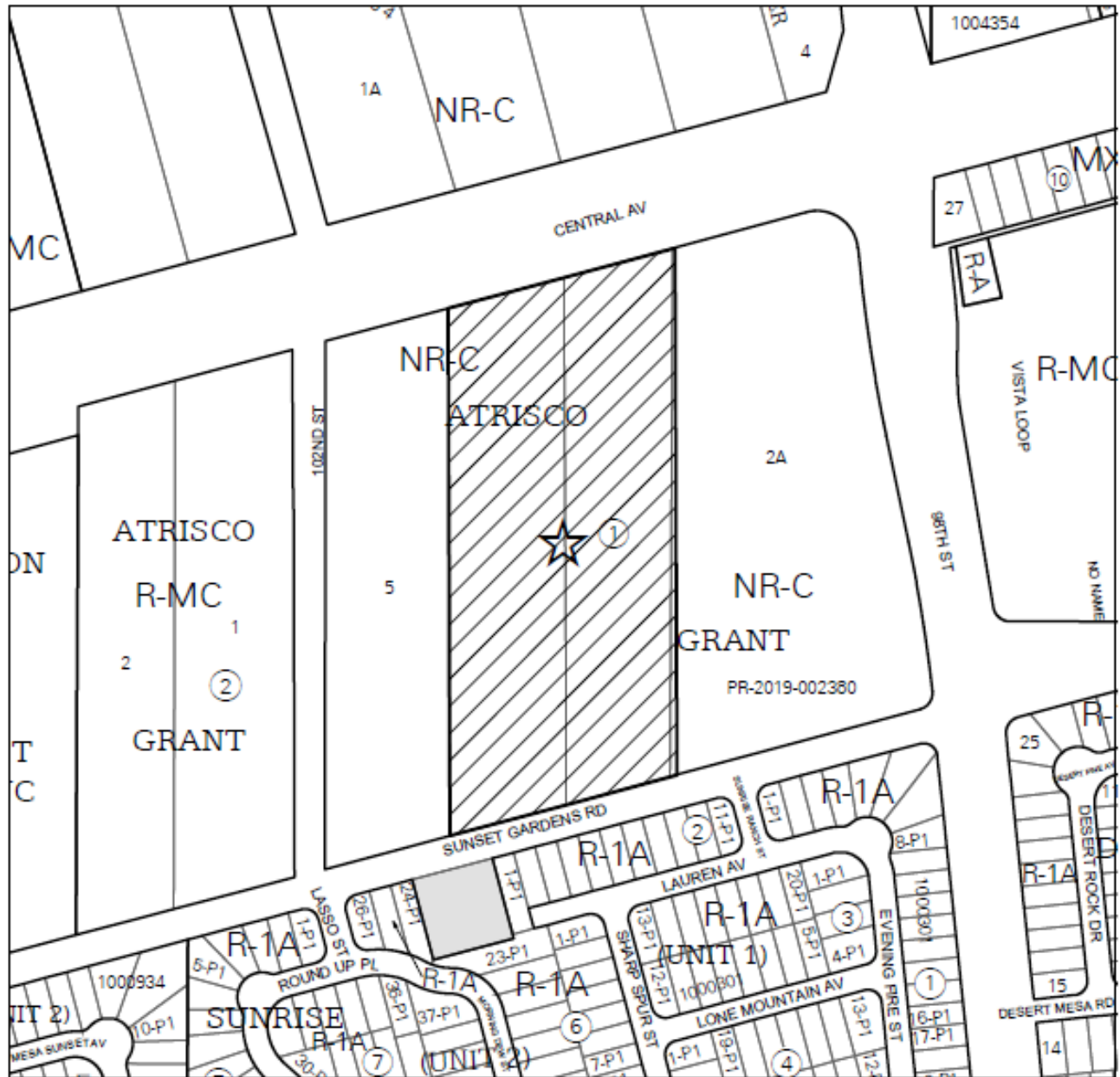
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### IDO ZONING MAP

Note: Gray shading  
Indicates County.

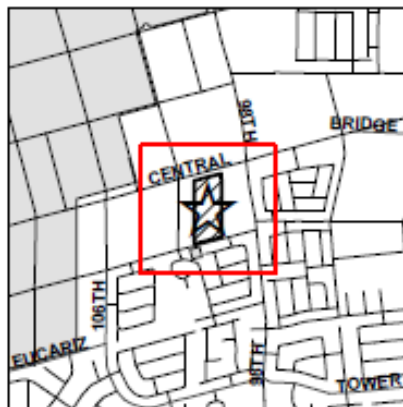


1 inch = 250 feet

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**LAND USE MAP**

Note: Gray shading  
 Indicates County.

Key to Land Use Abbreviations

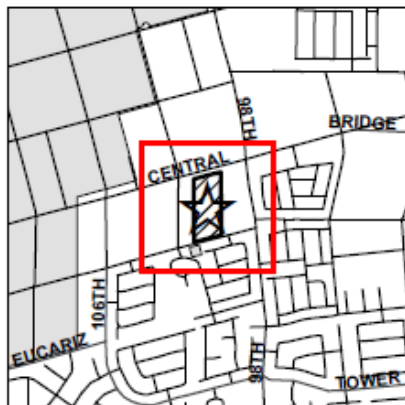
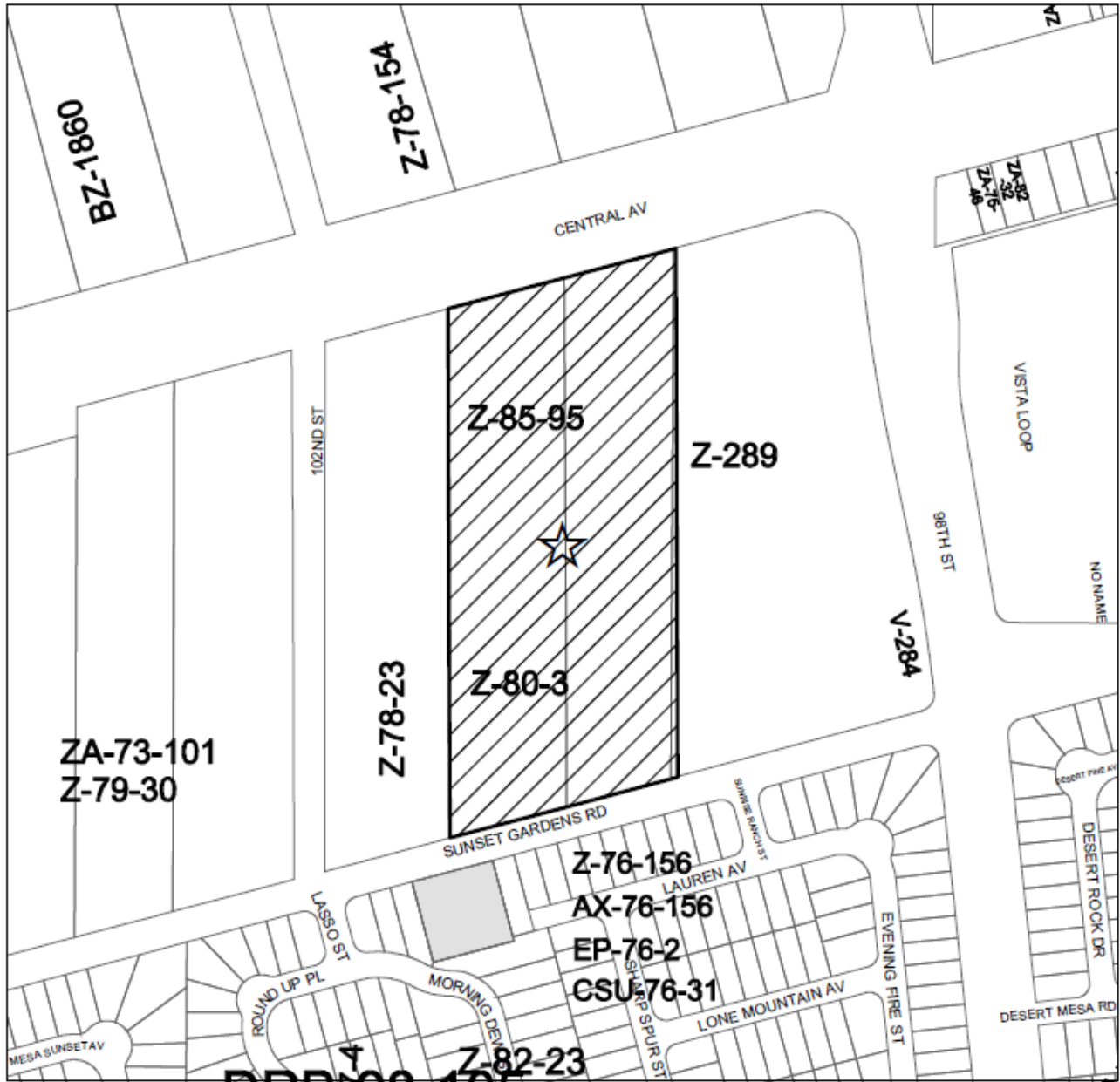
LDRES   Low-density Residential	APRT   Airport
MULT   Multi-family	TRANS   Transportation
COMM   Commercial Retail	AGRI   Agriculture
CMSV   Commercial Services	PARK   Parks and Open Space
OFC   Office	DRNG   Drainage
IND   Industrial	VAC   Vacant
INSMED   Institutional / Medical	UTIL   Utilities
ED   Educational	COMTY   Community
	KAFB   Kirtland Air Force Base



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**HISTORY MAP**

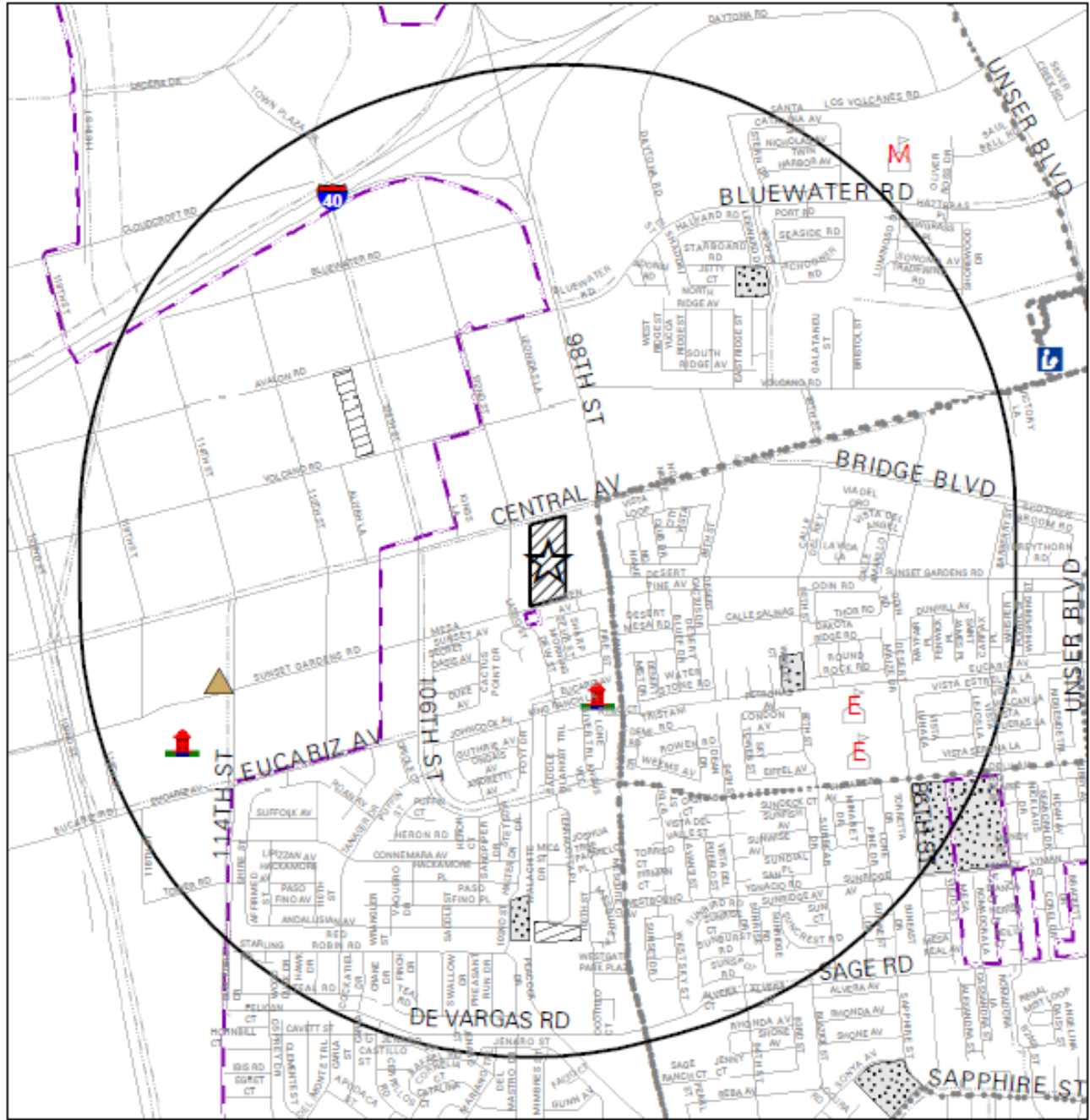
Note: Gray shading  
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1 inch = 250 feet

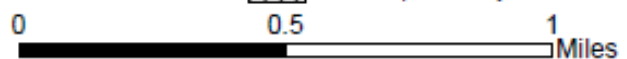
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**Public Facilities Map with One-Mile Buffer**

- |                      |             |                          |                             |
|----------------------|-------------|--------------------------|-----------------------------|
| Community Center     | Fire        | Public School            | Landfill designated by EHD  |
| Multi-Service Center | Police      | Proposed Bike Facilities | Landfill Buffer (1000-feet) |
| Senior Center        | Sheriff     | ABQ Ride Route           | Developed City Park         |
| Library              | Solid Waste | Albuquerque City Limits  | Undeveloped City Park       |
| Museum               |             |                          | Developed County Park       |
|                      |             |                          | Undeveloped County Park     |



**I. INTRODUCTION**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area</b>	<b>Land Use</b>
<b>Site</b>	NR-C	Area of Change	Industrial
<b>North</b>	NR-C	Area of Change, Area of Consistency	Drainage, Vacant, Commercial Retail
<b>South</b>	R-1A, Bernalillo County	Area of Consistency	Low-density residential, Substation
<b>East</b>	NR-C, R-MC, NR-LM, Bernalillo County	Area of Consistency	Commercial Retail, Manufactured Home Community, Industrial
<b>West</b>	NR-C, R-MC, MX-M	Area of Consistency, Area of Change	Vacant, Commercial Retail, Manufactured Home Community

**Request**

The request is for a zoning map amendment (zone change) for an approximately 9.1-acre site legally described as all or a portion of Tract 69, AKA Tract 3, ROW 1, South of unit B, West of Westland, AKA lot 3, Block 1, Lands of Town and Tract 4, ROW 1, South of unit B, West of Westland aka Lot 4, Block 1, Lands of Town of Atrisco, located at 10100 Central Avenue SW, between 102nd Street SW and 98th Street SW (the “subject site”).

The applicant is requesting a zone change from NR-C (Non-Residential-Commercial) to NR-LM (Non-Residential-Light Manufacturing) to facilitate future development of the subject site.

**EPC Role**

The EPC is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the city. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would then make the final decision. The request is a quasi-judicial matter.

**Context**

The subject site is vacant with some old manufactured homes left by a previous manufactured home retailer. It is located in an area surrounded by a variety of land uses including low-density residential, commercial services/retail, industrial uses. Unincorporated Bernalillo County is due west of the site.



There are two NR-LM zoned parcels totaling approximately 13 acres less than 700 ft away from the subject site to the west. The existing NR-LM zoned site is partially vacant and partially developed with a wholesaling and distribution center industrial use.

The lot to the west and adjacent to the subject site is developed with a restaurant with a drive through. A manufactured home community is located adjacent to the restaurant. The NR-LM zoned lots east of the manufactured home community are comprised of a storage facility and light manufacturing facility. Directly north and across Central Ave SW is a vacant parcel utilized as a detention basin. To the northeast of the subject site at the intersection of 98<sup>th</sup> St NW are commercial retail developments comprised of restaurants, small shops and a grocery store. East of the subject site is a vacant parcel. Across 98<sup>th</sup> St SW is a manufactured home community. The subject site is bordered to the south by Sunset Gardens Rd SW, a single-family residential neighborhood and a PNM substation.

### ***History***

Former site of a manufactured home retailer. Zoning on the subject site was requested to change from RA-2 single family use to M-1 in 1980 to create zoning conformity with the adjacent properties (Z-80-3).

The subject sites zoning was changed to SU-2 to PND with the adoption of the West Route 66 Sector Development Plan in 1987, which has since been repealed with the adoption of the IDO.

There is no additional case history known for the subject site.

### ***Transportation System***

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Central Ave SW is classified as an Existing Regional Principal Arterial. 98th St SW is an Existing Community Principal Arterial.

### ***Comprehensive Plan Designations***

The subject site is in an Area of Change and directly north and east of Areas of Consistency as designated by the Comprehensive Plan and is not within a designated Center.

This location is included in the Southwest Mesa Community Planning Assessment (CPA) area. The SW Mesa is characterized by its suburban subdivisions, impressive vistas, and connection to the Western mesa vista, this area is still developing, and its identity and sense of community is still emerging.

The subject site is within 660-feet of the Central Ave SW Major Transit Corridor and Premium Transit Corridor, as designated by the Comprehensive Plan. Major Transit Corridors are to be served by high frequency and local transit (e.g., Rapid Ride, local, and commuter buses). These Corridors prioritize transit above other modes to ensure a convenient and efficient transit system. Premium Transit Corridors are anticipated to be served by high-quality, high-capacity, and high frequency public transit.

***Trails/Bikeways***

Currently there is an existing wide shoulder along Central Ave SW and proposed protected bicycle lane-facility upgrades run along Central Avenue SW. There is an existing bike lane approximately 350-feet east of the subject site at the intersection of Central Ave. SW and 98<sup>th</sup> St. SW which runs north and south on 98<sup>th</sup> St NW. A paved trail runs south on 98<sup>th</sup> St SW.

***Transit***

There are bus stops for both Route 54 and 198 on 98<sup>th</sup> St SW, a half of a block south of the intersection of Central Ave SW and 98<sup>th</sup> Street SW. These Routes have bus stops on Central Ave SW near the intersection with 94<sup>th</sup> St SW. ABQ Ride Route 66 and Route 54 which serves Central Ave SW end their routes over a mile east of the project site at the Central and Unser Transit Center Park and Ride.

***Public Facilities/Community Services***

Please refer to the Public Facilities Map (see attachment), which shows public facilities and community services located within one mile of the subject site.

***II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES***

***Integrated Development Ordinance (IDO)***

*Definitions*

Zone District

One of the zone districts established by the IDO and the boundaries of such zone districts shown on the Official Zoning Map. Zoning regulations include the Use Regulations, Development Standards, and Administration and Enforcement provisions of the IDO.

Separation of Uses:

In all instances where the IDO requires a separation of uses, zone districts, lots, or buildings, such distance shall be measured in a geometrically straight line using a scaled map, or a survey if necessary. Such measurement shall be made without regard to any intervening structures, objects, uses, the street grid, landforms, waterways, or any other topographical features.

1. Unless specified otherwise in this IDO, this distance shall be measured from the nearest point on the nearest lot line of the lot containing the regulated use to the nearest point on the nearest lot line of the lot containing the use, or in the zone district, from which the regulated use is required to be separated.
2. If the IDO requires a separation between a building containing a regulated use and a specified use or zone district, the distance shall be measured from the nearest point on the building containing the regulated use to the nearest point on the nearest lot line of the lot containing the specified use or in the specified zone district.

### ***Zoning***

The subject site is zoned NR-C [Non-Residential – Commercial Zone District, IDO 14-16-2-5(A)], which was assigned upon adoption of the IDO as a conversion from the former SU-2 (Special Neighborhood) zoning. The purpose of the NR-C zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide variety of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses. Specific permissive uses are listed in Table 4-2-1: Allowable Uses, IDO pg. 151.

The request is to change the subject site’s zoning to NR-LM (Non-Residential – Light Manufacturing Zone District, IDO 14-16-2-5(C)). The purpose of the NR-LM zone district is to accommodate moderate-intensity commercial, light assembly, fabrication, and manufacturing uses, while buffering adjacent lower-intensity, Residential and Mixed-use zone districts from the traffic, noise, and other impacts of those uses. Specific permissive uses are listed in Table 4-2-1 of the IDO.

For a discussion of specific uses that would become permissive if the request is approved, please refer to the discussion of zone change criterion 14-16-6-7(G)(3)(d) in this report.

### ***ALBUQUERQUE / BERNALILLO COUNTY COMPREHENSIVE PLAN***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. Areas of Change allow for a mix of uses and development of higher density and intensity in areas where growth is desired and can be supported by multi-modal transportation. The intent is to make Areas of Change the focus of new urban-scale development that benefit job creation and expanded housing options. By focusing growth in Areas of Change, additional residents, services, and jobs can be accommodated in locations ready for new development

Applicable Goals and policies are listed below. Staff analysis follows in plain text.

In this case, the Goals and policies below were included by the applicant in the justification letter. Staff found most applicable, and added a policy denoted with an \* in the analysis.

#### ***Chapter 5: Land Use***

**Goal 5.1 Centers & Corridors:** Grow as a community of strong Centers connected by a multi-modal network of Corridors.

*The subject site is located within 660’ of a Major Transit Corridor, which are intended to be served by high frequency and local transit. In addition to being a within a Major Transit Corridor, the subject site is within 660’ of the Central Ave SW Premium Transit Corridor. Premium Transit Corridors are anticipated to be served by high-quality, high-capacity, and high frequency public transit. This request partially furthers Goal 5.1 Centers & Corridors.*

**Policy 5.1.1 Desired Growth:** Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

*The proposed zone change from NR-C to NR-LM furthers the policy by expanding the permissible uses which could allow for increased opportunity for regional growth along a Major Transit Corridor. The potential for development could contribute into a sustainable development pattern along Central Ave SW. This request furthers Policy 5.1.1-Desired Growth.*

**\*Policy 5.2.1-Land Uses:** Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

*The zone change could encourage more productive use of vacant lots and under-utilized lots by changing the zoning from NR-C to NR-LM and could contribute in creating healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. The zone change would allow permissible uses not permitted with NR-C zoning and could provide more opportunities for quality development to be built on the subject site which is in proximity to a major transit corridor. This request furthers Policy 5.2.1-Land Uses.*

**Goal 5.3-Efficient Development Patterns:** Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

*The subject site is already served by existing infrastructure and public facilities such as being located near the intersection of Principal Arterials Central Ave SW and 98<sup>th</sup> St SW., so development made possible by the request would generally promote efficient development patterns and use of land. The request generally furthers Goal 5.3-Efficient Development Patterns.*

**Policy 5.3.1-Infill Development:** Support additional growth in areas with existing infrastructure and public facilities.

*The subject site is an infill site located in an area already served by existing infrastructure and public facilities. The subject site has access to water, sewer, transit services, a major transit road and electric infrastructure systems. The request would support additional growth in this area, and therefore furthers Policy 5.3.1-Infill Development.*

**Goal 5.6 City Development Areas:** Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

*Because the subject site is an Area of Change it would further the goal by encouraging direct growth in the neighboring area where it is expected and desired. The subject site is surrounded by Areas of Consistency and the proposed zone change would ensure that the character and intensity of the surrounding area is reinforced and not hindered. This request furthers Goal 5.6 City Development Areas.*

**Policy 5.6.2 Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

*The proposed zone change could direct growth and more intense development to an Area of Change within 660-feet of a Major Transit Corridor and designated Premium Transit Corridor.*

*The uses that would become permissive could encourage development where change is encouraged. This request furthers Policy 5.6.2 Areas of Change.*

*Chapter 8: Economic Development*

Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

*The proposed zone change furthers this policy by expanding the permissible uses allowed on the subject site and provides the opportunity for development by entities that could strengthen and diversify the economic base to help reduce reliance on government spending in an area that is slowly expanding its non-residential development. This request furthers Policy 8.1.3 Economic Base.*

***Not Applicable/Does Not Further***

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

*The request does not further this policy because the site is not in a distinct community and would not enhance protect or preserve the surrounding area. The community does not encompass any characteristics that make it distinct from the surrounding area. The surround land uses are primarily residential with some non-residential land uses along the Central Ave Major Transit Corridor.*

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of the communities.

*The requested zone change from NR-C to NR-LM will not encourage quality development that is consistent with the character of the community because the surrounding doesn't have any characteristics that make it distinct. The Southwest Mesa CPA Area doesn't make this small area distinct because the CPA is such a large area.*

Policy 5.1.5 Employment Centers: Create Centers that prioritize employment opportunities and foster synergy among businesses.

- a) Prioritize office and commercial employment in areas with good access via automobile and transit.
- b) Prioritize industrial employment in areas with good connectivity for freight routes.

*The subject site is not in an employment center; therefore, this policy is not applicable to this request.*

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

*This is a zone change request. Setbacks buffering and building heights are relevant to site plan design standards and review and decision criteria.*

Goal 8.1 Placemaking: Create places where business and talent will stay and thrive.

*This zone change request does not guarantee that all permissive uses in the proposed zoning would create a place that guarantees a business with talent would be created or even stay and thrive in the area.*

### ***Integrated Development Ordinance (IDO) 14-16-6-7(G)(3)-Review and Decision Criteria for Zone Map Amendments***

#### Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

#### Justification & Analysis

The zone change justification letter analyzed here, received on January 30, 2024 is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned NR-C (Non-Residential – Commercial Zone). The requested zoning is NR-LM (Non-Residential – Light Manufacturing Zone).

The applicant believes that the proposed zoning map amendment (zone change) meets the zone change decision criteria in IDO §14-16-6-7(G)(3) as elaborated in the justification letter. The citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows in plain text.

- A. 6-7(G)(3)(a): The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City.

*Applicant: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the City's goals and policies as listed below along with the Applicant's responses following. The request is consistent with the overall scale, character, and zoning of the surrounding area at the edge of Albuquerque's municipal boundary. Approval of the zone change from NR-C to NR-LM is more advantageous to the surrounding community as determined by the Applicant's policy analysis.*

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request generally furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable citations: Goal 5.1-Centers & Corridors, Policy 5.1.1-Desired Growth, Policy 5.2.1-Land Uses, Goal 5.3-Efficient Development Patterns, Policy 5.3.1-Infill Development, Goal 5.6-City Development Areas, Policy 5.6.2-Areas of Change, Policy 8.1.3-Economic Base

Non-applicable citations: Goal 4.1-Character, Policy 4.1.1-Distinct Communities, Policy 5.1.5-Employment Centers, Policy 5.6.4-Appropriate Transitions, Goal 8.1-Placemaking

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding land use, centers and corridors, infill and efficient development patterns, and economic development and thereby does not present any significant conflicts with the Comprehensive Plan. Thus, the request is consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.

- B. 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comprehensive Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.
1. There was typographical or clerical error when the existing zone district was applied to the property.
  2. There has been a significant change in neighborhood or community conditions affecting the site.
  3. A different zone district is more advantageous to the community as articulated by the ABC Comprehensive Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*Applicant: The subject site is located entirely in an Area of Change.*

Staff: The subject site is located wholly in an Area of Change, so this criterion does not apply. The response to Criterion B is sufficient.

- C. 6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was a typographical or clerical error when the existing zone district was applied to the property.

2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*Applicant: The subject site is located wholly in an Area of Change. This request meets criterion 3 because the proposed NR-LM zone is more advantageous to the community than the existing NR-C zone as shown per the policy analysis provided above. The change from NR-C to NR-LM will allow the development of a new BESS facility that will expand PNM’s flexibility to use renewable energy in its generation and improve reliability and stability for the electric grid serving the West Central area via an existing PNM Substation. These factors are more advantageous to the community and provide more consistency in land use patterns, development density, and intensity than the blighted current condition of this NR-C zoned property. Redevelopment of this blighted, infill property will be subject to IDO standards through the site plan approval process, which will benefit and be more advantageous to the community.*

Staff: The subject site is located wholly in an Area of Change. Based on criteria 3, the applicant’s policy-based analysis demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning. The applicant also provided responses to the analysis based on the character, land use and economic development goals and policies of the Comprehensive Plan, based on the request. The uses associated with the zone change could be more advantageous to the community. The response to Criterion C is sufficient.

- D. 6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to the neighborhood or the community unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

<b>TABLE 2: USE COMPARISON BETWEEN NR-C and NR-LM</b>		
<b>Allowable Use</b>	<b>NR-C</b>	<b>NR-LM</b>
General Agriculture	-	P
Adult Entertainment	-	P
Blood services facility	C	P
Adult retail	-	P
General Retail Medium	P	C
Freight terminal or dispatch center	-	P
Helipad	A	P
Railroad yard	-	P
Salvage yard	-	C
Outdoor storage	C	P



Outdoor Animal Run	CA	A
Open air market	T	

*Applicant: While there is an adjacent and single-family residential neighborhood to the south of the subject site, the surrounding area is characterized by higher intensity uses that face Central Avenue and a significant amount of vacant land zoned for non-residential uses. The requested NR-LM zoning does not include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. Further, because the subject property has a depth of 959 feet north to south, any potential impact NR-LM uses may have on the residential neighborhood to the south will be mitigated. The permissive, conditional, accessory, and temporary uses are very similar between the NR-C and NR-LM zones. However, the existing NR-C zone has not attracted new development to this Area of Change.*

*Table 2 (above) provides a comparison of the differences in allowed uses in the NR-C and NR-LM zones. The uses that would be made permissive through the zone change to NR-LM that could potentially be harmful include adult entertainment and adult retail, which are both subject to Use Specific Standards, including a separation of 500 feet from residential zone districts, religious institutions, and schools. Freight terminal or dispatch and railyard are clearly not feasible at this location. Salvage yard is conditional, which would require a public hearing process, and is also subject to Use Specific Standards, which require the use to be in a fully enclosed building or fully enclosed space.*

*As provided by the IDO' Use Specific Standards, 4-3(E)(8) Electric Utility: "4-3(E)(8)(e) All uses and associated facilities shall be subject to the terms and conditions in the Facility Plan for Electric System Transmission and Generation, as amended, except that battery storage facilities are not considered electric generation facilities and may be a primary activity in association with the electric utility use in the NR-BP, NR-LM, and NR-GM zone districts". The Use-Specific Standards for Electric Utility will apply to the relocated substation.*

Staff: The applicant states that the requested NR-LM zoning does not include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. The permissive uses such as adult entertainment and adult retail would not be permitted on the subject site because they do not meet the Separation of Uses requirement as mentioned by the applicant.

As stated by the applicant, the permissive, conditional, accessory, and temporary uses are very similar between the NR-C and NR-LM zones. There are a couple of permissible uses that have a potential to be harmful:

- Freight Terminal or Dispatch Center use has the potential to harm surrounding uses to possible noise pollution that could affect nearby residents. According IDO Section 14-16-4-3(D)(43)(a) if no building is provided on the premises, this use shall be screened from any adjacent Residential zone district.

- The conditional use Above-ground Storage of Fuels or Feeds has no specific use standards and has the potential to harm surrounding uses due to the storage of fuels that could possibly leak or ignite thus impacting nearby residents.

Furthermore, the IDO has Use-Specific standards in place that would contribute to mitigating uses that could be considered harmful. The response to Criterion D is generally sufficient.

- E. 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:
1. Have adequate capacity to serve the development made possible by the change of zone.
  2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
  3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
  4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

*Applicant Response: As a property previously utilized for manufacturing homes retail business in an area with existing infrastructure capacity but long suffering from lack of investment, this request for a zone change meets Criteria #1. The City's existing infrastructure and public improvements have adequate capacity to serve the proposed development that would be made possible by the zone change. Central Avenue and 98th Street are both Urban Principal Arterials containing transit services and bike facilities, and convenient connectivity to I-40 via 98th Street. The subject property has access to public utilities including water, sewer, and electric services. The City made a significant investment in the West Central community in improving the aesthetics of Central Avenue when it installed the landscaped medians from Unser Boulevard to 108th Street.*

Staff: The subject site is an infill site that is adequately served by existing infrastructure (criteria 1). The response to Criterion E is sufficient.

- F. 6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

*Applicant: While the subject property is located along Central Avenue, the Applicant's justification for the zone change request is not completely based on the property's location along a major street because the Applicant's proposed use is not dependent on traffic counts and drive-by traffic. Rather, the justification for the proposed zone change is based on the advantages it will bring to the community by locating a new BESS facility to serve the existing PNM West Central substation.*

Staff: The subject site is located on Central Ave SW, and within 660' of a Major Transit Corridor and Premium Transit Corridor. Though this location factors into the applicant's

policy analysis as being near Major and Premium Transit Corridors, the applicant is not completely basing their justification for the request upon the subject site's location on a major street. The response to Criterion F is sufficient.

- G. 6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

*Applicant: The cost of land or other economic considerations are not the determining factor for this zone change request. The location of the subject property in an Area of Change, along Central Avenue (an Urban Principal Arterial designed as a Major Transit Corridor) and 98th Street (an Urban Principal Arterial), with convenient access to I-40 (a Commuter Corridor) provides the appropriate location for commercial and manufacturing development with access to municipal utility systems.*

Staff: Economic considerations or cost of land are not factors, and the applicant's justification is not based upon them. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion G is sufficient.

- H. 6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premise (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comprehensive Plan, as amended, and at least one of the following applies:

1. The subject property is different from the surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

*Applicant: This request for a zone change from NR-C to NR-LM does not create a spot zone on the 8.9-acre subject property because the nearby two parcels totaling 12.8 acres to the west at 106th Street and Central Avenue is also zoned NR-LM, and the zone change will further numerous Comprehensive Plan goals and policies as described above.*

Staff: This Zoning Map Amendment from NR-C to NR-LM does not create a "spot zone" that on a small site that is different from surrounding zone districts. The subject site is surrounded by similar non-residential zoning along and across Central Ave SW and is less than 700 ft away from two parcels totaling approximately 13 acres zoned NR-LM. The response to Criterion H is sufficient.

### **III. AGENCY & NEIGHBORHOOD CONCERNS**

#### ***Reviewing Agencies***

City departments and other agencies reviewed this application. Agency comments were received.

#### **Public Service Company Of New Mexico**

PNM currently has no contractual relationship with this project. PNM neither supports nor opposes this Zoning Map Amendment (ZMA) application but needs to provide some clarification about the applicant's zone change justification that asserts and portends the Central Substation will be relocated to the applicant's site. At this time, PNM has no definitive plans to change or relocate the Central Substation but will continue to monitor electricity load demand in the area, and if necessary, will internally analyze existing Electric Utility facilities for any upgrades, changes, or new locations. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located within the property and to abide by any conditions or terms of those easements.

Agency comments begin on p.27.

#### ***Neighborhood/Public***

The affected neighborhood organizations are the South West Alliance of Neighborhoods (SWAN Coalition) and Route 66 West Neighborhood Association which were notified as required. Property owners within 100 feet of the subject site were also notified as required (see attachments).

A pre-application facilitated meeting was not requested. As of this writing, Staff has not been contacted and is not aware of any opposition to the request.

### **IV. CONCLUSION**

The request is for a zoning map amendment (zone change) for an approximately 9.1-acre site legally described as all or a portion of Tract 69 AKA Tract 3, ROW 1, South of unit B, West of Westland, AKA lot 3, Block 1 Lands of Town and Tract 4, ROW 1, South of unit B, West of Westland aka Lot 4, Block 1, Lands of Town of Atrisco, located at 10100 Central Avenue SW, between 102nd Street SW, and 98th Street SW, (the "subject site").

The subject site is in an Area of Change and within 660' of the Central Ave SW Premium Transit and Major Transit Corridors as designated by the Comprehensive Plan and is not within a designated Center. This location is included in the Southwest Mesa Community Planning Assessment (CPA) area.

The applicant wants to change the subject site's zoning to NR-LM (Non-Residential – Light Manufacturing Zone District) to facilitate the development of the subject site into a future battery energy storage system (BESS).

The applicant has adequately justified the request based upon the proposed zoning being more advantageous to the community than the current zoning and furthers a preponderance of applicable Goals and Policies.

The affected neighborhood organizations are South West Alliance of Neighborhoods (SWAN Coalition) and Route 66 West Neighborhood Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.

Staff is not aware of any opposition as of this writing. **Staff recommends approval.**

***FINDINGS - RZ-2024-00003, February 15, 2024- Zoning Map Amendment (Zone Change)***

1. The request is for a zoning map amendment (zone change) for an approximately 9.1-acre site legally described as all or a portion of Tract 69 AKA Tract 3, ROW 1, South of unit B, West of Westland, AKA lot 3, Block 1, Lands of Town and Tract 4, ROW 1, South of unit B, West of Westland, AKA Lot 4, Block 1, Lands of Town of Atrisco, located at 10100 Central Avenue SW, between 102nd Street SW and 98th Street SW (the “subject site”).
2. The subject site is zoned NR-C (Non-Residential – Commercial Zone District). The applicant is requesting a zone change to NR-LM (Non-Residential – Light Manufacturing Zone District) to facilitate redevelopment of the subject site.
3. The subject site is in an area that the Comprehensive Plan designated an Area of Change.
4. The subject site is within 660’ of the Central Ave SW Major Transit Corridor and the Central Ave. Premium Transit Corridor, as designated by the Comprehensive Plan. Major Transit Corridors are to be served by high frequency and local transit (e.g., Rapid Ride, local, and commuter buses). These Corridors prioritize transit above other modes to ensure a convenient and efficient transit system. Premium Transit Corridors are anticipated to be served by high-quality, high-capacity, and high frequency public transit.
5. The City of Albuquerque Integrated Development Ordinance (IDO) and the Albuquerque/Bernalillo County Comprehensive Plan are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers the following, applicable Goal and Policies regarding communities and efficient development patterns from Comprehensive Plan Chapter 5: Land Use:
  - A. Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The proposed zone change from NR-C to NR-LM furthers the policy by expanding the permissible uses which could allow for increased opportunity for regional growth along a Major Transit Corridor. The potential for development could contribute into a sustainable development pattern along Central Ave SW.

- B. Policy 5.2.1-Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The zone change could encourage more productive use of vacant lots and under-utilized lots by changing the zoning from NR-C to NR-LM and could contribute in creating healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. The zone change would allow permissible uses not permitted with NR-C zoning and could provide more opportunities for quality development to be built on the subject site which is in proximity to a major transit corridor

- C. Policy 5.3.1-Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is an infill site located in an area already served by existing infrastructure and public facilities. The subject site has access to water, sewer, transit services, a major transit road and electric infrastructure systems. The request would support additional growth in this area.

7. The request furthers the following, additional Goals and Policies regarding Centers and Corridors from Comprehensive Plan Chapter 5: Land Use

- A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is located within 660' of a Major Transit Corridor, which are intended to be served by high frequency and local transit. In addition to being a within a Major Transit Corridor, the subject site is within 660' of the Central Ave SW Premium Transit Corridor. Premium Transit Corridors are anticipated to be served by high-quality, high-capacity, and high frequency public transit.

- B. Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The proposed zone change would direct more growth and intense development in an Area of Change because the subject site is within 660' of a Major Transit Corridor and designated Premium Transit Corridor. The permissive uses could encourage more opportunities for development that might expand employment opportunities and job creation and where change is encouraged.

8. The request furthers the following, additional Policy regarding City Development Areas from Comprehensive Plan Chapter 5: Land Use:

- A. Goal 5.3-Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The subject site is already served by existing infrastructure and public facilities such as being located near the intersection of Principal Arterials Central Ave SW and 98th St SW., so development made possible by the request would generally promote efficient development patterns and use of land.

- B. Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Because the subject site is an Area of Change it would further the goal by encouraging direct growth in the neighboring area where it is expected and desired. The subject site is surrounded by Areas of Consistency and the proposed zone change would ensure that the character and intensity of the surrounding area is reinforced and not hindered.

9. The request furthers the following, additional Policy regarding City Development Areas from Comprehensive Plan Chapter 8: Economic Development:

- A. Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

The proposed zone change furthers this policy by expanding the permissible uses allowed on the subject site and provides the opportunity for development by entities that could strengthen and diversify the economic base to help reduce reliance on government spending in an area that is slowly expanding its non-residential development.

10. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

- A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request generally furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

- B. Criterion B: This criterion does not apply because the subject site is not located in an Area of Consistency, either wholly or in part.

- C. Criterion C: The subject site is located wholly in an Area of Change. Based on criteria C.3, the applicant's policy-based analysis demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning. The applicant also provided responses to the analysis based on the character, land use and economic development goals and policies of the Comprehensive Plan, based on the request. The uses associated with the zone change could be more advantageous to the community.

- D. Criterion D: The applicant states that the requested NR-LM zoning does not include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. The permissive uses such as adult entertainment and adult retail would not be permitted on the subject site because they do not meet the Separation of Uses requirement as mentioned by the applicant.

As stated by the applicant, the permissive, conditional, accessory, and temporary uses are very similar between the NR-C and NR-LM zones. There are a couple of permissible uses that have a potential to be harmful:



- Freight Terminal or Dispatch Center use has the potential to harm surrounding uses to possible noise pollution that could affect nearby residents. According IDO Section 14-16-4-3(D)(43)(a) if no building is provided on the premises, this use shall be screened from any adjacent Residential zone district.
- The conditional use Above-ground Storage of Fuels or Feeds has no specific use standards and has the potential to harm surrounding uses due to the storage of fuels that could possibly leak or ignite thus impacting nearby residents.

Furthermore, the IDO has Use-Specific standards in place that would contribute to mitigating uses that could be considered harmful.

- E. Criterion E: The subject site is an infill site that is adequately served by existing infrastructure and therefore meets requirement E.1.
- F. Criterion F: The subject site is located on Central Ave SW, and within 660' of a Major Transit Corridor and Premium Transit Corridor. Though this location factors into the applicant's policy analysis as being near Major and Premium Transit Corridors, the applicant is not completely basing their justification for the request upon the subject site's location on a major street.
- G. Criterion G: Economic considerations or cost of land are not factors, and the applicant's justification is not based upon them. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
- H. Criterion H: This Zoning Map Amendment from NR-C to NR-LM does not create a "spot zone" that on a small site that is different from surrounding zone districts. The subject site is surrounded by similar non-residential zoning along and across Central Ave SW and is less than 700 ft away from two parcels totaling approximately 13 acres zoned NR-LM.
11. The applicant's policy-based response adequately demonstrates that the request clearly does not facilitate a "spot zone" and furthers a preponderance of applicable Goals and policies regarding land use, centers and corridors, infill and efficient development patterns, placemaking, and economic development; and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
12. The affected neighborhood organizations are South West Alliance of Neighborhoods (SWAN Coalition) and Route 66 West Neighborhood Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff is not aware of any opposition as of this writing.
13. A pre-application facilitated meeting was not requested.

14. As of this writing, Staff has not been contacted and is unaware of any opposition.

***RECOMMENDATION - RZ-2024-00003, February 15, 2024***

**APPROVAL of Project #: 2024-009768, Case #: 2024-00003, a zone change from NR-C to NR-LM, for all or a portion of Tract 69 AKA Tract 3, ROW 1, South of unit B, West of Westland, AKA lot 3, Block 1, Lands of Town and Tract 4, ROW 1, South of unit B, West of Westland AKA Lot 4, Block 1, Lands of Town of Atrisco, located at 10100 Central Avenue SW, between 102nd Street SW, and 98th Street SW, (the “subject site”), an approximately 9.1-acre site, based on the preceding Findings.**

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*William Steele*

*William Steele*  
*Current Planner*

Notice of Decision cc list:

Consensus Planning, Inc, Jacqueline Fishman, [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com)  
South West Alliance of Neighborhoods (SWAN Coalition), Luis Hernandez Jr., [luis@wccd.org](mailto:luis@wccd.org)  
South West Alliance of Neighborhoods (SWAN Coalition), Jerry Gallegos,  
[jgallegoswccd@gmail.com](mailto:jgallegoswccd@gmail.com)  
Route 66 West Neighborhood Association, Paul Fava, [paulfava@gmail.com](mailto:paulfava@gmail.com)  
Route 66 West Neighborhood Association, Cherise Quezada, [cherquezada@yahoo.com](mailto:cherquezada@yahoo.com)  
Legal, [dking@cabq.gov](mailto:dking@cabq.gov)  
EPC file

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning / Code Enforcement***

No comment received as of 01-31-24

#### ***Long Range Planning***

The request is for a ZMA from NR-C to NR-LM to relocate a PNM battery storage facility currently located directly south of a low-density residential neighborhood on an approximately 8.9-acre vacant site within an Area of Change. The applicant states that the subject site is “blighted” but does not define how this determination has been made. The subject site is located outside of the West Central MRA boundary approximately 0.81 miles to the east. In general, the proposed zoning allows uses consistent with surrounding Non-residential zone districts. The zone change would allow more intense industrial uses next to existing single-family residential development with R-1 zoning to the south. The IDO edge buffer regulations for industrial development next to non-industrial development in Subsection 14-16-5-6(E)(4), Area of Change next to Area of Consistency in Subsection 14-16-5-6(E)(5), and Neighborhood Edge in Subsection 14-16-5-9 would all apply to subsequent site plans.

#### ***Metropolitan Redevelopment***

No comment received as of 01-31-24

#### ***Hydrology***

No comment received as of 01-31-24

#### ***Transportation Development Review Services***

- Transportation has no objection to the Zoning Map Amendment for this item.

### ***PUBLIC WORKS DEPARTMENT***

No comment received as of 01-31-24

### ***MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION***

No comment received as of 01-31-24

### ***POLICE DEPARTMENT/PLANNING***

No comment received as of 01-31-24

### ***SOLID WASTE MANAGEMENT DEPARTMENT***

No comment at this time.

### ***TRANSIT DEPARTMENT***

No comment received as of 01-31-24

### ***PARKS AND RECREATION***

No comment received as of 01-31-24

### ***ABC WATER UTILITY AUTHORITY (ABCWUA)***

1. No objections to Zoning Map Amendment.
2. For informational purposes only:
  - 2a. Please make a Request for Availability to obtain conditions for service. For reference see the following link: <https://www.abcwua.org/info-for-builders-availability-statements/>

### ***ALBUQUERQUE PUBLIC SCHOOLS***

No comment. Further clarification is needed as to the zoning specifics of the substation relocation. According to the application, “The Applicant is proposing to provide utility-scale battery storage and to relocate the existing PNM substation to the subject site that is currently within the single-family residential neighborhood directly south of the subject property... The Applicant is requesting a zone change from NR-C to NR-LM, which will allow the development of a vacant, blighted property for a battery storage facility and relocation of a PNM substation currently located to the south within a low-density residential neighborhood.” By definition, the PNM sub-station is an electric generation facility, and per the EPC is only permitted in the NR-GM zone district. See EPC 2023, 4-3(E)(8)(f). Electric Utility Large-scale battery storage risks long-term, environmental impacts, and further information on this end is needed.

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)***

No adverse comments for the zone map change.

***COUNTY OF BERNALILLO***

No comment received as of 01-31-24

***MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)***

No comment received as of 01-31-24

***MID-REGION METROPOLITAN PLANNING ORGANIZATION(MRMPO)***

MRMPO has no adverse comment.

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

PNM currently has no contractual relationship with this project. PNM neither supports nor opposes this Zoning Map Amendment (ZMA) application but needs to provide some clarification about the applicant’s zone change justification that asserts and portends the Central Substation will be relocated to the applicant’s site. At this time, PNM has no definitive plans to change or relocate the Central Substation but will continue to monitor electricity load demand in the area, and if necessary, will internally analyze existing Electric Utility facilities for any upgrades, changes, or new locations. The Integrated Development Ordinance (IDO) allows Electric Utility as a permissive use in each and every one of its Zone Districts (Table 4-2-1). Any statements or intimations that such uses are not appropriate in residential areas are contrary to the IDO’s current acknowledgement and codification of the Electric Utility use, including substations, as critical infrastructure, equitably located in all areas, communities, and neighborhoods to ensure the safe and reliable delivery of electricity to all customers. There are PNM facilities and/or easements along the Central Avenue frontage of the site and at the southwest corner of the site.

It is the applicant’s obligation to determine if existing utility easements or rights-of-way are located within the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on any future Site Plan and any future Plat.

Structures, especially those made of metal like restrooms, storage buildings, and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM. Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

***NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)***

No comment received as of 01-31-24

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

Neither of these cases are within our jurisdiction and will not require MRGCD final approval.

***PETROGLYPH NATIONAL MONUMENT***

No comment received as of 01-31-24

***AVIATION DEPARTMENT***

No comment received as of 01-31-24

***KIRTLAND AIR FORCE BASE***

No comment received as of 01-31-24

PHOTOGRAPHS  
EXISTING CONDITIONS

Pictures Taken:  
February 6, 2024



Viewing the subject site from Central Ave SW. A sign posting can be seen in this view and old manufactured homes left by a previous manufactured home retailer.



Viewing east on Central Ave SW with the subject site in view.

Looking west at the subject site. In this view are old manufactured homes left by a previous manufactured home retailer.





Looking east at the subject site. Old manufactured homes left by a previous manufactured home retailer can be seen in this view.



Looking north on the subject site.

Looking south on Sunset Gardens Rd SW at the PNM substation and residential neighborhood directly across the street from the subject site.





## ZONING

Please refer to IDO Section 14-16-2-5(A) for the NR-C Zone District

Please refer to IDO Section 14-16-2-5(C) for the NR-LM Zone District

## APPLICANT INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Alternative Landscape Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant: Sun Lasso Energy Center LLC		Phone: 505-482-0656
Address: c/o Aypa Power Development LLC, 11801 Domain Blvd, Suite 450		Email: sunlasso@aypa.com
City: Austin	State: TX	Zip: 78758
Professional/Agent (if any): Consensus Planning, Inc.		Phone: 505-764-9801
Address: 302 Eighth St. NW		Email: fishman@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site:	List all owners: Mendez Richard A	

### BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment from NR-C to NR-LM to allow development of a utility scale battery storage facility (BESS)

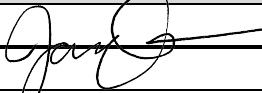
### SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: Tract 3 & 4	Block: 1	Unit: B
Subdivision/Addition: Lands of Town of Atrisco	MRGCD Map No.:	UPC Code: 100905600444720402, 100905602445320403
Zone Atlas Page(s): L-8-Z & L-9-Z	Existing Zoning: NR-C	Proposed Zoning: NR-LM
# of Existing Lots: 2	# of Proposed Lots: N/A	Total Area of Site (acres): 8.88

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: 10100 Central Avenue SW Between: 102nd Street SW and: 98th Street SW

### CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

Signature: 	Date: 1/4/2024
Printed Name: Jacqueline Fishman, AICP	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting/Hearing Date:				Fee Total:	
Staff Signature:		Date:		Project #	

**Form Z: Policy Decisions**

**Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.**

A single PDF file of the complete application including all plans and documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

**INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

- N/A Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_
- N/A Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

**ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

**ADOPTION OR AMENDMENT OF FACILITY PLAN**

- \_\_\_ Plan, or part of plan, to be amended with changes noted and marked
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- \_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)
  - \_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - \_\_\_ Proof of emailed notice to affected Neighborhood Association representatives
  - \_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

**AMENDMENT TO IDO TEXT**

- \_\_\_ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- \_\_\_ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- \_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)
  - \_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - \_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

**ZONING MAP AMENDMENT – EPC**

**ZONING MAP AMENDMENT – COUNCIL**

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C) Meeting was offered, however none was requested.
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Proof of emailed notice to affected Neighborhood Association representatives
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement

**ANNEXATION OF LAND**

- \_\_\_ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- \_\_\_ Petition for Annexation Form and necessary attachments
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- \_\_\_ Board of County Commissioners (BCC) Notice of Decision

<p><i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i></p>		
<p>Signature: </p>	<p>Date:</p>	
<p>Printed Name: Jacqueline Fishman, AICP</p>	<p><input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent</p>	
<p><b>FOR OFFICIAL USE ONLY</b></p>		
<p>Project Number:</p>	<p>Case Numbers</p>	
	-	
	-	
	-	
<p>Staff Signature:</p>		
<p>Date:</p>		



condition of this NR-C zoned property. Redevelopment of this blighted, infill property will be subject to IDO standards through the site plan approval process, which will benefit and be more advantageous to the community.

**6-7(G)(3)(d)** The requested zoning does not include permissive uses that would be harmful to the neighborhood or the community unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

**Applicant Response:** While there is an adjacent and single-family residential neighborhood to the south of the subject site, the surrounding area is characterized by higher intensity uses that face Central Avenue and a significant amount of vacant land zoned for non-residential uses. The requested NR-LM zoning does not include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. Further, because the subject property has a depth of 959 feet north to south, any potential impact NR-LM uses may have on the residential neighborhood to the south will be mitigated. The permissive, conditional, accessory, and temporary uses are very similar between the NR-C and NR-LM zones. However, the existing NR-C zone has not attracted new development to this Area of Change.

TABLE 2: USE COMPARISON BETWEEN NR-C and NR-LM		
Allowable Use	NR-C	NR-LM
General Agriculture	-	P
Adult Entertainment	-	P
Blood services facility	C	P
Adult retail	-	P
General Retail Medium	P	C
Freight terminal or dispatch center	-	P
Helipad	A	P
Railroad yard	-	P
Salvage yard	-	C
Outdoor storage	C	P
Outdoor Animal Run	CA	A
Open air market	T	-

Table 2 (above) provides a comparison of the differences in allowed uses in the NR-C and NR-LM zones. The uses that would be made permissive through the zone change to NR-LM that could potentially be harmful include adult entertainment and adult retail, which are both subject to Use Specific Standards, including a separation of 500 feet from residential zone districts, religious institutions, and schools. Freight terminal or dispatch and railyard are clearly not feasible at this location. Salvage yard is conditional, which would require a public hearing process, and is also subject to Use Specific Standards, which require the use to be in a fully enclosed building or fully enclosed space.

As provided by the IDO' Use Specific Standards, 4-3(E)(8) Electric Utility:  
 "4-3(E)(8)(e) All uses and associated facilities shall be subject to the terms and conditions in the Facility Plan for Electric System Transmission and Generation, as amended, except that **battery storage facilities are not considered electric**"

December 21, 2023

David Shaffer, Chair  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

RE: Property Owner Letter of Authorization

Dear Mr. Chair:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as the agent for applicant, Sun Lasso Energy Center LLC, for all matters related to the request for a Zone Map Amendment and Site Plan for an 8.88-acre property located at 10100 Central Avenue SW. The property is legally described as follows:

- Tract 4 Row 1 SO UNIT B West of Westland AKA LT 4 Block 1 Lands of Town Atrisco;  
and
- Tract 69 AKA Tract 3 Row 1 SO UNIT B W of Westland AKA LOT 3 Block 1 Lands of Town

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A Mendez', written over a faint, illegible stamp.

Richard A Mendez  
Property Owner

December 21, 2023

David Shaffer, Chair  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Dear Mr. Chair:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as agent on behalf of Sun Lasso Energy Center LLC ("Applicant") for all matters related to the request for a Zone Map Amendment and Site Plan for an 8.88-acre property located at 10100 Central Avenue SW. The property is legally described as follows:

- Tract 4 Row 1 SO UNIT B West of Westland AKA LT 4 Block 1 Lands of Town Atrisco;  
and
- Tract 69 AKA Tract 3 Row 1 SO UNIT B W of Westland AKA LOT 3 Block 1 Lands of Town

Sincerely,

Sun Lasso Energy Center LLC ("Applicant")

  
Forrest Forster (Dec 21, 2023 16:49 CST)

Forrest Forster  
Vice President of Development



**Applicant Response:** *The zone change furthers this policy by allowing for a wider range of commercial and manufacturing uses on the subject property that will strengthen and diversify the economic base and support job creation in an area that is currently underserved by non-residential development. The larger surrounding area has an abundance of single-family residential development and the zone change to NR-LM will allow for potential employees to work close to home.*

**6-7(G)(3)(b)** If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comprehensive Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the ABC Comprehensive Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

**Applicant Response:** *The subject site is located entirely in an Area of Change.*

**6-7(G)(3)(c)** If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was a typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

**Applicant Response:** *The subject site is located wholly in an Area of Change. This request meets criterion 3 because the proposed NR-LM zone is more advantageous to the community than the existing NR-C zone as shown per the policy analysis provided above. The change from NR-C to NR-LM will allow the development of a new BESS facility that will expand PNM's flexibility to use renewable energy in its generation and improve reliability and stability for the electric grid serving the West Central area via an existing PNM Substation. These factors are more advantageous to the community and provide more consistency in land use patterns, development density, and intensity than the blighted current*





# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 12/2020)

**Project Title:** Zone Map Amendment Request,  
10100 Central Avenue SW Building Permit #: N/A Hydrology File #: N/A  
Zone Atlas Page: L-8&L-9 DRB#: \_\_\_\_\_ EPC#: N/A Work Order#: N/A  
Legal Description: Tract 4 Row 1 SO Unit B and Tract 69 aka Tract 3 Row 1 SO Unit B lands of Town of Atrisco  
City Address: 10100 Central Avenue SW

**Applicant:** Applicant: Sun Lasso Energy Center LLC / Agent: Consensus Planning, Inc. Contact: Jacqueline Fishman  
Address: 302 Eighth Street NW  
Phone#: (505) 764-9801 Fax#: \_\_\_\_\_ E-mail: fishman@consensusplanning.com

### Development Information

Build out/Implementation Year: N/A Current/Proposed Zoning: NR-C/NR-LM

Project Type: New: ( ) Change of Use: ( ) Same Use/Unchanged: ( ) Same Use/Increased Activity: ( )

Proposed Use (mark all that apply): Residential: ( ) Office: ( ) Retail: ( ) Mixed-Use: ( ) Change of Zoning

Describe development and Uses:  
Zone Map Amendment from NR-C to NR-LM

Days and Hours of Operation (if known): N/A

### Facility

Building Size (sq. ft.): N/A

Number of Residential Units: N/A

Number of Commercial Units: N/A

### Traffic Considerations

Expected Number of Daily Visitors/Patrons (if known):\* N/A

Expected Number of Employees (if known):\* N/A

Expected Number of Delivery Trucks/Buses per Day (if known):\* N/A

Trip Generations during PM/AM Peak Hour (if known):\* N/A

Driveway(s) Located on: Street Name N/A

Adjacent Roadway(s) Posted Speed: Street Name Central Ave SW Posted Speed 55

Street Name Sunset Gardens Road SW Posted Speed Not posted

\* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required

**Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: Central Avenue - Major Transit Corridor/Urban Principal Arterial  
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: None  
(urban center, employment center, activity center)

Jurisdiction of roadway (NMDOT, City, County): City

Adjacent Roadway(s) Traffic Volume: N/A Volume-to-Capacity Ratio: N/A  
(if applicable)

Adjacent Transit Service(s): Bus 54 Bridge/Westgate  
Bus 198 98th/Dennis Chavez Nearest Transit Stop(s): 98th Street

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: N/A  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: N/A

**Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: <http://www.cabq.gov/gis/advanced-map-viewer>

Comprehensive Plan Corridor/Designation: <https://abc-zone.com/document/abc-comp-plan-chapter-5-land-use> (map after Page 5-5)

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: [http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL\\_Jun25.pdf](http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf) (Map Pages 75 to 81)

**TIS Determination**

**Note:** Changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

Traffic Impact Study (TIS) Required: Yes [ ] No  Borderline [ ]

Thresholds Met? Yes [ ] No

Mitigating Reasons for Not Requiring TIS: Previously Studied: [ ]

Notes: A TIS is not required for a Zone map amendment. When the property is developed the Traffic Scoping will require reevaluation.

*M.P. P.E.*

1/3/2024

TRAFFIC ENGINEER

DATE





facilities, including major roadways, sidewalks, and transit services. Furthermore, it provides a critical management tool for sustained delivery of electric power serviced by the PNM West Central Substation that would be required for additional growth in the area (e.g. reliable electricity attracts development).

**Goal 5.6 City Development Areas:** Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

**Applicant Response:** *The zone change furthers this goal because the subject site is located entirely within an Area of Change where it is expected and desired. The subject site is adjacent to Areas of Consistency to the west and south, whose character and intensity of the area will be reinforced by allowing for an appropriate zoning and land use in an area that contains the same or similar non-residential zoning (12.8 acres of NR-LM to the west and 8.2 acres of NR-BP further west). Additionally, the allowable uses in the NR-LM zone are complementary to the existing character and intensity of the surrounding area.*

**Policy 5.6.2 Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

**Applicant Response:** *The zone change to NR-LM furthers this policy because the subject site is located entirely within an Area of Change. Permissive uses within the NR-LM zone will direct growth and more intense development along Central Avenue, a Major Transit Corridor and designated Premium Transit Corridor up to 98<sup>th</sup> Street and south of I-40, a Commuter Corridor. These uses support the expansion of employment opportunities and job creation in an appropriate location where adequate infrastructure and community services exist and encourage development in an area with highly connected street grid and frequent transportation.*

**Policy 5.6.4 Appropriate Transitions:** Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

**Applicant Response:** *The zone change furthers this policy because the subject site is within an Area of Change abutting and adjacent to Areas of Consistency to the south and west, and is a deep property running the full block length (approximately 959 feet) between Central Avenue and Sunset, which will allow for adequate setbacks and buffering.*

**Goal 8.1 Placemaking:** Create places where business and talent will stay and thrive.

**Applicant Response:** *The zone change to NR-LM furthers this goal by expanding the permissive land uses that will assist in attracting new development to this area. This area is at the west entry to Albuquerque with excellent access to the major street network at Central Avenue, 98<sup>th</sup> Street, and I-40.*

**Policy 8.1.3 Economic Base:** Strengthen and diversify the economic base to help reduce reliance on government spending.

## Submittal

The Scoping Form must be submitted as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to the City Traffic Engineer [mgrush@cabq.gov](mailto:mgrush@cabq.gov) . Call 924-3362 for information.

### Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
4. Location of nearby multi-use trails, if applicable ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify v/c ratio on this form.



January 30, 2024 *(replaces Letter dated 1.4.2024)*

Jonathan R. Hollinger, Chair.  
Environmental Planning Commission  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

RE: Zoning Map Amendment; 10100 Central Avenue, SW.

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Mr. Chair and Planning Commissioners:

The purpose of this letter is to provide justification for a Zoning Map Amendment by responding to criteria in Integrated Development Ordinance (IDO) Section 14-16-6-7(G), on behalf of Sun Lasso Energy Center LLC. The subject property is legally described as *Tract 4 Row 1 SO UNIT B West of Westland AKA LT 4 Block 1 Lands of Town Atrisco and Tract 69 AKA Tract 3 Row 1 SO UNIT B W of Westland AKA LOT 3 Block 1 Lands of Town* and contains a total of approximately 8.9 acres.

The subject property is located along the south side of Central Avenue, north of Sunset Gardens Road, and between 98<sup>th</sup> Street to the east and 102<sup>nd</sup> Street to the west. The existing zoning is NR-C (Non-Residential Commercial). The Applicant is requesting a Zoning Map Amendment to NR-LM (Non-Residential – Light Manufacturing) to accommodate the construction of a utility-scale battery energy storage system (BESS). The IDO 2021 update included an amendment to address BESS, at which time it was determined that BESS would be a primary permissive in the NR-LM, NR-BP, and NR-GM zones.



Figure 1: Subject property.

**PRINCIPALS**

James K. Strozier, FAICP  
Jacqueline Fishman, AICP

**ASSOCIATES**

Ken Romig, PLA, ASLA

**EXISTING CONDITIONS**

The subject property is approximately 8.9 acres in size and zoned NR-C. The site is currently vacant, but research indicates the property was once used for

manufactured homes retail. A pole sign for Enchantment Homes and a couple dilapidated structures remain on the site.

The subject property is located within the Southwest Mesa Planning Area and in an Area of Change. The Comprehensive Plan provides the overarching goal for City Development Areas: “Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area”.

The proposed NR-LM zone is compatible with existing zoning in the area, including two parcels to the west that are zoned NR-LM, comprising a total of approximately 12.8 acres. Other similar zoning in the area includes NR-BP to the west of 106<sup>th</sup> Street, NR-BP to the northeast across Central Avenue, and NR-BP and NR-GM to the east of 94<sup>th</sup> Street. Adjacent zoning and land use includes NR-C zoned property to the east, which is mostly vacant but contains a small drive-through restaurant under construction; NR-C to the north, which contains commercial retail and services and vacant land; NR-C to the west, which contains a restaurant facing Central Avenue and vacant for the remainder of the property; and R-1A to the south, containing single-family residential development with walled rear yards facing Sunset Gardens.

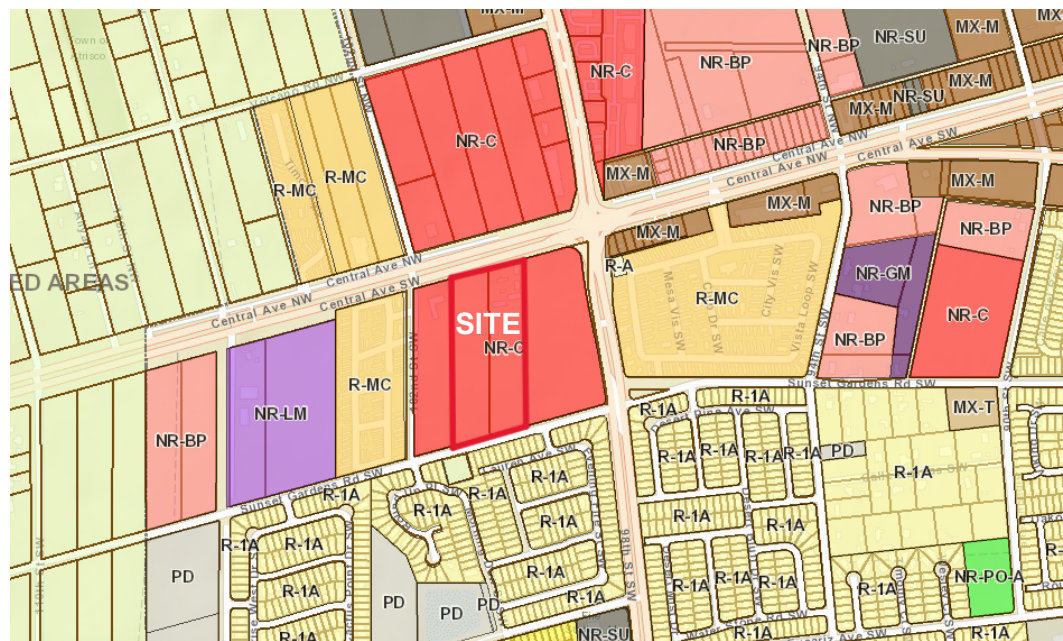


Figure 2: Existing Zoning.

TABLE 1: ADJACENT ZONING and LAND USE		
Direction	Zoning	Land Use
North	NR-C	Commercial, vacant, and drainage
South	R-1A and unclassified	Single-family residential and PNM West Central substation
East	NR-C	Vacant, small restaurant building under construction
West	NR-C	Restaurant (facing Central) and vacant

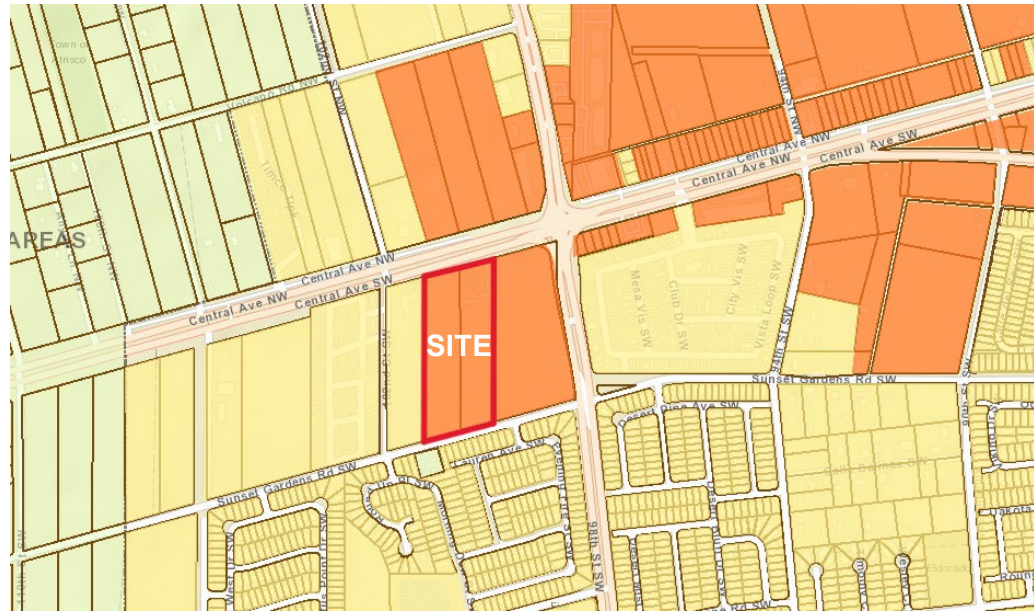


Figure 3: Area of Change (in orange).

The subject property is located along Central Avenue, an Urban Principal Arterial and a Major Transit Corridor, as designated by the Comprehensive Plan. Central Avenue contains a designated bike path and proposed bike lanes. 98<sup>th</sup> Street to the east of the subject site is also an Urban Principal Arterial, and contains bike lanes and a paved multiple use trail running along the west side of the road. Transit services are provided along 98<sup>th</sup> Street via Bus Route 54 Bridge-Westgate, which runs Monday through Saturday, with a peak and off-peak frequency of 45 minutes and 60 minutes on Saturday.



View looking south to the subject property. High voltage electric power lines are visible at the top of the photo – these lines parallel the north side of the subject property.



*View looking west along Sunset Gardens, with the subject property on the right. A pair of high voltage circuits is also visible in the photo – these lines run by the western side of the subject property.*

### **THE REQUEST**

The Applicant is requesting a zone change from NR-C to NR-LM, which will allow the development of a vacant, blighted property for a battery storage facility. Per the IDO, “The purpose of the NR-LM zone district is to accommodate moderate-intensity commercial, light assembly, fabrication, and manufacturing uses, while buffering adjacent lower-intensity, Residential and Mixed-use zone districts from the traffic, noise, and other impacts of those uses.”

The permissive uses in the NR-LM zone are very similar to those in the NR-C zone, with only a few differences that will be explained later in this letter. This request for a zone change to NR-LM is based on the 2021 IDO amendment, which stated that BESS would only be allowed in NR-LM, NR-BP, and NR-GM zones.

The NR-LM is suitable for accommodating moderate-intensity commercial, light assembly, fabrication, or manufacturing purposes that are consistent with the existing uses in the area. The NR-LM zone on this property, which runs the full length between Central Avenue and Sunset Gardens, will provide a buffer between the residential development and the noise and traffic coming from Central Avenue, as well as the commercial activities to the north of the property.

This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per *IDO Section 14-16-6-7(G)* as described below.

### **ZONING MAP AMENDMENT JUSTIFICATION**

This request for a Zoning Map Amendment complies with the criteria outlined in Integrated Development Ordinance Section 14-16-6-7(G) as follows:

**6-7(G)(3):** An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

**6-7(G)(3)(a):** The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City.





**Applicant Response:** The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the City's goals and policies as listed below along with the Applicant's responses following. The request is consistent with the overall scale, character, and zoning of the surrounding area at the edge of Albuquerque's municipal boundary. Approval of the zone change from NR-C to NR-LM is more advantageous to the surrounding community as determined by the Applicant's policy analysis.

**Goal 4.1 Character:** Enhance, protect, and preserve distinct communities.

**Applicant Response:** The zone change to NR-LM will further this goal because it will complement the existing two NR-LM zoned lots situated to the west of the subject property and enable a variety of land uses that will enhance, protect, and preserve the character of the area. The subject property is situated along an important transportation corridor at the west entry to the City and will serve as a buffer from the traffic on Central Avenue to the residential community located to the south of the property. The subject property is currently blighted, vacant, and attracting negative activity to the area. It is approximately 959 feet deep, measuring north to south, which will allow adequate separation from permissive land uses in the NR-LM zone to the single-family residential neighborhood.

**Policy 4.1.1 Distinct Communities:** Encourage quality development that is consistent with the distinct character of the communities.

**Applicant Response:** The zone change will further this policy by encouraging quality development that is consistent with the distinct character of this sub-area of the West Central community because the surrounding land uses are commercial, industrial, warehousing, and vacant land. The future development of the subject property will be required to meet IDO development standards, including Use Specific Standards, which are a higher set of standards than the existing development was required to meet. The single-family residential uses to the south and the mobile home park west of 102<sup>nd</sup> Street will be protected through buffering and screening on the subject site as required by the IDO, thus encouraging quality development.

**Goal 5.1 Centers & Corridors:** Grow as a community of strong Centers connected by a multi-modal network of Corridors.

**Applicant Response:** The zone change to NR-LM furthers this goal by allowing commercial and manufacturing development within the Central Avenue Major Transit Corridor and designated Premium Transit Corridor that starts at the Central/98<sup>th</sup> Street intersection. Access to I-40, a Commuter Corridor, and 98<sup>th</sup> Street, a Principal Urban Arterial, is convenient from the subject site. The subject property is well-located in an area where growth is encouraged and connected to a multi-modal network of corridors.

**Policy 5.1.1 Desired Growth:** Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

**Applicant Response:** The zone change to NR-LM furthers this goal by allowing commercial and manufacturing development in an Area of Change with access to a multi-modal network of corridors that is capable of capturing regional growth in a



desired location and contributing to shaping the built environment into a sustainable development pattern.

**Policy 5.1.5 Employment Centers:** Create Centers that prioritize employment opportunities and foster synergy among businesses.

- a) Prioritize office and commercial employment in areas with good access via automobile and transit.
- b) Prioritize industrial employment in areas with good connectivity for freight routes.

**Applicant Response:** *The zone change to NR-LM furthers this policy because the subject property is at the City's west boundary and has excellent access and connectivity to the major street network via Central Avenue (a Premium Transit Corridor) to I-40 (a Commuter Corridor), as well as access to Bus Route 54 (Bridge-Westgate with a peak frequency of 45 minutes) along Central Avenue and Bus Route 198 (98<sup>th</sup> Street with a peak frequency of 30 minutes) along 98<sup>th</sup> Street. These factors provide greater access to a wider range of future employment opportunities made possible with this zone change.*

**Goal 5.3 Efficient Development Patterns:** Promote development that maximizes the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

**Applicant Response:** *The zone change furthers this goal because it will help promote development with commercial and manufacturing uses that will maximize the use of existing infrastructure and public facilities. Connectivity to the site is provided by Central Avenue and 98<sup>th</sup> Street, both Urban Principal Arterials. The subject site is a relatively large, blighted infill parcel that was once used for manufactured home retail; as such, zoning that encourages redevelopment will result in an efficient use of land that supports the public good. The NR-LM zone will allow the construction of a needed energy management facility providing critical electric grid infrastructure and services to the existing PNM substation.*

*The Applicant considered a variety of factors to select an optimal site for development, including a thorough review of the PNM transmission system and local site conditions. Siting was guided in response to needs identified into PNM's 2020-2040 IRP, where transmission capacity into the Albuquerque load center is almost fully subscribed, and a certain amount of capacity must be available within the load center to ensure reliability. As the aging power plants in the Albuquerque area are retired and PNM progresses towards its goal of being a 100% carbon-free energy provider by 2040, energy storage will be critical to maintaining reliability. The subject property is situated within the Albuquerque load center and will be well positioned to help meet PNM's local capacity needs at the lowest possible cost.*

**Policy 5.3.1 Infill Development:** Support additional growth in areas with existing infrastructure and public facilities.

**Applicant Response:** *The zone change furthers this infill policy because it helps to support additional growth in an Area of Change on an infill parcel that has access to existing water, sewer, and electric infrastructure systems and public*

generation facilities and may be a primary activity in association with the electric utility use in the NR-BP, NR-LM, and NR-GM zone districts". The Use-Specific Standards for Electric Utility will apply to the relocated substation.

**6-7(G)(3)(e)** The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:

1. Have adequate capacity to serve the development made possible by the change of zone.
2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

**Applicant Response:** *As a property previously utilized for manufacturing homes retail business in an area with existing infrastructure capacity but long suffering from lack of investment, this request for a zone change meets Criteria #1. The City's existing infrastructure and public improvements have adequate capacity to serve the proposed development that would be made possible by the zone change. Central Avenue and 98<sup>th</sup> Street are both Urban Principal Arterials containing transit services and bike facilities, and convenient connectivity to I-40 via 98th Street. The subject property has access to public utilities including water, sewer, and electric services. The City made a significant investment in the West Central community in improving the aesthetics of Central Avenue when it installed the landscaped medians from Unser Boulevard to 108<sup>th</sup> Street.*

**6-7(G)(3)(f)** The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

**Applicant's Response:** *While the subject property is located along Central Avenue, the Applicant's justification for the zone change request is not completely based on the property's location along a major street because the Applicant's proposed use is not dependent on traffic counts and drive-by traffic. Rather, the justification for the proposed zone change is based on the advantages it will bring to the community by locating a new BESS facility to serve the existing PNM West Central substation.*

**6-7(G)(3)(g)** The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

**Applicant's Response:** *The cost of land or other economic considerations are not the determining factor for this zone change request. The location of the subject property in an Area of Change, along Central Avenue (an Urban Principal Arterial designed as a Major Transit Corridor) and 98<sup>th</sup> Street (an Urban Principal Arterial), with convenient access to I-40 (a Commuter Corridor) provides the appropriate location for commercial and manufacturing development with access to municipal utility systems.*



**6-7(G)(3)(h)** The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premise (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the requested zoning will clearly facilitate implementation of the ABC Comprehensive Plan, as amended, and at least one of the following applies:

1. The subject property is different from the surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

**Applicant’s Response:** *This request for a zone change from NR-C to NR-LM does not create a spot zone on the 8.9-acre subject property because the nearby two parcels totaling 12.8 acres to the west at 106<sup>th</sup> Street and Central Avenue is also zoned NR-LM, and the zone change will further numerous Comprehensive Plan goals and policies as described above.*

**Conclusion**

The request for a Zoning Map Amendment from NR-C to NR-LM is justified based on the policy analysis presented in this letter. The zone change furthers goals and policies regarding character, distinct communities, efficient development patterns, infill development, City development areas, and economic development. The zone change will be more advantageous for the community by facilitating the community’s transition to sustainable energy. The subject site is located entirely in an Area of Change, where it is expected and desired, and adjacent to Areas of Consistency, which can be buffered due to the size and depth of the property. The request facilitates new development in an area served by existing infrastructure and access to a multi-modal network of corridors.

On behalf of the Applicant, we respectfully request that the Environmental Planning Commission approve this request for Zoning Map Amendment from NR-C to NR-LM. Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP  
Principal

## STAFF INFORMATION

January 24, 2024

TO: Jacqueline Fishman, Consensus Planning  
FROM: William Steele, Staff Planner  
City of Albuquerque Planning Department  
TEL: (505) 924-3352

Project # 2024-009768, RZ-2024-00003, Central and 98th ZMA

---

We've completed a first review of the proposed request for a zone change. We would like to discuss the project revisions. We are available to answer questions about the process and requirements moving forward. Please provide the following:

⇒ Revised Justification letter (electronic) by:

**11 AM on Tuesday January 29, 2024**

Note: If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Though we've done our best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
- B. This is what we have for the legal description: Tract 69 aka Tract 3 row 1 so unit B, West of Westland aka lot 3 blk 1 Lands of Town and Tract 4 row 1 so unit B, West of Westland aka Lot 4 blk 1 Lands of Town Atrisco, located at 10100 Central Avenue SW, between 102nd Street SW, and 98th Street SW, approximately 9 acres.
- C. It is our understanding that this is a request is for a zone change from NR-C to NR-LM.
  - a. This request is for a zone change to a "spot zone" and sound justification must be provided, which you have provided. Overall, the justification letters need to be expounded upon and the responses to the goals and polices need to be enhanced.

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:  
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing is on February 15, 2024. Final staff reports will be available one week prior, on February 8, 2024.
- C. Note that, if a zone change request is denied, you cannot reapply again for one year.
- D. Agency comments will be distributed after January 29, 2024. We will email you a copy of the comments and forward any late ones to you.

### 3) Notification & Neighborhood Issues:

*Notification requirements for a Zone Change are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 409). The required notification consists of: i) an offer of neighborhood meeting, ii) an emailed letter to neighborhood representatives indicated by the ONC, iii) a mailed letter (first-class) to property owners within 100 feet of the subject site, and iv) yellow sign posting.*

- A. A pre-application facilitated meeting was not held, is this correct?
- B. The notification to property owners appears complete. Thank you for providing photos of the certified mail receipts and a list of the neighbors within a 100' buffer.
- C. **The sign posting agreement shall specifies the sign posting period as January 31, 2024 to March 1, 2024.** Please fill out and sign this form and submit it to us.
- D. Please submit photos of the posted signs on January 31, 2024.
- E. Have any neighborhood representatives or members of the public contacted you with any comments?

### 4) Project Letter:

- A. The justification letter needs revisions for clarity and to strengthen the request.
- B. The justification letter, including the review and decision criteria analysis as written doesn't adequately justify the request for a zone change.
- C. Is the new BESS facility replacing the PNC substation to the south or would the substation be relocated to the new BESS facility site?

### 5) Zone Change – 6-7(G)(3) Review and Decision Criteria

- A. The request would create a “spot zone,” therefore the applicant must demonstrate that the request “clearly facilitates” applicable comp plan goals and polices.
- B. For Criterion a, the word used in the policy analysis is usually “furthers” unless a higher test applies. The higher test of “clearly facilitates implementation...” stated in Criterion 6-7(G)(3)(h) must be applied to all Criteria a-h. Please go through responses to goals and policies and strengthen responses to meet the higher test of clearly facilitates.
- C. The Zone change justification does not pass as is. Response to Criterion a is weak and needs to contain more goals and policies.
- D. The task in a justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or Policy.
- E. Please be as detailed as possible in your responses: a. Responding to the zone change criteria is more of a legal exercise than anything else. It is critical to “hit the nail on the head” both conceptually and in terms of form. This can be done by:
  - i. answering the questions in the customary way (see examples).

- ii. using conclusory statements such as “because\_\_\_\_\_”.
- iii. re-phrasing the requirement itself in the response, and
- iv. choosing an option when needed to respond to a requirement

F. Please think though and expand on responses to goals and policies. This is a spot zone, so a higher test is triggered. Sub-policies are not as important as Goals and Policies. Include more applicable citations.

G. This analysis needs more Goals and Policies.

H. Note: Redevelopment of parcel (site) is not a guarantee with a zone change.

I. Examples:

IDO Section 16-14-6-7(G)(3)(a)

1. Goal 4.1 Character: Redevelopment based on a zone change is not guaranteed. Please expand.
2. Policy 4.1.1 Distinct Communities: A zone change can facilitate development but doesn't guarantee it.
3. Goal 5.3 Efficient Development Patterns: Redevelopment is not guaranteed.
4. Goal 5.6 City Development Area: More detail is needed.
5. Goal 12.1 Infrastructure: Not an applicable goal. Multiple land uses are possible in the NR-LM zone district.
6. Policy 12.1.6 Energy Systems: Development of this property for energy is not guaranteed. This is a zone change.
7. Response to IDO Section 6-7(G)(3)(b) is sufficient.
8. Response to IDO Section 6-7(G)(c) Needs to strengthen analysis.
9. 6-7(G)(3)(d) More Intense Uses. 6-7(G)(3)(h) insufficient. This is a two-part test. Please identify if and how the requested zoning will clearly facilitate the implementation of the Comp Plan as amended and which of the 3 measures apply and explain how. This request would create a spot zone. This comment needs to be reanalyzed.



## NOTIFICATION

**From:** [Office of Neighborhood Coordination](#)  
**To:** [Ayoni Oyenuga](#)  
**Subject:** 10100 Central Ave SW\_Neighborhood Meeting Inquiry Sheet Submission\_EPC  
**Date:** Thursday, December 7, 2023 9:13:37 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

**PLEASE NOTE:**  
**The neighborhood association contact information listed below is valid for 30 calendar days after today's date.**

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
South West Alliance of Neighborhoods (SWAN Coalition)	Luis	Hernandez Jr.	luis@wccdg.org	5921 Central Avenue NW	Albuquerque	NM	87105		
South West Alliance of Neighborhoods (SWAN Coalition)	Jerry	Gallegos	jgallegoswccdg@gmail.com	5921 Central Avenue NW	Albuquerque	NM	87105	5053855809	5058362976
Route 66 West NA	Paul	Fava	paulfava@gmail.com	505 Parnelli Drive SW	Albuquerque	NM	87121	5053853202	
Route 66 West NA	Cherise	Quezada	cherquezada@yahoo.com	10304 Paso Fino Place SW	Albuquerque	NM	87121	5052631178	

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: [devhelp@cabq.gov](mailto:devhelp@cabq.gov), or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application. <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: [https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official\\_public\\_notice\\_form-2019.pdf](https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf).
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>.
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each: <https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



**Vanessa Baca**  
 Manager

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque  
 (505) 768-3331 Office  
 E-mail: [vanessabaca@cabq.gov](mailto:vanessabaca@cabq.gov)  
 Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



**From:** [webmaster@cabq.gov](mailto:webmaster@cabq.gov) <[webmaster@cabq.gov](mailto:webmaster@cabq.gov)>  
**Sent:** Thursday, December 7, 2023 9:02 AM  
**To:** Office of Neighborhood Coordination <[oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>  
**Subject:** Neighborhood Meeting Inquiry Sheet Submission

**[EXTERNAL]** Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:  
 Environmental Planning Commission  
 If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:  
 Contact Name  
 Ayoni Oyenuga  
 Telephone Number  
 505-764-9801  
 Email Address  
[oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com)  
 Company Name  
 Consensus Planning, Inc  
 Company Address  
 302 8th Street NW  
 City  
 Albuquerque  
 State

NM  
ZIP 87102

Legal description of the subject site for this project:  
TR 4 ROW 1 SO UNIT B WEST OF WESTLAND AKA LT 4 BLK 1 LANDS OF TOWNATRISCO

TR 69 AKA TR 3 ROW 1 SO UNIT B W OF WESTLAND AKA LOT 3 BLK 1 LANDSOF TOWN  
Physical address of subject site:  
10100 CENTRAL AVE SW ALBUQUERQUE NM 87121

Subject site cross streets:  
Central and 98th Street SW

Other subject site identifiers:  
This site is located on the following zone atlas page:  
L-08-Z AND L-09-Z

Captcha  
x

## Ayoni Oyenuga

---

**From:** Microsoft Outlook  
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@consensusplanning.com>  
**To:** jgallegoswccdg@gmail.com; paulfava@gmail.com  
**Sent:** Thursday, December 7, 2023 12:11 PM  
**Subject:** Relayed: Pre-Application Notification

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[jgallegoswccdg@gmail.com](mailto:jgallegoswccdg@gmail.com) ([jgallegoswccdg@gmail.com](mailto:jgallegoswccdg@gmail.com))

[paulfava@gmail.com](mailto:paulfava@gmail.com) ([paulfava@gmail.com](mailto:paulfava@gmail.com))

Subject: Pre-Application Notification



Pre-Application  
Notification

## Ayoni Oyenuga

---

**From:** Microsoft Outlook  
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@consensusplanning.com>  
**To:** luis@wccdg.org  
**Sent:** Thursday, December 7, 2023 12:11 PM  
**Subject:** Relayed: Pre-Application Notification

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[luis@wccdg.org](mailto:luis@wccdg.org) (luis@wccdg.org)

Subject: Pre-Application Notification



Pre-Application  
Notification

## Ayoni Oyenuga

---

**From:** Microsoft Outlook  
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@consensusplanning.com>  
**To:** cherquezada@yahoo.com  
**Sent:** Thursday, December 7, 2023 12:11 PM  
**Subject:** Relayed: Pre-Application Notification

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[cherquezada@yahoo.com](mailto:cherquezada@yahoo.com) ([cherquezada@yahoo.com](mailto:cherquezada@yahoo.com))

Subject: Pre-Application Notification



Pre-Application  
Notification



OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



PART I - PROCESS
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:
Application Type: Zone Map Amendment from NR-C to NR-LM
Decision-making Body: Environmental Planning Commission
Pre-Application meeting required: [ ] Yes [x] No
Neighborhood meeting required: [x] Yes [ ] No
Mailed Notice required: [ ] Yes [x] No Not for pre-submittal notification
Electronic Mail required: [x] Yes [ ] No
Is this a Site Plan Application: [ ] Yes [x] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: 10100 Central Avenue SW
Name of property owner: Mendez Richard A
Name of applicant: Aypa Power Development LLC
Date, time, and place of public meeting or hearing, if applicable:
N/A - Not yet known
Address, phone number, or website for additional information:
Jacqueline Fishman, Consensus Planning - fishman@consensusplanning.com (505) 764-9801
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[x] Zone Atlas page indicating subject property.
N/A Drawings, elevations, or other illustrations of this request.
N/A Summary of pre-submittal neighborhood meeting, if applicable.
[x] Summary of request, including explanations of deviations, variances, or waivers.
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO
SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON
APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

[Handwritten signature]

(Applicant signature) December 7, 2023 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

N/Aa. Location of proposed buildings and landscape areas.

N/Ab. Access and circulation for vehicles and pedestrians.

N/AC. Maximum height of any proposed structures, with building elevations.

N/Ad. For residential development: Maximum number of proposed dwelling units.

N/Ae. For non-residential development:

- Total gross floor area of proposed project.
- Gross floor area for each proposed use.



**From:** [Ayoni Oyenuga](#)  
**To:** [luis@wccd.org](mailto:luis@wccd.org); [jgallegoswccd@gmail.com](mailto:jgallegoswccd@gmail.com); [paulfava@gmail.com](mailto:paulfava@gmail.com); [cherquezada@yahoo.com](mailto:cherquezada@yahoo.com)  
**Cc:** [Jackie Fishman](#)  
**Bcc:** [husmani@aypa.com](mailto:husmani@aypa.com); [fforster@aypa.com](mailto:fforster@aypa.com)  
**Subject:** Pre-Application Notification  
**Date:** Thursday, December 7, 2023 12:11:00 PM  
**Attachments:** [Neighborhood Notice Packet.pdf](#)

---

Dear Neighbors,

This email is intended to provide notification that Consensus Planning is preparing an application for a Zone Map Amendment to the City of Albuquerque Environmental Planning Commission (EPC). The property is located at 10100 Central Avenue SW.

The subject property is legally described as *Tract 4 Row 1 SO UNIT B West of Westland AKA LT 4 Block 1 Lands of Town Atrisco and Tract 69 AKA Tract 3 Row 1 SO UNIT B W of Westland AKA LOT 3 Block 1 Lands of Town*. The Applicant is requesting to change the zoning of the property from NR-C to NR-LM to allow for a battery storage facility.

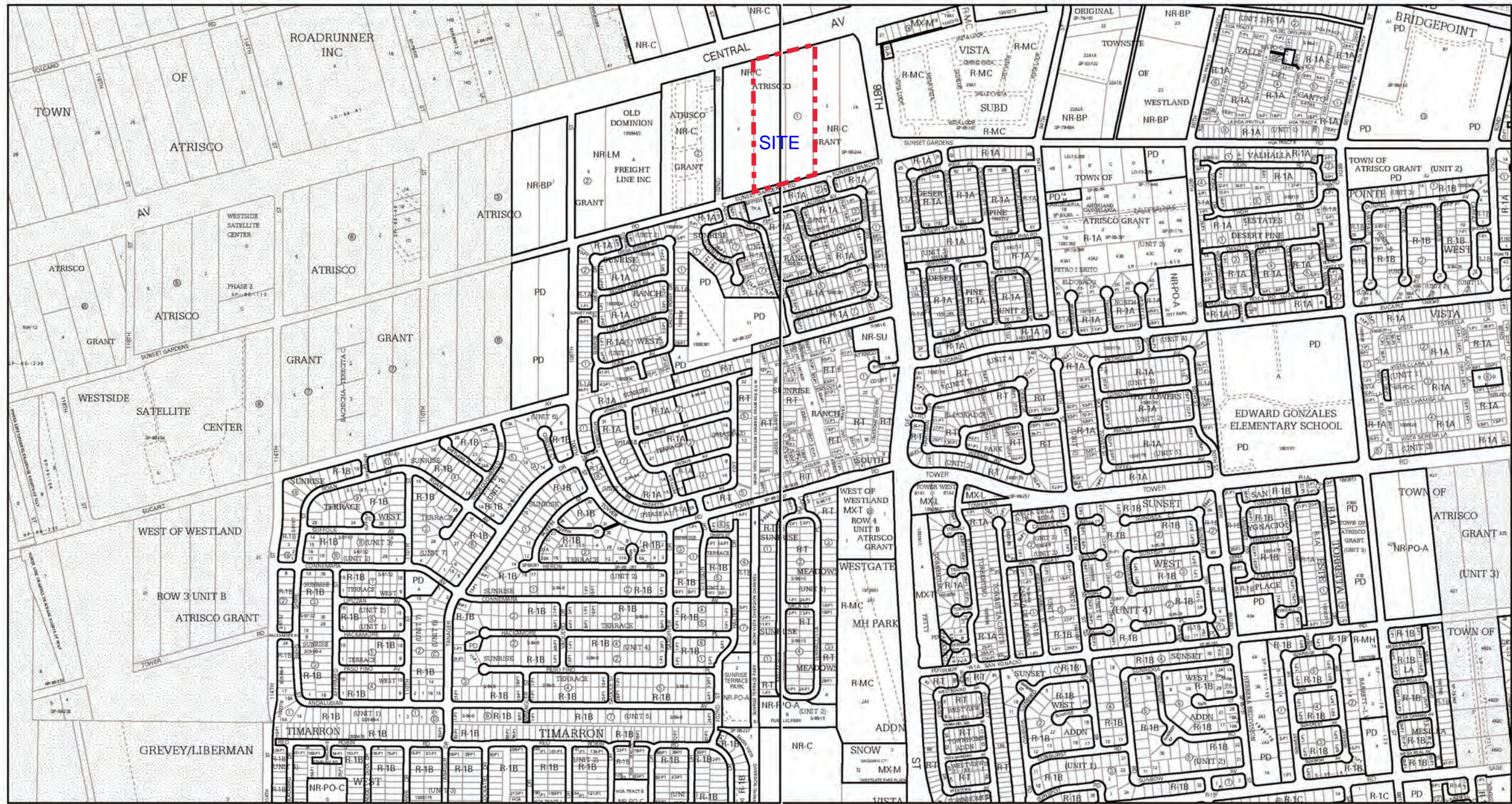
As part of the IDO requirements, we are providing you with an opportunity to discuss this project prior to making an application. Should you desire to request a meeting regarding this project, please do not hesitate to email Ayoni Oyenuga at [oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com), Jacqueline Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or contact us by phone at (505) 764-9801 by December 22, 2023.

Attachments: Neighborhood Notification Pre-Application Packet.

Regards,

**Ayoni Oyenuga**

Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
(505) 764-9801



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Zone Atlas**  
**May 2018**

IDO Zoning information as of May 17, 2018  
 The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page:  
**L-08-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

**IDO Zone Atlas**  
**May 2018**

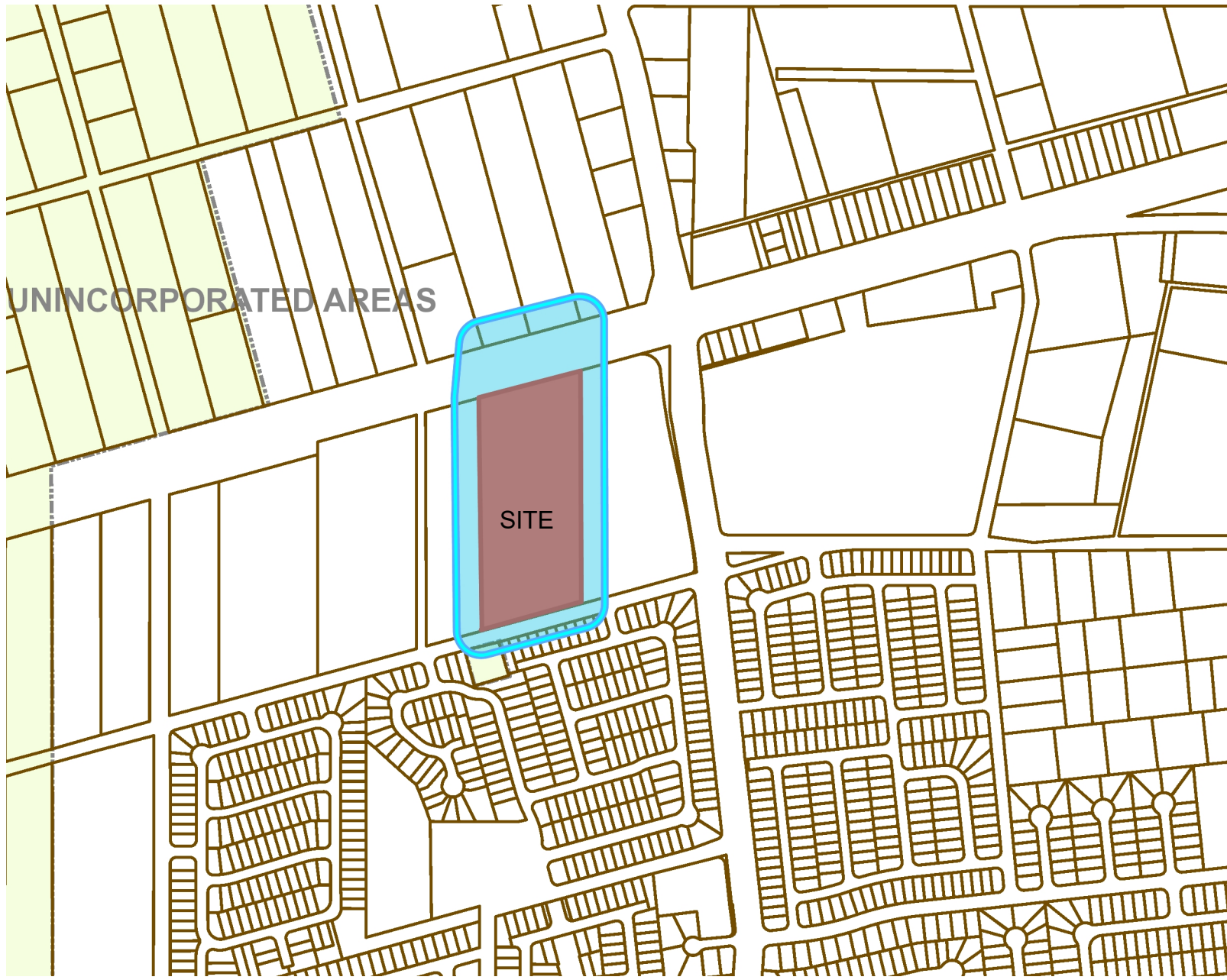
Zoning information as of May 17, 2018  
 Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page:  
**L-09-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone



# Central and 98th 100ft buffer



## Legend

- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED

## Notes

12/18/2023

1,202 0 601 1,202 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
12/18/2023 © City of Albuquerque

1: 7,213

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

AGUILAR MICHAEL O  
9915 LAUREN AVE SW  
ALBUQUERQUE NM 87121

CARBAJAL MAGDALENA  
10015 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103

COE & PETERSON LLC  
7001 MENAUL BLVD NE  
ALBUQUERQUE NM 87110-3695

GARCIA JEROMY J & MELISSA R  
10005 LAUREN AVE SW  
ALBUQUERQUE NM 87121

LUJAN RAMONICITA  
9905 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

MARMON CATHERINE  
10125 CENTRAL AVE NW  
ALBUQUERQUE NM 87121

MATTHEWS NICOLE M  
10009 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

MENDEZ RICHARD A  
10100 CENTRAL AVE SW  
ALBUQUERQUE NM 87121-7684

OTERO JONATHAN MICHAEL & TACI LEE  
9901 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

PADILLA ROSE  
9923 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

PARAGGIO ROBERT P  
10001 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

PNM  
ALVARADO SQUARE  
ALBUQUERQUE NM 87158

PPI II LLC  
2325 SAN PEDRO DR NE SUITE 2A  
ALBUQUERQUE NM 87110-4121

ROMERO DENNIS  
3500 VISTA GRANDE DR NW  
ALBUQUERQUE NM 87120

TORREZ CHRISTOPHER J JR  
10019 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

TRAN PHUONG LINH  
9909 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

TRUJILLO ALICIA A  
9919 LAUREN AVE SW  
ALBUQUERQUE NM 87121

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103

MENDEZ RICHARD A  
10100 CENTRAL AVE SW  
ALBUQUERQUE NM 87121-7684

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

TRUJILLO ALICIA A  
9919 LAUREN AVE SW  
ALBUQUERQUE NM 87121

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

PADILLA ROSE  
9923 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

ROMERO DENNIS  
3500 VISTA GRANDE DR NW  
ALBUQUERQUE NM 87120

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

TORREZ CHRISTOPHER J JR  
10019 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

TRAN PHUONG LINH  
9909 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

PNM  
ALVARADO SQUARE  
ALBUQUERQUE NM 87158

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

OTERO JONATHAN MICHAEL & TACI LEE  
9901 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

MATTHEWS NICOLE M  
10009 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

AGUILAR MICHAEL O  
9915 LAUREN AVE SW  
ALBUQUERQUE NM 87121

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

MARMON CATHERINE  
10125 CENTRAL AVE NW  
ALBUQUERQUE NM 87121

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

PARAGGIO ROBERT P  
10001 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

MENDEZ RICHARD A  
10100 CENTRAL AVE SW  
ALBUQUERQUE NM 87121-7684

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

GARCIA JEROMY J & MELISSA R  
10005 LAUREN AVE SW  
ALBUQUERQUE NM 87121

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

PPI II LLC  
2325 SAN PEDRO DR NE SUITE 2A  
ALBUQUERQUE NM 87110-4121

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

COE & PETERSON LLC  
7001 MENAUL BLVD NE  
ALBUQUERQUE NM 87110-3695

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

MENDEZ RICHARD A  
10100 CENTRAL AVE SW  
ALBUQUERQUE NM 87121-7684

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

CARBAJAL MAGDALENA  
10015 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8577

Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87102

FIRST-CLASS  
US POSTAGE<sup>SM</sup> PITNEY BOWES  
ZIP 87102 \$ 000.87<sup>0</sup>  
02 7H  
0006057985 JAN 04 2024

LUJAN RAMONICITA  
9905 LAUREN AVE SW  
ALBUQUERQUE NM 87121-8575

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: December 7, 2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: See attached neighborhood contacts from Office of Neighborhood Coordination

Name of NA Representative\*: See attached neighborhood contacts from Office of Neighborhood Coordination

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: See attached neighborhood contacts from Office of Neighborhood Coordination

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: oyenuga@consensusplanning.com and fishman@consensusplanning.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

If meeting is requested, we will coordinate a day and time that works best for all parties.

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* 10100 Central Avenue SW  
Location Description Central and 98th Street
2. Property Owner\* Mendez Richard A
3. Agent/Applicant\* [if applicable] Agent: Jacqueline Fishman, Consensus Planning  
Applicant: Aypa Power Development LLC
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- Variance
- Waiver
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summary of project/request<sup>3\*</sup>:

Zone Map Amendment from NR-C to NR-LM to allow for battery storage facility.

5. This type of application will be decided by<sup>\*</sup>:  City Staff
- OR at a public meeting or hearing by:
- Zoning Hearing Examiner (ZHE)  Development Review Board (DRB)
  - Landmarks Commission (LC)  Environmental Planning Commission (EPC)
  - City Council

6. Where more information about the project can be found<sup>4\*</sup>:

Please contact Ayoni Oyenuga at [oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com),  
Jacqueline Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or 505-764-9801

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>5\*</sup> L-8-Z and L-9-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:
  - Deviation(s)       Variance(s)       Waiver(s)

Explanation:

None requested

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1\\*](#):  Yes     No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum:
- N/A a. Location of proposed buildings and landscape areas.\*
  - N/A b. Access and circulation for vehicles and pedestrians.\*
  - N/A c. Maximum height of any proposed structures, with building elevations.\*
  - N/A d. **For residential development\***: Maximum number of proposed dwelling units.
  - N/A e. **For non-residential development\***:
    - Total gross floor area of proposed project.
    - Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
- a. Area of Property [typically in acres] 8.88
  - b. IDO Zone District NR-C
  - c. Overlay Zone(s) [if applicable] None
  - d. Center or Corridor Area [if applicable] None
2. Current Land Use(s) [vacant, if none] Industrial
- 

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>





January 4, 2024

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Re: IDO Notice – Property owners within 100 feet of subject property

Dear property owner,

On behalf of Sun Lasso Energy Center LLC, Consensus Planning, Inc. is providing you with notice that we are submitting a Zone Map Amendment application for EPC approval which will be heard at a public hearing on **February 15, 2024, at 8:40am via Zoom** <https://cabq.zoom.us/j/2269592859>. The request is to change the zoning of the property from NR-C to NR-LM to allow for a battery storage facility.

You can access the agenda on the EPC website: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>. The required notice forms and information regarding the public hearing are included in this mailed notice.

Per the IDO section, 6-4(K)(3)(a) mailed public notice to all property owners within 100 feet of the subject site is required. Please reach out to [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or call 505.764.9801 with any questions or concerns regarding this mail. We look forward to hearing from you soon.

Sincerely,

**Jacqueline Fishman, AICP**  
Principal

#### PRINCIPALS

James K. Strozier, FAICP  
Jacqueline Fishman, AICP

#### ASSOCIATES

Ken Romig, PLA, ASLA,  
SITES AP

---

[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed to a Property Owner

Date of Notice\*: January 4, 2024

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet\*: \_\_\_\_\_

Mailing Address\*: \_\_\_\_\_

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* 10100 Central Avenue SW  
Location Description Central and 98th
2. Property Owner\* Mendez Richard A
3. Agent/Applicant\* [if applicable] Agent: Consensus Planning, Inc. / Applicant: Sun Lasso Energy Center LLC
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

Zoning Map Amendment

Other: \_\_\_\_\_

Summary of project/request<sup>1\*</sup>:

Zone Map Amendment from NR-C to NR-LM to allow for battery storage facility.

5. This application will be decided at a public hearing by\*:

Environmental Planning Commission (EPC)  City Council

This application will be first reviewed and recommended by:

Environmental Planning Commission (EPC)  Landmarks Commission (LC)

Not applicable (Zoning Map Amendment – EPC only)

Date/Time\*: Thursday February 15, 2024. Begins at 8:40 a.m.

Location\*<sup>2</sup>: Via Zoom <https://cabq.zoom.us/j/2269592859>

<sup>1</sup> Attach additional information, as needed to explain the project/request.

<sup>2</sup> Physical address or Zoom link

[Note: Items with an asterisk (\*) are required.]

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found<sup>\*3</sup>:

Please contact Ayoni Oyenuga at [oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com),  
Jacqueline Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or 505-764-9801

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*4</sup> L-8-Z and L-9-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project<sup>\*</sup>:

Deviation(s)             Variance(s)             Waiver(s)

Explanation<sup>\*</sup>:

No deviations, variances, or waivers are anticipated with the Zoning Map Amendment.

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):     Yes     No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

None was requested by Neighborhood Associations.

<sup>3</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>4</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

**Additional Information:**

From the IDO Zoning Map<sup>5</sup>:

- 1. Area of Property [typically in acres] 8.88
  - 2. IDO Zone District NR-C
  - 3. Overlay Zone(s) [if applicable] None
  - 4. Center or Corridor Area [if applicable] None
- Current Land Use(s) [vacant, if none] Vacant
- 

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

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<sup>5</sup> Available here: <https://tinurl.com/idozoningmap>



OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



PART I - PROCESS
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:
Application Type: Zone Map Amendment from NR-C to NR-LM
Decision-making Body: Environmental Planning Commission
Pre-Application meeting required: [ ] Yes [x] No
Neighborhood meeting required: [x] Yes [ ] No
Mailed Notice required: [x] Yes [ ] No
Electronic Mail required: [x] Yes [ ] No
Is this a Site Plan Application: [ ] Yes [x] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: 10100 Central Avenue SW
Name of property owner: Mendez Richard A
Name of applicant: Sun Lasso Energy Center LLC
Date, time, and place of public meeting or hearing, if applicable:
February 15, 2024 8:40am Via Zoom https://cabq.zoom.us/j/2269592859
Address, phone number, or website for additional information:
Jacqueline Fishman, Consensus Planning - fishman@consensusplanning.com (505) 764-9801
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[x] Zone Atlas page indicating subject property.
N/A Drawings, elevations, or other illustrations of this request.
N/A Summary of pre-submittal neighborhood meeting, if applicable.
[x] Summary of request, including explanations of deviations, variances, or waivers.
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO
SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON
APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

[Handwritten signature]

(Applicant signature) 1/4/2024 (Date)

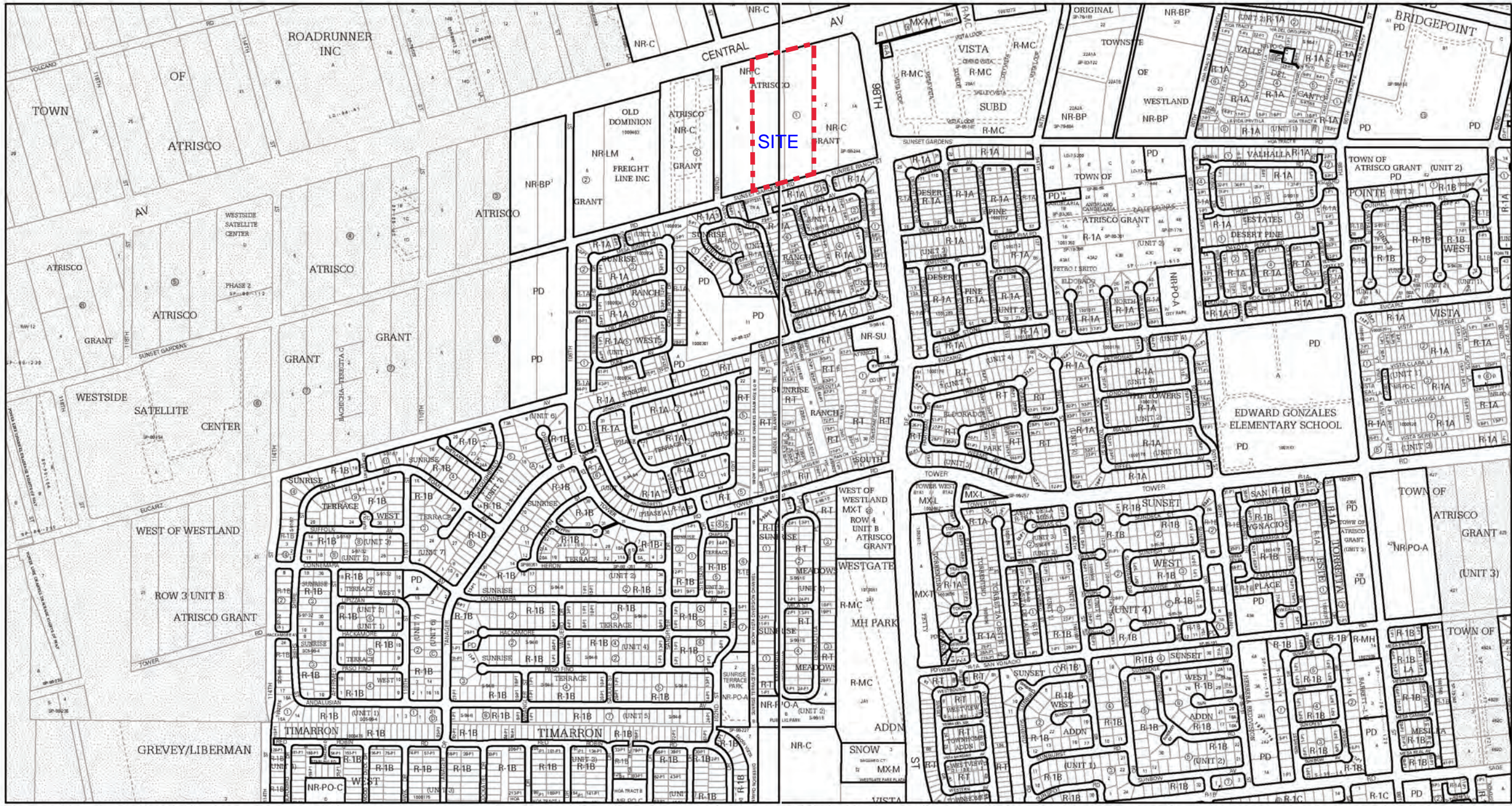
Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



<b>PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY</b>
Provide a site plan that shows, at a minimum, the following:
N/Aa. Location of proposed buildings and landscape areas.
N/Ab. Access and circulation for vehicles and pedestrians.
N/Ac. Maximum height of any proposed structures, with building elevations.
N/Ad. For residential development: Maximum number of proposed dwelling units.
N/Ae. For non-residential development: <ul style="list-style-type: none"> <li><input type="checkbox"/> Total gross floor area of proposed project.</li> <li><input type="checkbox"/> Gross floor area for each proposed use.</li> </ul>



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Zone Atlas  
May 2018**

IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page:  
**L-08-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading Represents Area Outside of the City Limits

0 250 500 1,000 Feet

**IDO Zone Atlas  
May 2018**

Zoning information as of May 17, 2018  
Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page:  
**L-09-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading Represents Area Outside of the City Limits

0 250 500 1,000 Feet

**From:** [Ayoni Oyenuga](#)  
**To:** [luis@wccd.org](mailto:luis@wccd.org); [jgallegoswccd@gmail.com](mailto:jgallegoswccd@gmail.com); [paulfava@gmail.com](mailto:paulfava@gmail.com); [cherquezada@yahoo.com](mailto:cherquezada@yahoo.com)  
**Cc:** [Jackie Fishman](#)  
**Bcc:** [Haseeb Usmani](#); [Forrest Forster](#)  
**Subject:** Application Notification  
**Date:** Thursday, January 4, 2024 11:02:00 AM  
**Attachments:** [Notification Packet.pdf](#)

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Dear Neighbors,

This email is notification that Consensus Planning is submitting an application for a Zoning Map Amendment to the City of Albuquerque Environmental Planning Commission (EPC) on behalf of Sun Lasso Energy Center LLC. The property is located at 10100 Central Avenue SW.

The subject property is legally described as *Tract 4 Row 1 SO UNIT B West of Westland AKA LT 4 Block 1 Lands of Town Atrisco and Tract 69 AKA Tract 3 Row 1 SO UNIT B W of Westland AKA LOT 3 Block 1 Lands of Town*. The Applicant is requesting to change the zoning of the property from NR-C to NR-LM to allow for a battery storage facility.

This item will be heard on February 15, 2024, starting at 8:40 a.m. The hearing will be via zoom. You can access the zoom link and agendas on the EPC website: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

If you have questions regarding this item, please do not hesitate to contact myself, or Jacqueline Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or by phone at (505) 764-9801.

Attachments: Neighborhood Notification Packet.

Regards,

**Ayoni Oyenuga**

Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
(505) 764-9801



[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice\*: January 4, 2024

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: See attached neighborhood contacts from Office of Neighborhood Coordination

Name of NA Representative\*: See attached neighborhood contacts from Office of Neighborhood Coordination

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: See attached neighborhood contacts from Office of Neighborhood Coordination

### Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* 10100 Central Avenue SW  
Location Description Central and 98th
2. Property Owner\* Mendez Richard A
3. Agent/Applicant\* [if applicable] Agent: Consensus Planning, Inc. / Applicant: Sun Lasso Energy Center LLC
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

Zoning Map Amendment

Other: \_\_\_\_\_

Summary of project/request<sup>2</sup>:

Zone Map Amendment from NR-C to NR-LM to allow for battery storage facility.

5. This application will be decided at a public hearing by\*:

Environmental Planning Commission (EPC)

City Council

This application will be first reviewed and recommended by:

Environmental Planning Commission (EPC)

Landmarks Commission (LC)

Not applicable (Zoning Map Amendment – EPC only)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (\*) are required.]

Date/Time\*: Thursday February 15, 2024. Begins at 8:40 a.m.

Location\*<sup>3</sup>: Via Zoom <https://cabq.zoom.us/j/2269592859>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>4</sup>:

Please contact Ayoni Oyenuga at [oyenuga@consensusplanning.com](mailto:oyenuga@consensusplanning.com),  
Jacqueline Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or 505-764-9801

**Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>5</sup> L-8-Z and L-9-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project\*:

Deviation(s)       Variance(s)       Waiver(s)

Explanation\*:

No deviations, variances, or waivers are anticipated with the Zoning Map Amendment.

\_\_\_\_\_  
\_\_\_\_\_

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):     Yes     No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

None was requested by Neighborhood Associations.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>3</sup> Physical address or Zoom link

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

**Additional Information [Optional]:**

From the IDO Zoning Map<sup>6</sup>:

- 1. Area of Property [typically in acres] 8.88
  - 2. IDO Zone District NR-C
  - 3. Overlay Zone(s) [if applicable] None
  - 4. Center or Corridor Area [if applicable] None
- Current Land Use(s) [vacant, if none] Vacant

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

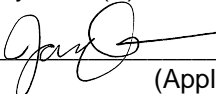
4. TIME

Signs must be posted from 1/31/2024 To 3/1/2024

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

 (Applicant or Agent)      1/4/2024 (Date)

I issued \_\_\_\_\_ signs for this application, \_\_\_\_\_ (Date), \_\_\_\_\_ (Staff Member)

**PROJECT NUMBER:** \_\_\_\_\_

Jan 30, 2024 at 5:56:39 PM  
N 3882419 E 340930  
10110 Central Ave SW  
Albuquerque NM 87121  
United States

# REQUEST

via Zoom <https://cabq.zoom.us/j/2269592859>  
Meeting ID: 226 959 2859  
Call in: 1 301 715 8592

Zoning Map Amendment from  
NR-C (Non-Residential Commercial) to  
NR-LM (Non-Residential Light  
Manufacturing)

The City of Albuquerque Environmental Planning Commission will hold a  
public hearing ~~\_\_\_\_\_~~ <sup>via Zoom</sup>

~~\_\_\_\_\_~~ on February 15, 2024 at 8:30 AM. All persons  
have a right to appear at such a hearing. For information on this case or  
other instructions on filing written comments, call the Planning  
Department at (505) 924-3860 or contact the applicant.

Required to be posted from 01/31/2024 to 03/01/2024  
by Consensus Planning Inc. 505-764-9801  
applicant/agent

REFER TO FILE# PR-2024-009768/RZ-2024-00003 <sup>phone</sup>

It is illegal for an unauthorized person to remove or tamper with this sign

Jan 30, 2024 at 5:53:16 PM

N 3882124 E 340945

Sunset Gardens Rd SW

Albuquerque NM 87121

United States

# REQUEST

via Zoom <https://cabq.zoom.us/j/2269592859>  
Meeting ID: 226 959 2859  
Call in: 1 301 715 8592

Zoning Map Amendment from  
NR-C (Non-Residential Commercial) to  
NR-LM (Non-Residential Light  
Manufacturing)

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