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OFFICIAL NOTIFICATION OF DECISION

April 18, 2024

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Project # PR-2018-001577
SI-2024-00321 –Major Amendment, Master Development Plan-
EPC

Dekker Perich Sabatini, agent for the City of Albuquerque Aviation Dept., requests a Master Development Plan – EPC, Major Amendment to the DEII Airport Master Plan, for all or a portion of Tract A-1, Plat of Tract A-1 & Tract L-1, Parcels 1-5, Double Eagle II Airport; Tract C & Parcel-1, Tract M Bulk Land Plat of Double Eagle II Airport & Adjacent Lands; Tract D-1-A-2, the Southeasterly Portion of Tract D-1-A-1 & Tract S-1-A, Plat of Tracts D-1-A-1, D-1-A-2 & S-1-A of Amended Bulk Land Plat for Aerospace Technology Park; the Southernly Portion of Parcels 2-5, Plat of Tract A-1 & Tract L-1 Parcels 1-5 Double Eagle II Airport; Tract E, F, and K, Bulk Land Plat of Double Eagle II Airport & Adjacent Lands; Tract N-1 & Tract N-2, AKA Parcel 4, Bulk Land Plat of Tracts N-1, O-1, & N-2 PARCELS 1, 2, 3, & 4 Double Eagle II Airport & Adjacent Lands; and Tract S-2, Bulk Land Plat for Aerospace Technology Park, Tracts D & S of Double Eagle II Airport & Adjacent Lands, located at 7401 Atrisco Vista Blvd. NW, at the intersection of Atrisco Vista Blvd. NW and Shooting Range Access Rd., zoned NR-SU, approximately 4500 acres (C-4, C-5, C-6, D-4, D-5, D-6, E-4, E-5, E-6, F-4, F-5, F-6, G-4, G-6)

Staff Planner: Catherine Heyne

On April 18, 2024, the Environmental Planning Commission (EPC) voted to recommend approval Project # PR-2018-001577/SI-2024-00321 Major Amendment, Master Development Plan- EPC, based on the following Findings and Conditions

RECOMMENDED FINDINGS

1. The request is for text amendments to the Double Eagle II (DEII) Airport Master Plan. DEII is located on an approximately 4,500-acre site at 7401 Atrisco Vista Blvd NW between Atrisco Vista Blvd and Shooting Range Access Rd, bounded by Major Open Space, the City of Rio Rancho, and unincorporated Bernalillo County land (the “subject site”). The subject site is approximately 8.5 miles northwest of Downtown Albuquerque, around 18 miles driving.

2. The DEII Airport Master Plan is a Rank 3 Plan and contains standard elements such as a facilities inventory, a needs assessment, a discussion of development alternatives, a forecast, an evaluation of development alternatives, and a Capital Implementation Plan (CIP) with a 20-year horizon. A Rank 3 Plan is developed and approved by an implementing City department to guide the development, maintenance, and operation of individual public resources or facilities.
3. The DEII Airport is zoned Non-residential – Sensitive Use (NR-SU). Prior to the effective date of the IDO in May 2018, the subject site was zoned SU-1 for Airport and Related Facilities.
4. The subject site is located in the developing DEII Airport Employment Center and along the Arroyo Vista Commuter Corridor as designated by the Comp Plan. The majority of the subject site (approximately three-quarters) is located in an Area of Change. The exception is the airfield areas and the far northwest parcels that are within an Area of Consistency and account for approximately one-quarter of the subject site.
5. The request is for text amendments to the newly named *Chapter 3 – Facility Requirements and Appropriate Land Uses* of the 2018 DEII Airport Master Plan. The request would add non-aeronautical land uses, including commercial, lodging, light industrial, educational, film studio, and renewable energy generation, as permissive uses under new section, Section 3.7 *Appropriate Land Uses*.
6. Aeronautical uses are specified as the primary use of the Airport. The added non-aeronautical land uses would be developed to meet applicable Airport Protection Overlay Zone regulations and standards and any other applicable city and Federal Aviation Administration (FAA) requirements.
7. Approval of this request would facilitate future development of the proposed land uses, which is subject to a separate review and approval process. The proposed land uses would be required to be incorporated into a Site Plan under the NR-SU zone district, which would specify allowable uses, design standards, and other regulations negotiated at the EPC pursuant to IDO §14-16-2-5(E), prior to any future development.
8. Once the land uses are permitted in the Rank 3 Master Plan and specified on an EPC approved Site Plan, future development would be subject to Administrative review and approval unless otherwise specified.
9. Upon approval of this request, commercial, lodging, light industrial, educational, film studio, and renewable energy generation would be permissive land uses in the DEII Master Plan. Any future development applications would not be subject to another amendment to the DEII Airport Master Plan unless new land uses are requested.
10. This request is an amendment to the most recent Master Plan update that was approved by the EPC in May 2023. The 2023 text amendment incorporated Wireless Telecommunication Facility (WTF) uses outside of the runway protection sub-area (IDO §14-16-3-3) (see PR-2018-001577/ SI-2023-00537). City Council did not see this request because the Implementing City Department requested that the WTF be reviewed and decided by the EPC pursuant to IDO §14-16-6(3)(C). City Council will see the WTF land use text incorporated into the document as part of this request, but will not be deciding on it because it was already approved by the EPC.
11. The text amendments constitute a Major Amendment to a prior approval (the DEII Airport Master Plan). Pursuant to IDO §14-16-6-4(Y) – Amendment of Approvals, if a request exceeds the thresholds for

Minor Amendments in IDO §14-16-6-4(Y)(2), it is then a Major Amendment. In this case, the request would affect property in the Airport Protection Overlay Zone and the Developing Employment Center (see IDO §6-4(Y)(2)(a)(11)) and approves land uses that were not originally authorized by the original approval on the subject site (see IDO §6-4(Y)(2)(a)(12)).

12. All amendments to permits or approvals that do not qualify as Minor Amendments (see IDO §14-16-6-4(Y)(2)) may only be approved by the decision-making body that issued the permit or approval being amended, following the same procedure used to issue the original permit or approval (see IDO §14-16-6-4(Y)(3)(a)). The EPC was the original reviewing body of the controlling 2018 DEII Airport Master Plan and the City Council was the approving body. Therefore, this request will be heard by the EPC with the City Council as the final decision-making body pursuant to IDO §14-16-6-4(U)(2).
13. Pursuant to the Federal Aviation Administration (FAA), Master Plans are required to be approved through a public hearing process by the governmental agency or authority that owns or operates the airport (See FAA Land Use Compatibility & Airports). Pursuant to IDO §14-16-6-3(C), implementing City departments may choose to have Rank 3 Plans reviewed by the EPC and/or accepted by the City Council when additional input is desired.
14. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
15. The request is consistent with the following Comprehensive Plan Goals and Policies regarding Development Patterns from Chapter 5- Land Use:

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

The subject site is located in the DEII Airport Developing Employment Center accessed from the Atrisco Vista Blvd Commuter Corridor. The request would facilitate future light industrial, business, educational, and retail development that that would contribute to growth in the Employment Center by offering a range of employment opportunities. The DEII location is located about five miles north the intersection with I-40 that could provide excellent access for trucks and connections for freight.

- B. 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 request would facilitate future growth of the DEII Employment Center. The subject site is accessed by the Atrisco Vista Blvd Commuter Corridor which is intended to move higher-speed and higher volume traffic into and out of the area. This request would allow an expansion of allowable businesses and activities at the subject site.

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

The DEII Airport is designated as a Developing Employment Center by the Comprehensive Plan. It is envisioned to continue to be used as a commercial airport for smaller aircraft and helicopters, and to expand its usage by offering commercial, lodging, light industrial, educational, film studio, and renewable energy generation development opportunities. These new land uses would prioritize employment opportunities and foster synergy among aviation and aviation support businesses.

D. Policy 5.4.2- West Side Jobs: Foster employment opportunities on the West Side.

The DEII Airport is located entirely on the West Side. The request would offer additional land use opportunities to help develop commercial, lodging, light industrial, educational, film studio, and renewable energy generation based-business that could help foster additional employment opportunities on the West Side.

E. 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.

The request to add commercial, lodging, light industrial, educational, film studio, and renewable energy generation as permissive land uses at the subject site. This would encourage and direct growth to Areas of Change where it is expected and desired at the DEII Airport. The airfield and Major Public Open Space areas are in Areas of Consistency, that are not envisioned to change. However, future development of the nonaeronautical uses could potentially be developed in Areas of Consistency, which would be approved through a future NR-SU site plan for the Airport, ensuring that the development is similar in character and intensity to the existing Airport and surrounding area.

F. 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 majority of the approximately 4500-acre subject site is in an Area of Change within the DEII Airport Developing Employment Center and is bordered on the east by a designated Commuter Corridor. The request would encourage future growth by directing more intense development to the existing Employment Center where it is expected and desired. Since the subject site is currently limited to airport and WTF related activities, the request to add six non-aeronautical land uses (i.e., commercial, lodging, light industrial, educational, film studio, and renewable energy generation) could encourage new development intensity and increase employment opportunities where change is encouraged.

16. The request is generally consistent with the following Comprehensive Plan Goal and Policy regarding City development areas from Chapter 5:

A. Policy 5.1.2- Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The non-aeronautical uses proposed in this request lie within the DEII Developing Employment Center with the majority of the subject site designated as Areas of Change, areas where growth is desired. The intent of this request is to help focus job creation within the Employment Center where that activity is desired. Namely, by allowing new non-aeronautical uses (i.e., commercial, lodging, light industrial, education, film studio, and renewable energy generation), this request could help expand business and economic opportunities within a mostly undeveloped district. Area of Change policies support the development of a mix of uses and higher density and intensity areas where growth is desired, and in this case, one where could be supported by multi-modal transportation (e.g., air- and freight networks).

- B. 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 DEII Airport Master Plan addresses landside facilities that support aviation functions, such as the administration buildings, fuel farm, and hangars. The request to add commercial, lodging, light industrial, educational, film studio, and renewable energy generation land uses as a landside facility could maximize existing infrastructure at the airport. Adding additional land uses could also contribute to the efficient use of land to generally support the public good.

17. The request is generally consistent with the following Comprehensive Plan Goal and Policy regarding City development areas from Chapter 6:

- A. Goal 6.6- Economy: Invest in a transportation system that stimulates and supports job creation and business development and improves the movement of people, goods, and services.

As discussed in the Master Plan, air travel is part of a larger transportation system that facilitates the movement of people, goods, and services. The DEII Airport has the potential to stimulate and support job creation because expansion of landside facilities through additional land uses would provide jobs that bolster not only aviation functions (such as administration and facilities used to train pilots) but general non-aeronautical business growth and job creation related to commercial, lodging, light industrial, educational, film studio, and renewable energy generation.

- B. Policy 6.2.10- Aviation: Provide adequate accommodations for domestic travel, shipping, and military purposes.

A major purpose of the DEII Master Plan is to ensure that projected demand for aviation (airside) and aviation support (landside) facilities can be accommodated. The Master Plan evaluates existing facilities, uses forecasts to determine future needs, and proposes strategies to ensure that these functions can be adequately accommodated. Added non-aeronautical land uses could provide a wider variety of accommodations to support existing and future domestic travel, shipping, and other potential purposes by offering commercial, lodging, light industrial, educational, film studio, and renewable energy generation support services.

18. The request is consistent with the following Comprehensive Plan Policy regarding City development areas from Chapter 8:

- A. Policy 8.1.2- Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The proposed Master Plan text amendment to expand the non-aeronautical land uses permitted at the subject site would encourage a more diverse, economic development effort by growing, retaining, and expanding a range of future businesses. This could improve the quality of life for new and existing residents in Albuquerque near the DEII Airport. It could also foster a robust, resilient, and diverse economy especially in the areas of commercial, lodging, light industrial, educational, film studio, and renewable energy generation within a Developing Employment Center. New business encouraged through the addition of non-aeronautical land uses could bring new resources into the community through new employment opportunities as well as local-serving businesses and the exportation of goods or services outside the local economy which in turn could attract new investment to the area.

19. The request is generally consistent with the following Comprehensive Plan Goals regarding City development areas from Chapter 8:

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

The proposed text amendment will provide opportunities for both large- and small-scale businesses to be establish. The strategic location and ample land supply combined creates an environment that welcomes and encourages business and talent. The proposed amendment would provide an opportunity to concentrate non-aeronautical business and industry within a designated Employment Center, potentially cultivating a place where business and talent could want to stay and thrive.

B. Goal 8.2- Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

The request could promote entrepreneurship as it expands, diversifies, and encourages future non-aeronautical land uses that could bolster new economic development opportunities and foster a robust culture of creativity and diversity. In turn this could encourage private and local businesses to grow.

20. The request for a Major Amendment meets the Master Development Plan – EPC Review & Decision Criteria in IDO §14-16-6-6(F)(3):

A. 6-6(F)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended.

The subject site is not a part of a Master Development Plan; it is within the boundaries of the Rank 3 DEII Master Plan. The IDO does not have separate review and decision criteria for Master Plan reviews. It is standard procedure to follow Master Development Plan review and decision criteria for Rank 3 plans when implementing departments choose the EPC as the review and City Council as the approval body for the proposed amendment. As demonstrated by the policy analysis provided by staff, the request is generally consistent with applicable Comprehensive Plan Goals and Policies.

B. 6-6(F)(3)(b) The Master Development Plan complies with all applicable provisions of the IDO, in particular those of the NR-BP zone district; the DPM; and other adopted City regulations.

The subject site is zoned NR-SU and is a subject of the Double Eagle II Airport (DEII) Master Plan. Currently, the Master Plan is silent on development standards and regulations for the non-aeronautical commercial, lodging, and light industrial uses. Therefore, the request to allow these land uses (commercial, lodging, and light industrial) in the DEII Master Plan shall be consistent with all applicable regulations of the NR-SU zone district and FAA regulations. The non-aeronautical uses of Educational, Film Studio, and Renewable Energy Generation are text amendment terms defined as part of this request. These land uses shall also be consistent with all applicable regulations of the NR-SU zone district and FAA regulations. The request would not change any existing development agreements or regulations associated with the DEII Master Plan. Any future development within the subject site would be subject to the future NR-SU Site Plan (to be reviewed by the EPC), which will specify site standards, uses, and regulations for the DEII Airport.

C. 6-6(F)(3)(c) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed

development, and any burdens on those systems have been mitigated to the maximum extent practicable.

The proposed text amendment would allow the proposed non-aeronautical land uses of commercial, lodging, light industrial, educational, film studio, and renewable energy generation in the DEII Master Plan. The request would facilitate future development which would be subject to a separate application process and all applicable provisions of the IDO, DPM, as well as all FAA regulations. The capacity of the existing infrastructure at the DEII Airport will be analyzed as part of future development requests.

- D. 6-6(F)(3)(d) The Master Development Plan mitigates any significant adverse impacts on the surrounding area.

The subject site is within the boundaries of the Rank 3 DEII Master Plan that guides the development, maintenance, and operation of individual public resources or facilities. Rank 3 Plans may specify development standards, management policies, or multi-year programs of capital improvements for particular public facilities or City-owned or managed resources, and are not subject to the review and decision processes in the IDO, although the implementing City Department chose to have the EPC review and City Council decide on the Rank 3 Plan.

Future development will be subject to regulations of the Federal Aviation Administration (FAA) that protect the public from noise, vibration, and hazard impacts of airport operations and that protect the safety of aircraft operators as well as DEII Airport Protection Overlay (APO) Zone (IDO §14-16-3-3) regulations and buffering of MPOS Edges requirements if applicable (IDO §14-16-5-2(J)). Dimensional standards in NR-SU shall be determined in the approval of a Site Plan – EPC as part of the approval of any future amendment to the NR-SU zone district (IDO §14-16-5-1(E)(2)(b)).

A Site Plan for the NR-SU Zone District and any proposed future development is required to be reviewed and decided by the EPC prior to any future development.

21. According to the City Office of Neighborhood Coordination (ONC), there are no affected neighborhood organizations. Property owners within 100 feet of the subject site were notified as required. A facilitated meeting was neither requested nor held. Staff has not been contacted or received any written comments. There is no known opposition.
22. A meeting was held between the applicant (City Aviation), the City Open Space division, and the Petroglyph National Monument (PNM) on April 11, 2024 to discuss concerns around future development of the proposed non-aeronautical uses once permitted by the Master Plan text amendment. Although future development locations and standards are a part of a separate future request to the EPC for an NR-SU Site Plan, the concerns outlined include: lighting, visual impacts concerning color of buildings, and the existing drainage pond on the northeastern property line which could affect wildlife crossings. The applicant provided responses to these concerns for future development and how they could be mitigated.
23. Minor Conditions and Amendments are needed to provide clarification and create consistency with the DEII Master Plan moving forward.

RECOMMENDED CONDITIONS OF APPROVAL

1. Pursuant to IDO §14-16-6-4(P) Any conditions shall be met within 1 year of the approval, unless stated otherwise in the Conditions of Approval. If any conditions are not met within that time, the approval is void.
2. Upon approval of the Major Amendment by City Council, the applicant shall provide a clean, updated Master Plan document to the City Planning Department within 6 months.
3. Conditions from ABCWUA (Albuquerque Bernalillo County Water Utility Authority)
 - a. A detailed map shall to be provided to evaluate land uses for each proposed legally platted Tract in the subject area to evaluate the changes from prior uses and to analyze the potential effect on the existing system.
 - b. Any proposed uses that are known shall also be provided.
 - c. Master planning efforts developed by Molzen-Corbin ("Double Eagle II Project Definition: Water Component" and "Double Eagle II Project Definition Wastewater Component", both 2002, and "Double Eagle II Airport Master Plan" April 2018) examined the area for current land use. The applicant shall work with ABCWUA to determine if “a revision or an updated master plan to understand the impacts of the proposed land use changes related to water and sanitary sewer uses” is required.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **May 3, 2024**. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

Sincerely,



for Alan M. Varela,
Planning Director

AV/CH/MJ

CC:

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