

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTICE OF DECISION

November 21, 2024

Pitre Holdings, LLC
C/O Robert G. Pitre
9797 Eagle Range Rd NW
Albuquerque, NM 87114

Project # PR-2024-011052
SI-2024-01468 – Major Amendment to Site Plan – EPC

LEGAL DESCRIPTION:

Tierra West LLC, agent for Pitre Holdings LLC c/o Robert G Pitre, request a Major Amendment to a Site Plan – EPC, for all or a portion of Tract B-1 Plat of Tract B-1 & B-2; & Tract C-1, all for Adobe Wells Subdivision, located at 9640 Eagle Ranch Rd. NW, between Westside Dr. and Irving Blvd, approximately 6.3 acres. (B-13-Z)

Staff Planner: William Steele & Daniel Soriano

On November 21, 2024, the Environmental Planning Commission (EPC) voted to APPROVE Project # 2024-011052/ SI-2024-01468, a Major Amendment to a Site Plan – EPC, based on the following Findings and subject to the following Conditions of Approval.

FINDINGS – SI-2024-01468 – Major Amendment to a Site Plan – EPC

1. This is a request for a Major Amendment to a Site Plan – EPC for all or a portion of Tract B-1 Plat of Tract B-1 & B-2; & Tract C-1, all for Adobe Wells Subdivision, located at 9640 Eagle Ranch Rd. NW and containing approximately 6.3 acres.
2. This request is subject to IDO §14-16-6-4(Y) Amendments of Pre-IDO Approvals. The requested amendment is classified as a Major Amendment pursuant to IDO §14-16-6-4(Y)(1)(b) because it exceeds the thresholds found in IDO Table 6-4-4: Allowable Minor Amendments.
3. The existing land use of the proposed expansion is Light Vehicle Sales and Rental, which is permissive in the Non-Residential – Commercial (NR-C) zone district.
4. 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.

5. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is not in a designated Center or Corridor.
6. The subject site is within the Coors Boulevard Character Protection Overlay (CPO-2) zone.
7. IDO §14-16-6-6(I)(3)(c) states, “The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.”

The attached site development plan has been evaluated for conformance with applicable Goals and Policies in the Comprehensive Plan, and other applicable Plans.

- A. GOAL 5.2 COMPLETE COMMUNITIES: Foster communities where residents can live, work, learn, shop, and play together.

The request furthers the Goal by allowing non-residential land uses that provide services to existing residential development nearby, including the expansion of the existing light vehicle sales business that exists on the subject site. The expansion will allow residents who live in nearby residential neighborhoods the convenience of servicing their vehicle and shopping for a new vehicle in the community where they live, work, shop and play.

- 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 request furthers the Policy because it contributes a range of non-residential uses to the existing residential uses in the area, adding to the mix of uses that are accessible from surrounding neighborhoods and promoting healthy and sustainable communities. The existing light vehicle sales business is located near residential and commercial areas that could benefit from the expansion of the building. This expansion would complement nearby light vehicle sales businesses with similar uses in the area, contributing to the convenience of being easily accessible in the surrounding neighborhoods.

- C. SUB-POLICY 5.2.1.a: Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request furthers this sub-policy by allowing an expansion of the existing light vehicle sales business that is within walking and biking distance of residential development. The expansion will provide opportunities for nearby residents to have their vehicles serviced at a location that is easily accessible.

- D. 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 requests further the Goal because it promotes development patterns that maximize the existing infrastructure, public facilities and the efficient use of land to support the public good. The Zoning Map Amendment to NR-C promotes the efficient use of land by

eliminating a floating zone line and providing uniformity of the existing land use. The site plan is located near public facilities such as bus stops and will be able to use the existing water, sewer and other utilities on the site for the expansion of the light vehicle sales business.

- E. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The request promotes the Policy by correcting the floating zone line, so the parcel will support additional growth and align with a compatible zoning designation for the existing use of the land. The addition to the light vehicle sales facility will be able to use the existing public infrastructure on site and nearby public facilities.

- F. POLICY 5.4.2 WEST SIDE JOBS: Foster employment opportunities on the West Side.

This request furthers this Goal through the expansion of an existing business that will promote employment opportunities on the West Side. The Zoning Map Amendment will complement and match the surrounding land uses with similar light vehicle sales businesses.

- G. SUB-POLICY 5.4.2.a: Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

The request supports this Policy because the rezoning of the subject site to NR-C will resolve an existing floating zone line on an existing parcel, remove allowable residential uses, and continue to support commercial, office, and industrial uses west of the Rio Grande. The expansion of the existing light vehicle and sales business will provide the opportunity to support additional job growth.

8. The request furthers the following applicable Goals and Policies regarding Placemaking, Resilient Economy and Entrepreneurship from Comprehensive Plan Chapter 8: Economic Development:

- A. GOAL 8.1 PLACEMAKING: Create places where businesses and talent will stay and thrive.

The request is consistent with the Goal because the Site Plan would expand an existing business that has been in existence for 20 years. This would contribute to the support of a place where business and talent will continue to stay and thrive. The expansion of the business would provide the opportunity for it continue to grow and possibly attract more talent to their business.

- B. 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 request would encourage economic development that would improve the quality of life for residents by allowing a range of land uses at an appropriate location scale intensity and density. The proposed NR-C allows land uses that are compatible with surrounding land

uses. The Site Plan allows the expansion of an existing business that contributes to economic development efforts to foster a robust, resilient, and diverse economy.

- C. GOAL 8.2 ENTREPRENEURSHIP: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

The request furthers the Goal by fostering a culture of entrepreneurship and encouraging private businesses to grow. The Zoning Map Amendment would align the parcels with surrounding land uses and allow new land uses in the future. The expansion of the subject site would encourage the existing business to grow and continue to promote entrepreneurship.

9. Pursuant to IDO §14-16-6-6(I)(3) Review and Decision Criteria, "An application for a Site Plan-EPC shall be approved if it meets all of the following criteria."

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

The applicant has adequately demonstrated, through a policy-based analysis, that the request would be consistent with the Comprehensive Plan as required pursuant to IDO §14-16-6-6(I)(3). The applicant's responses are contained in the revised project letter dated November 5, 2024 (see attachment). Staff agrees with the applicant's main arguments that the request would promote development that enhances the following Goals and Policies from Chapters in Comprehensive Plan: Goal 5.2 Complete Communities, Policy 5.2.1 Land Uses, Sub-policy 5.2.1.a, Sub-policy 5.2.1.m; Goal 5.3 Efficient Development Patterns, Policy 5.3.1 Infill Development; Policy 5.4.2 West Side Jobs, Sub-policy 5.4.2.a; Goal 8.1 Placemaking, Policy 8.1.2 Resilient Economy; Goal 8.2 Entrepreneurship.

- B. 6-6(I)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the subject property and any related development agreements and/or regulations.

There are no previously approved NR-SU and PD zoning covering the subject property, nor any related development agreements or regulations related to the Site Plan.

- C. 6-6(I)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

The Site Plan complies with all applicable provisions of the IDO and other City regulations, including any conditions of approval required by the EPC. This Site Plan adheres to any terms and conditions specifically applied to the development of the property in a prior permit or approval affecting the property. The Site Plan will be reviewed by the Development Facilitation Team (DFT) to ensure compliance with applicable provisions of the Development Process Manual (DPM) and to ensure that infrastructure is sufficient.

Pursuant to IDO §14-16-6-4(O), the decision-making body may impose conditions necessary to ensure compliance with the development standards of this IDO via the Site Plan – EPC Review and Decision Criteria in IDO §14-16-6-6(I).

- D. 6-6(I)(3)(d) 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 existing infrastructure and public improvement have adequate capacity for the proposed development. The development will connect to existing utilities, ensuring that it does not impose a strain on existing City infrastructure. The project site is surrounded by existing paved roads and traffic will not be hindered by this low impact development. The applicant is proposing to mitigate burden on the existing storm water drainage infrastructure by paying a Storm Water Quality Volume (SQWV) calculated fee. The request will be reviewed by Planning staff to ensure that any necessary infrastructure, such drainage systems, has sufficient capacity to serve the proposed development.

- E. 6-6(I)(3)(e) The application mitigates any significant adverse impacts on the project site and the surrounding area to the maximum extent practicable.

The proposed development does not have any significant adverse impacts on the project site and surrounding area to the maximum extent practicable. Any such impacts will be mitigated by complying with the DPM, adopted City regulations and the IDO's use specific standards for light vehicle sales and rental use.

- F. 6-6(I)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.

The subject site is not within an approved Maser Development Plan.

- G. 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small Area pursuant to section 14-16-5-2(E) (Cumulative Impacts) and 14-16-6- 4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

A cumulative impact analysis is not required, because the subject site is not in the Railroad and Spur Small Area.

- H. 6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of section 14-16-5-2(E) without sufficient mitigation and benefits that outweighs the expected impacts.

An outdoor or site lighting performance analysis has not been requested. The addition expands the gross floor area by more than 25 percent; therefore, it must meet outdoor and site lighting requirements, pursuant to IDO §14-16-5-8(B)(1)(2) (Activities that Trigger Outdoor and Site Lighting Requirements). The site lighting will have to come into compliance with the Outdoor and Site and Light standards of IDO 14-16-5-8 or show how the existing outdoor lighting complies with the IDO.

10. The affected neighborhood organizations, Paradise Hills Civic Association and Westside Coalition of Neighborhood Associations, and property owners within 100 feet of the subject site were notified, and re-notified due to provide corrected hearing information on the notification letter.
11. As of this writing, Staff has not received any correspondence in favor or opposition of the proposed project.
12. The subject site is within 660 feet of Major Public Open Space, a Pre-Submittal Tribal Meeting request was sent to Tribes. No meeting requests have been received as of this writing.

CONDITIONS OF APPROVAL

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1. Pursuant to IDO §14-16-6-4(P)(4), any conditions shall be met within 1 year of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 1 year.
2. The applicant shall coordinate with the Staff Planner to ensure that all Conditions of Approval are met and then submit a vetted, final version to the Staff Planner for filing at the Planning Department.
3. After coordinating with the Staff Planner, the applicant shall submit the final version to the Development Facilitation Team (DFT) for final sign-off. Pursuant to IDO §14-16-6-6(I)(2)(m), Site Plans shall be reviewed administratively for compliance with conditions of approval, DPM, and zoning standards prior to the issuance of a building permit. The reviewer shall ensure that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
4. Hydrology:

A Grading and Drainage Plan & Report must be approved by Hydrology prior to review/sign-off of the Site Plan by the DFT.

Stormwater Quality Volume (SWQV) - The total required SWQV calculation must be included on the Grading and Drainage Plan along with Calculation of the portion of the SWQV for which payment-in-lieu is requested. Payment shall be made at the following steps in the City review/decision process:

1. Multi-family Development: Prior to the issuance of a building permit.

2. *Commercial Development: Prior to the issuance of a building permit.* [emphasis added]
3. Single-family Subdivision: Prior to recording the Final Plat and prior to the issuance of a work order.

5. CABQ Parks and Rec. Urban Forestry:

- Landscape Plan shall be stamped and signed by a licensed Landscape Architect.
- Revise the Landscape Plan to clearly show what is existing and what is to remain.
- Per Street Tree Ordinance 6-6-2-4 REQUIRED STREET TREES (1) All applicants for building permits for construction of a new building or building addition of 200 square feet or more shall submit a street tree plan for those parts of the lot abutting a major street, a major local street, or another street where street trees are required.
- Show street trees 25 feet on center along Westside Boulevard.
- Revise the Landscape Plan to select a tree species other than ash trees, which are overplanted and struggling in current climate conditions.
- Work with Urban Forestry to revise the Landscape Plan to identify the shrubs to be replaced and maintained.

6. AMAFACA: Remove reference to AMAFCA and replace with “City of Albuquerque” on the existing 68 foot permanent underground drainage easement, which AMAFCA quitclaimed to the City of Albuquerque in 2000.

7. Site Plan:

- A. Add the legal description to this sheet.
- B. The Site Plan shall comply with the General Regulations of the IDO and all other applicable design regulations, except as specifically approved by the EPC.

8. The site lighting shall come into compliance with the Outdoor and Site and Light standards of IDO §14-16-5-8 or the applicant shall show how the existing outdoor lighting complies with the IDO. A site lighting plan shall be provided to city staff prior to sign off. If the applicant is unable to comply with IDO §14-16-5-8 they shall return to EPC for an outdoor and site lighting performance analysis.

9. Landscape Plan:

- A. The asphalt paving limits shall be modified to accurately show the new paving limits around the proposed addition.

B. The new plantings on the southeast corner of the proposed addition shall be identified.

10. Exterior Elevations Sheet:

- A. The missing “Parts” sign on the East (Side) Elevation for Keyed Note #14 shall be added to the sheet.
- B. The North (Front) Elevation of the proposed addition with the 57’-0” façade shall incorporate 1 required feature every 40’-0” to adhere to the required total of 2 features along 30 percent of the length of the façade pursuant to §14-16-5-11(E)(2)(a)-(g).

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC’s decision or by **December 9, 2024**. The date of the EPC’s decision is not included in this 15-day period. If the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing an appeal.

For more information regarding the appeal process, please refer to the Integrated Development Ordinance (IDO), §14-16-6-4(U) (Appeals). The IDO is available online here: <https://www.cabq.gov/ido>. A non-refundable fee is required to be paid when the appeal is filed. It is not possible to appeal EPC recommendations to the City Council, because a recommendation is not a final decision.

You will receive notification if anyone files an appeal. If the decision is not appealed, you can receive building permits any time after the appeal deadline, provided all conditions of approval associated with the decision and all other applicable regulations have been met.

Sincerely,

/ Mikaela Renz-Whitmore /

for Alan Varela
Planning Director

AV/MRW/WS/DS

cc:

Pitre Holdings LLC, Robert G. Pitre, ssimkins@pitrm.com
Tierra West LLC, Sergio Lozoya, slozoya@tierrawestllc.com
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City Legal, Andrew Coon, acon@cabq.gov
EPC file