

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

July 15, 2021

Lubricar Properties LLC
3520 Calle Cuervo NW
Albuquerque NM, 87114

Project #2021-005339
SI-2021- 00817 - Site Plan-EPC, Major Amendment

LEGAL DESCRIPTION:

Consensus Planning Inc., agent for Lubricar Properties II LLC, requests the above action for all or a portion of Tract 3-C-1, Plat of Tracts 3C-1 and 3C-2, Black Ranch, located at 9386 Coors Blvd. NW, between Valley View Pl. NW and Irving Blvd. NW, approximately 0.57-acre (C-13)
Staff Planner: Silvia Bolivar

On July 15, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project # 2021-005339/SI-2021-00817, a Site Plan-EPC - Major Amendment, based on the following Findings and subject to the following Conditions of Approval:

1. The request is for a Major Amendment of a prior approved Site Development Plan for a property legally described as described Tract 3-C-1, Plat of Tracts 3C-1 and 3C-2, Black Ranch, located at 936 Coors Blvd. NW between Valley View Pl. NW and Irving Blvd. NW, approximately 0.57-acre.
2. The applicant proposes to replace the controlling site plan with a new site plan that will allow for the expansion of the existing 2,357 square foot light vehicle repair shop by approximately 1,200 square feet to accommodate additional service bays.
3. The subject site is zoned MX-L (Mixed Use – Low Intensity). The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.
4. Upon adoption of the Integrated Development Ordinance (IDO) in May 2018, which replaced the City's zoning code, the subject site's zoning converted from the old zoning designation of SU-1, C-1 (commercial category) to MX-L (Mixed-Use – Low Intensity Zone District). When the IDO was adopted, all former zones were converted to the closest matching "straight" zone that allowed the same basic bundle of uses. For sites zoned SU-1, staff looked at the title of the zoning to determine the conversion. In this case, SU-1 for C-1 converted to MX-L.

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5. The EPC is hearing this case pursuant to IDO section 14-16-6-4(Z) Amendments of Pre-IDO Approvals. Major amendments shall be reviewed by the decision-making body that issued the permit or approval being amended, following the procedures for the most closely equivalent decision in Part 14-16-6 (Administration and Enforcement). The amendment exceeds the thresholds found in IDO table 6-4-4: Allowable Minor Amendments, therefore it is classified as a Major Amendment pursuant to IDO section 14-16-6-4(Z)(1)(b).
6. The request covers the same geographic boundaries as the controlling site development plan and would replace it with a new Site Plan which can be approved administratively because it meets the threshold criteria for 14-16-6-5(G) Site Plan Administrative.
7. The Site Development Plan for Building Permit that originally permitted the Jiffy Lube was approved by the Environmental Planning Commission (EPC) and received final sign-off by the Developmental Review Board in March 2002 (Project #1001206, EPC 01128-01750).
8. Light vehicle repair is Permissive within the existing MX-L zone.
9. The subject site is located in an Area of Change as designated by the Comprehensive Plan.
10. The subject site is part of the Northwest Mesa Community Planning Area (CPA).
11. The subject site is within the boundaries of the Coors Boulevard Character Protection Overlay Zone, CPO-2 (14-16-3-4(C)) and the Coors Boulevard View Protection Overlay Zone, VPO-1 (14-16-3-6(D)).
12. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
13. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use pertaining to efficient development patterns and infill development.

- 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, so further development made possible by the request would generally promote efficient development patterns and use of land.

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

The request will facilitate further development of the subject site by allowing for the addition of service bays to a property that is surrounded by existing City infrastructure and various services. Infill development can take several forms and, in this case, it is a partial infill that will allow the allowable building area to be maximized.

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

The request furthers this Goal because the subject site is in an Area of Change and the requested site plan amendment would allow for an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the intensity of the area.

- D. 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 subject site is in an Area of Change, along Coors Blvd. NW, a Major Transit Corridor, and the request will direct growth and more intense development to the area while expanding employment opportunities.

- E. Subpolicy 5.6.2(b): Encourage development that expands employment opportunities.

The request furthers this subpolicy as the expansion of the Jiffy Lube by approximately 1,200 square feet to accommodate additional service bays will expand employment opportunities in the area as more employees will be needed to service additional vehicles in the new service bays.

- F. Subpolicy 5.6.2(g): Encourage development where adequate infrastructure and community services exist.

The request furthers this subpolicy because the area is located in an Area of Change and on a Major Transit Corridor. The expansion of the light vehicle repair shop will expand employment opportunities where adequate infrastructure and community services exist and located in an area with a highly connected street grid and frequent transit service.

14. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use pertaining to implementation processes, regulatory alignment, and streamlined development.

- A. Goal 5.7 – Implementation Process: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

Staff is in agreement that the abandonment of the 2002 Site Development Plan and relinquishing control of the subject site to the development standards and processes of the IDO furthers this goal by eliminating overlapping requirements.

- B. Policy 5.7.2 – Regulatory Alignment: Upgrade regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The intent behind Policy 5.7.2 is to direct the City to update its' regulatory framework for land use and development, that resulted in the IDO. The expansion of the light vehicle

repair shop that will be enabled by the Site Plan EPC-Major Amendment to replace the controlling site plan, reflects one intended outcome of Policy 5.7.2.

- C. Subpolicy 5.7.2(a): Create pathways for economic growth and support the business ecosystem by providing clear development codes and processes.

The elimination of the overlapping requirements which controlled the existing Site Development Plan will allow for further expansion of the subject site that will support economic growth for the site and the area. The IDO processes for EPC Site Plan – Major Amendment help eliminate the application of the old SU-1 requirements on uses that are not considered sensitive uses by the IDO.

15. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3) as follows:

- A. 14-16-6-6(J)(3)(a) As demonstrated by the policy analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(J)(3)(b) The subject site is zoned MX-L; therefore, this criterion does not apply.
- C. 14-16-6-6(J)(3)(c) With the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO.
- D. 14-16-6-6(J)(3)(d) The new addition will be built over existing asphalt, so no changes to the landscape are proposed. Similarly, for the utilities, the proposed development will utilize existing water and sewer service to the building already on site.
- E. 14-16-6-6(J)(3)(e) The future, proposed development will be required to comply with the decisions made by the EPC. The EPCs' conditions of approval will improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas.
- F. 14-16-6-6(J)(3)(f) The subject property is not within an approved Master Development Plan; therefore, this criterion does not apply.
- G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required, therefore this criterion does not apply.

16. The affected, registered neighborhood organizations are the Westside Coalition of Neighborhood Associations, and the Paradise Hills Civic Association. Property owners within 100 feet were also notified as required.

17. A neighborhood meeting was not requested by any of the notified neighborhood associations.

18. As of this writing, Staff has not received any comment in support or opposition to the request.

CONDITIONS:

1. Code Enforcement/Zoning

If alterations are to be made to the trash enclosure, they must be shown when applying for a permit.

2. Transportation Development Review Services

Provide approved site plan through traffic circulation process that identified all of the site dimensioning and construction notes prior to approval.

3. ABC Water Utility Authority (ABCWUA)

As a condition of approval, an Availability Statement shall be requested in order to address the change in fire flow demand for this site. Requests can be made at: <https://www.abcwua.org/info-for-builders-availability-statements/>. The request shall include a City Fire Marshal approved Fire 1 Plan, a zone map showing the site location, and the proposed Utility Plan.

4. Public Service Company of New Mexico (PNM)

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 www.pnm.com/erequest for PNM to review.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **July 30 2021**. 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 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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 City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

for Brennon Williams
Planning Director

BW/SAB

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