



# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 31, 2001

To whom it may concern:

REF: 00114 00000 01727 / 00110 00000 01728 / Project # 1000960  
(Council Bill No. 0-01-105, Enactment No. 32-2001)

Enclosed is a copy of a new annexation that was approved through our office on the above referenced case. The annexation and simultaneous establishment of zoning is effective five (5) days after publication of the Ordinance. The existing addresses within the annexed area are:

**NONE**

"Existing addresses" listed for this annexation may be incomplete. If you are aware of any additional "existing addresses" for this annexation, please feel free to contact me at (505) 924-3889.

Sincerely,

Crystal Ortega  
Administrative Assistant  
City Planning Department

Enclosure



Date 10-31-01

**A**<sub>x</sub> 00114-01727

# THIS ANNEXATION HAS BEEN COMPLETED

The attached sketch shows the area which has been annexed by City Commission Resolution on 6-18-01, and zoning established by Ordinance # 33-2001, published on 8-2-01 (date) and which was considered by the Planning and City Commissions as Ax- 00114-01727 Z- 11A

If the area was platted simultaneously, the subdivision number is S-\_\_\_\_\_. Other related cases, if any, are: \_\_\_\_\_ Please change your records accordingly.

## CITY of ALBUQUERQUE FOURTEENTH COUNCIL

COUNCIL BILL NO. O-01-105 ENACTMENT NO. 32-2001  
SPONSORED BY: Michael Brasher, by request

### ORDINANCE

ANNEXATION, AX-00114-00000-01727/00110-00000-01728, ANNEXING 99.5 ACRES MORE OR LESS, LOCATED EAST OF EUBANK BLVD SE BETWEEN SOUTHERN SE AND KIRTLAND AIR FORCE BASE (KAFB), AND AMENDING THE ZONE MAP TO ESTABLISH IP ZONING.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area annexed hereby presented a properly signed petition to annex the following territory: 99.5 acres, more or less, located east of Eubank Blvd SE between Southern SE and Kirtland Air Force Base (KAFB) and more particularly described as follows:

A. Section 33, T10N, R4E, NW 1/4, SW 1/4 containing 40 acres, Section 33, T10N, R4E, SW 1/4, NE 1/4 containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 SW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Company of New Mexico Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T10N, R4E, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

B. All of the right-of-way adjoining the land described in A of this section to the extent it is not already in the City.

Section 2. ANNEXATION ACCEPTED. The petition and the area specified in Section 1 above meet the requirements of Resolution 54-1990 (Annexation Policy) because the property is contiguous to city boundaries, accessible to city services, and will have convenient street access. Furthermore, the property falls within the Developing Urban area of the Comprehensive Plan and as such, is suitable for a full range of urban land uses. Therefore, the above territory is hereby annexed.

Section 3. ZONE MAP AMENDED. The annexation of the subject site creates a changed community condition that justifies the proposed IP zoning. The zone map adopted by Section 14-16-1-1 et seq. ROA 1994 is hereby amended, establishing IP zoning at the above indicated site.

Section 4. FINDINGS ACCEPTED. The following zone map amendment findings shall be adopted by the City Council:

A. This is a request for Establishment of IP Zoning for a 99.5 acre parcel, located east of Eubank Blvd SE, between Southern SE and Kirtland Air Force Base (KAFB), and more particularly described as follows: Section 33, T10N, R4E, NW 1/4, SW 1/4 containing 40 acres, Section 33, T10N, R4E, SW 1/4, NE 1/4 containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 SW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Company of New Mexico Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T10N, R4E, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

B. The subject property falls within the Developing Urban Area of the Comprehensive Plan which makes it suitable for urban land uses.

C. The request for IP zoning complies with Policy A of the Comprehensive Plan that recommends urban development in the Developing Urban area.

D. Resolution 270-1980 requires that one of three findings be made for a change of zone: (1) that there was an error when the existing zone map was created, or (2) that changed neighborhood community conditions justify the change, or (3) that a different use category is more advantageous to the community. The recent approval of IP zoning immediately to the north of the site for warehouse retail uses qualifies as a changed condition in the area.

E. The applicant is requesting IP zoning which is compatible with the IP zoning immediately to the north.

Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective five or more days after publication in full when a copy of the ordinance and a plat of the territory hereby annexed is filed in the office of the County Clerk.

PASSED AND ADOPTED THIS 18th DAY OF JUNE, 2001

BY A VOTE OF: 9 FOR 0 AGAINST.

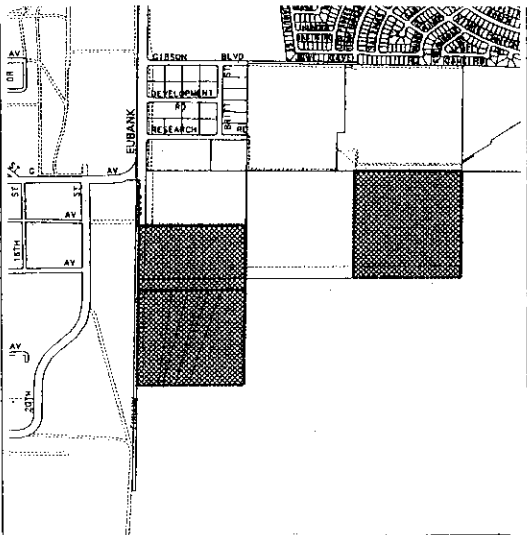
Brad Winter, President, City Council

APPROVED THIS 17th DAY OF JULY, 2001

Bill No. O-105

Jim Baca, Mayor, City of Albuquerque

ATTEST: Margie Baca Archuleta, City Clerk



Journal: August 2, 2001





STATE OF NEW MEXICO  
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 2 times, the first publication being on the 2 day of Aug, 2001, and the subsequent consecutive publications on \_\_\_\_\_, 2001.

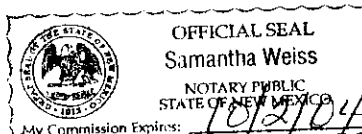
Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 2 day of Aug of 2001.

PRICE 234.10<sup>5</sup>

Statement to come at end of month.

ACCOUNT NUMBER 080507

CLA-22-A (R-1/93)



*Samantha Weiss*



**CITY of ALBUQUERQUE**  
**FOURTEENTH COUNCIL**

COUNCIL BILL NO. O-01-105

ENACTMENT NO. 32-200

SPONSORED BY: Michael Brasher, by request

**ORDINANCE**

**ANNEXATION, AX-00114-00000-01727/00110-00000-01728, ANNEXING  
99.5 ACRES MORE OR LESS, LOCATED EAST OF EUBANK BLVD SE BETWEEN  
SOUTHERN SE AND KIRTLAND AIR FORCE BASE (KAFB), AND AMENDING  
THE ZONE MAP TO ESTABLISH IP ZONING.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
ALBUQUERQUE:**

**Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area  
annexed hereby presented a properly signed petition to annex the following  
territory: 99.5 acres, more or less, located east of Eubank Blvd SE between  
Southern SE and Kirtland Air Force Base (KAFB) and more particularly described  
as follows:**

**A. Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres,  
Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract  
of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4  
together with the northerly 140 feet of NW ¼ SW ¼ of Section 33, T10N,  
R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also  
being the same as the Public Service Company of New Mexico Sub-Station tract  
as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE  
CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4  
SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW  
MEXICO, recorded in the office of the County Clerk of Bernalillo County, New  
Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-  
44125.**



Mary Herrera

Bern Co. ORDIN

R 15.00

2801684284

5535298

Page: 1 of 5

97/23/2801 08:58A

Bk-A22 Pg-2532

[ + Bracketed/Underscored Material + ] - New  
[ - Bracketed/Strikethrough Material - ] - Deletion



1 B. All of the right-of-way adjoining the land described in A of this  
2 section to the extent it is not already in the City.

3 Section 2. ANNEXATION ACCEPTED. The petition and the area specified  
4 in Section 1 above meet the requirements of Resolution 54-1990 (Annexation  
5 Policy) because the property is contiguous to city boundaries, accessible to city  
6 services, and will have convenient street access. Furthermore, the property  
7 falls within the Developing Urban area of the Comprehensive Plan and as such,  
8 is suitable for a full range of urban land uses. Therefore, the above territory is  
9 hereby annexed.

10 Section 3. ZONE MAP AMENDED. The annexation of the subject site  
11 creates a changed community condition that justifies the proposed IP zoning.  
12 The zone map adopted by Section 14-16-1-1 et seq. ROA 1994 is hereby  
13 amended, establishing IP zoning at the above indicated site.

14 Section 4. FINDINGS ACCEPTED. The following zone map amendment  
15 findings shall be adopted by the City Council:

16 A. This is a request for Establishment of IP Zoning for a 99.5 acre  
17 parcel, located east of Eubank Blvd SE, between Southern SE and Kirtland Air  
18 Force Base (KAFB); and more particularly described as follows: Section 33,  
19 T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼,  
20 NE ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres  
21 and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet  
22 of NW ¼ SW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian,  
23 Bernalillo County, New Mexico and also being the same as the Public Service  
24 Company of New Mexico Sub-Station tract as shown and designated on the  
25 SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF  
26 NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N.,  
27 R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office  
28 of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in  
29 Volume C20, Folio 24 as Document No. 82-44125.

30 B. The subject property falls within the Developing Urban Area of  
31 the Comprehensive Plan which makes it suitable for urban land uses.



Mary Herrera

Bern. Co. ORDIN

R 15.00

2001084204  
5535298  
Page: 2 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532

[ + Bracketed/Underscored Material + ] - New  
[- Bracketed/Strikethrough Material - ] - Deletion



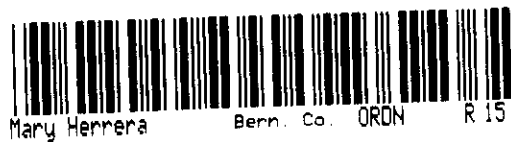
1 C. The request for IP zoning complies with Policy A of the  
2 Comprehensive Plan that recommends urban development in the Developing  
3 Urban area.

4 D. Resolution 270-1980 requires that one of three findings be  
5 made for a change of zone: (1) that there was an error when the existing zone  
6 map was created, or (2) that changed neighborhood community conditions  
7 justify the change, or (3) that a different use category is more advantageous to  
8 the community. The recent approval of IP zoning immediately to the north of  
9 the site for warehouse retail uses qualifies as a changed condition in the area.

10 E. The applicant is requesting IP zoning which is compatible with  
11 the IP zoning immediately to the north.

12 Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
13 clause, word or phrase of this ordinance is for any reason held to be invalid or  
14 unenforceable by any court of competent jurisdiction, such decision shall not  
15 affect the validity of the remaining provisions of this ordinance. The Council  
16 hereby declares that it would have passed this ordinance and each section,  
17 paragraph, sentence, clause, word or phrase thereof irrespective of any  
18 provisions being declared unconstitutional or otherwise invalid.

19 Section 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
20 become effective five or more days after publication in full when a copy of the  
21 ordinance and a plat of the territory hereby annexed is filed in the office of the  
22 County Clerk.



Mary Herrera

Bern. Co. ORDIN

R 15.00

2001084204  
5535298  
Page: 3 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532





1 PASSED AND ADOPTED THIS 18th DAY OF JUNE, 2001  
2 BY A VOTE OF: 9 FOR 0 AGAINST.  
3  
4  
5  
6  
7  
8  
9

10 Brad Winter

11 Brad Winter, President  
12 City Council  
13  
14

15  
16  
17 APPROVED THIS 17th DAY OF July, 2001

18  
19 Bill No. O-105

20 Jim Baca

21 Jim Baca, Mayor  
22 City of Albuquerque  
23  
24

25 ATTEST:

26 Margie Baca Aschelt

27 City Clerk  
28  
29



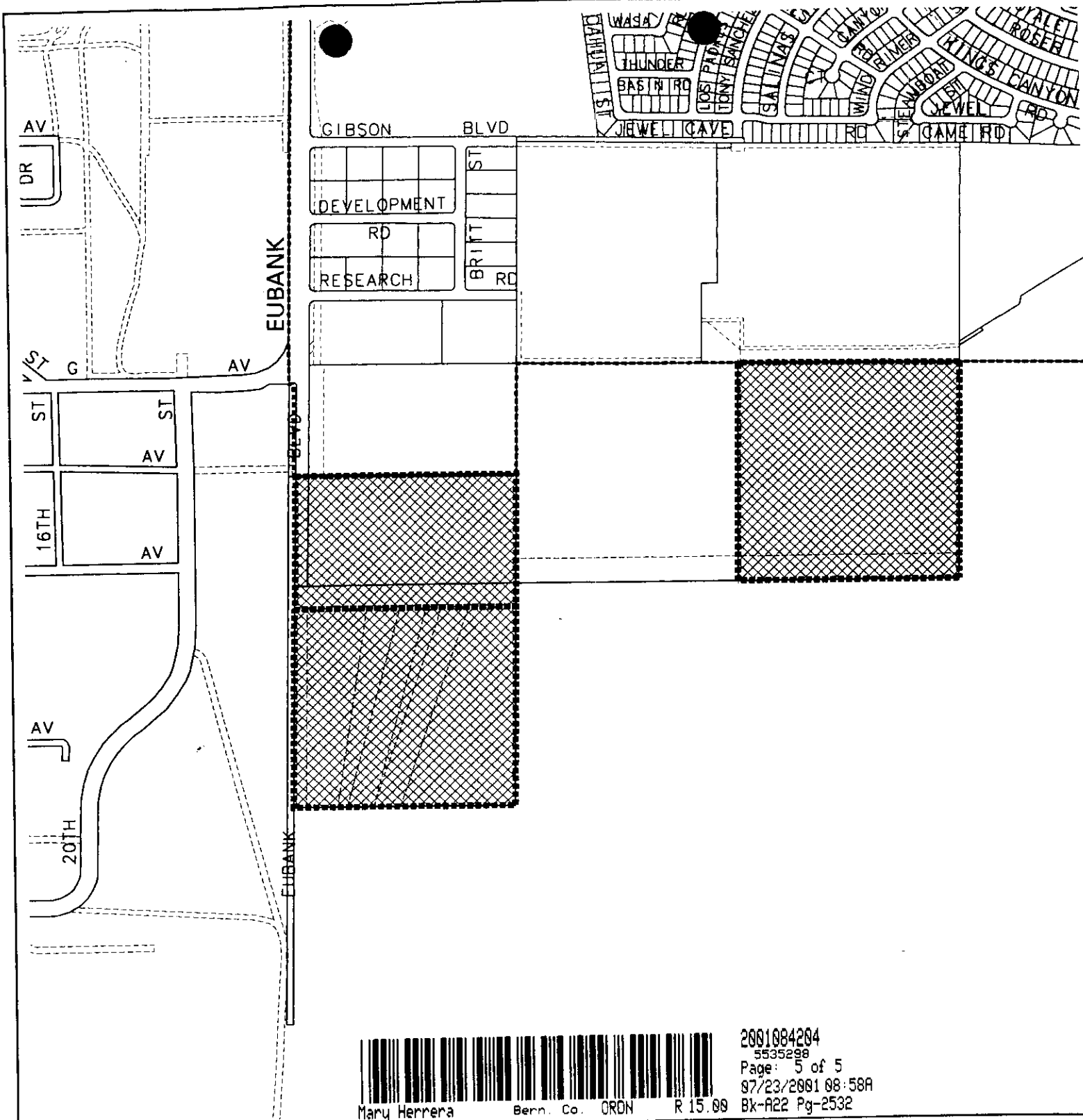
Mary Herrera

Bern. Co. ORDIN

R 15.00

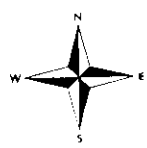
2001084204  
5535298  
Page: 4 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532





2001084204  
5535298  
Page: 5 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532



Mary Herrera Bern. Co. ORDN R 15.00



Map Scale: 1" = 800'

Map Printed May 10, 2001

Proposed annexation in Zone Map M-21  
S1/2 SW1/4 NW1/4, NORTH 140 FT. NW1/4 SW1/4, AND  
NW1/4 SW 1/4, AND SW1/4 NE1/4 SECTION 33, T10N, R4E

- MUNICIPAL LIMITS
-  AREA PROPOSED FOR ANNEXATION
-  GRAY SHADING INDICATES COUNTY

**CITY OF**  
**Albuquerque**  
**Geographic Information System**  
**PLANNING DEPARTMENT**  
© Copyright 2001



STATE OF NEW MEXICO  
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 4 times, the first publication being on the 2 day of Aug, 2001, and the subsequent consecutive publications on \_\_\_\_\_, 2001.

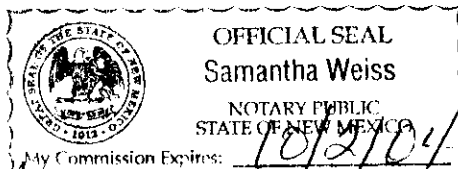
Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 2 day Aug of 2001.

PRICE 234.05

Statement to come at end of month.

ACCOUNT NUMBER 080567

CLA-22-A (R-1/93)



*Samantha Weiss*

STATE OF NEW MEXICO  
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and say Advertising Manager of The Albuquerque Journal, an duly qualified to publish legal notices or advertiser Section 3, Chapter 167, Session Laws of 1937, and tha been made of assessed as court cost; that the notice, attached, was published in said paper in the reg times, the first publication being on 7/11/01, 2001, and the subsequent consecutive pu

Sworn and subscribed to before me.  
and for the County of Bernalillo and  
this 2 day 7/11/01 of 20

PRICE 234.00

Statement to come at end of month.

ACCOUNT NUMBER 080

CLA-22-A (R-1/93)

CITY of ALBUQUERQUE  
FOURTEENTH COUNCIL

COUNCIL BILL NO. O-01-105 ENACTMENT NO. 32-2001  
SPONSORED BY: Michael Brasher, by request

ORDINANCE

ANNEXATION, AX-00114-00000-01727/00110-00000-01728, ANNEXING 99.5 ACRES MORE OR LESS, LOCATED EAST OF EUBANK BLVD SE BETWEEN SOUTHERN SE AND KIRTLAND AIR FORCE BASE (KAFB), AND AMENDING THE ZONE MAP TO ESTABLISH IP ZONING.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area annexed hereby presented a properly signed petition to annex the following territory: 99.5 acres, more or less, located east of Eubank Blvd SE between Southern SE and Kirtland Air Force Base (KAFB) and more particularly described as follows:

A. Section 33, T10N, R4E, NW 1/4, SW 1/4 containing 40 acres, Section 33, T10N, R4E, SW 1/4, NE 1/4 containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 SW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Company of New Mexico Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T10N, R4E, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

B. All of the right-of-way adjoining the land described in A of this section to the extent it is not already in the City.

Section 2. ANNEXATION ACCEPTED. The petition and the area specified in Section 1 above meet the requirements of Resolution 54-1990 (Annexation Policy) because the property is contiguous to city boundaries, accessible to city services, and will have convenient street access. Furthermore, the property falls within the Developing Urban area of the Comprehensive Plan and as such, is suitable for a full range of urban land uses. Therefore, the above territory is hereby annexed.

Section 3. ZONE MAP AMENDED. The annexation of the subject site creates a changed community condition that justifies the proposed IP zoning. The zone map adopted by Section 14-16-1-1 et seq. ROA 1994 is hereby amended, establishing IP zoning at the above indicated site.

Section 4. FINDINGS ACCEPTED. The following zone map amendment findings shall be adopted by the City Council:

A. This is a request for Establishment of IP Zoning for a 99.5 acre parcel, located east of Eubank Blvd SE, between Southern SE and Kirtland Air Force Base (KAFB); and more particularly described as follows: Section 33, T10N, R4E, NW 1/4, SW 1/4 containing 40 acres, Section 33, T10N, R4E, SW 1/4, NE 1/4 containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 SW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Company of New Mexico Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T10N, R4E, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

B. The subject property falls within the Developing Urban Area of the Comprehensive Plan which makes it suitable for urban land uses.

C. The request for IP zoning complies with Policy A of the Comprehensive Plan that recommends urban development in the Developing Urban area.

D. Resolution 270-1980 requires that one of three findings be made for a change of zone: (1) that there was an error when the existing zone map was created, or (2) that changed neighborhood community conditions justify the change, or (3) that a different use category is more advantageous to the community. The recent approval of IP zoning immediately to the north of the site for warehouse retail uses qualifies as a changed condition in the area.

E. The applicant is requesting IP zoning which is compatible with the IP zoning immediately to the north.

Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective five or more days after publication in full when a copy of the ordinance and a plat of the territory hereby annexed is filed in the office of the County Clerk.

PASSED AND ADOPTED THIS 18th DAY OF JUNE, 2001

BY A VOTE OF: 9 FOR 0 AGAINST.

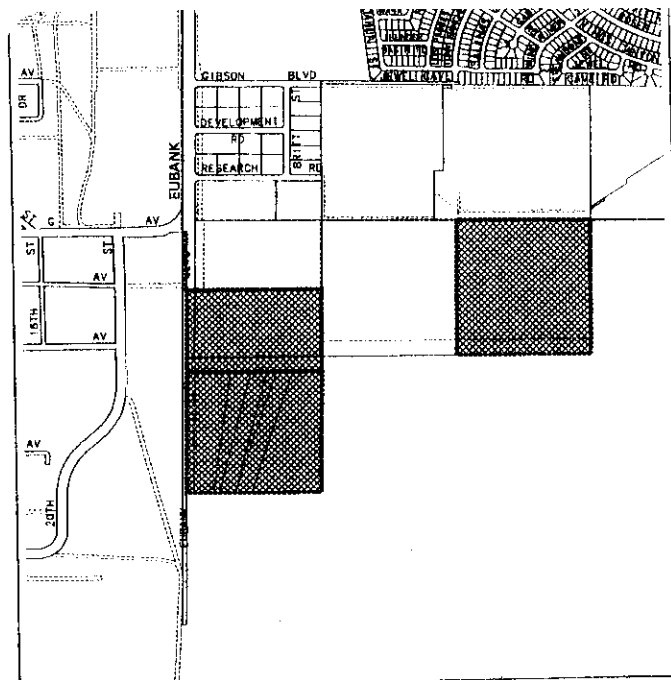
Brad Winter, President, City Council

APPROVED THIS 17th DAY OF JULY, 2001

Bill No. O-105

Jim Baca, Mayor, City of Albuquerque

ATTEST: Margie Baca Archuleta, City Clerk



Journal: August 2, 2001

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
P. O. BOX 1293  
ALBUQUERQUE, NEW MEXICO 87103

Date: August 16, 2001

## CERTIFICATE OF ZONING

NM State Land Office  
4308 Carlisle NE  
Albuquerque, NM 87107

**FILE: 00114-00000-01727/00110-00000-01728/  
Project #1000960**

(Council Bill No. 0-01-105, Enactment #32-2001)


LEGAL: for Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125. (M-21) Makita Hill, Staff Planner

On June 18, 2001, the City Council approved your request to annex and amend the zone map as it applies to the above-cited property. The possible appeal period having expired, the property status is now changed as follows:

## IP ZONING

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. You should take two copies of your plans to the Building & Inspection Division of the City to initiate a building permit.

Sincerely,

  
for Robert R. McCabe, AIA, APA  
Planning Director

cc: Consensus Planning, Inc., 924 Park Avenue SW, Albuquerque, NM 87102  
✓ File

.

---



O-01-105

Annexing 40 Acres Located East of Eubank Blvd SE between Southern SE and Kirtland Air Force Base (KAFB); Amending Zone Map to Establish IP Zoning (Brasher)

Councillor Yntema moved that this matter be Accepted with a Recommendation Do Pass (Immediate Action). Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Hundley, Armijo, Griego, Kline, Yntema, McEntee, Payne and Brasher  
Against: 0

Councillor Yntema moved that the Committee Reports (Exhibits 30-35) be accepted. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Hundley, Armijo, Griego, Kline, Yntema, McEntee, Payne and Brasher  
Against: 0

### PUBLIC COMMENTS

*Sister Agnes, Lori Weahkee, Rachael Lazar, Adolfo Mendez, Pamela Malone, Alicia Maldonado, Ray Wylie, Eli Lee, Georgianna Kues, Gwen Poe, Norman Gagne and Ike Eastvold addressed the Council regarding redistricting issues.*

*Karlos Schmider addressed the Council regarding Phillips Industrial Revenue Bond issues.*

*Geraldine Amato addressed the Council regarding City Government.*

### ANNOUNCEMENTS

*Councillor Payne announced that there would be a Metropolitan Water and Wastewater Board meeting on Tuesday, June 19, 2001 at 5:00 p.m. in the Council/Commission Chambers.*

*Councillor Kline announced that there would be a Finance and Government Operations Committee meeting on Monday, June 25, 2001 at 5:00 p.m. in the Council Committee Room.*

Councillor Kline moved that the rules be suspended for the purpose of canceling the Finance and Government Operations Committee meeting on Monday, July 9, 2001. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Hundley, Armijo, Griego, Kline, Yntema, McEntee, Payne and Brasher  
Against: 0

*Councillor McEntee announced that there would be a Land Use, Planning and Zoning Committee meeting on Wednesday, June 27, 2001 and July 25, 2001 at 5:00 p.m. in the Council Committee Room.*

Councillor McEntee moved that the rules be suspended for the purpose of pulling O-69 out of the Land Use, Planning and Zoning agenda on July 11, 2001 and placing on the Land Use, Planning and Zoning agenda on July 25, 2001. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Hundley, Armijo, Griego, Kline, Yntema, McEntee, Payne and Brasher  
Against: 0

Councillor McEntee moved that the rules be suspended for the purpose of canceling the Land Use, Planning and Zoning Committee meeting on Wednesday, July 11, 2001. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Hundley, Armijo, Griego, Kline, Yntema, McEntee, Payne and Brasher  
Against: 0



1000960


CITY OF ALBUQUERQUE  
CITY COUNCIL

32-200

7/10/01

INTEROFFICE MEMORANDUM

TO: Jim Baca, Mayor

FROM:  Mark S. Sanchez, Director of Council Services

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. O-105 Annexing 99.5 Acres Located East of Eubank Blvd SE between Southern SE and Kirtland Air Force Base (KAFB); Amending Zone Map to Establish IP Zoning (Brasher), which was passed at the Council meeting of June 18, 2001, by a vote of 9 FOR AND 0 AGAINST.

In accordance with the provisions of the City Charter, your action is respectfully requested.

MSS:kmb  
Attachment  
6/18/01  
transmem.kmb

OK  


01 JUL 10 PM 2:15  
CITY OFFICE



**CITY of ALBUQUERQUE**  
**FOURTEENTH COUNCIL**

COUNCIL BILL NO. O-01-105 ENACTMENT NO. 32-200

SPONSORED BY: Michael Brasher, by request

**ORDINANCE**

1  
2 **ANNEXATION, AX-00114-00000-01727/00110-00000-01728, ANNEXING**  
3 **99.5 ACRES MORE OR LESS, LOCATED EAST OF EUBANK BLVD SE BETWEEN**  
4 **SOUTHERN SE AND KIRTLAND AIR FORCE BASE (KAFB), AND AMENDING**  
5 **THE ZONE MAP TO ESTABLISH IP ZONING.**  
6 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**  
7 **ALBUQUERQUE:**

8 **Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area**  
9 **annexed hereby presented a properly signed petition to annex the following**  
10 **territory: 99.5 acres, more or less, located east of Eubank Blvd SE between**  
11 **Southern SE and Kirtland Air Force Base (KAFB) and more particularly described**  
12 **as follows:**

13 **A. Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres,**  
14 **Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract**  
15 **of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4**  
16 **together with the northerly 140 feet of NW ¼ SW ¼ of Section 33, T10N,**  
17 **R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also**  
18 **being the same as the Public Service Company of New Mexico Sub-Station tract**  
19 **as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE**  
20 **CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4**  
21 **SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW**  
22 **MEXICO, recorded in the office of the County Clerk of Bernalillo County, New**  
23 **Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-**  
24 **44125.**



Mary Herrera

Bern. Co. ORDN

R 15.00

2001084204

5535298

Page: 1 of 5

07/23/2001 08:58A

BK-A22 Pg-2532



1 B. All of the right-of-way adjoining the land described in A of this  
2 section to the extent it is not already in the City.

3 Section 2. ANNEXATION ACCEPTED. The petition and the area specified  
4 in Section 1 above meet the requirements of Resolution 54-1990 (Annexation  
5 Policy) because the property is contiguous to city boundaries, accessible to city  
6 services, and will have convenient street access. Furthermore, the property  
7 falls within the Developing Urban area of the Comprehensive Plan and as such,  
8 is suitable for a full range of urban land uses. Therefore, the above territory is  
9 hereby annexed.

10 Section 3. ZONE MAP AMENDED. The annexation of the subject site  
11 creates a changed community condition that justifies the proposed IP zoning.  
12 The zone map adopted by Section 14-16-1-1 et seq. ROA 1994 is hereby  
13 amended, establishing IP zoning at the above indicated site.

14 Section 4. FINDINGS ACCEPTED. The following zone map amendment  
15 findings shall be adopted by the City Council:

16 A. This is a request for Establishment of IP Zoning for a 99.5 acre  
17 parcel, located east of Eubank Blvd SE, between Southern SE and Kirtland Air  
18 Force Base (KAFB); and more particularly described as follows: Section 33,  
19 T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼,  
20 NE ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres  
21 and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet  
22 of NW ¼ SW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian,  
23 Bernalillo County, New Mexico and also being the same as the Public Service  
24 Company of New Mexico Sub-Station tract as shown and designated on the  
25 SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF  
26 NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N.,  
27 R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office  
28 of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in  
29 Volume C20, Folio 24 as Document No. 82-44125.

30 B. The subject property falls within the Developing Urban Area of  
31 the Comprehensive Plan which makes it suitable for urban land uses.

[ + Bracketed/Underscored Material + ] - New  
[ - Bracketed/Strikethrough Material - ] - Deletion



Mary Herrera

Bern. Co. ORDN

R 15.00

2001084204  
5535298  
Page: 2 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532





1 C. The request for IP zoning complies with Policy A of the  
2 Comprehensive Plan that recommends urban development in the Developing  
3 Urban area.

4 D. Resolution 270-1980 requires that one of three findings be  
5 made for a change of zone: (1) that there was an error when the existing zone  
6 map was created, or (2) that changed neighborhood community conditions  
7 justify the change, or (3) that a different use category is more advantageous to  
8 the community. The recent approval of IP zoning immediately to the north of  
9 the site for warehouse retail uses qualifies as a changed condition in the area.

10 E. The applicant is requesting IP zoning which is compatible with  
11 the IP zoning immediately to the north.

12 Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
13 clause, word or phrase of this ordinance is for any reason held to be invalid or  
14 unenforceable by any court of competent jurisdiction, such decision shall not  
15 affect the validity of the remaining provisions of this ordinance. The Council  
16 hereby declares that it would have passed this ordinance and each section,  
17 paragraph, sentence, clause, word or phrase thereof irrespective of any  
18 provisions being declared unconstitutional or otherwise invalid.

19 Section 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
20 become effective five or more days after publication in full when a copy of the  
21 ordinance and a plat of the territory hereby annexed is filed in the office of the  
22 County Clerk.

23  
24  
25  
26  
27  
28  
29  
30  
31



Mary Herrera

Bern. Co.

ORDN

R 15.00

2001084204

5535298

Page: 3 of 5

07/23/2001 08:58A

Bk-A22 Pg-2532



1 PASSED AND ADOPTED THIS 18th DAY OF JUNE, 2001  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

3  
4  
5  
6  
7  
8  
9  
10  
11 Brad Winter

12 Brad Winter, President  
13 City Council  
14

15  
16  
17 APPROVED THIS 17th DAY OF July, 2001

18  
19 Bill No. O-105

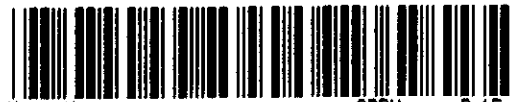
20  
21 Jim Baca

22 Jim Baca, Mayor  
23 City of Albuquerque  
24

25 ATTEST:

26  
27 Mary Herrera

28 City Clerk  
29



Mary Herrera

Bern. Co. ORD#

R 15.00

2001084204

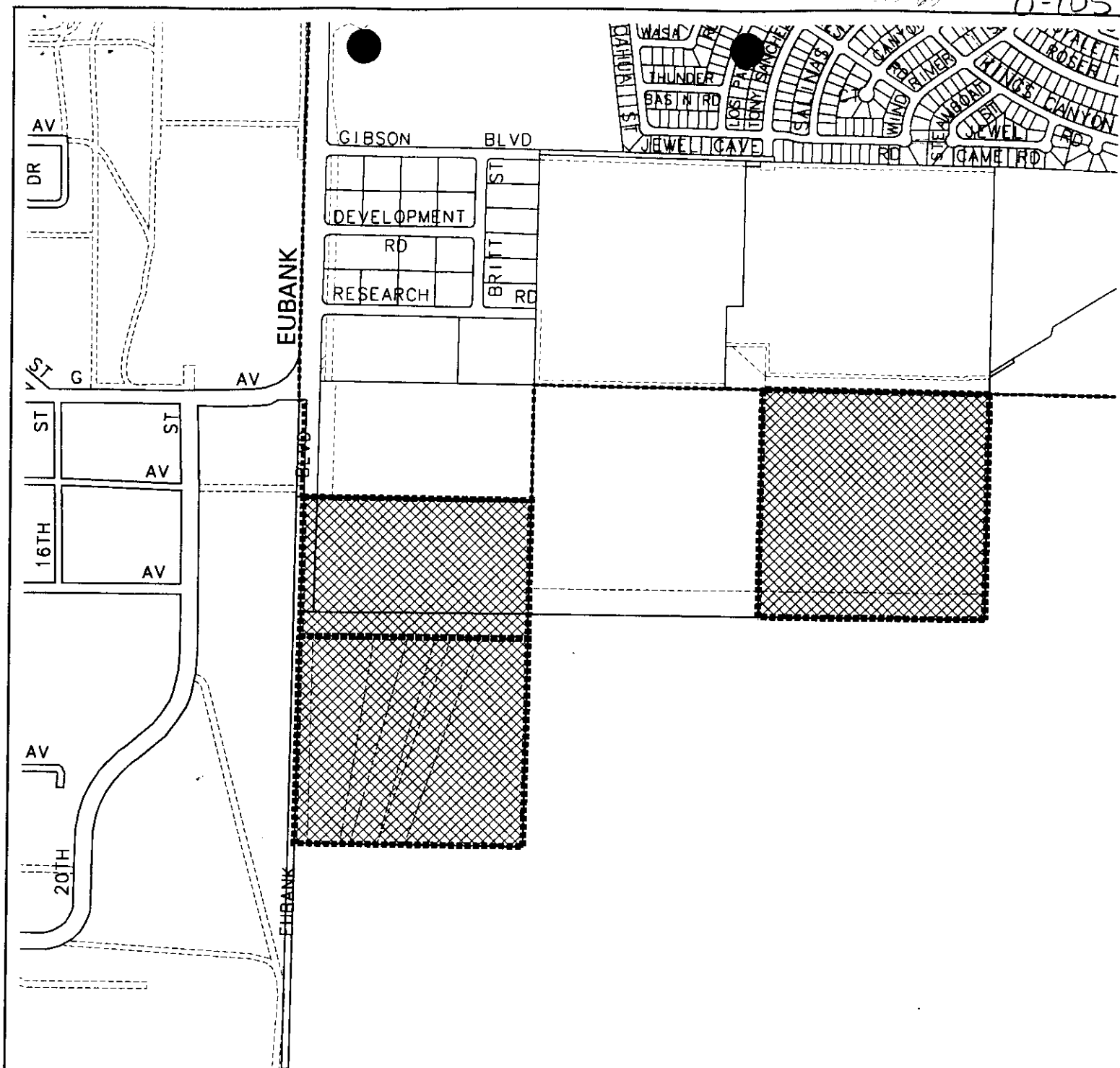
5535298

Page: 4 of 5

07/23/2001 08:58A

Bk-A22 Pg-2532





2001084204  
5535298  
Page: 5 of 5  
07/23/2001 08:58A  
Bk-A22 Pg-2532



Mary Herrera Bern. Co. ORDN R 15.00



Map Scale: 1" = 800'

Map Printed May 10, 2001

Proposed annexation in Zone Map M-21  
S1/2 SW1/4 NW1/4, NORTH 140 FT. NW1/4 SW1/4, AND  
NW1/4 SW 1/4, AND SW1/4 NE1/4 SECTION 33, T10N, R4E

- MUNICIPAL LIMITS
-  AREA PROPOSED FOR ANNEXATION
-  GRAY SHADING INDICATES COUNTY

**CITY OF Albuquerque**  
**A G I S**  
Albuquerque Geographic Information System  
**PLANNING DEPARTMENT**  
©Copyright 2001



# City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

## NOTICE OF HEARING

May 30, 2001

NM State Land Office  
4308 Carlisle NE  
Albuquerque, NM 87107

**Council Bill O-01-105** (00114-00000-01727/00110-00000-01728/Project #1000960) The Environmental Planning Commission recommends, and the New Mexico State Land Office requests approval of annexation and establishment of IP zoning for Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125. (M-21) Makita Hill, Staff Planner.

The above case will be heard by the Land Use, Planning and Zoning Committee (LUPZ) on **Wednesday, June 13, 2001**. The hearing begins at 5:00 p.m. and will be held in the Council/Committee Room, 9th Floor, City/County Government Center, One Civic Plaza, NW.

If you have any questions or if I can be of further assistance, you can contact me at (505) 924-3889.

Sincerely,

Crystal Ortega  
Administrative Assistant

cc: Consensus Planning, Inc., 924 Park Avenue SW, Albuq. NM 87102



0-105

# CITY OF ALBUQUERQUE

Albuquerque, New Mexico

## Office of the Mayor

INTER-OFFICE MEMORANDUM

March 27, 2001

**TO:** Brad Winter, President, City Council

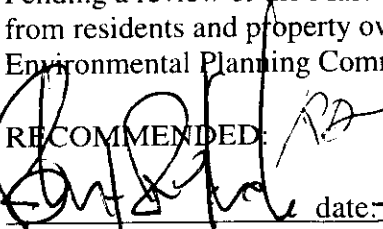
**FROM:** Jim Baca, Mayor

**SUBJECT:** **00114-00000-01727/00110-00000-01728/Project #1000960** The Environmental Planning Commission recommends, and the New Mexico State Land Office requests approval of annexation and establishment of IP zoning for Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125. (M-21) Makita Hill, Staff Planner.

The proposal for annexation fulfills the requirements of R-54-1990 as the subject site is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City. The proposal for zoning from County A-1 to City IP fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site. This request is consistent with policies in the Comprehensive Plan in that the proposal does not conflict with existing residential areas, is proposed near existing infrastructure, will provide a diversity of employment opportunities, and is proposed to be included in a larger concentrated development.

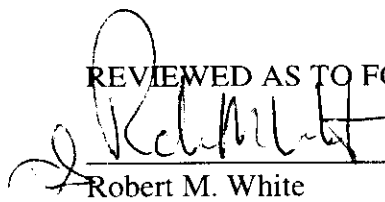
Pending a review of the Master Development Plan for the SSTP, staff has received no adverse comments from residents and property owners. The Planning Department supports the recommendation from the Environmental Planning Commission.

RECOMMENDED:

  
Robert R. McCabe, AIA, APA  
Planning Director

date: 4-2-2001

REVIEWED AS TO FORM:

  
Robert M. White  
City Attorney

date: 4-16-01

RECOMMENDED:

date:

Lawrence Rael  
Chief Administrative Officer



**Cover Analysis**  
**00114-00000-01727/00110-00000-01728/Project #1000960**

**1. What is it?**

This is a request for annexation and establishment of IP zoning of an approximately 100 acre site located at the southern end of Eubank Blvd. The 40-acre parcel is a portion of the proposed 219-acre Sandia Science and Technology Park (SSTP).

**2. What will this piece of legislation do?**

Annex the subject property into the City limits and establish IP zoning for a portion of the proposed Sandia Science and Technology Park (SSTP). A Master Development Plan, required for the establishment of IP zoning, has been submitted to, and has been reviewed and approved by the Environmental Planning Commission as established in a Memorandum of Understanding between the developers, the City, and the applicant.

**3. Why is the project needed?**

Annexation will allow for the expansion of City services to the subject site and will allow for development of the SSTP to occur under the guidance of a Master Development Plan as required for IP zoning. The provision of public utilities at this site will ensure protection of ground water in the area and will facilitate further public utility hook-up to adjacent lands in the event further annexation occurs. The proposed SSTP will provide the City with a diversity of employment opportunities in a planned, unified location.

**4. How much will it cost and what is the funding source?**

The proposed annexation, zoning, and land use will net out to a positive gain to the City. See attached Fiscal Impact Analysis.

**5. What will happen if the project is not approved?**

The subject site will remain in the unincorporated County with A-1 zoning and will not have City services. The current County A-1 zoning allows residential development at 1 du per acre.

---

# CITY of ALBUQUERQUE

## FOURTEENTH COUNCIL

COUNCIL BILL NO. \_\_\_\_\_ ENACTMENT NO. \_\_\_\_\_

SPONSORED BY:

### ORDINANCE

1  
2 ANNEXATION, AX-00114-00000-01727/00110-00000-01728, ANNEXING 40  
3 ACRES MORE OR LESS, LOCATED EAST OF EUBANK BLVD SE BETWEEN  
4 SOUTHERN SE AND KIRTLAND AIR FORCE BASE (KAFB), AND AMENDING  
5 THE ZONE MAP TO ESTABLISH IP ZONING.  
6 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
7 ALBUQUERQUE:

8 Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area  
9 annexed hereby presented a properly signed petition to annex the following  
10 territory: 40 acres, more or less, located east of Eubank Blvd SE between  
11 Southern SE and Kirtland Air Force Base (KAFB) and more particularly  
12 described as follows:

13 A. Section 33, T10N, R4E, NW ¼, SW ¼ containing 40 acres,  
14 Section 33, T10N, R4E, SW ¼, NE ¼ containing 35 acres, and a certain tract of  
15 land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4  
16 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E,  
17 New Mexico Principal Meridian, Bernalillo County, New Mexico and also being  
18 the same as the Public Service Sub-Station tract as shown and designated on  
19 the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF  
20 NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33,  
21 T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the  
22 office of the County Clerk of Bernalillo County, New Mexico on August 24,  
23 1982 in Volume C20, Folio 24 as Document No. 82-44125.

24 B. All of the right-of-way adjoining the land described in A of this  
25 section to the extent it is not already in the City.

1       Section 2.   **ANNEXATION ACCEPTED.** The petition and the area specified  
2   in Section 1 above meet the requirements of Resolution 54-1990 (Annexation  
3   Policy) because the property is contiguous to city boundaries, accessible to  
4   city services, and will have convenient street access. Furthermore, the  
5   property falls within the Developing Urban area of the Comprehensive Plan  
6   and as such, is suitable for a full range of urban land uses. Therefore, the  
7   above territory is hereby annexed.

8       Section 3.   **ZONE MAP AMENDED.** The annexation of the subject site  
9   creates a changed community condition that justifies the proposed IP zoning.  
10   The zone map adopted by Section 14-16-1-1 et. Seq. R.O.A. 1994 is hereby  
11   amended, establishing IP zoning at the above indicated site.

12       Section 4.   **FINDINGS ACCEPTED.** The following zone map amendment  
13   findings shall be adopted by the City Council:

14               A.     This is a request for Establishment of IP Zoning for a 40 acre  
15   parcel, located east of Eubank Blvd SE, between Southern SE and Kirtland Air  
16   Force Base (KAFB); and more particularly described as follows: Section 33,  
17   T10N, R4E, NW ¼, SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼, NE  
18   ¼ containing 35 acres, and a certain tract of land containing 24.4972 acres and  
19   situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW  
20   ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo  
21   County, New Mexico and also being the same as the Public Service Sub-  
22   Station tract as shown and designated on the SUMMARY PLAT FOR  
23   ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4,  
24   NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M.,  
25   BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County  
26   Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20,  
27   Folio 24 as Document No. 82-44125.

28               B.     The subject property falls within the Developing Urban Area of  
29   the Comprehensive Plan which makes it suitable for urban land uses.

30               C.     The request for IP zoning complies with Policy A of the  
31   Comprehensive Plan that recommends urban development in the Developing  
32   Urban area.

1           D.     Resolution 270-1980 requires that one of three findings be  
2 made for a change of zone: (1) that there was an error when the existing zone  
3 map was created, or (2) that changed neighborhood community conditions  
4 justify the change, or (3) that a different use category is more advantageous to  
5 the community. The recent approval of IP zoning immediately to the north of  
6 the site for warehouse retail uses qualifies as a changed condition in the area.

7           E.     The applicant is requesting IP zoning which is compatible with  
8 the IP zoning immediately to the north.

9       Section 5.   SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
10 clause, word or phrase of this ordinance is for any reason held to be invalid or  
11 unenforceable by any court of competent jurisdiction, such decision shall not  
12 affect the validity of the remaining provisions of this ordinance. The Council  
13 hereby declares that it would have passed this ordinance and each section,  
14 paragraph, sentence, clause, word or phrase thereof irrespective of any  
15 provisions being declared unconstitutional or otherwise invalid.

16       Section 6.   EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
17 become effective five or more days after publication in full when a copy of the  
18 ordinance and a plat of the territory hereby annexed is filed in the office of the  
19 County Clerk.

[+Bracketed/Underscored Material+] - New  
[-Bracketed/Strikethrough Material-] - Deletion

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

# FISCAL IMPACT ANALYSIS

TITLE:

00114-00000-01727

00110-00000-01728

Proj. # 1000960

R-

O-

FUND:

0110

DEPT:

Planning

- [ ] No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- [ ] (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	CURRENT YEAR*	NEXT YEAR*
Base Salary/Wages	\$	\$
Fringe Benefits at %		
Subtotal Personnel	\$	\$
Operating Expenses		
Property		
Indirect Costs		
Total	\$	\$
[ ] Estimated revenues not affected		
[ ] Estimated revenue impact	\$	\$

- \* These estimates do not include any adjustment for inflation.
- \* Range if not easily quantifiable.

Number of Positions

COMMENTS:

See attached memo.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

*[Signature]*  
FISCAL ANALYST

APPROVED

*[Signature]* 4/2/01  
DIRECTOR (date)

REVIEWED BY:

REVIEWED BY:

REVIEWED BY:

*[Signature]* 4/9/01  
EXECUTIVE BUDGET ANALYST

*[Signature]*  
BUDGET OFFICER (date)  
4-12-01

*[Signature]*  
CITY ECONOMIST

## MEMORANDUM

DATE: 4/3/2001

TO: MAKITA HILL, CASE PLANNER, ADVANCE PLANNING  
FROM: CHRISTOPHER HYER, ECONOMIST, ADVANCE PLANNING ~~CH/H~~  
RE: ECONOMIC AND FISCAL STUDY FOR THE SANDIA SCIENCE & TECHNOLOGY  
PARK, CASE # 00114 00000 01637/00110 00000 01649/00114 00000 01727/00110 00000  
01728. PROJECT #000935/PROJECT # 1000960 (219 ACRE ANNEXATION)

The Sandia Science & Technology Park (SS&TP) will provide a great boost to Albuquerque's economy. It will also directly and in-directly benefit several portions of Albuquerque's community. To begin with, the SS&TP will create approximately 6,500 high paying jobs with an average salary of \$50,000/year. This equates to an aggregated amount of \$325,000,000/year for salaries. Using a tax multiplier of 1.27% (applied to gross income) -- developed by the Bureau of Business and Economic Research (BBER) at UNM -- this aggregated salary figure suggests that at least \$4.2 million will be collected as Gross Receipts Tax (GRT) from personal expenditures annually. The expenditures would include the taxes collected from purchases of goods and services as well as collection on utility use and franchise fees.

Though it is difficult to measure where the exact benefits in the metropolitan area will occur, some of the more notable impacts will be discussed. One of the more noticeable benefits will be seen by the private sector from a large creation of high paying jobs. This benefit will be obtained from the "ripple-effect" throughout Albuquerque's economy from these employees -- they will be demanding more goods and services from the private sector. The ripple effect suggests that directly effected businesses will in turn demand more from their suppliers and other service-oriented businesses. The region surrounding the Albuquerque area will also feel the ripple effect, but probably to a less extent.

Kirtland Air Force Base (KAFB), more specifically the Air Force Research Lab, will benefit from being able to feed defense-generated technologies into the private sector and nurturing the commercialization of those technologies. More importantly though, KAFB will create more insulation for itself from the Base Realignment Committee (BRAC) by proving it's worth with working directly with the private sector. This is a priority of Senator's Domenici and Bingaman.

Sandia National Laboratory (SNL), a tenant of KAFB, will directly benefit by having direct influence of technology transfer to the private businesses located adjacent to it. This has started with the businesses already located within the park's area. From the Next Generation Economy Initiative Study, this type of cluster development, as proposed by the Master Plan, has been recognized as the paradigm for efficient business practices. The area to be SS&TP already resembles the type of cluster the Next Generation Economy study identifies. For example, Emcore, Micro-Electronics, Opto-Electronics, Bio-Technology and Information Technology are private sector spin-offs from Sandia that already exist. These businesses work with each other (and products produced from each other) to achieve better results and high-quality finished products.

The overall goal of bringing new technologies to the private sector is emerging and designating the SS&TP will highlight this point to prospective tenants by demonstrating the City's commitment

Created by Christopher Hyer using FISCALS  
FIA & Economic Study -- SST&P, 4/3/01

to this idea. It is the desire of the City and KAFB that the Park will not only show the City's dedication to public-to-private partnerships, but also show the Federal Government that it is important to continue this effort. It is in the City's interest (and KAFB) to use the growing science and technology transfer concept to help leverage federal grant monies to be used in developing the Gibson corridor as an expanded research area. With the combination of SS&TP, SNL, KAFB, UNM and Lovelace, Albuquerque certainly has a high ranking for receiving federal research dollars.

One other notable benefit from the SS&TP is the City is acquiring experience on how to help large projects that have many landowners to be successful. Policies and experiences can be garnered and streamlined for use in other projects around the City. The SS&TP will show that a public-private partnership is a viable solution to complicated development projects. However, even projects that have many benefits can only become a reality at some cost.

The SS&TP is a good example of how a project that benefits many parts of the community also has costs associated with it. Following is the Fiscal Impact Analysis for the SS&TP showing specific costs to the City. This analysis basically shows the costs of providing the City's services to SS&TP without taking into account any of the benefits enjoyed by the community as a whole.

The Master Plan for this area is not specific enough in order for a proper fiscal impact analysis using the FISCALS model to be done. Apparently, the Master Development Plan is written in such a way as to allow for maximum flexibility in attracting employers and high-tech businesses while providing an expedited approval process through the City. Assumptions for this analysis were made on possible sizes of buildings and number and type of jobs the SS&TP may include. The results are presented from the below assumptions and show a net cost to the City. The assumptions for the analysis are as follows:

- Zoning would be changed from A-1 to IP (R&D Park);
- Average salary is assumed to be \$50,000 for approximately 6,500 employees;
- Project will be built in Phases over a 2 – 10 year period;
- Full build out assumed to be .25 FAR;
- Land Use distribution assumed to be 50% R&D (1,193 Ksf), 30% Ind/Wrhse (715 Ksf), 12% Office (286 Ksf), 8% Retail (191 Ksf);
- Since there is not a master developer onboard, the eight parties to the MOU will hold all development to a master plan, yet to be approved. All building sites will be specific to tenants of the park, thus it is assumed that each site has a developer that will be responsible for infrastructure development;
- Each site pending development within the park will be subject to Planning Department and DRC review;
- Water and waste-water exist on the contiguous properties north and west of the park;
- Public safety, police and fire, would be readily available from current service to adjoining City property with annual O&M cost as the only expenditure.

Annual costs to the City would include police, fire and transportation. Public Safety services already exist on the adjacent property and only would need to be expanded to the site. Since the site is a research and development park, it is assumed to operate 24 hours a day as well as containing no residential sites, public safety costs are assumed to be at a minimum. Transportation operation and maintenance are determined by the City average.

Construction of new roads and improvements to Eubank Avenue would be capital improvements for transportation. The other capital improvement would be to storm drainage.

One-time construction gross receipts tax (\$1,142,596) and water/waste-water revenues will be collected.

The General Fund, which includes the GRT collection and the City's operation and maintenance expenditures, shows there would be a net deficit of \$(4,963,524) at the 20-year build out. This deficit is mostly the result of no residential properties in the park, which would provide a large reoccurring revenue stream from the collection of GRT. However, most employees at the SS&TP will live in Albuquerque. Their living in the City will add to the collection of GRT indirect of this project at the rate of \$4.2 million/year.

The Capital Fund, which includes property tax collection and park development and dedication fees on the income side and the actual construction costs on the expenditure side, is typically a deficit with annexations and new developments. For this project, a negative amount of (\$3,300,073) is the result of road and storm drainage development and additional police facilities at a 20-year build out.

The Utility Fund is comprised of water and wastewater in the FISCALS model. Since it is an enterprise fund and has a mechanism of collecting its own revenues, not a lot of attention is focused on the fact that it is always in deficit at the 20-year build out in the FISCALS model. The negative result of (\$14,488,903) suggests that water and waste-water infrastructure are costly to provide.

The fairly large deficit number for the utility fund has actually been partially covered from the City putting the water and waste-water lines in place as Central Avenue and Eubank Boulevard were improved. The deficit is offset by the buy-in impact fee new developments must pay to this fund. Simply put, the pipes were put into the ground long before the development came about and now the development must pay for use of the already existing infrastructure. The FISCALS model currently does not have a mechanism in it to capture the developments revenue from buying into the water/waste-water system. The model only captures the UEC and hook-up fees associated with the the square footage and land-use type.

See attached FISCALS Results page for detailed annual revenue information.

Note: The FISCALS model is regarded as only a tool to help provide input to analysis of various development projects. Decisions should be with its output as a reference, not a conclusion.



ANNEXATION SCENARIO  
SSTP ZONE  
BUDGET SUMMARY

BUDGET SUMMARY																					
Base	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
GENERAL FUND																					
Revenues:																					
Gross Receipts Tax (Exp)	\$0.00	\$91.408	\$91.408	\$91.408	\$91.408	\$91.408	\$114.260	\$114.260	\$114.260	\$114.260	\$114.260	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852	\$22.852
Operating Levy:	\$0.00	\$8.150	\$16.300	\$24.450	\$32.600	\$40.750	\$48.900	\$57.050	\$65.200	\$73.350	\$81.500	\$89.650	\$97.800	\$105.950	\$114.100	\$122.250	\$130.400	\$138.550	\$146.700	\$154.850	\$163.000
Other Local Taxes:	\$0.00	\$16.235	\$32.470	\$48.704	\$64.939	\$81.174	\$97.409	\$113.644	\$129.879	\$146.114	\$162.348	\$178.583	\$194.817	\$211.052	\$227.287	\$243.522	\$259.757	\$275.992	\$292.227	\$308.462	\$324.697
Misc. Other Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Program Revenues	\$0.00	\$0.948	\$1.896	\$2.844	\$3.792	\$4.740	\$5.688	\$6.636	\$7.584	\$8.532	\$9.480	\$10.428	\$11.376	\$12.324	\$13.272	\$14.220	\$15.168	\$16.116	\$17.064	\$18.012	\$18.960
Total General Fund Revenues:	\$0.00	\$112.665	\$133.923	\$155.181	\$176.438	\$197.696	\$247.120	\$273.692	\$300.264	\$326.836	\$353.408	\$367.315	\$372.629	\$377.943	\$383.258	\$388.572	\$393.886	\$399.199	\$404.512	\$409.825	\$415.138
Expenditures:																					
General Government:																					
Corrections:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Health Services:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Library:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Human Services:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Parks & Recreation:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Police:	\$0.00	\$22.108	\$44.216	\$66.324	\$88.432	\$110.540	\$132.648	\$154.756	\$176.864	\$198.972	\$221.080	\$243.188	\$265.296	\$287.404	\$309.512	\$331.620	\$353.728	\$375.836	\$397.944	\$420.052	\$442.160
Fire:	\$0.00	\$22.108	\$44.216	\$66.324	\$88.432	\$110.540	\$132.648	\$154.756	\$176.864	\$198.972	\$221.080	\$243.188	\$265.296	\$287.404	\$309.512	\$331.620	\$353.728	\$375.836	\$397.944	\$420.052	\$442.160
Transportation:	\$0.00	\$22.108	\$44.216	\$66.324	\$88.432	\$110.540	\$132.648	\$154.756	\$176.864	\$198.972	\$221.080	\$243.188	\$265.296	\$287.404	\$309.512	\$331.620	\$353.728	\$375.836	\$397.944	\$420.052	\$442.160
Transit:	\$0.00	\$22.108	\$44.216	\$66.324	\$88.432	\$110.540	\$132.648	\$154.756	\$176.864	\$198.972	\$221.080	\$243.188	\$265.296	\$287.404	\$309.512	\$331.620	\$353.728	\$375.836	\$397.944	\$420.052	\$442.160
Storm Drainage:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total General Fund Expenditures:	\$0.00	\$32.613	\$111.226	\$143.838	\$222.451	\$295.064	\$341.630	\$428.596	\$469.362	\$556.128	\$642.894	\$651.047	\$659.200	\$667.353	\$675.506	\$683.660	\$691.813	\$699.966	\$708.119	\$716.272	\$724.425
FISCAL SURPLUS/(DEFICIT)	\$0.00	\$80.053	\$22.697	\$11.342	\$54.013	\$57.366	(\$94.710)	(\$154.904)	(\$169.098)	(\$329.282)	(\$289.486)	(\$383.732)	(\$386.571)	(\$389.410)	(\$392.249)	(\$395.087)	(\$417.939)	(\$417.939)	(\$417.939)	(\$417.939)	(\$417.939)
Cumulative (millions):	\$0.00	\$0.00	\$0.00	\$0.114	\$0.068	\$0.111	(\$0.084)	(\$0.239)	(\$0.408)	(\$0.637)	(\$0.927)	(\$1.311)	(\$1.697)	(\$2.086)	(\$2.479)	(\$2.874)	(\$3.292)	(\$3.710)	(\$4.128)	(\$4.546)	(\$4.964)
CAPITAL FUND																					
Revenues:																					
Debt Levy:	\$0.00	\$15.937	\$31.875	\$47.812	\$63.750	\$79.687	\$95.625	\$111.562	\$127.500	\$143.438	\$159.374	\$175.310	\$191.249	\$195.233	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218
Park Development Fees:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park Dedication Fees:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Capital Fund Revenues:	\$0.00	\$15.937	\$31.875	\$47.812	\$63.750	\$79.687	\$95.625	\$111.562	\$127.500	\$143.438	\$159.374	\$175.310	\$191.249	\$195.233	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218	\$199.218
Expenditures:																					
General Government:																					
Library:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Human Services:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Parks & Recreation:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Police:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transportation:	\$0.00	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384
Transit:	\$0.00	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384	\$325.384
Storm Drainage:	\$0.00	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704	\$107.704
Total Capital Fund Expenditures:	\$0.00	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068	\$433.068
FISCAL SURPLUS/(DEFICIT)	\$0.00	(\$417.151)	(\$427.213)	(\$385.276)	(\$395.338)	(\$353.401)	(\$467.751)	(\$473.829)	(\$404.822)	(\$439.114)	(\$396.207)	\$38.152	\$13.422	\$66.014	\$14.605	\$41.197	\$146.076	\$116.684	\$168.005	\$115.327	\$140.848
Cumulative (millions):	\$0.00	(\$0.417)	(\$0.844)	(\$1.230)	(\$1.625)	(\$1.978)	(\$2.446)	(\$2.920)	(\$3.325)	(\$3.784)	(\$4.180)	(\$4.122)	(\$4.109)	(\$4.043)	(\$4.028)	(\$3.987)	(\$3.841)	(\$3.724)	(\$3.556)	(\$3.441)	(\$3.300)
UTILITY FUNDS																					
Revenues:																					
One-Time Water UEC:	\$0.00	\$8.109	\$8.109	\$8.109	\$8.109	\$8.109	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136	\$10.136
Annual Water Operating:	\$0.00	\$36.564	\$73.129	\$109.693	\$146.258	\$182.822	\$219.387	\$255.952	\$292.517	\$329.082	\$365.647	\$402.212	\$438.777	\$475.342	\$511.907	\$548.472	\$585.037	\$621.602	\$658.167	\$694.732	\$731.297
Annual Sewer Operating:	\$0.00	\$20.616	\$41.235	\$61.853	\$82.471	\$103.088	\$123.706	\$144.324	\$164.942	\$185.560	\$206.178	\$226.796	\$247.414	\$268.032	\$288.650	\$309.268	\$329.886	\$350.504	\$371.122	\$391.740	\$412.358
Subtotal Operating Revenues:	\$0.00	\$65.291	\$122.473	\$179.655	\$236.838	\$294.020	\$367.525	\$439.002	\$510.480	\$581.958	\$653.435	\$724.912	\$796.389	\$867.866	\$939.343	\$1,010.820	\$1,082.297	\$1,153.774	\$1,225.251	\$1,296.728	\$1,368.205
Expenditures:																					
One-Time Water UEC:	\$0.00	\$76.113	\$76.113	\$76.113	\$76.113	\$76.113	\$95.142	\$95.142	\$95.142	\$											

**TABLE OF CONTENTS**  
**00114-00000-01727/00110-00000-01728/Project #1000960**

	<u>PAGE(S)</u>
EPC STAFF REPORT/PACKET, February 15, 2001 .....	1 - 37
ADDITIONAL INFORMATION SUBMITTED TO EPC .....	38 - 61
EPC OFFICIAL NOTIFICATION OF DECISION, February 16, 2001. ....	62 - 65
EPC MINUTES, February 15, 2001. ....	66 - 83
ZONING MAP. ....	84
LAND USE MAP. ....	85



CITY OF ALBUQUERQUE

**EPC**

ENVIRONMENTAL PLANNING COMMISSION



Agenda Number: 6  
Case Number: 00114 00000  
01727/00110 00000 01728  
February 15, 2001

## Staff Report

**Agent** Consensus Planning Inc.  
**Applicant** Albuquerque Public Schools  
**Requests** Annexation  
Establishment of Zoning  
**Legal Description** Section 33, T10N, R4E, NW 1/4, SW 1/4, Section 33, T10N, R4E, SW 1/4, NE 1/4, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 NW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

**Location** Eubank Blvd SE between Southern SE and KAFB

**Size** Approximately 100 acres

**Existing Zoning** County A-1

**Proposed Zoning** City IP

### Staff Recommendation

**APPROVAL** of 00114-00000-01727, based on the findings on page 7.

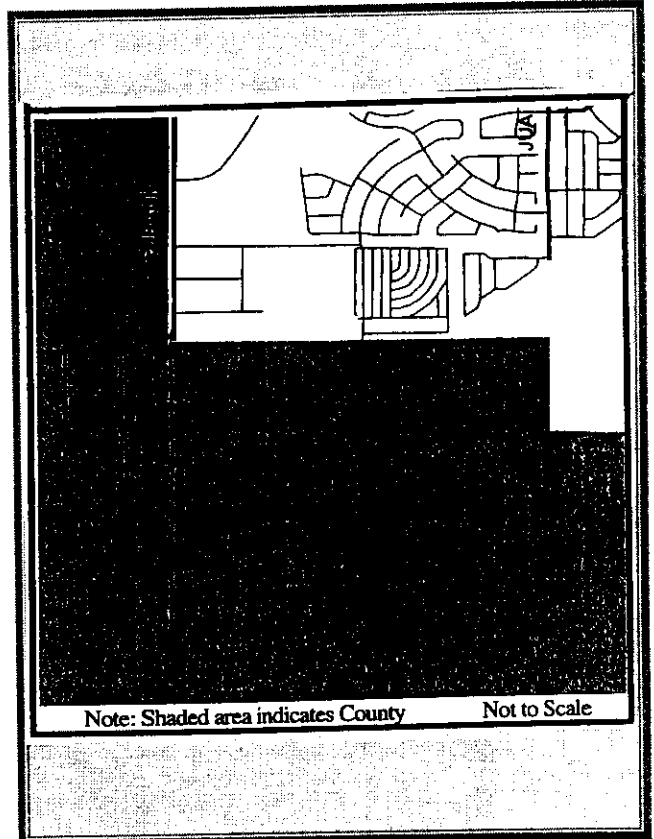
**APPROVAL** of 00110-00000-01728 based on the findings on page 8.

**Staff Planner**

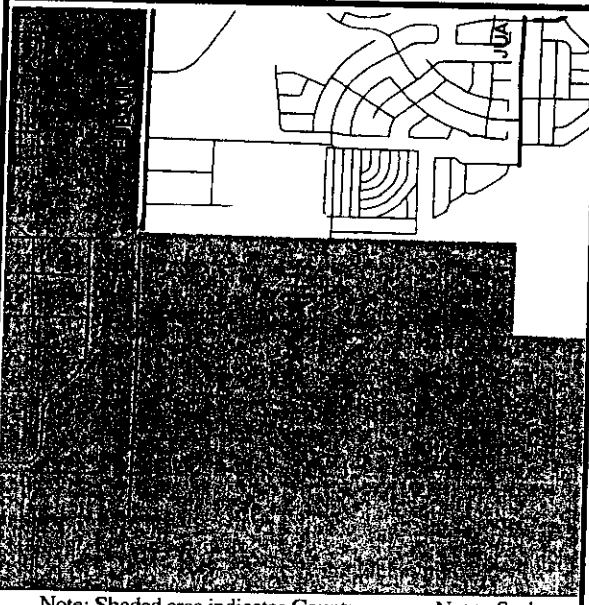
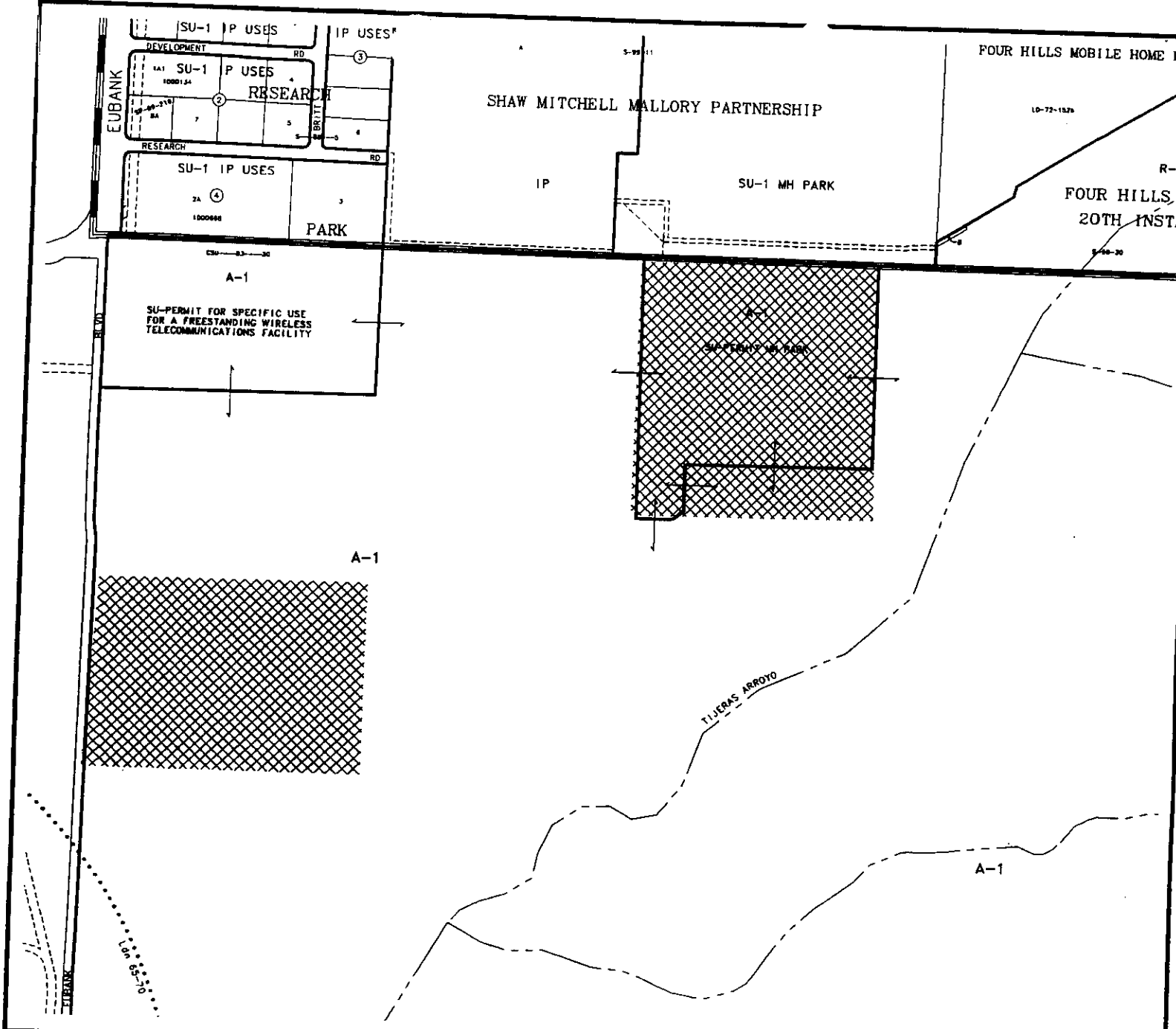
Makita Hill, Planner

### Summary of Analysis

This request is for annexation and establishment of IP zoning to include the subject three parcels, totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this development proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649. As with the previous case, this case is supported by policies in the Comprehensive Plan, and there is currently a Memorandum of Understanding between the City, the State Land Office, and the developers of the proposed Sandia Science and Technology Park (SSTP) to produce a Master Development Plan to be reviewed by the Environmental Planning Commission, which is required for applications for City IP zoning. The Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing. Staff recommends approval of this annexation and zoning application.



City Departments and other interested agencies reviewed this application from 1/5/01 to 1/19/01  
Agency comments were used in the preparation of this report, and begin on page 10.



Note: Shaded area indicates County Not to Scale

### ZONING MAP



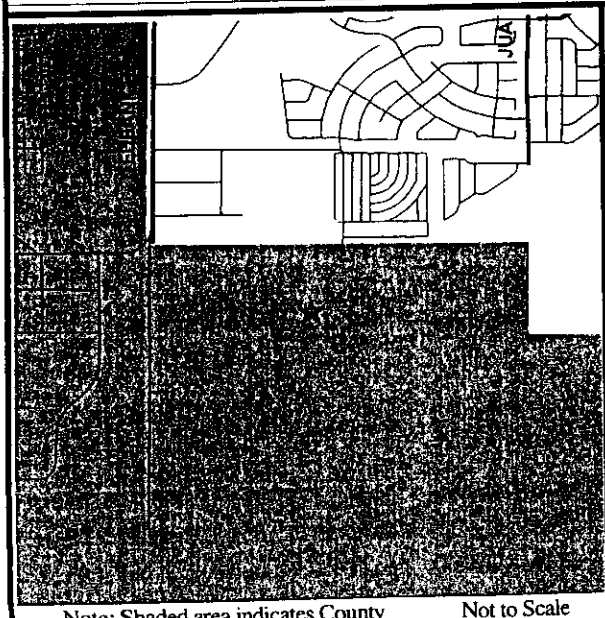
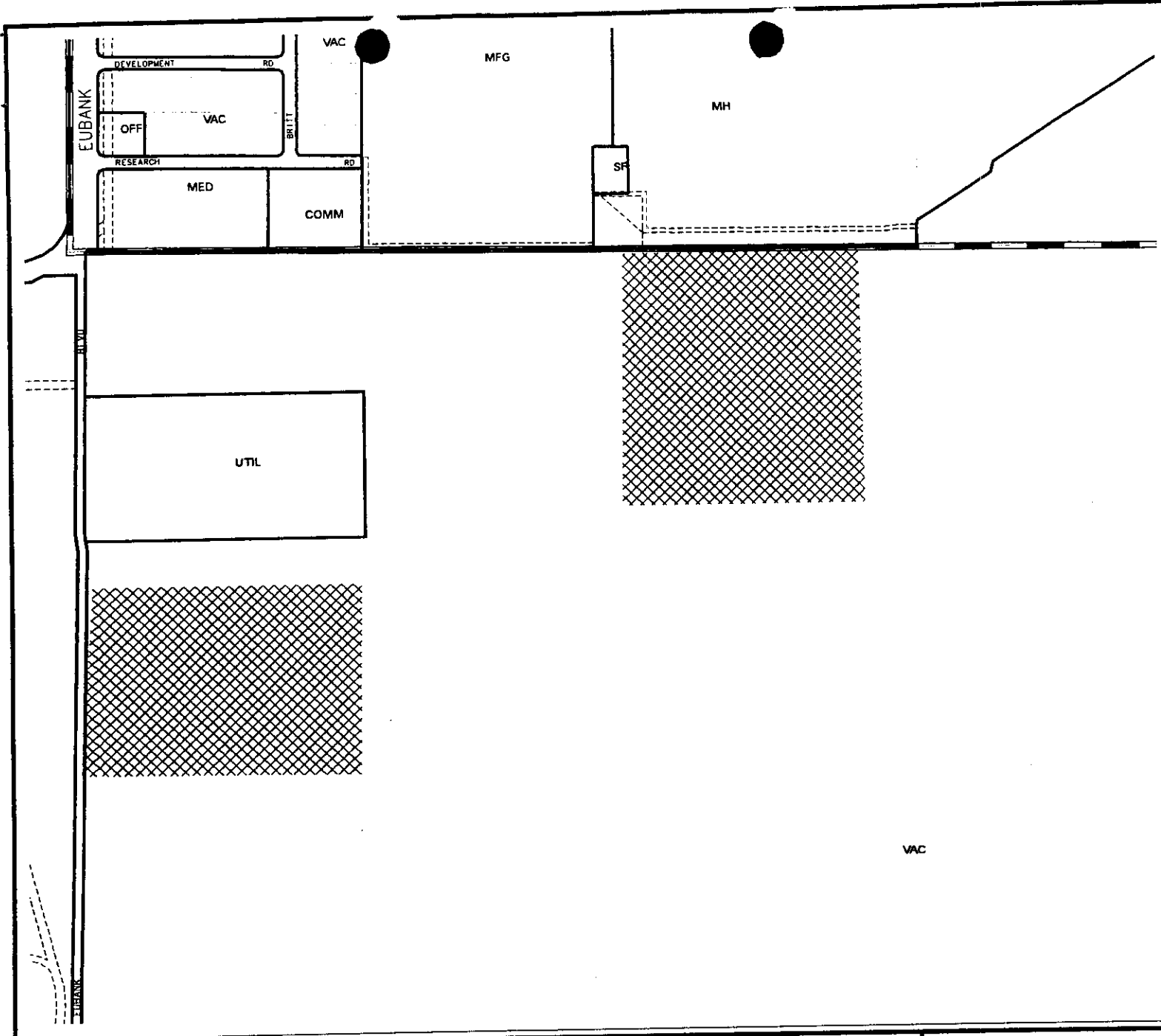
Scale 1"= 675 '

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728



# LAND USE MAP

## KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial-Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1" = 675'

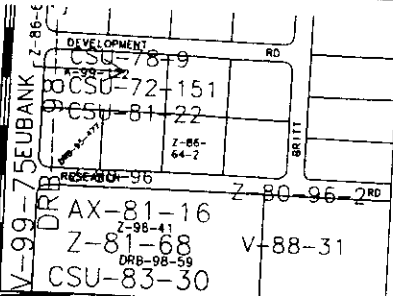
PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

Note: Shaded area indicates County Not to Scale



Z-95-69

S-90-10  
DRB-95-523  
AA-96-94

Z-98-89

AX-71-39  
Z-71-185

AX-80-21  
Z-80-96

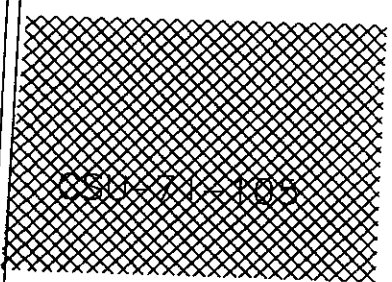
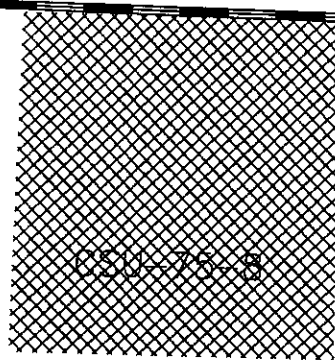
DRB-98-208  
CSU-70-48

Z-78-107  
AX-78-15

AX-8  
Z-80

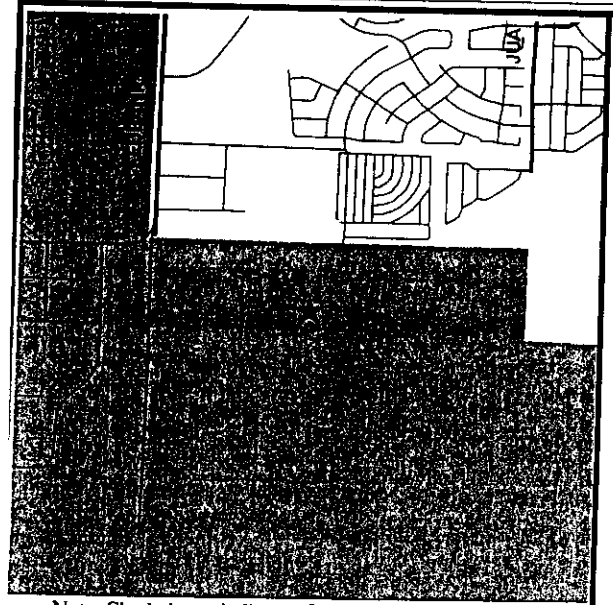
DRB-98-409

CSU-91-29



AX-80-21  
Z-80-96

AX-80-  
Z-80-3



### HISTORY MAP



Scale 1"=675'

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

-5-

Note: Shaded area indicates County Not to Scale

**Development Services Report**

**SUMMARY OF REQUEST**

<b>Requests</b>	Annexation Establishment of IP zoning
<b>Location</b>	Eubank Blvd SE between Southern SE and KAFB

**AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	County A-1	Developing Urban Trails and Bikeways Master Plan	Vacant
<b>North</b>	City IP	Developing Urban (TBMP)	Warehouse/Retail
<b>South</b>	County A-1	Developing Urban (TBMP)	Vacant
<b>East</b>	County A-1	Developing Urban (TBMP)	SU-Permit for MH
<b>West</b>	County A-1	Developing Urban (TBMP)	Vacant

**Background, History and Context**

This request is for annexation and establishment of IP zoning to include three parcels totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park (SSTP). The area has seen the development of a Home Depot home improvement retail warehouse and a Costco retail warehouse to the north of the subject sites. Land uses surrounding the sites include the Costco site to the north, a mobile home park to the east, and vacant land to the south and west. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this technology park proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649.

A Master Development Plan for the SSTP has recently been submitted for EPC review and action at the 15 March 2001 hearing,



---

**APPLICABLE PLANS AND POLICIES**

***Albuquerque / Bernalillo County Comprehensive Plan***

The subject sites are located in the area designated Developing Urban by the *Comprehensive Plan* with a Goal to "create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

Policy d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.

Policy I: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The Economic Development section of the Comprehensive Plan has as its goal "To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals". Applicable policies include:

Policy a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need".

Policy g: Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel".

***Trails and Bikeways Master Plan (Rank II)***

The Trails and Bikeways Master Plan was adopted by the City and the County in 1993. The study area for the plan generally encompasses Bernalillo County but is largely set in the City as shown on the Proposed Trails Map. The Plan sets forth goals and policies regarding the planning, funding, and uses of trail system in the area. Goal 1 seeks to "develop a map of proposed trails throughout the Albuquerque metropolitan area". The enclosed Proposed Trails Map indicates a proposed Primary Trail for Southern Avenue and a Proposed Secondary Trail to run along Eubank Blvd south of I-40

***Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)***

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service providers, and have provision for convenient street access to the City. The applicant must agree

to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject sites must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

***Resolution 91-1998 (R-70)***

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must

recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

***Long Range Roadway System***

The Long Range Roadway System designates Eubank Blvd SE as a Principal arterial.

**ANALYSIS**

***Conformance to Adopted Plans, Policies, and Ordinances***

The proposal for annexation and establishment of IP zoning for three parcels totaling approximately 100 acres for the proposed 219-acre Sandia Science and Technology Park (SSTP) is consistent with policies in the Comprehensive Plan in that the proposal does not conflict with existing residential areas, is proposed near existing infrastructure, will provide a diversity of employment opportunities, and is proposed to be included in a larger concentrated development. The applicant also appears to be willing to accommodate proposed trails for the area as indicated in the Trails and Bikeways Master Plan.

Section 14-16-2-19 of the City Zoning Code establishes provisions for IP zoning. Subsection (H), paragraph (2) of General Requirements states as follows: "Master Development Plan. A plan meeting the requirements of Section 14-16-1-5 shall accompany an application for change to IP zoning...". A Memorandum of Understanding has been established between the City, the State Land Office, and developers to produce a Master Development Plan to be reviewed by the Environmental Planning Commission at a later date. A Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing.

***Resolution 54-1990:***

The proposal for annexation of the subject three parcels totaling 99.4972 acres meets some standards of R-54-1990 in that the location is contiguous to existing City limits and is adjacent to existing infrastructure. In this case, a pre-annexation agreement is not necessary as the infrastructure and utility provisions can be addressed at the Development Review Board at the time of platting. The MOU addresses many aspects of a pre-annexation agreement as well. A Master Development Plan, necessary to guide any development on the site, will be reviewed by the EPC next month.

The request has recently been expanded to include the adjacent PNM switching area to create contiguity with the City limits for the parcel along Eubank Blvd.

***Resolution 270-1980:***

The applicant has demonstrated the inappropriateness of the current County A-1 zoning by noting changed neighborhood or community conditions with approvals for the Manzano Mesa mixed use master planned community, the recent approval of a master plan for IP zoning for Emcore Corp, and the Costco and Home Depot retail warehouse business developments.

---

Annexation of the site to the City will be a changed community condition that justifies the zoning. The request for IP zoning meets the requirements of R-270-1980.

***Concerns of Reviewing Agencies / Pre-Hearing Discussion***

***Transportation Development Services:***

Transportation Development Services has filed no adverse comment on the proposed annexation and establishment of zoning request, however a TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

***Parks and Recreation:***

Planning and design comments from Parks and Recreation staff include the following: With the development of Phase II of the Emcore property on the west a 10' trail will be constructed on the north side of a 60' east-west public roadway easement. The City would like to continue this east-west trail connection in the subject property. Determination of the location can be done at the DRB with future platting or with the development of the SSTP master development plan.

***Neighborhood Concerns***

Staff has received no inquiries from the neighborhood or other interested parties.

***Conclusions***

With a previous approval by the Environmental Planning Commission for annexation and establishment of IP zoning of a 40-acre parcel at this site pertaining to the proposed 219-acre Sandia Science and Technology Park (SSTP), and with a Memorandum of Understanding which will produce a Master Development Plan to be reviewed by the EPC as required for IP zoning, staff recommends this request for approval for further annexation and establishment of IP zoning to complete the assembly of land necessary for the SSTP.

---

**FINDINGS – 00114-00000-01727, February 15, 2001**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB).
2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

**RECOMMENDATION – 00114-00000-01727, February 15, 2001**

That APPROVAL of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.

-11-

---

---

*FINDINGS – 00110-00000-01728, February 15, 2001*

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB)
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

*RECOMMENDATION – 00110-00000-01728, February 15, 2001*

That APPROVAL of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.

**CITY OF ALBUQUERQUE  
COMMISSION  
PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION**

**ENVIRONMENTAL PLANNING  
Number: 00114 00000 01727/  
00110 00000 01728  
February 15, 2000**

Page 9

---

*Makita Hill*

**Makita Hill  
Planner**

cc: Albuquerque Public Schools, 915 Locust SE, Albuquerque, NM 87125-0704  
Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102

**Attachments**

---

## **CITY OF ALBUQUERQUE AGENCY COMMENTS**

### **PLANNING DEPARTMENT**

#### **Zoning Code Services**

"Reviewed, no comment."

### **PUBLIC WORKS DEPARTMENT**

#### **Transportation Development Services:**

No adverse comment on the proposed annexation and establishment of zoning request. A TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

#### **Utility Development:**

**Recommend deferral:** Piecemeal annexation and / or zoning in advance of a master plan is inappropriate. The area is part of the proposed 200-acre Sandia Science and Technology Park. Approximately half the 200-acres is currently outside the municipal limits. Annexation and master planning of the entire park should proceed as a single action. (*Same comments we made for the APS case on the January agenda #1000935*)

#### **Traffic Engineering Operations:**

Eubank needs improvement, especially at the intersection with KAFB/Sandia east entrance.

#### **Hydrology:**

The Hydrology Section has no objection to the proposed annexation request.

#### **Transportation Planning:**

City of Albuquerque: No objection to annexation and establishment of zoning.

Clarification is needed as to precisely what is being annexed. A plat or survey drawing should accompany the case, because the shapes and acreages of these two parcels are not shown authoritatively on the page-size maps accompanying the case.

One of these parcels is not contiguous to the city limit. A solution might be found in simultaneously annexing intervening land parcels. The entire width of the adjacent Eubank right-of-way, if any, should also be annexed.

For information, dedication of right-of-way for Eubank Boulevard (78 feet from centerline) will be required at some appropriate time, such as Sandia Science & Technology Park Master Plan approval, or time of development. Coordination with PWD Transportation Division will be necessary.



**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

"No Adverse Comment."

**Environmental Services Division**

**NEIGHBORHOOD SERVICES**

"No association."

**PARKS AND RECREATION**

**Planning and Design**

**OPEN SPACE DIVISION**

"No Adverse Comment."

**POLICE DEPARTMENT/Planning**

"No Comment."

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

"No Adverse Comment."

**FIRE DEPARTMENT/Planning**

"No Adverse Comment."

**TRANSIT DEPARTMENT**

A condition of approval for the future Master Development Plan for the Sandia Science and Technology Park should require that a Transportation Demand Management (TDM) program is developed with each project in the Plan area. A conglomeration of TDM's would provide an excellent opportunity to create a Kirtland/ Science Park area Transportation Management Association (TMA). Advantages that a TMA provide include; economies of scale in transportation demand management strategies and greater influence on area-wide transportation decisions. It is recommended that the applicant contact the Transit Department to begin the framework for starting a TMA.

This area is currently served by Route 2.

# City of Albuquerque



## DEVELOPMENT REVIEW APPLICATION

<b>SUBDIVISION</b>		Supplemental form <b>S</b>	<b>ZONING</b>		Supplemental form <b>Z</b>
<input type="checkbox"/>	Major Subdivision Plat		<input checked="" type="checkbox"/>	Annexation & Zone Establishment	
<input type="checkbox"/>	Minor Subdivision Plat		<input type="checkbox"/>	Sector Plan	
<input type="checkbox"/>	Vacation	<b>V</b>	<input type="checkbox"/>	Zone Change	
<input type="checkbox"/>	Variance (Non-Zoning)		<input type="checkbox"/>	Text Amendment	
<b>SITE DEVELOPMENT PLAN</b>		<b>P</b>	<input type="checkbox"/>	Special Exception	<b>E</b>
<input type="checkbox"/>	...for Subdivision Purposes		<b>APPEAL / PROTEST of...</b>		
<input type="checkbox"/>	...for Building Permit		<input type="checkbox"/>	Decision by: Planning Director	<b>A</b>
<input type="checkbox"/>	IP Master Development Plan		or Staff, DRB, EPC, Zoning Board of		
<input type="checkbox"/>	Cert. of Appropriateness (LUCC) <b>L</b>		Appeals, LUCC		

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICANT INFORMATION:

NAME: NM State Land Office		PHONE: 841-8705
ADDRESS: 4308 Carlisle NE		FAX: 841-8703
CITY: Albuquerque	STATE NM	ZIP 87107
Proprietary interest in site: Owner		E-MAIL:
AGENT (if any): Consensus Planning, Inc.		PHONE: 764-9801
ADDRESS: 924 Park SW		FAX: 842-5495
CITY: Albuquerque	STATE NM	ZIP 87102
DESCRIPTION OF REQUEST: Annexation and Establishment of Zoning		E-MAIL: cpeconsensusplanning.com

### SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. S33, T10N, R4E, NW1/4, SW 1/4	Block:	Unit:
Subdiv. / Addn. 933, T10N, R4E, SW1/4, NE 1/4		
Current Zoning: A-1	Proposed zoning: IP	
Zone Atlas page(s): M-21	No. of existing lots: 1	No. of proposed lots: 1
Total area of site (acres): 40; 35	Density if applicable: dwellings per gross acre: N/A	dwellings per net acre:
Within city limits? Yes, No <input checked="" type="checkbox"/> but site is within 5 miles of the city limits (DRB jurisdiction.)	Within 1000FT of a landfill? Yes	
UPC No. 102105533032810144; 1102105506419030122	MRGCD Map No.	
LOCATION OF PROPERTY BY STREETS: On or Near: Eubank Blvd. SE		
Between: Southern SE and KAFB		

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.):

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐ . Date of review:

SIGNATURE Jaqueline Fishman DATE 11/20/00  
(Print) JACQUELINE FISHMAN Applicant ☐ Agent ☒

### FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	00114 - 0000 - 01707	Annex	2	\$ 0
<input type="checkbox"/> All fees have been collected	00110 - 0000 - 01728	E-7Z	2	\$
<input type="checkbox"/> All case #s are assigned				\$
<input type="checkbox"/> AGIS copy has been sent				\$
<input type="checkbox"/> Case history #s are listed				\$
<input type="checkbox"/> Site is within 1000ft of a landfill				\$
<input type="checkbox"/> F.H.D.P. density bonus				\$
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>2-15-01</u>			Total \$ 0

J. Chaz

Planner signature / date

Project # 1000960

-17-

# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x 14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION  
S33, T10N, R4E, NW 1/4, SW 1/4; S33, T10N, R4E, SW 1/4, NE 1/4
2. TOTAL ACREAGE OF AREA: 75 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguous with municipal boundary; City able to provide services;  
forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
THE APPLICANT(S) AND CITY AGREE THAT:
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S): NM State Land Office PHONE 841-8705
  - A. OWNER MAILING ADDRESS 4308 Carlisle NE Alb. NM ZIP CODE 87107  
LEGAL DESCRIPTION OF PROPERTY OWNED: S33, T10N, R4E, NW 1/4, SW 1/4  
S33, T10N, R4E, SW 1/4, NE 1/4  
SIGNATURE Ray Powell ACREAGE 75 acres
  - B. OWNER PHONE  
MAILING ADDRESS ZIP CODE  
LEGAL DESCRIPTION OF PROPERTY OWNED  
SIGNATURE ACREAGE
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_

-18-

# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION S 1/2, SW 1/4, NW 1/4  
and northerly 140 ft. of NW 1/4, Section 33, T10N, R4E  
(see attached)
2. TOTAL ACREAGE OF AREA: 24.4972
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguity with municipal boundary; availability of municipal  
services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
THE APPLICANT(S) AND CITY AGREE THAT:
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S):
  - A. OWNER Public Service Company of NM PHONE 241-2564  
MAILING ADDRESS Alvarado Square ZIP CODE 87158  
LEGAL DESCRIPTION OF PROPERTY OWNED: S 1/2, SW 1/4, NW 1/4 and  
northerly 140 ft. of NW 1/4, Section 33, T10N, R4E (see attached)  
SIGNATURE [Signature] ACREAGE 24.4972
  - B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

EPC HEARING DATE: \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_

-19-

CITY OF ALBUQUERQUE  
TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: STATE LAND OFFICE Date of request: 11/15/00 Zone atlas page(s): M-21

CURRENT: Zoning A-1 Legal Description - Lot or Tract # \_\_\_\_\_ Block # \_\_\_\_\_  
Parcel Size (acres / sq.ft.) 2 PARCELS - 40 ac + 35 ac Subdivision Name \_\_\_\_\_

REQUESTED CITY ACTION(S):

Annexation [ ]	Sector Plan [ ]	Site Development Plan:	Building Permit [ ]
Comp. Plan	Zone Change [ ]	a) Subdivision [ ]	Access Permit [ ]
Amendment [ ]	Conditional Use [ ]	b) Build'g Purposes [ ]	Other [ ]
		c) Amendment [ ]	

PROPOSED DEVELOPMENT:

No construction / development [ ☒ ]  
New Construction [ ]  
Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION: 1 ANNEXATION & ESTABLISHMENT OF ZONING - 1P  
# of units - \_\_\_\_\_  
Building Size - \_\_\_\_\_ (sq. ft.)

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative Josephine Friedman Date 11/21/00  
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ☒ ] NO [ ] BORDERLINE [ ]

PWD, Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3991 or 3994

THRESHOLDS MET? YES [ ☒ ] NO [ ] Mitigating reasons for not requiring TIS: Previously studied: [ ]

Notes: TIS will be processed as part of the overall Master Plan for the Sandia Science and Technology Park.

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

Joseph D. Montano 11/21/00  
for TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [ ☒ ] NO [ ] BORDERLINE [ ]

ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [ ☒ ] NO [ ] Mitigating reasons for not requiring AQIA: Previously studied: [ ]

Notes:

IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

[Signature] 11/21/00  
ENVIRONMENTAL HEALTH DATE

Required TIS and / or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS	- SUBMITTED _____	_____	_____
	- FINALIZED _____	TRAFFIC ENGINEER	DATE
AQIA	- SUBMITTED _____	_____	_____
	- FINALIZED _____	ENVIRONMENTAL HEALTH	DATE

FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ☒ NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
- ☒ Letter briefly describing, explaining, and justifying the request
- ☒ Letter of authorization from the property owner if application is submitted by an agent
- ☒ Property Boundary Survey prepared by a licensed professional surveyor
- ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☒ Sign Posting Agreement
- ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ☒ Fee (see schedule)
- ☒ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)

☐ SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)

☐ SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)

- ☐ Copy of findings from required pre-application meeting (for the DRB conceptual plan review only)
- ☐ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
- ☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC final review and approval public hearing only)
- ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC final review and approval public hearing only)
- ☐ Fee for final review and approval only (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. Your attendance is required.

☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

- ☐ Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
- ☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☐ Sign Posting Agreement
- ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ☐ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

- ☐ Proposed Amendment referenced to the materials in the sector plan being amended
- ☐ Sector Plan to be amended with materials to be changed noted and marked
- ☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ☐ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- ☐ Amendment referenced to the sections of the Zone Code being amended
- ☐ Sections of the Zone Code to be amended with text to be changed noted and marked
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

JACQUELINE FISHMAN

Applicant name (print)

*Jacqueline Fishman* 11/20/00

Applicant signature / date

Form revised September 2000



- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers  
00114-00000-01727  
00110-00000-01728

Planner signature / date  
*L. Chery* 12/14/02  
Project # 1000960

-21-



CONSENSUS

Landscape Architecture  
Urban Design  
Planning Services

924 Park Avenue SW  
Albuquerque, NM 87102

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

February 2, 2001

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Re: 1000960; 00114-00000-01727; 00114-00000-01728

Dear Chairwoman Begay:

The purpose of this letter is to expand our request for annexation and establishment of zoning to include the PNM Switching Station on Eubank Boulevard. Our original request included two NM State Land Office tracts, a 35 acre tract to the south of the PNM Switching Station and a 40 acre tract to the east. The case is scheduled to be heard by the Environmental Planning Commission (EPC) on February 15, 2001.

The PNM Sandia Switching Station will not be included in the Sandia Science & Technology Park (SS&TP), however, in order to complete the annexation needed for the SS&TP, the property must be included for compliance with City policies on annexation regarding contiguity.

The applicant is requesting IP zoning for this property, which is consistent with the adjacent properties, existing land use, and changed neighborhood conditions, as required by Resolution 270-1980. The property falls within the Developing Urban area, as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The City has determined that annexation of these areas is desirable.

The request is consistent with policies contained in R-54-1990 by being contiguous with municipal boundaries, being serviceable with municipal utilities, and forming a logical City boundary. This annexation request will help facilitate the multi-agency efforts to develop the SS&TP into a high technology research and development park.

The City of Albuquerque and PNM have entered into a Pre-Annexation Agreement, which outlines the requirements and obligations on behalf of both parties (see attachment). The Agreement specifies that no site development plan is required for this annexation and establishment of IP zoning.

PRINCIPALS

Karen R. Martinez, AICP  
James R. Stroger, AICP  
Christopher J. Olson, ASLA

-22-



Please do not hesitate to contact me at 764-9801 if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Fishman', with a long horizontal stroke extending to the right.

Jacqueline Fishman, AICP  
Senior Planner

C: Rob Roberts, Manager, Right-of-Way and Land Services, Public Service  
Company of NM

ANNEXATION AGREEMENT  
(PNM Sandia Switching Station)

THIS AGREEMENT (the "Agreement") is entered into this First day of February, 2001, by and between the CITY OF ALBUQUERQUE, a municipal corporation (the "City"), and PUBLIC SERVICE COMPANY OF NEW MEXICO, INC. ("PNM").

WHEREAS, the City desires to annex certain real properties into the City, which properties include certain real property commonly know as the Sandia Switching Station owned by PNM (the "Property"), and which Property is more particularly described in the exhibit attached hereto; and

WHEREAS, such properties have been identified as in the public hearing conducted by the Environmental Planning Commission; and

WHEREAS, PNM presently conducts upon the Property the operation and maintenance of electric switching station, substation and communication facilities ("Existing Uses").

WHEREAS, PNM agrees to consent to the annexation of the Property into the City upon the conditions set out herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and PNM agree as follows:

1. The City shall classify the property to I.P. zoning, as currently defined in the City of Albuquerque Comprehensive Zoning Code, simultaneously with its annexation for all of the Existing Uses and minor expansion of the Existing Uses (the "Proposed Zoning").
2. The City agrees that annexation of the Property into the City with the Proposed Zoning and with the Existing Uses would be beneficial to the City, in accord with sound planning and development of the City, and within the context of this Agreement, would not constitute a change in the character of the neighborhood.
3. The City Planning staff shall recommend to the City Council approval of the Proposed Zoning, and the City agrees that no policies or plans of the City need to be amended to accommodate the Proposed Zoning; however, if amendments are required, the City agrees to amend any such plans to accommodate the Proposed Zoning.
4. The City agrees that a site development plan for the Property shall not be required unless there is a significant change of Existing Uses, and agrees that there will be no additional requirements with respect to continuation of the Existing Uses of the Property; for example, there will be no landscaping requirements, walls or fencing requirements, buffering requirements, noise or air pollution requirements, lighting requirements or land dedication requirements. These requirements may be deemed necessary upon a major change in use

referred to above. Nothing in this paragraph shall limit the City from enforcing its current ordinances, policies or procedures that do not affect the land uses of the Property.

5. The City agrees that no City ordinance, plan, policy or procedure now in place will alter, impede, restrict or adversely affect the Existing Uses of the Property.

6. Nothing contained herein shall prevent PNM from using the Property in any manner presently permitted, either now, during or after the annexation and zoning process, subject to the provisions of this Agreement and effective ordinances and regulations at the time there is a change of use or expansion of Existing Uses.

7. It is understood and agreed that PNM will not oppose the annexation, and that such annexation will be on the conditions set forth herein, with I.P. Zoning for the Property.

8. This Agreement shall inure to the benefit of and be binding upon the City and PNM and the successors in interest to the Property.

9. The City represents that it will comply with all ordinances, resolutions, policies and procedures in order to insure that this Agreement will be binding upon the parties.

Executed the day and year first set out above.

CITY OF ALBUQUERQUE, a  
municipal corporation

BY

  
Lawrence Rael

ITS Chief Administrative Officer

PUBLIC SERVICE COMPANY OF  
NEW MEXICO, INC.

BY

  
Rob Roberts

ITS Manager, Right of Way Department

# DESCRIPTION

A certain tract of land situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone NAD 1983 Datum) and ground distances as follows:

BEGINNING at the southwest corner of the tract herein described, a point on the westerly boundary line of said Section 33, whence the southwest corner of said Section 33, a 3-1/4 inch City of Albuquerque aluminum survey cap (having New Mexico State Plane Coordinates Central Zone NAD 1983 of X=1,555,723.90961 and Y=1,471,098.81399) bears S07°57'07"W, a distance of 2572.22 feet and from said point of beginning running thence along the westerly boundary line of said Section 33, N00°57'07"E, a distance of 140.00 feet to the west quarter Section corner of said Section 33, thence running along the westerly boundary line of the S1/2 SW1/4 NW1/4, N00°58'04"E, a distance of 677.91 feet to the northwest corner of the S1/2 SW1/4 NW1/4, thence running along the northerly boundary line of said S1/2 SW1/4 NW1/4, S89°30'27"E, a distance of 1307.74 feet to the northeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of said S1/2 SW1/4 NW1/4, S00°48'25"W, a distance of 672.68 feet to the southeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of the NW1/4 NW1/4, S00°47'49"W, a distance of 140.00 feet to the southeast corner of the tract herein described, thence running along the southerly boundary line of the tract herein described, N89°44'10"W, a distance of 1310.06 feet to the point and place of beginning.

Tract contains 24.4972 acres, more or less.

A. Dwain Weaver  
A. Dwain Weaver  
N.M.P.S. No. 6544

Date: January 26, 2001



Job No. 101222A.03

-26-

February 1, 2001

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Dear Chairwoman Begay:

This letter hereby gives authorization to Consensus Planning to work as agent on behalf of the Public Service Company of New Mexico (PNM) in requesting annexation and establishment of zoning for the PNM Switching Station on Eubank Boulevard. PNM understands that annexation of this property will be concurrent with the annexation of State Land Office property to the south and east.

Please do not hesitate to contact me at 241-2564 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Roberts", with a long horizontal line extending to the right.

Rob Roberts  
Public Service Company of New Mexico

## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (*see page two for Site Vicinity*). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

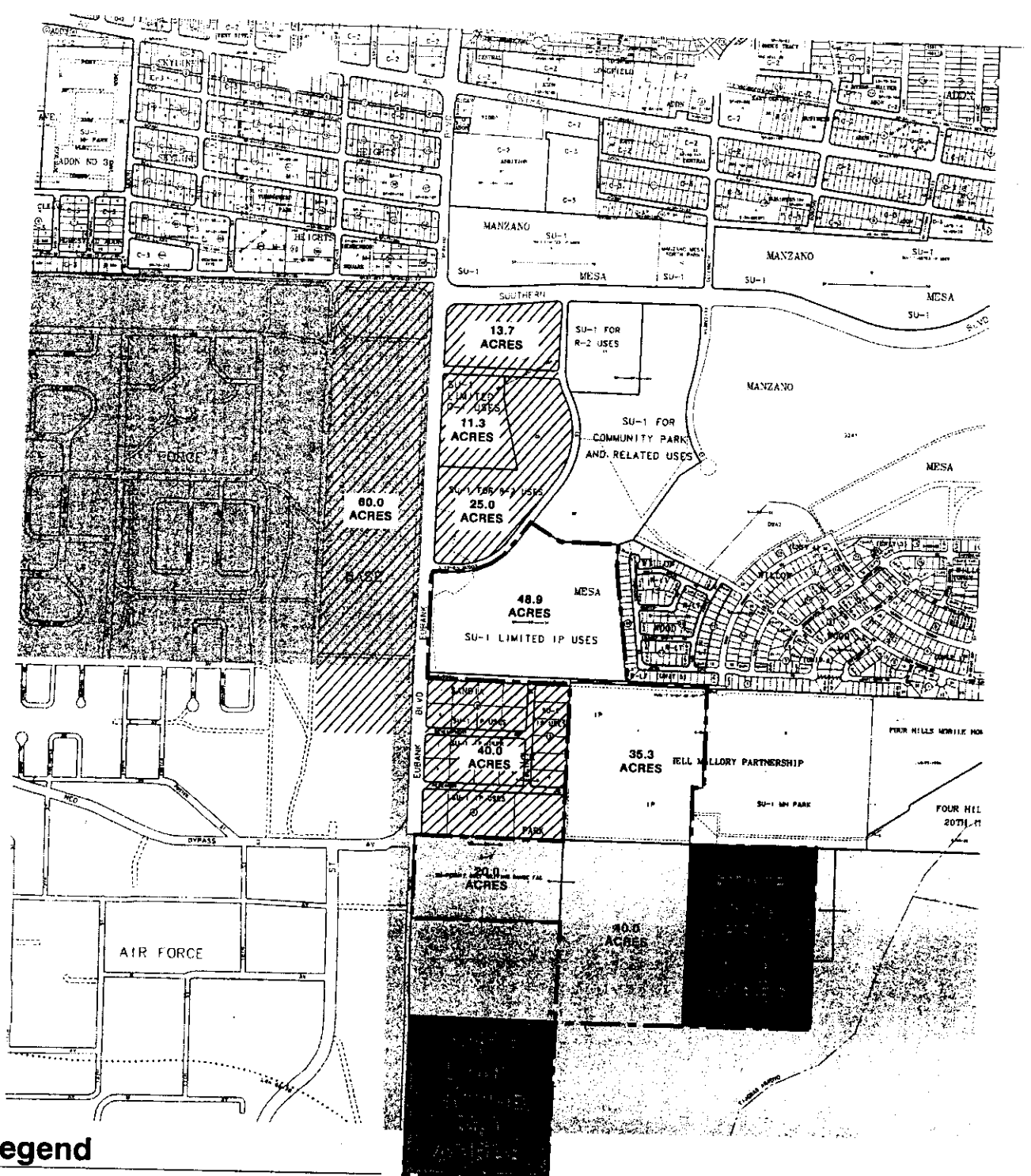
The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

Policy d      *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*

Policy e      *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured."*



## Legend

Albuquerque Public Schools



Potential Future Parcels



Existing Park Acreage 219.2 acres



Park Acreage w/Potential Future Parcels 369.2 acres

## Sandia Science and Technology Park

Prepared For:

Albuquerque Public Schools

Prepared By:

Consensus Planning, Inc.  
824 Park Avenue SW  
Albuquerque, NM 87102

-29-



Policy i        *"Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments."*

Policy l        *"Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area."*

**Applicant Response:**

These 75 acres will provide the economy of scale needed for the type of research and development park planned. The desire is to create a high quality, campus-style park that would accommodate manufacturing and office uses, and will be complementary to the adjacent residential, commercial, and community uses. The Master Development Plan being created for the SSTP will include detailed design guidelines for pedestrian accessibility, vehicular circulation, architecture, landscape, FARs, parking, lighting, etc.

**Economic Development Policies**

*"The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals."*

Policy a        *"New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need."*

Policy f        *"The City and the County should remove obstacles to sound growth management and economic development throughout the community."*

Policy g        *"Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel."*

**Applicant Response:**

The land uses proposed will support the development of the SSTP, a major employment center capable of attracting well paying, high technology employment. The SSTP will provide a needed balance to the large amount of residential development occurring to the north and east, the commercial development to the north (Costco and Home Depot), and the community uses to the north. It has enormous potential to reduce vehicle trips traveled in this area.

**2. Trails & Bikeways Facility Plan**

The Trails & Bikeways Facility Plan is a Rank II Plan which recommends development standards, identifies specific site locations, and sets of priorities for the use of public funds for planning multi-use trail systems throughout the City. The Plan identifies a planned primary trail along Southern Avenue and proposes a secondary trail located along Eubank Boulevard from the KAFB north gate.

The consultants have already met with Diane Scena, City Trails Coordinator regarding trails around the SSTP. The Proposed Trail Map shows a connection through the SSTP



between Eubank and an existing mountain bike trail along the Tijeras Arroyo and south of the Shaw Mobile Home Park to the east. The existing bike trail connects to Juan Tabo.

The applicant understands that the City would like a trail connection created between the existing trail through the SSTP to Eubank. These trails are intended to serve regional bicycle commuters and local residents, and can either be located within rights-of-way for roads or in separate trail easements. The trail will most likely need to line up with the road and access easement along the southern boundary of the Emcore site.

### **3. Resolution 270-1980**

- A. This petition for annexation and establishment of IP zoning is consistent with the health, safety, morals, and general welfare of the City. Addition of these two parcels to the SSTP will create the economy of scale and critical mass needed to make the Park the single most important economic development project in the City of Albuquerque. The Park is intended to attract users in the high technology sector that will bring high paying jobs to the region. It will also help support Sandia National Lab's focus on technological commercialization.
  - B. This request recognizes that stability of land use and zoning is desirable. The proposed zoning, IP, is consistent with adjacent parcels and will help stabilize land use in the area for the development of the SSTP, a major employment center. The proposed zoning is clearly more beneficial to the community than the existing County A-1 zoning, and will not be harmful to adjacent property, the neighborhood, or the community.
  - C. This zone map amendment request is not in conflict with adopted City plans or policies. Rather, it is consistent with the goals and policies of the City of Albuquerque/Bernalillo County Comprehensive Plan regarding economic development and employment opportunities. The SSTP will "provide the opportunity for a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in transportation, work areas, and lifestyles while creating a visually pleasing built environment".
- The SSTP will be designed to promote alternative transportation modes. Pedestrian and bicycle access will be given high priority, and transit options will be explored with City Transit staff.
- D2. **Changed Neighborhood Conditions** - Substantial changed neighborhood conditions exist in this area. Numerous zone map amendments, annexations, and site plan approvals have occurred in this area over the past 3-4 years. Manzano Mesa, a master plan area comprising commercial, office, park, and multi-family and single family residential uses, has been developing at a rapid pace with a variety of projects. Also, the creation of the SSTP development process occurred with the signing of the Memorandum of Understanding in February, 2000, which significantly changed development conditions for this area. These changed conditions include:

### ***Office/Industrial Uses***

Emcore Corp, a high technology user located within the SSTP and serving as its anchor, recently received approval by the City Council for annexation and establishment of IP zoning on a 20 acre parcel to the north. The request also included approval of a master development plan. The plan is for a multi-million dollar expansion of its Albuquerque operation, which involves the manufacture of material for semiconductors. Adding to its existing 50,000 square foot building, Phase 1 will include a two-story, 36,000 square foot building. It is anticipated to create 200 new jobs. Phase 2 will include a 58,000 square foot building, anticipated to create another 400 new jobs.

### ***Commercial Uses***

Two major commercial developments have occurred in this area. Costco Wholesale retail store, comprising 152,000 square feet, recently opened just north of Southern Boulevard and adjacent to Eubank Boulevard. In this case, the EPC approved a zone map amendment from SU-1 for Limited IP purposes to SU-1 for C-2 (Z-99-136). Home Depot is located north of Costco and has been in operation for two years.

### ***Residential Uses***

Residential development in the area has included Willow Wood and Mirabella, both single family residential communities to the east of this property. In addition, a zone map amendment is being requested by GSL Properties, Inc. on the property just to the north of the SSTP. This request involves a rearrangement of land uses to allow office development adjacent to the SSTP on the north and relocates the multi-family residential further to the north. The site plan proposes a total of 504 dwelling units.

### ***Community Uses***

Located north of the SSTP, Manzano Mesa Community Park is zoned SU-1 for Community Park and Related Uses and has been developing for the last four years. Manzano Mesa Multi-Generational Center, to be located in the northeast corner of the park, is currently planned to start construction in January, 2001. APS is also planning a new elementary school north of the SSTP.

- E. The proposed uses will not be harmful to the adjacent properties, the neighborhood, or the community. It will benefit both the immediate and the greater community by creating a major employment center adjacent to Sandia Labs. The intent is to design a high quality research and development park with rigorous design guidelines for all potential tenants.
- F. The proposed zone map amendment will not require major or unprogrammed capital expenditures by the City. The SSTP project team has held meetings with representatives from the Planning Department, Public Works, Parks and Recreation, and Environmental Health to introduce the project and to review the Memorandum of Understanding. Additional coordination meetings are planned. The City has identified funding for improvements to Eubank Boulevard including expansion to six lanes, landscaping, and sidewalks. The STPDC has just started an RFQ/RFP process

to solicit interest in the project from potential master developers.

- G. Economic factors are not the determining factor for this petition for annexation and establishment of zoning. This parcel will help build the economy of scale needed to make the SSTP a successful research and development park, capable of employing up to 10,000 people in high paying jobs.
- H. This request recognizes that the location of this property close to Eubank Boulevard (a principal arterial) is not by itself a justification for zone map amendment. However, a research and development park of this scale (219 acres) requires a major facility to provide adequate access.
- I-J. This request does not constitute a spot or strip zone since adjacent IP zoning already exists and has been recently approved by City Council for the Emcore site. Further, this site will be incorporated into a 219 acre IP site and will not be a stand-alone parcel.

#### **4. Resolution 54-1990**

Resolution 54-1990 provides City policies and requirements for annexation. Land proposed for annexation shall be generally contiguous to City boundaries, be accessible to City services, and provide for convenient street access. The land must be appropriate for urban development and must be beneficial to public welfare. In addition, the applicant must agree to timing of capital expenditures for any major streets, water, and sanitary sewer.

#### **Applicant Response:**

This property meets the requirements of Resolution 54-1990 by being contiguous with City boundaries, accessible to City services, and having convenient access to the street network including Eubank, a principal arterial planned for expansion to six lanes. A pre-annexation agreement is not necessary since the City Utility Division has already stated that the property is serviceable. The City has identified the annexation of Developing Urban areas as designated by the Comprehensive Plan as desirable.

#### **5. Resolution 91-1998 (R-70)**

Resolution 91-1998 (R-70) establishes an overall direction for implementation of the City's growth policies. The framework emphasizes many elements, many of which are covered by this request.

The area is emerging as a major activity center that will include many opportunities for employment, residential, commercial, and community uses. The SSTP is consistent with City goals for creating a network of centers and corridors. The residential areas to the east of the site and the multi-family residential planned by GSL Properties, Inc. just to the north provide a good balance to the SSTP.

Eubank, a principal arterial, has been long planned for expansion to six lanes. This, along with the ability to provide links to the City's trail system through the SSTP, will encourage alternative modes of transportation and less dependence on single occupancy vehicles, and will facilitate the reduction of vehicle miles traveled.

### C. CONCLUSION

- This request is for annexation and establishment of IP zoning for 75 acres as part of the Sandia Science and Technology Park. Annexation of this site is consistent with the policies in R-54-1990. This site is designated as Developing Urban by the Comprehensive Plan and the City has determined that annexation of these areas is desired and encouraged. The site is fully serviceable with City of Albuquerque infrastructure.
- This request is consistent with the Comprehensive Plan policies regarding economic development and employment opportunities. The SSTP is envisioned to be a campus-style, high technology, research and development park.
- There are substantial changed neighborhood conditions brought on by single family and multi family residential, commercial, industrial, and community related development in the area, as well as the adoption of the Memorandum of Understanding for the SSTP. The EPC recommended approval for annexation and establishment of IP zoning for a 20 acre parcel to be developed by Emcore Corporation, a high technology user located within the SSTP and projected to provide 600 jobs. GSL Properties, Inc. is also requesting a zone map amendment and reconfiguration of land uses to the north of this site so that additional O-1 uses are contiguous to the park. Other changed conditions include commercial development anchored by a newly opened Costco and Home Depot; development of Manzano Mesa Community Park; Manzano Mesa Multi-Generational Center; and single family residential development to the east of the site at Willow Wood and Mirabella Subdivisions.
- The area is emerging as a major employment center, characterized by a mix of uses that will help reduce vehicle miles traveled and provide residents with many employment opportunities close to where they live, consistent with policies contained in R-70.

Based upon these reasons, we respectfully request that the Environmental Planning Commission approve this request.

COMMISSIONER'S OFFICE  
Phone (505) 827-5760  
Fax (505) 827-5766

ADMINISTRATION  
Phone (505) 827-5700  
Fax (505) 827-5853

GENERAL COUNSEL  
Phone (505) 827-5713  
Fax (505) 827-4262

PUBLIC AFFAIRS  
Phone (505) 827-1245  
Fax (505) 827-5766



**New Mexico State Land Office  
Commissioner of Public Lands  
Ray Powell, M.S., D.V.M.**

COMMERCIAL RESOURCES  
Phone (505) 827-5724  
Fax (505) 827-6157

MINERAL RESOURCES  
Phone (505) 827-5744  
Fax (505) 827-4739

ROYALTY MANAGEMENT  
Phone (505) 827-5772  
Fax (505) 827-4739

SURFACE RESOURCES  
Phone (505) 827-5793  
Fax (505) 827-5711

Friday, November 17, 2000

Chuck Gara, Chairman  
Environmental Planning Commission  
600 2<sup>nd</sup> St NW, Plaza del Sol  
Albuquerque, NM

Re: Request for Annexation, Request for IP Zoning

Dear Chairman Gara:

This letter serves as authorization from the Commissioner of Public Lands for Consensus Planning to act as agents for the State Land Office in seeking approval of an annexation petition and establishment of zoning for two parcels totaling approximately 75 acres. These two parcels will be covered by the master development plan for the Sandia Science and Technology Park. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Relkin", is written over a horizontal line.

Harry Relkin

Assistant Commissioner for Community Development

**-35-**

**"WE WORK FOR EDUCATION"**  
310 Old Santa Fe Trail, P. O. Box 1148 Santa Fe, New Mexico 87504-1148



**City of Albuquerque**  
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

**INTER-OFFICE CORRESPONDENCE**

**DATE:** December 13, 2000  
**TO:** Fred Aguirre, City Engineer, Public Works Department  
**FROM:** Marcia A. Piacus, Environmental Engineer, Albuquerque Environmental Health Department  
**SUBJECT:** Annexation of New Mexico State Land Office Sites - Two Tracts (40 Acres and 35 Acres).

It is Albuquerque Environmental Health Department's (AEHD) understanding that during this phase of development of the referenced New Mexico State Land Office sites, the two tracts - 40 acres and 35 acres are being petitioned for annexation to the City. Since this phase of development is an administrative process, AEHD recommends that the planning and development process proceed assuming all other city requirements have been satisfied as required by the Planning Department.

When physical development (grading, construction of utilities/facilities) of the site is planned, the developer/owner will be required to follow the "Interim Guidelines for Development within 1000 feet of Landfills (revised August 29, 2000)".

cc: Kevin Curran, Legal Department  
Janet Cunningham, Planning Department  
Lenora Chavez, Planning Department  
Bruce Thompson, Legal Department  
Jacqueline Fishman, Consensus Planning, Inc.

-36-



*City of Albuquerque*

**PLEASE NOTE:** The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

November 17, 2000

Planning Department  
Plaza Del Sol Building  
600 Second St. NW  
Second Floor (924-3860)

This letter will serve to notify you that on November 17, 2000:

**CONTACT NAME:** JOHN VALDEZ

**COMPANY OR AGENCY:** CONSENSUS PLANNING  
924 PARK AVENUE SW/87102  
PHONE: 764-9801/FAX: 842-5495

contacted the Office of Community and Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at S33, T10N, R4E, WN ¼ AND S33, T10N, R4E, SW ¼, NE ¼ zone map page(s) M-21.

Our records indicate that as of November 17, 2000, there were no Recognized Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914.

Sincerely,

*Stephani Winklepleck*

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningnrnaform(11/5/98)

-37-

*Memorandum of Understanding*  
*for the*  
*Sandia Science and Technology Park*

Parties to this Agreement:

Albuquerque Public Schools  
City of Albuquerque  
New Mexico State Land Office  
Sandia National Laboratories  
Science and Technology Park Development Corporation  
Shaw, Mitchell, and Mallory Limited Partnership

Executed: February 28, 2000



**SANDIA SCIENCE &  
TECHNOLOGY PARK**



# EXECUTIVE SUMMARY

## Sandia Science and Technology Park

### Memorandum of Understanding

The Memorandum of Understanding is among landowners and parties interested in the planning and development of the Sandia Science and Technology Park (SS&TP). The SS&TP is a proposed research park located in direct proximity to Sandia National Laboratories, encouraging co-location of researchers in a congenial collaboration environment. Development of the SS&TP according to the terms of this agreement will: • maximize the financial return to participating landowners; • support Sandia's research and technology transfer missions; and • support the job creation efforts and the City's infill program.

#### Description of the Parties, their Concerns, and their Agreements

**Albuquerque Public Schools** – believes the SS&TP will maximize its financial return and will use proceeds from the sale, lease, or venture development of its land for a public purpose such as school site acquisition and/or school construction. This purpose cannot become secondary to overall goals of the SS&TP. APS seeks an equitable referral system for prospects and a fair mechanism for allocating infrastructure development costs.

**New Mexico State Land Office** – believes that the linkage of the SS&TP to the planned Mesa del Sol development will be beneficial to the trust in which its land is held.

**Shaw, Mitchell and Mallory Limited Partnership** - seeks to develop their tract pursuant to the purposes enumerated in this MOU, and subject to its Master Development Plan approved by the COA.

**U.S. Department of Energy** – although not a signatory to the agreement at this time, DOE is supportive of the agreement and the SS&TP.

**Sandia National Laboratories** – has agreed to appoint a champion of the Park at the level of Vice President, and will provide funding for staff for marketing and development of the Park through the Science and Technology Park Development Corporation.

**Science and Technology Park Development Corporation** – a non-profit group formed by Technology Ventures Corporation with the explicit purpose of developing and marketing the SS&TP, will: actively recruit technology companies and refer them to landowners through an equitable referral system; facilitate the development of Park infrastructure; make best efforts to secure funding for a Master Development Plan.

**City of Albuquerque** – a landowner by virtue of its publicly owned and managed rights-of-way, has a vested interest in the success of the SS&TP due to the Park's potential contribution to economic development and diversification, including the development of high technology clusters. The City agrees to institute an expedited, predictable, and fair approval process for all sites within the SS&TP once a Master Development Plan is approved.

#### In addition, all landowners agree to the following:

- To comply with a set of architectural and design standards.
- To participate in the SS&TP Marketing Plan and Referral Process wherein Sandia/STPDC will actively recruit its research partners and provide exclusive referrals to SS&TP landowners.
- To participate in the development of a master plan.
- To make their land available to prospects that fit the description for potential tenants.

#### Description of Potential Tenants

- SNL technology partners who have entered into Cooperative Research and Development agreements or other agreements with Sandia for the furtherance of joint research;
- Critical suppliers to Sandia who provide services and materials in furtherance of Sandia's primary mission;
- Non-critical suppliers who provide services or materials to Sandia for its pursuits other than its primary mission; and
- All other companies who have or may potentially have a business association with or supply materials to Sandia or the companies listed above.

The term of this agreement is for one year, is binding on successors (within the authority of the public landowners to make such commitment), and allows for participation of owners of other, contiguous parcels of land.

# **Memorandum of Understanding for the Sandia Science and Technology Park**

<b><u>Table of Contents</u></b>	<b><u>Page</u></b>
<b>Background</b>	<b>1</b>
<b>Parties Involved in the SS&amp;TP</b>	<b>3</b>
<b>Memorandum of Understanding Terms of Agreement</b>	<b>8</b>
<b>Notices</b>	<b>13</b>
<b>Signatures</b>	<b>14</b>
<b>Attachments</b>	<b>15</b>

# Memorandum of Understanding for the Sandia Science and Technology Park

## I. Background

### **Introduction**

The purpose of the Memorandum of Understanding (MOU) is to commemorate the interests, activities, and terms of agreement between the three landowners and the other interested parties for the planning, development, use and management of the Sandia Science and Technology Park (SS&TP) located in southeast Albuquerque, New Mexico. This MOU is viewed as an interim step towards achieving final development of the SS&TP.

### **Description of the SS&TP Vision**

The general vision for the SS&TP is a large campus-style technology center. The land comprising the SS&TP is owned by three landowners, who as of the date of this MOU have begun conversations to identify mutual needs and commitments, all with the interest of maximizing the real estate value and income potential of their property and enhancing Albuquerque's economic base. They have also discussed with representatives of the other interested parties, Sandia National Laboratories (SNL), City of Albuquerque (COA), the Department of Energy (DOE), and the Science and Technology Park Development Corporation (STPDC) the advantages of joining together to collaborate for the joint or individual development of each of their properties in furtherance of the SS&TP.

The parties are further committed to the development of the SS&TP with the understanding that its success will positively impact New Mexico's economy and more specifically its Central Region including Albuquerque. It is anticipated that technology-based companies will locate facilities within the SS&TP to jointly pursue commercial activities with SNL and the other area research institutions. The result will be new and better jobs for New Mexicans.

The development of the SS&TP serves a unique public purpose that is not replicated elsewhere in the Albuquerque Metropolitan Area. The unique role of the SS&TP is based on its location immediately adjacent to SNL, which is an advantage for commercialization of technology ventures sponsored by SNL. The SS&TP provides a site for the SNL technology partners to locate and expand their facilities in close proximity to SNL's specialized technology and highly trained staff. The development of the SS&TP meets several other public purpose goals, including:

- Strengthening the economic base of the community through the provision of new high technology jobs;
- Partnering with both public and private entities in a model relationship for future industrial park development;
- Fulfilling COA's goals with respect to infill development and steering new development to sites already within COA's service area;
- Providing opportunities to leverage federal dollars with local matching funds to achieve improved infrastructure in the area; and
- Enhancing SNL's role in partnering with the local community to diversify the economy through new private sector job creation opportunities.

2/28/00

-41-

1

The parties execute this MOU with the understanding that its terms will further the development of a dedicated project for the placement of buildings oriented to technology and development in a campus style environment that will primarily focus on attracting companies with the following business uses:

- SNL technology partners who have entered into Cooperative Research and Development Agreements (CRADAs) and other business agreements for the furtherance of joint research, including licensing agreements.
- Critical suppliers who provide services and materials in the support of the SNL primary national mission on behalf of the US Government.
- Non-critical suppliers who provide services and materials for the support of SNL in its pursuits other than those deemed in the interest of the primary national SNL mission as noted above.
- Other companies who have or may potentially have a business association with or supply materials or services to Sandia and the companies noted in this paragraph.

All parties recognize that Albuquerque Public Schools (APS), Department of Energy (DOE), City of Albuquerque (COA), and the New Mexico State Land Office (NMSLO), being public entities as well as landowners or potential landowners within the SS&TP, are subject to certain obligations to manage their properties in accordance with the applicable law. Descriptions of the interests of the involved parties are described in more detail below. It is recognized that both public and private entities are parties to this MOU, and each is governed by its own unique set of regulations and objectives affecting the level and type of participation allowed.

## II. Parties Involved in the SS&TP

### **Albuquerque Public Schools (APS)**

APS owns the largest tract of land within the SS&TP. On January 18, 1990, the City of Albuquerque approved the current zoning for the Manzano Mesa subdivision, a 480-acre tract of land east of Eubank Boulevard. The zoning for this land was subject to three conditions of approval relating to allowable uses within the employment areas of the site, and to platting requirements.

A description of the land subject to this MOU is attached hereto and incorporated herein as Attachment A. At this time, the land subject to the MOU is Tract E-1 of the Manzano Mesa subdivision, a 48.8766 acre size parcel, currently zoned "SU-1 for Limited IP Uses" and a parcel of land known as APS Vacant Land Parcel #4 containing 40 acres. Additional Manzano Mesa parcels adjacent to Eubank Boulevard (Tracts G-3, H, and I-1) shall be allowed to be added to the MOU property in the future if desired by APS, or may be developed separately.

Mr. Charles Atwood, the APS Director of Real Estate, articulated the following interests and concerns on behalf of APS and the use of such land for the purpose of the SS&TP:

- APS, through its governing Board of Education, hereinafter known as the Board, will consider the broad concept of the SS&TP. The Board understands and supports the concept of strategically leveraging SNL's ability to attract the local presence of technology-based companies as a benefit to the development of the Manzano Mesa subdivision.
- The APS Board has agreed to reserve Tracts E, G-3, and H Manzano Mesa, and a south parcel known as APS Vacant Land Parcel #4 from sale or marketing until December 31, 1999. The purpose of the reservation is to allow the parties to this MOU the opportunity and time to discuss, negotiate, and execute this MOU. However, only Tract E and APS Vacant Land Parcel #4 are included in the MOU at this time to allow APS the opportunity to evaluate the effectiveness of the agreement.
- The APS Board of Education enacted by Board action, effective for one year as of January 1, 1999, a moratorium reserving the noted land for one calendar year. The Board's collective intent is to allow for the SS&TP development. Should this MOU not be executed by the parties, prior to December 31, 1999, the Board will review the status of the development of the SS&TP, and then decide its future participation in the process.
- APS will support an effort to gain public funding (from City, State, and Federal programs) to build the needed infrastructure for the development of the SS&TP. APS has already provided significant infrastructure improvements in the area, and will support efforts by others to do the same.
- APS insists on establishing a time line and schedule for the planning and development of the SS&TP, referring to the Board's moratorium with an expiration of December 31, 1999. This will help the Board in justifying their participation in the SS&TP and this MOU. APS will not commit its land to the SS&TP if it does not accomplish the Board's goal to market and sell its property for the highest justifiable economic return. Proceeds from the sale, lease and/or venture development of the Manzano Mesa tracts is used for a public purpose such as school site acquisition and/or school construction. This is the Board's primary mission, which cannot become secondary to overall goals of the SS&TP.

- The APS tracts have acquired (through Subdivision Improvements Agreements and other contractual agreements), a substantial development advantage over other nearby tracts (particularly with regard to drainage) that shall not be diminished by its participation in the SS&TP.
- APS, being the largest landowner, requests that this MOU address the need for an equitable referral system to provide all MOU landowners an equitable opportunity to compete for agreements with parties seeking to build or lease in the SS&TP.
- APS also requests that SNL provide, within this MOU, a commitment to use its best efforts to get its partners to invest into the SS&TP and to help acquire other public funds for investment in SS&TP infrastructure. APS sees a significant financial risk by agreeing to limit the development of its land for the SS&TP, unless there is strong evidence by SNL, the other landowners, and the City of Albuquerque that they are also committed to the SS&TP.

APS has also emphasized its need to comply with state regulations and statutes governing the marketing and sale of its property.

#### **New Mexico State Land Office (NMSLO)**

The Commissioner of Public Lands for the State of New Mexico who is the executive officer of the NMSLO, manages the land described in Attachment A, which land is held in trust pursuant to the New Mexico Enabling Act and State Constitution. The Commissioner believes that development of the SS&TP, as anticipated herein, will serve the interests of the trust he represents. In particular, the Commissioner believes that the linkage of the SS&TP to the planned Mesa del Sol development south of the SNL lands and Kirtland Air Force Base (KAFB) will be very beneficial to the trust.

- The NMSLO has invested significant efforts to develop the Mesa del Sol property. The land that borders KAFB on its northern boundary is dedicated to industrial and manufacturing activities. Taking the larger view, the NMSLO sees the potential for a natural land use linkage between Mesa del Sol and the SS&TP.
- Between the SS&TP on the north, and Mesa del Sol on the South, lies KAFB, which is generally undeveloped and populated by several scientific and technological facilities, including the former DOE inhalation research laboratory now leased to the Lovelace Respiratory Research Institute (LRRI). As a southern point of entry to the Base, a secured entrance gate borders on the northern Mesa del Sol boundary with a road that provides a link to the KAFB and SNL facilities.
- The NMSLO supports SNL's ability to leverage its technology project base to bring its partners into the SS&TP. Given the limited size and potential higher property values within the SS&TP, Mesa del Sol provides a key opportunity for those partners seeking real estate for larger or additional industrial, administrative and manufacturing uses better suited outside the SS&TP.
- The NMSLO and SNL are presently finalizing a separate MOU which will commemorate and help effectuate the above.

2/28/00

- 44 -

### **The Department of Energy (DOE)**

DOE, through its Albuquerque Operations Office Director of Property and Administrative Services Division, has offered the following in order to facilitate the SS&TP initiative:

- Along with the other parties to this Memorandum of Understanding, the DOE understands and supports the purpose of the SS&TP initiative being undertaken and has in fact provided some of the funding in order to assist in the promotion of the SS&TP.
- The DOE supports the initiative described in this MOU and will support development efforts by the parties to this MOU. The DOE will participate to the extent possible consistent with current DOE mission requirements, applicable policy, statutes, and regulations.
- The parties to this MOU acknowledge that DOE is currently pursuing plans to develop a new office building on its own land. The DOE is willing to share its current plans with the other parties to this MOU and further acknowledges that DOE's plans will support the purpose of the SS&TP and in fact may provide an advantage for the parties herein and may further the objectives of the SS&TP.

### **The Shaw, Mitchell and Mallory Limited Partnership**

Shaw, Mitchell and Mallory Limited Partnership, Geneva Mitchell Managing General Partner (the "Mitchell Partnership"), is the owner of a tract described as Tract "A", Plat of Tracts "A" and "B", Lands of Shaw, Mitchell, Mallory Partnership, dated November 1998, and recorded on January 22, 1999 as Document No. 1999008790 in Book 99-C, page 14, Plat Records, Bernalillo County, New Mexico (the "Mitchell Tract"), which is under contract to Brown & Associates, Inc. (Ron Brown), and which tract is incorporated herein for use as part of the SS&TP. Mr. Bill Robertson of First Commercial Real Estate Services, Inc, is authorized agent. Brown & Associates submitted a Master Development Plan to the Development Services Division of the Planning Department for the City of Albuquerque.

- On January 21, 1999, the Environmental Planning Commission (EPC) voted to approve the Master Development Plan. In approving the requested development, the EPC enumerated certain standards and conditions that must be met as a minimum for any future development of the Mitchell Tract, referred to as the Sandia Technology Center.
- Through the efforts of Brown & Associates or otherwise, the Mitchell Partnership seeks to develop the Mitchell Tract pursuant to the purposes enumerated in this MOU, and subject to its Master Development Plan approved by the COA. The Mitchell Partnership supports the concept of using SNL's leverage to attract its partners to purchase or lease real estate within the planned SS&TP. As is the case with the other landowners, the Mitchell Partnership seeks a fair and equitable referral system for potential customers of its development.
- The Mitchell Partnership also agrees with the need to set minimum architectural and design standards for the development of the SS&TP. It further agrees that the landowners should agree at a minimum to a marketing and referral plan that provides a common vision and message for the development of the SS&TP.

APS wishes to note that some of the conditions of approval imposed on the Mitchell Tract by the City EPC are not desirable for imposition throughout the SS&TP, and specifically not desirable for the APS Manzano Mesa tracts. Therefore, the Mitchell Tract Master Development Plan

2/28/00

-45-

5

conditions are not accepted as the basis for design guidelines for the balance of the SS&TP, and will apply only to the Mitchell Tract.

#### **City of Albuquerque (COA)**

The City is a landowner within the SS&TP by virtue of its publicly owned and managed rights-of-way within the area. These rights-of-way are primarily comprised of roads and utility or drainage easements. The COA has a vested interest in the successful outcome of the SS&TP due to the role it plays on behalf of economic development, economic diversification, and development of high technology clusters that benefit the City's overall economic health.

- In return for the City's participation in this MOU, the City receives the following advantages: economic diversification and development, private sector partnerships with SNL and KAFB which protect the City's economy from the rise and fall of federal spending in the community, improved economic quality of life for Albuquerque citizens, more efficient use of in-fill land within the City's existing service area without the need for the costly extension of services, reduction in cross-City automobile use and concurrent improvements in air quality as a result of more residents living near their place of employment, increased property tax and gross receipts tax revenues resulting from construction and development of the SS&TP, and the opportunity to receive "matching funds" or grants/loans from the state and federal governments to help stretch their scarce infrastructure dollars.

#### **Sandia National Laboratories (SNL)**

Sandia National Laboratories represents a significant national investment in technological capability that spans the spectrum from people that are in demand around the globe for their expertise to world-class facilities that are not readily accessible to most research organizations. Cross-fertilization of ideas has long been known to be at the crux of a healthy and innovative research enterprise, and such cross-fertilization is enabled by physical proximity. Sandia, because of the concentration of its expertise and facilities, is the major attraction to technology companies to locate in the SS&TP. At all management levels, Sandia has committed to being a proactive proponent of the SS&TP, both within SNL, within the Albuquerque community, with its more than 300 research partners, and with companies nationwide that express an interest in working with Sandia.

#### **The Science and Technology Development Corporation (STPDC)**

The Science and Technology Park Development Corporation is a nonprofit group formed at the request of Sandia by Lockheed Martin's Technology Ventures Corporation with the explicit purpose of developing and marketing the Sandia Science and Technology Park. The STPDC will broaden the industrial base, foster creation of jobs in technology-related businesses and generate new sources of economic benefit within central New Mexico and the City of Albuquerque. The STPDC will manage the SS&TP with staff on loan from SNL.

STPDC seeks to collaborate with the MOU landowners to provide this location with the following characteristics:

- That the MOU landowners provide real estate for the development of the SS&TP, that conveys a quality, professional image suitable for a campus-style technology park.

2/28/00

-46-



- That the MOU landowners agree to minimum architectural and design standards to assist in the achievement of these characteristics.
- That the MOU landowners agree on criteria for tenants in the SS&TP.

2/28/00

-47-

7

---

### III. Memorandum of Understanding Terms of Agreement

The STPDC requests the MOU landowners to agree to the following, and in the case of the public landowners, to the extent allowed by their respective authorities:

- All the parties to this MOU shall mutually agree upon a set of architectural and design standards that comply with all national, state, and local laws as attached hereto and incorporated herein as Attachment B. These guidelines will serve for the interim until final standards are developed and agreed to as part of the development of the SS&TP master development plan envisioned by this MOU.
- That the MOU landowners agree to participate in the SS&TP marketing and referral plan as enumerated and incorporated herein as Attachments C & D.
- DOE personnel assert that DOE is currently in the process of obtaining approvals and funding for the construction of its new office building on a portion of the Eubank Tract, which adjoins the SS&TP. Plans for the remaining portion of the tract, after the building is complete, are yet to be determined. However, DOE personnel agree to consider the objectives identified in this MOU for future uses. Accordingly, DOE will participate to the extent possible under the appropriate legal authority, with the marketing and referral initiatives outlined in the MOU. DOE however shall not be considered a signatory to this MOU. Should DOE wish to, in the future, be considered as a party to the referral process as outlined in Attachment D to this MOU, DOE will seek admittance as specified within the terms of this MOU.
- It shall be only with the written unanimous consent of all signatories to this MOU, that any subsequent landowners or other interested parties be allowed to participate as a party to this MOU. Such participation is conditioned upon the requirement that there be no economic detriment to any such prior signatories. For purposes of receiving SNL landowner referrals pursuant to STPDC referral process as specified in this MOU, the subsequent included parties shall be considered for only those referrals occurring after the date of the written unanimous consent for their individual inclusion as a party to this MOU.
- Existing signatories are allowed to add additional parcels of land to the SS&TP provided they are contiguous to the SS&TP and subject to the other conditions of this MOU.
- That the MOU landowners, to the extent allowed by their respective authorities, agree to withhold the development and use of their real estate described in Attachment A for the use of the SS&TP as described in this MOU.
- That the MOU landowners will provide a representative to participate in the master development plan and the subdivision improvement agreement process and selection of a master developer as undertaken by STPDC. The MDP and SIA must be unanimously approved by all signatories to the MOU.
- In the interim period prior to completion of an SS&TP master development plan, the MOU landowners may jointly or independently pursue and transfer their real estate interest subject to this MOU to one party to function in the role of a prime developer for the landowners' property. Such developer shall agree to adhere to the terms and conditions of this MOU.

- That the MOU landowners agree to the following terms:
  - That the land uses by the SNL technology partners and critical suppliers, as defined herein, are preferred in the SS&TP pursuant to the marketing and referral plan attached hereto as Attachments C and D.
  - That participation in the SS&TP does not preclude the landowners from selling, leasing, or otherwise conveying their property to financially qualified buyers or users that have not been referred by STPDC, so long as such buyers or users comply with terms and uses of this agreement consistent with the vision of the SS&TP at page one and two of this MOU. In the case of competition between an STPDC referral and other buyers, the STPDC referral shall have preference provided it can financially and contractually perform within thirty (30) days of the other entity's offer. If the STPDC referral cannot perform in this timely manner, the landowner may proceed with conveyance or lease to others without opposition or interference from SNL or STPDC, consistent with the terms of this MOU.

**In consideration for agreeing to this MOU, STPDC agrees to the following:**

- To provide the Marketing Team participation as previously referred for the duration of this MOU or until the parties to this agreement transfer their interest in the real property subject to this MOU to a prime developer or developer's association of the SS&TP. It is envisioned that this developer or developer group shall assume the duties of the STPDC Marketing Team.
- To actively encourage companies to locate within the SS&TP by executing the marketing and referral plans enumerated in Attachments C & D.
- To make best efforts to recruit at least 3 tenants that are technology companies or others interested in developing technology with SNL to locate in the SS&TP.
- To provide exclusive referrals pursuant to the referral plan enumerated in Appendix D to only those MOU landowners who have agreed to the terms of this MOU as indicated by their signatures affixed to this MOU.
- To work with the Federal, State, and City government officials to assist in securing financing for SS&TP infrastructure improvements within the next four (4) years.
- To make best efforts to secure funding to provide an approved Master Development Plan and an accompanying Subdivision Improvement Agreement (SIA) for the entire SS&TP with a written commitment for an expedited approval process from the COA. To make best efforts to secure funding to provide an RFP for a Master Developer or a developer's group or association for the SS&TP, along with a selection/procurement process that includes representatives of all MOU landowners in the selection process. Moreover, to provide a methodology for accountability between STPDC and the MOU landowners such that questions or issues arising regarding effectiveness or implementation of any item within this MOU may be equitably and expeditiously resolved.
- Within 120 days of approval of this MOU, the STPDC will present to the MOU signatories for review and approval an action plan for implementation of the MOU.

**In consideration to agreeing to this MOU, SNL agrees to the following:**

- To provide a Vice President level "Champion" who will promote the park concept both within Sandia as well as to the outside world.
- To provide the funding necessary to support the "Marketing Team," which will be on loan to the STPDC.
- To commit to having an SNL presence within the SS&TP (office or research staff space within a building in the SS&TP to show commitment to the park).
- To actively encourage its partners to locate within the SS&TP by executing the marketing and referral plan enumerated in Attachment C and D.

**In consideration to agreeing to this MOU, the City of Albuquerque agrees to the following:**

- The COA will pursue an expedited land use and infrastructure approval process for the Sandia Science & Technology Park (SS&TP), using existing city ordinances.
- This process will provide a framework for overall approval of the land use and infrastructure requirements for the park, and an expedited process for the approval of site development and subdivision requests by implementing the following: The Development and Adoption of the SS&TP Master Development Plan (MDP) and SS&TP infrastructure requirements.
- The MDP will include over-all land use, design guidelines, transportation, utility, drainage and advanced telecommunication requirements for the SS&TP.
- The MDP and infrastructure necessary for the MDP development will be reviewed and approved by the City's Environmental Planning Commission (EPC) and the Development Review Board (DRB). After the initial approval by the EPC and the DRB, neither the MDP nor individual projects within the SS&TP will be reviewed by the DRB or EPC, unless major amendments are necessary. Administrative approval authority for all SS&TP site development requests will be assigned to the City Planning Department Director.
- The SS&TP MDP will include a pre-approved, infrastructure cost-sharing formula which assigns a fixed cost or fixed cost percentage for each parcel based upon its prorated share of on-site and off-site infrastructure. Payment of costs associated with the approved MDP and site specific infrastructure for a parcel will be deferred until the time of approval of a development request by the City's Planning Department Director.
- The COA will pursue the timely implementation of approved capital improvement projects (CIP) that support the SS&TP. As part of the MDP's approved infrastructure requirements the COA capital improvements in the vicinity of the SS&TP will be identified, and city commitments will be secured regarding the scheduling and construction of those improvements.
- The City of Albuquerque and other MOU parties will collaborate by sharing information, studies, maps or other information that is relevant to tracts of property participating in the agreement and where such data has been submitted to the City of Albuquerque and/or the County of Bernalillo for review and processing. In the case of proprietary information, it may be shared by the MOU parties at each MOU party's sole discretion.

**Time Frame for MOU:**

The term of this MOU shall commence upon signed acceptance by all of the parties as provided within this MOU, and shall be effective for one year thereafter. At the end of the initial term, this MOU will be automatically renewed for an additional twelve (12) month period unless, or until, one of the parties, in writing at least thirty (30) days prior to the expiration of the initial or renewal term notifies the other parties in writing of its intent to terminate the MOU.

**Termination:**

The parties to this MOU may, by mutual agreement, terminate this MOU prior to the term as set forth in this MOU. All rights, duties and obligations to the MOU will expire at that time.

**Binding of Successors of Property within the SS&TP**

All of the landowners, with the exception of DOE which has limited authority, within the SS&TP currently have the ability to sell or lease bulk tracts of land to any qualified buyer. During the interim period prior to an approved master development plan for the SS&TP being in place, and prior to a master developer or development association being in place, there is risk of land sales or leases to third parties that are not bound by this agreement. This chance for change in ownership is greater for the private landowners (who have carrying costs associated with holding their land) than it is for the public landowners. Assurances must be made that any agreement signed on behalf of land included within the SS&TP binds future owners of participating tracts as well as original signers of the MOU.

Parties wishing to participate later, subsequent to the execution of this MOU: provision should be made to allow such participation so long as there is no economic detriment to the current parties to this MOU.

**Effective Date of the MOU:**

The following conditions for the execution of the MOU are required for the commencement of this MOU:

- The signatures of all the parties to this MOU must be obtained within 30 days of the signature of the initial signing party.
- Should any party to this MOU refuse to sign this MOU within this 30-day execution period, this MOU shall be deemed void and non-binding on any of the parties, including those who may have previously signed the MOU.
- The term of this MOU shall begin upon the date of the final signature of all parties as described within this MOU, so long as such signing occurs within 30-day execution period.

**Entire Agreement**

This MOU contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This MOU supersedes any prior written or oral agreements between the parties.

**Amendment**

This MOU may be modified or amended, if the amendment is made in writing and signed by all parties to the MOU.

**Severability**

If any provisions of this MOU shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of the MOU is invalid or unenforceable, but that by limiting such provision it would be come valid or enforceable, then such provision shall be deemed to written, construed, and enforced as so limited.

**Waiver Of Contractual Right**

The failure of any party to this MOU, to enforce any provision of this MOU shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of the MOU.

**Applicable Law**

The laws of the State of New Mexico shall govern this MOU.

**Liability**

As between the parties, each party shall be solely responsible for any and all liability arising from personal injury, including death, or damage to property arising from the act or failure to act of the respective party or of its officials, agents, and employees pursuant to this MOU. The liability of each party shall be subject to the immunities and limitations of the Tort Claims Act, Sections 41-41-1 et seq. NMSA 1978, and of any amendments thereto.

**Hold Each Other Harmless**

The parties shall hold each other harmless and against any and all claims, actions, suits, or proceedings of any kind brought for or on account of any section or failure to act of the other party pursuant to this MOU, and subject to the provision of the above noted previous paragraph.

**Binding Effect - Appropriations**

The obligations of the parties to perform their respective duties under this MOU are subject to and conditional upon the appropriations by the governing bodies of each of the parties of funds necessary to permit each party to perform their duties.

**Equal Opportunity Compliance**

The parties to this MOU agree to abide by all federal and state laws and regulations pertaining to equal employment opportunity. In accordance with those laws and regulations, the parties to this MOU agree to assure that no person in the United States shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination in performance of this Agreement.

**Notices:**

**Send inquiries concerning this MOU to:**

<b>Albuquerque Public Schools -</b>	Chuck Atwood, Real Estate Director Albuquerque Public Schools P.O. Box 25704 Albuquerque, NM 87125	Phone: (505) 765-5950 Ext. 267 Fax: (505) 768-1583
<b>New Mexico State Land Office -</b>	Harry Relkin New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504-1148	Phone: (505) 827-5760 Fax: (505) 827-5766
<b>Shaw, Mitchell and Mallory Limited Partnership -</b>	Bill Robertson Associate Broker First Commercial Real Estate 6201 Uptown Boulevard NE Suite 202 Albuquerque, NM 87110	Phone: (505) 881-9810 Fax: (505) 881-9838
<b>City of Albuquerque -</b>	Erik Pfeiffer Director Office of Economic Development City of Albuquerque P.O. Box 1293 Albuquerque, NM 87103	Phone: (505) 768-3270 Fax: (505) 768-3280
<b>Sandia National Laboratories -</b>	Lenny Martinez Vice President, Defense Programs Products and Services Sandia National Laboratories MS 0867 P.O. Box 5800 Albuquerque, NM 87185-0867	Phone: (505) 845-8973 Fax: (505) 284-2464
<b>Science and Technology Park Development Corporation -</b>	Jackie Kerby Moore Program Manager Science and Technology Park Development Corporation 10520 Research Road SE Albuquerque, NM 87123	Phone: (505) 845-8107 Fax: (505) 844-1389

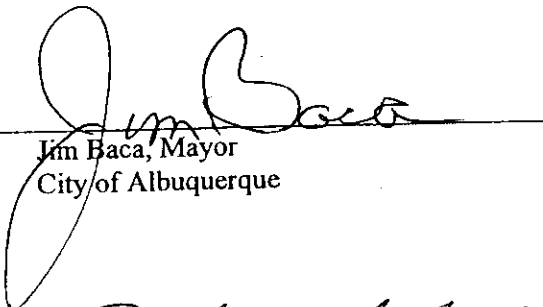
2/28/00

**-53-**

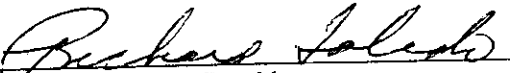
13

**Signatures:**

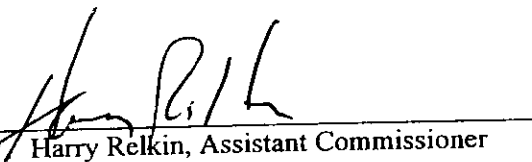
- The parties to this MOU, by their signature, each attest that they have authority to enter into this MOU and agree to the terms and conditions within this MOU.
- The parties include representatives from COA; APS; NMSLO; Shaw, Mitchell and Mallory Limited Partnership; SNL; and STPDC.

By:   
Jim Baca, Mayor  
City of Albuquerque


Date: 2/28/00

By:   
Richard Toledo, President  
Board of Education  
Albuquerque Public Schools

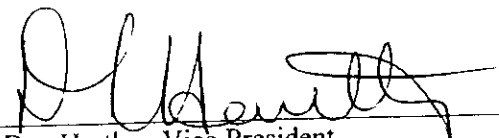
Date: 2/28/2000

By:   
Harry Relkin, Assistant Commissioner  
New Mexico State Land Office

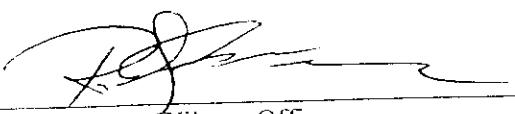
Date: 2/28/2000

By:   
Geneva Mitchell, Managing General Partner  
Shaw, Mitchell and Mallory Limited Partnership

Date: 2/28/00

By:   
Dan Hartley, Vice President  
Sandia National Laboratories

Date: 2/28/00

By:   
Randall B. Wilson, Officer  
Science and Technology Park  
Development Corporation

Date: 2/28

2/28/00

-54-

14



Attachment A. Description of the real estate subject to this MOU.

- Albuquerque Public Schools:
  1. APS Vacant land property No.4:  
SE1/4,NW1/4,Section 33, Township 10-North, Range 4-East, New Mexico  
Principal Meridian, State of New Mexico, County of Bernalillo, containing 40.0  
acres.
  2. Tract E, Replat for Tracts A through J, Manzano Mesa Subdivision, City of  
Albuquerque—Bernalillo County, New Mexico, Folio 112, Volume 91-C, filed  
June 5, 1991, Records of Bernalillo County, New Mexico containing 48.8766  
acres.
- New Mexico State Land Office:
  1. Parcel 1, a 35 acre parcel located in the NW ¼ NW ¼ of Section 33, Township  
10 North, Range 4 East.
  2. Parcel 2, a 20 acre parcel located in the N ½ SW ¼ NW ¼ of Section 33,  
Township 10 North Range 4 East.
  3. Parcel 3, a 40 acre parcel located in the SW ¼ NE ¼ of Section 33, Township 10  
North, Range 4 East.
- Shaw, Mitchell, and Mallory Limited Partnership
  1. Tract lettered "A" of the LANDS OF SHAW, MITCHELL, MALLORY  
PARTNERSHIP, Albuquerque, Bernalillo County, New Mexico, as the same is  
shown and designated on the plat of tracts "A" and "B" thereof, filed in the  
Office of the County Clerk of Bernalillo County, New Mexico, on January 22,  
1999, in Plat Book 99C, folio 14.
  2. The acreage of this parcel is approximately 35.2742 acres

Attachment B. Description of the SS&TP design guidelines for the terms of this MOU.

The attached design guidelines are incorporated into this MOU, with the following exceptions:

- Design Guideline #16 – Deleted; and therefore not in effect.

# DESIGN GUIDELINES - CRITERIA

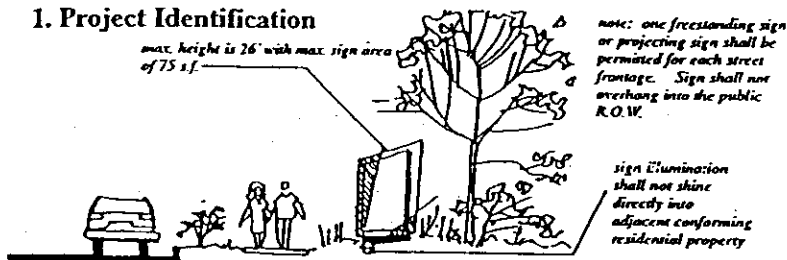
The purpose of Design Criteria is to provide a framework to ensure a character quality and visual appearance to the site and surrounding neighborhoods. These criteria address the issues of setbacks, screening, lighting, signage, landscape and drainage, creating a desirable visual image for the Sandia Technical Center. These standards are to be used as a supplement to the City of Albuquerque Comprehensive City Zoning Code and other pertinent City ordinances.

All buildings and structures within the site shall comply with all applicable City of Albuquerque zoning and building requirements as well as other local applicable codes.

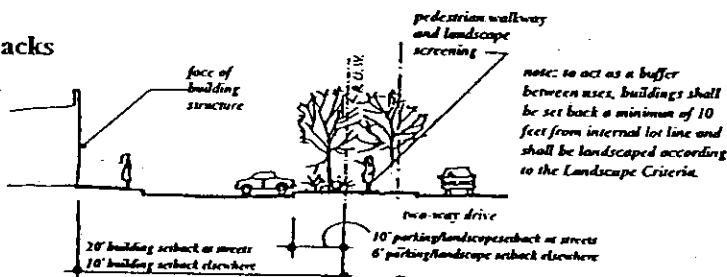
## Internal Streets and Intersections

Internal intersections are treated consistently creating a strong visual impact and project identity and provide access to other parcels. The interior roadways shall be improved by the developer and dedicated to the City of Albuquerque. Private drives are those which provide access within the tracts and are not dedicated to the City.

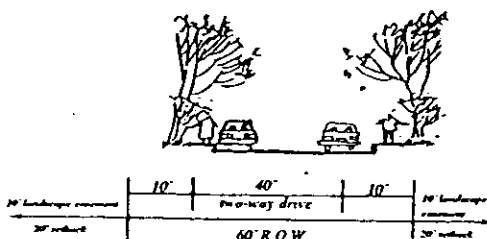
### 1. Project Identification



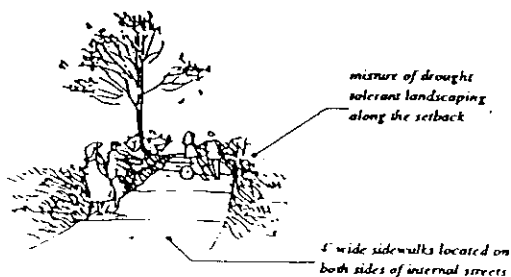
### 2. Setbacks



### 3. Internal Streets

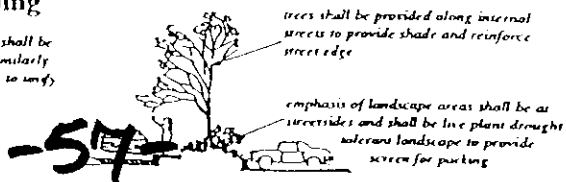


### 4. Pedestrian Connection



### 5. Landscaping

note: intersections shall be coordinated to be similarly landscaped in order to unify the development



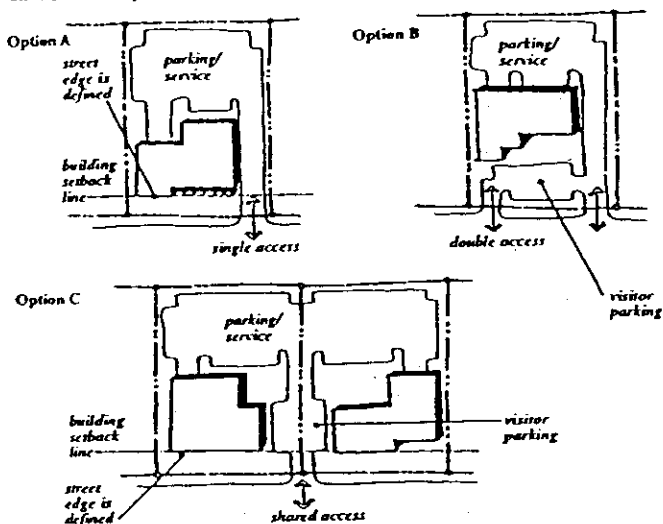
-57-

## Site Design

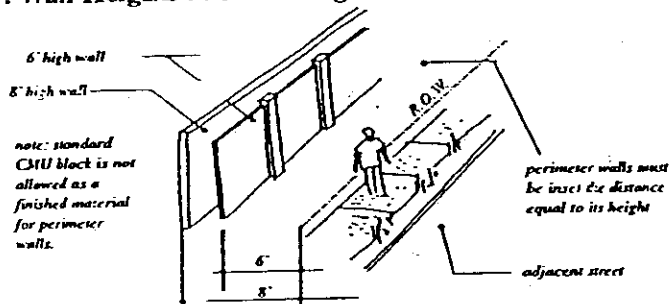
Site development plans for building permits shall incorporate the design criteria in order to achieve the desired character and integrity of the site. Building setbacks as well as landscape setbacks have been identified and help to reduce the visual impact of a building on adjacent neighborhoods. The overall land use concept maintains office/warehouse use as permissible on lot sizes of at least an acre.

### 6. Site Layout Concepts

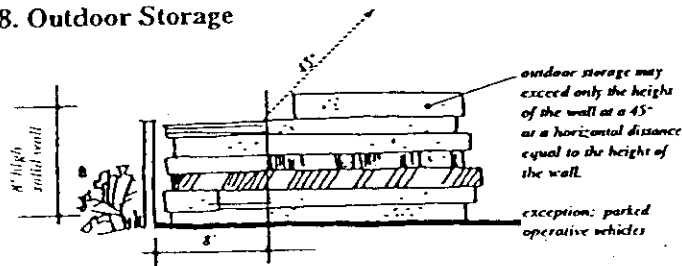
The following options are recommended for building/site layout. Building footprints are encouraged at the building setback line to give definition to the street and complex while parking at the back of the lots are visually screened.



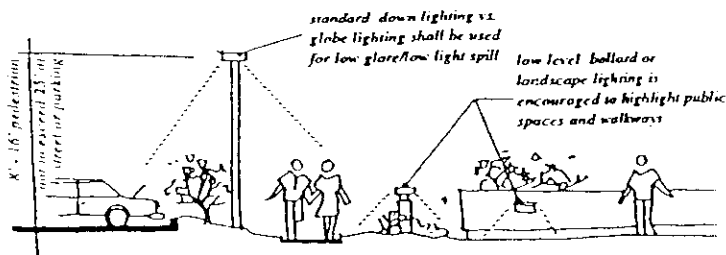
### 7. Wall Heights at Street Edge



### 8. Outdoor Storage



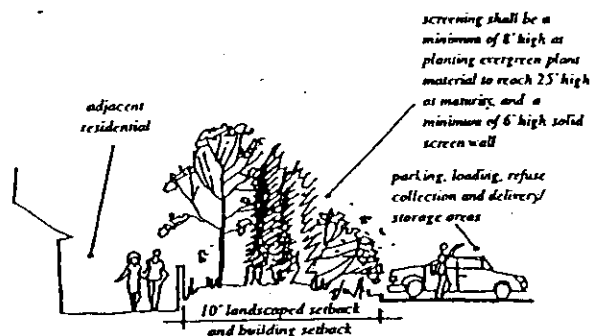
### 9. Site Lighting



### 10. Landscaping

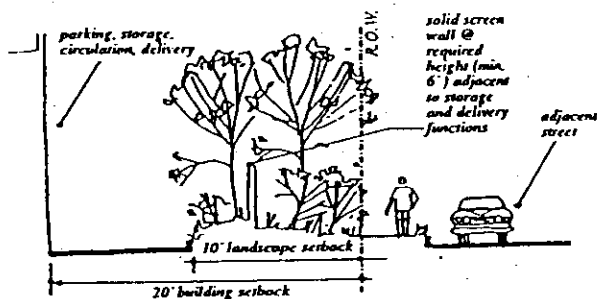
This development is designed to include landscaping as a unifying system. Drought tolerant landscape shall be used, not only for minimizing water use, but to relate to the desert environment of New Mexico. A mixture of drought tolerant species and lawns can be combined at landscaped areas. Live plant materials shall be used extensively - gravel, colored rock, bark and similar materials are generally not acceptable as groundcover. An irrigation system is to be designed as part of the landscaping and should avoid overspraying roadways, buildings and walls.

### 11. Screening at Residential Edge

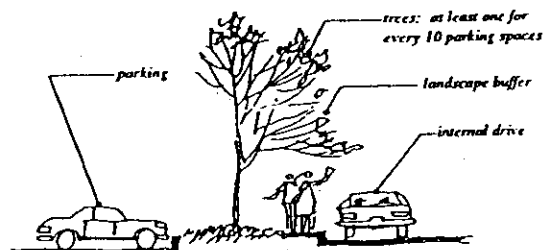


note: the use of barbed or concertina wire is not permitted where visible such as on the top or outside of fences or walls. Security measures should be from the use of appropriate (i.e. pyracantha) plantings

### 12. Screening at Street Edge

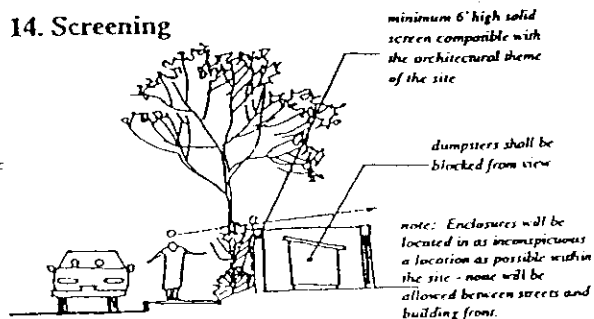


### 13. Off-Street Parking



note: one parking space for each three employees on the largest shift or one space for 1,000 sq ft of net leasable area, whichever is greater (one bicycle parking space is required for every 20 spaces required for automobiles).

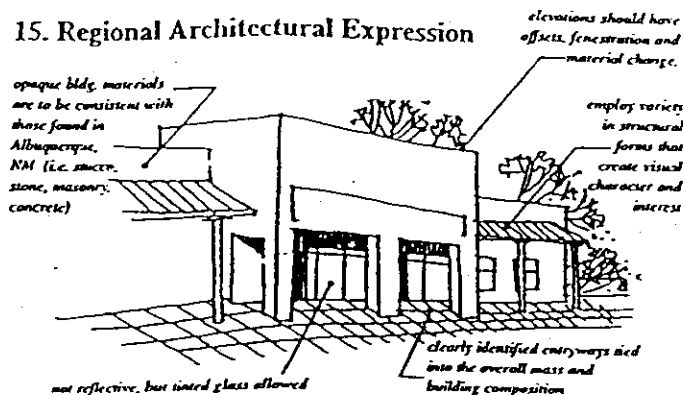
### 14. Screening



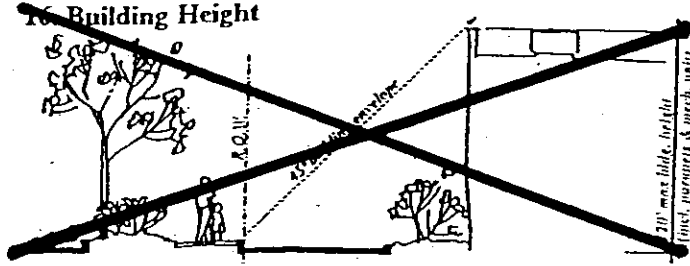
## Architectural Expression

Building layouts should provide continuity for the development and compatibility with adjacent buildings and streets. These controls are important to prevent any building from not fitting in with the design of the overall complex. All building design and exterior building treatments shall be architecturally compatible within individual site developments buildings and between buildings on separate sites. In this regard, the first project approved and developed will establish the architectural design direction for all subsequent buildings. This is not to imply that all buildings be identical, but should be designed to promote architectural harmony and compatibility in the development. Buildings should have a regional expression, integrating building height, massing and color.

### 15. Regional Architectural Expression



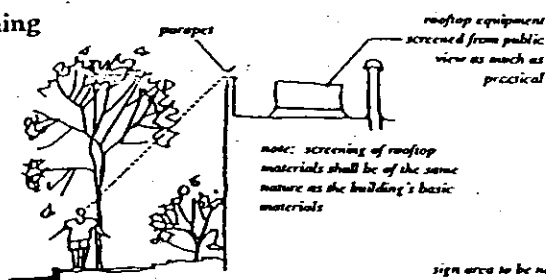
### 16. Building Height



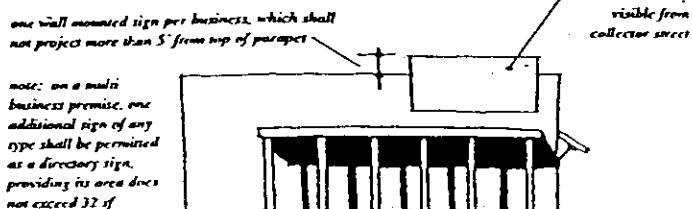
Design Guideline #16 - Deleted, and therefore not in effect.

As per MOU Attachment B, page 16

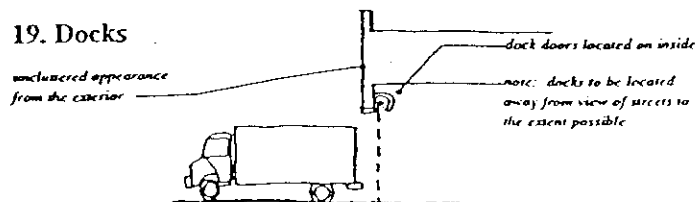
### 17. Screening



### 18. Building Signage Opportunities



### 19. Docks



Drawings are conceptual in nature and set forth the design criteria for illustrative purposes only and are not to be taken literally.

## **STPDC Year 2000 Marketing Plan**

The STPDC has an established and integrated marketing plan to actively and aggressively bring the Sandia Science and Technology Park (SS&TP) to national attention as a premier research park, and to identify and recruit tenants that are consistent with the vision of the Park.

### **Briefings**

Briefings encompass prepared materials to respond to requests for information, tours, personal meetings with representatives of organizations that fit the Park's vision for its tenants, and proactive marketing of specific offerings. Briefings target the following four groups:

- **Requested by Prospects.** The STPDC is committed to honoring every request from prospective tenants for information about the Park, including providing prepared briefing packages, in-person briefings, and tours of the site as appropriate.
- **Sandia Technical Partners.** Sandia has about 300 formal R&D partners. The staff of the STPDC will market the Park to all of those partners. In addition, as soon as there is a multi-tenant building available in the Park, the STPDC staff will formally and explicitly market this building to partners, both through general mailings and through follow-up with specific partners that have indicated particular interest in such a building.
- **Industry VIPs.** In a targeted and focused effort, Sandia Vice Presidents and Directors meeting with potential research partners as well as with decision-makers from existing research partner organizations will continue to reinforce the benefits of location in the Park. Technology Ventures Corporation also meets frequently with technology companies and will describe the benefits of the Park and offer to arrange a briefing for interested individuals. It is anticipated that at least ten briefings will be made in 2000 to specific industry VIPs through referrals from Sandia and TVC.
- **AED Prospects.** The STPDC will work with Albuquerque Economic Development to identify and brief potential tenants on the benefits of location in the Park. In 2000 it is anticipated that the partnership between STPDC and AED will result in at least four briefings to targeted prospective tenants for the Park.

### **Conference**

Sandia has earmarked sufficient funding to provide major support for a conference in 2000. The conference will serve to increase the visibility of the Park as an important means of enabling technology transfer.

### **National/Local Media Coverage**

Research parks cater to organizations with very specific needs. Those needs can be met only by the best and the brightest in a given field. Sandia brings physical proximity to the best and the brightest to Park tenants. It is critical, however, to the success of the SS&T Park that national awareness of the Park as a location for first-rate research and fluid technology transfer be raised to a level that organizations interested in locating in a research park automatically think of it. The STPDC will continue to bring national and local attention to the Park, in particular targeting the most respected and prominent organizations that carry particular importance within the research community.

### **Trade Shows**

This element of the overall marketing plan is used in a focused and deliberate way to maximize the potential for raising the general awareness of the nation about the Park, and for attracting potential tenants for the Park. In 2000, STPDC staff will attend three trade shows: one on microelectronics, one on robotics, and the New Mexico Technology Showcase.

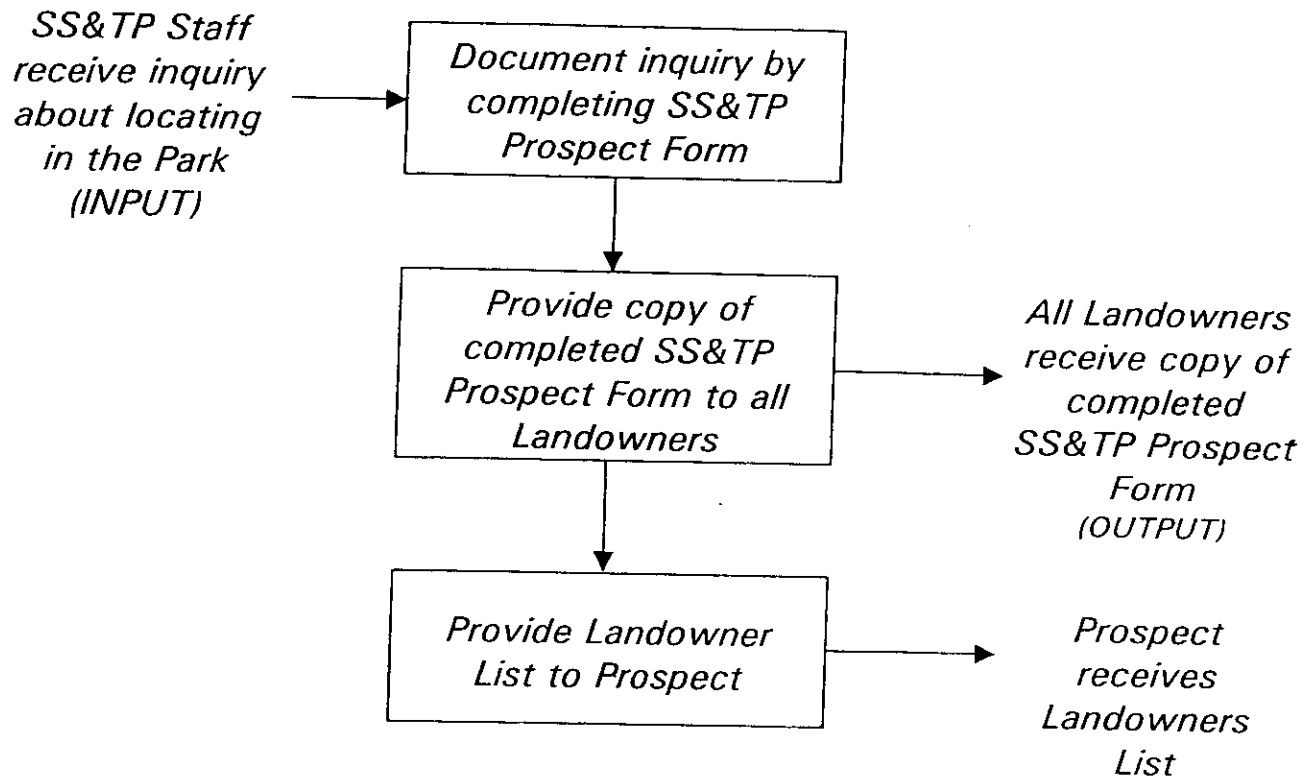
2/28/00

17

-60-

## Referral Process Sandia Science and Technology Park (SS&TP)

The following process will be used by the SS&TP staff when receiving an inquiry from a prospect about locating in the SS&TP:



The use of this Referral Process will ensure that:

- All inquiries from Prospects are documented on the SS&TP Prospect Form.
- All Landowners will receive completed SS&TP Prospect Forms from all inquiries.
- Prospects will receive a list of Landowners and ways to contact them.
- Note: Landowners follow up with Prospects as they choose. Prospects follow up with Landowners as they choose.

City of Albuquerque  
Planning Department  
Development Services Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: February 16, 2001

**OFFICIAL NOTIFICATION OF DECISION**

NM State Land Office  
4308 Carlisle NE  
Albuq. NM 87107

FILE: 00114 00000 01727/00110 00000 01728  
LEGAL DESCRIPTION: the S1/2 SW1/4  
NW1/4 together with the northerly 140 feet of  
NW1/4 NW 1/4 of Section 33, Township 10  
North, Range 4 East, New Mexico Principal  
Meridian, Bernalillo County, New Mexico and  
also being the same as the Public Service Sub-  
Station tract as shown and designated on the  
Summary Plat for annexation to the City of  
Albuquerque of NW1/4 NE1/4, S1/2 NE1/4,  
NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33,  
T.10N., R.4E., N.M.P.M., Bernalillo County,  
New Mexico, County, New Mexico on August  
24, 1982, in Volume C20, Folio 24 as Document  
No. 82-44125, located on Eubank Boulevard SE  
between Southern SE and KAFB, containing  
approximately 100 acres. (M-21) Makita Hill,  
Staff Planner

On February 15, 2001, the Environmental Planning Commission voted to recommend approval of 00114 00000 01727, annexation to the City Council for Section 33, T10N, R4E, NW 1/4 of the SW 1/4, containing 40 acres; Section 33, T10N, R4E, SW 1/4 of the NE 1/4, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 NW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:



**FINDINGS:**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

On February 15, 2001, the Environmental Planning Commission voted to recommend approval of 00110 00000 01728, establishment of IP zoning to the City Council for a 40-acre site located at Section 33, T10N, R4E, NW ¼ of the SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼ of the NE ¼ containing 35 acres and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:

**FINDINGS:**

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

**CONDITION:**

1. The zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **MARCH 2, 2001** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.


-64-

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC.

Sincerely,

  
for Robert R. McCabe, AIA, APA  
Planning Director

RM/MH/ac

cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102

-65-

UNAPPROVED

2. 00114 00000 01727  
00110 00000 01728  
Project # 1000960

Consensus Planning, Inc., agents for NM State Land Office request annexation and establishment of IP zoning for A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the Summary Plat for annexation to the City of Albuquerque of NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33, T.10N., R.4E., N.M.P.M., Bernalillo County, New Mexico, County, New Mexico on August 24, 1982, in Volume C20, Folio 24 as Document No. 82-44125, located on Eubank Boulevard SE between Southern SE and KAFB, containing approximately 100 acres. (M-21) Makita Hill, Staff Planner **(RECOMMENDED APPROVAL OF ANNEXATION TO CITY COUNCIL. RECOMMENDED APPROVAL OF ESTABLISHMENT OF IP ZONING TO CITY COUNCIL.)**

**STAFF PRESENT:**

Makita Hill, Planning Department

**PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:**

Karen Marcotte, 924 Park Ave. SW

**THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:**

CHAIR BEGAY: Agenda item number six. Is everybody here for that? Mr. Hill?

MR. HILL: Madam Chair, members of the Commission case number 00114 00000 01727 and 00110 00000 01728 is a request for annexation and establishment of IP zoning for the total of approximately one hundred acres of properties located on Eubank between Southern and Kirtland Air force Base. The subject one hundred acres is a part of this application, can you hear me?

COMMISSIONER GARA: I do not know if that mike is on.

CHAIR BEGAY: It is very low.

COMMISSIONER GARA: If it is on the volume is way down.

MR. HILL: Can you hear me now?

COMMISSIONER GARA: There was a problem yesterday at DRB I could not hear it in the room. Is there a volume control? Test, is it coming through more clearly?

-66-

CHAIR BEGAY: It is still very low.

MR. HILL: No, okay. Test, is it amplified?

CHAIR BEGAY: A little better. Turn it up some more April.

MR. HILL: How is this?

CHAIR BEGAY: Much better.

MR. HILL: Okay, Madam Chair if it is appropriate I will just start over to make sure that it is all entered into the record.

CHAIR BEGAY: Thank you.

MR. HILL: Madam Chair, Members of the Commission, case number 00114 00000 01727 and case number 00110 00000 01728 is a request for annexation and establishment of IP zoning for parcels totaling approximately one hundred acres. The location of the parcels are on Eubank Southeast between Southern and Kirtland Air Force Base. The subject one hundred acres that we are reviewing this morning are part of a larger proposed two hundred and nineteen acre Sandia Science and Technology Park.

At the January 18<sup>th</sup> EPC meeting the EPC reviewed and approved an earlier forty-acre phase of this project for annexation and establishment of IP zoning. As with the previous case this case is also supported by policies in the Comprehensive Plan regarding the developing urban area and economic development. The area proposed for annexation is contiguous to existing city limits. There are city services available and convenient street access to the city area. As there have been recent changes in the area regarding development and zoning of IP for warehouse retail uses. There have been recent changes in the area that justify the proposed zoning change to IP. While a master plan, which is typically required for IP, zoning was not presented with either of these cases there is a memorandum of understanding between the city, the developers and the State Land Office that a master plan will be submitted for review. That plan has been submitted recently and will be on the agenda for the EPC March 15<sup>th</sup> hearing.

Staff at this time recommends approval of this application and I would be happy to answer any questions you may have.

CHAIR BEGAY: Questions of staff? Commissioner Gara?

COMMISSIONER GARA: Thank you Madam Chair. I got confused reading the staff report. I was not sure who the applicant was. I was not sure how many acres we are dealing with. It was really difficult to determine what actually we were doing. I do not know whether it was one hundred acres, one hundred and five acres, twenty four point four nine seven acres, or

one hundred and twenty-nine point four nine acres. Was it Albuquerque Public Schools the applicant or the State Land Office is the applicant?

MR. HILL: Madam Chair, Commissioner Gara, the applicant for this application is Consensus Planning, they are acting as agents for the New Mexico State Land Office. And for this application the parcels that are under review for this case total approximately one hundred acres.

COMMISSIONER GARA: But the cover page says the applicant is Albuquerque Public Schools on my case.

MR. HILL: Madam Chair, Commissioner Gara, correction the agent is Consensus Planning acting agent for the Albuquerque Public Schools I stand corrected.

COMMISSIONER GARA: But the State Land Office owns the parcels or a portion of the parcels or two of the parcels.

CHAIR BEGAY: Maybe the applicant can clear this up for us.

MR. HILL: There are differences in the write up of the agenda from the staff report it would be appropriate to ask the applicant to clarify that for EPC.

CHAIR BEGAY: Agent?

COMMISSIONER SCHWARTZ: I already have questions for staff.

CHAIR BEGAY: Okay, lets wait and get this cleared up first.

COMMISSIONER SCHWARTZ: All right.

MS. MARCOTTE: Good morning Madam Chair, Commissioners. My name is Karen Marcotte with Consensus Planning, 924 Park Avenue Southwest, 87102. There are a number of errors in the staff report. This is an application for the New Mexico State Land Office. It was expanded to include the PNM switching station site in order to make all those parcels contiguous so the front cover of the staff report is incorrect. It should state New Mexico State Land Office and if you read behind those pages into the application that we submitted you can see that the State Land Office is the owner and PNM also owns one of those parcels.

I can show you a little map. Neal if you can...

CHAIR BEGAY: Okay, lets stop for a second then. The only error then is on the cover sheet that says APS. Is that correct?

MS. MARCOTTE: That is one of the errors. There are several errors about amounts of acreage as Commissioner Gara noted. The total acreage is one hundred acres but there are

three parcels that add up to that one hundred acres. So there are some errors in the staff report.

CHAIR BEGAY: Okay. Commissioner Gara?

COMMISSIONER GARA: Which three parcels add up to the one hundred acres because when I look at even the map I think it is part of your submittal I see a lot of different shaded and colored so I got confused even looking at that as to what we were dealing with here.

MS. MARCOTTE: Okay. Madam Chair, Commissioner Gara, it is this parcel here, this thirty-five acre...

COMMISSIONER GARA: ...that is the thirty-five...

MS. MARCOTTE: ...parcel.

COMMISSIONER GARA: Okay.

MS. MARCOTTE: This forty-acre parcel over there...

COMMISSIONER GARA: ...okay...

MS. MARCOTTE: ...and this twenty-five acre parcel that is the PNM switching station.

COMMISSIONER GARA: Okay. And then on your map that you submitted why is all the other land crossed hatched to indicate that this may be ... or something. That is why I got continually confused when I was reading the staff report.

MS. MARCOTTE: Madam Chair, Commissioner Gara, the PNM switching station is not a part of the Sandia Science and Technology Park so it traditionally has not been included within that boundary.

COMMISSIONER GARA: On this map it shows PNM switching station at twenty acres.

MS. MARCOTTE: It is twenty-four point nine seven acres I believe according to legal.

COMMISSIONER SCHWARTZ: The twenty acres, the PNM switching station is below that twenty acres.

COMMISSIONER GARA: Oh it is below the twenty acres.

COMMISSIONER SCHWARTZ: The twenty acres is the piece we did back in December or January I think.

COMMISSIONER GARA: I think that is right.

COMMISSIONER GARA: And then the adjacent one is the one we did last month.

MS. MARCOTTE: Correct.

CHAIR BEGAY: Okay.

COMMISSIONER SCHWARTZ: The one to the east of...

MS. MARCOTTE: Correct. Should I proceed?

CHAIR BEGAY: No, I think we are going to go back to staff now. Thank you for clarifying that.

MS. MARCOTTE: Okay.

CHAIR BEGAY: Mr. Hill?

MR. HILL: Yes?

CHAIR BEGAY: We are back on questions for you. Commissioner Schwartz?

COMMISSIONER SCHWARTZ: And I think this kind of relates to—I do not know I had a question why—you know we were talking about the Costco and the Home Depot since you know this site there is a whole lot in-between this site and the Costco and Home Depot. Particularly there is this other item that just got deferred this morning, the GSL application. Were we looking at the right piece of property in this report?

MR. HILL: Madam Chair, Commissioner Schwartz, the information on the Costco and the Home Depot was included to demonstrate that changes had occurred in the area when it comes to reviewing the issue of whether the proposed changed IP zoning was justified. And granted it is not immediately adjacent. You know they are simply the changes that have occurred in the area and the only ones that seemed appropriate to include in the application.

COMMISSIONER SCHWARTZ: Another comment is I guess I do not know whether these other parcel annexations, I guess they have not gone all the way through the City Council yet. I do not know so they are not on the official map but I think it would have been useful on these maps to have indicated the prior annexations because when I look at this map even feeling in where the PNM station is there is not contiguity to city boundaries based on the maps that are in this packet. So you have to kind of feel a lot of the blanks here to understand where the contiguity comes from. If you forget about the history what is in process for annexation you are saying why are we doing this island down here on Eubank. I think that you could have taken one of these maps and marked it up. There was a question why isn't Eubank included in this annexation? It does not appear to be included and I thought that was part of the policy about if you annex land that borders the street you are supposed to annex the whole street. And if you look up to the north of that that is what has happened. I



think the GSL application when you look at the city boundary there it extends to the western side of Eubank. So why isn't Eubank included here?

MR. HILL: Madam Chair, I would have to defer to staff to answer that question.

COMMISSIONER SCHWARTZ: You are staff.

MR. HILL: I would have to refer to Mr. Brito to answer that question. I do not have an answer.

COMMISSIONER SCHWARTZ: Okay before Mr. Brito answers that question I have one more and that is in the findings and it is kind of maybe a technical they say that this master development plan for the Sandia Science and Technology park has been submitted. But there is no finding that says that this parcel is part of the Sandia Science and Technology Park so I do not see how we are binding this parcel to the master plan in these findings. I mean a finding says that a master plan has been submitted so what. How does that relate to this parcel of land? Where is the finding that says that this parcel of land is going to be covered by that master plan?

MR. HILL: Okay.

COMMISSIONER SCHWARTZ: Okay.

CHAIR BEGAY: I have a hard time with that too because it has been submitted but we have not seen anything.

COMMISSIONER SCHWARTZ: Mr. Brito, do you have an answer on Eubank?

MR. BRITO: Madam Chair, Commissioner Schwartz, in regards to adjacent right-of-way it is not included as part of an initial submittal by an applicant but at the City Council level the Annexation and Zoning Ordinance will contain language that states that the subject parcels annexed as well as any adjacent right-of-way.

COMMISSIONER SCHWARTZ: Thank you.

CHAIR BEGAY: Any other questions for Mr. Hill? Thank you. Applicant?

MS. MARCOTTE: Good morning Madam Chair, Commissioners, I will try and clear up some of this history and what is going on with these parcels because there were a number of errors in the way it was presented.

COMMISSIONER GARA: Ms. Marcotte, can I just ask why this is being submitted prior to the master development plan for Sandia Science and Technology Park?

MS. MARCOTTE: Yes that is actually part of presentation.

COMMISSIONER GARA: Okay. Because I do not know that I want to hear it prior to the master development plan being submitted.

MS. MARCOTTE: Okay I would like to address that if I could.

CHAIR BEGAY: Please do.

MS. MARCOTTE: Previously this parcel was annexed as part of the Emcore expansion. Last month we annexed this parcel, the APS parcel. This month we are trying to get these last remaining three parcels into the annexation process. The reason that they are preceding the master plan is because the annexation process is so long at the other end. It has to go through the Council committees and through the Council before it can be finalized. So we could be in a position where the master plan would be approved but we would not be able to do anything because the parcels had not gone through the annexation process. As part of the M.O.U. that was signed by the City and the landowners we were supposed to have an expedited approval process so that once this master development plan gets completely done we are ready to go for development of all those parcels in the Science and Tech Park. So we are trying to precede the master development plan by at least a little bit by a month or two with the annexation applications through the Planning Commission fully expecting that they would be conditioned as Commissioner Schwartz noted with an approved master development plan before they can be finalized. But just so they can get moved forward into the Council scheduling process because that is such a lengthy process. Sometimes it takes an additional six months for that process to be completed. So we are trying to get the annexations to move forward knowing they will be conditioned with an approved master development plan before they will be finalized. An annexation is not finalized until it is approved by the Council and filed with an annexation plat. So, none of the annexations will be finalized until that point in time. We would expect that the master development plan will be complete at that point and time and they will all have caught with each other.

The master development plan is scheduled to be heard by this Body next month. There is also a study session and site tour next week with a fuller briefing on all of the Science and Tech Park master development plan elements because it is a fairly substantial document.

But that is really the reason for trying to get these preceded. These are the last three parcels needed in order to make all of the Science and Tech Park be within the City of Albuquerque municipal limits. And the PNM switching station was brought along to make it contiguous because we did not want an island of city land. So all of this land, this whole boundary will then be part of the city municipal limits once that is annexed. And it would be governed by that master development plan.

CHAIR BEGAY: We went through this last time Ms. Marcotte.

MS. MARCOTTE: Correct.

CHAIR BEGAY: And we kind of were pushed along to do this and I did not feel real comfortable assigning a specific zoning category without having a master development plan.

It seems kind of backwards to me. Would you have any problem and could we legally Russell do this if we choose, if this Commission chooses to approve this could we approve it contingent, do we have to say a specific zoning or could we say zoning as per approved in the master development plan?

MR. BRITO: Madam Chair, whatever action the Planning Commission makes today...

CHAIR BEGAY: This is a recommendation right?

MR. BRITO: Will be a recommendation to City Council.

CHAIR BEGAY: Right.

MR. BRITO: So, you could recommend it with conditions and/or findings that make it conditional on approval of an IP master plan. But City Council can take your recommendation or leave it as per their discretion. But this Body can make any findings or conditions it wishes upon its recommendation to City Council.

CHAIR BEGAY: All right, I just wanted to get that clear again. Is there anybody signed up April?

MS. CANDELARIA: No.

CHAIR BEGAY: Staff, do you have any closing comments? Should we go through the staff report do you think and clear up where all the errors are?

COMMISSIONER GARA: Even in the recommendation there are errors. It says a forty-acre tract and then it addresses the PNM, it does not do anything with the thirty-five-acre piece.

CHAIR BEGAY: Okay.

MR. HILL: Madam Chair, members of the Commission, the findings that are indicated on pages eight and nine of your packet staff has recommended additional wording to clarify the relationship of these parcels under consideration to the master plan. For item four under findings page eight for 00110 00000 01728 staff recommends adding the following language to item number four as follows; "The subject parcels are part of the master plan area." And to include similar language on finding number four, excuse me on page seven going backwards for case number 00114 00000 01727.

CHAIR BEGAY: Commissioner Gara, does that answer your question or your concern?

COMMISSIONER GARA: No.

CHAIR BEGAY: No. Do we want to take the time Commission to go through and fix this?

COMMISSIONER GARA: I guess again the...

-73-

COMMISSIONER SCHWARTZ: Or a new staff report?

COMMISSIONER GARA: The information that I am looking at is incomplete as to what we are approving in the recommendation matter. Simply because it addresses in one case the forty acre parcel and the PNM switching station but does not address the thirty-five acre parcel. So I think we need to know what lands are being approved and the definitions or the descriptions to me seem to be incomplete. Ms. Marcotte do you agree? As to what we are approving here.

MS. MARCOTTE: Madam Chair, Commissioner Gara, I agree that there are a number of errors in the staff report. The information that was submitted is not incomplete. We did provide legal descriptions. We did provide adequate descriptions of those parcels for a valid application.

COMMISSIONER GARA: Do you have copies of that available?

MS. MARCOTTE: Pardon?

COMMISSIONER GARA: Do you have copies of those legal descriptions available?

MS. MARCOTTE: I think they are in the submittal package. We did submit those to staff.

CHAIR BEGAY: Do we want to table this agenda item to the end and let staff and them work on this and clear it up?

COMMISSIONER GARA: What do we need to...

MS. MARCOTTE: I believe we can find it in the materials that we have here for the legal descriptions. We had submitted the three parcels referred to the two State Land Office parcels and the PNM switching station parcel adding up to approximately one hundred acres. If we could refer to that as the approximately one hundred acres the three parcels as supplied in the legal description. We have some sort of lengthy legal descriptions.

COMMISSIONER GARA: Does that cover all three parcels though? I thought that...

MS. MARCOTTE: That the PNM switching station...

COMMISSIONER GARA: ...that is what I thought it was just the PNM switching station.

MS. MARCOTTE: There were legal descriptions provided for all three parcels.

COMMISSIONER GARA: But then the application is very broad. Section 33, Township 10 North, Range 4East, to the northwest quarter southwest quarter. I guess we do not need that specifically but I want to make sure we are covering the thirty-five and the forty-acre tract as well as the twenty-four point four nine acre tract at PNM

MS. MARCOTTE: Madam Chair, Commissioner Gara, I would suggest that we just state that in the findings that there are those three parcels of those three sizes. The two that are owned by the State Land Office and the third by PNM.

COMMISSIONER GARA: When you said we wanted to have the PNM Sandia switching station included in this request so there was not an island who is we?

MS. MARCOTTE: The City of Albuquerque actually in our pre-hearing discussion requested that the PNM switching station be included, that our request be expanded to include that site to make it whole contiguous without that island. The original application was just for the State Land Office parcels. We agreed to expand that request and PNM cooperated in agreeing to allow annexation of their parcel.

COMMISSIONER GARA: Again who is we? We agreed to expand that request.

MS. MARCOTTE: The State Land Office.

COMMISSIONER GARA: Okay, the memorandum or the annexation agreement between PNM and the City says that PNM does not have to do anything to that switching station. So maybe the State Land Office would be willing to do something to that switching station like put a wall around it and some landscaping around it.

MS. MARCOTTE: Madam Chair, Commissioner Gara, we this time in being the Sandia Science and Technology Park which is the application you are going to see next month are going to impose some design guidelines on the park itself. PNM has already developed that switching station and is not interested in coming back and retrofitting that switching station. However the master developer for the Science and Technology Park will be looking at screening and landscaping and other ways to soften the appearance of that.

COMMISSIONER GARA: I assure you they will.

MS. MARCOTTE: Yes.

COMMISSIONER GARA: When we hear the master plan.

MS. MARCOTTE: Yes.

CHAIR BEGAY: Commissioner Schwartz?

COMMISSIONER SCHWARTZ: In the main of looking forward to seeing the master plan while we are not creating an island of annexed area in the city I am kind of curious how we are not creating an island of the Technology Park. Because it seems to me you are only tangent on the cross of two survey lines here. So I do not know we are—how do you have a connection between that lower parcel and the blue parcel? I mean there is not even...

COMMISSIONER GARA: The PNM substation is immediately north of the...

COMMISSIONER SCHWARTZ: No, I mean the connection. I mean internal pedestrian type...

COMMISSIONER GARA: Well that will have to be shown on the master plan.

COMMISSIONER SCHWARTZ: I do not know how you can do it. I mean you have the connection that is...

COMMISSIONER GARA: I guess they will have to show us.

COMMISSIONER SCHWARTZ: Somebody says to me you have a cut off aisle in the Technology Park I do not know how that—we will see what is on the master plan.

MS. MARCOTTE: We will be addressing that next month.

COMMISSIONER GARA: And it is an ugly switching station.

MS. MARCOTTE: It is.

COMMISSIONER GARA: Ms. Moyer.

CHAIR BEGAY: Okay, thank you.

COMMISSIONER GARA: Have you seen it?

CHAIR BEGAY: Mr. Hill, are you ready to make those changes and clarifications so it works better.

MR. HILL: Yes Madam Chair, staff has some recommended changes to the legal description on page one of the applications.

CHAIR BEGAY: Thank you.

MR. HILL: Following the legal description of the first parcel Section 33, Township 10 North, Range 4 East, northwest quarter, southwest quarter, staff recommends adding the words "containing forty acres" to clarify that that first legal description pertains to the forty acre parcel currently owned by the State Land Office.

CHAIR BEGAY: Okay.

MR. HILL: For the following legal description, Section 33, Township 10 North, Range 4 East, southwest quarter, northeast quarter, staff recommends adding the wordings "containing thirty-five acres" to tie that legal description to read thirty-five acre parcel. The third legal description all ready contains a description of that acreage and a legal description that is the

PNM site. The staff would also recommend that if those changes are adequate for EPC concerns to simply use the legal description on the cover page of the application for the findings for both case numbers items number one simply substitute that language out. So that from cover to cover we have the same language throughout.

CHAIR BEGAY: Thank you. Will that work Commissioner Gara for you?

COMMISSIONER GARA: I am still a little confuse but that is okay.

COMMISSIONER SERRANO: I have a question.

CHAIR BEGAY: Commissioner Serrano?

COMMISSIONER SERRANO: The northwest quarter of section thirty-three contains one hundred and sixty acres, northwest quarter, is one hundred and sixty acres.

COMMISSIONER GARA: No, the northwest quarter of the southwest quarter...

COMMISSIONER SERRANO: Then the comma needs to be deleted.

COMMISSIONER GARA: It should be the northwest quarter of the southwest quarter so...

COMMISSIONER SERRANO: It would make it forty, not northwest quarter comma because that is one hundred and sixty and then another one hundred and sixty.

CHAIR BEGAY: Okay. Thank you Commissioner Serrano.

COMMISSIONER GARA: And then we are still missing the thirty-five acres, were is the thirty-five acres?

MR. HILL: Madam Chair, Commissioner Gara, the thirty-five acre parcel is described in the second legal description, Section 33, Township 10 north, Range 4 east, southwest quarter, northeast quarter. That is the thirty-five acre parcel in this case.

COMMISSIONER GARA: The first, I guess in reading the legal description I always start with it is Section 33, Township 10 North, it is Township 10 north, Range 4 east, Section 33, the northwest quarter of the southwest quarter, that is the first one, is that correct?

MR. HILL: Madam Chair, Commissioner Gara, yes that is correct.

COMMISSIONER GARA: And the second one then would be Section 33, Township 10 north, Range 4 East, the southwest quarter of the northeast quarter.

MR. HILL: Yes that is correct.

CHAIR BEGAY: Okay.

MR. HILL: Madam Chair regarding the findings on pages seven and eight staff would recommend adding the following language to item number one on page seven under findings for case 00114 00000 01727 where it says Kirtland Air Force Base and then in parenthesis KAFB to delete the period and add a comma add the following language "Also described as follows" and then to include the legal description of the three parcels described on page one of the application.

CHAIR BEGAY: Okay.

MR. HILL: Staff would also recommend on page eight under findings case number 00110 00000 01728, item number one where it says Kirtland Air Force Base and then one parenthesis KAFB staff recommends adding a closing parenthesis, a comma and the following language "also described as" and then include the legal description for all three parcels on page one of the staff report.

COMMISSIONER GARA: Before the—Madam Chair before the action report goes out or whatever we do here goes out I want to make sure that that legal description is correct because I am still not sure one hundred percent that what we got here is accurate. So I would want to make sure that that is accurate when it goes out to the applicant.

CHAIR BEGAY: Mr. Brito?

MR. BRITO: Madam Chair, Commissioner Gara I will personally make sure that that legal is correct and I will confer with the applicant to make sure it is correct before it is sent out.

COMMISSIONER GARA: Thank you.

CHAIR BEGAY: Commissioner Serrano?

COMMISSIONER SERRANO: I would just like to add to that Mr. Brito that the thirty-five acre parcel that you have up there you are really annexing forty acres unless you accept out the five acre...

COMMISSIONER GARA: ...a portion...

COMMISSIONER SERRANO: ...that the portion of that forty I do not know what five acres is not being annexed.

COMMISSIONER GARA: Including that thirty-five.

CHAIR BEGAY: Okay, thank you.

MR. HILL: Thank you Madam Chair.

CHAIR BEGAY: Applicant, any closing comments?



MS. MARCOTTE: Madam Chair, Commissioners, the legal descriptions and the maps and surveys were provided to staff and there is a summary plat for that thirty-five acre piece that shows what portion of that quarter of the quarter of the section that it is. That was provided to staff in the original packet so I think if we can just cross reference with Mr. Brito before the final goes out and make sure that the legals refer to the correct summary plats and the correct parcels sizes that will be okay and we will be happy to sit down and do that with him.

CHAIR BEGAY: Thank you. Commissioner Schwartz?

COMMISSIONER SCHWARTZ: Ms. Marcotte? This is regarding the Trails and Bikeways Plan. It says the applicant also appears to be willing to accommodate proposed trails for the areas indicated in the Trails and Bikeways Master Plan. What is your understanding of what that plan requires?

MS. MARCOTTE: Madam Chair, Commissioner Schwartz, that will be addressed in the master development plan extensively because we have had some meetings with Parks and we have a separate trails plan as part of that application. There is a regional bicycling trail that comes along the north face north edge of the Tijeras Arroyo that we will provide access through the parks so that it can get over to Eubank and over to the Base for that regional trail. There will also be internal pedestrian trails, a trail up to the regional community park at Manzano Mesa and there is a trail along Eubank as well.

COMMISSIONER SCHWARTZ: Okay because this is (INAUDIBLE) say there is a trail along Eubank?

MS. MARCOTTE: Yes.

COMMISSIONER SCHWARTZ: Do you have any more specifics on that? The reason I ask is because where is the trail along Eubank? What is your understanding?

MS. MARCOTTE: It is along the east side of the Eubank right-of-way but it is within the Eubank right-of-way.

COMMISSIONER SCHWARTZ: Okay because I do not think that was reflected on the GSL submittal.

MS. MARCOTTE: I will go back reference that.

COMMISSIONER SCHWARTZ: That is what I was—I could not get an answer. I was talking to some people yesterday and they were not sure if it was on the east side or the west side of Eubank because I think on the GSL it shows a bike lane in Eubank. Then on this report it referenced this trail on Eubank and so if you would take a look at that one.

MS. MARCOTTE: Madam Chair, Commissioner Schwartz, it may be that those are the same things, the bike lane and the bike trail. It is suppose to be within the road right-of-way on Eubank. It is not a separate...

COMMISSIONER SCHWARTZ: Well a trail and a lane are two different things in the terminology.

MS. MARCOTTE: Okay. We will check our language.

CHAIR BEGAY: Commissioner Gara?

COMMISSIONER GARA: Ms. Marcotte, I understand the need to move this forward and certainly will support it but hear me well. The master plan will not be rushed through in an expedited manner if it is not complete. We have had experiences with one of your clients in the past in wanting to get things done quickly and we end up stubbing our toes and I think we need to be aware of that. We want to accommodate what I think is going to be an intrical part of our community in the future as far as jobs and the growth of our community for employment. But we want to make sure that it is a quality environment out there. That is all.

CHAIR BEGAY: Thank you.

MS. MARCOTTE: Madam Chair, Commissioner Gara I understand, I hear you.

COMMISSIONER GARA: Thank you.

CHAIR BEGAY: Thank you. With that I will close the floor. Commissioner Gara?

COMMISSIONER GARA: I am prepared to make a motion. Madam Chair, in the matter of case number 00114 00000 01727 which is the approval of request for annexation of a forty acre parcel, a thirty-five acre parcel and a twenty-four point four nine seven two acre parcel as defined in our staff report and will be verified by the applicant and the city staff. I recommend approval of that annexation to the City Council based upon findings one through four as amended in our staff report.

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second. All those in favor...

COMMISSIONER GARA: I forget to add, I do not know whether we need to add a condition at the annexation or the zoning but it is conditioned upon a master development plan being submitted and approved. I do not think the annexation would be conditioned upon that but the zoning can be conditioned upon it. So I think it goes on the zoning.

MR. BRITO: Madam Chair, Commissioner Gara that is correct.

CHAIR BEGAY: All those in favor of the motion? Opposed? Motion passes unanimously.

COMMISSIONER GARA: Madam Chair, in the matter of 00110 00000 01728 a request for— I assume that has to be zoning is that correct staff even though it says annexation in the staff report?

MR. BRITO: Yes.

COMMISSIONER GARA: Request of zoning to City IP I recommend of the forty acre parcels, the thirty-five acre parcel and the twenty-four point four nine seven two acre parcel, these legal descriptions will be confirmed between the applicant and the staff, I recommend approval based upon findings one through four as amended and I will add a condition one "That the zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park."

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second. All those in favor? Opposed? Motion passes unanimously.

### **FINAL ACTION TAKEN**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval of 00114 00000 01727, annexation to the City Council for Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings based on the following Findings:

### **FINDINGS:**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:

-81-

---

Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

MOVED BY COMMISSIONER GARA  
SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval of 00110 00000 01728, establishment of IP zoning to the City Council for a 40-acre site located at Section 33, T10N, R4E, NW ¼ of the SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼ of the NE ¼ containing 35 acres and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:

**FINDINGS:**

**UNAPPROVED**

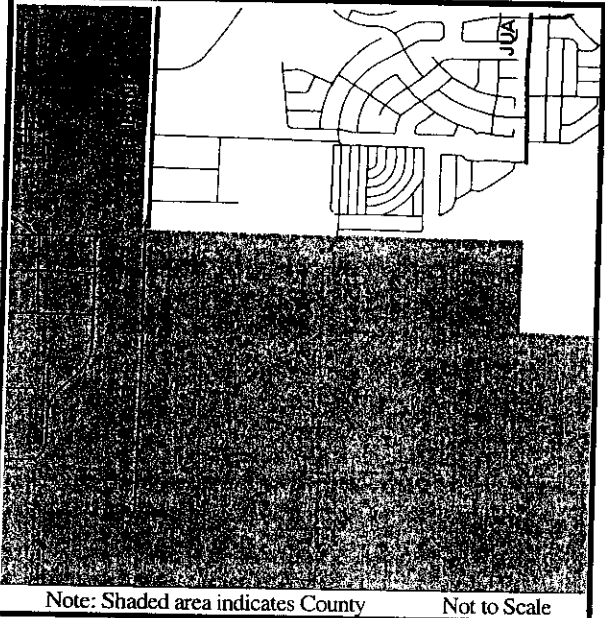
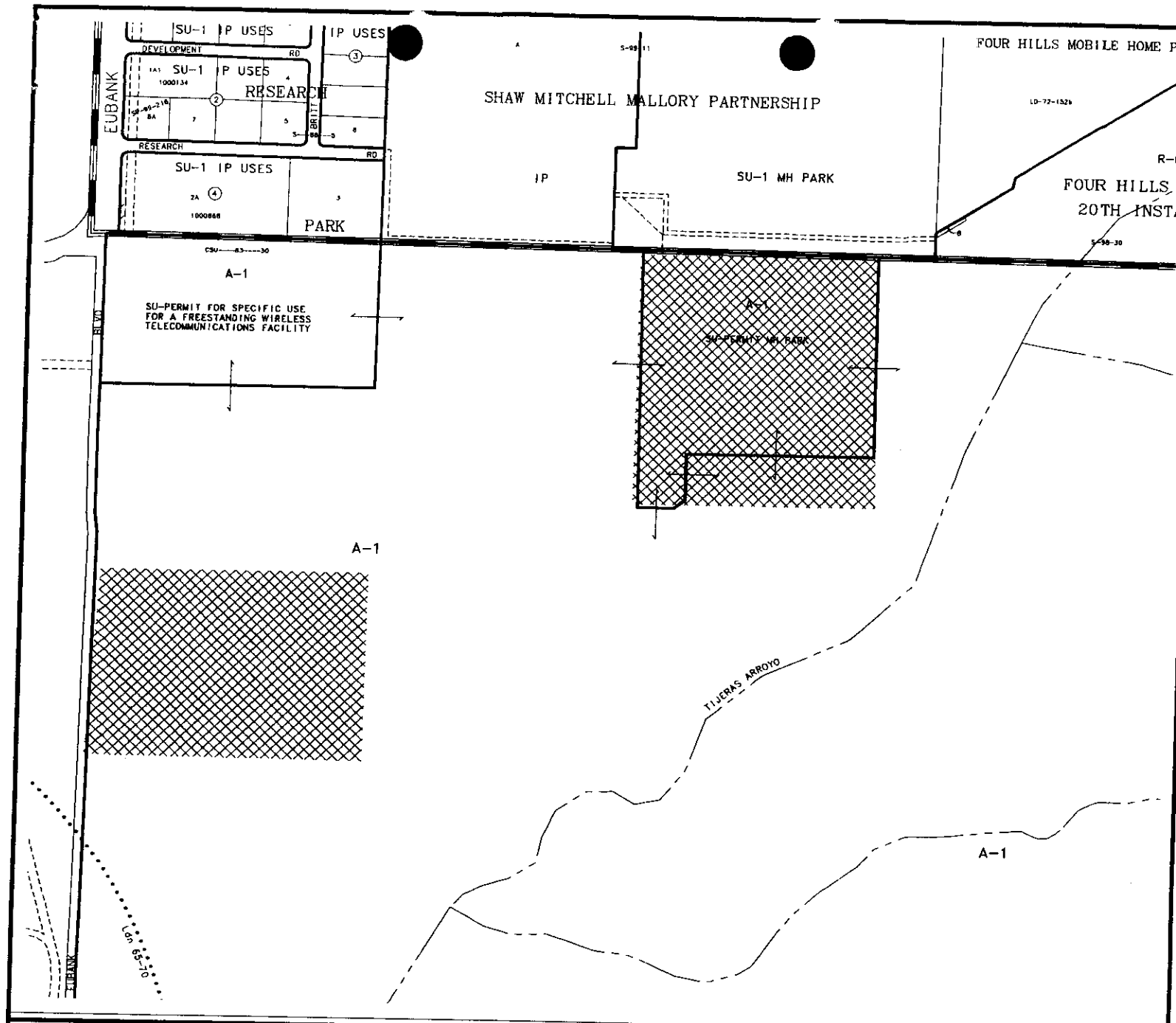
1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

**CONDITION:**

1. The zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park.

MOVED BY COMMISSIONER GARA  
SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY



# ZONING MAP



Scale 1"= 675'

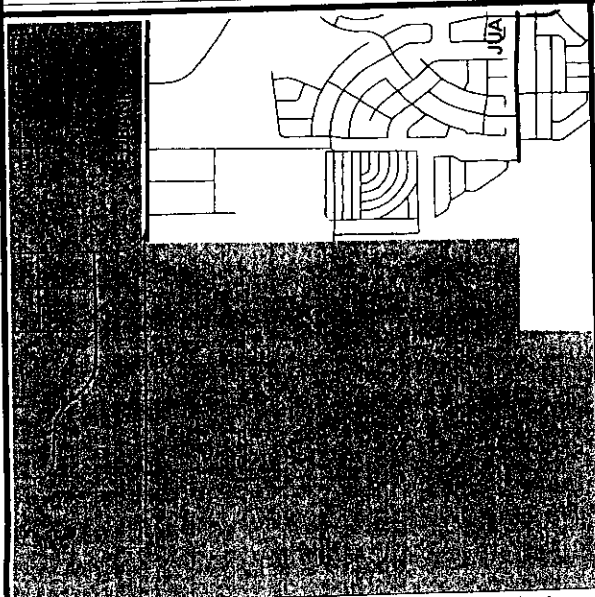
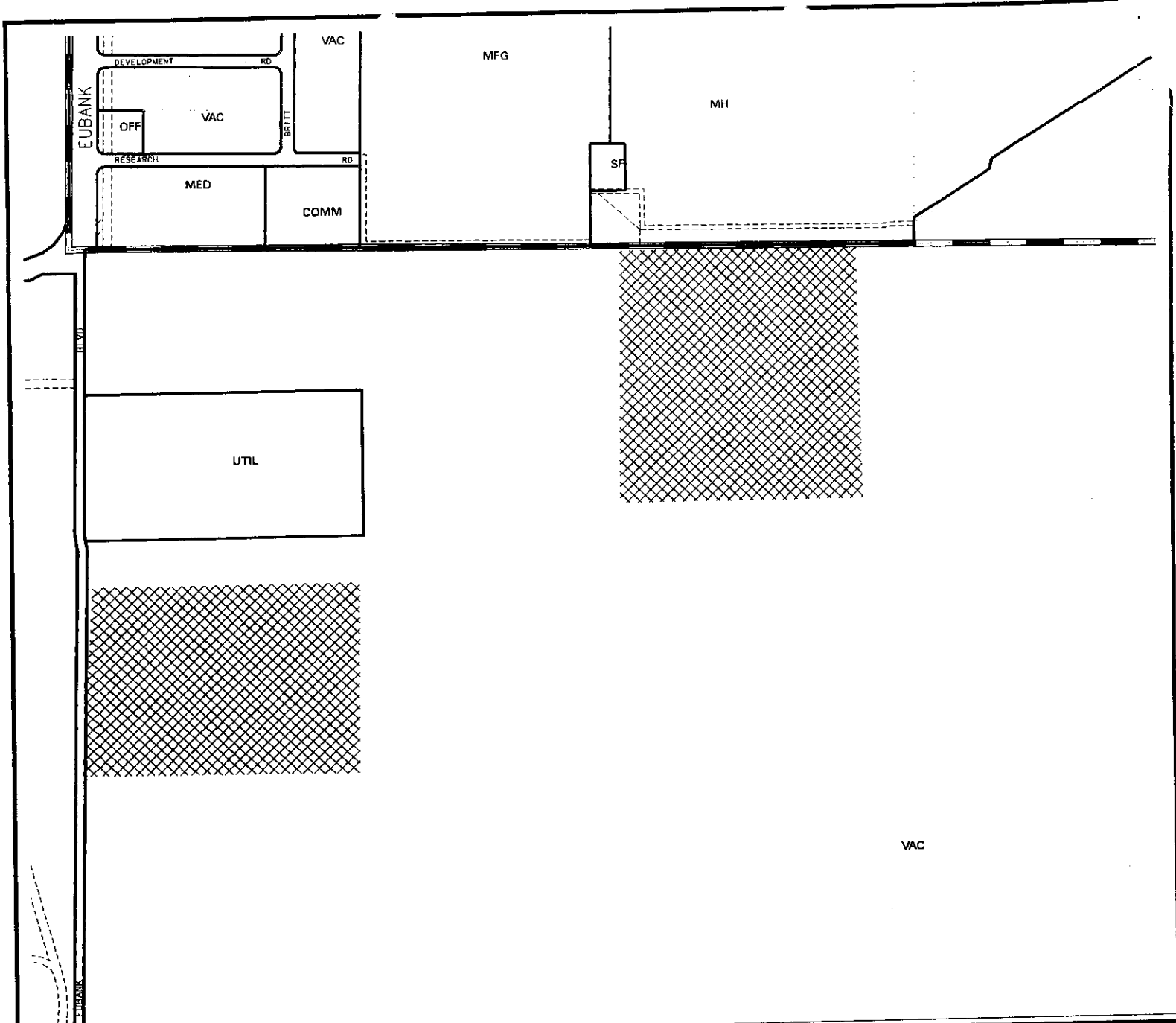
PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

-84-



Note: Shaded area indicates County Not to Scale

## LAND USE MAP

KEY to Land Use Abbreviations

AGRI Agricultural  
 COMM Commercial -Retail, Service, Wholesale  
 DRNG Drainage  
 EDUC Public or Private School  
 GOLF Golf Course  
 MED Medical Office or Facility  
 MFG Manufacturing or Mining  
 MH Mobile Home  
 MULT Multi-Family or Group Home  
 OFF Office  
 ORG Social or Civic Organization  
 PARK Park, Recreation or Open Space  
 PRKG Parking  
 PUBF Public Facility  
 RELG Religious Facility  
 SF Single Family  
 TRAN Transportation Facility  
 UTIL Utility  
 VAC Vacant Land or Abandoned Bldgs  
 WH Warehouse & Storage

-85-



Scale 1"= 675'

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

City of Albuquerque  
Planning Department  
Development Services Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: February 16, 2001

NM State Land Office  
4308 Carlisle NE  
Albuq. NM 87107

**OFFICIAL NOTIFICATION OF DECISION**

FILE: 00114 00000 01727/00110 00000 01728  
LEGAL DESCRIPTION: the S1/2 SW1/4  
NW1/4 together with the northerly 140 feet of  
NW1/4 NW 1/4 of Section 33, Township 10  
North, Range 4 East, New Mexico Principal  
Meridian, Bernalillo County, New Mexico and  
also being the same as the Public Service Sub-  
Station tract as shown and designated on the  
Summary Plat for annexation to the City of  
Albuquerque of NW1/4 NE1/4, S1/2 NE1/4,  
NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33,  
T.10N., R.4E., N.M.P.M., Bernalillo County,  
New Mexico, County, New Mexico on August  
24, 1982, in Volume C20, Folio 24 as Document  
No. 82-44125, located on Eubank Boulevard SE  
between Southern SE and KAFB, containing  
approximately 100 acres. (M-21) Makita Hill,  
Staff Planner

On February 15, 2001, the Environmental Planning Commission voted to recommend approval of 00114 00000 01727, annexation to the City Council for Section 33, T10N, R4E, NW 1/4 of the SW 1/4, containing 40 acres; Section 33, T10N, R4E, SW 1/4 of the NE 1/4, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW 1/4 NW 1/4 of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:



**FINDINGS:**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

On February 15, 2001, the Environmental Planning Commission voted to recommend approval of 00110 00000 01728, establishment of IP zoning to the City Council for a 40-acre site located at Section 33, T10N, R4E, NW ¼ of the SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼ of the NE ¼ containing 35 acres and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:

---

**FINDINGS:**

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

**CONDITION:**

1. The zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park.


IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **MARCH 2, 2001** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC.

Sincerely,

  
for Robert R. McCabe, AIA, APA  
Planning Director

RM/MH/ac

cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102

---

2. 00114 00000 01727  
00110 00000 01728  
Project # 100960

Consensus Planning, Inc., agents for NM State Land Office request annexation and establishment of IP zoning for A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the Summary Plat for annexation to the City of Albuquerque of NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33, T.10N., R.4E., N.M.P.M., Bernalillo County, New Mexico, County, New Mexico on August 24, 1982, in Volume C20, Folio 24 as Document No. 82-44125, located on Eubank Boulevard SE between Southern SE and KAFB, containing approximately 100 acres. (M-21) Makita Hill, Staff Planner **(RECOMMENDED APPROVAL OF ANNEXATION TO CITY COUNCIL. RECOMMENDED APPROVAL OF ESTABLISHMENT OF IP ZONING TO CITY COUNCIL.)**

**STAFF PRESENT:**

Makita Hill, Planning Department

**PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:**

Karen Marcotte, 924 Park Ave. SW

**THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:**

CHAIR BEGAY: Agenda item number six. Is everybody here for that? Mr. Hill?

MR. HILL: Madam Chair, members of the Commission case number 00114 00000 01727 and 00110 00000 01728 is a request for annexation and establishment of IP zoning for the total of approximately one hundred acres of properties located on Eubank between Southern and Kirtland Air force Base. The subject one hundred acres is a part of this application, can you hear me?

COMMISSIONER GARA: I do not know if that mike is on.

CHAIR BEGAY: It is very low.

COMMISSIONER GARA: If it is on the volume is way down.

MR. HILL: Can you hear me now?

COMMISSIONER GARA: There was a problem yesterday at DRB I could not hear it in the room. Is there a volume control? Test, is it coming through more clearly?



CHAIR BEGAY: It is still very low.

MR. HILL: No, okay. Test, is it amplified?

CHAIR BEGAY: A little better. Turn it up some more April.

MR. HILL: How is this?

CHAIR BEGAY: Much better.

MR. HILL: Okay, Madam Chair if it is appropriate I will just start over to make sure that it is all entered into the record.

CHAIR BEGAY: Thank you.

MR. HILL: Madam Chair, Members of the Commission, case number 00114 00000 01727 and case number 00110 00000 01728 is a request for annexation and establishment of IP zoning for parcels totaling approximately one hundred acres. The location of the parcels are on Eubank Southeast between Southern and Kirtland Air Force Base. The subject one hundred acres that we are reviewing this morning are part of a larger proposed two hundred and nineteen acre Sandia Science and Technology Park.

At the January 18<sup>th</sup> EPC meeting the EPC reviewed and approved an earlier forty-acre phase of this project for annexation and establishment of IP zoning. As with the previous case this case is also supported by policies in the Comprehensive Plan regarding the developing urban area and economic development. The area proposed for annexation is contiguous to exiting city limits. There are city services available and convenient street access to the city area. As there have been recent changes in the area regarding development and zoning of IP for warehouse retail uses. There have been recent changes in the area that justify the proposed zoning change to IP. While a master plan, which is typically required for IP, zoning was not presented with either of these cases there is a memorandum of understanding between the city, the developers and the State Land Office that a master plan will be submitted for review. That plan has been submitted recently and will be on the agenda for the EPC March 15<sup>th</sup> hearing.

Staff at this time recommends approval of this application and I would be happy to answer any questions you may have.

CHAIR BEGAY: Questions of staff? Commissioner Gara?

COMMISSIONER GARA: Thank you Madam Chair. I got confused reading the staff report. I was not sure who the applicant was. I was not sure how many acres we are dealing with. It was really difficult to determine what actually we were doing. I do not know whether it was one hundred acres, one hundred and five acres, twenty four point four nine seven acres, or



one hundred and twenty-nine point four nine acres. Was it Albuquerque Public Schools the applicant or the State Land Office is the applicant?

MR. HILL: Madam Chair, Commissioner Gara, the applicant for this application is Consensus Planning, they are acting as agents for the New Mexico State Land Office. And for this application the parcels that are under review for this case total approximately one hundred acres.

COMMISSIONER GARA: But the cover page says the applicant is Albuquerque Public Schools on my case.

MR. HILL: Madam Chair, Commissioner Gara, correction the agent is Consensus Planning acting agent for the Albuquerque Public Schools I stand corrected.

COMMISSIONER GARA: But the State Land Office owns the parcels or a portion of the parcels or two of the parcels.

CHAIR BEGAY: Maybe the applicant can clear this up for us.

MR. HILL: There are differences in the write up of the agenda from the staff report it would be appropriate to ask the applicant to clarify that for EPC.

CHAIR BEGAY: Agent?

COMMISSIONER SCHWARTZ: I already have questions for staff.

CHAIR BEGAY: Okay, lets wait and get this cleared up first.

COMMISSIONER SCHWARTZ: All right.

MS. MARCOTTE: Good morning Madam Chair, Commissioners. My name is Karen Marcotte with Consensus Planning, 924 Park Avenue Southwest, 87102. There are a number of errors in the staff report. This is an application for the New Mexico State Land Office. It was expanded to include the PNM switching station site in order to make all those parcels contiguous so the front cover of the staff report is incorrect. It should state New Mexico State Land Office and if you read behind those pages into the application that we submitted you can see that the State Land Office is the owner and PNM also owns one of those parcels.

I can show you a little map. Neal if you can...

CHAIR BEGAY: Okay, lets stop for a second then. The only error then is on the cover sheet that says APS. Is that correct?

MS. MARCOTTE: That is one of the errors. There are several errors about amounts of acreage as Commissioner Gara noted. The total acreage is one hundred acres but there are





three parcels that add up to that one hundred acres. So there are some errors in the staff report.

CHAIR BEGAY: Okay. Commissioner Gara?

COMMISSIONER GARA: Which three parcels add up to the one hundred acres because when I look at even the map I think it is part of your submittal I see a lot of different shaded and colored so I got confused even looking at that as to what we were dealing with here.

MS. MARCOTTE: Okay. Madam Chair, Commissioner Gara, it is this parcel here, this thirty-five acre...

COMMISSIONER GARA: ...that is the thirty-five...

MS. MARCOTTE: ...parcel.

COMMISSIONER GARA: Okay.

MS. MARCOTTE: This forty-acre parcel over there...

COMMISSIONER GARA: ...okay...

MS. MARCOTTE: ...and this twenty-five acre parcel that is the PNM switching station.

COMMISSIONER GARA: Okay. And then on your map that you submitted why is all the other land crossed hatched to indicate that this may be ... or something. That is why I got continually confused when I was reading the staff report.

MS. MARCOTTE: Madam Chair, Commissioner Gara, the PNM switching station is not a part of the Sandia Science and Technology Park so it traditionally has not been included within that boundary.

COMMISSIONER GARA: On this map it shows PNM switching station at twenty acres.

MS. MARCOTTE: It is twenty-four point nine seven acres I believe according to legal.

COMMISSIONER SCHWARTZ: The twenty acres, the PNM switching station is below that twenty acres.

COMMISSIONER GARA: Oh it is below the twenty acres.

COMMISSIONER SCHWARTZ: The twenty acres is the piece we did back in December or January I think.

COMMISSIONER GARA: I think that is right.



COMMISSIONER GARA: And then the adjacent one is the one we did last month.

MS. MARCOTTE: Correct.

CHAIR BEGAY: Okay.

COMMISSIONER SCHWARTZ: The one to the east of...

MS. MARCOTTE: Correct. Should I proceed?

CHAIR BEGAY: No, I think we are going to go back to staff now. Thank you for clarifying that.

MS. MARCOTTE: Okay.

CHAIR BEGAY: Mr. Hill?

MR. HILL: Yes?

CHAIR BEGAY: We are back on questions for you. Commissioner Schwartz?

COMMISSIONER SCHWARTZ: And I think this kind of relates to—I do not know I had a question why—you know we were talking about the Costco and the Home Depot since you know this site there is a whole lot in-between this site and the Costco and Home Depot. Particularly there is this other item that just got deferred this morning, the GSL application. Were we looking at the right piece of property in this report?

MR. HILL: Madam Chair, Commissioner Schwartz, the information on the Costco and the Home Depot was included to demonstrate that changes had occurred in the area when it comes to reviewing the issue of whether the proposed changed IP zoning was justified. And granted it is not immediately adjacent. You know they are simply the changes that have occurred in the area and the only ones that seemed appropriate to include in the application.

COMMISSIONER SCHWARTZ: Another comment is I guess I do not know whether these other parcel annexations, I guess they have not gone all the way through the City Council yet. I do not know so they are not on the official map but I think it would have been useful on these maps to have indicated the prior annexations because when I look at this map even feeling in where the PNM station is there is not contiguity to city boundaries based on the maps that are in this packet. So you have to kind of feel a lot of the blanks here to understand where the contiguity comes from. If you forget about the history what is in process for annexation you are saying why are we doing this island down here on Eubank. I think that you could have taken one of these maps and marked it up. There was a question why isn't Eubank included in this annexation? It does not appear to be included and I thought that was part of the policy about if you annex land that borders the street you are supposed to annex the whole street. And if you look up to the north of that that is what has happened. I



think the GSL application when you look at the city boundary there it extends to the western side of Eubank. So why isn't Eubank included here?

MR. HILL: Madam Chair, I would have to defer to staff to answer that question.

COMMISSIONER SCHWARTZ: You are staff.

MR. HILL: I would have to refer to Mr. Brito to answer that question. I do not have an answer.

COMMISSIONER SCHWARTZ: Okay before Mr. Brito answers that question I have one more and that is in the findings and it is kind of maybe a technical they say that this master development plan for the Sandia Science and Technology park has been submitted. But there is no finding that says that this parcel is part of the Sandia Science and Technology Park so I do not see how we are binding this parcel to the master plan in these findings. I mean a finding says that a master plan has been submitted so what. How does that relate to this parcel of land? Where is the finding that says that this parcel of land is going to be covered by that master plan?

MR. HILL: Okay.

COMMISSIONER SCHWARTZ: Okay.

CHAIR BEGAY: I have a hard time with that too because it has been submitted but we have not seen anything.

COMMISSIONER SCHWARTZ: Mr. Brito, do you have an answer on Eubank?

MR. BRITO: Madam Chair, Commissioner Schwartz, in regards to adjacent right-of-way it is not included as part of an initial submittal by an applicant but at the City Council level the Annexation and Zoning Ordinance will contain language that states that the subject parcels annexed as well as any adjacent right-of-way.

COMMISSIONER SCHWARZT: Thank you.

CHAIR BEGAY: Any other questions for Mr. Hill? Thank you. Applicant?

MS. MARCOTTE: Good morning Madam Chair, Commissioners, I will try and clear up some of this history and what is going on with these parcels because there were a number of errors in the way it was presented.

COMMISSIONER GARA: Ms. Marcotte, can I just ask why this is being submitted prior to the master development plan for Sandia Science and Technology Park?

MS. MARCOTTE: Yes that is actually part of presentation.



COMMISSIONER GARA: Okay. Because I do not know that I want to hear it prior to the master development plan being submitted.

MS. MARCOTTE: Okay I would like to address that if I could.

CHAIR BEGAY: Please do.

MS. MARCOTTE: Previously this parcel was annexed as part of the Emcore expansion. Last month we annexed this parcel, the APS parcel. This month we are trying to get these last remaining three parcels into the annexation process. The reason that they are preceding the master plan is because the annexation process is so long at the other end. It has to go through the Council committees and through the Council before it can be finalized. So we could be in a position where the master plan would be approved but we would not be able to do anything because the parcels had not gone through the annexation process. As part of the M.O.U. that was signed by the City and the landowners we were supposed to have an expedited approval process so that once this master development plan gets completely done we are ready to go for development of all those parcels in the Science and Tech Park. So we are trying to precede the master development plan by at least a little bit by a month or two with the annexation applications through the Planning Commission fully expecting that they would be conditioned as Commissioner Schwartz noted with an approved master development plan before they can be finalized. But just so they can get moved forward into the Council scheduling process because that is such a lengthy process. Sometimes it takes an additional six months for that process to be completed. So we are trying to get the annexations to move forward knowing they will be conditioned with an approved master development plan before they will be finalized. An annexation is not finalized until it is approved by the Council and filed with an annexation plat. So, none of the annexations will be finalized until that point in time. We would expect that the master development plan will be complete at that point and time and they will all have caught with each other.

The master development plan is scheduled to be heard by this Body next month. There is also a study session and site tour next week with a fuller briefing on all of the Science and Tech Park master development plan elements because it is a fairly substantial document.

But that is really the reason for trying to get these preceded. These are the last three parcels needed in order to make all of the Science and Tech Park be within the City of Albuquerque municipal limits. And the PNM switching station was brought along to make it contiguous because we did not want an island of city land. So all of this land, this whole boundary will then be part of the city municipal limits once that is annexed. And it would be governed by that master development plan.

CHAIR BEGAY: We went through this last time Ms. Marcotte.

MS. MARCOTTE: Correct.

CHAIR BEGAY: And we kind of were pushed along to do this and I did not feel real comfortable assigning a specific zoning category without having a master development plan.





It seems kind of backwards to me. Would you have any problem and could we legally Russell do this if we choose, if this Commission chooses to approve this could we approve it contingent, do we have to say a specific zoning or could we say zoning as per approved in the master development plan?

MR. BRITO: Madam Chair, whatever action the Planning Commission makes today...

CHAIR BEGAY: This is a recommendation right?

MR. BRITO: Will be a recommendation to City Council.

CHAIR BEGAY: Right.

MR. BRITO: So, you could recommend it with conditions and/or findings that make it conditional on approval of an IP master plan. But City Council can take your recommendation or leave it as per their discretion. But this Body can make any findings or conditions it wishes upon its recommendation to City Council.

CHAIR BEGAY: All right, I just wanted to get that clear again. Is there anybody signed up April?

MS. CANDELARIA: No.

CHAIR BEGAY: Staff, do you have any closing comments? Should we go through the staff report do you think and clear up where all the errors are?

COMMISSIONER GARA: Even in the recommendation there are errors. It says a forty-acre tract and then it addresses the PNM, it does not do anything with the thirty-five-acre piece.

CHAIR BEGAY: Okay.

MR. HILL: Madam Chair, members of the Commission, the findings that are indicated on pages eight and nine of your packet staff has recommended additional wording to clarify the relationship of these parcels under consideration to the master plan. For item four under findings page eight for 00110 00000 01728 staff recommends adding the following language to item number four as follows; "The subject parcels are part of the master plan area." And to include similar language on finding number four, excuse me on page seven going backwards for case number 00114 00000 01727.

CHAIR BEGAY: Commissioner Gara, does that answer your question or your concern?

COMMISSIONER GARA: No.

CHAIR BEGAY: No. Do we want to take the time Commission to go through and fix this?

COMMISSIONER GARA: I guess again the...



COMMISSIONER SCHWARTZ: Or a new staff report?

COMMISSIONER GARA: The information that I am looking at is incomplete as to what we are approving in the recommendation matter. Simply because it addresses in one case the forty acre parcel and the PNM switching station but does not address the thirty-five acre parcel. So I think we need to know what lands are being approved and the definitions or the descriptions to me seem to be incomplete. Ms. Marcotte do you agree? As to what we are approving here.

MS. MARCOTTE: Madam Chair, Commissioner Gara, I agree that there are a number of errors in the staff report. The information that was submitted is not incomplete. We did provide legal descriptions. We did provide adequate descriptions of those parcels for a valid application.

COMMISSIONER GARA: Do you have copies of that available?

MS. MARCOTTE: Pardon?

COMMISSIONER GARA: Do you have copies of those legal descriptions available?

MS. MARCOTTE: I think they are in the submittal package. We did submit those to staff.

CHAIR BEGAY: Do we want to table this agenda item to the end and let staff and them work on this and clear it up?

COMMISSIONER GARA: What do we need to...

MS. MARCOTTE: I believe we can find it in the materials that we have here for the legal descriptions. We had submitted the three parcels referred to the two State Land Office parcels and the PNM switching station parcel adding up to approximately one hundred acres. If we could refer to that as the approximately one hundred acres the three parcels as supplied in the legal description. We have some sort of lengthy legal descriptions.

COMMISSIONER GARA: Does that cover all three parcels though? I thought that...

MS. MARCOTTE: That the PNM switching station...

COMMISSIONER GARA: ...that is what I thought it was just the PNM switching station.

MS. MARCOTTE: There were legal descriptions provided for all three parcels.

COMMISSIONER GARA: But then the application is very broad. Section 33, Township 10 North, Range 4East, to the northwest quarter southwest quarter. I guess we do not need that specifically but I want to make sure we are covering the thirty-five and the forty-acre tract as well as the twenty-four point four nine acre tract at PNM



MS. MARCOTTE: Madam Chair, Commissioner Gara, I would suggest that we just state that in the findings that there are those three parcels of those three sizes. The two that are owned by the State Land Office and the third by PNM.

COMMISSIONER GARA: When you said we wanted to have the PNM Sandia switching station included in this request so there was not an island who is we?

MS. MARCOTTE: The City of Albuquerque actually in our pre-hearing discussion requested that the PNM switching station be included, that our request be expanded to include that site to make it whole contiguous without that island. The original application was just for the State Land Office parcels. We agreed to expand that request and PNM cooperated in agreeing to allow annexation of their parcel.

COMMISSIONER GARA: Again who is we? We agreed to expand that request.

MS. MARCOTTE: The State Land Office.

COMMISSIONER GARA: Okay, the memorandum or the annexation agreement between PNM and the City says that PNM does not have to do anything to that switching station. So maybe the State Land Office would be willing to do something to that switching station like put a wall around it and some landscaping around it.

MS. MARCOTTE: Madam Chair, Commissioner Gara, we this time in being the Sandia Science and Technology Park which is the application you are going to see next month are going to impose some design guidelines on the park itself. PNM has already developed that switching station and is not interested in coming back and retrofitting that switching station. However the master developer for the Science and Technology Park will be looking at screening and landscaping and other ways to soften the appearance of that.

COMMISSIONER GARA: I assure you they will.

MS. MARCOTTE: Yes.

COMMISSIONER GARA: When we hear the master plan.

MS. MARCOTTE: Yes.

CHAIR BEGAY: Commissioner Schwartz?

COMMISSIONER SCHWARTZ: In the main of looking forward to seeing the master plan while we are not creating an island of annexed area in the city I am kind of curious how we are not creating an island of the Technology Park. Because it seems to me you are only tangent on the cross of two survey lines here. So I do not know we are—how do you have a connection between that lower parcel and the blue parcel? I mean there is not even...



COMMISSIONER GARA: The PNM substation is immediately north of the...

COMMISSIONER SCHWARTZ: No, I mean the connection. I mean internal pedestrian type...

COMMISSIONER GARA: Well that will have to be shown on the master plan.

COMMISSIONER SCHWARTZ: I do not know how you can do it. I mean you have the connection that is...

COMMISSIONER GARA: I guess they will have to show us.

COMMISSIONER SCHWARTZ: Somebody says to me you have a cut off aisle in the Technology Park I do not know how that—we will see what is on the master plan.

MS. MARCOTTE: We will be addressing that next month.

COMMISSIONER GARA: And it is an ugly switching station.

MS. MARCOTTE: It is.

COMMISSIONER GARA: Ms. Moye.

CHAIR BEGAY: Okay, thank you.

COMMISSIONER GARA: Have you seen it?

CHAIR BEGAY: Mr. Hill, are you ready to make those changes and clarifications so it works better.

MR. HILL: Yes Madam Chair, staff has some recommended changes to the legal description on page one of the applications.

CHAIR BEGAY: Thank you.

MR. HILL: Following the legal description of the first parcel Section 33, Township 10north, Range 4 east, northwest quarter, southwest quarter, staff recommends adding the words "containing forty acres" to clarify that that first legal description pertains to the forty acre parcel currently owned by the State Land Office.

CHAIR BEGAY: Okay.

MR. HILL: For the following legal description, Section 33, Township 10 North, Range 4 East, southwest quarter, northeast quarter, staff recommends adding the wordings "containing thirty-five acres" to tie that legal description to read thirty-five acre parcel. The third legal description all ready contains a description of that acreage and a legal description that is the





PNM site. The staff would also recommend that if those changes are adequate for EPC concerns to simply use the legal description on the cover page of the application for the findings for both case numbers items number one simply substitute that language out. So that from cover to cover we have the same language throughout.

CHAIR BEGAY: Thank you. Will that work Commissioner Gara for you?

COMMISSIONER GARA: I am still a little confuse but that is okay.

COMMISSIONER SERRANO: I have a question.

CHAIR BEGAY: Commissioner Serrano?

COMMISSIONER SERRANO: The northwest quarter of section thirty-three contains one hundred and sixty acres, northwest quarter, is one hundred and sixty acres.

COMMISSIONER GARA: No, the northwest quarter of the southwest quarter...

COMMISSIONER SERRANO: Then the comma needs to be deleted.

COMMISSIONER GARA: It should be the northwest quarter of the southwest quarter so...

COMMISSIONER SERRANO: It would make it forty, not northwest quarter comma because that is one hundred and sixty and then another one hundred and sixty.

CHAIR BEGAY: Okay. Thank you Commissioner Serrano.

COMMISSIONER GARA: And then we are still missing the thirty-five acres, were is the thirty-five acres?

MR. HILL: Madam Chair, Commissioner Gara, the thirty-five acre parcel is described in the second legal description, Section 33, Township 10 north, Range 4 east, southwest quarter, northeast quarter. That is the thirty-five acre parcel in this case.

COMMISSIONER GARA: The first, I guess in reading the legal description I always start with it is Section 33, Township 10 North, it is Township 10 north, Range 4 east, Section 33, the northwest quarter of the southwest quarter, that is the first one, is that correct?

MR. HILL: Madam Chair, Commissioner Gara, yes that is correct.

COMMISSIONER GARA: And the second one then would be Section 33, Township 10 north, Range 4 East, the southwest quarter of the northeast quarter.

MR. HILL: Yes that is correct.

CHAIR BEGAY: Okay.



MR. HILL: Madam Chair regarding the findings on pages seven and eight staff would recommend adding the following language to item number one on page seven under findings for case 00114 00000 01727 where it says Kirtland Air Force Base and then in parenthesis KAFB to delete the period and add a comma add the following language "Also described as follows" and then to include the legal description of the three parcels described on page one of the application.

CHAIR BEGAY: Okay.

MR. HILL: Staff would also recommend on page eight under findings case number 00110 00000 01728, item number one where it says Kirtland Air Force Base and then one parenthesis KAFB staff recommends adding a closing parenthesis, a comma and the following language "also described as" and then include the legal description for all three parcels on page one of the staff report.

COMMISSIONER GARA: Before the—Madam Chair before the action report goes out or whatever we do here goes out I want to make sure that that legal description is correct because I am still not sure one hundred percent that what we got here is accurate. So I would want to make sure that that is accurate when it goes out to the applicant.

CHAIR BEGAY: Mr. Brito?

MR. BRITO: Madam Chair, Commissioner Gara I will personally make sure that that legal is correct and I will confer with the applicant to make sure it is correct before it is sent out.

COMMISSIONER GARA: Thank you.

CHAIR BEGAY: Commissioner Serrano?

COMMISSIONER SERRANO: I would just like to add to that Mr. Brito that the thirty-five acre parcel that you have up there you are really annexing forty acres unless you accept out the five acre...

COMMISSIONER GARA: ...a portion...

COMMISSIONER SERRANO: ...that the portion of that forty I do not know what five acres is not being annexed.

COMMISSIONER GARA: Including that thirty-five.

CHAIR BEGAY: Okay, thank you.

MR. HILL: Thank you Madam Chair.

CHAIR BEGAY: Applicant, any closing comments?



MS. MARCOTTE: Madam Chair, Commissioners, the legal descriptions and the maps and surveys were provided to staff and there is a summary plat for that thirty-five acre piece that shows what portion of that quarter of the quarter of the section that it is. That was provided to staff in the original packet so I think if we can just cross reference with Mr. Brito before the final goes out and make sure that the legals refer to the correct summary plats and the correct parcels sizes that will be okay and we will be happy to sit down and do that with him.

CHAIR BEGAY: Thank you. Commissioner Schwartz?

COMMISSIONER SCHWARTZ: Ms. Marcotte? This is regarding the Trails and Bikeways Plan. It says the applicant also appears to be willing to accommodate proposed trails for the areas indicated in the Trails and Bikeways Master Plan. What is your understanding of what that plan requires?

MS. MARCOTTE: Madam Chair, Commissioner Schwartz, that will be addressed in the master development plan extensively because we have had some meetings with Parks and we have a separate trails plan as part of that application. There is a regional bicycling trail that comes along the north face north edge of the Tijeras Arroyo that we will provide access through the parks so that it can get over to Eubank and over to the Base for that regional trail. There will also be internal pedestrian trails, a trail up to the regional community park at Manzano Mesa and there is a trail along Eubank as well.

COMMISSIONER SCHWARTZ: Okay because this is (INAUDIBLE) say there is a trail along Eubank?

MS. MARCOTTE: Yes.

COMMISSIONER SCHWARTZ: Do you have any more specifics on that? The reason I ask is because where is the trail along Eubank? What is your understanding?

MS. MARCOTTE: It is along the east side of the Eubank right-of-way but it is within the Eubank right-of-way.

COMMISSIONER SCHWARTZ: Okay because I do not think that was reflected on the GSL submittal.

MS. MARCOTTE: I will go back reference that.

COMMISSIONER SCHWARTZ: That is what I was—I could not get an answer. I was talking to some people yesterday and they were not sure if it was on the east side or the west side of Eubank because I think on the GSL it shows a bike lane in Eubank. Then on this report it referenced this trail on Eubank and so if you would take a look at that one.



MS. MARCOTTE: Madam Chair, Commissioner Schwartz, it may be that those are the same things, the bike lane and the bike trail. It is suppose to be within the road right-of-way on Eubank. It is not a separate...

COMMISSIONER SCHWARTZ: Well a trail and a lane are two different things in the terminology.

MS. MARCOTTE: Okay. We will check our language.

CHAIR BEGAY: Commissioner Gara?

COMMISSIONER GARA: Ms. Marcotte, I understand the need to move this forward and certainly will support it but hear me well. The master plan will not be rushed through in an expedited manner if it is not complete. We have had experiences with one of your clients in the past in wanting to get things done quickly and we end up stubbing our toes and I think we need to be aware of that. We want to accommodate what I think is going to be an intrical part of our community in the future as far as jobs and the growth of our community for employment. But we want to make sure that it is a quality environment out there. That is all.

CHAIR BEGAY: Thank you.

MS. MARCOTTE: Madam Chair, Commissioner Gara I understand, I hear you.

COMMISSIONER GARA: Thank you.

CHAIR BEGAY: Thank you. With that I will close the floor. Commissioner Gara?

COMMISSIONER GARA: I am prepared to make a motion. Madam Chair, in the matter of case number 00114 00000 01727 which is the approval of request for annexation of a forty acre parcel, a thirty-five acre parcel and a twenty-four point four nine seven two acre parcel as defined in our staff report and will be verified by the applicant and the city staff. I recommend approval of that annexation to the City Council based upon findings one through four as amended in our staff report.

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second. All those in favor...

COMMISSIONER GARA: I forget to add, I do not know whether we need to add a condition at the annexation or the zoning but it is conditioned upon a master development plan being submitted and approved. I do not think the annexation would be conditioned upon that but the zoning can be conditioned upon it. So I think it goes on the zoning.

MR. BRITO: Madam Chair, Commissioner Gara that is correct.

CHAIR BEGAY: All those in favor of the motion? Opposed? Motion passes unanimously.





COMMISSIONER GARA: Madam Chair, in the matter of 00110 00000 01728 a request for— I assume that has to be zoning is that correct staff even though it says annexation in the staff report?

MR. BRITO: Yes.

COMMISSIONER GARA: Request of zoning to City IP I recommend of the forty acre parcels, the thirty-five acre parcel and the twenty-four point four nine seven two acre parcel, these legal descriptions will be confirmed between the applicant and the staff, I recommend approval based upon findings one through four as amended and I will add a condition one "That the zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park."

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second. All those in favor? Opposed? Motion passes unanimously.

#### **FINAL ACTION TAKEN**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval of 00114 00000 01727, annexation to the City Council for Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings based on the following Findings:

#### **FINDINGS:**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:

---

· Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.

2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval of 00110 00000 01728, establishment of IP zoning to the City Council for a 40-acre site located at Section 33, T10N, R4E, NW ¼ of the SW ¼ containing 40 acres, Section 33, T10N, R4E, SW ¼ of the NE ¼ containing 35 acres and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings. based on the following Findings:



**FINDINGS:**

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB), also described as follows:
  - Section 33, T10N, R4E, NW ¼ of the SW ¼, containing 40 acres; Section 33, T10N, R4E, SW ¼ of the NE ¼, containing 35.5 acres; and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC. The subject parcels are part of the master plan area.

**CONDITION:**

1. The zoning is conditioned upon a submission and approval of a master development plan for the Sandia Science and Technology Park.

MOVED BY COMMISSIONER GARA  
SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY





# ENVIRONMENTAL PLANNING COMMISSION

## A G E N D A

Thursday, February 15, 2001, 9:00 a.m.

Plaza del Sol Hearing Room  
Lower Level  
600 2nd Street NW

### MEMBERS

Elizabeth Begay, Chairman  
Alan Schwartz, Vice Chair

Chuck Gara  
Mick McMahan  
Camilla Serrano

Susan Johnson  
Larry Chavez

\*\*\*\*\*

**NOTE: A LUNCH BREAK AND DINNER BREAK WILL BE ANNOUNCED AS NECESSARY.**

Agenda items will be heard in the order indicated below unless modifications to the Agenda are approved by the EPC at the beginning of the hearing (see item 1A and 1B below); deferral and withdrawal requests (by applicants) are generally reviewed at this time.

There is no set time for cases to be heard; however, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. In the interest of time, the Chairman may establish time limitations on speakers. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak.

1. Call to Order.

- A. Announcement of changes and/or Additions to the Agenda.
- B. Approval of the Amended Agenda.
- C. Approval of Minutes for December 21, 2000.



- 1D. 00110 00000 01644  
00128 00000 01645  
00128 00000 01646  
00128 00000 01647  
Project # 1000938
- Consensus Planning, Inc., agents for GSL Properties, Inc. request a zone map amendment from SU-1 for O-1, SU-1 for R-2 to SU-1 for O-1, SU-1 for R-2 plus approval of a site development plan for subdivision purposes and approval of a site development plan for building permit for Tract G-3 & Tract-H-1, Manzano Mesa Addition, located on Eubank SE between Central Avenue SE and Sandia National Labs SE, containing approximately 36.3 acres. (L-21) Debbie Stover, Staff Planner **(RESCHEDULED FROM FEBRUARY 8, 2000 DUE TO LACK OF A QUORUM)**
2. 00114 00000 01184  
00138 00000 01185  
Project # 1000 766
- Mark Goodwin & Associates, PA, agents for Unite-Us, LLC, request annexation and establishment of RD zoning plus an amendment to the Tower-Unser Sector Development Plan for Tracts 3-7, Unit 2, Town of Atrisco Grant, located on Tower Road NW between Unser Boulevard and 75<sup>th</sup> Street, containing approximately 20 acres. (L-10) Debbie Stover, Staff Planner **(DEFERRED FROM DECEMBER 21, 2000)**
3. 00110 00000 01515  
00128 00000 01516  
00128 00000 01523  
Project # 1000651
- Herb Denish and Associates, Inc., agents for Tijeras Place, LLC request a zone map amendment from SU-1 PDA C-1 Uses & Office to SU-1 PDA C-1 Uses & Office & Auto Sales plus approval of a site development plan for subdivision purposes and approval of a site development plan for building permit for Tract A29A, Town of Atrisco Grant Northeast, located on Coors Boulevard NW between Pheasant Avenue NW and Redlands Road NW, containing approximately 3.41 acres. (G-11) Debbie Stover, Staff Planner **(DEFERRED FROM JANUARY 18, 2001)**
4. 00110 00000 01500  
00138 00000 01501  
00128 00000 01502  
Project # 1000892
- Garcia Kraemer, agents for Charles Benzaquen, request a zone map amendment from SU-2/TH to SU-2/SU-1 Single Family Residence & Restaurant plus an amendment to the Sector Development Plan and approval of a site development plan for building permit for Lots 47 & 48, Perea Addition, located on the northeast corner of Tijeras Avenue and 13<sup>th</sup> Street, containing approximately .11 acres. (J-13) Simon Shima, Staff Planner **(DEFERRED FROM JANUARY 18, 2001)**
5. 00110 00000 01626  
00128 00000 01625  
Project #1000931
- Consensus Planning, Inc., agents for Curb West, Inc. request a zone map from SU-1 for C-1 and R-1 to SU-1 for Church and related facilities O-1, and R-2 Permissive Uses; SU-1 for C-1 O-1 and R-2, (with restaurants with full service liquor and liquor sales for off site consumption) and R-LT for Tract B-2 & Lots 1-28 & Lots 1-29, Block 15 & 16, Paradise Heights Addition, located on Irving Boulevard between Universe Boulevard and Unser Boulevard, containing approximately 146.8 acres. (A-10) Mary Piscitelli, Staff Planner **(CONTINUED FROM JANUARY 18, 2001)**

6. 00114 00000 01727  
00110 00000 01728  
Project # 1000960  
Consensus Planning, Inc., agents for NM State Land Office request annexation and establishment of IP zoning for A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the Summary Plat for annexation to the City of Albuquerque of NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33, T.10N., R.4E., N.M.P.M., Bernalillo County, New Mexico, County, New Mexico on August 24, 1982, in Volume C20, Folio 24 as Document No. 82-44125 , located on Eubank Boulevard SE between Southern SE and KAFB, containing approximately 100 acres. (M-21) Makita Hill, Staff Planner
7. 01221 00000 00126  
Project #1001032  
The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31)(e), ROA 1994, a portion of the Zoning Code to allow for concealed wireless telecommunication facilities as permissive. Cynthia Borrego-Archuleta, Staff Planner
8. 01221 00000 00136  
Project #1001032  
The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-3-17, (11) (b) Wireless Telecommunications Regulations, ROA 1994, a portion of the Zoning Code allowing for collocation on PNM power poles restricting the size of the poles to not less than KV-46 poles (as defined by the City of Albuquerque Facilities Plan) and allowing for collocation only in commercial areas. Cynthia Borrego-Archuleta, Staff Planner
9. 00114 00000 01742  
00128 00000 01743  
01110 00000 00006  
Project #1000965  
Consensus Planning, Inc., agents for Ray A. Graham III request annexation and establishment of SU-1 C-1, O-1, PRD zoning plus approval of a site development plan for subdivision purposes for a Tract of land located in the south of 1/2 Section 25, the east 1/2 and NE 1/4 of Section 35 and the west 1/2 of Section 36, T11N, R2E, located on Coors Boulevard between Montano Road and Namaste Road, containing approximately 229.2 acres. (E-12, F-11, F-12) Debbie Stover, Staff Planner

10. 00114 00000 01763  
00110 00000 01764  
01110 00000 00007  
Project #1000976  
ABQ Engineering Inc., agents for Tony Sena request annexation and establishment of M-H zoning for Tract A, Lands of Tony Sena, Section 34, T10N, R2E Atrisco Grant and Lands of George Sena, Section 34, T10N, R2E and Section 3, T9N, R2E Atrisco Grant, located on Ervien Lane SW between Coors SW and the Amole Diversion Channel, containing approximately 40 acres. (M-10) Russell Brito, Staff Planner
11. 00114 00000 01780  
00128 00000 01781  
Project # 1000984  
Consensus Planning, Inc., agents for Bluewater North LLC, Curb Inc. West and Ninety-Eighth Street Land Company LLC, request annexation and establishment of SU-1 for IP and C-2 zoning plus a site development plan for subdivision purposes for Tract A, B, B-38, Unit 5, Block 37, Unit 5, B-36, Unit 5, B-35, Unit 5, B-34, Unit 5, Town of Atrisco Grant, located on Bluewater NW between Interstate 40 and Central, containing approximately 57 acres. (K-9) Loretta Naranjo-Lopez, Staff Planner
12. 00110 00000 01779  
Project #1000983  
James F. Crabtree, agent for Virginia Entley-Moore request a zone map amendment from O-1 to RT for Lots 9 & 10, Block 10, Unit 3, Volcano Cliffs Addition, located on the south east corner of Mojave and Unser Boulevard between Montano and Mojave NW, containing approximately 1 acre. (E-10) Lola Bird, Staff Planner
13. 00110 00000 01778  
Project #1000982  
Scott Steinberg request a zone map amendment from R-1 to M-1 for Lot A, Block 7, Unit 2, Mandell Addition #2, located on 3<sup>rd</sup> Street between Woodland and La Poblana, containing approximately .9 acre. (H-14) Loretta Naranjo-Lopez, Staff Planner
14. 00110 00000 01784  
00138 00000 01785  
Project #1000985  
Consensus Planning, Inc., agents for New Mexico Activities Association request an amendment to the North I-25 Sector Development Plan plus a zone map amendment from SU-2 for O-1 to SU-2 C-1 for Lot 1-A, Block 12, Unit A, North Albuquerque Acres, located on the SE corner of San Pedro NE and Palomas NE, containing approximately 2.5 acres. (D-18) Debbie Stover, Staff Planner
15. OTHER MATTERS



## Staff Report

<b>Agent</b>	Consensus Planning Inc.
<b>Applicant</b>	Albuquerque Public Schools
<b>Requests</b>	<b>Annexation</b> <b>Establishment of Zoning</b>
<b>Legal Description</b>	Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
<b>Location</b>	Eubank Blvd SE between Southern SE and KAFB
<b>Size</b>	Approximately 100 acres
<b>Existing Zoning</b>	County A-1
<b>Proposed Zoning</b>	City IP

### Staff Recommendation

**APPROVAL** of 00114-00000-01727, based on the findings on page 7.

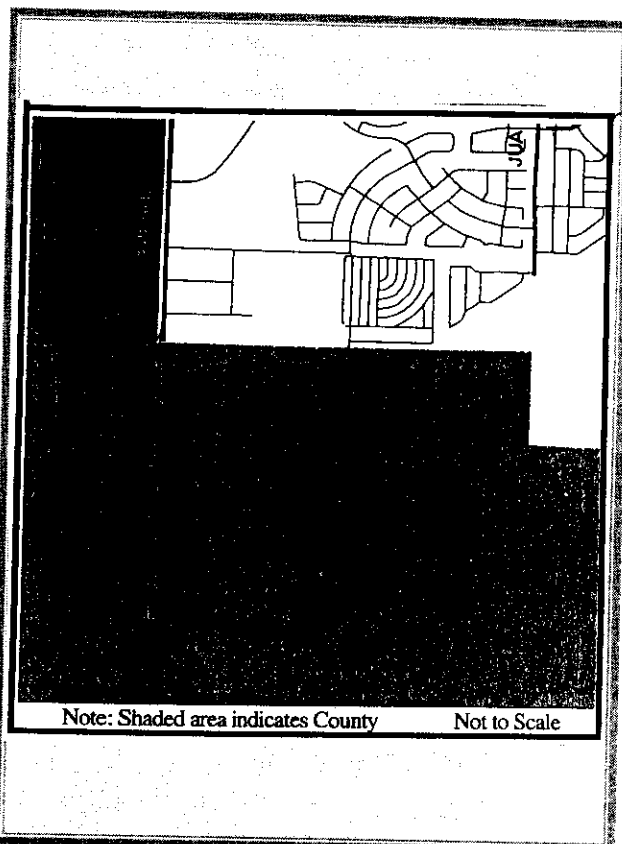
**APPROVAL** of 00110-00000-01728 based on the findings on page 8.

**Staff Planner**

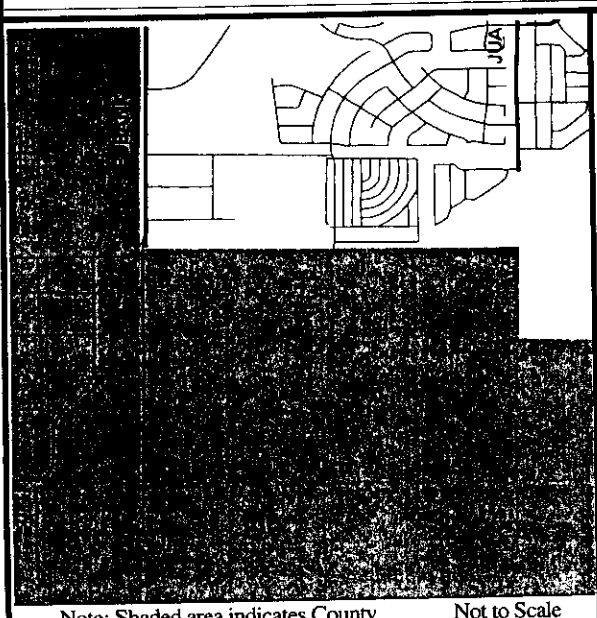
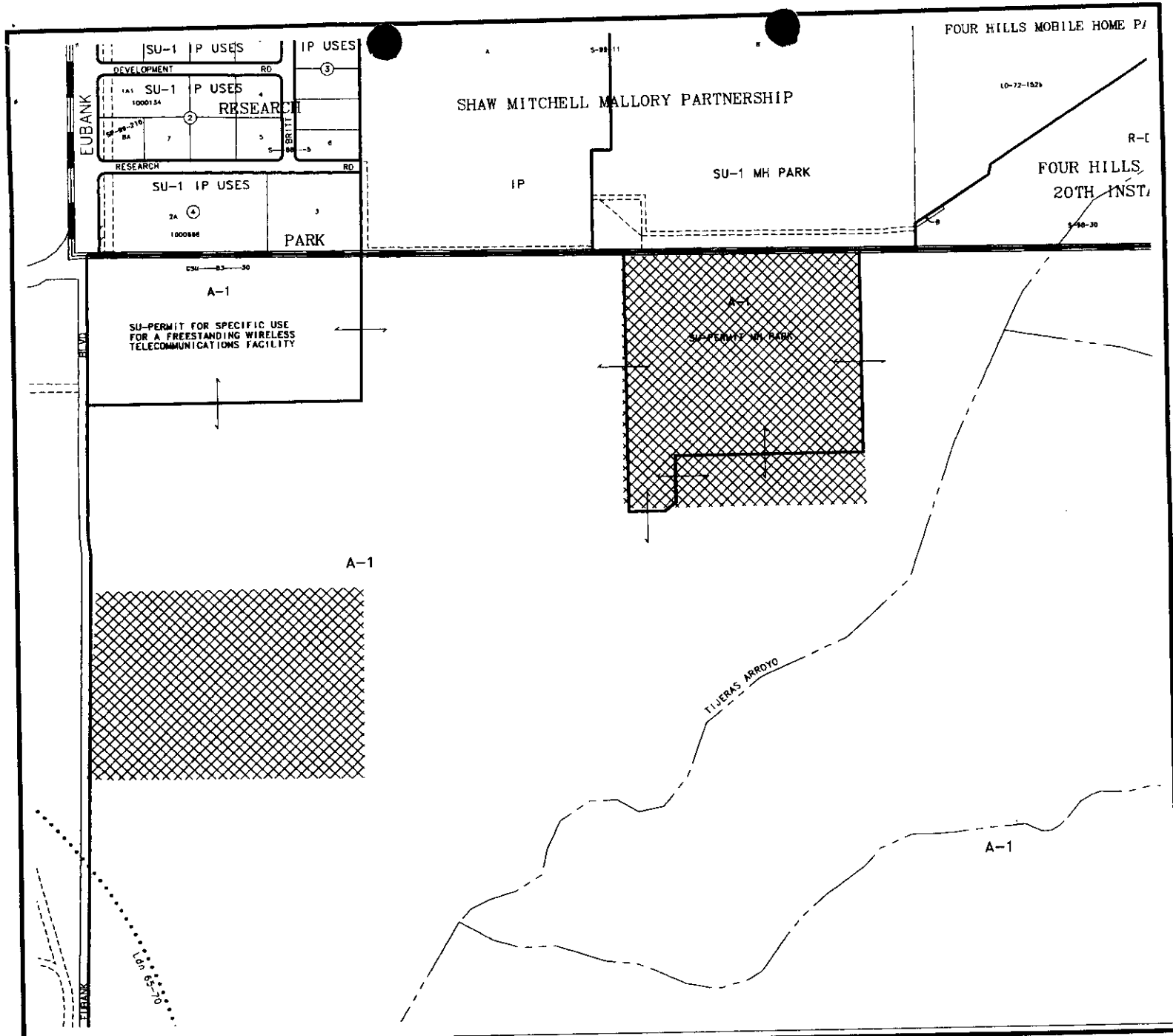
*Makita Hill, Planner*

### ***Summary of Analysis***

This request is for annexation and establishment of IP zoning to include the subject three parcels, totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this development proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649. As with the previous case, this case is supported by policies in the Comprehensive Plan, and there is currently a Memorandum of Understanding between the City, the State Land Office, and the developers of the proposed Sandia Science and Technology Park (SSTP) to produce a Master Development Plan to be reviewed by the Environmental Planning Commission, which is required for applications for City IP zoning. The Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing. Staff recommends approval of this annexation and zoning application.



City Departments and other interested agencies reviewed this application from 1/5/01 to 1/19/01  
Agency comments were used in the preparation of this report, and begin on page 10.



**ZONING MAP**



Scale 1"= 675'

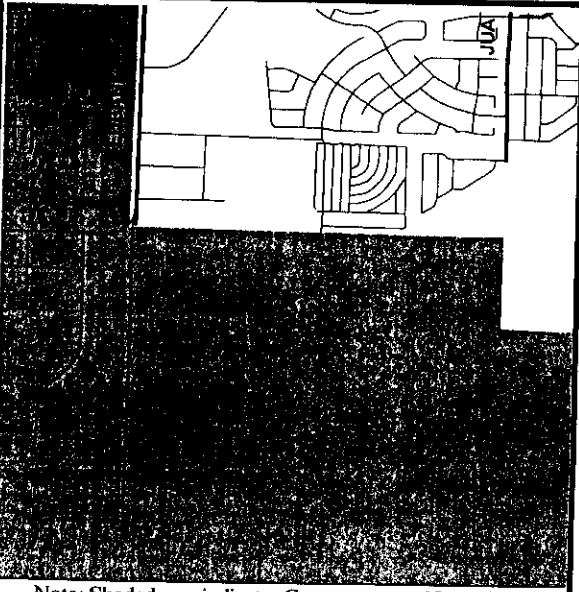
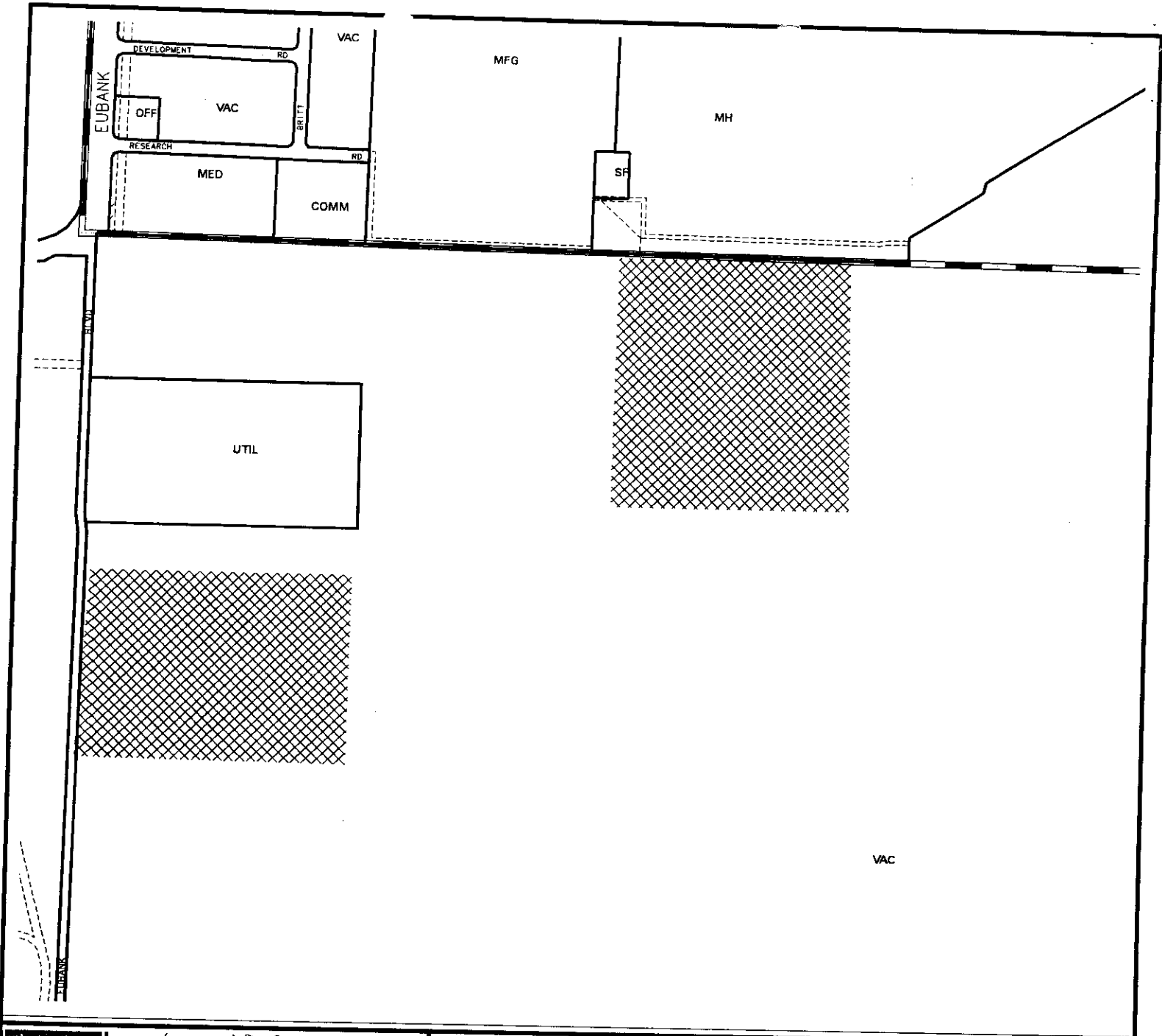
PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

Note: Shaded area indicates County Not to Scale



## LAND USE MAP

### KEY to Land Use Abbreviations

AGRI Agricultural  
COMM Commercial -Retail, Service, Wholesale  
DRNG Drainage  
EDUC Public or Private School  
GOLF Golf Course  
MED Medical Office or Facility  
MFG Manufacturing or Mining  
MH Mobile Home  
MULT Multi-Family or Group Home  
OFF Office  
ORG Social or Civic Organization  
PARK Park, Recreation or Open Space  
PRKG Parking  
PUBF Public Facility  
RELG Religious Facility  
SF Single Family  
TRAN Transportation Facility  
UTIL Utility  
VAC Vacant Land or Abandoned Bldgs  
WH Warehousing & Storage



Scale 1"=675'

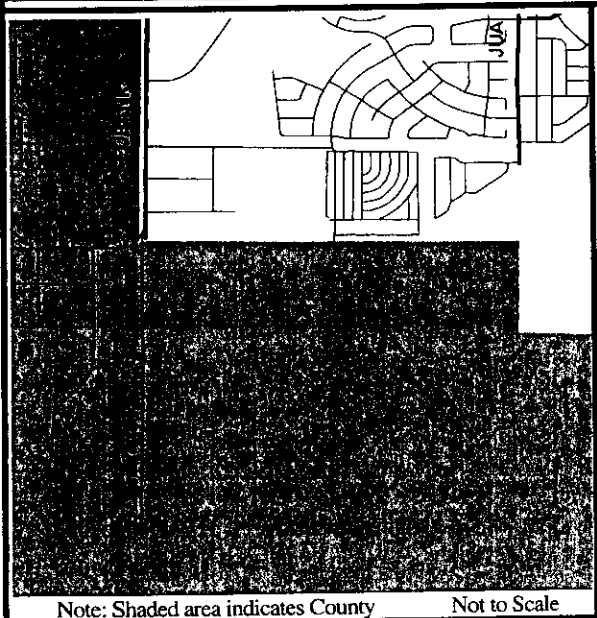
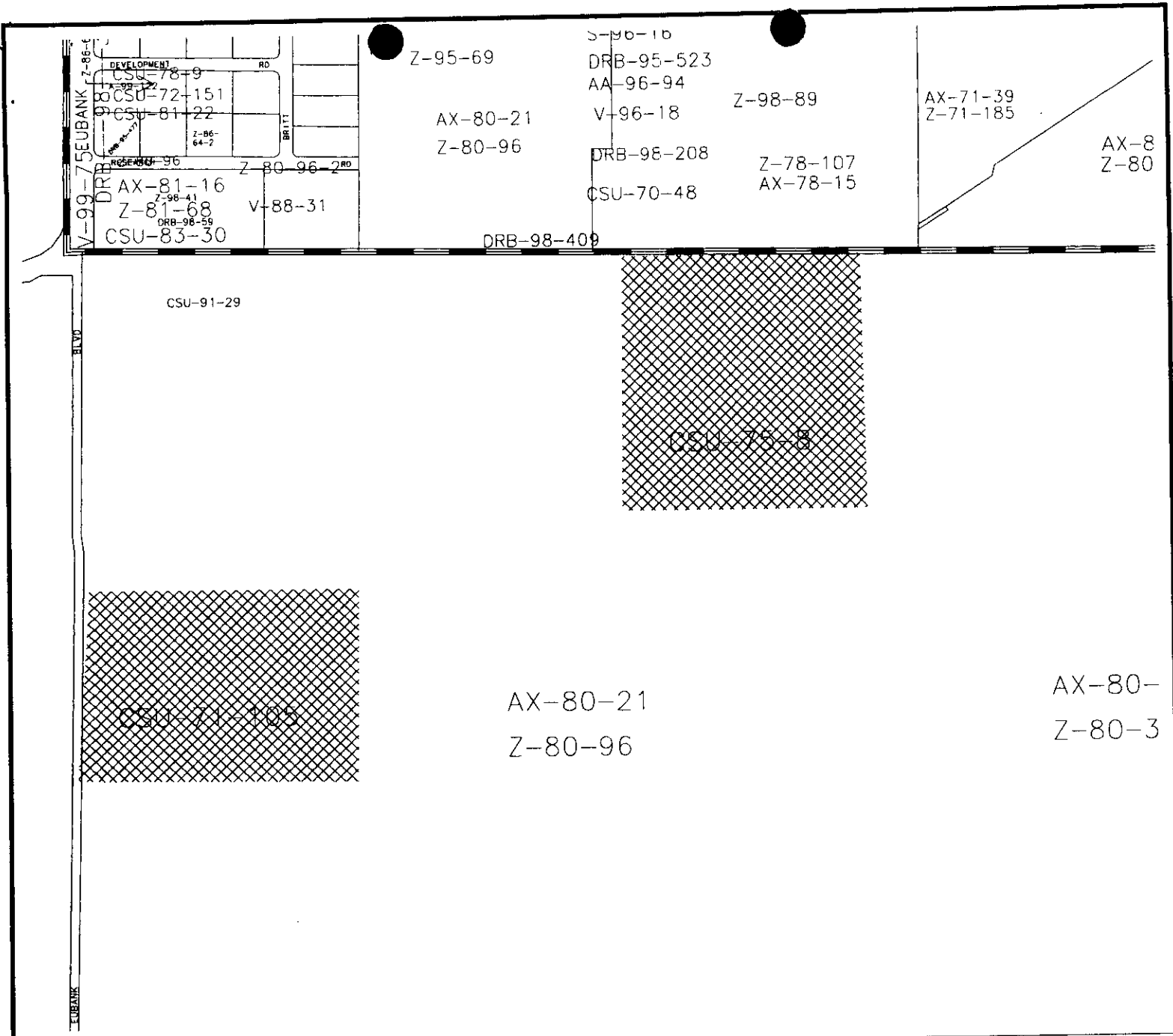
PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

Note: Shaded area indicates County Not to Scale



Note: Shaded area indicates County Not to Scale

### HISTORY MAP



Scale 1"= 675 '

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728



**Development Services Report**

**SUMMARY OF REQUEST**

<b>Requests</b>	Annexation Establishment of IP zoning
<b>Location</b>	Eubank Blvd SE between Southern SE and KAFB

**AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	County A-1	Developing Urban Trails and Bikeways Master Plan	Vacant
<b>North</b>	City IP	Developing Urban (TBMP)	Warehouse/Retail
<b>South</b>	County A-1	Developing Urban (TBMP)	Vacant
<b>East</b>	County A-1	Developing Urban (TBMP)	SU-Permit for MH
<b>West</b>	County A-1	Developing Urban (TBMP)	Vacant

**Background, History and Context**

This request is for annexation and establishment of IP zoning to include three parcels totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park (SSTP). The area has seen the development of a Home Depot home improvement retail warehouse and a Costco retail warehouse to the north of the subject sites. Land uses surrounding the sites include the Costco site to the north, a mobile home park to the east, and vacant land to the south and west. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this technology park proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649.

A Master Development Plan for the SSTP has recently been submitted for EPC review and action at the 15 March 2001 hearing,

---

## **APPLICABLE PLANS AND POLICIES**

### ***Albuquerque / Bernalillo County Comprehensive Plan***

The subject sites are located in the area designated Developing Urban by the *Comprehensive Plan* with a Goal to "create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

Policy d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.

Policy I: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The Economic Development section of the Comprehensive Plan has as its goal "To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals". Applicable policies include:

Policy a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need".

Policy g: Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel".

### ***Trails and Bikeways Master Plan (Rank II)***

The Trails and Bikeways Master Plan was adopted by the City and the County in 1993. The study area for the plan generally encompasses Bernalillo County but is largely set in the City as shown on the Proposed Trails Map. The Plan sets forth goals and policies regarding the planning, funding, and uses of trail system in the area. Goal 1 seeks to "develop a map of proposed trails throughout the Albuquerque metropolitan area". The enclosed Proposed Trails Map indicates a proposed Primary Trail for Southern Avenue and a Proposed Secondary Trail to run along Eubank Blvd south of I-40

### ***Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)***

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service providers, and have provision for convenient street access to the City. The applicant must agree

to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject sites must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

***Resolution 91-1998 (R-70)***

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must

---

recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

***Long Range Roadway System***

The Long Range Roadway System designates Eubank Blvd SE as a Principal arterial.

**ANALYSIS**

***Conformance to Adopted Plans, Policies, and Ordinances***

The proposal for annexation and establishment of IP zoning for three parcels totaling approximately 100 acres for the proposed 219-acre Sandia Science and Technology Park (SSTP) is consistent with policies in the Comprehensive Plan in that the proposal does not conflict with existing residential areas, is proposed near existing infrastructure, will provide a diversity of employment opportunities, and is proposed to be included in a larger concentrated development. The applicant also appears to be willing to accommodate proposed trails for the area as indicated in the Trails and Bikeways Master Plan.

Section 14-16-2-19 of the City Zoning Code establishes provisions for IP zoning. Subsection (H), paragraph (2) of General Requirements states as follows: "Master Development Plan. A plan meeting the requirements of Section 14-16-1-5 shall accompany an application for change to IP zoning...". A Memorandum of Understanding has been established between the City, the State Land Office, and developers to produce a Master Development Plan to be reviewed by the Environmental Planning Commission at a later date. A Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing.

***Resolution 54-1990:***

The proposal for annexation of the subject three parcels totaling 99.4972 acres meets some standards of R-54-1990 in that the location is contiguous to existing City limits and is adjacent to existing infrastructure. In this case, a pre-annexation agreement is not necessary as the infrastructure and utility provisions can be addressed at the Development Review Board at the time of platting. The MOU addresses many aspects of a pre-annexation agreement as well. A Master Development Plan, necessary to guide any development on the site, will be reviewed by the EPC next month.

The request has recently been expanded to include the adjacent PNM switching area to create contiguity with the City limits for the parcel along Eubank Blvd.

***Resolution 270-1980:***

The applicant has demonstrated the inappropriateness of the current County A-1 zoning by noting changed neighborhood or community conditions with approvals for the Manzano Mesa mixed use master planned community, the recent approval of a master plan for IP zoning for Emcore Corp, and the Costco and Home Depot retail warehouse business developments.

---

Annexation of the site to the City will be a changed community condition that justifies the zoning. The request for IP zoning meets the requirements of R-270-1980.

***Concerns of Reviewing Agencies / Pre-Hearing Discussion***

***Transportation Development Services:***

Transportation Development Services has filed no adverse comment on the proposed annexation and establishment of zoning request, however a TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

***Parks and Recreation:***

Planning and design comments from Parks and Recreation staff include the following: With the development of Phase II of the Emcore property on the west a 10' trail will be constructed on the north side of a 60' east-west public roadway easement. The City would like to continue this east-west trail connection in the subject property. Determination of the location can be done at the DRB with future platting or with the development of the SSTP master development plan.

***Neighborhood Concerns***

Staff has received no inquiries from the neighborhood or other interested parties.

***Conclusions***

With a previous approval by the Environmental Planning Commission for annexation and establishment of IP zoning of a 40-acre parcel at this site pertaining to the proposed 219-acre Sandia Science and Technology Park (SSTP), and with a Memorandum of Understanding which will produce a Master Development Plan to be reviewed by the EPC as required for IP zoning, staff recommends this request for approval for further annexation and establishment of IP zoning to complete the assembly of land necessary for the SSTP.

---

---

**FINDINGS – 00114-00000-01727, February 15, 2001**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB).
2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

**RECOMMENDATION – 00114-00000-01727, February 15, 2001**

That APPROVAL of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.

---

*FINDINGS – 00110-00000-01728, February 15, 2001*

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB)
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

*RECOMMENDATION – 00110-00000-01728, February 15, 2001*

That APPROVAL of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.

---

**CITY OF ALBUQUERQUE  
COMMISSION  
PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION**

**ENVIRONMENTAL PLANNING  
Number: 00114 00000 01727/  
00110 00000 01728  
February 15, 2000**

Page 9

---

---

*Makita Hill*

**Makita Hill  
Planner**

cc: Albuquerque Public Schools, 915 Locust SE, Albuquerque, NM 87125-0704  
Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102

**Attachments**



---

## **CITY OF ALBUQUERQUE AGENCY COMMENTS**

### **PLANNING DEPARTMENT**

#### **Zoning Code Services**

"Reviewed, no comment."

### **PUBLIC WORKS DEPARTMENT**

#### **Transportation Development Services:**

No adverse comment on the proposed annexation and establishment of zoning request. A TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

#### **Utility Development:**

**Recommend deferral:** Piecemeal annexation and / or zoning in advance of a master plan is inappropriate. The area is part of the proposed 200-acre 'Sandia Science and Technology Park. Approximately half the 200-acres is currently outside the municipal limits. Annexation and master planning of the entire park should proceed as a single action. (*Same comments we made for the APS case on the January agenda #1000935*)

#### **Traffic Engineering Operations:**

Eubank needs improvement, especially at the intersection with KAFB/Sandia east entrance.

#### **Hydrology:**

The Hydrology Section has no objection to the proposed annexation request.

#### **Transportation Planning:**

City of Albuquerque: No objection to annexation and establishment of zoning.

Clarification is needed as to precisely what is being annexed. A plat or survey drawing should accompany the case, because the shapes and acreages of these two parcels are not shown authoritatively on the page-size maps accompanying the case.

One of these parcels is not contiguous to the city limit. A solution might be found in simultaneously annexing intervening land parcels. The entire width of the adjacent Eubank right-of-way, if any, should also be annexed.

For information, dedication of right-of-way for Eubank Boulevard (78 feet from centerline) will be required at some appropriate time, such as Sandia Science & Technology Park Master Plan approval, or time of development. Coordination with PWD Transportation Division will be necessary.

---

**ENVIRONMENTAL HEALTH DEPARTMENT**

*Air Quality Division*  
"No Adverse Comment."

*Environmental Services Division*

**NEIGHBORHOOD SERVICES**

"No association."

**PARKS AND RECREATION**

*Planning and Design*

**OPEN SPACE DIVISION**

"No Adverse Comment."

**POLICE DEPARTMENT/Planning**

"No Comment."

**SOLID WASTE MANAGEMENT DEPARTMENT**

*Refuse Division*  
"No Adverse Comment."

**FIRE DEPARTMENT/Planning**

"No Adverse Comment."

**TRANSIT DEPARTMENT**

A condition of approval for the future Master Development Plan for the Sandia Science and Technology Park should require that a Transportation Demand Management (TDM) program is developed with each project in the Plan area. A conglomeration of TDM's would provide an excellent opportunity to create a Kirtland/ Science Park area Transportation Management Association (TMA). Advantages that a TMA provide include; economies of scale in transportation demand management strategies and greater influence on area-wide transportation decisions. It is recommended that the applicant contact the Transit Department to begin the framework for starting a TMA.

This area is currently served by Route 2.

---

# City of Albuquerque



## DEVELOPMENT REVIEW APPLICATION

Supplemental form  
**SUBDIVISION** **S**  
☐ Major Subdivision Plat  
☐ Minor Subdivision Plat  
☐ Vacation  
☐ Variance (Non-Zoning) **V**

**SITE DEVELOPMENT PLAN** **P**  
☐ ...for Subdivision Purposes  
☐ ...for Building Permit  
☐ IP Master Development Plan  
☐ Cert. of Appropriateness (LUCC) **L**

Supplemental form  
**ZONING** **Z**  
☒ Annexation & Zone Establishment  
☐ Sector Plan  
☐ Zone Change  
☐ Text Amendment  
☐ Special Exception **E**

**APPEAL / PROTEST of...** **A**  
☐ Decision by: Planning Director  
or Staff, DRB, EPC, Zoning Board of  
Appeals, LUCC

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICANT INFORMATION:

NAME: NM State Land Office  
ADDRESS: 4308 Carlisle NE  
CITY: Albuquerque STATE NM ZIP 87107  
Proprietary interest in site: Owner  
AGENT (if any): Consensus Planning, Inc.  
ADDRESS: 924 Park SW  
CITY: Albuquerque STATE NM ZIP 87102  
PHONE: 841-8705  
FAX: 841-8703  
E-MAIL:  
PHONE: 764-9801  
FAX: 842-5495  
E-MAIL: cpc@consensusplanning.com  
DESCRIPTION OF REQUEST: Annexation and Establishment of Zoning

### SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. S33, T10N, R4E, NW1/4, SW 1/4 Block: Unit:  
Subdiv. / Adn. 333, T10N, R4E, SW1/4, NE 1/4  
Current Zoning: A-1 Proposed zoning: IP  
Zone Atlas page(s): M-21 No. of existing lots: 1 No. of proposed lots: 1  
Total area of site (acres): 40; 35 Density if applicable: dwellings per gross acre: N/A dwellings per net acre:  
Within city limits? Yes No ☒ but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? Yes  
UPC No. 102105533032810144; 102105506419030122 MRGCD Map No.  
LOCATION OF PROPERTY BY STREETS: On or Near: Eubank Blvd. SE  
Between: Southern SE and KAFB

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.):

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐ Date of review:

SIGNATURE *Jacqueline Fishman* DATE 11/20/00  
(Print) JACQUELINE FISHMAN Applicant ☒ Agent

### FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING
- ☐ All checklists are complete
- ☐ All fees have been collected
- ☐ All case #s are assigned
- ☐ AGIS copy has been sent
- ☐ Case history #s are listed
- ☐ Site is within 1000ft of a landfill
- ☐ F.H.D.P. density bonus
- ☐ F.H.D.P. fee rebate

Application case numbers

00114-00000-01724  
00110-00000-01728

Action

Annex  
EPCZ

S.F.

Z  
Z

Fees

\$  
\$

Hearing date

2-15-01

Total  
\$

*J. Chaz*

Planner signature / date

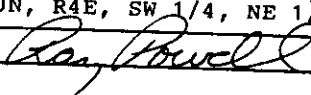
12/14/00

Project # 1000960

Form revised September 2000

# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x 14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION  
S33, T10N, R4E, NW 1/4, SW 1/4; S33, T10N, R4E, SW 1/4, NE 1/4
2. TOTAL ACREAGE OF AREA: 75 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguous with municipal boundary; City able to provide services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
THE APPLICANT(S) AND CITY AGREE THAT:
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.
7. SIGNATURE(S):
  - A. OWNER NM State Land Office PHONE 841-8705  
MAILING ADDRESS 4308 Carlisle NE Alb. NM ZIP CODE 87107  
LEGAL DESCRIPTION OF PROPERTY OWNED: S33, T10N, R4E, NW 1/4, SW 1/4  
S33, T10N, R4E, SW 1/4, NE 1/4  
SIGNATURE  ACREAGE 75 acres
  - B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_

PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION S 1/2, SW 1/4, NW 1/4  
and northerly 140 ft. of NW 1/4, Section 33, T10N, R4E  
(see attached)
2. TOTAL ACREAGE OF AREA: 24.4972
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguity with municipal boundary; availability of municipal services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
THE APPLICANT(S) AND CITY AGREE THAT:
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.
7. SIGNATURE(S): Public Service Company of NM PHONE 241-2564
  - A. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS Alvarado Square ZIP CODE 87158  
LEGAL DESCRIPTION OF PROPERTY OWNED: S 1/2, SW 1/4, NW 1/4 and  
northerly 140 ft. of NW 1/4, Section 33, T10N, R4E (see attached)  
SIGNATURE [Signature] ACREAGE 24.4972
  - B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_

## CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: STATE LAND OFFICE Date of request: 11/15/00 Zone atlas page(s): M-21

CURRENT:

Zoning

A-1

Legal Description -

Lot or Tract # \_\_\_\_\_

Block # \_\_\_\_\_

Parcel Size (acres / sq.ft.) 2 PARCELS - 40 ac

Subdivision Name \_\_\_\_\_

REQUESTED CITY ACTION(S):

35 ac

Annexation [ ]

Sector Plan [ ]

Site Development Plan:

Building Permit [ ]

Comp. Plan

Zone Change [ ]

a) Subdivision [ ]

Access Permit [ ]

Amendment [ ]

Conditional Use [ ]

b) Build'g Purposes [ ]

Other [ ]

c) Amendment [ ]

PROPOSED DEVELOPMENT:

No construction / development [ ]

New Construction [ ]

Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION: 1 ANNEXATION &

# of units - \_\_\_\_\_

ESTABLISHMENT

Building Size - \_\_\_\_\_ (sq. ft.)

OF ZONING -1P

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative Josephine FriedmanDate 11/21/00

(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

PWD, Dev. &amp; Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3991 or 3994

THRESHOLDS MET? YES [X] NO [ ] Mitigating reasons for not requiring TIS: Previously studied: [ ]

Notes: TIS will be processed as part of the overall Master Plan for the Sandia Science and Technology Park.

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

Joseph D. Montano 11/21/00  
for TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [X] NO [ ] Mitigating reasons for not requiring AQIA: Previously studied: [ ]

Notes:

IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

[Signature]  
ENVIRONMENTAL HEALTH11/21/00  
DATE

Required TIS and / or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS

- SUBMITTED

\_\_\_\_/\_\_\_\_/\_\_\_\_

- FINALIZED

\_\_\_\_/\_\_\_\_/\_\_\_\_

TRAFFIC ENGINEER

DATE

AQIA

- SUBMITTED

\_\_\_\_/\_\_\_\_/\_\_\_\_

- FINALIZED

\_\_\_\_/\_\_\_\_/\_\_\_\_

ENVIRONMENTAL HEALTH

DATE

# FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

## ☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)  
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - ☒ Letter briefly describing, explaining, and justifying the request
  - ☒ Letter of authorization from the property owner if application is submitted by an agent
  - ☒ Property Boundary Survey prepared by a licensed professional surveyor
  - ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - ☒ Sign Posting Agreement
  - ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
  - ☒ Fee (see schedule)
  - ☒ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

## ☐ SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)

## ☐ SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)

## ☐ SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)

- Copy of findings from required pre-application meeting (for the DRB conceptual plan review only)
  - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
  - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
(for EPC final review and approval public hearing only)
  - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form  
(for EPC final review and approval public hearing only)
  - Fee for final review and approval only (see schedule)
  - Any original and/or related file numbers are listed on the cover application
- Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

## ☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
  - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
  - Letter briefly describing, explaining, and justifying the request  
NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - Sign Posting Agreement
  - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
  - Fee (see schedule)
  - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

## ☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

- Proposed Amendment referenced to the materials in the sector plan being amended
  - Sector Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - TIS/AQIA Traffic impact Study / Air Quality Impact Assessment form
  - Fee (see schedule)
  - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

## ☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- Amendment referenced to the sections of the Zone Code being amended
  - Sections of the Zone Code to be amended with text to be changed noted and marked
  - Letter briefly describing, explaining, and justifying the request
  - Fee (see schedule)
  - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

JACQUELINE FISHMAN  
Applicant name (print)  
*Jacqueline Fishman* 11/20/00  
Applicant signature / date



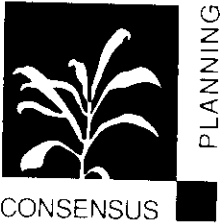
Form revised September 2000

- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers  
00114-00000-01727  
00110-00000-01728

*J. Chis* 12/14/02  
Planner signature / date  
Project # 1000960





CONSENSUS

February 2, 2001

Landscape Architecture  
Urban Design  
Planning Services

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Re: 1000960; 00114-00000-01727; 00114-00000-01728

924 Park Avenue SW  
Albuquerque, NM 87102

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

Dear Chairwoman Begay:

The purpose of this letter is to expand our request for annexation and establishment of zoning to include the PNM Switching Station on Eubank Boulevard. Our original request included two NM State Land Office tracts, a 35 acre tract to the south of the PNM Switching Station and a 40 acre tract to the east. The case is scheduled to be heard by the Environmental Planning Commission (EPC) on February 15, 2001.

The PNM Sandia Switching Station will not be included in the Sandia Science & Technology Park (SS&TP), however, in order to complete the annexation needed for the SS&TP, the property must be included for compliance with City policies on annexation regarding contiguity.

The applicant is requesting IP zoning for this property, which is consistent with the adjacent properties, existing land use, and changed neighborhood conditions, as required by Resolution 270-1980. The property falls within the Developing Urban area, as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The City has determined that annexation of these areas is desirable.

The request is consistent with policies contained in R-54-1990 by being contiguous with municipal boundaries, being serviceable with municipal utilities, and forming a logical City boundary. This annexation request will help facilitate the multi-agency efforts to develop the SS&TP into a high technology research and development park.

The City of Albuquerque and PNM have entered into a Pre-Annexation Agreement, which outlines the requirements and obligations on behalf of both parties (see attachment). The Agreement specifies that no site development plan is required for this annexation and establishment of IP zoning.

PRINCIPALS

Karen B. Martinez, AIA, LEED  
James E. Strickland, AIA, LEED  
Christopher J. Roberts, AIA, LEED

Please do not hesitate to contact me at 764-9801 if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Fishman', with a long horizontal line extending to the right.

Jacqueline Fishman, AICP  
Senior Planner

C: Rob Roberts, Manager, Right-of-Way and Land Services, Public Service  
Company of NM

ANNEXATION AGREEMENT  
(PNM Sandia Switching Station)

THIS AGREEMENT (the "Agreement") is entered into this First day of February, 2001, by and between the CITY OF ALBUQUERQUE, a municipal corporation (the "City"), and PUBLIC SERVICE COMPANY OF NEW MEXICO, INC. ("PNM").

WHEREAS, the City desires to annex certain real properties into the City, which properties include certain real property commonly known as the Sandia Switching Station owned by PNM (the "Property"), and which Property is more particularly described in the exhibit attached hereto; and

WHEREAS, such properties have been identified as in the public hearing conducted by the Environmental Planning Commission; and

WHEREAS, PNM presently conducts upon the Property the operation and maintenance of electric switching station, substation and communication facilities ("Existing Uses").

WHEREAS, PNM agrees to consent to the annexation of the Property into the City upon the conditions set out herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and PNM agree as follows:

1. The City shall classify the property to I.P. zoning, as currently defined in the City of Albuquerque Comprehensive Zoning Code, simultaneously with its annexation for all of the Existing Uses and minor expansion of the Existing Uses (the "Proposed Zoning").
  2. The City agrees that annexation of the Property into the City with the Proposed Zoning and with the Existing Uses would be beneficial to the City, in accord with sound planning and development of the City, and within the context of this Agreement, would not constitute a change in the character of the neighborhood.
  3. The City Planning staff shall recommend to the City Council approval of the Proposed Zoning, and the City agrees that no policies or plans of the City need to be amended to accommodate the Proposed Zoning; however, if amendments are required, the City agrees to amend any such plans to accommodate the Proposed Zoning.
  4. The City agrees that a site development plan for the Property shall not be required unless there is a significant change of Existing Uses, and agrees that there will be no additional requirements with respect to continuation of the Existing Uses of the Property; for example, there will be no landscaping requirements, walls or fencing requirements, buffering requirements, noise or air pollution requirements, lighting requirements or land dedication requirements. These requirements may be deemed necessary upon a major change in use
-

referred to above. Nothing in this paragraph shall limit the City from enforcing its current ordinances, policies or procedures that do not affect the land uses of the Property.

5. The City agrees that no City ordinance, plan, policy or procedure now in place will alter, impede, restrict or adversely affect the Existing Uses of the Property.

6. Nothing contained herein shall prevent PNM from using the Property in any manner presently permitted, either now, during or after the annexation and zoning process, subject to the provisions of this Agreement and effective ordinances and regulations at the time there is a change of use or expansion of Existing Uses.

7. It is understood and agreed that PNM will not oppose the annexation, and that such annexation will be on the conditions set forth herein, with I.P. Zoning for the Property.

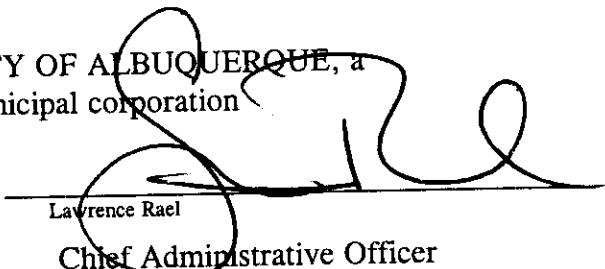
8. This Agreement shall inure to the benefit of and be binding upon the City and PNM and the successors in interest to the Property.

9. The City represents that it will comply with all ordinances, resolutions, policies and procedures in order to insure that this Agreement will be binding upon the parties.

Executed the day and year first set out above.

CITY OF ALBUQUERQUE, a  
municipal corporation

BY

  
Lawrence Rael

ITS Chief Administrative Officer

PUBLIC SERVICE COMPANY OF  
NEW MEXICO, INC.

BY

  
Rob Roberts

ITS Manager, Right of Way Department

# DESCRIPTION

A certain tract of land situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone NAD 1983 Datum) and ground distances as follows:

BEGINNING at the southwest corner of the tract herein described, a point on the westerly boundary line of said Section 33, whence the southwest corner of said Section 33, a 3-1/4 inch City of Albuquerque aluminum survey cap (having New Mexico State Plane Coordinates Central Zone NAD 1983 of X=1,555,723.90961 and Y=1,471,098.81399) bears S07°57'07"W, a distance of 2572.22 feet and from said point of beginning running thence along the westerly boundary line of said Section 33, N00°57'07"E, a distance of 140.00 feet to the west quarter Section corner of said Section 33, thence running along the westerly boundary line of the S1/2 SW1/4 NW1/4, N00°58'04"E, a distance of 677.91 feet to the northwest corner of the S1/2 SW1/4 NW1/4, thence running along the northerly boundary line of said S1/2 SW1/4 NW1/4, S89°30'27"E, a distance of 1307.74 feet to the northeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of said S1/2 SW1/4 NW1/4, S00°48'25"W, a distance of 672.68 feet to the southeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of the NW1/4 NW1/4, S00°47'49"W, a distance of 140.00 feet to the southeast corner of the tract herein described, thence running along the southerly boundary line of the tract herein described, N89°44'10"W, a distance of 1310.06 feet to the point and place of beginning.

Tract contains 24.4972 acres, more or less.

*A. Dwain Weaver*

A. Dwain Weaver  
N.M.P.S. No. 6544

Date: January 26, 2001



Job No. 101222A.03

February 1, 2001

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Dear Chairwoman Begay:

This letter hereby gives authorization to Consensus Planning to work as agent on behalf of the Public Service Company of New Mexico (PNM) in requesting annexation and establishment of zoning for the PNM Switching Station on Eubank Boulevard. PNM understands that annexation of this property will be concurrent with the annexation of State Land Office property to the south and east.

Please do not hesitate to contact me at 241-2564 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Roberts", with a long horizontal line extending to the right.

Rob Roberts  
Public Service Company of New Mexico

## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (*see page two for Site Vicinity*). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

Policy d      *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*

Policy e      *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured. "*



# Sandia Science and Technology Park

Consensus Planning, Inc.  
924 Park Avenue SW  
Albuquerque, NM 87102





- Policy i *"Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments."*
- Policy l *"Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area."*

**Applicant Response:**

These 75 acres will provide the economy of scale needed for the type of research and development park planned. The desire is to create a high quality, campus-style park that would accommodate manufacturing and office uses, and will be complementary to the adjacent residential, commercial, and community uses. The Master Development Plan being created for the SSTP will include detailed design guidelines for pedestrian accessibility, vehicular circulation, architecture, landscape, FARs, parking, lighting, etc.

**Economic Development Policies**

"The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals."

- Policy a *"New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need."*
- Policy f *"The City and the County should remove obstacles to sound growth management and economic development throughout the community."*
- Policy g *"Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel."*

**Applicant Response:**

The land uses proposed will support the development of the SSTP, a major employment center capable of attracting well paying, high technology employment. The SSTP will provide a needed balance to the large amount of residential development occurring to the north and east, the commercial development to the north (Costco and Home Depot), and the community uses to the north. It has enormous potential to reduce vehicle trips traveled in this area.

**2. Trails & Bikeways Facility Plan**

The Trails & Bikeways Facility Plan is a Rank II Plan which recommends development standards, identifies specific site locations, and sets of priorities for the use of public funds for planning multi-use trail systems throughout the City. The Plan identifies a planned primary trail along Southern Avenue and proposes a secondary trail located along Eubank Boulevard from the KAFB north gate.

The consultants have already met with Diane Scena, City Trails Coordinator regarding trails around the SSTP. The Proposed Trail Map shows a connection through the SSTP

between Eubank and an existing mountain bike trail along the Tijeras Arroyo and south of the Shaw Mobile Home Park to the east. The existing bike trail connects to Juan Tabo.

The applicant understands that the City would like a trail connection created between the existing trail through the SSTP to Eubank. These trails are intended to serve regional bicycle commuters and local residents, and can either be located within rights-of-way for roads or in separate trail easements. The trail will most likely need to line up with the road and access easement along the southern boundary of the Emcore site.

### **3. Resolution 270-1980**

- A. This petition for annexation and establishment of IP zoning is consistent with the health, safety, morals, and general welfare of the City. Addition of these two parcels to the SSTP will create the economy of scale and critical mass needed to make the Park the single most important economic development project in the City of Albuquerque. The Park is intended to attract users in the high technology sector that will bring high paying jobs to the region. It will also help support Sandia National Lab's focus on technological commercialization.
- B. This request recognizes that stability of land use and zoning is desirable. The proposed zoning, IP, is consistent with adjacent parcels and will help stabilize land use in the area for the development of the SSTP, a major employment center. The proposed zoning is clearly more beneficial to the community than the existing County A-1 zoning, and will not be harmful to adjacent property, the neighborhood, or the community.
- C. This zone map amendment request is not in conflict with adopted City plans or policies. Rather, it is consistent with the goals and policies of the City of Albuquerque/Bernalillo County Comprehensive Plan regarding economic development and employment opportunities. The SSTP will "provide the opportunity for a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in transportation, work areas, and lifestyles while creating a visually pleasing built environment".

The SSTP will be designed to promote alternative transportation modes. Pedestrian and bicycle access will be given high priority, and transit options will be explored with City Transit staff.

- D2. **Changed Neighborhood Conditions** - Substantial changed neighborhood conditions exist in this area. Numerous zone map amendments, annexations, and site plan approvals have occurred in this area over the past 3-4 years. Manzano Mesa, a master plan area comprising commercial, office, park, and multi-family and single family residential uses, has been developing at a rapid pace with a variety of projects. Also, the creation of the SSTP development process occurred with the signing of the Memorandum of Understanding in February, 2000, which significantly changed development conditions for this area. These changed conditions include:

### ***Office/Industrial Uses***

Emcore Corp, a high technology user located within the SSTP and serving as its anchor, recently received approval by the City Council for annexation and establishment of IP zoning on a 20 acre parcel to the north. The request also included approval of a master development plan. The plan is for a multi-million dollar expansion of its Albuquerque operation, which involves the manufacture of material for semiconductors. Adding to its existing 50,000 square foot building, Phase 1 will include a two-story, 36,000 square foot building. It is anticipated to create 200 new jobs. Phase 2 will include a 58,000 square foot building, anticipated to create another 400 new jobs.

### ***Commercial Uses***

Two major commercial developments have occurred in this area. Costco Wholesale retail store, comprising 152,000 square feet, recently opened just north of Southern Boulevard and adjacent to Eubank Boulevard. In this case, the EPC approved a zone map amendment from SU-1 for Limited IP purposes to SU-1 for C-2 (Z-99-136). Home Depot is located north of Costco and has been in operation for two years.

### ***Residential Uses***

Residential development in the area has included Willow Wood and Mirabella, both single family residential communities to the east of this property. In addition, a zone map amendment is being requested by GSL Properties, Inc. on the property just to the north of the SSTP. This request involves a rearrangement of land uses to allow office development adjacent to the SSTP on the north and relocates the multi-family residential further to the north. The site plan proposes a total of 504 dwelling units.

### ***Community Uses***

Located north of the SSTP, Manzano Mesa Community Park is zoned SU-1 for Community Park and Related Uses and has been developing for the last four years. Manzano Mesa Multi-Generational Center, to be located in the northeast corner of the park, is currently planned to start construction in January, 2001. APS is also planning a new elementary school north of the SSTP.

- E. The proposed uses will not be harmful to the adjacent properties, the neighborhood, or the community. It will benefit both the immediate and the greater community by creating a major employment center adjacent to Sandia Labs. The intent is to design a high quality research and development park with rigorous design guidelines for all potential tenants.
- F. The proposed zone map amendment will not require major or unprogrammed capital expenditures by the City. The SSTP project team has held meetings with representatives from the Planning Department, Public Works, Parks and Recreation, and Environmental Health to introduce the project and to review the Memorandum of Understanding. Additional coordination meetings are planned. The City has identified funding for improvements to Eubank Boulevard including expansion to six lanes, landscaping, and sidewalks. The STPDC has just started an RFQ/RFP process

to solicit interest in the project from potential master developers.

- G. Economic factors are not the determining factor for this petition for annexation and establishment of zoning. This parcel will help build the economy of scale needed to make the SSTP a successful research and development park, capable of employing up to 10,000 people in high paying jobs.
- H. This request recognizes that the location of this property close to Eubank Boulevard (a principal arterial) is not by itself a justification for zone map amendment. However, a research and development park of this scale (219 acres) requires a major facility to provide adequate access.
- I-J. This request does not constitute a spot or strip zone since adjacent IP zoning already exists and has been recently approved by City Council for the Emcore site. Further, this site will be incorporated into a 219 acre IP site and will not be a stand-alone parcel.

#### **4. Resolution 54-1990**

Resolution 54-1990 provides City policies and requirements for annexation. Land proposed for annexation shall be generally contiguous to City boundaries, be accessible to City services, and provide for convenient street access. The land must be appropriate for urban development and must be beneficial to public welfare. In addition, the applicant must agree to timing of capital expenditures for any major streets, water, and sanitary sewer.

#### **Applicant Response:**

This property meets the requirements of Resolution 54-1990 by being contiguous with City boundaries, accessible to City services, and having convenient access to the street network including Eubank, a principal arterial planned for expansion to six lanes. A pre-annexation agreement is not necessary since the City Utility Division has already stated that the property is serviceable. The City has identified the annexation of Developing Urban areas as designated by the Comprehensive Plan as desirable.

#### **5. Resolution 91-1998 (R-70)**

Resolution 91-1998 (R-70) establishes an overall direction for implementation of the City's growth policies. The framework emphasizes many elements, many of which are covered by this request.

The area is emerging as a major activity center that will include many opportunities for employment, residential, commercial, and community uses. The SSTP is consistent with City goals for creating a network of centers and corridors. The residential areas to the east of the site and the multi-family residential planned by GSL Properties, Inc. just to the north provide a good balance to the SSTP.

Eubank, a principal arterial, has been long planned for expansion to six lanes. This, along with the ability to provide links to the City's trail system through the SSTP, will encourage alternative modes of transportation and less dependence on single occupancy vehicles, and will facilitate the reduction of vehicle miles traveled.

### C. CONCLUSION

- This request is for annexation and establishment of IP zoning for 75 acres as part of the Sandia Science and Technology Park. Annexation of this site is consistent with the policies in R-54-1990. This site is designated as Developing Urban by the Comprehensive Plan and the City has determined that annexation of these areas is desired and encouraged. The site is fully serviceable with City of Albuquerque infrastructure.
- This request is consistent with the Comprehensive Plan policies regarding economic development and employment opportunities. The SSTP is envisioned to be a campus-style, high technology, research and development park.
- There are substantial changed neighborhood conditions brought on by single family and multi family residential, commercial, industrial, and community related development in the area, as well as the adoption of the Memorandum of Understanding for the SSTP. The EPC recommended approval for annexation and establishment of IP zoning for a 20 acre parcel to be developed by Emcore Corporation, a high technology user located within the SSTP and projected to provide 600 jobs. GSL Properties, Inc. is also requesting a zone map amendment and reconfiguration of land uses to the north of this site so that additional O-1 uses are contiguous to the park. Other changed conditions include commercial development anchored by a newly opened Costco and Home Depot; development of Manzano Mesa Community Park; Manzano Mesa Multi-Generational Center; and single family residential development to the east of the site at Willow Wood and Mirabella Subdivisions.
- The area is emerging as a major employment center, characterized by a mix of uses that will help reduce vehicle miles traveled and provide residents with many employment opportunities close to where they live, consistent with policies contained in R-70.

Based upon these reasons, we respectfully request that the Environmental Planning Commission approve this request.

COMMISSIONER'S OFFICE  
Phone (505) 827-5760  
Fax (505) 827-5766

ADMINISTRATION  
Phone (505) 827-5700  
Fax (505) 827-5853

GENERAL COUNSEL  
Phone (505) 827-5713  
Fax (505) 827-4262

PUBLIC AFFAIRS  
Phone (505) 827-1245  
Fax (505) 827-5766



**New Mexico State Land Office  
Commissioner of Public Lands  
Ray Powell, M.S., D.V.M.**

COMMERCIAL RESOURCES  
Phone (505) 827-5724  
Fax (505) 827-6157

MINERAL RESOURCES  
Phone (505) 827-5744  
Fax (505) 827-4739

ROYALTY MANAGEMENT  
Phone (505) 827-5772  
Fax (505) 827-4739

SURFACE RESOURCES  
Phone (505) 827-5793  
Fax (505) 827-5711

Friday, November 17, 2000

Chuck Gara, Chairman  
Environmental Planning Commission  
600 2<sup>nd</sup> St NW, Plaza del Sol  
Albuquerque, NM

Re: Request for Annexation, Request for IP Zoning

Dear Chairman Gara:

This letter serves as authorization from the Commissioner of Public Lands for Consensus Planning to act as agents for the State Land Office in seeking approval of an annexation petition and establishment of zoning for two parcels totaling approximately 75 acres. These two parcels will be covered by the master development plan for the Sandia Science and Technology Park. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Harry Relkin", is written over a horizontal line.

Harry Relkin

Assistant Commissioner for Community Development

*"WE WORK FOR EDUCATION"*  
310 Old Santa Fe Trail, P. O. Box 1148 Santa Fe, New Mexico 87504-1148



# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

## **INTER-OFFICE CORRESPONDENCE**

**DATE:** December 13, 2000

**TO:** Fred Aguirre, City Engineer, Public Works Department

**FROM:** Marcia A. Pincus, Environmental Engineer, Albuquerque Environmental Health Department

**SUBJECT:** Annexation of New Mexico State Land Office Sites – Two Tracts (40 Acres and 35 Acres).

It is Albuquerque Environmental Health Department's (AEHD) understanding that during this phase of development of the referenced New Mexico State Land Office sites, the two tracts - 40 acres and 35 acres are being petitioned for annexation to the City. Since this phase of development is an administrative process, AEHD recommends that the planning and development process proceed assuming all other city requirements have been satisfied as required by the Planning Department.

When physical development (grading, construction of utilities/facilities) of the site is planned, the developer/owner will be required to follow the "Interim Guidelines for Development within 1000 feet of Landfills (revised August 29, 2000)".

cc: Kevin Curran, Legal Department  
Janet Cunningham, Planning Department  
Lenora Chavez, Planning Department  
Bruce Thompson, Legal Department  
Jacqueline Fishman, Consensus Planning, Inc.



## City of Albuquerque

**PLEASE NOTE:** The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

November 17, 2000

Planning Department  
Plaza Del Sol Building  
600 Second St. NW  
Second Floor (924-3860)

This letter will serve to notify you that on November 17, 2000:

**CONTACT NAME:** JOHN VALDEZ

**COMPANY OR AGENCY:** CONSENSUS PLANNING  
924 PARK AVENUE SW/87102  
PHONE: 764-9801/FAX: 842-5495

contacted the Office of Community and Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at S33, T10N, R4E, WN ¼ AND S33, T10N, R4E, SW ¼, NE ¼ zone map page(s) M-21.

Our records indicate that as of November 17, 2000, there were no Recognized Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914.

Sincerely,

*Stephani Winklepleck*

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningnrnaform(11/5/98)







## Staff Report

<b>Agent</b>	Consensus Planning Inc.
<b>Applicant</b>	Albuquerque Public Schools
<b>Requests</b>	<b>Annexation</b> <b>Establishment of Zoning</b>
<b>Legal Description</b>	Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125.
<b>Location</b>	Eubank Blvd SE between Southern SE and KAFB
<b>Size</b>	Approximately 100 acres
<b>Existing Zoning</b>	County A-1
<b>Proposed Zoning</b>	City IP

### Staff Recommendation

**APPROVAL** of 00114-00000-01727, based on the findings on page 7.

**APPROVAL** of 00110-00000-01728 based on the findings on page 8.

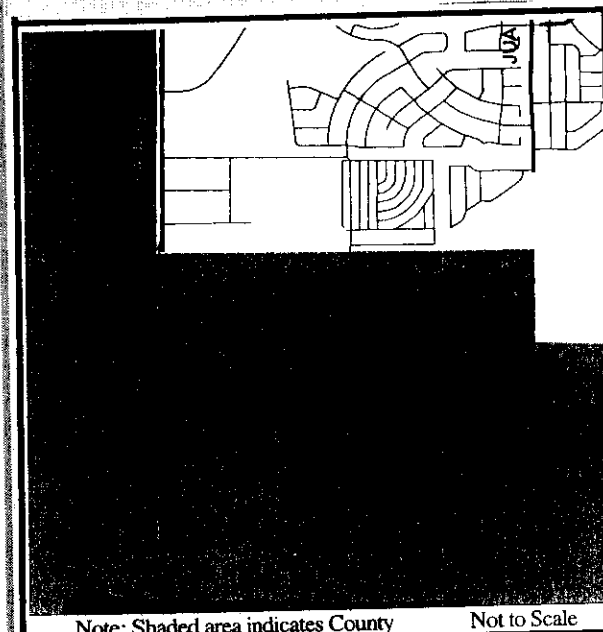
**Staff Planner**

**Makita Hill, Planner**



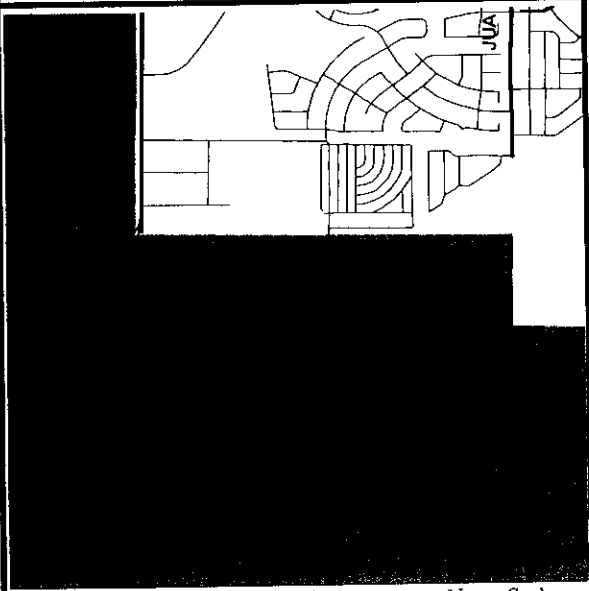
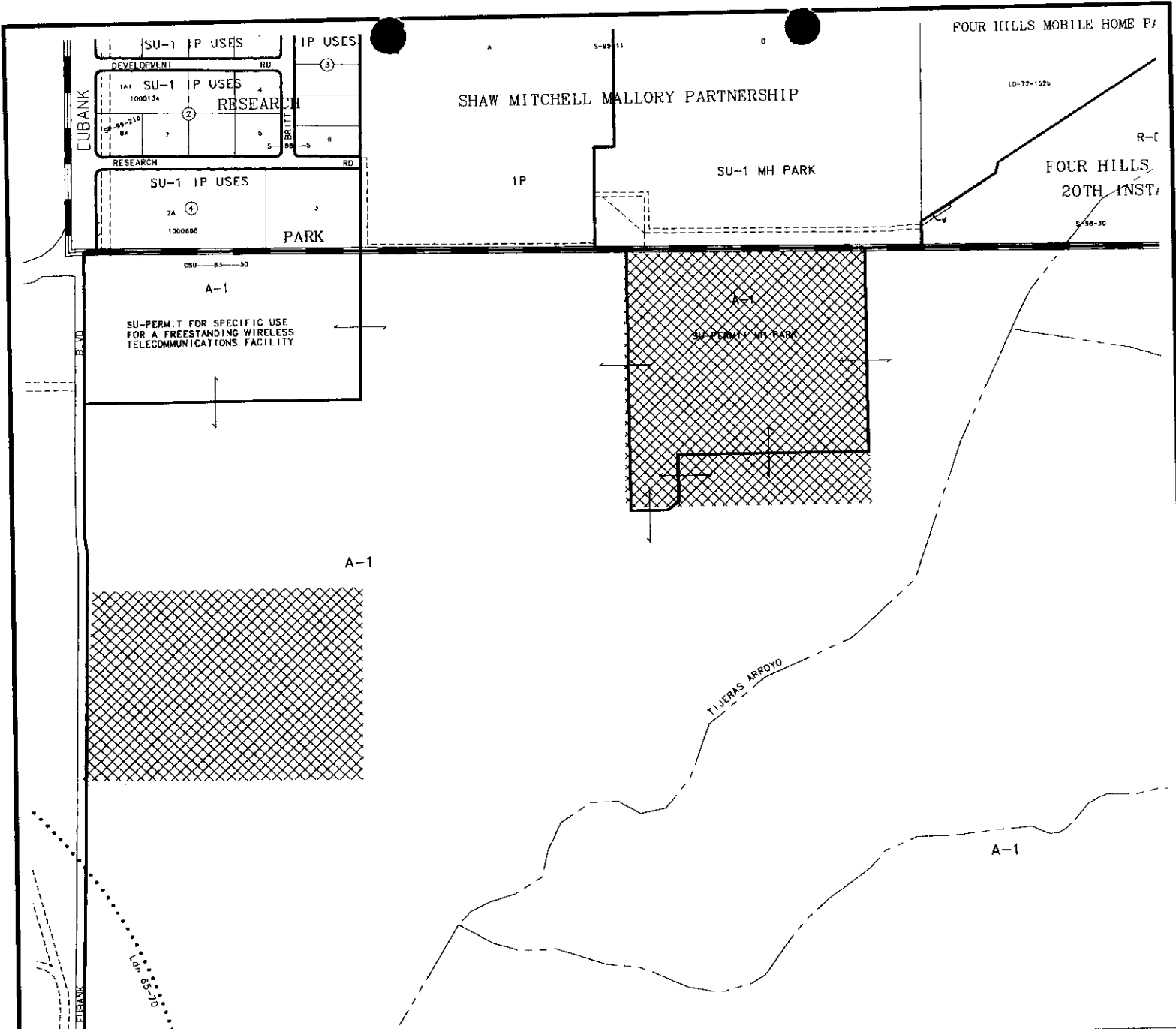
### ***Summary of Analysis***

This request is for annexation and establishment of IP zoning to include the subject three parcels, totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this development proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649. As with the previous case, this case is supported by policies in the Comprehensive Plan, and there is currently a Memorandum of Understanding between the City, the State Land Office, and the developers of the proposed Sandia Science and Technology Park (SSTP) to produce a Master Development Plan to be reviewed by the Environmental Planning Commission, which is required for applications for City IP zoning. The Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing. Staff recommends approval of this annexation and zoning application.



City Departments and other interested agencies reviewed this application from 1/5/01 to 1/19/01  
Agency comments were used in the preparation of this report, and begin on page 10.





ZONING MAP



Scale 1" = 675'

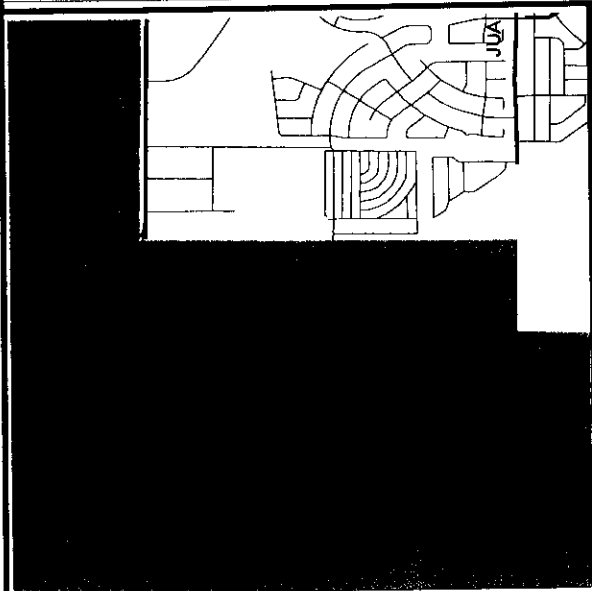
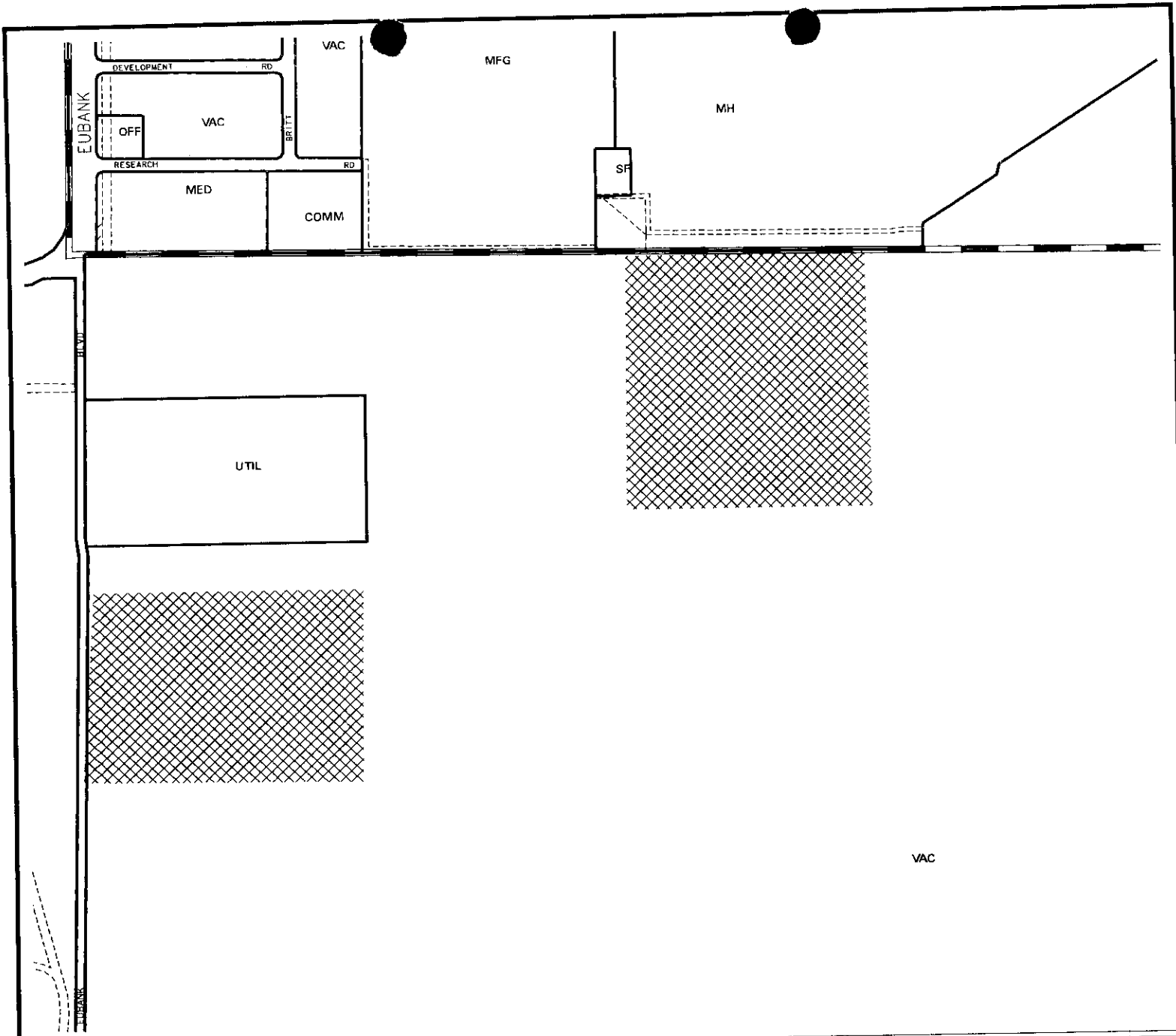
PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728





Note: Shaded area indicates County Not to Scale

## LAND USE MAP

### KEY to Land Use Abbreviations

AGRI Agricultural  
 COMM Commercial-Retail, Service, Wholesale  
 DRNG Drainage  
 EDUC Public or Private School  
 GOLF Golf Course  
 MED Medical Office or Facility  
 MFG Manufacturing or Mining  
 MH Mobile Home  
 MULT Multi-Family or Group Home  
 OFF Office  
 ORG Social or Civic Organization  
 PARK Park, Recreation or Open Space  
 PRKG Parking  
 PUBF Public Facility  
 RELG Religious Facility  
 SF Single Family  
 TRAN Transportation Facility  
 UTIL Utility  
 VAC Vacant Land or Abandoned Bldgs  
 WH Warehousing & Storage



Scale 1"= 675'

PROJECT NO.  
1000960

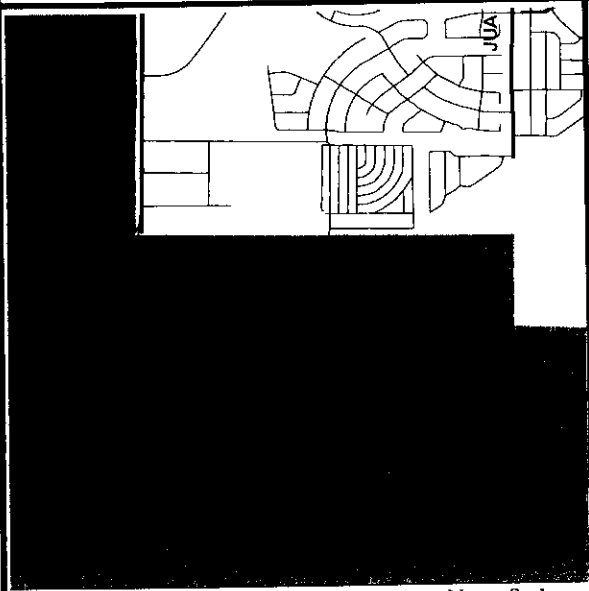
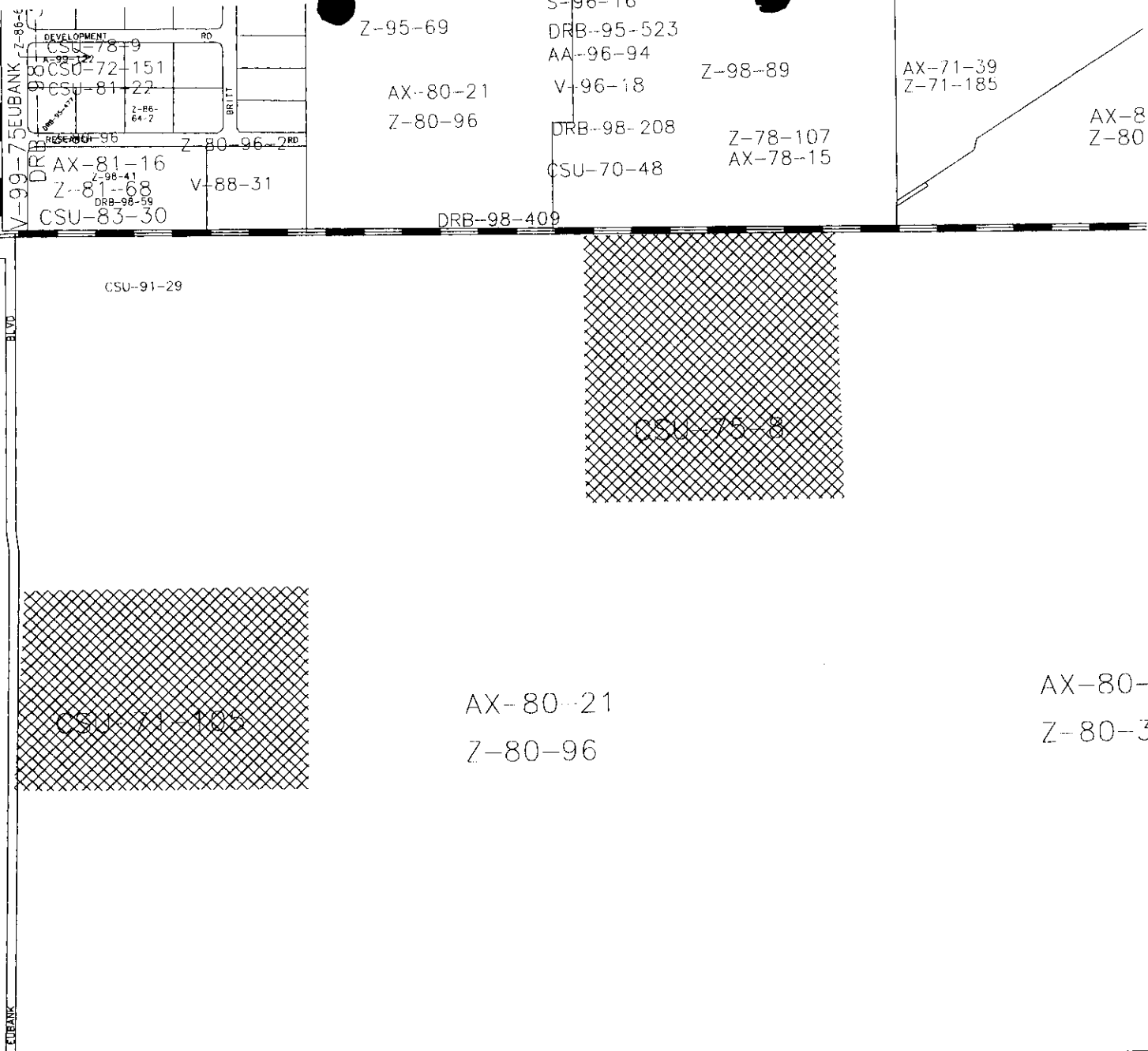
HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728







HISTORY MAP



Scale 1" = 675'

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

Note: Shaded area indicates County Not to Scale



**Development Services Report**

**SUMMARY OF REQUEST**

<b>Requests</b>	Annexation Establishment of IP zoning
<b>Location</b>	Eubank Blvd SE between Southern SE and KAFB

**AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	County A-1	Developing Urban Trails and Bikeways Master Plan	Vacant
<b>North</b>	City IP	Developing Urban (TBMP)	Warehouse/Retail
<b>South</b>	County A-1	Developing Urban (TBMP)	Vacant
<b>East</b>	County A-1	Developing Urban (TBMP)	SU-Permit for MH
<b>West</b>	County A-1	Developing Urban (TBMP)	Vacant

**Background, History and Context**

This request is for annexation and establishment of IP zoning to include three parcels totaling approximately 100 acres into the approximately 219-acre proposed Sandia Science and Technology Park (SSTP). The area has seen the development of a Home Depot home improvement retail warehouse and a Costco retail warehouse to the north of the subject sites. Land uses surrounding the sites include the Costco site to the north, a mobile home park to the east, and vacant land to the south and west. On January 18, 2001, the Environmental Planning Commission reviewed and approved an earlier 40-acre phase of this technology park proposal by approving for annexation and establishment of IP zoning Case #00114-00000-01637/00110-00000-01649.

A Master Development Plan for the SSTP has recently been submitted for EPC review and action at the 15 March 2001 hearing,



---

## **APPLICABLE PLANS AND POLICIES**

### ***Albuquerque / Bernalillo County Comprehensive Plan***

The subject sites are located in the area designated Developing Urban by the *Comprehensive Plan* with a Goal to "create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

Policy d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.

Policy I: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The Economic Development section of the Comprehensive Plan has as its goal "To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals". Applicable policies include:

Policy a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need".

Policy g: Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel".

### ***Trails and Bikeways Master Plan (Rank II)***

The Trails and Bikeways Master Plan was adopted by the City and the County in 1993. The study area for the plan generally encompasses Bernalillo County but is largely set in the City as shown on the Proposed Trails Map. The Plan sets forth goals and policies regarding the planning, funding, and uses of trail system in the area. Goal 1 seeks to "develop a map of proposed trails throughout the Albuquerque metropolitan area". The enclosed Proposed Trails Map indicates a proposed Primary Trail for Southern Avenue and a Proposed Secondary Trail to run along Eubank Blvd south of I-40

### ***Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)***

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service providers, and have provision for convenient street access to the City. The applicant must agree



---

to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject sites must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

***Resolution 91-1998 (R-70)***

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must





---

recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

***Long Range Roadway System***

The Long Range Roadway System designates Eubank Blvd SE as a Principal arterial.

**ANALYSIS**

***Conformance to Adopted Plans, Policies, and Ordinances***

The proposal for annexation and establishment of IP zoning for three parcels totaling approximately 100 acres for the proposed 219-acre Sandia Science and Technology Park (SSTP) is consistent with policies in the Comprehensive Plan in that the proposal does not conflict with existing residential areas, is proposed near existing infrastructure, will provide a diversity of employment opportunities, and is proposed to be included in a larger concentrated development. The applicant also appears to be willing to accommodate proposed trails for the area as indicated in the Trails and Bikeways Master Plan.

Section 14-16-2-19 of the City Zoning Code establishes provisions for IP zoning. Subsection (H), paragraph (2) of General Requirements states as follows: "Master Development Plan. A plan meeting the requirements of Section 14-16-1-5 shall accompany an application for change to IP zoning...". A Memorandum of Understanding has been established between the City, the State Land Office, and developers to produce a Master Development Plan to be reviewed by the Environmental Planning Commission at a later date. A Master Development Plan has recently been submitted for EPC review and action at the 15 March 2001 hearing.

***Resolution 54-1990:***

The proposal for annexation of the subject three parcels totaling 99.4972 acres meets some standards of R-54-1990 in that the location is contiguous to existing City limits and is adjacent to existing infrastructure. In this case, a pre-annexation agreement is not necessary as the infrastructure and utility provisions can be addressed at the Development Review Board at the time of platting. The MOU addresses many aspects of a pre-annexation agreement as well. A Master Development Plan, necessary to guide any development on the site, will be reviewed by the EPC next month.

The request has recently been expanded to include the adjacent PNM switching area to create contiguity with the City limits for the parcel along Eubank Blvd.

***Resolution 270-1980:***

The applicant has demonstrated the inappropriateness of the current County A-1 zoning by noting changed neighborhood or community conditions with approvals for the Manzano Mesa mixed use master planned community, the recent approval of a master plan for IP zoning for Emcore Corp, and the Costco and Home Depot retail warehouse business developments.



---

Annexation of the site to the City will be a changed community condition that justifies the zoning. The request for IP zoning meets the requirements of R-270-1980.

***Concerns of Reviewing Agencies / Pre-Hearing Discussion***

***Transportation Development Services:***

Transportation Development Services has filed no adverse comment on the proposed annexation and establishment of zoning request, however a TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

***Parks and Recreation:***

Planning and design comments from Parks and Recreation staff include the following: With the development of Phase II of the Emcore property on the west a 10' trail will be constructed on the north side of a 60' east-west public roadway easement. The City would like to continue this east-west trail connection in the subject property. Determination of the location can be done at the DRB with future platting or with the development of the SSTP master development plan.

***Neighborhood Concerns***

Staff has received no inquiries from the neighborhood or other interested parties.

***Conclusions***

With a previous approval by the Environmental Planning Commission for annexation and establishment of IP zoning of a 40-acre parcel at this site pertaining to the proposed 219-acre Sandia Science and Technology Park (SSTP), and with a Memorandum of Understanding which will produce a Master Development Plan to be reviewed by the EPC as required for IP zoning, staff recommends this request for approval for further annexation and establishment of IP zoning to complete the assembly of land necessary for the SSTP.



---

**FINDINGS – 00114-00000-01727, February 15, 2001**

1. This is a request for annexation of three parcels totaling approximately 100 acres currently zoned County A-1 and is located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB).
2. The request fulfills the requirements of R-54-1990 as the subject sites are generally contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

**RECOMMENDATION – 00114-00000-01727, February 15, 2001**

That APPROVAL of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.



---

*FINDINGS – 00110-00000-01728, February 15, 2001*

1. This is a request for establishment of zoning from County A-1 to City IP of three parcels totaling approximately 100 acres located adjacent to Eubank Blvd SE south of Central between Southern SE and Kirtland Air Force Base (KAFB)
2. The request fulfills the requirements of R-270-1980, specifically, in that changed neighborhood and community conditions justify the establishment of IP zoning on the site, including annexation of the site into the City.
3. The Environmental Planning Commission approved a previous request at this site for a 40-acre parcel for annexation and establishment of IP zoning on January 18, 2001, recognizing the compatibility of the request to policies in the Comprehensive Plan and the relevance of the Memorandum of Understanding which calls for a Master Development Plan to be submitted for review by the EPC.
4. A Master Development Plan for the Sandia Science and Technology Park has been submitted for review and action by the EPC.

*RECOMMENDATION – 00110-00000-01728, February 15, 2001*

That **APPROVAL** of 00114-00000-01637, a request for annexation, for a 40-acre site located at Section 33, T10N, R4E, NW ¼, SW ¼, Section 33, T10N, R4E, SW ¼, NE ¼, and a certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW ¼ NW ¼ of Section 33, T10N, R4E, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the **SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO**, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 be recommended to the City Council based on the preceding Findings.





**CITY OF ALBUQUERQUE  
COMMISSION  
PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION**

**ENVIRONMENTAL PLANNING  
Number: 00114 00000 01727/  
00110 00000 01728  
February 15, 2000**

Page 9

---

---

*Makita Hill*

**Makita Hill  
Planner**

cc: Albuquerque Public Schools, 915 Locust SE, Albuquerque, NM 87125-0704  
Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102

**Attachments**



---

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

### ***PLANNING DEPARTMENT***

#### ***Zoning Code Services***

“Reviewed, no comment.”

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

#### **Transportation Development Services:**

No adverse comment on the proposed annexation and establishment of zoning request. A TIS will be required as part of the overall Master Plan for the Sandia Science and Technology Park.

#### **Utility Development:**

**Recommend deferral:** Piecemeal annexation and / or zoning in advance of a master plan is inappropriate. The area is part of the proposed 200-acre ‘Sandia Science and Technology Park. Approximately half the 200-acres is currently outside the municipal limits. Annexation and master planning of the entire park should proceed as a single action. (*Same comments we made for the APS case on the January agenda #1000935*)

#### **Traffic Engineering Operations:**

Eubank needs improvement, especially at the intersection with KAFB/Sandia east entrance.

#### **Hydrology:**

The Hydrology Section has no objection to the proposed annexation request.

#### **Transportation Planning: \_**

City of Albuquerque: No objection to annexation and establishment of zoning.

Clarification is needed as to precisely what is being annexed. A plat or survey drawing should accompany the case, because the shapes and acreages of these two parcels are not shown authoritatively on the page-size maps accompanying the case.

One of these parcels is not contiguous to the city limit. A solution might be found in simultaneously annexing intervening land parcels. The entire width of the adjacent Eubank right-of-way, if any, should also be annexed.

For information, dedication of right-of-way for Eubank Boulevard (78 feet from centerline) will be required at some appropriate time, such as Sandia Science & Technology Park Master Plan approval, or time of development. Coordination with PWD Transportation Division will be necessary.



**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

"No Adverse Comment."

**Environmental Services Division**

**NEIGHBORHOOD SERVICES**

"No association."

**PARKS AND RECREATION**

**Planning and Design**

**OPEN SPACE DIVISION**

"No Adverse Comment."

**POLICE DEPARTMENT/Planning**

"No Comment."

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

"No Adverse Comment."

**FIRE DEPARTMENT/Planning**

"No Adverse Comment."



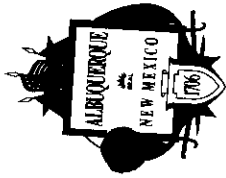
**TRANSIT DEPARTMENT**

A condition of approval for the future Master Development Plan for the Sandia Science and Technology Park should require that a Transportation Demand Management (TDM) program is developed with each project in the Plan area. A conglomeration of TDM's would provide an excellent opportunity to create a Kirtland/ Science Park area Transportation Management Association (TMA). Advantages that a TMA provide include; economies of scale in transportation demand management strategies and greater influence on area-wide transportation decisions. It is recommended that the applicant contact the Transit Department to begin the framework for starting a TMA.

This area is currently served by Route 2.







**City of Albuquerque**  
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

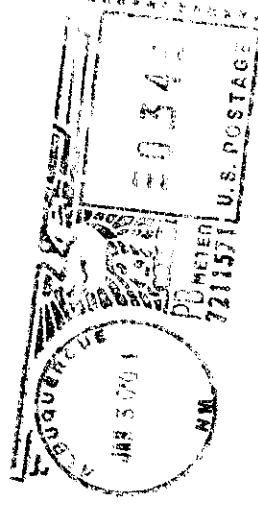
PLANNING DEPARTMENT  
EPC



UNDELIVERABLE AS ADDRESS  
REFUSED

102005566466110144

U S GOVERNMENT  
2050 WYOMING BL SE  
KIRTLAND AFB NM 87117



87117-5606 01

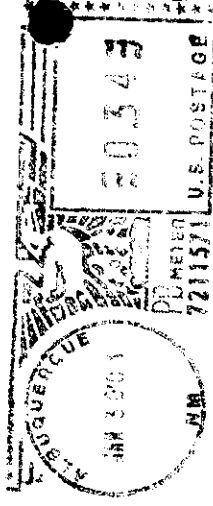


**City of Albuquerque**

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

EPC



102-105548532810122

UNDELIVERED  
PO BOX 1293 NM 87103  
ALBUQUERQUE NM  
APR 15 11 50 AM '12

27103-0517

Handbook Handbook Handbook Handbook

STATE OF NEW MEXICO  
County of Bernalillo

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 31 day of Jan, 2001, and the subsequent consecutive publications on \_\_\_\_\_, 2001.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 31 day of Jan of 2001.

PRICE

Statement to come at end of month.

ACCOUNT NUMBER

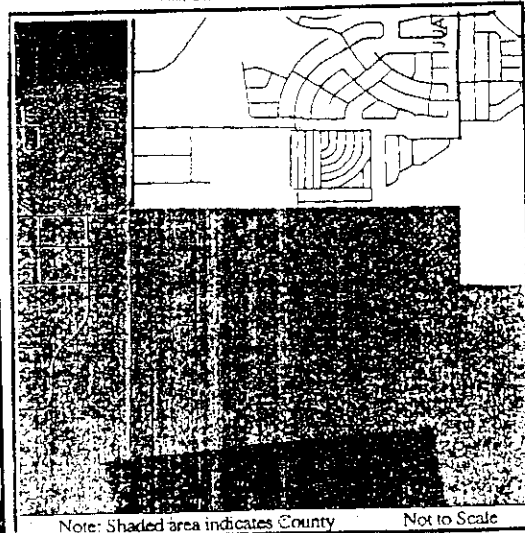
CLA-22-A (R-1/93)



Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, February 15, 2001 at 9:00 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items: (Note: these items are not in the order they will be heard)

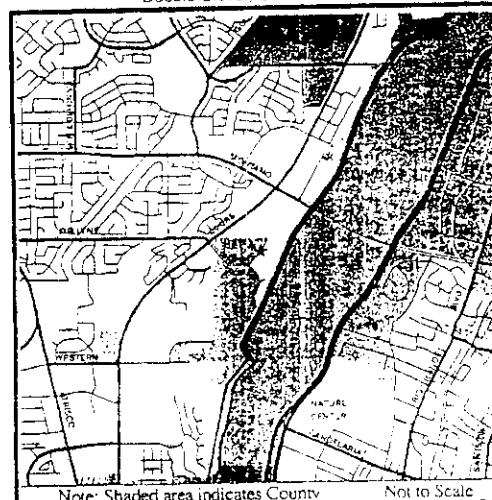
00114 00000 01727  
00110 00000 01728  
Project # 1000960

Consensus Planning, Inc., agents for NM State Land Office request annexation and establishment of IP zoning for A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the Summary Plat for annexation to the City of Albuquerque of NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33, T.10N., R.4E., N.M.P.M., Bernalillo County, New Mexico, County, New Mexico on August 24, 1982, in Volume C20, Folio 24 as Document No. 82-44125, located on Eubank Boulevard SE between Southern SE and KAFB, containing approximately 75 acres. (M-21) Makita Hill, Staff Planner



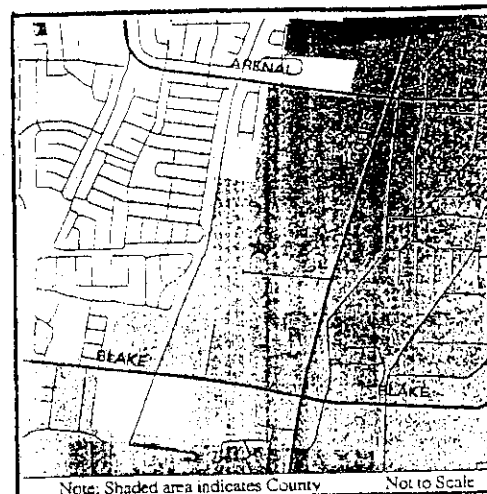
00114 00000 01742  
00128 00000 01743  
01110 00000 00006  
Project #1000965

Consensus Planning, Inc., agents for Ray A. Graham III request annexation and establishment of SU-1 C-1, O-1, PRD zoning plus approval of a site development plan for subdivision purposes for a Tract of land located in the south of 1/2 Section 25, the east 1/2 and 1/4 of Section 35 and the west 1/2 of Section 36, T11N, R2E, located on Coors Boulevard between Montano Road and Namaste Road, containing approximately 229.2 acres. (E-12, F-11, F-12) Debbie Stover, Staff Planner



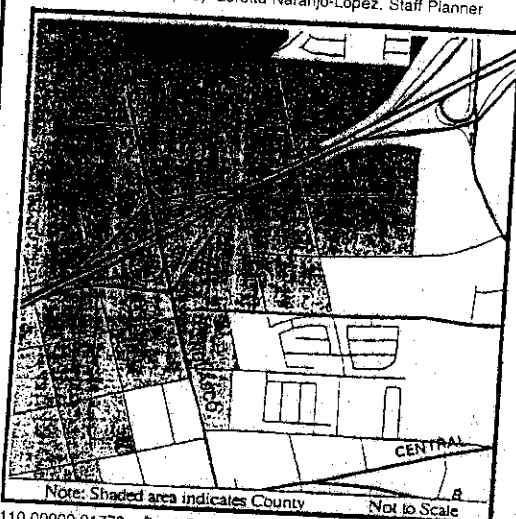
00114 00000 01763  
00110 00000 01764  
01110 00000 00007  
Project #1000976

ABQ Engineering Inc., agents for Tony Sena request annexation and establishment of M-H zoning for Tract A, Lands of Tony Sena, Section 34 T10N, R2E Atresco Grant and Lands of George Sena, Section 34, T10N, R2E and Section 3, T9N, R2E Atresco Grant, located on Ervian Lane SW between Coors SW and the Amole Diversion Channel, containing approximately 40 acres. (M-10) Russell Brito, Staff Planner



00114 00000 01780  
00128 00000 01781  
Project # 1000984

Consensus Planning, Inc., agents for Bluewater North LLC, Curb Inc. West and Ninety-Eighth Street Land Company LLC, request annexation and establishment of SU-1 for IP and C-2 zoning plus a site development plan for subdivision purposes for Tract A, B, B-38, Unit 5, Block 37, Unit 5, B-36, Unit 5, B-35, Unit 5, B-34, Unit 5, Town of Atresco Grant, located on Bluewater NW between Interstate 40 and Central, containing approximately 57 acres. (K-9) Loretta Naranjo-Lopez, Staff Planner



00110 00000 01778  
Project #1000982

Scott Steinberg request a zone map amendment from R-1 to M-1 for Lot A, Block 7, Unit 2, Mandell Addition #2, located on 3rd Street between Woodland and La Poblana, containing approximately .9 acre. (H-14) Loretta Naranjo-Lopez, Staff Planner

00110 00000 01779  
Project #1000983

James F. Crabtree, agent for Virginia Entley-Moore request a zone map amendment from O-1 to RT for Lots 9 & 10, Block 10, Unit 3, Volcano Cliffs Addition, located on the south east corner of Mojave and Unser Boulevard between Montano and Mojave NW, containing approximately 1 acre. (E-10) Lola Bird, Staff Planner

00110 00000 01784  
00138 00000 01785  
Project #1000985

Consensus Planning, Inc., agents for New Mexico Activities Association request an amendment to the North I-25 Sector Development Plan plus a zone map amendment from SU-2 for O-1 to SU-2 C-1 for Lot 1-A, Block 12, Unit A, North Albuquerque Acres, located on the SE corner of San Pedro NE and Palomas NE, containing approximately 2.5 acres. (D-18) Debbie Stover, Staff Planner

01221 00000 00126-  
Project #1001032

The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31)(e), ROA 1994, a portion of the Zoning Code to allow for concealed wireless telecommunication facilities as permissive. Cynthia Borrego-Archuleta, Staff Planner

01221 00000 00136  
Project #1001032

The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-2-17, (11) (b) Wireless Telecommunications Regulations, ROA 1994, a portion of the Zoning Code allowing for collocation on PNM power poles restricting the size of the poles to not less than 1'-V-46 poles (as defined by the City of Albuquerque Facilities Plan) and allowing for collocation only in commercial areas. Cynthia Borrego-Archuleta, Staff Planner

Elizabeth Begay, Chair  
Environmental Planning Commission

- 00110 00000 01778 Scott Steinberg request a zone map amendment from R-1 to M-1  
Project #1000982 for Lot A, Block 7, Unit 2, Mandell Addition #2, located on 3<sup>rd</sup> Street  
between Woodland and La Poblana, containing approximately .9 acre.  
(H-14) Loretta Naranjo-Lopez, Staff Planner
- 00110 00000 01779 James F. Crabtree, agent for Virginia Entley-Moore request a zone map  
Project #1000983 amendment from O-1 to RT for Lots 9 & 10, Block 10, Unit 3, Volcano  
Cliffs Addition, located on the south east corner of Mojave and Unser  
Boulevard between Montano and Mojave NW, containing  
approximately 1 acre. (E-10) Lola Bird, Staff Planner
- 00110 00000 01784 Consensus Planning, Inc., agents for New Mexico Activities Association  
00138 00000 01785 request an amendment to the North I-25 Sector Development Plan plus a  
Project #1000985 zone map amendment from SU-2 for O-1 to SU-2 C-1 for Lot 1-A,  
Block 12, Unit A, North Albuquerque Acres, located on the SE corner of  
San Pedro NE and Palomas NE, containing approximately 2.5 acres.  
(D-18) Debbie Stover, Staff Planner
- 01221 00000 00126 The City of Albuquerque request an amendment to the Comprehensive,  
Project #1001032 City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31)(e),  
ROA 1994, a portion of the Zoning Code to allow for concealed wireless  
telecommunication facilities as permissive. Cynthia Borrego-Archuleta,  
Staff Planner
- 01221 00000 00136 The City of Albuquerque request an amendment to the Comprehensive,  
Project #1001032 City Zoning Code Section 14-16-2-17, (11) (b) Wireless  
Telecommunications Regulations, ROA 1994, a portion of the Zoning  
Code allowing for collocation on PNM power poles restricting the size  
of the poles to not less than KV-46 poles (as defined by the City of  
Albuquerque Facilities Plan) and allowing for collocation only in  
commercial areas. Cynthia Borrego-Archuleta, Staff Planner

Elizabeth Begay, Chair  
Environmental Planning Commission

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL JANUARY 31, 2001.**

APPROVED



Russell Brito, Senior Planner  
Development Services Division, Planning Department

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION  
PROPERTY OWNERSHIP LIST

Meeting Date: Feb 15, 61

Zone Atlas Page: M-21-2

Notification Radius: 100 Ft.

Cross Reference and Location: \_\_\_\_\_

App#	<u>20114-0000-01727</u>
Proj#	<u>1000960</u>
Other#	<u>00110-0000-01728</u>

Applicant: Nm State Land Office

Address: 4308 Carlisle NE, 87107

Agent: Consensus Planning, Inc.

Address: 924 Park Sec, 87102

SPECIAL INSTRUCTIONS

Notices Must be mailed from the  
City 15 days prior to the meeting.

Date Mailed: \_\_\_\_\_

Signature: \_\_\_\_\_



1021055   \*\*\*   THIS UPC CODE HAS NO MASTER RECORD ON FILE

102105506419030122   LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN NW1/4 SW1/4 EXC N   LAND USE:

PROPERTY ADDR: 00000   1800 EUBANK   NE

OWNER NAME: STATE OF NEW MEXICO

OWNER ADDR: 00000   PO BOX 1148   SANTA FE   NM   87501

102105533032810144   LEGAL: SW O F NE   CONT 40.00 AC   LAND USE:

PROPERTY ADDR: 00000   N/A

OWNER NAME: STATE OF NEW MEXICO

OWNER ADDR: 00000   PO BOX 1148   SANTA FE   NM   87501

102105519932820122   LEGAL: SE 1 /4 N W 1/4 SEC 33 T10N R4E CONT 40 AC   LAND USE:

PROPERTY ADDR: 00000   EUBANK DR SE

OWNER NAME: BOARD OF EDUCATION

OWNER ADDR: 00000   PO BOX 25704   ALBUQUERQUE   NM   87125

102105509228920110CA   LEGAL:   LAND USE:

PROPERTY ADDR: 00000

OWNER NAME:

OWNER ADDR: 00000

102105503528920105CA   LEGAL:   LAND USE:

PROPERTY ADDR: 00000

OWNER NAME:

OWNER ADDR: 00000

102105506436220115   LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN N1/2 SW1/4 NW1/4   LAND USE:

PROPERTY ADDR: 00000   1600 EUBANK BLV SE

OWNER NAME: STATE OF NEW MEXICO

OWNER ADDR: 00000   PO BOX 1148   SANTA FE   NM   87501

102105526613040122   LEGAL: TRAC T OF LAND W1/2 SE1/4 & E1/2 SW1/4 & SW1/4 SW1/   LAND USE:

PROPERTY ADDR: 00000   N/A

OWNER NAME: THE CATHEDRAL CH ST JOHN

OWNER ADDR: 00744   MONTCLAIRE   NE ALBUQUERQUE   NM   87110

102105542032810124   LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE W1/2 SE1/4   LAND USE:

PROPERTY ADDR: 00000   N/A

OWNER NAME: A M A F C A

OWNER ADDR: 02600   PROSPECT   NE ALBUQUERQUE   NM   87107

102105540438910123   LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE NWLY POR OF   LAND USE:



## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (*see page two for Site Vicinity*). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

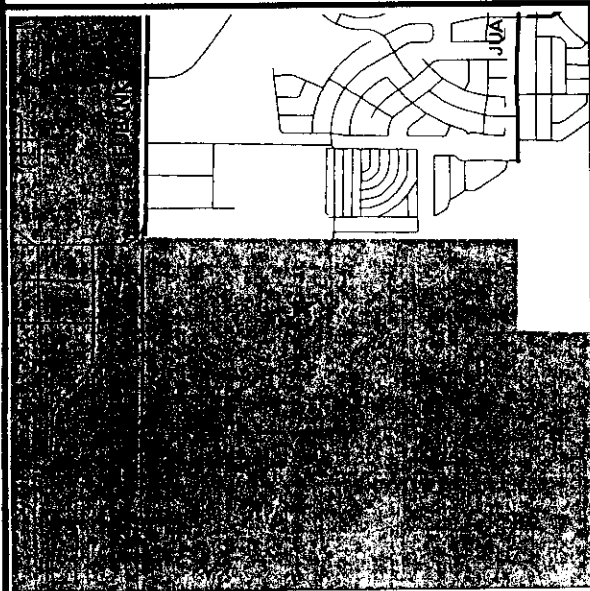
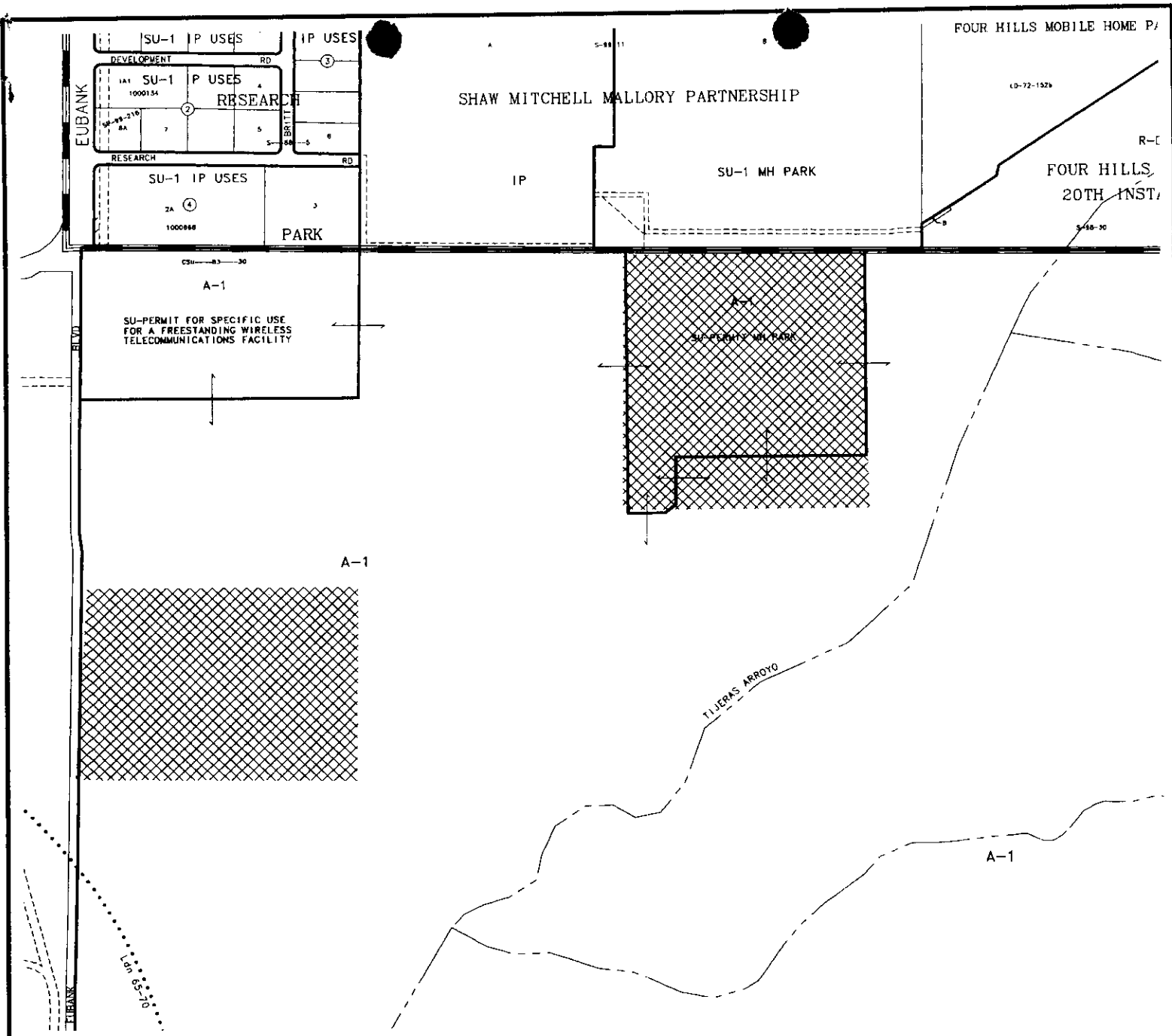
Policy d        *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*

Policy e        *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured. "*

App# \_\_\_\_\_  
Proj# \_\_\_\_\_

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
117-21	10211055	2644-1920	361-22	✓ <i>ms</i>
		330-328	101-44	✓ <i>ms</i>
		199-323	101-22	✓
		299-289	102A	✓ <i>no owner</i>
		235-289	232A	✓ <i>no owner</i>
		264-302	15	✓ <i>ms</i>
		264-130	461-22	✓
		440-323	101-24	✓
		444-339	23	✓ <i>ms</i>
		445-323	22	✓ <i>ms</i>
		451-335	25	✓ <i>ms</i>
		445-194	401-43	✓
		261-410	101-60	✓
		455-490	10	✓
117-22	10211055	125-440	261-27	✓ <i>ms</i>
117-20	10211055	1644-441	101-44	✓



Note: Shaded area indicates County Not to Scale

## ZONING MAP



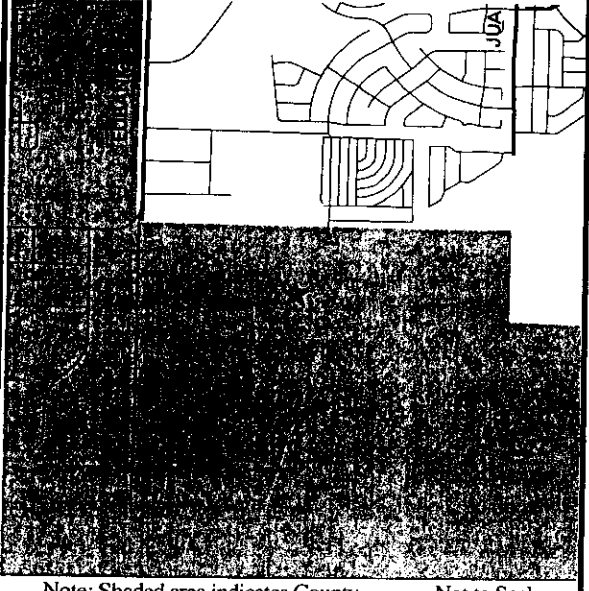
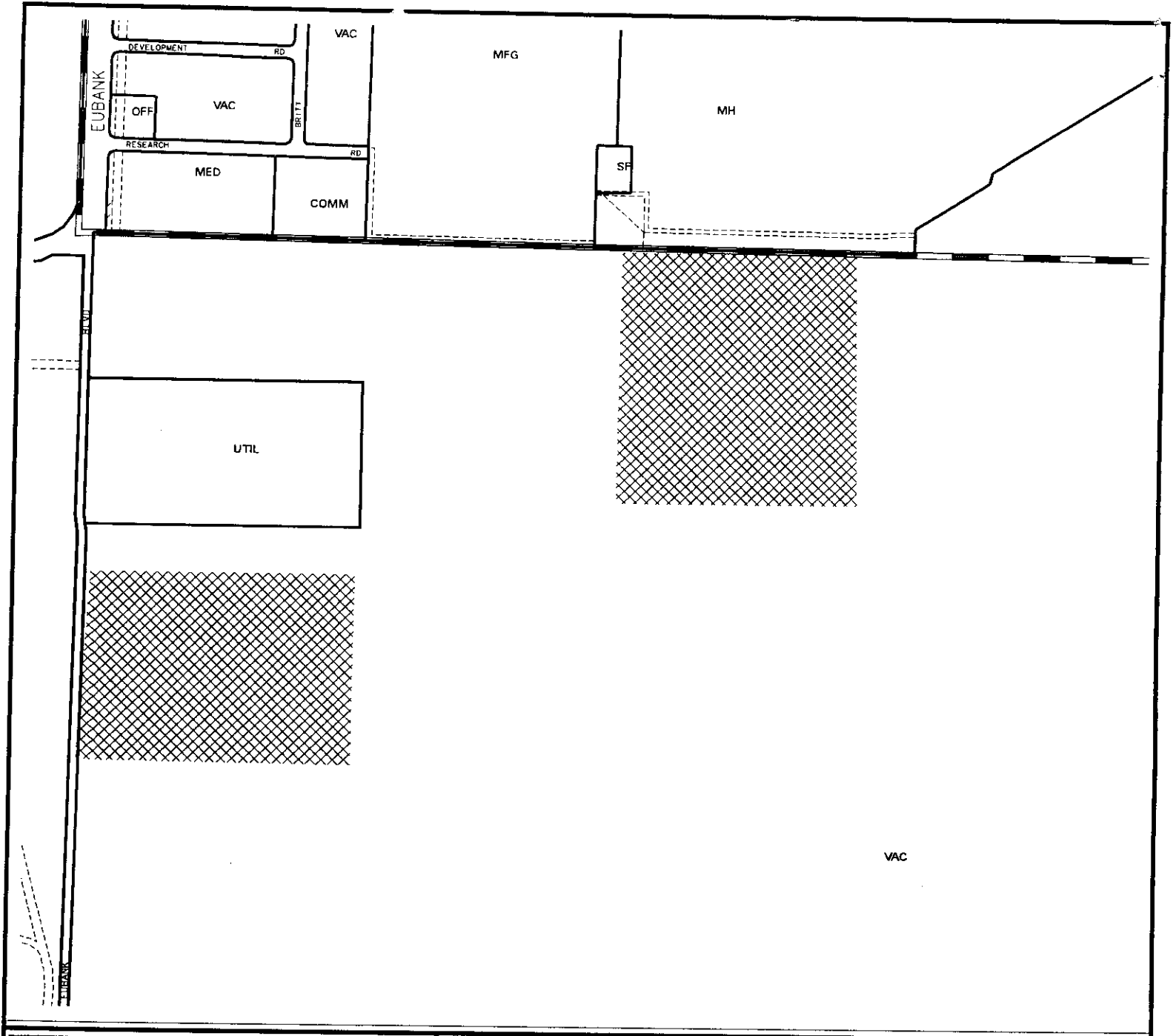
Scale 1" = 675'

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728



Note: Shaded area indicates County Not to Scale

## LAND USE MAP

### KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial-Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1"=675'

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-01727  
00110-00000-01728

*Memorandum of Understanding*  
*for the*  
*Sandia Science and Technology Park*

Parties to this Agreement:

Albuquerque Public Schools  
City of Albuquerque  
New Mexico State Land Office  
Sandia National Laboratories  
Science and Technology Park Development Corporation  
Shaw, Mitchell, and Mallory Limited Partnership

Executed: February 28, 2000



**SANDIA SCIENCE &  
TECHNOLOGY PARK**



**EXECUTIVE SUMMARY**  
**Sandia Science and Technology Park**  
**Memorandum of Understanding**

The Memorandum of Understanding is among landowners and parties interested in the planning and development of the Sandia Science and Technology Park (SS&TP). The SS&TP is a proposed research park located in direct proximity to Sandia National Laboratories, encouraging co-location of researchers in a congenial collaboration environment. Development of the SS&TP according to the terms of this agreement will: • maximize the financial return to participating landowners; • support Sandia's research and technology transfer missions; and • support the job creation efforts and the City's infill program.

**Description of the Parties, their Concerns, and their Agreements**

*Albuquerque Public Schools* – believes the SS&TP will maximize its financial return and will use proceeds from the sale, lease, or venture development of its land for a public purpose such as school site acquisition and/or school construction. This purpose cannot become secondary to overall goals of the SS&TP. APS seeks an equitable referral system for prospects and a fair mechanism for allocating infrastructure development costs.

*New Mexico State Land Office* – believes that the linkage of the SS&TP to the planned Mesa del Sol development will be beneficial to the trust in which its land is held.

*Shaw, Mitchell and Mallory Limited Partnership* - seeks to develop their tract pursuant to the purposes enumerated in this MOU, and subject to its Master Development Plan approved by the COA.

*U.S. Department of Energy* – although not a signatory to the agreement at this time, DOE is supportive of the agreement and the SS&TP.

*Sandia National Laboratories* – has agreed to appoint a champion of the Park at the level of Vice President, and will provide funding for staff for marketing and development of the Park through the Science and Technology Park Development Corporation.

*Science and Technology Park Development Corporation* – a non-profit group formed by Technology Ventures Corporation with the explicit purpose of developing and marketing the SS&TP, will: actively recruit technology companies and refer them to landowners through an equitable referral system; facilitate the development of Park infrastructure; make best efforts to secure funding for a Master Development Plan.

*City of Albuquerque* – a landowner by virtue of its publicly owned and managed rights-of-way, has a vested interest in the success of the SS&TP due to the Park's potential contribution to economic development and diversification, including the development of high technology clusters. The City agrees to institute an expedited, predictable, and fair approval process for all sites within the SS&TP once a Master Development Plan is approved.

**In addition, all landowners agree to the following:**

- To comply with a set of architectural and design standards.
- To participate in the SS&TP Marketing Plan and Referral Process wherein Sandia/STPDC will actively recruit its research partners and provide exclusive referrals to SS&TP landowners.
- To participate in the development of a master plan.
- To make their land available to prospects that fit the description for potential tenants.

**Description of Potential Tenants**

- SNL technology partners who have entered into Cooperative Research and Development agreements or other agreements with Sandia for the furtherance of joint research;
- Critical suppliers to Sandia who provide services and materials in furtherance of Sandia's primary mission;
- Non-critical suppliers who provide services or materials to Sandia for its pursuits other than its primary mission; and
- All other companies who have or may potentially have a business association with or supply materials to Sandia or the companies listed above.

The term of this agreement is for one year, is binding on successors (within the authority of the public landowners to make such commitment), and allows for participation of owners of other, contiguous parcels of land.





## **Memorandum of Understanding for the Sandia Science and Technology Park**

<b><u>Table of Contents</u></b>	<b><u>Page</u></b>
<b>Background</b>	<b>1</b>
<b>Parties Involved in the SS&amp;TP</b>	<b>3</b>
<b>Memorandum of Understanding Terms of Agreement</b>	<b>8</b>
<b>Notices</b>	<b>13</b>
<b>Signatures</b>	<b>14</b>
<b>Attachments</b>	<b>15</b>



# Memorandum of Understanding for the Sandia Science and Technology Park

## I. Background

### **Introduction**

The purpose of the Memorandum of Understanding (MOU) is to commemorate the interests, activities, and terms of agreement between the three landowners and the other interested parties for the planning, development, use and management of the Sandia Science and Technology Park (SS&TP) located in southeast Albuquerque, New Mexico. This MOU is viewed as an interim step towards achieving final development of the SS&TP.

### **Description of the SS&TP Vision**

The general vision for the SS&TP is a large campus-style technology center. The land comprising the SS&TP is owned by three landowners, who as of the date of this MOU have begun conversations to identify mutual needs and commitments, all with the interest of maximizing the real estate value and income potential of their property and enhancing Albuquerque's economic base. They have also discussed with representatives of the other interested parties, Sandia National Laboratories (SNL), City of Albuquerque (COA), the Department of Energy (DOE), and the Science and Technology Park Development Corporation (STPDC) the advantages of joining together to collaborate for the joint or individual development of each of their properties in furtherance of the SS&TP.

The parties are further committed to the development of the SS&TP with the understanding that its success will positively impact New Mexico's economy and more specifically its Central Region including Albuquerque. It is anticipated that technology-based companies will locate facilities within the SS&TP to jointly pursue commercial activities with SNL and the other area research institutions. The result will be new and better jobs for New Mexicans.

The development of the SS&TP serves a unique public purpose that is not replicated elsewhere in the Albuquerque Metropolitan Area. The unique role of the SS&TP is based on its location immediately adjacent to SNL, which is an advantage for commercialization of technology ventures sponsored by SNL. The SS&TP provides a site for the SNL technology partners to locate and expand their facilities in close proximity to SNL's specialized technology and highly trained staff. The development of the SS&TP meets several other public purpose goals, including:

- Strengthening the economic base of the community through the provision of new high technology jobs;
- Partnering with both public and private entities in a model relationship for future industrial park development;
- Fulfilling COA's goals with respect to infill development and steering new development to sites already within COA's service area;
- Providing opportunities to leverage federal dollars with local matching funds to achieve improved infrastructure in the area; and
- Enhancing SNL's role in partnering with the local community to diversify the economy through new private sector job creation opportunities.



The parties execute this MOU with the understanding that its terms will further the development of a dedicated project for the placement of buildings oriented to technology and development in a campus style environment that will primarily focus on attracting companies with the following business uses:

- SNL technology partners who have entered into Cooperative Research and Development Agreements (CRADAs) and other business agreements for the furtherance of joint research, including licensing agreements.
- Critical suppliers who provide services and materials in the support of the SNL primary national mission on behalf of the US Government.
- Non-critical suppliers who provide services and materials for the support of SNL in its pursuits other than those deemed in the interest of the primary national SNL mission as noted above.
- Other companies who have or may potentially have a business association with or supply materials or services to Sandia and the companies noted in this paragraph.

All parties recognize that Albuquerque Public Schools (APS), Department of Energy (DOE), City of Albuquerque (COA), and the New Mexico State Land Office (NMSLO), being public entities as well as landowners or potential landowners within the SS&TP, are subject to certain obligations to manage their properties in accordance with the applicable law. Descriptions of the interests of the involved parties are described in more detail below. It is recognized that both public and private entities are parties to this MOU, and each is governed by its own unique set of regulations and objectives affecting the level and type of participation allowed.



## II. Parties Involved in the SS&TP

### **Albuquerque Public Schools (APS)**

APS owns the largest tract of land within the SS&TP. On January 18, 1990, the City of Albuquerque approved the current zoning for the Manzano Mesa subdivision, a 480-acre tract of land east of Eubank Boulevard. The zoning for this land was subject to three conditions of approval relating to allowable uses within the employment areas of the site, and to platting requirements.

A description of the land subject to this MOU is attached hereto and incorporated herein as Attachment A. At this time, the land subject to the MOU is Tract E-1 of the Manzano Mesa subdivision, a 48.8766 acre size parcel, currently zoned "SU-1 for Limited IP Uses" and a parcel of land known as APS Vacant Land Parcel #4 containing 40 acres. Additional Manzano Mesa parcels adjacent to Eubank Boulevard (Tracts G-3, H, and I-1) shall be allowed to be added to the MOU property in the future if desired by APS, or may be developed separately.

Mr. Charles Atwood, the APS Director of Real Estate, articulated the following interests and concerns on behalf of APS and the use of such land for the purpose of the SS&TP:

- APS, through its governing Board of Education, hereinafter known as the Board, will consider the broad concept of the SS&TP. The Board understands and supports the concept of strategically leveraging SNL's ability to attract the local presence of technology-based companies as a benefit to the development of the Manzano Mesa subdivision.
- The APS Board has agreed to reserve Tracts E, G-3, and H Manzano Mesa, and a south parcel known as APS Vacant Land Parcel #4 from sale or marketing until December 31, 1999. The purpose of the reservation is to allow the parties to this MOU the opportunity and time to discuss, negotiate, and execute this MOU. However, only Tract E and APS Vacant Land Parcel #4 are included in the MOU at this time to allow APS the opportunity to evaluate the effectiveness of the agreement.
- The APS Board of Education enacted by Board action, effective for one year as of January 1, 1999, a moratorium reserving the noted land for one calendar year. The Board's collective intent is to allow for the SS&TP development. Should this MOU not be executed by the parties, prior to December 31, 1999, the Board will review the status of the development of the SS&TP, and then decide its future participation in the process.
- APS will support an effort to gain public funding (from City, State, and Federal programs) to build the needed infrastructure for the development of the SS&TP. APS has already provided significant infrastructure improvements in the area, and will support efforts by others to do the same.
- APS insists on establishing a time line and schedule for the planning and development of the SS&TP, referring to the Board's moratorium with an expiration of December 31, 1999. This will help the Board in justifying their participation in the SS&TP and this MOU. APS will not commit its land to the SS&TP if it does not accomplish the Board's goal to market and sell its property for the highest justifiable economic return. Proceeds from the sale, lease and/or venture development of the Manzano Mesa tracts is used for a public purpose such as school site acquisition and/or school construction. This is the Board's primary mission, which cannot become secondary to overall goals of the SS&TP.





- The APS tracts have acquired (through Subdivision Improvements Agreements and other contractual agreements), a substantial development advantage over other nearby tracts (particularly with regard to drainage) that shall not be diminished by its participation in the SS&TP.
- APS, being the largest landowner, requests that this MOU address the need for an equitable referral system to provide all MOU landowners an equitable opportunity to compete for agreements with parties seeking to build or lease in the SS&TP.
- APS also requests that SNL provide, within this MOU, a commitment to use its best efforts to get its partners to invest into the SS&TP and to help acquire other public funds for investment in SS&TP infrastructure. APS sees a significant financial risk by agreeing to limit the development of its land for the SS&TP, unless there is strong evidence by SNL, the other landowners, and the City of Albuquerque that they are also committed to the SS&TP.

APS has also emphasized its need to comply with state regulations and statutes governing the marketing and sale of its property.

#### **New Mexico State Land Office (NMSLO)**

The Commissioner of Public Lands for the State of New Mexico who is the executive officer of the NMSLO, manages the land described in Attachment A, which land is held in trust pursuant to the New Mexico Enabling Act and State Constitution. The Commissioner believes that development of the SS&TP, as anticipated herein, will serve the interests of the trust he represents. In particular, the Commissioner believes that the linkage of the SS&TP to the planned Mesa del Sol development south of the SNL lands and Kirtland Air Force Base (KAFB) will be very beneficial to the trust.

- The NMSLO has invested significant efforts to develop the Mesa del Sol property. The land that borders KAFB on its northern boundary is dedicated to industrial and manufacturing activities. Taking the larger view, the NMSLO sees the potential for a natural land use linkage between Mesa del Sol and the SS&TP.
- Between the SS&TP on the north, and Mesa del Sol on the South, lies KAFB, which is generally undeveloped and populated by several scientific and technological facilities, including the former DOE inhalation research laboratory now leased to the Lovelace Respiratory Research Institute (LRRI). As a southern point of entry to the Base, a secured entrance gate borders on the northern Mesa del Sol boundary with a road that provides a link to the KAFB and SNL facilities.
- The NMSLO supports SNL's ability to leverage its technology project base to bring its partners into the SS&TP. Given the limited size and potential higher property values within the SS&TP, Mesa del Sol provides a key opportunity for those partners seeking real estate for larger or additional industrial, administrative and manufacturing uses better suited outside the SS&TP.
- The NMSLO and SNL are presently finalizing a separate MOU which will commemorate and help effectuate the above.



## **The Department of Energy (DOE)**

DOE, through its Albuquerque Operations Office Director of Property and Administrative Services Division, has offered the following in order to facilitate the SS&TP initiative:

- Along with the other parties to this Memorandum of Understanding, the DOE understands and supports the purpose of the SS&TP initiative being undertaken and has in fact provided some of the funding in order to assist in the promotion of the SS&TP.
- The DOE supports the initiative described in this MOU and will support development efforts by the parties to this MOU. The DOE will participate to the extent possible consistent with current DOE mission requirements, applicable policy, statutes, and regulations.
- The parties to this MOU acknowledge that DOE is currently pursuing plans to develop a new office building on its own land. The DOE is willing to share its current plans with the other parties to this MOU and further acknowledges that DOE's plans will support the purpose of the SS&TP and in fact may provide an advantage for the parties herein and may further the objectives of the SS&TP.

## **The Shaw, Mitchell and Mallory Limited Partnership**

Shaw, Mitchell and Mallory Limited Partnership, Geneva Mitchell Managing General Partner (the "Mitchell Partnership"), is the owner of a tract described as Tract "A", Plat of Tracts "A" and "B", Lands of Shaw, Mitchell, Mallory Partnership, dated November 1998, and recorded on January 22, 1999 as Document No. 1999008790 in Book 99-C, page 14, Plat Records, Bernalillo County, New Mexico (the "Mitchell Tract"), which is under contract to Brown & Associates, Inc. (Ron Brown), and which tract is incorporated herein for use as part of the SS&TP. Mr. Bill Robertson of First Commercial Real Estate Services, Inc, is authorized agent. Brown & Associates submitted a Master Development Plan to the Development Services Division of the Planning Department for the City of Albuquerque.

- On January 21, 1999, the Environmental Planning Commission (EPC) voted to approve the Master Development Plan. In approving the requested development, the EPC enumerated certain standards and conditions that must be met as a minimum for any future development of the Mitchell Tract, referred to as the Sandia Technology Center.
- Through the efforts of Brown & Associates or otherwise, the Mitchell Partnership seeks to develop the Mitchell Tract pursuant to the purposes enumerated in this MOU, and subject to its Master Development Plan approved by the COA. The Mitchell Partnership supports the concept of using SNL's leverage to attract its partners to purchase or lease real estate within the planned SS&TP. As is the case with the other landowners, the Mitchell Partnership seeks a fair and equitable referral system for potential customers of its development.
- The Mitchell Partnership also agrees with the need to set minimum architectural and design standards for the development of the SS&TP. It further agrees that the landowners should agree at a minimum to a marketing and referral plan that provides a common vision and message for the development of the SS&TP.

APS wishes to note that some of the conditions of approval imposed on the Mitchell Tract by the City EPC are not desirable for imposition throughout the SS&TP, and specifically not desirable for the APS Manzano Mesa tracts. Therefore, the Mitchell Tract Master Development Plan



conditions are not accepted as the basis for design guidelines for the balance of the SS&TP, and will apply only to the Mitchell Tract.

#### **City of Albuquerque (COA)**

The City is a landowner within the SS&TP by virtue of its publicly owned and managed rights-of-way within the area. These rights-of-way are primarily comprised of roads and utility or drainage easements. The COA has a vested interest in the successful outcome of the SS&TP due to the role it plays on behalf of economic development, economic diversification, and development of high technology clusters that benefit the City's overall economic health.

- In return for the City's participation in this MOU, the City receives the following advantages: economic diversification and development, private sector partnerships with SNL and KAFB which protect the City's economy from the rise and fall of federal spending in the community, improved economic quality of life for Albuquerque citizens, more efficient use of in-fill land within the City's existing service area without the need for the costly extension of services, reduction in cross-City automobile use and concurrent improvements in air quality as a result of more residents living near their place of employment, increased property tax and gross receipts tax revenues resulting from construction and development of the SS&TP, and the opportunity to receive "matching funds" or grants/loans from the state and federal governments to help stretch their scarce infrastructure dollars.

#### **Sandia National Laboratories (SNL)**

Sandia National Laboratories represents a significant national investment in technological capability that spans the spectrum from people that are in demand around the globe for their expertise to world-class facilities that are not readily accessible to most research organizations. Cross-fertilization of ideas has long been known to be at the crux of a healthy and innovative research enterprise, and such cross-fertilization is enabled by physical proximity. Sandia, because of the concentration of its expertise and facilities, is the major attraction to technology companies to locate in the SS&TP. At all management levels, Sandia has committed to being a proactive proponent of the SS&TP, both within SNL, within the Albuquerque community, with its more than 300 research partners, and with companies nationwide that express an interest in working with Sandia.

#### **The Science and Technology Development Corporation (STPDC)**

The Science and Technology Park Development Corporation is a nonprofit group formed at the request of Sandia by Lockheed Martin's Technology Ventures Corporation with the explicit purpose of developing and marketing the Sandia Science and Technology Park. The STPDC will broaden the industrial base, foster creation of jobs in technology-related businesses and generate new sources of economic benefit within central New Mexico and the City of Albuquerque. The STPDC will manage the SS&TP with staff on loan from SNL.

STPDC seeks to collaborate with the MOU landowners to provide this location with the following characteristics:

- That the MOU landowners provide real estate for the development of the SS&TP, that conveys a quality, professional image suitable for a campus-style technology park.



- That the MOU landowners agree to minimum architectural and design standards to assist in the achievement of these characteristics.
- That the MOU landowners agree on criteria for tenants in the SS&TP.





### III. Memorandum of Understanding Terms of Agreement

The STPDC requests the MOU landowners to agree to the following, and in the case of the public landowners, to the extent allowed by their respective authorities:

- All the parties to this MOU shall mutually agree upon a set of architectural and design standards that comply with all national, state, and local laws as attached hereto and incorporated herein as Attachment B. These guidelines will serve for the interim until final standards are developed and agreed to as part of the development of the SS&TP master development plan envisioned by this MOU.
- That the MOU landowners agree to participate in the SS&TP marketing and referral plan as enumerated and incorporated herein as Attachments C & D.
- DOE personnel assert that DOE is currently in the process of obtaining approvals and funding for the construction of its new office building on a portion of the Eubank Tract, which adjoins the SS&TP. Plans for the remaining portion of the tract, after the building is complete, are yet to be determined. However, DOE personnel agree to consider the objectives identified in this MOU for future uses. Accordingly, DOE will participate to the extent possible under the appropriate legal authority, with the marketing and referral initiatives outlined in the MOU. DOE however shall not be considered a signatory to this MOU. Should DOE wish to, in the future, be considered as a party to the referral process as outlined in Attachment D to this MOU, DOE will seek admittance as specified within the terms of this MOU.
- It shall be only with the written unanimous consent of all signatories to this MOU, that any subsequent landowners or other interested parties be allowed to participate as a party to this MOU. Such participation is conditioned upon the requirement that there be no economic detriment to any such prior signatories. For purposes of receiving SNL landowner referrals pursuant to STPDC referral process as specified in this MOU, the subsequent included parties shall be considered for only those referrals occurring after the date of the written unanimous consent for their individual inclusion as a party to this MOU.
- Existing signatories are allowed to add additional parcels of land to the SS&TP provided they are contiguous to the SS&TP and subject to the other conditions of this MOU.
- That the MOU landowners, to the extent allowed by their respective authorities, agree to withhold the development and use of their real estate described in Attachment A for the use of the SS&TP as described in this MOU.
- That the MOU landowners will provide a representative to participate in the master development plan and the subdivision improvement agreement process and selection of a master developer as undertaken by STPDC. The MDP and SIA must be unanimously approved by all signatories to the MOU.
- In the interim period prior to completion of an SS&TP master development plan, the MOU landowners may jointly or independently pursue and transfer their real estate interest subject to this MOU to one party to function in the role of a prime developer for the landowners' property. Such developer shall agree to adhere to the terms and conditions of this MOU.



- That the MOU landowners agree to the following terms:
  - That the land uses by the SNL technology partners and critical suppliers, as defined herein, are preferred in the SS&TP pursuant to the marketing and referral plan attached hereto as Attachments C and D.
  - That participation in the SS&TP does not preclude the landowners from selling, leasing, or otherwise conveying their property to financially qualified buyers or users that have not been referred by STPDC, so long as such buyers or users comply with terms and uses of this agreement consistent with the vision of the SS&TP at page one and two of this MOU. In the case of competition between an STPDC referral and other buyers, the STPDC referral shall have preference provided it can financially and contractually perform within thirty (30) days of the other entity's offer. If the STPDC referral cannot perform in this timely manner, the landowner may proceed with conveyance or lease to others without opposition or interference from SNL or STPDC, consistent with the terms of this MOU.

**In consideration for agreeing to this MOU, STPDC agrees to the following:**

- To provide the Marketing Team participation as previously referred for the duration of this MOU or until the parties to this agreement transfer their interest in the real property subject to this MOU to a prime developer or developer's association of the SS&TP. It is envisioned that this developer or developer group shall assume the duties of the STPDC Marketing Team.
- To actively encourage companies to locate within the SS&TP by executing the marketing and referral plans enumerated in Attachments C & D.
- To make best efforts to recruit at least 3 tenants that are technology companies or others interested in developing technology with SNL to locate in the SS&TP.
- To provide exclusive referrals pursuant to the referral plan enumerated in Appendix D to only those MOU landowners who have agreed to the terms of this MOU as indicated by their signatures affixed to this MOU.
- To work with the Federal, State, and City government officials to assist in securing financing for SS&TP infrastructure improvements within the next four (4) years.
- To make best efforts to secure funding to provide an approved Master Development Plan and an accompanying Subdivision Improvement Agreement (SIA) for the entire SS&TP with a written commitment for an expedited approval process from the COA. To make best efforts to secure funding to provide an RFP for a Master Developer or a developer's group or association for the SS&TP, along with a selection/procurement process that includes representatives of all MOU landowners in the selection process. Moreover, to provide a methodology for accountability between STPDC and the MOU landowners such that questions or issues arising regarding effectiveness or implementation of any item within this MOU may be equitably and expeditiously resolved.
- Within 120 days of approval of this MOU, the STPDC will present to the MOU signatories for review and approval an action plan for implementation of the MOU.



**In consideration to agreeing to this MOU, SNL agrees to the following:**

- To provide a Vice President level "Champion" who will promote the park concept both within Sandia as well as to the outside world.
- To provide the funding necessary to support the "Marketing Team," which will be on loan to the STPDC.
- To commit to having an SNL presence within the SS&TP (office or research staff space within a building in the SS&TP to show commitment to the park).
- To actively encourage its partners to locate within the SS&TP by executing the marketing and referral plan enumerated in Attachment C and D.

**In consideration to agreeing to this MOU, the City of Albuquerque agrees to the following:**

- The COA will pursue an expedited land use and infrastructure approval process for the Sandia Science & Technology Park (SS&TP), using existing city ordinances.
- This process will provide a framework for overall approval of the land use and infrastructure requirements for the park, and an expedited process for the approval of site development and subdivision requests by implementing the following: The Development and Adoption of the SS&TP Master Development Plan (MDP) and SS&TP infrastructure requirements.
- The MDP will include over-all land use, design guidelines, transportation, utility, drainage and advanced telecommunication requirements for the SS&TP.
- The MDP and infrastructure necessary for the MDP development will be reviewed and approved by the City's Environmental Planning Commission (EPC) and the Development Review Board (DRB). After the initial approval by the EPC and the DRB, neither the MDP nor individual projects within the SS&TP will be reviewed by the DRB or EPC, unless major amendments are necessary. Administrative approval authority for all SS&TP site development requests will be assigned to the City Planning Department Director.
- The SS&TP MDP will include a pre-approved, infrastructure cost-sharing formula which assigns a fixed cost or fixed cost percentage for each parcel based upon its prorated share of on-site and off-site infrastructure. Payment of costs associated with the approved MDP and site specific infrastructure for a parcel will be deferred until the time of approval of a development request by the City's Planning Department Director.
- The COA will pursue the timely implementation of approved capital improvement projects (CIP) that support the SS&TP. As part of the MDP's approved infrastructure requirements the COA capital improvements in the vicinity of the SS&TP will be identified, and city commitments will be secured regarding the scheduling and construction of those improvements.
- The City of Albuquerque and other MOU parties will collaborate by sharing information, studies, maps or other information that is relevant to tracts of property participating in the agreement and where such data has been submitted to the City of Albuquerque and/or the County of Bernalillo for review and processing. In the case of proprietary information, it may be shared by the MOU parties at each MOU party's sole discretion.



**Time Frame for MOU:**

The term of this MOU shall commence upon signed acceptance by all of the parties as provided within this MOU, and shall be effective for one year thereafter. At the end of the initial term, this MOU will be automatically renewed for an additional twelve (12) month period unless, or until, one of the parties, in writing at least thirty (30) days prior to the expiration of the initial or renewal term notifies the other parties in writing of its intent to terminate the MOU.

**Termination:**

The parties to this MOU may, by mutual agreement, terminate this MOU prior to the term as set forth in this MOU. All rights, duties and obligations to the MOU will expire at that time.

**Binding of Successors of Property within the SS&TP**

All of the landowners, with the exception of DOE which has limited authority, within the SS&TP currently have the ability to sell or lease bulk tracts of land to any qualified buyer. During the interim period prior to an approved master development plan for the SS&TP being in place, and prior to a master developer or development association being in place, there is risk of land sales or leases to third parties that are not bound by this agreement. This chance for change in ownership is greater for the private landowners (who have carrying costs associated with holding their land) than it is for the public landowners. Assurances must be made that any agreement signed on behalf of land included within the SS&TP binds future owners of participating tracts as well as original signers of the MOU.

Parties wishing to participate later, subsequent to the execution of this MOU: provision should be made to allow such participation so long as there is no economic detriment to the current parties to this MOU.

**Effective Date of the MOU:**

The following conditions for the execution of the MOU are required for the commencement of this MOU:

- The signatures of all the parties to this MOU must be obtained within 30 days of the signature of the initial signing party.
- Should any party to this MOU refuse to sign this MOU within this 30-day execution period, this MOU shall be deemed void and non-binding on any of the parties, including those who may have previously signed the MOU.
- The term of this MOU shall begin upon the date of the final signature of all parties as described within this MOU, so long as such signing occurs within 30-day execution period.

**Entire Agreement**

This MOU contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This MOU supersedes any prior written or oral agreements between the parties.

**Amendment**

This MOU may be modified or amended, if the amendment is made in writing and signed by all parties to the MOU.





**Severability**

If any provisions of this MOU shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of the MOU is invalid or unenforceable, but that by limiting such provision it would be come valid or enforceable, then such provision shall be deemed to written, construed, and enforced as so limited.

**Waiver Of Contractual Right**

The failure of any party to this MOU, to enforce any provision of this MOU shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of the MOU.

**Applicable Law**

The laws of the State of New Mexico shall govern this MOU.

**Liability**

As between the parties, each party shall be solely responsible for any and all liability arising from personal injury, including death, or damage to property arising from the act or failure to act of the respective party or of its officials, agents, and employees pursuant to this MOU. The liability of each party shall be subject to the immunities and limitations of the Tort Claims Act, Sections 41-41-1 et seq. NMSA 1978, and of any amendments thereto.

**Hold Each Other Harmless**

The parties shall hold each other harmless and against any and all claims, actions, suits, or proceedings of any kind brought for or on account of any section or failure to act of the other party pursuant to this MOU, and subject to the provision of the above noted previous paragraph.

**Binding Effect - Appropriations**

The obligations of the parties to perform their respective duties under this MOU are subject to and conditional upon the appropriations by the governing bodies of each of the parties of funds necessary to permit each party to perform their duties.

**Equal Opportunity Compliance**

The parties to this MOU agree to abide by all federal and state laws and regulations pertaining to equal employment opportunity. In accordance with those laws and regulations, the parties to this MOU agree to assure that no person in the United States shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination in performance of this Agreement.



**Notices:**

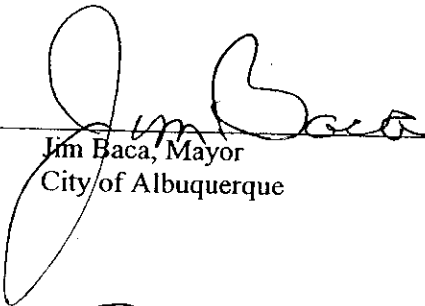
**Send inquiries concerning this MOU to:**

<b>Albuquerque Public Schools -</b>	Chuck Atwood, Real Estate Director Albuquerque Public Schools P.O. Box 25704 Albuquerque, NM 87125	Phone: (505) 765-5950 Ext. 267 Fax: (505) 768-1583
<b>New Mexico State Land Office -</b>	Harry Relkin New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504-1148	Phone: (505) 827-5760 Fax: (505) 827-5766
<b>Shaw, Mitchell and Mallory Limited Partnership -</b>	Bill Robertson Associate Broker First Commercial Real Estate 6201 Uptown Boulevard NE Suite 202 Albuquerque, NM 87110	Phone: (505) 881-9810 Fax: (505) 881-9838
<b>City of Albuquerque -</b>	Erik Pfeiffer Director Office of Economic Development City of Albuquerque P.O. Box 1293 Albuquerque, NM 87103	Phone: (505) 768-3270 Fax: (505) 768-3280
<b>Sandia National Laboratories -</b>	Lenny Martinez Vice President, Defense Programs Products and Services Sandia National Laboratories MS 0867 P.O. Box 5800 Albuquerque, NM 87185-0867	Phone: (505) 845-8973 Fax: (505) 284-2464
<b>Science and Technology Park Development Corporation -</b>	Jackie Kerby Moore Program Manager Science and Technology Park Development Corporation 10520 Research Road SE Albuquerque, NM 87123	Phone: (505) 845-8107 Fax: (505) 844-1389

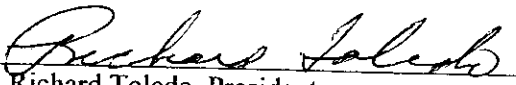


**Signatures:**


- The parties to this MOU, by their signature, each attest that they have authority to enter into this MOU and agree to the terms and conditions within this MOU.
- The parties include representatives from COA; APS; NMSLO; Shaw, Mitchell and Mallory Limited Partnership; SNL; and STPDC.

By:   
Jim Baca, Mayor  
City of Albuquerque


Date: 2/28/00

By:   
Richard Toledo, President  
Board of Education  
Albuquerque Public Schools

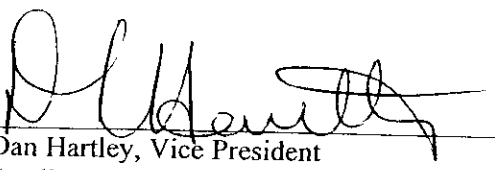
Date: 2/28/2000

By:   
Harry Relkin, Assistant Commissioner  
New Mexico State Land Office

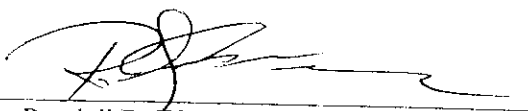
Date: 2/28/2000

By:   
Geneva Mitchell, Managing General Partner  
Shaw, Mitchell and Mallory Limited Partnership

Date: 2/28/00

By:   
Dan Hartley, Vice President  
Sandia National Laboratories

Date: 2/28/00

By:   
Randall B. Wilson, Officer  
Science and Technology Park  
Development Corporation

Date: 2/28

2/28/00



Attachment A. Description of the real estate subject to this MOU.

- Albuquerque Public Schools:
  1. APS Vacant land property No.4:  
SE1/4,NW1/4,Section 33, Township 10-North, Range 4-East, New Mexico  
Principal Meridian, State of New Mexico, County of Bernalillo, containing 40.0  
acres.
  2. Tract E, Replat for Tracts A through J, Manzano Mesa Subdivision, City of  
Albuquerque—Bernalillo County, New Mexico, Folio 112, Volume 91-C, filed  
June 5, 1991, Records of Bernalillo County, New Mexico containing 48.8766  
acres.
- New Mexico State Land Office:
  1. Parcel 1, a 35 acre parcel located in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 33, Township  
10 North, Range 4 East.
  2. Parcel 2, a 20 acre parcel located in the N  $\frac{1}{2}$  SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 33,  
Township 10 North Range 4 East.
  3. Parcel 3, a 40 acre parcel located in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 33, Township 10  
North, Range 4 East.
- Shaw, Mitchell, and Mallory Limited Partnership
  1. Tract lettered "A" of the LANDS OF SHAW, MITCHELL, MALLORY  
PARTNERSHIP, Albuquerque, Bernalillo County, New Mexico, as the same is  
shown and designated on the plat of tracts "A" and "B" thereof, filed in the  
Office of the County Clerk of Bernalillo County, New Mexico, on January 22,  
1999, in Plat Book 99C, folio 14.
  2. The acreage of this parcel is approximately 35.2742 acres





Attachment B. Description of the SS&TP design guidelines for the terms of this MOU.

The attached design guidelines are incorporated into this MOU, with the following exceptions:

- Design Guideline #16 – Deleted; and therefore not in effect.



# DESIGN GUIDELINES - CRITERIA

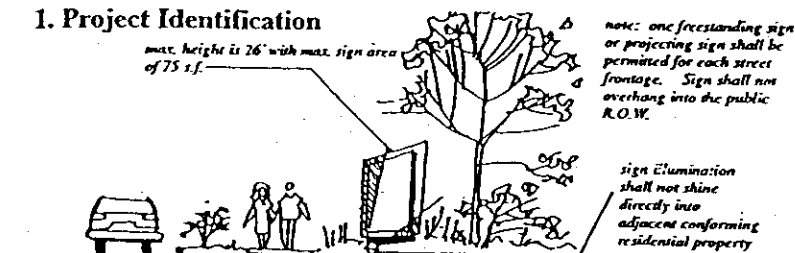
The purpose of Design Criteria is to provide a framework to ensure a character quality and visual appearance to the site and surrounding neighborhoods. These criteria address the issues of setbacks, screening, lighting, signage, landscape and drainage, creating a desirable visual image for the Sandia Technical Center. These standards are to be used as a supplement to the City of Albuquerque Comprehensive City Zoning Code and other pertinent City ordinances.

All buildings and structures within the site shall comply with all applicable City of Albuquerque zoning and building requirements as well as other local applicable codes.

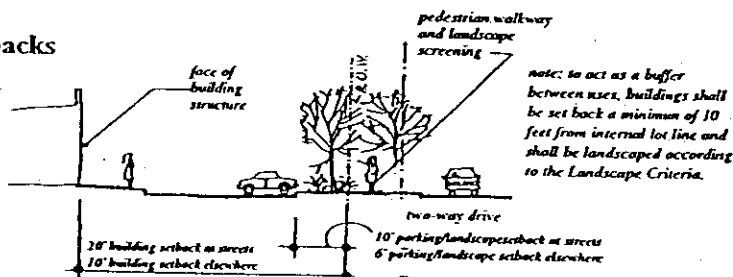
## Internal Streets and Intersections

Internal intersections are treated consistently creating a strong visual impact and project identity and provide access to other parcels. The interior roadways shall be improved by the Developer and dedicated to the City of Albuquerque. Private drives are those which provide access within the tracts and are not dedicated to the City.

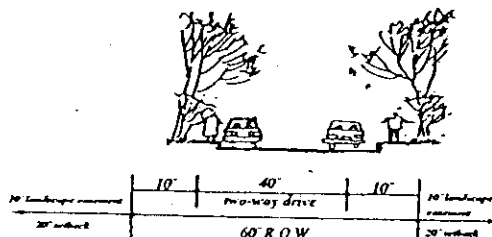
### 1. Project Identification



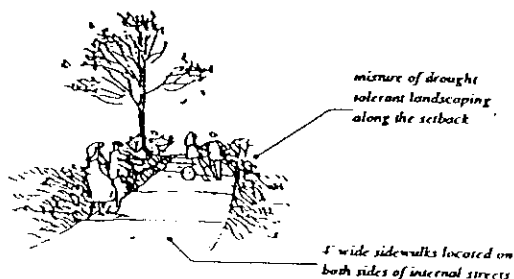
### 2. Setbacks



### 3. Internal Streets

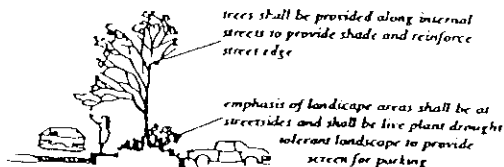


### 4. Pedestrian Connection



### 5. Landscaping

note: intersections shall be coordinated to be similarly landscaped in order to unify the development



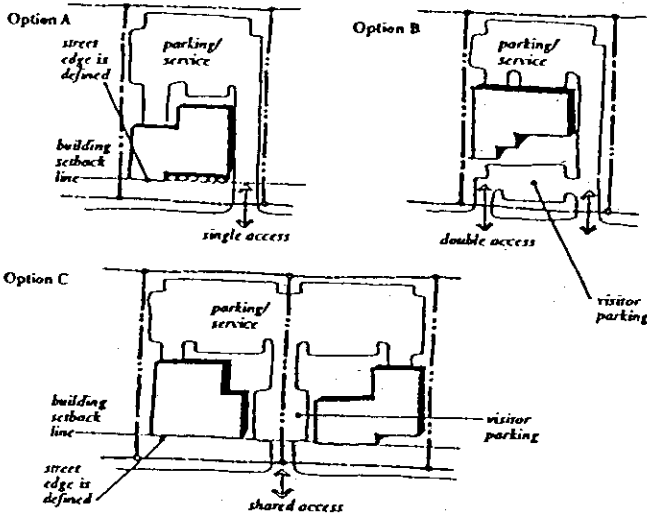


## Site Design

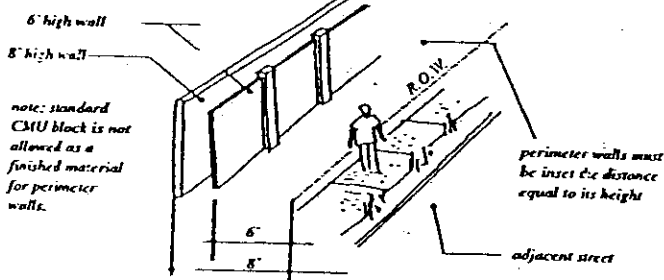
Site development plans for building permits shall integrate the design criteria in order to achieve the desired character and intent of the site. Building setbacks as well as landscape setbacks have been identified and help to reduce the visual impact of a building on adjacent neighborhoods. The overall land use concept maintains office/warehouse use as permissible on lot sizes of at least an acre.

## 6. Site Layout Concepts

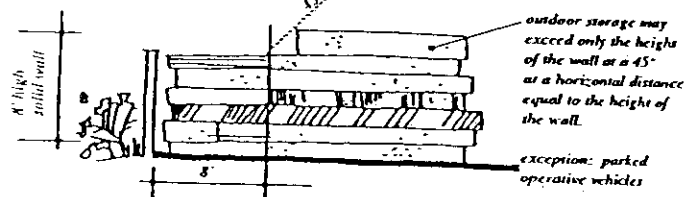
The following options are recommended for building/site layout. Building footprints are encouraged on the building setback line to give definition to the street and complex while parking at the back of the lots are visually screened.



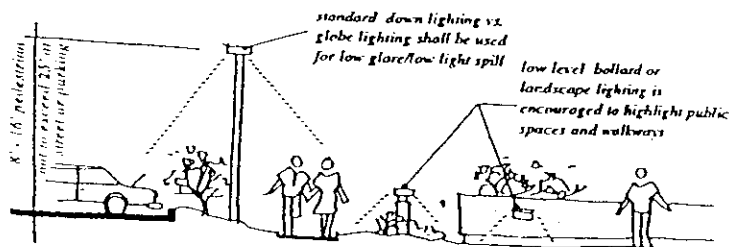
## 7. Wall Heights at Street Edge



## 8. Outdoor Storage



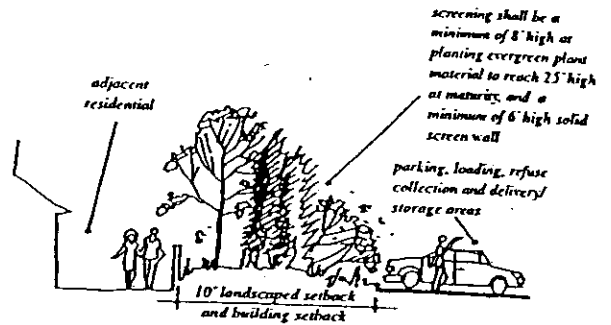
## 9. Site Lighting



## 10. Landscaping

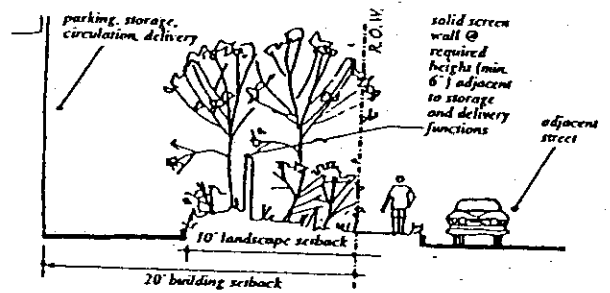
This development is designed to include landscaping as a unifying system. Drought tolerant landscape shall be used, not only for minimizing water use, but to relate to the desert environment of New Mexico. A mixture of drought tolerant species and lawns can be combined at landscaped areas. Live plant materials shall be used extensively - gravel, colored rock, bark and similar materials are generally not acceptable as groundcover. An irrigation system is to be designed as part of the landscaping and should avoid overspraying roadways, buildings and walls.

## 11. Screening at Residential Edge

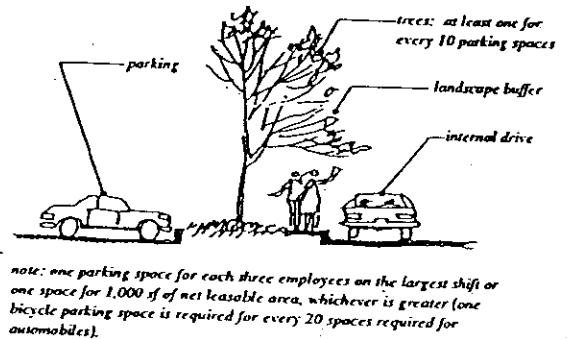


note: the use of barbed or concertina wire is not permitted where visible such as on the top or outside of fences or walls. Security measures should be from the use of appropriate (i.e. pyracantha) plantings.

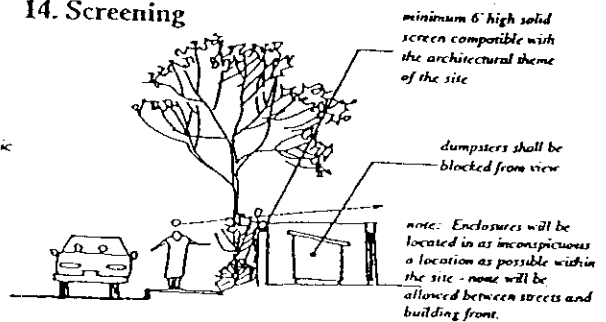
## 12. Screening at Street Edge



## 13. Off-Street Parking



## 14. Screening

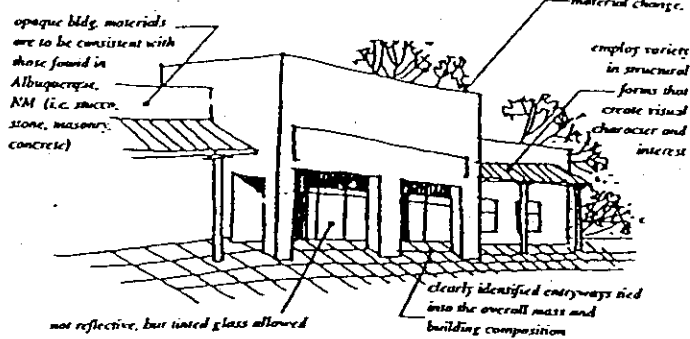




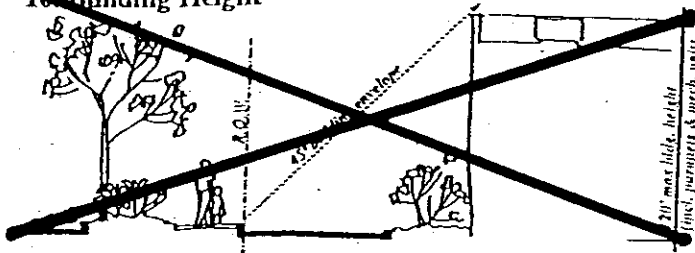
## Architectural Expression

Building layouts should provide continuity for the development and compatibility with adjacent buildings and streets. These controls are important to prevent any building from not fitting in with the design of the overall complex. All building design and exterior building treatments shall be architecturally compatible within individual site developments, buildings and between buildings on separate sites. In this regard, the first project approved and developed will establish the architectural design direction for all subsequent buildings. This is not to imply that all buildings be identical, but should be designed to promote architectural harmony and compatibility in the development. Buildings should have a regional expression, integrating building height, massing and color.

### 15. Regional Architectural Expression



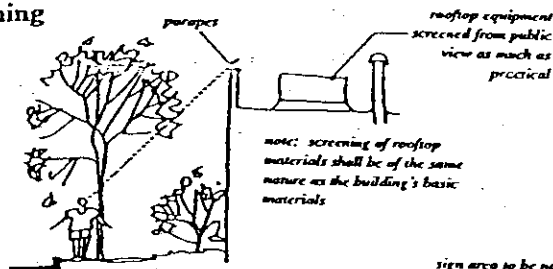
### 16. Building Height



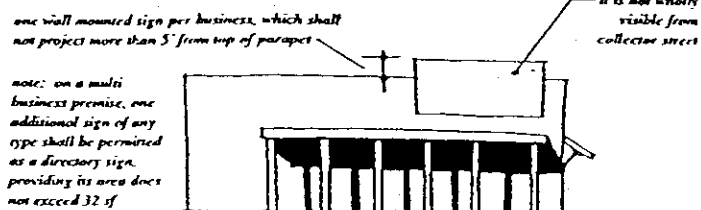
Design Guideline #16 - Deleted; and therefore not in effect.

As per MOU Attachment B, page 16

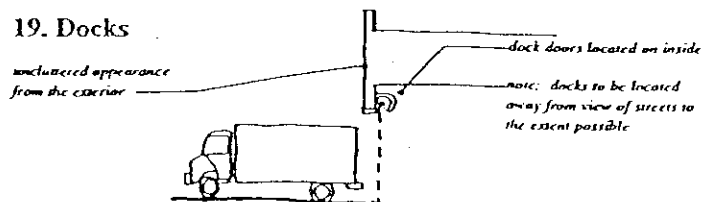
### 17. Screening



### 18. Building Signage Opportunities



### 19. Docks



Drawings are conceptual in nature and set forth the design criteria for illustrative purposes only and are not to be taken literally.





## **STPDC Year 2000 Marketing Plan**

The STPDC has an established and integrated marketing plan to actively and aggressively bring the Sandia Science and Technology Park (SS&TP) to national attention as a premier research park, and to identify and recruit tenants that are consistent with the vision of the Park.

### **Briefings**

Briefings encompass prepared materials to respond to requests for information, tours, personal meetings with representatives of organizations that fit the Park's vision for its tenants, and proactive marketing of specific offerings. Briefings target the following four groups:

- **Requested by Prospects.** The STPDC is committed to honoring every request from prospective tenants for information about the Park, including providing prepared briefing packages, in-person briefings, and tours of the site as appropriate.
- **Sandia Technical Partners.** Sandia has about 300 formal R&D partners. The staff of the STPDC will market the Park to all of those partners. In addition, as soon as there is a multi-tenant building available in the Park, the STPDC staff will formally and explicitly market this building to partners, both through general mailings and through follow-up with specific partners that have indicated particular interest in such a building.
- **Industry VIPs.** In a targeted and focused effort, Sandia Vice Presidents and Directors meeting with potential research partners as well as with decision-makers from existing research partner organizations will continue to reinforce the benefits of location in the Park. Technology Ventures Corporation also meets frequently with technology companies and will describe the benefits of the Park and offer to arrange a briefing for interested individuals. It is anticipated that at least ten briefings will be made in 2000 to specific industry VIPs through referrals from Sandia and TVC.
- **AED Prospects.** The STPDC will work with Albuquerque Economic Development to identify and brief potential tenants on the benefits of location in the Park. In 2000 it is anticipated that the partnership between STPDC and AED will result in at least four briefings to targeted prospective tenants for the Park.

### **Conference**

Sandia has earmarked sufficient funding to provide major support for a conference in 2000. The conference will serve to increase the visibility of the Park as an important means of enabling technology transfer.

### **National/Local Media Coverage**

Research parks cater to organizations with very specific needs. Those needs can be met only by the best and the brightest in a given field. Sandia brings physical proximity to the best and the brightest to Park tenants. It is critical, however, to the success of the SS&T Park that national awareness of the Park as a location for first-rate research and fluid technology transfer be raised to a level that organizations interested in locating in a research park automatically think of it. The STPDC will continue to bring national and local attention to the Park, in particular targeting the most respected and prominent organizations that carry particular importance within the research community.

### **Trade Shows**

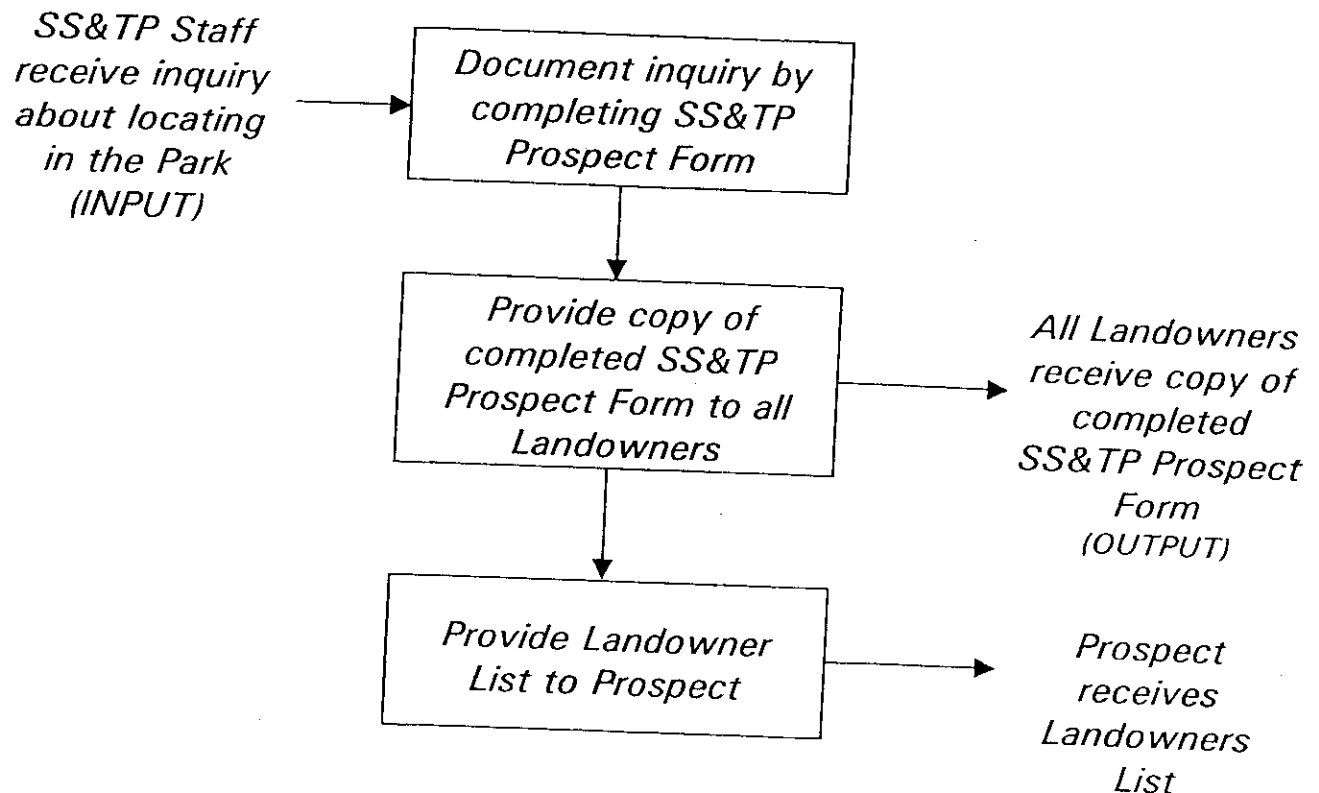
This element of the overall marketing plan is used in a focused and deliberate way to maximize the potential for raising the general awareness of the nation about the Park, and for attracting potential tenants for the Park. In 2000, STPDC staff will attend three trade shows: one on microelectronics, one on robotics, and the New Mexico Technology Showcase.

2/28/00



## Referral Process Sandia Science and Technology Park (SS&TP)

The following process will be used by the SS&TP staff when receiving an inquiry from a prospect about locating in the SS&TP:



The use of this Referral Process will ensure that:

- All inquiries from Prospects are documented on the SS&TP Prospect Form.
- All Landowners will receive completed SS&TP Prospect Forms from all inquiries.
- Prospects will receive a list of Landowners and ways to contact them.
- Note: Landowners follow up with Prospects as they choose. Prospects follow up with Landowners as they choose.



# City of Albuquerque



## DEVELOPMENT REVIEW APPLICATION

Supplemental form		Supplemental form	
<b>SUBDIVISION</b>	<b>S</b>	<b>ZONING</b>	<b>Z</b>
<input type="checkbox"/> Major Subdivision Plat		<input checked="" type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision Plat		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	<b>V</b>	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
		<input type="checkbox"/> Special Exception	<b>E</b>
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>	<b>APPEAL / PROTEST of...</b>	<b>A</b>
<input type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: Planning Director	
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> or Staff, DRB, EPC, Zoning Board of	
<input type="checkbox"/> IP Master Development Plan		<input type="checkbox"/> Appeals, LUCC	
<input type="checkbox"/> Cert. of Appropriateness (LUCC) L			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICANT INFORMATION:

NAME: NM State Land Office PHONE: 841-8705  
 ADDRESS: 4308 Carlisle NE FAX: 841-8703  
 CITY: Albuquerque STATE NM ZIP 87107 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner  
 AGENT (if any): Consensus Planning, Inc. PHONE: 764-9801  
 ADDRESS: 924 Park SW FAX: 842-5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cpcconsensusplanning.com  
 DESCRIPTION OF REQUEST: Annexation and Establishment of Zoning

### SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. S33, T10N, R4E, NW1/4, SW 1/4 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv. / Addn. S33, T10N, R4E, SW1/4, NE 1/4  
 Current Zoning: A-1 Proposed zoning: IP  
 Zone Atlas page(s): M-21 No. of existing lots: 1 No. of proposed lots: 1  
 Total area of site (acres): 40; 35 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: \_\_\_\_\_  
 Within city limits? Yes ☒ No ☐ but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? Yes ☐  
 UPC No. 102105533032810144; 102105506419030122 MRGCD Map No. \_\_\_\_\_  
 LOCATION OF PROPERTY BY STREETS: On or Near: Eubank Blvd. SE  
 Between: Southern and KAFB

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): \_\_\_\_\_

Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☐. Date of review: \_\_\_\_\_

SIGNATURE Jacqueline Fishman DATE 11/20/00  
 (Print) JACQUELINE FISHMAN Applicant ☐ Agent ☒

### FOR OFFICIAL USE ONLY

Form revised September 2000

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>00114 - 00000 - 01727</u>	<u>Annex</u>	<u>Z</u>	\$ <u>0</u>
<input type="checkbox"/> All fees have been collected	<u>00110 - 00000 - 01728</u>	<u>E4Z</u>	<u>Z</u>	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>2-13-01</u>			Total \$ <u>0</u>

J. Ching 12/14/00 Project # 1000960  
 Planner signature / date



## CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: STATE LAND OFFICE Date of request: 11/15/00 Zone atlas page(s): M-21

CURRENT:

Zoning

A-1

Legal Description -

Lot or Tract # \_\_\_\_\_

Block # \_\_\_\_\_

Parcel Size (acres / sq.ft.) 2 PARCELS - 40 ac + Subdivision Name \_\_\_\_\_

REQUESTED CITY ACTION(S):

35 ac

Annexation [ ]

Sector Plan [ ]

Site Development Plan:

Building Permit [ ]

Comp. Plan [ ]

Zone Change [ ]

a) Subdivision [ ]

Access Permit [ ]

Amendment [ ]

Conditional Use [ ]

b) Build'g Purposes [ ]

Other [ ]

c) Amendment [ ]

PROPOSED DEVELOPMENT:

No construction / development [X]

New Construction [ ]

Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION: ANNEXATION &

# of units - \_\_\_\_\_

Building Size - \_\_\_\_\_ (sq. ft.)

ESTABLISHMENTOF ZONING -IP

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative Josephine FriedmanDate 11/21/00

(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

PWD, Dev. &amp; Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3991 or 3994

THRESHOLDS MET? YES [X] NO [ ] Mitigating reasons for not requiring TIS: Previously studied: [ ]

Notes:

TIS will be processed as part of the overall Master Plan for the Sandia Science and Technology Park.

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

Joseph D. Montano11/21/00

for TRAFFIC ENGINEER

DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [X] NO [ ] Mitigating reasons for not requiring AQIA: Previously studied: [ ]

Notes:

IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

Joseph D. Montano11/21/00

ENVIRONMENTAL HEALTH

DATE

Required TIS and / or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS

- SUBMITTED

\_\_\_\_/\_\_\_\_/\_\_\_\_

- FINALIZED

\_\_\_\_/\_\_\_\_/\_\_\_\_

TRAFFIC ENGINEER

DATE

AQIA

- SUBMITTED

\_\_\_\_/\_\_\_\_/\_\_\_\_

- FINALIZED

\_\_\_\_/\_\_\_\_/\_\_\_\_

ENVIRONMENTAL HEALTH

DATE





# FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

## ☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
- ☒ Letter briefly describing, explaining, and justifying the request
- ☒ Letter of authorization from the property owner if application is submitted by an agent
- ☒ Property Boundary Survey prepared by a licensed professional surveyor
- ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☒ Sign Posting Agreement
- ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ☒ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- ☐ SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)
- ☐ SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)
- ☐ SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)

- Copy of findings from required pre-application meeting (for the DRB conceptual plan review only)
- Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
- Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC final review and approval public hearing only)
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC final review and approval public hearing only)
- Fee for final review and approval only (see schedule)
- Any original and/or related file numbers are listed on the cover application

Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

## ☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

## ☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

- Proposed Amendment referenced to the materials in the sector plan being amended
- Sector Plan to be amended with materials to be changed noted and marked
- Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

## ☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- Amendment referenced to the sections of the Zone Code being amended
- Sections of the Zone Code to be amended with text to be changed noted and marked
- Letter briefly describing, explaining, and justifying the request
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

JACQUELINE FISHMAN

Applicant name (print)

*Jacqueline Fishman* 11/20/00

Applicant signature / date

Form revised September 2000



- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers

00114 00000 - 01/27  
00110 00000 - 01/28

*J. Ch...* 12/14/00

Planner signature / date

Project # 1000960



# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION S 1/2, SW 1/4, NW 1/4  
and northerly 140 ft. of NW 1/4, Section 33, T10N, R4E  
(see attached)
2. TOTAL ACREAGE OF AREA: 24.4972
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguity with municipal boundary; availability of municipal services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
**THE APPLICANT(S) AND CITY AGREE THAT:**
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S): Public Service Company of NM PHONE 241-2564
  - A. OWNER Alvarado Square ZIP CODE 87158  
MAILING ADDRESS LEGAL DESCRIPTION OF PROPERTY OWNED: S 1/2, SW 1/4, NW 1/4 and  
northerly 140 ft. of NW 1/4, Section 33, T10N, R4E (see attached)  
SIGNATURE [Signature] ACREAGE 24.4972
  - B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_



# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION  
S33, T10N, R4E, NW 1/4, SW 1/4; S33, T10N, R4E, SW 1/4, NE 1/4
2. TOTAL ACREAGE OF AREA: 75 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguous with municipal boundary; City able to provide services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
THE APPLICANT(S) AND CITY AGREE THAT:
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.
7. SIGNATURE(S):
  - A. OWNER NM State Land Office PHONE 841-8705  
MAILING ADDRESS 4308 Carlisle NE Alb. NM ZIP CODE 87107  
LEGAL DESCRIPTION OF PROPERTY OWNED: S33, T10N, R4E, NW 1/4, SW 1/4  
S33, T10N, R4E, SW 1/4, NE 1/4  
SIGNATURE Ray Powell ACREAGE 75 acres
  - B. OWNER PHONE  
MAILING ADDRESS ZIP CODE  
LEGAL DESCRIPTION OF PROPERTY OWNED  
SIGNATURE ACREAGE
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: DATE

EPC HEARING DATE

ANNEXATION CASE NO: AX-

ZONING CASE NO: Z-

.....

# DESCRIPTION

A certain tract of land situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone NAD 1983 Datum) and ground distances as follows:

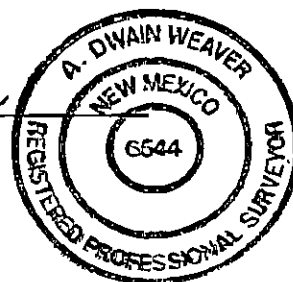
BEGINNING at the southwest corner of the tract herein described, a point on the westerly boundary line of said Section 33, whence the southwest corner of said Section 33, a 3-1/4 inch City of Albuquerque aluminum survey cap (having New Mexico State Plane Coordinates Central Zone NAD 1983 of X=1,555,723.90961 and Y=1,471,098.81399) bears S07°57'07"W, a distance of 2572.22 feet and from said point of beginning running thence along the westerly boundary line of said Section 33, N00°57'07"E, a distance of 140.00 feet to the west quarter Section corner of said Section 33, thence running along the westerly boundary line of the S1/2 SW1/4 NW1/4, N00°58'04"E, a distance of 677.91 feet to the northwest corner of the S1/2 SW1/4 NW1/4, thence running along the northerly boundary line of said S1/2 SW1/4 NW1/4, S89°30'27"E, a distance of 1307.74 feet to the northeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of said S1/2 SW1/4 NW1/4, S00°48'25"W, a distance of 672.68 feet to the southeast corner of said S1/2 SW1/4 NW1/4, thence running along the easterly boundary line of the NW1/4 NW1/4, S00°47'49"W, a distance of 140.00 feet to the southeast corner of the tract herein described, thence running along the southerly boundary line of the tract herein described, N89°44'10"W, a distance of 1310.06 feet to the point and place of beginning.

Tract contains 24.4972 acres, more or less.

A. Dwain Weaver  
A. Dwain Weaver  
N.M.P.S. No. 6544

Date: January 26, 2001

Job No. 101222A.03









CONSENSUS

February 2, 2001

Landscape Architecture  
Urban Design  
Planning Services

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Re: 1000960; 00114-00000-01727; 00114-00000-01728

934 Park Avenue SE  
Albuquerque, NM 87102

(505) 344-9400  
Fax: 505 344-9400  
cpnt@consensusplanning.com  
www.consensusplanning.com

Dear Chairwoman Begay:

The purpose of this letter is to expand our request for annexation and establishment of zoning to include the PNM Switching Station on Eubank Boulevard. Our original request included two NM State Land Office tracts, a 35 acre tract to the south of the PNM Switching Station and a 40 acre tract to the east. The case is scheduled to be heard by the Environmental Planning Commission (EPC) on February 15, 2001.

The PNM Sandia Switching Station will not be included in the Sandia Science & Technology Park (SS&TP), however, in order to complete the annexation needed for the SS&TP, the property must be included for compliance with City policies on annexation regarding contiguity.

The applicant is requesting IP zoning for this property, which is consistent with the adjacent properties, existing land use, and changed neighborhood conditions, as required by Resolution 270-1980. The property falls within the Developing Urban area, as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The City has determined that annexation of these areas is desirable.

The request is consistent with policies contained in R-54-1990 by being contiguous with municipal boundaries, being serviceable with municipal utilities, and forming a logical City boundary. This annexation request will help facilitate the multi-agency efforts to develop the SS&TP into a high technology research and development park.

The City of Albuquerque and PNM have entered into a Pre-Annexation Agreement, which outlines the requirements and obligations on behalf of both parties (see attachment). The Agreement specifies that no site development plan is required for this annexation and establishment of IP zoning.

PRINCIPALS

Supriya K. Choudhury, AIA  
James K. Choudhury, AIA  
Architects & Planners, AIA



Please do not hesitate to contact me at 764-9801 if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacqueline Fishman', followed by a long horizontal line.

Jacqueline Fishman, AICP  
Senior Planner

C: Rob Roberts, Manager, Right-of-Way and Land Services, Public Service  
Company of NM



ANNEXATION AGREEMENT  
(PNM Sandia Switching Station)

THIS AGREEMENT (the "Agreement") is entered into this First day of February, 2001, by and between the CITY OF ALBUQUERQUE, a municipal corporation (the "City"), and PUBLIC SERVICE COMPANY OF NEW MEXICO, INC. ("PNM").

WHEREAS, the City desires to annex certain real properties into the City, which properties include certain real property commonly know as the Sandia Switching Station owned by PNM (the "Property"), and which Property is more particularly described in the exhibit attached hereto; and

WHEREAS, such properties have been identified as in the public hearing conducted by the Environmental Planning Commission; and

WHEREAS, PNM presently conducts upon the Property the operation and maintenance of electric switching station, substation and communication facilities ("Existing Uses").

WHEREAS, PNM agrees to consent to the annexation of the Property into the City upon the conditions set out herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and PNM agree as follows:

1. The City shall classify the property to I.P. zoning, as currently defined in the City of Albuquerque Comprehensive Zoning Code, simultaneously with its annexation for all of the Existing Uses and minor expansion of the Existing Uses (the "Proposed Zoning").
2. The City agrees that annexation of the Property into the City with the Proposed Zoning and with the Existing Uses would be beneficial to the City, in accord with sound planning and development of the City, and within the context of this Agreement, would not constitute a change in the character of the neighborhood.
3. The City Planning staff shall recommend to the City Council approval of the Proposed Zoning, and the City agrees that no policies or plans of the City need to be amended to accommodate the Proposed Zoning; however, if amendments are required, the City agrees to amend any such plans to accommodate the Proposed Zoning.
4. The City agrees that a site development plan for the Property shall not be required unless there is a significant change of Existing Uses, and agrees that there will be no additional requirements with respect to continuation of the Existing Uses of the Property; for example, there will be no landscaping requirements, walls or fencing requirements, buffering requirements, noise or air pollution requirements, lighting requirements or land dedication requirements. These requirements may be deemed necessary upon a major change in use

referred to above. Nothing in this paragraph shall limit the City from enforcing its current ordinances, policies or procedures that do not affect the land uses of the Property.

5. The City agrees that no City ordinance, plan, policy or procedure now in place will alter, impede, restrict or adversely affect the Existing Uses of the Property.

6. Nothing contained herein shall prevent PNM from using the Property in any manner presently permitted, either now, during or after the annexation and zoning process, subject to the provisions of this Agreement and effective ordinances and regulations at the time there is a change of use or expansion of Existing Uses.

7. It is understood and agreed that PNM will not oppose the annexation, and that such annexation will be on the conditions set forth herein, with I.P. Zoning for the Property.

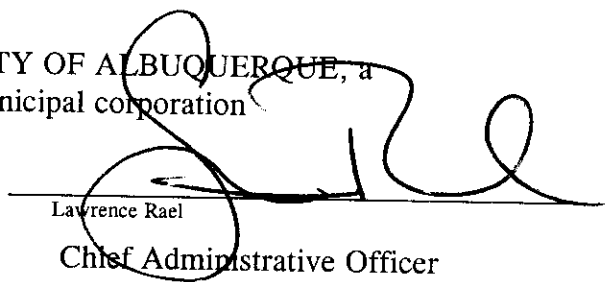
8. This Agreement shall inure to the benefit of and be binding upon the City and PNM and the successors in interest to the Property.

9. The City represents that it will comply with all ordinances, resolutions, policies and procedures in order to insure that this Agreement will be binding upon the parties.

Executed the day and year first set out above.

CITY OF ALBUQUERQUE, a  
municipal corporation

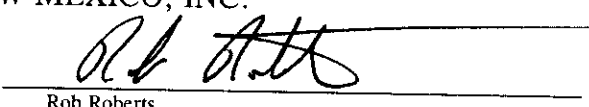
BY

  
Lawrence Rael

ITS Chief Administrative Officer

PUBLIC SERVICE COMPANY OF  
NEW MEXICO, INC.

BY

  
Rob Roberts

ITS Manager, Right of Way Department

February 1, 2001

Elizabeth Begay, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Dear Chairwoman Begay:

This letter hereby gives authorization to Consensus Planning to work as agent on behalf of the Public Service Company of New Mexico (PNM) in requesting annexation and establishment of zoning for the PNM Switching Station on Eubank Boulevard. PNM understands that annexation of this property will be concurrent with the annexation of State Land Office property to the south and east.

Please do not hesitate to contact me at 241-2564 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Roberts", with a long horizontal line extending to the right.

Rob Roberts  
Public Service Company of New Mexico

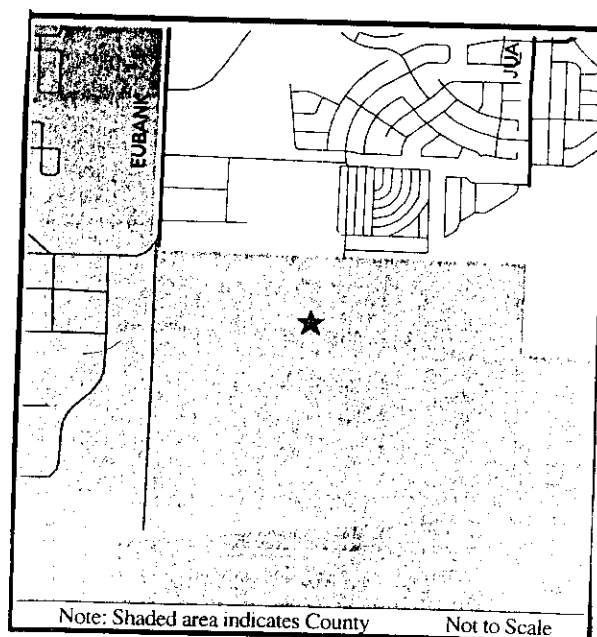


## NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, February 15, 2001 at 9:00 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items: [Note: these items are not in the order they will be heard]

00114 00000 01727  
00110 00000 01728  
Project # 1000960

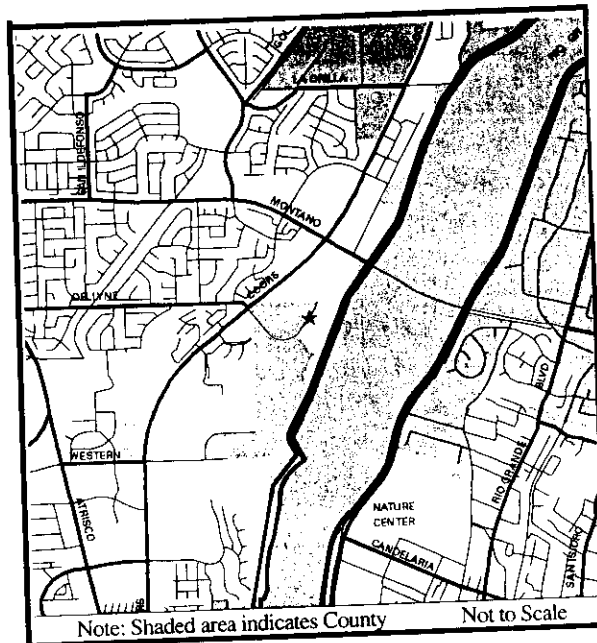
Consensus Planning, Inc., agents for NM State Land Office request annexation and establishment of IP zoning for A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as he Public Service Sub-Station tract as shown and designated on the Summary Plat for annexation to the City of Albuquerque of NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & SW1/4 & NW1/4 SW1/4 of Section 33, T.10N., R.4E., N.M.P.M., Bernalillo County, New Mexico, County, New Mexico on August 24, 1982, in Volume C20, Folio 24 as Document No. 82-44125 , located on Eubank Boulevard SE between Southern SE and KAFB, containing approximately 75 acres. (M-21) Makita Hill, Staff Planner





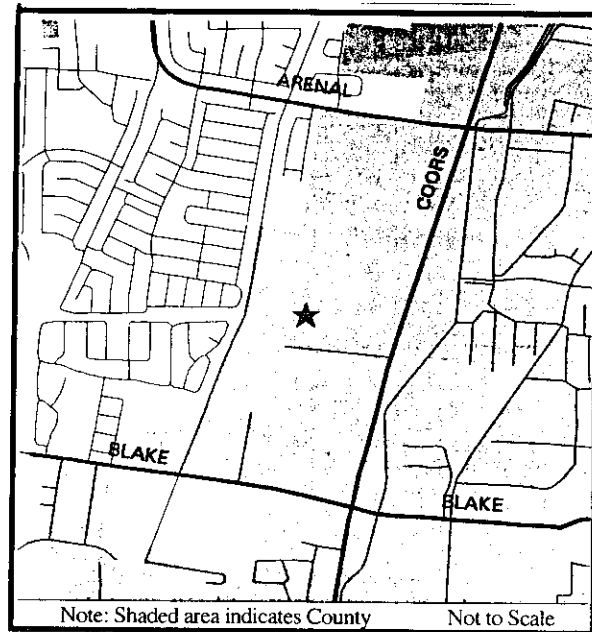
00114 00000 01742  
 00128 00000 01743  
 01110 00000 00006  
 Project #1000965

Consensus Planning, Inc., agents for Ray A. Graham III request annexation and establishment of SU-1 C-1, O-1, PRD zoning plus approval of a site development plan for subdivision purposes for a Tract of land located in the south of ½ Section 25, the east ½ and ¼ of Section 35 and the west ½ of Section 36, T11N, R2E, located on Coors Boulevard between Montano Road and Namaste Road, containing approximately 229.2 acres. (E-12, F-11, F-12) Debbie Stover, Staff Planner

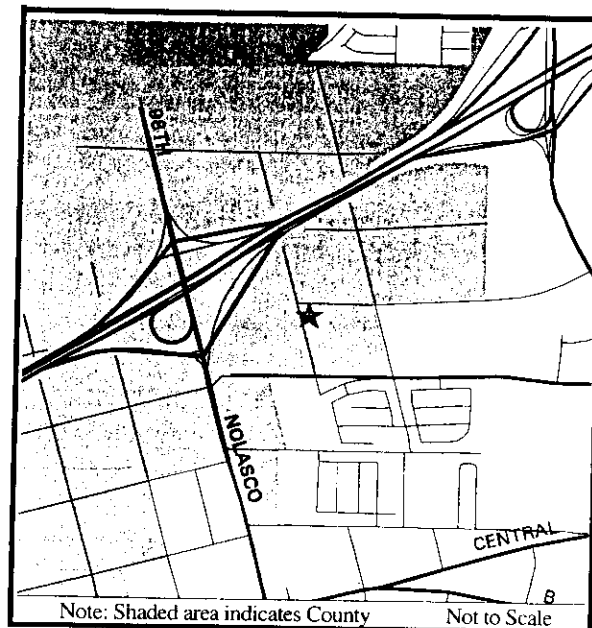


00114 00000 01763  
 00110 00000 01764  
 01110 00000 00007  
 Project #1000976

ABQ Engineering Inc., agents for Tony Sena request annexation and establishment of M-H zoning for Tract A, Lands of Tony Sena, Section 34, T10N, R2E Atrisco Grant and Lands of George Sena, Section 34, T10N, R2E and Section 3, T9N, R2E Atrisco Grant, located on Ervien Lane SW between Coors SW and the Amole Diversion Channel, containing approximately 40 acres. (M-10) Russell Brito, Staff Planner



00114 00000 01780 Consensus Planning, Inc., agents for Bluewater North LLC, Curb Inc.  
 00128 00000 01781 West and Ninety-Eighth Street Land Company LLC, request annexation  
 Project # 1000984 and establishment of SU-1 for IP and C-2 zoning plus a site  
 development plan for subdivision purposes for Tract A, B, B-38, Unit 5,  
 Block 37, Unit 5, B-36, Unit 5, B-35, Unit 5, B-34, Unit 5, Town of  
 Atrisco Grant, located on Bluewater NW between Interstate 40 and  
 Central, containing approximately 57 acres. (K-9) Loretta naranjo-  
 Lopez, Staff Planner



- 00110 00000 01778 Scott Steinberg request a zone map amendment from R-1 to M-1  
Project #1000982 for Lot A, Block 7, Unit 2, Mandell Addition #2, located on 3<sup>rd</sup> Street  
between Woodland and La Poblana, containing approximately .9 acre.  
(H-14) Loretta Naranjo-Lopez, Staff Planner
- 00110 00000 01779 James F. Crabtree, agent for Virginia Entley-Moore request a zone map  
Project #1000983 amendment from O-1 to RT for Lots 9 & 10, Block 10, Unit 3, Volcano  
Cliffs Addition, located on the south east corner of Mojave and Unser  
Boulevard between Montano and Mojave NW, containing  
approximately 1 acre. (E-10) Lola Bird, Staff Planner
- 00110 00000 01784 Consensus Planning, Inc., agents for New Mexico Activities Association  
00138 00000 01785 request an amendment to the North I-25 Sector Development Plan plus a  
Project #1000985 zone map amendment from SU-2 for O-1 to SU-2 C-1 for Lot 1-A,  
Block 12, Unit A, North Albuquerque Acres, located on the SE corner of  
San Pedro NE and Palomas NE, containing approximately 2.5 acres.  
(D-18) Debbie Stover, Staff Planner
- 01221 00000 00126 The City of Albuquerque request an amendment to the Comprehensive,  
Project #1001032 City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31)(e),  
ROA 1994, a portion of the Zoning Code to allow for concealed wireless  
telecommunication facilities as permissive. Cynthia Borrego-Archuleta,  
Staff Planner
- 01221 00000 00136 The City of Albuquerque request an amendment to the Comprehensive,  
Project #1001032 City Zoning Code Section 14-16-2-17, (11) (b) Wireless  
Telecommunications Regulations, ROA 1994, a portion of the Zoning  
Code allowing for collocation on PNM power poles restricting the size  
of the poles to not less than KV-46 poles (as defined by the City of  
Albuquerque Facilities Plan) and allowing for collocation only in  
commercial areas. Cynthia Borrego-Archuleta, Staff Planner

Elizabeth Begay, Chair  
Environmental Planning Commission

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL JANUARY 31, 2001.**

APPROVED



Russell Brito, Senior Planner  
Development Services Division, Planning Department

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION  
PROPERTY OWNERSHIP LIST

Meeting Date: Feb. 15, 61

Zone Atlas Page: M-21-2

Notification Radius: 100 Ft.

Cross Reference and Location: \_\_\_\_\_

App#	30114-0000-01727
Proj#	1000900
Other#	00110-0000-01728

Applicant: Nm State Land Office

Address: 4308 Carlisle NE, 87107

Agent: Consensus Planning, Inc.

Address: 924 Park SW, 87102

SPECIAL INSTRUCTIONS

Notices Must be mailed from the  
City 15 days prior to the meeting.

Date Mailed: \_\_\_\_\_

Signature: \_\_\_\_\_



RECORDS WITH LABELS

1021055 \*\*\* THIS UPC CODE HAS NO MASTER RECORD ON FILE PAGE 1

102105506419030122 LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN NW1/4 SW1/4 EXC N LAND USE:

PROPERTY ADDR: 00000 1800 EUBANK NE  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000

102105533032810144 LEGAL: SW O F NE CONT 40.00 AC

PROPERTY ADDR: 00000 N/A  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000  
SANTA FE NM 87501  
LAND USE:

102105519932820122 LEGAL: SE 1/4 N 1/4 SEC 33 T10N R4E CONT 40 AC

PROPERTY ADDR: 00000 EUBANK DR SE  
OWNER NAME: BOARD OF EDUCATION  
OWNER ADDR: 00000  
SANTA FE NM 87501  
LAND USE:

102105509928920110CA LEGAL: PO BOX 25704

PROPERTY ADDR: 00000  
OWNER NAME:  
OWNER ADDR: 00000  
ALBUQUERQUE NM 87125  
LAND USE:

102105503528920105CA LEGAL:

PROPERTY ADDR: 00000  
OWNER NAME:  
OWNER ADDR: 00000  
LAND USE:

102105506436220175

LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN N1/2 SW1/4 NW1/4  
PROPERTY ADDR: 00000 1600 EUBANK BLV SE  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000  
LAND USE:

102105526613040122 LEGAL: TRAC T OF LAND W1/2 SE1/4 & E1/2 SW1/4 & SW1/4 SW1/4

PROPERTY ADDR: 00000 N/A  
OWNER NAME: THE CATHEDRAL CH ST JOHN  
OWNER ADDR: 00744 MONTCLAIRE  
SANTA FE NM 87501  
LAND USE:

2105542032810124

LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE W1/2 SE1/4  
PROPERTY ADDR: 00000 N/A  
OWNER NAME: A M A F C A  
OWNER ADDR: 02600 PROSPECT  
NE ALBUQUERQUE NM 87110  
LAND USE:

05540438910123

LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE NWLY POR OF LAND USE:  
NE ALBUQUERQUE NM 87107

## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (see page two for Site Vicinity). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

- Policy d      *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*
- Policy e      *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured. "*

App# \_\_\_\_\_  
Proj# \_\_\_\_\_

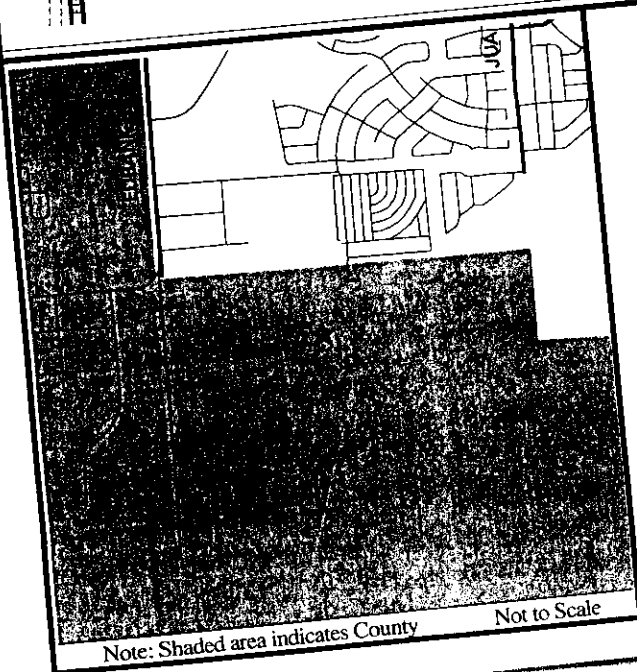
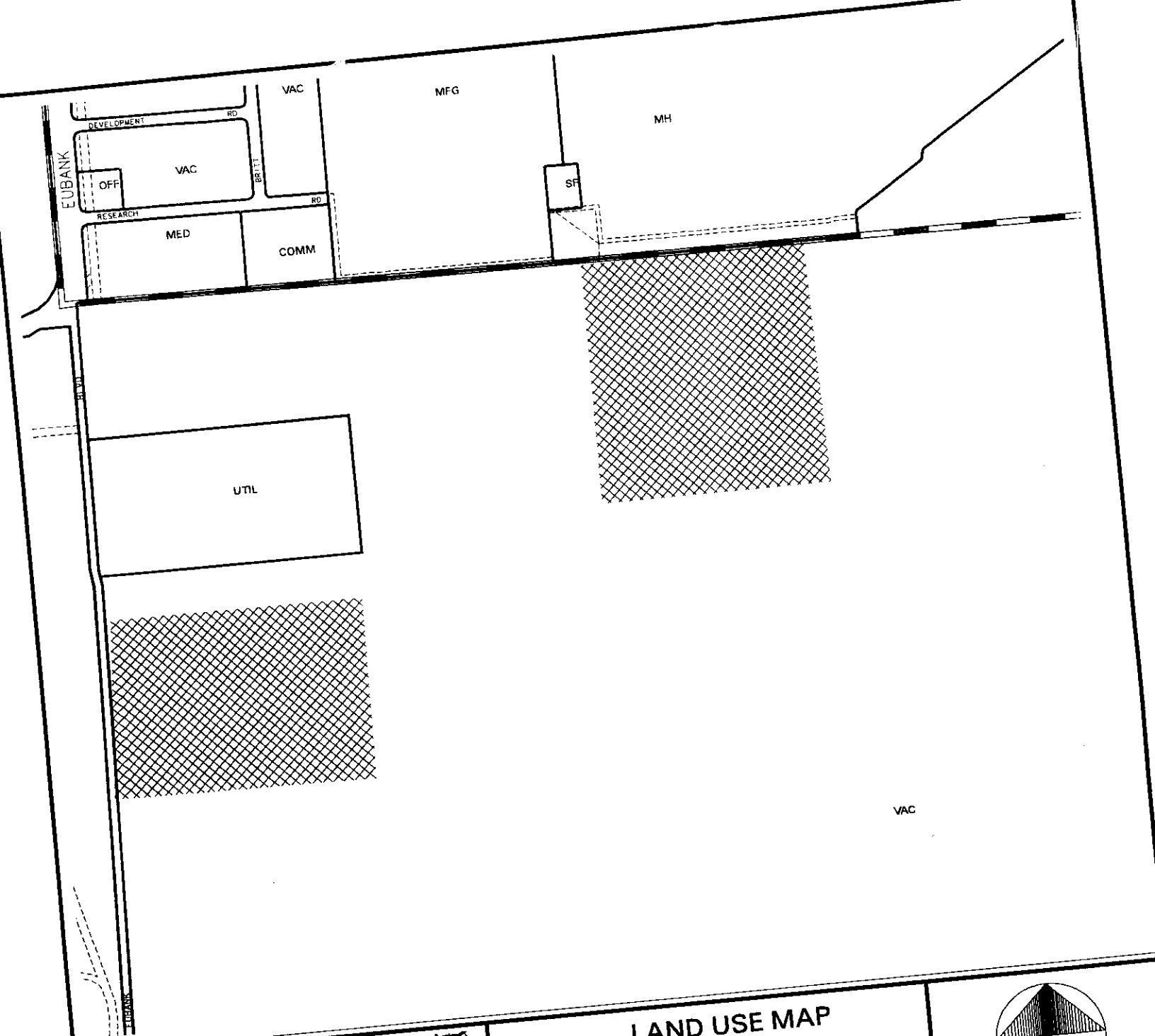
PROPERTY OWNERSHIP / LEGAL LIST

Date: \_\_\_\_\_

Page 1 of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
11-21	16316355	404.190	301.22	✓ NO
		330.328	101.44	✓ NO
		199.328	101.22	✓
		099.289		✓
		035.289	1004	✓ No Owner
		004.302	15	✓ NO
		200.130	401.22	✓
		400.328	101.24	✓
		444.359	23	✓ NO
		485.328	22	✓ NO
		451.335	25	✓ NO
		405.190	101.43	✓
		201.400		✓
11-22	16316355	455.490	10	✓
11-20	16316355	105.440	101.27	✓ NO
	1004-1001	101.44		✓

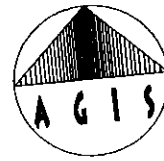




# LAND USE MAP

## KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1"= 675 '

PROJECT NO.  
1000960

HEARING DATE  
02-15-01

MAP NO.  
M-21

APPLICATION NO.  
00114-00000-017  
00110-00000-017

Note: Shaded area indicates County Not to Scale

*Memorandum of Understanding  
for the  
Sandia Science and Technology Park*

Parties to this Agreement:

Albuquerque Public Schools  
City of Albuquerque  
New Mexico State Land Office  
Sandia National Laboratories  
Science and Technology Park Development Corporation  
Shaw, Mitchell, and Mallory Limited Partnership

Executed: February 28, 2000



**SANDIA SCIENCE &  
TECHNOLOGY PARK**

1021055 \*\*\* THIS UPC CODE HAS NO MASTER RECORD ON FILE

102105506419030122 LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN NW1/4 SW1/4 EXC N LAND USE:

PROPERTY ADDR: 00000 1800 EUBANK NE  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000 PO BOX 1148 SANTA FE NM 87501

102105533032810144 LEGAL: SW O F NE CONT 40.00 AC LAND USE:

PROPERTY ADDR: 00000 N/A  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000 PO BOX 1148 SANTA FE NM 87501

102105519932820122 LEGAL: SE 1 /4 N W 1/4 SEC 33 T10N R4E CONT 40 AC LAND USE:

PROPERTY ADDR: 00000 EUBANK DR SE  
OWNER NAME: BOARD OF EDUCATION  
OWNER ADDR: 00000 PO BOX 25704 ALBUQUERQUE NM 87125

102105509928920110CA LEGAL: LAND USE:

PROPERTY ADDR: 00000  
OWNER NAME:  
OWNER ADDR: 00000

102105503528920105CA LEGAL: LAND USE:

PROPERTY ADDR: 00000  
OWNER NAME:  
OWNER ADDR: 00000

102105506436220115 LEGAL: TR O F LA ND IN SEC 33 T10N R4E IN N1/2 SW1/4 NW1/4 LAND USE:

PROPERTY ADDR: 00000 1600 EUBANK BLV SE  
OWNER NAME: STATE OF NEW MEXICO  
OWNER ADDR: 00000 PO BOX 1148 SANTA FE NM 87501

102105526613040122 LEGAL: TRAC T OF LAND W1/2 SE1/4 & E1/2 SW1/4 & SW1/4 SW1/ LAND USE:

PROPERTY ADDR: 00000 N/A  
OWNER NAME: THE CATHEDRAL CH ST JOHN  
OWNER ADDR: 00744 MONTCLAIRE NE ALBUQUERQUE NM 87110

102105542032810124 LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE W1/2 SE1/4 LAND USE:

PROPERTY ADDR: 00000 N/A  
OWNER NAME: A M A F C A  
OWNER ADDR: 02600 PROSPECT NE ALBUQUERQUE NM 87107

102105540638910123 LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE NWLY POR OF LAND USE:



PROPERTY ADDR: 00000 N/A  
OWNER NAME: JOHNSON MARY ETAL  
OWNER ADDR: 09924 COLUMBUS  
CI NW ALBUQUERQUE NM 87114

102105548532810122  
LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN THE E1/2 SE1/4 LAND USE:

PROPERTY ADDR: 00000 N/A

OWNER NAME: HAT LIMITED

OWNER ADDR: 00000 PO BOX 817 ALBUQUERQUE NM 87103

102105545133510125  
LEGAL: A TR OF LAND IN SEC 33 T10N R4E IN CENTER OF SE1/4 LAND USE:

PROPERTY ADDR: 00000 N/A

OWNER NAME: JOHNSON MARY ETAL

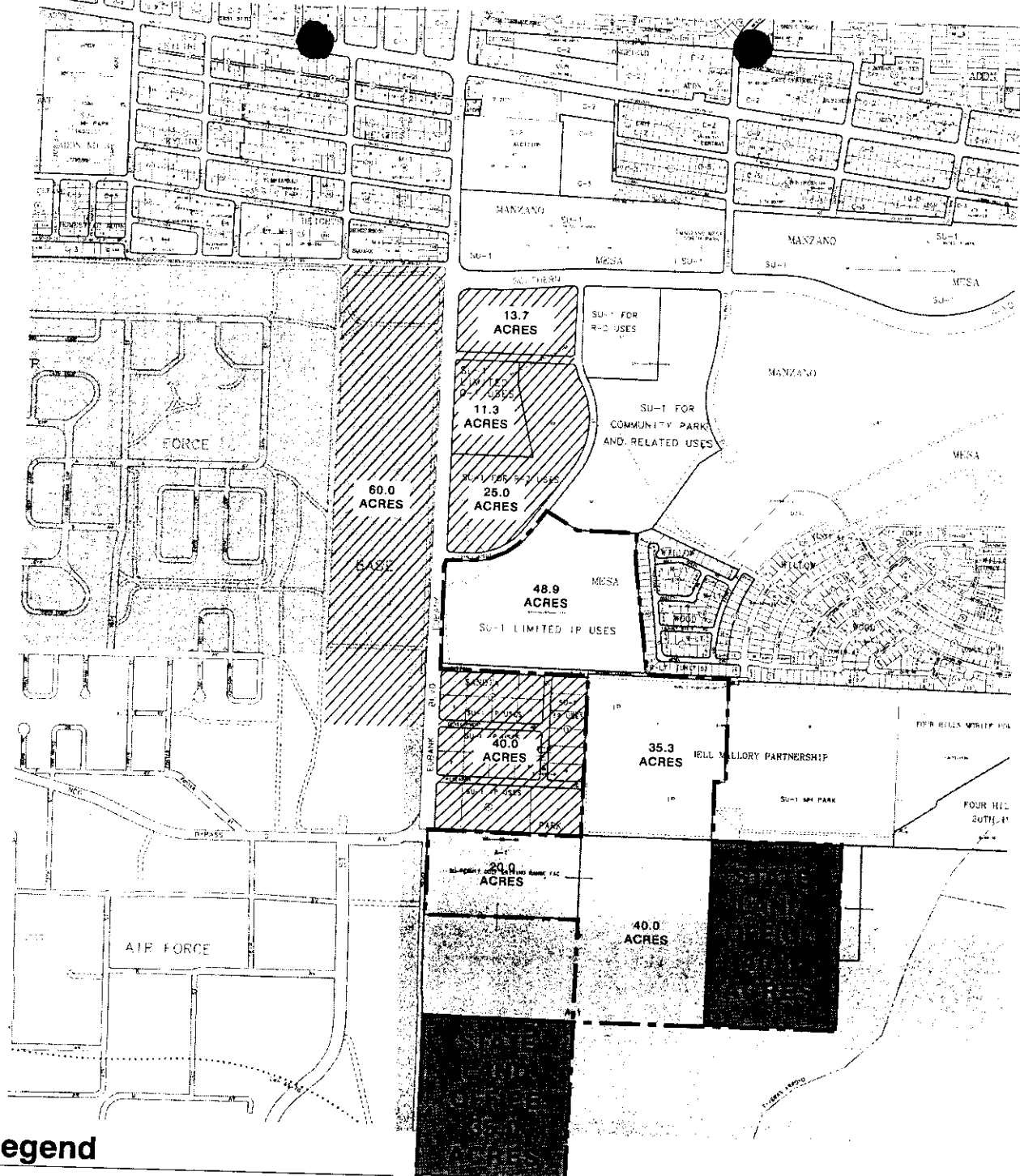
OWNER ADDR: 09924 COLUMBUS CI NW ALBUQUERQUE NM 87114



102105546519640143	LEGAL: NE1/ 4 SE 1/4 SEC 33 10N 4E CONT 40.000 AC	LAND USE:
	PROPERTY ADDR: 00000 EUBANK DR SE	
	OWNER NAME: ABRAMS HARRIET SHALIT ETAL	
	OWNER ADDR: 00000 PO BOX 726	ALBUQUERQUE NM 87103
102105526146010160	LEGAL: NE O F NW & NW OF NE CONT 80.00 AC	LAND USE:
	PROPERTY ADDR: 00000 11100 GIBSON SE	
	OWNER NAME: SHAW, MITCHELL & MALLORY	
	OWNER ADDR: 11100 GIBSON	SE ALBUQUERQUE NM 87123
102105545549010110	LEGAL: PARC EL 3 UNITS NO 1 2 3 4 & 5 FOUR HILLS MOBILE HO	LAND USE:
	PROPERTY ADDR: 00000 11840 JUAN TABO	
	OWNER NAME: FOUR HILLS PARK GROUP	
	OWNER ADDR: 00000 PO BOX 1960	NEWPORT BEACH CA 92663
102205512544020127	LEGAL: TR A BUL K LAND PLAT FOR FOUR HILLS VILLAGE 20TH	LAND USE:
	PROPERTY ADDR: 00000 N/A	
	OWNER NAME: HAT LIMITED	
	OWNER ADDR: 00000 PO BOX 817	ALBUQUERQUE NM 87103
102005566466110144	LEGAL: T10N R4E SEC 32 CONT 636.30 AC MANZANO BASE	LAND USE:
	PROPERTY ADDR: 00000 N/A	
	OWNER NAME: U S GOVERNMENT	
	OWNER ADDR: 02050 WYOMING	BL SE KIRTLAND AFB NM 87117







# Legend

- Albuquerque Public Schools
- Potential Future Parcels
- Existing Park Acreage 219.2 acres
- Park Acreage w/Potential Future Parcels 369.2 acres

## Sandia Science and Technology Park

Prepared For: Albuquerque Public Schools  
 Prepared By: Consensus Planning, Inc.  
 924 Park Avenue SW  
 Albuquerque, NM 87102



## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (*see page two for Site Vicinity*). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

Policy d      *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*

Policy e      *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured. "*

## A. INTRODUCTION

This petition for annexation and establishment of IP zoning comprises approximately 75 acres (1 35-acre parcel and 1 40-acre parcel) of land owned by the New Mexico State Land Office. They are located east of Eubank Boulevard and south of the new Emcore Corporation expansion site recently approved by the Environmental Planning Commission (EPC) and the City Council (*see page two for Site Vicinity*). This request is being made simultaneously with an adjacent petition for annexation and establishment of zoning on 40 acres owned by the Albuquerque Public Schools.

This property will be included in the approximately 219 acre Sandia Science and Technology Park, a campus-style, high technology, research park. This request seeks to establish IP zoning, consistent with adjacent zoning on the Emcore expansion site and other parcels within Manzano Mesa. It will be bound by a Master Development Plan being created by Consensus Planning for the Sandia Science and Technology Park (SSTP) and scheduled to be submitted to the EPC in January, 2001. It will also adhere to the requirements of the Memorandum of Understanding between the City of Albuquerque, APS, State Land Office, Sandia National Laboratories, private landowners, and Science and Technology Park Development Corporation (STPDC).

In 1981, this property was included in a petition for annexation for 487.46 acres (AX-80-21; Z-80-96). The EPC recommended approval of the annexation, finding that the annexation complied with City policies. Final action by City Council did not include this portion of the annexation request and the land remained in Bernalillo County. The 40-acre parcel included in this request includes an old City landfill. As part of the Master Development Plan process, the consultants will work with City staff regarding development on or near the landfill.

## B. APPLICABLE PLANS AND POLICIES

### 1. Albuquerque/Bernalillo County Comprehensive Plan

The site is located within the Developing Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. Goals and policies applicable to this request are listed below:

#### Established and Developing Urban Areas

"The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visual pleasing built environment."

Policy d      *"The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern."*

Policy e      *"New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured. "*





**Sandia Science and  
Technology Park**

Consensus Planning, Inc.  
924 Park Avenue SW  
Albuquerque, NM 87102



NORTH

200 0 400 800 FEET

March 28, 2050



Policy i        *"Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments."*

Policy l        *"Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area."*

**Applicant Response:**

These 75 acres will provide the economy of scale needed for the type of research and development park planned. The desire is to create a high quality, campus-style park that would accommodate manufacturing and office uses, and will be complementary to the adjacent residential, commercial, and community uses. The Master Development Plan being created for the SSTP will include detailed design guidelines for pedestrian accessibility, vehicular circulation, architecture, landscape, FARs, parking, lighting, etc.

**Economic Development Policies**

"The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals."

Policy a        *"New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need."*

Policy f        *"The City and the County should remove obstacles to sound growth management and economic development throughout the community."*

Policy g        *"Concentrations of employment in activity centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel."*

**Applicant Response:**

The land uses proposed will support the development of the SSTP, a major employment center capable of attracting well paying, high technology employment. The SSTP will provide a needed balance to the large amount of residential development occurring to the north and east, the commercial development to the north (Costco and Home Depot), and the community uses to the north. It has enormous potential to reduce vehicle trips traveled in this area.

**2. Trails & Bikeways Facility Plan**

The Trails & Bikeways Facility Plan is a Rank II Plan which recommends development standards, identifies specific site locations, and sets of priorities for the use of public funds for planning multi-use trail systems throughout the City. The Plan identifies a planned primary trail along Southern Avenue and proposes a secondary trail located along Eubank Boulevard from the KAFB north gate.

The consultants have already met with Diane Scena, City Trails Coordinator regarding trails around the SSTP. The Proposed Trail Map shows a connection through the SSTP





between Eubank and an existing mountain bike trail along the Tijeras Arroyo and south of the Shaw Mobile Home Park to the east. The existing bike trail connects to Juan Tabo.

The applicant understands that the City would like a trail connection created between the existing trail through the SSTP to Eubank. These trails are intended to serve regional bicycle commuters and local residents, and can either be located within rights-of-way for roads or in separate trail easements. The trail will most likely need to line up with the road and access easement along the southern boundary of the Emcore site.

### **3. Resolution 270-1980**

- A. This petition for annexation and establishment of IP zoning is consistent with the health, safety, morals, and general welfare of the City. Addition of these two parcels to the SSTP will create the economy of scale and critical mass needed to make the Park the single most important economic development project in the City of Albuquerque. The Park is intended to attract users in the high technology sector that will bring high paying jobs to the region. It will also help support Sandia National Lab's focus on technological commercialization.
- B. This request recognizes that stability of land use and zoning is desirable. The proposed zoning, IP, is consistent with adjacent parcels and will help stabilize land use in the area for the development of the SSTP, a major employment center. The proposed zoning is clearly more beneficial to the community than the existing County A-1 zoning, and will not be harmful to adjacent property, the neighborhood, or the community.
- C. This zone map amendment request is not in conflict with adopted City plans or policies. Rather, it is consistent with the goals and policies of the City of Albuquerque/Bernalillo County Comprehensive Plan regarding economic development and employment opportunities. The SSTP will "provide the opportunity for a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in transportation, work areas, and lifestyles while creating a visually pleasing built environment".

The SSTP will be designed to promote alternative transportation modes. Pedestrian and bicycle access will be given high priority, and transit options will be explored with City Transit staff.

- D2. **Changed Neighborhood Conditions** - Substantial changed neighborhood conditions exist in this area. Numerous zone map amendments, annexations, and site plan approvals have occurred in this area over the past 3-4 years. Manzano Mesa, a master plan area comprising commercial, office, park, and multi-family and single family residential uses, has been developing at a rapid pace with a variety of projects. Also, the creation of the SSTP development process occurred with the signing of the Memorandum of Understanding in February, 2000, which significantly changed development conditions for this area. These changed conditions include:



**Office/Industrial Uses**

Emcore Corp, a high technology user located within the SSTP and serving as its anchor, recently received approval by the City Council for annexation and establishment of IP zoning on a 20 acre parcel to the north. The request also included approval of a master development plan. The plan is for a multi-million dollar expansion of its Albuquerque operation, which involves the manufacture of material for semiconductors. Adding to its existing 50,000 square foot building, Phase 1 will include a two-story, 36,000 square foot building. It is anticipated to create 200 new jobs. Phase 2 will include a 58,000 square foot building, anticipated to create another 400 new jobs.

**Commercial Uses**

Two major commercial developments have occurred in this area. Costco Wholesale retail store, comprising 152,000 square feet, recently opened just north of Southern Boulevard and adjacent to Eubank Boulevard. In this case, the EPC approved a zone map amendment from SU-1 for Limited IP purposes to SU-1 for C-2 (Z-99-136). Home Depot is located north of Costco and has been in operation for two years.

**Residential Uses**

Residential development in the area has included Willow Wood and Mirabella, both single family residential communities to the east of this property. In addition, a zone map amendment is being requested by GSL Properties, Inc. on the property just to the north of the SSTP. This request involves a rearrangement of land uses to allow office development adjacent to the SSTP on the north and relocates the multi-family residential further to the north. The site plan proposes a total of 504 dwelling units.

**Community Uses**

Located north of the SSTP, Manzano Mesa Community Park is zoned SU-1 for Community Park and Related Uses and has been developing for the last four years. Manzano Mesa Multi-Generational Center, to be located in the northeast corner of the park, is currently planned to start construction in January, 2001. APS is also planning a new elementary school north of the SSTP.

- E. The proposed uses will not be harmful to the adjacent properties, the neighborhood, or the community. It will benefit both the immediate and the greater community by creating a major employment center adjacent to Sandia Labs. The intent is to design a high quality research and development park with rigorous design guidelines for all potential tenants.
- F. The proposed zone map amendment will not require major or unprogrammed capital expenditures by the City. The SSTP project team has held meetings with representatives from the Planning Department, Public Works, Parks and Recreation, and Environmental Health to introduce the project and to review the Memorandum of Understanding. Additional coordination meetings are planned. The City has identified funding for improvements to Eubank Boulevard including expansion to six lanes, landscaping, and sidewalks. The STPDC has just started an RFQ/RFP process



to solicit interest in the project from potential master developers.

- G. Economic factors are not the determining factor for this petition for annexation and establishment of zoning. This parcel will help build the economy of scale needed to make the SSTP a successful research and development park, capable of employing up to 10,000 people in high paying jobs.
- H. This request recognizes that the location of this property close to Eubank Boulevard (a principal arterial) is not by itself a justification for zone map amendment. However, a research and development park of this scale (219 acres) requires a major facility to provide adequate access.
- I-J. This request does not constitute a spot or strip zone since adjacent IP zoning already exists and has been recently approved by City Council for the Emcore site. Further, this site will be incorporated into a 219 acre IP site and will not be a stand-alone parcel.

#### **4. Resolution 54-1990**

Resolution 54-1990 provides City policies and requirements for annexation. Land proposed for annexation shall be generally contiguous to City boundaries, be accessible to City services, and provide for convenient street access. The land must be appropriate for urban development and must be beneficial to public welfare. In addition, the applicant must agree to timing of capital expenditures for any major streets, water, and sanitary sewer.

#### **Applicant Response:**

This property meets the requirements of Resolution 54-1990 by being contiguous with City boundaries, accessible to City services, and having convenient access to the street network including Eubank, a principal arterial planned for expansion to six lanes. A pre-annexation agreement is not necessary since the City Utility Division has already stated that the property is serviceable. The City has identified the annexation of Developing Urban areas as designated by the Comprehensive Plan as desirable.

#### **5. Resolution 91-1998 (R-70)**

Resolution 91-1998 (R-70) establishes an overall direction for implementation of the City's growth policies. The framework emphasizes many elements, many of which are covered by this request.

The area is emerging as a major activity center that will include many opportunities for employment, residential, commercial, and community uses. The SSTP is consistent with City goals for creating a network of centers and corridors. The residential areas to the east of the site and the multi-family residential planned by GSL Properties, Inc. just to the north provide a good balance to the SSTP.

Eubank, a principal arterial, has been long planned for expansion to six lanes. This, along with the ability to provide links to the City's trail system through the SSTP, will encourage alternative modes of transportation and less dependence on single occupancy vehicles, and will facilitate the reduction of vehicle miles traveled.



### C. CONCLUSION

- This request is for annexation and establishment of IP zoning for 75 acres as part of the Sandia Science and Technology Park. Annexation of this site is consistent with the policies in R-54-1990. This site is designated as Developing Urban by the Comprehensive Plan and the City has determined that annexation of these areas is desired and encouraged. The site is fully serviceable with City of Albuquerque infrastructure.
- This request is consistent with the Comprehensive Plan policies regarding economic development and employment opportunities. The SSTP is envisioned to be a campus-style, high technology, research and development park.
- There are substantial changed neighborhood conditions brought on by single family and multi family residential, commercial, industrial, and community related development in the area, as well as the adoption of the Memorandum of Understanding for the SSTP. The EPC recommended approval for annexation and establishment of IP zoning for a 20 acre parcel to be developed by Emcore Corporation, a high technology user located within the SSTP and projected to provide 600 jobs. GSL Properties, Inc. is also requesting a zone map amendment and reconfiguration of land uses to the north of this site so that additional O-1 uses are contiguous to the park. Other changed conditions include commercial development anchored by a newly opened Costco and Home Depot; development of Manzano Mesa Community Park; Manzano Mesa Multi-Generational Center; and single family residential development to the east of the site at Willow Wood and Mirabella Subdivisions.
- The area is emerging as a major employment center, characterized by a mix of uses that will help reduce vehicle miles traveled and provide residents with many employment opportunities close to where they live, consistent with policies contained in R-70.

Based upon these reasons, we respectfully request that the Environmental Planning Commission approve this request.





**COMMISSIONER'S OFFICE**

Phone (505) 827-5760  
Fax (505) 827-5766

**ADMINISTRATION**

Phone (505) 827-5700  
Fax (505) 827-5853

**GENERAL COUNSEL**

Phone (505) 827-5713  
Fax (505) 827-4262

**PUBLIC AFFAIRS**

Phone (505) 827-1245  
Fax (505) 827-5766



**New Mexico State Land Office  
Commissioner of Public Lands  
Ray Powell, M.S., D.V.M.**

**COMMERCIAL RESOURCES**

Phone (505) 827-5724  
Fax (505) 827-6157

**MINERAL RESOURCES**

Phone (505) 827-5744  
Fax (505) 827-4739

**ROYALTY MANAGEMENT**

Phone (505) 827-5772  
Fax (505) 827-4739

**SURFACE RESOURCES**

Phone (505) 827-5793  
Fax (505) 827-5711

Friday, November 17, 2000

Chuck Gara, Chairman  
Environmental Planning Commission  
600 2<sup>nd</sup> St NW, Plaza del Sol  
Albuquerque, NM

Re: Request for Annexation, Request for IP Zoning

Dear Chairman Gara:

This letter serves as authorization from the Commissioner of Public Lands for Consensus Planning to act as agents for the State Land Office in seeking approval of an annexation petition and establishment of zoning for two parcels totaling approximately 75 acres. These two parcels will be covered by the master development plan for the Sandia Science and Technology Park. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Relkin", is written over a horizontal line.

Harry Relkin

Assistant Commissioner for Community Development





**City of Albuquerque**  
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

**INTER-OFFICE CORRESPONDENCE**

**DATE:** December 13, 2000  
**TO:** Fred Aguirre, City Engineer, Public Works Department  
**FROM:** Marcia A. Pincus, Environmental Engineer, Albuquerque Environmental Health Department  
**SUBJECT:** Annexation of New Mexico State Land Office Sites – Two Tracts (40 Acres and 35 Acres).

It is Albuquerque Environmental Health Department's (AEHD) understanding that during this phase of development of the referenced New Mexico State Land Office sites, the two tracts - 40 acres and 35 acres are being petitioned for annexation to the City. Since this phase of development is an administrative process, AEHD recommends that the planning and development process proceed assuming all other city requirements have been satisfied as required by the Planning Department.

When physical development (grading, construction of utilities/facilities) of the site is planned, the developer/owner will be required to follow the "Interim Guidelines for Development within 1000 feet of Landfills (revised August 29, 2000)".

cc: Kevin Curran, Legal Department  
Janet Cunningham, Planning Department  
Lenora Chavez, Planning Department  
Bruce Thompson, Legal Department  
Jacqueline Fishman, Consensus Planning, Inc.

-----



## City of Albuquerque

**PLEASE NOTE:** The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

November 17, 2000

Planning Department  
Plaza Del Sol Building  
600 Second St. NW  
Second Floor (924-3860)

This letter will serve to notify you that on November 17, 2000:

**CONTACT NAME:** JOHN VALDEZ

**COMPANY OR AGENCY:** CONSENSUS PLANNING  
924 PARK AVENUE SW/87102  
PHONE: 764-9801/FAX: 842-5495

contacted the Office of Community and Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at S33, T10N, R4E, WN ¼ AND S33, T10N, R4E, SW ¼, NE ¼ zone map page(s) M-21.

Our records indicate that as of November 17, 2000, there were no Recognized Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914.

Sincerely,

*Stephani Winklepleck*

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningnrnaform(11/5/98)



# City of Albuquerque



## DEVELOPMENT REVIEW APPLICATION

Supplemental form		Supplemental form	
<b>SUBDIVISION</b>	<b>S</b>	<b>ZONING</b>	<b>Z</b>
<input type="checkbox"/> Major Subdivision Plat		<input checked="" type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision Plat		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	<b>V</b>	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
		<input type="checkbox"/> Special Exception	<b>E</b>
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>	<b>APPEAL / PROTEST of...</b>	<b>A</b>
<input type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: Planning Director	
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> or Staff, DRB, EPC, Zoning Board of	
<input type="checkbox"/> IP Master Development Plan		<input type="checkbox"/> Appeals, LUCC	
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	<b>L</b>		

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICANT INFORMATION:

NAME: NM State Land Office PHONE: 841-8705  
 ADDRESS: 4308 Carlisle NE FAX: 841-8703  
 CITY: Albuquerque STATE NM ZIP 87107 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner  
 AGENT (if any): Consensus Planning, Inc. PHONE: 764-9801  
 ADDRESS: 924 Park SW FAX: 842-5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cpcconsensusplanning.com  
 DESCRIPTION OF REQUEST: Annexation and Establishment of Zoning

### SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. S33, T10N, R4E, NW1/4, SW 1/4 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv. / Addn. S33, T10N, R4E, SW1/4, NE 1/4  
 Current Zoning: A-1 Proposed zoning: IP  
 Zone Atlas page(s): M-21 No. of existing lots: 1 No. of proposed lots: 1  
 Total area of site (acres): 40; 35 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: \_\_\_\_\_  
 Within city limits? Yes ☒ No ☐ but site is within 5 miles of the city limits (DRB jurisdiction.)  
 UPG No. 102105533032810144; 102105506419030122 Within 1000FT of a landfill? Yes  
 LOCATION OF PROPERTY BY STREETS: On or Near: Eubank Blvd. SE MRGCD Map No. \_\_\_\_\_  
 Between: Southern and KAFB

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): \_\_\_\_\_

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ , or Pre-application Review Team ☐ . Date of review: \_\_\_\_\_

SIGNATURE Jacqueline Fishman DATE 11/20/00  
 (Print) JACQUELINE FISHMAN \_\_\_\_\_  
 \_\_\_\_\_ Applicant ☒ Agent

### FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>00114 - 00000 - 01727</u>	<u>Annex</u>	<u>Z</u>	\$ <u>0</u>
<input type="checkbox"/> All fees have been collected	<u>00110 - 00000 - 01728</u>	<u>E-72</u>	<u>Z</u>	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>2-15-01</u>			Total \$ <u>0</u>

J. Chaz 12/14/00  
 Planner signature / date

Project # 1000960

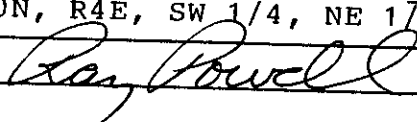
Form revised September 2000





# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION  
S33, T10N, R4E, NW 1/4, SW 1/4; S33, T10N, R4E, SW 1/4, NE 1/4
2. TOTAL ACREAGE OF AREA: 75 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguous with municipal boundary; City able to provide services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
**THE APPLICANT(S) AND CITY AGREE THAT:**
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S):
  - A. OWNER NM State Land Office PHONE 841-8705  
MAILING ADDRESS 4308 Carlisle NE Alb. NM ZIP CODE 87107  
LEGAL DESCRIPTION OF PROPERTY OWNED: S33, T10N, R4E, NW 1/4, SW 1/4  
S33, T10N, R4E, SW 1/4, NE 1/4  
SIGNATURE  ACREAGE 75 acres
  - B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_
  - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_



# PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION S 1/2, SW 1/4, NW 1/4 and northerly 140 ft. of NW 1/4, Section 33, T10N, R4E  
(see attached)
2. TOTAL ACREAGE OF AREA: 24.4972
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE  
Contiguity with municipal boundary; availability of municipal services; forms logical municipal boundary
4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:  
**THE APPLICANT(S) AND CITY AGREE THAT:**
  - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
  - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
  - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.  
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish IP zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.
7. SIGNATURE(S): Public Service Company of NM  
A. OWNER Public Service Company of NM PHONE 241-2564  
MAILING ADDRESS Alvarado Square ZIP CODE 87158  
LEGAL DESCRIPTION OF PROPERTY OWNED: S 1/2, SW 1/4, NW 1/4 and northerly 140 ft. of NW 1/4, Section 33, T10N, R4E (see attached)  
SIGNATURE [Signature] ACREAGE 24.4972  
B. OWNER \_\_\_\_\_ PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY OWNED \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ ACREAGE \_\_\_\_\_  
C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

EPC HEARING DATE \_\_\_\_\_

ANNEXATION CASE NO: AX- \_\_\_\_\_

ZONING CASE NO: Z- \_\_\_\_\_



FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

☒ **ANNEXATION AND ESTABLISHMENT OF ZONING**

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)  
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.  
☒ Letter briefly describing, explaining, and justifying the request  
☒ Letter of authorization from the property owner if application is submitted by an agent  
☒ Property Boundary Survey prepared by a licensed professional surveyor  
☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
☒ Sign Posting Agreement  
☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form  
☒ Fee (see schedule)  
☐ Any original and/or related file numbers are listed on the cover application  
EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ **SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW** (Unadvertised)

☐ **SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL** (Public Hearing)

☐ **SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF** (Unadvertised)

- ☐ Copy of findings from required pre-application meeting (for the DRB conceptual plan review only)  
☐ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)  
☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)  
☐ Letter briefly describing, explaining, and justifying the request  
☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
(for EPC final review and approval public hearing only)  
☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form  
(for EPC final review and approval public hearing only)  
☐ Fee for final review and approval only (see schedule)  
☐ Any original and/or related file numbers are listed on the cover application  
Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

☐ **AMENDMENT TO ZONE MAP (ZONE CHANGE)**

- ☐ Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)  
☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)  
☐ Letter briefly describing, explaining, and justifying the request  
NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"  
☐ Letter of authorization from the property owner if application is submitted by an agent  
☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
☐ Sign Posting Agreement  
☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form  
☐ Fee (see schedule)  
☐ Any original and/or related file numbers are listed on the cover application  
EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ **AMENDMENT TO SECTOR DEVELOPMENT PLAN**

- ☐ Proposed Amendment referenced to the materials in the sector plan being amended  
☐ Sector Plan to be amended with materials to be changed noted and marked  
☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)  
☐ Letter briefly describing, explaining, and justifying the request  
☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form  
☐ Fee (see schedule)  
☐ Any original and/or related file numbers are listed on the cover application  
EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ **AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT**

- ☐ Amendment referenced to the sections of the Zone Code being amended  
☐ Sections of the Zone Code to be amended with text to be changed noted and marked  
☐ Letter briefly describing, explaining, and justifying the request  
☐ Fee (see schedule)  
☐ Any original and/or related file numbers are listed on the cover application  
EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

JACQUELINE FISHMAN

Applicant name (print)

*Jacqueline Fishman* 11/20/00

Applicant signature / date

Form revised September 2000



- ☐ Checklists complete  
☐ Fees collected  
☐ Case #s assigned  
☐ Related #s listed

Application case numbers

00114 - 00000 - 01727  
00110 - 00000 - 01728

Planner signature / date

*J. Chaz* 12/14/00

Project # 1000960

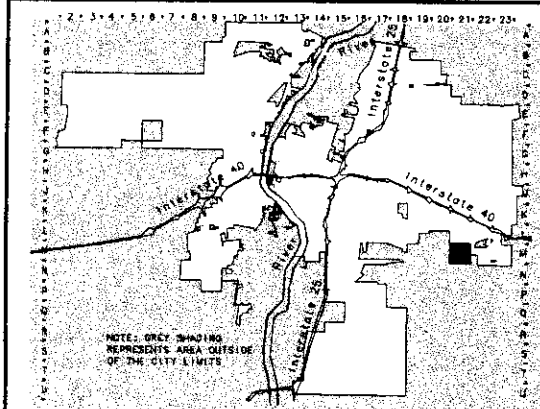
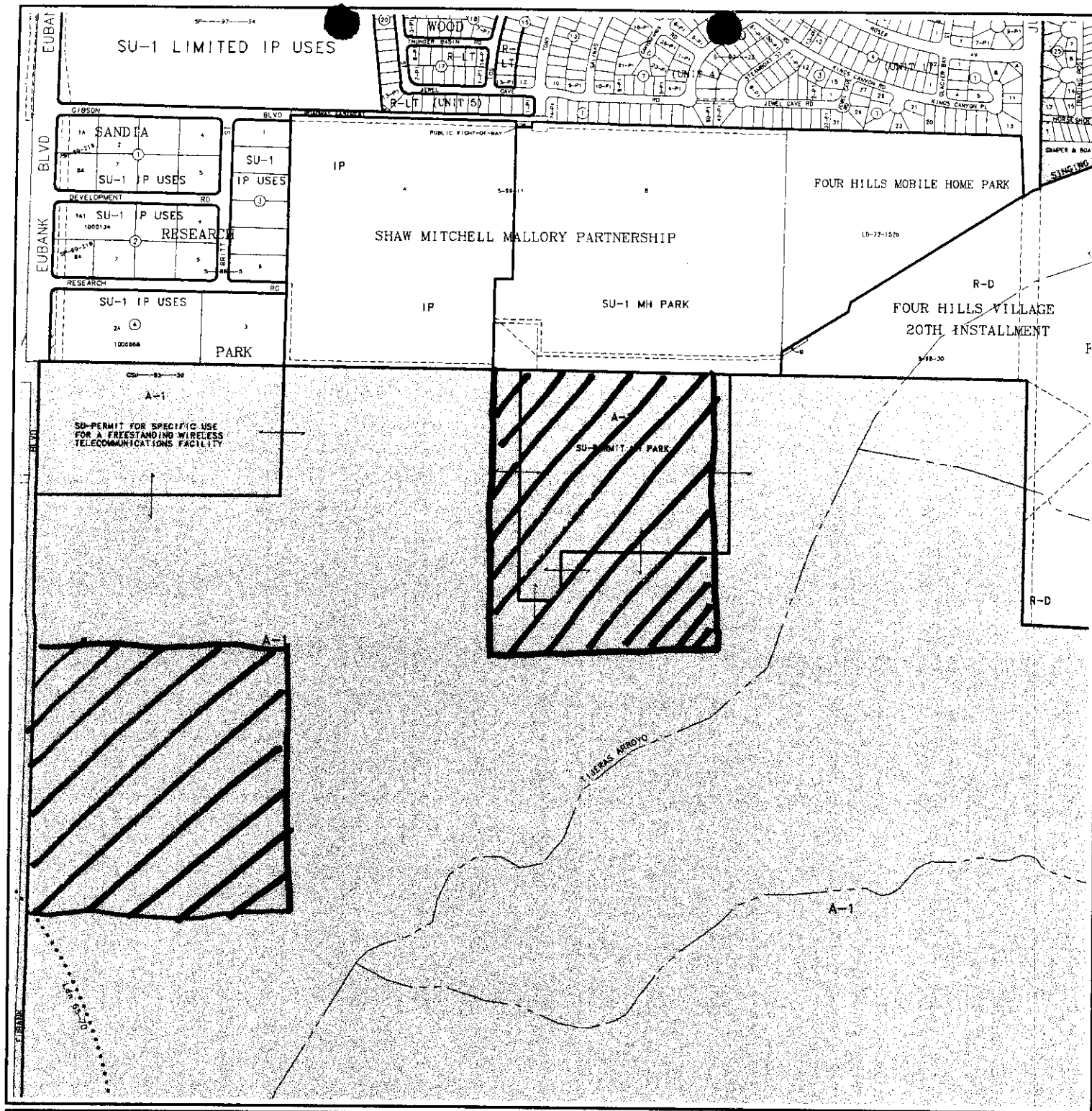


DESCRIPTION

A certain tract of land containing 24.4972 acres and situate being the S1/2 SW1/4 NW1/4 together with the northerly 140 feet of NW1/4 NW1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and also being the same as the Public Service Sub-Station tract as shown and designated on the SUMMARY PLAT FOR ANNEXATION TO THE CITY OF ALBUQUERQUE OF NW1/4 NE1/4, S1/2 NE1/4, NW1/4 & NW1/4 & NW1/4 SW1/4 OF SECTION 33, T.10N., R.4E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, recorded in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1982 in Volume C20, Folio 24 as Document No. 82-44125





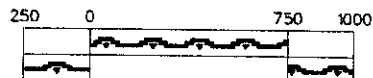


CITY OF  
Albuquerque

**A**lbuquerque **G**eographic **I**nformation **S**ystem  
PLANNING DEPARTMENT

© Copyright 2000

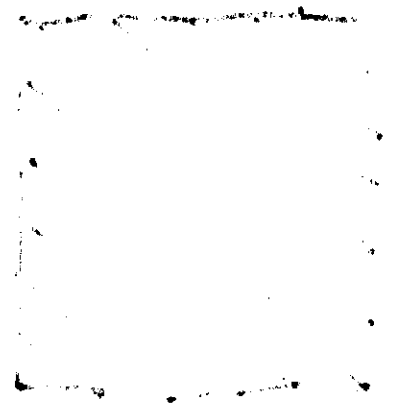
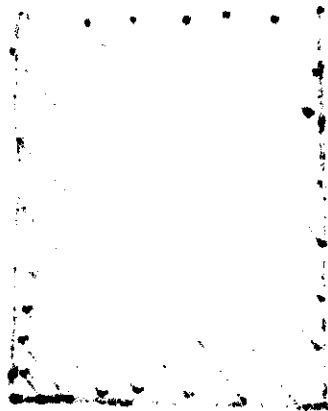
GRAPHIC SCALE IN FEET



**Zone Atlas Page**

**M-21-Z**

Map Amended through August 15, 2000



-----

## SIGN POSTING REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of way (if the way has been in use) also require signs. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 Planning Division at a charge of \$3.00 each.

#### 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 two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order 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 1-31-01 to 2-15-01

#### 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 days after the initial hearing.

I have read this sheet and discussed it with the Planning Division 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.

X [Signature] 12-14-00  
(Applicant or Agent) (Date)

I issued 1 signs for this application, 1214-00 Z. Chaz  
(Date) (Staff Member)

CASE NUMBER 1080960

DD114-0000001727  
DD110-0000001728