

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-196 ENACTMENT NO. _____

SPONSORED BY: Pat Davis, by request

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RESOLUTION

2

AMENDING THE LEVEL A COMMUNITY FRAMEWORK PLAN FOR MESA DEL

3

SOL TO CHANGE THE ALLOWABLE MAXIMUM BUILDING HEIGHT FROM 80-

4

FEET TO 110-FEET AND ALLOW NR-GM LAND USES ON SPECIFIC

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PROPERTIES IN THE EMPLOYMENT CENTER ON A CASE-BY-CASE BASIS AS

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APPROVED BY THE EPC.

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WHEREAS, Mesa del Sol includes approximately 13,000 acres, located east

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of Interstate 25, south of the Tijeras Arroyo, west of Kirtland Air Force Base

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and north of the Pueblo of Isleta; and

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WHEREAS, the Level A Community Framework Plan for Mesa del Sol (the

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“Level A Plan”) covers these approximately 13,000 acres; and

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WHEREAS, the City Council adopted the Level A Community Framework

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Plan in January 2006 (Enactment R-2006-005); and

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WHEREAS, the Level A Plan is considered a framework plan by the

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Integrated Development Ordinance (IDO); and

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WHEREAS, the IDO establishes a process for amendments of prior

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approvals in 14-16-6-4(Y); and

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WHEREAS, the request to change the text of the Level A Plan and

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corresponding tables and maps constitute a Major Amendment to a

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prior approval; and

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WHEREAS, Major Amendments return to the original approving body, and

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the City Council is the original approving body for the Level A Plan; and

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WHEREAS, the Environmental Planning Commission (EPC), in its advisory

[Bracketed/Underscored Material] - New
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1 role on land use and planning matters, heard the case at its September 21,
2 2023 regular hearing and voted to forward a recommendation of approval to
3 the City Council regarding the Level A Plan amendment; and

4 WHEREAS, since the Level B Community Framework Plan (the “Level B
5 Plan”) must also be amended to reflect the changed land use designation, the
6 EPC also heard corresponding amendments to the Level B Plan at its
7 September 21, 2023 regular hearing; and

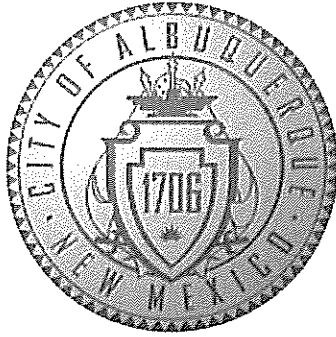
8 WHEREAS, the EPC approved the Level B Plan in February 2006 and is the
9 original approving body; and

10 WHEREAS, the EPC has decision-making authority over the Level B Plan
11 and approved the corresponding amendments at its September 21, 2023
12 public hearing.

13 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
14 ALBUQUERQUE

15 SECTION 1. The Mesa del Sol Level A Community Framework Plan is
16 hereby amended to change the allowable maximum building height for the
17 Employment Center as depicted in the record from 80- feet to 110- feet and to
18 add allowable uses in the NR-GM zone district on specific properties as
19 depicted in the record as approved by the EPC on case-by-case basis.

20 SECTION 2. The findings of the EPC as specified in the Official Notice of
21 Decision dated September 21, 2023 are accepted and the conditions have been
22 or will be adequately addressed at the time of development.
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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

November 17, 2023

TO: Pat Davis, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: Project# 2023-008498, SI-2023-01500 – Site Plan EPC- Major Amendment, Text Amendments to the Mesa del Sol Level A Framework Plan (approximately 13,000 acres). Staff Planner: Megan Jones, Senior Planner

Request

The request is for text amendments to the Mesa del Sol Level A Framework Plan (the “Level A Plan”), which contains approximately 13,000 acres situated in the southeastern portion of the City and south of the Albuquerque International Sunport.

The text amendments pertain to the Employment Center (EC), an approximately 1,980-acre area located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers (the “subject site”).

The proposed amendments would modify the text of the Level A Plan as follows:

1. Add the IDO NR-GM zone district as an allowable land use district in Table 7-1 Permissive Uses by Land Use District with a note stating that land uses under the NR-GM zone district would only be allowed on specific parcels on a case-by-case basis as approved by the EPC. The uses would be pursuant to IDO 14-16-4-3 Use Specific Standards.
2. Amend Table 7-2 Development Standards to state that the maximum height in the Employment Center is allowed up to 110 feet on a case-by-case basis with EPC approval of amendments to the Level B Plan. Unless approved by the EPC, all buildings will remain at a maximum height of 80 feet.

The Level A Plan would reflect these changes in Table 7-1 Permissive Uses by Land Use District and Table 7-2 Development Standards (page 74 of the plan).

Background

On September 21, 2023 the EPC approved text amendments to the Level B Framework Plan. The amendments modified the allowable maximum building height and allowable uses on Tract D-1-

A, containing approximately 30-acres in the Employment Center as follows:

- 1) increased the maximum allowable height from 80-feet to 110-feet, and
- 2) made Heavy and Special Manufacturing uses permissive on the subject site, which are subject to IDO 14-16-4-3 Use Specific Standards.

This specific request will facilitate the expansion of the existing industrial facility on the site, which is utilized for Nuclear Power research and development. The requested land uses would allow manufacturing on site and the height increase would allow the development of a 100+ foot tower for production purposes.

Environmental Planning Commission (EPC) Role

Pursuant to IDO 14-16-6-4(Y)(3), all amendments that do not qualify as minor may only be approved by the decision-making body that issued the approval being amended. The Level A Plan was heard by the Environmental Planning Commission (EPC) as a recommending body and subsequently approved by the City Council in 2006. In the Integrated Development Ordinance (IDO) framework, the request is classified as a Major Amendment. Major Amendments return to the original approving body, which in this case is the City Council [14-16-6-4(Z)(2)].

The task of the EPC is to review the proposed text amendments to the Level A Plan and make a recommendation to the City Council. The EPC is a recommending body with review authority. The City Council is the City's final approval body for this request.

Neighborhood/Public

The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject area as required.

A pre-submittal neighborhood meeting was held on July 7, 2023, and community members were opposed to increasing the allowable building heights in the entire Employment Center to 110-feet. This opposition was mitigated through the clarification of the request to only allow building heights up to 110-feet on a case-by-case basis as approved by the EPC.

Conclusion

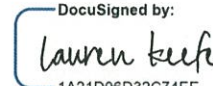
At its September 21, 2023 regular hearing, the EPC voted to forward a recommendation of approval to the City Council regarding PR-2023-008498, SI-2023-01500, Text Amendments to the Mesa del Sol Level A Framework Plan. The EPC forwarded 5 conditions for recommendation of approval, which have not been addressed as of this writing.

The full record of the hearing is being transmitted via this memo.

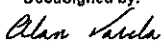
Approved:

 11/27/23
Samantha Sengel Date
Chief Administrative Officer (CAO)

Approved as to Legal Form:

DocuSigned by:
 11/22/2023 | 8:19 AM MST
1A21D96D32C74EE
Lauren Keefe Date
City Attorney

Recommended:

DocuSigned by:
 11/21/2023 | 1:06 PM MST
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Alan Varela Date
Planning Director

Cover Analysis

1. What is it?

This request is for text amendments to the Mesa del Sol Level A Framework Plan (the “Level A Plan”), which contains approximately 13,000 acres situated in the southeastern portion of the City and south of the Albuquerque International Sunport.

The text amendments pertain to the Employment Center (EC), an approximately 1,980-acre area located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers (the “subject area”).

2. What will this piece of legislation do?

This legislation would modify the text of Table 7-1 Permissive Uses by Land Use District and Table 7-2 Development Standards in the Level A Plan as follows:

- 1) Add the IDO NR-GM zone district as an allowable land use district in Table 7-1 Permissive Uses by Land Use District with a note stating that land uses under the NR-GM zone district would only be allowed on specific parcels on a case-by-case basis as approved by the EPC. The uses would be pursuant to IDO 14-16-4-3 Use Specific Standards.
- 2) Amend Table 7-2 Development Standards to state that the maximum height in the Employment Center is allowed up to 110 feet on a case-by-case basis with EPC approval of amendments to the Level B Plan. Unless approved by the EPC, all buildings will remain at a maximum height of 80 feet.

3. Why is this project needed?

The legislation would raise the allowable maximum height and add land use allowable in the Non-Residential - General Manufacturing on specific tracts in the Employment Center in the Mesa del Sol Level A Framework Plan. The request would facilitate General Manufacturing development on a case-by-case basis as approved by the EPC as part of text amendments to the Level B plan. The EPC would be the final decision-making body for all general manufacturing land uses and maximum buildings heights up to 110-feet on specified tract/s at the time of application submittal.

The proposed changes would facilitate development that aligns with the Mesa Del Sol’s intention for a “jobs first, housing second” approach in the Employment district as well as locating heavy manufacturing development away from residential uses, which would help to mitigate harmful impacts on residential land uses in the Mesa del Sol community.

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

No governmental cost is associated with the request. Future development of the subject site will be funded privately.

5. Is there a revenue source associated with this Plan? If so, what level of income is projected?

No. N/A

FISCAL IMPACT ANALYSIS

TITLE: Adopting Amendments to the Level A Community Master Plan
for Mesa del Sol

R: O:
FUND:

DEPT:

- ☒ 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:

	2024	Fiscal Years 2025	2026	Total
Base Salary/Wages				-
Fringe Benefits at	-	-	-	-
Subtotal Personnel	-	-	-	-
Operating Expenses				-
Property			-	-
Indirect Costs	-			-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input checked="" type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Amount of Grant	-			-
City Cash Match	-	-	-	-
City Inkind Match		-	-	-
City IDOH **15.30	-			-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created 0

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

This legislation would amend the Mesa del Sol Level A Framework Plan to change the allowable maximum building height from 80-feet to 110-feet and allow NR-GM land uses on specific properties in the employment center on a case-by-case basis as approved by the EPC.

PREPARED BY:

DocuSigned by:
Debbie Dumbrowski 11/21/2023 | 12:54 PM MST

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FISCAL MANAGER (date)

APPROVED BY:

DocuSigned by:
Alan Lundy 11/21/2023 | 1:06 PM MST

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DIRECTOR (date)

REVIEWED BY:

DocuSigned by:
Haiyan Zhao 11/21/2023 | 1:14 PM MST

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EXECUTIVE BUDGET ANALYST (date)

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Laura M. Davis 11/21/2023 | 1:14 PM MST

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BUDGET OFFICER (date)

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Savannah Bourne 11/21/2023 | 4:58 PM MST

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CITY ECONOMIST (date)

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PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



***AMENDED* OFFICIAL NOTIFICATION OF DECISION**

September 21, 2023

MDS Investments LLC
4020 Vassar Dr. NE
Albuquerque, NM 87107-2058

Project # PR-2023-008498
SI-2023-01380 - Site Plan - EPC Major Amendment
SI-2023-01500 - Site Plan - EPC Major Amendment

LEGAL DESCRIPTION:

Consensus Planning, agent for Kairos Power LLC and MDS Investments LLC, requests Text Amendments to the Level A Framework Plan and the Level B Framework Plan for Mesa del Sol to increase the allowable height and allow NR-GM land uses in the Employment Center, for all or a portion of a certain tract of land being a portion of Sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico located generally south of Los Picaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, approximately 13,000 acres. (S-16 & S-17)
Staff Planner: Megan Jones

On September 21, 2023 the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project # PR-2023-008498, SI-2023-01380- Site Plan- EPC Major Amendment, SI-2023-01500 - Text Amendments to the Mesa del Sol Level A Framework Plan, to the City Council based on the following Findings and subject to the following Conditions of Approval:

**amended October 4, 2023 to indicate correct SI numbers; SI-2023-001513 issued in error.*

RECOMMENDED FINDINGS – SI-2023-01380

1. This request is for text amendments to the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) which contains approximately 13,000 acres situated in the southeastern portion of the City

and south of the Albuquerque International Sunport. The Level B Plan area, containing 3,200-acres, is within the boundaries of the Level A Plan.

2. The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans.
3. The proposed amendments would modify the allowable maximum building height from 80-feet to 110-feet and add the IDO NR-GM zone district as an allowable land use district in the Employment Center on a case-by-case basis. All future requests are to be heard and decided by the EPC.
4. In this case, text amendments apply to an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”). Associated amendments are included to the Level B Plan with this request.
5. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
6. The Level A Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)(a)(2).] and would affect the existing Mesa del Sol I Employment Center [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.
9. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to raise allowable

maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).

12. The request is generally consistent with Goal 4.2 Process from Comprehensive Plan Chapter 4 Community Identity: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on July 7, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol (MDS) to discuss the changed to the Employment Center (EC).
13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The subject site is located in the Mesa del Sol I Employment Center that is continuously growing with Office, retail, industrial and manufacturing uses. The EC is located along the existing University Multi - Modal Corridor, which is planned to be connected by a network of corridors at full build out. The request would facilitate future heavy/special manufacturing development on the subject site that would contribute to growth in the EC.

- B. Policy 5.1.1, Sub policy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development on a 30-acre portion of the EC, which is already developed with an Industrial use. The subject site is accessed by the University Blvd. Multi - Modal Corridor which is intended to capture growth and higher intensity development. The request would facilitate development on the western 16 acres of the subject site. The eastern 14-acres of the subject site is developed with an Industrial Facility. This request could lead to an expansion of the existing business and employment growth on an infill site. The EC is planned for larger-scale uses, which the request could implement.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities and City Development Areas from Chapter 5- Land Use:

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

The proposed amendments could facilitate future heavy/special manufacturing development. The development would be an expansion to the existing Industrial Manufacturing facility that is utilized for nuclear power research and development. The request could lead to job creation on site, which is accessible by University Blvd. from the growing Mesa Del Sol Employment and Community Center including the residential villages. The request continues to promote sustainable job growth in an area that the Comp

Plan designated as an Employment Center and the MDS Framework Plan designated as a major employment district.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

- C. Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.
- D. Policy 5.6.2 Area of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The approximately 30-acre subject site is in an area of change u-in the EC. The Employment Center is located along the University Blvd. Multi-Modal Corridor and is primarily classified as a City Development Area of Change with some areas of consistency in the 500 -acre portion south of the Community Center. The request would encourage future growth on the subject site where it is expected and desired, in a comp plan Center and Corridor where change is desired and away from residential development and areas of consistency.

15. The request is consistent with Policies from Chapter 8 Economic Development:

- A. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The request would facilitate a different development intensity and building scale on a 30-acre portion of the Employment Center, which is developed with an existing Industrial Manufacturing facility for nuclear research and development. The request would facilitate expansion of the current use and allow special manufacturing on site which could encourage economic development opportunities for MDS. Future development would be required to follow development standards within the Level A and Level B Plans, but have the flexibility of higher intensity manufacturing and building heights. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

- B. Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

By allowing an increase in building heights and making Heavy and Special Manufacturing permissive pursuant to the NR-GM zone designation, expanded development of the existing industrial Facility of the subject site could occur. This request could accommodate employment growth on the subject site for the existing development. This change would generally facilitate future development that could lead to employment growth in an Area of Change, the Mesa del

Sol I Employment Center and along a designated corridor, which the Comprehensive Plan Identifies as a place that should be the focus of job creation.

16. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request could facilitate the expansion of an existing Industrial Manufacturing facility within the Employment Center. The future development would create more jobs near housing in MDS and help to foster a viable economy and sustainable community where residents can live, and work.

17. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate heavy/special manufacturing development in the Employment District. The Employment Center is planned for a variety of types of employment and the proposed use would allow a new type of employment industry in the center. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a new of types of employment in a special/industrial manufacturing facility. The Employment Center is planned to be well served by transportation.

18. The proposed text amendments that are applicable to Tract D-1-A would be generally more advantageous to the community because they are consistent with a preponderance of applicable goals and policies.
19. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching

community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

- D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area, although would facilitate development of a special manufacturing facility with a tower that would be equal to or over 100-feet. The subject site is located at least 5,000 feet from any residential land uses at this time, so buffering requirements would be met. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level A Plan area is not in a designated Railroad and Spur Area.

20. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the district 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
21. A pre-submittal neighborhood meeting was held on July 7, 2023. This was not a facilitated meeting because a meeting was not requested by the NA. Pursuant to IDO section 6-4(B), a facilitated meeting through the City's ONC is required when an affected NA accepts the offer of a pre-application meeting. The applicant held a public meeting and provided notes. The applicant discussed the proposed amendments. Community concerns were not included and are unknown.
22. Staff received a letter of opposition from the Mesa del Sol Neighborhood Association on September 7, 2023. There is no opposition to the requested land uses on the subject site. The NA is opposed to increasing the maximum height in the Employment Center from 80-feet to 110-feet.
23. Upon clarification from the applicant stating that the requested height amendments only pertain to the 30-acre site, the NA withdrew their opposition.

RECOMMENDED CONDITIONS OF APPROVAL – SI-2023-01380

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with a Staff planner to ensure that all conditions of approval are addressed and met prior to finalizing the amended Level A Framework Plan.
3. The applicant shall provide a final revised document within 6 months of the final City Council approval.
4. Level A Plan Document Clean-Up:
 - A. The Applicant shall title the document "As approved by the DRB February 2008" (the original approval) and add "Amended September 2023" on the Level A Plan document cover and the chapter dividers. There may be additional, future revisions.
 - B. All references to Tract D-1-A-1 shall be changed to reflect the legal description on the approved survey: Tract D-1-A.

- C. The proposed amendment to the Max. Building Height in Table 7-2 Development Standards shall remain at 80-feet Max for consistency purposes. All buildings are to remain restricted to 80-feet except for approval by the EPC on a case-by-case basis.
- D. The proposed note 14 shall reflect that the allowable building height is approved on Tract D-1-A only.

5. Level A Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

On September 21, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-008498, SI-2023-01500, Text Amendments to the Mesa del Sol Level B Framework Plan, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS – SI-2023-01500

1. This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) which contains approximately 3,200 within the Level A plan area, which is generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base (KAFB).
2. Text amendments are proposed for an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”).
3. The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans.
4. The proposed amendments would modify the allowable maximum building height and allowable uses on the subject site in the Level A Plan and Level B Plans as follows: Change the allowable maximum height on the subject site from 80-feet to 110-feet and allow Heavy and Special Manufacturing uses permissive in the NR-GM zone district pursuant to IDO 4-3 Use Specific Standards.
5. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
6. The Level B Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).

7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)9a)2.] and would affect the existing Mesa del Sol I Employment Center [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.

9. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to raise allowable maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).
12. The request is generally consistent with Goal 4.2 Process from Comprehensive Plan Chapter 4 Community Identity: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on July 7, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol (MDS) to discuss the changed to the Employment Center (EC).
13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The subject site is located in the Mesa del Sol I Employment Center that is continuously growing with Office, retail, industrial and manufacturing uses. The EC is located along the existing University Multi - Modal Corridor, which is planned to be connected by a network of corridors at full build out. The request would facilitate future heavy/special manufacturing development on the subject site that would contribute to growth in the EC.

- B. Policy 5.1.1, Sub policy c: Encourage employment density, compact development,

redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development on a 30-acre portion of the EC, which is already developed with an Industrial use. The subject site is accessed by the University Blvd. Multi - Modal Corridor which is intended to capture growth and higher intensity development. The request would facilitate development on the western 16 acres of the subject site. The eastern 14-acres of the subject site is developed with an Industrial Facility. This request could lead to an expansion of the existing business and employment growth on an infill site. The EC is planned for larger-scale uses, which the request could implement.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities and City Development Areas from Chapter 5- Land Use:

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

The proposed amendments could facilitate future heavy/special manufacturing development. The development would be an expansion to the existing Industrial Manufacturing facility that is utilized for nuclear power research and development. The request could lead to job creation on site, which is accessible by University Blvd. from the growing Mesa Del Sol Employment and Community Center including the residential villages. The request continues to promote sustainable job growth in an area that the Comp Plan designated as an Employment Center and the MDS Framework Plan designated as a major employment district.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

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

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

The approximately 30-acre subject site is in an area of change u-in the EC. The Employment Center is located along the University Blvd. Multi-Modal Corridor and is primarily classified as a City Development Area of Change with some areas of consistency in the 500 -acre portion south of the Community Center. The request would encourage future growth on the subject site where it is expected and desired, in a comp plan Center and Corridor where change is desired and away from residential development and areas of consistency.

15. The request is consistent with Policies from Chapter 8 Economic Development:

- A. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The request would facilitate a different development intensity and building scale on a 30-acre portion of the Employment Center, which is developed with an existing Industrial Manufacturing facility for nuclear research and development. The request would facilitate expansion of the current use and allow special manufacturing on site which could encourage economic development opportunities for MDS. Future development would be required to follow development standards within the Level A and Level B Plans, but have the flexibility of higher intensity manufacturing and building heights. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

- B. Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

By allowing an increase in building heights and making Heavy and Special Manufacturing permissive pursuant to the NR-GM zone designation, expanded development of the existing industrial Facility of the subject site could occur. This request could accommodate employment growth on the subject site for the existing development. This change would generally facilitate future development that could lead to employment growth in an Area of Change, the Mesa del Sol I Employment Center and along a designated corridor, which the Comprehensive Plan Identifies as a place that should be the focus of job creation.

16. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request could facilitate the expansion of an existing Industrial Manufacturing facility within the Employment Center. The future development would create more jobs near housing in MDS and help to foster a viable economy and sustainable community where residents can live, and work. The request is generally consistent with the community building principle regarding economic development.

17. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this

principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate heavy/special manufacturing development in the Employment District. The Employment Center is planned for a variety of types of employment and the proposed use would allow a new type of employment industry in the center. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a new of types of employment in a special/industrial manufacturing facility. The Employment Center is planned to be well served by transportation. The request is generally consistent with the community building principle regarding district and neighborhood structure.

18. The request is generally consistent with the Economic Viability strategy in the Level B Plan, as follows:

1.3.2 Economic Viability, B. Local Economy (p. 5) (marketability, local economy, sustainability through diversity): “Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.”

The proposed land use would facilitate the expansion of an existing Industrial Manufacturing facility, which could lead to more jobs in the Employment Center. The MDS Framework Plan has a goal of jobs first housing second in MDS. The request could allow an existing industry to expand and grow, which would in turn help to improve the jobs-housing balance in the area and could have a multiplier effect throughout the local economy. There will be additional opportunity for residents of MDS to live near the jobs in the Employment Center. The request is consistent with the Economic Viability strategy.

19. The request is partially consistent with the Context and Location strategy in the Level B Plan, as follows:

1.3.3 Response to Context and Location (p. 6) (open space, dark skies, air quality, global systems, heat island): “Development at Mesa del Sol will take full advantage of the sense of identity created by the site’s rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.”

The requested text amendments are to increase the allowable maximum building heights and make heavy and special manufacturing uses permissive on a 30-acre site in the Employment Center. Approval of the request could facilitate future development which would be an expansion to an existing Industrial manufacturing/ research and development nuclear power facility. Any future development facilitated by this request will be required to follow development standards within the Level B Plan in addition to the Level B Technical Appendices. Any future site plans would be required to be reviewed by the DFT (Development Facilitation Team) or DHO (Development

Hearing Officer) which would help ensure that the Lighting, Open Space, and related design standards within the plan are followed in response to context and location. Staff suggests, when future site plans are reviewed, that the topics of dark skies, air quality, and heat islands be discussed to determine what additional efforts can be made, and/or measures taken, to help ensure this strategy can be carried out in a strong manner as envisioned. Therefore, at this time, the request is partially consistent with the Response to Context and Location Strategy.

20. The Level B Plan outlines Goals and Objectives in Chapter 2, Land Use, which are applicable to the proposed text amendments as follows:

2.2.1 Goals and Objectives for Employment Center and Highway Commercial District (p. 16).

“Mesa del Sol’s employment districts emphasize the “jobs first, housing second” approach to development that is a hallmark of Mesa del Sol. The employment districts’ strategic location, accessibility, and ample land supply will offer unique opportunities to new employers from out of state, as well as providing space for local businesses to expand.”

The request would facilitate an expansion to an existing Industrial development within the Employment Center. The proposed height increase and land use won the subject site would allow job creation on site, which is in line with the “jobs first housing second” approach to development in MDS, therefore the request is generally consistent with the Goal 2.2.1 for the Employment Center.

21. The proposed text amendments that are applicable to Tract D-1-A would be generally more advantageous to the community because they are consistent with a preponderance of applicable goals and policies.
22. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage,

and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

- D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area, although would facilitate development of a special manufacturing facility with a tower that would be equal to or over 100-feet. The subject site is located at least 5,000 feet from any residential land uses at this time, so buffering requirements would be met. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level B Plan area is not in a designated Railroad and Spur Area.

23. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the district 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
24. A pre-submittal neighborhood meeting was held on June, 2023 (see attachments). This was not a

facilitated meeting because a meeting was not requested by the NA. Pursuant to IDO section 6-4(B), a facilitated meeting through the City's ONC is required when and affected NA accepts the offer of a pre-application meeting. The applicant held a public meeting and provided notes. The applicant discussed the proposed amendments. Community concerns were not included and are unknown.

25. Staff received a letter of opposition from the Mesa del Sol Neighborhood Association on September 7, 2023. There is no opposition to the requested land uses on the subject site. The NA is opposed to increasing the maximum height in the Employment Center from 80-feet to 110-feet.
26. Upon clarification from the applicant stating that the requested height amendments only pertain to the 30-acre site, the NA withdrew their opposition.

CONDITIONS OF APPROVAL – SI-2023-01500

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with a Staff planner to ensure that all conditions of approval are addressed and met prior to finalizing the amended Level B Framework Plan.
3. The applicant shall provide a final revised Level B Framework Plan document within 6 months of the final EPC approval.
4. Level B Plan Document Clean-Up
 - A. The Applicant shall title the document "As approved by the DRB February 2008" (the original approval) and add "Amended September 2023" on the Level B Plan document cover and the chapter dividers. There may be additional, future revisions.
 - B. All references to Tract D-1-A-1 shall be changed to reflect the legal description on the approved survey: Tract D-1-A
 - C. The proposed amendment to the Max. Building Height in Table 2-1 Site Development Standards shall remain at 80-feet Max for consistency purposes and maximum heights shall reflect 110-feet. All buildings are to remain restricted to 80-feet except for approval by the EPC on a case-by-case basis.
 - D. The proposed note 14 shall reflect that the allowable building height is approved on Tract D-1-A only.
5. Level B Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **October 6, 2023**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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

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

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/MJ

cc: MDS Investments LLC, 4020 Vassar Dr. NE, Albuquerque NM, 87107-2058
Kairos Power LLC, Attn: Rhonda Reynolds, PE., 5201 Hawking Dr SE, Albuquerque, NM 87106
Consensus Planning, Inc., cp@consensusplanning.com
Mesa Del Sol NA, Cathy Burns, catburns87106@gmail.com
Mesa Del Sol NA, David Mills, dmills544@gmail.com
District 6 Coalition of Neighborhood Associations, Mandy Warr, mandy@theremedyspa.com
District 6 Coalition of Neighborhood Associations, Patricia Willson, info@willsonstudio.com
Legal, dking@cabq.gov
EPC File



Environmental Planning Commission

Agenda Number: 5
Project Number: PR-2023-008498
Case #s: SI-2023-01380/SI-2023-1500
September 21, 2023

Staff Report

Agent	Consensus Planning LLC
Applicant	MDS Investments, LLC & Kairos Power
Request	Text Amendments to the Mesa del Sol Level A & Level B Community Master Plans All or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico.
Legal Description	
Size	Approximately 13,000 acres

Staff Recommendation

That a recommendation of APPROVAL of SI-2023-01380 be forwarded to the City Council based on the Findings beginning on Page 28 and subject to the Conditions for recommendation of Approval on Page 33 (Level A Plan).

APPROVAL of SI-2023-1500, based on the Findings beginning on Page 34 and subject to the Conditions of Approval on Page 41 (Level B Plan).

Staff Planner
Megan Jones, Senior Planner

Zoning	PC (Planned Community)
Location	Generally south of Los Pícaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB.

Summary of Analysis

This request is for text amendments to the Mesa del Sol Level A Community Master Plan (the "Level A Plan") and Level B Community Master Plan (the "Level B Plan") (the subject areas) that pertain to an approximately 30-acre site, known as Tract D-1-A, Mesa Del Sol Innovation Park II, on the NE portion of the Employment Center (EC) (the "subject site"). The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus. The EC is designated as a major employment district in the Level A and B Plans.

The proposed amendments pertain only to Tract D-1-A in the EC and would 1) increase the maximum allowable height from 80 feet to 110 feet, and 2) make Heavy and Special Manufacturing uses permissive on the subject site, which would be pursuant to IDO 4-3 Use Specific Standards. The Level A Plan would reflect these changes in Table 7-1 Permissive Uses by Land Use District and Table 7-2 Development Standards.

The EC is in the Mesa del Sol I Employment Center and along the University Blvd. Multi Modal Corridor as designated in the Comprehensive Plan. Overall, the request is generally consistent with applicable Goals and policies in the Comprehensive Plan and the Mesa del Sol Level A Plan and Level B Plan.

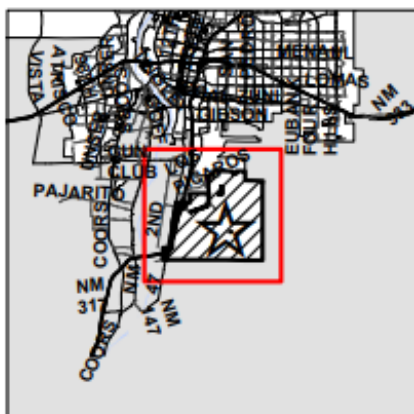
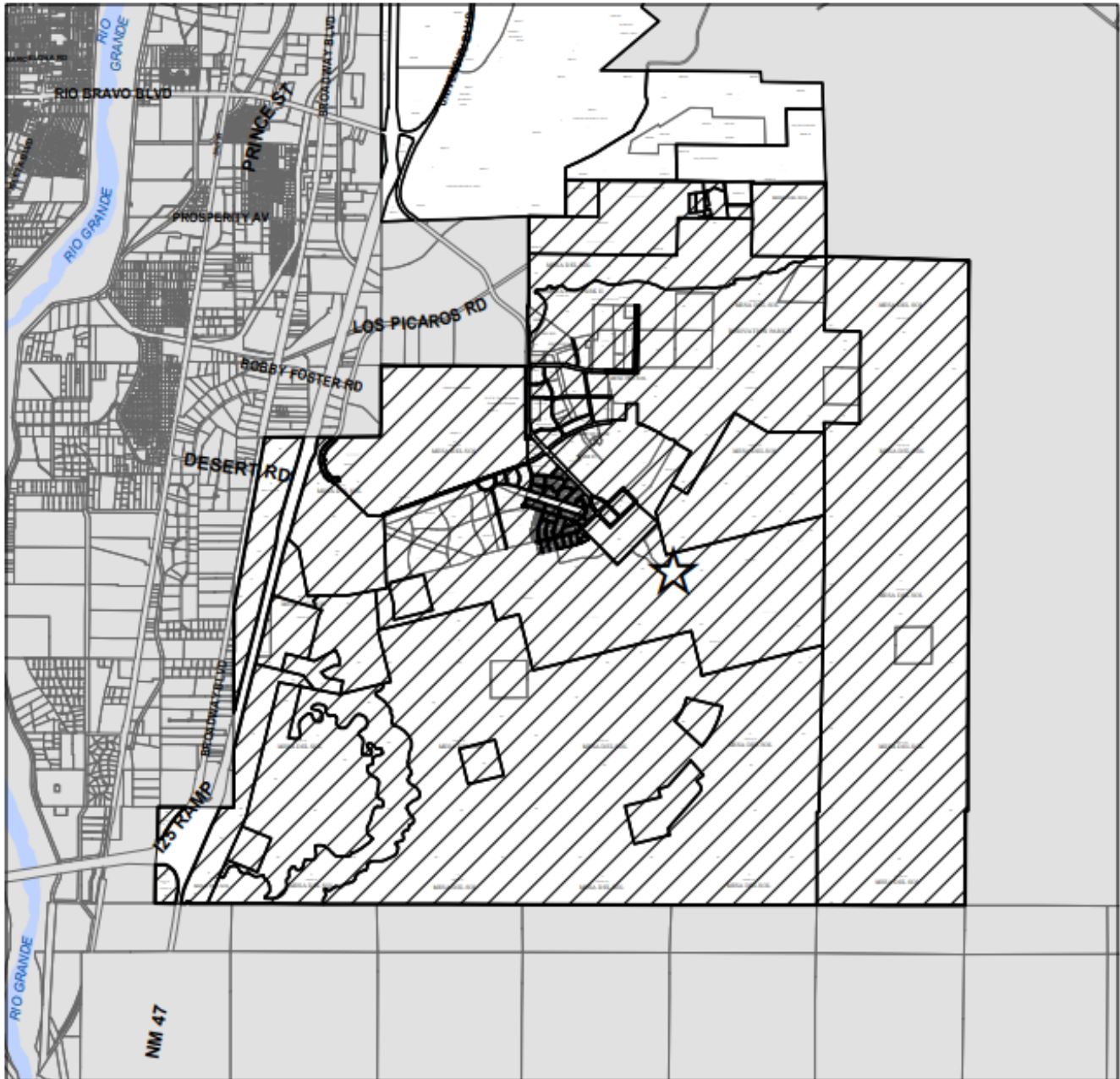
The affected neighborhood organizations and property owners within 100 feet of the subject site were notified as required. A pre-application meeting was held on 6/7/2023. Staff recommends approval subject to conditions needed to provide clarity and ensure internal consistency.

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IDO ZONING MAP

Note: Gray shading
indicates County.



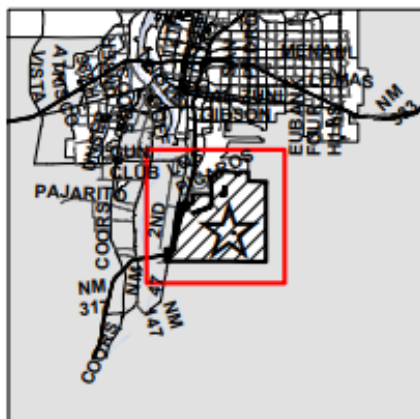
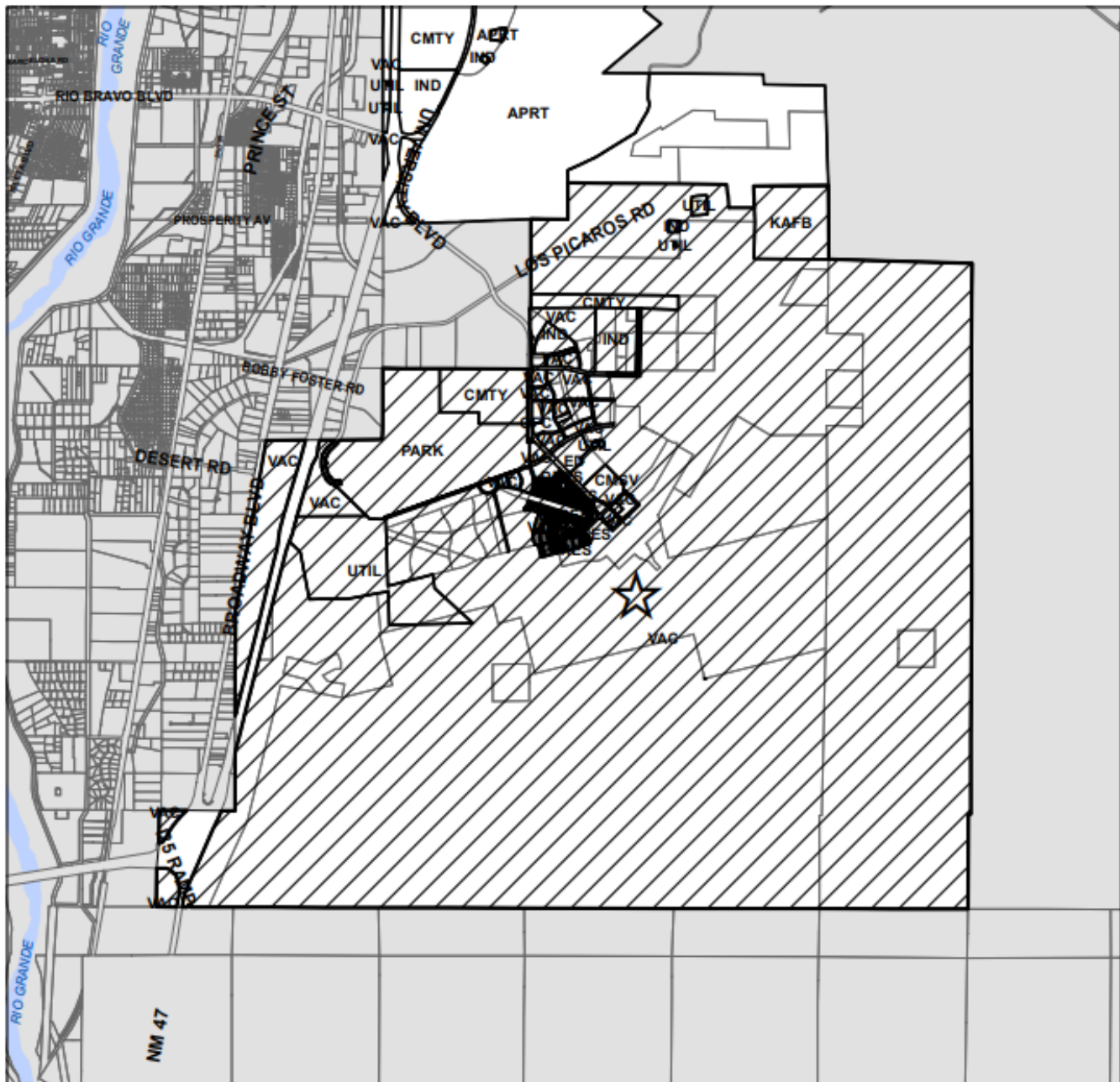
1 inch = 5,000 feet

Hearing Date:
9/21/2023

Project Number:
PR-2023-008498

Case Numbers
SI-2023-01380 SI-2023-01500

Zone Atlas Page:
S-16 and S-17



LAND USE MAP

Note: Gray shading indicates County.

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



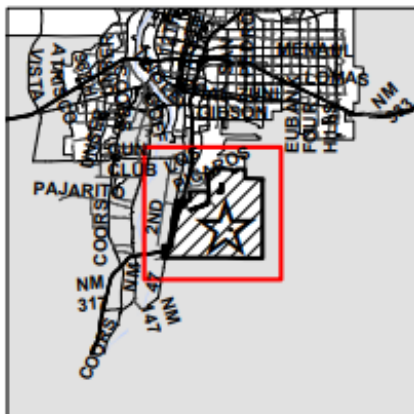
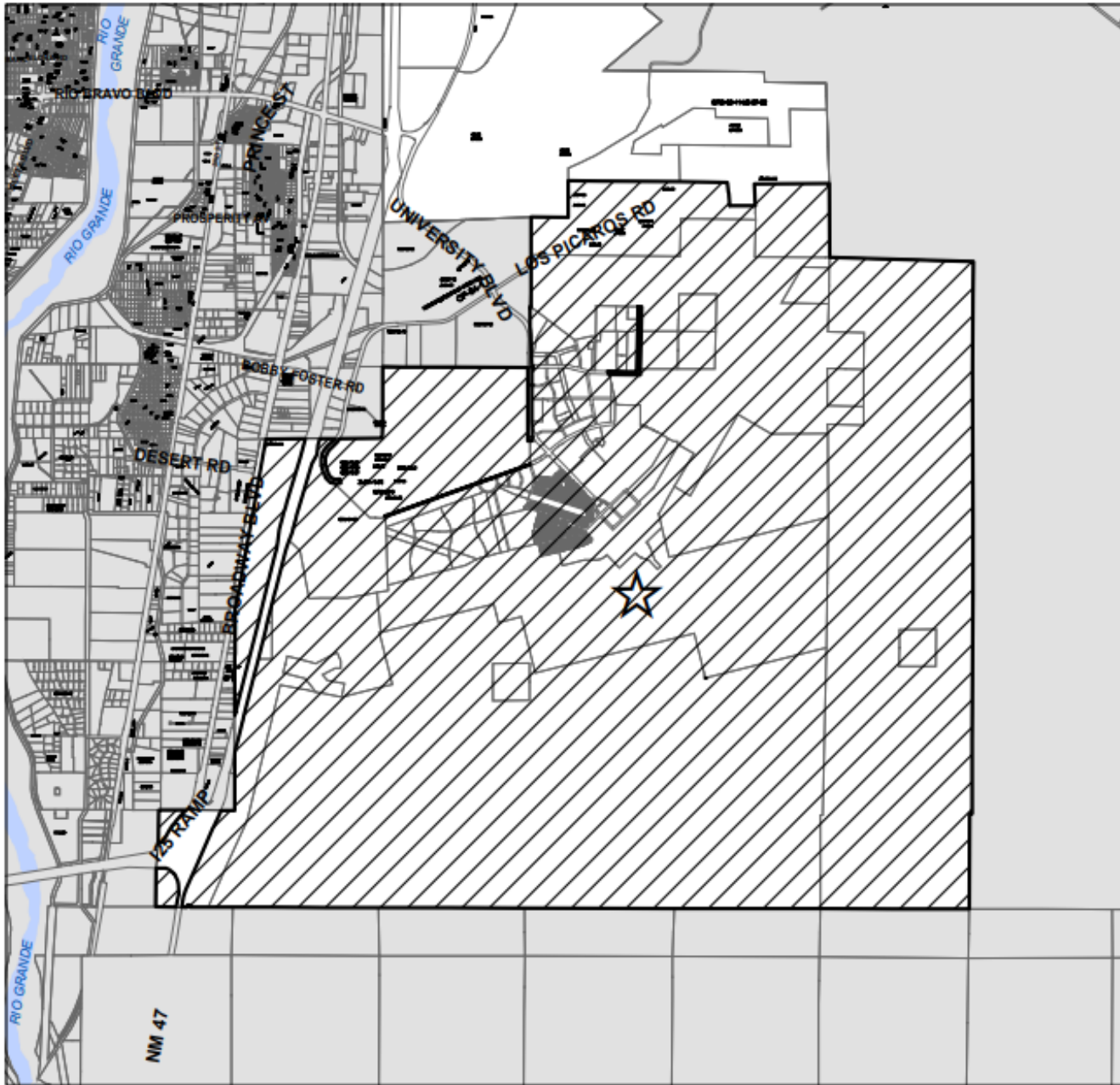
1 inch = 5,000 feet

Hearing Date:
9/21/2023

Project Number:
PR-2023-008498
Case Numbers:
SI-2023-01380

SI-2023-01500

Zone Atlas Page
S-16 and S-17



HISTORY MAP

Note: Gray shading indicates County.



1 inch = 5,000 feet

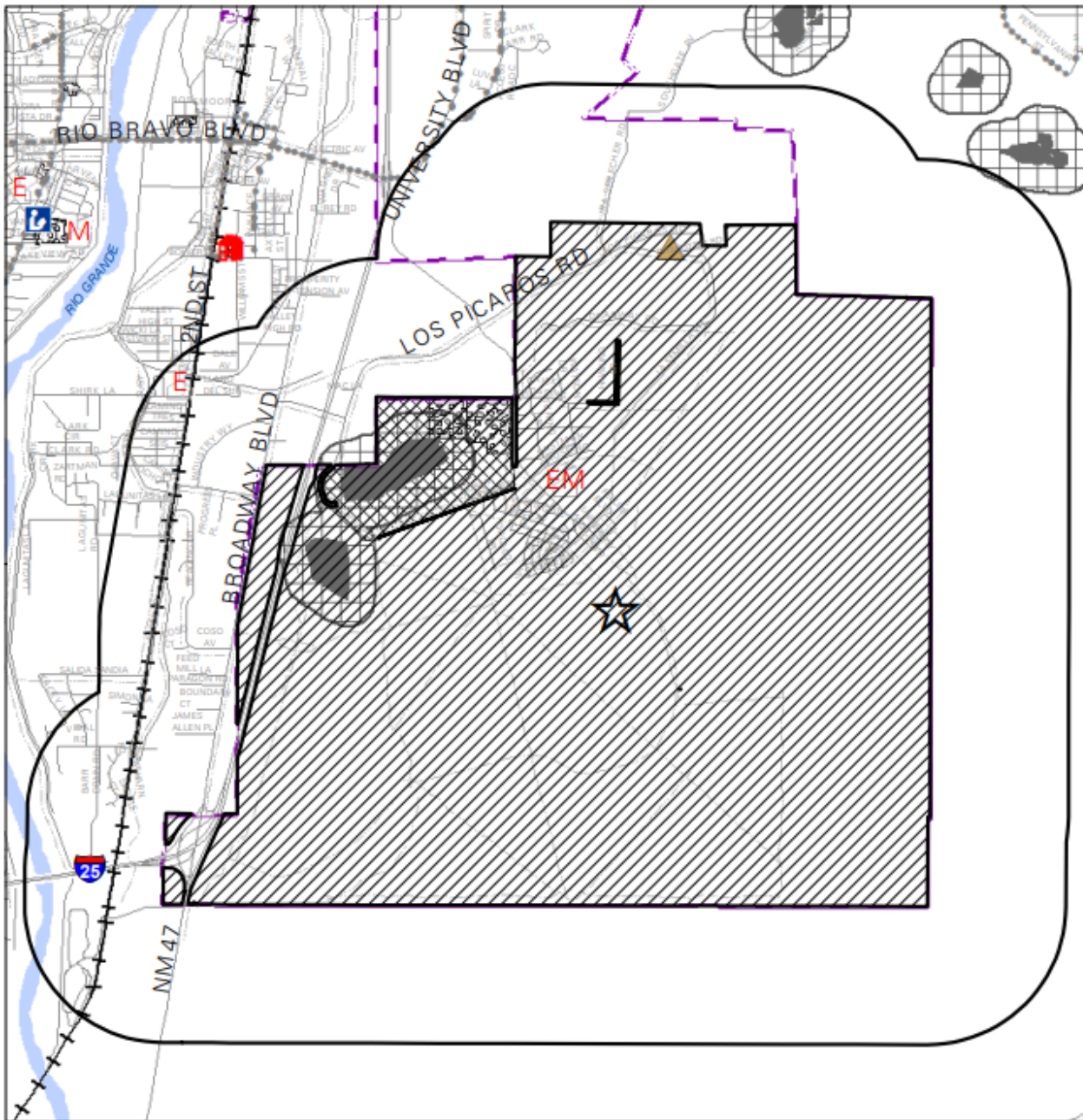
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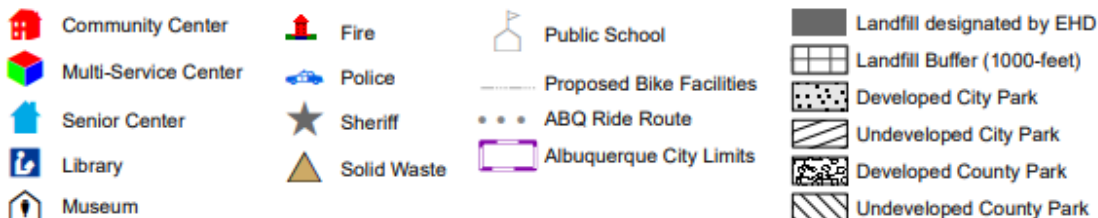
Case Numbers:
SI-2023-01380

SI-2023-01500

Zone Atlas Page:
S-16 and S-17



Public Facilities Map with One-Mile Buffer



0 0.5 1
Miles

I. INTRODUCTION

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Subject Site</i>	PC (Planned Community)	Area of Change \\	Industrial
<i>North</i>	NR-PO-B (not within MDS) PC (Planned Community)	Area of Consistency Area of Change	Escarpment, Montessa Park
<i>South</i>	PC (Planned Community)	Area of Change Area of Consistency	Escarpment, Vacant, Pueblo of Isleta
<i>East</i>	PC (Planned Community)	Area of Change Area of Consistency	Vacant, La Semilla (Level A Plan Reserve Area)
<i>West</i>	NR-PO-C	Area of Consistency	County Recreational Complex/Amphitheater
	PC (Planned Community)	Area of Consistency/Change	Manufacturing, Heavy Commercial, Vacant, County land

Request

The request is for text amendments to the Mesa del Sol (MDS) Level A Community Master Plan (the “Level A Plan”) and the Mesa del Sol Level B Community Master Plan (the “Level B Plan”). Both are classified as Framework Plans by the IDO.

The Mesa Del Sol Level A Plan contains approximately 13,000 acres situated in the southeastern portion of the City and south of the Albuquerque International Sunport (the “subject area”). The Level B Plan contains approximately 3,200 acres, which is generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base (KAFB).

Text amendments are proposed for an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”). The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans. The proposed amendments would modify the allowable maximum building height and allowable uses on the subject site in the Level A Plan and Level B Plans as follows:

- 1) Change the allowable maximum height on the subject site from 80-feet to 110-feet, and
- 2) Allow Heavy and Special Manufacturing uses permissive in the NR-GM zone district pursuant to IDO 4-3. and pursuant to IDO NR-GM Zone regulations.

Please refer to Section V of this report for more details.

Environmental Planning Commission (EPC) Role

Pursuant to IDO 14-16-6-4(Y)(3), all amendments that do not qualify as minor may only be approved by the decision-making body that issued the approval being amended. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The EPC approved the Level B Plan in January 2007 as a final decision-making body. In the Integrated Development Ordinance (IDO) framework, the request is classified as a Major Amendment and Major Amendments return to the original approving body [6-4(Z)(2)].

Both the Level A and the Level B Plans are considered Framework Plans (see definition). Unlike master plans, framework plans do not expire (See IDO Table 6-4-3).

Level A Plan Text Amendments

The task of the Environmental Planning Commission (EPC) is to review the proposed text amendments to the Level A Plan and make a recommendation to the City Council. The City Council is the City's final approval body for this request. The EPC is a recommending body with review authority.

Level B Plan Text Amendments

The Level B Plan approval process (Chapter 7, p. 104-106) specifies the EPC as the final approval body for the Level B Plan itself (see History section of this report for more information). The EPC was also the final decision-making body for the 2021 text amendments. Therefore, the EPC is the original decision-making body for the currently requested text amendments.

The Environmental Planning Commission's (EPC's) purview is the proposed amendments to the Level B Plan. The EPC is the final approval body for this request, unless the EPC decision is appealed.

Context & Land Use

The subject area

The subject sites are within the boundaries of the Mesa Del Sol (the "subject area"), which is controlled by the Level A Plan and the Level B Plan.

The Level A Plan contains approximately 13,000 acres, located in the southeastern portion of the City and south of the Albuquerque International Sunport. The Level A Plan area extends roughly from the south side of Montessa Park and north side of the Bernalillo County Recreational Complex, to Isleta Pueblo's northern boundary. Broadway Boulevard and Interstate 25 border the western edge of the Level A Plan area. The eastern border is the La Semilla Reserve area, approximately 2,700 acres leased to the Department of Energy to serve as a buffer between Mesa del Sol and KAFB.

The Level B Plan area contains approximately 3,200 acres contained within the larger 13,000-acre Mesa Del Sol Level A Plan area. The Level B Plan Area is located generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta and the Level A Plan area, mostly east of Interstate 25 and Broadway Blvd., and west of the Level A "La Semilla" Reserve Area and KAFB.

The subject area is mostly vacant. However, portions of it are gradually developing with office, manufacturing, industrial, and residential uses, mostly near the middle of the Level B Plan area and along the University Blvd. Employment Center area.

The Subject Site

The EC is generally located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus. It is situated just east of University Blvd. and adjacent to the Escarpment, La Semilla and the planned UNM branch campus to the SE, which is currently vacant. The EC is designated as a major employment district in the Level A and B Plans and consists of Office, R&D, Industrial and a limited amount of Commercial and Residential uses.

The approximately 30-acre subject site is legally described as Tract D-1-A, Mesa del Sol Innovation Park II, and is located on Hawking Dr. SE, which can be access from University Blvd. through Crick Ave. SE. The site is approximately 5,000 feet from the nearest residential development and is surrounded by non-residential land uses. The site is along Hawking Dr SE and can be accessed from University Blvd. The eastern 13 acres of the subject site is developed with an Industrial Manufacturing facility that is utilized for nuclear power research and development. The western 17 acres of the site is currently vacant.

Comprehensive Plan Designations

The Level A and Level B Plan areas are designated an Area of Change and an Area of Consistency by the Comprehensive Plan. The subject area is within the Mesa del Sol Community Planning Assessment Area (CPA).

The subject site is within the “Mesa Del Sol I” Center, which is designated as an Existing Employment Center by the Comprehensive Plan.

University Blvd. SE is a designated Multi-Modal Corridor that runs NW to SE and through the Mesa del Sol Community Center. Multi-modal corridors are generally intended to focus heavily on providing safe, multi-modal transportation options (Comprehensive Plan, p. 5-17).

Roadway System

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), includes existing roadways and proposed roadways.

The LRRS map classifies Bobby Foster Rd. SE and University Blvd. SE as Community Principal Arterials. Two proposed Community Arterials are shown in the Level B Plan Area; one runs west from the Community Center (just south of the Employment Center) and the other runs south from the Community Center. The rest of the Level B Plan Area generally forms a grid of proposed Major Collectors and Minor Collectors, with a few significant Minor Arterials. One proposed Minor Arterial connects the main street grid to near the Interstate 25/Broadway Blvd. interchange.

A grid of proposed Minor Arterials is shown in the Employment Center, perpendicular to the University Blvd.

The subject site is on Hawking Dr. SE which is classified as a local urban street.

Trails/Bikeways

The Long Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies existing and proposed bicycle and trail facilities.

University Blvd. SE has a bicycle lane and a paved multi-use trail (University Trail) that extends southward and ends at approximately Crick Ave. SE, in Mesa del Sol. The bicycle lane is proposed to extend east on Crick Crossing which would connect to Hawking Dr. There are no proposed bike lanes or trails along Hawking Dr., where the subject site is located.

Transit

At the present time, Mesa del Sol is not served by ABQ Ride transit and there are no bus routes shown.

Public Facilities/Community Services

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

II. HISTORY/BACKGROUND

The 1992 pre-annexation agreement, entered into by the State Land Office (SLO), University of New Mexico (UNM) and the City of Albuquerque, stipulates that City regulations and procedures will apply to development of Mesa del Sol. Mesa del Sol was designated a Reserve area by the Comprehensive Plan for many years.

Zoning & Interim Actions

Mesa del Sol was annexed in January 1993 (AX-92-1). The City Council established SU-2 for PC (Planned Community) zoning (Enactment 5-1993, AX-92-1/Z-92-26). The Council also adopted the “Mesa del Sol Master Plan” (1983) as an interim Sector Development Plan to serve in the meantime until adoption of a Level A Master Plan. In 1996 and 1997, City Council approved an amendment to the interim Master Plan to accommodate a regional recreational facility (Enactment 8-1997). The EPC recommended approval of a Level A Master Plan to City Council (SPR-97-5) in 1999, but the Council did not adopt it then.

In 1993, City Council established zoning as SU-2 for Planned Community (PC) for the entire approximately 13,000 acres of Mesa del Sol. The PC zone (Zoning Code §14-16-2-29) allows a variety of uses controlled by plans on sites suitable for planned communities in the Reserve and Rural areas. The Zoning Code refers specifically to the Planned Communities Criteria (PCC) for review and approval procedures.

In May 2005, the EPC heard a zone map amendment and a site development plan for subdivision with design standards for the approximately 210-acre Phase I of the Employment Center (approximately 410 acres total). The EPC approved the Master Development Plan- Mesa del Sol Employment Center, Phase 1 (Project #1004097/05EPC-00576 & 00579) and recommended approval of the zone map amendment for the 410 acres to City Council. In September 2005, Council approved the zone map amendment (O-05-142). These actions preceded the Level A Plan in order to “jump start” the employment area.

In 2006, the EPC recommended approval to the City Council of a zone map amendment from “SU-2 for Planned Communities (PC)” to “Planned Communities (PC)” (Project #1004620/06EPC-00465), for the

entire Mesa del Sol area (Project #1004620, Enactment O-2006-038). The Council adopted the zone map amendment in October 2006 (Enactment O-2006-038). All of Mesa del Sol, the Level A and Level B Plan areas, is zoned PC.

Upon the effective date of the Integrated Development Ordinance (IDO) on May 17, 2018, Mesa del Sol's zoning remained PC.

The Planned Communities Criteria

The *Planned Communities Criteria (PCC): Policy Element* was adopted in 1990 (Enactment 151-1990) and revised in 1991. This document, which applied to Rural Areas and Reserve Areas designated by the Comprehensive Plan, provided guidance for planned community (PC) master plans and a framework for review. Mesa del Sol was classified as a Reserve Area and was subject to the PCC.

The PCC criteria were a framework for large-scale developments that considered overarching issues such as housing, transit and financial aspects, rather than focus on planning at the individual project level (p.3). A key concept is that a planned community be "no net expense" to the City, which is why Development Agreements have been so important in Mesa del Sol.

Due to the long-term nature of planned communities, the criteria allowed flexibility and phasing within a three-tiered structure of Community Master Plan (Level A), Village and/or Community/Employment/Urban Center Plan (Level B), and Subdivision/Site Plan (Level C). The criteria address Land Use, Transportation, Environment & Open Space, Government & Public Services, and Development Agreement, for each tier.

Level A Community Master Plan- the "Level A Plan"

The EPC heard the Level A Community Master Plan (the "Level A Plan") in August, October and November 2005 (Project #1004260, 05EPC-00987). In January 2006, the Council adopted the Level A Community Master Plan which superseded the interim Mesa del Sol Master Plan (Enactment R-2006-005).

The common theme throughout the Level A Plan is New Urbanism; community building, mixed-use centers and multi-modal transportation are emphasized. Job creation and sustainability are key concepts in Mesa del Sol development, which will include residential villages, community centers and employment centers. Each neighborhood will have an identifiable center and edge, yet still be connected to other land uses. Larger activity centers will be more urban in character. The Level A Plan includes the Level A Technical Appendices, which address water supply, stormwater management, street design, intersection design, parking and transportation.

Level A Development Agreement-2006

When City Council approved the Level A Plan, it also approved the Level A Development Agreement between the City of Albuquerque and the applicant (F/S R-05-4). The Level A Development Agreement outlines cost-sharing strategies to ensure that Mesa del Sol will not be a net expense to local government, as required by the Planned Communities Criteria (PCC). The Development Agreement also outlines entitlements, including land use districts, which mirror City Zoning categories. The Level A Plan could not be finalized until the Level A Development Agreement was finalized and fully executed.

Mesa del Sol Level B Community Master Plan- the “Level B Plan”

The approximately 3,100-acre Mesa del Sol Level B Community Master Plan (the “Level B Plan”) encompasses land approximately near: the intersection of Broadway Blvd. and Interstate 25 (I-25), between Broadway Blvd. and I-25, to the south and east of the regional park/amphitheater, east of the buffer with Kirtland Air Force Base (KAFB), and a few miles north of the southern boundary with Isleta Pueblo (see attachment). This irregular shape has been informally referred to as the “pterodactyl” due to its resemblance to the prehistoric creature.

The Level B Plan area includes a 40-acre secure employment area near KAFB, the southwestern portion of the Employment Center, the Urban Center, the Community Center, Mesa del Sol Boulevard, the Central Park, Village Center 1, some residential areas, some land on the Escarpment, and a strip of commercial land near I-25. Not included are the rest of the Employment Center, three other planned Village Centers and lands held by UNM for future campuses. Like the Level A Plan, the Level B Plan has Technical Appendices. The Level B Technical Appendices, which are more specific than the Level A technical appendices, contain signage standards, a landscaping palette, a transportation update, modeling results, street naming, street sections, a stormwater/drainage plan and a utilities plan.

Level B Development Agreements-2006

The development agreements associated with the Level B Plan address infrastructure and services in greater detail than the Level A Development Agreement. One Level B Development Agreement is with the City of Albuquerque and another is with the Albuquerque/Bernalillo County Water Utility Authority (WUA). The former identifies public incentives, including provisions for affordable housing and open space, and the latter specifies water supply for Mesa del Sol. There is also a Master Development Agreement for the TIDDs (tax increment development districts).

Like the Level A Plan, the Level B Plan could not be finalized until applicable Level B Development Agreements were finalized and fully executed. The Level B Plan (Project #1004075/06EPC-01444) received final sign-off in February 2008. The Level B Plan was amended in September 2008 (Project #1004075/08EPC-40047) to include a master plan for wireless telecommunication facilities (WTFs, commonly called “cell sites”), which the Plan had not previously addressed.

Level C Plans

After the Level B Plan was finalized, subsequent site development plans for building permit and site development plans for subdivision became officially known as “Level C Plans”, although the term Level C existed with the Planned Communities Criteria (PCC) document (1991). Level C Plans are reviewed by the Development Review Board (DRB) or the Planning Director (staff) with advice of the City Engineer (see p. 106). A variety of Level C plans, including site development plans and subdivisions that facilitated development of residential uses (such as the First Neighborhood) followed.

Related Historic Cases

In May 2006, the EPC heard two Mesa del Sol cases. The EPC recommended approval of a zone map amendment from SU-2 for Planned Communities (PC) to Planned Communities (PC) (Project #1004620/06EPC-00465), which Council adopted in October 2006 (Enactment O-2006-038).

In May 2006, the EPC approved a site development plan for building permit for a movie studio (Project #104818/06EPC-00466), which became known as ABQ Studios. The approximately 28-acre subject site was located at the far southern end of the Employment Center, adjacent to the Community Center. The approved site development plan showed five large buildings interior to the site and four smaller buildings fronting University Blvd. SE (Phase I) Phase II consisted of two, larger buildings fronting University Blvd. SE, for a total of approximately 470,000 sf of building area.

The EPC also approved the following site development plans for building permit for Mesa del Sol: the first building, located in the Employment Center, in November 2005 (Project #1004097); two buildings in the Employment Center (Buildings 2 and 3) in June 2006 (Project #1004872/06EPC-00621); two buildings in the Community Center in June 2006 (Project #1004873/06EPC-00622); an elevated water reservoir in March 2007 (Project #100555/07EPC-0110); a fire station in June 2007 (Project #1005542/07EPC-00570).

Subsequent to these, a variety of cases were heard by the DRB for the residential area and included actions such as bulk land plats (ex. Project #1006539), vacations (ex. Project #1006007), and preliminary and final plats (ex. Project #1006003, Project #1006516).

In September 2012, the EPC approved Text Amendments to the Mesa del Sol Level B Community Master Plan that revised the boundaries of the Level B Plan area including acreages planned for two single-family residential land use categories (Project # 1004075/12EPC-40048).

Recent Related Cases

In August 2021, the EPC approved Text Amendments to the Mesa Del Sol Level B Plan and the Level B Plan Technical Appendices that were specific to a southern portion of the Employment Center to facilitate re-development and expansion of the ABQ Studios site and modify the transportation network, the linear park/open space/drainage network, and utility networks (PR-2021-005684/SI-2021-00975).

On November 17, 2022 the EPC approved text amendments to the Mesa Del Sol Level B Plan and forwarded a recommendation of approval for text amendments to the Level A Plan to City Council, which was approved by Council in February 2023. These amendments changed a 500-acre portion of the Residential Village on the eastern edge of the La Semilla escarpment and the southern edge of the UNM Campus, to an Office/R&D designation within the Level A and Level B Plan and designated it as an Employment Center (PR-2022-007805 SI-2022-01880/SI-2022-02011).

On May 18, 2023 the EPC approved text amendments to the Mesa Del Sol Level B Plan and forwarded a recommendation of approval for text amendments to the Level A Plan to City Council, which was enacted on August 21, 2023. These amendments changed the allowable maximum height for the Urban Center to 80-feet and up to 128-feet with applicable height bonuses, and did not change the maximum building height in the Community Center of 60-feet, but allow up to 84-feet with applicable height bonuses. Additional Building Height Stepdown Requirements were approved for development within 30-feet of the Residential District, which remain as a maximum allowable height of 60-feet. (PR-2023-008498, SI-2023-00686, SI-2023-00689, R-23-158).

Subject Site (Tract D-1-A)

On December 16, 2020 the DRB approved a Site Plan on the subject site (Lots D1, D2 & D3) valid for 5 years.

On February 8, 2023 the DHO (Development Hearing Officer) heard the request to consolidate Tract D-1 and D-3 of the Kairos Power property in Mesa del Sol Innovation Park II, creating Tract D-1-A at 28.4377 acres in size. The Final Plat was signed off on February 22, 2023.

III. ANALYSIS OF APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Zoning

Both the Level A Plan area (approximately 13,000 acres) and the Level B Plan area (approximately 3,200 acres within the Level A boundaries) are zoned PC, Planned Community. The purpose of the PC zone is to accommodate innovative, very large-scale residential or mixed-use communities that cannot be accommodated through the use of other zone districts, provided those projects are consistent with the Comprehensive Plan, and include significant public benefits that would not otherwise be required of the applicant. Because of their size, projects in this zone district will include construction of new and expanded transportation networks and infrastructure. This growth may require additional analysis and resulting measures to mitigate impact on the surrounding community.

The Level A Plan Table 7-1. Permissive Uses by Land Use District lists City Zone districts allowable in Mesa del Sol Land Use Districts. The allowable zone districts were assigned prior to the adoption of the IDO and were converted upon adoption of the IDO in 2018. IDO conversions are listed in IDO Table 2-2-1: Summary Table of Zone Districts.

IDO Section 14-16-2-6(B)(5)(d) Mix of Uses and Housing Types states that each phase of a Planned Community shall include at least 10 percent of the land area for non-residential uses and that no phase of a Planned Community may develop more than 80 percent of the land area designated for residential or mixed-use development as single-family detached dwellings.

Framework Plans

The Mesa Del Sol Level A Community Master Plan and The Level B Community Master Plan are considered Framework Plans under the IDO. A Framework Plan is defined as follows:

A plan that accompanies applications for the creation of a PC zone district that describes, in general terms and without engineering level detail, proposed land uses (based on definitions in this IDO); proposed maximum and minimum intensities of development for each development phase or area; and the location, size, alignment, and connectivity of proposed automobile, bicycle, and pedestrian circulation systems; open space and/or wildlife habitat systems; and storm drainage systems and facilities.

Although considered Framework Plans, the titles of “Community Master Plan”, will remain. This name is used in development agreements and contracts pertaining to the Level A and Level B Plan areas and need to be consistent so that these related documents do not need revisions.

For purposes of situating the Level A and Level B Plan in the IDO structure, Framework Plan is the definition that most closely describes the Plans and their contents. The term Master Development Plan, under the IDO, refers to a plan to achieve a coordinated private development such as a business park or industrial park. The term Master Plan refers to the Rank III plans in the City's planning system. Unlike master plans, framework plans do not expire (See IDO Table 6-4-3).

Process

Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was reviewed by the EPC in October 2005 and approved by City Council in January 2006 and remains valid. The Level B Plan was approved by the EPC in January 2007, and was updated in 2012 and 2021 and remains valid.

Also pursuant to IDO 14-16-1-10(A)(1), notwithstanding the pre-IDO approval, development on such a site is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. While the existing development standards continue to apply, process is pursuant to the IDO. This is supported by two provisions:

- i) 14-16-6-4(Y): Amendment of Prior Approvals. If a proposed project exceeds the thresholds for Minor Amendments in 6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)9a)2.] and affects two existing Activity Center overlay zones [6-4(Y)(2)(a)(11)].

Therefore, the request is a Major Amendment to a prior approval.

- ii) Pursuant to IDO 14-16-6-4(Y)(3), all amendments that do not qualify as minor may only be approved by the decision-making body that issued the approval being amended. The EPC reviewed and forwarded a recommendation of approval to City Council in 2005 for the Level A Plan. The EPC was the reviewing body and City Council was the decision-making body, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). The EPC approved the Level B Plan in January 2007. Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council and the request for a major amendment to the Level B Plan is required to be heard and decided by the EPC.

The PC zone [14-16-2-6(B)(7)] states that development on properties with PC zoning and a Framework Plan can be approved through a site plan pursuant to the applicability, procedures, and criteria in the IDO- the thresholds for Site Plan-EPC, Site Plan-DRB, and Site Plan-Administrative. If any future site plan associated with this request meets the DRB thresholds, it will go to the DRB if an application is submitted prior to December 24, 2022. If a site plan is submitted on December 25, 2022 or after, the request will go to the Development Hearing Officer (DHO) for review.

Charter of the City of Albuquerque

The citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

ARTICLE I. INCORPORATION AND POWERS

The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the

city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. The purpose of this Charter is to provide for maximum local self-government. A liberal construction shall be given to the powers granted by this Charter.

Amendment of the Level A and Level B Plans for Mesa del Sol is an exercise in local self-government and falls within the City's powers granted by its Charter.

ARTICLE IX. [ENVIRONMENTAL PROTECTION]

The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority and staff sufficient to effectively administer city policy in this area.

The proposed text amendments would allow a land use that was not originally approved by the EPC or City Council when the Mesa del Sol Framework Plans were adopted. Light manufacturing uses are permitted in the Framework Plans and heavy/special manufacturing used under the IDO NR-GM zoning designation fall under the heavy manufacturing land use. The proposed increase to allow able heights would allow development on a portion of land in Level B Plan area while generally maintaining an aesthetic urban environment through the implementation of Mesa del Sol Development standards. The request is generally consistent with applicable articles of the City Charter.

Albuquerque/Bernalillo County Comprehensive Plan (Rank I)

The 2017 Albuquerque/Bernalillo County Comprehensive Plan contains overarching Guiding Principles, Goals, and Policies that embody a vision for development and service provision in the City and County.

The Level A Plan and Level B Plan areas are mostly designated as an Area of Change, but there are some Areas of Consistency (ex. the first neighborhood, some environmental features). Area of Change policies allow for a mix of development of higher density and intensity in areas where growth is desired and can be supported by multi-modal transportation. In Areas of Consistency, significant growth is unlikely or undesirable and any new development or redevelopment will need to be consistent with the established character of the surrounding context in order to reinforce the existing character of established neighborhoods (Comprehensive Plan, p. 5-23).

In this case, most of the Goals and Policies below were included by the applicant in their justification. Applicable Goals and policies are listed below. Staff analysis follows in ***bold italic text***.

Chapter 4: Community Identity

Goal 4.2 Process: Engage communities to identify and plan for their distinct character and needs.

The applicant engaged the community to plan for its distinct needs. . The applicant worked with the

affected neighborhood associations and residents of Mesa del Sol (MDS) to discuss the changes to the Employment Center (EC). A facilitated meeting was held on July 7, 2023. The request is generally consistent with Goal 4.2 Process.

Chapter 5: Land Use

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

The subject site is located in the Mesa del Sol I Employment Center that is continuously growing with Office, retail, industrial and manufacturing uses. The subject site can be accessed from the existing University Multi - Modal Corridor, which is planned to be connected by a network of corridors. The request would facilitate future heavy/special manufacturing development on the subject site that would contribute to growth in the EC. The request is generally consistent with Goal 5.1- Centers & Corridors.

Policy 5.1.1 Sub policy c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development on a 30-acre portion of the EC, which is already developed with an Industrial use. The subject site is accessed by the University Blvd. Multi -Modal Corridor which is intended to capture growth and higher intensity development. The request would facilitate development on the western 16 acres of the subject site. The eastern 14-acres of the subject site is developed with an Industrial Facility. This request could lead to an expansion of the existing business and employment growth on an infill site. The EC is planned for larger-scale uses, which the request could implement. Therefore, the request is generally consistent with Policy 5.1.1 Subpolicy c.

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

The proposed amendments would facilitate future heavy/special manufacturing development. The development would be an expansion to the existing Industrial Manufacturing facility utilized for nuclear power research and development. The request could lead to job creation on site, which is accessible by University Blvd. from the growing Mesa Del Sol Employment and Community Center including the residential villages. The request continues to promote sustainable job growth in an area that the Comp Plan designated as an Employment Center and the MDS Framework Plan designated as a major employment district, therefore the request is generally consistent with Policy 5.2.1- Land Uses and Sub-policies d and f.

Policy 5.2.2 -Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC. The request is consistent with Policy 5.2.2- Planned Communities.

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

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

The approximately 30-acre subject site is in an area of change u-in the EC. The Employment Center is located along the University Blvd. Multi-Modal Corridor and is primarily classified as a City Development Area of Change with some areas of consistency in the 500 -acre portion south of the Community Center. The request would encourage future growth on the subject site where it is expected and desired, in a comp plan Center and Corridor where change is desired and away from residential development and areas of consistency. The request is consistent with Goal 5.6 City Development Areas and Policy 5.6.2 Areas of Change.

Chapter 8: Economic Development

Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The request would facilitate a different development intensity and building scale on a 30-acre portion of the Employment Center, which is developed with an existing Industrial Manufacturing facility for nuclear research and development. The request would facilitate expansion of the current use and allow special manufacturing on site which could encourage economic development Future development would be required to follow development standards within the Level A and Level B Plans, but have higher intensity manufacturing and building heights. The design standards allow a variety of characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development. The request is consistent with Policy 8.1.1 Diverse Places.

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

By allowing an increase in building heights and making Heavy and Special Manufacturing permissive pursuant to the NR-GM zone designation, expanded development of the existing industrial Facility of the subject site could occur. This request could accommodate employment growth on the subject site. This change would generally facilitate future development that could lead to employment growth in an Area of Change, the Mesa del Sol Employment Center and along a designated corridor, which the Comprehensive Plan Identifies as a place that should be the focus of job creation, therefore the request is generally consistent with Policy 8.1.5.

Mesa Del Sol Level A Community Master Plan 2006 (the “Level A Plan”)

Adopted in January 2006, the Level A Plan covers approximately 13,000 acres and emphasizes community building, mixed-use centers and multi-modal transportation. New urbanism is a common theme; job creation and sustainability are intended to play key roles in future development. As the highest ranked development plan for Mesa del Sol, the Level A Plan guides the Level B Plan and Level C Plans. The Level A Plan establishes a framework for planning and development of Mesa del Sol and establishes goals and policies for the community. That are intended to “form the basis for the creation of a transportation network, a land use plan, including a hierarchy of activity centers, a parks and open space plan and plans for public facilities and utilities to serve the community: (Level A Plan p. iii).

The document is available online here:

https://documents.cabq.gov/planning/FrameworkPlans/MdS/MdS_Level_A_AAamendment%2002.28.23.pdf

Level A Plan Community Building Principles

The Level A Plan has five Goals for community building: economic development; district and neighborhood structure; ecological sustainability conservation, and restoration; diversity and balance, and human scale. These principles support the overarching goal in the to address interrelated issues of land use and infrastructure coordination, air quality and traffic, transit-friendliness, housing diversity and fiscal impacts (p. 8).

The proposed text amendments to the Level A Plan relate to the applicable community building principles as follows:

1.2.1 Economic Development (p. 8)

“Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request could facilitate the expansion of an existing Industrial Manufacturing facility within the Employment Center. The future development would create more jobs near housing in MDS and help to foster a viable economy and sustainable community where residents can live, and work. The request is generally consistent with the community building principle regarding economic development.

1.2.2 District and Neighborhood Structure (p. 10)

[Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate heavy/special manufacturing development in the Employment District. The Employment Center is planned for a variety of types of employment and the proposed use would allow a new type of industry. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a new of types of employment in a special/industrial manufacturing facility. The Employment Center is planned to be well served by transportation. The request is generally consistent with the community building principle regarding district and neighborhood structure.

Mesa Del Sol Level B Community Master Plan 2008, 2012 (the “Level B Plan”)

The Level B Plan continues the Community Building Principles of the Level A Plan and, consistent with its place in the PCC hierarchy of Plans, discusses these concepts in more detail and applied to a smaller area. Specifically, the Level B Plan provides diverse strategies for implementing the key sustainability principles outlined in the Level A Plan: economic viability, response to context and location, and resource efficiency (p. 4 of Level B Plan). The document is available online here:

https://documents.cabq.gov/planning/FrameworkPlans/MdS/MDS_Level%20B_Plan_Amended-2022-11.pdf

Consistent with the Level A Master Plan, sustainability is the core principle of the Level B Plan and is more than the sum of its parts: it means incorporating environmental, social, and economic well-being into the community. The following is Staff’s analysis of the Level B Plan’s strategies as they apply to the proposed amendments:

1.3.2 Economic Viability, B. Local Economy (p. 5)

(marketability, local economy, sustainability through diversity).

Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.

The proposed land use would facilitate the expansion of an existing Industrial Manufacturing facility, which could lead to more jobs in the Employment Center. The MDS Framework Plan has a goal of jobs first, housing second in MDS. The request could allow an existing industry to expand and grow, which would in turn help to improve the jobs-housing balance in the area and could have a multiplier effect throughout the local economy. There will be additional opportunity for residents of MDS to live near the jobs in the Employment Center. The request is consistent with the Economic Viability strategy.

1.3.3 Context and Location (p. 6)

(open space, dark skies, air quality, global systems, heat island).

Development at Mesa del Sol will take full advantage of the sense of identity created by the site’s rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.

The request could facilitate future development which would expand an existing Industrial manufacturing/research and development nuclear power facility. Any future development

facilitated by this request will be required to follow development standards within the Level B Plan and the Level B Technical Appendices. Any future site plans would be required to be reviewed by the DFT (Development Facilitation Team) or DHO (Development Hearing Officer) which would help ensure that the Lighting, Open Space, and related design standards within the plan are followed in response to context and location. Staff suggests, when future site plans are reviewed, that the topics of dark skies, air quality, and heat islands be discussed to determine what additional efforts can be made, and/or measures taken, to help ensure this strategy can be carried out in the manner envisioned. Therefore, at this time, the request is partially consistent with the Response to Context and Location Strategy.

The Level B Plan outlines Goals and Objectives in Chapter 2, Land Use, which apply the proposed text amendments as follows:

2.2.1 Goals and Objectives for Employment Center and Highway Commercial District (p. 16).

“Mesa del Sol’s employment districts emphasize the “jobs first, housing second” approach to development that is a hallmark of Mesa del Sol. The employment districts’ strategic location, accessibility, and ample land supply will offer unique opportunities to new employers from out of state, as well as providing space for local businesses to expand.”

The request would facilitate an expansion to an existing Industrial development within the Employment Center. The proposed height increase and land use on the subject site would allow job creation, which is in line with the “jobs first housing second” approach to development in MDS, therefore the request is generally consistent with the Goal 2.2.1 for the Employment Center.

The Level A and Level B Plan Development Standards

The Level A Plan contains Development Standards including: Permissive Uses by Land use district, Off-Street Parking, Street Sections, Open Space, Curb Radii, and stormwater management. Future Site Plans facilitated by this request would be required to meet the Development Standards for an Employment Center and the allowable uses within pursuant to Table 7-1 and 7-2 within the Level A Plan.

The Level B Plan contains Development Standards that apply to the six types of districts established: Employment Center, Highway Commercial, Urban Center, Community Center, Village Center, and Residential Villages. The subject site is located in the Employment Center. Future site plans facilitated by this request would be required to meet the Employment Center standards for development, site design, and building design (see Level B Plan p. 18-19).

IV. SITE PLAN- MAJOR AMENDMENT

Site Plan-EPC Review & Decision Criteria

IDO Section 14-16-6-6(J)(3) states that any application for a Site Plan-EPC, including Major Amendments to prior approvals, will be approved if it meets all of the following criteria:

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

- 6-6(I)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.
- The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.*
- 6-6(I)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.
- Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.*
- 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.
- The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.*
- 6-6(I)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.
- The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area, although would facilitate development of a special manufacturing facility with a tower that would be equal to or over 100-feet. The subject site is located at least 5,000 feet from any residential land uses at this time, so buffering requirements would be met. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.*
- 6-6(I)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.
- Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Framework Plans for Mesa del Sol. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.*
- 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts

Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

Not applicable. The Level A or Level B Plan areas are not in a designated Railroad and Spur Area.

V. PROPOSED TEXT AMENDMENTS & ANALYSIS

Staff has prepared a table to summarize the proposed amendments.

The applicant provided applicable redlined pages for the Level A and Level B Plan which depict the text amendments outline below (see attachments).

Proposed Level A Plan Amendments:

Category	Page	Change	Description
Development Standards	74	Table 7-1 Permissive Uses by Land Use District	Add the IDO NR-GM zone district as an allowable land use district in the Level A Plan with a note stating that this only applies to specific parcels approved by the EPC and Level B Plan.
		Table 7-2. Development Standards	Update the Maximum Height (feet) for the Employment Center to 110 feet with note #4 stating that this is on a case-by-case basis and all other buildings have a max height of 80-feet. (See conditions of approval).

Proposed Level B Plan Amendments:

Category	Page	Change	Description
Development Standards – Employment Center	18	2.2.2 Development Standards – Employment Center b) Permissive Uses	Add NR-GM as a Permissive Use in the EC pursuant to IDO section 4-3. A note is added stating that the use is only permissive on Tract D-1-A.
		2.2.2 Development Standards – Employment Center e) maximum building height	Change the text to 110-feet on specific properties at approved by the EPC which states that all other EC heights are to remain at 80-feet max.
Table 2-1 Development Standards	31	Employment Center	Change the text to 110 feet for the max allowable height which references new note 14
		Notes	Add new note describing that the max height in the EC is restricted to 80 unless approved by the EPC on a case-by-case basis. This amendment allows a height increase on Tract D-1-A only.

Table 7-1 Approval Matrix	105	New row added to the table	Allow NR-GM. heavy and special manufacturing. as permissive in the Employment Center with a note.
		Add note ****	The notes states that NR-GM uses are premised on a case-by-case basis after approved by the EPC and that the uses are restricted to Tract D-1-A for this request.

Discussion

Revision Areas

The applicant proposes updating the text in the Level A and Level B Framework Plans to raise the allowable maximum height and add NR-GM heavy and special manufacturing land uses to a 30-acre site in the Employment Center. Development Standards for building heights in these Centers are within the Level B Plan area and overall Level A Plan area. The applicant has provided updated tables and text in both Plans to reflect this change (see attached).

The text amendments to the Employment Center include:

- Changing the allowable maximum height on Tract D-1-A in the EC from 80-feet to 110-feet.
- Adding NR-GM Heavy and Special Manufacturing as a Permissive zone district and land use in the Employment Center on a Case-by-Case basis as approved by the EPC. The Land use is subject to IDO section 4-3 Use Specific Standards for heavy and special manufacturing.
 - A note is added to applicable section of the Framework Plans which state that this amendment restricts this land use to the subject site, Tract D-1-A.
 - NR-GM Heavy and Special Manufacturing land uses would be pursuant to IDO section 4-3 Use Specific Standards.

As explained by the applicant, these changes would facilitate future development on the 30-acre Tract D-1-A-1 in the Employment Center. The development would be an expansion to an existing Industrial facility which is utilized for Nuclear Power research and development. The requested land uses would allow heavy and special manufacturing on site, making manufacturing possible. The requested height increase would allow the development of a 100+ foot tower for production purposes.

Although the purpose of the amendment is for a specific development, it is important to note that once the requested height and land use are approved for the subject site, they will remain an allowable building height and use in the Framework Plans. Future development could occur on the site that is different from the current applicant's plan.

Furthermore, the proposed changes could facilitate development that aligns with the Mesa Del Sol's intention for a "jobs first, housing second" approach in the Employment district as well as locating heavy manufacturing development away from residential uses, which would help to mitigate harmful impacts of residents within the MDs community.

Staff finds that the proposed building height changes would not adversely affect the Mesa del Sol Level A or Level B Plans overall. The Employment Center district allows a variety of light manufacturing,

commercial, and industrial uses, with limited residential uses. The request would expand on the Framework Plan's goal to expand employment opportunities in the employment district.

Level A & B Plan Document Clean-Up

All references to Tract D-1-A-1 shall be changed to reflect the legal description on the approved survey: Tract D-1-A

Staff suggests leaving the reference to "As approved by the DRB February 2008" (the original approval) and adding "Amended September 2023" on the Level A and Level B Plan document cover and the chapter dividers. There may be additional, future revisions.

Level B Plan Document Clean-Up

The proposed amendment to the Max. Building Height in Table 2-1 shall remain at 80-feet Max for consistency purposes. All buildings are to remain restricted to 80-feet except for approval by the EPC on a case-by-case basis. The proposed note 14 should reflect the allowable building height on Tract D-1-A only.

VI. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application. Agency Comments received were based upon the initial application submittal on August 10, 2023. Staff has based the analysis on a revised project letter submitted on September 5, 2023 (see attachments).

Few, but notable agency comments were submitted by ABCWUA, APS, Bernalillo County Public Works MRMPO, and PNM. All comments can be found starting on page 43 of this report.

Neighborhood/Public

Notification requirements are found in IDO Table 6-1 and are further explained in 14-16-6-4(K), Public Notice. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject area as required (see attachments).

A pre-submittal neighborhood meeting was held on July 7, 2023 (see attachments). This was not a facilitated meeting because a meeting was not requested by the NA. Pursuant to IDO section 6-4(B), a facilitated meeting through the City's ONC is required when and affected NA accepts the offer of a pre-application meeting. The applicant held a public meeting and provided notes. The applicant discussed the proposed amendments. Community concerns were not included and are unknown.

Staff received a letter of opposition from the Mesa del Sol Neighborhood Association on September 7, 2023. There is no opposition to the requested land uses on the subject site. The NA is opposed to increasing the maximum height in the Employment Center from 80-feet to 110-feet (see attachment).

VII. CONCLUSION

The request is for text amendments to the Mesa del Sol Level A Community Master Plan (the "Level A Plan") and the Mesa del Sol Level B Community Master Plan (the "Level B Plan"). The Mesa Del Sol

Level A Plan contains approximately 13,000 acres and the Level B Plan contains approximately 3,200 acres within the level A Plan area (the “Subject Area”).

Text amendments are proposed for an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”). The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans. The proposed amendments would modify the allowable maximum building height and allowable uses on the subject site in the Level A Plan and Level B Plans as follows:

- 1) Change the allowable maximum height on the subject site from 80-feet to 110-feet, and
- 2) Would allow Heavy and Special Manufacturing uses permissive in the NR-GM zone district pursuant to IDO 4-3 Use Specific Standards.

This amendment includes a modification of language and tables within the Level A Plan and Level B Plan, which the applicant has included as part of this request (see attachments).

The EC is in the Mesa del Sol I Employment Center and along the University Blvd. Multi Modal Corridor as designated in the Comprehensive Plan. Overall, the request is generally consistent with applicable Goals and policies in the Comprehensive Plan and the Mesa del Sol Level A Plan and Level B Plan.

The affected neighborhood organizations and property owners within 100 feet of the subject site were notified as required. A pre-application meeting was held on June 7, 2023. Staff received a letter of opposition from the MDS NA on September 7, 2023.

Staff recommends approval subject to conditions needed to improve consistency with the Level A and Level B plans, to provide clarity going forward, and to ensure internal consistency.

FINDINGS – SI-2023-01380, Text Amendments to the Mesa del Sol Level A Community Master Plan, May 18, 2023

1. This request is for text amendments to the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) which contains approximately 13,000 acres situated in the southeastern portion of the City and south of the Albuquerque International Sunport. The Level B Plan area, containing 3,200-acres, is within the boundaries of the Level A Plan.
2. Text amendments are proposed for an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”).
3. The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans.
4. The proposed amendments would modify the allowable maximum building height and allowable uses on the subject site in the Level A Plan and Level B Plans as follows: Change the allowable maximum height on the subject site from 80-feet to 110-feet and allow Heavy and Special Manufacturing uses permissive in the NR-GM zone district pursuant to IDO 4-3 Use Specific Standards.
5. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
6. The Level A Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)(a)(2).] and would affect the existing Mesa del Sol I Employment Center [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.
9. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the

Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City's powers granted by its Charter (Article I). The proposed text amendments to raise allowable maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).
12. The request is generally consistent with Goal 4.2 Process from Comprehensive Plan Chapter 4 Community Identity: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on July 7, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol (MDS) to discuss the changed to the Employment Center (EC).
13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:
 - A. Goal 5.1-Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is located in the Mesa del Sol I Employment Center that is continuously growing with Office, retail, industrial and manufacturing uses. The EC is located along the existing University Multi - Modal Corridor, which is planned to be connected by a network of corridors at full build out. The request would facilitate future heavy/special manufacturing development on the subject site that would contribute to growth in the EC.

- B. Policy 5.1.1, Sub policy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development on a 30-acre portion of the EC, which is already developed with an Industrial use. The subject site is accessed by the University Blvd. Multi -Modal Corridor which is intended to capture growth and higher intensity development. The request would facilitate development on the western 16 acres of the subject site. The eastern 14-acres of the subject site is developed with an Industrial Facility. This request could lead to an expansion of the existing business and employment growth on an infill site. The EC is planned for larger-scale uses, which the request could implement.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities and City Development Areas from Chapter 5- Land Use:
 - A. Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The proposed amendments could facilitate future heavy/special manufacturing development. The development would be an expansion to the existing Industrial Manufacturing facility that is utilized for nuclear power research and development. The request could lead to job creation on site, which is accessible by University Blvd. from the growing Mesa Del Sol Employment and Community Center including the residential villages. The request continues to promote sustainable job growth in an area that the Comp Plan designated as an Employment Center and the MDS Framework Plan designated as a major employment district.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

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

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

The approximately 30-acre subject site is in an area of change u-in the EC. The Employment Center is located along the University Blvd. Multi-Modal Corridor and is primarily classified as a City Development Area of Change with some areas of consistency in the 500 -acre portion south of the Community Center. The request would encourage future growth on the subject site where it is expected and desired, in a comp plan Center and Corridor where change is desired and away from residential development and areas of consistency.

15. The request is consistent with Policies from Chapter 8 Economic Development:

- A. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The request would facilitate a different development intensity and building scale on a 30-acre portion of the Employment Center, which is developed with an existing Industrial Manufacturing facility for nuclear research and development. The request would facilitate expansion of the current use and allow special manufacturing on site which could encourage economic development opportunities for MDS. Future development would be required to follow development standards within the Level A and Level B Plans, but have the flexibility of higher intensity manufacturing and building heights. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

- B. Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

By allowing an increase in building heights and making Heavy and Special Manufacturing permissive pursuant to the NR-GM zone designation, expanded development of the existing industrial Facility of the subject site could occur. This request could accommodate employment growth on the subject site for the existing development. This change would generally facilitate future development that could lead to employment growth in an Area of Change, the Mesa del Sol I Employment Center and along a designated corridor, which the Comprehensive Plan Identifies as a place that should be the focus of job creation.

16. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request could facilitate the expansion of an existing Industrial Manufacturing facility within the Employment Center. The future development would create more jobs near housing in MDS and help to foster a viable economy and sustainable community where residents can live, and work.

17. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate heavy/special manufacturing development in the Employment District. The Employment Center is planned for a variety of types of employment and the proposed use would allow a new type of employment industry in the center. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a new of types of employment in a special/industrial manufacturing facility. The Employment Center is planned to be well served by transportation.

18. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

- D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area, although would facilitate development of a special manufacturing facility with a tower that would be equal to or over 100-feet. The subject site is located at least 5,000 feet from any residential land uses at this time, so buffering requirements would be met. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans

will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level A Plan area is not in a designated Railroad and Spur Area.

19. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the district 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
20. A pre-submittal neighborhood meeting was held on July 7, 2023. This was not a facilitated meeting because a meeting was not requested by the NA. Pursuant to IDO section 6-4(B), a facilitated meeting through the City's ONC is required when an affected NA accepts the offer of a pre-application meeting. The applicant held a public meeting and provided notes. The applicant discussed the proposed amendments. Community concerns were not included and are unknown.
21. Staff received a letter of opposition from the Mesa del Sol Neighborhood Association on September 7, 2023. There is no opposition to the requested land uses on the subject site. The NA is opposed to increasing the maximum height in the Employment Center from 80-feet to 110-feet.

RECOMMENDATION - PR-2023-008498, SI-2023-01380, September 21, 2023

That a recommendation of APPROVAL be forwarded to the City Council, of PR-2023-008498, SI-2023-00686 Text Amendments to the Mesa del Sol Level A Community Master Plan for the Level A Plan area, approximately 13,000 acres, known as all or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, located generally south of Los Pícaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, zoned PC (Planned Community), based on the preceding Findings and subject to the following Conditions for recommendation of Approval.

CONDITIONS OF APPROVAL- PR-2023-008498, SI-2023-01380 September 21, 2023

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated

documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.

2. The applicant shall meet with a Staff planner to ensure that all conditions of approval are addressed and met prior to finalizing the amended Level A Framework Plan.
3. The applicant shall provide a final revised document within 6 months of the final City Council approval.
4. Level A Plan Document Clean-Up:
 - A. The Applicant shall title the document “As approved by the DRB February 2008” (the original approval) and add “Amended September 2023” on the Level A Plan document cover and the chapter dividers. There may be additional, future revisions.
 - B. All references to Tract D-1-A-1 shall be changed to reflect the legal description on the approved survey: Tract D-1-A.
 - C. The proposed amendment to the Max. Building Height in Table 7-2 Development Standards shall remain at 80-feet Max for consistency purposes. All buildings are to remain restricted to 80-feet except for approval by the EPC on a case-by-case basis.
 - D. The proposed note 14 shall reflect that the allowable building height is approved on Tract D-1-A only.
5. Level A Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

FINDINGS - SI-2023-01500, Text Amendments to the Mesa del Sol Level B Community Master Plan, September 21, 2023

1. This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) which contains approximately 3,200 within the Level A plan area, which is generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base (KAFB).
2. Text amendments are proposed for an approximately 30-acre portion of the Employment Center (EC) legally described as Tract D-1-A, Mesa Del Sol Innovation Park II, located on the NE portion of the EC (the “subject site”).
3. The EC is located on the northernmost portion of the mesa top including a 500-acre site on the southern boundary of the UNM campus designated as Mixed-Use Centers in the Level A and Level B Plans.

4. The proposed amendments would modify the allowable maximum building height and allowable uses on the subject site in the Level A Plan and Level B Plans as follows: Change the allowable maximum height on the subject site from 80-feet to 110-feet and allow Heavy and Special Manufacturing uses permissive in the NR-GM zone district pursuant to IDO 4-3 Use Specific Standards.
5. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
6. The Level B Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)9a)2.] and would affect the existing Mesa del Sol I Employment Center [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.
9. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to raise allowable maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).
12. The request is generally consistent with Goal 4.2 Process from Comprehensive Plan Chapter 4 Community Identity: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on July 7, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol (MDS) to discuss the changed to the Employment Center (EC).

13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The subject site is located in the Mesa del Sol I Employment Center that is continuously growing with Office, retail, industrial and manufacturing uses. The EC is located along the existing University Multi - Modal Corridor, which is planned to be connected by a network of corridors at full build out. The request would facilitate future heavy/special manufacturing development on the subject site that would contribute to growth in the EC.

- B. Policy 5.1.1, Sub policy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development on a 30-acre portion of the EC, which is already developed with an Industrial use. The subject site is accessed by the University Blvd. Multi - Modal Corridor which is intended to capture growth and higher intensity development. The request would facilitate development on the western 16 acres of the subject site. The eastern 14-acres of the subject site is developed with an Industrial Facility. This request could lead to an expansion of the existing business and employment growth on an infill site. The EC is planned for larger-scale uses, which the request could implement.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities and City Development Areas from Chapter 5- Land Use:

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

The proposed amendments could facilitate future heavy/special manufacturing development. The development would be an expansion to the existing Industrial Manufacturing facility that is utilized for nuclear power research and development. The request could lead to job creation on site, which is accessible by University Blvd. from the growing Mesa Del Sol Employment and Community Center including the residential villages. The request continues to promote sustainable job growth in an area that the Comp Plan designated as an Employment Center and the MDS Framework Plan designated as a major employment district.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

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

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

The approximately 30-acre subject site is in an area of change u-in the EC. The Employment Center is located along the University Blvd. Multi-Modal Corridor and is primarily classified as a City Development Area of Change with some areas of consistency in the 500 -acre portion south of the Community Center. The request would encourage future growth on the subject site where it is expected and desired, in a comp plan Center and Corridor where change is desired and away from residential development and areas of consistency.

15. The request is consistent with Policies from Chapter 8 Economic Development:

- A. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The request would facilitate a different development intensity and building scale on a 30-acre portion of the Employment Center, which is developed with an existing Industrial Manufacturing facility for nuclear research and development. The request would facilitate expansion of the current use and allow special manufacturing on site which could encourage economic development opportunities for MDS. Future development would be required to follow development standards within the Level A and Level B Plans, but have the flexibility of higher intensity manufacturing and building heights. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

- B. Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

By allowing an increase in building heights and making Heavy and Special Manufacturing permissive pursuant to the NR-GM zone designation, expanded development of the existing industrial Facility of the subject site could occur. This request could accommodate employment growth on the subject site for the existing development. This change would generally facilitate future development that could lead to employment growth in an Area of Change, the Mesa del Sol I Employment Center and along a designated corridor, which the Comprehensive Plan Identifies as a place that should be the focus of job creation.

16. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request could facilitate the expansion of an existing Industrial Manufacturing facility within the Employment Center. The future development would create more jobs near housing in MDS and help to foster a viable economy and sustainable community where residents can live, and work. The request is generally consistent with the community building principle regarding economic development.

17. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate heavy/special manufacturing development in the Employment District. The Employment Center is planned for a variety of types of employment and the proposed use would allow a new type of employment industry in the center. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a new of types of employment in a special/industrial manufacturing facility. The Employment Center is planned to be well served by transportation. The request is generally consistent with the community building principle regarding district and neighborhood structure.

18. The request is generally consistent with the Economic Viability strategy in the Level B Plan, as follows:
1.3.2 Economic Viability, B. Local Economy (p. 5) (marketability, local economy, sustainability through diversity): “Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.”

The proposed land use would facilitate the expansion of an existing Industrial Manufacturing facility, which could lead to more jobs in the Employment Center. The MDS Framework Plan has a goal of jobs first housing second in MDS. The request could allow an existing industry to expand and grow, which would in turn help to improve the jobs-housing balance in the area and could have a multiplier effect throughout the local economy. There will be additional opportunity for residents of MDS to live near the jobs in the Employment Center. The request is consistent with the Economic Viability strategy.

19. The request is partially consistent with the Context and Location strategy in the Level B Plan, as follows:

1.3.3 Response to Context and Location (p. 6) (open space, dark skies, air quality, global systems, heat island): “Development at Mesa del Sol will take full advantage of the sense of identity created by the site’s rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.”

The requested text amendments are to increase the allowable maximum building heights and make heavy and special manufacturing uses permissive on a 30-acre site in the Employment Center. Approval of the request could facilitate future development which would be an expansion to an existing Industrial manufacturing/ research and development nuclear power facility. Any future development facilitated by this request will be required to follow development standards within the Level B Plan in addition to the Level B Technical Appendices. Any future site plans would be required to be reviewed by the DFT (Development Facilitation Team) or DHO (Development Hearing Officer) which would help ensure that the Lighting, Open Space, and related design standards within the plan are followed in response to context and location. Staff suggests, when future site plans are reviewed, that the topics of dark skies, air quality, and heat islands be discussed to determine what additional efforts can be made, and/or measures taken, to help ensure this strategy can be carried out in a strong manner as envisioned. Therefore, at this time, the request is partially consistent with the Response to Context and Location Strategy.

20. The Level B Plan outlines Goals and Objectives in Chapter 2, Land Use, which are applicable to the proposed text amendments as follows:

A. 2.2.1 Goals and Objectives for Employment Center and Highway Commercial District (p. 16).

“Mesa del Sol’s employment districts emphasize the “jobs first, housing second” approach to development that is a hallmark of Mesa del Sol. The employment districts’ strategic location, accessibility, and ample land supply will offer unique opportunities to new employers from out of state, as well as providing space for local businesses to expand.”

The request would facilitate an expansion to an existing Industrial development within the Employment Center. The proposed height increase and land use won the subject site would allow job creation on site, which is in line with the “jobs first housing second” approach to development in MDS, therefore the request is generally consistent with the Goal 2.2.1 for the Employment Center.

21. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

- D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area, although would facilitate development of a special manufacturing facility with a tower that would be equal to or over 100-feet. The subject site is located at least 5,000 feet from any residential land uses at this time, so buffering requirements would be met. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level B Plan area is not in a designated Railroad and Spur Area.

22. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the district 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.

23. A pre-submittal neighborhood meeting was held on June, 2023 (see attachments). This was not a facilitated meeting because a meeting was not requested by the NA. Pursuant to IDO section 6-4(B), a facilitated meeting through the City's ONC is required when and affected NA accepts the offer of a pre-application meeting. The applicant held a public meeting and provided notes. The applicant discussed the proposed amendments. Community concerns were not included and are unknown.

Staff received a letter of opposition form the Mesa del Sol Neighborhood Association on September 7, 2023. There is no opposition to the requested land uses on the subject site. The NA is opposed to increasing the maximum height in the Employment Center form 80-feet to 110-feet.

RECOMMENDATION - PR-2023-008498, SI-2023-01500, September 21, 2023

APPROVAL of PR-2023-008498, SI-2023-01380, Text Amendments to the Mesa del Sol Level B Community Master Plan for the Level B Plan area, approximately 3,200 acres, which is located within the larger Level A Community Master Plan Area known as all or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, located generally south of Los Pícaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, zoned PC (Planned Community), based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL- PR-2023-008498, SI-2023-01500, September 21, 2023

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with a Staff planner to ensure that all conditions of approval are addressed and met prior to finalizing the amended Level B Framework Plan.
3. The applicant shall provide a final revised Level B Framework Plan document within 6 months of the final EPC approval.
4. Level B Plan Document Clean-Up
 - A. The Applicant shall title the document "As approved by the DRB February 2008" (the original approval) and add "Amended September 2023" on the Level B Plan document cover and the chapter dividers. There may be additional, future revisions.
 - B. All references to Tract D-1-A-1 shall be changed to reflect the legal description on the approved survey: Tract D-1-A

C. The proposed amendment to the Max. Building Height in Table 2-1 Site Development Standards shall remain at 80-feet Max for consistency purposes. All buildings are to remain restricted to 80-feet except for approval by the EPC on a case-by-case basis.

D. The proposed note 14 shall reflect that the allowable building height is approved on Tract D-1-A only.

5. Level B Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

Megan Jones

Megan Jones, MCRP
Senior Planner

Notice of Decision cc list:

Consensus Planning LLC, Jim Strozier, cp@consensusplanning.com

Mesa Del Sol NA, David Mills, dmills544@gmail.com

Mesa Del Sol NA, Cathy Burns, catburns87106@gmail.com

District 6 Coalition of Neighborhood Associations, Mandy Warr mandy@theremedydayspa.com 119

District 6 Coalition of Neighborhood Associations, Patricia Willson info@willsonstudio.com

Legal, Dking@cabq.gov

EPC file

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No comment at this time.

Long Range Planning

CITY ENGINEER

Transportation Development Services

Hydrology Development

New Mexico Department of Transportation (NMDOT)

DEPARTMENT OF MUNICIPAL DEVELOPMENT (DMD)

Transportation Section:

Engineering Division

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY PUBLIC WORKS

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ABCWUA

1. No objections to proposed text amendment.
2. For information purposes only:
 - 2a. Future developments seeking water and sanitary sewer service from ABCWUA shall require an Availability Statement.
 - 2b. Statements can be requested at the following link: <https://www.abcwua.org/info-for-builders-availability-statements/>.

ALBUQUERQUE PUBLIC SCHOOLS

Request Description: Text amendment to approved Mesa Del Sol Level A Master Plan and Level B Community Master Plan to:

- i. Increase allowable heights in Urban Centers (UC) and Community Centers (CC); from 80 feet to a base height of 110 feet in a small portion of the Employment Center,
- ii. Allow additional manufacturing (on the Kairos Power property), as a permissive use, within the Employment Center, which includes a lithium enrichment facility. Uses in these areas include mixed-use with retail use (UC) and retail, civic, and housing uses (CC).

APS Comments: As previously discussed, planned development at Mesa Del Sol includes residential dwellings to house school-age populations and schools. Existing schools do not have sufficient capacity to support an eventual build-out estimated at 13,824.

MID-REGION METROPOLITAN PLANNING ORGANIZATION (MRMPO)

MRMPO has no adverse comment. For informational purposes:

Appendix G of the MTP supports the following as it relates to the subject property:

- Encourage a mix of land uses (retail, housing, entertainment, etc.) and multimodal facilities in appropriate locations to encourage shorter and more active trips.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

There are PNM facilities and/or easements throughout Mesa del Sol and more will be needed as growth and development continue in this planned community.

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

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

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

Typical electric utility easement widths vary depending on the type of facility. On-site transformers should have a five-foot clear area on the sides and rear and ten-foot in front to allow for access and maintenance.

Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

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

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



Figure 1: Looking at development on the 30-acre subject site from Hawking Dr. SE



Figure 2: Looking East at the undeveloped portion of the subject site behind the existing industrial facility on site



Figure 3: Looking East at Employment Center Development at the intersection of Crick Ave and University Blvd. SE

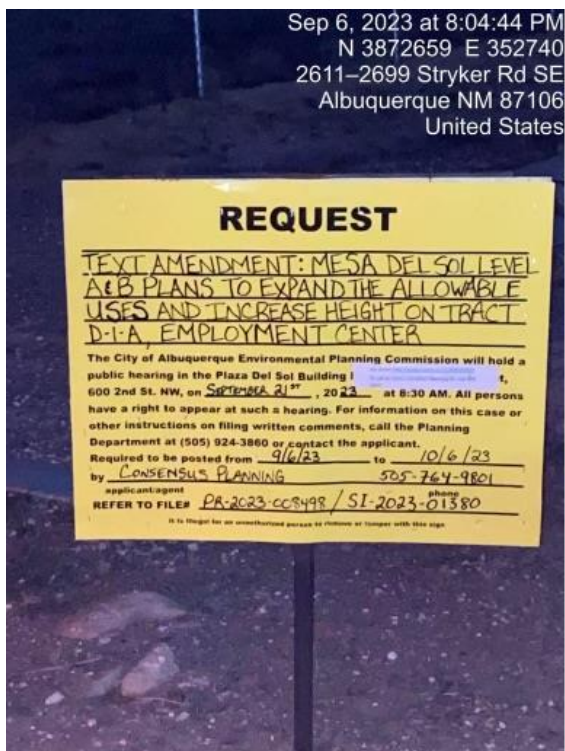


Figure 4: Looking north at Employment Center development at the intersection of Crick Ave. and Watson Dr. SE

Figure 5 & 6: Sign Posting along University Blvd. and Crick Ave.



Figure 7 & 8: Sign Posting along Stryker Rd and Hawking Dr.



ZONING

Please refer to IDO Section 14-16-2-6(B) for the PC (Planned
Community) Zone District

HISTORY

30-acre

Subject site

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTIFICATION OF DECISION

Kairos Power, ATTN: Lara Gutierrez
5201 Hawking Dr., SE
Albuquerque, NM, 87106

Project# PR-2020-004448
Application#
SD-2023-00029 PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of: **LOT D-1 & D-3**
(PROPOSED LOT D-1-A), MESA DEL SOL
INNOVATION PARK II zoned **PC**, located at
5201 HAWKING DR SE containing
approximately **28.4377** acre(s). **(Q-16)**

On February 8, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. This request is to consolidate Tract D-1 and D-3 of the Kairos Power property in Mesa del Sol Innovation Park II, creating Tract D-1-A at 28.4377 acres in size.
2. The property is zoned PC (Planned Community). Future development must be consistent with the Mesa del Sol Master Plan/Framework Plan.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

Final sign-off of the Plat by the DFT staff is conditioned as follows:

- a. Project and application numbers must be added to the Plat, submittal of the DXF file approval from AGIS, add a signature line onto the Plat for Hydrology, and mark out the DRB reference on the Planning signature line on the Plat.

Official Notice of Decision

Project # PR-2020-004448 Application# SD-2023-00029

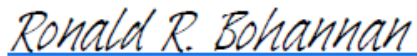
Page 2 of 2

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **FEBRUARY 27, 2023**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,


[Ronald R. Bohannon \(Feb 10, 2023 14:19 MST\)](#)

Ronald R. Bohannon
Development Hearing Officer

RRB/ls

Greenbox Architecture, 502, Seventh Street, Suit 203, Oregon City, OR 97045

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTIFICATION OF DECISION

Kairos Power – Lance Hagenbuch
707 West Tower Avenue
Alameda, CA 94501

Project# PR-2020-004448
Application#
SI-2020-00964 MAJOR AMENDMENT TO SITE
PLAN - DRB

LEGAL DESCRIPTION:

All or a portion of **LOT D1, D2 & D3, MESA
DEL SOL INNOVATION PARK II**, zoned PC,
located at **5201 HAWKING DR SE between
HAWKING DR and CRICK CROSSING**,
containing approximately 32.5 acre(s).(Q-16)

On December 16, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the request, with delegation to Planning, based on the following Findings:

1. The original project consists of a 128,288 square foot building utilized for manufacturing. This is a request to construct a 40,000 square foot one-story building addition which would also be utilized for manufacturing.
 1. Pursuant to 6-6(G)(3) Review and Decision Criteria An application for a Site Plan – DRB shall be approved if it meets all of the following criteria:
 - a. 6-6(G)(3)(a) *The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.*

The parking and landscaping meet the IDO requirements, and the building height, parking, and setbacks are allowed under the Mesa del Sol Master Plan: 215 parking spaces are provided where a total of 169 parking spaces are required; and 529,423 square feet of landscaping is proposed where 202,576 square feet is required.

- b. 6-6(G)(3)(b) *The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.*

The site has access to a full range of urban services including utilities, roads and emergency services. Transportation determined that a TIS was not required for the project.

- c. 6-6(G)(3)(c) *The Site Plan mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.*

The existing development provides screening on the northern portion of the Site.

2. This site includes two Infrastructure Lists (IL). A revision to IL #2 was made at the December 16, 2020 DRB Meeting removing "HALF OF MEDIAN" under the "PUBLIC ROADWAY IMPROVEMENTS" section of the IL.
3. The City must record the Letter from the Fire Marshal submitted by the applicant.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The proposed use is allowed within the PC zone district, and subject to the requirements of the Mesa del Sol Master Plan.

Conditions:

1. This Site Plan is valid 5 years from DRB approval (12/16/2020). An extension may be requested prior to the expiration date.
2. Final sign-off is delegated to Planning for the recorded Infrastructure Improvements Agreement (IIA) for Infrastructure Improvements List #1.
3. The applicant will obtain final sign-off from Planning by February 16, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 31, 2020**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). Files larger than 9MB can be sent to PLNDRS@CABQ.GOV using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Wolfley', written in a cursive style.

Jolene Wolfley
DRB Chair

JW/jr

Studio Southwest Architects – Joe Blowers, 2102 Mountain Road NW, Suite B, Albuquerque, NM 87104

HISTORY
Mesa del Sol

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-158

ENACTMENT NO. R-2023-067

SPONSORED BY: Pat Davis, by request

1 RESOLUTION

2 AMENDING THE LEVEL A COMMUNITY FRAMEWORK PLAN FOR MESA DEL
3 SOL TO CHANGE THE ALLOWABLE MAXIMUM BUILDING HEIGHT IN THE 92-
4 ACRE URBAN CENTER FROM 60-FEET TO 80-FEET AND UP TO 128-FEET
5 WITH APPLICABLE HEIGHT BONUSES AND WOULD NOT CHANGE THE
6 MAXIMUM BUILDING HEIGHT IN THE 88-ACRE COMMUNITY CENTER OF 60-
7 FEET, BUT WOULD ALLOW UP TO 84-FEET WITH APPLICABLE HEIGHT
8 BONUSES.

9 WHEREAS, Mesa del Sol includes approximately 13,000 acres, located east
10 of Interstate 25, south of the Tijeras Arroyo, west of Kirtland Air Force Base
11 and north of the Pueblo of Isleta; and

12 WHEREAS, the Level A Community Framework Plan for Mesa del Sol (the
13 "Level A Plan") covers these approximately 13,000 acres; and

14 WHEREAS, the City Council adopted the Level A Community Framework
15 Plan in January 2006 (Enactment R-2006-005); and

16 WHEREAS, the Level A Plan is considered a framework plan by the
17 Integrated Development Ordinance (IDO); and

18 WHEREAS, the IDO establishes a process for amendments of prior
19 approvals in 14-16-6-4(Y); and

20 WHEREAS, the request to change the text of the Level A Plan and
21 corresponding tables and maps constitutes a Major Amendment to a
22 prior approval; and

23 WHEREAS, Major Amendments return to the original approving body and
24 the City Council is the original approving body for the Level A Plan; and

25 WHEREAS, the Environmental Planning Commission (EPC), in its advisory
26

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

1 role on land use and planning matters, heard the case at its May 18, 2023
2 regular hearing and voted to forward a recommendation of approval to the City
3 Council regarding the Level A Plan amendment; and

4 WHEREAS, since the Level B Community Framework Plan (the “Level B
5 Plan”) must also be amended to reflect the changed land use designation, the
6 EPC also heard corresponding amendments to the Level B Plan at its May 18,
7 2023 regular hearing; and

8 WHEREAS, the EPC approved the Level B Plan in February 2006 and is the
9 original approving body; and

10 WHEREAS, the EPC has decision-making authority over the Level B Plan
11 and approved the corresponding amendments at its May 18, 2023 public
12 hearing; and

13 WHEREAS, Council accepts the EPC’s recommended findings and
14 conditions regarding the Level A Plan Amendments, as set out in the Official
15 Notification of Decision of May 18, 2023; and

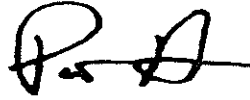
16 WHEREAS, the Council finds that the conditions set out in the
17 Environmental Planning Commission’s recommendation of approval have
18 been or will be met as specified in the Official Notification of Decision dated
19 May 18, 2023.

20 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
21 ALBUQUERQUE:

22 SECTION 1. The Mesa del Sol Level A Community Framework Plan is
23 hereby amended and the allowable maximum building height for the 92-acre
24 Urban Center as depicted in the record is changed from 60-feet to 80-feet and
25 up to 128-feet with applicable height bonuses. And the allowable maximum
26 building height for the 88-acre Community Center as depicted in the record is
27 to remain at 60-feet with applicable height bonuses up to 84-feet.

28 SECTION 2. The findings of the EPC as specified in the Official Notice
29 of Decision dated May 18, 2023 are accepted and the conditions have been or
30 will be adequately addressed.

1 PASSED AND ADOPTED THIS 21st DAY OF August, 2023
2 BY A VOTE OF: 9 FOR 0 AGAINST.
3
4
5

6 

7 _____
8 Pat Davis, President
9 City Council
10

11
12
13 APPROVED THIS 1 DAY OF September, 2023
14
15

16 Bill No. R-23-158
17

18 

19 _____
20 Timothy M. Keller, Mayor
21 City of Albuquerque
22
23
24

25 ATTEST:
26

27 Camille Chavez for E.W.

28 Ethan Watson, City Clerk
29
30
31
32
33
34

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

May 18, 2023

MDS Investments LLC
4020 Vasser Dr. NE
Albuquerque, NM 87102

Project # PR-2023-008498
SI-2023-00686 - Site Plan- Major Amendment
SI-2023-00689 – Site Plan- Major Amendment

LEGAL DESCRIPTION:

Consensus Planning, agent for MDS Investments LLC, requests a Text Amendment to the Level A Master Plan and the Level B Community Master Plan for Mesa Del Sol, for all or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico located generally south of Los Picaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, approximately 13,000 acres (S-16 & S-17)

Staff Planner: Megan Jones

On May 18, 2023 the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project # PR-2023-008498, SI-2023-00686, Site Plan- Major Amendment of the Mesa del Sol Level A Community Master Plan, to the City Council based on the following Findings and subject to the following Conditions of Approval:

RECOMMENDED FINDINGS – SI 2022-02011

1. This request is for text amendments to the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) which contains approximately 13,000 acres situated in the southeastern portion of the City and south of the Albuquerque International Sunport. The Level B Plan area, containing 3,200-acres, is within the boundaries of the Level A Plan.

2. Text amendments are proposed for the approximately 88 acre-Community Center and 92-acre Urban Center (the “subject sites”) designated as Mixed-Use Centers in the Level A Plan.
3. The proposed amendments would modify the allowable maximum building heights in the Urban Center to 80-feet and up to 128-feet with applicable height bonuses, and would not change the maximum building height in the Community Center of 60-feet, but would allow up to 84-feet with applicable height bonuses. Additional Building Height Stepdown Requirements are proposed for development within 30-feet of the Residential District, which would remain as a maximum allowable height of 60-feet.
4. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
5. The Level A Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
6. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
7. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)9a)2.] and would affect the existing Mesa del Sol/I-25 and Mesa del Sol/University Activity Center Districts [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.
8. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
9. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
10. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to raise allowable maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).

11. The request is generally consistent with Goal 4.2 Process: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on February 9, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol to mitigate concerns about the proposed building height in the Community Center.
12. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The subject sites are located in the growing Mesa del Sol Community that is planned to be connected by a network of corridors at full build out. The Urban Center is located in the Mesa Del Sol/I-25 Activity Center and the Community Center is in the Mesa Del Sol /University Activity Center, which is along the University Multi -modal Corridor as designated by the Comp Plan. The request would facilitate future mixed-use development in the two centers that could help the community continue to grow with higher intensity housing and retail. Although much of the subject sites is vacant and not yet developed with infrastructure, the long-term plan for Mesa del Sol is to have a community connected by a multi-modal network of corridors

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

The request could facilitate future regional growth in the Urban Center, which is planned as the highest intensity mixed-use center in the Mesa del Sol Level A Plan. The request to change maximum building heights in the Urban Center and Community Center would allow higher intensity development in mixed-use centers that could capture regional growth in two Activity Centers. The community Center is along a Multi-Modal Corridor, which is intended to capture regional growth.

C. Policy 5.1.1, Sub policy a: Create Walkable places that provide opportunities to live, work, shop, and play.

The request would facilitate development and may increase opportunities to live, work, shop and play in two mixed-use Centers in MDS that are already planned to be walkable places. Increased building heights could further the opportunity for higher intensity mixed-use centers, ensuring walkable mixed-use centers. Additionally, the proposed “ground floor commercial” height bonus could encourage walkability in mixed-use residential developments.

D. Policy 5.1.1, Sub policy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development in the Urban Center and Community Center, which is along a Multi -Modal Corridor, with higher intensity development due to the request for an increase in maximum building heights. The Urban and Community Center are planned

mixed-use centers intended to encourage density, compact development, and higher intensity housing than the greater MDS community.

- E. Policy 5.1.1 Sub policy d: Encourage the development of multi-unit, multi-story apartments and mixed-use residential buildings in Downtown, Urban Centers, and Activity Centers to increase housing density and expand housing options and affordability.

The request would encourage future development of multi-story, mixed-use residential buildings in Mesa del Sol/I-25 Activity Center (Urban Center) and the Mesa del Sol/University Activity Center (Community Center), which could ensure housing density in mixed-use centers already planned for high intensity housing.

13. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities from Chapter 5- Land Use:

- A. Goal 5.2- Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request could facilitate future mixed-use development in the Urban and Community Center in MDS which are planned for high intensity development where residents can live close to work. Mesa del Sol is designed to create connectivity throughout the community, therefore the proposed height bonuses for workforce housing and ground floor commercial would encourage future mixed-use development where residents could live, work, and possibly learn, shop, and play together.

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

Sub policy d) Encourage development that broadens housing options to meet a range of income and lifestyles.

Sub policy f) Encourage higher density housing as an appropriate use in the following situations: i. Within designated Centers and Corridors

The proposed amendment would contribute to creating a healthy and sustainable distinct community by proposing height bonuses that could facilitate future development in the Community Center that is accessible from the surrounding residential villages, the UNM campus, and the Employment Center. The request would contribute to the development of the Urban Center, which is planned for high intensity mixed-use development that is accessible from Mesa del Sol Blvd. and I-25. The request supports the Level B Plans mixed-use community goals.

Additionally, the proposed workforce housing building height bonus would encourage and broaden mixed-use live-work housing options pursuant to the Workforce Housing Act.

The proposed building height increase in the Mesa del Sol/I-25 and University Activity Centers and along the University Multi-Modal Corridor.

- C. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

14. The request is generally consistent with Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts from Chapter 7: Urban Design.

The proposed Ground Floor Commercial building height bonus would allow any development in the Urban and Community Center that features commercial uses for a minimum of 50% of the ground floor street-facing façade a height bonus. This could facilitate development that increases walkability in the mixed-use centers, which are already intended to promote walkability.

15. The request is consistent with Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities from Chapter 8- Economic Development:

The request would facilitate different development intensities and building scales in the Urban and Community Centers, which could encourage economic development opportunities for MDS. These mixed-use Centers allow a variety of high intensity/density land uses which would be required to follow development standards within the Level A and Level B Plans. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

16. The request is generally consistent with Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities from Chapter 9- Housing, as follows:

The proposed amendment would encourage increased housing density in the Urban and Community Centers, which are appropriate locations. The subject site is located mostly in an Area of Change, where high density development is encouraged and in an Area of Consistency where residential development is expected. Access to services and amenities would be conveniently accessible by a multi-modal transportation network at full development.

17. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request would facilitate expansion of the existing Employment Center, which would increase the allowable Office, Research and Development land uses, therefore, creating jobs and helping to foster a viable economy.

18. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate development in the Urban and Community Centers. The Urban Center is planned as the most intense mixed-use center in MDS. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a variety of types of employment, high-density housing, and retail uses along with supporting uses on the mesa. The subject site is planned to be well served by transportation within a larger open space network near a community center and edge.

19. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

D. 6-6(J)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level A Plan area is not in a designated Railroad and Spur Area.

20. The applicant should work with APS to update adjustments to planning for schools due to an increase in housing density in the Level A Plan. Existing schools do not have sufficient capacity to support an eventual build-out estimated at 13,824. The increase in building height will allow for an increase in housing density contributing to school-age populations and schools.
21. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
22. A pre-submittal facilitated neighborhood meeting was held on February 9, 2023, where neighbors expressed concern about 80-foot building heights in the Community Center, which the applicant has responded to.
23. Staff is unaware of any further opposition nor has been contacted as of this writing.
24. In addition to status updates, the applicant has agreed to communicate with the Pueblo of Isleta regarding future development proposals and/or amendments to the Mesa del Sol Framework Plans.

RECOMMENDED CONDITIONS - SI-2023-00686

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and

associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.

2. The applicant shall meet with a Staff planner prior to applying for any future Site Plans within the subject site to ensure that all conditions of approval are addressed and met.
3. The applicant shall provide a final revised document within 6 months of the final EPC approval.
4. Level A Plan Document Clean-Up:

Table 7-2. Development Standards on page 74 shall be updated to reflect the correct acreage of the Community Center.

5. Level A Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan

On May 18, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-008498, SI-2023-00689, Site Plan- Major Amendment to the Mesa del Sol Level B Plan, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS - SI-2023-00689

1. This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) which contains approximately 3,200 within the Level A plan area, which is generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base (KAFB).
2. Text amendments are proposed for the approximately 88 acre-Community Center and 92-acre Urban Center (the “subject sites”) designated as Mixed-Use Centers in the Level B Plan.
3. The proposed amendments would modify the allowable maximum building heights in the Urban Center to 80-feet and up to 128-feet with applicable height bonuses, and would not change the maximum building height in the Community Center of 60-feet, but would allow up to 84-feet with applicable height bonuses. Additional Building Height Stepdown Requirements are proposed for development within 30-feet of the Residential District, which would remain as a maximum allowable height of 60-feet.
4. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
5. The Level B Plan is considered a Framework Plan under the IDO. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level B Plan was approved by the EPC in January 2007. The plan remains valid and framework plans do not expire (See IDO Table 6-4-3).

6. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
7. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level B Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would increase the dimension of a standard (height) [6-4(Y)(2)9a)2.] and would affect the existing Mesa del Sol/I-25 and Mesa del Sol/University Activity Center Districts [6-4(Y)(2)(a)(11)]. Therefore, it is a Major Amendment.

8. The EPC was the original reviewing and decision-making body for the Level B Plan, therefor is the final approval body for this request, unless the EPC decision is appealed. Pursuant to IDO 14-16-6-4(Y)(3), major amendments may only be approved by the decision-making body that issued the approval being amended.
9. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”), the Mesa del Sol Level B Community Master Plan (the “Level B Plan”), and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
10. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to raise allowable maximum building heights would generally help ensure the proper use and development of land in the Level A and Level B Plan areas while generally maintaining an aesthetic urban environment (Article IX).
11. The request is generally consistent with Goal 4.2 Process: Engage communities to identify and plan for their distinct character and needs from Chapter 4- Community Identity because the applicant engaged the community through a facilitated meeting on February 9, 2023. The applicant worked with the neighborhood associations and residents of Mesa del Sol to mitigate concerns about the proposed building height in the Community Center
12. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:
 - A. Goal 5.1-Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject sites are located in the growing Mesa del Sol Community that is planned to be connected by a network of corridors at full build out. The Urban Center is located in the Mesa Del Sol/I-25 Activity Center and the Community Center is in the Mesa Del Sol /University Activity Center, which is along the University Multi -modal Corridor as designated by the Comp Plan. The request would facilitate future mixed-use development in

the two centers that could help the community continue to grow with higher intensity housing and retail. Although much of the subject sites is vacant and not yet developed with infrastructure, the long-term plan for Mesa del Sol is to have a community connected by a multi-modal network of corridors

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

The request could facilitate future regional growth in the Urban Center, which is planned as the highest intensity mixed-use center in the Mesa del Sol Level A Plan. The request to change maximum building heights in the Urban Center and Community Center would allow higher intensity development in mixed-use centers that could capture regional growth in two Activity Centers. The community Center is along a Multi-Modal Corridor, which is intended to capture regional growth.

- C. Policy 5.1.1, Sub policy a: Create Walkable places that provide opportunities to live, work, shop, and play.

The request would facilitate development and may increase opportunities to live, work, shop and play in two mixed-use Centers in MDS that are already planned to be walkable places. Increased building heights could further the opportunity for higher intensity mixed-use centers, ensuring walkable mixed-use centers. Additionally, the proposed “ground floor commercial” height bonus could encourage walkability in mixed-use residential developments.

- D. Policy 5.1.1, Sub policy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

The request could facilitate future development in the Urban Center and Community Center, which is along a Multi -Modal Corridor, with higher intensity development due to the request for an increase in maximum building heights. The Urban and Community Center are planned mixed-use centers intended to encourage density, compact development, and higher intensity housing than the greater MDS community.

- E. Policy 5.1.1 Sub policy d: Encourage the development of multi-unit, multi-story apartments and mixed-use residential buildings in Downtown, Urban Centers, and Activity Centers to increase housing density and expand housing options and affordability.

The request would encourage future development of multi-story, mixed-use residential buildings in Mesa del Sol/I-25 Activity Center (Urban Center) and the Mesa del Sol/University Activity Center (Community Center), which could ensure housing density in mixed-use centers already planned for high intensity housing.

13. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities from Chapter 5- Land Use:

- A. Goal 5.2- Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request could facilitate future mixed-use development in the Urban and Community Center in MDS which are planned for high intensity development where residents can live close to work. Mesa del Sol is designed to create connectivity throughout the community, therefore the proposed height bonuses for workforce housing and ground floor commercial would encourage future mixed-use development where residents could live, work, and possibly learn, shop, and play together.

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

Sub policy d) Encourage development that broadens housing options to meet a range of income and lifestyles.

Sub policy f) Encourage higher density housing as an appropriate use in the following situations: i. Within designated Centers and Corridors

The proposed amendment would contribute to creating a healthy and sustainable distinct community by proposing height bonuses that could facilitate future development in the Community Center that is accessible from the surrounding residential villages, the UNM campus, and the Employment Center. The request would contribute to the development of the Urban Center, which is planned for high intensity mixed-use development that is accessible from Mesa del Sol Blvd. and I-25. The request supports the Level B Plans mixed-use community goals.

Additionally, the proposed workforce housing building height bonus would encourage and broaden mixed-use live-work housing options pursuant to the Workforce Housing Act.

The proposed building height increase in the Mesa del Sol/I-25 and University Activity Centers and along the University Multi-Modal Corridor.

- C. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The amendment would affect Centers and Corridors in the master-planned community of Mesa del Sol, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

14. The request is generally consistent with Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts from Chapter 7: Urban Design.

The proposed Ground Floor Commercial building height bonus would allow any development in the Urban and Community Center that features commercial uses for a minimum of 50% of the ground floor street-facing façade a height bonus. This could facilitate development that

increases walkability in the mixed-use centers, which are already intended to promote walkability

15. The request is consistent with Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities from Chapter 8- Economic Development:

The request would facilitate different development intensities and building scales in the Urban and Community Centers, which could encourage economic development opportunities for MDS. These mixed-use Centers allow a variety of high intensity/density land uses which would be required to follow development standards within the Level A and Level B Plans. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol and help encourage economic development.

16. The request is generally consistent with Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities from Chapter 9- Housing, as follows:

The proposed amendment would encourage increased housing density in the Urban and Community Centers, which are appropriate locations. The subject site is located mostly in an Area of Change, where high density development is encouraged and in an Area of Consistency where residential development is expected. Access to services and amenities would be conveniently accessible by a multi-modal transportation network at full development.

17. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request would facilitate expansion of the existing Employment Center, which would increase the allowable Office, Research and Development land uses, therefore, creating jobs and helping to foster a viable economy.

18. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide

shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request could facilitate development in the Urban and Community Centers. The Urban Center is planned as the most intense mixed-use center in MDS. Raising allowable maximum heights could facilitate development necessary to create identifiable places and promote a variety of types of employment, high-density housing, and retail uses along with supporting uses on the mesa. The subject site is planned to be well served by transportation within a larger open space network near a community center and edge.

19. The request is generally consistent with the Economic Viability strategy in the Level B Plan, as follows:

1.3.2 Economic Viability, B. Local Economy (p. 5): (marketability, local economy, sustainability through diversity) “Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.”

The proposed Workforce Housing Building height bonus would apply to any development in the Urban Center and Community Center that features at minimum 35% of the dwelling units that meet the Albuquerque Workforce Housing Opportunity Act. This would facilitate more jobs, which could improve the jobs-housing balance in the area and could have a multiplier effect throughout the local economy. The Urban and Community Center within the Level A Plan allows high density residential housing land uses, which is intended to create a job to housing balance. As additional mixed-use live-work housing is developed, there will be additional opportunity for people to live near the jobs in the Employment Center.

20. The request is partially consistent with the Context and Location strategy in the Level B Plan, as follows:

1.3.3 Response to Context and Location (p. 6): (open space, dark skies, air quality, global systems, heat island) “Development at Mesa del Sol will take full advantage of the sense of identity created by the site’s rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.”

The requested text amendments are to increase the allowable maximum building heights and add applicable height bonuses to the Urban and Community Center which could facilitate future development. Any future development facilitated by this request will be required to follow development standards within the Level B Plan in addition to the Level B Technical Appendices. Any future site plans would be required to be reviewed by the DFT (Development Facilitation Team) or DHO (Development Hearing Officer) which would help ensure that the Lighting, Open Space, and related design standards within the plan are followed in response to context and location. Staff suggests, when future site plans are reviewed, that the larger topics of open space provision and connectivity be discussed to determine what additional efforts can be made, and/or measures taken, to help ensure this strategy can be carried out in a strong manner as envisioned.

21. The Level B Plan outlines Goals and Objectives in Chapter 2, Land Use, which are applicable to the proposed text amendments as follows:

A. 2.3.1 Goals and Objectives for Mixed-Use Centers (p. 20).

- b) Building Orientation and Setbacks: “Building placement that reinforces the public area through detailing, building transparency, and entry emphasis is especially important for uses typical in mixed-use centers, such as multi-family, mixed use, and commercial buildings. These standards also complement parking location standards, which generally call for parking to be behind, rather than in front of buildings.”

The request proposes applicable building height bonuses including a Ground Floor Commercial and Structured Parking bonus which could complement the mixed-use centers in which they are located (Community Center and Urban Center). The placement of buildings with applicable height bonuses in Community Center would be required to have a stepdown requirement which would complement the surrounding mix of uses.

- c) Scale and Definition: “While busy commercial streets are designed to facilitate automobile traffic, in order for them to be truly successful spaces they must also welcome pedestrians by creating a suitably scaled environment.”

The request proposes a Ground Floor Commercial building height bonus which could facilitate pedestrian friendly development in a suitably scaled environment that is planned for mixed-uses.

22. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3):

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

As demonstrated by the policy analysis (see above), the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A and Level B Plans. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning within its boundaries.

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

Future site plans will be reviewed by the Development Facilitation Team (DFT) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation,

drainage, and utility systems. The DFT/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

- D. 6-6(J)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements at this time. Any future development would warrant a review by the DFT/DHO for specifics when site plans are submitted. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments would not create significant adverse impacts or significantly impact the subject site or surrounding area. Future site plans will be reviewed by the DFT or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level B Plan area is not in a designated Railroad and Spur Area.

23. The applicant should work with APS to update adjustments to planning for schools due to an increase in housing density in the Level A Plan. Existing schools do not have sufficient capacity to support an eventual build-out estimated at 13,824. The increase in building height will allow for an increase in housing density contributing to school-age populations and schools.

24. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
25. A pre-submittal facilitated neighborhood meeting was held on February 9, 2023, where neighbors expressed concern about 80-foot building heights in the Community Center, which the applicant has responded to.
26. Staff is unaware of any further opposition nor has been contacted as of this writing.
27. In addition to status updates, the applicant has agreed to communicate with the Pueblo of Isleta regarding future development proposals and/or amendments to the Mesa del Sol Framework Plans

CONDITIONS OF APPROVAL- SI-2023-00689

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level B Plan and associated documents since the May 18, 2023 EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with a Staff planner prior to applying for any future Site Plans within the subject site to ensure that all conditions of approval are addressed and met.
3. The applicant shall provide a final revised document within 6 months of the final EPC approval.
4. Level B Plan Document Clean-Up

The Applicant shall title the document “As approved by the DRB February 2008” (the original approval) and add “Amended May 2023” on the Level B Plan document cover and the chapter dividers. There may be additional, future revisions.

5. Level B Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

APPEAL: Pursuant to IDO 14-16-6-4(U)(2), a recommendation, deferral, continuance, or remand by any entity shown in Table 6-1-1 is not a final decision and cannot be appealed.

If you wish to appeal a decision, you must do so within 15 days of the EPC’s decision or by June 2, 2023. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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

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

Sincerely,

Catalina Lehner

for Alan M. Varela
Planning Director

AV/CL/MJ

cc: District 6 Coalition of Neighborhood Associations, Mandy Warr, mandy@theremedyspa.com
District 6 Coalition of Neighborhood Associations, Patricia Willson, info@willsonstudio.com
Mesa Del Sol NA, David Mills, dmills544@gmail.com
Mesa Del Sol NA, Cathy Burns, catburns87106@gmail.com
MDS Investments LLC, 4020 Vasser Dr. NE, Albuquerque NM, 87102
Consensus Planning, Frank@consensusplanning.com
Legal, dking@cabq.gov
EPC File

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-98

ENACTMENT NO. R-2023-014

SPONSORED BY: Pat Davis, by request

1 RESOLUTION

2 AMENDING THE LEVEL A COMMUNITY MASTER PLAN FOR MESA DEL SOL
3 TO DESIGNATE AN APPROXIMATELY 500 ACRE SITE AS A PORTION OF THE
4 EMPLOYMENT CENTER.

5 WHEREAS, Mesa del Sol includes approximately 13,000 acres, located east
6 of Interstate 25, south of the Tijeras Arroyo, west of Kirtland Air Force Base
7 and north of the Pueblo of Isleta; and

8 WHEREAS, the Level A Community Master Plan for Mesa del Sol (the
9 “Level A Plan”) covers these approximately 13,000 acres; and

10 WHEREAS, the City Council adopted the Level A Community Master Plan
11 in January 2006 (Enactment R-2006-005); and

12 WHEREAS, the Level A Plan is considered a framework plan by the
13 Integrated Development Ordinance (IDO); and

14 WHEREAS, the IDO establishes a process for amendments of prior
15 approvals in 14-16-6-4(Y); and

16 WHEREAS, the request to change the text of the Level A Plan and
17 corresponding tables and maps constitutes a Major Amendment to a
18 prior approval; and

19 WHEREAS, Major Amendments return to the original approving body and
20 the City Council is the original approving body for the Level A Plan; and

21 WHEREAS, the Environmental Planning Commission (EPC), in its advisory
22 role on land use and planning matters, heard the case at its November 17,
23 2022 regular hearing and voted to forward a recommendation of approval
24 to the City Council regarding the Level A Plan amendments; and

25 WHEREAS, since the Level B Community Master Plan (the “Level B Plan”)
26 must also be amended to reflect the changed land use designation, the EPC

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1 also heard corresponding amendments to the Level B Plan at its November
2 17, 2022 regular hearing; and

3 WHEREAS, the EPC approved the Level B Plan in February 2006 and is the
4 original approving body; and

5 WHEREAS, the EPC has decision-making authority over the Level B Plan
6 and approved the corresponding amendments at its November 17, 2022
7 public hearing; and

8 WHEREAS, Council accepts the EPC's recommended findings and
9 conditions regarding the Level A Plan Amendments, as set out in the Official
10 Notification of Decision of November 17, 2022; and

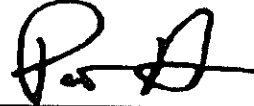
11 WHEREAS, the Council finds that the conditions set out in the
12 Environmental Planning Commission's recommendation of approval have
13 been or will be met as specified in the Official Notification of Decision dated
14 November 17, 2022.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:

17 SECTION 1. The Mesa del Sol Level A Community Master Plan is hereby
18 amended and the designation of the approximately 500 acres as depicted in
19 the record is changed from Residential to Employment Center.

20 SECTION 2. The findings of the EPC as specified in the Official Notice
21 of Decision dated November 17, 2022 are accepted and the conditions have
22 been or will be adequately addressed.
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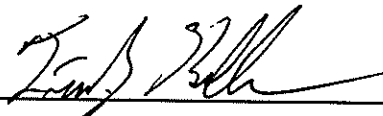
1 PASSED AND ADOPTED THIS 22nd DAY OF February, 2023
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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8 Pat Davis, President
9 City Council

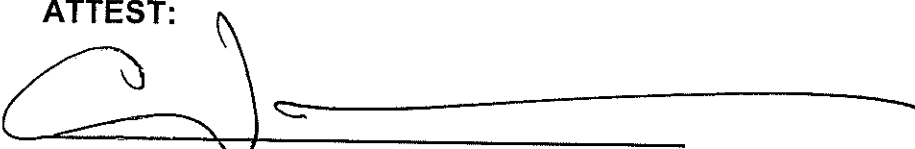
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13 APPROVED THIS 9 DAY OF March, 2023

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16 Bill No. R-23-98

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20 Timothy M. Keller, Mayor
21 City of Albuquerque
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26 ATTEST:

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29 Ethan Watson, City Clerk
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PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

November 17, 2022

David Campbell
Mesa del Sol LLC
5700 University Blvd SE #310
Albuquerque, NM 87106

Project # PR-2022-007805

SI-2022-02011 – Site Plan- Major Amendment, Level A Plan
SI-2022-01880 – Site Plan- Major Amendment, Level B Plan

LEGAL DESCRIPTION:

Dekker/Perich/Sabatini (DPS) LLC, agents for Mesa Del Sol, request a Major Amendment to the Level A Master Plan and the Level B Community Master Plan for Mesa del Sol, for an approximately 500-acre portion of the larger Mesa del Sol Plan area for all or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico located generally south of Los Picaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, approximately 13,000 acres (S-16 & S-17).

Staff Planners: Megan Jones & Catalina Lehner, AICP

On November 17, 2022, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL to the City Council of Project # PR-2022-007805, SI-2022-02011, Text Amendments to the Mesa del Sol Level A Community Master Plan, based on the following Findings and subject to the following Condition for recommendation of Approval:

RECOMMENDED FINDINGS –SI 2022-02011, Level A Plan

1. This request is for text amendments to the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) which contains approximately 13,000 acres situated in the southeastern portion of the City

and south of the Albuquerque International Sunport. The Level B Plan area, containing 3,200-acres, is within the boundaries of the Level A Plan (the subject area).

2. The text amendments pertain to a 500-acre site on the eastern mesa top south of the UNM property (the “subject site”).
3. The text amendment would change a 500-acre portion of the existing Residential Village on the eastern edge of the La Semilla escarpment and the southern edge of the UNM Campus, to an Office/R&D designation within the Level A Plan and designate it as an Employment Center.
4. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
5. The request does not constitute a zoning map amendment (zone change) because no change to the PC zoning is proposed. Therefore, the request is not required to be justified pursuant to the IDO 14-16-6-7(G)(3), review and decision criteria for zoning map amendments.
6. The Level A Plan is considered a Framework Plan under the IDO; the definition of Framework Plan most closely describes the Level B Plan and its contents. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level A Plan was heard by the EPC and approved by the City Council in 2006. The Plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level A Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would change access or circulation patterns [6-4(Y)(2)(a)(9)], would affect the existing Employment Center District [6-4(Y)(2)(a)(11)], and approves a land use that was not originally authorized by the original approval on the subject site [6-4(Y)(2)(a)(12)]. Therefore, it is a Major Amendment.

9. The EPC was the original reviewing body and City council was the decision-making body for the Level A Plan, consistent with the hierarchy of approvals established in the Planned Communities Criteria (PCC). Therefore, the current request for a major amendment to the Level A Plan is required to be heard by the EPC and decided by City Council.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level A Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s

powers granted by its Charter (Article I). The proposed text amendments to modify a portion of the Employment Center area would generally help ensure the proper use and development of land in the Level B Plan area while generally maintaining an aesthetic urban environment (Article IX).

12. The request is generally consistent with the following Comprehensive Plan Goal and policy regarding Character from Chapter 4- Community Identity:

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

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The subject site is located within the Mesa Del Sol Level A Plan area, which is designated as a distinct community area within the Comprehensive Plan Community Planning Area Assessments (CPAs). The Community Identity chapter describes a distinct community as having a unique set of characteristics, environments, and lifestyles that set them apart as special places (Comp Plan 4-17).

A key element within the Mesa Del Sol Level A Plan and Level B Plan is to provide mixed-use centers that allow convenient access to housing, jobs, and transportation. The requested land use change would facilitate future development that protects the identity and cohesiveness of the existing Employment Center within Mesa Del Sol as a jobs-housing balance continues to be a need within the growing community. The Employment Center designation is intended to provide a mix of uses and the Development Standards within the Level A and Level B Plan and associated technical appendices will ensure that the sustainable character and building design remains consistent within the community, therefore enhancing and preserving it. Amendments to tech appendices to reflect the changes to the 500-acre parcel should be a part of this submittal.

13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The request would facilitate the capture of regional growth, the expansion of an Employment Center designated by the Comprehensive Plan and supported by a designated multi-modal corridor, University Blvd.

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

The request would facilitate of a designated Employment Center served by a designated Corridor. The subject site is in an Area of Change, where such development is appropriately placed so that it does not adversely affect open space areas or low-density residential development, which are intended to remain stable.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities from Chapter 5- Land Use:

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

The proposed amendment would contribute to creating a healthy and sustainable distinct community by expanding the Employment Center which could facilitate future development that is accessible from the surrounding residential villages. The Employment Center district allows a variety of land uses including high density residential, office, manufacturing, and industrial, which contributes to the Level B Plans mixed-use community goals.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The request takes into account the designated Centers and Corridors in the master-planned community of Mesa del Sol surrounding the subject site, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

15. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding City Development Areas from Chapter 5- Land Use:

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

The request would encourage and direct growth to a designated Area of Change within the Mesa del Sol Level B Plan area, where such growth is expected and desired. The subject site is in a partial Area of Consistency and any future site plans would follow the development standards for Mesa del Sol, and thereby would generally reinforce the character and intensity of the surrounding area.

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

The request would expand the Employment Center district, which is considered a more intense development type, and facilitate Office and R&D development along a designated multi-modal corridor in an Area of Change.

16. The request is generally consistent with the following Goal and Policies from Chapter 8- Economic Development,

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

The request would facilitate expansion of a use that would contribute to creating a place where business and talent could stay and thrive. The expanded Employment Center district would create jobs and increase associated business opportunities in addition to allowing high-density residential uses within the center. Providing a jobs near housing approach could attract talented individuals who will hopefully stay and further contribute to the local economy, thereby creating a place where synergistic uses can thrive.

- B. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The expansion of the Employment District would encourage economic development opportunities by facilitating job growth within Mesa Del Sol. The Employment Center district allows a variety of high intensity/density land uses which would be required to follow development standards within the Level A and Level B Plans. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol.

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

The request to remove the “Potential Active Adult Community” within the Level B Plan and replace it with an Employment Center designation would facilitate job growth near housing in a center that is meant to “prioritize opportunities for industrial and business districts supported by retail and residential uses” (Comp-Plan 3-4). The request could result in more employment opportunities for new and existing residents in the Mesa Del Sol community, which is planned to be accessible by all transportation modes. The request could foster a robust, resilient, and diverse economy by providing jobs, retail and housing in an Employment Center accessible by the future Mesa del Sol Blvd. and University Blvd. Corridors.

17. The request is generally consistent with the following Goal from Chapter 9- Housing, as follows:

Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

The proposed amendment would encourage high density residential land uses within the expanded Employment Center district. The subject site is located mostly in an Area of Change, where high density development is encouraged and in an Area of Consistency where residential development is expected. Access to services and amenities would be conveniently accessible by a multi-modal transportation network at full development.

18. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request would facilitate expansion of the existing Employment Center, which would increase the allowable Office, Research and Development land uses, therefore, creating jobs and helping to foster a viable economy.

19. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods,

each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request would expand the Employment Center by 500 acres, allowing for a variety of land uses including: office, commercial, light manufacturing, industrial, and high density residential, which would facilitate development necessary to create identifiable places and promote a variety of types of employment along with supporting uses on the mesa. The subject site is planned to be well served by transportation within a larger open space network near a community center and edge.

20. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3):

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

As demonstrated by the policy analysis, the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A Plan. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning covering the property within its boundaries.

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

Future site plans will be reviewed by the Development Review Board (DRB) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DRB/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

D. 6-6(J)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements. Any future development would warrant a review by the DRB/DHO for specifics when site plans are submitted at this time. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments to expand the existing Employment Center would not significantly impact the subject site or surrounding area. As the applicant has demonstrated, there are no planned facilities within the 500-acre site (Level B Plan Figure 1-1). Future site plans will be reviewed by the DRB or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area. However, the connectivity and cohesiveness intended by the Level B Plan should also be considered. Recommended conditions of approval would help mitigate impacts to the surrounding area to the maximum extent practicable.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level A Plan area is not in a designated Railroad and Spur Area.

21. The Department of Municipal Development is DMD is concerned that the higher intensity use proposed in the amendment will have an impact to the transportation network and requests careful consideration of any future developments that might impact and/or burden the existing and planned transportation network
22. The applicant should work with APS to update adjustments to planning for schools due to a decrease in residential units in the Level Plan.
23. The applicant should work with PNM to update the language for the Level A Plan's sections and subsections related to "Dry Utilities" (Section 5.6 and subsections 5.6.1 and 5.6.2) due to an increase in electric load demand with the expansion of the Employment Center district.
24. The proposed amendments do not include any changes to the technical appendices for the Level A Plan at this time, although revisions will be needed in the future to create consistency between them and the Plans.
25. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.

26. A pre-submittal meeting was held on January 12, 2022 regarding this request. Community concerns raised at the meeting were based on an increase in traffic and circulation patterns on University Boulevard due to an increase in potential businesses in the Employment center.
27. Staff was contacted by a representative of Isleta Pueblo, who submitted an official letter requesting a post submittal facilitated meeting, pursuant to IDO 14-16-6-4(L). The Pueblo of Isleta raised concerns about changing the designation on the subject site from residential to employment center. Due to the shared northern boundary with the Pueblo, there is concern about a change that would allow for industrial uses on the property and how the land uses could contribute to noise, soil, and air pollution, as well as potential threats to ground water pollution on the Pueblo of Isleta.
28. A post-submittal facilitated meeting was held on November 9, 2022 with representatives of Isleta pueblo in which both parties agreed to develop a MOU between Mesa del Sol and the Pueblo of Isleta regarding their future common or collaborative endeavors. The applicant has agreed to communicate with the Pueblo regarding future site plan submittals.
29. At the November 17, 2022 hearing, representatives of Isleta Pueblo expressed concern regarding potential, adverse environmental impacts of future development (ex. industrial and manufacturing), particularly regarding drainage and infiltration of groundwater pollutants.

CONDITIONS FOR RECOMMENDATION OF APPROVAL- SI-2022-02011

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with the Staff planner prior to applying for any future Site Plans within the subject site to ensure that all conditions of approval are addressed and met.
3. Comprehensive Plan:
The subject site would remain outside of the designated Employment Center in the ABC Comprehensive Plan. The Comprehensive Plan shall be updated upon the next available opportunity to designate the 500-acre site as an Employment Center District.
4. Level A Document Revisions:
Figure 2-4: Update to reflect the land use change.
5. Level A Technical Appendices:
Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.
6. City Transportation Development Conditions
The applicant must provide a Traffic Scoping Form to Transportation for review to determine if Traffic Impact Study (TIS) is required for the proposed changes.

7. City Parks and Recreation Conditions:

The applicant shall work with Parks and Recreation to amend roadway sections in the Level A Plan to include multi-use trail as needed for Mesa del Sol Blvd. and all roads that show Proposed Paved Trail as part of the MRCOG Long Range Bikeway System Map within the Master Plan.

8. Solid Waste Management Department Conditions:

- A. The applicant must work with Solid Waste if the change of use is approved to determine how refuse will be serviced for all phases of the project.
- B. A site plan approved for access by the Solid Waste Department will be required.

9. ABCWUA Conditions:

- A. Include a note on Level A Plan, Figure 5-4 that shall read: “The proposed water infrastructure shown is to be considered conceptual and is not to be used to facilitate development. An updated analysis needs to be provided to the Water Authority to determine the necessary potable and non-potable water system infrastructure. This map does not reflect built conditions.”
- B. Include a note on Level A Plan, Figure 5-5 that shall read: “The proposed sanitary sewer infrastructure shown is to be considered conceptual and is not to be used to facilitate development. An updated analysis needs to be provided to the Water Authority to determine the necessary sanitary sewer system infrastructure. This map does not reflect built conditions.”
- C. Include text in the Water and Sewer sections of the Level A and Level B plans that reads: “An updated water/sanitary sewer/reuse analysis is being coordinated with the Water Authority. This will supersede the water and sewer analysis associated with the Level A and Level B plans. This analysis will also provide detailed water, sewer, reuse utility maps that help facilitate development with junior developers. The proposal to change the subject 500 acres from residential to employment center shall be reflected in this updated water/sewer/reuse analysis.”

FINDINGS - SI-2022-01880, Level B Plan

- 1. This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) which contains approximately 3,200 within the Level A plan area, which is generally south of Los Picaros Rd./Montessa Park, south and east of the Bernalillo County Recreational Complex, north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base (KAFB) (the “subject area”).
- 2. The text amendments pertain to a 500-acre site on the eastern mesa top south of the UNM property (the “subject site”).
- 3. The proposed amendments would change the 500-acre site’s residential land use designation from a “Potential Active Adult Community” to an Employment Center designation within the Level B Plan.
- 4. All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.

5. The request does not constitute a zoning map amendment (zone change) because no change to the PC zoning is proposed. Therefore, the request is not required to be justified pursuant to the IDO 14-16-6-7(G)(3), review and decision criteria for zoning map amendments.
6. The Level B Plan is considered a Framework Plan under the IDO; the definition of Framework Plan most closely describes the Level B Plan and its contents. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level B Plan was approved by the EPC in January 2007. The plan remains valid and framework plans do not expire (See IDO Table 6-4-3).
7. Notwithstanding the pre-IDO approval, pursuant to IDO 14-16-1-10(A)(1), development is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. Though existing development standards continue to apply, process is pursuant to the IDO.
8. The request (the text amendments) constitutes a Major Amendment to a prior approval (the Level B Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would change access or circulation patterns [6-4(Y)(2)(a)(9)], would affect the existing Employment Center overlay zone [6-4(Y)(2)(a)(11)], and approves a land use that was not originally authorized by the original approval on the subject site [6-4(Y)(2)(a)(12)]. Therefore, it is a Major Amendment.

9. The EPC was the original reviewing and decision-making body for the Level B Plan, therefor is the final approval body for this request, unless the EPC decision is appealed. Pursuant to IDO 14-16-6-4(Y)(3), major amendments may only be approved by the decision-making body that issued the approval being amended.
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”), the Mesa del Sol Level B Community Master Plan (the “Level B Plan”), and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level B Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The proposed text amendments to modify a portion of the Employment Center area would generally help ensure the proper use and development of land in the Level B Plan area while generally maintaining an aesthetic urban environment (Article IX).
12. The request is generally consistent with the following Comprehensive Plan Goal and policy regarding Character from Chapter 4- Community Identity:

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

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The subject site is located within the Mesa Del Sol Level A Plan area, which is designated as a distinct community area within the Comprehensive Plan Community Planning Area Assessments (CPAs). The Community Identity chapter describes a distinct community as having a unique set of characteristics, environments, and lifestyles that set them apart as special places (Comp Plan 4-17).

A key element within the Mesa Del Sol Level A Plan and Level B Plan is to provide mixed-use centers that allow convenient access to housing, jobs, and transportation. The requested land use change would facilitate future development that protects the identity and cohesiveness of the existing Employment Center within Mesa Del Sol as a jobs-housing balance continues to be a need within the growing community. The Employment Center designation is intended to provide a mix of uses and the Development Standards within the Level A and Level B Plan and associated technical appendices will ensure that the sustainable character and building design remains consistent within the community, therefore enhancing and preserving it. Amendments to tech appendices to reflect the changes to the 500-acre parcel should be a part of this submittal.

13. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding Centers and Corridors from Chapter 5- Land Use:

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

The request would facilitate the capture of regional growth, the expansion of an Employment Center designated by the Comprehensive Plan and supported by a designated multi-modal corridor, University Blvd.

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

The request would facilitate of a designated Employment Center served by a designated Corridor. The subject site is in an Area of Change, where such development is appropriately placed so that it does not adversely affect open space areas or low-density residential development, which are intended to remain stable.

14. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Complete Communities from Chapter 5- Land Use:

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

The proposed amendment would contribute to creating a healthy and sustainable distinct community by expanding the Employment Center which could facilitate future development that is accessible from the surrounding residential villages. The Employment Center district allows a variety of land uses including high density residential, office, manufacturing, and industrial, which contributes to the Level B Plans mixed-use community goals.

- B. Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The request takes into account the designated Centers and Corridors in the master-planned

community of Mesa del Sol surrounding the subject site, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

15. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding City Development Areas from Chapter 5- Land Use:

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

The request would encourage and direct growth to a designated Area of Change within the Mesa del Sol Level B Plan area, where such growth is expected and desired. The subject site is in a partial Area of Consistency and any future site plans would follow the development standards for Mesa del Sol, and thereby would generally reinforce the character and intensity of the surrounding area.

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

The request would expand the Employment Center district, which is considered a more intense development type, and facilitate Office and R&D development along a designated multi-modal corridor in an Area of Change.

16. The request is generally consistent with the following Goal and Policies from Chapter 8- Economic Development,

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

The request would facilitate expansion of a use that would contribute to creating a place where business and talent could stay and thrive. The expanded Employment Center district would create jobs and increase associated business opportunities in addition to allowing high-density residential uses within the center. Providing a jobs near housing approach could attract talented individuals who will hopefully stay and further contribute to the local economy, thereby creating a place where synergistic uses can thrive.

- B. Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

The expansion of the Employment District would encourage economic development opportunities by facilitating job growth within Mesa Del Sol. The Employment Center district allows a variety of high intensity/density land uses which would be required to follow development standards within the Level A and Level B Plans. The design standards allow a variety of design characteristics that could foster the creation of interesting places, although remain consistent with the overall theme of Mesa del Sol.

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

The request to remove the “Potential Active Adult Community” within the Level B Plan and replace it with an Employment Center designation would facilitate job growth near housing in a

center that is meant to “prioritize opportunities for industrial and business districts supported by retail and residential uses” (Comp-Plan 3-4). The request could result in more employment opportunities for new and existing residents in the Mesa Del Sol community, which is planned to be accessible by all transportation modes. The request could foster a robust, resilient, and diverse economy by providing jobs, retail and housing in an Employment Center accessible by the future Mesa del Sol Blvd. and University Blvd. Corridors

17. The request is generally consistent with the following Goal from Chapter 9- Housing, as follows:

Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

The proposed amendment would encourage high density residential land uses within the expanded Employment Center district. The subject site is located mostly in an Area of Change, where high density development is encouraged and in an Area of Consistency where residential development is expected. Access to services and amenities would be conveniently accessible by a multi-modal transportation network at full development.

18. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8): “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request would facilitate expansion of the existing Employment Center, which would increase the allowable Office, Research and Development land uses, therefore, creating jobs and helping to foster a viable economy.

19. The request is generally consistent with the community building principle regarding District and Neighborhood Structure in the Level A Plan, as follows:

1.2.2 District and Neighborhood Structure (p. 10): [Mesa del Sol will be] “carefully planned for with a logical and memorable structure of development, one that creates identifiable places well served by transportation within a larger framework of preserved open space. In keeping with this principle, Mesa del Sol will be structured as a series of districts, villages and neighborhoods, each with an identifiable center and edge. Employment districts served by I-25 and the University Boulevard extension will accommodate a variety of types of employment along with supporting uses, and a hierarchy of mixed-use centers, on and below the mesa, will provide shopping, civic uses, higher-density forms of housing, and public gathering spaces at highly accessible nodes in the transportation system.”

The request would expand the Employment Center by 500 acres, allowing for a variety of land uses including: office, commercial, light manufacturing, industrial, and high density residential, which would facilitate development necessary to create identifiable places and promote a variety of types

of employment along with supporting uses on the mesa. The subject site is planned to be well served by transportation within a larger open space network near a community center and edge.

20. The request is generally consistent with the Economic Viability strategy in the Level B Plan, as follows:

1.3.2 Economic Viability, B. Local Economy (p. 5) (marketability, local economy, sustainability through diversity): “Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.”

The request would facilitate expansion of the existing Employment Center by 500 acres which could create more jobs and is intended to have a multiplier effect throughout the local economy. The Employment Center designation within the Level A Plan allows high density residential housing land uses, which is intended to create a job to housing balance within the Employment Center district. As additional housing is constructed, there will be additional opportunity for people to live near the jobs in the Employment Center.

21. The request is partially consistent with the Context and Location strategy in the Level B Plan, as follows:

1.3.3 Response to Context and Location (p. 6) (open space, dark skies, air quality, global systems, heat island): “Development at Mesa del Sol will take full advantage of the sense of identity created by the site’s rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.”

The requested text amendments are for a change of land use from residential to an Employment Center and any future development that is facilitated by this request will be required to follow development standards within the Level B Plan in addition to the Level B Technical Appendices. The Employment Center district allows multiple land uses including manufacturing and industrial that could cause concern in relation to Air Quality, Global Systems. Any future site plans would be required to be reviewed by the DRB (Development Review Board) or DHO (Development Hearing Officer) which would help ensure that the Lighting, Open Space, and related design standards within the plan are followed in response to context and location. Staff suggests, when future site plans are reviewed, that the larger topics of open space provision and connectivity be discussed to determine what additional efforts can be made, and/or measures taken, to help ensure this strategy can be carried out in a strong manner as envisioned.

22. The request is partially consistent with the Resource Efficiency strategy in the Level B Plan, as follows:

1.3.4 Resource Efficiency (p. 7) (land use, transportation, water, stormwater, energy, environmentally preferable materials): “The best way to achieve resource efficiency is to eliminate or reduce the demand for the resources. The reduction in energy demand is associated with transportation, walkability, and multi-modal transportation. Mesa del Sol aims to coordination the location and density of land uses.”

The request would result in the expansion of the Employment Center district, which is intended for large users. However, due to the need for security and space, connectivity related to transportation, stormwater, and energy could be impacted in this case. The requested amendments to change the land use designation could result in the need for future mitigation. Review of future site plans would hopefully include consideration of the impact to infrastructure systems. Perhaps appropriate site-specific mitigation measures can be incorporated into the site plans, along with efficient building practices, so that overall resource efficiency is maintained going into the future.

23. The Level B Plan outlines Goals and Objectives in Chapter 2, Land Use, which are applicable to the proposed text amendments as follows:

- A. 2.2.1 Goals and Objectives for Employment Center and Highway Commercial Districts (p. 16): “Mesa del Sol’s employment districts emphasize the “jobs first, housing second” approach to development that is a hallmark of Mesa del Sol. The employment districts’ strategic location, accessibility, and ample land supply will offer unique opportunities to new employers from out of state, as well as providing space for local businesses to expand. The overall themes of timeless quality, innovation and sustainability that characterize Mesa del Sol will be emphasized in the design of buildings and sites in the employment districts, as well as the design of signage and other identity elements.”

The 500-acre expansion of the Employment Center district would continue to facilitate a job first, housing second approach to development. The request to expand the Employment District to allow Office and R&D land uses would facilitate future development that could contribute to the strategic location of jobs. Additionally, the Employment Center District allows high-density residential land uses, therefore facilitating a job-housing balance.

Any future development would be subject to the development standards and technical appendices within the Level A and Level B plans, therefore remaining consistent with quality, innovation and sustainable characteristics of building design, sites and signage. With ongoing development in the existing Employment Center, the current request could result in more job creation and residential development.

- B. 2.4.1 Goals and Objectives for Residential Villages - Residential villages at Mesa del Sol will be designed to accommodate a diverse range of residential types, accessory units, and neighborhood parks and plazas.

e) Active Adult: “A 500-acre portion of the Residential district, adjacent to La Semilla at the eastern edge of the Level B planning area, is being reserved for a potential active adult community. Such a development would be age-restricted (55 and over). A minimum of 12.5% of the gross acreage of the Active Adult development will be open space. The same stormwater management strategies used throughout Mesa del Sol would apply to the active adult community. An active adult community would typically have a dedicated on-site civic, fitness and recreation center serving its residents and their guests. Given Mesa del Sol’s proximity to the Isleta Eagle and UNM Championship golf courses, and its focus on sustainable water management, no golf course is planned at Mesa del Sol.”

The request would remove the 500-acre “Potential Active Adult Community” within the Level B Plan Area (See Figure 2-1 Land Use Designations) and replace it with Employment Center

Land uses. The applicant proposes development of future Office and R&D land uses within the Subject Site. The Level B Plan has reserved this 500-acre site as a potential active adult community which contributes to a range of housing types and specifies open space and stormwater management standards within the residential village. Any future development would be subject to the development standards and technical appendices within the Level A and Level B Plans, which would need to remain consistent with Stormwater Management, Open Space, and sustainability.

The applicant has provided justification for the removal of the “Potential Active Adult Community” in their justification letter (see attached), which states that removing this land use designation would facilitate the development of “complete communities” that provide a mix of housing types, including senior housing, which would be more accessible and follow the New Urbanist model in the Level A Plan. Without dedicated land for senior housing, there is no guarantee that it would be developed as part of the residential villages.

24. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3):

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

As demonstrated by the policy analysis, the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A Plan. Conditions of approval are recommended to address inconsistencies to the greatest degree possible.

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

The Level A or Level B Plan areas do not have any NR-SU or PD zoning covering the property within its boundaries.

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

Future site plans will be reviewed by the Development Review Board (DRB) or the Development Hearing Officer (DHO) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DRB/DHO will also review for compliance with applicable Development Standards in the Level A Plan and Level B Plan and their associated Technical Appendices.

D. 6-6(J)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The requested amendments do not impact the existing infrastructure and public improvements. Any future development would warrant a review by the DRB/DHO for specifics when site plans

are submitted at this time. At that time, adequate infrastructure capacity will be required and ensured to serve the proposed development.

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

The proposed text amendments to expand the existing Employment Center would not significantly impact the subject site or surrounding area. As the applicant has demonstrated, there are no planned facilities within the 500-acre site (Level B Plan Figure 1-1). Future site plans will be reviewed by the DRB or DHO, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area. However, the connectivity and cohesiveness intended by the Level B Plan should also be considered. Recommended conditions of approval would help mitigate impacts to the surrounding area to the maximum extent practicable.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level A and the Level B Plan for Mesa del Sol, which are Framework Plans. Future site plans will be subject to applicable development standards and technical appendices within both the Level A and the Level B Plan.

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

Not applicable. The Level B Plan area is not in a designated Railroad and Spur Area.

25. The Department of Municipal Development (DMD) is concerned that the higher intensity use proposed in the amendment will have an impact to the transportation network and requests careful consideration of any future developments that might impact and/or burden the existing and planned transportation network.
26. The applicant should work with APS to update adjustments to planning for schools due to a decrease in residential units in the Level B Plan.
27. The applicant should work with PNM to update the language for the Level B Plan's sections and subsections related to "Dry Utilities" (Section 5.3) due to an increase in electric load demand with the expansion of the Employment Center district.
28. The proposed amendments do not include any changes to the technical appendices for the Level B Plan at this time, although revisions will be needed in the future to create consistency between them and the Plans.

29. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
30. A pre-submittal meeting was held on January 12, 2022 regarding this request. Community concerns raised at the meeting were based on an increase in traffic and circulation patterns on University Boulevard due to an increase in potential businesses in the Employment center.
31. Staff was contacted by a representative of Isleta Pueblo, who submitted an official letter requesting a post submittal facilitated meeting, pursuant to IDO 14-16-6-4(L). The Pueblo of Isleta raised concerns about changing the designation on the subject site from residential to employment center. Due to the shared northern boundary with the Pueblo, there is concern about a change that would allow for industrial uses on the property and how the land uses could contribute to noise, soil, and air pollution, as well as potential threats to ground water pollution on the Pueblo of Isleta.
32. A post-submittal facilitated meeting was held on November 9, 2022 with representatives of Isleta pueblo in which both parties agreed to develop a MOU between Mesa del Sol and the Pueblo of Isleta regarding their future common or collaborative endeavors. The applicant has agreed to communicate with the Pueblo regarding future site plan submittals.
33. At the November 17, 2022 hearing, representatives of Isleta Pueblo expressed concern regarding potential, adverse environmental impacts of future development (ex. industrial and manufacturing), particularly regarding drainage and infiltration of groundwater pollutants.

CONDITIONS OF APPROVAL- SI-2022-01880

1. Any future site plan associated with this request shall be subject to the IDO process. A letter shall accompany the submittal, specifying all revisions have been made to the Level A Plan and associated documents since the EPC hearing, including how the Plans have been modified to meet each of the EPC conditions.
2. The applicant shall meet with the Staff planner prior to applying for any future Site Plans within the subject site to ensure that all conditions of approval are addressed and met.
3. Comprehensive Plan:

The subject site would remain outside of the designated Employment Center in the ABC Comprehensive Plan. The Comprehensive Plan shall be updated upon the next available opportunity to designate the 500-acre site as an Employment Center District.
4. Level B Document Revisions:
 - A. The applicant is to provide an updated document cover and chapter dividers for the Level B Plan that shall state: "Amended November 2022"
 - B. The revision date on all of the updated graphics and maps shall be listed as November 2022.

5. Level B Technical Appendices:

Amendments to the technical appendices shall occur when a specific end user is ready to propose a site plan.

6. City Transportation Development Conditions:

The applicant must provide a Traffic Scoping Form to Transportation for review to determine if Traffic Impact Study (TIS) is required for the proposed changes.

7. City Parks and Recreation Conditions:

The applicant shall work with Parks and Recreation to amend roadway sections in the Level A Plan to include multi-use trail as needed for Mesa del Sol Blvd. and all roads that show Proposed Paved Trail as part of the MRCOG Long Range Bikeway System Map within the Master Plan.

8. Solid Waste Management Department Conditions:

- A. The applicant must work with Solid Waste if the change of use is approved to determine how refuse will be serviced for all phases of the project.
- B. A site plan approved for access by the Solid Waste Department will be required.

9. ABCWUA Conditions:

Include text in the Water and Sewer sections of the Level A and Level B plans that reads: “An updated water/sanitary sewer/reuse analysis is being coordinated with the Water Authority. This will supersede the water and sewer analysis associated with the Level A and Level B plans. This analysis will also provide detailed water, sewer, reuse utility maps that help facilitate development with junior developers. The proposal to change the subject 500 acres from residential to employment center shall be reflected in this updated water/sewer/reuse analysis.”

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **December 6, 2022**. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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

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

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/MJ

cc: David Campbell, dcampbell@mesadelsolnm.com
Jessica Lawlis, D/P/S, jessical@dpsdesign.org
Mike Balaskovits, mbalaskovits@bhinc.com
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OFFICIAL NOTIFICATION OF DECISION

August 19, 2021

Mesa Del Sol Investments LLC
c/o David Campbell
5700 University Blvd. SE. Suite 310
Albuquerque NM, 87109

Project #2021-005684
SI-2021- 00975
Amendments to the Level B Community Master Plan/
Framework Plan for Mesa del Sol

LEGAL DESCRIPTION:

Will Gleason, Dekker/Perich/Sabatini, agent for David Campbell, Mesa del Sol Investments LLC, requests the above action for all or a portion of Tracts 6, 7 and 14, of the Bulk Land Plat of Mesa Del Sol; Tract 12-A and 12-B, Plat of Tracts 12-A & 12-B, Mesa Del Sol, Innovation Park; Lots 5, 6, 13, 14, 15, 17, and 25 of Bulk Plat For Mesa Del Sol, Innovation Park; Tracts lettered F, J, K, L, M, N, O, P, R, OS-1, OS-2, OS-3, OS-4, OS-5, OS-6 and OS-7 of Bulk Land Plat for Mesa Del Sol Innovation Park II; Tract lettered 'I-2' Mesa del Sol Innovation Park II; Tracts 22-A, 22-B and 22-C of Mesa Del Sol Innovation Park; Tract lettered A-4 & A-5 of the Bulk Land Plat of Tracts A-1 thru A-6, Mesa Del Sol Innovation Park; Lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and Tracts Lettered A, B, & C, and Tract numbered 1, of the Plat of Mesa Del Sol Montage Unit 3A; Tracts 1-B and OS-5, of the Plat of Tracts 1-A, 1-B, 2-A, 2-B, OS-5 & OS-6, Mesa Del Sol Innovation Park; Tract Q-1, Q-2 & Q-3 of Mesa Del Sol Innovation Park II; Tract A-1-A and Tract 28 of the Bulk Land Plat of Tracts A-1, Mesa Del Sol, Innovation Park; Tract A-6-C-1, A-1-A-2, A-1-A-3, A-1-A-4, A-1-A-5 of the Bulk Land Plat of A-6-C, Mesa Del Sol, Innovation Park; Tract A-1-A-6 and Tract A-1-A-1-A of the Bulk Land Plat of Tracts A-1-A-1, Mesa Del Sol, Innovation Park; Tract 1-A Plat of Tracts 1-A, 1-B, 2-A, 2-B, OS-5 & OS-6 Mesa Del Sol, Innovation Park; Tract G and H, Bulk Land Plat for Mesa Del Sol, Innovation Park II; Tract D-6 Plat of Tracts D-1 thru D-7 Mesa Del Sol, Innovation Park II; Tract 4-C Plat of Mesa Del Sol Tracts 4-A, 4-B & 4-C; Tract 11 DEA Site Bulk Land Plat for Mesa Del Sol, Innovation Park, located generally south of Los Picaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, approximately 3,200 acres

(Q-15-Z, Q-16-Z, Q-17-Z, R-14-Z, R-15-Z, R-16-Z, R-17-Z, S-13-Z, S-14-Z, S-15-Z, S-16-Z, S-17-Z, T-13-Z, T-14-Z, T-15-Z, T-16-Z, T-17-Z, U-13-Z, U-14-Z)
Staff Planner: Catalina Lehner, AICP

On August 19, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project #2021-005684, SI-2021-00975, Text Amendments to the Level B Community Master Plan/Framework Plan for Mesa del Sol, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS:

1. The request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”). The Level B Plan area (the larger “subject area”) encompasses approximately 3,200 acres situated in the southern portion of the City, south of the Albuquerque International Sunport and located generally south of Los Pícaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland Air Force Base.
2. Text amendments are proposed for an approximately 170-acre southern portion (the smaller “subject site”) of the Employment Center in the Level B Plan area, which contains approximately 626 acres. The proposed amendments, which would facilitate re-development and expansion of the existing ABQ Studios site, would modify the transportation/roadway network, the linear park/open space/drainage system, and utility networks in this smaller area.
3. The Level B Plan area is contained within the larger, approximately 13,000-acre area of the Mesa del Sol Level A Community Master Plan (the “Level A Plan”). All of Mesa del Sol is zoned Planned Community (PC) Zone District. Upon the effective date of the Integrated Development Ordinance (IDO) in May 2018, the PC zoning remained.
4. The request does not constitute a zoning map amendment (zone change) because no change to the PC zoning is proposed. Therefore, the request is not required to be justified pursuant to the IDO 14-16-6-7(G)(3), review and decision criteria for zoning map amendments.
5. The Level B Plan is considered a Framework Plan under the IDO; the definition of Framework Plan most closely describes the Level B Plan and its contents. Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Level B Plan was approved by the EPC in 2007 and remains valid and framework plans do not expire (See IDO Table 6-4-3).
6. The request constitutes a Major Amendment to a prior approval (the Level B Plan). Pursuant to IDO 14-16-6-4(Y), Amendment of Prior Approvals, if a request exceeds the thresholds for Minor Amendments in 14-16-6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would decrease the amount of approved open space [14-16-6-4(Y)(2)(a)(3)], decrease the number of through streets and connections [14-16-6-4(Y)(2)(a)(8)], and change access or circulation patterns [6-4(Y)(2)(a)(9)]. Therefore, the request is a Major Amendment.

7. The Environmental Planning Commission (EPC) is the final approval body for the request, unless the EPC decision is appealed. Pursuant to IDO 14-16-6-4(Y)(3), major amendments may only be approved by the decision-making body that issued the approval being amended. The EPC was the original approving body for the Level B Plan. Consistent with the Planned Communities Criteria (PCC), council approval was not required for the Level B Plan.
8. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC), the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and technical appendices, the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) and technical appendices, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request is generally consistent with applicable articles of the City Charter. Amendment of the Level B Plan for Mesa del Sol is an exercise in local self-government and falls within the City’s powers granted by its Charter (Article I). The text amendments to modify a portion of the Employment Center area would generally help ensure the proper use and development of land in the Level B Plan area while generally maintaining an aesthetic urban environment (Article IX).
10. The request is generally consistent with the following Comprehensive Plan Goals and policies regarding City Development Areas from Chapter 5- Land Use:
 - A. Goal 5.6-City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The request would encourage and direct growth to a designated Area of Change, the Mesa del Sol Employment Center, where such industrial growth is expected and desired. Future site plans would follow the development standards for Mesa del Sol, and thereby would generally reinforce the character and intensity of the surrounding area.
 - B. Policy 5.6.2-Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request would facilitate expansion of the film studios, which is considered a more intense development type, and direct it to a designated Employment Center located along a designated multi-modal corridor in an Area of Change.
11. The request is generally consistent with the following, applicable Comprehensive Plan policies regarding Centers and Corridors from Chapter 5- Land Use:
 - A. Policy 5.1.5- Employment Centers: Create Centers that prioritize employment opportunities and foster synergy among businesses.

The subject site is located in a designated Employment Center. The request would facilitate expansion of the existing film studios, which would prioritize employment opportunities by creating additional jobs. Large employers such as this foster synergy among the primary business and supporting businesses, which can result in multiplier effects throughout the economy.

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

The request would facilitate the capture of regional growth, the expansion of a film studio use, in an Employment Center designated by the Comprehensive Plan and supported by a designated multi-modal corridor.

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

The request would facilitate expansion of what is considered an industrial use, which is well-suited for location in a designated Employment Center served by a designated Corridor. The subject site is in an Area of Change, where such development is appropriately placed so that it does not adversely affect open space areas or low-density residential development, which are intended to remain stable.

- D. Policy 5.2.2 -Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria (PCC) as adopted by the City and County.

The request takes into account the designated Centers and Corridors in the master-planned community of Mesa del Sol surrounding the subject site, and follows the PCC because Level B Plans (and subsequent amendments) are reviewed and decided by the EPC.

12. The request is partially consistent with the following, applicable Goals from Chapter 6-Transportation:

- A. Goal 6.1- Land Use: Transportation Integration: Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.

The Level B Plan transportation system was already planned; the technical appendices contain information about its envisioned operation. The planned character of existing and future land uses in Mesa del Sol depends upon the district where they are located. The Employment Center is one of the Employment Districts (Highway Commercial is the other) in which employment is promoted above other uses. Though the request would generally support the planned character of existing and future Employment Center uses, the existing and future Community Center uses' character is to be highly-accessible via the transportation system. The removal of a connector roadway leading into the main Community Center would affect its character.

- B. Goal 6.2- Multi-Modal System: Encourage walking, biking, and transit, especially at peak-hour commuting times, to enhance access and mobility for people of all ages and abilities.

The request would facilitate expansion of the Studios use which, by its secure nature and large scale, is separate from other uses and would not generally encourage walking, biking, and transit in the area. The amendments would remove a connector roadway and frontage lanes that transit may have used, but would add a multi-use trail that could encourage walking and biking and enhance mobility.

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

The request would remove some public roadways in the portion of the Employment Center intended to connect to the main Community Center. Though the request would support job creation and business development, it would impact the movement of people, goods, and services in an area where connectivity between the main Community Center and Employment Center uses was envisioned.

13. The request is generally consistent with the following Goal from Chapter 8- Economic Development, Goal 8.1- Placemaking, as follows:

The request would facilitate expansion of a use that would contribute to creating a place where business and talent will stay and thrive. The expanded film studios would create jobs and increase associated business opportunities. It would also attract talented individuals who will hopefully stay and further contribute to the local economy, thereby creating a place where synergistic uses can thrive.

14. The request is generally consistent with the community building principle regarding economic development in the Level A Plan, as follows:

1.2.1 Economic Development (p. 8). “Economic development is the cornerstone of the strategic plan for Mesa del Sol. We see it as a process of creating and maintaining a viable economy for a well-balanced, sustainable community like Mesa del Sol. The creation of an economic base is required to create high-paying jobs for New Mexicans and grow existing businesses—a base that will sustain quality growth.”

The request would facilitate expansion of the existing film studios use, which would occupy more area of the Employment Center and increase its operations- creating jobs and helping to foster a viable economy.

15. Without conditions of approval, the request is generally inconsistent with the community building principle regarding Ecological Sustainability, Conservation, and Restoration in the Level A Plan, as follows:

1.2.3 Ecological Sustainability, Conservation, and Restoration (p. 10): “Sustainable development is a goal of Mesa del Sol, as well as Albuquerque’s Planned Growth Strategy and Planned Communities Criteria. Mesa del Sol will be developed over the next 35 to 50 years. Because of this long-term approach to growth, the planners and developers of Mesa del Sol will be able to fully incorporate the best practices in sustainable urban development”.

The request would reduce the size of the linear park corridor along Mesa del Sol Blvd., and south of the Level B Plan boundary, by approximately 36 acres, which would become part of the Employment Center. Two DRIPS (distributed retention and infiltration ponds) are proposed for removal. The linear parks and DRIPS are considered best practices in sustainable urban development and are part of Mesa del Sol’s sustainability toolkit. Generally, reducing their usage is inconsistent with the community building principle regarding ecological sustainability, conservation, and restoration.

16. The request is generally consistent with the economic viability implementation strategy in the Level B Plan, as follows:

Economic Viability: Mesa del Sol aims to enhance the economic vitality of the local area. One key goal is to create a jobs-housing balance by attracting high-salary industries to the area to provide jobs for local residents and to increase the local tax base.

The request would facilitate expansion of the film studios use, which would create more jobs and is intended to have a multiplier effect throughout the local economy. As additional housing is constructed, there will be additional opportunity for people to live near the jobs in the Employment Center.

17. The request is partially consistent with the Level B Plan strategies regarding Response to Context and Location and Resource Efficiency, as follows:

- A. Response to Context and Location: Development at Mesa del Sol will take full advantage of the sense of identity created by the site's rich context of natural features. Open space corridors are aligned with mountain vistas to preserve the connection to the natural setting. Limitations on lighting and emissions, efficient energy systems, and building and site design contribute to making Mesa del Sol as climate neutral as practical.

The expanded Studios area, facilitated by the request, would remove three streets and some open space/drainage corridors in order to provide the area desired. Since open space serves multiple functions- stormwater management, habitat, and recreation- these opportunities would no longer be available in the southernmost portion of the Employment Center (cloudlined area-see Table 1 and Table 2 of the application) which would impact the connection to natural context. Though mitigation measures, such as a multi-use a pathway around the future, expanded site, would help, the loss of open space acreage and connectivity could impact the open space network intended. Therefore, the request is partially consistent with the Response to Context and Location Strategy. When future site plans are reviewed, open space provision and connectivity should be discussed to determine what additional measures can be taken to help ensure this strategy can be carried out in the manner envisioned.

- B. Resource Efficiency: The best way to achieve resource efficiency is to eliminate or reduce the demand for the resources. The reduction in energy demand is associated with transportation, walkability, and multi-modal transportation. Mesa del Sol aims to coordination the location and density of land uses.

The request would facilitate expansion of an existing use in the Employment Center, which is intended for large users. However, due to the need for security and privacy, connectivity related to transportation, stormwater, and energy would be impacted in this case. The amendments include some mitigation. However, review of future site plans should include consideration of impacts to these infrastructure systems. Appropriate site-specific mitigation measures could be incorporated into the site plans, along with efficient building practices, so that overall resource efficiency is maintained going into the future.

18. The request for a Major Amendment meets the Site Plan-EPC Review & Decision Criteria in IDO 14-16-6-6(J)(3):

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

As demonstrated by the policy analysis, the request is generally consistent overall with applicable Comprehensive Plan Goals and policies and the applicable, overarching community building principles of the Level A Plan. Conditions of approval are recommended to strengthen consistency to the greatest degree possible.

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

The Level B Plan area does not have any NR-SU or PD zoning covering the property within its boundaries.

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

Future site plans will be reviewed by the Development Review Board (DRB) to ensure compliance with applicable provisions of the Development Process Manual (DPM), particularly those pertaining to transportation, drainage, and utility systems. The DRB will also review for compliance with applicable Development Standards in the Level B Plan.

- D. 6-6(J)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The request includes reconfiguration of transportation, open space/drainage, water, and utility networks to facilitate the Studios' expansion. The DRB will review specifics when future site plans (one for the north expansion and one for the east expansion) are submitted. At that time, adequate infrastructure capacity to serve the proposed development will be required and ensured.

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

The request would reconfigure the transportation, linear park/open space/drainage, and utility networks on the expanded Studios site and nearby. Future site plans will be reviewed by the DRB, which will generally ensure provision of adequate infrastructure to mitigate site-specific impacts on the surrounding area. However, the connectivity and cohesiveness intended by the Level B Plan should also be considered. Recommended conditions of approval would help mitigate impacts to the surrounding area to the maximum extent practicable.

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

Not applicable. The subject site is not a part of a Master Development Plan; it is within the boundaries of the Level B Plan for Mesa del Sol, which is a Framework Plan. Future site plans will be subject to applicable development standards in the Level B Plan.

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

Not applicable. The Level B Plan area is not in a designated Railroad and Spur Area.

19. Conditions of approval are needed to improve consistency with the community building principle regarding Ecological Sustainability, Conservation, and Restoration in the Level A Plan and the Level B Plan strategies regarding Response to Context and Location and Resource Efficiency. The conditions would also help provide clarity as the project moves forward.
20. The Level B Plan's name, The Mesa del Sol Level B Community Master Plan, will not change. This name is used in development agreements and contracts pertaining to the Level B Plan area and needs to be used consistently so revisions to these documents do not become necessary.
21. The Parks and Recreation Department (PRD) comments note that the request will alter open space and recreation connections originally intended by the Level B Plan. The PRD supports a continuous active transportation network and re-routing of a landscaped multi-purpose trail / pedestrian / bicycle route / greenway around and along the sides of the future project area to connect the residential portion of Mesa del Sol.
22. The affected neighborhood organizations are the Mesa del Sol Neighborhood Association (NA) and the District 6 Coalition of NAs, which the applicant notified as required. The applicant also notified property owners within 100-feet of the subject site as required.
23. A pre-submittal neighborhood meeting was held on June 21, 2021 regarding the Level B Plan amendments and associated changes needed to accommodate the studios expansion project. Though no opposition was expressed, neighbors had concerns about traffic and circulation issues, including potential cut-through in the neighborhood, modification of University Blvd. SE at the new gate location, and Eastman Ave. as a private street.
24. Staff was contacted by a representative of Isleta Pueblo who wanted more information about the request. Staff sent her the spreadsheets detailing the amendments to the Level B Plan and the Technical Appendices. As of this writing, Staff has not received any additional comments.

CONDITIONS:

1. The Environmental Planning Commission (EPC) delegates final sign-off authority to the Development Review Board (DRB) to ensure that all technical issues are resolved. The DRB is also responsible for ensuring that the EPC's Conditions of Approval are satisfied and that other applicable City requirements are met.

2. A letter shall accompany the submittal, specifying all revisions that have been made since the EPC hearing, including modifications to meet each of the EPC conditions. Unauthorized changes, including before or after DRB final sign-off, may result in forfeiture of approvals.
3. The applicant shall meet with the Staff planner prior to applying to the DRB to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DRB, the applicant shall submit a finalized version of the amendments for filing at the Planning Department.
4. Label for Revisions:
 - A. The revision date on all of the updated graphics and maps shall be listed as August 2021.
 - B. The language regarding modifications shall read as follows: “within a southern portion of the Employment Center, as shown”.
5. Acreage Totals: the figure for Total Area shall be updated to reflect the reallocation of 36 acres from Linear Open Space to Employment Center.
6. Level B Plan Maps (Table 1):
 - A. Figure 2-3: Reference shall be changed to p. 42 and the proposed change map “pending” shall be provided.
 - B. Figure 3-1: The grid of local roads (orange) shall continue to be shown in the background.
7. Technical Appendix Maps (Table 2):
 - A. Figure 2-B1: Language shall be clarified to refer to the portion of Eastman Crossing between Watson Dr. and Connector 32/Hawking Dr. The reference to Crick Crossing shall be removed since no changes are shown.
 - B. Figure 3F-4: A small map shall be added to clearly indicate the location of the revised cross-section along Mesa del Sol Blvd.
 - C. Figure 5A-2: The same figure shall be used for the existing and proposed maps.
 - D. Figure 5A-5: The differences between the existing and proposed maps shall be shown and clarified.
8. Mesa del Sol Blvd. Cross-Section:
 - A. Figure 3F-5, Mesa del Sol Blvd. Couplet 3 to the Level B Plan boundary, shall be updated to clarify it and incorporate conditions.
 - B. A narrative explanation shall be added to p. 24 of the Technical Appendices to address the changed roadway section going to the Level B Plan boundary.
 - C. The revised cross-section shall be labeled (see Figure 3F-4).
 - D. The location of any walls relative to the cross-section shall be specified.

9. Traffic Impact Study (TIS):

A narrative explanation shall be added to p. 25 of the Technical Appendix to describe the 2021 TIS, its purpose, and its conclusion(s).

10. Conditions from the Parks and Recreation Department:

- A. Regarding the modified Mesa del Sol Blvd. cross section, the distance between the future wall and curb shall be at least 30 feet.
- B. The landscaping buffer on the cross-section shall be at least 10 feet wide.
- C. The width of the multi-use trail shall be 13 feet (instead of 15 feet) in order to accommodate additional landscaping, including street trees.
- D. A note shall be added to the cross-section to indicate that the multi-use trail can be serpentine.

11. Conditions from PNM:

A. Page 86, Section 5.3:

Transmission systems' visual impact will be minimized by running the overhead power lines at mid-block locations perpendicular to streets and at the edges of the open space corridors, and by minimizing the extent to which power lines run alongside streets, as determined by the electric utility to be feasible and as allowed by industry and regulatory technical and safety standards.

Distribution systems will be underground for electric, gas and telecommunications facilities. Their location underground will be determined by the zone they occupy. Coordination with the electric utility early in the subdivision/platting processes to identify, locate, and secure necessary easements is imperative to provide safe and reliable electric service, avoid delays, and keep development projects on schedule.

B. Page 89, Section 5.3.1, *Transmission System and Distribution System: Transmission System*. A 115 kV transmission line will be brought into the Mesa del Sol development for the first substation. The requirements of PNM include:

- i) The design and construction of a 115 kV transmission line from the existing 115 kV line located in the Tijeras Arroyo to the first substation;
- ii) The design and construction of the first substation; and
- iii) PNM is ~~evaluating the construction timing of~~ designing and constructing a new switching substation that will be constructed north of Mesa del Sol.

C. PNM is working on the design of the transmission line in the updated alignment shown in Figure 5-5, Transmission Line Routing. Aesthetics and cost have been taken into consideration in determining the route..... These splice boxes are approximately 10 feet wide by 20 feet long and will require space for vehicle access and soil storage during construction and maintenance. If determined to be feasible by the electric utility, undergrounding of transmission lines and facilities must meet all industry and regulator technical and safety standards. All

necessary easements for such facilities require early coordination with the electric utility prior to development of encumbered properties.

- D. The first Substation, shown in Figure 5-5, “Transmission Line Routing,” will need to be on-line to support the employment center as it is built and occupied. Each substation is on a 200 foot by 200 foot lot. The location of the first substation has been considered for proximity to both the Employment center as well as the first Residential neighborhood. PNM’s dimensional standards for substations now require at least four acres with any side no less than 350-feet to meet current technical clearances and safety standards.

E. Distribution System

The PNM distribution system is built and operated as an interconnected system. The distribution lines of adjacent substations are interconnected to accommodate transferring load between substations... A direct application of New Urbanism will be applied to the routing of the electrical distribution (via joint trench with gas and telecommunications) adjacent to streets and within alleys in the residential zone. Diagrams of this are shown in Figure 5-3, “Utility Corridor Street Sections.” All necessary easements for such facilities require early coordination with the electric utility prior to development of properties encumbered by easements.

F. Figure 5-5 and Figure 5C-1:

- i. Legend: Consolidate the two symbols (purple dashed line and blue line) and their descriptions “Double Circuit Overhead Transmission Line” and “Single Circuit Overhead Transmission Line” into one symbol (blue line) described as “Overhead Transmission Line” and adjust line on map.
- ii. Retain “SUBSTATION #2”
- iii. Legend: Change description for green line to “Existing Transmission Lines.”
- iv. Retain transmission line corridor from SUBSTATION #2 to EMPLOYMENT CENTER SUBSTATION.
- v. Show transmission lines coming into and out of SUBSTATION #1 as parallel and closer together.
- vi. Show a new transmission corridor that connects/loops from the URBAN CENTER along the west/northwest Mesa del Sol boundary to NEW PNM SWITCH STATION.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **September 3, 2021**. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC’s Recommendation can be filed within the 15 day period following the EPC’s recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of

approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,
Planning Director

AV/CL

cc: Mesa Del Sol NA, James Thompson, jamesrthompson8@gmail.com
Mesa Del Sol NA, Joy Ziener, independencedayjoy@gmail.com
District 6 Coalition of Neighborhood Associations, Mandy Warr mandy@theremedydspaspa.com
District 6 Coalition of Neighborhood Associations, Patricia Willson info@willsonstudio.com
David Campbell, Mesa Del Sol Investments LLC, dcampbell@mesadelsolnm.com
Will Gleason, Dekker/Perich/Sabatini, WillG@dpsdesign.org
Legal, kmorrow@cabq.gov
EPC file

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

September 13, 2012

Dekker/Perich/Sabatini (DPS),
Attn: Will Gleason
7601 Jefferson NE, Suite 100
Albuquerque, NM 87109

Project# 1004075

12EPC-40048 Amendment to Level B Community
Master Plan

LEGAL DESCRIPTION:

for all or a portion of Bulk Land Plat of Mesa del Sol Tracts 1-15, Sections 13-15, 20-24, 26-29, 32-35 Township 9 North, Range 3 East, NMPM; Sections 2-6, Township 8 North, Range 3 East, NMPM; Albuquerque, Bernalillo County, New Mexico, and A certain tract of land within the South ½ of Section 15 and the NW ¼ of the NE ¼ of Section 22, Township 9 North, Range 3 East, NMPM, being and comprising a portion of Tract 12 and a westerly portion of Tract 1 of the Bulk Land Plat for Mesa del Sol Tracts 1 – 15, containing approximately 3,200 acres.

Catalina Lehner, Staff Planner

On September 13, 2012, the Environmental Planning Commission (EPC) voted to APPROVE Project 1004075 / 12EPC-40048, a request for amendments to the Level B Community Master Plan (the “Level B Plan”), based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”). The Level B Plan area (the “subject site”) encompasses approximately 3,100 acres, located generally south of the Tijeras Arroyo & Montessa Park; north of the Level A Plan Area & Isleta Pueblo; west of Broadway Blvd. & I-25; east of the Level A “La Semilla” Reserve Area.
2. The Level B Plan area is contained within the larger, approximately 13,000-acre area of the Mesa del Sol Level A Community Master Plan (the “Level A Plan”). All of Mesa del Sol, the Level A and Level B Plan areas, is zoned Planned Communities (PC) and is designated a Reserve area by the Comprehensive Plan.

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Project #1004075, 12EPC-40048

September 13, 2012

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3. The proposed text amendments consist of revisions to the boundaries of the Level B Plan area, acreages in two land use categories, single-family residential lot categories and setback, setback along University Blvd. and approval of covered parking spaces. Corresponding text and map revisions and a few minor labeling and stylistic changes are also proposed. The intent of the proposed text amendments is generally to provide additional flexibility for development in the Level B Plan area.
4. The request does not constitute a sector development plan map amendment (zone change). No change to the zoning descriptor, PC, is proposed. The Level B Plan does not attach land use stipulations to its zoning descriptor; no land use changes are proposed. Therefore, the request is not required to be justified pursuant to R270-1980.
5. The Environmental Planning Commission (EPC) is the final approval body for this request, unless the EPC decision is appealed. The Level B Plan designates the EPC as the final approval body for the Level B Plan itself, and also for boundary changes greater than 10 acres in size. The proposed boundary change is approximately +69 net acres.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the Planned Communities Criteria (PCC): Policy Element, the Mesa del Sol Level A Community Master Plan (the “Level A Plan”) and technical appendices, the Mesa del Sol Level B Community Master Plan (the “Level B Plan”) and technical appendices, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request is generally consistent with the City Charter. Amending the Level B Community Master Plan is an exercise in local self-government and falls within the City’s powers (Article I). The proposed text amendments would generally help to ensure the proper use and development of land in the Level B Plan area (Article IX).
8. The request furthers the following Comprehensive Plan Goal and policy for the Reserve area:
 - A. Reserve Area Goal (B-2). The proposed text amendments would help foster opportunities for future development and would not adversely affect the mixed-use nature established for the larger Plan area. Future development would occur in accordance with the approved Level B Plan and would not significantly affect the Plan’s core concepts.
 - B. Reserve Area Policy II.B.2.c. The Level B Plan area is contained within the larger Level A Plan area; planned community master plans have been adopted for each. The proposed text amendments would modify acreages in two land use categories and revise a couple of regulations pertaining to single-family residential uses.
9. The request generally furthers the following, applicable Comprehensive Plan Goals:
 - A. Community Identity & Urban Design Goal (C-9). The Level B Development Standards are the mechanism to implement the concepts that make Mesa del Sol identifiable as a distinct

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community and collection of neighborhoods. The proposed text amendments would generally help enhance the built characteristics of neighborhoods in the Level B Plan.

B. Economic Development Goal (D-6). The proposed text amendments generally support the goal of achieving diversified and economic development in accordance with the social, cultural and environmental goals as elaborated in the Level B Plan.

10. The request partially furthers the Housing Goal (D-5). The request would create one category of single family lot types, which could help promote development of smaller lots that tend to be more affordable, though affordability depends on several factors. Allowing internal approval of covered carports may result in deviations from the high-quality, residential design types originally envisioned.
11. Conditions of approval are needed to improve clarity and ensure internal consistency.
12. There is no known neighborhood or other opposition as of this writing and Staff has not received any correspondence.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the Staff planner to ensure that all conditions of approval are met.

3. Covered Parking Spaces- the language shall be revised as follows (p. 25, 31):

House or Townhouse: 2 covered spaces per unit. [~~ARC can make allowance for one covered space per unit.~~] [+The ARC can allow a minimum of one covered space per unit, though two covered spaces are not prohibited.+]

4. Technical Appendices- Maps:

The following maps in the Level B Technical Appendix shall be updated to incorporate the boundary changes and match the maps in the Level B Plan document (consistent and cross-referenced maps may also appear in the body of the Level B Plan):

- A. Land Use & Absorption, p. 39-41.
- B. M de S Land Usage, p. 96.
- C. Planning Zones, p. 106.
- D. Modified M de S Take Down Land Use Area, p. 127.

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5. Setbacks:

A new note 13 shall be added to Table 2-1, as follows: [+Setbacks are measured from the edge of the street right-of-way.+]

6. Total Area & Phasing:

A. The figure for "Total Area" on Table 1-1 shall be changed to the new total (3,151).

B. The Phasing Plan Map (p. 41) shall be made legible in black-white copy and/or labeled.

7. Minor, Clean Up:

A. The revision note on the maps shall reference September 2012 (not August).

B. A revision note shall be added to the Technical Appendices since several maps will need updating.

C. The spacing issue (p. 33-42) shall be addressed so the text matches the adopted Plan.

8. Condition from PNM:

As a condition of approval, it is understood by the applicant that when objects (for example, walls or fences) are allowed to be placed in utility easements and constructed on top of underground electric distribution facilities, both the object and the utility facility are put at risk if utility maintenance, repair or replacement must occur.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY SEPTEMBER 28, 2012 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 a written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF

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APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

Suzanne Lubar
Acting Director, Planning Department

SL/CLL/mc

cc: Dekker/Perich/Sabatini (DPS), Attn: Will Gleason, 7601 Jefferson NE, Suite 100, Albuquerque, NM 87109



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

Forest City Covington NM, LLC
801 University Blvd SE Suite 200
Albuquerque, New Mexico 87106

Date: January 18, 2007

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1004075
06EPC-01444 EPC Level B Master Plan

LEGAL DESCRIPTION: Mesa del Sol, zoned Planned Community, located east of BROADWAY Blvd. and south of Los Picaros Rd., south and east of the regional park and amphitheater, to the west boundary of the La Semilla buffer to Kirtland Air Force Base (KAFB), and with a southern boundary approximately two miles north of the northern boundary of Isleta Pueblo, containing approximately 3100 acres. (Q-16) Catalina Lehner, Staff Planner

On January 11, 2007 the Environmental Planning Commission voted to approve Project #1004075/06EPC-01444 EPC Level B Master Plan, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a Level B Community Master Plan for an approximately 3,100-acre area generally located east of Broadway Blvd. being commonly known as Mesa del Sol Level B Plan area.
2. Policy guidance for review and approval of the Level B Plan comes from the Comprehensive Plan Reserve Area Goal and Policies and the Planned Communities Criteria (PCC) for Level B submittals.
3. The Level B Plan furthers a preponderance of applicable Comprehensive Plan Goals and Policies. All applicable goals and policies are furthered in the following categories: Reserve Areas, Activity Centers, Air Quality, Water Quality, Noise, Water Management, Energy Management, Transportation and Transit, Economic Development, Education, Human Services and Public Safety. The remaining categories contain policies that are furthered and partially furthered.

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4. The Level B Plan with the attached conditions of approval demonstrates substantial consistency with the Planned Communities Criteria (PCC).
5. Lower-ranking plans are required to be consistent with higher-ranking plans. The proposed Level B Plan is in harmony with the Level A Plan and the five principles of community building contained therein.
6. Sustainability is the cornerstone of Mesa del Sol. To implement key sustainability principles of the Level A Plan, the Level B Plan uses the strategies of economic vitality, response to context and location, and resource efficiency. Like the Level A Plan, the Level B Plan promotes New Urbanist principles, non-auto transportation modes, preserves natural areas, maintains habitat, and conserves energy and natural resources.
7. A Level B Development Agreement is required pursuant to the Planned Communities Criteria (PCC) submittal requirements (Section D.5) for Level B plans. The general purpose of a Level B Development Agreement is to augment the associated Level A Development Agreement by providing greater detail on infrastructure, financing, mitigation measures and public incentives.
8. The draft Level B Development Agreements between A) the City of Albuquerque and the applicant and B) the Albuquerque/Bernalillo County Water Utility Authority and the applicant, follow the Level A Development Agreement and further delineate cost sharing mechanisms for infrastructure and service provision, define "no net expense" and specifically identify public incentives.
9. The Mesa del Sol Tax Increment Development District (TIDD), a critical component of the Level B Development Agreements, will provide a mechanism for financing public infrastructure improvements by tax increment bonds. At its December 18, 2006 special meeting, the City Council approved the TIDD ordinance (Bill No. F/S O-06-44, Enactment No. O-36-206) which allows the TIDD to be created. At a January 10, 2007 special meeting the City Council, among other things, approved the percentage of funds (67%).
10. The Planned Communities Criteria (PCC) require that a Level B Plan submittal address B. Transportation. Transportation Staff has indicated its satisfaction that transportation requirements are being met. Transportation concerns will be addressed through an Addendum to the Level A Plan.
11. Though the applicant has been working to address many comments, the applicant will continue to collaborate with interested parties regarding any outstanding concerns that have not been completely addressed as of this writing.

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12. The Level B Development Agreement with the City of Albuquerque and the Level B Development Agreement with the Albuquerque/Bernalillo County Water Utility Authority have not been finalized at this time. The applicant is aware that, without completed Level B Development Agreements, the Level B Plan will not be effective. Conditions of approval will ensure that the Level B Plan cannot be completely approved until the Level B Development Agreements have been finalized.

CONDITIONS:

1. The EPC delegates final sign-off authority of this Level B Community Master Plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the Level B Community Master Plan since the EPC hearing, including how the Plan has been modified to meet each of the EPC conditions. Unauthorized changes to this Plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to DRB sign off, the applicant must meet with the Staff planner to ensure that conditions of approval are thoroughly addressed and complied with.
3. The Level B Plan approval shall not be effective until the Level B Development with the City of Albuquerque and the Level B Development Agreement with the Albuquerque/Bernalillo County Water Utility Authority are finalized and fully executed. Completion of both Level B Development Agreements must occur within six months of January 11, 2007, which is July 13, 2007. In the event that both Level B Development Agreements have not been fully executed by July 13, 2007, the City Planning Director (prior to July 13, 2007) may extend the deadline for up to an additional six months.
4. Sustainability:
 - A. Provide additional explanation regarding where the Sustainable Development Overlay zone would apply and under what circumstances.
 - B. The phrase "the use of pervious paving materials" shall be added to p.7, line 5, regarding reduction of the heat island effect.
 - C. Water harvesting shall be required. The preceding phrase "where practical" shall be deleted from the development standards for all districts. (ex. p.18, 2.2.2 g.v).
 - D. The use of pervious paving material can be counted toward the water harvesting requirement.
5. Mixed-Use Centers (all):
 - A. All building facades, even if they are not visible from the public right-of-way, shall have architectural treatment comparable to the primary building facade (p. 19).
 - B. All building facades shall use materials that are durable and of a quality that will retain their appearance over time (p. 19).
 - C. Generic "trade dress" shall be defined as generic franchise architecture (p.19). Each franchise building shall be required to respond, through massing, color and material to its context.

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- D. Large buildings over 30,000 sf shall be designed to minimize the effects of scale. Featureless, unarticulated walls over 80 ft. in length shall be prohibited (p. 19).
- E. Under section 2.3, Mixed-Use Centers shall be specified to include the urban center, the community center and village centers (p. 20).
- F. In the Mixed-Use Centers, buildings shall be sited close to streets, with doors and windows facing the street. Parking lots along street frontages shall be minimized (p. 20).
- G. In section 2.3.1 (d), buildings on parcels in important locations shall be built in ways that call attention to the significance of these places (p. 20).
- H. All dumpsters shall be enclosed on all sides.
- I. Barbed wire and concertina wire shall be prohibited except where used by government agencies for public safety purposes. Galvanized diamond mesh chain-link fence is also prohibited as a permanent installation, but can be used for temporary definition of phase lines or during construction.
- J. The "Maximum Site Coverage" for the Community Center and the Village Center shall be removed.

6. Urban Center:

- A. The development standards for the Urban Center shall incorporate language explaining the intent that the Urban Center will be Mesa del Sol's most concentrated, walkable mixed-use district.
- B. Like the other mixed-use centers, there shall be no minimum parking requirement in the Urban Center.
- C. The Off-Street Parking Standards for Mixed-Use Centers (2.3.5, p. 24) shall be included in the development standards for each mixed use center.
- D. Water harvesting area for surface runoff shall be provided in parking lots in all districts (p. 24), subject to the requirements of the State Engineer and the City Hydrologist. Water that is harvested in the parking lot need not in its entirety be used on the immediate site, but can be distributed elsewhere.

7. Highway Commercial District:

- A. A note shall be added to Table 7-1 stating that signage requirements for the Employment Center District and the Highway Commercial District are as regulated in the signage standards in the technical appendix.
- B. Wall-mounted, canopy and marquee signs shall not exceed 75 sf of sign face.
- C. Freestanding monument signs shall not exceed 250 sf of sign face.
- D. Permanent directory signs shall not exceed 100 sf of sign face and joint premise signs shall not exceed 150 sf of sign face.

8. Employment Center:

- A. Like other buildings, office buildings shall be located right up to the street. This orientation shall be reflected in the prototype buildings on p. 17. Industrial buildings, where the separation of trucks and pedestrians is paramount, shall have a maximum of two rows of parking between the building and the street.

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- B. Buildings that are considered in the EPC process as of this writing shall comply with condition 7A above.
 - C. The design standards for the 210 acre Phase I portion of the employment center, which were used in review of Project #1004097 (Advent solar) and Project #1004872 (Buildings 2 & 3), shall continue to apply.
 - D. On-premise signs shall not exceed 75 sf of sign face.
9. Residential Villages:
- A. "Housing Design Characteristics" shall be renamed "Housing Standards".
 - B. "Front street" and "side street" designation shall be determined by the Architectural Review Committee (ARC) at the Level C Plan level.
 - C. Design standards regarding compatibility of fences and walls with building architecture shall be included in the development standards for Residential Villages.
 - D. A footnote shall be placed on p. 28 stating that "These illustrations cannot cover every possible configuration of garage access, but placement of a residential garage (not including parking structures) directly on a front setback line from a public street is not permitted."
10. Architecture/Building:
- A. In the residential districts, 10% of the housing units, shall be offered as affordable.
 - B. Residential areas with access control gates for vehicles (ex. Gated subdivisions) shall be limited only to "age restricted" (active adult communities) as defined in Federal law. Streets within such subdivisions shall be private.
 - C. A sample list of some Environmentally Preferable (building) Materials in use at this time shall be included (p. 11) to illustrate the intent for their use, recognizing that such a sample will change over time.
11. Landscaping-General:
- A. The emphasis on "applying the right type of water" and using reclaimed water for landscape shall be reflected in the Landscape and Open Space Standards (p. 32). The heading "Landscape and Open Space Standards" shall be moved to the end of the first paragraph in the "water is precious" section.
 - B. In districts other than the mixed-use centers, front landscape buffers shall not be lessened from 10 to 6 ft. when there is a perimeter wall, because space is needed to plant landscape that will help mitigate the wall's effect.
 - C. Multi-trunk trees shall not be used as street trees except as approved by the City Forrester.
 - D. Tree planter areas shall be a minimum of 64 square feet in area. Horizontal planting strips shall be allowed, with a 4 ft. wide minimum.
 - E. Desert Willow shall be moved to the "Other Tree" list.
 - F. The turf mix shall not exceed more than 20% high-water use turf (ex. Kentucky Bluegrass) content. Its use is intended to be permissive only for usable open space or active recreational settings, which may be applicable to individual properties. High-water turf shall not be used as decorative landscaping in entries to commercial uses.

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- G. Add Purple Robe Locust, Arizona Rosewood to the tree list. Add Russian Sage to the shrub list.
 - H. Highly-allergenic trees, such as Arizona Cypress and most juniper varieties, shall be prohibited. Only non-allergenic varieties of juniper are allowed, and not in residential areas.
12. Landscaping-Coverage: These average densities allow design of a hierarchy of landscape zones.
- A. In the Trunk Open Space Network: 33% vegetative coverage, tree canopies are not counted.
 - B. In the "Large Park" district: 60% vegetative coverage of which 25% of single trunk tree canopy can be counted.
 - C. In Employment Center, Highway Commercial and Residential Villages: 60% vegetative coverage, of which 50% of single trunk tree canopy can be counted.
 - D. In Mixed Use Centers: 75% vegetative coverage, of which 100% of single trunk tree canopy can be counted.
13. Open Space:
- A. In the Employment Center District, public space shall be provided in accordance with Zoning Code §14.16.3.18(4).
 - B. For the Urban Center, Community Center, Village Center, and Residential Districts, a2 shall be deleted: "Usable open space in such forms as patios, plazas and courtyards, which will have a minimum landscape area of 15%."
 - C. The following language shall be inserted in lieu of a2:
 - i) Usable Open Space shall be provided in an amount equivalent to 15% of the net (as defined in the Comprehensive Zoning Code) site area.
 - ii) Usable Open Space must be a minimum of 8 feet wide not counting the sidewalks.
 - iii) Required Usable Open Space may be aggregated into common open space areas within a ¼ mile of the site creating the requirement.
14. Other:
- A. Design guidelines shall be referred to as design standards.
 - B. The applicant shall incorporate the Interstate Corridor Enhancement Plan (ICEPlan, May 2000, p. 30, 34-37) and the south gateway to Albuquerque into the Level B Plan.
 - C. All wireless telecommunication facilities (WTFs) covered under Zoning Code §14-16-3-17 shall be integrated into building architecture or otherwise concealed. Large, false trees shall not be considered concealed. Free-standing arrays shall be prohibited.
15. Transit/Transportation Demand Management (TDM):
- A. Additional parking management strategies, such as preferential carpool parking and parking cash-out, shall be incorporated into Mesa del Sol's TDM program.
 - B. The proposed fixed guideway transit system shall have stations at approximately half mile spacing.
 - C. The applicant shall coordinate the Mesa del Sol TDM program with Transit's TDM efforts.

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16. Air Quality:

- A. The sentence on p. 66, 4th paragraph shall be rewritten as follows: This indicates that the County air is clean enough to meet health standards today for CO, but continues to receive Federal oversight until 2016, when the Limited Maintenance Plan for CO expires.
- B. Surface disturbance permits shall be obtained from the City of Albuquerque Air Quality Division (not the Air Quality Control Board).

17. Utilities:

- A. The applicant shall coordinate with the City's Water Utility Department regarding the private alley with dry utilities and a public sanitary sewer line within the 20 ft. wide alley section (Figure 5-4, p. 88).
- B. PNM reserves the right to determine all technical needs and issues but not those impacting land use and planning issues.

18. Additional Coordination-City Departments:

- A. The applicant shall coordinate with the Environmental Health Department, Env. Services Division regarding potential impacts from landfill gas generated by the South Broadway Landfill. The developers of this site shall follow the most current version of the City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones.
- B. The applicant shall coordinate with the Parks & Recreation Department, Open Space Division regarding archaeological sites.
- C. The applicant shall obtain statements of availability regarding police facilities, fire protection and others.

19. Additional Coordination-Non-City entities:

- A. The applicant shall continue to work with the Albuquerque Metropolitan Area Flood Control Authority (AMAFCA) on a regional drainage plan (p. 75).
- B. The applicant shall coordinate with Kirtland Air Force Base (KAFB) regarding the execution of a noise and nuisance easement and notification of military aircraft in the area.
- C. The applicant shall coordinate with affordable housing groups regarding the development of an Affordable Housing Plan for Mesa del Sol.
- D. The applicant shall continue to coordinate with the Pueblo of Isleta regarding water quality issues.

20. Minor "Clean-up":

- A. The repeated sentence at the bottom of p. 11 shall be deleted.
- B. The reference to Figure 4-7 on p. 38 shall be changed to reference Figure 4-5.
- C. Table 2-1: A title shall be added and "minor protrusions" in footnote 5 shall be defined.
- D. A legend shall be added to the Soils Map (Figure 4-3) on p. 73.

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IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JANUARY 26, 2007 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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 they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY 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 Richard Dineen
Planning Director

RD/CL/ac

cc: Denish + Kline Associates, 500 Marquette NW, Suite 350, Albuquerque, NM 87102
Patty Grice, Mountain View NA, 206 Fentiman Pl. SE, Albuquerque, NM 87105
Rick Watson, Mountain View NA, 225 Sunny Slope SE, Albuquerque, NM 87105
Robert Benavides, Governor, Pueblo of Isleta, P.O. Box 1270, Isleta, NM 87022
Lee Julian, 2724 Monroe St. NE, Albuquerque, NM 87110

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Tom Bishop, PNM, Alvarado Square, Albuquerque, NM 87158-0510
David Sconyers, Kirtland AFB, 2050 Wyoming Blvd. NE, Albuquerque, NM 87117
Col. Baker, Kirtland AFB, 87117
Elena Gonzales, 3900 Osuna NE, Albuquerque, NM 87109
Catherine Woodward, 7939 Sartan Way NE, Albuquerque, NM 87109
Mark Allison, 441 Graceland SE, Albuquerque, NM 87108
Ken Balizer, 1912 Tierra Vida PL NW, Albuquerque, NM 87107
Gabriel Nims, 5709 Arvilla Ave NE, Albuquerque, NM 87110
Herbert C. Bohannon, Kirtland Air Force Base, 2050 Wyoming SE, Albuquerque, NM 87117
Richard Precek, 2838 Trellis Dr. NW, Albuquerque, NM 87107



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

Date: October 14, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1004260
05EPC-00987 SPR Special Planning Request
(Level A Master Plan)

Myers, Oliver & Price, PC, agents for
Forest City Covington, NM, LLC
And City of Albuquerque (sponsor of
Third Party parcels)

LEGAL DESCRIPTION: a certain tract of land being a portion of Sections 13, 14, 15, 20, 21 all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5 and portion of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, located EAST of INTERSTATE 25, SOUTH of the TIJERAS ARROYO, WEST of KIRTLAND AIR FORCE BASE and NORTH of ISLETA PUEBLO; and a certain tract of land situate BETWEEN STATE ROAD 47 (Broadway Boulevard) and INTERSTATE 25 in Sections 20, 29 and 32, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico; and a certain tract of land being a portion of Lot 7, and a portion of the south one-half of the northeast on-quarter of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, located WEST of STATE ROAD 47 (Broadway Boulevard) and SOUTH of INTERSTATE 25; and a certain tract of land being a northwesterly portion of Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico located NORTH and WEST of the INTERSTATE 25/STATE ROAD 47 (Broadway Boulevard) Interchange; all part of an area commonly referred to as Mesa Del Sol, zoned SU-2 for Planned Community, containing approximately 13,000 acres. (Q-16) Russell Brito, Staff Planner

On October 13, 2005 the Environmental Planning Commission voted that **approval** of Project1004260/05EPC-00987, a Level A Master Plan for the approximately 13,000-acre Mesa del Sol area, be forwarded to the City Council, based on the amended Findings and subject to the following amended Conditions:

FINDINGS:

1. This is a request for approval of a Level A Community Master Plan for an approximately 13,000-acre site generally located south of the Tijeras Arroyo, east of Interstate 25, west of Kirtland Air Force Base, and north of the Pueblo of Isleta, commonly known as Mesa del Sol.
2. Policy guidance for review and approval of the plan come from the Comprehensive Plan, Reserve Area Goal and Policies and the Planned Communities Criteria. The submitted Level A Plan will be the highest ranked development plan for the community, which will guide future Level B and Level C Plans.
3. Five principles of community building are expressed in the submittal, including: economic development; district and neighborhood structure; ecological sustainability and restoration; diversity and balance; and human scale. New urbanism and sustainability are common themes throughout the Level A Master Plan, with emphasis on community building, mixed-use centers, and multi-modal transportation. Job creation and sustainability will play key roles in the development of the community over the next 35 to 50 years.
4. The preponderance of Comprehensive Plan Goals and Policies are furthered by the submittal. The submittal demonstrates substantial consistency with the Planned Communities Criteria (PCC), but requires additional information and studies to meet all required criteria for a Level A Master Plan.
5. Comprehensive Plan, **Reserve Area Goal** and Policies:
 - a. The submittal furthers the Goal by proposing a plan that will allow for future development that will be mixed-use, largely self-sufficient, bounded by open space and in an appropriate outlying area. The submittal is sufficiently detailed to guide future development by designating activity centers for commercial, employment and mixed uses and separate, but connected, areas for residential development.
 - b. The proposed mix of uses will create opportunity for self-sufficiency by recognizing and promoting live, work and recreation areas and activities in one cohesively planned area. The area is appropriate for development because of its close proximity to the existing urban area and its accessibility to the regional transportation system. The Master Plan area will be bounded by open space on or near the north, east, south and west boundaries. A draft development agreement between the City of Albuquerque and the applicant outlines proposed cost-sharing strategies that will ensure that this planned community shall not be a net expense to local government (Policy a). This document is subject to further discussion and negotiation at the City Council level.

- c. The overall gross density of the proposed planned community is less than 3 dwelling units per acre with clustering in Activity Centers and an open space network surrounding and throughout the Plan area. Future Level B and Level C Plans will prescribe specific housing densities and land use mixes and public services (Policy b).
- d. Development within this Reserve Area shall take place in accordance with the proposed planned community master plan (Policy c).
- e. The submitted planned community master plan, with its development criteria and land use strategy will serve to implement the Comprehensive Plan. The submittal demonstrates its own sense of place, the potential for self-sufficiency, environmental sensitivity, and separation from the contiguous urban area by permanent open space. A draft development agreement between the City of Albuquerque and the applicant outlines cost-sharing strategies that will ensure that this planned community shall not be a net expense to local government (Policy d). This document is subject to further discussion and negotiation at the City Council level.

6. Comprehensive Plan, **Activity Centers** Goal and Policies:

- a. The submitted Level A Master Plan proposes several concentrations of moderate and high-density mixed land use and social/economic activities. They are arranged and connected to each other in such a way as to help reduce urban sprawl, auto travel needs and will enhance the identity of this planned community (Activity Center Goal).
- b. Each of the proposed activity centers meets the policy objectives outlined in the Comprehensive Plan for Activity Centers (Comprehensive Plan, Table 10) in terms of service area, access, land uses and scale. Future Level B and Level C Plans will allow for further analysis to identify specific design elements, appropriate uses, transportation service and other details of implementation (Policy a).
- c. The submittal proposes higher density housing within the Major Activity Center areas with lower densities in the areas surrounding them to serve as transitions to lower density residential neighborhoods. Future Level B and Level C Plans will ensure that low-density residential development is buffered from the most intense uses in the Activity Centers (Policies b, f and i).
- d. The proposed development standards of the submittal (Table 7-2) allow for structures with heights, massing and volume within the Major Activity Center areas that are higher than the surrounding areas. The locations of the proposed activity centers will provide for

visual variety and functional diversity that will be further described in future Level B and Level C Plans (Policies c and g).

- e. The proposed Village Centers appear to be located based on functional diversity and supporting market area, which include groups of neighborhoods. These smaller Activity Centers are not specifically designated or mapped by the Comprehensive Plan, but are intended to meet all the Plan's policy objectives (Policy d).
- f. The City and the applicant are working collaboratively to create a capital expenditure strategy that will entail cost sharing for infrastructure development. The general development standards of the submittal provide the framework for future, more specific land use regulations that support multi-use Activity Centers (Policy j).

7. Comprehensive Plan, **Air Quality**, Goal and Policies:

- a. The submitted Level A Master Plan intends to address the issue of air quality through a comprehensive approach that entails a coordinated system of land uses, transportation systems and service provision that will allow for fewer vehicle miles traveled for residents and visitors. Transit Oriented Development (TOD) is proposed for the Activity Centers and the connections between them (e.g. Mesa del Sol Boulevard). As the area develops, the Plan proposes to track vehicle miles traveled and mode splits between auto, public transit, pedestrian and bicycle, and then incorporate development standards to address them in future Level B and Level C Plans (page 53). This approach will aid in improving air quality to safeguard public health and enhance the quality of life for residents and visitors to Mesa del Sol and the metropolitan area (Air Quality Goal and Policies b, d and e).
- b. Enforcement of air quality standards to safeguard public health and welfare is and will be possible because the Mesa del Sol area is already within the jurisdiction of the City of Albuquerque, which has control over particulates and toxic air emissions (Policies a, g and k).
- c. The Level A Plan is accompanied by Technical Appendices that address street design, intersection design, parking, and transportation systems (multi-modal). Traffic engineering techniques, such as narrow streets and traffic calming intersections, are proposed that may improve traffic flows at steady, moderate speeds that are safe for drivers, pedestrians and bicyclists (Policy c).
- d. The submittal's land use "districts" show that air quality/land use conflicts were considered when developing their relative intensities, locations and sizes. The Land Use map on page 19 will provide the framework for future zoning and specific land use designations in future Level B and Level C Plans (Policy i).

8. Comprehensive Plan, **Water Quality**, Goal and Policies:

- a. The submitted Level A Master Plan states on page 61: "Mesa del Sol will promote and encourage sustainable water system practices, including such innovative approaches as aggressive water conservation, high desert landscaping design, wastewater reuse plans and aquifer recharge programs that will ideally result in less water per capita than average for the rest of the City." On page 62, the Plan states: "The Mesa del Sol water supply and distribution system will conform to the City of Albuquerque Water Resources Management Strategy goals and policies." These two statements indicate that a high standard is being proposed for development of Mesa del Sol. Water conservation and management will help to maintain a dependable, quality supply of water for the urbanized area's needs with an emphasis on a total systems approach to water as a valuable resource (Water Quality Goal and Policies d and e).
 - b. The Level A Plan proposes satellite treatment plants to supplement treatment of liquid waste at the Southside Water Reclamation Plant. Septic systems or other potential water quality degradation sources will not be allowed, and those that exist, such as for the Journal Pavilion, will be phased out of service (Policies a and b).
 - c. Proposed well sites appear to be upstream from two existing landfill sites (see Figure 5-4, page 63) and may not be affected by these solid waste disposal sites (Policy c).
 - d. The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) has no major issues with the Level A Community Master Plan. The applicant is working with the Water Authority to address water rights or payment of such by the Developer to the ABCWUA. The applicant and the Water Authority are drafting a development agreement and exploring expansion of the service area to serve Mesa del Sol.
9. Comprehensive Plan, **Solid Waste**, Goal and Policies:
- a. Solid waste services will be provided by the City of Albuquerque to remove refuse from the area to the regional landfill on the far west mesa. The submittal specifically mentions recycling as a strategy to minimize solid waste. The Level A Plan identifies an existing solid waste transfer station just north of the Mesa del Sol area, accessible by Los Picaros Road (Solid Waste Goal and Policies a and b).
 - b. Development of the Mesa del Sol planned community will place residential and commercial neighborhoods in positions of passive surveillance, which is a proven deterrent to illegal dumping (Policy c).
10. Comprehensive Plan, **Noise**, Goal and Policies:
- a. The internal land use arrangement is such that residential uses, especially lower density residential uses, are located away from the Activity Centers where noise-generating

- b. activities are more prevalent. Noise considerations appear to have been integrated into the planning process in order to minimize noise/land use conflicts (Noise Goal and Policies a and b).
 - c. Additional information is necessary to ascertain potential land use/noise conflicts with Kirtland Air Force Base (KAFB) that may occur with the development of Mesa del Sol.
11. Comprehensive Plan, **Archaeological Resources**, Goal and Policies: The submittal furthers the Archaeological Resources Goal and Policies a, b and c by making a commitment to identify and manage or acquire and protect archaeological and paleontological sites. A protective program, created in association with the City and State governments, can now be created in future Level B and Level C Plans that are specific to smaller geographic areas and phases of development.
12. Comprehensive Plan, **Developed Landscape**, Goal and Policies:
- a. The submitted Plan creates a land use arrangement and open space network that preserves and highlights unique views of geographically significant features such as Mt. Taylor, Mt. Ladron, Mosca Peak, Sandia Peak and Crest, and the Rio Grande Bosque. Establishing these line of sight corridors creates a workable framework to respect and maintain the visual environment in future development decisions (Goal and Policy a).
 - b. Future Level B and Level C Plans will be able to ensure appropriate design of public facilities to realize opportunities for beautification (Policy b).
 - c. Specific design standards, which are created for specific locations and types of development, will make up much of the content of future planning efforts. The submittal proposes Street Sections for rights-of-way (pages 30 – 44) that include landscaping in medians and along street edges that will add to a pleasing visual environment; this, in conjunction with the Plan’s commitment to “sustainable water system practices, including such innovative approaches as aggressive water conservation, and high desert landscaping design” (page 61), will further the intent of Policy d.
13. Comprehensive Plan, **Community Identity and Urban Design**, Goal and Policies:
- a. The Level A Plan proposes to create a distinct planned community with collections of identifiable neighborhoods through development that will preserve and enhance the natural characteristics of the area (Goal). The Plan clearly intends to respect the unique character of the area by creating the framework for new neighborhoods that will be further planned through Level B and Level C plans (Policy a).

- b. The submittal is a strategic document that outlines the intent of future development and its relationship to and effect on the natural environment and surrounding areas of existing development and use (Policy b).
- c. The Plan's unique layout of land uses already creates a sense of connectivity and cohesiveness that should continue through future planning and development processes (Policy c).
- d. The Plan's five principals of community building (economic development, district and neighborhood structure, ecological sustainability and restoration, diversity and balance, and human scale) demonstrate that future Level B and Level C Plans will be required to meet a high standard for development (Policy d).
- e. The submittal proposes Street Sections for rights-of-way (pages 30 -- 44) that will connect the community's Activity Centers with designs that will reinforce the community's unique identity. The Plan's intent to use high desert landscaping and minimize water use (page 61) and to require off-street parking to be towards the rear of properties to maximize pedestrian connectivity furthers Policy e.

14. Comprehensive Plan, **Service Provision**, Goal and Policies:

- a. The Level A Plan submittal contains discussion regarding stormwater facilities, water and sanitary sewer utilities and transportation facilities that will guide future development and provision of services in an efficient and equitable manner. The phased development of the community (figure 2-4, page 24) reflects the regional nature of these systems and the need for long range analysis (Goal and Policy a).
- b. New capital projects in the Mesa del Sol community may have to be privately funded or delayed as the existing public service area is the highest priority for service, capacity, use, maintenance and rehabilitation (Policies b and c).
- c. A draft development agreement between the City of Albuquerque and the applicant outlines cost-sharing strategies that will ensure that this planned community shall not be a net expense to local government (Policy d).

15. Comprehensive Plan, **Water Management**, Goal and Policies:

- a. The Level A Master Plan submittal indicates that a high standard is being proposed for development of Mesa del Sol. Water conservation and management will help to discourage wasteful water use (Water Management Goal and Policy a).

- b. The land use map demonstrates retention of natural arroyos and other means of runoff conservation, such as open space corridors, within the context of the overall community (Policy b).
- c. The applicant is working with the Albuquerque Bernalillo County Water Utility Authority to address water rights or payment of such by the Developer to the Water Authority. The applicant and the Water Authority are drafting a development agreement and exploring expansion of the service area to serve Mesa del Sol. (Policy c).

16. Comprehensive Plan, **Energy Management**, Goal and Policies:

- a. In general, the land use layout for Mesa del Sol is based on a design that is intended to maximize the actual and potential efficient use of alternative and renewable energy sources (Goal and Policies a and b). The developer has taken steps to encourage long-term and sustainable planning and development practices.
- b. The roadways within Mesa del Sol are planned to accommodate mass transit options as well as bicycle lanes and pedestrian walkways (Policies c and d). Residential areas are planned in close proximity to transit as well as neighborhood centers, which will facilitate walking and decrease dependence on the automobile.

17. Comprehensive Plan, **Transportation and Transit**, Goal and Policies:

- a. The submittal proposes an extensive system of roadways that correspond to corridors that provide a balanced circulation system through efficient placement of employment and services. The open space network and the mix of uses in the Activity Centers and Corridors encourages bicycling, walking, and use of transit/paratransit as alternatives to automobile travel. The Master Plan will provide for sufficient roadway capacity to meet mobility and access needs through Level B and Level C planning efforts (Transportation and Transit Goal).
- b. The Master Plan's proposed Primary Roadways meet or create the opportunity to meet the policy objectives outlined in the Comprehensive Plan for Corridors (Comprehensive Plan, Table 11) in terms of street design, transit service, and development form. Future Level B and Level C Plans will allow for further analysis of corridors to identify specific design elements, appropriate uses, transportation service and other details of implementation (Policy a).
- c. Capital expenditure strategies and land use regulations in support of creating housing and jobs within key Corridors will be possible in subsequent Level B and Level C Plans (Policy b).

- d. The Plan includes language that addresses transit connections, routes, increased residential densities along Mesa del Sol Boulevard, transit stops, and right-of-way (Policies c and f).
 - e. Traffic engineering techniques, such as narrow streets and traffic calming intersections, are proposed that may improve traffic flows at steady, moderate speeds that are safe for drivers, pedestrians and bicyclists. Pedestrian and bicycle access and mobility is frequently cited in the Plan as a major determinant for development standards to create a human scale community (Policies g, h, i and l).
 - f. Vehicular crossings of steep slopes and open space corridors appear to be minimized, which will minimize harmful effects and possibly engineering costs (Policy n).
 - g. Peak hour demands on the circulation system will be decreased because of the self-sufficient nature of the planned community, mixed-use activity centers, the accessibility and connectivity of different uses, and the envisioned multi-modal transportation system (Policies o and q).
18. Comprehensive Plan, **Housing**, Goal and Policies: The Level A Master Plan addresses and furthers the housing Goal and Policies a and d by planning and designing for a diverse range of residential types in a variety of price ranges, including, but not limited to, accessory units, single-family detached units, apartments, town homes, and condominiums. Housing will be oriented in cluster-like development in order to preserve and utilize the street network and open space areas most effectively.
19. Comprehensive Plan, **Economic Development**, Goal and Policies:
- a. The Goal for Economic Development is furthered because the Level A Master Plan will allow for steady and diversified economic development balanced with other goals that will be further delineated through Level B and Level C Plans. The submittal will allow for future creation of new employment opportunities which can accommodate a wide range of occupational skills and salary levels and promote new jobs located convenient to areas of most need, such as the south valley and future residents of Mesa del Sol (Policy a).
 - b. The subject request will aid in the development of local businesses and outside firms because of the site's close proximity to KAFB, SNL and the airport (Policy b).
 - c. The potential employment and educational uses resulting from this and future Plans will provide opportunities for improvement in occupational skills and advancement (Policy c). Development of employment and commercial uses throughout the community will help

- d. ensure a sound fiscal position for local government through property taxes and gross receipts taxes (Policy e).
- e. Approval of the Level A Plan will remove an obstacle to sound growth management and economic development (Policy f). The proposed Plan will promote a concentration of employment in a variety of proposed Activity Centers in an effort to balance jobs with housing and population (Policy g).

20. Comprehensive Plan, **Education**, Goal and Policies

- a. The Level A Master Development Plan identifies the location of schools and libraries near the mixed-use nodes of activity. The siting and placement of educational facilities is dependent upon the developer in conjunction with APS planning and land acquisition (Policy b). However, in general, schools will be located adjacent to joint use park sites with multi-purpose fields and will offer an assortment of programming for both youth and adults (Goal and Policy a).
- b. Siting criteria for elementary, middle, and high schools vary slightly. Elementary schools will be sited to serve as an anchor for neighborhood centers along with swimming pools, plazas, and small-scale retail shops. Middle schools will generally be co-located with elementary or high schools in order to maximize opportunities for athletic, recreational, and educational programming (Policy e). High schools will be typically located within the mixed-use centers.
- c. The submittal also proposes two branch campuses of the University of New Mexico (UNM), one adjacent to the Employment Center and another next to the Urban Center. This may allow residents to continue their education without having to travel outside of the community (Goal and Policy a).

21. Comprehensive Plan, **Human Services**, Goal and Policies:

- a. Development within the Mesa del Sol community, as detailed in the Level A Master Plan, addresses the Human Services Goal through the five principals of community building that were adhered to while developing the Plan (pg. 8 section 1.2). Care has been taken to identify mixed-use areas that will be the focal points of the community and will house human services appropriate to community need.
- b. The mixed-use areas are conveniently located for walkability and transit access (Goal). Adherence to the five principals of community building is integral to the Plan and will ensure that future zoning, land use, transportation and economic development strategies will be consistent with the goal of maximizing access to human services (Policy a).

- c. Mesa del Sol development will occur in phases so as to limit the adverse effects on existing populations and services (Policy c). In addition, the specific location of human service related uses will be more clearly defined in future Level B and Level C Plans.

22. Comprehensive Plan, **Public Safety**, Goal and Policies:

- a. Generally, the developer will continue to work with the City of Albuquerque to ensure that police and fire station sites are located appropriately and designed as community focal points. The mixed-use centers, located at the intersections of major roads, are potential locations for future fire stations. The Level A Master Plan furthers the Public Safety Goal through continued collaboration between the applicant and the City of Albuquerque and Bernalillo County regarding the appropriate placement of public safety services.
- b. In the Mesa del Sol area, a comprehensive system of emergency medicine and rescue services will be developed as future fire stations are sited to comply with the City's four-minute response time performance criteria and as police stations are sited in appropriate locations (Policies a and f).
- c. The efficient use of technological and human resources will be maximized due to the proposed locations of police and fire stations in mixed-use centers and intersections (Policy c). As is true in all quadrants of the City, law enforcement and optimum use of the criminal justice system will be emphasized as priority activities of City and County government within the Mesa del Sol area (Policy e). Future Level B plans will identify proposed locations, capacity, and public safety services.

23. Planned Communities Criteria (PCC) submittal requirements, Land Use:

- a. Land Use. 1. The submittal illustrates the generalized land uses including several activity centers, employment areas and residential areas. The development program (Table 2-1, page 20) details proposed development intensity.
- b. Land Use. 2. The submittal outlines the hierarchy of mixed-use activity centers on pages 21-22 of the Plan (Urban Center, Community Center, and Village Center).
- c. Land Use. 3. The Master Plan details the open space system within the community, its internal links and its connections to the regional open space network in chapter four.
- d. Land Use. 4. The Master Plan details the open space system within the community, its internal links and its connections to the regional open space network in chapter four.

- e. Land Use. 5. The submittal provides intricate details of a phasing strategy that breaks the community up into three distinct phases of planning and development. The phasing plan (figure 2-4) incorporates the timing and sequencing of related activity centers and surrounding residential neighborhoods.
- f. Land Use. 6. The concept of sustainability is used repeatedly throughout the submittal, including the discussion of utilities (Chapter 5). Strategies for stormwater facilities, water and sewer utilities, solid waste, and electric and gas service are all part of the Master Plan.

24. Planned Communities Criteria (PCC) submittal requirements, Transportation:

- a. Transportation. 1. Approximate boundaries of Level B and Level C plan areas should be provided that relate to the submittal's phasing plan (figure 2-4, page 24). The Department of Municipal Development (DMD), Transportation Planning Division does not believe that the applicant has provided a comprehensive transportation system analysis acceptable to the City at this time.
- b. Transportation. 2. Chapter 3 of the Plan covers the vehicular transportation system as well as transit, walking and bicycling as critical elements of sustainability for Mesa del Sol. Intermodal connections within the community and connections to the surrounding area are adequately addressed in the Plan.
- c. Transportation. 3. The Master Plan details and illustrates the hierarchy of roadway facilities both within the site and their connections to regional facilities (Boulevards, Avenues and Connectors). The submittal also details and illustrates Local streets, alleys and pedestrian ways.

25. Planned Communities Criteria (PCC) submittal requirements, Environment and Open Space:

- a. Env. & OS. 1. Chapter 4 of the Level A Plan is dedicated to the Environment and Open Space. Natural areas, major landforms, and site amenities are protected and incorporated into the proposed open space and park system (figure 4-1).
- b. Env. & OS. 2. The Master Plan identifies topography, soil conditions and drainage (figures 5-1, 5-2, and 5-3) as part of its Utilities chapter. Natural resources, including vegetation and wildlife are addressed as part of Chapter 4, Environment and Open Space. Noise zones are mapped on figure 2-2 and discussed in Chapter 2, Land Use. The noise contours of the Albuquerque International Sunport are used to plan land use arrangements that minimize adverse effects of noise. Recreation and open space resources are integrated into the land use arrangement and shown on figure 2-3.

- c. Env. & OS. 3. The Master Plan identifies topography, soil conditions and drainage (figures 5-1, 5-2, and 5-3) as part of its Utilities chapter. This chapter details a stormwater management plan for the community with existing and proposed hydrologic conditions.
 - d. Env. & OS. 4. A Class I archaeology resources investigation, including literature search has been conducted. A plan for field survey is still necessary, possibly in conjunction with future Level B planning efforts.
 - e. Env. & OS. 5. Air quality is addressed in Chapter 4 of the Plan, which discusses meteorological and physiographical conditions at Mesa del Sol. As the area develops, the Plan proposes to track vehicle miles traveled and mode splits between auto, public transit, pedestrian and bicycle, and then incorporate development standards to address them in future Level B and Level C Plans (page 53).
 - f. Env. & OS. 6. The submittal identifies proposed onsite well fields on figure 5-4, but there is no identification of depth to groundwater. The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) has no major issues with the Level A Community Master Plan. The applicant is working with the Albuquerque Bernalillo County Water Utility Authority to address water rights or payment of such by the Developer to the Water Authority. The applicant and the Water Authority are drafting a development agreement and exploring expansion of the service area to serve Mesa del Sol.
 - g. Env. & OS. 7. Solid waste services will be provided by the City of Albuquerque to remove refuse from the area to the regional landfill on the far west mesa. The Level A Plan identifies an existing solid waste transfer station just north of the Mesa del Sol area, accessible by Los Picaros Road. The strategy for wastewater is for the Mesa del Sol community to become part of the ABCWUA with a reuse concept for non-potable irrigation water.
26. Planned Communities Criteria (PCC) submittal requirements, Government and Public Services:
- a. Gvt. & Pub. Svcs. 1. The submittal discusses planning and design considerations for public facilities in Chapter 6 of the Plan.
 - b. Gvt. & Pub. Svcs. 2. A draft development agreement between the City of Albuquerque and the applicant outlines proposed cost-sharing strategies that will ensure that this planned community shall not be a net expense to local government. This document is subject to further discussion and negotiation at the City Council level.
 - c. Gvt. & Pub. Svcs. 3. The subject area is within the jurisdiction of the City of Albuquerque.

- d. Gvt. & Pub. Svcs. 4. A draft development agreement between the City of Albuquerque and the applicant outlines proposed cost-sharing strategies that will ensure that this planned community shall not be a net expense to local government. This document is subject to further discussion and negotiation at the City Council level.
27. The proposed Level A Master Plan furthers the majority of applicable Comprehensive Plan Goals and Policies. The submittal demonstrates substantial consistency with the Planned Communities Criteria, but will require additional information and studies to meet all applicable criteria for a planned community. This additional information should be relatively straightforward for the applicant to provide. Additional information and clarification of existing information is necessary to address PCC requirements and comments from City Departments and other Agencies.
28. The submittal is complete enough to proceed forward through the review and approval process, but the following Comprehensive Plan and PCC requisites and comments from City Departments and other Agencies should be addressed prior to final action by the City Council:
- City Engineer/DMD/NMDOT comments: provide more clarification and detail regarding transportation and roadway standards.
 - Refine the comprehensive transportation system plan and include studies supporting the plan. Specify land use proposals in terms of timing, location, quantity, and type as assumptions underlying the travel demand estimates (Planned Communities Criteria, Submittal Requirements, B.1.)
 - ABCWUA comments: A development agreement between the applicant and the ABCWUA is needed, as well as an expansion of the service area to serve Mesa del Sol.
 - Comments from KAFB are forthcoming. The Level A Master Plan should address noise generated by military aircraft and other base activities that may affect or be affected by development of this Planned Community.
 - Continue to address comments from the Pueblo of Isleta and work with the Pueblo Government to resolve potential concerns.
 - Identification of depth to groundwater and proximity to production wells; documentation of physical and legal availability, quantity and quality (existing data) (Planned Communities Criteria, Submittal Requirements, C.6.).
 - Create a plan for archaeological field survey, possibly in conjunction with future Level B planning efforts (Planned Communities Criteria, Submittal Requirements, C.4.).
 - Address all PNM comments and concerns.

29. The applicant is encouraged to work with APS to create a quality plan for future educational facilities.
30. The applicant is encouraged to establish a transportation management association (TMA) and an energy management strategy, similar to those that were implemented at the applicant's Stapleton Development in Denver.

CONDITIONS

1. Address City Engineer/DMD comments: provide more clarification and detail regarding transportation and roadway standards.
2. Refine the comprehensive transportation system plan and include studies supporting the plan. Specify land use proposals in terms of timing, location, quantity, and type as assumptions underlying the travel demand estimates (Planned Communities Criteria, Submittal Requirements, B.1.)
3. ABCWUA comments: A development agreement between the applicant and the ABCWUA is needed, as well as an expansion of the service area to serve Mesa del Sol.
4. Comments from KAFB dated 13 October 2005 have been received. A Level A Master Plan should address noise generated by military aircraft and other base activities, including unexploded ordinances that may affect or be affected by development of this Planned Community.
5. Continue to address comments from the Pueblo of Isleta and work with the Pueblo Government to resolve potential concerns.
6. Identification of depth to groundwater and proximity to production wells; documentation of physical and legal availability, quantity and quality (existing data) (Planned Communities Criteria, Submittal Requirements, C.6.).
7. Create a plan for archaeological field survey, possibly in conjunction with future Level B planning efforts (Planned Communities Criteria, Submittal Requirements, C.4.).

8. Address all PNM comments and concerns.
9. The plan shall include a requirement that all construction be Night Sky compliant.

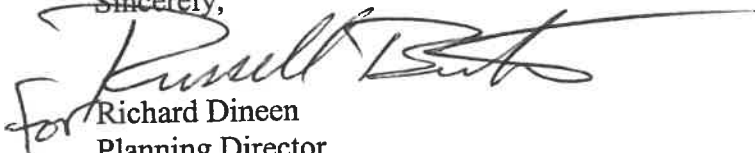
IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY OCTOBER 28, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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 they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY 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 Richard Dineen
Planning Director

RD//ns

cc: Bill Knauf, New Mexico First, 320 Gold SE, 87102
J. Robert Benavides, Governor, Pueblo of Isleta, (Via E-Mail)
Susan Gorman, 2226 B Wyoming NE, 87112
Monique Mirabal-Ostermann, 4101 Jefferson PL, 87109

APPLICANT INFORMATION



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

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

APPLICATION INFORMATION

Applicant:		Phone:
Address: 4020 VASSAR DR NE SUITE H		Email:
City: ALBUQUERQUE	State:	Zip: 87107-2058
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

Text Amendments to the approved Mesa del Sol Level A and Level B Plans to change the maximum height to 110 feet and to allow additional manufacturing uses within the Employment Center (strengthening the relationship between the allowed uses and the IDO standards).

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


Lot or Tract No.:	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

LOCATION OF PROPERTY BY STREETS

Site Address/Street:	Between:	and:
----------------------	----------	------

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

2023-008498

Signature: 	Date:
Printed Name:	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

FORM P1: SITE PLAN – EPC

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

☐ **SITE PLAN – EPC**

☐ **MASTER DEVELOPMENT PLAN**

☒ **MAJOR AMENDMENT TO SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

☐ **EXTENSION OF SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

NA Interpreter Needed for Hearing? ____ if yes, indicate language: _____

☒ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other on-line resources such as Dropbox or FTP. PDF shall be organized with the Development Review Application and this Form P1 at the front followed by the remaining documents in the order provided on this form.

☒ Zone Atlas map with the entire site clearly outlined and labeled

☒ Letter of authorization from the property owner if application is submitted by an agent

☒ Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)

☒ Justification letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-6(J)(3) or 14-16-6-6(F)(3), as applicable

NA Explanation of requested deviations, if any, in accordance with IDO Section 14-16-6-4(P)

NA Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)

☒ Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)

☒ Office of Neighborhood Coordination neighborhood meeting inquiry response

☒ Proof of email with read receipt OR Certified Letter offering meeting to applicable associations

☒ Completed neighborhood meeting request form(s)

☒ If a meeting was requested/held, copy of sign-in sheet and meeting notes

TBD Sign Posting Agreement - to be picked up with signs for posting

☒ Required notices with content per IDO Section 14-16-6-4(K)(1)

☒ Required notices with content per IDO Section 14-16-6-4(K)(1) (*not required for extension*)

☒ Office of Neighborhood Coordination notice inquiry response

☒ Copy of notification letter, completed notification form(s), proof of additional information provided in accordance with IDO

Section 6-4(K)(1)(b), and proof of first-class mailing to affected Neighborhood Association representatives.

☒ Proof of emailed notice to affected Neighborhood Association representatives

☒ Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by Planning Department or created by applicant, copy of notifying letter, completed notification forms(s), proof of additional information provided in

accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing

NA Completed Site Plan Checklist

☒ Scaled Site Plan or Master Development Plan and related drawings

Master Development Plans should include general building and parking locations, as well as design requirements for buildings, landscaping, lighting, and signage.

☒ Copy of the original approved Site Plan or Master Development Plan (for amendments only)

☒ Site Plan or Master Development Plan - Separate pdf file

 Sensitive Lands Site Analysis for new site design in accordance with IDO Section 5-2(C)

NA Completed Site & Building Design Considerations Form in accordance with IDO Section 5-2(D) for all commercial and multifamily

site plans except if the development is industrial or the multifamily is less than 25 units.

NA Landfill disclosure statement per IDO Section 14-16-5-2(G) if site is within a designated landfill buffer zone

☐ **VARIANCE – EPC**

____ In addition to the above requirements for the Site Plan – EPC or Master Development Plan the proposed variance request is related to, please describe, explain, and justify the variance per the criteria in IDO Section 14-16-6-6(N)(3).

Note: Any variance request from IDO Standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), 14-16-5-5 (Parking and Loading), or DPM standards shall only be granted by the DRB per IDO Section 14-16-6-6(L) See Form V.

August 8, 2023

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM, 87102

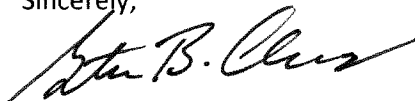
RE: Property Owner Letter of Authorization

To Whom It May Concern:

Chavez Steve & Guzman Rudy & Daskalos Pete & Soula hereby authorizes Consensus Planning, Inc. to act as our agent relating to all applications, submittals, hearings, and other formal representation associated with the approval of a text amendment to the approved Mesa del Sol Level A and Level B Master Plans related to changes to the height and zoning allowances within the Employment Center District at Mesa del Sol related to Tract D-1-A-1 for Kairos Power.

Please contact me if you have any questions or require any additional information. We look forward to working with Planning and Development Services staff as we continue to develop Mesa del Sol as a place where people can live, work, and play.

Sincerely,



Steve Chavez

September 12, 2023

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM, 87102

RE: Letter of Authorization

To Whom It May Concern:

Kairos Power LLC hereby confirms that Consensus Planning, Inc. is authorized to act as our agent relating to all applications, submittals, hearings, and other formal representation associated with the approval of a text amendment to the approved Mesa del Sol Level A and Level B Master Plans related to changes to the height and permissive use allowances within the Employment Center District. These changes directly impact and are limited to Tract D-1-A-1.

Please contact me if you have any questions or require any additional information. We look forward to working with Planning and Development Services staff as we continue to develop Mesa del Sol as a place where people can live, work, and play.

Sincerely,



Rhonda Reynolds, PE
Senior Manager, Construction Projects
Kairos Power LLC



City of Albuquerque

P.O. Box 1293 Albuquerque, NM 87103

Planning Department

Alan Varela, Interim Director

Tim Keller, Mayor
Sarita Nair, CAO

DATE: March 8, 2023

SUBJECT: Albuquerque Archaeological Ordinance - Compliance Documentation

Case Number(s):

Agent: Consensus Planning
Applicant: MDS Investments LLC
Legal Description: See attached
Zoning: PD
Acreage: 3151
Zone Atlas Page(s): See attached

CERTIFICATE OF NO EFFECT: ☒ Yes ☐ No

CERTIFICATE OF APPROVAL: ☐ Yes ☒ No

SUPPORTING DOCUMENTATION:

Historic Google Earth images, existing Mesa del Sol Level B plan, NMCRIS Records

SITE VISIT: N/A


RECOMMENDATIONS:

Some archaeological surveys have taken place in the area covered by the plan, some archaeological sites, have been identified, and many properties within this area have been disturbed by previous development. Any changes to the Level B master plan will have no direct effect on any significant archaeological sites,

SUBMITTED BY:

SUBMITTED TO:

Planning, Development Services

 3/8/2023
Douglas H. M. Boggess, MA, RPA Date
Senior Principal Investigator
Acting City Archaeologist
Lone Mountain Archaeological Services, Inc.



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 07/2020)

Project Title: Mesa del Sol - Level A and B Plan Amendments - Employment Center

Building Permit #: _____ Hydrology File #: _____

Zone Atlas Page: _____ DRB#: _____ EPC#: _____ Work Order#: _____

Legal Description: _____

Development Street Address: _____

Applicant: MDS Investments LLC c/o Consensus Planning, Inc. Contact: Jim Strozier

Address: 302 8th Street NW

Phone#: (505) 764-9801 Fax#: _____

E-mail: cp@consensusplanning.com

Development Information

Build out/Implementation Year: NA - No construction proposed at this time. Current/Proposed Zoning: PC

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

Change of Zoning: ()

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

Describe development and Uses:

Days and Hours of Operation (if known): NA

Facility

Building Size (sq. ft.): NA - No construction proposed at this time.

Number of Residential Units: NA - Industrial Uses

Number of Commercial Units: Mesa del Sol - Level A and B Plan Amendments - Employment Center

to allow additional height and expanded industrial uses (limited).

Traffic Considerations

ITE Trip Generation Land Use Code _____

Expected Number of Daily Visitors/Patrons (if known):* _____

Expected Number of Employees (if known):* _____

Expected Number of Delivery Trucks/Buses per Day (if known):* _____

Trip Generations during PM/AM Peak Hour (if known):* _____

Driveway(s) Located on: Street Name

Adjacent Roadway(s) Posted Speed: Street Name Hawking Drive SE Posted Speed NA
Street Name Crick Avenue SE Posted Speed NA

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

Roadway Information (adjacent to site)

Comprehensive Plan Corridor Designation/Functional Classification: Local - Industrial/Commercial Street
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: Planned Community - Employment Center
(urban center, employment center, activity center, etc.)

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

Adjacent Roadway(s) Traffic Volume: NA Volume-to-Capacity Ratio (v/c): NA
(if applicable)

Adjacent Transit Service(s): NA Nearest Transit Stop(s): _____

Is site within 660 feet of Premium Transit?: No

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

Current/Proposed Sidewalk Infrastructure: _____

Relevant Web-sites for Filling out Roadway Information:

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

Comprehensive Plan Corridor/Designation: See GIS map.

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

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

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

TIS Determination

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

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

Thresholds Met? Yes [] No ☒

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

Notes:

M.P. P.E.

8/8/2023

TRAFFIC ENGINEER

DATE

Submittal

The Scoping Form must be submitted as part of a Traffic Circulation Layout submittal, DRB application for site plan approval, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to plndrs@cabq.gov and to the City Traffic Engineer mgrush@cabq.gov. Call 924-3362 for information.

Site Plan/Traffic Scoping Checklist

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

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

PRE-APPLICATION REVIEW NOTES

PA#: 23-008 Notes Provided (date): 3/3/23

Site Address and/or Location: Mesa del Sol Urban Center & Community Center

Pre-application notes are for informational purposes only and are non-binding and do not constitute any type of approval and are not certificates of zoning. Additional research may be necessary to determine the exact type of process and/or application required. Factors unknown and/or thought of as minor at this time could become significant as a case progresses.

Request Text Amendments to the Level B Mesa Del Sol Community Master Plan to increase allowable heights in the Urban Center (UC) and Community Center (CC)

Basic Site Information

Current Use(s): UC is Undeveloped & CC

Size (acreage): UC=92 ac. & CC=88 ac

Commercial Services, Transportation &

Undeveloped

Zoning: PC

Overlay Zone(s): No

Comprehensive Plan Designations

Development Area: Change

Corridor(s): University Blvd Multi-Modal Corridor runs into the Community Center.

Center: The CC is in the MDS/University Activity Center & the UC is in the MDS/I25 Activity Center

Near Major Public Open Space (MPOS)?: No

Integrated Development Ordinance (IDO)

Please refer to the IDO for requirements regarding dimensional standards, parking, landscaping, walls, signage, etc.
<https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

Proposed Use(s): What do you plan to develop on these sites? UC: mixed use with retail uses & CC: retail, civic, and housing uses proposed in the Level B Plan

Use Specific Standards: see Level B Framework Plan & technical appendices

Applicable Definition(s):

Framework Plan

A plan that accompanies applications for the creation of a PC zone district that describes, in general terms and without engineering level detail, proposed land uses (based on definitions in this IDO); proposed maximum and minimum intensities of development for each development phase or area; and the location, size, alignment, and connectivity of proposed automobile, bicycle, and pedestrian circulation systems; open space and/or wildlife habitat systems; and storm drainage systems and facilities.

Sensitive Lands: *Please see IDO Section 14-16-5-2 for information about required analysis, development standards, and changes to process that may result if this Section applies.*

Notice

Neighborhood Meeting Offer Required? (see IDO Table 6-1-1). If yes, please refer to:

<https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

Process

Decision Type(s) (see IDO Table 6-1-1): EPC-Major Amendment

Specific Procedure(s)*: IDO 14-16-6-6(I) Site Plan EPC for criteria

**Please refer to specific procedures for relevant decision criteria required to be addressed.*

Decision Making Body/ies: Requires Public hearing at EPC Is this a PRT requirement? No

Handouts Provided

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Site Plan Amendments | <input checked="" type="checkbox"/> Site Plan- EPC | <input type="checkbox"/> Site Plan- DHO |
| <input type="checkbox"/> Site Plan- Administrative | <input type="checkbox"/> Variance-ZHE | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site History/Research | <input type="checkbox"/> Transportation | <input type="checkbox"/> Hydrology | <input type="checkbox"/> Fire |

If you have additional questions after reviewing these notes, or would like to schedule a follow up call or meeting, please contact Staff at planningprt@cabq.gov. Please include the PA# with your inquiry.

Additional Notes:

- Here is a link to the most recent Mesa Del Sol Level A and Level B Plans: <https://www.cabq.gov/planning/plans-publications/framework-plans>

Applicant Questions:

- There is not a clear city defined process for text amendments to an approved master plan in the IDO, therefore, we are seeking information for the following questions:
 - The subject site is located in Mesa del Sol, which is governed by the Level A Plan (covers approximately 10,000 acres) and the Level B Plan (covers approximately 3,100 acres).
 - Both the Level A and Level B Plans are Framework Plans under the Integrated Development Ordinance (IDO), which replaced the Zoning Code in 2018. <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>
<https://www.cabq.gov/planning/plans-publications/framework-plans>
- Which process should be followed to make an application, Master Development Plan, Major Amendment to Site Plan - EPC/Master Development Plan or is there some other process?
 - Although it is titled a “Master Plan” Mesa del Sol is a Framework Plan (see definitions) and the process for a Level B Amendment to the Mesa del Sol Master Development (Framework Plan) is below.
 - Text amendments to the Level B Plan (ex. the Fall 2021 case) are reviewed by the EPC- the body that has final authority over the Level B Plan.
 - Text amendments must be provided for all tables and text consistently throughout the plan AND the technical appendices OR wherever height standards in the UC & CC are referenced.
 - If height standards are located anywhere within the Level A plan, an amendment to the Level A Plan will also be required. Changes to the Level A Plan (which includes the Level B area) that affect its concepts/contents/maps are heard by the EPC as a recommending body and forwarded to the City Council for final decision, since Council has authority over the Level A Plan.
 - Level B Plan and IDO Framework

- Pursuant to IDO 14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration procedures. The Mesa del Sol Level B Community Master Plan (the “Level B Plan”) was approved by the EPC in January 2007.
- The Level B Plan is considered a Framework Plan (see definition) because this definition most closely approximates the contents of the existing document. Unlike master plans, framework plans do not expire (See IDO Table 6-4-3). However, please note that the Level B Plan area was already zoned PC when the IDO was adopted. Prior to that, the land had been zoned SU-1 for PC. As reflected by the SU-1 zoning designation, the area was considered to under the EPC’s control historically.
- Also pursuant to IDO 14-16-1-10(A)(1), notwithstanding the pre-IDO approval, development on such a site is exclusively subject to the procedures and decision criteria established in Part 14-16-6 of the IDO. While the existing development standards remain valid and continue to apply, process is pursuant to the IDO. This is supported by two provisions:
 - 1. 14-16-6-4(Y): Amendment of Prior Approvals. If a proposed project exceeds the thresholds for Minor Amendments in 6-4(Y)(2)(a), then it is a Major Amendment.

In this case, the request would adjust building design standards 6-4(Y)(2)(a)(7).

Therefore, the request is a Major Amendment to a prior approval.

- Pursuant to IDO 14-16-6-4(Y)(3), all amendments that do not qualify as minor may only be approved by the decision-making body that issued the approval being amended. The EPC approved the Level B Plan in January 2007, because the Level B Plan established a hierarchy for approval of the Mesa del Sol documents consistent with the Planned Communities Criteria (PCC). Therefore, this request is required to be heard by the EPC.
3. Form P1 indicates the need for a TIS form, Archaeological Ordinance form, and Sensitive Lands Analysis. are these required and if so how should they be completed since there is no development taking place rather only text being amended in the Master Plan?
 - All required forms, including the TIS form and Archaeological form are required to be provided with the application for text amendments to the Level B Plan.
 - A sensitive lands analysis would be required for future site development or new subdivision pursuant to IDO 14-16-5-2(B) Site Design & Sensitive Lands.
 4. What is the correct boundaries for the property owner notice, all of Mesa Del Sol or do we draw a boundary around the urban and community center?
 - Boundary: Notification should go to all property owners for the Level B Plan area since that is what is being amended, not just the boundary of the urban and community center.



August 10, 2023 – Updated September 6, 2023

Mr. David Shaffer, Chair
City of Albuquerque Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Re: Request for a Text Amendment to the Mesa del Sol Level A and B Plans – Specific to the Employment Center and Kairos Power

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

Dear Mr. Chairman:

The purpose of this letter is to request Text Amendments to the approved Level A and B Mesa del Sol Master Plans. The IDO delegates review and approval authority of the Level B amendment to the EPC, while the Level A Amendment requires final approval by the City Council. The requested amendments consist of increasing the maximum height in the Employment Center to 110 feet and to allow for general and special manufacturing as a permissive use for a small portion of the employment center (the Kairos Power property).

The request meets the criteria in IDO section 6-4(Z)(3)(b) which states “Master Plans for private property must be amended as site development plans pursuant to Subsection 14-6-6-4(Z)(1)”. The requested text amendment does not meet the criteria listed in Table 6-4-4 for a minor amendment; therefore, the criteria in IDO section 6-4(Z)(1)(b) shall be followed. IDO section 6-4(Z)(1)(b) states that major amendments “shall be reviewed and decided by the decision-making body that issued the permit or approval being amended, following the procedures for the most closely equivalent decision in Part 14-16-6 (Administration and Enforcement)”. In this case, the most closely equivalent process is IDO Section 6-6(I) Site Plan – EPC. Additionally on page 104 of the Mesa del Sol Level B Master Plan states “text amendments having a substantive effect on zoning entitlements are approved by the Environmental Planning Commission.”

PLANNING CONTEXT:

Mesa del Sol is an approximately 13,000-acre development that has been designed and planned in accordance with the City of Albuquerque’s Planned Communities Criteria. Submittal requirements in accordance with the Planned Communities Criteria outline Level A as the overall Community Master Plan, Level B as the Village Plan, the Community Center, Employment Center, or all or part of an Urban Center plan, and Level C as the subdivision or site development plan review. The Urban, Community, and portions of the Employment Center are all included in the existing, approved Level B plan.

The first stage of this process was Mesa del Sol’s Level A Master Plan which was adopted on January 14, 2006. The second stage of this process was Mesa del Sol’s Level B Master Plan which was approved by the EPC on January 11, 2007. Several components of the Level B Master Plan were expedited by the City of Albuquerque in the interest of economic development and base job creation.

The approved Level B Master Plan encompasses a 3,151-acre area within the Level A plan boundary. The Employment Center comprises 1,162 acres of land. Recently a 500-acre parcel that was previously designated as a senior living/ active adult area was incorporated into the Employment Center as part of a text amendment to the Level A and B Master Plans. The Employment Center is designed using the “jobs first, housing second” approach (p. 16 MDS Level B) which seeks to maintain a balance between jobs and housing by prioritizing jobs and economic development in that area. The Employment Center is strategically located to attract new employers as well as established locally-owned businesses.

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA

THE REQUEST:

The requested text amendment to the Mesa del Sol Level A and B Master Plan seeks to for an increase to the maximum height and allow for general and special manufacturing as a permissive use in a small portion of the Employment Center legally described as *TR D-1-A-1 Mesa del Sol Innovation Park II containing approximately 28.44 acres*. The current building height limit for the Employment Center is 80 feet. The request will increase the allowable maximum height to within the Employment Center 110 feet for Tract D-1-A-1, Kairos Power. The change will allow for the construction of a building needed to further their research and development/manufacturing process. The new building requires a height of over 100 feet, which is currently not allowed in the Employment Center.

The Employment Center currently allows land uses applicable to zone districts R-3 Residential, O-1 Office and Institution, C-1 Neighborhood Commercial, C-2 Community Commercial, C-3 General Commercial, and **M-1 Light Manufacturing**. The Employment Center allows for residential land uses; therefore, the request is seeking only to allow the increased height combined with general and special manufacturing uses in a small designated portion of the center to mitigate any harmful effects of development on existing and future residents. The existing Kairos Power property is located at the northeastern corner of the existing Level B Employment Center and is approximately 5,000 feet from the nearest residential development. The subject property is surrounded by non-residential land uses. The access to the Kairos Power facilities are via University Boulevard to Hawking Drive SE.

The requested general and special manufacturing as a permissive use will allow for a more robust Employment Center as scientific research and manufacturing uses will become permissive. New Mexico has a long history of scientific research and development through organizations such as Sandia and Los Alamos Labs and Kirtland Airforce Base which have benefited residents and the economy for decades. The requested amendment will help to ensure Albuquerque continues to attract scientific research and manufacturing-related businesses that will make large-scale investments in the area.

Table of Proposed Changes to Text and Figures in the MDS Master Plan

Level A Plan Changes*	Level B Plan Changes*
Table 7-1 Permissive Uses by Land Use District	Land Use Designations Figure 2-1 Page 15
Table 7-2 Development Standards Page 74	2.2.2 Development Standards Employment Center Page 18
	Table 2-1 Site Development Standards Page 31
	Table 7-1 Approval Matrix Page 105

**Text amendments are required to the Level A and B Plans, but the amendment only applies to Tract D-1-A-1 as noted.*

The following section outlines the proposed text amendments to the Mesa del Sol Level B Master Plan:

2.2.2 Development Standards – Employment Center

1. **Maximum** – The maximum allowable building height is 110 feet for Tract D-1-A-1, measured at the tallest part of the building. For all other property within the Employment Center, the maximum height will remain at 80 feet. Minor projections and special architectural features such as clock towers, bell towers, cupolas, and ornamental portions of parapet walls may extend up to 10 feet above the maximum building height, provided they are no more than 30 feet in width and makeup no more than one-third of the length of the building's façade.

2.2.2 Development Standards – Employment Center

c) General & Special Manufacturing Permissive Use Area: A small portion of the Employment Center legally described as *Tract D-1-A-1 Mesa del Sol Innovation Park II* is permitted to conduct both general and special manufacturing as defined by the following definition in section e. General and special manufacturing land uses are subject to use specific standards as outlined in section d.

d) Use Specific Standards for General & Special Manufacturing: The following standards are in place to provide added protection for the environment and surrounding communities located near either general or special manufacturing land uses.

General Manufacturing

1. This use must comply with air quality permitting requirements found in Part 9-5 of ROA 1994 (Air Quality and Environmental Health Control).
2. This use is prohibited in the following locations:
 - a) Within 330 feet of major public open space (NR-PO-B).
 - b) Within 660 feet of a lot containing a religious institution or school.
 - c) Within 1,000 feet of any lot containing residential land use.

Special Manufacturing

1. This use shall comply with all standards outlined in section d general manufacturing.
2. This use must obtain all applicable State and federal permits or approvals for the activity and comply with the terms and conditions of those permits or approvals throughout the entirety of the activity.

e) Request for Industrial Use: Uses that meet the following definition of Special or General Manufacturing located within the Employment Center may be considered permissive on a case-by-case basis with review and approval delegated to MDS Investments LLC. The applicant requesting general or special manufacturing land use as allowed in the Employment Center subject to EPC review and approval on a case by case basis.

General Manufacturing- Any use that includes the processing, fabrication, or assembly of goods and materials using procedures that pose a greater than average risk to the environment or overall well-being of the community through increases in noise, fumes, smoke, odors, glare, or health and safety hazards.

Special Manufacturing- Any business, establishment, or institution that uses hazardous materials or creates hazardous by-products or waste while manufacturing, assembling, fabricating, or treating materials or that uses processes that create potentially hazardous impacts, including but not limited to nuclear leakage, electromagnetic radiation, and explosions.



INTEGRATED DEVELOPMENT ORDINANCE JUSTIFICATION CRITERIA

The following explanation summarizes how the request for a Text Amendment to the Level A and B Mesa del Sol Master Plan meets the IDO criteria pursuant to IDO Section 14-16-6-6(I)(1) Site Plan - EPC.

6-6(I)(3) Any application for a Site Plan - EPC shall be approved if it meets all of the following criteria:

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

Applicant response: *The proposed text amendment is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of applicable Goals and Policies in the ABC Comp Plan as demonstrated below:*

Goal 4.2 Process: Engage communities to identify and plan for their distinct character and needs.

Applicant Response: *As part of the Site Plan - EPC process a request for a pre-application facilitated meeting was sent to the affected neighborhood associations near the Mesa del Sol Community. A meeting was held on June 7, 2023, to discuss the proposed increase to the maximum height allowed in the Employment Center as well the addition of general and special manufacturing uses for the Kairos Power property. This meeting served as an opportunity to engage with the community and ensure the Level B Master Plan amendments and inform those who living in the planned community of these changes.*

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

Applicant Response: *The request helps to strengthen the Employment Center by furthering goal 5.1 by supporting Kairos Power and their impact on regional economic growth through incentivizing development by increasing building heights and expanding permissive uses on their property. The Employment Center is currently connected to University Boulevard and will also be accessible by Mesa del Sol Boulevard which is a major corridor that is planned to run through the community.*

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

Applicant Response: *This request helps to capture regional growth in Centers to help shape the built environment into a sustainable development pattern because the increase in building height and the inclusion of general and special manufacturing land uses will ensure the built environment develops along the "jobs first, housing second" ideology in which the center was designed. The requested amendment will ensure existing businesses in the Employment Center will be able to expand the services they offer in addition to attracting new businesses who conduct scientific research and development (on a case by case basis).*

The Level B Master Plan has been designed to shape the built environment into a sustainable development pattern through a balance between the designated Centers and residential areas while providing jobs and recreational opportunities. The requested amendment seeks to further develop the Mesa del Sol community into a pattern of sustainable development through the increase in building heights for the Kairos Power expansion. This will enable an increase in the intensity of businesses that will allow vertical growth through taller buildings instead of horizontal growth through sprawling auto-centric design.

Sub policy c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban fringe.

Applicant Response: *The request helps to further sub-policy c by encouraging employment density in the designated Employment Center through the increase in the allowable building*

height and the inclusion of general and special manufacturing land uses for the Kairos Power property. The Employment Center is the ideal location for large-scale employment opportunities as the population of Mesa del Sol increases. The requested 110-foot maximum building height will allow for the continued expansion of the Kairos Power project. Attracting large business investors through strategic development standards ensures the Mesa del Sol Employment Center continues to grow in a sustainable pattern and capture the regional economic growth thereby improving the quality of life of residents.

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

Applicant Response: *This request helps to create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods because the increase in building height for Kairos Power help to encourage a sustainable development pattern that is centered around new urbanist ideals and “jobs first, housing second” ideology. The addition of general and special manufacturing land uses as permissive in a designated portion of the center facilitates future development that will provide robust employment opportunities for existing and future residents. The Employment Center is currently accessible from the surrounding community and as Mesa del Sol grows and public infrastructure is built the accessibility of the center will increase. The use specific standards and request for industrial clause ensures that the health of the community is protected as the Employment Center grows.*

Policy 5.2.2 Planned Communities: Include Centers and Corridors in master planned communities and follow the Planned Communities Criteria as adopted by the City and County.

Applicant Response: *The Mesa del Sol Level B Master Plan was designed in accordance with the Planned Communities Criteria and has created several types of Centers including Urban, Employment, and Community Centers. The requested amendment is seeking to enhance the Employment Center through the proposed increase in allowable building heights which will be reviewed and decided by the EPC in accordance with the PCC.*

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

Applicant Response: *This request helps to further Goal 5.6 because the portion of the Employment Center that is in the Level B Master Plan area is classified as an Area of Change. The increased the maximum building height of 110 feet for Kairos Power helps to encourage more intense growth in this area where it is designated and expected. The inclusion of general and special manufacturing land uses as permissive in a small portion of the Employment Center will further help to direct growth to the Employment Center where it is expected.*

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

Applicant Response: *The Employment Center in the Level B Plan Area is designated an Area of Change. The requested amendment would facilitate more intense development where it is encouraged by both the ABC Comprehensive Plan and the Mesa del Sol Level B Master Plan by expanding development opportunities in that area.*

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

Applicant Response: *This request helps to create places where businesses and talent will stay and thrive because the proposed increase in building height will ensure the expansion of Kairos Power’s development as an integral part of creating a diverse array of businesses making Mesa del Sol a place where businesses can thrive.*

The inclusion of general and special manufacturing land uses for a designated portion of the Employment Center as well as a clause allowing a request for industrial land uses creates an ideal environment for scientific research and development businesses to stay and thrive because permissive land uses in this area will be more closely aligned with their business type.

Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

Applicant Response: *Mesa del Sol Master Planned Community has been designed to foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities including through the Employment Center. This request helps to further facilitate these opportunities by increasing the building height in the Employment Center which will allow for an increase in development intensity and density and accommodate specific manufacturing needs as exemplified by Kairos. Additionally, the Employment Center is a prime location for taller buildings as it is designed to capture employment growth and the increased heights will ensure diverse businesses can be established.*

The development intensities allowed under the request for industrial clause help to encourage economic development opportunities for scientific-based businesses that currently do not have access to Mesa del Sol through restrictions placed on allowable uses in the Employment Center. The requested amendment will help lay the foundation to expand opportunities to create a diverse Employment Center where numerous business types can invest and thrive in the area.

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

Applicant Response: *The request helps to further policy 8.1.2 because the addition of general and special manufacturing land uses will attract science and technology-related industries, which helps to improve the overall quality of life for new and existing residents and the broader community through expanded knowledge, scientific discovery and a deeper understanding of systems and technology. Science and technology-related industries make a significant positive impact on the local economy and contribute to local employment, creating high-paying opportunities for skilled workers. Places like Sandia National Labs, Kirtland Airforce Base, and the University of New Mexico are some of the major employers for residents in the Albuquerque area. Finally, science and technology-related industries invest in workforce development initiatives and job training programs that create pathways to help residents access higher education and encourage them to obtain professional degrees as jobs in these fields increase in the area.*

Policy 8.1.4 Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

Applicant Response: *New Mexico has a unique history of groundbreaking scientific discoveries and research that have helped to define and market the region to science and technology-related industries. The requested amendment to the Employment Center to allow for the expansion of Kairos Power's scientific research and development land uses will help to enhance and market the area to both existing businesses in the Mesa del Sol community as well as outside businesses that may want to invest in the area as they will be able to establish their industries thereby helping us to compete with other regions and improving our economic base.*

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in target areas.

Applicant Response: *This request furthers policy 8.1.5 because it seeks to allow special and general manufacturing land uses in a designated area in the Employment Center to accommodate diverse and robust employment opportunities and capture projected growth. Although the request is not seeking to amend the zoning of Mesa del Sol Level A or B Plan area it will ensure there is enough land that can accommodate employment growth through requesting specific industrial land uses. The requested increases in the building height will ensure that the Kairos property can accommodate their projected employment growth and as this growth occurs it does so in a sustainable fashion that makes the most use of the existing and future infrastructure. This request recognizes the need for certain research and development/manufacturing uses to require additional building height.*

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

Applicant Response: *The Level B Plan area was not previously zoned NR-SU or PD; therefore, this criterion does not apply.*

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

Applicant Response: *The proposed text amendment to the Level B Mesa del Sol Master Plan is in compliance with all applicable provisions of the IDO, DPM, and other adopted City regulations including both Level A and B of the Mesa del Sol Master Plan. There is no development that is occurring at this time and no Site Plan is to be reviewed in conjunction with city-adopted regulatory documents. The IDO does not have a clearly defined process for text amendments to Master Plans and as stated above. A PRT meeting was held, and city staff echoed the application would follow the procedures for the most closely equivalent decision which in this case is the Site Plan - EPC process.*

6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the maximum extent practicable.

Applicant Response: *There is no request for development at this time and as development occurs the impacts it will have on the public infrastructure will be assessed. The proposed text amendment will not create any adverse impact or place a burden upon the public infrastructure that is planned. In fact, maximizing the development potential in the Employment Center makes use of the existing and proposed infrastructure in a more efficient manner.*

As a relatively new planned community, Mesa del Sol is not presently developed in its entirety. The Level A and B Master Plans are created to guide the development of the community including its public infrastructure. As the community grows there are several roadways, bike trails/paths, sidewalks, etc. that are planned in accordance with this growth.

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

Applicant Response: *The proposed text amendment to the Employment Center will not cause any adverse impact on the surrounding community. There is no Site Plan associated with this submittal and as development occurs the DFT or EPC will review any proposed Site Plans to ensure potential negative impacts are mitigated to the furthest extent possible. Additionally, the request recognizes that the Employment Center allows residential land uses as permissive and is seeking only to allow general and special manufacturing in a small portion of the Center that is currently situated away from any residential development existing or proposed to further mitigate any negative impacts of the proposed allowable uses.*



No new residential uses are anticipated within this portion of the Employment Center consistent with the Specific Use Standards associated with NR-GM.

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

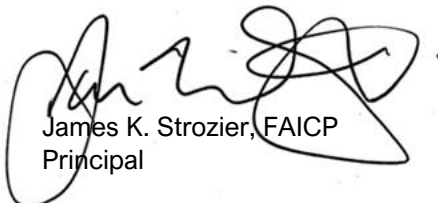
Applicant Response: *The subject property is not within an approved Master Development Plan Area; therefore, this criterion does not apply.*

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

Applicant Response: *The subject property is not within a Railroad or Spur Small Area; therefore, this criterion does not apply.*

CONCLUSION: *Kairos Power, in concert with Mesa del Sol, is requesting a text amendment to the Employment Center to increase the maximum building height up to 110 feet and allow general and special manufacturing land uses permissive for the Kairos Power property (a small, designated portion of the Employment Center) to allow their continued expansion to meet their technology development goals, advancing the company's mission to enable the world's transition to clean energy, improve people's quality of life, and protect the environment while furthering the "jobs first, housing second" goal of the Mesa del Sol Level B Plan. The requested amendment as demonstrated above helps to further a preponderance of goals and policies found in the ABC Comprehensive Plan. Given the information provided in this report, we respectfully ask for your approval of the requested text amendments.*

Sincerely,



James K. Strozier, FAICP
Principal



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-17351-OE

Issued Date: 01/03/2023

Jose Suarez
Jose Suarez
5201 Hawking Dr SE
Albuquerque, NM 87106

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building Kairos Power - Lithium Enrichment Facility
Location:	Albuquerque, NM
Latitude:	35-00-21.71N NAD 83
Longitude:	106-36-47.82W
Heights:	5295 feet site elevation (SE) 100 feet above ground level (AGL) 5395 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 07/03/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (206) 231-2993, or lynnette.farrell@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-17351-OE.

Signature Control No: 547273041-566814919

(DNE)

Lynnette Farrell
Technician

Attachment(s)
Additional Information
Map(s)

Additional information for ASN 2022-ASW-17351-OE

Any cranes used for construction that exceed 100 feet will need to be studied separately. Please ensure the crane operator submits that study as soon as possible.

STAFF INFORMATION

August 24, 2023

TO: Jim Strozier, Consensus Planning
FROM: Megan Jones, Senior Planner
City of Albuquerque Planning Department
TEL: (505) 924-3352
RE: PR-2023-008498 SI-2023-00686 & SI-2023-01380 – MDS Level A &
B Text Amendments

I've completed a first review of the requested text amendments and would like to discuss the request. Please provide the following:

⇒ A revised project letter (electronic copy)

⇒ All revisions to Level A and Level B Plan Amendments to Tables, Text, and Maps

No later than 9 AM on September 5, 2023

Note: This is the deadline to submit materials for full consideration by staff.

Overview:

- A. It is my understanding that the request is for text amendments to the Mesa del Sol Level A and Level B Framework Plans to 1) increase the maximum allowable height in the Employment Center (EC) from 80 feet to 110 feet, (and up to 134 feet with applicable height bonuses), 2) designate a portion of the EC to allow General and Special Manufacturing Uses on Tract D-1 and D-3, Mesa del Sol Innovation Park Subdivision, and 3) add uses permissive in the NR-GM Zone Per Section 4-3 to EC Permissive uses.
 - i) Please include a map of Kairos property where the land uses are to become permissive as an exhibit for reference with the boundary and acreage of the site.
- B. The MDS buffer map includes the entire level A boundary, but the zone atlas pages only include level b boundary. Is there a reason for this?
- C. Please explain what the purpose of this amendment is for. Your project letter states the uses will allow Kairos Power to expand, but what is the height amendment for?
- D. Please explain what the intent of allowing NR-GM in the EC is for. The project letter states that text will be added to the Plan stating that this is on a case-by-case basis, but this would still be pursuant to EPC process. Please make it clear that this request would affect only the Kairos Power property at this time.
- E. The agent authorization letter was signed in March 2023 and needs to be updated. Please provide a new signed agent authorization letter. Please also include a letter from Kairos Power (see conclusion of the project letter).
- F. We will continue to review the amendments within the Level A and B Plans as the case progresses. We will inform you as timely as possible if there is anything we need from you.

2) Legal Ad:

A. I have the following for the legal description:

All or a portion of a certain tract of land being a portion of sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico.

3) EPC Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing is September 21, 2023. Final staff reports will be available one week prior. The last day to submit items for FULL consideration by the EPC is Monday September 25, 2023 at 9 AM.
- C. We will email you a copy of the agency comments once they are received after August 30, 2023 and will forward any late ones to you.

4) Notification & Neighborhood Issues:

Notification requirements for a major amendment are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 345). The required notification consists of: i) an offer of neighborhood meeting, ii) an emailed letter to neighborhood representatives indicated by the ONC, iii) a mailed letter (first-class) to property owners within 100 feet of the subject site, and iv) yellow sign posting.

- A. It appears that all notification offering the pre-application facilitated meeting is complete.
- B. A public meeting was held on 6-7-2023 at Kairos Power. This was not a facilitated meeting.
- a. Where there any questions or concerns raised by attendees?
- C. The sign posting period is 15 days prior and after the EPC hearing date from Wednesday, September 6, 2023 to Friday, October 6, 2023. Please provide photos of your sign postings to us via email once you have posted them.
- i) We suggest posting 4 signs: 1 at University and Crick Crossings, 1 along Hawking Dr in Front of Kairos Power, 1 at University Blvd. and Bobby Foster, and 1 at Bobby Foster Rd. and Los Picaros Rd.

5) Text Amendments

- A. Please provide the Plan pages with strike throughs of the previous text with new text in red so that staff and commissioners have a clear understanding of what is changing.

- B. The level B Plan, page 18, shows an amendment to 120 feet not 110 feet. Please check all pages and update to the correct request..
- C. Level B Plan page 18: please ensure that the description of the site is correct. Include all Tracts.
- D. Table 7-1 should not remove “M-1 light manufacturing” uses. Please add a line to the table for the proposed “IDO NR-GM Manufacturing” Permissive in the Employment Center. The “P****” note should include language that states this is only on tract D-1 and D-3 in the EC.

i) Where does the text the project letter live for e) Request for industrial uses?

ii) Should this be added to the page as a note to Table 7-1?

- F. We will continue to read through the Level A and Level B Plans for any additional text amendments that need to be incorporated that pertains to this request. We will inform you as soon as possible if any additional revisions are needed.

7. Project Letter:

- a. Please add a sentence stating that the applicants are Kairos Power and MDS to the intro of the letter.
- b. Please describe what the purpose of the amendments are under the request section of our letter.
- c. Please change “base building height” to “max allowable building height.”
- d. “The Request” portion of your letter only lists Tract D-1 as the tract that would allow special manufacturing uses. Please update to include tract D-3 as well, if this is the request.
 - i. Please add the approximate acreage of these two tracts to the letter.
 - ii. The letter states that the general and special manufacturing will allow for scientific research and manufacturing, but there’s plans for this site already. What is the actual intention of the requested use? Please include this in the letter.
- e. Thank you for providing a table of proposed changes and a section describing them as they pertain to the plan sections.
- f. Please add that the amendments to height will include applicable height bonuses to the description of the request and the first paragraph of the letter.
- g. Please update the section outlining proposed text amendments to be clear that this is the new text to be added to the framework plans.
 - i. Structured Parking and public Space Bonus refer to the Urban Center. Please update.
 - ii. e) Request for Industrial Use: Is this reflected in the text amendments anywhere? I do not see this language added. Where is the applicant proposing to add this text?

8. Review & Decision Criteria (Goal and Policy analysis)

- a. Please include the level A plan amendment in your goal and policy responses or add goals and policies for level A amendments. They only talk about the Level B plan amendment.

- b. Many of the responses to goals and policies are about the text amendments for building heights, but not for the new use. Please add goals and policies that justify the entire request.
- c. Some Suggestions:
 - i. Goal 5.1 Centers & Corridors: the response doesn't explain how the request contributes to growth in a center are connected by a network of corridors. Please make sure each goal/policy is responding to the intention of the goal/policy.
 - ii. Policy 5.1.1 Subpolicy C: Why is Netflix mentioned here when the request is for Kairos Power? Please expand on the response to add the new land use as well. This applies to many policies.
 - iii. Goal 5.6 & 5.6.2: expand and explain how the request would facilitate more intense development.

NOTIFICATION

From: Carmona, Dalaina L.
To: Jim Stouder
Subject: Mesa del Sol - Level A Boundaries Neighborhood Meeting Inquiry Sheet Submission
Date: Thursday, May 18, 2023 3:58:24 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image006.png
Level A Zone Areas.pdf

PLEASE NOTE:

The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Mesa Del Sol NA	Cathy	Burns	catburns87106@gmail.com	2201 Stieglitz Avenue SE	Albuquerque	NM	87106	5053304322	
Mesa Del Sol NA	David	Mills	dmills544@gmail.com	2400 Cunningham Avenue SE	Albuquerque	NM	87106	5052399052	
District 6 Coalition of Neighborhood Associations	Mandy	Warr	mandy@theremedyspa.com	113 Vassar Drive SE	Albuquerque	NM	87106	5054014367	5052659219
District 6 Coalition of Neighborhood Associations	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE	Albuquerque	NM	87106	5059808007	

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

Please note the following:

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

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster@cabq.gov <webmaster@cabq.gov>
Sent: Thursday, May 18, 2023 2:21 PM
To: Office of Neighborhood Coordination <cp@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:
Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:
Contact Name

From: [Jim Strozier](#)
To: [dmills544@gmail.com](#); [catburns87106@gmail.com](#); [P. Davis Willson](#); ["Mandy Warr"](#)
Cc: [Rhonda Reynolds](#); [Ashley Lewis](#); [Lara Gutierrez](#)
Subject: Pre-Application IDO Notice and Meeting Invitation
Date: Friday, May 19, 2023 7:59:00 AM
Attachments: [NAcompleteKairos.pdf](#)

Neighborhood representatives:

Please see the attached Notice for proposed changes to the Employment Center at Mesa del Sol along with amendments to the industrial use regulations for the Kairos Power property located within the northeast portion of the Employment Center .

Kairos will be hosting a neighborhood meeting at their facility at 5:30 PM on Wednesday, June 7th. Kairos will provide a presentation on their company, current operations, and their proposed new building. Their address is 5201 Hawking Dr SE.

Let me know if you have any questions. I have also copied key members of the Kairos team as well.

Thank you and we look forward to seeing you and your members/neighbors on June 7th. Thank you.

Jim Strozier, FAICP

Consensus Planning, Inc.

302 8th Street NW

(505) 764-9801

From: [Mail Delivery System](#)
To: info@willsonstudio.com
Subject: Delivered: Pre-Application IDO Notice and Meeting Invitation
Date: Friday, May 19, 2023 8:00:02 AM
Attachments: [Pre-Application IDO Notice and Meeting Invitation.msg](#)

Your message has been delivered to the following recipients:
info@willsonstudio.com <<mailto:info@willsonstudio.com>>
Subject: Pre-Application IDO Notice and Meeting Invitation

From: [Microsoft Outlook](#)
To: dmills544@gmail.com; catburns87106@gmail.com
Subject: Relayed: Pre-Application IDO Notice and Meeting Invitation
Date: Friday, May 19, 2023 7:59:41 AM
Attachments: [Pre-Application IDO Notice and Meeting Invitation.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
dmills544@gmail.com (dmills544@gmail.com) <<mailto:dmills544@gmail.com>>
catburns87106@gmail.com (catburns87106@gmail.com) <<mailto:catburns87106@gmail.com>>
Subject: Pre-Application IDO Notice and Meeting Invitation

From: [Microsoft Outlook](#)
To: ["Mandy Warr"](#)
Subject: Relayed: Pre-Application IDO Notice and Meeting Invitation
Date: Friday, May 19, 2023 7:59:42 AM
Attachments: [Pre-Application IDO Notice and Meeting Invitation.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
'Mandy Warr' (mandy@theremedyspa.com) <mailto:mandy@theremedyspa.com>
Subject: Pre-Application IDO Notice and Meeting Invitation



May 18, 2023

Mesa del Sol Neighborhood Association
District 6 Coalition of Neighborhood Associations

Dear neighborhood representatives,

On behalf of Kairos Power and Mesa del Sol LLC, Consensus Planning, Inc. is providing you with notice that we are preparing a Text Amendment application (to the approved Mesa del Sol Level A and B Plans) for EPC approval which will be heard at a public hearing.

The request is to increase the existing building height in the Employment Center from 80 to 110 feet. Additionally, we are requesting to designate a small portion (the Kairos Power Property) of the Employment Center to allow for additional manufacturing land uses. Granting permission for additional manufacturing activities will allow Kairos Power to construct a new building to support the development of their clean energy technology. The property is located almost a mile northwest from the Mesa del Sol Neighborhood Association boundary.

This request will help the company achieve its mission ***to enable the world's transition to clean energy while improving people's quality of life and protecting the environment.***

The new facility is aligned with Kairos Power's long-term investment strategy in the Albuquerque region. To date, Kairos Power has made more than \$50 million in capital improvements to its campus at Mesa del Sol and created more than 86 jobs with an average salary over \$100K, exceeding the company's initial commitment of 65 FTEs.

While supporting economic development in the region, Kairos Power is committed to protecting the health and safety of employees, neighbors, and the public. The company respects Mesa del Sol neighbors' needs and priorities and is eager to address any concerns. To that end, Kairos Power would like to invite your organization to visit its facility to learn more about the company and its mission. The company will be hosting an information session at its office on **Wednesday, June 7th at 5:30 p.m.** We hope that you can attend.

Please let us know if you would like to request a facilitated meeting to further discuss details relating to this project. As part of this email package, we have included the city-required application forms, the subject site's zone atlas page, the site plan, and elevation drawings.

Per the IDO section 6-4(C)(4) you have 15 calendar days to respond to this request for a facilitated meeting. Please reach out to cp@consensusplanning.com or call 505.764.9801 with any questions or concerns regarding this email. We look forward to hearing from you soon.

Best,

Mr. James K. Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
Albuquerque, NM 87102
Phone (505) 764-9801

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

PRINCIPALS

James K. Strozier, FAICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP

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

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

Date of Request*: 5/18/2023

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

Neighborhood Association (NA)*: Please see attached

Name of NA Representative*: Please see attached

Email Address* or Mailing Address* of NA Representative¹: Please see attached

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

Email address to respond yes or no: Please contact cp@consensusplanning.com

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

Meeting Date / Time / Location:

We will coordiante with a facilitator to select a time and date that works for all parties

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

1. Subject Property Address* Mesa del Sol Level B Plan Area Employment Center
Location Description _____
2. Property Owner* Kairos Power
3. Agent/Applicant* [if applicable] Consensus Planning
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

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

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

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

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

Summary of project/request^{3*}:

The request is to increase the base building height in the Employment Center to 110 feet. Additionally we are requesting to designate a small portion of the Employment Center to allow for special manufacturing land uses.

5. This type of application will be decided by^{*}: ☐ City Staff
OR at a public meeting or hearing by:
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)
☒ City Council
6. Where more information about the project can be found^{*4}:
Please contact frank@consensusplanning.com

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

1. Zone Atlas Page(s)^{*5} Multiple pages please see attached document
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:

- ☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation:

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

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

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

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

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

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] _____
- b. IDO Zone District _____
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] _____

2. Current Land Use(s) [vacant, if none] _____

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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

Zone Atlas Pages:

P-16, 17

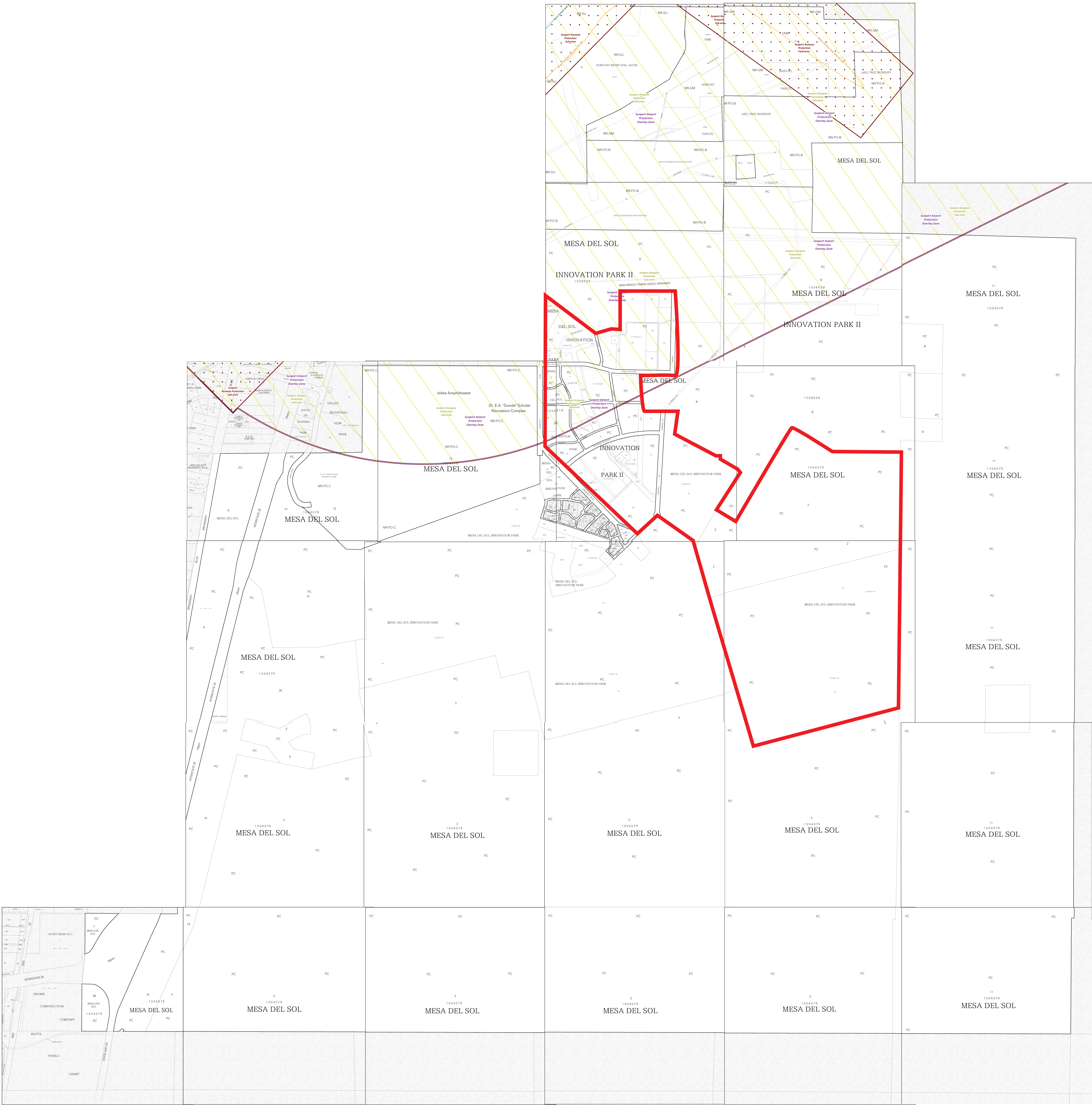
Q-16, 17, 18

R-14, 15, 16, 17, 18

S-14, 15, 16, 17, 18

T-14, 15, 16, 17, 18

U-13, 14, 15, 16, 17, 18





Level A Mesa Del Sol Plan Area



Legend

Municipal Limits

- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED

UNINCORPORATED AREAS

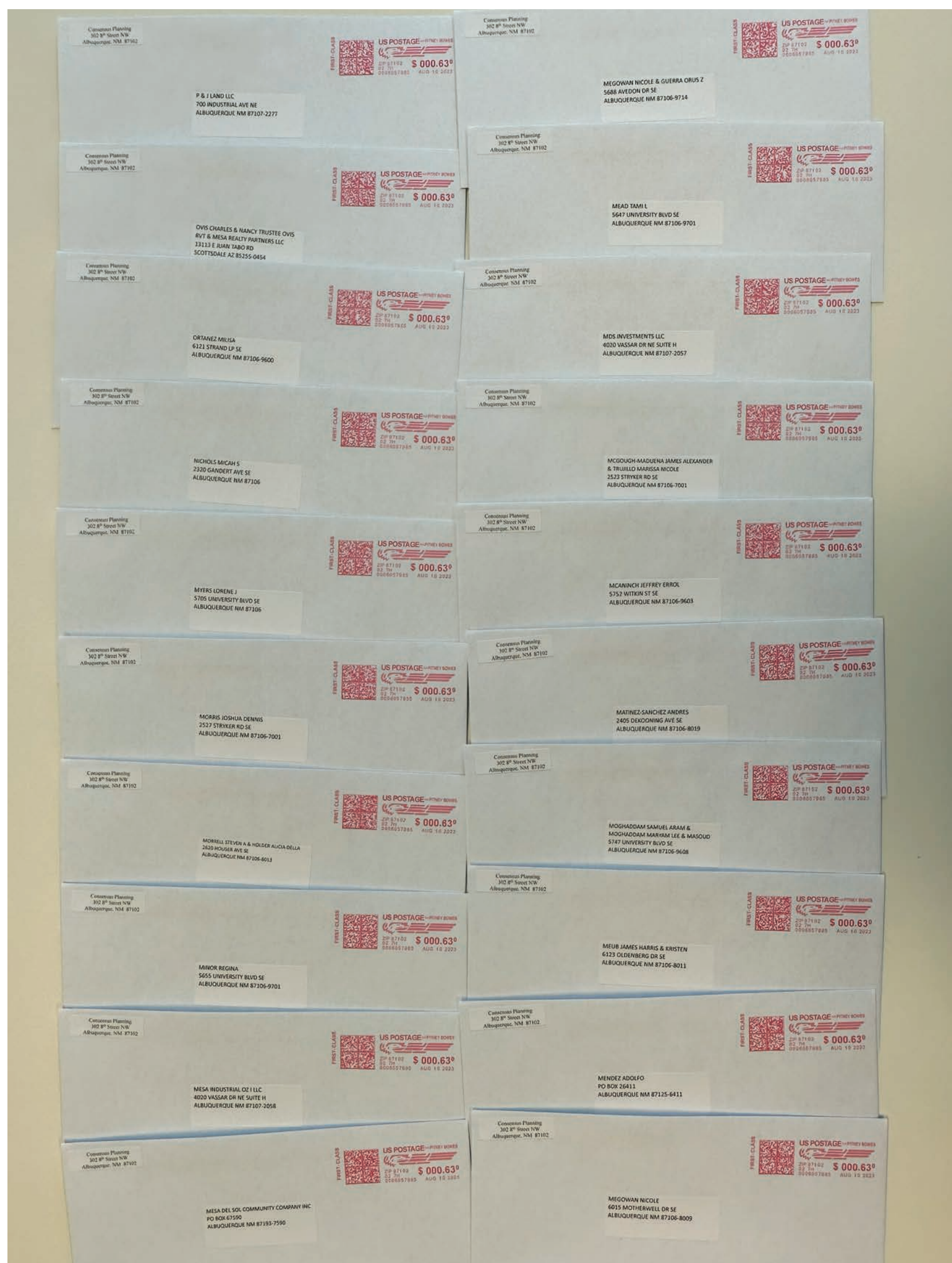
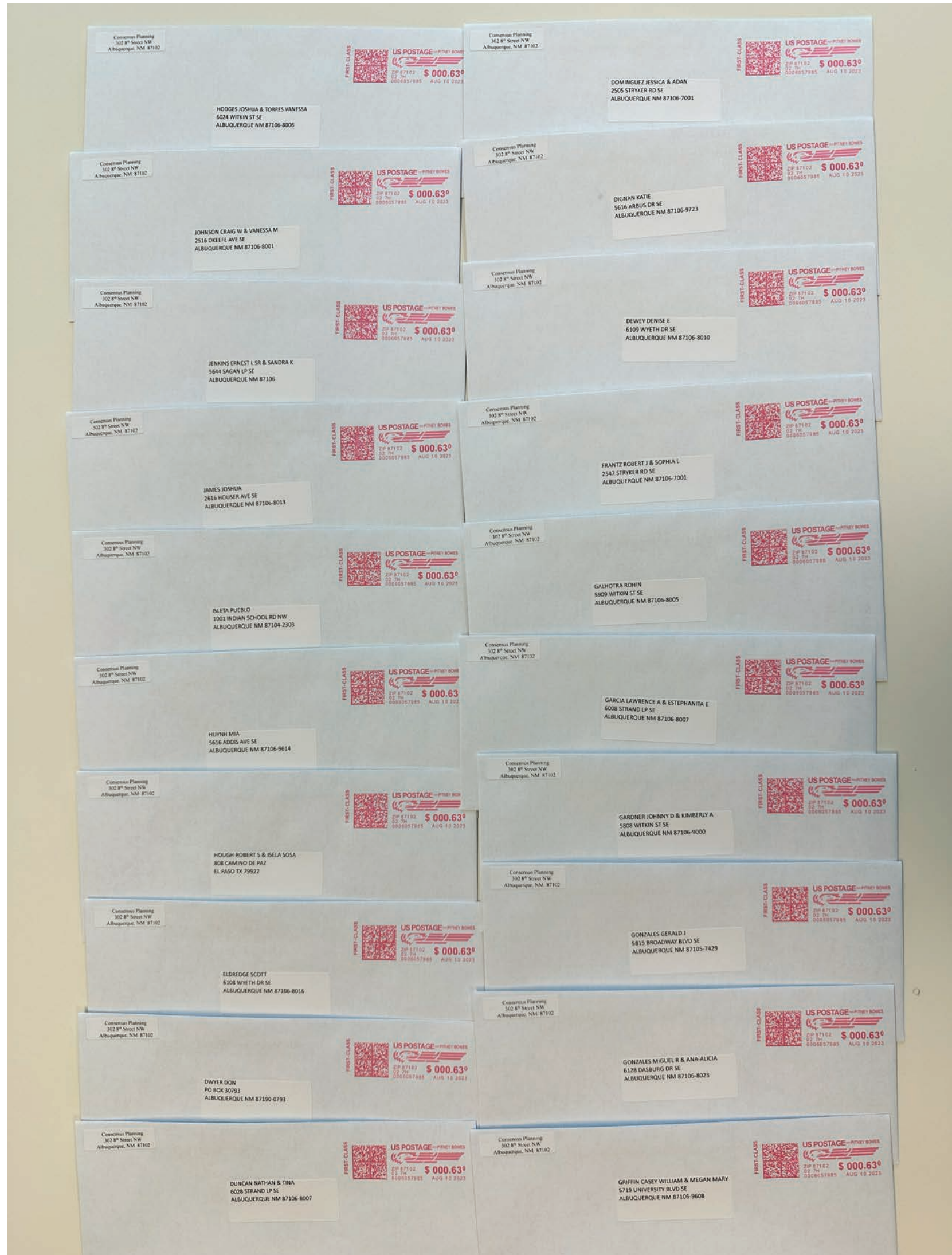
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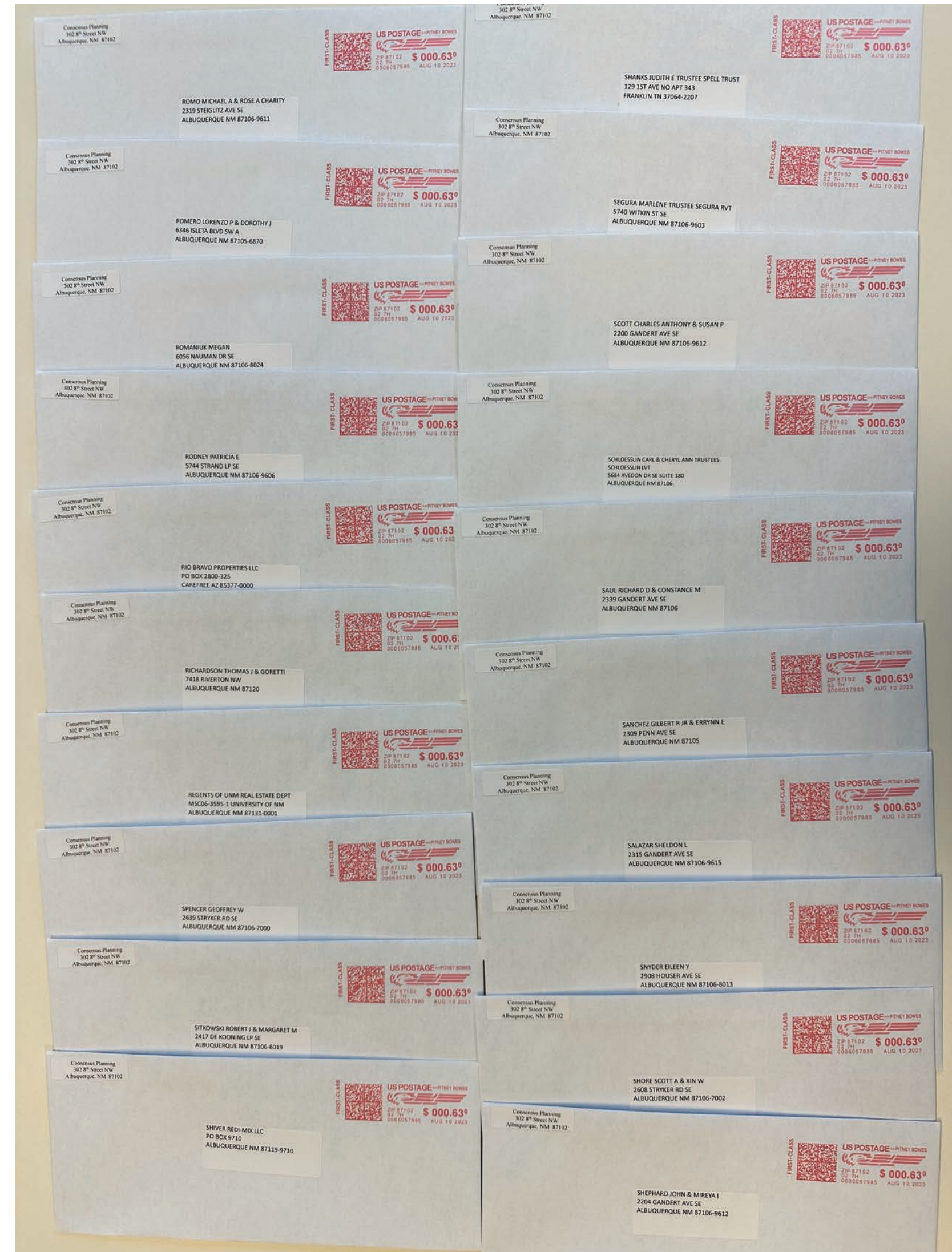
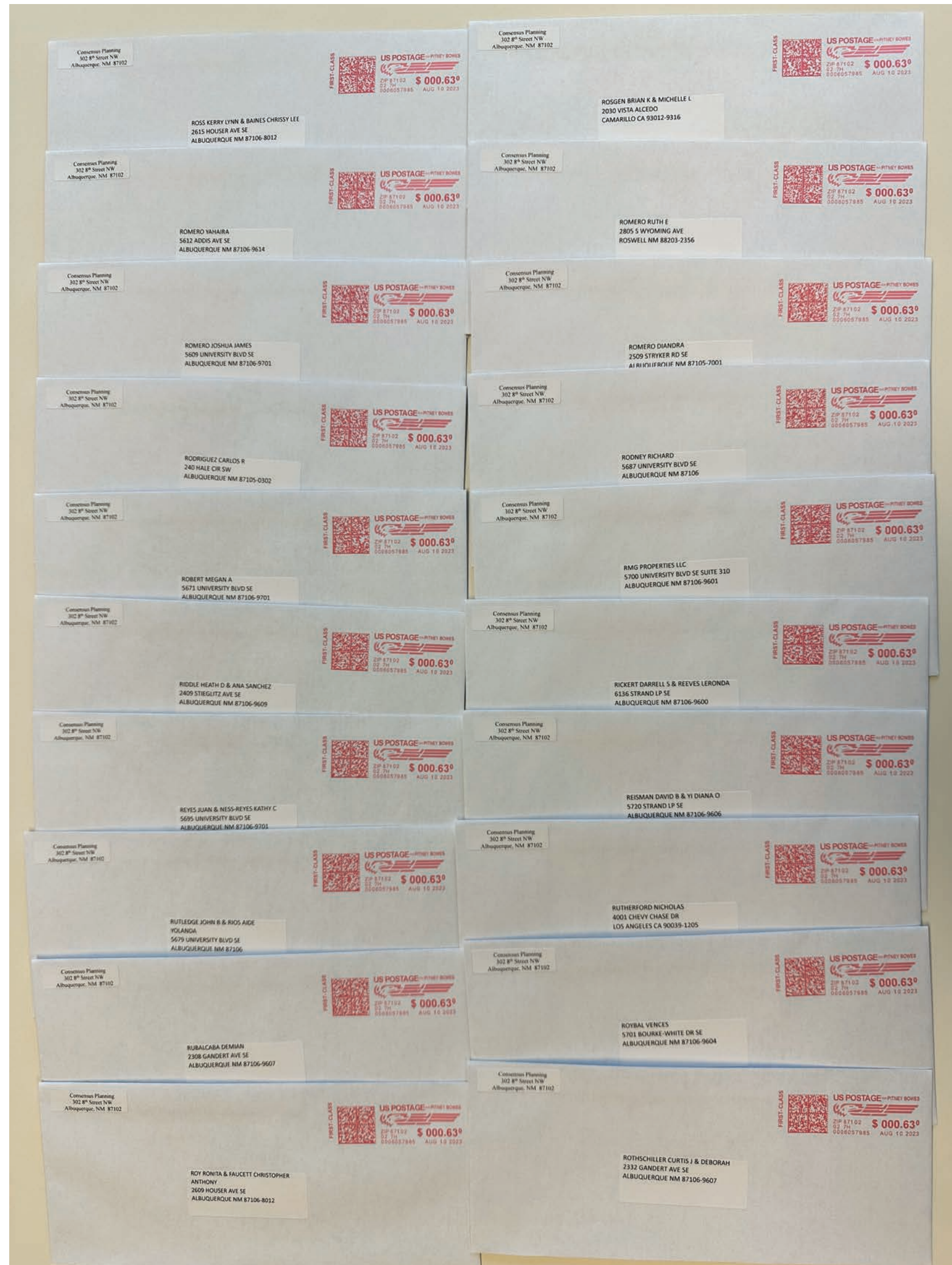
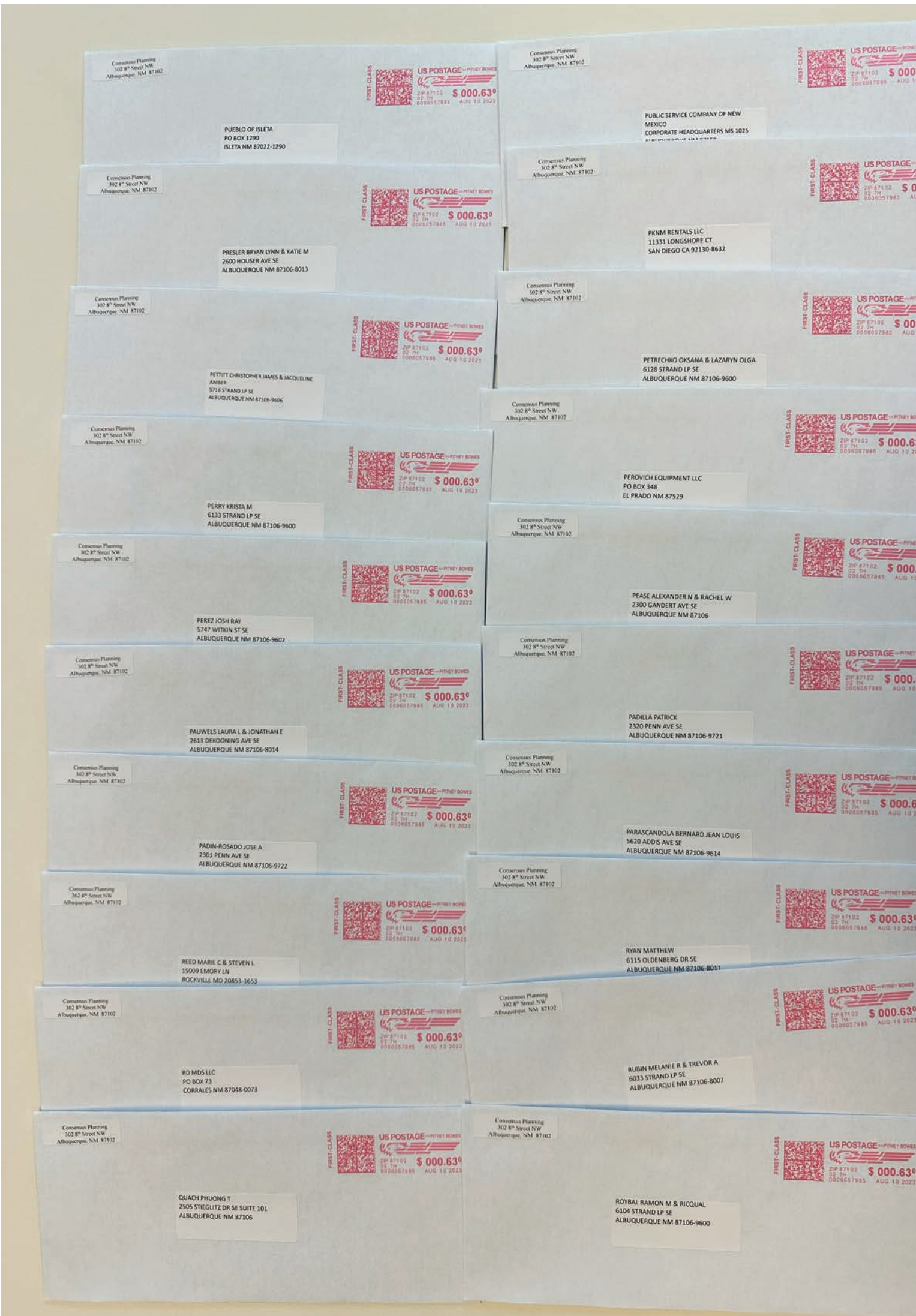
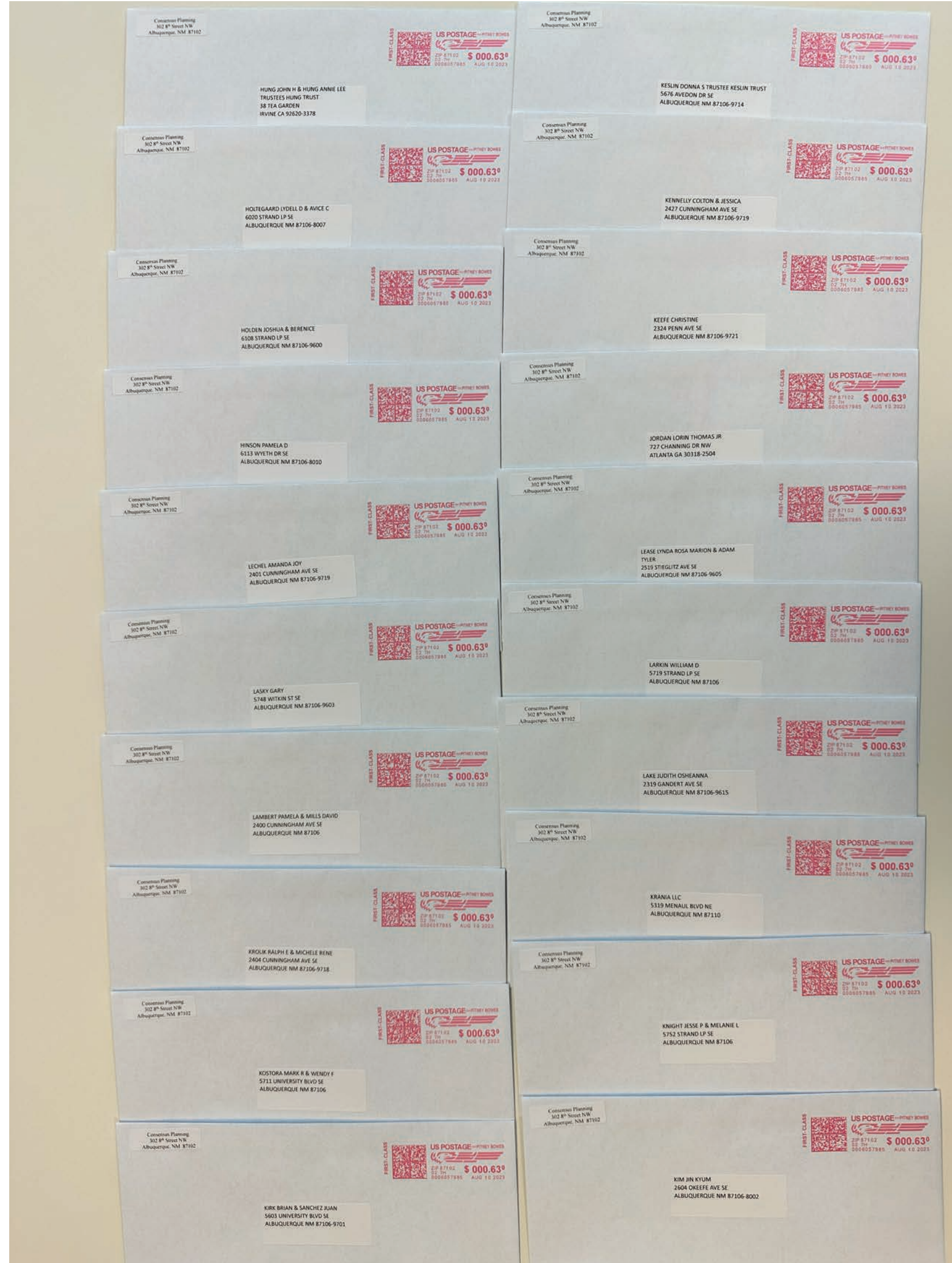
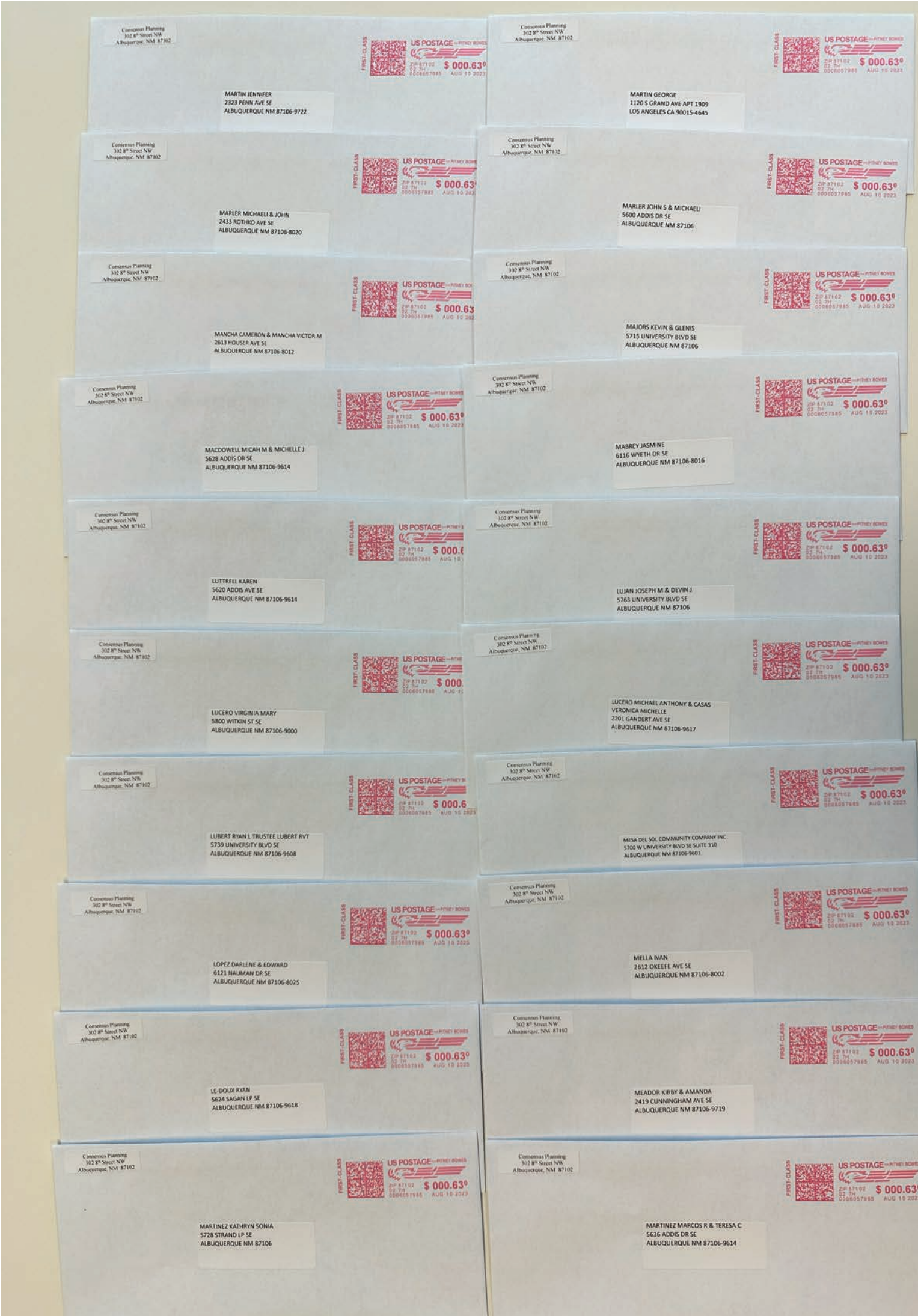
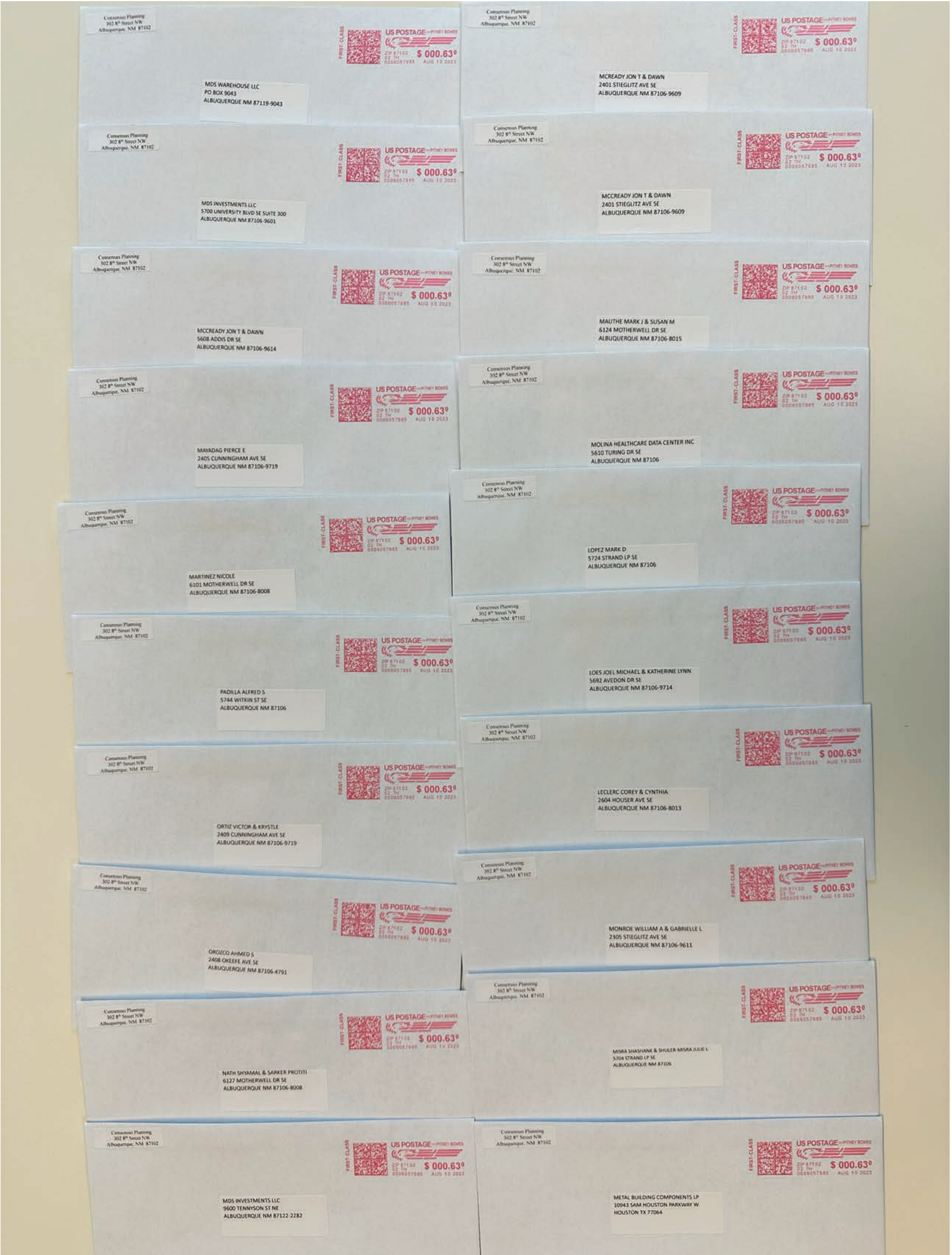
WGS_1984_Web_Mercator_Auxiliary_Sphere
8/9/2023 © City of Albuquerque

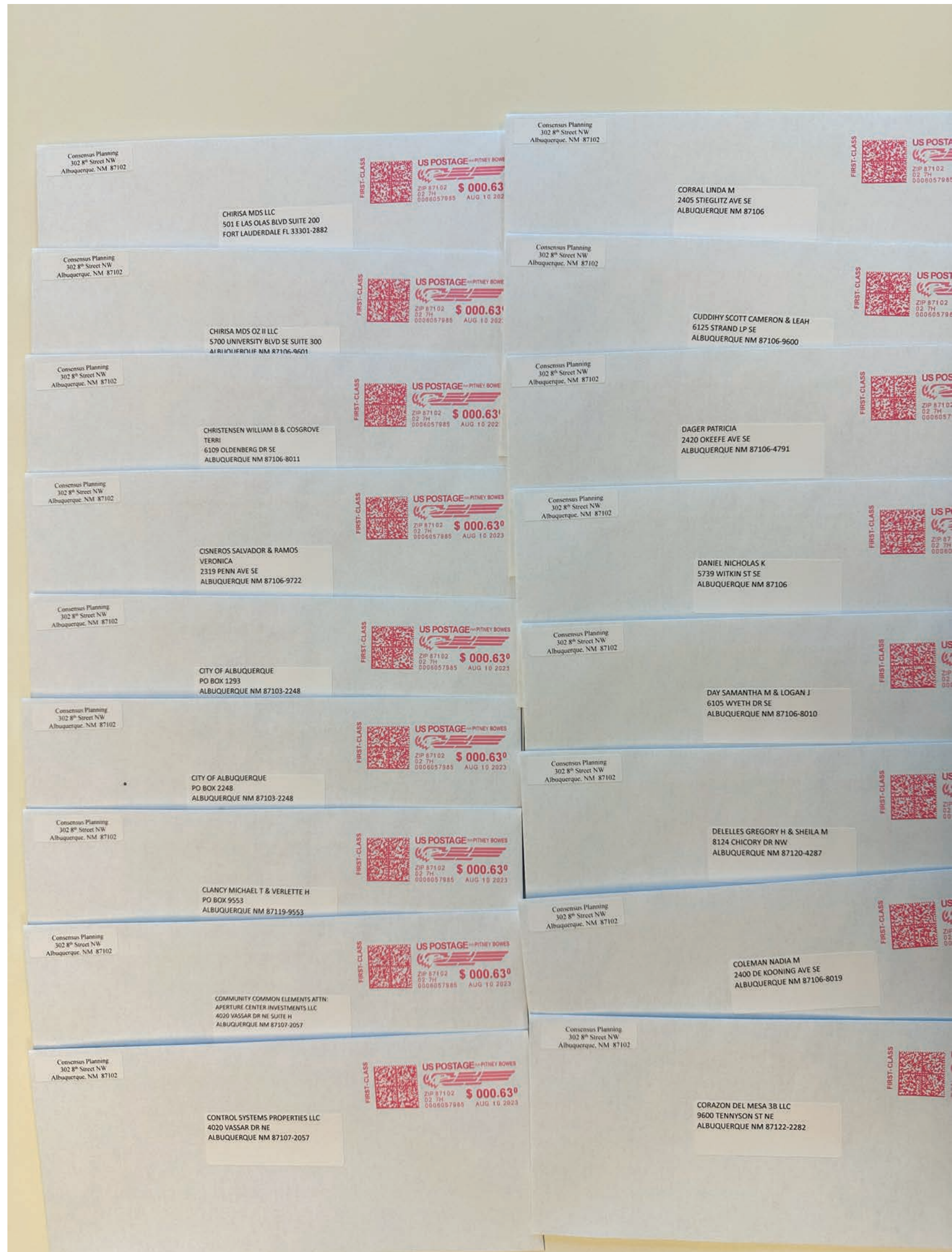
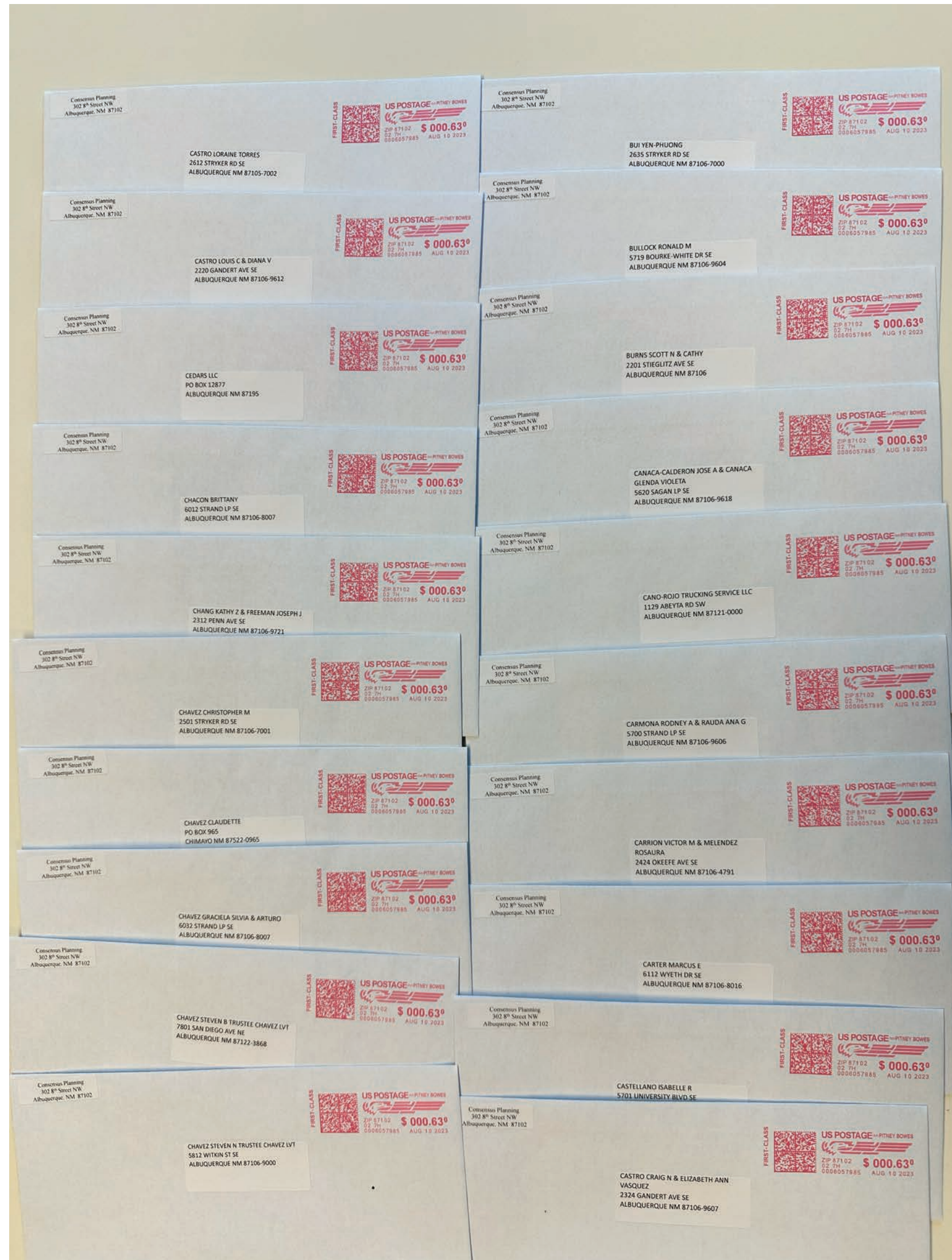
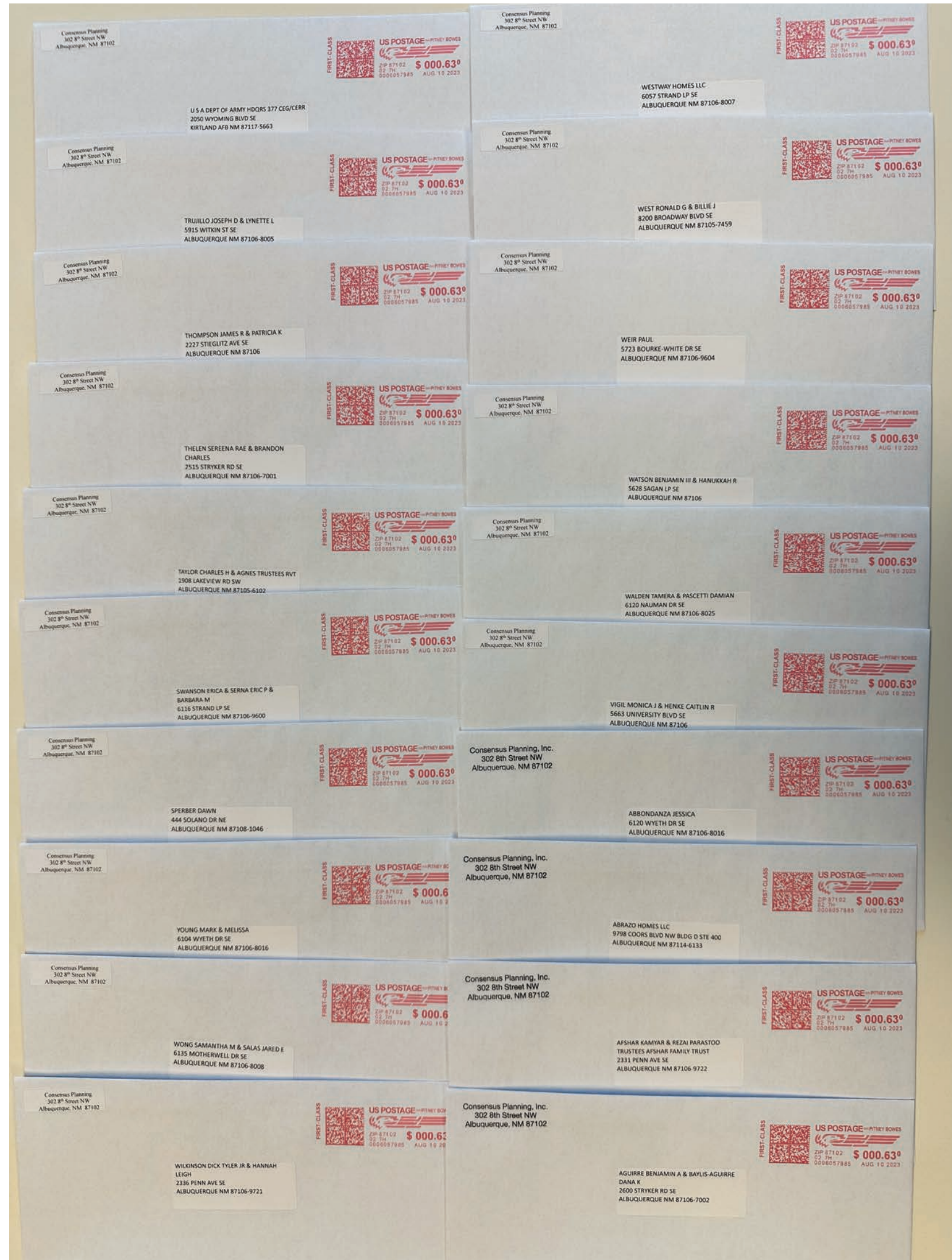
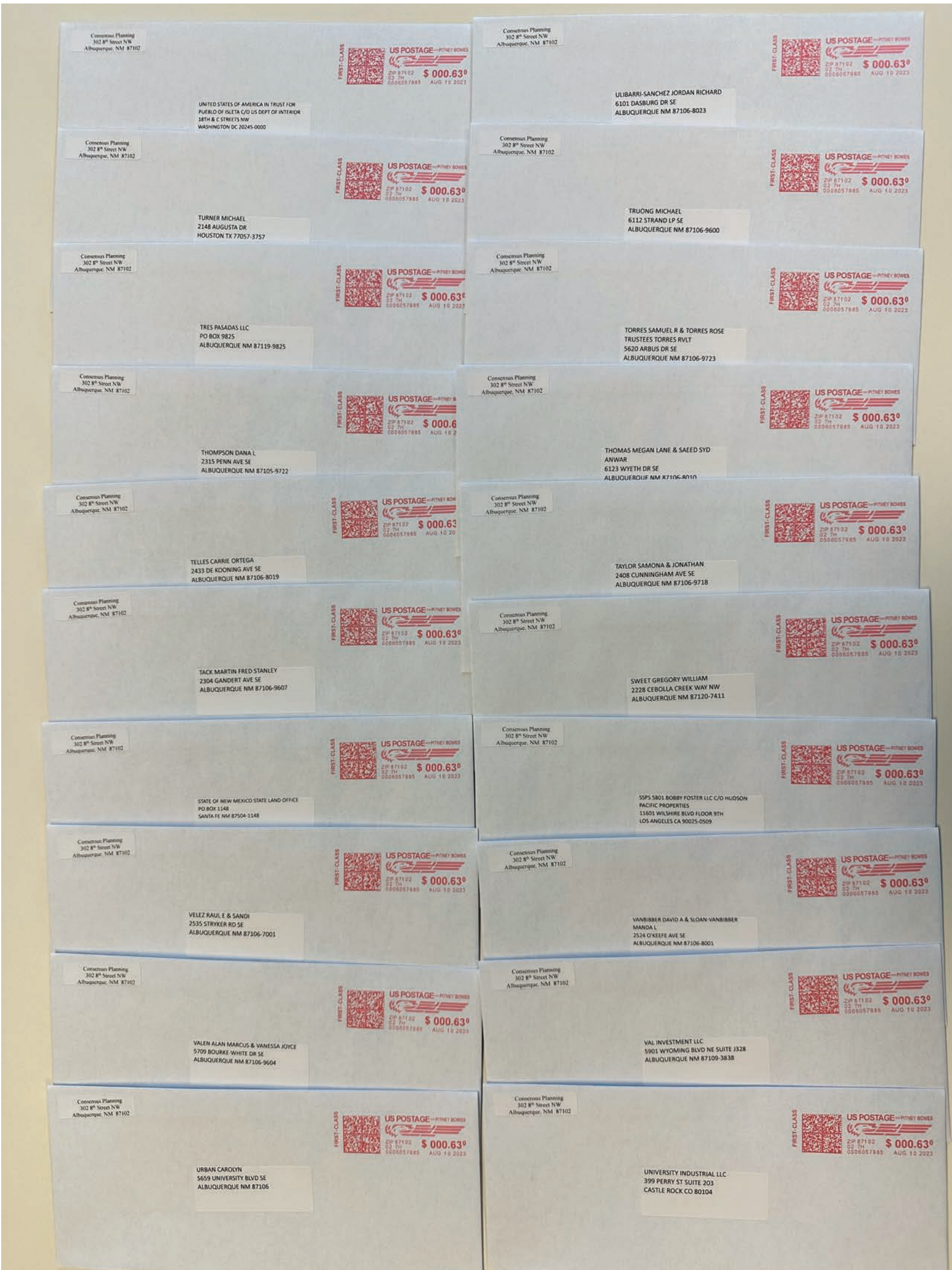
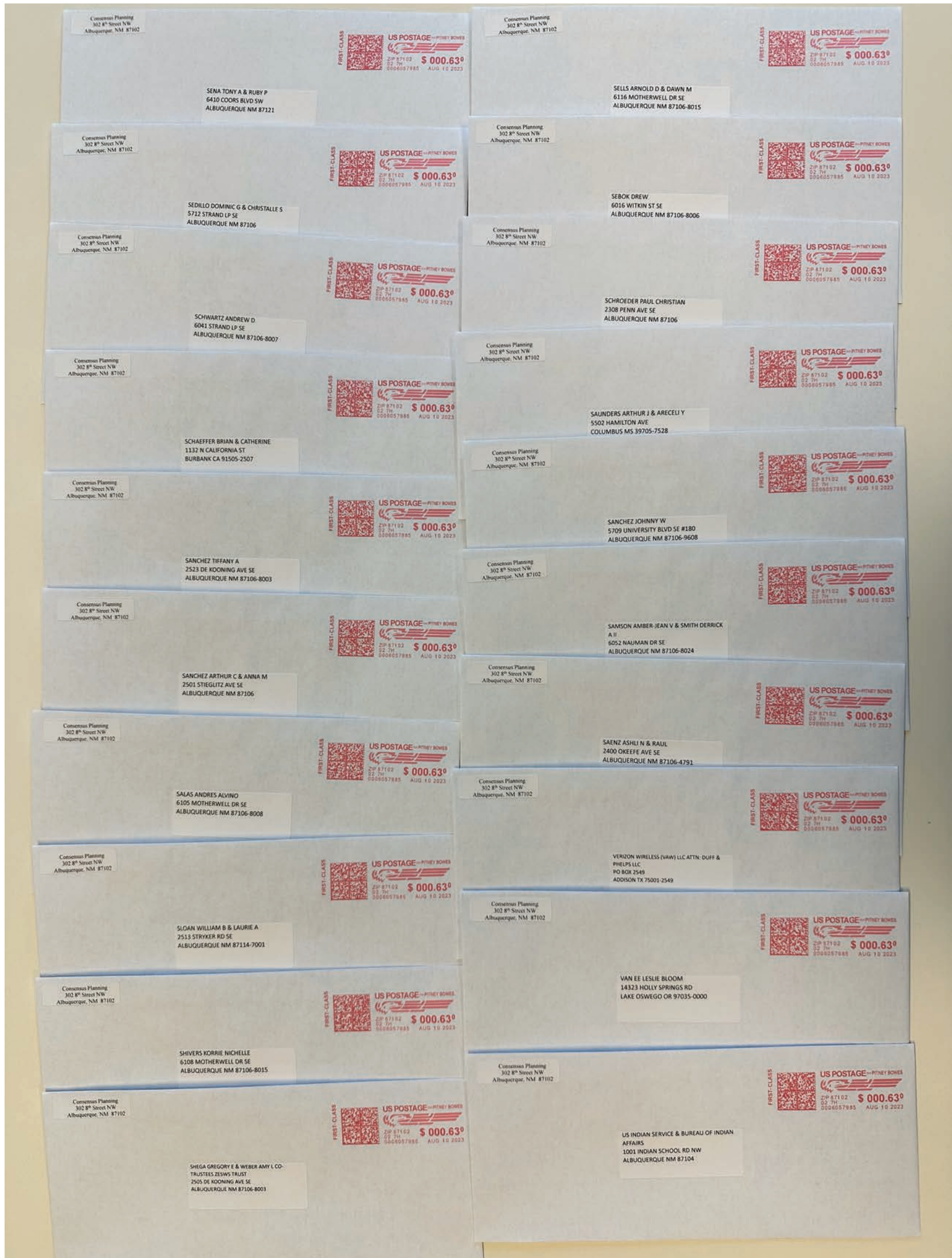
1: 89,314

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Notes







ABBONDANZA JESSICA
6120 WYETH DR SE
ALBUQUERQUE NM 87106-8016

ABRAZO HOMES LLC
9798 COORS BLVD NW BLDG D STE 400
ALBUQUERQUE NM 87114-6133

AFSHAR KAMYAR & REZAI PARASTOO
TRUSTEES AFSHAR FAMILY TRUST
2331 PENN AVE SE
ALBUQUERQUE NM 87106-9722

AGUIRRE BENJAMIN A & BAYLIS-AGUIRRE
DANA K
2600 STRYKER RD SE
ALBUQUERQUE NM 87106-7002

AKINITA LLC
5319 MENAUL BLVD NE
ALBUQUERQUE NM 87110-3113

ALBUQUERQUE TRAP CLUB
PO BOX 3746
ALBUQUERQUE NM 87110

ALDANA JESUS & WENDT SHANNON
2223 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106

ALEXANDER MICHELLE R
5756 WITKIN ST SE
ALBUQUERQUE NM 87106

ALLAN PHILLIP J & JO ELLEN
2605 HOUSER AVE SE
ALBUQUERQUE NM 87106-8012

ALTON ANDREW M & MEGAN M
6113 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

ALVAREZ ELIZABETH C & ARTURO URIBE
6105 DASBURG DR SE
ALBUQUERQUE NM 87106-8023

AMAYA-SCHMIDT MICHELLE L &
SCHMIDT NATHAN
5751 WITKIN ST SE
ALBUQUERQUE NM 87106

AMO-KWAO GODWIN
5901 WITKIN ST SE
ALBUQUERQUE NM 87106-8005

ANDERSON MARIE
5660 AVEDON DR SE
ALBUQUERQUE NM 87106-9714

ANDERSON NICHOLAS
6115 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

ANTHONY WILLIAM M
2609 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8014

APERTURE CENTER INVESTMENT
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2058

ARG PROPERTIES LLC
5700 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9601

ARMIJO DANA L & ARMIJO JUDITH D &
ARMIJO THOMAS T & ARMIJO JOHN D
5736 WITKIN ST SE
ALBUQUERQUE NM 87106-9603

ARRINGTON KANYESHA D & STEVEN P
2519 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

ARTIAGA RICHARD & FRANCESCA
5731 WITKIN ST SE
ALBUQUERQUE NM 87106-9602

ASHBY II MALCOLM W
5751 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87108

AUGUSTINE JAMES TODD
2340 PENN AVE SE
ALBUQUERQUE NM 87106

BACA MARY FRANCES
5651 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

BACA TRANETTE K
2612 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

BACA VIOLETA & GORDILLO RUBEN
DARIO CASTRO
6036 STRAND LP SE
ALBUQUERQUE NM 87106-8007

BACON KELSIE N & MATTHEW EARL
6124 WYETH DR SE
ALBUQUERQUE NM 87106-8016

BAHR MATTHEW NATHANIEL
2327 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

BARBA OCTAVIO I
6120 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

BARKSDALE BRANDON K
5632 ADDIS DR SE
ALBUQUERQUE NM 87106-9614

BARNES PAUL M & HEATHER R
5615 ADDIS DR SE
ALBUQUERQUE NM 87106-9616

BARNES ROBERT
5727 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

BARTON KATY & JORDAN
6101 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

BEAN BRIAN & PATRICIA A
5605 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

BEHAL GENEVIEVE & TERRY
2616 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8002

BELL FAMILY TRUST JAMES E BELL
TRUSTEE
5611 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

BELL ROBERT JACK & SCHOLL MADISON
6124 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

BELLPEPPER LLC
5240 PASEO DEL CAMPO
TUCSON AZ 85716

BELMONT CHELESE M & REEVE
SHANNAN L & ZAMUDIO BARBARA
2539 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

BENAVENTE J OTHON & VICKY ICAZA CO-
TRUSTEES BENAVENTE-ICAZA FAMILY TR
1723 GREENTREE DR
CONCORD CA 94521-0000

BENCICH STEVE
5612 ARBUS DR SE
ALBUQUERQUE NM 87106-9723

BENDER JONATHAN K & ROMERO
MEGAN N
5699 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

BERMUDEZ JEANETTE DAVILA &
BERMUDEZ EMMA E
6029 STRAND LP SE
ALBUQUERQUE NM 87106-8007

BERNALILLO COUNTY C/O COUNTY
MANAGER
415 SILVER AVE SW
ALBUQUERQUE NM 87102-3225

BETA INVESTMENTS LLC
PO BOX 65808
ALBUQUERQUE NM 87193-5808

BICKETT SPENCER ROBERT & CLIMENT
ANGELA PORCAR
6024 STRAND LP SE
ALBUQUERQUE NM 87106-8007

BIRGE WILLIAM WAYNE & JERI
2215 GANDERT AVE SE
ALBUQUERQUE NM 87106-9617

BIRMINGHAM RAYMOND J JR
2332 PENN AVE SE
ALBUQUERQUE NM 87106-9721

BISHOP WAYNE H & MARY A
5701 STRAND LP SE
ALBUQUERQUE NM 87106

BLEA JAMES N & LYNNA T
125 BOSQUE FARMS BLVD
BOSQUE FARMS NM 87068

BLOOM-HEDINE LINDA & HEDINE ROY A
7037 SW 158TH AVE
ALOHA OR 97007-4994

BORA GEORGE E & DONNA R
2605 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8014

BOUDREAUX KELLY & HOOD GRAHAM
HEATH
6824 FRANKFORD AVE
LUBBOCK TX 79424-1446

BOUTON DANIEL W
5619 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

BOYD ALBUQUERQUE GSA II LLC ATTN:
COLLIERS INTERNATIONAL
PO BOX 13470
RICHMOND VA 23225-3470

BRADLEY ESPESETH J & LEANDRA R
5732 WITKIN ST SE
ALBUQUERQUE NM 87107

BRAN MANUEL JR & BRAN MARIO R
5811 BROADWAY BLVD SE
ALBUQUERQUE NM 87102-7429

BRATZEL JOHN F & RUTH M
2515 STEIGLITZ DR SE
ALBUQUERQUE NM 87106-9605

BROADWAY PARTNERS LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2057

BROADWAY THOMAS L & KELSEY R
6053 STRAND LP SE
ALBUQUERQUE NM 87106-8007

BROPHY THOMAS A
2604 STRYKER RD SE
ALBUQUERQUE NM 87106-7002

BROWN ERIC CHRISTOPHER & STEPHANIE
& BROWN MARILYN CHRISTINE
6016 STRAND LP SE
ALBUQUERQUE NM 87106-8007

BROWN SONJA
5735 STRAND LP SE
ALBUQUERQUE NM 87106

BUI ANH DAO
2528 OKEEFFE AVE SE
ALBUQUERQUE NM 87106-8001

BUI YEN-PHUONG
2635 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

BULLOCK RONALD M
5719 BOURKE-WHITE DR SE
ALBUQUERQUE NM 87106-9604

BURNS SCOTT N & CATHY
2201 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106

CANACA-CALDERON JOSE A & CANACA
GLENDA VIOLETA
5620 SAGAN LP SE
ALBUQUERQUE NM 87106-9618

CANO-ROJO TRUCKING SERVICE LLC
1129 ABEYTA RD SW
ALBUQUERQUE NM 87121-0000

CARMONA RODNEY A & RAUDA ANA G
5700 STRAND LP SE
ALBUQUERQUE NM 87106-9606

CARRION VICTOR M & MELENDEZ
ROSAURA
2424 OKEEFE AVE SE
ALBUQUERQUE NM 87106-4791

CARTER MARCUS E
6112 WYETH DR SE
ALBUQUERQUE NM 87106-8016

CASTELLANO ISABELLE R
5701 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

CASTRO CRAIG N & ELIZABETH ANN
VASQUEZ
2324 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

CASTRO LORAIN TORRES
2612 STRYKER RD SE
ALBUQUERQUE NM 87105-7002

CASTRO LOUIS C & DIANA V
2220 GANDERT AVE SE
ALBUQUERQUE NM 87106-9612

CEDARS LLC
PO BOX 12877
ALBUQUERQUE NM 87195

CHACON BRITTANY
6012 STRAND LP SE
ALBUQUERQUE NM 87106-8007

CHANG KATHY Z & FREEMAN JOSEPH J
2312 PENN AVE SE
ALBUQUERQUE NM 87106-9721

CHAVEZ CHRISTOPHER M
2501 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

CHAVEZ CLAUDETTE
PO BOX 965
CHIMAYO NM 87522-0965

CHAVEZ GRACIELA SILVIA & ARTURO
6032 STRAND LP SE
ALBUQUERQUE NM 87106-8007

CHAVEZ STEVEN B TRUSTEE CHAVEZ LVT
7801 SAN DIEGO AVE NE
ALBUQUERQUE NM 87122-3868

CHAVEZ STEVEN N TRUSTEE CHAVEZ LVT
5812 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

CHIRISA MDS LLC
501 E LAS OLAS BLVD SUITE 200
FORT LAUDERDALE FL 33301-2882

CHIRISA MDS OZ II LLC
5700 UNIVERSITY BLVD SE SUITE 300
ALBUQUERQUE NM 87106-9601

CHRISTENSEN WILLIAM B & COSGROVE
TERRI
6109 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

CISNEROS SALVADOR & RAMOS
VERONICA
2319 PENN AVE SE
ALBUQUERQUE NM 87106-9722

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

CITY OF ALBUQUERQUE
PO BOX 2248
ALBUQUERQUE NM 87103-2248

CLANCY MICHAEL T & VERLETTE H
PO BOX 9553
ALBUQUERQUE NM 87119-9553

COLEMAN NADIA M
2400 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8019

COMMISSIONER OF PUBLIC LANDS FOR THE
STATE OF NM TRUSTEE FOR THE STATE OF NM
310 OLD SANTA FE TRL
SANTA FE NM 87501

COMMUNITY COMMON ELEMENTS ATTN:
APERTURE CENTER INVESTMENTS LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2057

CONNELLY JASON JAMES & JULIE ANN
2601 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8014

CONTRERAS JUAN M & SOCORRO G CO-
TRUSTEES CONTRERAS RVT
PO BOX 50669
ALBUQUERQUE NM 87181-0669

CONTROL SYSTEMS PROPERTIES LLC
4020 VASSAR DR NE
ALBUQUERQUE NM 87107-2057

COOPER MILDRED
5760 WITKIN ST SE
ALBUQUERQUE NM 87106-9603

COPART OF ARIZONA INC
14185 DALLAS PKWY SUITE 300
DALLAS TX 75254

CORAZON DEL MESA 3B LLC
9600 TENNYSON ST NE
ALBUQUERQUE NM 87122-2282

CORDOVA PHILLIP RUBEN & VERONICA
MARIE
6128 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

CORP OF ENGINEERS
333 BROADWAY BLVD SE
ALBUQUERQUE NM 87102-3498

CORRAL LINDA M
2405 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106

COSME CHRISTINA & RUTHARDT KENNETH
2323 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

CTO18 ALBUQUERQUE NM LLC
1140 N WILLIAMSON BLVD SUITE 140
DAYTONA BEACH FL 32114-2431

CUDDIHY SCOTT CAMERON & LEAH
6125 STRAND LP SE
ALBUQUERQUE NM 87106-9600

CUESTA DEL ORO LLC
1301 CUESTA ARRIBA CT NE SUITE A
ALBUQUERQUE NM 87113-1395

D R HORTON INC
8440 WYOMING BLVD NE SUITE A
ALBUQUERQUE NM 87113

DAGER PATRICIA
2420 OKEEFE AVE SE
ALBUQUERQUE NM 87106-4791

DALLUEGE SUSAN S
2509 STIEGLITZ DR SE
ALBUQUERQUE NM 87106

DANCER DEL DOL LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2058

DANIEL NICHOLAS K
5739 WITKIN ST SE
ALBUQUERQUE NM 87106

DAVIS JESSICA I & DAVIS KENNETH A & VICTORIA
C TRUSTEES DAVIS LVT
6113 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

DAY JAMES T & LISA H TRUSTEES DAY RVT
6119 WYETH DR SE
ALBUQUERQUE NM 87106-8010

DAY SAMANTHA M & LOGAN J
6105 WYETH DR SE
ALBUQUERQUE NM 87106-8010

DEFFENBAUGH LUCIA & LOUIS
6109 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

DEL RIO CARLOS JR & DONNA CATHLENE
5828 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

DELELLES GREGORY H & SHEILA M
8124 CHICORY DR NW
ALBUQUERQUE NM 87120-4287

DELGADO CANDACE D & ELKINS-
WHITEHEAD SKYLER J
6019 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

DELLER ARIE NICOLE & DELLER MIRANDA
NICOLE
2551 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

DENMARK RADHA
6065 STRAND LP SE
ALBUQUERQUE NM 87106-8007

DESKINS LUCKAUS
6104 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

DEWEY DENISE E
6109 WYETH DR SE
ALBUQUERQUE NM 87106-8010

DEWEY DENISE EMILY
2512 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8001

DHILLON UJAGGER S
5723 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

DIGNAN KATIE
5616 ARBUS DR SE
ALBUQUERQUE NM 87106-9723

DINGEL MITCHEL WILLIAM & BENCOMO
MELISSA
2312 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

DOMINGUEZ ADAN & JESSICA
2508 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8001

DOMINGUEZ JESSICA & ADAN
2505 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

DOS AMIGOS PARTNERS LLC & WILLIAM
BOWEN
7900 PENNSYLVANIA CIR NE
ALBUQUERQUE NM 87110-7827

DUKE CITY HTG & CLG LLC
8300 BROADWAY BLVD SE
ALBUQUERQUE NM 87105-7452

DUNCAN NATHAN & TINA
6028 STRAND LP SE
ALBUQUERQUE NM 87106-8007

DURAN MONICA A
2205 GANDERT AVE SE
ALBUQUERQUE NM 87106-9617

DURON CESAR
2527 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8003

DWYER DON
PO BOX 30793
ALBUQUERQUE NM 87190-0793

EGP 5441 ALBUQUERQUE LLC ATTN:
EASTERLY GOVT PROPERTIES INC
2001 K ST NW SUITE 775
WASHINGTON DC 20006-1074

EICHHORST CAREY N
5636 SAGAN LP SE
ALBUQUERQUE NM 87106

ELDREDGE SCOTT
6108 WYETH DR SE
ALBUQUERQUE NM 87106-8016

ENCANTO QOZB LLC
3021 CITRUS CIR SUITE 130
WALNUT CREEK CA 94598-2692

EPPES RONALD D & PEGGY S
5640 SAGAN LP SE
ALBUQUERQUE NM 87106-9618

ERVIN PAUL ANTHONY & HARNEY
VIENGKHORN
6123 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

ESPAT OPPORTUNITY ZONE FUND LLC
1701 2ND ST NW
ALBUQUERQUE NM 87102-4505

ESPINOZA CHRISTIAN ALVARADO
5724 BROADWAY BLVD SE
ALBUQUERQUE NM 87105-7428

F & S SICHLER ENTERPRISES LLC
519 SICHLER RD SW
LOS LUNAS NM 87031-7337

FAHLMAN KURT G & FAHLMAN TERESA ANN
TRUSTEES OF FAHLMAN FAMILY TRUST
550 POOLVILLE CUT OFF RD
POOLVILLE TX 76487-3634

FARIAS ROBERTO & MELISSA
2531 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

FELIX SALVADOR & MARIA IRASEMA
5631 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

FLORENCE DOREEN
6112 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

FLORES RICHARD & SONIA ELVIRA
6100 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

FOR FRIENDS VENTURES LLC
8101 CONNECTICUT ST NE
ALBUQUERQUE NM 87110-2405

FRANTZ ROBERT J & SOPHIA L
2547 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

FRASCO JULIE
5635 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

GABALDON EDWARD & MARIA J
6100 WYETH DR SE
ALBUQUERQUE NM 87106-8016

GALHOTRA ROHIN
5909 WITKIN ST SE
ALBUQUERQUE NM 87106-8005

GALLEN JODI L & KRISTOPHER D
5715 STRAND LP SE
ALBUQUERQUE NM 87106

GARCIA ASHLEY N & TOMAS
6101 WYETH DR SE
ALBUQUERQUE NM 87106-8010

GARCIA LAWRENCE A & ESTEPHANITA E
6008 STRAND LP SE
ALBUQUERQUE NM 87106-8007

GARCIA LUCILLE HELEN TRUSTEE GARCIA
TRUST
2509 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8003

GARCIA MARTIN
6013 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

GARDNER JOHNNY D & KIMBERLY A
5808 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

GEUBELLE MARK D & JENNIFER A
2523 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9605

GHERARDI STACY A & DOLECEK JEFFREY D
2631 STRYKER RD SE
ALBUQUERQUE NM 87106-0000

GONZALES GERALD J
5815 BROADWAY BLVD SE
ALBUQUERQUE NM 87105-7429

GONZALES GUILLERMO B
2347 GANDART AVE SE
ALBUQUERQUE NM 87106-9615

GONZALES MICHAEL A
1426 4TH ST SW
ALBUQUERQUE NM 87102

GONZALES MIGUEL R & ANA-ALICIA
6128 DASBURG DR SE
ALBUQUERQUE NM 87106-8023

GOOSE LLC
3410 AVENIDA CHARADA NW
ALBUQUERQUE NM 87107-2602

GRAFF JUSTIN M
2316 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

GRIFFIN CASEY WILLIAM & MEGAN MARY
5719 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

GURULE-THOMAS LYNETTE E & THOMAS
MICHAEL L
5820 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

GUTIERREZ MANUEL & GUILLEN FELICIA M
5905 WITKIN ST SE
ALBUQUERQUE NM 87106-8005

HANOSH JEAN & HANOSH STEPHANIE C
2205 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9613

HARVEY JOHN T & BURGERMEISTER
ALFRED
5755 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

HARVEY JON E & APRIL H
2423 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106

HAYNES WAYLES E & JASON M
2335 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

HENKE GEORGE & SHEILA
5623 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

HERRERA JESSICA N
6131 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

HERZBERG JANICE E
6008 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

HESS LEE MICHAEL
6120 STRAND LP SE
ALBUQUERQUE NM 87106-9600

HILL MICHAEL J & SANDRA JOY
PO BOX 9426
ALBUQUERQUE NM 87119-9426

HINSON PAMELA D
6113 WYETH DR SE
ALBUQUERQUE NM 87106-8010

HODGES JOSHUA & TORRES VANESSA
6024 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

HOFFMAN STEVEN & ANITA
2315 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

HOLDEN JOSHUA & BERENICE
6108 STRAND LP SE
ALBUQUERQUE NM 87106-9600

HOLLAND ANELIUS
6132 STRAND LP SE
ALBUQUERQUE NM 87106-9600

HOLMQUIST WILLIAM & JENNY
5709 STRAND LP SE
ALBUQUERQUE NM 87106-9610

HOLTEGAARD LYDELL D & AVICE C
6020 STRAND LP SE
ALBUQUERQUE NM 87106-8007

HOPKINS HUBERT V III & JOHNSON
KATHY L
2216 GANDERT AVE SE
ALBUQUERQUE NM 87106-9612

HORNE-STEWART LLC
2863 N NORWALK SUITE #103
MESA AZ 85215-1133

HOUGH ROBERT S & ISELA SOSA
808 CAMINO DE PAZ
EL PASO TX 79922

HUDSON ADAM L
2209 GANDERT AVE SE
ALBUQUERQUE NM 87106-9617

HUGHES JOEL THOMAS & VERONIKA
2504 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8001

HUNG JOHN H & HUNG ANNIE LEE
TRUSTEES HUNG TRUST
38 TEA GARDEN
IRVINE CA 92620-3378

HUNT FREDERICK EUGENE
5747 STRAND LP SE
ALBUQUERQUE NM 87106-9610

HUNT JUSTIN
5824 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

HUYNH MIA
5616 ADDIS AVE SE
ALBUQUERQUE NM 87106-9614

INFANTE SERGIO R BARRAGAN & KRISTY D
5683 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

ISLETA PUEBLO
PO BOX 26567
ALBUQUERQUE NM 87125-6567

ISLETA PUEBLO
1001 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104-2303

ISMAIL SHADI J
6137 STRAND LP SE
ALBUQUERQUE NM 87106-9600

JACKSON HELENA L TRUSTEE JACKSON LVT
8726 S SEPULVEDA BLVD D4083
LOS ANGELES CA 90045-4014

JAMES JOSHUA
2616 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

JAQUEZ ABRAHAM & LETICIA
7605 MORROW AVE NE
ALBUQUERQUE NM 87110

JEFFRIES ANTHONY B
520 LOS RANCHOS RD NW
ALBUQUERQUE NM 87107-6520

JENKINS ERNEST L SR & SANDRA K
5644 SAGAN LP SE
ALBUQUERQUE NM 87106

JENSEN DEANNA MICHELLE & JENSEN VAL
JON II
6129 STRAND LP SE
ALBUQUERQUE NM 87106-9600

JEWELL TAJA
6004 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

JOHNSON CRAIG W & VANESSA M
2516 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8001

JONES DARRICK & LAUREL
5731 STRAND LP SE
ALBUQUERQUE NM 87106-9610

JONES MICHAEL D & JONES DOROTHY R
5804 WITKIN ST SE
ALBUQUERQUE NM 87106-0000

JONES THALAMUS
6117 STRAND LP SE
ALBUQUERQUE NM 87106-9600

JONES WELLS B & CERAVOLO DONNA L
TRUST
2309 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

JORDAN LORIN THOMAS JR
727 CHANNING DR NW
ATLANTA GA 30318-2504

JUMP JOHN MICHAEL & LYNN
5604 ADDIS AVE SE
ALBUQUERQUE NM 87106-9614

KAPALKO SHADAYN
6021 STRAND LP SE
ALBUQUERQUE NM 87106-8007

KEEFE CHRISTINE
2324 PENN AVE SE
ALBUQUERQUE NM 87106-9721

KEITH CLAUDE ROGER JR & CYNTHIA A
2301 STEIGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

KENNEDY CHRISTOPHER MATTHEW
2601 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

KENNELLY COLTON & JESSICA
2427 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9719

KENT JORDAN PATRICK
2301 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

KENT MEGAN MELISSA
5608 ARBUS DR SE
ALBUQUERQUE NM 87106-9723

KESLIN DONNA S TRUSTEE KESLIN TRUST
5676 AVEDON DR SE
ALBUQUERQUE NM 87106-9714

KEY BRADY & KATHARINE
6036 NAUMAN DR SE
ALBUQUERQUE NM 87106-8024

KIM JIN KYUM
2604 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8002

KIRK BRIAN & SANCHEZ JUAN
5603 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

KNIGGE PATRICK C & DARYL A
5632 SAGAN LP SE
ALBUQUERQUE NM 87106-9618

KNIGHT JESSE P & MELANIE L
5752 STRAND LP SE
ALBUQUERQUE NM 87106

KOSTORA MARK R & WENDY F
5711 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

KRAFT RONALD
5604 ARBUS DR SE
ALBUQUERQUE NM 87106-9723

KRANIA LLC
5319 MENAUL BLVD NE
ALBUQUERQUE NM 87110

KROLIK RALPH E & MICHELE RENE
2404 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9718

KRUICHAK JESSICA N
5639 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

LAKE JUDITH OSHEANNA
2319 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

LAMBERT PAMELA & MILLS DAVID
2400 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106

LANG MICHAEL & LAURA
5723 STRAND LP SE
ALBUQUERQUE NM 87106-9610

LARKIN WILLIAM D
5719 STRAND LP SE
ALBUQUERQUE NM 87106

LASKY GARY
5748 WITKIN ST SE
ALBUQUERQUE NM 87106-9603

LAWSON RANDY T
2219 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9613

LEASE LYNDIA ROSA MARION & ADAM
TYLER
2519 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9605

LECHEL AMANDA JOY
2401 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9719

LECLERC COREY & CYNTHIA
2604 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

LE-DOUX RYAN
5624 SAGAN LP SE
ALBUQUERQUE NM 87106-9618

LIPPERT RICHARD T & CYNTHIA M
TRUSTEES LIPPERT RVT
2600 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8002

LOES JOEL MICHAEL & KATHERINE LYNN
5692 AVEDON DR SE
ALBUQUERQUE NM 87106-9714

LOPEZ DARLENE & EDWARD
6121 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

LOPEZ GERARDO I
1450 W KAMALA ST
OXNARD CA 93033-3311

LOPEZ MARK D
5724 STRAND LP SE
ALBUQUERQUE NM 87106

LUBERT RYAN L TRUSTEE LUBERT RVT
5739 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

LUCAS JASON T & OBRIEN HEATHER C
6105 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

LUCERO MICHAEL ANTHONY & CASAS
VERONICA MICHELLE
2201 GANDERT AVE SE
ALBUQUERQUE NM 87106-9617

LUCERO VIRGINIA MARY
5800 WITKIN ST SE
ALBUQUERQUE NM 87106-9000

LUETTGEN IRENE H
2501 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8003

LUJAN JOSEPH M & DEVIN J
5763 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

LUTTRELL KAREN
5620 ADDIS AVE SE
ALBUQUERQUE NM 87106-9614

LUTZ ANTHONY
2327 PENN AVE SE
ALBUQUERQUE NM 87106

MABREY JASMINE
6116 WYETH DR SE
ALBUQUERQUE NM 87106-8016

MACDOWELL MICAH M & MICHELLE J
5628 ADDIS DR SE
ALBUQUERQUE NM 87106-9614

MADRID MITCHELL A
2513 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8003

MAJORS KEVIN & GLENIS
5715 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

MANCHA CAMERON & MANCHA VICTOR M
2613 HOUSER AVE SE
ALBUQUERQUE NM 87106-8012

MAREK JOHN C
6128 WYETH DR SE
ALBUQUERQUE NM 87106-8016

MARLER JOHN S & MICHAELI
5600 ADDIS DR SE
ALBUQUERQUE NM 87106

MARLER MICHAELI & JOHN
2433 ROTHKO AVE SE
ALBUQUERQUE NM 87106-8020

MARTIN COLLEEN BETH & KAKAR SANJIV
ASHOK
26731 MONT CALABASAS DR
CALABASAS CA 91302-3855

MARTIN GEORGE
1120 S GRAND AVE APT 1909
LOS ANGELES CA 90015-4645

MARTIN JENNIFER
2323 PENN AVE SE
ALBUQUERQUE NM 87106-9722

MARTINEZ BERNADINE L
5743 STRAND LP SE
ALBUQUERQUE NM 87106-9610

MARTINEZ KATHRYN SONIA
5728 STRAND LP SE
ALBUQUERQUE NM 87106

MARTINEZ MARCOS R & TERESA C
5636 ADDIS DR SE
ALBUQUERQUE NM 87106-9614

MARTINEZ NELSON & THERESA O
5680 AVEDON DR SE
ALBUQUERQUE NM 87106

MARTINEZ NICOLE
6101 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

MATINEZ-SANCHEZ ANDRES
2405 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8019

MAUTHE MARK J & SUSAN M
6124 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

MAYADAG PIERCE E
2405 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9719

MCANINCH JEFFREY ERROL
5752 WITKIN ST SE
ALBUQUERQUE NM 87106-9603

MCCREADY JON T & DAWN
2401 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9609

MCCREADY JON T & DAWN
5608 ADDIS DR SE
ALBUQUERQUE NM 87106-9614

MCGOUGH-MADUENA JAMES ALEXANDER
& TRUJILLO MARISSA NICOLE
2523 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

MCREADY JON T & DAWN
2401 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9609

MDS INVESTMENTS LLC
5700 UNIVERSITY BLVD SE SUITE 300
ALBUQUERQUE NM 87106-9601

MDS INVESTMENTS LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2057

MDS INVESTMENTS LLC
9600 TENNYSON ST NE
ALBUQUERQUE NM 87122-2282

MDS WAREHOUSE LLC
PO BOX 9043
ALBUQUERQUE NM 87119-9043

MEAD TAMI L
5647 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

MEADOR KIRBY & AMANDA
2419 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9719

MEGOWAN NICOLE
6015 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

MEGOWAN NICOLE & GUERRA ORUS Z
5688 AVEDON DR SE
ALBUQUERQUE NM 87106-9714

MELLA IVAN
2612 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8002

MENDEZ ADOLFO
PO BOX 26411
ALBUQUERQUE NM 87125-6411

MESA DEL SOL COMMUNITY COMPANY INC
PO BOX 67590
ALBUQUERQUE NM 87193-7590

MESA DEL SOL COMMUNITY COMPANY INC
5700 W UNIVERSITY BLVD SE SUITE 310
ALBUQUERQUE NM 87106-9601

MESA INDUSTRIAL OZ I LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107-2058

METAL BUILDING COMPONENTS LP
10943 SAM HOUSTON PARKWAY W.
HOUSTON TX 77064

MEUB JAMES HARRIS & KRISTEN
6123 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

MINOR REGINA
5655 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

MISRA SHASHANK & SHULER-MISRA JULIE L
5704 STRAND LP SE
ALBUQUERQUE NM 87106

MOGHADDAM SAMUEL ARAM &
MOGHADDAM MARYAM LEE & MASOUD
5747 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9608

MOLINA HEALTHCARE DATA CENTER INC
5610 TURING DR SE
ALBUQUERQUE NM 87106

MONROE WILLIAM A & GABRIELLE L
2305 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

MONTOYA AMANDA JEAN
6100 STRAND LP SE
ALBUQUERQUE NM 87106-9600

MONTOYA CARLOS R & TINA M
5615 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

MONTOYA JOE F & COLUNGA STEPHANIE R
5743 WITKIN ST SE
ALBUQUERQUE NM 87106

MONTOYA MICHAEL & ABEYTA-MONTOYA
ELAINE
5667 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

MONTOYA TINA TRUSTEE ROLAND K
ALARID RVT
14 MADRE MOUNTAIN
SANTA FE NM 87508-4814

MOORE-KOONTZ REBECCA S & ADAM D
5609 ADDIS DR SE
ALBUQUERQUE NM 87106

MOORTGAT RICHARD LOUIS & CINDY ANN
19083 SILCOTT SPRINGS RD
PURCELLVILLE VA 20132-3917

MORRELL CHRISTINE M & MATT R
6027 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

MORRELL MADISON C & MORRELL CHRISTINE &
MATTHEW
6104 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

MORRELL MATTHEW RYAN
5740 STRAND LP SE
ALBUQUERQUE NM 87106

MORRELL STEVEN A & HOLDER ALICIA DELLA
2620 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

MORRIS ANDREW & KAY P
2520 OKEEFE AVE SE
ALBUQUERQUE NM 87106-8001

MORRIS CHELSEA TEY & MICHAEL
6116 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

MORRIS JOSHUA DENNIS
2527 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

MOYA DAVID & BONNIE C
2605 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

MURPHY STEVEN ROY & MICHIKO M
2305 PENN AVE SE
ALBUQUERQUE NM 87106-9722

MYERS LORENE J
5705 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

NATH SHYAMAL & SARKER PROTITI
6127 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

NEW MEXICO TERMINAL SERVICES
9615 BROADWAY BLVD SE
ALBUQUERQUE NM 87105-7601

NICHOLS MICAH S
2320 GANDERT AVE SE
ALBUQUERQUE NM 87106

OROZCO AHMED S
2408 OKEEFE AVE SE
ALBUQUERQUE NM 87106-4791

ORTANEZ DANISA
6025 STRAND LP SE
ALBUQUERQUE NM 87106-8007

ORTANEZ MILISA
6121 STRAND LP SE
ALBUQUERQUE NM 87106-9600

ORTIZ VICTOR & KRYSTLE
2409 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9719

OTT REDMOND J
2623 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

OVIS CHARLES & NANCY TRUSTEE OVIS
RVT & MESA REALTY PARTNERS LLC
13113 E JUAN TABO RD
SCOTTSDALE AZ 85255-0454

OZHAN KAMIL & CAROL L
5 TIARA LN
BELEN NM 87002

P & J LAND LLC
700 INDUSTRIAL AVE NE
ALBUQUERQUE NM 87107-2277

PADILLA ALFRED S
5744 WITKIN ST SE
ALBUQUERQUE NM 87106

PADILLA PATRICK
2320 PENN AVE SE
ALBUQUERQUE NM 87106-9721

PADIN-ROSADO JOSE A
2301 PENN AVE SE
ALBUQUERQUE NM 87106-9722

PAQUIN JULIAN ARTHUR & RADINE D
5727 STRAND LP SE
ALBUQUERQUE NM 87106

PARASCANDOLA BERNARD JEAN LOUIS
5620 ADDIS AVE SE
ALBUQUERQUE NM 87106-9614

PAUWELS LAURA L & JONATHAN E
2613 DEKOONING AVE SE
ALBUQUERQUE NM 87106-8014

PEARSON CHARLES R
5715 BOURKE-WHITE DR SE
ALBUQUERQUE NM 87106-9604

PEASE ALEXANDER N & RACHEL W
2300 GANDERT AVE SE
ALBUQUERQUE NM 87106

PEREZ JOSH RAY
5747 WITKIN ST SE
ALBUQUERQUE NM 87106-9602

PEREZ MICHAEL DOMENIC & PEREZ VINCENT
RAYMOND & PEREZ MARISA RICCA
PO BOX 435
VAUGHN NM 88353

PEROVICH EQUIPMENT LLC
PO BOX 348
EL PRADO NM 87529

PERRY KRISTA M
6133 STRAND LP SE
ALBUQUERQUE NM 87106-9600

PETERSON DANIEL STUART & PETERSON ANN
MARIE CO-TRUSTEES PETERSON LVT
17207 SANGALLO LN
SAN DIEGO CA 92127-2807

PETRECHKO OKSANA & LAZARYN OLGA
6128 STRAND LP SE
ALBUQUERQUE NM 87106-9600

PETTITT CHRISTOPHER JAMES & JACQUELINE
AMBER
5716 STRAND LP SE
ALBUQUERQUE NM 87106-9606

PICKRELL HOMER N & VAUGHN-PICKRELL
EILENE
5664 AVEDON AVE SE
ALBUQUERQUE NM 87106-9714

PKNM RENTALS LLC
11331 LONGSHORE CT
SAN DIEGO CA 92130-8632

PRESLER BRYAN LYNN & KATIE M
2600 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

PUBLIC SERVICE COMPANY
414 SILVER AVE SW
ALBUQUERQUE NM 87102-3226

PUBLIC SERVICE COMPANY OF NEW
MEXICO
CORPORATE HEADQUARTERS MS 1025
ALBUQUERQUE NM 87158

PUEBLO OF ISLETA
PO BOX 1290
ISLETA NM 87022-1290

PULTE HOMES
7601 JEFFERSON ST NE SUITE 320
ALBUQUERQUE NM 87109

QUACH PHUONG T
2505 STIEGLITZ DR SE SUITE 101
ALBUQUERQUE NM 87106

RAMEY CORY R
6023 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

RAMOS JENNIFER & LANDAUER DERREK
6009 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8009

RD MDS LLC
PO BOX 73
CORRALES NM 87048-0073

REDBUD MESA GROUP LLC
12601 CORJIL LN
EDMOND OK 73013-7553

REDE JOSHUA
5705 BOURKE WHITE DR SE
ALBUQUERQUE NM 87106

REED MARIE C & STEVEN L
15009 EMORY LN
ROCKVILLE MD 20853-1653

REEDIN ALEX & REEDIN BENJAMIN
5668 AVEDON DR SE
ALBUQUERQUE NM 87106-9714

REGENTS OF THE UNIVERSITY OF NEW
MEXICO
2811 CAMPUS BLVD NE
ALBUQUERQUE NM 87106-2701

REGENTS OF UNM REAL ESTATE DEPT
MSC06-3595-1 UNIVERSITY OF NM
ALBUQUERQUE NM 87131-0001

REISMAN DAVID B & YI DIANA O
5720 STRAND LP SE
ALBUQUERQUE NM 87106-9606

REYES JUAN & NESS-REYES KATHY C
5695 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

RICHARDSON THOMAS J & GORETTI
7418 RIVERTON NW
ALBUQUERQUE NM 87120

RICKERT DARRELL S & REEVES LERONDA
6136 STRAND LP SE
ALBUQUERQUE NM 87106-9600

RIDDLE HEATH D & ANA SANCHEZ
2409 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9609

RIO BRAVO PROPERTIES LLC
PO BOX 2800-325
CAREFREE AZ 85377-0000

RMG PROPERTIES LLC
5700 UNIVERSITY BLVD SE SUITE 310
ALBUQUERQUE NM 87106-9601

ROBERT MEGAN A
5671 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

RODNEY PATRICIA E
5744 STRAND LP SE
ALBUQUERQUE NM 87106-9606

RODNEY RICHARD
5687 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

RODRIGUEZ CARLOS R
240 HALE CIR SW
ALBUQUERQUE NM 87105-0302

ROMANIUK MEGAN
6056 NAUMAN DR SE
ALBUQUERQUE NM 87106-8024

ROMERO DIANDRA
2509 STRYKER RD SE
ALBUQUERQUE NM 87105-7001

ROMERO JOSHUA JAMES
5609 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-9701

ROMERO LORENZO P & DOROTHY J
6346 ISLETA BLVD SW A
ALBUQUERQUE NM 87105-6870

ROMERO RUTH E
2805 S WYOMING AVE
ROSWELL NM 88203-2356

ROMERO YAHAIRA
5612 ADDIS AVE SE
ALBUQUERQUE NM 87106-9614

ROMO MICHAEL A & ROSE A CHARITY
2319 STEIGLITZ AVE SE
ALBUQUERQUE NM 87106-9611

ROSGEN BRIAN K & MICHELLE L
2030 VISTA ALCEDO
CAMARILLO CA 93012-9316

ROSS KERRY LYNN & BAINES CHRISSY LEE
2615 HOUSER AVE SE
ALBUQUERQUE NM 87106-8012

ROTHSCHILLER CURTIS J & DEBORAH
2332 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

ROY RONITA & FAUCETT CHRISTOPHER
ANTHONY
2609 HOUSER AVE SE
ALBUQUERQUE NM 87106-8012

ROYBAL RAMON M & RICQUAL
6104 STRAND LP SE
ALBUQUERQUE NM 87106-9600

ROYBAL VENCES
5701 BOURKE-WHITE DR SE
ALBUQUERQUE NM 87106-9604

RUBALCABA DEMIAN
2308 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

RUBIN MELANIE R & TREVOR A
6033 STRAND LP SE
ALBUQUERQUE NM 87106-8007

RUTHERFORD NICHOLAS
4001 CHEVY CHASE DR
LOS ANGELES CA 90039-1205

RUTLEDGE JOHN B & RIOS AIDE
YOLANDA
5679 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

RYAN MATTHEW
6115 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

SAENZ ASHLI N & RAUL
2400 OKEEFE AVE SE
ALBUQUERQUE NM 87106-4791

SALAS ANDRES ALVINO
6105 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

SALAZAR SHELDON L
2315 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

SAMSON AMBER-JEAN V & SMITH DERRICK
A II
6052 NAUMAN DR SE
ALBUQUERQUE NM 87106-8024

SANCHEZ ARTHUR C & ANNA M
2501 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106

SANCHEZ GILBERT R JR & ERRYNN E
2309 PENN AVE SE
ALBUQUERQUE NM 87105

SANCHEZ JOHNNY W
5709 UNIVERSITY BLVD SE #180
ALBUQUERQUE NM 87106-9608

SANCHEZ TIFFANY A
2523 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8003

SAUL RICHARD D & CONSTANCE M
2339 GANDERT AVE SE
ALBUQUERQUE NM 87106

SAUNDERS ARTHUR J & ARECELI Y
5502 HAMILTON AVE
COLUMBUS MS 39705-7528

SCHAEFFER BRIAN & CATHERINE
1132 N CALIFORNIA ST
BURBANK CA 91505-2507

SCHLOESSLIN CARL & CHERYL ANN TRUSTEES
SCHLOESSLIN LVT
5684 AVEDON DR SE SUITE 180
ALBUQUERQUE NM 87106

SCHROEDER PAUL CHRISTIAN
2308 PENN AVE SE
ALBUQUERQUE NM 87106

SCHWARTZ ANDREW D
6041 STRAND LP SE
ALBUQUERQUE NM 87106-8007

SCOTT CHARLES ANTHONY & SUSAN P
2200 GANDERT AVE SE
ALBUQUERQUE NM 87106-9612

SEBOK DREW
6016 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

SEDILLO DOMINIC G & CHRISTALLE S
5712 STRAND LP SE
ALBUQUERQUE NM 87106

SEGURA MARLENE TRUSTEE SEGURA RVT
5740 WITKIN ST SE
ALBUQUERQUE NM 87106-9603

SELLS ARNOLD D & DAWN M
6116 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

SENA TONY A & RUBY P
6410 COORS BLVD SW
ALBUQUERQUE NM 87121

SHANKS JUDITH E TRUSTEE SPELL TRUST
129 1ST AVE NO APT 343
FRANKLIN TN 37064-2207

SHEGA GREGORY E & WEBER AMY L CO-
TRUSTEES ZESWS TRUST
2505 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8003

SHEPHARD JOHN & MIREYA I
2204 GANDERT AVE SE
ALBUQUERQUE NM 87106-9612

SHIVER REDI-MIX LLC
PO BOX 9710
ALBUQUERQUE NM 87119-9710

SHIVERS KORRIE NICHELLE
6108 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8015

SHORE SCOTT A & XIN W
2608 STRYKER RD SE
ALBUQUERQUE NM 87106-7002

SITKOWSKI ROBERT J & MARGARET M
2417 DE KOONING LP SE
ALBUQUERQUE NM 87106-8019

SLOAN WILLIAM B & LAURIE A
2513 STRYKER RD SE
ALBUQUERQUE NM 87114-7001

SNYDER EILEEN Y
2908 HOUSER AVE SE
ALBUQUERQUE NM 87106-8013

SPENCER GEOFFREY W
2639 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

SPERBER DAWN
444 SOLANO DR NE
ALBUQUERQUE NM 87108-1046

SSPS 5801 BOBBY FOSTER LLC C/O HUDSON
PACIFIC PROPERTIES
11601 WILSHIRE BLVD FLOOR 9TH
LOS ANGELES CA 90025-0509

STATE OF NEW MEXICO STATE LAND OFFICE
PO BOX 1148
SANTA FE NM 87504-1148

SWANSON ERICA & SERNA ERIC P &
BARBARA M
6116 STRAND LP SE
ALBUQUERQUE NM 87106-9600

SWEET GREGORY WILLIAM
2228 CEBOLLA CREEK WAY NW
ALBUQUERQUE NM 87120-7411

TACK MARTIN FRED STANLEY
2304 GANDERT AVE SE
ALBUQUERQUE NM 87106-9607

TAYLOR CHARLES H & AGNES TRUSTEES RVT
1908 LAKEVIEW RD SW
ALBUQUERQUE NM 87105-6102

TAYLOR SAMONA & JONATHAN
2408 CUNNINGHAM AVE SE
ALBUQUERQUE NM 87106-9718

TELLES CARRIE ORTEGA
2433 DE KOONING AVE SE
ALBUQUERQUE NM 87106-8019

THELEN SEREENA RAE & BRANDON
CHARLES
2515 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

THOMAS MEGAN LANE & SAEED SYD
ANWAR
6123 WYETH DR SE
ALBUQUERQUE NM 87106-8010

THOMPSON DANA L
2315 PENN AVE SE
ALBUQUERQUE NM 87105-9722

THOMPSON JAMES R & PATRICIA K
2227 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106

TORRES SAMUEL R & TORRES ROSE
TRUSTEES TORRES RVLT
5620 ARBUS DR SE
ALBUQUERQUE NM 87106-9723

TRES PASADAS LLC
PO BOX 9825
ALBUQUERQUE NM 87119-9825

TRUJILLO JOSEPH D & LYNETTE L
5915 WITKIN ST SE
ALBUQUERQUE NM 87106-8005

TRUONG MICHAEL
6112 STRAND LP SE
ALBUQUERQUE NM 87106-9600

TURNER MICHAEL
2148 AUGUSTA DR
HOUSTON TX 77057-3757

U S A DEPT OF ARMY HDQRS 377 CEG/CERR
2050 WYOMING BLVD SE
KIRTLAND AFB NM 87117-5663

ULIBARRI-SANCHEZ JORDAN RICHARD
6101 DASBURG DR SE
ALBUQUERQUE NM 87106-8023

UNITED STATES OF AMERICA IN TRUST FOR
PUEBLO OF ISLETA C/O US DEPT OF INTERIOR
18TH & C STREETS NW
WASHINGTON DC 20245-0000

UNIVERSITY INDUSTRIAL LLC
399 PERRY ST SUITE 203
CASTLE ROCK CO 80104

URBAN CAROLYN
5659 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

US INDIAN SERVICE & BUREAU OF INDIAN
AFFAIRS
1001 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104

VAL INVESTMENT LLC
5901 WYOMING BLVD NE SUITE J328
ALBUQUERQUE NM 87109-3838

VALEN ALAN MARCUS & VANESSA JOYCE
5709 BOURKE-WHITE DR SE
ALBUQUERQUE NM 87106-9604

VAN EE LESLIE BLOOM
14323 HOLLY SPRINGS RD
LAKE OSWEGO OR 97035-0000

VANBIBBER DAVID A & SLOAN-VANBIBBER
MANDA L
2524 O'KEEFE AVE SE
ALBUQUERQUE NM 87106-8001

VELEZ RAUL E & SANDI
2535 STRYKER RD SE
ALBUQUERQUE NM 87106-7001

VERIZON WIRELESS (VAW) LLC ATTN: DUFF &
PHELPS LLC
PO BOX 2549
ADDISON TX 75001-2549

VIGIL KRISTIN D
6000 STRAND LP SE
ALBUQUERQUE NM 87106-8007

VIGIL MICHAEL S
2209 STIEGLITZ AVE SE
ALBUQUERQUE NM 87106-9613

VIGIL MONICA J & HENKE CAITLIN R
5663 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106

VIGIL NICKIE A
6020 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

VILLASENOR MARY J & ANTHONY JOHN
6004 STRAND LP SE
ALBUQUERQUE NM 87106-8007

WALDEN TAMERA & PASCETTI DAMIAN
6120 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

WALKER MICHAEL L & KATIE DUKES
2627 STRYKER RD SE
ALBUQUERQUE NM 87106-7000

WARNER KYLE E & MARTIN AMANDA J
2309 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

WATSON BENJAMIN III & HANUKKAH R
5628 SAGAN LP SE
ALBUQUERQUE NM 87106

WEBB CECILIA L
6115 WYETH DR SE
ALBUQUERQUE NM 87106-8010

WEBER JOHN
2208 GANDERT AVE SE
ALBUQUERQUE NM 87106-9612

WEIR PAUL
5723 BOURKE-WHITE DR SE
ALBUQUERQUE NM 87106-9604

WEIRICK LAWRENCE & KATHLEEN
2601 HOUSER AVE SE
ALBUQUERQUE NM 87106-8012

WENDT VICKERY
6136 NAUMAN DR SE
ALBUQUERQUE NM 87106-8025

WEST RONALD G & BILLIE J
8200 BROADWAY BLVD SE
ALBUQUERQUE NM 87105-7459

WESTWAY HOMES LLC
9600 TENNYSON ST NE
ALBUQUERQUE NM 87122-2282

WESTWAY HOMES LLC
2404 OKEEFE AVE SE
ALBUQUERQUE NM 87106-4791

WESTWAY HOMES LLC
6057 STRAND LP SE
ALBUQUERQUE NM 87106-8007

WHEELER ZACHRY & LOCKHART EVELYN
2351 GANDERT AVE SE
ALBUQUERQUE NM 87106-9615

WHEELLESS JENIFFER & WHEELLESS CELIA G
6119 OLDENBERG DR SE
ALBUQUERQUE NM 87106-8011

WILKINSON DICK TYLER JR & HANNAH
LEIGH
2336 PENN AVE SE
ALBUQUERQUE NM 87106-9721

WINEGAR GARY E & KAREN J
5735 WITKIN ST SE
ALBUQUERQUE NM 87106-9602

WINSLOW TRACY L
5751 STRAND LP SE
ALBUQUERQUE NM 87106

WONG SAMANTHA M & SALAS JARED E
6135 MOTHERWELL DR SE
ALBUQUERQUE NM 87106-8008

WRIGHT DARLA DEE TRUSTEE WRIGHT FMT
ETAL
PO BOX 504
SANTA ROSA NM 88435-0504

YONKEY MELISSA
6012 WITKIN ST SE
ALBUQUERQUE NM 87106-8006

YOUNG MARK & MELISSA
6104 WYETH DR SE
ALBUQUERQUE NM 87106-8016

ZEH GILBERT F
5913 WITKIN ST SE
ALBUQUERQUE NM 87106-8005

ZIMMERMAN SILAS & CATHERINE
ELIZABETH
2224 GANDART AVE SE
ALBUQUERQUE NM 87106-9612



August 10, 2023

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

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

Dear property owner,

On behalf of Kairos Power and Mesa del Sol LLC, Consensus Planning, Inc. is providing you with notice that we are submitting a Text Amendment application (to the approved Mesa del Sol Level A and B Plans) for EPC approval which will be heard at a public hearing on **September 21, 2023, at 8:30am via Zoom <https://cabq.zoom.us/j/2269592859>**.

The request is to increase the existing building height in the Employment Center from 80 to 110 feet. Additionally, we are requesting to designate a small portion (the Kairos Power Property) of the Employment Center to allow for additional manufacturing land uses. Granting permission for additional manufacturing activities will allow Kairos Power to construct a new building to support the development of their clean energy technology. The property is located almost a mile northwest from the Mesa del Sol Neighborhood Association boundary.

This request will help the company achieve its mission ***to enable the world's transition to clean energy while improving people's quality of life and protecting the environment.***

The new facility is aligned with Kairos Power's long-term investment strategy in the Albuquerque region. To date, Kairos Power has made more than \$50 million in capital improvements to its campus at Mesa del Sol and created more than 86 jobs with an average salary over \$100K, exceeding the company's initial commitment of 65 FTEs. While supporting economic development in the region, Kairos Power is committed to protecting the health and safety of employees, neighbors, and the public.

If you have any questions or concerns regarding this notice, please do not hesitate to reach out to us via email at cp@consensusplanning.com or by calling (505) 764-9801. We look forward to hearing from you soon.

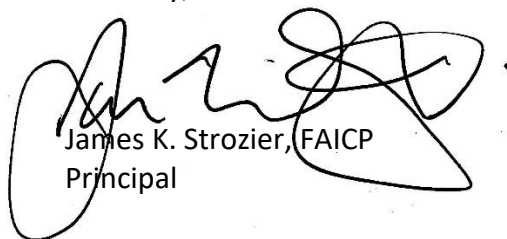
Sincerely,

PRINCIPAL:

James K. Strozier
Jacqueline Fishr

ASSOCIATE

Ken Romig, PLA, ASLA



James K. Strozier, FAICP
Principal

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



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type:

Decision-making Body:

Pre-Application meeting required: ☐ Yes ☒ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: Mesa del Sol Level B Plan Area

Name of property owner:

Name of applicant: Kairos Power

Date, time, and place of public meeting or hearing, if applicable:

September 21, 2023 8:30am Via Zoom <https://cabq.zoom.us/j/2269592859>

Address, phone number, or website for additional information:

Please contact cp@consensusplanning.com

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

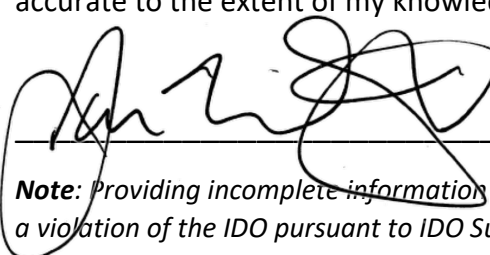
☐ Drawings, elevations, or other illustrations of this request.

☒ Summary of pre-submittal neighborhood meeting, if applicable.

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

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

 (Applicant signature) August 10, 2023 (Date)

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

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

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 08/10/2023

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

Property Owner within 100 feet*: Please see attached

Mailing Address*: Please see attached

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

1. Subject Property Address* Mesa del Sol Level B Plan Area Employment Center
Location Description _____
2. Property Owner* Kairos Power
3. Agent/Applicant* *[if applicable]* Consensus Planning
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☐ Variance
 - ☐ Waiver
 - ☒ Other: Mesa del Sol Level A and Level B Amendment

Summary of project/request¹*:

The request is to increase the base building height in the Employment Center to 110 feet. Additionally we are requesting to designate a small portion of the Employment Center to allow for special manufacturing land uses.

5. This application will be decided at a public meeting or hearing by*:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

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

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

Date/Time*: September 21, 2023 8:30am

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

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

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:
cp@consensusplanning.com

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

1. Zone Atlas Page(s)*⁴ Multiple pages, please see attached document
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

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

Explanation*:

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

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

A neighborhood meeting was held at the Kairos facility located at 5201 Hawking Drive SE within the Employment

Center at Mesa del Sol. The property owner Kairos was introduced with information about the company history,

the Kairos Power MDS Facility, and the company metrics here in Albuquerque. The request to increase the

maximum allowed building height in the Employment Center was discussed. Amendments are required for

both the Level A and Level B Plans. Both go to EPC. Level B plan amendments are approved by the EPC

while recommendations to the City Council will be made for Level A plan amendments.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

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

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

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

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed/Emailed to a Neighborhood Association**

Date of Notice*: August 10, 2023

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

Neighborhood Association (NA)*: Mesa del Sol NA, District 6 Coalition

Name of NA Representative*: _____

Email Address* or Mailing Address* of NA Representative¹: See attached.

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

1. Subject Property Address* Mesa del Sol - Employment Center
Location Description Eastern and southern portions of Mesa del Sol
2. Property Owner* MDS Investments LLC
3. Agent/Applicant* [if applicable] Consensus Planning, Inc.
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☐ Variance
 - ☐ Waiver
 - ☒ Other: Mesa del Sol - Level A and B Plan Amendments - Employment Center

Summary of project/request²*:

Mesa del Sol - Level A and B Plan Amendments - Employment Center

to allow additional height and expanded industrial uses (limited).

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

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

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

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

☐ Zoning Hearing Examiner (ZHE)

☐ Development Review Board (DRB)

☐ Landmarks Commission (LC)

☒ Environmental Planning Commission (EPC)

Date/Time*: September 21, 2023 at 8:30 am

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

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

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*⁴:

See attached.

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

1. Zone Atlas Page(s)*⁵ Multiple - See attached.
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s)

☐ Variance(s)

☐ Waiver(s)

Explanation*:

NA

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

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

See attached summary.

³ Physical address or Zoom link

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

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

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

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information [Optional]:

From the IDO Zoning Map⁶:

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

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

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinyurl.com/idozoningmap>

PUBLIC MEETING NOTES

- Kairos Power is in the technology development phase, aiming for commercial deployment by 2030.
 - Rapid iterative approach – accelerates innovation w/ successive plan-design-build-test cycles leading up to the first commercial unit
 - Vertical integration strategy – investing in manufacturing infrastructure to reduce supply chain risk and achieve cost certainty
- Company commitment to environmental justice
 - Actively engaging to listen and address concerns with local stakeholders, the general public, and tribal communities
 - Prioritizing diversity, equity and inclusion
 - Selectively building on brownfield sites
 - Kairos Power technology offers high energy density with minimal land use

Kairos Power Mesa Del Sol (MdS) Facility:

- Building on 32 acres
 - Testing Facility (T-Facility) – 40,000 sq ft facility
 - Home of the Engineering Test Unit (ETU) – non-nuclear hardware demonstration w/ objective to test integration of principal KP-FHR technologies, establish manufacturing infrastructure, and provide operational experience. Commissioned in Summer 2022.
 - Manufacturing Center
 - ASME-certified Vessel Shop, Pebble Development Lab, CNC machining of custom stainless steel and graphite components, welding & fabrication
 - Supports Kairos Power’s strategy of vertical integration to reduce costs by producing key components in-house
 - Local supply chain focused on off-the-shelf components and raw materials
- \$125 million in capital investment - \$50 million already invested
- Privately funded
- Ongoing campus expansion - Projects currently under construction:
 - Triso Development Lab (22,000 sq ft)
 - Modular Office Building,
 - Modular Systems Facility (30,000 sq ft) - 2-3 years
- Salt Production Facility – future building (driving the change)
 - Will not emit pollution, noise, odors, or have significant environmental impacts
 - Will create an additional \$50 million investment and 20-30 high-paying jobs

Company Metrics (in Albuquerque):

- Job creation – Currently 88 employees – average \$100k salaries
- Workforce that’s representative of the Albuquerque community

- 65% of hires at the ABQ Facility are locals.
- Strong employee benefits as incentive for high-quality jobs
 - High employee retention rate
- Partnerships with local schools and community organizations to create opportunities for local residents to participate in our clean energy mission
 - Includes: **New Mexico Workforce Connection, University of New Mexico (UNM), Central New Mexico Community College (CNM)**
 - Paid internships
- Commitment to Diversity, Equity, and Inclusion in workforce and vendor/supplier base.
- Generous employee benefits – Covers dependent health costs

Mesa del Sol Level A Plan
Text Amendment

Table 7-1. Permissive Uses by Land Use District

X = Uses permissive in the Zone District(s) indicated shall be permissive within the indicated Mesa del Sol Land Use District, subject to the development program limits in Table 7-2.

CITY OF ALBUQUERQUE ZONING DISTRICT	MESA DEL SOL LAND USE DISTRICT						
	Employment Center	Highway Commercial	Urban Center	Community Center	Village Centers	Residential	Campus
R-1 Residential						X	
R-T Residential		X	X	X	X	X	
R-G Residential		X	X	X	X	X	
R-2 Residential		X	X	X	X	X	
R-3 Residential	X	X	X	X	X	X	
RC Residential/Commercial	X	X	X	X	X	X	
O-1 Office and Institution	X	X	X	X	X		X
C-1 Neighborhood Commercial	X	X	X	X	X	X	
C-2 Community Commercial	X	X	X	X			
C-3 Heavy Commercial	X	X	X				
M-1 Light Manufacturing	X	X					
IP Industrial Park	X	X					

IDO - NR-GM* X
*Specific parcels may allow IDO - General Manufacturing (NR-GM) and Special Manufacturing as approved by the EPC with the Level B Plan and are subject to the IDO Specific Use Standards Section 4-3 as applicable.

Table 7-2. Development Standards *

ZONE	Acres (gross)	Max. commercial SF	Max. comm. avg. FAR (1)	Max. FAR (2)	Max. height (feet)	Max. DU	Max. avg. gross du/ac (1)	Max. net density (2)
Employment Center	1,985	9,056,124	0.14	4.0	110 (4)	1,985	1	30
Highway Commercial	385	4,000,000	0.24	2.0	40	-	-	-
Campus	480	2,500,000	0.12	2.0	60	-	-	-
Urban Center	92	1,500,000	0.37	4.0	60	828	9	60
Community Center	61	700,000	0.24	2.0	40	819	13	40
Village Center One	24	200,000	0.19	1.0	35	492	21	35
Village Center Two	40	200,000	0.11	1.0	35	660	17	35
Village Center Three	40	200,000	0.11	1.0	35	660	17	35
Village Center Four	40	200,000	0.11	1.0	35	660	17	35
Residential Villages	4,204	50,000	-	N/A	35	28,506	7	35
TOTAL	7,351	18,606,124				34,610		

- Notes:
- 1. Maximum average gross density/FAR of entire acreage of district or center, regardless of use.
 - 2. Maximum net density of any residential parcel, block or project.
 - 3. Accessory unit shall not count toward the maximum number of dwelling units listed.
 - 4. Maximum height is allowed up to 110 feet on a case by case basis with EPC approval with the Level B Plan. All other buildings have a maximum height of 80 feet.

Table 7-3. Residential Off-Street Parking Requirements

Apartments or condominiums	2 spaces for units with 3 or more bedrooms
	1.5 spaces for units with 2 bedrooms
	1 space for units with 1 bedroom or studio units
House or townhouse	2 covered spaces per unit
Accessory unit	0 spaces per unit

* Revised February 2023 - changed land use designation of 500 acres of Active Adult to Employment Center

Mesa del Sol Level B Plan
Text Amendment



Surface water harvesting

2.2.2 Development Standards – Employment Center

Note: To the extent that inconsistencies between the standards of the 210 acre “Employment Center Phase One” and the standards of the Level B Plan exist, the Level B Plan will take precedence.

- a) Maximum Development Program for District: 5,050,350 sq. ft commercial, 533 dwelling units.
- b) Permissive Uses: uses that are permissive and conditional in the following City of Albuquerque Zoning Districts: R-3 Residential, O-1 Office and Institution, C-1 Neighborhood Commercial, C-2 Community Commercial, C-3 Heavy Commercial, M-1 Light Manufacturing, IP Industrial Park, subject to the density, FAR and review requirements of Table 2-1. **Per the IDO, Uses Permissive in the NR-GM Zone Per Section 4-3*.**
- c) Maximum site FAR: 4.0
- d) Maximum site density: 100 du/ac
- e) Maximum building height: **110 feet for specific properties* as approved by the EPC. All other Employment Center buildings are restricted to 80 feet** (exception: elevated water storage facilities may exceed 80 feet in height, subject to FAA regulations).
- f) Setback requirements:
 1. Front: 0 foot min.
 2. Side: 10 feet min.
 3. Rear: 10 feet min.
- g) Off-street parking requirements:
 1. Nonresidential uses: per the City of Albuquerque Zoning Code, with reductions for mixed-use shared parking and transit proximity per the City of Albuquerque Comprehensive Plan Table II-83, and with the following exceptions:
 - i. Fifty percent of on-street parking spaces on the property’s side of public streets which abut a property shall be counted towards the parking requirements of the property. This credit shall be as a matter of right and shall not require public notice, public comment, or approval of the Traffic Engineer.
 - ii. A maximum of one bay of parking (one drive aisle parked on both sides) is permitted between the front of the building and the street. All other parking shall be located at the rear and sides of buildings.
 - iii. No single parking area shall exceed 150 spaces unless divided into smaller sub-areas by a building, internal landscaped street or shaded landscaped pedestrian way with trees planted 30 feet on center.
 - iv. Large truck parking shall be separated from automobile parking. Large truck parking shall be screened from view from the public right-of-way.

- v. Water harvesting areas for surface runoff shall be provided in parking lots. Permeable paving can be counted toward this requirement.

2. Residential uses: 2 spaces for units with 3 or more bedrooms, 1.5 spaces for units with 2 bedrooms, 1 space for units with one bedroom or studio units.

- h) Public space shall be provided in accordance with Zoning Code § 14.16.3.18(4).

2.2.3 Development Standards – Highway Commercial

- a) Maximum Development Program for District: 3,775,000 square feet.
- b) Permissive Uses: uses that are permissive in the following City of Albuquerque Zoning Districts: O-1 Office and Institution, C-1 Neighborhood Commercial, C-2 Community Commercial, C-3 Heavy Commercial, M-1 Light Manufacturing, IP Industrial Park, subject to the density, FAR and review requirements of Table 2-1.
- c) Maximum site FAR: 2.0
- d) Maximum building height: 50 feet
- e) Setback requirements:
 1. Front setback: 15 feet min.
 2. Side street setback: 0 feet min.
 3. Rear setback: 5 feet min.
 4. Setback along 1-25: minimum 50 feet Landscape Setback except in circumstances where there is a frontage road.
- f) Off-street parking requirements: Parking is per the City of Albuquerque Zoning Code, with reductions for mixed-use shared parking and transit proximity per the City of Albuquerque Comprehensive Plan Table II-83, and with the following exceptions:
 1. Fifty percent of on-street parking spaces on the property’s side of public streets which abut a property shall be counted towards the parking requirements of the property. This credit shall be as a matter of right and shall not require public notice, public comment, or approval of the Traffic Engineer.
 2. No single parking area shall exceed 150 spaces unless divided into smaller sub-areas by a building, internal landscaped street or shaded landscaped pedestrian way with trees planted 30 feet on center.
 3. Water harvesting areas for surface runoff shall be provided in parking lots. Permeable paving can be counted toward this requirement.

*** 110 foot maximum height, General and Special Manufacturing uses shall be permissive on Tract D-1-A-1 Mesa del Sol Innovation Park Subdivision only.**

Table 2-1 Site Development Standards

	Building Envelope			Open Space		Setbacks (feet) (5)					Off-Street Parking (12)	
	Max. site FAR (1)	Max. site du/ac (2)	Max. height (ft)	Min. % landscape area (3)	Min. % usable open space (6)	Front	Side street	Side	Rear	Other	Non-res	Residential
Employment Districts:												
Employment Center	4.0	100	110 (4) (14)	15% of net lot area per COA Zoning Code	n/a	0 min.	0 min.	10 min.	10 min.		per zoning code, credit for on-street, max. one bay in front of bldg	2 per 3+ BR, 1.5 per 2BR, 1 per 1BR/studio Multifamily: 1 per unit
Highway Commercial	2.0	n/a	50	15% of net lot area per COA Zoning Code	n/a	15 min.	0 min.	0 min.	5 min.	50' landscape setback along I-25 (except frontage road)	per zoning code, credit for on-street	n/a
Mixed-Use Centers:												
Urban Center	4.0	100	20 min., 60 max	no min. except 15% of surface parking	15% unless within ¼ mile of park/OS	0 min.	0 min.	0 min.	5 min.		no requirement	2 per 3+ BR, 1.5 per 2BR, 1 per 1BR/studio Multifamily: 1 per unit
Community Center	2.0	80	20 min., 60 max	no min. except 15% of surface parking	15% unless within ¼ mile of park/OS	0 min., 5 max.	0 min.	0 min., 10 max.	5 min.		no requirement	no requirement
Village Centers	1.0	60	20 min., 35 max	no min. except 15% of surface parking	15% unless within ¼ mile of park/OS	0 min., 5 max.	0 min.	0 min., 10 max.	5 min.		no requirement	no requirement
Residential Villages												
Corridor Residential (w/in 1/8 mile of Mesa del Sol Blvd.)	no requirement	50	50	no min. except 15% of surface parking	15% unless within ¼ mile of park/OS	varies by lot type – see below					no requirement	2 per 3+ BR, 1.5 per 2BR, 1 per 1BR/studio; 2 covered per SF house/TH Multifamily: 1 per unit
General Residential	no requirement	35	35	[blank]	15% unless within ¼ mile of park/OS	varies by lot type – see below					no requirement	2 per 3+ BR, 1.5 per 2BR, 1 per 1BR/studio; 2 covered per SF house/TH Multifamily: 1 per unit
				Varying setbacks by lot type:		Front (8)	Side street	Side (10)	Rear (7)	Other Walls (9)		
				Single-Family Standard Lot		10 min., 20 max.	10 min.	10 min. btw bldgs (no min. to prop line)	4 min.			2 covered spaces
				Attached Compound		5 min., 10 max.	5 min.	0 min.	0-5 min.	Courtyard – 0 min., 5 max.		2 covered spaces
				Detached Compound/Courts		5 min., 10 max.	5 min.	8 min. btw bldgs (no min. to prop line)	0-5 min.	Paseo – 5 min., 10 max.		2 covered spaces
				Duplex		10 min., 15 max.	10 min.	10 min. btw bldgs (no min. to prop line)	4 min.			2 covered spaces
				Townhouse: Greater than 1 BDRM		5 min., 10 max.	5 min.	0 min.	24 min.			2 covered spaces
				Multifamily/Townhouse 1 BDRM		6 min., 16 max.	6 min.	10 min. btw bldgs (no min. to prop line)	4 min.			1 per unit

- Notes:
- 1. Site FAR: Maximum FAR on any individual parcel
 - 2. Site du/ac: Maximum du/ac on any individual parcel
 - 3. Site coverage: percentage of the site covered by buildings or structures
 - 4. Exception for water storage tanks
 - 5. Setback variance less than 10% may be granted through the ARC review process.

- 6. Required usable open space may be aggregated into common open space areas and other recreational facilities within 1/4 mile of the site.
- 7. Garages: 4' min. setback at rear.
- 8. Front yard setback along University: 10' min.
- 9. Wall height of 6' max. (9' 6" max. at entries) is allowed. Wall heights and placement determined by the MdS ARC. Level B wall standards take precedence over COA standards.
- 10. Sideyard use easements allowed.

- 11. Wireless Telecommunications Facilities ("WTFs"): A maximum height of 120' shall be allowed for Primary WTFs. A maximum height of 60' shall be allowed for Secondary WTFs (see Appendix B, pages 108 and 109).
- 12. ARC can make allowance for one covered space per unit.
- 13. Setbacks are measured from the edge of the street right-of-way.
- 14. Maximum height is restricted to 80 feet in the Employment Center unless approved by the EPC on a case by case basis. This amendment allows Tract D-1-A-1, Kairos Power property to have a maximum building height of 110 feet.

Table 7-1 Approval Matrix

	Urban Center	Community Center	Village Centers	Campus	Employment District ***	Highway Commercial ***	Residential Villages	Open Space and Parks
R-1 Residential	X	X	X	X	X	X	P	X
R-T Residential	P	P	P	X	X	X	P	X
R-G Residential	P	P	P	X	X	X	P	X
R-2 Residential	P	P	P	X	X	X	P	X
R-3 Residential	P	P	P	X	P	X	P	X
RC Live/work	P	P	P	X	P	X	P	X
O-1 Office & Institution	P	P	P	P	P	P	X	R
C-1 Neighborhood Commercial	P	P	P*	X	P	P	P**	X
C-2 Community Commercial	P	P	X	X	P	P	X	X
C-3 Heavy Commercial	R	X	X	X	P	P	X	X
IP Industrial Park	R	X	X	X	P	P	X	X
M-1 Light Manufacturing	R	X	X	X	P	P	X	X
SU-1 Special Uses	R	R	R	R	R	R	R	R
Conditional Uses	R	R	R	R	R	R	R	R

- Permitted Use
- Review Required
- Not Permitted

*Including grocery stores with package liquor and restaurants with full liquor service.

**Permissive as a home occupation, but other uses are conditional.

***Signage requirements are as regulated in the signage standards of the Level B Technical Appendix, and as amended in the Appendix on page 107.

**** NR-GM Uses are permitted on a case by case basis as approved by the EPC. NR-GM uses are restricted to Tract D-1-A-1 and is subject to IDO Specific Use Standards 4-3 as applicable.

Wireless Telecommunications Facilities shall be permissive in all districts (see Appendix B, pages 108 and 109).

Temporary cellular facilities including but not limited to “cellular on wheels” trucks are permitted on any site for a period of up to one eighteen months.

Schools, as permitted in the O-1 code, are permissive anywhere in any district of this Level B Plan.

General note for all districts

1. All dumpsters shall be enclosed on all sides.
2. Barbed wire and concertina wire shall be prohibited except where used by government agencies for public safety purposes. Galvanized diamond mesh chain-link fence is also prohibited as a permanent installation, but can be used for temporary definition of phasing lines or during construction.

Add a Row for NR-GM, Heavy and Special Manufacturing**** with a "P" under the Employment Center.

PUBLIC LETTERS

September 7, 2023

Dear Ms. Jones and Mr. Strozier,

I am writing on behalf of the Mesa del Sol Neighborhood Association Board (NA) to express our opposition to the application to the EPC to amend the text of the Mesa del Sol Master Plans A and B. This application, submitted by Consensus Planning, Inc on behalf of Kairos Power and Mesa del Sol LLC, seeks to A) grant additional manufacturing activities to Kairos Power on its property and B) increase the allowable building height in the MDS Employment Center from 80 feet to 110 feet.

With regard to A), the NA has no concern with, and no opposition to, the request to grant Kairos Power additional manufacturing activities on the property of Kairos Power (tracts D-1 and D-3).

With regard to B), the NA opposes amending the MDS Master Plans A and B, as requested by the applicant, to increase the maximum allowed building heights throughout the MDS Employment Center from 80 feet to 110 feet.

In the application to the EPC, the justification for amending the language of the MDS Master Plans A and B (to increase the maximum allowed building height throughout the entire Employment Center by 30') is that Kairos Power needs to construct one building greater than 80' tall to support its desired "additional manufacturing activities" in tracts D-1 and D-3 of its property within the Employment Center.

There is no explanation or justification by the applicant why it is requesting a change to the entirety of the MDS Employment Center area rather than requesting a change for the one property requiring it. If allowed, limiting the change to the Kairos property alone would address the needs of Kairos Power without opening up the community to a broad, significant change that could have adverse future consequences for the community.

The original MDS Master Plans were developed over several years by a team of community planning experts and then went through numerous reviews and approvals to reach their current standards. The applicant has provided no explanation or justification for why these carefully thought out community standards should now be relaxed, and no assessment of the impact of such change on the quality of life and environmental balance of the community. For example, what would be the impact of a potential solid tract of hundreds of acres of 110' tall buildings on the east side of the MDS residential community, blocking views of the open space and the Sandia/Manzano mountains, which are highly valued by the residents.

Without a compelling reason for change, the NA believes the existing standards of the MDS Master Plans should be maintained to preserve and ensure the realization of the guiding vision for the community.

(On a technical note, the application requests a height increase from 80' to 110', but in Master Plan A, Section 2.2.2e, Development Standards-Employment Center, a height of 120' is mentioned. This appears to be inconsistent with the rest of the application.)

Proposed solution: If possible, grant a change in maximum building height only for the property requiring it (Kairos Power, tracts D-1 and D-3).

I thank you for your consideration in this matter.

Respectfully,

David Mills
President
MDS Neighborhood Association

MS JONES: Thank you, Mr. Chair, and Commissioners and members of the public. My name is Megan Jones, and I'm a senior planner for the city of Albuquerque Planning department. This is agenda item number 5, project number PR-2023-008498, SI-2023-01380, and SI-2023-01513. This request is for text amendments to the Mesa Del Sol, level A framework plan, and level B framework plan, that pertain to an approximately 30-acre site known as tract D-1A, and the employment center. The employment center is located on the northernmost portion of the mesa top, including a 500-acre site on the southern boundary of the UNM campus. It is in the Mesa Del Sol one employment center, and along the University Boulevard multi-corridor as designated in the Comprehensive plan. The Mesa Del Sol, level A plan area, contains approximately 13,000 acres, situated in the South eastern portion of the city and south of the Albuquerque International Sunport. The Level B Plan area contains approximately 3,200 acres within the overall subject area, which is generally south of Los Picanos road in Montessa Park. South and east of the Bernalillo County, recreational, complex, north of the Pueblo Isleta, and mostly east of Interstate 25, and west of Kirtland Air Force Base. The proposed text amendments to the level A plan, would modify the allowable building height from 80 feet to 110 feet and add the IDO and (inaudible) Zone district as an allowable land use district in the employment center on a case-by-case basis. All future requests would be heard and decided by the EPC. In this case text amendments to the level B plan, pertain only to tract D-1A, and would increase the allowable maximum building height from 80 feet to 110 feet, and allow heavy and special manufacturing land uses pursuant to the IDO and RGM specific standards. The request would facilitate future development and expansion to the existing nuclear power manufacturing research and land use on the subject site. An explanation of these amendments are found in section 5 of the staff report. The request for a major amendment to the level A plan, is required to be heard by the EPC, and decided by City Council. And the request for a major amendment to Level B plan is required to be heard and decided by the EPC, because these are the original approving bodies for each.

Overall the request is generally consistent with applicable comprehensive plan goals and policies, and is more advantageous to the surrounding community pertaining to the 30-acre site in the Employment Center district. The request is also consistent with the community building principles for the economic development and district and neighborhood structure in the level A plan, and is consistent with several strategies within the level B plan. Regarding the local economy, context and location resource, efficiency, and employment centers. The request generally meets the criteria for a major amendment in the IDO. The affected neighborhood organizations are the Mesa Del Sol Neighborhood Association, and the District 6 coalition. Which the applicant notified as required. The applicant also notified property owners within a hundred feet, subject site as required. A pre-submittal neighborhood meeting was held on July 7, 2023, and that received a letter of opposition from the Neighborhood Association with Mesa Del Sol, on September 7, 2023. But since the Neighborhood Association did get clarification from the applicant, and is withdrawing the request of opposition, now that it has made known that the request for text amendments apply only to the 30-acre portion of the employment center. There's no opposition to the requested land uses on the subject site, or the request from 80 feet to 110 feet. Upon clarification from applicant that has been made aware that this text amendment is at this time being heard or only that site

and any future requests are on a case-by-case basis to be heard by the EPC, and delegated to City Council when they are affecting the level A plan. Just want to make that clear that we're looking at this 30-acre site. The text amendments are also to the level A plan area, because it affects the employment center overall. So, at this time Staff is unaware of any further opposition, and we haven't been contacted by any other neighborhood association. Conditions of approval would help provide clarity and help increase consistency between the level A plan, and the level B plan, moving forward, and Staff has crafted those conditions and some additional findings for review. The Commissioners later in this hearing to be reviewed regarding project number PR-2023-008498, SI-2023-001380, staff recommends approval subject to conditions. And regarding project number PR-2023-008498, SI-2023-01500, staff recommends that a recommendation of approval be forwarded to the city council subject to conditions. With that I stand for questions.

CHAIR SHAFFER: Thank you, Ms. Jones. So, I've got a question in regards to everything that's going on out there, and Ms. Lehner, you can probably help me with this. We had a similar, if you can leave that up on this on the screen that'd be good. You know, we've approved a couple of other amendments, and I understand Mesa Del Sol is fluid as they're developing, and they're figuring out what they're doing. And we have to change the master plan. And we have to do certain you know, amendments like this, based on what's happening and how it's going. And I'm, is there a master document? I know there's in a master document, but who's tracking these different changes that's able to... I'm thinking, backwards to 2 months ago, when we're looking at that Wyoming site plan and we were looking at, oh, there was a major amendment that we did at one point back 20 years ago, and it didn't show up on another document. I mean, I'm assuming there's a living document that's going on with these minor changes, major amendments that we're doing. And then, plus, I think there were some additional IDO changes that hit this last year, and I think if I'm and I might be wrong, there might be some more coming up with this next IDO change. Is that correct?

MS LEHNER: Mr. Chair, Commissioners, did you want me to take that? Or would you like to direct that toward Ms. Jones?

CHAIR SHAFFER: I just, I guess the question is, I'm assuming there's a document that so when someone goes and looks at it, and part of my question came up because of the you know, the neighborhood opposition came up, and it was addressed, which is great. That means that the system worked. Someone had a question. They answered the question, and they were satisfied with the question. So, it was great that the you know that the system works that way. But when you go look now at this master plan. There, there's something to follow and say, Okay, this got changed on this date. This got changed on that date. And here's where we're at.

MS LEHNER: Yes, Mr. Chair, Commissioner's members of the public. So, when there are amendments to the Mesa Del Sol framework plans, I know that one round of amendments that, actually couple of rounds of amendments that I have worked on myself have been incorporated into the document, and sheets

were changed, and that she switched out. That's particularly helpful with respect to maps. Other things, I know that sometimes a Notification of Decision is folded into that framework plan so that everybody is aware, upfront when they see that Notice of Decision, but there have been certain changes. Now, with respect to the IDO, those you know, that's a separate kind of a separate but related, since Mesa Del Sol so has its own development standards. So, in order to know what's going on with the framework plans. The best thing is to look in those framework plans and they are on the website we listed as approved framework plans. I can drop that link in the chat if anybody would like that.

CHAIR SHAFFER: I guess just since there's been so many changes which makes sense again. You know they're developing out there. They're figuring out what the community is and things change, and it's gotta come back before us. I just was wondering if there was a easily findable document for people to look at. So, it's probably just me wanting to keep everything in one home. But I realize that's probably not, that's not possible. Yes, Ms. Jones.

MS JONES: Yeah, thank you. Mr. Chair, I just want to note that I started working on these text amendments late last year. So, I've seen several rounds of these text amendments, and there's like a standard condition that we've been adding to these text amendments that upon approval by the EPC, and when they go to City Council for the level A plan, that the document is completed with the revisions within 6 months of that final approval. So, and there is a condition added that that document comes before city staff prior to being finalized. So, we are checking to see that all the amendments are being incorporated. With these different text amendments that are coming through. And I believe with each text amendment there's a note that's added to the document stating when, what the text amendment was, and when it was held. But as far as the running list of text amendments, that's not something that we've been doing over the last year or so. But, we are keeping track of all of the NOD's that are approved, and move forward so that we know what's coming back to us, what we have to keep track of.

CHAIR SHAFFER: Gotcha. Alright, that answers my question. I appreciate that. That's good, that you're the one that's been doing all of them. So, you're the one stop shop. So, thank you.

MS JONES: There's the list that Catalina brought up with a list of amendments.

CHAIR SHAFFER: Oh, perfect! That's wonderful. Thank you. And that was in that link that you sent Miss Lanner.

MS LEHNER: Mr. Chair, and Commissioners. Yes, that is included in the link. There, there's a pretty good list there. So that's all the things

CHAIR SHAFFER: That's really good that that stuff's trackable. So, thank you so much for sharing that. I'm sure that's helpful for other people as well. Commissioner Meadows.

COMMISSIONER MEADOWS: Yeah, good morning, Miss Jones. My questions are about I'm still a little bit unclear as to which text amendments apply to the employment centers overall, and which ones apply to just the track you mentioned, I think, was tract D-1. And also, can you show me on a map where that tract is located? Because in the staff report there's a star there, but it seems to be located much further south. So, I'm not, I'm not clear where this would actually apply. Thanks.

MS JONES: Yes, thank you, Mr. Chair, and Commissioner Meadows. I can definitely pull that up on a map, but I do believe that the applicant is here to speak about the request as well, and they can get more into details of the specific subject site. Let me get that pulled up on the map and see if I can explain a little bit better what the request is here. So, while I get this pulled up so text amendments are requested for the level A plan, that pertains to the employment center. What the applicant is requesting to do is add language to the level A, plan that would allow NRG. Land uses and building heights up to 110 feet on a case by case basis. So, in the future, if an applicant wants to come back for specific site, for energy 110-foot maximum building height. They still have to come back to the EPC, but they don't have to move on to City Council, is what my understanding is. And for the level B plan, amendments that's the case by case basis part. So, they're coming through to text A level, to amend the text of the level B plan, to allow up to 110-foot building heights and heavy and special manufacturing, which is NRG Zone district pursuant to use specific standards in the IDO, on only this 30-acre tract D-1A, in the employment center so overarching and it just like narrows down to this one site.

COMMISSIONER MEADOWS: So, if I could kind of restate what I heard, and let me know if this is correct. So, at the level A plan, this amendment allows the height standard to be applied anywhere in Employment Center and then at the level B plan, on a case by case basis. So, level B is the case by case basis. And it's applying to a specific parcel in this case is that right?

MS JONES: Correct, and if there's any discrepancies there, it's my understanding the applicant is here to speak after this if we want to get into more specifics on their request, but that's my understanding of their requests.

COMMISSIONER MEADOWS: Okay, that helps me, thank you!

CHAIR SHAFFER: Thank you!

MS JONES: You're welcome, and just for context here's Mesa Del Sol area, University Boulevard, it's up here this is I-25. So, you're driving up University, this is Crick crossing road, and the 30-acre site is here. This is existing development, and this is the remainder of that 30-acre site.

COMMISSIONER MEADOWS: Perfect. Thank you.

CHAIR SHAFFER: Got it. Thank you, Ms. Jones, appreciate it. Any other commissioners have any questions for Ms. Jones? Alright, we will move on to the applicant who is speaking for the applicants? Anyone from consensus planning on? Well, we need someone from...

MS REYNOLDS: I can see Mr. Strozier on. I know he's been having a little difficulty with the Wi-fi in the location that he's at, so I believe he's attempting to speak.

CHAIR SHAFFER: Okay.

MR STROZIER: Alright, yes, I'm here. But I apologize, Mr. Chairman, I'm in anchorage, Alaska. The power went out for all of downtown yesterday and came on about midnight last night, and the hotel is Wi-fi is not working, so I'm trying to do it for myself. And that was working great until about 8 o'clock this morning our time, and then everything got Wonky on me, but which, of course, is when I need to be speaking. But I have been able to track the conversation so far, and I'm happy to try and participate.

CHAIR SHAFFER: Go for it. Go! We don't want to lose you. So, name and address for the record, Sir

MR STROZIER: Jim Strozier. 302 Eighth Street, NW 87102, and I swear to tell the truth.

CHAIR SHAFFER: Thank you, sir, you may proceed

MR STROZIER: Alright. Thank you. I'll try and be quick as you heard Ron Reynolds with Kairos power is also on the call with me today, and I believe that David Mills, from the Neighborhood Association is on the call. I didn't see anyone on the participant list from Mesa del Sol, but wanted to put it in the record that we have kept the Mesa del Sol ownership group in apprised of this application, and they've been part of the coordination on this moving forward. So, they are participants. Thank you to Ms. Lehner for her presentation. Really appreciate the work and the coordination. I apologize for I think my dyslexia acting up with the D-1A, I added another one to the end of that in in my letter and commentary. And...

CHAIR SHAFFER: No. Well, we lost him. Oh, he's coming back. Maybe. He's back kind of don't hear you though, you're on mute.

MR STROZIER: Okay, alright, I'll try and be quick. So, in short, we agree with the findings and conditions for both of these cases, and understand that it's a recommendation on the level A. And I also appreciate the question and the commentary about tracking all these changes to the Mesa del Sol plan. And we are working with the planning staff to make sure that we have that all buttoned up and clear as the amendments get done and published. So, it's obvious to everyone what has happened with these amendments over time. So, I appreciate those comments. And just to also reiterate that this change is only to impact the Cairo's power property and it allows them for their additional phase of research and development, manufacturing and that, that is the purpose of this request. It is specific to that and it will

allow them to move forward with their operations. And I know Rhonda is on the call. If you want to hear more about Cairo's power, and what a cool company they are, and what they're doing out there. Mesa del Sol, I will state that this is a project that has been supported by the city's economic Development Group State economic development. It is one of those companies that has a lot of support, and creating some fantastic jobs and really trying to develop a new technology at the cutting edge of the future of energy. For I think I'll say it for the world. So, but with that I'd be happy to answer any questions, or allow Ms. Reynolds to speak if she has anything to add. Thank you.

CHAIR SHAFFER: Thank you. I saw Commissioner Meadows raise his hand. Do you want to ask Mr. Strozier anything before we go to Ms. Reynolds?

COMMISSIONER MEADOWS: Yes, Mr. Strozier or Ms. Reynolds, I'd like. I always like to know how many jobs we're creating, how many jobs Cairo is? Thank you. Were you able to hear my question? Can you hear me?

CHAIR SHAFFER: We got all sorts of stuff cutting in and out so. Everybody's cutting in. Everybody's cutting out. So, let's start over real quick. If Ms. Reynolds, if you're gonna talk, would you mind, would you mind stating your name and address for the record, please?

MS REYNOLDS: Of course, my name is Rhonda Reynolds, address is 1510, Roma Avenue, NE Albuquerque, 87106. And I am the construction projects manager for Cairo's power.

CHAIR SHAFFER: Would you mind raising your right hand for her? To tell truth, under penalty, perjury, please.

MS REYNOLDS: I do.

CHAIR SHAFFER: Thank you, you may proceed.

MS REYNOLDS: Thank you. Mr. Chair. So, the Cairo Southwest location currently has over a hundred staff here on site, we originally promised to the city that we would have a hiring of at least 65 people, and we've exceeded that, and we're still growing. And we're hoping that our new construction projects will facilitate even more new jobs. And if you're interested in hearing more at the company, in a brief statement, I have some notes here.

CHAIR SHAFFER: And real quick. Oh, yes, Ms. Lanner.

MS LEHNER: Mr. Chair, Commissioners. I think that that's fine, but we also do have a couple of more cases. One is a bit of a heavy lift on the South West Mesa CPA, so maybe we could just kind of focus more on the findings. That would be helpful. So, we can move forward.

CHAIR SHAFFER: Well, we're in the presentation part. So, Ms. Reynolds, if you had anything to add to the presentation portion, you're entitled to do that right now so.

MS REYNOLDS: Well, I'm happy to speed things up, but my statements are pretty brief. So, kind of to Commissioner Meadows questions. So, Cairo's powers emissions driven company, singularly focused on its effort to commercialize advanced reactor technology in time to play a significant role in the fight against climate change. Our company leverages rapid iterative development and vertical integration strategies to deliver a clean energy solution with robust safety and an affordable cost. So, the vertical integration strategies are part of what is the driving force for these changes. We are increasing our manufacturing ability to create the vessels necessary for our state-of-the-art non-nuclear testing and manufacturing and our southwest site is standing up in house capabilities to support the construction and testing of major hardware demonstrations to advance our technology development. We've already established capabilities to produce specialized parts from stainless steel and graphite. Here on Site also use stamped pressure vessels, non-nuclear graphite pebbles and other cost significant components to our system. Also, at KP southwest, we've commissioned the engineering test unit or ETU. Our first major non-nuclear hardware iteration. The objective of the ETU is to demonstrate the design and integration of principal systems, structures, and components to generate learnings that will be integrated into future iterations, including the Hermes Demonstration reactor, which will be built in Tennessee. Cairo's power continues to add new RD Infrastructure at KP Southwest, hat will play an important role in deploying the Hermes demonstration reactor and other future iterations on the path to commercializing our technology. The zoning change we're requesting would bring new opportunities to Mesa del Sol in the form of additional jobs and economic investment, further reinforcing the region's strategic importance to Cairo's Power's clean energy mission. Thank you.

CHAIR SHAFFER: Alrighty Commissioners. Any questions for the applicant. Commissioner Stetson.

COMMISSIONER STETSON: Yeah, good morning, Mr. Strozier, great job as always. I just have one question as kind of my standard in mesa Del Sol. So, in a notification process did we receive any concerns or comments from the sovereign nation of Isleta. Did we lose you?

CHAIR SHAFFER: Oh, he's back.

MR STROZIER: I apologize, Mr. Stetson. It cut out right when you said my question about Mesa del Sol is.

COMMISSIONER STETSON: Yeah, in the notification process we've already heard that there's no adverse opposition. But I'm wondering during that process maybe you could tell us a little bit about any conversations or concerns we might have heard from the sovereign nation of Isleta.

MR STROZIER: Thank you Commissioner Stetson, we have not, we did not hear any comments or concerns from the Pueblo of Isleta during this process. I know that they, I don't know if they're on the call, but they have been actively monitoring the activities that Mesa del Sol and I believe that the Mesa del Sol management team has been in conversations with the pueblo and continue to work on a memorandum of understanding between Mesa del Sol and the Pueblo, and that those talks are apparently moving forward and going well is what, I have not been directly involved in any of those. We did have a facilitated meeting with the neighbors and Cairo's power, I think, gave them a good thorough understanding of what they do on site. So, that's really all I have to say about the, can say about the coordination with the pueblo of Isleta, I know it's happening.

COMMISSIONER STETSON: Thank you very much. That's all very good.

CHAIR SHAFFER: Thank you. Any other commissioners have any questions for the applicant? Commissioner Eyster.

COMMISSIONER EYSTER: Thank you Chair. Mr. Strozier, good morning, I would just like to verify for the understanding the commission that the 110-foot maximum building height is strictly limited to the Cairo tract at this time, and that any others that can ever get that they will come before the EPC, as well.

MR STROZIER: That is correct, Commissioner Eyster, yes.

COMMISSIONER EYSTER: Thank you, Sir.

CHAIR SHAFFER: Alright. Any other questions. Alright, we'll move on to public comment. Mr. Salas.

MR SALAS: Chair, and Commissioners nobody signed up to speak? If anybody wishes to speak, please say so now.

CHAIR SHAFFER: Hmm. alright, nothing. So, we will head back to the applicant for a closing statement and then move on to the staff.

MR STROZIER: Thank you, Mr. Chairman. Just one, just one comment is sort of I thought about it after Commissioner Eyster comment. So, the way we structured this is hopefully that you know, every time we amend the level A plan, it has to go to City Council. With this amendment, these case by case projects. If they come up in the future they will go directly to a level B plan amendment, that is heard and decided by the Environmental Planning Commission, so hopefully moving forward. If other manufacturing or job creating applications need to avail themselves of this, they can be done with level B plan amendments directly to the EPC. So, hopefully that simplifies things moving forward. We, of course, don't are not aware of any future plans to do that. But I wanted to make that point and I appreciate staff working with us to help figure that process out moving forward. And once again we're really excited, I think this is a

fantastic company that's located in Mesa del Sol. They're trying to change the world. And they're doing it here, and at least a part of it here. And they're creating good jobs and really urge your support on this application. Thank you.

CHAIR SHAFFER: Sounds good. Thank you, sir. Commissioners anything? We'll head to the, head to staff closing. Ms. Jones.

MS LEHNER: Mr. Chair, Commissioners. I thought we saw somebody with their hand up. Let me check and see. Just wanna make sure that we didn't miss anybody. And Mr. Mills, did you have your hand up?

MR MILLS: I had it up, but then I took it down my question was answered.

MS LEHNER: Thank you all right.

CHAIR SHAFFER: Thank you. Ms. Jones, go ahead.

MS JONES: Thank you, Mr. Chair. Commissioners. I do have some additional findings and revisions to the findings that I'd like to bring up at this time. They clarify the request to be level A plan, and add in some additional findings regarding the amendments to the specific tract. If that's okay, I can share those now.

CHAIR SHAFFER: Okay, I wish we would have seen that on the presentation part.

MS JONES: I did mention it at the end I apologize if that was lost. They do not make any changes to the request, but it does clarify what we've talked about here today. This is just revised findings for the level A plan. Just some clean up to the request that explains that the amendments are for the employment center on a case by case basis, and that in this case they apply to the 30 acre site the previous set of findings that you saw on the posted staff report made it sound a little bit more like text amendments to level a plan. We're just for 30-acre site and that the height and lag uses would apply to the employment center. So, I just wanted to be sure that we reflected in the findings for the notice of decision, what the actual request is here.

CHAIR SHAFFER: And I heard you say that at the end, but what I thought you had said was, you had made those changes in there already, and that was part of what we saw. Not that we needed to review these. So, I apologize for missing that.

MS JONES: No worries. So, this what is in red here is what what's been changed. So, there's not any additional findings up here at the front. But as long as the Commissioners are in agreement with finding Number 3, and finding number 4. That's just a little bit of rewording and rearranging of these findings. Nothing has been removed, though.

CHAIR SHAFFER: Nothing gets renumbered. It's just the rewording of those.

MS JONES: Correct in the in these? one through. One through four.

CHAIR SHAFFER: Okay. So, Commissioners, any questions in regards to those amended findings.

COMMISSIONER HOLLINGER: Commissioner Hollinger.

CHAIR SHAFFER: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you Chair. Ms. Jones, is the modification to number 3, consistent with page 212, note number 4? It had a reference to the level B plan.

MS JONES: Page 212, let me go ahead and let me bring this over so everybody could see what he's referring to. Maximum height is allowed up to 110 feet on a case by case basis, with EPC approval. The level B plan a maximum height of 80-feet. I believe so...

COMMISSIONER HOLLINGER: So, I guess more specifically, I didn't see the level B language in your modification, and I was curious if that was consistent with what I had read on that page?

MS JONES: All of their buildings have maximum height is allowed up to 110 feet, on a case by case basis with the EPC approval for the level B plan. So, this sentence here all future requests are to be heard and decided by the EPC. In this case, texting amendment. I get what you're what your question is now. Any suggestions on rewording are appreciated, but I can add that...

COMMISSIONER HOLLINGER: As I see it, it just seems to be in reference to the level B, as long as that's the spirit or intent of what you're doing. If that was added then...

MS JONES: This set of findings is in regards to the level A plan, and we have a second set of findings for the level B plan that speaks specifically about the changes to specific the tract and allowing the use and the height on the specific tract. So, I can add here. In this case I can add associated amendment included to the level B plan. With this request does that help to clear it up?

COMMISSIONER HOLLINGER: That does for me.

CHAIR SHAFFER: Commissioners any other, everyone all good with those? Commissioner Eyster.

COMMISSIONER EYSTER: Thank you Chair. Ms. Jones, I think there's a location missing in the first sentence of finding 3 that proposed amendments would modify the allowable maximum building height for the, for the what? Okay, just get rid of the "for the".

MS JONES: Sorry about that, in the employment center on a case by case basis. Glad we have 30 eyes on this right now. Okay, so I'm gonna scroll down. Sorry. We have also added an additional finding number 18. The proposed text amendments that are applicable to track D-1A would be generally more advantageous to the community, because they are consistent with a preponderance of applicable goals and policies. We added this finding number 18 after discussion with our EPC Council, Matt Myers, because this amendment would allow changes to one parcel in this whole area, and we wanted to be sure to include the finding that states that the change to the one parcel is advantageous to the surrounding community, based on the analysis of the applicable goals and policies in the comprehensive plan similar to how we analyze like a zone change or something that is affecting only one site and larger site, even though this is text amendments. So, thanks again to Mr. Myers for pointing that out and making sure that we cover all of our bases here.

CHAIR SHAFFER: Thank you. Commissioners, so that one changes this the numbering. Yup. So now that becomes 18, jumped in in the middle there, and you have how many total findings?

MS JONES: Total findings for level A, are 23. And I did mention this in the presentation at the beginning that upon clarification from the applicant that the Neighborhood Association, went through their opposition, and I did speak with or touch base with the applicant and with the Neighborhood Association. Let them know that we would be adding this condition in to clarify that they no longer have opposition for this specific site. I see that Mr. Mills raised his hand. So maybe we want to address that if this is not correct.

CHAIR SHAFFER: Well, we closed the floor. But since we now had to make all these changes. I feel like we need to hear that what his comment is. So, I'll reopen the floor and, Mr. Mills, if you can make it brief that'd be wonderful.

MR MILLS: Sure this is David Mills, President, the MDS Neighborhood Association 2400 Cunningham Avenue, Albuquerque, and I swear to tell the truth, and I just wanted to point out that I put something in the chat that in the, when we originally wrote a letter to Mr. Strozier and Ms. Jones, there appeared to be an inconsistency in the wording, and if you look at the chat I've copied what that is. There was a mention of 110 feet, but then, in section 2.2.2 E a height of a 120 feet is mentioned. I don't know if that inconsistency was corrected or not, but if you look at the chat. It's in there, and I just wanted to point that out. I also wanted to say, I really appreciate to Mr. Strozier and Ms. Jones working with us to clarify the language to meet our needs. So, thank you very much.

CHAIR SHAFFER: Thank you, Mr. Mills. Ms. Jones, I see your hand up. Go ahead.

MS JONES: Thank you, Mr. Mills and Mr. Chair, I do believe that the applicant has corrected that mistake in their requested text amendments from 110 feet, to 120 feet. We've also added some conditions of approval, to clean up that document before it is made, before it is published. So, that wasn't a in the document, I believe. And I did speak with Mr. Strozier about that.

CHAIR SHAFFER: Okay, thank you. Alright. I'll re close the floor, and we've heard from the applicant. We've heard from Staff, so we have our revised set of findings. And additional finding that was added in. So, go ahead and leave those on the screen.

MS JONES: So those, I apologize Mr. Chair, and Commissioners. So those are the revised findings to the level A plan, and we. We don't have revised findings to the level B plan, but we did add in additional ones with the level B findings. They're the same exact wording for finding number 21, speaking about they're requesting more advantageous to the community. and the same finding about clarification from the Neighborhood Association to finding number 26. So, I will write up here the changes to the findings, so that you all can read those off.

CHAIR SHAFFER: Okay, commissioners any questions in regards to that? Commissioner Eyster.

COMMISSIONER EYSTER: Thank you Chair, on level B, we originally had 23 findings, and now we're up to 26. That's 3 new. So, there must have been a couple of others that were added. We revised finding 21. Was that a new one?

CHAIR SHAFFER: You just went past it. 21 was in red.

MS JONES: Sorry about that. I believe I was, I was muted. Did any other commissioners have any questions?

COMMISSIONER EYSTER: Yeah, yeah, we didn't get any answer on that one, Miss Jones. We started with 23 findings on the level B. Now we're at 26, but I don't know which ones were added.

MS JONES: I apologize about that I was muted Commissioner Eyster, we added finding Number 21, and we added, finding Number 26, so that bumped it up from it should have been 24 findings previously. So, I've tested the findings. I think 20, number 24 may have gotten again just the numbering in the staff report. I can pull that up just to clarify really quickly. But no additional findings were included other than the 2 highlighted in red text that you just saw.

COMMISSIONER EYSTER: Thank you.

MS JONES: You're welcome. So, and I can help you out by writing out the full set of findings and conditions that we have now.

CHAIR SHAFFER: Okay, anything else any further changes? So are we clear. So, we have 23 on level A right?

MS JONES: Yes. Here we go.

CHAIR SHAFFER: Yeah. Any questions from any commissioners on the revised findings that were that we just went over? So, we can make sure that we're all in agreement on those. Okay. So, hearing nothing, then we'll you know, the floor has been reclosed and that's... Yup. So, any deliberation needs to happen?

COMMISSIONER EYSTER: Thank you Chair, on both cases that we've discussed today they seem to need to be highly responsive to a request from a local business that could do a lot of good for energy, and climate, and certainly lots of good employment for Albuquerque. I like the idea that we can be responsive to a unique request for a unique requirement going from 80 feet to 110, and permitting the particular different set of uses, additional set of uses. And I'm also grateful to the applicant, the agent, the community of the Neighborhood Association, for finding a way to focus so sufficiently that the neighbors are comfortable. So, I'm highly in supportive, in support of the request both requests, Chair.

CHAIR SHAFFER: Okay, thank you, Commissioner Eyster.

COMMISSIONER HOLLINGER: Chair, if there's no further comment, I believe I'm prepared to make a motion. For clarification, since this is 2 parts. We need to do them individually. Correct?

CHAIR SHAFFER: Yes, sir.

COMMISSIONER HOLLINGER: Okay. Very well, alright. In the matter of agenda item number 5, project number PR-2023-008498, case SI-2023-01380 level A master plan, I move for a recommendation of approval to City Council. Relative to findings 1 - 23 as revised and read into the record in addition to conditions 1 - 5.

CHAIR SHAFFER: Thank you. We have a motion do we have a second?

COMMISSIONER EYSTER: Eyster second. And I nominate Commissioner Hollinger for an award for that motion.

CHAIR SHAFFER: We'll go to roll, call vote Commissioner Stetson.

COMMISSIONER STETSON: Commissioner Stetson, I.

CHAIR SHAFFER: Commissioner Meadows.

COMMISSIONER MEADOWS: Commissioner Meadows, I.

CHAIR SHAFFER: Commissioner MacEachen,

COMMISSIONER MACEACHEN: Commissioner MacEachen, I.

CHAIR SHAFFER: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Commissioner Hollinger, I.

CHAIR SHAFFER: Commissioner Eyster.

COMMISSIONER EYSTER: Commissioner Eyster, I.

CHAIR SHAFFER: I think we lost everybody else. Okay, Commissioner, we can't tell, because you're never on camera, so we can't see if you're there or not. Commissioner Pfeiffer had to leave, so Commissioner Schaefer's and I.

CHAIR SHAFFER: So, we have a 7 0 vote for approval. And Commissioner Hollinger, if you want to move on to the next one.

COMMISSIONER HOLLINGER: Certainly Chair, in the matter of agenda. Item number 5, project number PR-2023-008498, case SI-2023-01500 level B master plan and move for recommendation of Approval to City Council relative to findings 1 - 26 is read into the record as well as conditions, 1 - 5.

COMMISSIONER EYSTER: Thank you, we have a motion, do we have a second? But we need to change that little bit chair. We're not moving recommendation of approval, we need to move approval. Yep.

COMMISSIONER HOLLINGER: My apologies, can that be revised without being entirely restated? Instead of a recommendation of approval to City Council. I just move in favor of approval.

COMMISSIONER EYSTER: Eyster second.

CHAIR SHAFFER: Commissioner Eyster is a second. We'll do a roll call vote Commissioner Stetson.

COMMISSIONER STETSON: Stetson, I.

CHAIR SHAFFER: Commissioner Meadows

COMMISSIONER MEADOWS: Meadows, I

CHAIR SHAFFER: Commissioner MacEachen.

COMMISSIONER MACEACHEN: MacEachen, I.

CHAIR SHAFFER: Commissioner Hollinger

COMMISSIONER HOLLINGER: Hollander. I.

CHAIR SHAFFER: Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, I

CHAIR SHAFFER: Commissioner Coppola.

COMMISSIONER COPPOLA: Commissioner Coppola, I.

CHAIR SHAFFER: Thank you. Commissioner Schafer's an I. So, it passes 7- 0 as well.



ENVIRONMENTAL PLANNING COMMISSION AGENDA

Thursday, September 21, 2023
8:40 a.m.

Due to COVID-19 this meeting is a Public Zoom Video Conference

Members of the public may attend via the web at this address: <https://cabq.zoom.us/j/2269592859> or by calling the following number: 1 301 715 8592 and entering Meeting ID: 226 959 2859

MEMBERS

David Shaffer, Chair
Tim MacEachen, Vice Chair

Giovanni Coppola
Joseph Cruz
Gary L. Eyster P.E. (Ret.)
Jonathan R. Hollinger

Richard Meadows
Mrs. Jana Lynne Pfeiffer
Robert Stetson

NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking pursuant to Article 3, Section 2D, of the EPC Rules of Practice & Procedure.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing. Cross-examination of speakers is possible per EPC Rules of Conduct.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

Call to Order:

- A. Pledge of Allegiance
- B. Roll Call of Planning Commissioners
- C. Zoom Overview
- D. Announcement of Changes and/or Additions to the Agenda
- E. Approval of Amended Agenda
- F. Swearing in of City Staff

**1. Project # PR-2023-009105
RZ-2023-00028 - Zoning Map Amendment
(Zone Change)
SI-2023-01402 - Site Plan – EPC,
Major Amendment
SI-2023-01377 - Site Plan- EPC**

Deferral requested by applicant

Tierra West LLC, agent for A Management Corporation, requests a zoning map amendment from MX-T to MX-L for a portion of Lots 2-A and 2-B; a Site Plan-EPC Major Amendment and a Site Plan-EPC for all or a portion of Lots 2-A, 2-B, 2-C and 2-D, (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1, 2, 3, 4 5 and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossing Phase II, located east of Coors Blvd. at the intersection of Coors Blvd. NW and 7 Bar Loop Rd. NW, zoned MX-T, MX-L, and NR-PO-B, containing approximately 10 acres.

(B-14-Z) Staff Planner: Megan Jones

**2. Project # PR-2023-009701
RZ-2023-00027– Zoning Map Amendment
(Zone Change)**

Deferral requested by applicant

Consensus Planning, Inc., agent for Plus Power LLC, requests a zoning map amendment from NR-C to NR-BP, for all or a portion of Tract 7, Ladera Business Park, located at 7301 La Morada Pl. NW, between Vista Oriente St. NW, and East Cul-de-Sac NW, north of the Mirehaven Diversion Channel, approximately 4.5 acres. (H-10)

Staff Planner: Seth Tinkle

**3. Project # PR-2020-003911
RZ-2023-00022– Zoning Map Amendment
(Zone Change)**

Consensus Planning, agent for Jose Alfredo and Ailda Martinez, requests a zoning map amendment from NR-C to MX-M, for all or a portion of Tract "B" Block 5 Land Division Plat, Los Altos Subdivision (Lot 14 & Port Lot 13 & Port Commercial Tract Block 5), located at 1021 Old Coors Dr. SW, between Bridge Blvd. SW and Rio Vista Dr. SW, approximately 0.7 acre (L-11)

Staff Planner: Robert Messenger, AICP

**4. Project # PR-2023-009067
RZ-2023-00025– Zoning Map Amendment
(Zone Change)**

ABQ Land Use Consulting LLC, c/o Carl Garcia, agent for Rosalie and Andrew S. Green, requests a zoning map amendment from R-A to R-MC, for all or a portion of Tract 11, Alvarado Gardens Unit 2, located at 2726 Campbell Rd. NW, between Calle Tranquillo NW and Trellis Dr. NW, west of Rio Grande Blvd., approximately 2.5 acres (G-12)

Staff Planner: Lorena Patten-Quintana

**5. Project # PR-2023-008498
SI-2023-01380- Site Plan- EPC
Major Amendment
SI-2023-01513- Site Plan- EPC**

Consensus Planning, agent for MDS Investments LLC, requests a Text Amendment to the Level A Framework Plan and the Level B Framework Plan for Mesa del Sol to increase allowable height and allow manufacturing uses in two areas of the Employment Center, for all or a portion of a certain tract of land being a portion of Sections 13, 14, 15, 20, 21, all of Sections 22, 23, 24, 25, 26, 27, 28, a portion of Sections 29, 32, all of Sections 33, 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North; a certain tract of land situated between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North; a certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North; A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico located generally south of Los Picaros Rd., north of the Pueblo of Isleta, mostly east of Interstate 25, and west of Kirtland AFB, approximately 13,000 acres. (S-16 & S-17)

Staff Planner: Megan Jones

**6. Project # PR-2023-009108
RZ-2023-00031– Zoning Map Amendment
(Zone Change)**

City of Albuquerque Parks & Recreation Department c/o Cheryl Somerfelt, requests a zoning map amendment from R1-D to NR-PO-A, for all or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat, located on Rincon Rd. NW, west of 53rd St. NW and south of Pat Hurley Park, approximately 1.6 acres (J-11-Z)

Staff Planner: Catherine Heyne

**7. Project # PR-2023-009110
SI-2023-01384- Community Planning Area
Assessment Report - Southwest Mesa**

Rebecca Bolen, City of Albuquerque Planning Department, Urban Design & Development Division (UDD), presents the Community Planning Area (CPA) Assessment Report for the Southwest Mesa CPA, an area generally between the following boundaries: I-40 to the north, Dennis Chavez Blvd. to the south, City municipal limits to the west, and Coors Blvd. to the east., to the EPC for review and comment pursuant to IDO 14-16-6-3(E)(7). Staff Planner: Catalina Lehner, AICP

8. OTHER MATTERS

Approval of the August 17, 2023 Action Summary Minutes

9. ADJOURNMENT