

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