



**Environmental
Planning
Commission**

**Agenda Number: 4
Project Number: 1004075
Case #: 12EPC-40048
September 13, 2012**

Staff Report

Agent	Dekker/Perich/Sabatini (DPS)
Applicant	Mesa del Sol, LLC
Request	Text Amendments to the Mesa del Sol Level B Community Master Plan
Legal Description	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.
Location	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.

Staff Recommendation

APPROVAL of 12EPC-40048, based on the Findings beginning on Page 14, and subject to the Conditions of Approval beginning on Page 16.

Staff Planner
Catalina Lehner, AICP-Senior Planner

Size	Approximately 3,100 acres
Zoning	PC (Planned Community) No change proposed

Summary of Analysis

This request is for text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”). Proposed are revisions to: boundaries, acreages in two land use categories, the single-family residential category, a residential design standard, the setback along University Blvd. and phasing re-labeling.

The Level B Plan area is mostly vacant but is gradually developing with office, manufacturing and residential uses.

The Mesa del Sol Level A Community Master Plan (“the Level A Plan”) applies. Overall, the request generally furthers applicable Goals and policies.

There are no affected neighborhood organizations and no known opposition as of this writing. Staff recommends approval subject to minor conditions.



I. AREA CHARACTERISTICS

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	PC (Planned Community)	Reserve Area Planned Communities Criteria Mesa del Sol Level A Community Master Plan Mesa del Sol Employment Center, Phase 1 Plan	Residential, Office, Manufacturing, Escarpment, Vacant
North	SU-1 for Urban Regional Park, PC (Planned Community)	Reserve Area Planned Communities Criteria Mesa del Sol Level A Community Master Plan	County Recreational Complex, Valle del Sol, Escarpment, then Montessa Park
South	PC (Planned Community)	Reserve Area Planned Communities Criteria Mesa del Sol Level A Community Master Plan	Escarpment, Vacant
East	PC (Planned Community)	Reserve Area Planned Communities Criteria Mesa del Sol Level A Community Master Plan	Vacant, La Semilla (Level A Plan Reserve Area)
West	PC (Planned Community)	Reserve Area Planned Communities Criteria Southwest Area Plan	Manufacturing, Heavy Commercial, Vacant

II. INTRODUCTION

Request

This request is for various text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”). Proposed are revisions to the boundaries of the Level B Plan area, acreages planned for two land use categories, single-family residential lot categories, single-family residential lot setbacks, setback along University Boulevard and removing specific years from the phasing plan. Corresponding text amendments and map changes in the body of the document are also proposed, along with a few minor labeling and stylistic changes. The amendments are requested to provide additional flexibility for development in the Level B Plan area.

⇒ See Section V of this report for a summary table and further explanation.

Unlike the recently proposed changes to the Westland Plans (Project #1000570, July 2012), the request does not constitute a sector development plan map amendment (zone change). No changes to the zoning descriptor, Planned Community (PC), are proposed. Also, the Level B Plan does not include land use in its zoning descriptors the way the Westland Plans do (ex. SU-2/ R-LT, Residential 5.5DU/ac average); no changes to land uses are proposed. Therefore, the request is not required to be justified pursuant to R270-1980.

Context

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.

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”). 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. The western boarder is the same as in the Level B Plan. The eastern border is the eastern side of 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 Kirtland Air Force Base (KAFB).

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

Environmental Planning Commission (EPC) Role

The EPC is the final approval body for this request, unless the EPC decision is appealed. The Level B Plan establishes an approval process in Chapter 7 (p. 104-106) in which the EPC is the final approval body for the Level B Plan itself. Because a boundary change greater than 10 acres in size is included, this request is required to go to the EPC (see p. 104, 7.1.c).

This request is quasi-judicial. Though most proposed changes are non-substantive (ex. labeling, category allocations), two changes to mandatory setback requirements are proposed, thus making this a quasi-judicial matter.

III. HISTORY

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. The Comprehensive Plan designates Mesa del Sol as a Reserve area.

Annexation & Interim Master Plan

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).

Level A Community Master Plan- the “Level A Plan”

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. 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 land that Forest City Covington (FCC) holds in fee, 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 three 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.

Other Cases

In May 2005, the EPC heard a two-part request for a zone map amendment and a site development plan for subdivision (IP Master Plan) 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 requests preceded the Level A Plan in order to “jump start” the employment area of Mesa del Sol.

In May 2006, the EPC heard two Mesa del Sol cases. The EPC recommended approval to Council 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).

The EPC 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); a movie studio (Project #104818/06EPC-00466), located in the Community Center, in May 2006 (Project #1004818); 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).

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”. 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).

IV. ALBUQUERQUE COMPREHENSIVE ZONING CODE

Definitions (§14-16-1-5)

Lot Area: The area of a lot exclusive of easements for a private way or thoroughfare.

Setback: The shortest distance between a structure and a lot line or future street line.

Zoning

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 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.

V. PROPOSED TEXT AMENDMENTS- SCOPE & ANALYSIS

A) Summary. The request proposes the following changes to the Level B Plan:

	Type of Change	Description
Acreage & sf	Plan Area (p.i)	Existing: 3,082 acres. Proposed: 3,151 acres. (+69 acres)
	Employment Center Land Use District (p.2)	Existing: 533 acres. Proposed: 626 acres. (+93 acres) Existing: 4,300,000 sf. Proposed: 5,050,350 sf. (+750,350 sf)
	Highway Commercial Land Use District (p.2)	Existing: 435 acres. Proposed: 411 acres. (-24 acres) Existing: 4,000,000 sf. Proposed: 3,775,000 sf. (-225,000 sf)
Maps	Corresponding Changes to Maps (p.3, 15, 37, 41, 47, 48, 57, 59, 71, 72, 73, 7481, 85, 87, 91, 92, 95, 109)	Revise maps throughout the document to reflect proposed acreage changes.
Development Standards	Employment Center Land Use District (p.18)	Max commercial sf: Existing: 4,300,000. Proposed: 5,050,350. (+750,350)
	Highway Commercial Land Use District (p.18)	Max development sf: Existing: 4,000,000. Proposed: 3,775,000. (-225,000)
	Residential Village (p.25)	3. House or Townhouse: 2 covered spaces per unit. [+ARC ¹ can make allowance for one covered space per unit.+]
Design Stands.	Housing Design Standards- Setbacks, (p.27)	3.i. Minimum 0 ft. [(exception 10 ft. for single family large lot)].
Table 2-1: Site Dev. Standards	Single-Family Large Lot (p.31)	Remove category: [Single Family Large Lot > 6,000 sf] and delete setbacks- front, side street, side and rear.
	Single-Family Standard Lot (p.31)	Front setback: 15 [+20+] feet max.
	Setback- University Blvd. (p.31)	8. Front yard setback along University: 13 ² [+10'+] min. ²
Phasing	Overall Phasing Plan & Map (p. 40-42)	Remove dates associated with development phases. Ex. 2006-2010 Phase I Development, and relabel text.
Minor	Labeling Chapters	Add [+Revised September 2012+]
	Identifying Pages	New Footer: [+Mesa del Sol Level B Plan: Revised September 2012+]

1 ARC stands for Architectural Review Committee, which is internal to Mesa del Sol. There is an ARC for the Employment Center and for the Residential Villages.

2 This was changed from 13' to 11' via a 2/1/2012 memo from the former Planning director.

B) Discussion

Acreage and Square Footage (sf)

The proposed acreage changes are found in Table 1-1 (p. 2). The Level B Plan area, 3,082 acres, would change with the proposed amendments. The new figure is 3,151 acres, for an increase of 69 acres to the Plan area.

An approx. 24 acre parcel in the far, SW corner of the Level B Plan area was sold to Isleta Pueblo. It is proposed to be removed from the Plan area and would reduce acreage in the Highway Commercial Land Use District from 435 acres to 411 acres (-24 acres). An approx. 93 acre parcel, the Schott Solar site, is proposed to be added to the Employment Center district. The Employment Center currently contains 533 acres. 626 acres would be the new total (+93 acres).

Another proposed change shown on Table 1-1 is to maximum commercial square footage. The Employment Center has 4,300,000 sf currently listed. The revised total would be 5,050,350 sf, for an increase of 750,350. For the Highway Commercial district, 4,000,000 sf are listed and 3,775,000 are proposed, for a reduction of 225,000 sf. The totals on Table 1-1 need to be updated.

Staff finds that the proposed acreage and square footage changes would not adversely affect the Level B Plan overall. The addition of 69 acres to the Plan area, an increase of approx. 2%, would not change the character or purpose envisioned for the Highway Commercial or Employment Center land use districts. The Level B Technical Appendices are part of the Level B Plan; they contain several maps of the Plan area that will need to be updated to incorporate the proposed boundary changes.

Single-Family Residential Lots

The request proposes to delete the lot type for “Single-Family Large Lot, > 6,000 sf” and the associated setbacks (front, side street, side and rear) for this lot type. There would be one single-family lot type, “Single-Family Standard Lot”, for all single-family lots regardless of size. The distinction between “greater than 6,000 sf” and “6,000 sf and less” would be removed, and the front setback for the Single-Family Standard Lot would become 20 feet (previously associated with the large lot category) instead of 15 feet.

Staff was concerned that eliminating a single-family lot type could result in limited, future development options and a less diverse housing stock, contrary to the vision of the Level B Plan “to accommodate a diverse range of residential types” (p. 24). However, consolidating the categories as proposed would not prohibit single-family lots larger than the standard 5,000 sf. Though unlikely that lots greater than 6,000 sf will be a mainstay of residential development in the Level B Plan area, it is important to not preclude the opportunity to respond to market conditions if a larger lot size is desired in the future.

Covered Spaces for Residential Units

A change is proposed to the Development Standards for the Residential Village (p. 25, Table 2-1 on p. 31). Houses or town houses are allowed 2 covered spaces per unit. This usually means a garage, but is not limited and could also be a carport.

The request would add a sentence stating that Mesa del Sol's internal Architectural Review Committee (ARC) "can make allowance for one covered space per unit".

All residential building types, except for "Multifamily/Townhouse-1 BDRM", are allowed 2 covered parking spaces (see Table 2-1, p. 31). Usually this refers to garages. The intent is to allow the residential ARC to allow residential designs that provide 1 covered space per unit instead of 2. However, the language as written is vague.

In Mesa del Sol, the two covered spaces would continue to be allowed unless amended out of Table 2-1, which is not proposed. To achieve the applicant's intent, Staff suggests clarifying the language by stating that the ARC can allow one covered space per unit as a minimum, but that two spaces would not be prohibited.

Staff points out that this amendment would result in 1 car garages, as found in most of the NE heights. Many of these smaller homes have carports added later. An unintended consequence could be a proliferation of carports, which were not envisioned in the Level B Plan housing typologies (p. 25-26).

University Boulevard Setback, Setback Clarification

Another change is proposed to Table 2-1 (p. 31). Note #8, regarding the front yard setback along University Blvd., would change from 13 feet minimum to 10 feet minimum. Note that a letter from the former Planning Director, dated February 2, 2012 had already lessened the minimum setback along University Blvd. to 11 feet (see attachment).

The reason for lessening the minimum setback along University Blvd. is to provide additional flexibility for development, though the setback was has already been lessened from 13 feet to 11 feet.

University Blvd. is the major thoroughfare through all of Mesa del Sol. The Plans envision major traffic, transit and pedestrian activity on and along University Blvd.; a minimal setback may contribute to unpleasant and/or unsafe conditions for pedestrians and transit users. However, since the setback is measured from the edge of the public right-of-way (ROW), the roadway sections in the Level B Technical appendix do not need to be updated.

Table 2-1: Site Development Standards (p. 31), is used as a "one-stop" view of requirements. Greater clarity regarding setbacks would make the table more useful for Staff and applicants. Staff suggests adding a note (or notes) to state from where setbacks are measured. The note could be referenced on column 3 Setbacks (feet). The setback along University Blvd. is measured from the edge of the right-of-way.

Phasing Changes

The proposed text amendments include a re-labeling of development phases as shown on the map "Overall Phasing Plan" (p. 41). The four Phases are associated with specific years: "2006-2010 Phase I", "2011-2015 Phase II", "2016-2020 Phase III" and "2021-2025 Phase IV". The proposed amendment would remove the years as specified.

The acreages associated with each Phase aren't proposed to change except for the boundary changes mentioned herein. It's difficult to tell which Phase is where because the map is not legible in black and white, though it should be for future printing.

Minor and/or Clean-Up

Staff suggests leaving the reference to "As approved by the DRB February 2008" (the original approval) and adding "Revised September 2012" (not August) in on the document cover and the chapter dividers. There may be additional, future revisions. Version 2 of the document incorporates this suggestion.

Staff recommends minor changes to improve clarity in the document. In addition, a revision note should be added to the Technical Appendices since several maps will need to be updated.

VI. ANALYSIS -APPLICABLE PLANS, POLICIES & ORDINANCES

Policy Citations are in Regular Text; *Staff Analysis is in Bold Italics*

A) 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 B Community Master Plan is an exercise in local self-government and falls within the City's powers.

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, insure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To effect 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 to modify the Plan area's boundaries and clarify requirements pertaining to single-family residential uses would generally help to ensure the proper use and development of land in the Level B Plan area. The request is generally consistent with the City Charter.

B) Albuquerque/Bernalillo County Comprehensive Plan (Rank I)

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated as a Reserve Area. The **Reserve Area Goal** is “to allow opportunity for future development of high quality, mixed-use, largely self sufficient planned communities, bounded by permanent open-space, in appropriate outlying areas, and to protect the non-urban development areas as Rural unless such planned communities are developed.” Applicable policies include:

Land Use-

Reserve Area Goal: to allow opportunity for future development of high quality, mixed-use, largely self sufficient planned communities, bounded by permanent open-space, in appropriate outlying areas, and to protect the non-urban development areas as Rural unless such planned communities are developed.

Reserve Area Policy II.B.2.c: Development within Reserve Areas shall take place either in accordance with an approved planned community master plan (up to three dwelling units per acre), or in accordance with the standards applicable to Rural Areas.

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 for single-family residential uses. The Reserve Area Goal is generally furthered because the proposed text amendments would help foster opportunities for future development and would not adversely affect the quality or mixed-use nature already established in the larger Plan area. Future development would take place in accordance with the approved Level B Plan; the request would not significantly affect the Plan’s core concepts. The request furthers Policy II.B.2.c.

Environmental Protection & Heritage Conservation-

Community Identity & Urban Design Goal: to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

The Development Standards in the Level B Plan are the mechanism to implement Level B (and Level A) Plan concepts that make Mesa del Sol identifiable as a distinct community and collection of neighborhoods. The proposed text amendments would generally help enhance the built characteristics of neighborhoods in the Level B Plan. The Community Identity & Urban Design Goal is generally furthered.

Community Resource Management-

Housing Goal: to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

The proposed text amendment to remove the distinction between single-family lot types, larger and smaller than 6,000 sf, could help promote development of smaller single-family lots and thereby help increase the supply of affordable housing in a general sense. Smaller lots are

usually more affordable, though affordability depends on several factors. Allowing internal approval of covered carports may result in deviations from the high-quality design types originally envisioned. The Housing Goal is partially furthered.

Economic Development Goal: to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.”

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. Therefore, the Goal is generally furthered.

C) Planned Communities Criteria: Policy Element (for Comprehensive Plan Reserve Areas)

The *Planned Communities Criteria (PCC): Policy Element* was adopted in 1990 (Enactment 151-1990) and revised in 1991. This document provides guidance for preparation of planned community (PC) master plans, and a framework for City and County review, applicable to the Rural Areas and Reserve Areas as designated by the Comprehensive Plan. Mesa del Sol is classified as a Reserve Area in the Comprehensive Plan. The areas listed in the PCC document include the West Mesa Reserve Area, the East Mountain Rural Area, and the Rio Puerco Valley.

The PCC criteria were created to act as a framework for large-scale developments and to take into account overarching issues such as housing, transit and financial analyses, rather than focus on planning at the individual project level (p.3). A key concept is that a planned community be of “no net expense” to the City, which is why Development Agreements (see History section) have been so important in the development of Mesa del Sol.

Due to the long-term nature of planned communities, criteria were developed to allow flexibility and development 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. Of the PCC for a Level B Plan, one is relevant to the subject request, as follows (p. 38):

A. Land Use

1. Identification of land uses by parcel, acreage and type- including residential and retail/commercial and other non-residential space.

The proposed text amendments would result in relatively small acreage changes in the Employment Center and Highway Commercial land use categories. The parcels removed and added to the Plan boundaries would be identified by acreage and type. The request would not create inconsistencies with the PCC as addressed through the Level B Plan planning effort.

D) 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 will play key roles in future development.

Policy guidance for the Level A Plan comes from the Reserve Area Goal and Policies in the Comprehensive Plan and the Planned Communities Criteria (PCC). The Level A Plan is the highest ranked development plan for Mesa del Sol and, as such, guided the Level B Plan and current and future Level C Plans.

Level A Community Building Principles

The Level A Plan has five principles of community building: economic development, district and neighborhood structure, ecological sustainability and restoration, diversity and balance, and human scale. These principles support the overarching, community building goal reflected in the PCC 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 B Plan relate to the applicable, Level A 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 would generally further the economic development principle. The proposed boundary change is a response to economic conditions. Having additional acreage available in the Employment Center may help accommodate future economic development efforts.

1.2.2 District and Neighborhood Structure (p. 10)

“Such a large scale [Mesa Del Sol at 13,000 acres] can defy comprehension unless 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 generally further the district and neighborhood structure principle. The proposed boundary changes to the Highway Commercial district and the Employment Center district, approx. 24 and 93 acres respectively, would not adversely affect the established hierarchy of districts. The larger framework would be maintained and the districts would still have an identifiable edge.

1.2.4 Diversity and Balance (p. 11)

“Making places where it is pleasant, safe, and convenient to walk requires diversity and a balance of uses...a hierarchy of mixed-use centers will ensure diversity and balance of land uses. A mixed-use

Urban Center adjacent to the proposed Mesa Del Sol I-25 interchange will have the highest intensity of development, and a Community Center on the mesa top will form the linchpin between the Employment District, residential uses, and land to be retained by the University of New Mexico and reserved for future campus use... At the regional scale, Mesa del Sol includes a major Employment Center that will accommodate high-quality jobs, helping to improve the balance of jobs and housing....”

The request would partially further the diversity and balance principle. The setback reduction along University Blvd., the major thoroughfare in the Level B Plan area, may help promote higher-density development in a core area of the Plan- though higher-density development has already been planned for. Unpleasant and unsafe conditions for pedestrians and transit users could be an unintended result of the proposed setback reduction.

VII. COMMENTS

Concerns of Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this application from 7/30/2012 to 8/10/2012. Few comments were received. Zoning Staff and Long-Range planning Staff note that the original application did not include a strike-out version, so it was not possible to determine the difference between what exists currently and what is proposed. Since then, a version (v. 2) with only the changed pages, showing both the revisions and the existing text or map, has been provided.

Albuquerque Public Schools (APS) commented that the proposed text amendments would not adversely impact the APS district. The applicant attended the pre-hearing discussion meeting on August 15, 2012. Agency comments begin on p. 18.

Neighborhood Concerns

There are no affected neighborhood associations (NAs), Homeowners Associations (HOAs) or Coalitions, as stated by the Office of Neighborhood Coordination (ONC) (see attachment). A facilitated meeting was not recommended or held. There is no known neighborhood or other opposition as of this writing.

VIII. CONCLUSION

This request is for various text amendments to the Mesa del Sol Level B Community Master Plan (the “Level B Plan”): revisions to the Plan boundaries, acreages in two land use categories, single-family residential lot categories and setbacks, setback along University Boulevard and removing specific years from the phasing plan. Corresponding text amendments, map changes in the document 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. The EPC is the final approval body for the request.

The Level B Plan area (the “subject site”) encompasses approximately 3,100 acres contained within the larger Level A Plan area. The proposed boundary changes would make the area approximately 3,200

acres. Mesa del Sol is a Reserve area designated by the Comprehensive Plan. The Level A Plan and the Planned Communities Criteria (PCC) also apply.

The request does not constitute a sector development plan map amendment (zone change) and is not required to be justified pursuant to R270-1980. No changes to the zoning descriptor, Planned Community (PC) or any land use entitlements are proposed.

No neighborhood organizations are affected. There is no known neighborhood or other opposition as of this writing. Staff recommends approval subject to minor conditions needed to improve clarity and internal consistency.

FINDINGS -12EPC-40048, September 13, 2012-Text Amendments to the Mesa del Sol Level B Community Master Plan

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.
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).

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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 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.

RECOMMENDATION - 12EPC-40048, September 13, 2012-Text Amendments to the Mesa del Sol Level B Community Master Plan

APPROVAL of 12EPC-40048, Text Amendments to the Mesa del Sol Level B Community Master Plan, for the Level B Plan area, approximately 3,100 acres, known as 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, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL- 12EPC-40048, September 13, 2012, Text Amendments to the Mesa del Sol Level B Community Master Plan

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:
 - 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.
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.

***Catalina Lehner, AICP
Senior Planner***

Notice of Decision cc list:

Dekker/Perich/Sabatini (DPS), Attn: Will Gleason, 7601 Jefferson NE, Suite 100, Albuquerque, NM 87109

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

A copy of the existing regulations and the proposed text amendment to the Mesa Del Sol Master Plan need to be included in order to review the amendment.

Office of Neighborhood Coordination (ONC)

No NAs, HOAs or Coalitions to notify.

Long Range Planning

Not all of the changes are red-lined, so it is difficult to tell what the original numbers or information were. The changes to the housing standards seem to be in line with the intent of the master plan and may facilitate a more traditional neighborhood development.

Metropolitan Redevelopment Agency

The subject development site is not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have no comments on this application.

CITY ENGINEER

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comment.

Hydrology Development (City Engineer/Planning Department):

- Hydrology has no adverse comments.

Transportation Planning (Department of Municipal Development):

- No comments received.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval of the proposed Amendment to the Level B Plan shall include: None.

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

POLICE DEPARTMENT/Planning

This project is in the Southeast Area Command. No Crime Prevention or CPTED comments concerning the proposed Amendment Sector Development, Area, Facility or Comprehensive Plan request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved as long as they comply with SWMD ordinance.

FIRE DEPARTMENT/Planning

All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.

TRANSIT DEPARTMENT

Project # 1004075 12EPC-40048 AMEND SECTOR DEVELOPMENT AREA, FAC, OR COMP.	Adjacent and nearby routes	None.
	Adjacent bus stops	None.
	Site plan requirements	None.
	Large site TDM suggestions	None.
	Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Project #1009290 12EPC-40030 SITE DEVELOPMENT-BUILDG PRMT	Section 4, T9N, R2E, Town of Atrisco Grant, Tract E-5-A-1, is located on Snow Vista/98 th St between Deana/86 th St and Gibson. The Public Service Company of New Mexico (PNM) requests approval of a Site Development Plan for a Building Permit to allow for the construction of a new electric substation, the Southwest Mesa Substation. This will have no adverse impacts to the APS district.
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Mesa del Sol, Tract B, Tract 8, is located east of Broadway and south of Los Picaros Rd south and east of the regional park and amphitheater to the west boundary approximately two miles north of the northern boundary of Isleta Pueblo. The owners of the above property requests approval of an Amendment to the Sector Development Plan to reflect changes in land ownership and modifications to single family home setback requirements. APS does not oppose this request. However any residential development in this area will impact, Lowell Elementary School, Jefferson Middle School, and Albuquerque High School. Lowell Elementary School and Albuquerque High School have excess capacity, Jefferson Middle School is exceeding capacity.

Loc No	School	2011-12 40th Day	2011-12 Capacity	Space Available
300	Lowell ES	421	436	15
425	Jefferson MS	854	830	-24
590	Albuquerque HS	1602	1794	192

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other

- Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO staff has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

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.