

**PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION**
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OFFICIAL NOTICE OF DECISION

May 15, 2025

Greater Albuquerque Habitat for
Humanity
c/o: Michael William Bidal
4900 Menaul Blvd. NE
Albuquerque, NM 87110

Plan# AX-2025-00002 & ZMA-2025-00005
Annexation of Land (County to City) and Zoning Map
Amendment

LEGAL DESCRIPTION:

JAG Planning, agent for Greater Albuquerque Habitat for Humanity, requests an Annexation of Land from the County of Bernalillo to the City of Albuquerque and and Zoning Map Amendment to R-1(A) to establish City zoning, for all or a portion of the northernly and Southernly portion of Tract 464 Unit 7 Atrisco Grant, at the northeast corner of 82nd St. SW and Sage Rd. SW between Sage Rd and San Ignacio Rd, approximately 5 acres. (L-10)
Staff Planners: William Steele and Jude Miller

On May 15, 2025, the Environmental Planning Commission (EPC) voted to APPROVE Plan# AX-2025-00002 and ZMA-2025-00005, an Annexation of Land (County to City) and Zoning Map Amendment, based on the following Findings.

FINDINGS – AX-2025-00002 Annexation of Land (County to City)

1. This is a request for an Annexation of Land from the County of Bernalillo to the City of Albuquerque and Zoning Map Amendment to R-1(A) to establish City zoning (ZMA-2025-00005), for all or a portion of the northernly and Southernly portion of Tract 464 Unit 7 Atrisco Grant, at the northeast corner of 82nd St. SW and Sage Rd. SW between Sage Rd and San Ignacio Rd, approximately 5 acres (the “Subject Site”).
2. The EPC is hearing this case because the request is for annexation of land from the County to the City pursuant to IDO §14-16-6-7(F). The EPC serves as a recommending body to City Council, which will make the final decision regarding both requests. The requests are quasi-judicial matters.
3. The zoning map amendment is required to be submitted simultaneously with the annexation to establish City Zoning. This was reviewed as a two-part request by City Staff. See Findings for the application for establishment of zoning following the Findings for the annexation.
4. The subject site is currently an unincorporated County enclave surrounded by property on all sides within City of Albuquerque jurisdiction. The subject site has an A-1 Bernalillo County Zone

designation. The purpose of the A-1 Rural Agricultural Zone is to preserve the scenic and recreational values in the National Forests and similar adjoining land, to safeguard the future water supply, to provide open and spacious development in areas remote from available public services, and to recognize the desirability of carrying on compatible agricultural operations and spacious home developments in areas near the fringes of urban development.

5. The proposed annexation and requested zoning will facilitate the transition of the subject property from unincorporated Bernalillo County into the municipal framework of the City of Albuquerque. This transition will align the site with the City's land use and development standards, including infrastructure requirements and access to City services.
6. The County's approval was required before this case could be reviewed and decided by the City. On January 14, 2025, the Board of County Commissioners (BCC) approved an annexation request (AXBC2024-0001) for an approximately 5-acre parcel (Lot 464, Town of Atrisco Grant Unit 7) at the northeast corner of Sage Rd. SW and 82nd St. SW. The BCC found that the request aligns with the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan by supporting infill development and higher-density residential use. The annexation request met County Annexation criteria, and BCC found that it poses no adverse impact on County services or adjacent lands, improves clarity in emergency service provision, and eliminates an unincorporated enclave, promoting the general welfare of county residents.
7. The Albuquerque/Bernalillo County Comprehensive Plan, relevant Rank 2 Facility Plans or Rank 3 plans (MRAP Master Plans, Resource Management Plans) are incorporated herein by reference and made part of the record for all purposes.
8. The subject site is designated as Developing Urban pursuant to the Albuquerque/Bernalillo County Comprehensive Plan Volume II Lavender Edition. Developing Urban areas are intended to support future residential and commercial development that results in more urban land uses and patterns, often guided by area plans, design standards, and phased infrastructure improvements.
9. Upon annexation, the subject site will be designated as an Area of Consistency under the City's Comprehensive Plan framework. The subject site is surrounded by properties designated as Areas of Consistency by the Comprehensive Plan, which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.
10. Pursuant to [§14-16-6-7\(F\)\(3\)](#), "The City Council shall consider the [Review and Decision Criteria] and may approve an application to annex land into the City at its legislative discretion."
 - 6-7(F)(3)(a) Annexation of areas designated in the ABC Comp Plan, as amended, as Established Urban and/or Developing Urban will be approved when the following criteria are met:

1. Compliance with City policy regarding land dedication for public facilities is assured.

The applicant has agreed to adhere to City policies regarding land dedication for public facilities. It is the plan of the applicant to submit a subdivision of land application for the construction of a single-family residential development as required in the Intergraded Development Ordinance (IDO). The future subdivision and associated Site Plan submittals will be required adhere to the policies, rules and regulations established by the City of Albuquerque IDO and Development Process Manual (DPM). The subject site is proposed to be developed by a national not for

profit home builder that focuses on the construction of safe and affordable housing to allow a path to homeownership.

2. The applicant agrees in writing to at least 1 of the following criteria for timing of capital expenditures for necessary major streets, water, sanitary sewer, and stormwater-handling facilities:
 - a) The timing to be per a written City statement of intent as to when it or another public body will be able to provide such capital facilities, such City statement to be issued prior to annexation.
 - b) The timing to remain indefinite but a substantial number of years in the future, based on a written City statement, made prior to annexation, that it will provide the facilities but no timing can be assured.
 - c) A commitment by the property owner that he/she or his/her successors in interest will, in a manner that satisfies City standards, install and pay for such facilities or cause them to be installed and paid.

The applicant will adhere to Criteria C. They intend to pay for and install any required infrastructure in a manner that satisfies City standards. The applicant has submitted a draft of the City of Albuquerque Petition for Annexation as required by the City Engineer. A draft of the pre-annexation agreement between the Applicant and the City of Albuquerque to provide certain infrastructure improvements, as approved by the City Engineer, is required to be completed prior to being heard by the EPC and submitted to City Council. The applicant is exploring available public funding for future development.

3. The anticipated delay in provision of City services is not so far into the future as to be speculative and therefore an unreasonable basis to provide for annexation.

The applicant has stated they intend to submit a subdivision of land application within two years of the final approval of the annexation by City Council. They will adhere to the time table requirements in the IDO or DPM for building permits and relevant administrative decisions. The period of Annexation of Land does not expire pursuant to [Table 6-4-3: Permit and Approval Expirations](#).

4. The land annexed shall be to some extent contiguous to the City limits, except land owned by the City may be annexed when it is not contiguous where this is allowed by State statutes.

The annexed land is contiguous to the City limits and is an enclave surrounded by City of Albuquerque R-1A zoned parcels.

5. The land to be annexed shall have provision for convenient street access to the City.

The subject site requested to be annexed will have convenient street access to the City because it is surrounded by City owned streets.

6. The land to be annexed shall have reasonable boundaries so that providers of public services can easily determine where the City boundary is located and so that public services can be delivered under appropriate service extension policies at reasonable operating and capital cost to the City.

The boundaries of the requested annexed land will be reasonable so that providers of public services can easily determine where the City boundaries are located because the subject site is surrounded on all sides by parcels in the City of Albuquerque jurisdiction. Public services can be delivered under appropriate service extension policies at reasonable operating and capital cost to the City because these services extend both east and west of the subject site. The location of the subject site between existing developed parcels in the City of Albuquerque jurisdiction makes it convenient for public services to be extended to the subject site.

7. City boundaries shall be established along platted lines that clearly define the City limits; annexation plats need not meet all requirements of a subdivision plat as specified in the DPM.

The City limits will be definite with this annexation because the annexation consists of one tract that will be annexed in its entirety, filling in an existing enclave of unincorporated County land that is surrounded on all sides by the City of Albuquerque. Upon approval of the annexation and the establishment of zoning through the zone map amendment, the applicant intends to submit a request for a subdivision of land application for platting purposes as specified in the DPM though it is not necessary for the annexation plat. A Property Boundary Survey was required to be submitted with the Petition for Annexation.

- 6-7(F)(3)(b) Areas that are designated in the ABC Comp Plan, as amended, as Reserve Development Areas are appropriate for annexation if they create high-quality, mixed-use, largely self-sufficient planned communities. Annexation of such areas will be approved when the following criteria are met:

- 1) The criteria in Subsection (a) above.
- 2) Applications are accompanied or preceded by satisfactory plans for each proposed community.

This application for annexation and the establishment of zoning of the subject site is not in a Reserved Development Area.

- 6-7(F)(3)(c) Areas that are designated in the ABC Comp Plan, as amended, as Semi-Urban and as Rural Development Areas are appropriate for annexation where the Semi-urban and Rural Development Area policies in the ABC Comp Plan are furthered or where the general public welfare clearly is better served by annexation. Zoning appropriate for low-intensity uses shall be assigned. Annexation of such areas will be approved when the following criteria are met:

- 1) The criteria in Subsection (a) above.

The subject site is designated as a Developing Urban Area within the ABC Comp Plan As amended. An analysis of applicable Comprehensive Plan Policies for the establishment of zoning was conducted in response to Criterion (a) for the zoning map amendment. The R-1A zone district generally furthers the ABC Comp Plan for an area that is appropriately zoned for low-intensity uses. With the request the applicant intends to serve the general public through affordable housing initiatives on the site.

- 2) Since the eventual annexation of all these areas is unlikely, special care shall be taken to maintain reasonable, compact boundaries in these areas. To this end, the City will not annex such land unless it meets 1 of the following criteria:

- a) Has at least 10 percent of its boundary contiguous to the City boundary.
- b) Does not create an arm of the City's incorporated area that is at any point less than 1,000 feet wide.

The subject site requested to be annexed meets Criterion (a) because 100 percent of its boundary is contiguous to the City Boundary. The requested annexation does not create an "arm" of the City incorporated area and therefore meets Criterion (b).

- 3) Barring exceptional conditions, the City will not annex land on one side of a public street without also annexing the land on the other side of the street.

The subject site is an enclave, surrounded entirely by parcels located in the City of Albuquerque. The subject site will not be annexed crossing the boundary of a City or County Street.

- 4) The City will not annex land unless appropriate City zone districts are available for regulation of development consistent with planned and appropriate land development patterns.

The requested annexation will be appropriately zoned as a residential zone district. The proposed establishment of the R-1A zoning district is identical to the zoning of adjacent City of Albuquerque parcels. The R-1A zoning will regulate development in a manner consistent with planned and appropriate land use patterns in the area.

- 6-7(F)(3)(d) The City may annex land even though some or all of the above policies are not met where the EPC and City Council find that at least 1 of the following applies.

- 1) There is a particular hazard to the health of persons that would be removed or materially alleviated by the City upon annexation, and that no other adequate and timely remedy for the removal or material alleviation of such hazard is available.
- 2) City-owned land used for a public purpose is being annexed to better facilitate that use.

Although currently there is not a particular hazard to the health of persons that would be removed or materially alleviated by the City upon annexation, the request would prevent and eliminate any future confusion regarding jurisdiction, addressing, and emergency services to any future residences. There is not available timely remedy or material alleviation for such hazard. Criterion 2 generally applies.

- 11. Public notice requirements are established in IDO Table 6-1-1 and IDO §14-16-6-4(J) Public Notice. According to the Office of Neighborhood Coordination (ONC), the South West Alliance of Neighborhoods (SWAN Coalitions), Westgate Heights NA and Westside Coalition of Neighborhood Associations are in the affected area and were notified as required (see attachments).
- 12. Property owners within 100 feet of the subject site were notified by the applicant, as required. There is no known opposition or support for this request.

FINDINGS – ZMA-2025-00005 Zoning Map Amendment (i.e., Establishment of Zoning)

1. This is a zoning map amendment request to establish R-1A zoning in the City for an approximately 5-acre site legally described as the Northernly and Southernly portion of Tract 464, Unit 7, of the Atrisco Land Grant, located at the NE corner of 82nd St. SW and Sage Rd. SW.
2. The zoning map amendment is required to be submitted simultaneously with the annexation to establish City Zoning (AX-2025-00002). This was reviewed as a two-part request by City Staff. See Findings for the application for the Annexation preceding the Finding's for the annexation.
3. The subject site is currently in unincorporated Bernalillo County surrounded by land within the City of Albuquerque jurisdiction. The Bernalillo County zone designation on the subject site is A-1, and the applicant proposes to establish R-1A for low-density residential development. The purpose of the R-1A zone district is to provide for neighborhoods of single-family detached houses on smaller lots than the R-1 zone, promoting a compact urban form in areas where existing infrastructure can support increased residential density. This zone district is intended to maintain and reinforce the residential character of established neighborhoods while allowing for moderate infill development that aligns with City policies.
4. The applicant is requesting the establishment of R-1A zoning upon annexation to allow for future residential development that is compatible with surrounding neighborhoods within the Southwest Mesa. The A-1 zone in Bernalillo County is a rural agricultural zone that primarily supports low-density residential and agricultural uses. In contrast, the R-1A zone district supports more urban residential development patterns that are consistent with the City's Comprehensive Plan goals related to efficient land use and orderly growth.
5. On January 14, 2025, the Bernalillo County Board of County Commissioners (BCC) approved an annexation request (AXBC2024-0001) for the subject site. The BCC found that the annexation was consistent with the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan by facilitating infill development and supporting higher-density residential uses. The County determined that the annexation met applicable criteria, would not adversely affect County services or surrounding properties, improved emergency service coordination, and eliminated an unincorporated enclave. The BCC's approval was a prerequisite for City consideration of the current request. The applicant now seeks to establish R-1A zoning upon annexation into the City of Albuquerque.
6. The Albuquerque/Bernalillo County Comprehensive Plan, relevant Rank 2 Facility Plans or Rank 3 plans (MRAP Master Plans, Resource Management Plans) are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is designated as Developing Urban pursuant to the Albuquerque/Bernalillo County Comprehensive Plan, Volume II Lavender Edition. Developing Urban areas are intended to support future residential and commercial development that results in more urban land uses and patterns, often guided by area plans, design standards, and phased infrastructure improvements.
8. Upon annexation, the subject site will be designated as an Area of Consistency under the City's Comprehensive Plan framework. The subject site is surrounded by properties designated as Areas of Consistency by the Comprehensive Plan, which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.

9. The request furthers the following applicable goals and policies from the Comprehensive Plan Chapter 4 – Community Identity:

A. GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The request supports the enhancement, protection, and preservation of community character by applying zoning that is consistent with the surrounding R-1A zoning pattern. The applicant intends to subdivide the property and develop single-family homes, which are characteristic of nearby neighborhoods. The development permitted under the R-1A zone would reinforce the established residential scale and identity of the area.

B. POLICY 4.1.2: IDENTITY AND DESIGN: Protect the identity and cohesiveness of the neighborhoods by ensuring the appropriate scale and location of development, mix of uses and character of building design.

The proposed zone change reinforces the identity and cohesiveness of the surrounding neighborhood by applying a zoning designation—R-1A—that is consistent with the zoning on all four sides of the subject site. The R-1A zone district regulates the built form and ensures that future development will be compatible in scale and character with the established residential context. The applicant has indicated an intention to subdivide the property and develop single-family homes, further aligning with the existing pattern of development in the area.

10. The request furthers the following applicable goals and policies from the Comprehensive Plan Chapter 5 – Land Use:

A. GOAL 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The site is contiguous to existing City limits and is already served by public infrastructure. The proposed zoning facilitates development that can take advantage of existing systems and services.

B. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is located in an area already served by existing infrastructure and public facilities, including utilities and nearby parks. In addition, the associated pre-annexation agreement holds the developer responsible for completing and constructing the infrastructure necessary to support the site once it is subdivided. This approach allows new development to occur in a coordinated manner without requiring significant new public investment. The request furthers Policy 5.3.1 – Infill Development.

C. GOAL 5.6 CITY DEVELOPMENT AREAS: Encourage and direct growth of Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The site is not currently located within the City Limits and therefore has not been assigned a City Development Area. The subject site is not within an Area of Change but is surrounded entirely by Areas of Consistency where parcels with primarily single family residential uses are located. The proposed R-1A zoning will ensure that any new development will be compatible in scale with the surrounding area and reinforce the character and intensity of the surrounding area.

- D. **POLICY 5.6.3 AREAS OF CONSISTENCY:** Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The subject site is currently outside of the City jurisdiction, Centers or Corridors, parks and Major Public Open Space. It is an enclave surrounded entirely by City R-1A zoning which are in Areas of Consistency. The request for R-1A zoning would protect and enhance the existing single family-neighborhoods and adjacent residential uses by contributing to the uniformity of the area. The proposed zone map amendment maintains the low-density residential character of the area and aligns with adjacent development.

- E. Sub Policy 5.6.3.b: Ensure that development reinforces the scale, intensity and setbacks to the immediately surrounding context.

The request to establish R-1A zoning would ensure that any future development on the subject site would adhere to the zone district dimensional and development standards. The request ensures consistency with the scale, intensity, and setbacks of surrounding R-1A zoned properties. The request would require that future single family residential development would have uniform lot sizes, front, side and rear setbacks and building heights.

- F. Sub Policy 5.6.3.d: In areas with predominantly single-family residential uses, support zone changes that help align the appropriate zone with existing land use.

The subject site is surrounded by predominantly single-family residential uses in the R-1A zone district. The existing zone designation for the site is County A-1 (Rural Agricultural Zone) is in contrast to the surrounding and adjacent City zoned residential districts. The requested establishment of zoning in the City Zoning Map (zone change) to R-1A would align with the zoning designation of the adjacent parcels in the area.

11. The request furthers the following applicable goals and policies from the Comprehensive Plan Chapter 9 – Housing:

- A. **POLICY 9.2.1 COMPATIBILITY:** Encourage housing development that enhances neighborhood character, maintain compatibility with surrounding land uses, and responds to its development context – i.e., urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

This request to R-1A zoning will encourage housing development that enhances neighborhood character and maintains compatibility with the adjacent land uses because it will provide the opportunity for similar single-family development. The site design and relationship to the street will use the dimensional standards that are consistent with the R-1A zone district and are the same standards used in the surrounding neighborhoods.

12. The request furthers the following applicable goals and policies from the Comprehensive Plan Chapter 12 – Infrastructure, Community Facilities & Services:

- A. * **POLICY 12.4.6 ANNEXATION:** Rationalize jurisdictional boundaries and streamline the provision of services through annexation when the City and County agree.

On January 14, 2025, the Bernalillo County Board of County Commissioners (BCC) approved annexation request AXBC2024-0001 for the subject site. The BCC found that the request supports the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan by encouraging infill development and higher-density residential use. The annexation was determined to meet the County’s annexation criteria and was found to have no adverse impacts on County services or adjacent properties. In addition, the BCC noted

that annexation would improve clarity in emergency service provision and eliminate an unincorporated enclave, thereby promoting the general welfare of County residents. County approval was a required step prior to review and consideration by the City, reflecting intergovernmental coordination and a rational adjustment of City boundaries.

13. Pursuant to §14-16-6-7(G)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria."

- 6-7(G)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by the applicant's policy-based response that adequately demonstrates the request furthers a preponderance of applicable Goals and Policies and does not present any significant conflicts with the Comprehensive Plan, as amended, or other applicable plans adopted by the City as shown in the sections above. Goals and/or policies added by Staff are denoted with an asterisk ().*

*Applicable citations: Goal 4.1 Character, Policy 4.1.2 Identity and Design, Policy 4.2.2 Community Engagement, Goal 5.3 Efficient Development Pattern, Policy 5.3.1 Infill Development, Goal 5.6 City Development Areas, Policy 5.6.3 Areas of Consistency, Policy 9.2.1 Compatibility, and *Policy 12.4.6 Annexation.*

- 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that+ the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.
1. There was a typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site.
 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The subject site is not currently within the City and therefore is not yet formally designated as an Area of Consistency; however, surrounding properties within City limits are designated as such. Given the consistent land use patterns and character of the surrounding area, it is reasonable to anticipate that the subject site will be designated as an Area of Consistency upon annexation. Meeting Criterion 3, the proposed R-1A zoning would clearly reinforce and strengthen the established single-family residential character of the surrounding area and would not permit development that is significantly different from that character. The applicant has adequately demonstrated that the proposed zoning is more advantageous to the community as articulated by the Comprehensive Plan, particularly in terms of

encouraging consistent land use patterns, appropriate scale and density, and infrastructure connectivity.

- 6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria.

1. There was a typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The subject property is not located within an Area of Change.

- 6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The proposed R-1A zoning district permits residential uses that are consistent with those allowed on surrounding properties and does not introduce any permissive uses that are anticipated to be harmful to adjacent properties or the broader community. Additionally, the IDO contains use-specific standards (IDO §14-16-4-3) that apply to certain uses and would provide further mitigation, if necessary. The staff finds that the uses allowed in the R-1A zone are appropriate and compatible with the established development pattern.

- 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:

1. Have adequate capacity to serve the development made possible by the change of zone.
2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).

The subject site is located within a partially developed area that has existing City infrastructure in place, including roadway access, sidewalks, water, and sewer lines thus meeting Criterion 1. The applicant acknowledges responsibility for making any infrastructure improvements required by the IDO, the DPM, or through an Infrastructure Improvements Agreement. Based on the surrounding infrastructure and the nature of the proposed development, it is anticipated that adequate capacity exists or will be provided through required improvements.

- 6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

The applicant has provided a justification based on furthering a preponderance of applicable Comprehensive Plan policies and not on the property's location along a major street. Although the site is located adjacent to a Major Collector (Sage Road), the justification is clearly rooted in policy and development compatibility rather than street classification.

- 6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

While The applicant's justification for the zone change is based on planning principles, Comprehensive Plan policies, and neighborhood compatibility rather than the cost of land or economic considerations. The proposal supports consistent development patterns and aligns with the City's vision for orderly growth through annexation.

- 6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least 1 of the following applies.

1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

The proposed zone change to R-1A does not result in a spot zone or strip zoning. It is consistent with the zoning and land use patterns of adjacent City properties, and the change would facilitate logical and cohesive extension of zoning and development patterns consistent with the Comprehensive Plan.

14. Public notice requirements are established in IDO Table 6-1-1 and IDO §14-16-6-4(J) Public Notice. According to the Office of Neighborhood Coordination (ONC), the South West Alliance of Neighborhoods (SWAN Coalitions), Westgate Heights NA and Westside Coalition of Neighborhood Associations are in the affected area and were notified as required (see attachments).
15. Property owners within 100 feet of the subject site were notified by the applicant, as required. As of this writing, no individuals have reached out to the Planning Department to express opposition or support for this request.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC's decision or by June 2, 2025. The date of the EPC's decision is not included in this 15-day period. If the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing an appeal.

For more information regarding the appeal process, please refer to the Integrated Development Ordinance (IDO), §14-16-6-4(U) (Appeals). The IDO is available online here: <https://www.cabq.gov/ido>. A non-refundable fee is required to be paid when the appeal is filed. It is not possible to appeal EPC recommendations to the City Council, because a recommendation is not a final decision.

You will receive notification if anyone files an appeal. If the decision is not appealed, you can receive building permits any time after the appeal deadline, provided all conditions of approval associated with the decision and all other applicable regulations have been met.

Sincerely,

A handwritten signature in black ink that reads "Megan Jones". The script is cursive and fluid.

for Alan Varela
Planning Director

AV/MJ/WS/JM

cc:

Greater Albuquerque Habitat for Humanity, bidal@habitatbqrr.org

JAG Planning and Zoning, LLC., jag@jagpandz.com

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Rene Horvath, Westside Coalition of Neighborhood Associations, aboard111@gmail.com

Elizabeth Haley, Westside Coalition of Neighborhood Associations, elizabethkayhaley@gmail.com

City Legal, acon@cabq.gov

EPC file