

**PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102  
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## **OFFICIAL NOTICE OF DECISION**

May 15, 2025

CDR Holdings, LLC  
c/o Penny Design, LLC  
400 Gold Ave Unit, Suite 850  
Albuquerque, NM 87120

**Plan # ZMA-2025-00003**  
Zoning Map Amendment (Zone Change)

### **LEGAL DESCRIPTION:**

Penny Design, LLC, agent for CDR Holdings LLC requests a Zoning Map Amendment, from MX-T and MX-L to eliminate a floating zone line and establish MX-L on the entire site, for all or a portion of Tract 13-A Tracts 13-A, 13-B, & 13-C Black Ranch (being a Replat of Tract 13 Black Ranch), located at 10120 Coors Blvd. NW, between Old Airport Ave NW and 7 Bar Loop NW, approximately 2.5 acres. (B-14-Z)  
Staff Planner: Catherine Heyne

On May 15, 2025, the Environmental Planning Commission (EPC) voted to APPROVE Plan # ZMA-2025-00003, a Zoning Map Amendment (Zone Change), based on the following Findings.

### **FINDINGS – ZMA-2025-00003, a Zoning Map Amendment (Zone Change)**

1. This is a request for a Zoning Map Amendment for all or a portion of Tract 13-A Tracts 13-A, 13-B, & 13-C Black Ranch (being a Replat of Tract 13 Black Ranch), located at 10120 Coors Blvd. NW, and consisting of approximately 2.5 acres.
2. The subject site is zoned MX-L (Mixed-use – Low Intensity) and MX-T (Mixed-use – Transition). The applicant is requesting a zone change to eliminate a floating zone line and unify the property under a single zone district, MX-L.
3. Before the adoption of the Integrated Development Ordinance (IDO), the eastern portion of the subject site, now zoned MX-T, was zoned SU-1 for O-1 or Office use. The western portion of the site, now zoned MX-L, was zoned SU-1 for C-1 Commercial Uses & Restaurant w/Liquor for On-Premises Consumption and designated as Open Space along the Coors Blvd. right-of-way. The two zoning designations match City of Albuquerque annexation boundaries of July 7, 1997 (O 25-1997) and December 28, 2002 (O 13-2002), respectively.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

5. The subject site is within an Area of Change as designated by the Comprehensive Plan.
6. The subject site is within the boundaries of CPO-2, Coors Boulevard Character Protection Overlay [IDO §14-16-[3-4\(C\)](#)] and VPO-1, Coors Boulevard View Protection Overlay [IDO §14-16-[3-6\(D\)](#)].
7. The subject site is within 660 ft. of two Major Transit Corridors, one along Coors Blvd. and the other along Seven Bar Loop, as designated by the ABC Comprehensive Plan (“Comp Plan”).
8. The subject site lies within 660’ of an archaeological site, Zoned NR-PO-B (Non-Residential – Park and Open Space Zone District, Sub-zone B: Major Public Open Space).
9. The subject site has never been developed; however, a Pre-Application Review, Sketch Plat has been requested for a Site Plan – Administrative action under PR-2024-011230, which has not yet been approved. Upon review of this project, planning staff became aware of the floating zone line at the property and informed the applicant that this floating zone line would need to be removed in order to develop the site.
10. 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 does not change the zoning of the subject site; it expands MX-L zoning across the entire site making future development possible. Further, the request would allow for the development of a vacant property in a manner that enhances and protects the character of the surrounding community. The MX-L zone would allow uses already permissive on a majority of the subject site and consistent with existing nearby development within the City limits. Any future development at the subject site would require a site plan directed by IDO and DPM requirements to ensure compatibility with the surrounding community.
  - B. POLICY 4.1.1 DISTINCT COMMUNITIES: Encourage quality development that is consistent with the distinct character of communities.

The request could facilitate quality development that would be consistent with the distinct character of the community by allowing for concerted development across the entire subject site and permissive uses that would align with those of neighboring properties along Coors Blvd. NW. By removing the floating zone line, future development would not straddle two different zone districts, which is not encouraged by City Planning, due to development constraints. Future development under MX-L zoning would be required to meet applicable buffering, design, and dimensional standards.
11. The request furthers the following applicable Goals and Policies from the Comprehensive Plan 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 request could contribute to the long-term vitality of Coors Blvd., a major west side transit corridor, by allowing for a unified approach to infill at the subject site. MX-L zoning would also allow more diversified commercial and industrial offerings as well as denser housing development along a major transportation corridor. Any proposed development would be

required to meet site design and compatibility standards to ensure appropriate integration with the surrounding area.

- B. POLICY 5.1.1 DESIRED GROWTH: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The request would support infill growth along a major transportation corridor for a property that has been vacant since its incorporation into the City. The proposed MX-L zoning would allow for more cohesive development and could reduce the need for multiple trips or longer drives helping to shape the built environment into a sustainable development pattern. Furthermore, future development would be required to comply with applicable site design and buffering standards to ensure compatibility with the surrounding area.

- C. GOAL 5.2 COMPLETE COMMUNITIES: Foster communities where residents can live, work, learn, shop, and play together.

The request would allow for a variety of land uses that could contribute to a more sustainable and complete community. The proposed MX-L zoning would allow for a denser residential, commercial, and industrial uses that could support a community where residents could reduce their reliance on personal automobiles with essential services and amenities situated closer together and near existing mixed-used properties along Coors Blvd. The zone change has the potential to locate commercial or mixed-use development in an established community and provide employment opportunities near housing with goods and services where residents can generally live, learn, shop and play together.

A future site plan for development of the property would be subject to IDO and DPM requirements to ensure suitable development.

- D. POLICY 5.2.1 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The zoning update could contribute to a more healthy, sustainable, and distinct community by supporting a cohesive and consistent mix of uses at the subject site that are similar to adjacent areas, and conveniently accessible to surrounding neighborhoods and the Coors Blvd. major transit corridor.

- E. 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 request could contribute to promoting an efficient development pattern by facilitating infill of an undeveloped property near existing infrastructure and public facilities. The MX-L zone district would also allow for more group home options and a wider variety of commercial and industrial uses that correspond with adjacent properties' use, infrastructure, and public facilities such as the Coors Blvd major transit corridor, where development can take advantage of established transportation networks. Importantly, it would eliminate a floating zone line to provide uniformity for land use and development at the subject site.

A future site plan for development of the property would be subject to IDO requirements, including site design standards (IDO §14-16-5-11), parking and loading requirements (IDO §14-

16-5-5), and mixed-use dimensional standards (IDO §14-16-5-1) to ensure the efficient use of resources and infrastructure.

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

The request promotes infill development by correcting the floating zone line so the parcel can more easily support a cohesive development while facilitating the efficient use of land, infrastructure, and public facilities within a developed corridor, reducing the need for major new infrastructure investments. Namely, the subject site would be an infill site with access to adjacent water, sewer, road, transit services, and electric infrastructure systems.

- G. POLICY 5.4.2 WEST SIDE JOBS: Foster employment opportunities on the West Side.

This request could foster employment opportunities on the West Side through the addition of zoning appropriate development.

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

The subject site is located wholly within an Area of Change. The request would direct growth to an area where redevelopment is encouraged and adjacent to parcels with corresponding zoning. A unified MX-L zone at the subject site could allow for a more concerted development that could include high-density residential, and expanded commercial and industrial uses that align with the area's existing development pattern.

- I. POLICY 5.6.2 AREAS OF CHANGE: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request could direct growth and more intense development to an Area of Change by establishing a cohesive MX-L zoning on the subject site that is along the Coors Blvd. Major Transit Corridor and across the street from a designated Employment Center, where change and development is encouraged. The proposed zoning allows for additional residential, commercial, and industrial uses, that can help activate the currently undeveloped property and contribute to the surrounding corridor's vitality.

By facilitating a more cohesive development that conforms to existing area uses, the request aligns with the City's goal to direct growth to areas where it is expected and desired. Future development could be subject to applicable design and compatibility standards to ensure integration with the surrounding community. Additionally, this request promotes infill development thereby maximizing existing resources.

12. The request generally furthers POLICY 6.1.2 – TRANSIT-ORIENTED DEVELOPMENT: Prioritize transit-supportive density, uses, and building design along Transit Corridors from the Comprehensive Plan Chapter 6 – Transportation.

The request would enable infill development that aligns with transit-oriented development principles by increasing the number of residents and services near public transportation along

Coors Blvd., a major transit corridor. Higher-density residential, commercial, or industrial uses could minimize vehicle trips taken and/or support transit ridership.

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 4.1.1-Distinct Communities; Goal 5.1-Centers & Corridors, Policy 5.1.1-Desired Growth; Goal 5.2-Complete Communities, Policy 5.2.1-Land Uses; Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development; \*Policy 5.4.2-West Side Jobs; Goal 5.6-City Development Areas, Policy 5.6.2-Areas of Change; \*Policy 6.1.2 Transit-Oriented Development.*

*Partially applicable citations: Policy 5.3.2 Leapfrog Development; Goal 7.3- Sense of Place; \*Goal 9.3-Density.*

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 wholly located within an Area of Change and not wholly or partially in an Area of Consistency, as designated by the Comp Plan.*

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 site is located wholly within an Area of Change where growth and development are encouraged within Centers (other than Old Town) and Corridors (other than Commuter Corridors). The subject site is located adjacent to an Employment Center and along a Major Transit Corridor – prime locations for concentrating growth.*

*The applicant demonstrates that there has been a significant change in neighborhood or community conditions affecting the site that justifies this request, and that a different zone district is more advantageous to the community.*

*Staff agrees that the elimination of a floating zone line and consolidation of the property to MX-L, would strengthen the character of the surrounding area by supporting infill development, while maintaining a commercial or higher-density residential focus similar to adjacent properties to the north and south, and to a lesser intensity than those properties to the west of Coors. An MX-L zone district at this location would be consistent with surrounding City properties, and could reinforce the existing character of the area. Residential and agricultural properties in the unincorporated County to the east are separated by an acequia, and any development shall follow all applicable IDO and DPM regulations to protect neighboring lots.*

*The applicant's policy-based analysis demonstrates that the request would further a preponderance of applicable Comprehensive Plan goals and policies and would be more advantageous to the community than the current zoning.*

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 applicant compared allowable uses in the existing MX-L (Mixed-use – Low Intensity) and MX-T (Mixed-use – Transition) zone districts to the proposed unified MX-L zone district. Permissive uses allowed under the proposed MX-L zoning but not the current MX-T zoning include additional group living opportunities, additional*

*commercial uses, such as veterinary hospital, other pet services, mobile food truck court, restaurant, other indoor entertainment, a car wash, light vehicle repair, paid parking lot, parking structure, a club or event facility, the sale of bakery goods/confectionery shop, and farmers' market. Artisan manufacturing, Cannabis retail, Cannabis cultivation, and Cannabis-derived products manufacturing would also become permissive.*

*All of these uses are already permissive for the western two-thirds of the site, the zoning update would make these permissive across the site. The Motor Vehicle-related uses as well as those related to cannabis might be regarded by some as harmful. However, all future development under the MX-L zone district would be subject to applicable IDO and DPM standards that serve to protect and preserve the identity of the neighborhood by mitigating the impacts of potentially incompatible uses (see IDO Table 4-2-1: Allowable Uses). Additionally, cannabis-related uses would also be regulated by New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.*

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).

*This request will ensure that infrastructure and public improvements have adequate capacity when the applicant fulfills its obligations for development under the IDO, the DPM, and/or an Infrastructure Improvements Agreement that would be established during a Site Plan review process, as required.*

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.

*Although the subject site is located along Coors Blvd., a Regional Principal Arterial, the applicant's justification is not completely base on the subject site's location; rather, the applicant has adequately demonstrated that the request furthers and does not conflict with a preponderance of applicable Comp Plan goals. The zone change would eliminate a floating zone line at the subject site, which would facilitate that location's development.*

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

*While economic considerations are a factor, the applicant's justification is not completely or predominantly based upon the cost of land or economic considerations. Rather, the applicant's request is to remedy a floating zone line with a zone district*

*that will be more advantageous to the community, because it furthers a preponderance of applicable Comprehensive Plan Goals and Policies and does not significantly conflict with them.*

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.

*A zone change from MX-T to a unified MX-L across the subject site is not a “spot zone” because the proposed MX-L Zone District is consistent with adjacent parcels to the north and south that are also zoned MX-L. The request is consistent with the intent of the Comprehensive Plan by facilitating appropriate zoning that aligns with the subject site lot lines.*

14. There were no eligible Neighborhood Associations to notify. Property owners within 100 feet were notified as required [IDO §14-16-[6-4\(J\)](#)].
15. The applicant met with two neighbors from the unincorporated lands of Bernalillo County to the east, who were notified as property owners within 100-feet of the subject site. One was in support of the proposed zoning and one supported a MX-T zone district for the entire property. The latter was notified via Certified Mail as to how to request a Facilitated Meeting if there were interest.
16. The applicant was required to offer a Pre-submittal Tribal Meeting to Indian Nations, Tribes, and Pueblos. Laguna Pueblo requested additional information about the project; no follow up meeting was requested. Pueblo of San Felipe requested a site visit and a meeting. The applicant met with Pueblo of San Felipe representatives, Wednesday, March 26, 2025 at the subject site; no additional meeting was requested.
17. Staff received no comments regarding the proposed zone change.

### 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 15<sup>th</sup> 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 cursive script that reads "Megan Jones".

for Alan Varela  
Planning Director

AV/MRW/MJ/CH

cc:

Case Agent, Penny Designs LLC, penny@pennydesign.net  
Property Owner, Demi Nguyen, demi.nguyen70@gmail.com  
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