

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 2nd Floor, Albuquerque, NM 87102
PO Box 1293, Albuquerque, NM 87103
Office: (505) 924-3860



OFFICIAL NOTICE OF DECISION

September 18, 2025

Spire Development
330 W. Spring Street, Suite 430
Columbus Ohio, 43215

Project # ZMA-2025-00011
Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Community Design Solutions, LLC, agent for Spire Development requests a Zoning Map Amendment, from R-MH to MX-L, for all or a portion of Lots 5 & 6, Block 8, Mendelsburg Baron Burg Heights, located on Ortiz Dr SE (unaddressed) between Zuni Rd and Bell Ave SE, approximately 0.31 acres.

(L-18)(L-17)

Staff Planner: Dustin Kiska

On September 18, 2025, the Environmental Planning Commission (EPC) voted to APPROVE Plan# ZMA-2025-00011, a Zoning Map Amendment (Zone Change), based on the following Findings:

FINDINGS – ZMA-2025-00011– Zoning Map Amendment (Zone Change)

1. The request is for a Zoning Map Amendment (i.e., zone change) from R-MH (Residential – Multifamily High-Density) to MX-L (Mixed-Use – Low Intensity) for an approximately 0.31-acre subject site, comprising all or a portion of Lots 5 & 6, Block 8, Mendelsburg Baron Burg Heights, located on Ortiz Dr. SE (unaddressed), (project address: 612 San Mateo SE, Abq. NM 87106) between San Mateo Blvd. SE and Ortiz Dr SE and Zuni Rd and Bell Ave SE.
2. This Zoning Map Amendment request is required in order to complete the request for a subdivision action to consolidate 9 lots (“project site”), including the 2 lots in the (subject site). The subject site is undeveloped. The purpose of the zone change is to create consistent zoning on all lots, which is required to consolidate the lots (replat). Without a zoning map amendment, the platting action would create a floating zone line. The request and the future platting action will allow future development on the project site.
3. The proposed future that would be facilitated by this request is a multifamily residential land use for an age-restricted affordable housing development.

4. There is no history available for a subdivision or site plan for the subject site. The subject site has been undeveloped since at least 1996. Subject site was annexed into the city on June 19, 1925 (Ordinance 208). The applicant requested a Sketch Plat in July 2025 (PA2025-00203 – SKETCH) to consolidate, the seven adjacent lots and the 2 lots in the subject site, containing 1.07 acres.
5. 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. The subject site is within an Area of Change as designated by the Comprehensive Plan. The subject site is zoned R-MH. According to IDO §14-16-2-3(F) The purpose of the RMH zone district is to promote and encourage the development of high-density attached and multi-family housing, with taller, multi-story buildings encouraged in Centers and Corridors in areas close to major streets and public transit facilities. The primary land use is multi-family development, with limited civic and institutional uses to serve the surrounding residential area. The Requested zone district is MX-L. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multifamily, and civic and institutional uses to serve the surrounding area, with taller, multistory buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.
6. If the replat is approved, the consolidated lot will be within the Albuquerque International Sunport Airport Protection Overlay (APO) zone IDO §14-16-3-3(B)(2)(a). The purpose of the Airport Protection Overlay (APO) zone is to require that land use and development at or around public airport facilities comply with the regulations of the Federal Aviation Administration (FAA) that protect the public from noise, vibration, and hazard impacts of airport operations and that protect the safety of aircraft operators.
7. The subject site is not within any Comprehensive Plan Centers. The subject site is within 660-feet of the San Mateo Blvd. NW Major Transit Corridor. The project site is adjacent to the corridor. The subject site is within ¼ Mile of the Central Ave. SE Main Street Corridor. Central Ave. SE (approximately a 5-10-minute walk), is designated as three Corridor types: Major Transit, Main Street, and Premium Transit.
8. The subject site is not directly governed by either a Rank 2 or a Rank 3 Plan, however it falls in between two areas of emphasis within the Route 66 Action Plan, which are the Nob Hill/Highland and the International District. The subject site is not governed by the Route 66 or Nob Hill/Highland Action Plan, and any improvements or actions resulting from implementation of the plan may potentially impact the subject site due to the close proximity.
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 seeks to expand existing undeveloped MX-L zoning of adjacent plots to unify the entire site with congruent zoning via a replat, allowing for future development that can utilize the entire site with consistent zoning. The area surrounding the site, is already characterized by a blend of residential, and low-intensity commercial uses. The MX-L

zone is well-suited to this context, as it allows for a range of small-scale retail, and residential uses that are compatible with adjacent residential developments, however it also has a small range of uses that could be potentially harmful to the character of the surrounding neighborhood.

The proposed MX-L zone district would bring the site's zoning into alignment with its adjacent properties and allow for uses that could enhance the character of the surrounding area. The MX-L zone could serve as an appropriate transition, that is compatible with the scale and intensity of nearby development to the north and west along San Mateo and Zuni, and the residential zoning to the southeast.

- (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 development across the entire subject site and allow permissive uses that would align with those of adjacent properties to the subject site and the community as a whole. The request would bring the subject site into conformance to be suitable for future expansion and development. Future development under MX-L zoning would be required to meet applicable buffering, design, and dimensional standards.

- (c) POLICY 4.3.7 NEAR HEIGHTS CPA (SUB-POLICY 4.3.7.2)

According to the Comprehensive Plan, Community Planning Areas (CPA) are intended to protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas and recommend changes to Comp Plan policies or zoning regulations to address issues identified through the CPA process. The request could facilitate the development for increased diverse housing options, supply, ownership opportunities, and support higher density housing near parks, schools, and community facilities, as identified as in the Near Heights CPA process.

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

- (a) The request furthers 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 requested MX-L zoning designation contributes to the distinct character of the nearby Nob Hill, and nearby International District by permitting uses that are compatible with and accessible from the surrounding existing mixed-use zone districts of the South San Pedro neighborhood which exist along Zuni Rd. SE. The subject site is situated in a highly accessible, walkable, and bike-friendly location, the zone encourages mixed-use development consistent with the existing neighborhood and can

support local businesses and reduce reliance on the automobile. Compliance with design and compatibility standards will help ensure that any future development integrates seamlessly with the existing community fabric.

- (b) The request partially furthers Goal 5.2 COMPLETE COMMUNITIES: Foster communities where residents can live, work, learn, shop, and play together.

The request can allow a variety of land uses that could contribute to a sustainable and distinct community, providing small scale convenience retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. The proposed MX-L zone district will focus on serving the surrounding neighborhood; however, it has the potential to introduce new harmful uses to the area. The request can foster the community by providing residents places to live, work, learn, shop, and play all within a close proximity. The goal typically applies to site plans and development requests.

- (c) The request furthers 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 to change to MX-L would provide for the ability to have neighborhood-scale convenience shopping and low-density multi-family housing. The subject site benefits from existing infrastructure and public services that support efficient development. The subject site is located in a highly accessible corridor with existing utilities, roadway access, sidewalks, bike lanes, and high-frequency transit stops, all within walking distance. The site is within an area of change and has been vacant and underutilized for many years, therefore coordinated infill development will maintain efficient development and land use practices. All future development must comply with IDO standards of the future zone district obtained per this request, ensuring responsible and sustainable site design. 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.

- (d) The request furthers POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The request could support infill development by allowing the adaptive reuse of an existing vacant undeveloped property in an area already served by infrastructure and public facilities. The proposed MX-L zoning could facilitate the efficient use of land within a developed corridor, reducing the need for major new infrastructure investments. The applicant proposed that the subject property may be used for a n be developed as a cohesive multifamily age-restricted affordable residential project. By locating an age restricted housing project near established commercial services, existing transit, the request could support compact, walkable development that

prioritizes accessibility and community connectivity while reinforcing the existing development pattern.

- (e) The request furthers 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 higher-intensity and mixed-use growth and redevelopment is encouraged, and adjacent to parcels with corresponding zoning, and in this case direct growth to an area that has been underutilized and vacant for about 30 years.

- (f) The request furthers 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 expanding the already existing MX-L zoning through a re-plat, of the 7 lots that are along San Mateo Blvd SE adjacent to lots 5 & 6 (the subject site), and would be congruent to lots on Zuni Rd SE. where change and development is encouraged. Upon obtaining a replat of the 7 lots, a more cohesive development that conforms to existing area uses, the request would align 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.

- 11. The request generally furthers the following applicable goals and policies from the Comprehensive Plan Chapter 8 – Economic Development.

The request generally furthers GOAL 8.1 PLACEMAKING: Create places where business and talent will stay and thrive.

The request could contribute to placemaking by allowing for the development of a vacant site in a manner that enhances the character and function of the area. MXL zoning would allow for a range of small-scale retail, and residential uses that are compatible with adjacent residential developments. MX-L can attract residents with diverse backgrounds and economic needs as well as permit neighborhood appropriate civic and institutional uses, including a proposed future affordable age-restricted housing complex, that could support an aging community allowing residents to age in place. By promoting a stable residential environment, the request helps create a livable community that supports long-term growth and investment. Future development would be required to comply with applicable design and compatibility standards.

- 12. The request partially furthers the following applicable goals and policies from the Comprehensive Plan Chapter 9 – Housing

- (a) The request partially furthers GOAL 9.1 SUPPLY: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request could support a sufficient supply and range of housing types by allowing for greater-density residential development on a site that is already served by infrastructure and public facilities. The proposed MX-L zoning could provide opportunities for multi-family housing, increasing the variety of housing options available to meet current and future needs in the area. Although, it is the intention of the applicant to develop the site with an age-restricted affordable housing use, it is not guaranteed with this zone change.

- (b) The request generally furthers GOAL 9.3 DENSITY: Support increased housing density in appropriate places with adequate services and amenities.

The request could support increased housing density in an appropriate location by allowing for multi-family residential development on a site within 660 feet of a Major Transit Corridor, San Mateo Blvd SE, and Central Ave. SE a Main Street Corridor, with access to existing infrastructure, public facilities, and nearby commercial services. The proposed MX-L zoning could facilitate increased housing in a developed area, aligning with policies that encourage efficient land use and reducing pressure for new development in the form of urban sprawl.

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 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 including the Route 66 Action Plan 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 5.3.1-Infill Development, Goal 5.6-City Development Areas, Policy 5.6.2-Areas of Change; Partially applicable citations: Policy 4.1.1-Distinct Communities; Goal 5.2- Complete Communities, Goal 5.3-Efficient Development Pattern, Goal 8.1- Placemaking, Goal 9.1-Supply, *Goal 9.3-Density.

- 6-7(G)(3)(b) If the proposed amendment is located wholly or partially 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 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 located entirely in an Area of Change. The policy does not apply

6-7(G)(3)(c) If the proposed amendment 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 at least one of the following criteria:

1. There was 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 entirely located within an Area of Change, as designated by the Comp Plan.

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

The applicant compared the allowable uses in the R-MH (Residential – Multifamily High-Density) and the proposed MX-L (Mixed-Use – Low Intensity) zone districts. Several permissive uses allowed under the proposed MX-L zone but not under the existing R-MH zoning could be considered potentially incompatible with adjacent properties, the neighborhood, or the broader community. These include: Vehicle refueling station, Cannabis Retail, or Motel.

However, uses that may be considered harmful are subject to use-specific standards in the IDO that are intended to mitigate potential impacts. For example, cannabis retail is not allowed within 300 feet of a school child care facility, and Highland Highschool is 550 feet from the subject site, therefore cannabis retail could be permissible per IDO §14-16-4- 3(D)(35)(d). Permissive uses allowed under the proposed MX-L zoning but not the current R-MH zoning include, Group home medium/large, Museum, Vocational school, Health club/gym, Parking lot/structure, Farmers Market, or General Retail Store, none of which should be considered harmful to adjacent properties, the neighborhood, or the community. Based on the above, the proposed zone change would not result in permissive uses that are incompatible with surrounding development due to IDO requirements that significantly constrain these uses. All future development under the MX-T zone district would be subject to applicable IDO Use-specific Standards that would 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).

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 1 of the following requirements:

1. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
2. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
3. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

The subject site is served by existing public infrastructure, which is likely adequate for future uses including the proposed age-restricted living facility use. A Traffic Impact Study (TIS) will be required for any new use of the property pursuant to Article 7-5(D) of the Development Process Manual (DPM). Additionally, any redevelopment of the site will be subject to development impact fees under Albuquerque's Development Impact Fee Ordinance (Chapter 14, Article 19 of the City Code) to cover the cost of any required public infrastructure improvements.

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

The subject site is located within 0.1 mi of San Mateo Blvd., a Major Transit Corridor, but is situated along a local not a major street. The applicant has provided justification for the zone change that is unrelated to the property's location on a major street. Instead, the justification focuses on bringing the zoning into conformance by matching the adjacent lots for future platting to create a unified development lot.

6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations. The applicant's justification is not primarily based on the cost of land or other economic considerations. Rather, the justification emphasizes consistency with the existing land use pattern, proximity to transit and amenities, and alignment with applicable Comprehensive Plan Goals and policies and would facilitate the redevelopment of the subject site's vacant property.

6-7(G)(3)(h) The zone change 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 change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The site 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 premises makes it unsuitable for the uses allowed in any adjacent zone district.

A zone change from R-MH to MX-L is not a "spot zone" because the proposed MX-L Zone District is consistent with adjacent and surrounding zone districts. Specifically, adjacent parcels to the north and west are zoned MX-L.

14. Neighborhood associations/organizations within 660 feet of the subject site including the Parkland Hills NA, the South San Pedro NA, and the Highland Business and NA Incorporated, and the district 6 Coalition of Neighborhood Associations were notified as required [IDO §14-16-6-4(J)]. Property owners within 100 feet of the subject site were also notified as required during the same time-frame.
15. A neighborhood meeting was held July 31, 2024. Notifications were sent to the South San Pedro Neighborhood Association (the project's host neighborhood), the City's District 6 Councilor, Nichole Rogers, the nearby San Pedro Public Library, the nearby Highland Senior Citizen Center, and the nearby New Mexico VA Hospital's Center for Development and Civic Engagement.
16. At the time of writing this report, staff has not received any written documentation of support or opposition to this request.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC's decision or by **October 3, 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,



for Alan Varela
Planning Director

AV/ MJ/DK

Notice of Decision cc list:

Community Design Solutions, LLC (CDS), John Stapleton, john.stapleton@cdsn.com agents for Applicant, Spire Development, Thomas Grywalski, tom@livespired.com
Highland Business and NA Incorporated, omardurant@yahoo.com
Highland Business and NA Incorporated, Hallie Rossbach, hallierossbach@gmail.com
Parkland Hills NA, Janet Simon phnacommunications@gmail.com
Parkland Hills NA, Leslie Padilla, lesliempadilla@gmail.com
South San Pedro NA, Sarah Khanlian, sarah.khanlian@gmail.com
South San Pedro NA, Tawnya Mullen, tmienterprises1@gmail.com
District 6 Coalition of Neighborhood Associations, Patricia Wilson, info@willsonstudio.com
District 6 Coalition of Neighborhood Associations, M. Ryan Kious, m.ryankious@gmail.com
City Legal, acoon@cabq.gov
EPC file