



Memorandum

To: Catherine Heyne and Megan Jones

From: Jim Strozier, Consensus Planning, Inc. 

Date: October 14, 2025

Re: ZMA-2025-00014 Explanation for new findings

The following memo provides a summary of the reasons for the proposed changes to the findings as presented in the staff report for the project referenced above.

1. While the staff report acknowledges that the subject property is within a designated Employment Center, it neglects the specific policies as enumerated that clearly specify that residential should not be considered within an employment center until 80 percent of the center is built with non-residential (job-creating land uses).
2. The findings do not include the fact that the way to ensure that the employment center develops without residential uses until adequately built out is to use a Non-Residential zoning district like NR-C.
3. The staff report does not reference that, in accordance with the Employment Center policies, UNM or other owners within the center can request future residential development once the 80 percent threshold is met.
4. The staff report includes the prior planning efforts of the University of New Mexico, but neglects to show how those plans can positively impact walkability, overall connectivity, multi-modal transportation options, etc.
5. The staff report and findings do not adequately discuss and acknowledge the disconnect between the existing zoning of UNM properties and the developed land uses, which puts an unwarranted emphasis on those zoning categories since UNM is not bound by City zoning.
6. While the staff report acknowledges the disconnect between the NR-C being the first zone district where General Retail – Large is a permissive use, the findings encourage a mixed-use zone where General Retail – Large is only allowed with a Conditional Use Permit.
7. While the staff report acknowledges that the surrounding neighborhoods are within a designated “food desert”, this is not appropriately recognized as a supportive justification to provide zoning that allows General Retail – Large permissively.
8. The staff findings appear to argue against the implementation of the Employment Center policies as provided in the adopted Comprehensive Plan.

These issues required significant modifications to the staff findings as presented in the staff report. I hope this summary is helpful and provides the policy basis for the requested changes to the findings and the recommendation as presented.

c: Project Team

Applicant Recommended Findings, Zoning Map Amendment (i.e., Zone Change)

Plan #: ZMA-2025-00014

1. This request is for a Zoning Map Amendment from R-MH or MX-L to MX-M for 5 parcels (“subject sites”) totaling approximately 35 acres in an Area of Change.
2. The subject sites are part of the University of New Mexico’s South Campus and are located north of Gibson Blvd. between I-40 and University Blvd. in an area that UNM refers to as the UNM Gibson Commercial District (“subject area”).
3. The subject sites include: Tract 8, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 9, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 10, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 6, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); and Tract 7 Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision).
4. The intent of the zone change is to allow the proposed future development of a variety of retail, restaurant, and personal service uses on the property, which are consistent with the land uses outlined in the UNM Campus TIDD Development Plan. The TIDD was approved by the City of Albuquerque as a co-applicant to create the District, and the plan was also approved by Bernalillo County and the State of New Mexico.

5. Background/ History:

A. UNM's South Campus began to develop in the 1950s. South Campus was not included ~~into~~in a formal planning process until UNM adopted the South Campus Master Plan in 2007, identifying three distinct areas: UNM Science and Tech Park, the University’s athletic facilities, and undeveloped land.

B. ~~With the 2009 update to the 1996 Campus Development Plan, the South Campus was included into the ten-year vision. The intent was to provide a mix of uses that would complement the existing uses to create a “Live, Learn, Work, Play” environment and defining goals to design environmentally appropriate landscapes, reduce surface parking, and develop strategies to reduce the number of automobile trips to and from campus. The 2009 Plan proposed a road network and circulation improvements to support a mix of commercial and housing uses; the development of an open space and Pedestrian/Bike Circulation network (urban streetscapes, plazas, and trails); and facilities~~

improvements for a diversified mix of uses to include student housing and retail. The 2025 Integrated Campus Plan includes the following recommendation for the South Campus:

- Align with the approved land use programs of the TIDD District, future parcels allow for a variety of commercial and other community amenities.

C. The University agreed to take the necessary steps to develop the UNM Gibson Commercial District, which would be subject to permitting by the State of New Mexico, except for any subdivision, which would be subject to City processes. City oversight was to include platting actions, grading and drainage plan(s), Design Review Committee for improvements in the public right-of-way, DPM infrastructure standards, traffic impact studies, a Subdivision Improvement Agreement, and hydrant placement. UNM was to cover the required infrastructure costs.

D. In July 2021, the City Council approved a South Campus Tax Increment Development District (TIDD) for approximately 337 acres, which includes the 35-acre subject site (R21-202, Enactment # R-2021-072). The TIDD addresses regional market demand and institutional requirements, with new development concentrated on approximately 99 acres of undeveloped and underdeveloped land. The TIDD also contributes a portion of the property tax and new gross receipts taxes for public infrastructure for the subject area.

E. The subject sites are within the Gibson Town Center, as designated by the South Campus Tax Increment Development District Plan. According to the Development District Plan, the subject area is planned for mixed-use, public gathering spaces, and connectivity to the larger District and broader community. A central plaza/park near University Boulevard (a Premium Transit Corridor) establishes a focal point for mixed commercial and residential development, which connects to Lobo Village student housing, the UNM/City athletic complex, and the Science & Technology Park by a well-defined network of pedestrian walkways, bikeways, and a planned transit station.

F. The Gibson Town Center was previously planned by UNM and is proposed to develop be developed with approximately 427,000 sq. ft. of retail, 12,000 sq. ft. of restaurant, and 50,000 sq. ft. of residential land uses (within smaller mixed-use buildings) on undeveloped land. UNM plans to sell the land to a commercial shopping center developer that intends to develop a variety of retail, restaurant, and service uses. The Consistent with the Comprehensive Plan, the current plan does not include any residential land uses. Once the employment center is at least 80 percent developed with non-residential uses, the Comprehensive Plan supports the addition of residential use at

that time. The zone change to NR-C ~~would support~~supports the new retail ~~or~~and restaurant uses, ~~but not~~ planned for the property with the appropriate exclusion of residential uses.

6. Subject area context:

A. The subject sites are presently undeveloped and located within the UNM Gibson Commercial District, part of the 312-acre UNM South Campus Development and designated as a Tax Increment Development District (TIDD). The Gibson Commercial District is proposed as a retail district intended to function as a gateway to the South Campus and UNM's athletic facilities. The primary goal of the TIDD is to generate funds ~~to support~~for the construction of public infrastructure that supports development in the area.

B. South Campus is located approximately 1.25 miles south of the main campus and less than 2 miles southeast of ~~the~~ Downtown. South Campus shares a boundary with Central New Mexico Community College (CNM). South Campus encompasses four primary areas of focus: athletics, office/research space, student housing, and commercial activity, each characterized by unique architectural design.

South Campus is designed as an auto-oriented district accessible via heavily-trafficked Gibson and University Boulevards and nearby Interstate 25. The area features sizeable blocks and large building footprints. The subject area currently lacks sufficient infrastructure and amenities to adequately serve students, faculty, staff, and surrounding neighborhoods. ~~An~~ unplannedMultiple pedestrian and bicycle ~~pathway along~~connections are planned throughout the ~~drainage channels provides informal connectivity through the area~~District.

7. 2040 Long Range Roadway System (LRRS) designations:

A. I-25 and I-40 are existing Urban Interstates with Urban Interstate Frontage Roads.

B. Gibson Boulevard is an Existing Regional Principal Arterial and a Limited Access Arterial west of University Blvd SE.

C. University Boulevard is an Existing Minor Arterial in the vicinity of the subject site.

D. From University Boulevard to the east, Gibson Boulevard is a Limited Access Arterial.

8. Interstate 25 is designated as a Primary Freight Corridor. This roadway runs north-south near the subject site's western boundary. The nearest roadway with Truck Restrictions is north-south Yale ~~Bvld~~Boulevard, about 0.5 miles to the east of University Blvd. The MRCOG's 2040 Limited Access Facilities Map does not show adjacent roadways as having limited access.

9. Long Range Bikeway System (LRBS) map designations:

A. An existing Gibson Bike Lane that continues east of Interstate 25 along the boulevard. There is also an existing University Bike Lane that connects with the Gibson Bike Lane at the intersection of those two streets. A bike lane is a portion of the street with a designated lane for bicycles.

B. A proposed Paved Trails along Gibson, mirroring the existing Bike Lane, and two others that follow drainages: the South Diversion Channel north-south and the Geneivas Arroyo to the northeast through the subject site. These facilities will be constructed with the development of the subject property and funded by the TIDD in accordance with that plan.

C. A proposed Protected Bike Lane – Facility Upgrades along Gibson Blvd. to the south of the subject site.

10. Transit: The area is served by ABQ RIDE Route 16 (Broadway/ University/ Gibson) every 40 minutes during the week and every hour on the weekends. This route connects the San Jose neighborhood to Louisiana Blvd. at Gibson Blvd. There is one stop on the eastside of University Blvd within the subject area, and one stop within 330 ft south of the subject area, a less than a 2-minute walk on average. Additional public transit infrastructure improvements are included within the TIDD.

11. 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.

12. The subject sites are within an Area of Change. Areas of Change include Centers, Corridors, and Metropolitan Redevelopment Areas, where new development and redevelopment are desired and appropriate. These areas include undeveloped land and commercial or industrial zones that would benefit from infill or revitalization. Directing growth to Areas of Change ~~is intended~~ aims to reduce development pressure on established neighborhoods and rural areas, thereby minimizing infill or redevelopment at a scale and density that could negatively impact their character. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities.

13. The subject sites are within the Near Heights Community Planning Area (CPA). This CPA stretches east from Interstate 25 to Wyoming Boulevard and from Interstate 40 south to the Sunport and Kirtland Air Force Base. Near Heights includes most of the city's largest institutions and employers, including UNM, CNM, Presbyterian and UNM hospitals, the Veterans Affairs complex, and the International Sunport Airport. This community is also a gateway for Kirtland Air Force Base, which hosts both military and civilian facilities, including Sandia Laboratories.

The Near Heights Community Planning Area Assessment Report was accepted by City Council on April ~~3rd~~3, 2023 (EC-23-237).

14. The subject area is within Airport Protection Overlay Zone Air Space Protection Sub-area (IDO §14-16-3-3), and the southwestern corner of the site area is within the Schwartzman landfill buffer zone.

15. The subject site is located within the existing CNM/ UNM South Employment Center. Employment Centers are intended to remain ~~predominately~~predominantly industrial, business, and retail centers. Employment Centers tend to be auto-oriented and need to provide excellent access for trucks and connections to freight networks.

16. The subject sites are within the South Campus Tax Increment Development District (TIDD).

17. The subject sites are zone R-MH and MX-L. The purpose of the R-MH 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 [IDO §14-16-2-3(F)].

The R-MH zone does not fulfill the goals and policies for the existing designated CNM/ UNM South Employment Center.

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 multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. [IDO §14-16-2-4(B)]. While the MX-L zone permits some of the uses encouraged within an employment center, the neighborhood scale of this zone does not.

18. The purpose of the NR-C zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide spectrum of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses [IDO §14-16-2-5(A)]. The NR-C zone supports the goals and policies for the designated CNM/ UNM South Employment Center.

~~some light industrial uses [IDO §14-16-2-5(A)].~~

19. The request ~~generally~~ furthers Goal 4.1 Character: Enhance, protect, and preserve distinct communities from the Comprehensive Plan Chapter 4 – Community Identity.

This request is for a zone change from Residential Multi-family High Density to Non-residential Commercial for five undeveloped parcels. The nearest commercial parcel is over 0.25 miles to the north, separated by the high-density student housing and additional, undeveloped residential zoning along a proposed street ~~which that~~ borders, large-scale athletic facilities and parking. Residential and Mixed zoning are to the east and south. Commercial Zoning ~~could create permits~~ medium-scale retail, office, commercial, and institutional ~~job jobs~~ and shopping opportunities that ~~could~~ enhance and protect the ~~disbursed~~ dispersed distribution of medium-scale structures, similar to the distinct athletic facilities and the isolated 3-story, Lobo Village student housing community to the north, as well as the mixed-use development along Gibson and University Boulevards. Added services could augment the regional availability of neighborhood and area-wide goods and services ~~solidifying the area as envisioned within a typical, auto-oriented development~~ designated employment center.

20. The request ~~generally~~ 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 from the Comprehensive Plan Chapter 5 - Land Use.

The subject sites are located wholly within an Area of Change. The request would direct growth to an area where redevelopment is encouraged, expected, and desired. The NR-C zone district ~~would reinforce~~ reinforces the character and intensity of UNM athletic facilities further to the north of the lots currently zoned residential and ~~could expand~~ expands commercial services by another 35 acres ~~adjacent to Low and Medium Intensity Mixed-use zoning to within the south~~ designated CNM/ UNM South Employment Center.

21. The request ~~partially~~ furthers the following applicable Goals and Policies from the Comprehensive Plan Chapter 5 - Land Use

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

Commercial Zoning could create medium-scale retail, office, commercial, and institutional job and shopping opportunities that ~~would be~~ are appropriate within an Employment center. Added services ~~could~~ enhance regional availability of neighborhood and area-wide goods and services, ~~solidifying the area as an auto-oriented development~~ where residents ~~could~~ can work, shop, and play together with nearby access to existing student housing, nearby neighborhoods, learning institutions, and ~~living as this request would~~ university athletic and entertainment facilities. While the NR-C zone does not allow for residential development, it does support existing residential communities in the area, and the allowance for General Retail-Large provides needed grocery store use in an existing "food desert".

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

The request ~~could facilitate~~ facilitates the development of a ~~distinct, auto-oriented community~~ new commercial district, where a wide spectrum of needed medium-scale retail, office, commercial, and institutional uses, including some light industrial uses ~~could, to~~ serve both neighborhood and area-wide needs, accessible consistent with the employment center designation. The site will have excellent access by vehicle from surrounding neighborhoods. ~~However, auto-oriented development reinforces car dependency, necessitates parking facilities~~ vehicles, along with a robust multi-modal system serving transit users, pedestrians, and bicycles. The South Campus TIDD ensures that ~~typically intensifies the urban heat island effect, increases pollution and congestion, and reduces community connections and walkability~~. ~~Although the automobile is still the primary transportation mode in~~ necessary public infrastructure will be constructed to serve the ~~city and region, efforts to create a more balanced system are encouraged, and NR-C would not allow mixed-use development on the subject site as defined by the IDO and the greater community~~.

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

~~At this time there is little to no existing infrastructure or public facilities that serve the subject area. Commercial zoning could promote widely dispersed facilities and expanded parking allowances instead of denser, mixed-use development, the latter of which could promote a more efficient use of land to support the public good. While the~~ The property is located within the existing CNM/UNM South Employment Center, which promotes new commercial development and is intended to remain predominantly industrial, business, and retail centers. While the property is currently vacant, the South Campus TIDD ensures that the necessary public infrastructure will be constructed to serve the development and the greater community. ~~The request supports the utilization of undeveloped parcels in a strategically advantageous location within the city, removing the potential for future housing development on the subject sites may further exacerbate the City's existing housing shortage.~~ Any future development ~~would be required to install~~ requires the installation of adequate infrastructure pursuant to the IDO and DPM, which will be funded by the South Campus TIDD.

22. The request ~~generally~~ furthers the following applicable policies from the Comprehensive Plan Chapter 8 – Economic Development.

A. POLICY 8.1.1 from the Comprehensive Plan Chapter 8 – Economic Development.

This request ~~would not permit residential development limiting the possibility of a live work community, but could add contexts with different~~facilitates the fulfillment of the goals and policies as expressed by the Comprehensive Plan designation of the CNM/ UNM South Employment Center by allowing development intensities, densities, uses, and building scale to encourage economic development in the area. ~~For example, permitting commercial uses could facilitate the addition of medium and larger scale retail, office, commercial, and institutional facilities compatible with the existing NM/UNM South Employment Center.~~

B. POLICY 8.1.3 ECONOMIC BASE: Strengthen and diversify the economic base to help reduce reliance on government spending.

The intention of the zone change would facilitate development of about 35 acres of medium-scale retail—, including large general retail, office, commercial, and institutional uses ~~to, in~~ an area that is currently mostly zoned for multi-family high-density residential uses. Allowing commercial and retail uses could strengthen and diversify the economic base by offering new employment opportunities and ~~allow~~allowing for a wider variety of uses, ~~however, NR-C would necessitate an auto-oriented customer base.~~ There is a TIDD in place to help generate funds for the construction of needed public infrastructure ~~to help reduce reliance on government spending.~~

23. The request ~~partially~~ furthers Goal 8.1 Placemaking: Create places where business and talent will stay and thrive from the Comprehensive Plan Chapter 8 – Economic Development.

This request would ~~restrict residential development but could~~ facilitate the addition of medium-scale retail, office, commercial, and institutional uses that align with the existing UNM goals for South Campus. ~~However, this is a zone change request and it is unknown what businesses a future development would attract to support a place where business and talent would stay and thrive.~~and the designated CNM/ UNM South Employment Center.

~~24. The request conflicts with 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 from the Comprehensive Plan Chapter 9 – Housing.~~

~~The request is in direct conflict with Goal 9.1 in that it does not 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. On the contrary, this request removes 35 acres of potential townhouse, live work, multi family, and all group living dwelling options.~~

~~25. The request conflicts with~~24. The request furthers Goal 13.1 Climate Change: Promote resource-efficient growth and development to help mitigate global climate change and adapt to its local impacts from the Comprehensive Plan Chapter 13: Resilience & Sustainability. The South Campus is planned to create a vibrant district with science and technology, athletic, and

commercial districts with residential hubs. The subject property is not the only location within the District that can accommodate new residential hubs. UNM's Integrated Campus Plan also identifies key pedestrian access strategies that include the TIDD District.

~~Although the zone change to NR-C would align with the intention of an Employment Center, potential development allowed by this request would be in conflict with Goal 13.1 as uses restricted to an NR-C designation promotes less resource-efficient growth and development that could lead to an increased urban heat island effect in an area already developed by parking lots, increase pollution and congestion, and reduced walkable spaces.~~

2625. Pursuant to §14-16-6-7(H)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment – Council shall be approved if it meets all of the following criteria, as applicable."

6-7(H)(3)(a) 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.

Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them. The applicant has provided the required policy-based response, which demonstrates that the zone change is ~~generally or partially~~ consistent with the health, safety, and general welfare of the City. ~~However, staff's analysis and the designation of the Comp Plan finds that the request generally furthers four, partially furthers four, and conflicts with~~ subject property as being within the ~~nine~~ Goals and policies presented with the request.

~~The primary concern with the request is with the loss of 35 acres for potential housing, but nevertheless the request does reinforce auto-oriented~~ CNM/ UNM South Employment Center ~~development as per the Comp Plan.~~ The request does not present any significant conflict with the Comprehensive Plan, as amended, or other applicable plans adopted by the City as shown in the review of applicable Goals and Policies section above. Applicable citations: Goal 4.1 Character; Goal 5.2 Complete Communities, Policy 5.2.1 Land Uses, Goal 5.3 Efficient Development Pattern, Goal 5.6 City Development Areas; Goal 8.1, Policy 8.1.1 Diverse Places, Policy 8.1.3 Economic Base-, and Goal 13.1 Climate Change.

~~Inapplicable citations: Policy 8.2.1 Local Business. Conflicting citations: Goal 9.1 Supply; Goal 13.1 Climate Change.~~ The zone change to NR-C aligns with the Comprehensive Plan for an Employment Center, encouraging job growth in this area of the city. UNM Integrated Campus

Plan provides the following vision for the South Campus District, which includes the subject property, which is identified as the TIDD District:

South Campus

“Stretching down University Avenue, South Campus will be defined by four key districts: science and technology, residential, athletics, and mixed-use commercial. The science and technology district functions as a vibrant district of research and partnership, the athletic district provides a 24/7 activated community and training space, the residential hubs create a safe, inclusive home base for students, and the TIDD district envisions an amenity-rich zone for all. A pedestrian-focused spine will help move pedestrians safely north to south through the science and technology park to the TIDD district.”

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 sites are wholly located within an Area of Change and not wholly or partially in an Area of Consistency, as designated by the Comp Plan, so this criterion 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 area is wholly in an Area of Change. The request to ~~up-zone~~rezone the 5 parcels of the subject site from R-MH or MX-L to NR-C would reflect Criterion 3 because a commercial zone district ~~could be~~is more advantageous to the community within a designated employment center. Allowing ~~for more redevelopment~~development options than what is allowed in a high-density residential zone ~~district could~~or low intensity mixed-use districts will have a positive impact by encouraging development that is more appropriate to an Employment Center. By allowing ~~an auto-oriented design~~needed commercial uses and ~~focus~~jobs, the subject area ~~may will~~ be more accessible to the surrounding neighborhoods and the wider region ~~in general~~.

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 requested zoning would generally include permissive uses that could be considered harmful to adjacent property, the neighborhood, or the community. Such uses that could be considered harmful include kennel, bar, nightclub, campground/recreational vehicle park, cannabis related uses, light vehicle sales, contractor facility/yard, self-storage, pawn shop, light manufacturing, recycle drop-off, etc. To address some of these neighborhood concerns, the applicant will include deed restrictions—an agreement between UNM and the commercial developer—that exclude specific uses on the subject sites. Suggested restricted uses include kennels, liquor stores, pawn shops, cannabis related uses, bars, and nightclubs. But because, this would be a private agreement, the City has no jurisdiction to enforce such a contract per IDO §14-16-1-9.

Although future development under the NR-C zone district would be subject to applicable IDO use specific standards that serve to protect and preserve the identity of the neighborhood by mitigating the impacts of potentially incompatible uses, it cannot outright prohibit permissive uses within a zone district, in this case, the NR-C Zone District (see IDO Table 4-2-1: Allowable Uses). Otherwise, uses at the subject sites 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, certain cannabis-related activities would be subject to additional regulations under New Mexico

state law, including, but not limited to, requirements regarding minimum spacing from other uses or facilities.

These regulations are designed to further mitigate any potential adverse impacts associated with such activities.

While the applicant provided a list of uses that would become permissive under the NR-C zone district, and since most of the potentially harmful uses are restricted, they ~~failed to demonstrate~~did not include citations as to how potentially harmful uses would be mitigated through use-specific standards. However, as noted above, the IDO does include specific use standards to mitigate adverse impacts on the nearby neighbors.

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 area is currently undeveloped with no existing infrastructure. Infrastructure and public improvements should have adequate capacity after meeting Criteria 3 and 4. The applicant will fulfill its obligations under the IDO, the DPM, and fulfill their respective obligations under a City-approved Development Agreement between the City and the applicant (see Attachment B – Memorandum of Understanding).

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 sites are located within an undeveloped area of UNM South Campus and within an Area of Change and an employment center where growth and development are encouraged. The applicant's justification is not completely based on the subject site's location on a major street; rather, the applicant has adequately demonstrated that the request generally furthers and does not conflict with a preponderance of applicable Comp Plan goals.

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 typically 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 ~~an attempt~~ to add larger-scale commercial and retail uses not currently allowed in the R-MH or MX-L zone districts within the Gibson Commercial District ~~that~~ and CNM/ UNM South Employment Center, which aims to provide commercial, retail, and other services to the community and surrounding institutions.

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.

Criterion H is a two-part test. The analysis of spot zones in the city is determined based on several factors identified in the Review and Decision Criteria, including assessing surrounding zone districts, land uses, and applicable IDO definitions. Despite a zone change that includes approximately 35 acres, this area would create a zone district different from the surrounding zone districts ~~to~~ on one premise, creating a "spot zone". Since much of the adjacent and nearby property is owned by UNM, the zoning is not a good indicator of the surrounding land uses, which include large University sports facilities and large parking lots. These uses are first permissive in the NR-C zone.

The subject area is over 0.25 miles to the south of another NR-C zone designation and about 0.3 miles northwest of another along Gibson Boulevard. ~~While the~~ The requested zoning generally aligns with the Comp Plan, and the CNM/ UNM South Employment Center; the applicant has ~~not~~ adequately demonstrated that the request ~~would~~ clearly ~~facilitate~~ facilitates its implementation, ~~as noted in the staff review regarding the Goals and policies presented by the applicant.~~

~~Furthermore, the~~ The applicant ~~failed to respond to at least 1 of~~ provided a response that the request meets Criterion 1 of the Criteria ~~1-3 of~~ listed in 6-7(G)(3)(h), ~~none of which apply for the following reasons:):~~

1) The undeveloped subject area is not different from surrounding land uses and ~~wouldn't function~~functions as a complementary transition between adjacent ~~zone districts. Rather, the request introduces a more intense land uses, and the prevalence of NR zoning to an area that is surrounded by Mixed-Use and Residential zone districts;~~

~~2) The along the Gibson Boulevard corridor, both east and west of the subject property is suitable for the uses allowed in adjacent zone district with no topography, traffic, or special adverse land uses that would preclude similar zoning;~~

~~3) The property is undeveloped, so existing structures do not make it unsuitable for the uses allowed in any adjacent zone district.~~

B. 6-7(H)(3)(b) If the application is for the creation or amendment of an NR-BP zone district, all of the following criteria.

1. The NR-BP zone district and Master Development Plan will result in an internally coordinated system of land uses, development intensities, and open spaces that is more consistent with the adopted ABC Comp Plan, as amended, that is visually more attractive to surrounding areas, and that promotes economic development of the city better, than could be achieved without the NR-BP zone district.

2. The NR-BP zone district and Master Development Plan will result in street, circulation, open space, and storm drainage systems that connect and integrate with the City's existing systems.

3. The City and other service providers have adequate infrastructure and public service capacity to serve the proposed development without decreasing service quality to existing City residents or increasing financial burdens on existing City residents, or the applicant has made adequate financial commitments to ensure this result.

This request is not for the creation or amendment of an NR-BP zone district, ~~but an RMH or MX-L zone district, so this criterion does not apply.~~

C. 6-7(H)(3)(c): If the application is for the creation or amendment of a PC zone district, all of the following criteria.

1. The proposed amendment and related Framework Plan meet any criteria for approval for a Planned Community adopted by City Council

2. The Framework Plan for the property will result in street, circulation, open space, and storm drainage systems that connect and integrate with the City's existing system.

3. The Framework Plan for the property accommodates reasonably anticipated growth of the City in a manner that is more consistent with the ABC Comp Plan, as amended,

than the accommodation of such growth that could be achieved without the PC zone district.

4. The City and other service providers have adequate infrastructure and public service capacity to serve the proposed development without decreasing service quality to existing City residents or increasing financial burdens on existing City resident, or the applicant has made adequate financial commitments to ensure this result.

This request is not for the creation or amendment of a PC zone district, but a NR- C zone district.

~~27. Staff Discussion: Although consistent with the CNM/UNM South Employment Center, the UNM Campus Plan, and the TIDD, a commercial use designation may not be more advantageous to the community as articulated by the Comp Plan, and a zone designation that allows residential as well as proposed future commercial (retail and restaurant) might better serve the local community and City in the long term. It would change the character of the area from a high-density residential to commercial district with different setback and building height Use and Development Standards.~~

~~The up-zone would result in a zone district permitting higher intensity uses, which could necessitate the implementation of buffering measures rather than serving as a mitigating buffer. Rezoning this area to a less intense zone district, such as Mixed use would not create a spot zone and would provide for a wider array of retail, commercial, institutional, with moderate to high-density residential uses permissible and also appropriate for Centers and Corridors [Large general retail would require a Conditional Use Approval in the MX-M and MX-H zone districts pursuant to Subsection 14-16-6-6(A)].~~

~~This zone change request would exclude about 35 acres from the future possibility of housing development. It is noted that the South Campus TIDD Tax Increment Development Plan intends to incorporate approximately 50,000 SF of new residential development in the area, which NR-C zoning would not allow. Nevertheless, a Commercial Zone District would foster larger, auto-oriented facilities with expanded parking availability that could promote drivable access to a variety of goods and services, including large retail stores, restaurants, and entertainment in a strategic location.~~

~~The spot zoning introduces higher impact uses and additional traffic that could be consistent with the surrounding area and potential development of a diverse neighborhood but is consistent with an Employment Center and the UNM Campus Plan's vision for South Campus.~~

~~The resulting spot zone would introduce higher impact uses that could be inconsistent with the surrounding properties and potential development of a diverse neighborhood, and would promote a less resource-efficient growth and development than similar adjacent mixed-use that could better minimize the urban heat island effect, pollution and congestion, while potentially creating more walkable spaces.~~

~~2826.~~ Considerations:

A. The subject site is within an Employment Center that is intended to prioritize opportunities for industrial, business, and retail centers. B. An Employment Center is expected to facilitate auto-oriented development ~~and business districts supported by retail and residential uses.~~

~~B. An Employment Center is expected to facilitate auto-oriented development.~~

C. The subject area is within an Area of Change where growth and development are encouraged.

DC. The subject area is within the South Campus Tax Increment Development District (TIDD), specifically the Gibson Town Center, which proposes approximately 427,000 sq. ft. of retail, 12,000 sq. ft. of restaurant, and 50,000 sq. ft. of residential land uses.

The zone change to NR-C ~~would support~~supports the intended retail or restaurant uses, but not residential uses. Pursuant to the Comprehensive Plan, residential uses should not be considered until the Employment Center is 80 percent developed with non-residential uses.

~~29~~The zone change also helps to eliminate or significantly reduce the fact that the surrounding neighborhoods have been designated by the USDA as “food deserts” by allowing General Retail Large as a permissive use.

27. City departments and other public agencies reviewed this application. In general, these comments indicated no adverse comments and/or provided informational comments.

A. The Department of Municipal Development submitted a comment that reiterated the importance of allowing for increased multimodal and transit-oriented development per the Albuquerque Vision Zero goals and the need for context-sensitive zoning and roadway design. Considerations are especially important since this request is in an area characterized by residents with greater vulnerability and increased exposure to traffic safety risks.

B. Bernalillo County, Planning & Development had no adverse comments, but provided the following informational comment: The proposed zone change would allow large format retail and commercial uses that could serve County residents in the Mountain View neighborhood. This neighborhood is identified as being underserved by supercenters, supermarkets, and large grocery stores in the USDA data cited in the project justification letter.~~30~~

28. Neighborhood associations (Clayton Heights Lomas del Cielo NA, District 6 Coalition of NAs, Kirtland Community Association, South Broadway NA) located within 660- feet of the subject sites were notified as required. All property owners within 100 feet of the subject sites were notified as required.

~~31~~29. No facilitated meeting was requested, but UNM and Lobo Development presented during the in-person, regularly scheduled Clayton Heights NA meeting, Wednesday, September 24, 2025, at the Loma Linda Community Center, with Kirtland NA also in attendance. The meeting was facilitated by the president of Clayton Heights NA. A total of 12 individuals from the two neighborhood associations were in attendance. During the meeting, the applicant stated that

UNM will place a deed restriction on the property prior to sale to eliminate some of the negative land uses that would otherwise be permitted in the NR-C zone. Overall, both neighborhoods support the request.

~~3230~~. The applicant was not required to offer a Pre-submittal Tribal Meeting to Indian Nations, Tribes, and Pueblos, as the subject sites are greater than 660 ft. of Major Public Open Space [IDO §14-16-6-4(B)].

~~33. The public is concerned with a number of possible uses at the subject sites, which were addressed by the applicant with the assurance of a deed restriction. Although a deed restriction can limit how the land can be used, built upon, or maintained, the City cannot enforce private agreements pursuant to IDO §14-16-1-9.~~

~~34. Bernalillo County Planning & Development gave an informational comment that states: The proposed zone change would allow large format retail and commercial uses that could serve County residents in the Mountain View neighborhood.~~ **Recommendation**

The EPC should forward a recommendation of approval to City Council regarding Plan # ZMA-2025-00014 for the Zoning Map Amendment – Council from R-MH or MX-L to NR-C for five properties north of Gibson Boulevard between I-40 and University Boulevard, and forward a recommendation of approval to the City Council for Tract 8, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 9, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 10, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); Tract 6, Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision); and Tract 7 Plat of UNM Gibson Commercial District (a replat of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A, 40/25 Associates Subdivision), based on the preceding Findings 1-30 as presented by the applicant as part of the 48-hour documents.

~~This neighborhood is identified as being underserved by supercenters, supermarkets, and large grocery stores in the USDA data cited in the project justification letter.~~