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OFFICIAL NOTICE OF DECISION

October 28, 2025

City of Albuquerque
Council Services
1 Civic Plaza
Albuquerque NM, 87103

Project # PR-2018-001849

Plan # [TA-2025-00001](#)

Text Amendments to Integrated Development Ordinance (IDO)
— CPO-7 Small Area

LEGAL DESCRIPTION:

City Council Services requests to amend the text of the Integrated Development Ordinance (IDO) for the Martineztown/Santa Barbara Character Protection Overlay Zone (CPO-7) Small Area. This amendment would remove from the CPO-7 boundary all or a portion of Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A & Tract B Slade-Olsen Tract 195A2, Tract 202A & Tract 203A MRGCD Map 37); Map 37 Tract 196, located at 229 Broadway Blvd NE, comprised of approximately 2.8 acres and 101 Lomas Blvd NE comprised of approximately 1.0 acre.

Staff Planners: Megan Jones & William Steele

On October 28, 2025, the Environmental Planning Commission (EPC) voted to recommend APPROVAL of Project # PR-2018-001849, Plan # TA-2025-00001 to City Council regarding Text Amendments to the Integrated Development Ordinance (IDO) — CPO-7 Small Area, based on the following Findings.

FINDINGS – TA-2025-00001

1. The request is for a Text Amendment to the Integrated Development Ordinance (IDO) for a Small Area in tandem with the Biennial IDO update (TA-2025-00002) required by IDO §14-16-6-3(D). The proposed text amendment affects the Martineztown/Santa Barbara Character Protection Overlay zone (CPO – 7, the “subject area”) as established in IDO §14-16-3-4(H).
2. The proposed amendment would change the boundary of the Martineztown/Santa Barbara CPO – 7 to remove all or a portion of two parcels (the “subject sites”):
 - A. Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A, located at 229 Broadway Blvd. NE, comprised of approximately 2.8 acres.

- B. Tract B Slade-Olsen Tract 195A2, Tract 202A & Tract 203A MRGCD Map 37); Map 37 Tract 196, located at 101 Lomas Blvd. NE, comprised of approximately 1.0 acre.
3. The parcel at 229 Broadway Blvd. NE is a vacant lot, and the parcel at 101 Lomas Blvd. NE is an existing restaurant with a drive-through.
 4. The EPC is hearing this case pursuant to IDO §14-16-6-7(E), Amendment to IDO Text – Small Area. The EPC’s role is to review the proposed changes and make a recommendation to the City Council. As the City’s Planning and Zoning Authority, the City Council will make the final decision. This is a quasi-judicial matter.
 5. The City Charter, Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Integrated Development Ordinance (IDO), Albuquerque Region Housing Needs Assessment, and Downtown 2025 Metropolitan Redevelopment Area, as amended (R-25-123), are incorporated herein by reference and made part of the record for all purposes.
 6. The intent of the request is to proactively facilitate the development of high-density residential uses in this area, specifically the vacant site. Currently, the zoning doesn’t allow residential development, but the applicant intends to submit a Zoning Map Amendment to change the zoning to allow residential or mixed-use development in the future.
 7. The Martineztown/Santa Barbara CPO-7 was established in 2017 as one of 13 Character Protection Overlay (CPO) zones. The subject sites are located in southwestern portion of CPO-7 near the intersection of Broadway Blvd. NE and Lomas Blvd. NE. Lomas Blvd. is a Major Transit Corridor as designated by the Comprehensive Plan and is the southern boundary of CPO-7.
 8. The subject sites are located within the Central ABQ Community Planning Area (CPA) as designated by the Comprehensive Plan.
 9. The subject sites border Lomas Blvd. NE and are within 660 feet of the Lomas Blvd Major Transit Corridor.
 10. The subject sites are within an Area of Change as designated by the Comprehensive Plan. Areas of Change include Centers, Corridors, and Metropolitan Redevelopment Areas, where new development and redevelopment are desired and appropriate. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities.
 11. The request is consistent with the following Goals and Policies related to Centers, Corridors, Complete Communities, Development, and Areas of Change., Identity, and Design from 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 subject sites border and are located within 660 feet of the Lomas Blvd Major Transit Corridor. Although the subject sites are not within the Downtown Center, they are directly adjacent to its eastern boundary. The text amendment would continue to provide the opportunity for growth as a community of strong Centers connected by a multi-modal network of Corridors, which would be accessible to the surrounding area because the subject sites would allow more flexible development options.

- B. **POLICY 5.1.10 MAJOR TRANSIT CORRIDORS:** Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

SUB-POLICY 5.1.10.a: Encourage higher-density residential developments within ¼ mile of transit stops and stations.

This request would continue the momentum in encouraging higher-density residential development near transit stops and stations because there are approximately 14 bus stops within ¼ mile of the subject sites. These bus routes run in all directions throughout Downtown and have connections to other parts of the City. The request would be a step forward to ensure development of residential uses with a higher maximum building height than what would be allowed in CPO-7. New higher-density residential development within ¼ mile of transit stops encourage opportunities for pedestrians to access the transit system.

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

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

SUB-POLICY 5.2.1.m: Encourage more productive use of vacant lots, under-utilized lots, including surface parking lots.

This request for a small text amendment proactively initiates the steps to develop the vacant site at 229 Broadway Blvd. NE because it will enable a more productive use of this vacant and under-utilized lot. By taking the steps to prepare the vacant site for future development, it will likely foster complete communities where residents can live, work, learn, shop and play together.

- D. **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 areas.

The subject sites are located in Areas of Change, where growth is encouraged, directed, expected, and desired. The site at 229 Broadway Blvd. NE is vacant, directly east of the Downtown Center and completely surrounded by Areas of Change. Removing the two parcels from the CPO-7 boundary would encourage facilitation of high-density residential development on the vacant site. This vacant site is a prime location for development because of its location and its proximity to the Downtown Center. This request to remove the subject sites from CPO-7 would create opportunity for direct growth on a vacant site next to the other subject site at 101 Lomas Blvd. NE with an active existing use in an Area of Change.

- E. **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 subject sites are in Areas of Change, and the text amendment would facilitate the process to develop the subject site. In May 2025, City Council approved an amendment to expand the Downtown 2025 Metropolitan Redevelopment Area (MRA) boundary to include the McClellan Park and Railroad Metropolitan Redevelopment Areas and properties at Lomas and Broadway

(R-25-123). The vacant site at 229 Broadway Blvd. NE is now part of the MRA and is an ideal site for redevelopment. The request to remove the subject sites from CPO-7 aligns with the amended boundaries of the MRA to encourage more intense growth in the form of higher-density residential development. SUB-POLICY 5.6.2.d: Encourage higher density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

The small area text amendment would advance the housing objectives in the Downtown 2025 MRA and the Albuquerque Region Housing Needs Assessment. The ability to encourage higher-density residential development on a vacant site (229 Broadway Blvd. NE) as an appropriate land use would be accomplished by the rezoning of the site from NR-LM (Non-residential – Light Manufacturing) to a residential or mixed-used zoning district. The location of the vacant site is near transit and commercial retail uses which will be advantageous for residents of any future residential and or mixed-use development on the vacant site.

12. The request is consistent with the POLICY 8.1.1 DIVERSE PLACES: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities, from Comprehensive Plan Chapter 8: Economic Development.

The text amendment would encourage higher-density residential development, fostering diversity in the Downtown 2025 MRA. Removing the subject sites from the CPO-7 would allow the building scale of any future residential development to be higher than the current 26 feet maximum building height limit in Residential and Mixed-use zone districts on project sites less than 5 acres [IDO § 14-16- 3-4(H)(4)(a)]. Any future residential development would encourage economic development opportunities by having available housing downtown close to where people work.

13. The request is consistent with POLICY 9.3.1 CENTERS AND CORRIDORS: Encourage higher density, multi-unit housing and mixed-use development in Downtown, Urban, Activity, and Village Centers, and along Premium and Major Transit Corridors to capture growth, relieve development pressure at the edge of the urban footprint, and maintain low densities in rural areas, from Comprehensive Plan Chapter 9: Housing.

The small area text amendment would encourage higher density, multi-unit housing development along the Lomas Blvd Major Transit Corridor, where such growth is desired. The subject sites are within the Downtown 2025 MRA and just east of the Downtown Center. Any future high density development such as residential and or mixed-use on the vacant site at 229 Broadway Blvd. NE is anticipated to encourage and capture growth Downtown.

14. The proposed small area text amendment meets the review and decision criteria for Amendment to IDO Text – Small Area in IDO Subsection 14-16-6-7(E)(3)(a-e).
 - A. Criterion 14-16-6-7(E)(3)(a) The proposed small area amendment 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.

As previously shown in responses to applicable Goals and Policies, the proposed small area amendment 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. The request would create a boundary that identical to the approved MRA and provide incentive for the vacant subject site to be developed.

Applicable citations: Goal 5.1 Centers & Corridors, Policy 5.1.10 Major Transit Corridors, Policy 5.1.10.a Centers & Corridors, Goal 5.2 Complete Communities, Policy 5.2.1 Land Uses, Sub-policy 5.2.1.m, Goal 5.6 City Development Areas, Policy 5.6.2 Areas of Change, Sub-policy 5.6.2.d, Policy 8.1.1 Diverse Places, Policy 9.3.1 Centers and Corridors.

- B. Criterion 14-16-6-7(E)(3)(b) If the proposed small area amendment is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the proposed amendment would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not allow development that is significantly different from that character. The applicant must also demonstrate that the existing zoning regulations are inappropriate because they meet any of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area.
2. The proposed zoning regulations are 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 in an Area of Change, so this criterion does not apply.

- C. Criterion 14-16-6-7(E)(3)(c) If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the existing zoning regulations are inappropriate because they meet at least one of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.
2. The proposed zoning regulations are 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 location is wholly in an area of change. The small area amendment meets Criterion 1 because the vacant site conditions changed in the community. The vacant site was a former detention pond and was filled in when the need for it was eliminated because of a new pump station across Broadway Blvd. NE. The vacant property has been utilized for many temporary uses and was recently included in the amended MRA boundaries. The MRA has plans that align with the Albuquerque Region Housing Needs Assessment and has designated this area for more housing. Removing the subject sites could be more advantageous to the community by enabling the vacant site to be developed without the building height restrictions of CPO-7.

The request also meets Criterion 2 because the applicant's policy-based analysis demonstrates the request would further a preponderance of applicable Comprehensive Plan Goals and Policies from Chapters 5: Land Use, Chapter 8: Economic Development, and Chapter 9: Housing of the ABC Comp Plan, therefore would be more advantageous to the community than remaining in the CPO-7 boundary. The applicant also provided responses to the analysis based on the goals and policies of the Comprehensive Plan and the MRA and Housing Needs Assessment relative to the request.

- D. Criterion 14-16-6-7(E)(d) If the proposed amendment changes allowable uses, the proposed amendment does not allow permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The proposed amendment will not change allowable uses or allow permissible uses that would be harmful to the community because the NR-LM zoning is to remain on the subject sites. Any future rezoning action after the removal of the subject sites from the CPO-7 would be to downzone to allow residential development on the vacant site. Any future rezoning would be subject to a separate EPC review and decision pursuant to IDO § 14-16-6-7(G).

- E. Criterion 14-16-6-7(E)(3)(e) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Economic considerations or cost of land are not factors, and the applicant's justification is not based upon them. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan goals and policies and does not conflict with them. The request to remove the subject sites from the CPO-7 boundaries would enable the building height standards on vacant subject site to be less restrictive and more aligned with the MRA and any future high density residential development on the site.

15. Council Planning staff and the District 2 Policy Analyst met with the Martineztown/ Santa Barbara Neighborhood Association on September 9, 2025 to discuss their concerns, which included not being engaged before the amendment was submitted, potentially losing Gross Receipt Tax revenue from future MRA plans, and displacement caused by future development. When the Neighborhood questioned why a variance would not work to get around the height restrictions, Staff explained that variances should be avoided, as it means that a regulation is wrong or broken and that the boundary amendment was a more appropriate approach. Council staff explained that this amendment does not affect the boundary of the Downtown Metropolitan Redevelopment Area, which was recently amended (R-25-123), to also include the subject sites.
16. The Martineztown/Santa Barbara Neighborhood Association sent emails to the Councilor, Council Planning Staff, and Planning Staff opposing the text amendment and requested the amendment be deferred to a future hearing to allow time for a facilitated meeting with City Council Planning Staff. Planning Staff responded via email to their concerns on October, 10 2025 and informed the NA that a request for a facilitated meeting is not required for this application type [IDO 14-16-6-4(K)] and the applicant can choose not to accept. In this case, the applicant already held a neighborhood meeting with the NA.
17. The City Planning Department referred the case for Agency comments.

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- A. The Department of Municipal Development, Transportation Section commented that per the City of Albuquerque Vision Zero Year-in-Review/Action Plan Update (Action Plan): less than a 1,500-foot radius from the Lomas and Broadway intersection are designated roads that are part of the City's Prioritized High Fatal and Injury Network (HFIN). Zoning that supports land use for increased multimodal and transit-oriented development is an important component to help work toward the City's Vision Zero goal because it supports the creation of more transportation options in addition to private automobile travel.
 - B. AMAFCA commented that there is an existing agreement between AMAFCA and the City of Albuquerque regarding this site (Martineztown Flood Relief Agreement for Acquisition and Construction of the Post Office Interim Stormwater Detention Pond dated October 28, 2008) and AMAFCA is a joint legal owner of this property. The terms of that agreement (including use or quitclaim of AMAFCA interest in the property) are still valid and coordination between AMAFCA and the City of Albuquerque on this property is required.
18. Neighborhood Association representatives within 660 feet of the subject area were notified as required.
 19. Property owners within 100 feet of the subject sites and subject area were notified by the applicant, as required. One letter of support was received.
 20. The applicant was not required to offer a tribal meeting, and the City was not required to refer the case for tribal comments. The subject area is not within 660 feet of Major Public Open Space or tribal land.

APPEAL

It is not possible to appeal an EPC Recommendation to the City Council, since this is not a final decision. For more information regarding the appeal process, please refer to Section IDO §14-16-6-4(T) (FINALITY OF DECISIONS) of the Integrated Development Ordinance (IDO).

Sincerely,



for Alan Varela
Planning Director

AV/WS/MJ

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