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## OFFICIAL NOTICE OF DECISION

May 21, 2026

Murad Hijazi of Falcons  
Investments Inc.  
1401 Yale Blvd SE  
Albuquerque, NM 87106

**Project # PR-2022-007569**  
**Plan # [ZMA-2026-00003](#)**  
Zoning Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

Community Design Solutions., agent for Murad Hijazi of Falcons Investments Inc., requests a Zoning Map Amendment (Zone Change) from R-A to R-1 for Tract 1 Volcano Cliffs Subdivision Unit 6, located at 99999 Scenic Dr NW, Approx. 0.15 mile West of Vista Veril Dr. NW between Quivira Dr NW and Villa Real Rd., approximately 7.5 acres. (D-9)

Staff Planner: William Steele

On May 21, 2026, the Environmental Planning Commission (EPC) voted to APPROVE Plan # ZMA-2026-00003 a Zoning Map Amendment (Zone Change) based on the following Findings.

### FINDINGS – ZMA-2026-00003 – Zoning Map Amendment (Zone Change)

1. The request is for a Zoning Map Amendment (zone change) from R-A to R-1B (reclassified to R-1), for Tract 1 Volcano Cliffs Subdivision Unit 6, located at 99999 Scenic Dr NW, Approx. 0.15-mile West of Vista Veril Dr. NW between Quivira Dr NW and Villa Real Rd., encompassing approximately 7.5 acres (the “subject site”).
2. The EPC is the final decision-making body because the subject site is within an Area of Consistency and is less than 10 acres [IDO §14-16-6-7(G)(1)(a)2]. The request is a quasi-judicial matter.
3. As of April 20, 2026, the IDO no longer has sub-zones for R-1 (A, B, C, D); therefore, this request will result in R-1 zoning. All future development on the subject site is subject to R-1 dimensional standards.
4. The zone change is intended to facilitate the subdivision of the subject site for single-family dwelling units. Because both R-A and R-1B (reclassified to R-1) allow single-family dwellings, the impact of the zone change will be to lower the minimum lot size. Under the R-A zone district, the minimum lot size is 10,890 square feet (1/4 acre). The minimum lot size in R-1 is 3,500 square feet.
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.

6. The subject site is currently zoned R-A (Residential Rural and Agricultural.) The purpose of the R-A zone district is to provide for lower density single-family residential and limited agricultural uses, generally on lots of ¼ acre or larger, as well as limited civic and institutional uses to serve the surrounding residential area.
7. The purpose of the R-1 (Residential – Single-Family) zone district is to provide for neighborhoods of single-family homes with a variety of lot sizes and dimensions. When applied in developed areas, an additional purpose is to require that redevelopment reinforce the established character of the existing neighborhood. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area. Allowable uses are shown in Table 4-2-1.
8. The subject site is located in the Northwest Mesa CPA, a predominantly residential community, adjacent to the volcanoes and volcanic Northwest Mesa Escarpment which overlooks the Rio Grande and provides views of the mountains to the east. The Coors Corridor provides many commercial opportunities. Corrales and Rio Rancho border this area to the north.
9. The subject site is located in an Area of Consistency as designated by the Comp Plan. Areas of Consistency have policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.
10. The request is consistent with the following Goal and Policy related to Character, Identity, and Design from Comprehensive Plan Chapter 4: Community Identity.

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

The request would align the subject site with the established character of the adjacent subdivisions to the east and the south. Rezoning from the R-A (Rural and Agricultural) designation recognizes the transition of the Northwest Mesa from agricultural or undeveloped land to a suburban residential context. The proposed R-1 zoning ensures that future lot sizes and scale of homes are consistent with the existing neighborhoods. This amendment prevents the creation of an isolated rural tract within a built-up area and preserves the consistency of the surrounding distinct residential community. Overall, the change enhances, protects and preserves the existing distinct community.

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

The zone change intends to facilitate development that reinforces the character of the area by aligning the subject site with the established identity of the surrounding neighborhoods through a future subdivision action. The current R-A zoning is rural and no longer reflects the built environment of the surrounding subdivisions. By transitioning to the R-1 designation, the subject site will match the scale and character of adjacent single-family residential developments. This change ensures that future development will contribute to a cohesive neighborhood appearance rather being out of character with surrounding development and rural. Adopting the R-1 standards reinforces the residential identity of this area of the Northwest Mesa.

11. The request is consistent with the following Goals and Policies related to Development and Areas of Consistency from Comprehensive Plan Chapter 5: Land Use.
  - A. 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 request ensures that future development in an Area of Consistency reinforces the intensity and character of the surrounding area. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context. Rezoning to R-1 addresses the inconsistency and provides a logical transition that matches the density and built environment of the residential development adjacent to the south and east. This amendment directs growth to a specific location where residential development is both expected and desired, given the proximity to existing subdivisions. By aligning the zoning with the actual character of the surrounding tracts, the ZMA fulfills the requirement to maintain neighborhood stability while ensuring consistent intensity.

- B. **POLICY 5.6.3 AREAS OF CONSISTENCY:** Protect and enhance the character of existing single-family neighborhoods.

The request protects and enhances the character of the existing and adjacent single family neighborhoods while achieving the land-use expectations for a tract located within an Area of Consistency. While these areas emphasize maintaining character, the existing R-A zoning creates a lack of predictability for the neighborhood because it is inconsistent with the surrounding R-1 development pattern. Updating the zone to R-1 ensures that any future residential use is bound by the same low-density standards as its neighbors to the east and south. This protects the long-term character of the neighborhood by preventing the introduction of uses or lot patterns allowed under R-A that might conflict with the existing and surrounding neighborhoods.

- 12. The request is consistent with the following Goals and Policies related to Compatibility and Other Areas from Comprehensive Plan Chapter 9: Housing.

- A. **POLICY 9.2.1 COMPATIBILITY:** Promote development that is respectful of the character and scale of existing neighborhoods.

The ZMA request would promote development that is respectful of the character and scale of the existing neighborhoods. The property sits between the two single family home developments, both of which function at R-1 development standards. Rezoning the site from R-A to R-1 ensures that the property will be used for purposes that would be compatible with the established single-family homes nearby. The request would align the subject site with the surrounding residential neighborhoods, ensuring that future building heights, setbacks, and lot sizes are respectful of the existing suburban context. By adopting the R-1 designation, the applicant ensures that the eventual land use is a continuation of the neighborhood scale rather than an abrupt departure from it.

- B. **POLICY 9.3.2 OTHER AREAS:** Maintain densities that are compatible with the existing neighborhood character in areas not designated as Centers or Corridors.

The requested R-1 density for the subject site is compatible with the surrounding neighborhood character and not within a Center or Corridor. The R-1 zone district provides a moderate density that is higher than the rural R-A designation but far lower than multi-family or mixed-use intensities and aligns with the existing character of the area. The R-1 zone district will contribute to a variety of lot sizes and dimensions for in the surrounding neighborhoods of single-family homes.

- 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."

- 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.

Applicable citations: Goal 4.1-Character, 4.1.2-Identity and Design, Goal 5.6-City Development Areas, Policy 5.6.3-Areas of Consistency, Policy 9.2.1 Compatibility.

The applicant’s policy-based response adequately demonstrates that the request furthers a preponderance of applicable goals and policies regarding land use, identity and design, areas of consistency, and development and thereby does not present any significant conflicts with the Comprehensive Plan. Thus, the request is consistent with the City’s health, safety, and general welfare.

- B. 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.

1. There was 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 property is situated within an Area of Consistency, and the proposed transition to the R-1 zone district reinforces the established character of the surrounding neighborhood by aligning the subject site with the low-density residential intensity and similar minimum lot standards—effective as of April 20, 2026—found in the adjacent subdivisions to the east and south. This zoning change ensures that any future development is not significantly different from the surrounding neighborhoods, as it limits land use to single-family residential patterns and prevents the introduction of rural or agricultural activities permitted under the current R-A designation that would be incompatible with the surrounding neighborhood scale. Furthermore, the R-1 designation is more advantageous to the community as articulated by the ABC Comprehensive Plan because it uses a more efficient pattern of land use and creates a predictable development environment that supports the Plan’s goals for future development and land-use compatibility in the Northwest Mesa.

- C. 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 property is located in an Area of Consistency.

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

The requested R-1 zoning district does not include permissive uses that would be harmful to the adjacent property, the neighborhood, or the community. While civic uses such as a community center or library would become permissive under the new designation, these are neighborhood-scale facilities generally considered compatible with the surrounding residential character and the Northwest Mesa area. Additionally, changing the status of a Bed and Breakfast from a permissive to a conditional accessory use ensures that any such future use would require public hearing to mitigate potential impacts on neighbors.

- E. 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 to serve the development made possible by the change of zone.
2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
4. 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 property is located within an established residential area where major infrastructure, including the street system and utility networks, has been designed to support low-density residential development. Primary access is available via Tierra Oscura Street NW and Villa Real Road NW. The subject site is currently not accessible from Scenic Rd, a dirt road with a road end sign at the parcel boundary line, and will have to make modifications to the surrounding infrastructure. The applicant will have to fulfill any obligations under the Infrastructure Improvement Agreement (IIA) to ensure that the existing infrastructure system will have adequate capacity to serve the subject site. Additionally, under the requirements of the IDO and the Development Process Manual (DPM), the applicant is obligated to ensure that any necessary internal improvements or connections meet City standards prior to any subdivision (replat) action.

- F. 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 justification for this Zoning Map Amendment is centered on the land-use consistency and neighborhood compatibility rather than the property's proximity to a major street. The subject site is does not front onto a major arterial or transit corridor that would typically

drive a request for higher-intensity zoning. Instead, the applicant has demonstrated that the R-1 designation is necessary to align the zoning with the established residential pattern to the east and south. Therefore, a motivation for the amendment is the alignment of zoning boundaries with the actual residential character of the Northwest Mesa.

- G. 6-7(G)(3)(g) 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 ZMA request from R-A to R-1 furthers a preponderance of applicable Comprehensive Plan goals and policies and without conflict. The Zone Map Amendment request facilitates the transition of the subject site from a rural and agricultural to a residential zone district that aligns the property's density and character with the established residential neighborhoods adjacent to the north and south. As a result, the request is not based predominantly on the cost of land or individual financial gain.

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

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

This Zoning Map Amendment does not create a spot zone or a strip zone because it applies a designation that is identical to the R-1 zoning immediately adjacent to the east. By rezoning the subject property, it clearly facilitates the implementation of the ABC Comprehensive Plan by ensuring that development in Areas of Consistency reinforces the character and intensity of the surrounding area. The request results in a more cohesive and predictable zoning map for the Northwest Mesa.

14. According to the Office of Neighborhood Coordination there are no Neighborhoods Associations within 660-feet of the subject site and notification was not required.
15. Property owners within 100 feet of the subject site were notified by the applicant, as required.
16. The applicant was required to offer a Pre-submittal Tribal Meeting. The subject site is located within 660 ft of Major Public Open Space. On March 16, 2026, a pre-submittal facilitated meeting was held with the applicant and representatives from the Pueblo of Pojoaque and Petroglyph National Monument, to discuss a Zoning Map Amendment for the subject site, where the applicant proposes transitioning from R-A to R-1B to allow for approximately 35 residential lots. The meeting centered on a respectful exchange regarding environmental and cultural stewardship, with specific discussions held on a proposed retention/detention pond designed to manage stormwater runoff and mitigate potential pollutants. To address tribal concerns regarding cultural assets, the agent recommended that a cultural resource professional conduct a site walk-through during the next phase

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of the application process, ensuring that the protection of the landscape remains a priority as the project moves toward review by the Environmental Planning Commission.

17. Staff received one phone call from a Montecito HOA representative with a question regarding notification requirements and concerns regarding the proposed R-1B minimum lot size lot size and proposed it meet the R-1C standards. Staff explained the IDO no longer has sub-zones for R-1 (A, B, C, D); therefore, this request, if approved, will result in R-1 zoning.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC's decision or by **June 5, 2026**. 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/WS

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