

PLANNING DEPARTMENT  
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## OFFICIAL NOTICE OF DECISION

May 21, 2026

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**Plan #** [ZMA-2026-00007](#)  
Zoning Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

Strata Design, agent for Jesse Herron, requests a Zoning Map Amendment (Zone Change) from R-1A to for all or a portion of Lot A, Block 0000, Plat of Lots A & B, Lands of Marvin J Gonzales, located at 1010 Bellamah Ave NW, between 12th Street and 8th Street, approximately 0.2 acres. (J-13)

Staff Planner: Dustin Kiska

On May 21, 2026, the Environmental Planning Commission (EPC) voted to APPROVE Plan # ZMA-2026-00007, a Zoning Map Amendment (Zone Change), based on the following Findings 1-23.

### FINDINGS – ZMA-2026-00007 – Zoning Map Amendment (Zone Change)

1. The request is for a zone change from Residential – Single-family (R-1) to Mixed Use – Transition (MX-T) for an approximately 0.2-acre site, legally described as All or a portion of lot A Plat of lots A & B Lands of Marvin J Gonzales containing 0.1970 AC M/L or 8,581 SF M/L, located at 1010 Bellamah Ave. NW, along Bellamah Ave. between 12th St. NW and 8th St. NW, Zone Atlas Map (J-13-Z).
2. The request would facilitate the development of cottage dwellings. While the zone change is requested to develop a particular use, the criteria for a zone change required the EPC to consider the appropriateness of all permissive uses allowed in MX-T in Table 4-2-1 in the Integrative Development Ordinance (IDO).
3. The EPC is the decision-making body for this request because the subject site is within an Area of Change and is less than 20 acres [IDO § 14-16-6-7(G)(1)(a)2]. The request is a quasi-judicial matter.
4. In 1994, the Development Review Board approved a subdivision (Case #DRB-94-337) to plat lots A and B. This area originally served the sawmill located directly south of the site. The former sawmill site to the north continues to have industrial uses and is zoned NRLM (Non-residential Light Manufacturing).

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5. Prior to the Integrated Development Ordinance (IDO), the subject site was within the boundaries of the now-repealed Sawmill-Wells Park Sector Development Plan and was zoned SU-2/S-R (Sawmill – Residential). With the effective date of the IDO in May 2018, the site converted to the R-1A zone district.
6. In January 2026, the dwelling on the property was destroyed by a fire and was demolished in early February.
7. 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.
8. The subject site is located in 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. 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 to reduce development pressure on established neighborhoods and rural areas, 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.
9. The subject site is not within the boundary of a Center or Corridor as designated by the Comp Plan.
10. The subject site is within the Central Albuquerque Community Planning Area.
11. The subject site is currently zoned Residential – Single-Family (R-1). According to IDO §14- 16-2-3(B), the purpose of the R-1 zone district is to provide neighborhoods of single-family homes with a variety of lot size 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.
12. The proposed zone change is from R-1 to MX-T, Mixed Use – Transitional Zone District. According to §14-16-2-4)(A) of the IDO, the purpose of the MX-T zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density residential, small-scale multi-family, office, institutional, and pedestrian-oriented commercial uses. Allowable uses are shown in Table 4-2-1. Upon an approved request, the applicant plans to develop the land for cottage style residential long-term rental housing units. Pursuant to Table 4-2-1 in the IDO, cottage dwelling is a permissive use in R-1 and MX-T.
13. The subject site is within the Sawmill/Wells Park Character Protection Overlay Zone.
14. The request furthers the following applicable Goal and Sub-Policies related to Character, from Comprehensive Plan Chapter 4: Community Identity.
  - A. GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities. The proposed zone change will introduce a land use that already exists adjacent to the property, mixed use transitional use, that acts as a transition between the historically R-1 residential uses and non-residential light manufacturing uses to the north. The applicant has proposed this request to change the zone from R-1 to MX-T to be congruent with the property to the west. The MX-T zone district could enhance, protect and preserve the distinct Sawmill/Wells Park community by expanding a transitional buffer for the R-1 community to the east and south, from the Non-Residential Light Manufacturing (NR-LM) zoned lots to the north. The proposed zone change is consistent with both, the unique mix of residential and non-residential uses that exist in the Sawmill/Wells Park community.

- B. SUB-POLICY 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The Sawmill/Wells Park community is characterized by a diverse variety of land uses that have coexisted for decades. The area was one of Albuquerque’s earliest economic drivers employing over 1000 people. Buildings in the area provided services like grocery stores, commercial services, and housing for workers. Expanding an already present transitional zone, encourages development that is consistent with the distinct character of the community and provides a buffer between the existing residential dwellings and the higher intensity non-residential uses north of the site.

- C. SUB-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 Sawmill/Wells Park Character Protection Overlay provides similar constraints to both R-1 and MX-T requirements, therefore, up-zoning to MX-T is an appropriate jump in scale, and location of development is in a transition area between R-1A and Non-Residential uses, and the proposed development will provide a cottage style housing typology that is respectful to its traditional R-1 neighbors. The proposed zone change is consistent with the adjacent multi-family residential land use and will protect the identity and cohesiveness of the neighborhood by developing cottage style units in a transitional zone.

- 15. The request furthers the implementation of the following applicable Goals and Policies related to Land Use, Complete Communities, Efficient Development Patterns, Development Areas and Areas of Change from Comprehensive Plan Chapter 5: Land Use.

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

The Sawmill/Wells Park Community is characterized by a blend of uses that allows its residents to live, work, learn, shop and play together in close proximity to home. The proposed cottage dwellings will provide housing within a half mile of parks, museums, and schools. Given its close proximity to the Indian School Center and downtown area, a zone change to MX-T will foster this goal by providing residents access to a variety of services in the area.

- B. 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 amend the zoning on the subject site from R-1 to MX-T is intended to introduce new cottage style housing uses to the lot by respectfully increasing the number of housing units that also do not increase in scale to its neighboring single-family housing in the area. The requested zone change will be a more efficient use of land to support the public good, by promoting development that maximizes a lot that is already served by existing infrastructure, sidewalks, roads, and within ten-minute walks to transit stops and public facilities, services, and cultural amenities, and fits in well with the well-established neighborhood.

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

The subject site is already fully served by existing infrastructure, including roads, utilities, parks, schools and neighborhood scale retail and services. The request would enable development on a vacant lot within an Area of Change. The requested zone change will allow permissive uses that include more residential

options that could be desired, as well as non-residential opportunities that may be undesired, if the proposed use were to change.

- 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 area.

The subject site is located entirely within an Area of Change, where the Comprehensive Plan explicitly encourages new growth, redevelopment, and more flexible land-use patterns. Rezoning from R-1 to MX-T would direct development to a location where change is both expected and desired, while also aligning the site with surrounding residential-use and providing a transition of housing intensity and a buffer between the existing single-family housing, areas of consistency, and light manufacturing uses within areas of change. The MXT zone district and the proposed use, as well as its permissive uses, are consistent with, and reinforces the character and intensity of the surrounding area, the Sawmill/Wells Park neighborhood.

- 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 site is located within an Area of Change where more intense development is encouraged along the major collector street, Bellamah Avenue, and can act as a transition between the existing established residential neighborhood and the light industrial zoning to the north. Allowing MX-T zoning would expand development opportunities, which include a variety of moderate intensity residential uses, and limited industrial uses, on a vacant parcel that is adjacent to congruent zoning, and separated by higher-intensity zones. By enabling redevelopment in a location already identified for growth and change as stated in the overall goals of the Sawmill/Wells Park MRA, and by aligning the site's zoning with the established mixed-use pattern along the Bellamah Avenue collector street. The request supports the policy's direction of growth, even though it is not in a Center, Corridor, or industrial and business park, in this case, toward Metropolitan Redevelopment Areas, then into stable neighborhoods.

- 16. The request furthers the implementation of the following applicable Goals and Policies related to Local Business from Comprehensive Plan Chapter 8: Economic development.

POLICY 8.2 LOCAL BUSINESS: Emphasize local business development. The zone change is intended to facilitate the development of cottage style dwellings for long term rental use, which will provide more housing opportunities to the citizens of Albuquerque. If the proposed project were to change, future permissive uses relating to economic development, like a small business, medical clinics, small health gym. A zone change to the MX-T zone district, can attract diverse uses that can continue to serve economic needs by permitting neighborhood appropriate uses, commercial and institutional uses, including small businesses, office space, and diverse housing options like live-work homes. According to the Sawmill/Wells Park Metropolitan Redevelopment Area goals, the area supports the creation of community-scale work, business, and wealth building activity. The request helps create a livable community that supports long-term growth and investment in local business opportunities.

- 17. The request furthers the implementation of the following applicable Goals and Policies related to Supply, Housing Options, Affordability, Density and Other Areas from Comprehensive Plan Chapter 9: Housing.

- A. 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 subject site is within the Sawmill/Wells Park Metropolitan Redevelopment Area, which its guidelines support redevelopment, by providing a mix of affordable and market rate housing options. The development of cottage style units typically creates a smaller building footprint allowing for both increased supply and lower purchase price which supports ensuring more balanced housing options. The zone change to MX-T would also allow a variety of housing options like, live-work, townhomes, multi-family homes, dormitories and duplexes that can increase housing density in an area if the development were to change in the future.

- B. **POLICY 9.1.1 HOUSING OPTIONS:** Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The introduction of cottage style household typologies on the, currently vacant site, could support the development, improvement, and conservation of housing, in an appropriate location, for a variety of income levels and types of residents. This is strengthened by one of the intents of the Sawmill/Wells Park Metropolitan Redevelopment Area, supports attracting investment and new and different people into the neighborhood. The request could support a 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-T zoning could provide opportunities for a 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 cottage dwellings, it is not guaranteed with this zone change.

- C. **POLICY 9.1.2 AFFORDABILITY:** Provide for mixed-income neighborhoods by encouraging high-quality, affordable, and mixed income housing options throughout the area.

The applicant intends to develop Cottage style dwellings which generally offer affordable alternative housing costs, compared to the traditional single-family home cost, being that they are typically a smaller square footage, and construction cost may be lower. The zone change will allow a moderate increase in density, many of which allowable uses are more housing types to infill the vacant site, which could provide a variety of affordable, and mixed-income options in the area.

- D. **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 cottage style residential development on a site within walking distance of a Major Transit Corridor, Lomas Blvd NW, and a Main Street Corridor, 4th St, with access to existing infrastructure, public facilities, and nearby commercial services. The proposed MX-T zoning could facilitate increased housing in a developed area, aligning with policies that encourage efficient land use at a scale and intensity increase that is appropriate in scale to the already established walkable neighborhood character in the area.

- E. **POLICY 9.3.2 OTHER AREAS:** Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

The request could support increased housing density in an appropriate location by allowing for cottage style residential development on a site within walking distance of a Major Transit Corridor, Lomas Blvd NW, and a Main Street Corridor, 4th St, with access to existing infrastructure, public facilities, and nearby commercial services. The proposed MX-T zoning could facilitate increased housing in a developed area, aligning with policies that encourage efficient land use at a scale and intensity increase that is appropriate in scale to the already established walkable neighborhood character in the area.

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18. 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.

The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by applicant's policy-based response furthering (and not being in conflict with) a preponderance of applicable Goals and Policies regarding in the ABC Comp Plan, as amended, and other applicable plans adopted by the City as shown in the sections above.

Applicable citations: Goal 4.1 Character; Policy 4.1.1 Distinct Communities; Goal 5.2 Complete Communities; Goal 5.3 Efficient Development Patterns; Goal 5.6 City Development Areas; Policy 5.6.2 Area of Change; Goal 8.2 Local Business; Goal 9.1 Supply; 9.1.2 Affordability; Goal 9.3 Density.

Partially applicable citations: Goal 5.1 Centers and Corridors; Policy 5.3.1 Infill Development; Policy 9.1.1 Housing Options; Goal 9.2 Sustainable Design; 9.3.2 Other Areas.

- B. 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.

- 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:

- i. There was typographical or clerical error when the existing zone district was applied to the property.
- ii. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
- iii. 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 completely located in an Area of Change, and protected by guidelines set forth by both, the Sawmill/Wells Park CPO-12, and the Sawmill/Wells Park Community MRA Plan, as

designated by the Comp Plan. The applicant asserts that the existing zoning is inappropriate and meets Criterion 2 and 3 for a zone change. The applicant has demonstrated the new zone would clearly reinforce and strengthen the established character of the surrounding Area of Change by introducing zoning that is consistent with and would complement the surrounding residential area as well as allow for higher intensity residential development planning in line with adjacent properties with the same zone district designation. Cottage dwellings will be consistent with the established character of the surrounding R-1 context, without drastically increasing the density and scale. The new zone district would also be more advantageous to the community by allowing denser residential planning and any uses that may be harmful to the surrounding residential community would be subject to review prior to any future approval.

- D. 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-1 (Single-family Residential) and the proposed MX-T (Mixed-Use – Transition) zone districts. Several permissive uses allowed under the proposed MX-T zone but not under the existing R-1 zoning could be considered potentially incompatible with adjacent properties, the neighborhood, or the broader community.

These include: freestanding wireless telecommunications tower, hotel or motel and research testing facility. However, uses that may be considered harmful are subject to use-specific standards in the IDO that are intended to mitigate potential impacts.

Permissive uses allowed under the proposed MX-T zoning but not the current R-1 zoning include, Group home medium/large, dormitory living, museum, schools, health club/gym, farmers market, park, 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).

- 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 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 infrastructure and public improvements, and the request meets the requirement by ensuring that future uses will have adequate capacity. The site will be developed with cottage style rental dwelling units, which will continue to utilize existing infrastructure that serves the site.

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- 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 subject site is located within 0.5 miles of Lomas Blvd. NW, a Major Transit Corridor, and 0.5 miles from 4th St. NW, a Main Street Corridor, but is situated along a local Major Collector Street. Bellamah Ave. generally serves as a connector between residential areas. 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 congruency or possible.

- G. 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 completely or predominantly based upon Economic considerations, nor is the justification based completely or predominantly upon the cost of land. 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.

- H. 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.

The request to MX-T would not create a spot zone. The applicant has demonstrated that criterion 1 applies and the request would clearly facilitate the implementation of a preponderance of applicable goals and policies of the Comprehensive Plan. The applicant has also identified all allowable uses under the MX-T zone district. The subject site is surrounded by residential – single-family (R-1), mixed-use – transition (MX-T), and non-residential – light manufacturing (NR-LM) zone districts. Uses are primarily residential, business, and light industrial. This allows for the subject site to be a transition of intensities from the southern residential to the northern NR-LM zone districts. Staff agrees with the applicant's justification that this request will not create a spot zone.

19. Agency Comments received reiterate that the proposed zoning change to MX-T supports residential infill development and introduces additional housing opportunities consistent with the surrounding mixed-use and transitional land use pattern, and growth in a designated Area of Change within a Metropolitan Redevelopment Area. Additionally, the request is in line with Policies from the Central ABQ CPA Assessment Report that support higher density and more housing options (Policy 1.a, 2, 4.a, & 5).

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20. Neighborhood Associations (NA) within 660 feet of the subject site are the North Valley Coalition, Sawmill Area NA, and Wells Park NA which 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.
21. A neighborhood meeting was held on May 12, 2026 with the Applicant and requested Neighborhood Associations to discuss the proposed zone change.
22. Staff is unaware of any additional support or opposition at the time of this writing, and no individuals have reached out to the Planning Department to express opposition or support for this request.
23. The subject site is not within the areas that trigger a Pre-submittal Tribal Meeting pursuant to IDO§14-16-6-4(B).

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/Dk

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