

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-25-101

ENACTMENT NO. O. 2025. 034

SPONSORED BY: Nichole Rogers, by request

ORDINANCE

ADOPTING A ZONING MAP AMENDMENT FROM R-MH TO NR-C FOR FOUR
SUBJECT SITES AND FROM R-MH AND MX-L TO NR-C FOR ONE SUBJECT
SITE, TOTALING APPROXIMATELY 35 ACRES IN THE UNIVERSITY OF NEW
MEXICO'S SOUTH CAMPUS WITHIN THE GIBSON TOWN CENTER.

WHEREAS, the 5 adjacent subject sites are part of the University of New
Mexico's South Campus and are located between Gibson Blvd. and Avenida
Cesar Chavez SE and Interstate 25 and University Blvd. SE ("subject area")
and are within an Area of Change as designated by the Albuquerque-Bernalillo
County Comprehensive Plan; and

WHEREAS, South Campus is an area focused on athletics, office/research
space, student housing, and most recently, commercial activity, located
approximately 1.25 miles south of the main campus and less than 2 miles
southeast of the Downtown and sharing a boundary with Central New Mexico
Community College (CNM); and

WHEREAS, the request is to rezone these undeveloped parcels in order to
sell them to a private owner in the future and develop a variety of retail and
personal/business service uses on the property; and

WHEREAS, the subject sites are within the Gibson Town Center, as
designated by the South Campus Tax Increment Development District (TIDD)
Plan that has the primary goal to generate funds to support infrastructure
development for the area within the TIDD; and

WHEREAS, according to the South Campus TIDD Plan, the subject area is
planned for mixed-use, public gathering spaces and connectivity to the larger
District and broader community; and

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1 WHEREAS, the subject sites also comprise a majority of the 59-acre
2 Gibson Commercial District, which is intended to be a retail district that
3 functions as a gateway to the South Campus and UNM's athletic facilities; and

4 WHEREAS, the UNM 2025 Integrated Campus Plan recommended that the
5 South Campus align with the land uses proposed for the TIDD District to allow
6 “a variety of commercial and other community amenities”; and

7 WHEREAS, this request would establish allowable uses and development
8 standards that would apply to development by a private owner after purchase;
9 and

10 WHEREAS, the Environmental Planning Commission (EPC), in its advisory
11 role on land use and planning matters, heard the case on October 16, 2025,
12 and voted to recommend approval of the proposed Zoning Map Amendment to
13 the City Council; and

14 WHEREAS, EPC recommended Findings #1-31 regarding the Zoning Map
15 Amendment in its Official Decision dated October 16, 2025.

16 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
17 ALBUQUERQUE:

18 SECTION 1. ZONING MAP AMENDMENT. The zoning on the subject sites is
19 hereby changed from Residential – Multi-family High Density (R-MH) or Mixed-
20 Use – Low Intensity (MX-L) to Non-Residential – Commercial (NR-C) for
21 approximately 35 acres.

22 SECTION 2. FINDINGS. The City Council adopts the following findings of
23 fact.

24 1. This request is for a Zoning Map Amendment from R-MH or MX-L
25 to NR-C for 5 parcels (“subject sites”) totaling approximately 35 acres in an
26 Area of Change.

27 2. The subject sites are part of the University of New Mexico’s South
28 Campus and are located north of Gibson Blvd. between I-40 and University
29 Blvd. in an area that UNM refers to as the UNM Gibson Commercial District
30 (“subject area”).

31 3. The legal descriptions for the subject site properties are as
32 follows:

1 A. Tract 8, Plat of UNM Gibson Commercial District (a replat of
2 Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A,
3 40/25 Associates Subdivision), approximately 10.40 acres;

4 B. Tract 9, Plat of UNM Gibson Commercial District (a replat of
5 Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A,
6 40/25 Associates Subdivision), approximately 6.79 acres;

7 C. Tract 10, Plat of UNM Gibson Commercial District (a replat
8 of Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract
9 A, 40/25 Associates Subdivision), approximately 3.95 acres;

10 D. Tract 6, Plat of UNM Gibson Commercial District (a replat of
11 Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A,
12 40/25 Associates Subdivision), approximately 5.87 acres;

13 E. Tract 7, Plat of UNM Gibson Commercial District (a replat of
14 Tracts A & B, Ever Ready Subdivision Tracts 4 & 5, Gibson Tracts & Tract A,
15 40/25 Associates Subdivision), approximately 7.14 acres;

16 4. The intent of the zone change is to allow the proposed future
17 development of a variety of retail, restaurant, and personal service uses on the
18 property, which are consistent with the land uses outlined in the UNM Campus
19 TIDD Development Plan. The TIDD was approved by the City of Albuquerque
20 as a co-applicant to create the district, and the plan was also approved by
21 Bernalillo County and the State of New Mexico.

22 5. Background/ History:

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

28 B. With the 2009 update to the 1996 Campus Development
29 Plan, the South Campus was included into the ten-year vision. The intent was
30 to provide a mix of uses that would complement the existing uses to create a
31 "Live, Learn, Work, Play" environment and defining goals to design
32 environmentally appropriate landscapes, reduce surface parking, and develop
33 strategies to reduce the number of automobile trips to and from campus. The

1 2009 Plan proposed a road network and circulation improvements to support a
2 mix of commercial and housing uses; the development of an open space and
3 Pedestrian/Bike Circulation network (urban streetscapes, plazas, and trails);
4 and facilities improvements for a diversified mix of uses to include student
5 housing and retail.

6 C. The 2009 Campus development plan was repealed and
7 replaced by the 2025 Integrated Campus Plan.

8 D. The 2025 Integrated Campus Plan includes the following
9 recommendation for the South Campus: "Align with the approved land use
10 programs of the TIDD District, future parcels allow for a variety of commercial
11 and other community amenities."

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

20 F. In July 2021, City Council approved a South Campus Tax
21 Increment Development District (TIDD) for approximately 337 acres, which
22 includes the 35-acre subject site (R-21-202, Enactment # R-2021-072). The
23 TIDD addresses regional market demand and institutional requirements, with
24 new development concentrated on approximately 99 acres of undeveloped
25 and underdeveloped land. The TIDD also contributes a portion of the property
26 tax and new gross receipts taxes for public infrastructure for the subject area.

27 G. The subject sites are within the Gibson Town Center, as
28 designated by the South Campus Tax Increment Development District (TIDD)
29 Plan. According to the Development District Plan, the subject area is planned
30 for mixed-use, public gathering spaces and connectivity to the larger District
31 and broader community. A central plaza/park near University Boulevard (a
32 Premium Transit Corridor) establishes a focal point for mixed commercial and
33 residential development that connects to Lobo Village student housing, the

1 UNM/City athletic complex and the Science & Technology Park by a well-
2 defined network of pedestrian walkways, bikeways, and a planned transit
3 station.

4 H. The Gibson Town Center is proposed to be developed with
5 approximately 427,000 sq. ft. of retail; 12,000 sq. ft. of restaurant; and 50,000
6 sq. ft. of residential land uses on undeveloped land. The zone change to NR-C
7 would support retail or restaurant uses, but not residential uses. Once the
8 employment center is at least 80 percent developed with non-residential uses,
9 the Comprehensive Plan supports the addition of residential uses at that time,
10 although residential land uses are not permissive in the NR-C zone district and
11 a zone change would be required at that time.

12 6. Subject area context:

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

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

26 C. South Campus is designed as an auto-oriented district
27 accessible via heavily-trafficked Gibson and University Boulevards and nearby
28 Interstate 25. The area features sizeable blocks and large building footprints.
29 The subject area currently lacks sufficient infrastructure and amenities to
30 adequately serve students, faculty, staff, and surrounding neighborhoods. An
31 unplanned pedestrian and bicycle pathway along the drainage channels
32 provides informal connectivity through the area.

33 7. 2040 Long Range Roadway System (LRRS) designations:

- 1 A. I-25 and I-40 are existing Urban Interstates with Urban
- 2 Interstate Frontage Roads.
- 3 B. Gibson Boulevard is an Existing Regional Principal Arterial
- 4 and a Limited Access Arterial west of University Blvd. SE.
- 5 C. University Boulevard is an Existing Minor Arterial in the
- 6 vicinity of the subject site.
- 7 D. From University Boulevard to the east, Gibson Boulevard is
- 8 a Limited Access Arterial.
- 9 E. Interstate 25 is designated as a Primary Freight Corridor.
- 10 This roadway runs north-south near the subject site's western boundary. The
- 11 nearest roadway with Truck Restrictions is north-south Yale Blvd. about 0.5
- 12 miles to the east of University Blvd. The MRCOG's 2040 Limited Access
- 13 Facilities Map does not show adjacent roadways as having limited access.
- 14 8. Long Range Bikeway System (LRBS) map designations:
- 15 A. An existing Gibson Bike Lane that continues east of
- 16 Interstate 25 along the boulevard. There is also an existing University Bike
- 17 Lane that connects with the Gibson Bike Lane at the intersection of those two
- 18 streets. A bike lane is a portion of the street with a designated lane for
- 19 bicycles.
- 20 B. A proposed Paved Trails along Gibson, mirroring the
- 21 existing Bike Lane, and two others that follow drainages: the South Diversion
- 22 Channel north-south and the Geneivas Arroyo to the northeast through the
- 23 subject site. These facilities will be constructed with the development of the
- 24 subject property and funded by the TIDD in accordance with that plan.
- 25 C. A proposed Protected Bike Lane – Facility Upgrades along
- 26 Gibson Blvd. to the south of the subject site.
- 27 9. Transit: The area is served by ABQ RIDE Route 16
- 28 (Broadway/University/Gibson) every 40 minutes during the week and every
- 29 hour on the weekends. This route connects the San Jose neighborhood to
- 30 Louisiana Blvd. at Gibson Blvd. There is one stop on the east side of
- 31 University Blvd. within the subject area, and one stop within 330 ft. south of
- 32 the subject area, a less than a 2-minute walk on average.

1 10. The Albuquerque/Bernalillo County Comprehensive Plan and the
2 City of Albuquerque Integrated Development Ordinance (IDO) are incorporated
3 herein by reference and made part of the record for all purposes.

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

14 12. The subject sites are within the Near Heights Community
15 Planning Area (CPA). This CPA stretches east from Interstate 25 to Wyoming
16 Boulevard and from Interstate 40 south to the Sunport and Kirtland Air Force
17 Base. Near Heights includes most of the City's largest institutions and
18 employers, including UNM, CNM, Presbyterian, and UNM hospitals, the
19 Veterans Affairs complex, and the International Sunport Airport. This
20 community is also a gateway for Kirtland Air Force Base, which hosts both
21 military and civilian facilities, including Sandia Laboratories. The Near Heights
22 Community Planning Area Assessment Report was accepted by City Council
23 on April 3, 2023, (EC-23-237).

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

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

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

1 16. The subject sites are zoned R-MH and MX-L:

2 A. The purpose of the R-MH zone district is to promote and
3 encourage the development of high-density attached and multi-family
4 housing, with taller, multi-story buildings encouraged in Centers and
5 Corridors in areas close to major streets and public transit facilities. The
6 primary land use is multi-family development, with limited civic and
7 institutional uses to serve the surrounding residential area [IDO § 14-16-2-
8 3(F)].

9 B. The purpose of the MX-L zone district is to provide for
10 neighborhood-scale convenience shopping needs, primarily at intersections
11 of collector streets. Primary land uses include non-destination retail and
12 commercial uses, as well as townhouses, low-density multi-family, and civic
13 and institutional uses to serve the surrounding area, with taller, multi-story
14 buildings encouraged in Centers and Corridors [IDO § 14-16-2-4(B)].

15 17. The purpose of the NR-C zone district is to accommodate
16 medium-scale retail, office, commercial, and institutional uses, particularly
17 where additional residential development is not appropriate or not desired
18 because of a deficit of jobs or services in relation to housing units in the area.
19 Primary land uses include a wide spectrum of retail and commercial uses
20 intended to serve both neighborhood and area-wide needs, as well as some
21 light industrial uses [IDO § 14-16-2-5(A)]. The NR-C zone district supports the
22 goals and policies for the designated CNM/UNM Employment Center in the
23 Comp Plan. (See Findings 19-21)

24 18. The request generally furthers Goal 4.1 Character: Enhance,
25 protect, and preserve distinct communities from the Comprehensive Plan
26 Chapter 4 – Community Identity. NR-C zoning could allow medium-scale retail,
27 office, commercial, and institutional jobs and shopping opportunities that
28 could enhance and protect the dispersed distribution of medium scale
29 structures, similar to the distinct athletic-facilities and the 3-story, Lobo
30 Village student housing community to the north, as well as the mixed-use
31 development along Gibson and University Boulevards. Added services could
32 augment the regional availability of neighborhood and area-wide goods and

1 services as envisioned within an auto-oriented Employment Center
2 development.

3 19. The request furthers the following applicable Goals and Policies
4 from the Comprehensive Plan Chapter 5 – Land Use:

5 A. GOAL 5.1 CENTERS & CORRIDORS: Grow as a community
6 of strong Centers connected by a multi-modal network of Corridors.

7 This request realigns allowable development from high-density residential
8 to a commercial focus within the CNM/UNM South Employment Center and the
9 South Campus TIDD. Employment Centers are intended to remain
10 predominately industrial, business, and retail centers that are auto-oriented
11 with sufficient access for trucks and connections to freight networks. The
12 subject area has easy access to Interstate 25, Gibson Boulevard, and
13 University Boulevard. Additionally, I-25 and Gibson are designated Commuter
14 Corridors that accommodate faster and longer trips for personal vehicles and
15 commuter bus service. The zone change would facilitate growth of the subject
16 site in an Employment Center, where commercial development is supported.

17 B. POLICY 5.1.5 EMPLOYMENT CENTERS: Create Centers that
18 prioritize employment opportunities and foster synergy among businesses.

19 The request supports capturing regional growth and prioritizes
20 employment opportunities in the CNM/UNM South Employment Center. NR-C
21 zoning would allow for a greater diversity of commercial and retail
22 development close to established neighborhoods, potentially fostering
23 synergy among businesses and bringing needed amenities to the area.

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

26 NR-C zoning could create medium-scale retail, office, commercial, and
27 institutional job and shopping opportunities that would be appropriate within
28 an Employment Center. Added services could enhance regional availability of
29 neighborhood and area-wide goods and services, solidifying the area as an
30 auto-oriented development where residents could work, shop, and play
31 together while living and learning nearby.

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

4 The request could facilitate the development of a distinct, auto-oriented
5 community and new commercial district, where a wide spectrum of needed
6 medium-scale retail, office, commercial, and institutional uses, including some
7 light industrial uses that could serve both neighborhood and area-wide needs,
8 consistent with the employment center designation. Additionally, the sites are
9 conveniently accessible by vehicle from surrounding neighborhoods
10 contributing to the distinct UNM South Campus and Gibson Town Center
11 community.

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

15 At this time there is little existing infrastructure or public facilities that
16 serve the subject sites. The zone change would facilitate future development
17 of the subject sites with commercial, retail, and restaurant uses that would
18 promote a more efficient use of land to support the public good. While the
19 property is currently vacant, the South Campus TIDD ensures that the
20 necessary public infrastructure will be constructed to serve the development
21 and the greater community.

22 **F. GOAL 5.6 CITY DEVELOPMENT AREAS: Encourage and**
23 **direct growth to Areas of Change where it is expected and desired and ensure**
24 **that development in and near Areas of Consistency reinforces the character**
25 **and intensity of the surrounding area.**

26 The subject sites are located wholly within an Area of Change. The request
27 would direct growth to this area where redevelopment is encouraged,
28 expected, and desired. The NR-C zone district would reinforce the character
29 and intensity of UNM athletic facilities to the north and could expand
30 commercial services to another 35 acres within the Employment Center.

31 **20. The request furthers the following applicable goal and policies**
32 **from the Comprehensive Plan Chapter 8 – Economic Development:**

1 **A. GOAL 8.1 PLACEMAKING: Create places where business**
2 **and talent will stay and thrive.**

3 This request would facilitate deployment development of small and large
4 retail and restaurant uses which align with goals and policies for the existing
5 CNM/UNM South Employment Center. Future development could support a
6 place where business and talent stay and thrive.

7 **B. POLICY 8.1.1 from the Comprehensive Plan Chapter 8 –**
8 **Economic Development: Foster a range of interesting places and contexts**
9 **with different development intensities, densities, uses, and building scale to**
10 **encourage economic development opportunities.**

11 This request could foster a range of places and contexts with different
12 development intensities, densities, uses, and building scale to increase
13 diversity within the CNM/UNM South Employment Center. For example,
14 permitting commercial uses could facilitate the addition of medium- and
15 larger-scale retail, office, commercial, and institutional facilities compatible
16 with the existing CNM/UNM South Employment Center, thereby supporting
17 economic development opportunities.

18 **C. POLICY 8.1.3 ECONOMIC BASE: Strengthen and diversify**
19 **the economic base to help reduce reliance on government spending.**

20 The intention of the zone change would facilitate development of about 35
21 acres of medium-scale retail, office, commercial, and institutional uses and
22 associated parking. Allowing commercial and retail uses could strengthen and
23 diversify the economic base by offering new employment opportunities and
24 allow for a wider variety of uses. There is a TIDD in place to help generate
25 funds for the construction of needed public infrastructure that would reduce
26 reliance on government spending.

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

31 **A. 6-7(H)(3)(a)**
32 **6-7(G)(3)(a): The proposed zone change is consistent with the health, safety,**
33 **and general welfare of the City as shown by furthering (and not being in**

1 conflict with) a preponderance of applicable Goals and Policies in the ABC
2 Comp Plan, as amended, and other applicable plans adopted by the City.

3 The proposed zone change is consistent with the health, safety, and
4 general welfare of the City as shown by the applicant's policy-based response
5 and added staff responses that demonstrates the request clearly facilitates
6 applicable Goals and Policies. It also does not present any significant
7 conflicts with the Comprehensive Plan, as amended, or other applicable plans
8 adopted by the City as shown in the sections above.

9 Applicable citations: Goal 4.1 Character; Goal 5.1 Centers & Corridors,
10 Policy 5.1.5 Employment Centers, Goal 5.2 Complete Communities, Policy
11 5.2.1 Land Uses, Goal 5.3 Efficient Development Pattern, Goal 5.6 City
12 Development Areas; Goal 8.1, Policy 8.1.1 Diverse Places, Policy 8.1.3
13 Economic Base.

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

21 1. There was typographical or clerical error when the
22 existing zone district was applied to the property.

23 2. There has been a significant change in
24 neighborhood or community conditions affecting the site.

25 3. A different zone district is more advantageous to
26 the community as articulated by the ABC Comp Plan, as amended (including
27 implementation of patterns of land use, development density and intensity,
28 and connectivity), and other applicable adopted City plan(s).

29 The subject sites are wholly located within an Area of Change and not
30 wholly or partially in an Area of Consistency, as designated by the Comp Plan.

31 C. 6-7(G)(3)(c): If the proposed amendment is located wholly
32 in an Area of Change (as shown in the ABC Comp Plan, as amended) and the

- 1 applicant has demonstrated that the existing zoning is inappropriate because
2 it meets at least one of the following criteria:
- 3 1. There was typographical or clerical error when the
4 existing zone district was applied to the property.
 - 5 2. There has been a significant change in
6 neighborhood or community conditions affecting the site that justifies this
7 request.
 - 8 3. Different zone district is more advantageous to
9 the community as articulated by the ABC Comp Plan, as amended (including
10 implementation of patterns of land use, development density and intensity,
11 and connectivity), and other applicable adopted City plan(s).

12 The subject area is wholly in an Area of Change. The request to rezone the
13 5 parcels of the subject site from R-MH or MX-L to NR-C would reflect Criterion
14 3 because a commercial zone district could be more advantageous to the
15 community. Allowing for more redevelopment options than what is allowed in
16 a high-density residential zone district could have a positive impact by
17 encouraging development more appropriate in an Employment Center. By
18 allowing an auto-oriented design and focus, the subject area may be more
19 accessible to the wider region in general.

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

24 The requested zoning would generally include permissive uses that could
25 be considered harmful to adjacent property, the neighborhood, or the
26 community. Such uses that could be considered harmful include kennel, bar,
27 nightclub, campground/recreational vehicle park, cannabis related uses, light
28 vehicle sales, contractor facility/yard, self-storage, pawn shop, light
29 manufacturing, recycle drop-off, etc. To address some of these neighborhood
30 concerns, the applicant will include deed restrictions—an agreement between
31 UNM and the commercial developer—that exclude specific uses on the subject
32 sites. Suggested restricted uses include kennels, liquor stores, pawn shops,
33 cannabis related uses, bars, and nightclubs. Because this would be a private

1 agreement, the City has no jurisdiction to enforce such a contract pursuant to
2 IDO § 14-16-1-9.

3 Although future development under the NR-C zone district would be
4 subject to applicable IDO use specific standards that serve to protect and
5 preserve the identity of the neighborhood by mitigating the impacts of
6 potentially incompatible uses, it cannot outright prohibit permissive uses
7 within a zone district, in this case, NR-C [IDO Table 4-2-1: Allowable Uses].
8 Otherwise, uses at the subject sites would be subject to applicable IDO and
9 DPM standards that serve to protect and preserve the identity of the
10 neighborhood by mitigating the impacts of potentially incompatible uses.
11 Additionally, certain cannabis-related activities would be subject to additional
12 regulations under New Mexico State law, including, but not limited to,
13 requirements regarding minimum spacing from other uses or facilities. These
14 regulations are designed to further mitigate any potential adverse impacts
15 associated with such activities.

16 E. 6-7(G)(3)(e): The City's existing infrastructure and public
17 improvements, including but not limited to its street, trail, and sidewalk
18 systems meet 1 of the following requirements:

19 1. Will have adequate capacity based on
20 improvements for which the City has already approved and budgeted capital
21 funds during the next calendar year.

22 2. Will have adequate capacity when the applicant
23 fulfills its obligations under the IDO, the DPM, and/or an Infrastructure
24 Improvements Agreement.

25 3. Will have adequate capacity when the City and the
26 applicant have fulfilled their respective obligations under a City-approved
27 Development Agreement between the City and the applicant.

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

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

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

10 G. 6-7(G)(3)(g): The applicant's justification is not based
11 completely or predominantly on the cost of land or economic considerations.

12 While economic considerations are typically a factor, the applicant's
13 justification is not completely or predominantly based upon the cost of land or
14 economic considerations. Rather, the applicant's request is an attempt to add
15 larger scale commercial and retail uses not currently allowed in the R-MH or
16 MX-L zone districts within the Gibson Commercial District that aims to provide
17 commercial, retail, and other services to the community and surrounding
18 institutions.

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

24 1. The area of the zone change is different from
25 surrounding land because it can function as a transition between adjacent
26 zone districts.

27 2. The site is not suitable for the uses allowed in any
28 adjacent zone district due to topography, traffic, or special adverse land uses
29 nearby.

30 3. The nature of structures already on the premises
31 makes it unsuitable for the uses allowed in any adjacent zone district.

32 Criterion H is a two-part test. The analysis of spot zones in the City is
33 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 surrounding zone districts to 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 district.

The subject area is over 0.25 miles to the south of an NR-C zone designation and over 0.2 miles northwest of another along Gibson Boulevard. While the requested zoning generally aligns with the Comp Plan and the CNM/UNM South Employment Center, the applicant has adequately demonstrated that the request clearly facilitates the Goals and policies presented by the applicant.

The applicant provided a response that the request meets Criterion 1 of the Criteria listed in 6-7(G)(3)(h). The undeveloped subject area is not different from surrounding land uses and functions as a complementary transition between adjacent land uses, and NR zoning along the Gibson Boulevard corridor, both east and west of the subject property.

22. 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

1 financial burdens on existing City residents, or the applicant has made
2 adequate financial commitments to ensure this result.

3 This request is not for the creation or amendment of an NR-BP zone
4 district.

5 23. 6-7(H)(3)(c): If the application is for the creation or amendment of
6 a PC zone district, all of the following criteria:

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

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

13 3. The Framework Plan for the property accommodates
14 reasonably anticipated growth of the City in a manner that is more consistent
15 with the ABC Comp Plan, as amended, than the accommodation of such
16 growth that could be achieved without the PC zone district.

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

22 This request is not for the creation or amendment of a PC zone district.

23 24. Considerations:

24 A. The subject site is within an Employment Center that is
25 intended to prioritize opportunities for industrial, business, and retail centers
26 supported by retail and residential uses.

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

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

31 D. The subject area is within the South Campus Tax Increment
32 Development District (TIDD), specifically the Gibson Town Center, which
33 proposes approximately 427,000 sq. ft. of retail; 12,000 sq. ft. of restaurant;

1 and 50,000 sq. ft. of residential land uses. The zone change to NR-C would
2 support retail or restaurant uses, but not residential uses.

3 25. City departments and other public agencies reviewed this
4 application. The Department of Municipal Development submitted a comment
5 that reiterated the importance of allowing for increased multimodal and
6 transit-oriented development per the Albuquerque Vision Zero goals and the
7 need for context-sensitive zoning and roadway design. Considerations
8 especially important since this request is in an area characterized by residents
9 with greater vulnerability and increased exposure to traffic safety risks.

10 26. Neighborhood associations (Clayton Heights Lomas del Cielo
11 NA, District 6 Coalition of NA's, Kirtland Community Association, South
12 Broadway NA) located within 660 feet of the subject sites were notified as
13 required. All property owners within 100 feet of the subject sites were notified
14 as required.

15 27. No facilitated meeting was requested, but UNM and Lobo
16 Development presented during the in-person, regularly scheduled Clayton
17 Heights NA meeting, Wednesday, September 24, 2025, at the Loma Linda
18 Community Center with Kirtland NA also in attendance. The meeting was
19 facilitated by the president of Clayton Heights NA. A total of 12 individuals
20 from the two neighborhood associations were in attendance. Overall, both
21 neighborhoods support the request.

22 28. The applicant was not required to offer a Pre-submittal Tribal
23 Meeting to Indian Nations, Tribes, and Pueblos, as the subject sites are more
24 than 660 feet from Major Public Open Space or tribal land [IDO § 14-16-6-4(B)].

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

30 30. Bernalillo County Planning & Development gave an informational
31 comment that states: "The proposed zone change would allow large format
32 retail and commercial uses that could serve County residents in the Mountain
33 View neighborhood. This neighborhood is identified as being underserved by

1 supercenters, supermarkets, and large grocery stores in the USDA data cited
2 in the project justification letter.”

3 31. During the October 16, 2025, EPC hearing, the applicant agreed
4 to coordinate with adjacent property owners to discuss the future
5 development of the subject site.

6 SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,
7 word or phrase of this Ordinance is for any reason held to be invalid or
8 unenforceable by any court of competent jurisdiction, such decision shall not
9 affect the validity of the remaining provisions of this Ordinance. The Council
10 hereby declares that it would have passed this Ordinance and each section,
11 paragraph, sentence, clause, word or phrase thereof irrespective of any
12 provision being declared unconstitutional or otherwise invalid.

13 SECTION 4. COMPILATION. SECTION 1 and SECTION 2 of this Ordinance
14 amends, is incorporated in, and is to be compiled as part of the Revised
15 Ordinances of Albuquerque, New Mexico, 1994.

16 SECTION 5. EFFECTIVE DATE. This Ordinance takes effect five (5) days
17 after publication by title and general summary.

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[Bracketed/Underscored Material] - New
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1 PASSED AND ADOPTED THIS 15th DAY OF December, 2025
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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9 Brook Bassan, President
10 City Council

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13 APPROVED THIS 23 DAY OF December, 2025

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16 Bill No. O-25-101

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21 Timothy M. Keller, Mayor
22 City of Albuquerque

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26 ATTEST:

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29 Ethan Watson, City Clerk