

# CITY of ALBUQUERQUE

## TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-25-101

ENACTMENT NO. 0.2025.084

SPONSORED BY: Nichole Rogers, by request

1

### ORDINANCE

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

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

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

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

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

23 WHEREAS, according to the South Campus TIDD Plan, the subject area is  
24 planned for mixed-use, public gathering spaces and connectivity to the larger  
25 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:

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;

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.

## 5. Background/ History:

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:

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.

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.

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.

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.

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:**

**A. GOAL 8.1 PLACEMAKING: Create places where business 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.

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:

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

1 Criteria, including assessing surrounding zone districts, land uses, and  
2 applicable IDO definitions. Despite a zone change that includes approximately  
3 35 acres, this area would create a zone district different from surrounding  
4 zone districts to one premise, creating a “spot zone.” Since much of the  
5 adjacent and nearby property is owned by UNM, the zoning is not a good  
6 indicator of the surrounding land uses, which include large University sports  
7 facilities and large parking lots. These uses are first permissive in the NR-C  
8 zone district.

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

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

20 22. 6-7(H)(3)(b): If the application is for the creation or amendment of  
21 an NR-BP zone district, all of the following criteria:

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

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

31 3. The City and other service providers have adequate  
32 infrastructure and public service capacity to serve the proposed development  
33 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. COMPIRATION.** 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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1 PASSED AND ADOPTED THIS 15<sup>th</sup> 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  
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