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1 **WHEREAS, on January 14, 2025, the Bernalillo County Board of County**
2 **Commissioners approved the annexation of the subject property (AXBC2024-**
3 **0001) and found the request consistent with applicable plans, promoting infill**
4 **development and efficient service provision; and**

5 **WHEREAS, Bernalillo County designates the subject site as Developing**
6 **Urban on the Comprehensive Plan Future Development Map and, upon**
7 **annexation, will be designated as an Area of Consistency; and**

8 **WHEREAS, the request to establish R-1A zoning furthers applicable Goals**
9 **and Policies of the Comprehensive Plan, including but not limited to those**
10 **found in Chapter 4: Community Identity, Chapter 5: Land Use, Chapter 9:**
11 **Housing, and Chapter 12: Infrastructure, Community Facilities, and Services;**
12 **and**

13 **WHEREAS, the request satisfies the review and decision criteria for a**
14 **zoning map amendment pursuant to IDO Subsection 14-16-6-7(G)(3); and**

15 **WHEREAS, the Council finds that the request to establish R-1A zoning on**
16 **the subject site is in the public interest and will promote the health, safety, and**
17 **general welfare of the community.**

18 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
19 **ALBUQUERQUE:**

20 **Section 1. ANNEXATION AREA. The owner of the area annexed presented a**
21 **properly signed petition to annex the following territory: 5 acres, more or less,**
22 **located immediately north of Sage Rd. SW between 82nd St. and Corel Drive;**
23 **and more particularly described as follows:**

24 **(A) Northerly and Southerly portion of Tract 464, Unit 7, of the Atrisco**
25 **Land Grant;**

26 **(B) The County of Bernalillo approved the annexation of these tracts on**
27 **January 14, 2025, pursuant to AXBC2024-0001;**

28 **The above-described territory is contiguous to the City of Albuquerque.**

29 **Section 2. ANNEXATION FINDINGS.**

30 **1. This is a request for an Annexation of Land from the County of Bernalillo**
31 **to the City of Albuquerque and Zoning Map Amendment to R-1(A) to establish**
32 **City zoning (ZMA-2025-00005), for all or a portion of the Northerly and**
33 **Southernly portion of Tract 464 Unit 7 Atrisco Grant, at the northeast corner of**

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1 82nd St. SW and Sage Rd. SW between Sage Rd. and San Ignacio Rd.,
2 approximately 5 acres (the “Subject Site”).

3 2. The EPC heard this case because the request is for annexation of land
4 from the County to the City pursuant to IDO § 14-16-6-7(F). The EPC serves as
5 a recommending body to City Council, which will make the final decision
6 regarding both requests. The requests are quasi-judicial matters.

7 3. The zoning map amendment is required to be submitted simultaneously
8 with the annexation to establish City Zoning. This was reviewed as a two-part
9 request by City Staff.

10 4. The subject site is currently an unincorporated County enclave
11 surrounded by property on all sides within City of Albuquerque jurisdiction.
12 The subject site has an A-1 Bernalillo County Zone designation. The purpose
13 of the A-1 Rural Agricultural Zone is to preserve the scenic and recreational
14 values in the National Forests and similar adjoining land, to safeguard the
15 future water supply, to provide open and spacious development in areas
16 remote from available public services, and to recognize the desirability of
17 carrying on compatible agricultural operations and spacious home
18 developments in areas near the fringes of urban development.

19 5. The proposed annexation and requested zoning will facilitate the
20 transition of the subject property from unincorporated Bernalillo County into
21 the municipal framework of the City of Albuquerque. This transition will align
22 the site with the City’s land use and development standards, including
23 infrastructure requirements and access to City services.

24 6. The County’s approval was required before this case could be reviewed
25 and decided by the City. On January 14, 2025, the Board of County
26 Commissioners (BCC) approved an annexation request (AXBC2024-0001) for
27 an approximately 5-acre parcel (Lot 464, Town of Atrisco Grant Unit 7) at the
28 northeast corner of Sage Rd. SW and 82nd St. SW. The BCC found that the
29 request aligns with the Albuquerque/Bernalillo County Comprehensive Plan
30 and the Southwest Area Plan by supporting infill development and higher-
31 density residential use. The annexation request met County Annexation
32 criteria, and BCC found that it poses no adverse impact on County services or
33 adjacent lands, improves clarity in emergency service provision, and

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1 eliminates an unincorporated enclave, promoting the general welfare of
2 county residents.

3 7. The Albuquerque/Bernalillo County Comprehensive Plan, relevant Rank
4 2 Facility Plans or Rank 3 plans (MRAP Master Plans, Resource Management
5 Plans) are incorporated herein by reference and made part of the record for all
6 purposes.

7 8. The subject site is designated as Developing Urban pursuant to the
8 Albuquerque/Bernalillo County Comprehensive Plan Volume II Lavender
9 Edition. Developing Urban areas are intended to support future residential and
10 commercial development that results in more urban land uses and patterns,
11 often guided by area plans, design standards, and phased infrastructure
12 improvements.

13 9. Upon annexation, the subject site will be designated as an Area of
14 Consistency under the City's Comprehensive Plan framework. The subject site
15 is surrounded by properties designated as Areas of Consistency by the
16 Comprehensive Plan, which has policies to protect and enhance the character
17 of existing single-family neighborhoods, areas outside of Centers and
18 Corridors, parks, and Major Public Open Space. Development in Areas of
19 Consistency is expected to reinforce the scale, intensity, and built pattern of
20 the immediately surrounding context.

21 10. Pursuant to § 14-16-6-7(F)(3), "The City Council shall consider the
22 Review and Decision Criteria and may approve an application to annex land
23 into the City."

24 6-7(F)(3)(a): Annexation of areas designated in the ABC Comp Plan, as
25 amended, as Established Urban and/or Developing Urban will be approved
26 when the following criteria are met:

27 1. Compliance with City policy regarding land dedication for public
28 facilities is assured.

29 The applicant has agreed to adhere to City policies regarding land
30 dedication for public facilities. The applicant plans to apply for a subdivision
31 of land to construct a single-family residential development. The future
32 subdivision and associated Site Plan submittals will be required to adhere to
33 the regulations and standards established by the IDO and Development

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1 Process Manual (DPM). The subject site is proposed to be developed by a
2 national not-for-profit home builder that focuses on the construction of safe
3 and affordable housing to allow a path to homeownership.

4 2. The applicant agrees in writing to at least 1 of the following criteria
5 for timing of capital expenditures for necessary major streets, water, sanitary
6 sewer, and stormwater-handling facilities:

7 a) The timing to be per a written City statement of intent as to
8 when it or another public body will be able to provide such capital facilities,
9 such City statement to be issued prior to annexation.

10 b) The timing to remain indefinite but a substantial number of
11 years in the future, based on a written City statement, made prior to
12 annexation, that it will provide the facilities but no timing can be assured.

13 c) A commitment by the property owner that he/she or his/her
14 successors in interest will, in a manner that satisfies City standards, install
15 and pay for such facilities or cause them to be installed and paid.

16 The applicant will adhere to Criteria C. They intend to pay for and install
17 any required infrastructure in a manner that satisfies City standards. The
18 applicant has submitted a draft of the City of Albuquerque Petition for
19 Annexation as required by the City Engineer. A draft of the pre-annexation
20 agreement between the Applicant and the City of Albuquerque to provide
21 certain infrastructure improvements, as approved by the City Engineer, is
22 required to be completed prior to being heard by the EPC and submitted to
23 City Council. The applicant is exploring available public funding for future
24 development.

25 3. The anticipated delay in provision of City services is not so far into
26 the future as to be speculative and therefore an unreasonable basis to provide
27 for annexation.

28 The applicant has stated they intend to submit a subdivision of land
29 application within two years of the final approval of the annexation by City
30 Council. They will adhere to the time table requirements in the IDO or DPM for
31 building permits and relevant administrative decisions. The period of
32 Annexation of Land does not expire pursuant to Table 6-4-3: Permit and
33 Approval Expirations.

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1 4. The land annexed shall be to contiguous with the City limits.

2 The annexed land is contiguous to the City limits and is an enclave
3 surrounded by City of Albuquerque R-1A zoned parcels.

4 5. The land to be annexed shall have provision for convenient street
5 access to the City.

6 The subject site requested to be annexed will have convenient street
7 access to the City because it is surrounded by City owned streets.

8 6. The land to be annexed shall have reasonable boundaries so that
9 providers of public services can easily determine where the City boundary is
10 located and so that public services can be delivered under appropriate service
11 extension policies at reasonable operating and capital cost to the City.

12 The boundaries of the requested annexed land will be reasonable so that
13 providers of public services can easily determine where the City boundaries
14 are located because the subject site is surrounded on all sides by parcels in
15 the City of Albuquerque jurisdiction. Public services can be delivered under
16 appropriate service extension policies at reasonable operating and capital
17 cost to the City because these services extend both east and west of the
18 subject site. The location of the subject site between existing developed
19 parcels in the City of Albuquerque jurisdiction makes it convenient for public
20 services to be extended to the subject site.

21 7. City boundaries shall be established along platted lines that
22 clearly define the City limits; annexation plats need not meet all requirements
23 of a subdivision plat as specified in the DPM.

24 The City limits will be definite with this annexation because the annexation
25 consists of one tract that will be annexed in its entirety, filling in an existing
26 enclave of unincorporated County land that is surrounded on all sides by the
27 City of Albuquerque. Upon approval of the annexation and the establishment
28 of zoning through a zoning map amendment, the applicant intends to submit a
29 request for a subdivision of land application for platting purposes as specified
30 in the DPM though it is not necessary for the annexation plat. A Property
31 Boundary Survey was required to be submitted with the Petition for
32 Annexation.

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1 6-7(F)(3)(b): Areas that are designated in the ABC Comp Plan, as amended,
2 as Reserve Development Areas are appropriate for annexation if they create
3 high-quality, mixed-use, largely self-sufficient planned communities.

4 This subject site is not in a Reserved Development Area.

5 6-7(F)(3)(c): Areas that are designated in the ABC Comp Plan, as amended,
6 as Semi-Urban and as Rural Development Areas are appropriate for
7 annexation where the Semi-Urban and Rural Development Area policies in the
8 ABC Comp Plan are furthered or where the general public welfare clearly is
9 better served by annexation.

10 The subject site is not in a Semi-Urban or Rural Development Area.

11 6-7(F)(3)(d): The City may annex land even though some or all of the above
12 policies are not met where the EPC and City Council find that at least 1 of the
13 following applies:

14 1) There is a particular hazard to the health of persons that would be
15 removed or materially alleviated by the City upon annexation, and that no
16 other adequate and timely remedy for the removal or material alleviation of
17 such hazard is available.

18 2) City-owned land used for a public purpose is being annexed to
19 better facilitate that use.

20 Although currently there is not a particular hazard to the health of persons
21 that would be removed or materially alleviated by the City upon annexation,
22 the request would prevent and eliminate any future confusion regarding
23 jurisdiction, addressing, and emergency services to any future residences.
24 There is not available timely remedy or material alleviation for such hazard.
25 Criterion 2 generally applies.

26 11. Public notice requirements are established in IDO Table 6-1-1 and IDO
27 § 14-16-6-4(J) Public Notice. According to the Office of Neighborhood
28 Coordination (ONC), the South West Alliance of Neighborhoods (SWAN
29 Coalitions), Westgate Heights NA and Westside Coalition of Neighborhood
30 Associations are in the affected area and were notified as required.

31 12. Property owners within 100 feet of the subject site were notified by the
32 applicant, as required. There is no known opposition or support for this
33 request.

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1 Section 3. ANNEXATION ACCEPTED. The area specified in Section 1 above
2 is designated Developing Urban in the Albuquerque/Bernalillo County
3 Comprehensive Plan, which makes it suitable for annexation. Furthermore, the
4 petition for annexation meets the review and decision criteria in IDO § 14-16-6-
5 7(F)(3) (Annexation of Land). The area specified in Section 1 above is hereby
6 annexed.

7 Section 4. ZONING MAP AMENDMENT FINDINGS.

8 1. This is a zoning map amendment request to establish R-1A zoning in the
9 City for an approximately 5-acre site legally described as the Northernly and
10 Southernly portion of Tract 464, Unit 7, of the Atrisco Land Grant, located at
11 the NE corner of 82nd St. SW and Sage Rd. SW.

12 2. The zoning map amendment is required to be submitted simultaneously
13 with the annexation to establish City Zoning (AX-2025-00002). This was
14 reviewed as a two-part request by City Staff. See preceding Findings for
15 Annexation.

16 3. The subject site is currently in unincorporated Bernalillo County
17 surrounded by land within the City of Albuquerque jurisdiction. The Bernalillo
18 County zone designation on the subject site is A-1, and the applicant
19 proposes to establish R-1A for low-density residential development. The
20 purpose of the R-1A zone district is to provide for neighborhoods of single-
21 family detached houses on smaller lots than the R-1 zone, promoting a
22 compact urban form in areas where existing infrastructure can support
23 increased residential density. This zone district is intended to maintain and
24 reinforce the residential character of established neighborhoods while
25 allowing for moderate infill development that aligns with City policies.

26 4. The applicant is requesting the establishment of R-1A zoning upon
27 annexation to allow for future residential development that is compatible with
28 surrounding neighborhoods within the Southwest Mesa. The A-1 zone in
29 Bernalillo County is a rural agricultural zone that primarily supports low-
30 density residential and agricultural uses. In contrast, the R-1A zone district
31 supports more urban residential development patterns that are consistent with
32 the City's Comprehensive Plan goals related to efficient land use and orderly
33 growth.

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1 5. On January 14, 2025, the Bernalillo County Board of County
2 Commissioners (BCC) approved an annexation request (AXBC2024-0001) for
3 the subject site. The BCC found that the annexation was consistent with the
4 Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area
5 Plan by facilitating infill development and supporting higher-density
6 residential uses. The County determined that the annexation met applicable
7 criteria, would not adversely affect County services or surrounding properties,
8 improved emergency service coordination, and eliminated an unincorporated
9 enclave. The BCC's approval was a prerequisite for City consideration of the
10 current request. The applicant now seeks to establish R-1A zoning upon
11 annexation into the City of Albuquerque.

12 6. The Albuquerque/Bernalillo County Comprehensive Plan, relevant Rank
13 2 Facility Plans or Rank 3 plans (MRAP Master Plans, Resource Management
14 Plans) are incorporated herein by reference and made part of the record for all
15 purposes.

16 7. The subject site is designated as Developing Urban pursuant to the
17 Albuquerque/Bernalillo County Comprehensive Plan, Volume II. Developing
18 Urban areas are intended to support future residential and commercial
19 development that results in more urban land uses and patterns, often guided
20 by area plans, design standards, and phased infrastructure improvements.

21 8. Upon annexation, the subject site will be designated as an Area of
22 Consistency under the City's Development Area framework. The subject site is
23 surrounded by properties designated as Areas of Consistency by the
24 Comprehensive Plan, which has policies to protect and enhance the character
25 of existing single-family neighborhoods, areas outside of Centers and
26 Corridors, parks, and Major Public Open Space. Development in Areas of
27 Consistency is expected to reinforce the scale, intensity, and built pattern of
28 the immediately surrounding context.

29 9. The request furthers the following applicable goals and policies from the
30 Comprehensive Plan Chapter 4 – Community Identity:

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

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1 The request supports the enhancement, protection, and preservation of
2 community character by applying zoning that is consistent with the
3 surrounding R-1A zoning pattern. The applicant intends to subdivide the
4 property and develop single-family homes, which are characteristic of nearby
5 neighborhoods. The development permitted under the R-1A zone would
6 reinforce the established residential scale and identity of the area.

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

10 The proposed zone change reinforces the identity and cohesiveness of the
11 surrounding neighborhood by applying a zoning designation R-1A that is
12 consistent with the zoning on all four sides of the subject site. The R-1A zone
13 district regulates the built form and ensures that future development will be
14 compatible in scale and character with the established residential context. The
15 applicant has indicated an intention to subdivide the property and develop
16 single-family homes, further aligning with the existing pattern of development
17 in the area.

18 10. The request furthers the following applicable goals and policies from
19 the Comprehensive Plan Chapter 5 – Land Use:

20 A. GOAL 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote
21 development patterns that maximize the utility of existing infrastructure and
22 public facilities and the efficient use of land to support the public good.

23 The site is contiguous to existing City limits and is already served by
24 public infrastructure. The proposed zoning facilitates development that can
25 take advantage of existing systems and services.

26 B. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth
27 in areas with existing infrastructure and public facilities.

28 The subject site is located in an area already served by existing
29 infrastructure and public facilities, including utilities and nearby parks. In
30 addition, the associated pre-annexation agreement holds the developer
31 responsible for completing and constructing the infrastructure necessary to
32 support the site once it is subdivided. This approach allows new development

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1 to occur in a coordinated manner without requiring significant new public
2 investment. The request furthers Policy 5.3.1 – Infill Development.

3 C. GOAL 5.6 CITY DEVELOPMENT AREAS: Encourage and direct
4 growth of Areas of Change where it is expected and desired to ensure that
5 development in and near Areas of Consistency reinforces the character and
6 intensity of the surrounding area.

7 The site is not currently located within the City Limits and therefore has not
8 been assigned a City Development Area. The subject site is not within an Area
9 of Change but is surrounded entirely by Areas of Consistency where parcels
10 with primarily single-family residential uses are located. The proposed R-1A
11 zoning will ensure that any new development will be compatible in scale with
12 the surrounding area and reinforce the character and intensity of the
13 surrounding area.

14 D. POLICY 5.6.3 AREAS OF CONSISTENCY: Protect and enhance the
15 character of existing single-family neighborhoods, areas outside of Centers
16 and Corridors, parks, and Major Public Open Space.

17 The subject site is currently outside of the City jurisdiction, Centers or
18 Corridors, parks and Major Public Open Space. It is an enclave surrounded
19 entirely by City R-1A zoning which are in Areas of Consistency. The request
20 for R-1A zoning would protect and enhance the existing single family-
21 neighborhoods and adjacent residential uses by contributing to the uniformity
22 of the area. The proposed zoning map amendment maintains the low-density
23 residential character of the area and aligns with adjacent development.

24 E. Sub Policy 5.6.3.b: Ensure that development reinforces the scale,
25 intensity and setbacks to the immediately surrounding context.

26 The request to establish R-1A zoning would ensure that any future
27 development on the subject site would adhere to the zone district dimensional
28 and development standards. The request ensures consistency with the scale,
29 intensity, and setbacks of surrounding R-1A zoned properties. The request
30 would require that future single-family residential development would have
31 uniform lot sizes, front, side and rear setbacks and building heights.

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1 F. Sub Policy 5.6.3.d: In areas with predominantly single-family
2 residential uses, support zone changes that help align the appropriate zone
3 with existing land use.

4 The subject site is surrounded by predominantly single-family residential
5 uses in the R-1A zone district. The existing zone designation for the site is
6 County A-1 (Rural Agricultural Zone) is in contrast to the surrounding and
7 adjacent City zoned residential districts. The requested establishment of
8 zoning in the City Zoning Map (zone change) to R-1A would align with the
9 zoning designation of the adjacent parcels in the area.

10 11. The request furthers the following applicable goals and policies from
11 the Comprehensive Plan Chapter 9 – Housing:

12 A. POLICY 9.2.1 COMPATIBILITY: Encourage housing development
13 that enhances neighborhood character, maintain compatibility with
14 surrounding land uses, and responds to its development context (i.e., urban,
15 suburban, or rural) with appropriate densities, site design and relationship to
16 the street.

17 This request to R-1A zoning will encourage housing development that
18 enhances neighborhood character and maintains compatibility with the
19 adjacent land uses because it will provide the opportunity for similar single-
20 family development. The site design and relationship to the street will use the
21 dimensional standards that are consistent with the R-1A zone district and are
22 the same standards used in the surrounding neighborhoods.

23 12. The request furthers the following applicable goals and policies from
24 the Comprehensive Plan Chapter 12 – Infrastructure, Community Facilities &
25 Services:

26 A. POLICY 12.4.6 ANNEXATION: Rationalize jurisdictional
27 boundaries and streamline the provision of services through annexation when
28 the City and County agree.

29 On January 14, 2025, the Bernalillo County Board of County
30 Commissioners (BCC) approved annexation request (AXBC2024-0001) for the
31 subject site. The BCC found that the request supports the
32 Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area
33 Plan by encouraging infill development and higher-density residential use. The

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1 annexation was determined to meet the County's annexation criteria and was
2 found to have no adverse impacts on County services or adjacent properties.
3 In addition, the BCC noted that annexation would improve clarity in
4 emergency service provision and eliminate an unincorporated enclave,
5 thereby promoting the general welfare of County residents. County approval
6 was a required step prior to review and consideration by the City, reflecting
7 intergovernmental coordination and a rational adjustment of City boundaries.

8 13. Pursuant to IDO § 14-16-6-7(G)(3), "An application for a Zoning Map
9 Amendment shall be approved if it meets all of the following criteria."

10 6-7(G)(3)(a): The proposed zone change is consistent with the health,
11 safety, and general welfare of the City as shown by furthering (and not being
12 in conflict with) a preponderance of applicable Goals and Policies in the ABC
13 Comp Plan, as amended, and other applicable plans adopted by the City.

14 The proposed zone change is consistent with the health, safety, and
15 general welfare of the City as shown by the applicant's policy-based response
16 that adequately demonstrates the request furthers a preponderance of
17 applicable Goals and Policies and does not present any significant conflicts
18 with the Comprehensive Plan, as amended, or other applicable plans adopted
19 by the City as shown in the sections above.

20 Applicable citations: Goal 4.1 Character, Policy 4.1.2 Identity and Design,
21 Policy 4.2.2 Community Engagement, Goal 5.3 Efficient Development Pattern,
22 Policy 5.3.1 Infill Development, Goal 5.6 City Development Areas, Policy 5.6.3
23 Areas of Consistency, Policy 9.2.1 Compatibility, and Policy 12.4.6 Annexation.

24 6-7(G)(3)(b): If the subject property is located partially or completely in an
25 Area of Consistency (as shown in the ABC Comp Plan, as amended), the
26 applicant has demonstrated that the new zone would clearly reinforce or
27 strengthen the established character of the surrounding Area of Consistency
28 and would not permit development that is significantly different from that
29 character. The applicant must also demonstrate that the existing zoning is
30 inappropriate because it meets any of the following criteria.

31 1. There was a typographical or clerical error when the existing zone
32 district was applied to the property.

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

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

7 The subject site is not currently within the City and therefore is not yet
8 formally designated as an Area of Consistency; however, surrounding
9 properties within City limits are designated as such. Given the consistent land
10 use patterns and character of the surrounding area, it is reasonable to
11 anticipate that the subject site will be designated as an Area of Consistency
12 upon annexation. Meeting Criterion 3, the proposed R-1A zoning would clearly
13 reinforce and strengthen the established single-family residential character of
14 the surrounding area and would not permit development that is significantly
15 different from that character. The applicant has adequately demonstrated that
16 the proposed zoning is more advantageous to the community as articulated by
17 the Comprehensive Plan, particularly in terms of encouraging consistent land
18 use patterns, appropriate scale and density, and infrastructure connectivity.

19 6-7(G)(3)(c): If the subject property is located wholly in an Area of Change
20 (as shown in the ABC Comp Plan, as amended) and the applicant has
21 demonstrated that the existing zoning is inappropriate because it meets any of
22 the following criteria.

23 1. There was a typographical or clerical error when the existing zone
24 district was applied to the property.

25 2. There has been a significant change in neighborhood or
26 community conditions affecting the site that justifies this request.

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

31 The subject property is not located within an Area of Change.

32 6-7(G)(3)(d): The requested zoning does not include permissive uses that
33 would be harmful to adjacent property, the neighborhood, or the community,

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1 unless the Use-specific Standards in Section 14-16-4-3 associated with that
2 use will adequately mitigate those harmful impacts.

3 The proposed R-1A zoning district allows residential uses that are
4 consistent with those allowed on surrounding properties and does not
5 introduce any permissive uses that are anticipated to be harmful to adjacent
6 properties or the broader community. Additionally, the IDO contains use-
7 specific standards (IDO § 14-16-4-3) that apply to certain uses and would
8 provide further mitigation, if necessary. The staff finds that the uses allowed in
9 the R-1A zone are appropriate and compatible with the established
10 development pattern.

11 6-7(G)(3)(e): The City's existing infrastructure and public improvements,
12 including but not limited to its street, trail, and sidewalk systems, meet any of
13 the following criteria:

- 14 1. Have adequate capacity to serve the development made possible
15 by the change of zone.
- 16 2. Will have adequate capacity based on improvements for which the
17 City has already approved and budgeted capital funds during the next
18 calendar year.
- 19 3. Will have adequate capacity when the applicant fulfills its
20 obligations under the IDO, the DPM, and/or an Infrastructure Improvements
21 Agreement (IIA).

22 The subject site is located within a partially developed area that has
23 existing City infrastructure in place, including roadway access, sidewalks,
24 water, and sewer lines thus meeting Criterion 1. The applicant acknowledges
25 responsibility for making any infrastructure improvements required by the
26 IDO, the DPM, or through an Infrastructure Improvements Agreement. Based
27 on the surrounding infrastructure and the nature of the proposed
28 development, it is anticipated that adequate capacity exists or will be provided
29 through required improvements.

30 6-7(G)(3)(f): The applicant's justification for the Zoning Map Amendment is
31 not completely based on the property's location on a major street.

32 The applicant has provided a justification based on furthering a
33 preponderance of applicable Comprehensive Plan policies and not on the

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1 property's location along a major street. Although the site is located adjacent
2 to a Major Collector (Sage Road), the justification is clearly rooted in policy
3 and development compatibility rather than street classification.

4 6-7(G)(3)(g): The applicant's justification is not based completely or
5 predominantly on the cost of land or economic considerations.

6 The applicant's justification for the zone change is based on planning
7 principles, Comprehensive Plan policies, and neighborhood compatibility
8 rather than the cost of land or economic considerations. The proposal
9 supports consistent development patterns and aligns with the City's vision for
10 orderly growth through annexation.

11 6-7(G)(3)(h): The Zoning Map Amendment does not apply a zone district
12 different from surrounding zone districts to one small area or one premises
13 (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a
14 "strip zone") unless the requested zoning will clearly facilitate implementation
15 of the ABC Comp Plan, as amended, and at least 1 of the following applies.

16 1. The subject property is different from surrounding land because it
17 can function as a transition between adjacent zone districts.

18 2. The subject property is not suitable for the uses allowed in any
19 adjacent zone district due to topography, traffic, or special adverse land uses
20 nearby.

21 3. The nature of structures already on the subject property makes it
22 unsuitable for the uses allowed in any adjacent zone district.

23 The proposed zone change to R-1A does not result in a spot zone or strip
24 zoning. It is consistent with the zoning and land use patterns of adjacent City
25 properties, and the change would facilitate logical and cohesive extension of
26 zoning and development patterns consistent with the Comprehensive Plan.

27 14. Public notice requirements are established in IDO Table 6-1-1 and IDO
28 § 14-16-6-4(J) Public Notice. According to the Office of Neighborhood
29 Coordination (ONC), the South West Alliance of Neighborhoods (SWAN
30 Coalitions), Westgate Heights NA and Westside Coalition of Neighborhood
31 Associations are in the affected area and were notified as required (see
32 attachments).

1 **15. Property owners within 100 feet of the subject site were notified by the**
2 **applicant, as required. As of this writing, no individuals have reached out to**
3 **the Planning Department to express opposition or support for this request.**

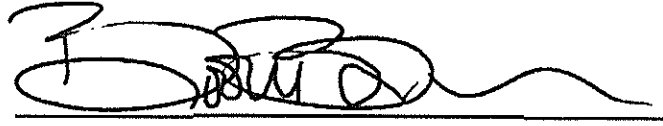
4 **Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**
5 **clause, word or phrase of this Ordinance is for any reason held to be invalid or**
6 **unenforceable by any court of competent jurisdiction, such decision shall not**
7 **affect the validity of the remaining provisions of this Ordinance. The Council**
8 **hereby declares that it would have passed this Ordinance and each section,**
9 **paragraph, sentence, clause, word or phrase thereof irrespective of any**
10 **provision being declared unconstitutional or otherwise invalid.**

11 **Section 6. EFFECTIVE DATE. This Ordinance shall take effect five days**
12 **after publication by title and general summary and when a plat of the territory**
13 **hereby annexed is filed in the office of the County Clerk.**

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1 PASSED AND ADOPTED THIS 3rd DAY OF September, 2025
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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9 **Brook Bassan, President**
10 **City Council**

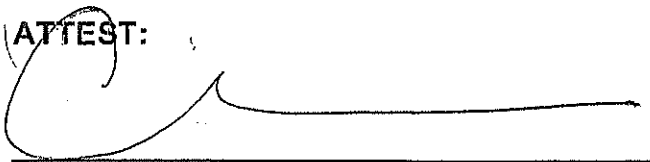
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14 APPROVED THIS 11 DAY OF September, 2025

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18 **Bill No. O-25-93**

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23 **Timothy M. Keller, Mayor**
24 **City of Albuquerque**

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27 **ATTEST:**

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30 **Ethan Watson, City Clerk**

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

June 6, 2025

TO: Brook Bassan, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: Annexation and Establishment of Zoning for approximately 5 acres of Tract 464, Unit 7, of the Atrisco Land Grant, currently zoned A-1 (Bernalillo County), to R-1A (City of Albuquerque)

Request

This is a two-part request for annexation and establishment of R-1A zoning for the subject site, an approximately 5-acre undeveloped parcel located at the northeast corner of 82nd Street SW and Sage Road SW in the Southwest Mesa. The subject site is currently zoned A-1 under Bernalillo County jurisdiction. The applicant, Greater Albuquerque Habitat for Humanity, proposes to establish R-1A zoning to allow for low-density residential development consistent with surrounding uses.

Overview and EPC Recommendation

The subject site is surrounded by land within City jurisdiction, zoned R-1A and developed primarily with single-family residential uses. Tower Park is located diagonally across the intersection of 82nd Street and San Ygnacio Road, with a portion in the City and a portion in unincorporated County.

On January 14, 2025, the Bernalillo County Board of County Commissioners (BCC) approved an annexation request (AXBC2024-0001) for the subject site. The BCC found that the request aligned with applicable County and regional plans by supporting infill development, clarifying emergency service responsibilities, and eliminating an unincorporated island. The County's approval was a necessary precursor to the City's annexation process.

The City's Environmental Planning Commission (EPC) considered the annexation and accompanying zoning map amendment at its regular public hearing on May 15, 2025 [Project #AX-2025-00002 / ZMA-2025-00005]. The EPC found that the requests were consistent with applicable City policies and regulations, including the annexation criteria in IDO §14-16-6-7(F)

and the zoning map amendment criteria in §14-16-6-7(G). The Commission determined that the proposed R-1A zoning is compatible with the surrounding zoning and development pattern and supports coordinated urban growth in accordance with the Albuquerque/Bernalillo County Comprehensive Plan.

The EPC voted unanimously (5-0) to forward a recommendation of approval to the City Council for both the annexation and zoning map amendment.

Neighborhood & Public Input

Three neighborhood associations and the South West Area Neighborhood coalition were notified of this request, as well as over 80 property owners surrounding subject site. There is no known opposition to the requested actions.

Conclusion

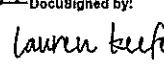
The EPC recommended approval of the requested annexation and zone map amendment to the City Council. The request is consistent with the Albuquerque/Bernalillo County Comprehensive Plan and applicable City policies, and the proposed zoning matches the established pattern of development in the surrounding area. The draft ordinance for annexation and zoning is being transmitted to City Council for consideration and final action.

Title/Subject of Legislation: The Environmental Planning Commission recommends approval of AX-2025-00002 Annexation and ZMA-2025-00005 Zoning Map Amendment (Establishment of Zoning)


Approved:


Samantha Sengel Date 7/11/25
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:
 6/23/2025 | 6:30 PM MDT
1A21D96D32C74EE...
Lauren Keefe Date
City Attorney

Recommended:


Alan Varela (Jun 6, 2025 15:46 MDT) 06/06/2025
Alan Varela Date
Planning Department Director

Cover Analysis

(Plan #AX-2025-00002 / ZMA-2025-00005)

1. What is it?

This is a two-part request for the annexation of land into the City of Albuquerque and a Zoning Map Amendment to establish R-1A zoning on an approximately 5-acre site. The subject site is legally described as the Northerly and Southerly portion of Tract 464, Unit 7, of the Atrisco Land Grant, and is located at the northeast corner of 82nd Street SW and Sage Road SW. The site is currently in unincorporated Bernalillo County, surrounded on all sides by land within the City's jurisdiction. The existing County zoning is A-1 (Rural Agricultural), and the applicant proposes to establish City R-1A zoning to facilitate low-density residential development by Greater Albuquerque Habitat for Humanity.

2. What will this piece of legislation do?

This legislation will annex the subject property into the City of Albuquerque and apply R-1A zoning to match the surrounding properties. The action will remove an existing unincorporated enclave and allow the property to be developed in accordance with City standards and policies.

3. Why is this project needed?

The project is needed to support infill residential development by Greater Albuquerque Habitat for Humanity and to resolve jurisdictional and service-related issues resulting from the subject site being an isolated County enclave. Bernalillo County initiated the annexation in coordination with the applicant to clarify the provision of emergency services and road infrastructure. The proposal aligns with the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan by promoting efficient land use, coordinated governance, and the general welfare of County and City residents.

4. How much will it cost and what is the funding source?

This proposal will not create any costs for the City.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

No.

6. What will happen if the project is not approved?

The site would remain under Bernalillo County jurisdiction as an unincorporated enclave, creating ongoing challenges for service coordination, particularly for emergency response and infrastructure maintenance. Residential development would

be constrained by County zoning and standards, which may not align with surrounding development patterns or long-term planning goals.

7. Is this service already provided by another entity?

No.

FISCAL IMPACT ANALYSIS

TITLE: Annexation and Establishment of Zoning for Northerly and Southerly portion of Tract R: O:
 464, Unit 7, of the Atrisco Land Grant located north of Sage Road between 82nd Street and Corel Drive. FUND: 110
 DEPT: 4926000

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	Fiscal Years			
	2025	2026	2027	Total
Base Salary/Wages	-	-	-	-
Fringe Benefits at	-	-	-	-
Subtotal Personnel	-	-	-	-
Operating Expenses	-	-	-	-
Property	-	-	-	-
Indirect Costs 15.30%	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input checked="" type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Amount of Grant	-	-	-	-
City Cash Match	-	-	-	-
City Inkind Match	-	-	-	-
City IDOH *15.30	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created 0

COMMENTS: This is a request for annexation and establishment of the R-1A zone district, for the Northerly and Southerly portion of Tract 464, Unit 7, of the Atrisco Land Grant, located north of Sage Road between 82nd Street and Corel Drive. The site is an unincorporated County enclave surrounded on all sides by property within the City of Albuquerque's jurisdiction. No additional outlay of capital will be required by the City. The applicant will be responsible for any site improvements in accordance with their petition for annexation and pre-annexation agreement.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

The annexation and establishment of zoning will will have no fiscal impact on the City of Albuquerque.

PREPARED BY: Debbie Dombrowski 18/2025 | 8:53 AM MDT
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 FISCAL MANAGER (date)

APPROVED: Alan Lundy 18/2025 | 9:31 AM MDT
01788885EF46449...
 DIRECTOR (date)

REVIEWED BY: UNDA CUTLER PADILLA 18/2025 | 1:44 PM MDT
ECDEF84DBEC0480...
 EXECUTIVE BUDGET ANALYST (date)

Signed by: Donna Santana 18/2025 | 9:51 AM MDT
08F4D66752CA4E2...
 BUDGET OFFICER (date)

Signed by: Christine Boman 18/2025 | 9:10 AM MDT
E882702348CC47D...
 CITY ECONOMIST (date)

AX-2025-00002 & ZMA-2025-00005
May 15, 2025 EPC Hearing Transcript

Planning EPC Hearing Monitor, Nichole Maher: And we're on the record.

Chair Aragon: Thank you. Mr. Steele. It's good to see you again. Yeah, cool.

William Steele-Planner: Good to see you chair and commissioners. I'm going to be. I'm not presenting. I worked on. We worked on this case together, June, Miller and I, so he will be presenting. I will be assisting in any questions that may arise.

Chair Aragon: Excellent. Okay, mister. Let's swear you both in just in case. We'll go with you first, Mr. Steele, since we were talking to you.

William Steele-Planner: Okay, thank you, Chair. My name is William Steele. My address is 600 Second Street NW.

Chair Aragon: Do you swear to tell the truth, under the penalty of perjury?

William Steele-Planner: I do, thank you.

Chair Aragon: Thank you. Mr. Miller?

Jude Miller | CABQ Planning: Yes, my address is 600 Second Street NW. And yes, I do.

Chair Aragon: Would you please state your full name?

Jude Miller | CABQ Planning: My name is Jude Miller, and I am at 600 Second Street, NW, NM 87102.

Chair Aragon: Do you swear to tell the truth, under penalty of perjury?

Jude Miller | CABQ Planning: Yes.

Chair Aragon: Awesome. Please proceed.

Jude Miller | CABQ Planning: Yes, let me share. Okay, good morning, Mr. Chair, Commissioners and members of the public. My name is Jude Miller, and I am a staff planner with the City Planning Department. I'm co-presenting agenda item number 5, plan numbers AX-2025-00002, and ZMA-2025-00005 with William Steele today.

Chair Aragon: Thank you, Mr. Miller.

Jude Miller | CABQ Planning: The applicant, Greater Albuquerque Habitat for Humanity, represented by JAG Planning and Zoning LLC requests annexation of approximately 5 acres of land from unincorporated Bernalillo County into the city and establishment of R-1A residential single family detached zoning on the subject site. The site is located north of Sage Road southwest, and east of 82nd Street southwest in the Southwest Mesa area. The EPC will forward a recommendation to the City Council for final action. The subject site is currently zoned A-1 for rural agriculture under Bernalillo County jurisdiction. It is surrounded on all sides by properties within the City of Albuquerque that are zoned R-1A and developed with single family residential neighborhoods, except for a church located immediately to the south. The proposed R-1A zoning will allow future development compatible with adjacent land uses. Although the subject site is not currently assigned a city development area designation, it is entirely surrounded by parcels designated as areas of consistency by the Comprehensive Plan. On January 14th 2025, the Board of County Commissioners, Bernalillo County approved the annexation request, AXBC-2024-0001 for the subject site. The BCC found that the request aligns with Albuquerque, Bernalillo County Comprehensive Plan and Southwest Area Plan by supporting infill development and higher density residential use. The annexation request met County annexation criteria, and the BCC found that it poses no adverse impact on county services or adjacent lands and it improves clarity and emergency service provision and eliminates an unincorporated enclave promoting the general welfare of county residents. The County's approval was required before this case could be reviewed and decided by the City. The requested zoning aligns with both City and County planning principles for those density residential development. So, here's some showing some existing conditions of the subject site that is currently undeveloped. You can see on all 4 sides to the east, to the north and west there are residential developments. There is that church property directly to the south, but it's also

an R-1 zone designation on that property. The proposed zoning is consistent with health, safety, and general welfare of the city. The request furthers a preponderance of applicable Comprehensive Plan Goals and Policies from chapter 4, chapter 5, chapter 9, and chapter 12. The zoning will reinforce the established single Family residential character of the surrounding area. The purpose of an annexation is to bring the property into the City's jurisdiction, to facilitate residential development aligned with city goals and policies. The annexation complies with all applicable criteria, and IDO 14-16-6-7(F)3. Including the land is contiguous with the city boundary. It has convenient public street access. Existing city services can reasonably be extended. The boundaries are logical and compact, and future subdivision will address land, dedication, and infrastructure improvements. The applicant has committed to installing and pay for required infrastructure improvements in accordance with city standards. The request meets all required findings for a zoning map, and then, under 16-6-7(G)3 it furthers Comprehensive Plan policies. It reinforces character of the zoning of the surrounding Area of Consistency. It does not create a spot, zone or strip zone, and it is not based on major street or land costs or economic considerations. Permissive uses allowed under R-1A are consistent with surrounding development and are not harmful to the community. The application was reviewed by city departments and outside agencies. No adverse comments were received. There were no comments received in opposition from the public neighborhood associations. Notified were the Southwest Alliance of neighbors, Westgate Heights Neighborhood Association, Westside Coalition of Neighborhood Associations. Adjacent property owners were also notified, and sign posting requirements were met. No post-application facilitated meeting was requested. So, staff finds that this annexation rationalizes jurisdictional boundaries and improves clarity for public services. The zoning would align with adjacent land uses and development patterns. Future subdivision will provide the needed infrastructure under City standards. The request supports affordable single-family housing development, and a draft pre-annexation agreement was submitted by the applicant as required and approved by the City Engineer. Therefore, the proposed annexation and zoning will promote orderly growth and infill consistent with the City's Comprehensive Plan. In conclusion, regarding project AX-2025-00002 and ZMA-2025-00005 staff recommends that the EPC forward a motion to recommend approval to City Council, based on the findings contained in the staff report. With that we stand for any questions.

Chair Aragon: Thank you, Mr. Miller. I don't have any questions at this time. How about members of the Commission? None. Okay, we'll let the applicant make their presentation. Will that be you, Miss Garcia?

Juanita Garcia: Yes.

Chair Aragon: Excellent good to see you. Could you please state your name and address for the record?

Juanita Garcia: My name is Juanita Garcia. I'm with JAG Planning and Zoning. My address is Po. Box 7857 Albuquerque, New Mexico, 87194.

Chair Aragon: Very good. Would you please raise your right hand, and do you swear to tell the truth, under the penalty of perjury?

Juanita Garcia: I do.

Chair Aragon: Please proceed with your presentation.

Juanita Garcia: Okay, thank you. So, I want to thank you and thank Staff for their hard work in regards to these applications. This is the first annexation request that the City of Albuquerque is encountering since the adoption of the IDO, so there were some things that we needed to work out before it got to you. So, and Staff worked really hard with helping us get to this point. And so, we really do want to thank Staff. And of course, we agree with Staff's recommendation of approval. So, we're here on behalf of Habitat for Humanity, and we respectfully request your review and recommendation of approval to City Council for this annexation request, and the Zone Map Amendment request. And Habitat for Humanity is a nonprofit corporation that focuses on constructing affordable housing within a community allowing for a path to homeownership. It's a national organization that has been rooted here in Albuquerque since 1987. I do want to share my screen. Just to say that, I'm not sure if you could see my screen.

Chair Aragon: We can now.

Juanita Garcia: Okay, perfect. Thank you. So, Habitat for Humanity originally came to us, asking us if we could assist them with a special use permit for the subject site. Knowing that it is, it was, or it is within Bernalillo County's jurisdiction they wanted us to consider, or they wanted to submit a special use permit to the county for residential development, for an area for design very similar to what you see to the West, which has the cul-de-sacs. The 4 cul-de-sacs there. However, when we went to planning staff to discuss this with them, they indicated, they brought to our attention that all of the streets, Sage, 82nd, San Ignacio, are all city owned streets. City-owned, city-maintained streets, and that it would be difficult for public works to, you know, that they would not want the portion of the road that we need to dedicate to be a public or a county road, that that would be a difficult maintenance for the road. And they did not see that having the cul-de-sacs be private roads would be easy, either. So that's when we thought of the idea of going in for an annexation request. So, it so, you know, the developer or the owners are wanting to develop the site with single family residential development very similar to what's surrounding that area. And so, we believe that this request makes sense. As you could see, it is surrounded by city land to the east, to the west, to the north, to the south. The only thing you'll see is caddy corner from the site you'll see a county property or property that is within the county's jurisdiction. But it's actually part of a park. So, it's not a residential development, but it is within the county's jurisdiction. And then you also see county land or county jurisdiction land to the west. You'll see there on the screen to the right that shows some parcels that have been divided. Granted special use permits for their development. And then you also see property to the East. Not sure what's going to eventually happen with that property. It's quite possible they could be coming in for an annexation at a later date. But you don't really see too many county properties in this vicinity. And so that's why we believe that this request makes sense. So, we in regards to the annexation, we did provide an application packet that demonstrates we are meeting the annexation criteria that has been established by the IDO and identified in section 6-7(F). The approval of this request will continue to allow development on the site that will contribute to the economic future and housing viability in this portion of City of Albuquerque. The annexation, as mentioned by Mr. Miller, was approved by Bernalillo County, about the Bernalillo County Commissioners on January 14th of this year. The subject property is surrounded by land located within the jurisdiction of the City of Albuquerque, and it, you know, it is an island within city property, so that is meeting one of the criteria for annexation. The property is surrounded by streets that are owned and maintained by the City of Albuquerque. The streets are public streets which will allow for

convenient street access, so that also meets another criterion for annexation. And if the proposed Annexation and Zone Map Amendment requests are approved, the applicant commits to submitting a subdivision plot as specified in the DPM. Also meeting criteria for annexation. Pre-annexation agreement has been submitted with the owner's notarized signature committing to providing the necessary infrastructure that is necessary for the development of the site and which has also been approved by the City Engineer. In regards to the Zone Map amendment we are demonstrating that the requested zone is consistent with the growth and development patterns desired by the city and meets the review and decision criteria outlined in section 6-7(G)(3), of the IDO. The proposed Zone Map Amendment is consistent with the health, safety, and general welfare of the city by furthering, and is not conflicting with the Albuquerque Comprehensive Plan, and with applicable goals and policies. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, especially since the requested zone category is found surrounding the subject site. The requested zone category would not result in a spot zone, since the site is surrounding, surrounded by property zoned R-1, R-1A. We did, as identified by Mr. Miller, we did notify all of the adjacent property owners by certified mail. I think there were 86 letters that we had to send out certified mail. So, the Post Office really loved us that day, and we did hear from some of the residents. Mostly questions about what the request was. They had never received a certified letter regarding a matter such as this, so we had to explain what we were doing. Once they heard that we were asking to be part of the City of Albuquerque's jurisdiction as opposed to the county, they understood that we indicated that we would be applying for a zone change similar to theirs. They understood that as well, and they also understood that, you know, this whole development process will take some time, and that we will not expect to have a subdivision development proposed until you know, another year or 2, and so we, they understood that as well. And so, we did not hear of any opposition at the, in regards to phone calls regarding the notices that we did send. However, at the county, you know, because we had to go through this entire process there as well, we never heard from the neighborhood associations. That's the case as well here, however, there were some adjacent property owners located to the east of the site who currently have jurisdiction within the City of Albuquerque, who were concerned about the type of housing that would be developed on the site. We did want to reassure them that it would be, for you know, similar type of houses that are currently constructed surrounding the site. And so, the Planning Commission there did not really want to go into the details of future development. They wanted to focus on the annexation criteria, which

is what led them to recommend approval for the annexation, but that was pretty much all that we heard, or that we encountered in regards to this entire process that we've been going through to try to get to this point. And so, with that, I have nothing else to add, and I just stand for any questions.

Chair Aragon: Thank you, Ms. Garcia. I do have a question. I understand we're just hearing the Annexation and Zone Trust, Zone request. But how many houses are they proposing to build here?

Juanita Garcia: Mr. Chair, Commissioners, so it would be very similar to what it's being proposed to the West, where the cul-de-sacs are I don't remember - I think there were 29 if I counted correctly, 29 homes in that area.

Chair Aragon: Okay, not gonna hold you to a number. Just kinda how big a development is it gonna be.

Juanita Garcia: Right and just to confirm that you know, the R-A, the R-1A is, you know, is an established IDO zone category, City of Albuquerque Zone category. So, there are restrictions in terms of how this could be developed, ensuring that we are meeting lot size requirements and so, we, you know, we're going to have to comply with these sort of things when it's time to develop. So, we did not want to go in with something that would allow for a higher density. And so, we just really wanted to stick with what's surrounding the area and try to develop a residential development that's very similar to what's surrounding it.

Chair Aragon: Thank you. Commissioners - we have any questions for the applicant? Okay, thank you. Staff, is there anyone signed up to speak on this request?

Planning EPC Hearing Monitor, Nichole Maher: Chair, Commissioners, there's no one signed up to speak at this time. If you're a member of the public, and you would like to speak on this matter, please raise your virtual hand and place your name and email in the chat. If you're calling in, please press Star 9 to raise your virtual hand. Star 6 to mute and unmute. Chair, Commissioners, there are no members of the public signed up to speak at this time.

Chair Aragon: Thank you. Staff, do you have a closing summary?

Jude Miller | CABQ Planning: Mr. Chair, Sir, no, we do not have anything to add at this, at this time. So, thank you.

EPC Commissioner Tim MacEachen: Chair?

Chair Aragon: Okay. Yes, Commissioner?

EPC Commissioner Tim MacEachen: Commissioner MacEachen. Can I get some clarification on the findings and conditions, on both of these? Because, I've got conflicting numbers and what they put up just now, and what I had in my notes during the week.

Chair Aragon: Yes, that would be a great idea.

Jude Miller | CABQ Planning: Let me pull up the report and just verify.

Megan Jones: Mr. Chair, Commissioners and Mr. Miller, I'm ready with those, that set of findings. For the annexation for Case Number 2025-00002 I have 12 findings. And for the zoning map amendment for 2025-00005, we have a set of 15 findings.

EPC Commissioner Tim MacEachen: Thank you.

Chair Aragon: Commissioner MacEachen, did that address your concern?

EPC Commissioner Tim MacEachen: It sure did. That's what was in the presentation today. But it wasn't what I wrote down when I read it all this week, so I'm glad to get that clarified.

Chair Aragon: Thank you. Do we have any other questions from the Commission? Okay. So, what I see before us right now is a 2-part request. A request for annexation and a request for zone change. You know, and looking at the at the property this is kind of a unique piece of property, where it's all, it's an island of County surrounded by the City. I'm not sure how, why it's the last one to develop, but it's I guess now is its time. It looks like according to the findings and conditions and what we see on the zone map that

the request for the new zone change coming into the City from the County is matching what's already existing in the area. And so, this actually sounds like a pretty straightforward case. Very simple and if anything is other than that, please let me know.

EPC Commissioner Tim MacEachen: Chair, are we gonna vote on these individually? I just wanna make sure I know how this is. Mr. Myers?

Chair Aragon: That's a good question. I would think we would vote on them together. But I'll ask Mr., we'll ask Mr. Myers.

Matt Myers: Yeah, that is a very good question. I agree with both of you guys. So, I don't know. Maybe Miss Jones knows the answer to that?

Megan Jones: Thank you. Chair, Commissioner and Mr. Myers. So, the way that we've typically handled these in the past is, I think we've done it kind of both ways. But what you can do is talk about both the Annexation and the Zoning Map Amendment together, because we can't have one without the other. With the Annexation the Zoning Map Amendment is required. This is a recommendation by the EPC to Council, so I suggest having a conversation about both of them. That, you know, impacts both of them, whatever that conversation looks like, and then make a motion. You can include both case numbers for the zone change with set of findings, one through 15, and the Annexation with set of findings, one through 12, and make your recommendation as one as one motion, or you can do, I think, I don't think there's an issue with making 2 separate motions because you're not gonna recommend approval of Annexation and denial of the zone change. If that's what you were gonna do the applicant would need to, you know, go back to square one and kind of figure out what the zone. So, in this case, I think it makes sense to make a motion together. Does that make sense, Mr. Myers?

Matt Myers: Yeah. And I think that all makes perfect sense. I think it can really almost be both. And so, I mean, maybe just to make it real clean, you could just say, let's if you guys vote on the Annexation after your discussions, vote on the Annexation, because then, once it's in, then you could vote on the Zone change, and they're both recommendations to City Council, either for recommendation of approval or denial on each of those.

EPC Commissioner Tim MacEachen: Chair. I'm ready to make a motion.

Chair Aragon: Well before we make that motion. Let me just talk a little bit about the Zone change. I know you're ready to go, but we need to do this stuff. It seems like this, I would, I'm supporting the zone change. It looks like it, says is appropriate as they come, and I just wanted to state that for the record. Does anyone else have any comments on the Zone Change? Be none. If you're ready to make a motion Commissioner.

EPC Commissioner Tim MacEachen: No, I'm not gonna make a motion anymore.

Chair Aragon: Okay.

EPC Commissioner Tim MacEachen: I'm kidding. Okay. So.

Chair Aragon: Nothing surprises me here.

EPC Commissioner Tim MacEachen: Yeah, you're in PNM. You've heard it all.

EPC Commissioner Tim MacEachen: So, AX-2025-0002 for the Annexation. I would make a motion to make the recommendation to pass.

Matt Myers: Subject to findings.

EPC Commissioner Tim MacEachen: Oh, I'm sorry. Gosh! I was so caught off side subject to findings 1 through 12. Thank you, Mr. Myers.

Chair Aragon: And do we have a second?

EPC Commissioner Jarrod Likar: Likar, second.

Chair Aragon: Very good. Okay. Let's take a vote on that. Commissioner Coppola?

EPC Commissioner Giovanni Coppola: Coppola, second Coppola. Aye, excuse me.

Chair Aragon: Very good. Commissioner Cruz?

EPC Commissioner JOSEPH M CRUZ: Cruz, aye.

Chair Aragon: Commissioner, Likar.

EPC Commissioner Jarrod Likar: Likar, aye.

Chair Aragon: Commissioner MacEachen?

EPC Commissioner Tim MacEachen: Commissioner MacEachen, aye.

Chair Aragon: Chair Aragon, is Aye as well. Okay, so that motion passes, and I think we need a motion for the second portion.

EPC Commissioner Tim MacEachen: I stand ready. Please. So, on Item 7MA-2025-0005 for the zoning map amendment, I would make a motion to pass and condition upon, conditioned upon findings 1 through 15.

Chair Aragon: Okay for clarification, that was ZMA?

EPC Commissioner Tim MacEachen: Yes, ZMA.

Chair Aragon: Okay, okay, I heard 7, but my headphones could be shorting out. Thank you, Commissioner MacEachen.

EPC Commissioner Jarrod Likar: Likar, second.

Chair Aragon: Thank you, Commissioner. Yeah, let's take a vote, and I am going to change the order. Just warning. Perfect. Commissioner Cruz?

EPC Commissioner JOSEPH M CRUZ: Commissioner Cruz, aye.

Chair Aragon: Commissioner MacEachen?

EPC Commissioner Tim MacEachen: MacEachen, aye.

Chair Aragon: Commissioner Likar?

EPC Commissioner Jarrod Likar: Likar, aye.

Chair Aragon: Commissioner Coppola?

EPC Commissioner Giovanni Coppola: Coppola, aye.

Chair Aragon: Chair Aragon, aye. Okay, both motions for the recommendation pass. Thank you, Miss Garcia.

Juanita Garcia: Thank you.

Chair Aragon: Thank you Staff and thank you, Mr. MacEachen. Commissioner MacEachen.



City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

Interoffice Memorandum

September 17, 2025

To: City Council
From: Ashley Santistevan, Assistant City Clerk
Subject: Transmittal of Legislation

<u>Bill No.</u>	<u>Enactment No.</u>
O-25-92	O-2025-026
O-25-93	O-2025-027
R-25-169	R-2025-057
R-25-170	R-2025-058
R-25-188	R-2025-059

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