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1 WHEREAS, the Comp Plan is the Rank 1 Plan for the City of Albuquerque  
2 and unincorporated Bernalillo County to set out a community vision, goals  
3 and policies, and implementation actions; and

4 WHEREAS, the City Council amended the boundary of the 2025 Downtown  
5 Metropolitan Redevelopment Area (MRA) to include the former McClellan Park  
6 MRA, Railroad MRA, and the two subject sites (R-25-123) in order to facilitate  
7 higher-density residential development and mixed-use development and help  
8 respond to the need for housing as analyzed in the Albuquerque Region  
9 Housing Needs Assessment (2024); and

10 WHEREAS, the City Charter, Albuquerque/Bernalillo County  
11 Comprehensive Plan, the Integrated Development Ordinance (IDO), Downtown  
12 2025 Metropolitan Redevelopment Area, as amended (R-25-123), and  
13 Albuquerque Region Housing Needs Assessment are incorporated herein by  
14 reference and made part of the record for all purposes; and

15 WHEREAS, the intent of the request is to proactively facilitate the  
16 development of higher-density residential development in this area,  
17 specifically the vacant property; and

18 WHEREAS, the current zoning does not allow residential development, and  
19 a Zoning Map Amendment will be needed to allow residential or mixed-use  
20 development in the future; and

21 WHEREAS, the Martineztown/Santa Barbara Character Protection Overlay  
22 (CPO) zone (CPO-7) was established in 2017 with the adoption of the IDO; and

23 WHEREAS, the CPO-7 has a maximum building height of 26 feet for  
24 Residential and Mixed-use zone districts, which is a significant impediment to  
25 higher-density residential development and mixed-use development; and

26 WHEREAS, the subject sites are located on Lomas Blvd. NE in  
27 southwestern portion of CPO-7 near the intersection of Broadway Blvd. NE  
28 and Lomas Blvd. NE; and

29 WHEREAS, Lomas Blvd. is designated as a Major Transit Corridor by the  
30 Comprehensive Plan and is the southern boundary of CPO-7; and

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1 WHEREAS, the subject sites are located within the Central ABQ  
2 Community Planning Area (CPA), as designated by the Comprehensive Plan;  
3 and

4 WHEREAS, the subject sites are within an Area of Change as designated by  
5 the Comprehensive Plan, and Areas of Change include Centers, Corridors, and  
6 Metropolitan Redevelopment Areas, where new development and  
7 redevelopment are desired and appropriate; and

8 WHEREAS, Areas of Change are intended to be the focus of urban-scale  
9 development that benefits job growth and housing opportunities.

10 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
11 ALBUQUERQUE:

12 SECTION 1. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO  
13 CHANGE THE BOUNDARY OF THE MARTINEZTOWN/SANTA BARBARA CPO –  
14 7 TO REMOVE ALL OR A PORTION OF TWO PARCELS (THE “SUBJECT  
15 SITES”).

16 A. Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision  
17 (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A, located at  
18 229 Broadway Blvd. NE, comprised of approximately 2.8 acres.

19 B. Tract B Slade-Olson Tract 195A2, Tract 202A & Tract 203A MRGCD  
20 Map 37); Map 37 Tract 196, located at 101 Lomas Blvd. NE, comprised of  
21 approximately 1.0 acre.

22 SECTION 2. ADOPT FINDINGS SUPPORTING THE COMP PLAN  
23 AMENDMENT.

24 1. The request is for a Text Amendment to the Integrated Development  
25 Ordinance (IDO) for a Small Area in coordination with the Biennial IDO update  
26 (TA-2025-00002) required by IDO §14-16-6-3(D). The proposed text amendment  
27 affects the Martineztown/Santa Barbara Character Protection Overlay zone  
28 (CPO – 7, the “subject area”) as established in IDO §14-16-3-4(H).

29 2. The proposed amendment would change the boundary of the  
30 Martineztown/Santa Barbara CPO – 7 to remove all or a portion of two parcels  
31 (the “subject sites”):

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1           A.       Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision  
2 (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A, located at  
3 229 Broadway Blvd. NE, comprised of approximately 2.8 acres.

4           B.       Tract B Slade-Olson Tract 195A2, Tract 202A & Tract 203A MRGCD  
5 Map 37); Map 37 Tract 196, located at 101 Lomas Blvd. NE, comprised of  
6 approximately 1.0 acre.

7           3. The parcel at 229 Broadway Blvd. NE is a vacant lot, and the parcel at  
8 101 Lomas Blvd. NE is an existing restaurant with a drive-through.

9           4. The EPC is hearing this case pursuant to IDO §14-16-6-7(E), Amendment  
10 to IDO Text – Small Area. The EPC’s role is to review the proposed changes  
11 and make a recommendation to the City Council. As the City’s Planning and  
12 Zoning Authority, the City Council will make the final decision. This is a quasi-  
13 judicial matter.

14           5. The City Charter, Albuquerque/Bernalillo County Comprehensive Plan,  
15 the City of Albuquerque Integrated Development Ordinance (IDO),  
16 Albuquerque Region Housing Needs Assessment, and Downtown 2025  
17 Metropolitan Redevelopment Area, as amended (R-25-123), are incorporated  
18 herein by reference and made part of the record for all purposes.

19           6. The intent of the request is to proactively facilitate the development of  
20 high-density residential uses in this area, specifically the vacant site.  
21 Currently, the zoning doesn’t allow residential development, but the applicant  
22 intends to submit a Zoning Map Amendment to change the zoning to allow  
23 residential or mixed-use development in the future.

24           7. The Martineztown/Santa Barbara CPO-7 was established in 2017 as one  
25 of 13 Character Protection Overlay (CPO) zones. The subject sites are located  
26 in southwestern portion of CPO-7 near the intersection of Broadway Blvd. NE  
27 and Lomas Blvd. NE. Lomas Blvd. is a Major Transit Corridor as designated by  
28 the Comprehensive Plan and is the southern boundary of CPO-7.

29           8. The subject sites are located within the Central ABQ Community  
30 Planning Area (CPA) as designated by the Comprehensive Plan.

31           9. The subject sites border Lomas Blvd. NE and are within 660 feet of the  
32 Lomas Blvd Major Transit Corridor.

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1           **10. The subject sites are within an Area of Change as designated by the**  
2 **Comprehensive Plan. Areas of Change include Centers, Corridors, and**  
3 **Metropolitan Redevelopment Areas, where new development and**  
4 **redevelopment are desired and appropriate. Areas of Change are intended to**  
5 **be the focus of urban-scale development that benefits job growth and housing**  
6 **opportunities.**

7           **11. The request is consistent with the following Goals and Policies related**  
8 **to Centers, Corridors, Complete Communities, Development, and Areas of**  
9 **Change., Identity, and Design from Comprehensive Plan Chapter 5: Land Use.**

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

12           **The subject sites border and are located within 660 feet of the Lomas Blvd**  
13 **Major Transit Corridor. Although the subject sites are not within the**  
14 **Downtown Center, they are directly adjacent to its eastern boundary. The text**  
15 **amendment would continue to provide the opportunity for growth as a**  
16 **community of strong Centers connected by a multi-modal network of**  
17 **Corridors, which would be accessible to the surrounding area because the**  
18 **subject sites would allow more flexible development options.**

19           **B. POLICY 5.1.10 MAJOR TRANSIT CORRIDORS: Foster corridors that**  
20 **prioritize high frequency transit service with pedestrian-oriented development.**

21           **SUB-POLICY 5.1.10.a: Encourage higher-density residential developments**  
22 **within ¼ mile of transit stops and stations.**

23           **This request would continue the momentum in encouraging higher-density**  
24 **residential development near transit stops and stations because there are**  
25 **approximately 14 bus stops within ¼ mile of the subject sites. These bus**  
26 **routes run in all directions throughout Downtown and have connections to**  
27 **other parts of the City. The request would be a step forward to ensure**  
28 **development of residential uses with a higher maximum building height than**  
29 **what would be allowed in CPO-7. New higher-density residential development**  
30 **within ¼ mile of transit stops encourage opportunities for pedestrians to**  
31 **access the transit system.**

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

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

4 SUB-POLICY 5.2.1.m: Encourage more productive use of vacant lots,  
5 under-utilized lots, including surface parking lots.

6 This request for a small text amendment proactively initiates the steps to  
7 develop the vacant site at 229 Broadway Blvd. NE because it will enable a  
8 more productive use of this vacant and underutilized lot. By taking the steps  
9 to prepare the vacant site for future development, it will likely foster complete  
10 communities where residents can live, work, learn, shop and play together.

11 D. GOAL 5.6 CITY DEVELOPMENT AREAS: Encourage and direct  
12 growth to Areas of Change where it is expected and desired and ensure that  
13 development in and near Areas of Consistency reinforces the character and  
14 intensity of the surrounding areas. The subject sites are located in Areas of  
15 Change, where growth is encouraged, directed, expected, and desired. The  
16 site at 229 Broadway Blvd. NE is vacant, directly east of the Downtown Center  
17 and completely surrounded by Areas of Change. Removing the two parcels  
18 from the CPO-7 boundary would encourage facilitation of high-density  
19 residential development on the vacant site. This vacant site is a prime location  
20 for development because of its location and its proximity to the Downtown  
21 Center. This request to remove the subject sites from CPO- 7 would create  
22 opportunity for direct growth on a vacant site next to the other subject site at  
23 101 Lomas Blvd. NE with an active existing use in an Area of Change.

24 E. POLICY 5.6.2 AREAS OF CHANGE: Direct growth and more intense  
25 development to Centers, Corridors, industrial and business parks, and  
26 Metropolitan Redevelopment Areas where change is encouraged.

27 The subject sites are in Areas of Change, and the text amendment would  
28 facilitate the process to develop the subject site. In May 2025, City Council  
29 approved an amendment to expand the Downtown 2025 Metropolitan  
30 Redevelopment Area (MRA) boundary to include the McClellan Park and  
31 Railroad Metropolitan Redevelopment Areas and properties at Lomas and  
32 Broadway (R-25-123). The vacant site at 229 Broadway Blvd. NE is now part of  
33 the MRA and is an ideal site for redevelopment. The request to remove the

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1 subject sites from CPO-7 aligns with the amended boundaries of the MRA to  
2 encourage more intense growth in the form of higher density residential  
3 development.

4 SUB-POLICY 5.6.2.d: Encourage higher density housing and mixed-use  
5 development as appropriate land uses that support transit and commercial  
6 and retail uses.

7 The small area text amendment would advance the housing objectives in  
8 the Downtown 2025 MRA and the Albuquerque Region Housing Needs  
9 Assessment. The ability to encourage higher density residential development  
10 on a vacant site (229 Broadway Blvd. NE) as an appropriate land use would be  
11 accomplished by the rezoning of the site from NR-LM (Non-residential – Light  
12 Manufacturing) to a residential or mixed-used zoning district. The location of  
13 the vacant site is near transit and commercial retail uses which will be  
14 advantageous for residents of any future residential and or mixed-use  
15 development on the vacant site.

16 12. The request is consistent with the POLICY 8.1.1 DIVERSE PLACES:  
17 Foster a range of interesting places and contexts with different development  
18 intensities, densities, uses, and building scale to encourage economic  
19 development opportunities, from Comprehensive Plan Chapter 8: Economic  
20 Development.

21 The text amendment would encourage higher-density residential  
22 development, fostering diversity in the Downtown 2025 MRA. Removing the  
23 subject sites from the CPO-7 would allow the building scale of any future  
24 residential development to be higher than the current 26 feet maximum  
25 building height limit in Residential and Mixed-use zone districts on project  
26 sites less than 5 acres [IDO § 14-16- 3-4(H)(4)(a)]. Any future residential  
27 development would encourage economic development opportunities by  
28 having available housing downtown close to where people work.

29 13. The request is consistent with POLICY 9.3.1 CENTERS AND  
30 CORRIDORS: Encourage higher density, multi-unit housing and mixed-use  
31 development in Downtown, Urban, Activity, and Village Centers, and along  
32 Premium and Major Transit Corridors to capture growth, relieve development

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1 pressure at the edge of the urban footprint, and maintain low densities in rural  
2 areas, from Comprehensive Plan Chapter 9: Housing.

3 The small area text amendment would encourage higher density, multi-unit  
4 housing development along the Lomas Blvd Major Transit Corridor, where  
5 such growth is desired. The subject sites are within the Downtown 2025 MRA  
6 and just east of the Downtown Center. Any future high density development  
7 such as residential and or mixed-use on the vacant site at 229 Broadway Blvd.  
8 NE is anticipated to encourage and capture growth Downtown.

9 14. The proposed small area text amendment meets the review and  
10 decision criteria for Amendment to IDO Text – Small Area in IDO Subsection  
11 14-16-6-7(E)(3)(a-e).

12 A. Criterion 14-16-6-7(E)(3)(a) The proposed small area amendment is  
13 consistent with the health, safety, and general welfare of the city as shown by  
14 furthering (and not being in conflict with) a preponderance of applicable Goals  
15 and Policies in the ABC Comp Plan, as amended, and other applicable plans  
16 adopted by the City.

17 As previously shown in responses to applicable Goals and Policies, the  
18 proposed small area amendment is consistent with the health, safety, and  
19 general welfare of the city as shown by furthering (and not being in conflict  
20 with) a preponderance of applicable Goals and Policies in the ABC Comp Plan,  
21 as amended. The request would create a boundary that identical to the  
22 approved MRA and provide incentive for the vacant subject site to be  
23 developed.

24 Applicable citations: Goal 5.1 Centers & Corridors, Policy 5.1.10 Major  
25 Transit Corridors, Policy 5.1.10.a Centers & Corridors, Goal 5.2 Complete  
26 Communities, Policy 5.2.1 Land Uses, Sub-policy 5.2.1.m, Goal 5.6 City  
27 Development Areas, Policy 5.6.2 Areas of Change, Sub-policy 5.6.2.d, Policy  
28 8.1.1 Diverse Places, Policy 9.3.1 Centers and Corridors.

29 B. Criterion 14-16-6-7(E)(3)(b) If the proposed small area amendment is  
30 located partially or completely in an Area of Consistency (as shown in the  
31 ABC Comp Plan, as amended), the applicant must demonstrate that the  
32 proposed amendment would clearly reinforce or strengthen the established  
33 character of the surrounding Area of Consistency and would not allow

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1 development that is significantly different from that character. The applicant  
2 must also demonstrate that the existing zoning regulations are inappropriate  
3 because they meet any of the following criteria:

4 1. There has been a significant change in neighborhood or community  
5 conditions affecting the small area.

6 2. The proposed zoning regulations are more advantageous to the  
7 community as articulated by the ABC Comp Plan, as amended (including  
8 implementation of patterns of land use, development density and intensity,  
9 and connectivity), and other applicable adopted City plan(s).

10 The subject site is located wholly in an Area of Change, so this criterion  
11 does not apply.

12 C. Criterion 14-16-6-7(E)(3)(c) If the proposed small area amendment is  
13 located wholly in an Area of Change (as shown in the ABC Comp Plan, as  
14 amended), the applicant must demonstrate that the existing zoning  
15 regulations are inappropriate because they meet at least one of the following  
16 criteria:

17 1. There has been a significant change in neighborhood or community  
18 conditions affecting the small area that justifies this request.

19 2. The proposed zoning regulations are more advantageous to the  
20 community as articulated by the ABC Comp Plan, as amended (including  
21 implementation of patterns of land use, development density and intensity,  
22 and connectivity), and other applicable adopted City plan(s).

23 The location is wholly in an area of change. The small area amendment  
24 meets Criterion 1 because the vacant site conditions changed in the  
25 community. The vacant site was a former detention pond and was filled in  
26 when the need for it was eliminated because of a new pump station across  
27 Broadway Blvd. NE. The vacant property has been utilized for many temporary  
28 uses and was recently included in the amended MRA boundaries. The MRA  
29 has plans that align with the Albuquerque Region Housing Needs Assessment  
30 and has designated this area for more housing. Removing the subject sites  
31 could be more advantageous to the community by enabling the vacant site to  
32 be developed without the building height restrictions of CPO-7.

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1 The request also meets Criterion 2 because the applicant’s policy-based  
2 analysis demonstrates the request would further a preponderance of  
3 applicable Comprehensive Plan Goals and Policies from Chapters 5: Land  
4 Use, Chapter 8: Economic Development, and Chapter 9: Housing of the ABC  
5 Comp Plan, therefore would be more advantageous to the community than  
6 remaining in the CPO-7 boundary. The applicant also provided responses to  
7 the analysis based on the goals and policies of the Comprehensive Plan and  
8 the MRA and Housing Needs Assessment relative to the request.

9 D. Criterion 14-16-6-7(E)(d) If the proposed amendment changes  
10 allowable uses, the proposed amendment does not allow permissive uses that  
11 would be harmful to adjacent property, the neighborhood, or the community,  
12 unless the Use-specific Standards in Section 16-16-4-3 associated with that  
13 use will adequately mitigate those harmful impacts.

14 The proposed amendment will not change allowable uses or allow  
15 permissible uses that would be harmful to the community because the NR-LM  
16 zoning is to remain on the subject sites. Any future rezoning action after the  
17 removal of the subject sites from the CPO-7 would be to downzone to allow  
18 residential development on the vacant site. Any future rezoning would be  
19 subject to a separate EPC review and decision pursuant to IDO § 14-16- 6-7(G).

20 E. Criterion 14-16-6-7(E)(3)(e) The applicant’s justification is not based  
21 completely or predominantly on the cost of land or economic considerations.

22 Economic considerations or cost of land are not factors, and the  
23 applicant’s justification is not based upon them. Rather, the applicant has  
24 adequately demonstrated that the request furthers a preponderance of  
25 applicable Comprehensive Plan goals and policies and does not conflict with  
26 them. The request to remove the subject sites from the CPO-7 boundaries  
27 would enable the building height standards on vacant subject site to be less  
28 restrictive and more aligned with the MRA and any future high density  
29 residential development on the site.

30 15. Council Planning staff and the District 2 Policy Analyst met with the  
31 Martineztown/ Santa Barbara Neighborhood Association on September 9, 2025  
32 to discuss their concerns, which included not being engaged before the  
33 amendment was submitted, potentially losing Gross Receipt Tax revenue from

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1 future MRA plans, and displacement caused by future development. When the  
2 Neighborhood questioned why a variance would not work to get around the  
3 height restrictions, Staff explained that variances should be avoided, as it  
4 means that a regulation is wrong or broken and that the boundary amendment  
5 was a more appropriate approach. Council staff explained that this  
6 amendment does not affect the boundary of the Downtown Metropolitan  
7 Redevelopment Area, which was recently amended (R-25-123), to also include  
8 the subject sites.

9 16. The Martineztown/Santa Barbara Neighborhood Association sent emails  
10 to the Councilor, Council Planning Staff, and Planning Staff opposing the text  
11 amendment and requested the amendment be deferred to a future hearing to  
12 allow time for a facilitated meeting with City Council Planning Staff. Planning  
13 Staff responded via email to their concerns on October, 10 2025 and informed  
14 the NA that a request for a facilitated meeting is not required for this  
15 application type [IDO 14-16-6-4(K)] and the applicant can choose not to accept.  
16 In this case, the applicant already held a neighborhood meeting with the NA.

17 17. The City Planning Department referred the case for Agency comments.

18 A. The Department of Municipal Development, Transportation Section  
19 commented that per the City of Albuquerque Vision Zero Year-in-  
20 Review/Action Plan Update (Action Plan): less than a 1,500-foot radius from  
21 the Lomas and Broadway intersection are designated roads that are part of the  
22 City’s Prioritized High Fatal and Injury Network (HFIN). Zoning that supports  
23 land use for increased multimodal and transit-oriented development is an  
24 important component to help work toward the City’s Vision Zero goal because  
25 it supports the creation of more transportation options in addition to private  
26 automobile travel.

27 B. AMAFCA commented that there is an existing agreement between  
28 AMAFCA and the City of Albuquerque regarding this site (Martineztown Flood  
29 Relief Agreement for Acquisition and Construction of the Post Office Interim  
30 Stormwater Detention Pond dated October 28, 2008) and AMAFCA is a joint  
31 legal owner of this property. The terms of that agreement (including use or  
32 quitclaim of AMAFCA interest in the property) are still valid and coordination  
33 between AMAFCA and the City of Albuquerque on this property is required.

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1       **18. Neighborhood Association representatives within 660 feet of the**  
2 **subject area were notified as required.**

3       **19. Property owners within 100 feet of the subject sites and subject area**  
4 **were notified by the applicant, as required. One letter of support was received.**

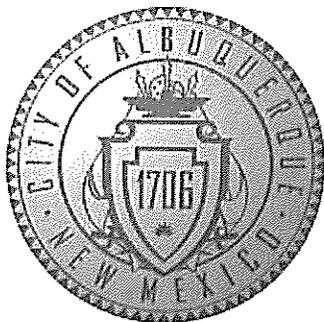
5       **20. The applicant was not required to offer a tribal meeting, and the City**  
6 **was not required to refer the case for tribal comments. The subject area is not**  
7 **within 660 feet of Major Public Open Space or tribal land.**

8       **SECTION 3. SEVERABILITY. If any section, paragraph, clause, word, or**  
9 **provision of this Ordinance shall for any reason be held to be invalid or**  
10 **unenforceable by any court of competent jurisdiction, such decision shall not**  
11 **affect the validity of the remaining provisions of this Ordinance.**

12       **SECTION 4. COMPILATION. Sections 1, 2, and 3 of this Ordinance shall**  
13 **incorporated in and made part of the Revised Ordinances of Albuquerque, .**  
14 **New Mexico, 1994.**

15       **SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect after**  
16 **publication by title and general summary upon the sooner of the effective date**  
17 **of the 2025 IDO Update or July 1st, 2026.**

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Mayor Timothy M. Keller

**CITY OF ALBUQUERQUE**  
Albuquerque, New Mexico  
Office of the Mayor

**INTER-OFFICE MEMORANDUM**

December 15, 2025

**TO:** Brook Bassan, President, City Council

**FROM:** Timothy M. Keller, Mayor 

**SUBJECT: Plan # TA-2025-00001 (Amendment to IDO Text – Small Area – CPO-7):**  
Adopting a Small Area Text Amendment to the Integrated Development Ordinance (IDO) for the Martineztown/Santa Barbara Character Protection Overlay zone (CPO-7) to remove two parcels in conjunction with the 2025 IDO Update

**Request**

This legislation would adopt a text amendment to the Integrated Development Ordinance (IDO) for a small area – the Martineztown/Santa Barbara Character Protection Overlay zone (CPO-7) – to remove two parcels (“subject sites”):

- 229 Broadway Blvd. NE (approximately 2.8 acres).
- 101 Lomas Blvd. NE (approximately 1.0 acre).

This amendment is proposed in conjunction with the legislative changes for the 2025 IDO Update but is a separate quasi-judicial decision.

As required for a small area text amendment to the IDO, the Environmental Planning Commission (EPC) reviewed the proposed changes (TA-2025-00001) and recommended approval to the City Council [IDO §14-16-6-7(E)].

This request supports the amendment of the 2025 Downtown Metropolitan Redevelopment Area (MRA) to expand the boundary to include McClellan Park, Railroad MRA, and the two subject sites (R-25-123). The Metropolitan Redevelopment Agency has plans to develop higher-density housing to help meet recommendations in the Albuquerque Region Housing Needs Assessment (2024).

The intent of the request is to proactively facilitate the development of high-density residential uses on the vacant site. Currently, the NR-LM zoning doesn’t allow residential development, but

Councilor Baca intends to submit a Zoning Map Amendment to change the zoning to allow residential or mixed-use development in the future.

Within the CPO-7 boundary, Residential and Mixed-use zone districts are limited to 26 feet on project sites less than 5 acres [IDO § 14-16-3-4(H)(4)], and building height bonuses do not apply [IDO § 14-16-3-1(C)]. Removing the subject sites from CPO-7 will allow building heights greater than 26 feet for the residential or mixed-use development that the Metropolitan Redevelopment Agency intends.

The request would create a boundary that identical to the approved MRA and remove a significant development constraint on the subject sites.

### **Public Notice**

As required by the IDO, the City published the required notice in the newspaper, emailed Neighborhood Associations, mailed notice to property owners within CPO-7 and within 100 feet, and posted notice on the Planning Department website.

Council Planning staff and the District 2 Policy Analyst met with the Martineztown/ Santa Barbara Neighborhood Association on September 9, 2025 to discuss concerns.

The Martineztown/Santa Barbara Neighborhood Association sent emails to the Councilor, Council Planning Staff, and Planning Staff opposing the text amendment and requesting a deferral to allow time for a facilitated meeting with City Council Planning Staff. Planning Staff responded via email on October, 10 2025 and informed the NA that a request for a facilitated meeting is not required for this application type [IDO 14-16-6-4(K)], and the applicant can choose not to accept. In this case, the applicant already held a neighborhood meeting with the NA and declined to postpone the hearing to meet again.

### **EPC Process**

The EPC reviewed the proposed amendments during its October 28, 2023 hearing. The EPC discussed the proposed changes, heard public testimony, and voted to recommend approval to the City Council. Approximately 7 individuals, including Neighborhood Association representatives provided testimony at this hearing both in support and opposition to the request.

In the Official Notice of Decision, the EPC found that the request generally furthers applicable Comprehensive Plan Goals and Policies for land use, economic development, and housing and meets the decision criteria for an Amendment to IDO Text – Small Area [IDO §14-16-6-7(E)(3)] and recommended approval to the City Council.

### **Conclusion**

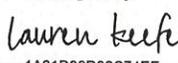
EPC recommended approval of a small area text amendment to IDO for the Martineztown/Santa Barbara Character Protection Overlay zone (CPO-7) (Plan #: TA-2025-00001) to remove 2 properties totaling less than 3 acres.

**Title/ Subject of Legislation: Plan # TA-2025-00001 (Amendment to IDO Text – Small Area – CPO-7):** Adopting a Text Amendment to the Integrated Development Ordinance (IDO) for the Martineztown/Santa Barbara Character Protection Overlay Zone (CPO-7) Small Area, to change the boundary of CPO– 7 by removing all or a portion of two parcels (the “subject sites”) in conjunction with the 2025 IDO Annual Update.

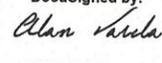
**Approved:**

**Approved as to Legal Form:**

 12/29/25  
Samantha Sengel, EdD Date  
Chief Administrative Officer

DocuSigned by:  
 12/24/2025 | 7:57 AM MST  
1A21D96D32C74EE...  
Lauren Keefe Date  
City Attorney

Recommended:

DocuSigned by:  
 12/16/2025 | 12:02 PM MST  
947D98BB6EF4C443...  
Alan Varela Date  
Director

## **Cover Analysis**

### **1. What is it?**

This legislation is a Small Area text amendment to the Integrated Development Ordinance (IDO) to change the boundary of the Martineztown/Santa Barbara Character Protection Overlay zone (CPO-7) to remove two parcels.

### **2. What will this piece of legislation do?**

This legislation would change the boundary of the Martineztown/Santa Barbara CPO-7 to remove two parcels: 229 Broadway Blvd. NE (approximately 3 acres) and 101 Lomas Blvd. NE (approximately 1 acre).

### **3. Why is this project needed?**

The proposed change is more advantageous to the community as articulated by the ABC Comp Plan in order to develop residential land uses at a density appropriate near Downtown. The vacant site, 229 Broadway Blvd. NE, was a former detention pond and has been filled now that there is a new pump station across Broadway Blvd. NE. The Downtown 2025 Metropolitan Redevelopment Area was recently amended to include the vacant property (R-25-123). The Metropolitan Redevelopment Agency would like to use this site for higher-density housing. Removing the properties from CPO-7 eliminates the building height maximum of 26 feet.

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

There is no cost to the City of this text amendment.

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

N/A.

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

The IDO would remain as-is, and the boundary of CPO-7 would not be amended. These properties would be subject to a maximum building height of 26 feet when the zoning on the property is changed to Mixed-use or Residential zone districts to allow housing. These properties would remain in CPO-7 and in the Downtown 2025 Metropolitan Redevelopment Area boundary, which do not have compatible goals. Higher-density or mixed-use development would be hindered by the building height limitations of CPO-7.

### **7. Is this service already provided by another entity?**

No.

**FISCAL IMPACT ANALYSIS**

TITLE: Adopting IDO Small Area Text Amendments to change the boundary of the Martineztown/Santa Barbara Character Protection Overlay zone (CPO -- 7) □

R: O:  
 FUND:  
 DEPT:

- 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:

	2026	Fiscal Years 2027	2028	Total
Base Salary/Wages				-
Fringe Benefits at				-
Subtotal Personnel				-
Operating Expenses				-
Property				-
Indirect Costs				-
Total Expenses	\$ -	\$ -	\$ -	\$ -
[X] Estimated revenues not affected				
[ ] Estimated revenue impact				
Revenue from program				0
Amount of Grant				
City Cash Match				
City Inkind Match				
City IDOH				
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.  
 \* Range if not easily quantifiable.

Number of Positions created

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

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

This is a small area text amendment to the Integrated Development Ordinance to change the Martineztown/Santa Barbara CPO -- 7 boundary to remove 2 properties totaling less than 3 acres: 229 Broadway Blvd. NE and 101 Lomas Blvd. NE.

PREPARED by:  
 Debbie Dombrowski 12/11/2025 | 2:05 PM MST  
 FISCAL ANALYST

APPROVED by:  
 Alan Kelly 12/16/2025 | 12:02 PM MST  
 DIRECTOR

REVIEWED by:  
 Kevin E. Noll 12/23/2025 | 4:29 PM  
 EXECUTIVE BUDGET ANALYST

DocuSigned by:  
 Lawrence Davis 12/23/2025 | 4:33 PM  
 BUDGET OFFICER

Signed by:  
 Christine Bourgeois 12/23/2025 | 4:34 PM MST  
 CITY ECONOMIST

**Chair Aragon:** Let's move to the first case today. Will you be presenting that, Mr. Steele, or will Ms. Jones go first?

**William Steele-CABQ Planner:** Ms. Jones will be presenting today.

**Chair Aragon:** Excellent.

**Megan Jones:** Thank you. Can everybody see my screen with the PowerPoint presentation?

**Chair Aragon:** I can see it, yes.

**Megan Jones:** All right. Good morning again, Mr. Chair, Commissioners, and members of the public. To introduce myself again, my name is Megan Jones, a Principal Planner in Urban Design and Development, who reviewed this case alongside Senior Planner William Steele.

This is agenda item number 1, project number 2018-001843, plan number TA-2025-0001. The EPC's role is to make a recommendation to City Council, which will make the final decision. The proposed Small Area Amendment is a quasi-judicial matter. This request is for a Text Amendment to the Integrated Development Ordinance, or IDO, for a Small Area in tandem with the biennial IDO update required by IDO § 14-16-6-3(D).

The proposed text amendment affects the Martineztown-Santa Barbara Character Protection Overlay Zone (CPO-7), which is the subject area of this request, as established in IDO § 14-16-3-(4)(H). The proposed amendment would change the boundary of the Martineztown-Santa Barbara CPO-7 by removing two properties located at 229 Broadway Boulevard NE, which is a vacant lot, and 101 Lomas Boulevard Northeast, which is an existing restaurant with a drive-through.

According to the applicant, Council Services, the intent of the request is to proactively facilitate the development of high-density residential uses in this area, specifically the vacant site. Currently, the subject sites are zoned NR-LM, which doesn't allow residential development, but there are future plans to submit a Zoning Map Amendment to change zoning to allow Residential or Mixed-use development.

Within the CPO-7 boundary, Residential and Mixed-use zone districts are limited to 26 feet of building height on subject sites less than 5 acres. And building height bonuses do not apply. That is pursuant to IDO § 14-16-3-4(H)(4) and 14-16-3-(1)(C). Removing the subject size from CPO-7 will allow building heights greater than 26 feet when the zoning is changed.

This request would support the recent Metropolitan Redevelopment Area Amendment to expand the Downtown 2025 MRA boundary to include McClellan Park, the Railroad MRA, and

the two subject sites. The MRA has plans that designate this area for more housing to help meet recommendations in the City's Albuquerque Regional Housing Needs Assessment from 2024.

The subject sites are in an Area of Change and within the Central Albuquerque Community Planning Area. The subject sites also border Lomas Boulevard Northeast and are within 660 feet of the Lomas Boulevard Major Transit Corridor.

The boundaries of the Character Protection Overlay Zone are as follows. A small portion of the Martineztown-Santa Barbara CPO extends north of I-40, to Menaul Boulevard Northeast, with the remainder of the area bounded by Interstate 25 to the east, the BNSF Railroad to the west, and Lomas Boulevard Northeast to the south. The subject sites are located at the southwestern edge of the CPO, at the intersection of Lomas Boulevard and Broadway Boulevard Northeast, with the railroad boarding the sites to the west.

The staff report contains an analysis that shows that the proposed amendment furthers the preponderance of applicable goals and policies in the Comprehensive Plan, including those related to land use, economic development, and housing. This is summarized in Findings 1, 12, and 13... 11, 12, and 13, I apologize, for your consideration. Furthermore, the request meets review and decision criteria as found in IDO § 6-7(E)(3).

The request furthers applicable Comp Plan goals and policies and sub-policies that are consistent with the health, safety, and general welfare of the City. The subject sites are in an Area of Change, and the proposed zoning regulations are more advantageous to the community. The proposed amendment will not change allowable uses or allow permissible uses that would be harmful to the community, because a zone change or a site plan is not being requested at this time. And the justification is not completely or predominantly based on economic considerations.

Public notice requirements have been met as established in IDO Table 6.1.1 and IDO § 14-16-6-4(J). Neighborhood association representatives within 660 feet of the subject sites and the subject area and property owners within 100 feet of the subject sites and subject area were notified by the applicant as required. The application was reviewed by City departments, and no adverse comments were received.

On September 9th, 2025, Council Planning staff and the District 2 Policy Analysts met with the Martineztown-Santa Barbara Neighborhood Association to discuss the CPO-7 boundary amendment. Several public comments were received. One email of support was sent to Council staff from a property owner within the area, and Planning staff received emails on November 9th and 10th via email from the Santa Barbara Martinez Neighborhood Association requesting a facilitated meeting to further discuss the request.

Planning staff would like to note that a facilitated meeting is not required for this type of request pursuant to IDO § 14-16-6-4(K), and the applicant does not have to accept when a facilitated meeting is not required. The applicant had already met with the Neighborhood Association per their request on September 9th, 2025, as stated before.

Regarding plan number 2018-001849, and plan number... I'm sorry, project number 2018-001849, and plan number TA-2025-00001, staff recommends that the EPC forward a recommendation of approval for the request for a text amendment to the IDO to amend the CPO-7 boundary and remove the subject sites at 101 Lomas Boulevard NE and 229 Broadway Boulevard Northeast to the City Council, based on recommended findings 1 through 20 in the staff report. With that, we stand for questions.

**Chair Aragon:** Thank you, Ms. Jones. In the 48-hour material, I believe there was some... A statement saying that this did not meet the meeting requirements for some folks. I just want to clarify that it does meet the meeting requirements, and we're okay to hear the case today?

**Megan Jones:** That's correct. Thank you, Chair. This is Ms. Jones. As I mentioned in the presentation, a facilitated meeting was requested, and because, pursuant to the IDO requirements for facilitated meetings, not... one was not required to be held for this type of request, and the applicant was not required to accept that facilitated meeting, although, it's my understanding, and we have meeting notes, that Council Services did meet with that neighborhood association, and the applicant is here to speak about that today. So, public notice requirements were met, and meeting requirements were met for this case.

**Chair Aragon:** Okay, thank you for that clarification.

**EPC Commissioner, Adrian N. Carver:** Commissioner Carver.

**Chair Aragon:** Yes, Carver?

**EPC Commissioner, Adrian N. Carver:** Thank you, Chair. Ms. Jones, there was a question in the 48-hour material about, or a comment about this action changing the boundaries of the neighborhood, is that correct?

**Megan Jones:** Thank you, Commissioner Carver. That is not correct. So, the neighborhood association boundaries do not align directly with the boundaries of the Character Protection Overlay Zone for Santa Barbara Martineztown. There are two separate boundaries. The City does not manage the boundaries of neighborhood associations. Those are separate from CPO boundaries. The CPO is an IDO-regulated boundary.

**EPC Commissioner, Adrian N. Carver:** Thank you for getting on the record on that. Thank you. That's all, Mr. Chair.

**Chair Aragon:** Thank you, Commissioner. Any other questions for staff at this time? Okay, let's hear from the applicant.

**Matthew Cox - Council Services:** Good morning, Commissioners, Chair Aragon. I'm gonna just make sure that my screen sharing works. Oh, sorry, I believe I do need to be sworn in, sorry.

**Chair Aragon:** Yeah, you do. If you could please state your name and address for the record?

**Matthew Cox - Council Services:** Matthew Cox, 437 Montclair Drive Northeast.

**Chair Aragon:** Okay, and will you raise your right hand, and do you swear to tell the truth under the penalty of perjury?

**Matthew Cox - Council Services:** I do.

**Chair Aragon:** Thank you, Mr. Cox. Please proceed.

**Matthew Cox - Council Services:** Alright, y'all are seeing the PowerPoint presentation?

**Chair Aragon:** Yeah, if you could state, who you're representing at this time?

**Matthew Cox - Council Services:** Oh, apologies. My name is Matthew Cox. I am a Principal Planner for Council Services here at the City of Albuquerque. Today, I am presenting on behalf of Councilor Baca, District 2, for which this boundary is within that district. It is a quasi-judicial matter, and so Councilor Baca has been kind of staying out of communication until it comes to Council for the final vote. But thank you.

So, today I will be presenting on the Santa Barbara Martineztown's Character Protection Overlay, or CPO-7 boundary amendment, of which y'all just heard about. And just to... For the crowd and everyone here, Character Protection Overlays, are... were generally brought over when the sector development plans were repealed and the IDO was created. And basically, it created just a slew of added regulations to kind of mimic the existing character or pattern within an area. And so, on the left side you'll see the boundary that we are discussing today, and then on the right side, you kind of see the rest of the CPOs around the city that vary in kind of different purposes. But we'll kind of go through why we're proposing the amendment today.

Just to be clear, we are talking about removing, or amending out, 101 Lomas Boulevard Northeast, which is where the Burger King is, near Broadway and Lomas, and then 229 Broadway Boulevard Northeast, which is City-owned, as well as AMAFCA-owned. And that's really... the

vacant property was kind of the impetus for this amendment, because it is now also, as Planning staff mentioned, within the Downtown MRA.

You will notice, just for clarity, that the little drive aisle in between the properties that is owned by United States Postal Service, and it is actually part of their lot, so we cannot amend it out of the boundary without amending the entire Post... postal office property.

Just a quick history of the site. I had to ask some staff within our office, but I'm sure there's some folks that might remember this better than I, but at one point on the... City-owned, AMAFCA-owned site, was the Southwest Distributing Service or industry, owned by the Bachechi's, who also helped fund the construction of the KiMo. So, this site has for most of its life been industrial, industrial use at a factory that was also a bottling plant at one point. And then the picture in the bottom right was from 1991, where you can see that it has been vacant. At least since then, I was not able to kind of find any images between 1959 and '91, but I'm sure other folks have some deeper history with the site.

For zoning and land use, the sites that we are proposing to amend out are NR-LM, or Non-Residential Limited [sic] Manufacturing. On the east side, you see a slew of NR-LM, as well as some MX zoned properties. On the south side is NR-LM. And on the west side is MX-FB-UD as well as NR-LM, and MX-FB-UD is the form-based code that covers all of the Downtown Center. To the south, for land use, is an existing 5- or 6-story office building. On the north is the post office, drive-through restaurants on the east side, and then Railroad and Sherwin-Williams on the west side. It is approximately 1,100 feet away from the closest low-density residential zone district.

And then as far as policy goes, it lies within a Major Transit Corridor along Lomas, and then is also within a quarter mile of a Main Street Corridor, and adjacent to the Downtown Center. And so, we have been looking at this, at this intersection, Broadway and Lomas, as a possible Gateway one and two, the Downtown area, but also with the hopes of future development of the Rail Trail just to the west of this site, and really wanting to bring people closer to those beneficial amenities.

Oops. So, the real reason we are here today is that the Santa Barbara Martineztown CPO has a number of regulations that we find restricting for highest and best use of the property. The main one being that the building height under § 3-4(H)(4)(a) in residential and Mixed-use zone districts on project sites less than 5 acres, which this project site, or 229 Broadway Boulevard is less than 5 acres, the maximum building height is 26 feet, which we feel is very limiting for such a busy and highly used intersection, as well as one so close to the downtown core.

But the other part is that with those residential units, not only are you limited by height, but you're also asked to provide more usable open space per unit. And when we are talking about the type of residential units that the City has invested in in the recent years, for every one bedroom, we are looking at 300 square feet of usable open space that is required to be provided, which is 75 more than the general.

And then, as you go down that list, you'll see that 2 bedrooms, 65, 3, 50 feet, 50 square feet larger than the general. And then if you are zoned MX-T, you end up having to provide 500 extra square feet, or 500 square feet per unit, 275 more than just a general one-bedroom unit.

There we go. And so, really, when we look at the general area, that being the Central Community Planning Area where this resides in, and goes up to I-40 at the north, and then all the way down to San Jose at the south, and the river, and I-25 being its bookends on the east and west, we're about 1,500 rental units short of our lowest income residents in the area, and then also 500 units short for our highest income residents in the area.

And so, basically, what that means is that we are missing the two biggest... or the two varying spec... sorry, let me restate that. We are missing the housing, housing typologies for the two ends of the spectrum, the income spectrum within Central Albuquerque. In an area that has been so fully developed out, we really don't have that many vacant lots left, outside of some few, single-family residential lots that, not sure why they're vacant still, or some larger vacant lots along Commercial Corridors. And so, we see a need to take advantage of any vacant space that we have to produce its highest and best use for that area.

So, engagement. Planning staff referenced the meeting that we had with Martineztown, Santa Barbara. We did send 3 different letters out. The second one was for a correction of the meeting date. We thought EPC was going to be meeting on the 16th, and we had to send out a letter correcting to the 28th. And then also the third letter was sent out to bring in the 101 Lomas Boulevard. This was a request from City staff to keep the map, clean. And, we have talked to the property owner and did not get any pushback for that, but that's why the third letter went out.

I did speak with a number of Santa Barbara Martineztown neighbors. A majority just really had no input or feelings about the amendment either way and were quite neutral to it. We had a couple that were supporting the amendment, and then, generally from the Santa Barbara Martineztown Neighborhood Association, we heard requests for a deferral. And that... frustrations that Council staff did not meet with the neighborhood association prior to the submittal of this application.

When we did go meet with Santa Barbara Martineztown, most of the conversations were around the Metropolitan Redevelopment Area, which this amendment has no tie to that boundary, and I'll go over that in a second. And then when a request for a facilitated meeting was made, staff never received the required answers for what the IDO calls for, and so we didn't feel as though the meeting would be any more productive than the first meeting that staff had with Santa Barbara Martineztown.

And just to clear up the boundary conversation, the CPO is the left image that we are amending today. The middle image is the downtown MRA that already has these two properties within it. That is not being amended, it is not being touched through this amendment. And then

the farthest right one is the Neighborhood Association Boundary, which also is not being amended, and I don't believe we have the power to do that either.

Just to clear up the facilitated meeting request, the § 6-4(K)(1)(b) was added or amended, through the last IDO Annual Update, and it requests that the applic- or the requester of the meeting submit to the Planning director responses to these four, kind of, criteria. Why a post-submittal facilitated meeting is being requested. What specific items are requested to be discussed. What outcomes are wanted from the discussion, and honestly, most importantly to Council staff was that a commitment to negotiate in good faith was made. Number 4, number 3 was not answered, and generally for number 1 and 2, it was that the meeting would just be deferred, or that the amendment was denied. And so, we didn't feel that there was any further discussion to have that could be productive. Thank you, Commissioners. That is my presentation. Here for any questions.

**Chair Aragon:** Thank you, Mr. Cox. I don't have any questions at this time. Commissioners? Okay, no questions from the Commission. Is there anyone sign... is there anyone signed up to speak in this case? Knowing that there probably are many.

**Nichole Maher, EPC Hearing Monitor:** Yes, Chair, the first one with their hand up was Loretta Naranjo.

**Chair Aragon:** Okay.

**Loretta Naranjo Lopez, President, SBMTNA:** Good morning, Chair and Commissioners. My name is Loretta Naranjo-Lopez, and I am the president of Santa Barbara Martineztown Neighborhood Association. The Santa Barbara Martineztown...

**Chair Aragon:** Ms. Naranjo, if you could stop for one second. Please, thank you. Good morning. I can't see you. But would you, please state your name and address for the record so we can get you sworn in?

**Loretta Naranjo Lopez, President, SBMTNA:** Can you hear me now?

**Chair Aragon:** I can hear you, yes, I just can't see you, and that's fine.

**Loretta Naranjo Lopez, President, SBMTNA:** Okay, my name is Loretta Naranjo-Lopez, I'm the president of the Santa Barbara Martineztown Neighborhood Association. And, the association is referring to, for the record, October 24th, 2025 letter that we submitted.

**Chair Aragon:** Ms. Naranjo, we need to swear you... Ms. Naranjo, we need to swear you in before you begin, once again. If you could, raise your right hand. If you give me your address, raise your right hand, and you swear to tell the truth under the penalty of perjury?

**Loretta Naranjo Lopez, President, SBMTNA:** I do, and my address is 1127 Walter Northeast, Albuquerque, New Mexico, 87102.

**Chair Aragon:** Okay, thank you. And I just want to confirm from staff the time limit for the Neighborhood Association representative?

**Nichole Maher, EPC Hearing Monitor:** Chair, it is 5 minutes.

**Chair Aragon:** 5 minutes, okay. If you could start the clock. Thank you. You can please start your presentation, Ms. Naranjo.

**Loretta Naranjo Lopez, President, SBMTNA:** So, the Santa Barbara Martineztown Neighborhood Association requests deferral of the amendment to the boundary of Martineztown-Santa Barbara CP0-7. While it is impossible to remedy the decades of mistreatment and deterioration of the Martineztown-Santa Barbara neighborhood by the City of Albuquerque, the association requests this amendment to the Martineztown-Santa Barbara boundary be deferred, or if deferral is not recommended, that the subject request be denied based on the staff report dated October 2025.

So, the boundaries we're talking about is CPO-7, which is Lomas to Menaul, I-25 to the railroad tracks. We're also talking about the MRA boundary, which is R-9-498, is Lomas to Menaul I-25 boundary, which these all... the neighborhood of boundaries is the same, and these are all historical boundaries, and we do not want them removed. Nothing removed from those boundaries.

There does not appear to have been an application under the IDO. It appears that there was no determination that the application was complete before scheduling this hearing. The applicant has not presented evidence that state law minimum criteria for zone changes have been met, that the applicant intends some undermined future use at the site is not sufficient to support a piecemeal zone change. And by the way, there was a posted sign saying the property was for sale.

It appears the applicant is the City Council or Councilor Baca, and that the City Council and Councilor Baca have prejudged the proposed text amendment zone change. The decision maker for the text amendment zone change should be impartial. The application has not followed § 6-7(E) Procedures, and the applicable criteria for the text amendment have not been satisfied.

SBMT recommends a standing advisory committee of community residents, business owners and City staff to work on planning and development of 229 Broadway Northeast under the Martineztown Santa Barbara boundaries and CPO-7 boundaries, and the MRA boundaries. And I thank you for this opportunity to speak.

**Chair Aragon:** Thank you. I've got a couple questions from... or a question for staff. We're not hearing a zone change request today, are we?

**Megan Jones:** Mr. Chair and Commissioners, this is Ms. Jones. No, this is not a zone change, this is not a site plan, this is solely a text amendment to a small area in the IDO.

**Chair Aragon:** Thank you for that clarification.

**Loretta Naranjo Lopez, President, SBMTNA:** I would just like to clarify that it...

**Chair Aragon:** I'm sorry, Ms. Naranjo, your presentation is over. We'll have an opportunity to ask questions later. Thank you.

**EPC Commissioner, Adrian N. Carver:** Chair, this is Carver.

**Chair Aragon:** Yes, Mr. Carver? Commissioner Carver.

**EPC Commissioner, Adrian N. Carver:** Thank you, Mr. Chair. I also have a question for staff. Is there any evidence that the, that the application was incomplete when it was submitted?

**Megan Jones:** Thank you, Commissioner Carver. This is Ms. Jones. The application was deemed complete at the time of its submission. Staff and myself both reviewed that application at that time, and just for clarification; public notice is allowed to be amended and re-sent out up to 15 days prior to a public hearing, pursuant to the IDO Public Notice Requirements.

**EPC Commissioner, Adrian N. Carver:** Thank you, Ms. Jones. Mr. Chair, is... Ms. Jones, is there any evidence that the, that the request does not meet state law?

**Megan Jones:** Commissioner Carver, I... I don't believe that there's any evidence of that, but I also don't believe I'm the appropriate person to answer questions about state law at this time.

**EPC Commissioner, Adrian N. Carver:** Is Mr. Myers on? Or Mr. Coon?

**Matt Myers:** Mr. Carver, this is... this is Matt Myers. Do you have a specific question for me?

**EPC Commissioner, Adrian N. Carver:** Yeah, I, I'm sorry, I was asking, the public speaker said that the request does not meet the requirements for, in state law. I realize this is not a zone change, so I just want to clarify that, whether or not we're on solid ground there.

**Matt Myers:** Thank you, Commissioner Carver. You know, that's such a broad question that I can't really answer that, other than to say, unless there is a specific allegation of a specific statute, state statute, that we are violating. I can't address that, you know. So, I can only rely on what has been in the, in the staff report, and then that we are complying with the IDO. And perhaps Mr. Coon has more background on that, I don't know?

**EPC Commissioner, Adrian N. Carver:** Thank you, Mr. Meyers. That actually answers my question. I didn't hear a specific statute that we were, that was violating this, that this request was violating, so, I'm satisfied.

**Matt Myers:** Thank you.

**Chair Aragon:** Thank you, Commissioner Carver. Appreciate your questions on that. Okay, who's the next speaker signed up to speak?

**Nichole Maher, EPC Hearing Monitor:** Chair, next up, we have Peggy Norton.

**Chair Aragon:** Good morning, Peggy Norton.

**Peggy Norton:** Good morning, Commissioner.

**Chair Aragon:** Like, would you please state your full name and address for the record so we can get you sworn in?

**Peggy Norton:** My name is Peggy Norton. My address is 3810 11th Street NW, Albuquerque 87107.

**Chair Aragon:** Are you representing yourself or a neighborhood association?

**Peggy Norton:** I represent the North Valley Coalition.

**Chair Aragon:** Okay, and do you need 5 minutes for your presentation?

**Peggy Norton:** I believe so.

**Chair Aragon:** Okay, you may proceed. Did we just swear you in?

**Peggy Norton:** No.

**Chair Aragon:** Raise your right hand. Do you swear to tell the truth under the penalty of perjury?

**Peggy Norton:** I do.

**Chair Aragon:** I had one job.

**Peggy Norton:** And you blew it, right?

**Chair Aragon:** Probably won't be the only time today. But please, please proceed.

**Peggy Norton:** Okay. I represent the North Valley Coalition and requested deferral on TA-2025-0001. There have been several submitted amendments emailed to us, getting to a final one issued on October 6th, and I don't know when people received it in the mail. This did not comply with the application deadline in the EPC calendar. And I'm curious as to whether 101 Lomas was submitted on the original application.

Interpreting the calendar, an application is required to be filed 42 days before a hearing date. That did not happen. The plan site states this amendment is only for 229 Broadway Northeast, the new plan site. A request for a facilitated meeting by Santa Barbara Martineztown Neighborhood Association on October 10th was not responded to. Apparently, according to the staff report, the applicant has the right to refuse a facilitated meeting and did so.

I don't know who reviewed the request in the Planning Department, but if it was incomplete, SBMTNA should have been notified and allowed to address shortcomings. I would interpret a request as an indication of willingness to negotiate. If that was the only item missing. Last week, after receiving a copy of the request, I received a response from Matt Cox of Council Services, the applicant, that nothing in the request was different from an initial neighborhood meeting.

However, that meeting was only with the immediate neighborhood, not with all the neighborhoods required to be notified. A facilitated meeting with a mediator is very different from a meeting between an applicant and a neighborhood association. Minutes of the meeting would be included in the file; everyone's concerns would be heard. There were 3 other neighborhood associations and a coalition that should have been invited to attend a facilitated meeting.

If a deferral is not approved, we oppose the changes to the boundaries of CPO-7. We are concerned with the precedent of removing a property from a Character Protection Overlay, so the protections are not provided to the property. Height limits in this case, although there might be others. Removal of the property is an end run around the review and decision criteria required for a variance.

Santa Barbara Martineztown has submitted substantial paperwork, some of which addresses the issue of whether or not there is an MRA in existence. There are 5 CPOs in the North Valley, within our boundaries, as well as an HPO. This action sets a precedent that endangers every one of them. The purpose of a CPO is to preserve areas with distinctive characteristics that are worthy of conservation. Pulling one piece of property out of a CPO invalidates that intent. It also creates spot zoning when the property is surrounded by properties within the CPO that need to fit the requirements of the CPO.

The Lomas site is being pulled out to even out the boundaries. How can that be justification for removal from a CPO? This property should stay, should stay, excuse me. Apparently, a zone map amendment is required to accommodate the intended use and might not be approved. What will happen then? Apparently, this property is owned by the City and AMAFCA. This amendment should be done first. The order for this request should be a facilitated meeting, a zone map amendment requested by both owners, a variance request once the zone map amendment is approved, removal from a CPO should not be the route to accomplish this indicated use. Thank you.

**Chair Aragon:** Thank you, Ms. Thornton. That was a very concise presentation. I appreciate that.

**Peggy Norton:** Thank you.

**Chair Aragon:** So, questions for staff, I know we've asked and maybe answered this question already, but once again; since Ms. Norton brought it up, and it was probably her 48-hour material that prompted me to ask this question - does this request meet all the meeting notification requirements, so that we can have this hearing? And I hope I wasn't on mute. Good, you heard me.

**William Steele-CABQ Planner:** Mr. Chair.

**Chair Aragon:** Yes, Mr. Steele?

**William Steele-CABQ Planner:** It does meet all the requirements, and it has met all the requirements, as Ms. Jones previously mentioned.

**Chair Aragon:** Okay, thank you.

**Matt Myers:** Chair Aragon?

**Chair Aragon:** Yes, Councilor?

**Matt Myers:** Matt Myers.

**Chair Aragon:** Yes, please proceed.

**Matt Myers:** Thank you. I know we're taking public testimony right now, but I thought it might be helpful just to quickly talk about kind of exactly what this application is, because we're hearing a lot about, well, is it a zone change? Is it not? But I think what's important for the Commission to understand is this is a quasi... this is quasi-judicial, and it is a Small Area Text Amendment.

So, as you saw in your staff report, okay, there are specific requirements, there is a test, okay, in order to grant this Small Area Text Amendment, okay, for you guys to... recommend approval. And what you do, as set forth in the staff report, okay, they, it's an analysis that is similar to what is done when there is a zone change request. It is similar, okay, because you have to find, okay, if it's in an Area of Change, that there has been significant changes, okay, in the neighborhood or community conditions, or that the request is more advantageous to the community, as articulated in the applicable government plans, okay? In the applicable planning documents, okay?

So, you are... look, you are making this analysis, okay? You're making an analysis that is similar to a zone change, but this is specific for the small area text amendment, so I just want to be clear that you guys are analyzing this, you know, to that... to that degree, to that level. You're also making sure that it is, consistent with the health, safety, and welfare by showing a preponderance of the goals and policies in the Comp Plan are met. So, there's that big analysis, and I just want to make that clear, that is what you are doing today, you know, so... so... so that's... that's all I wanted to add.

**Chair Aragon:** Thank you, Mr. Myers, we appreciate your direction.

**Nichole Maher, EPC Hearing Monitor:** Chair Aragon?

**Chair Aragon:** Yes, Ms. Maher.

**Nichole Maher, EPC Hearing Monitor:** This is the hearing monitor, Nichole Maher. I just wanted to let you know that Commissioner Archuleta was able to join us, and he's currently in the meeting. I didn't know if you could see him on the screen.

**Chair Aragon:** I can't see him. Thank you for letting me know he's here. Welcome, Commissioner. Okay, let's continue. Any commissioners have questions for Ms. Norton? Okay, none being, our next speaker, please.

**Nichole Maher, EPC Hearing Monitor:** Yes, Chair. Next up we have Jordon McConnell.

**Jordon McConnell:** Good morning.

**Chair Aragon:** Good morning. Good morning, Jordan McConnell. Please, state your full name and address for the record, we'll get you sworn in.

**Jordon McConnell:** Jordan McConnell, 501 Coal Avenue Southwest, 87102.

**Chair Aragon:** And will you raise your right hand? You swear to tell the truth under the penalty of perjury?

**Jordon McConnell:** I do.

**Chair Aragon:** Thank you. Good morning, and please proceed with your presentation. Are you representing a neighborhood association, or just yourself?

**Jordon McConnell:** Just myself.

**Chair Aragon:** Okay, 2 minutes adequate enough for you to... for your presentation?

**Jordon McConnell:** Should be, yes.

**Chair Aragon:** Okay, let's get the clock started. Please proceed.

**Jordon McConnell:** So, I'm a long-time downtown resident. I'm just commenting in strong support of this proposed boundary change. These lots have long been discussed as falling well below the best and highest use of this land. They sit at the edge of our downtown neighborhood on two arterial roads. And bringing them into the Downtown MRA is exactly the kind of action that aligns

with our Comp Plan, the City's broader goals for growth and reinvestment while also making sure our guiding documents are all in agreement.

Some neighbors and surrounding areas might fear compact development, but compact development is essential to the health and vitality of our neighborhoods. It's what makes our downtown neighborhoods vibrant, walkable, and sustainable. For those concerns, there's already a natural separation between those properties and adjacent residential areas, including the pumping station and the USPS complex. This creates a clear physical and functional boundary.

As an aside, as American cities continue to heal from the past abuses of exclusionary zoning practices, we must also move away from legal structures like Character Protection Overlays. These overlays have too often been used to prevent new neighbors from joining our communities or as tools for extraction from urban neighborhoods rather than for stewardship. So, I think our city can and should lead by example in moving away from these systems.

Reclassifying these lots into the downtown MRA will not only just encourage reinvestment, but better land use and strengthen our surrounding neighborhoods and the city as a whole. It's smart, it's forward-looking, and it reflects how we can grow more equitably and efficiently. Mr. Cox's presentation laid out a lot of really great examples of how this MRA boundary change could do that.

So, I also just wanted to thank Mr. Cox for that great presentation. And that's all I have, but thanks for your consideration and for supporting the future of downtown.

**Chair Aragon:** Thank you, Mr. McConnell. I don't have any questions. Commissioners, do we have any questions for our, for Mr. McConnell at this time? Okay, who's our next speaker?

**Nichole Maher, EPC Hearing Monitor:** Yes, Chair. Up next we have Eleanor Walther.

**Chair Aragon:** Good morning, I do not see them.

**Nichole Maher, EPC Hearing Monitor:** I will ask them to start their video, and Eleanor, you are still on mute, if you want to take yourself off mute. She might be having some trouble. I'm not sure, Chair. If you would like to move on to the next speaker, and then come back to Eleanor?

**Chair Aragon:** Let's come back to her when she's available. Hopefully she'll have her tech problem solved by then.

**Nichole Maher, EPC Hearing Monitor:** Alright, Chair. Up next we have Ian Robertson.

**Ian Robertson:** Yes, hello.

**Chair Aragon:** Good morning, Ian Robertson. If you'd please state your full name and address for the record, we'll get you sworn in.

**Ian Robertson:** Sure. My name is Ian Robertson, my address is 1212 Princeton Drive Northeast.

**Chair Aragon:** And will you raise your right hand, swear to tell the truth under the penalty of perjury?

**Ian Robertson:** I do.

**Chair Aragon:** Excellent. Are you representing yourself or a neighborhood association?

**Ian Robertson:** I am representing myself.

**Chair Aragon:** Two minutes enough for you to give your presentation?

**Ian Robertson:** Absolutely.

**Chair Aragon:** Okay, let's go.

**Ian Robertson:** I would just speak fully in support of the presentation the City has made and the recommendations that they're making. Would echo previous comments that this parcel and the parcels under discussion are incredibly close to our most vital asset, which is our downtown. I'm not a current resident of that area, but I spent 5 years living at the old high school development and really enjoyed living in that neighborhood, but one of the major challenges is definitely that, what should be developable parcels are often dominated by a variety of protections that are not necessarily in the best interest of a growing or economically vibrant community.

One thing I would add to that is that while I totally believe in protecting some character in certain neighborhoods, I would also echo that CPOs have become a way to prevent anything from happen and stall out the very necessary rejuvenation and rebirth of neighborhoods, and that some of the stagnation that these neighborhoods are seeing are unfortunately a direct result of the CPOs, as opposed to any failure by the City or Planning staff to protect them. Quite the opposite, what I have found is that many of the most stagnant neighborhoods in our city are ones where you can do almost nothing if you wanted to, and thus that is why they have stagnated.

So, I would just again, you know, thank Matthew for his excellent presentation, and thank the City for these recommendations. I think they're well in line with the direction the City

should be going, especially with the Rail Trail project, and would just overall voice my support. So, thank you.

**Chair Aragon:** Thank you. I don't have any questions for you. Does Commissioners have any questions? Thank you, Mr. Robinson. Who's our next speaker? Maybe Eleanor's ready?

**Nichole Maher, EPC Hearing Monitor:** Eleanor let me know that she did not want to speak on this matter.

**Chair Aragon:** Okay.

**Nichole Maher, EPC Hearing Monitor:** So, I removed her from the list, and next up, we have Luis Sutherlin.

**Chair Aragon:** Good morning, Luis. If you could please state your full name and address for the record, we'll get you sworn in.

**Luis Sutherlin:** Sure, my name is Luis Sutherland, and my address is 9104 Lexington Avenue NE.

**Chair Aragon:** Okay, will you raise your right hand, and do you swear to tell the truth under the penalty of perjury?

**Luis Sutherlin:** I do.

**Chair Aragon:** Okay, please proceed. Are you representing yourself or a neighborhood association?

**Luis Sutherlin:** Just myself.

**Chair Aragon:** 2 minutes enough for you?

**Luis Sutherlin:** Not even that.

**Chair Aragon:** Okay, please proceed.

**Luis Sutherlin:** Okay, I'm just, here to express my support for this text amendment, and, you know, given the presentation the City gave, this seems very practical. They showed how long this

lot has been just barren, so, we should definitely develop this land and make these changes, so that someone has the incentive to develop the land. So, and so, yeah, you have my full support on this. Thank you.

**Chair Aragon:** Thank you, Mr. Sutherland. I don't have any questions for you. Commissioners, any questions? Thank you very much. We'll have our next speaker, please.

**Nichole Maher, EPC Hearing Monitor:** Chair, at this time, we do not have anyone else signed up to speak. If you are a member of the public and you would like to speak on this matter, please raise your hand. If you're on the phone, you can push star 9 to raise your virtual hand. Chair, I do not see... oh, let's see. Someone on the telephone has raised their hand.

**Chair Aragon:** Okay.

**Nichole Maher, EPC Hearing Monitor:** If you are on the telephone, to unmute yourself, it'll be star 6. If you can unmute yourself, the person that's 1-505-573-7282. Star 6 to unmute.

**Lisa Nelson:** Hello, good morning. Can you hear me?

**Chair Aragon:** Morning, I can hear you, but there's a lot of background noise. If you could please state your name and address for the record?

**Lisa Nelson:** (inaudible) school, 3416 11th Street.

**Chair Aragon:** I got your first name as Lisa, I didn't hear your last name. There is a lot of background noise. Is there any way we can...

**Lisa Nelson:** Yeah, I'm sorry about that. Maybe, you know what? Come back to me, there's just way too much background noise. I'm so sorry.

**Chair Aragon:** Okay. You are the last speaker, so...

**Lisa Nelson:** Oh. Well, I just, can you hear me?

**Chair Aragon:** I can hear you, but the background noise is overwhelming, it's drowning you out.

**Lisa Nelson:** Okay, that's fine. I just wanted to just say thank you for all the changes, and, encourage you guys, just in case...

**Chair Aragon:** I can't accept any testimony unless we get you sworn in. If you can state your last name and record for me.

**Lisa Nelson:** Nelson.

**Chair Aragon:** Nelson?

**Lisa Nelson:** Lisa Nelson.

**Chair Aragon:** Lisa Nelson?

**Lisa Nelson:** Yes. I'm the bond from a ...

**Chair Aragon:** If you could please state your address?

**Lisa Nelson:** 3116 11th Street.

**Chair Aragon:** And do you swear to tell the truth under penalty of perjury?

**Lisa Nelson:** Yes.

**Chair Aragon:** Okay, go ahead and please make your statement.

**Lisa Nelson:** So, I'm a volunteer with AARP, we just want to say how we support your City's, the City's efforts in increasing the housing (inaudible) and just, overall - I'm also a realtor so, I see the need for housing, you know, mostly for low-impact seniors that, you know, are on fixed income. So, I feel that this is a good move toward that for the City.

**Chair Aragon:** Okay. Thank you very much. I don't have any questions. Is that all you have?

**Lisa Nelson:** Yes, sir.

**Chair Aragon:** Okay, thank you very much. We appreciate your time this morning. Commissioners, do I have any questions? Thank you very much. We appreciate your time.

**Lisa Nelson:** Thank you.

**Chair Aragon:** Huh. That was, that hurt. But we got her, we got her in. Are there anyone else signed up to speak?

**Nichole Maher, EPC Hearing Monitor:** Chair, at this time no one else has signed up to speak. Again, if you're a member of the public and you would like to speak on this matter, please raise your virtual hand, which you can do by going to the React tab at the bottom of your page, clicking on it, and selecting Raise Hand. If you're on the phone, star 9 will raise your hand. And, Chair, I do not see anyone else that wishes to speak on this matter.

**Chair Aragon:** Okay, let's hear from the applicant.

**Matthew Cox - Council Services:** Chair Aragon, Commissioners, I really don't have much else to follow up on. I appreciate the support from the public. And again, just to kind of reiterate the detail of the notification we went through to meet all the requirements; we did send out 3 letters. The last email to all the neighborhood associations went out on October 3rd. We have, I have a shelf full of letters that were sent back to me that didn't make it to the address for whether they moved or what have you, but, if y'all need any evidence, I got it.

**Chair Aragon:** Okay. Appreciate it. Just wanted to give you an opportunity to address any concerns. And the biggest concern they're addressing is the lack of notification. They did appear to get notified - they're all here. They were able to present, present their cases, and we appreciate your presentation as well. If you don't have anything else to add, I don't have any questions. Commissioners, do we have any questions for Mr. Cox? Okay. Thank you, Mr. Cox. I'm sure, stay posted, because I'm sure there's going to be some questions for you soon.

Alright, we're at that point in our presentation where I will accept cross-examination questions from people that signed up to speak. General ground rules are you'll ask the question to the Chair. I'll direct it to the appropriate person. You get, we'll do one question at a time. And it has to be a question that we've, for information that's already been covered. We're not accepting new testimony at this time.

Does anyone have any questions they would like to ask the chair, so we can get the appropriate answer, response? Staff, I see that, Peggy Norton has her hand raised.

**Peggy Norton:** Do I just speak?

**Chair Aragon:** Well, I'll... yeah, Ms. Norton, you can just go ahead and address your question to me. And then, we'll go from there.

**Peggy Norton:** Okay, I have, at least one question, but did the original application include 101 Lomas Northeast, or was that added later?

**Chair Aragon:** I believe it was added later, but we'll hear from Mr. Cox.

**Matthew Cox - Council Services:** Chair Aragon, Commissioners, Ms. Norton, it was added later, that, I can find the exact date, but I believe it was still in September as to when it was added. But that was after conversations with our Metropolitan Redevelopment Agency to make the map clean, at that bottom corner.

**Chair Aragon:** Thank you, Mr. Cox. Ms. Norton, do you have any other direct questions?

**Peggy Norton:** Yes, I do. Would you agree that a meeting between an applicant and a neighborhood association would be different from a facilitated meeting with a mediator? I don't know who I'm asking that of.

**Chair Aragon:** You're asking it to the Chair, and I'll ask the appropriate staff member. And that would be, Mr. Steele or Ms. Jones.

**William Steele-CABQ Planner:** Chair. This is Mr.

**Chair Aragon:** Yes. Mr. Steele?

**William Steele-CABQ Planner:** And. Okay, as far as this small text amendment is concerned, a facilitated meeting was not required, as, by the, as shown in the IDO. The applicant has, did present, have a neighbor, have a meeting with the neighborhood association prior to the submittal of the application.

**Chair Aragon:** Thank you, Mr. Steele.

**Peggy Norton:** So then one more question regarding facilitated meetings. Is it, I realize they don't have to require, have to do them. It's up to the applicant to decide whether it's a valid request or not. And in the future, does that mean anybody who is notified should be requesting a facilitated meeting?

**Chair Aragon:** That's an excellent question. We'll turn that back over to staff.

**William Steele-CABQ Planner:** Chair, commissioners. I'm going to move that, let Ms., either Ms. Jones or Ms. Michaela Renz-Whitmore answer that question.

**Mikaela Renz-Whitmore | CABQ Planning:** Mr. Chair, this is Mikaela Renz-Whitmore. Could I get sworn in?

**Chair Aragon:** Yes, if you could please state your full name and address for the record.

**Mikaela Renz-Whitmore | CABQ Planning:** Sure. Mikaela Renz-Whitmore, 600 2nd Street, 8710... 2? I think...

**Chair Aragon:** Close enough. We know who you are, and we know where you, where you are, where you reside.

**Mikaela Renz-Whitmore | CABQ Planning:** That's where I work, yeah.

**Chair Aragon:** Where your office.

**Mikaela Renz-Whitmore | CABQ Planning:** Absolutely.

**Chair Aragon:** I see your hand is raised. Do you swear to tell the truth under the penalty of perjury?

**Mikaela Renz-Whitmore | CABQ Planning:** I do.

**Chair Aragon:** Thank you. Please, do your best to try to answer the question.

**Mikaela Renz-Whitmore | CABQ Planning:** Sure. Actually, what I'd like to do is request clarification. Peggy, I don't think I understand what your question is. Can you rephrase?

**Chair Aragon:** Ms. Norton, please, if you could restate the question?

**Peggy Norton:** Okay. Santa Barbara Martineztown requested a facilitated meeting. And apparently that got denied. But they were never notified of that. I usually rely on at least one neighborhood association requesting a facilitated meeting, and then we all get invited to it. So, it sounds like that doesn't happen, that I should have, as the North Valley Coalition, requested a facilitated meeting with maybe our notes in it. So should everyone who gets notification have to request the facilitated meeting to ensure that one happens?

**Mikaela Renz-Whitmore | CABQ Planning:** So, the Integrated Development Ordinance only requires facilitated meetings for some applications, and what that means is that the City has to provide that facilitated meeting, and if that doesn't happen before the hearing, then the City has to automatically defer the application until the meeting happens.

So, in this case, because the facilitated meeting wasn't required for a small area text amendment, the City couldn't delay the hearing before a facilitated meeting, because we don't have that power. Ms. Naranjo Lopez has requested to defer the case until a facilitated meeting happens, and the EPC can, has the discretion to say that that meeting should happen before the case goes forward.

So, it's up to the EPC at this point. Specifically, to your question, if a facilitated meeting isn't required, it doesn't make sense for people to request their own, because the City can't delay the application to wait for the facilitated meeting. If that makes sense? But for those cases where a facilitated meeting is required by the, or that option is available, then sure, anybody, who has received notice can request a facilitated meeting.

**Chair Aragon:** Thank you, Ms. Renz-Whitmore. I think that answers the question. Okay, Ms. Norton, did that address the question? It's not a requirement, so therefore you can ask for them, but if it's not required, that doesn't mean you'll get one.

**Peggy Norton:** Well, I realize that, but it seems odd that if you request one, the applicant is who decides whether you're going to have one or not. That doesn't seem very...

**Mikaela Renz-Whitmore | CABQ Planning:** Can I... Can I jump in?

**Chair Aragon:** Yeah, please.

**Mikaela Renz-Whitmore | CABQ Planning:** If the IDO requires a facilitated meeting for that particular application type, it is not up to the applicant. Because one wasn't required in this case, the applicant absolutely can agree to have one that's not required. In this case, the applicant decided it wasn't, there wasn't more to discuss beyond what they already discussed with that neighborhood association.

And, I will say, you erroneously stated that the request for a facilitated meeting didn't get a response. It did. I emailed back and said it's not required in this case. You're welcome to ask for a facilitated meeting at EPC, and EPC has the discretion to require a facilitated meeting before the case goes forward. Thanks.

**Peggy Norton:** Thank you, I did see that email.

**Chair Aragon:** Okay, thank you. At this time, I think...

**Peggy Norton:** That's all.

**Chair Aragon:** Thank you very much, Ms. Norton.

**Peggy Norton:** Thank you.

**Chair Aragon:** Let's move to the next person that may have questions. And if I, I'm not sure who it's gonna be. Staff?

**Nichole Maher, EPC Hearing Monitor:** It... Chair, this is, hearing monitor, Nichole Maher. It looks like Loretta Naranjo has her hand raised.

**Chair Aragon:** Ms. Naranjo? If you could ask your question to me, and then I will get it to the appropriate person.

**Loretta Naranjo Lopez, President, SBMTNA:** So, we received an email from Matthew Cox stating that we requested a facilitated meeting. He said he would refer to Tyson Hummel, I think is his name, the facilitator. Then later, he said you have to let me know why you want a facilitated meeting. And then later, after I talked to his supervisor...

**Chair Aragon:** Ms. Naranjo, do you have a question?

**Loretta Naranjo Lopez, President, SBMTNA:** And I had to go to the...

**Chair Aragon:** Ms. Naranjo, I'm gonna ask you, do you have a question for the...

**Loretta Naranjo Lopez, President, SBMTNA:** Yes, I'm getting to that question.

**Chair Aragon:** Okay. Please ask it.

**Loretta Naranjo Lopez, President, SBMTNA:** My question is, do we request a facilitated meeting to the Planning Director, because that was the last thing that I got before I really, I mean there was no clarification, Matthew was taking on the rein, and so I'm asking you who is the person that decides if we get a facilitated meeting? And nobody gave me his email, I sent it to DEVhelp. Who... what's his email, so we know for the future if he is the person we request for a facilitated meeting, because we did, in writing, request it.

**Chair Aragon:** Okay, thank you for your question. I'll turn it over to staff for the answer.

**Mikaela Renz-Whitmore | CABQ Planning:** Hi, this Mik...

**Loretta Naranjo Lopez, President, SBMTNA:** Oh, and...

**Mikaela Renz-Whitmore | CABQ Planning:** This is Mikaela Renz-Whitmore.

**Loretta Naranjo Lopez, President, SBMTNA:** Before you finish, can I... I have two questions now.

**Chair Aragon:** Ms. Naranjo, you've already asked one question, we're gonna get an answer. We'll come back to you for your second question. Thank you.

**Loretta Naranjo Lopez, President, SBMTNA:** Thank you.

**Mikaela Renz-Whitmore | CABQ Planning:** So, the City of Albuquerque's Planning Department now requires all applications to come through a software program called ABQ-PLAN. So, to request a facilitated meeting, it's a, it's an application type in ABQ-PLAN. It'll walk you through the required questions that Mr. Cox mentioned for the request for facilitated meeting, and staff, Planning staff receives that, checks the IDO to see whether that application requires a facilitated meeting or not, and either moves it forward to request that facilitated meeting from Tyson Hummel. Staff will contact Tyson Hummel in the Alternative Dispute Resolution Office to get that meeting set up, or determine that it's not an application that requires a facilitated meeting, and respond back to the applicant.

**Chair Aragon:** Thank you, Ms. Renz-Whitmore. Ms. Naranjo, you indicated you had one more question?

**Loretta Naranjo Lopez, President, SBMTNA:** Yes, I want to be clear, who is the applicant? The City of Albuquerque, the City Council, or the MRA office, on this request?

**Chair Aragon:** Thank you for your question. I'll turn that over to staff to answer.

**Matthew Cox - Council Services:** Chair, Commissioners, it is Council Services, and I am the applicant in this regards. It is not Metropolitan Redevelopment Area or any other department under the administration, but the Council Office.

**Chair Aragon:** Thank you, Mr. Cox, for answering the question. Ms. Naranjo, do you have any more questions?

**Loretta Naranjo Lopez, President, SBMTNA:** No, but Angela Vigil's trying to get on to ask a question.

**Chair Aragon:** Okay, we'll see if we can't address her. Thank you very much. Staff, who's our next, anyone else have their hand raised to ask a question?

**Nichole Maher, EPC Hearing Monitor:** Chair, no one else has their hand raised at this time. I'm not sure if the person that Ms. Naranjo mentioned is on the phone. There is someone that keeps trying to unmute themselves, but... Not sure. Ms. Martin has her hand raised. Oh, okay, there's...

**Chair Aragon:** I heard somebody.

**Nichole Maher, EPC Hearing Monitor:** Speaking.

**Angela Vigil:** That is me.

**Chair Aragon:** Excuse me, have you already... are you signed up as a speaker? We're in a cross-examination section, so we're asking people that have already spoke and sworn in to ask questions. Does that qualify you? And if it doesn't, then I have a question for legal.

**Angela Vigil:** No, it does not. I was in another meeting at the Youth District Diagnostic Center, so I just got out of that meeting and got onto this meeting, so that's my dilemma.

**Chair Aragon:** Okay. Before we go any further, before, I would have to ask our legal staff what we do in this particular situation, since we're doing a cross-examination section.

**Matt Myers:** This is Matt Myers, Chair Aragon.

**Chair Aragon:** Yes, Mr. Myers?

**Matt Myers:** So, I mean, I think technically, this is from people who've already spoken, but I would say that the Commission has the authority to allow the proposed speaker to, you know, either ask a question and/or, testify, you know, you know, I think it's at your discretion.

**Chair Aragon:** Alright, I just want to make sure we're not doing things that are not within the rules. If we could, let's do this. Let me have the person on the phone state your name and address, we'll get you sworn in, and then we'll let you ask your question.

**Angela Vigil:** Angela Vigil. 1405 Edith Boulevard NE.

**Chair Aragon:** Okay, and do you swear to tell the truth under the penalty of perjury?

**Angela Vigil:** Yes, sir.

**Chair Aragon:** Alright, please, ask your question.

**Angela Vigil:** My question is basically a statement. Well, why is the City of Albuquerque able to take away part of our land, an area of our land that has been there for centuries, which is the Broadway, Lomas area? And then just able to, I know gentrification, I know all about that, but is that (inaudible) take our land. Take away our tax breaks, and take away any other positive things that are there in for this from Martineztown to benefit the City of Albuquerque? That is my question.

**Chair Aragon:** Okay, I don't believe anyone's taking anybody's land, but I'll let the applicant address that concern.

**Matthew Cox - Council Services:** Chair Aragon, Commission. This was a common misperception we heard at the neighborhood meeting, and this conflation between Character Protection Overlay and the Metropolitan Redevelopment Area. It is... so, the Metropolitan Redevelopment Area has already encompassed these two properties that we are talking about today. That was a decision made 6 or more months ago, and I think the... where the... kind of confusion is coming from is that the Metropolitan Redevelopment Area for downtown is also a TIF district. It was our first one at the City, along with West Central, and that is where the tax kinda, revenue collection through tax increment financing is coming from, and so the property taxes increase on this property will go into that TIF, but that is the MRA. It is not the Character Protection Overlay. This amendment is only regarding zoning regulations. And everything else has already been completed with the MRA, or in regards to the MRA.

**Chair Aragon:** Thank you, Mr. Cox. Ms. Vigil, I don't, do you have any other questions you might want to ask?

**Angela Vigil:** No, I just feel this is unfair. And I had to state my point of view, whether you want to listen or not. Thank you.

**Chair Aragon:** We do, we do want to listen to you, and we do appreciate your opinion. So, thank you. I see Ms. Norton has her hand raised, and I'm assuming she may have one more question. So, I think. Oh, you're on mute, Ms. Norton.

**Peggy Norton:** And I do want to appreciate this. I've been in numerous EPCs over the last 10 years that I'm not sure we were ever offered cross-examinations so, I really appreciate having a little bit of dialogue. And so, I just want to say that's very nice that Mikaela gave us the address to submit a request for a facilitator meeting, but on the public notice that we received, it did say to send it to DevHelp, so... or DevGov, I guess. So she did, Loretta did send it to who we were notified to send it to. Thank you.

**Chair Aragon:** Thank you, Ms. Norton. We appreciate your comments. Now, we... we do try.

**Peggy Norton:** Yeah.

**Chair Aragon:** Okay, I'm not sure that we have anyone else that has, spoke that would like to ask a question. I'll ask one more time. Okay. That being said, we will have, response from staff, if necessary, or if they would like to respond to anything? I think we've had a pretty good dialogue between our folks asking questions and staff through this whole meeting? Mr. Steele?

**William Steele-CABQ Planner:** Mr. Chair and Commissioners, I would like to say, staff would like to mention that, we wanted to say that basically, this, the application was complete. This is not a zone change, so we wanted to make, reiterate that a facilitate, facilitated, even though one was requested it was not, there was one, it was not real, necessary for this type of application. Also, the applicant is Council Services, and, we recommend approval of this request.

**Chair Aragon:** Thank you, Mr. Steele. Ms. Jones? Did you have anything you wanted to add?

**Megan Jones:** Thank you, Chair and Commissioners. No, I think, Mr. Steele covered all of the bases to clarify what was brought up during public comment. I'll just add that in staff's analysis of the text amendment to remove the two properties from the CPO boundary, it was shown that the request furthers the preponderance of applicable goals and policies from the Comprehensive Plan, and that all of the decision, review and decision criteria, excuse me, were met.

**Chair Aragon:** Thank you, Ms. Jones.

**Megan Jones:** Thank you.

**Chair Aragon:** Commissioners, do we have any questions for staff? Okay, I'm gonna close this from the floor. And, this has been a... pretty eye-opening experience for me. I haven't, pretty unique. When we first started, I thought we were amending the actual boundary of the neighborhood association, but that's really not the case. The case is a text amendment to amend the boundary of a CPO, which stands for Character Protection Overlay Zone. Someone can correct me if I'm wrong with that. And it appears that there may be more than one CPO that address this property, or maybe another property, so it's not unique that more than one CPO would overlay other properties. And so, really, what we're hearing, we're not hearing a zone change. Oh, we've... heard testimony that this may or may not have met the meeting requirements, but we believe that it has, according to staff. We are not hearing a zone change, just a text amendment to a CPO. And that's where I'll stop, and I'll ask for comments or commission... or comments or questions from our commission.

**EPC Commissioner, Adrian N. Carver:** Carver.

**Chair Aragon:** Commissioner Carver, please.

**EPC Commissioner, Adrian N. Carver:** Yeah, thank you, Mr. Chair. Yeah, I, hearing all the testimony, it's pretty clear that this request is consistent with the health, safety, and general welfare. It's fully within an Area of Change and does not alter allowable uses, and the request is not based on economic considerations, those were not a factor. So, I'm prepared to move a recommendation of approval on this case, if you're ready, Mr. Chair?

**Chair Aragon:** I'm ready, Commissioner Carver.

**EPC Commissioner, Adrian N. Carver:** Yeah, so I move, that a recommendation of approval regarding plan number TA-2025-00001, based on findings 1 through 20.

**Chair Aragon:** Okay. Any discussion? Or a second?

**EPC Commissioner, Giovanni Coppola:** Coppola second.

**Chair Aragon:** Okay, we have a motion and a second. Let's go... Any other discussion?

**EPC Commissioner, Matthew Archuleta:** Archuleta here. I do have a question. Because I joined late, do I need to abstain from the vote, or...

**Chair Aragon:** How late were you?

**EPC Commissioner, Matthew Archuleta:** I was here during the public comment.

**Chair Aragon:** I'm gonna ask staff that question.

**Matt Myers:** This is... this is Matt Myers.

**Chair Aragon:** Yes, Mr. Myers.

**Matt Myers:** I would say, in the interest, so long as we had a quorum with... without Mr. Archuleta. I would say, in the interest, since he missed the first part of the hearing, I think, to be on the safe side, perhaps he should abstain from voting on this matter. No disrespect to Commissioner Archuleta, but I think that would be the safe way to deal with this.

**Chair Aragon:** Okay, I believe we did have a quorum when we started.

**EPC Commissioner, Matthew Archuleta:** I appreciate that. Thank you.

**Chair Aragon:** Thank you, Commissioner. Alright, let's take a... we have a first and a second. Commissioner Nelius?

**EPC Commissioner, Eric Nelius:** Nelius votes aye for approval.

**Chair Aragon:** Commissioner Likar?

**EPC Commissioner, Jarrod Likar:** Likar, aye.

**Chair Aragon:** Commissioner MacEachen?

**EPC Commissioner, Tim MacEachen:** MacEachen, aye.

**Chair Aragon:** Commissioner Coppola?

**EPC Commissioner, Giovanni Coppola:** Coppola, aye.

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**Chair Aragon:** Commissioner Carver?

**EPC Commissioner, Adrian N. Carver:** Carver, aye.

**Chair Aragon:** And, Chair votes aye as well. Motion passes. I believe that was, 5-0. Maybe 6. 6-0. Thank you.