

Community Design Solutions

November 10, 2025

Development Hearing Officer
City of Albuquerque
600 2nd St NW
Albuquerque, NM 87102

RE: Justification Letter – Waiver to IDO §5-4(F)(2)(b) for PR-2021-005862 El Rancho Grande Unit 18

Dear Development Hearing Officer,

1. Background and Request

This letter is submitted in support of a Waiver to IDO §5-4(F)(2)(b), which states:

“Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street. Local frontage roads may be used within a subdivision to avoid locating residential rear yard walls along collector and arterial streets.”

The proposed subdivision includes Lots 1–3 of Block 6, whose rear lot lines abut Gibson Blvd SW, a designated arterial street. A local frontage road is not feasible due to the existing alignment of Bowie Rd SW, which was established in a prior subdivision phase and defines the lot depth and configuration for this block. This waiver request allows these lots to maintain a layout consistent with the established subdivision pattern while meeting all other applicable IDO standards.

In order for a Waiver – DHO to be approved, the application must satisfy all ten review and decision criteria set forth in IDO §6-6(P)(3). The criteria are quoted in full below, followed by the applicant’s response to each.

2. Justification per IDO §6-6(P)(3)

(1) Any of the following criteria applies:

(a) There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.

(b) The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.

(c) The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City’s normal technical standards in that location.

(d) Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

Applicant Response: *The existing alignment of Bowie Rd SW, established in a previous subdivision phase, constrains the configuration and depth of Lots 1–3 of Block 6. Relocating Bowie Rd would require*

extensive reconfiguration of existing lots, utilities, and infrastructure, making such a modification economically and technically impractical. This represents a pre-existing man-made obstruction that cannot be easily or economically relocated, consistent with Criterion 1(a). In addition, the requested waiver maintains the existing neighborhood pattern where residential lots back onto Gibson Blvd, preserving consistency with the surrounding subdivision layout as described in Criterion 1(c). The applicant has submitted a revised plat that begins curving the new extension of Bowie Rd SW to provide an open-space buffer behind lots 1-2 of block 1. However, lots 1-3 of block 6 are too close to the existing portion of Bowie Rd to provide a buffer while maintaining lot sizes consistent with the existing subdivision.

(2) The Waiver will not be materially contrary to the public safety, health, or welfare.

Applicant Response: *The waiver will not adversely affect public safety, health, or welfare. Rear yard walls and setbacks along Gibson Blvd will provide appropriate separation and buffering from arterial traffic, consistent with other residential lots in the vicinity that back onto Gibson Blvd.*

(3) The Waiver does not cause significant material adverse impacts on surrounding properties.

Applicant Response: *The waiver maintains the established pattern of residential lots backing onto Gibson Blvd and will not introduce any new visual, noise, or access impacts. The proposed configuration ensures uniformity and compatibility with adjacent development.*

(4) The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

Applicant Response: *The proposed lot layout preserves adequate right-of-way and utility easements. The waiver will not impede future infrastructure planning or right-of-way improvements along Gibson Blvd.*

(5) The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

Applicant Response: *The waiver supports Comprehensive Plan goals that encourage context-sensitive infill development and efficient subdivision design. The layout maintains consistency with the existing neighborhood design and does not conflict with adopted City or AMAFCA policies.*

(6) The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

Applicant Response: *The subject property is not located within the 100-year floodplain; therefore, this criterion is satisfied.*

(7) The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

Applicant Response: *The waiver upholds the intent of the IDO, and the applicant has sought to minimize the extent of the waiver required.*

(8) The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

Applicant Response: *All lots comply with the R-1A development standards, including minimum lot area, setbacks, and coverage. No deviations beyond this waiver are requested or required.*

(9) The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

Applicant Response: *This waiver represents the minimum relief necessary to address the existing Bowie Rd alignment, which cannot be feasibly altered. No additional modifications to IDO standards are proposed.*

(10) If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to one or more sides of the subject property.

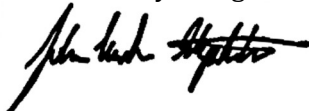
Applicant Response: *Not applicable.*

3. Conclusion

The proposed waiver satisfies all review and decision criteria in IDO §6-6(P)(3). The existing Bowie Rd SW alignment constitutes a pre-existing obstruction that cannot be economically or technically modified, and the requested waiver maintains consistency with the existing subdivision design and does not result in any adverse impacts or policy conflicts.

For these reasons, the applicant respectfully requests approval of the Waiver to IDO §5-4(F)(2)(b) for Lots 1–3 of Block 6.

Sincerely,
Community Design Solutions, LLC



John Stapleton P.E.
CDS | Project Manager
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