



December 1, 2025

City of Albuquerque
Attn: Development Hearing Officer
600 Second Street NW
Albuquerque, NM 87102

RE: DHO SIDEWALK WAIVER – 4732 Westward Lane NW

Dear Development Hearing Officer,

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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Consensus Planning, Inc., hereafter referred to as the “Agent,” for the purpose of this request, represents Deborah Romero, hereafter referred to as “Property Owner”. We are requesting approval of a Sidewalk and Landscape Buffer Waiver for the above-referenced property. The property (the “subject site”) is 1.24 acres in size and is located at 4732 Westward Lane NW, Albuquerque, NM 87120. The subject site is currently developed, conforming, and is legally described as:

PORTION OF THE SOUTH ½, OF THE NORTHEAST ¼, OF THE NORTHWEST ¼, OF THE SOUTHWEST ¼, OF SECTION 35, TOWNSHIP 11 NORTH, RANGE 2 EAST, CONTAINING 1.26 Acres

Site Zoning

The site is located within the Quaker Heights neighborhood west of Coors Boulevard and is zoned Residential Townhome (R-T) under the City of Albuquerque’s Integrated Development Ordinance (IDO). The property is within an Area of Consistency as designated in the Albuquerque Bernalillo County Comprehensive Plan. The site is not located within a Site Development Plan or Character Protection Overlay.



Figure 1- Zoning context map

PRINCIPALS

James K. Strozier, FAICP

ASSOCIATES

Ken Romig, PLA, ASLA



Figure 2- Existing neighborhood conditions showing no sidewalks.

Sidewalk Waiver Request

Westward Lane is a local street that requires a 5-foot sidewalk with a 4 to 6-foot-wide landscape buffer. The Quaker Heights subdivision was developed around 1971, with houses built without sidewalks or curb and gutter. At that time, the subject site was under the jurisdiction of Bernalillo County, was zoned A-1, Residential/Agricultural, and was designated as a Rural area of the county. In 1974, the Quaker Heights Subdivision was annexed into the City of Albuquerque (reference case# AX-74). According to county assessor records, the existing single-family home on the subject site was constructed in 1971 without a sidewalk on Westward Lane. Due to the existing rural development pattern and the absence of sidewalks in the entire neighborhood, we are seeking approval of a sidewalk waiver to maintain the established character of the neighborhood.



Figure 3- Photo looking down Northern Trail towards Westward Lane (off to the left in the far right background).

This request is in compliance with IDO Section 14-16-6-6(P)(3) Review and Decision Criteria for approval of a Waiver-DHO.

6-6(P)(3)(a) General

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following applies:

6-6(P)(3)(a) 1. 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.

6-6(P)(3)(d) 4. 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 site currently has no sidewalks on either side of Westward Lane. In fact, the Quaker Heights subdivision was developed long before the current DPM sidewalk requirements were implemented along with the IDO. Since the subdivision was developed without curbs, gutters, or sidewalks, constructing a sidewalk with curb and gutter along the frontage of this parcel will impact the existing character of the neighborhood, and add a sidewalk to nowhere. Additionally, adding a concrete sidewalk will also significantly alter the current drainage pattern, which in turn could cause damage to the roadway and cause erosion and flooding to properties downstream of the subject site.*



Figure 4- Photo of Northern Trail showing the established rural character of the neighborhood.



Figure-5 Photo of a Solid Waste truck directly in front of the subject site (on left).



This waiver request and approval will encourage flexibility to best adapt to existing development patterns and character of this older, established neighborhood. Moreover, approval of the waiver will provide flexibility, allowing new development to provide additional housing in a way that remains consistent with the established character of the neighborhood.

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

Applicant Response: *The requested waiver is not materially contrary to the public safety, health, or welfare. In fact, the right-of-way widths of the streets in the Quaker Heights Subdivision are wide enough to allow residents to walk safely along the sides of the roads throughout the neighborhood. Additionally, all the roadways in the neighborhood are low-speed local streets, with existing traffic calming devices to maintain the safety of residents and the general public. Westward Lane is a short, dead-end street with minimal traffic.*

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

Applicant Response: *The proposed waiver will not cause material adverse impacts on surrounding properties. Not granting a waiver may cause material adverse impacts on surrounding properties, as new stormwater runoff patterns and flows resulting from the construction of modern infrastructure on just one property will adversely affect the adjacent properties in the neighborhood. The placement of sidewalks, curb, gutters and landscape buffers in this area would need to be carefully analyzed to determine how the overall grading and drainage should be designed for the whole subdivision, not just for one property at a time over the course of decades. The current walkable areas and existing natural landscape buffers are consistent with the surrounding properties and the established character of the neighborhood. Installing one standalone sidewalk, without any connections for the general public, will cause material adverse impacts on surrounding properties and depart from the neighborhood's unique character.*

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 requested waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvement. In fact, for the purposes of this replat, the property owner has installed and connected new water and sewer service to the proposed lots. ABCWUA has permitted, inspected, and approved the new water services and sewer lines. Public infrastructure improvements have been upgraded as part of this request.*

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 requested waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plans or policies, the IDO or any other City code or ordinance. The requested sidewalk Waiver will not conflict with the goals and provisions in the IDO Section 5-3 Access and Connectivity nor the DPM Part 7-4 Pedestrian Facilities or any other City code or ordinance. The waiver will allow the existing rural character of the neighborhood to be preserved.*

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

Applicant Response: *Criterion (f) does not apply, as the property is not within the 100-year floodplain.*

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 requested Waiver will not materially undermine the intent and purpose of this IDO. The request furthers the purpose of this IDO because it aims to “Protect the quality and character of residential neighborhoods” by supporting the continuity and preservation of the community. The Waiver will not alter the character of the Quaker Heights community but will acknowledge and respect the neighborhood’s identity and cohesiveness. The request will contribute to the purpose and intent of the IDO by furthering the Housing policies and goals of the Comprehensive Plan through facilitating the future development of two new dwelling units. Contextual lot size restrictions limit the size and configuration of the new lots to conform with the neighborhood character.*

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(P) (Deviations) and is granted by the DHO as part of this approval.

Applicant Response: *The requested waiver will not allow a lot or type of development that does not meet applicable Development Standards for the R-T zone district. This development is subject to IDO requirements, including the residential zone dimensional standards (Table 5-1 -3). These requirements currently provide additional layers of protection because the existing development site and the proposed uses are regulated with respect to lot size and width, building height, access, and setbacks. The proposed lots on the minor plat that is being heard in conjunction with the Waiver request, meet the applicable Development Standards for the R-T zone district. No additional waivers or variances are requested with this application.*

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: *The requested waiver is the minimum necessary to provide administrative relief. The absence of sidewalks throughout the subdivision is an existing condition in this area, and approval of the waiver will result in development that is consistent with all of the surrounding properties in the neighborhood.*

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 1 or more sides of the subject property.

Applicant Response: *This area is located within a low-intensity land use, but the installation of sidewalks will not contribute to the public welfare since the neighborhood does not have sidewalks, curbs, gutters, or landscape buffers. The installation of these elements will not allow for a connection to an existing sidewalk network, as the subdivision’s design intentionally did not include sidewalks. Furthermore, the western end of the subject site is the dead-end of Westward Lane, and there is no sidewalk to connect to on the eastern side of the property boundary; therefore, the absence of a sidewalk will not create a gap. Approval of the Waiver would also be consistent with the DHO’s October 24, 2024, approval of VA-2024-00292 (Waiver to the DPM) for the property directly across the street. Finding number 10 in the Notice of Decision for the case states, “This area is located within a low intensity land use and the installation of sidewalk will not contribute to the public welfare since the neighborhood does not have sidewalks, curb, gutter, or landscape buffers. The installation of these features for this lot will not connect to an existing sidewalk system as the other residential lots do not have sidewalks.”*

Conclusion

This request is in compliance with IDO Section 14-16-6-6(P)(3) Waiver DHO. All subsequent development will comply with the IDO, DPM, and other City regulations.



Notification requirements for this request have been met per IDO Table 6-1-1. The affected Neighborhood Associations were notified of this application as required by the IDO, and no issues have been raised regarding the Sidewalk Waiver application.

Based on the justification presented above, the Applicant respectfully requests approval of a Sidewalk Waiver and waiver of the landscape buffer. The Waiver is consistent with previously approved waivers and the historic character of the Quaker Heights neighborhood.

If you have additional questions or concerns regarding this request, please contact me directly at (505) 764-9801 or by email: cp@consensusplanning.com

Sincerely,

A handwritten signature in black ink, appearing to read 'James K. Strozier', is written over the typed name and title. The signature is stylized with loops and a large 'X' shape.

James K. Strozier, FAICP
Principal