

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTICE OF DECISION

Espanoles, LLC-Isaacson Trustees,
ETAL & Viwa Joint Venture
100 Iron St. SE
Albuquerque, NM 87102

Project# PR-2024-011266
Application#
MINOR_PLT-2025-00032 MINOR
PRELIMINARY/FINAL PLAT
DHOWVR-2025-00019 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion of:

Lot/Tract 1, IRON PROPERTIES zoned **MX-H**,
located at **100 IRON ST SE between COAL**
AVE SE and HAZELDINE SE containing
approximately **8.173** acre(s). **(K-14)**

On July 16, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications, approved the request for MINOR_PLT-2025-00032 Minor Preliminary/Final Plat, with conditions of approval, and denied the request for DHOWVR-2025-00019 DHO Waiver, based on the following Findings:

MINOR_PLT-2025-00032 MINOR PRELIMINARY/FINAL PLAT

1. This is a request to create two lots from one existing lot and grant easements as depicted on the Plat; Tract 1-A will be 7.88678 acres in size, and Tract 1-B will be .3052 acres in size.
2. The subject property is zoned MX-M. Future development is subject to the standards of the IDO and DPM.
3. A Sketch Plat for this request was reviewed by the Development Facilitated Team (DFT) on December 1st, 2024.
4. Signatures from utility companies, AMAFCA, the City Surveyor, Surveyor, and property owner have been obtained on the Plat. Signatures from Hydrology, Transportation, and Water Utility Authority are obtained on Form PLT.

5. Per 6-6(K) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. The application meets these criteria once all conditions of approval are met.
6. Per Table 6-1-1 of the IDO, public notice requirements for the application have been satisfied by the Applicant prior to this submittal.
7. Per 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided. The applicant shall provide the City a digital copy of the recorded plat.

CONDITIONS

Final sign-off of the Plat by DFT staff is conditioned as follows:

Water Authority:

Please add the following notes to the plat:

- a. “Existing public water and/or sanitary sewer infrastructure may not be constructed or sized to adequately serve potential future development. Improvement or upsizing of existing public infrastructure may be required as a condition of future development approval.”

“ABCWUA Public Water & Sanitary Sewer Easements Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted easement(s) in the dimensions noted on this plat for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.”

Planning:

- b. Project and Application numbers must be added to the Plat.
- c. The date of the DHO approval shall be recorded on the Plat.
- d. The AGIS office must approve the DXF file and proof of approval must be provided. The DXF file package must be submitted to AGIS at:
platgisreview@cabq.gov.

- e. An Infrastructure List featuring sidewalk and curb and gutter along Commercial Street SE must be provided, signed off by DFT staff and the City Engineer, and guaranteed.

DHOWVR-2025-00019 DHO Waiver

1. This is a request for a Waiver to the Sidewalk Requirements in conjunction with a Minor Preliminary and Final Plat Application.
2. Transportation noted in their memo that Commercial St. SE is a local and requires a minimum 5' sidewalk with a 4' to 6' landscape buffer, noting that 6-6(P)(3)(a)(1) of the IDO is not justified as the letter provided in the application submittal for this request states that curb, gutter and sidewalk will affect drainage. The majority of the frontage already has curb and gutter in place and there is existing space behind the curb for sidewalk placement, and noting that 6-6(P)(3)(a)(9) of the IDO is not justified as there is not sufficient justification that there is anything preventing sidewalk installation and therefore allowing the Waiver is not the minimum to provide redress.
3. A Waiver shall be approved if it complies with all of the criteria of 6-6(P)(3)(a) of the IDO. However, this request does not comply with 6-6(P)(3)(a)(1) and 6-6(P)(3)(a)(9) of the IDO, with sufficient evidential support not provided in the application and/or in the record.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **AUGUST 1, 2025**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section § 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted electronically to [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Official Notice of Decision

Project # PR-2024-011266 Applications# MINOR_PLT-2025-00032, DHOWVR-2025-00019

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Sincerely,

Robert L. Lucero, Jr.

[Robert L. Lucero, Jr. \(Jul 24, 2025 17:35:25 MDT\)](#)

Robert L. Lucero, Jr.

Development Hearing Officer

RLL/rw/jr

JAG Planning & Zoning, Juanita & Andrew Garcia, PO BOX 7857, Albuquerque, NM 87194







PR-2024-011266 July 16, 2025 Notice of Decision - DHO

Final Audit Report

2025-07-24

Created:	2025-07-24
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"PR-2024-011266 July 16, 2025 Notice of Decision - DHO" History

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