

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

## OFFICIAL NOTIFICATION OF DECISION

Mark Cubow – Alvarado Hotel  
& Genesis World LLC  
310 Rio Grande Blvd. NW,  
Albuquerque, NM 87104

**Project# PR-2023-009688**  
**Application#**  
**SD-2024-00049** PRELIMINARY/FINAL PLAT  
**VA-2024-00013** WAIVER TO DPM  
**VA-2024-00079** WAIVER TO LANDSCAPE BUFFER

### LEGAL DESCRIPTION:

For all or a portion of:

**145A & 145B, MRGCD** zoned **MX-M**, located  
at **2026 CENTRAL SW & 2034 WILLIS SW**  
between **RIO GRANDE BLVD** and **SAN**  
**PASQUALE SW** containing approximately  
**0.3096** acre(s). **(J-17)**

On March 27, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, based on the following Findings:

### Preliminary/Final Plat (SD-2024-00049)

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1. This is a request to consolidate two existing tracts (Tracts 145-A and 145-B) into one tract (Tract A of the Lands of Alvarado Hotel LLC at 1.0903 acres in size).
2. The subject property is zoned MX-M (Mixed-Use- Medium Intensity Zone District). Future development must be consistent with the underlying zone district.
3. Per 6-6(K)(3) 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 review and decision criteria for a Subdivision of Land-Minor were met by this project per 6-6(K)(3) of the IDO.

4. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
5. All signatures from the utility companies, AMAFCA, City Surveyor, surveyor, and property owner have been obtained by the applicant on the Plat.
6. 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.

**Waivers to DPM / Landscape Buffer** (VA-2024-00013 / VA-2024-00079)

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1. This is a request for waivers from the IDO/DPM requirements for sidewalk width and landscape buffer width along Central Avenue SW for the existing sidewalk and landscape buffers along the frontage of the subject property to remain as-is.
2. The waiver requests comply with the applicable criteria per 6-6(P)(3) of the IDO as follows:
  - a. *The subject property currently has a building located along the property line along Central Avenue where the widened sidewalk and landscape buffers are expected to be located; the removal of the building would be required to allow the sidewalk and landscape buffers to be widened, constituting an existing pre-existing obstruction that cannot be easily or economically relocated.*
  - b. *The sidewalk and landscape buffers along this portion of Central Avenue have been at the current width since roadway improvements were made along Central Avenue to accommodate the ART program, and the Waivers will not be materially contrary to the public safety, health, or welfare.*

Based upon these justifications, the Waiver requests comply with the decision and review criteria per 6-6(P)(3) of the IDO.

**Conditions:**

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Final sign-off of the Plat by the DFT staff as well as the waivers are conditioned as follows:

- a. There shall be a 4-foot clear path around any obstructions in the sidewalk prior to the final sign-off of the Plat.
- b. The Application number must be added to the Plat prior to the final sign-off of the Plat.
- c. A copy of the AGIS-approved DXF file must be submitted prior to the final sign-off of the Plat.

- d. The date of the DHO approval shall be added to the Plat.
- e. The Waivers **shall expire** at the time that the existing building fronting along Central is demolished or proposed to be demolished as well as if/when a Site Plan for future development is submitted and evaluated at Site Plan review.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **APRIL 12<sup>TH</sup>, 2024**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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(V) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

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).

Sincerely,

*Ronald R. Bohannon, P.E.*

[Ronald R. Bohannon, P.E. \(Apr 2, 2024 16:43 MDT\)](#)

Ron R. Bohannon, P.E.

Development Hearing Officer

RRB/jr

Juanita Garcia – JAG Planning and Zoning, LLC, P.O. Box 7857, Albuquerque, NM 87194







# PR-2023-009688 March 27th, 2024 Notice of Decision

Final Audit Report

2024-04-02

Created:	2024-04-02
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