

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

LOE Investments, LLC  
1800 Randolph Rd SE  
Albuquerque, NM, 87106

**Project# PR-2023-009498**  
**Application#**  
**SD-2024-00096 PRELIMINARY/FINAL PLAT**

### LEGAL DESCRIPTION:

For all or a portion of:

**LOTS 4 THRU 6, FRANCISCAN ACRES** zoned  
**MX-M**, located at **2407 COMMERCIAL ST NE**  
**between MENAUL BLVD and PROSPECT AVE**  
containing approximately **0.5274** acre(s).  
**(H-14)**

On May 22, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. This is a request to consolidate three existing lots (Lots 4, 5, and 6, Block 1, Franciscan Acres) into one lot (Lot 4-A) at 0.5274-acres in size. An existing commercial building is located at this address and on the three existing lots.
2. This lot included two nonconformities; one being the lot lines being through the building and the other is that the required minimum rear setback is not being met. This lot consolidation reduces part of this lot's non-conformity (existing lot lines through the building are going to be eliminated).  
No new building expansion is permitted within the required setbacks, particularly in reference to the rear setback.
3. The IDO zone district for the subject property is MX-M, Mixed Use - Medium Intensity Zone Distric, and the subject property is located within a Sensitive Lands area (Railroad and Spur Small area). Future development or redevelopment on this site will be subjeti to IDO 5-2(E)(2) - Cumulative Impacts.

4. Per Table 6-1-1 of the IDO, public notice requirements were satisfied by the Applicant prior to the submittal of the application.
5. All signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, MRGCD, and AMAFCA are provided on the Plat. Final platting documents are sealed and signed by a design professional licensed in the State of New Mexico.
6. 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.
7. Per IDO 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.

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## CONDITIONS

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

Planning conditions of approval:

- a. The Project and Application numbers must be added to the Plat.
- b. AGIS DXF file proof of approval must be provided.
- c. The date of the DHO approval shall be recorded on the Plat.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JUNE 7<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.

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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,

*Robert L. Lucero, Jr.*

[Robert L. Lucero, Jr. \(May 28, 2024 12:16 MDT\)](#)

Robert L. Lucero, Jr.

Development Hearing Officer

RL/ha

CSI – Cartesian Surveys, Inc. PO Box 44414, Rio Rancho, NM 87174







# PR-2023-009498 May 22nd, 2024 Notice of Decision

Final Audit Report

2024-05-28

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