

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
December 17, 2025

James Baxter
949 Green Valley Rd NW
Albuquerque, NM 87107

Project# PR-2025-011365
Application#
MINOR_PLT-2025-00066 MINOR
PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of:

Lots/Tracts 249A3, 249A4, 249A5, 3,
MRGCD MAP 31, BAXTER & MEHL zoned
R-A, located at 1610 BAYITA LN NW,
between GUADALUPE TRAIL NW and THE
GRIEGOS LATERAL containing
approximately **1.1305** acre(s). **(F-13)**

On December 17, 2025 the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, with conditions of approval, based on the following Findings:

1. This is a request to subdivide the subject property from 1 lot (Lot 3, Lands of Baxter & Mehl) into 2 new lots (Lot 3-A, Lands of Baxter & Mehl at 0.7529-acres in size, and Lot 3-A at 0.3776-acres in size), and grants easements as depicted on the Plat.
2. The subject property is zoned R-A (Residential – Agricultural), and is 1.13 Acres in size. The subject property is located in an Area of Consistency bordered by other areas of consistency and is not located within any noted Overlay Zones or MS/PT/MT corridor areas.
3. A Sketch Plat was reviewed by Development Facilitation Team (DFT) staff on January 15, 2025, and comments were provided to the applicant, alongside information for applying for a Contextual Lot size variance and a DHO Sidewalk waiver.

Both additional applications have been applied for, with the variance to the lot size standards having been approved by the Zoning Hearing Examiner (ZHE) on September 11, 2025 per VA-2025-00125. The waiver to the sidewalk requirements was approved by the DHO on December 3, 2025 per DHOWVR-2025-00031.

4. 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.
5. 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. This request complies with this criterion.
6. Signatures from Hydrology, ABCWUA, and Transportation engineers and staff were obtained on Form PLT and submitted with this platting application.
7. All signatures from the surveyor, property owner(s), utilities, AMAFCA, and the City Surveyor, are provided on the Preliminary Plat.
8. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.

CONDITIONS

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

Planning

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

Water Authority

- d. Clarify easement Note #2 dimensions with the original document and appropriately show that dimension on the plat or separate it from the same corridor noted as easement #1 and #2.

- e. Provide the survey exhibit to provide confirmation of the waterline location in agreement with the existing apparent easement.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JANUARY 5, 2026**. 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).

Sincerely,

Robert L. Lucero, Jr.

[Robert L. Lucero, Jr. \(Dec 24, 2025 16:03:49 PST\)](#)

Robert L. Lucero Jr.
Development Hearing Officer

RLL/jb/jr

Ryan Mulhall, CSI – Cartesian Surveys, PO Box 44414, Rio Rancho, NM 87174







NOD_PR-2025-011365_December_17_2025_DHO

Final Audit Report

2025-12-25

Created:	2025-12-23
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAX7-hLUVnwzK3Moq49e4ENjk4B6n3tuZ

"NOD_PR-2025-011365_December_17_2025_DHO" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2025-12-23 - 10:09:10 PM GMT
-  Document emailed to Robert Lucero (robert@lucerolawpc.com) for signature
2025-12-23 - 10:09:15 PM GMT
-  Email viewed by Robert Lucero (robert@lucerolawpc.com)
2025-12-25 - 0:03:22 AM GMT
-  Signer Robert Lucero (robert@lucerolawpc.com) entered name at signing as Robert L. Lucero, Jr.
2025-12-25 - 0:03:47 AM GMT
-  Document e-signed by Robert L. Lucero, Jr. (robert@lucerolawpc.com)
Signature Date: 2025-12-25 - 0:03:49 AM GMT - Time Source: server
-  Agreement completed.
2025-12-25 - 0:03:49 AM GMT