

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
February 11, 2026

Alexis Trujillo-Molina
2905 8th St. NW
Albuquerque, NM 87107

Project# PR-2025-020188
Application#
DHOWVR-2026-00002 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion:

Lot/Tract 81A3, MRGCD MAP 35 zoned R-1B,
located at **2802 SIOUX ST NW** containing
approximately **0.146747** acre(s). **(H-13)**

On February 11, 2026, 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 for a DHO Waiver to the sidewalk width and landscape buffer requirements, within section 7 of the DPM, Table 7.2.29, located at 2802 Sioux St NW.
2. The subject property is zoned R-1B, within an Area of Consistency containing approximately .1214 deeded acre(s).
3. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
4. **Per 6-6(P)(3) Review and Decision Criteria**, an application for a DHO Waiver shall be approved if it complies with all of the criteria of this IDO provision; the applicant has provided justification for all the criteria.

1. Any of the following criteria applies:

- a. 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.

There are pre-existing obstructions that cannot be easily or economically relocated, there is a utility pole and a pedestal box located on the NE Corner of Sioux St & Menaul Blvd that cannot be easily or economically relocated.

- b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
- c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.

The North section of Sioux Street at Menaul Blvd is a one lane road with no curb, gutter or sidewalk on either side of the street therefore no existing sidewalk to connect to. An isolated sidewalk segment would look out of place and disrupt existing neighborhood character.

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

The property has existed without sidewalks since at least the mid 1900's. Installing a short, isolated sidewalk segment on this single lane road could confuse pedestrians and potentially even frustrate drivers enough to drive on the sidewalk if there is another vehicle driving the opposing way causing a major safety hazard. Drivers already drive into the vacant lot, where proposed sidewalk would be to avoid backing out.

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

There are no sidewalks on the surrounding properties on Sioux North of Menaul and on Menaul West of Sioux. Map and pictures will be provided for reference and clarification. The absence of a sidewalk at the subject property has not had a materially adverse impact on any neighboring property during the past several decades.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

Not building the sidewalk is consistent with the neighborhood character, and no infrastructure improvements are anticipated throughout the neighborhood.

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. ***There is no known goal or provision with which this waiver would conflict. The character of this neighborhood is not conducive to adding sidewalks.***
6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

The site 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.

The Waiver does not materially undermine the intent and purpose of this IDO, the applicable zone district or any applicable Overlay Zone. The neighborhood as a whole does not have sidewalks, curb, gutter or landscape buffers and maintains a rural character. Certain low-density neighborhoods with low traffic and pedestrianism should maintain a rural character with no sidewalks.

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

The Waiver will not allow a lot or type of development that does not meet the applicable Development Standards for this zone district.

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).

The waiver is the minimum necessary to allow myself, the property owner, relief of this requirement. My responses demonstrate compliance of Subsection 14-16-6-6(P).

10. If the request is a 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.

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.

5. Per 6-6(P)(2)(d) any Waivers granted that are associated with a Subdivision shall be placed on the Final Plat and on a separately recorded document [within one year of approval otherwise the Waiver becomes void if not associated with a Building Permit, Plat or Site Plan].

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MARCH 2, 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,

Brennon Williams

[Brennon Williams \(Feb 19, 2026 15:24:52 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/am/jr

Alexis Trujillo-Molina, 2905 8th St. NW, Albuquerque, NM 87107

PR-2025-020188_DHOWVR-2026-00002_NOD _2.11.2026

Final Audit Report

2026-02-19

Created:	2026-02-19
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvJzEpOAnYkvUR6xGs3DuysR0yfZScg0f

"PR-2025-020188_DHOWVR-2026-00002_NOD_2.11.2026" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2026-02-19 - 10:05:15 PM GMT
-  Document emailed to brennonwilliams295@gmail.com for signature
2026-02-19 - 10:05:20 PM GMT
-  Email viewed by brennonwilliams295@gmail.com
2026-02-19 - 10:24:08 PM GMT
-  Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams
2026-02-19 - 10:24:50 PM GMT
-  Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)
Signature Date: 2026-02-19 - 10:24:52 PM GMT - Time Source: server
-  Agreement completed.
2026-02-19 - 10:24:52 PM GMT