

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

July 29, 2026

Laura Jaimes
8022 Chico Road NE
Albuquerque, NM 87108

Project# PR-2026-000093
Application#
DHOWVR-2025-00010 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion of: **Lot/Tract: 6 & 7,**
GOLDEN VIEW ADDN zoned **MX-M**
located at **7804 CENTRAL AVE SE**
containing approximately **0.150942** acres.
(K-19)

On July 29, 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 waiver to keep the existing 8'-4" sidewalk along Central Ave. SE instead of widening it to the required 10'-12' sidewalk. The existing sidewalk is located at the back of curb.
2. Central Avenue SE is classified as a Principal Arterial Street in the Long-Range Roadway System (LRRS) and the subject property is located within the Near Heights Community Planning Area (CPA).
3. The subject property is zoned MX-M (Mixed-Use – Medium Intensity Zone District) and is located within the boundaries of the Trumbull Neighborhood Association. The property is also located within an Area of Change, adjacent to an Area of Consistency to the southwest.
4. The applicant will submit a future Minor Plat to combine Lots 6 and 7 into one lot, totaling approximately 0.1492 acres.
5. This request was previously reviewed as a Sketch Plat under PR-2026-000093/PA-2026-00193 on June 17, 2026.

6. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
7. Per Table 6-4-3 of the IDO, a Sidewalk Waiver expires within 1-year if not platted and expires with associated Site Plan if approved by the DHO.
8. Once the Development Hearing Officer (DHO) approves the sidewalk waiver, the approval documentation must be attached to the Site Plan/Plat or Building Permit sheet at the time it is submitted for review.
 - **The Applicant justified the Waiver per 6-6(P)(3) of the IDO per the following:
6-6(P)(3)(a) General - An application for a Waiver – DHO shall be approved if it complies with all of the following 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.

Pre-existing fences and asphalt paving along the Central Ave frontage prevent the sidewalk from being widened to the required 10–12 feet without significant and unnecessary costs. Removing the fence would disrupt the continuous fence line along the corridor, while removing and replacing the existing asphalt would be expensive. Since the surrounding properties have similar sidewalk widths and the corridor is already developed, widening the sidewalk would not be practical or consistent with the existing character of the area.

- 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.
- 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 waiver will not adversely affect public safety, health, or welfare.

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

The waiver maintains the established pattern of commercial businesses along Central Avenue and will not introduce any new visual, noise, or access impacts. The existing configuration maintains uniformity and compatibility with adjacent development.

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

The existing lot layout preserves adequate right-of-way and utility easements. The waiver will not impede future infrastructure planning or right-of-way improvements along Central Avenue.

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.

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.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

The subject property is not located within the 100-year floodplain; therefore, this criterion is satisfied.

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 upholds the intent of the IDO, and the applicant has sought to minimize the extent of the waiver required.

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 lot and type of development proposed meet the applicable development standards for the zone district and no deviations beyond this waiver are requested or required.

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).

This waiver represents the minimum relief necessary to address the existing conditions for the property frontage and parking alignment, which cannot be feasibly altered. No additional modifications to IDO standards are proposed.

10. Any request for a Waiver to IDO sidewalk requirements shall comply with all of the following requirements.

- a. 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.

The subject property and surrounding area are not low intensity land uses, and the requested waiver does not remove the sidewalk or create a gap in the sidewalk system; a continuous, ADA-compliant sidewalk is maintained along the entire frontage.

- b. The City's right-of-way is insufficient in width to allow the construction of a sidewalk of standard dimension and placement, but there is sufficient right-of-way to meet minimum ADA or PROWAG guidance.

The existing right-of-way is constrained by a wrought iron fence and asphalt paving. Removing these features to widen the sidewalk to 10–12 feet would provide little benefit because the adjoining sidewalks are narrower. The existing 8'-4" sidewalk already exceeds ADA and PROWAG minimum clear-width requirements.

- c. The adjoining sidewalks are non-standard as to width and/or location, and the Waiver would enable the new and existing sidewalks to match in width and/or location, or could create a smooth transition between areas of different width and/or character.

The adjoining sidewalks along this stretch of Central Ave are non-standard as to width and location, and the requested waiver would allow the sidewalk along the subject frontage to match the width and back of-curb location of the existing adjoining sidewalks, creating a smooth and consistent transition along the corridor.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **AUGUST 14, 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. (Aug 7, 2026 16:55:45 MDT)

Robert L. Lucero Jr.
Development Hearing Officer

RLL/mi/jr

Community Design Solutions, LLC., 9384 Valley View Dr NW Suite 100, Albuquerque, NM 87114

Language Access Notice. We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

Notificación de Acceso Lingüístico. Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.

Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất kỳ quầy dịch vụ nào trong Sở của chúng tôi, tại các tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

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Final Audit Report

2026-08-07

Created:	2026-08-07
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
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"PR-2026-000093_July_29_2026_Notice_of Decision_DHO_Waiver_Central" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
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