

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

October 7, 2026

Montano Family Homes LLC
607 Atlantic Ave. SW
Albuquerque, NM 87102-4009

Project# PR-2026-000145
Application#
DHOWVR-2026-00017 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion of: **Lot/Tract: 5 & 6,**
BOSQUE ESCONDIDO zoned **R-1C** located
at **5500 ESCONDIDA LN NW** containing
approximately **0.1881, 0.2259** acres.
(F-14)

On October 7, 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 from the IDO/DPM sidewalk requirements along 5505, 5500 and 5501 Escondida Ln. NW.
2. The subject property is located within the Near North Valley Community Planning Area (CPA) and is accessed from Escondida Lane NW, which is classified as a local street in the Long-Range Roadway System (LRRS).
3. The subject property is zoned R-1 (Residential – Low-Density Zone District). It is also located within the Major Transit Corridor and is designated as an area of Consistency adjacent to area of Change to the north. Additionally, it is within the boundaries of Delamar Neighborhood Association.
4. The subject property is not located within a Character Protection Overlay zone or a Major Center but it is within 1,320 feet (1/4 mile) of Main Street Corridor and Major Transit Area.
5. The properties subject to this request are Lots 3 and 4 of the Bosque Escondido Subdivision.

6. This request was previously reviewed as a Sketch Plat per PR-2026-000145/PA-2026-00288 on August 19, 2026.
7. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
8. 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.
9. The approval documentation must be attached to the Site Plan/Plat or Building Permit sheet at the time it is submitted for review.
10. Per 6-6(P)(3)(a) 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.

Criterion (a) applies because Escondida Lane NW is an existing narrow residential roadway with limited right-of-way and established landscaping, irrigation, and other improvements along both sides. These pre-existing physical constraints limit the ability to construct standard sidewalk, curb, and gutter improvements without significant and impractical alterations. The conditions were not created by the proposed lot consolidation and therefore support the requested waiver.

- 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 because there are no existing sidewalks along this portion of Escondida Lane to connect to. A new isolated sidewalk would not meaningfully improve the pedestrian network. Escondida Lane is privately owned and maintained, and the lot consolidation will not increase residential density or traffic, as two existing lots will simply be combined while retaining the existing residence.

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

The waiver will not create significant adverse impacts on surrounding properties. It will preserve the existing character and roadway conditions of Escondida Lane NW without adding traffic, noise, visual, or access impacts. Because there are no adjoining sidewalks, requiring an isolated sidewalk, curb, and gutter would not provide a connected improvement.

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

The waiver will not prevent the City from making future coordinated infrastructure improvements along Escondida Lane NW. It only avoids requiring an isolated improvement as part of this individual lot consolidation and would not preclude future comprehensive improvements to the roadway.

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 is consistent with applicable City, County, AMAFCA, and IDO plans and policies. It recognizes the existing conditions and low-intensity residential character of Escondida Lane while allowing the consolidation of two existing residential lots.

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

The waiver does not encourage development within the 100-year floodplain and only addresses frontage and infrastructure requirements for the proposed lot consolidation. It does not increase development intensity or authorize additional residential development.

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 undermine the intent of the IDO or residential zoning. It allows two existing residential lots to be consolidated without increasing density, while maintaining the existing residence and low-intensity residential use of the properties.

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 are within the thresholds established by Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.

The DHO Waiver does not authorize a prohibited use. The consolidation will create one residential lot centered on the existing residence, while any additional IDO relief, such as contextual lot-size requirements, will be addressed through separate City approval processes.

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 provides the minimum relief needed to address existing frontage conditions. It avoids requiring isolated sidewalk, curb, and gutter improvements that would not connect to adjoining improvements, while allowing the lot consolidation to proceed.

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 area is low-intensity residential, with no existing sidewalks along this portion of Escondida Lane to connect to. The lot consolidation will not increase density and will combine two parcels into one residential lot.

- 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 narrow, established private roadway and existing physical constraints along Escondida Lane make standard sidewalk, curb, and gutter improvements impractical without substantial roadway alterations and impacts to existing improvements.

- 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.

There are no adjoining sidewalks along this portion of Escondida Lane NW, so requiring one would create an isolated sidewalk segment rather than connect to an existing pedestrian system.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **OCTOBER 26, 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

Development Hearing Officer

BW/mi/jr

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 v? cách Ti?p c?n Ngôn ng?. Chúng tôi cung c?p các d?ch v? thông d?ch mi?n phí d? giúp quý v? giao ti?p v?i chúng tôi. N?u quý v? c?n giúp d?, quý v? có th? yêu c?u thông d?ch t?i b?t c? qu?y d?ch v? nào trong S? c?a chúng tôi, t?a l?c t?i 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.

PR-2026-000145_Ocober_07_2026_Notice_of_Dcision_DHO_waiver

Final Audit Report

2026-10-16

Created:	2026-10-14
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"PR-2026-000145_Ocober_07_2026_Notice_of_Dcision_DHO_waiver" History

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