



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

Group II U26 VC LLC (Agent, Consensus Planning) requests a conditional use to allow for self-storage for Lot Portion of Lot 1, Block 2, Volcano Cliffs Unit 26, located at 99999 Paseo Del Norte NW, zoned MX-M [Section 14-16-4-3(D)(29)]

Special Exception No: **VA-2022-00167**
Project No: **Project#2019-002663**
Hearing Date: 12-20-22
Closing of Public Record: 12-20-22
Date of Decision: 01-04-23

On the 20th day of December, 2022, Consensus Planning, agent for property owner Group II U26 VC LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for self-storage (“Application”) upon the real property located at 99999 Paseo Del Norte NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow for self-storage.
2. The Application came before the ZHE at the December 20, 2022 ZHE hearing upon remand by the City of Albuquerque Land Use Hearing Officer (“LUHO”), AC-22-15, dated October 18, 2022, and after the ZHE’s granting of a continuance from the November 15, 2022 ZHE hearing to allow Applicant to comply with the LUHO’s required submittal of additional evidence and justification.
3. At the December 20, 2022 ZHE hearing, Applicant’s Agent, as well as community members and representatives of neighborhood associations and the National Park Service appeared and gave testimony regarding the Application.
4. As required by the LUHO, Applicant submitted a view study regarding the proposed conditional use, the neutrality of which was questioned by certain neighbors.
5. A neighbor also submitted his own view study, the methodology and neutrality of which is not entirely certain to the ZHE.
6. A pre-application facilitated meeting was held on June 2, 2022, hosted by the City of Albuquerque Land Use Facilitation Program. However, that meeting took place very early in the process and without the benefit of post-submittal adjustments to the Application, nor the additional evidence and justifications (pro and con) that have been presented since then.
7. The ZHE finds that it is appropriate to refer the Application again to a facilitated meeting, to allow the Applicant, the National Park Service, neighborhood associations, and concerned residents to voice their perspectives and provide additional information to one another.
8. The ZHE requests that the facilitated meeting discuss, among any other germane topics, the height of the proposed self-storage facility, the types and intensity of lighting and signage to be employed, and any specific impacts to Petroglyph National Monument and neighboring properties.

DECISION:

CONTINUANCE of the Application to the January 17, 2023 ZHE hearing, beginning at 9:00 a.m., to allow for a facilitated meeting to take place before such hearing.

APPEAL:

If you wish to appeal this decision, you must do so by January 19, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
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