



# ZONING HEARING EXAMINER'S AGENDA

TUESDAY, October 17, 2023 9:00 A.M.

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*Robert Lucero, Esq., Zoning Hearing Examiner*  
*Lorena Patten-Quintana, ZHE Planner*  
*Suzie Sanchez, ZHE Administrative Assistant*

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 For Inquiries Regarding This Agenda, Please Call the Planning Dept. at (505) 924-3894.  
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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**  
**Robert Lucero, Esq., Zoning Hearing Examiner at**  
**[suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)**

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 NOTICE TO PEOPLE WITH DISABILITIES: If you have a disability and you require special assistance to participate in this hearing, please contact Planning Information at (505) 924-3860.  
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## OLD BUSINESS:

- |                                 |                         |   |
|---------------------------------|-------------------------|---|
| 1. VA-2023-00164                | Project# PR-2022-006926 | Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 14ft 6.5 inches to the required 15 foot front yard setback for Lot 291B, MRGCD Map 38, located at 2514 Carson RD NW, zoned R-1C [Section 14-16-5-1] |
| <b>APPROVAL WITH CONDITIONS</b> |                         |   |

2. VA-2023-00165      Project#      Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 10ft 5.5 inches to the required 15 foot rear yard setback for Lot 291B, MRGCD Map 38, located at 2514 Carson RD NW, zoned R-1C [Section 14-16-5-1] **APPROVAL WITH CONDITIONS**
3. VA-2023-00166      Project#      Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 15 ft to the required 15 foot front yard setback for Lot 291A, MRGCD Map 38, located at 2518 Carson RD NW, zoned R-1C [Section 14-16-5-1] **APPROVAL WITH CONDITIONS**
4. VA-2023-00167      Project#      Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 10ft 4.5 inches to the required 15 foot rear yard setback for Lot 291A, MRGCD Map 38, located at 2518 Carson RD NW, zoned R-1C [Section 14-16-5-1] **APPROVAL WITH CONDITIONS**
5. VA-2023-00200      Project#      Louella Lopez requests a wall permit major in the front yard for Lot 67, Block 1, Palisades Addn, located at 801 Hidalgo Cir NW, zoned R-1C [Section 14-16-5-7(D)(3)(a)(2)] **APPROVAL WITH CONDITIONS**
6. VA-2023-00201      Project#      Louella Lopez requests a variance of 3 feet to allow a 6 ft view fence at the property line for Lot 67, Block 1, Palisades Addn, located at 801 Hidalgo Cir NW, zoned R-1C [Section 14-16-5-7(D)(3)(a)(2)] **APPROVAL WITH CONDITIONS**
7. VA-2023-00210      Project#      Crossroads @ 4th and Central, LLC c/o Peterson Prop (Agent, Matthew Griego and Martin Valdez) requests a conditional use to allow cannabis-derived products manufacturing within 300 ft of a school for Lot 19 and 20, located at Original Townsite of ABQ, located at 313 Central AVE NW, zoned MX-FB-UD [Section 14-16-4-3(E)(3)(d)] **APPROVAL WITH CONDITIONS**

**NEW BUSINESS:**

8. VA-2023-00207      Project#      David Rinker (Agent, Yolanda Montoya) requests a variance of 5 ft 3 1/2 inches to the required 10 ft street side yard setback for Lot 1, Block 8, PRA Con Heights, located at 4713 Norma DR NE, zoned R-1B [Section 14-16-5-1] **APPROVAL**
9. VA-2023-00211      Project#      7315 Central, LLC (Agent, Chris Lee) requests a conditional use to allow on-site cannabis consumption for Lot 9, Block 3, Clayton Heights, located at 1309 Yale BLVD SE, zoned MX-M [Section 14-16-4-3(D)(35)(i)] **DENIAL**
10. VA-2023-00229      Project#      Dennis Carroll (Agent, Gilbert Austin) requests for a permit – carport for Lot 397, Block 17, Atrisco Village Unit 2 of Hoffman City, located at 1506 Del Monte Trl SW, zoned R-1C [Section 14-16-5-5(F)(3)(b)] **APPROVAL**
11. VA-2023-00230      Project#      Rick Duran requests a variance of 2 feet to the required 15 feet rear yard setback for Lot 45, Valle Prado Unit 4, located at 9000 South Sky ST NW, zoned R-1B [Section 14-16-5-1(C)(1)] **APPROVAL**

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|-----|---------------|----------------------------|--|
| 12. | VA-2023-00231 | Project#<br>PR-2023-009177 | Dave & Judy Gutierrez request a variance of 3ft to the required 20ft driveway for Lot 14-P1, Block 17, Parkway Unit 6, located at 8040 Waterbury Ave NW, zoned R-1B [Section 14-16-5-3(C)(3)(b)] <b>APPROVAL</b>   |
| 13. | VA-2023-00232 | Project#<br>PR-2023-009177 | Dave & Judy Gutierrez request a variance of 2ft to the required 15 ft front yard setback for Lot 14-P1, Block 17, Parkway Unit 6, located at 8040 Waterbury Ave NW, zoned R-1B [Section 14-16-5-1] <b>APPROVAL</b>   |
| 14. | VA-2023-00233 | Project#<br>PR-2023-009177 | Dave & Judy Gutierrez request a variance of 2ft to the required 5 ft side yard setback for Lot 14-P1, Block 17, Parkway Unit 6, located at 8040 Waterbury Ave NW, zoned R-1B [Section 14-16-5-1] <b>APPROVAL</b>   |
| 15. | VA-2023-00234 | Project#<br>PR-2023-009179 | Veronica O Corral (Agent, Hector Vega) requests a variance of 5 ft to the required 10 ft minimum side setback in R-1D zone for Lot 9, Block 8, Volcano Cliffs Unit 7, located at 6605 San Ildefonso DR NW, zoned R-1D [Section 14-16-5-5-1] <b>APPROVAL</b>                              |
| 16. | VA-2023-00236 | Project#<br>PR-2023-009181 | Gary & Rosalie Gomez (Agent, Ernest Montoya) request a conditional use for nicotine retail in an MX-M zone for Lot 14-A, Block 108, Bel-Air, located at 2512 San Mateo PL NE, zoned MX-M [Section 14-16-4-3(D)(40)] <b>APPROVAL</b>  |
| 17. | VA-2023-00237 | Project#<br>PR-2023-009182 | David Lucero (Agent, Kristina Newburn) requests a conditional use to allow cannabis retail within 600 feet of another cannabis retail for Lot 24A, Corona Del Sol, located at 3250 Coors BLVD NW, zoned MX-L [Section 14-16-4-2] <b>APPROVAL</b>   |
| 18. | VA-2023-00238 | Project#<br>PR-2023-009183 | Douglas Peterson Investments, LLC (Agent, Chris Lee) requests a conditional use to allow cannabis retail within 600 ft of an existing cannabis retail for Lot A, Block 13, Chavez-Timoteo Addn, located at 4000 Menaul BLVD NE, zoned MX-M [Section 14-16-4-3(D)(35)(C)] <b>APPROVAL</b> |
| 19. | VA-2023-00239 | Project#<br>PR-2023-009184 | Edgar San Juan (Agent, DizignX) requests a conditional use to allow a child care facility in an R-ML zone for Lot 6A, Block 4, The Mesa at Anderson Hills Unit 1, located at 8508 Old Caballero AVE SW, zoned R-ML [Section 14-16-4-2] <b>APPROVAL</b>                                   |
| 20. | VA-2023-00240 | Project#<br>PR-2023-009185 | First Financial Escrow, Inc. (Agent, Dustin White) requests a conditional use to allow for a tap room in an MX-L zone for Tract A, Block 109, Snow Heights Addn, located at 10710 Menaul BLVD NE, zoned MX-L [Section 14-16-4-2] <b>DEFERRAL</b>   |
| 21. | VA-2023-00241 | Project#<br>PR-2021-006208 | 98TH Street, LLC (Agent, Modulus Architects) request a conditional use to allow for a light fueling station adjacent to a residential zone for Lot E-5-A-2, Albuquerque South Unit 3, located at 99999 Gibson BLVD SW, zoned MX-M [Section 14-16-4-3(D)(18)(g)] <b>APPROVAL</b>          |
| 22. | VA-2023-00242 | Project#<br>PR-2021-006208 | 98TH Street, LLC (Agent, Modulus Architects) request a conditional use to allow for liquor retail in an MX-M zoned district for Lot E-5-A-2, Albuquerque South Unit 3, located at 99999 Gibson BLVD SW, zoned MX-M [Section 14-16-4-3(D)(39)(f)] <b>APPROVAL</b>                         |

23. VA-2023-00243 Project# 98TH Street, LLC (Agent, Modulus Architects) request a conditional use to allow for liquor retail within 500 ft of a residential zone for Lot E-5-A-2, Albuquerque South Unit 3, located at 99999 Gibson BLVD SW, zoned MX-M [Section 14-16-4-3(D)(39)(c)] **APPROVAL**
24. VA-2023-00244 Project# 98TH Street, LLC (Agent, Modulus Architects) requests a variance of 144.5 to the required 15 maximum setback for a building containing 1000 sq.ft. or more in an Activity Center for Lot E-5-A-2, Albuquerque South Unit 3, located at 99999 Gibson BLVD SW, zoned MX-M [Section 14-16-4-3(D)(18)(1)] **APPROVAL**
25. VA-2023-00249 Project# David Stafford (Agent, Michelle Baca) requests a variance of 40% parking to allow 100% parking in front yard for Lot 9, Block 2, McDuffie PL U-1, located at 800 Carlisle BLVD NE, zoned R-1B [Section 14-16-5-5(F)(2)(a)] **APPROVAL**
26. VA-2023-00250 Project# Joseph & Amanda Baird requests a permit – carport for Lot 12, Block 5, Seville Unit 1, located at 6005 Costa Brava Ave NW, zoned R-1B [Section 14-16-5-5(F)(2)(a)(3)(b)] **APPROVAL**
27. VA-2023-00251 Project# Quang Dao Le & Donna Doan-Thuy Do Le (Agent, JAG Planning & Zoning) requests a conditional use to allow for liquor retail within 500 ft of a residential zone for Lot B, Lands of Fourth Street Partners, located at 4401 4<sup>TH</sup> ST NW, zoned MX-M [Section 14-16-4-2] **APPROVAL**
28. VA-2023-00252 Project# Gary Chaves c/o MJG Corporation (Agent, Ashley Hartshorn c/o Archis Architects, LLC) requests a variance of 25% ft to the required 30% transparent windows along the street facing façade for Lot 38-4, Hubbell Heights, located at 6500 Central AVE SW, zoned MX-M [Section 14-16-5-11(E)(2)(b)(2)] **APPROVAL**
29. VA-2023-00253 Project# Gary Chaves c/o MJG Corporation (Agent, Ashley Hartshorn c/o Archis Architects, LLC) requests a variance of 7 ft to the required 15 ft maximum for the Premium Transit Area for Lot 38-4, Hubbell Heights, located at 6500 Central AVE SW, zoned MX-M [Section 14-16-5-1(D)] **APPROVAL**
30. VA-2023-00254 Project# Gary Chaves c/o MJG Corporation (Agent, Ashley Hartshorn c/o ARCHIS Architects, LLC) requests a variance of 50% to the front property line coverage requirement for Lot 38-4, Hubbell Heights, located at 6500 Central AVE SW, zoned MX-M [Section 14-16-5-1(D)(2)(b)] **APPROVAL**
31. VA-2023-00255 Project# Gary Chaves c/o MJG Corporation (Agent, Ashley Hartshorn c/o ARCHIS Architects, LLC) requests a variance of 2 features to the 3 features along the street facing façade for Lot 38-4, Hubbell Heights, located at 6500 Central AVE SW, zoned MX-M [Section 14-16-5-11(E)(2)(b)(3)] **APPROVAL**
32. VA-2023-00256 Project# A Management Corporation (Agent, Chris Lee) requests a conditional use to allow for cannabis consumption for Lot 2A, Cottonwood Crossing Phase 2, located at 10088 Coors BLVD NW, zoned MX-L [Section 14-16-4-3(D)(35)(i)] **APPROVAL**