



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

3417 Central LLC (Agent, Chris Lee) requests a conditional use to allow for on-site cannabis consumption for Lot 11, Block 5, Monte Vista Addn, located at 3417 Central Ave NE, zoned MX-M [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00049**  
Project No: ..... **Project#2023-008210**  
Hearing Date: ..... 03-21-23  
Closing of Public Record: ..... 03-21-23  
Date of Decision: ..... 04-05-23

On the 21st day of March, 2023, Chris Lee, agent for property owner 3417 Central LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for on-site cannabis consumption (“Application”) upon the real property located at 3417 Central Ave NE (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow for on-site cannabis consumption.
2. The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to City Integrated Development Ordinance (IDO) Section 14-16-6-4(E)(3).
3. The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Agent, Applicant’s principal, and several community members testified at the March 21, 2023 ZHE hearing on the Application.
5. From this testimony, there appears insufficient evidence to establish that the required notice signs were not posted for the time period specified by the IDO.
6. Applicant should be allowed to post the notice signs for the required time period and in the required manner, so that members of the public are apprised of the Application and the hearing on the Application in accordance with IDO standards.
7. The ZHE hearing on the Application should be continued to allow for such posting, which Applicant must substantiate was accomplished.

DECISION:

CONTINUANCE of the Application to the April 18, 2023, ZHE hearing beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by April 20, 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.

A handwritten signature in black ink, appearing to read "Robert Lucero". The signature is fluid and cursive, written in a professional style.

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Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

ZHE File  
Zoning Enforcement  
Chris Lee, [chris@weeds.team](mailto:chris@weeds.team)