



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

Route 66 Self Storage, LLC (Donna Sandoval, Tierra West, LLC – Agent) requests a Lighting Variance request to IDO Sections 14-16-5-8(F)(4) for Lot 18-A-1 Plat of Lots 13-A-1 & 18-A-1 Vista Cont. .4481 Acres, located at 99999 Central Avenue SW, zoned MX-M (K-09) (IDO Section 14-16-5-8(F)(4))	Special Exception No:	VA-2025-00183
	Project No:	PR-2024-011315
	Hearing Date:.....	01-20-2026
	Closing of Public Record:	01-20-2026
	Date of Decision:	02-04-2026

On January 20, 2026, Donna Sandoval, Tierra West, LLC (“Agent”) as agent for Route 66 Self Storage, LLC (“**Applicant**”) appeared before the Zoning Hearing Examiner (the “**ZHE**”) requesting a Lighting Variance request to IDO Sections 14-16-5-8(F)(4) (“**Application**”) upon the real property located at 99999 Central Avenue SW (the “**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Lighting Variance request to IDO Sections 14-16-5-8(E)(2), pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“IDO”) Section 14-16-6-6(O).
2. Applicant has authority to pursue this Application, pursuant to 14-16-6-4(D).
3. Applicant has duly authorized Agent to act on Applicant’s behalf regarding the Application.
4. Applicant is not required to offer a meeting to Indian Nations, Tribes, and Pueblos no more than 1 calendar year before filing the application, pursuant to IDO Section 14-16-6-4(B).
5. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO Section 14-16-6-4(G).
6. The analyses and studies listed in IDO Section 14-16-6-4(H) were delivered.
7. The Application was forwarded to commenting agencies pursuant to IDO Section 14-16-6-4(I).
8. The content of the notice of the Application satisfies IDO Section 14-16-6-4(J)(1).
9. Applicant has sent an electronic mail notice to the email addresses on file with the Office of Neighborhood Coordination for each pertinent Neighborhood Association as required by IDO Section 14-16-6-4(J)(2).
10. Applicant has sent a mailed notice to all property owners within 100 feet of the subject property as required by IDO Section 14-16-6-4(J)(3).
11. Applicant has posted sign notice(s) as required by IDO Section 14-16-6-4(J)(4).
12. The Subject Property is located at 99999 Central Avenue SW in an MX-M zone district.

13. Therefore, a Lighting Variance request to IDO Sections 14-16-5-8(F)(4) on the Subject Property requires a Variance Approval pursuant to IDO Subsection 14-16-6-6(O).
14. IDO Section 14-16-6-6(O)(3)(a) (Review and Decision Criteria– Variance) reads: “An application for a Variance - ZHE shall be approved if it meets all of the following criteria:
 1. *There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.*
 2. *The Variance will not be materially contrary to the public safety, health, or welfare.*
 3. *The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.*
 4. *The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.*
 5. *The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.*
15. Applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(F)(4).
16. 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(F)(4).
17. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, and such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards, as required by Section 14-16-6-6(O)(3)(a)(1). The small lot size is less forgiving compared to the uses allowed (permissively and conditionally) by the present MX-M zoning designation, and practical difficulties would result from strict compliance with the minimum light standards of non-residential development adjacent to R-MC zoning. The R-MC zoning to the east is an access easement for the southern mobile home development, with no residential housing impacted by the proposed lighting variance. Strict adherence would result in a significant portion of the lot being developed without lighting and would impose an unjustified limitation on the reasonable use and economic return of the property. This variance would allow for adjustments to best accommodate the proposed development on this site. If required to strictly abide by the IDO standards, there would be a substantial limitation on provided lighting for pedestrian safety, and therefore economic return, of the property. The approval of this variance would allow for optimal usage of this property without compromising the profitability of the property or the comfort and safety of those who will frequent the property.

18. Based on evidence submitted by or on behalf of Applicant, the Variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). With an approved variance, the proposed project complies with all other specific use standards, including requirements outlined in the IDO for self-storage use. The variance would ensure that there is minimal impact on the surrounding lots and pedestrian walkways. Applicant submits that, all DPM and other City regulations are being adhered to. The site plan has been prepared by a Professional Engineer and, per Applicant, conditionally approved by DFT. The proposed variance will not affect the site lines or traffic for entrances.
19. Based on evidence submitted by or on behalf of Applicant, the Variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(O)(3)(a)(3). The variance only directly affects the subject site and an access easement to the east (owned by the same applicant). Development of the subject site would improve the lighting in the area and benefit the surrounding properties, as the development of this lot as proposed would align it with its MX-M zoning. The variance would allow the most efficient layout of the site, which would ensure the most optimal operation of the developed site.
20. Based on evidence submitted by or on behalf of Applicant, the Variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(O)(3)(a)(4). The proposed development will support a sustainable development pattern in a developing area that has the necessary infrastructure to support further infill. Applicant submits that all development will comply with IDO and DPM standards.
21. Based on evidence submitted by or on behalf of Applicant, the Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(O)(3)(a)(5). The variance to the Lz1 designation at the property line would allow the site to be developed in a way that avoids impact to existing site access, circulation, and fire protection. If a variance to the Lz1 designation at the property line requirement is not approved, the site and surrounding area would remain poorly lit, imposing a safety limitation on the subject property and further restrict reasonable use of the property.
22. The City Traffic Engineer submitted a report stating no objection to the Application.

DECISION:

APPROVAL of a Lighting Variance request to IDO Sections 14-16-5-8(F)(4).

APPEAL:

If you wish to appeal this decision, you must do so by February 19, 2026 pursuant to Section 14-16-6-4(U), 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 Notice of Decision does not constitute approval of plans for a building permit. If your application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number.

Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void after one (1) year from date of approval if the rights and privileges 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, with the first name "Robert" being more prominent than the last name "Lucero".

Robert Lucero, Esq.
Zoning Hearing Examiner

cc: [Applicant/Agent/other interested parties (including, without limitation, parties who submitted evidence or appeared at the ZHE hearing, and commenting agencies)]
ZHE File
Zoning Enforcement