



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

Maverick Inc. (Applicant) request a Conditional Use to allow a Light Vehicle Fueling Station for Tract C & Tract A Excluding Easterly Portion out of R/W for Carlisle Boulevard Indian Plaza Addition Unit 1 of Block 1 Miracerros, located at 2101 Carlisle Boulevard NE, zoned MX-L (H-16) IDO Section 14-16-4-3(D)(18)

Special Exception No: **VA-2026-00020**
Project No: **PR-2024-010333**
Hearing Date:..... 03-17-26
Closing of Public Record: 03-17-26
Date of Decision: 04-01-26

On March 17, 2026 Carl Garcia (“**Agent**”) as agent for Maverik Inc. (“**Applicant**”) was scheduled to appear before the Zoning Hearing Examiner (the “**ZHE**”) requesting a Variance for a second driveway for a light vehicle fueling station (“**Application**”) upon the real property located at 2101 Carlisle Blvd (the “**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. This is a request for a Variance to IDO § 14-16-4-3(D)(18)(c), which limits light vehicle fueling stations to 1 access point per frontage when located on a corner lot with access from both streets.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
3. Applicant has authority to pursue this Application, pursuant to IDO § 14-16-6-4(D).
4. Applicant has duly authorized Agent to act on Applicant’s behalf regarding the Application.
5. Applicant is not required to offer a meeting to Indian Nations, Tribes, and Pueblos for this application, pursuant to IDO § 14-16-6-4(B).
6. Planning staff has determined that the Application is complete, pursuant to IDO § 14-16-6-4(G).
7. Traffic Engineering has determined that a Traffic Impact Study is required for this project, pursuant to IDO § 14-16-6-4(H)(2). At the time of the hearing, this report was not completed.
8. Planning staff referred the Application for comment to agencies pursuant to IDO § 14-16-6-4(I).
9. The content of the notice of the Application satisfies IDO § 14-16-6-4(J)(1).

10. 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 § 14-16-6-4(J)(2).
11. Applicant has sent mailed notice to all property owners within 100 feet of the subject property as required by IDO § 14-16-6-4(J)(3).
12. Applicant has posted sign notice(s) as required by IDO § 14-16-6-4(J)(4).
13. The Subject Property is located next to a residential district zoned R-T.
14. Applicant has submitted a companion case, CU-2026-00005, which, like this Application, is also listed under PR-2024-010333.
15. IDO §14-16-4-3(D)(18)(c), requires that a lot with Light Vehicle Fueling use, if located on a corner lot, have no more than 1 access point per street frontage. The Subject Property has two access points along its Indian School frontage, which, under IDO §14-16-4-3(D)(18)(c).
16. However, IDO §14-16-4-3(D)(18)(c) is only implicated if there is a Light Vehicle Fueling use on the Subject Property.
17. The ZHE has denied the companion request for a conditional use to allow Light Vehicle Fueling.
- 18.
19. Therefore, this Application for variance is moot and shall be denied as such.

DECISION:

DENIAL of a Variance to allow a second entrance along Indian School Rd. NE.

APPEAL:

If you wish to appeal this decision, you must do so by April 16, 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.



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ZHE File
Zoning Enforcement