

**PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946**

OFFICIAL NOTIFICATION OF DECISION

Oppidan Holdings, LLC
400 Water St #200, Suite 200
Excelsior, MN 55331

Project# PR-2020-004747
Application#
SD-2024-00081 PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of:

LOT 1 AND 2A, AVALON SUBDIVISION zoned
NR-BP, located on **94TH ST NW** between **I-40**
and **DAYTONA RD NW** containing
approximately **40.698** acre(s). **(J-9, K-9)**

On April 24, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. This is a request for a boundary adjustment of two existing tracts in the Avalon subdivision, Unit 5 into Tract 1-A at 30.717-acres size and Tract 2-A-1 at 9.980-acres in size.
2. The IDO zone district for the subject site is NR-BP (Non-Residential – Business Park). Future development must be consistent with the underlying zone district.
3. An Archaeological Certificate of No Effect has been included in the Plat application.
4. Per Table 6-1-1 of the IDO, public notice requirements were satisfied by the Applicant prior to this submittal.
5. A DHO Determination was approved to maintain the existing 60 feet Right-of-Way for Daytona Road. This request is consistent with the neighborhood character and is not contrary to the public safety, health, and welfare.

6. Per 6-6(K)(3) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. The review and decision criteria for a Subdivision of Land-Minor were met by this project per 6-6(K)(3) of the IDO.
7. Per IDO 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided.
8. All signatures from the surveyor, property owner(s), the City Surveyor, Real Property Division, the utility companies, and AMAFCA are provided on the Plat.

CONDITIONS

Final sign-off of the Plat by the DFT staff is conditioned as follows:

Planning conditions of approval:

- a. A recorded Infrastructure Improvements Agreement for the Site Plan Administrative DFT case associated with this project (*PR-2020-004747/SI-2024-00451*) will be required.
- b. Signatures from the utility companies (NM Gas, PNM electric services) must be obtained on the Plat.
- c. The Project and Application numbers must be added to the Plat.
- d. The granted Determination for the existing 60 feet Right-of-Way to remain as is, must be noted on the Plat.
- e. The AGIS office must approve the DXF file and proof of approval must be provided.
- f. The date of the DHO approval shall be recorded on the Plat.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MAY 10TH, 2024**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



[Robert Lucero \(Apr 30, 2024 13:25 PDT\)](#)

Robert Lucero, Esq.

Development Hearing Officer

RL/ha

Jack Ammerman., 733 Marquette Ave, Suite 1000, Minneapolis, MN 55390







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Final Audit Report

2024-04-30

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