



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

Murphy Oil USA, Inc. requests a conditional use to allow liquor retail for Lot 1-A, Block 1, Atrisco Land Grant, located at located at 99999 Central Ave SW, zoned NR-C [Section 14-16-4-3(D)(36)]

Special Exception No:..... **VA-2019-00163**
Project No: **Project#2019-002380**
Hearing Date: 08-20-19
Closing of Public Record: 08-20-19
Date of Decision: 09-04-19

On the 20th day of August, 2019, Modulus Architect, agent for property owner Murphy Oil USA, Inc. (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow liquor retail (“Application”) upon the real property located at 99999 Central Ave SW (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow liquor retail.
2. The hearing on this Application was originally scheduled on the Agenda of June 18, 2019.
3. Angela Williamson with Modulus Architects, Inc., agent for Murphy Oil, Applicant for this conditional request, appeared.
4. At that hearing, agent was advised that property ownership records indicated the owner of the subject propoerty is PPI II LLC, and she needed to have a letter authorizing agency from the record property owner or alternatively proof of transfer of ownership of the subject property to Applicant Murphy Oil.
5. Agent requested deferral of the hearing until that letter could be submitted.
6. The hearing on the Application was deferred to the July 16, 2019 Agenda.
7. Prior to the scheduled hearing, Agent requested deferral again, stating as grounds: “Seller does not want to provide a letter of authorization until he has a contract in place, which they are working on with Murphy but not quite there yet.”
8. The hearing on the Application was deferred to August 20, 2019.
9. No additional documents or information have been submitted.
10. No one appeared at the hearing for the Application scheduled August 20, 2019.
11. No documents nor information has been submitted regarding the status of the Application.

DECISION:

DENIAL of a conditional use to allow liquor retail.

APPEAL:

If you wish to appeal this decision, you must do so by September 19, 2019 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 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.



Stan Harada, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
Murphy Oil USA, 200 E Peach ST, AR, 71730
Modulus Architects, Inc, 100 Sun Ave NE, Ste 305, 87109