

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
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Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

June 10, 2016

Sunport Park Hospitality, LLD
ATTN: Yogash Kumar
3304 W. Highway 66
Gallup, NM 87301

Project# 1007017
16EPC-40016 Site Development Plan for Building Permit
16EPC-40017 Zone Map Amendment (Zone Change)

LEGAL DESCRIPTION:

The above actions for all or a portion of Lot 2-A-2, block 2 of Sunport Park, zoned IP to SU-1 for IP uses, located on 1401 Woodward Rd., between Transport St. and University, containing approximately 2.03 acres (M-15)
Staff Planner: Maggie Gould

On June 9, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1007017/16EPC-40016, a Site Development Plan for Building Permit and 16EPC-40017 Zone Map Amendment (Zone Change), based on the following findings and conditions:

FINDINGS 16EPC-40016 – a Site Development Plan for Building Permit:

1. This request was deferred from the May 12, 2016 hearing to allow time for the applicant to clean up the Site Development Plan for Building Permit and to more fully address R-270-1980. The applicant submitted a revised Site Development for Building Permit and an updated R-270-1980 justification.
2. This is a request for a Site Development Plan for Building Permit for Lot 2-A-2 located on Woodward Road between University Boulevard and Transport Street and containing approximately 2.03 acres.
3. The request will allow the development of a three story (47 foot tall) hotel and a restaurant. The restaurant will be developed in a future phase.
4. The applicant has coordinated with Environmental Health regarding the Landfill buffer and gas mitigation assessment report. Environmental Health is satisfied with the response at this point in the development process.
5. The EPC approved a Master Development Plan for the site in 2008 (08 EPC 40005). The design standards of this plan apply to the subject site. The Master Development Plan is not subject to section 14-16-3-11, (C), Site Development Plan and Subdivision Regulations because it is not a Site Development Plan for Building Permit or Subdivision.

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6. The Albuquerque/Bernalillo County Comprehensive Plan, Sunport Design Overlay zone and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is located within the Developing Urban Area of the Comprehensive Plan with a Goal to "create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

This request furthers the goal by providing additional employment opportunities and development that is complimentary to the existing development. The future restaurant will offer an amenity that is not found nearby and has been identified as need by the existing hotels. The proposed development will be accessible by auto or foot for nearby residents or hotel guests.

- A. **Policy IIB.5d:** The location, intensity, and design of new development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Policy IIB.5d is furthered. The proposed zoning and development will be similar in uses and style to what is already developed in the area. The project did not require a Traffic Impact Study and traffic generated from the site will not over burden the area. The site plan process helps to maintain the integrity of area by allowing input from residents and property owners. The variations to the height and setback requirements will not negatively impact the views to the mountains or the Bosque. The requested zoning will allow variations that are minor and will not be highly noticeable.

- B. **Policy II.B5e:** New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy II.B5e is furthered by the request because subject site has access to a full range of urban services including roads, public services, electric and water infrastructure and transit. The subject site is not directly adjacent to single family residential development and will not negatively impact those areas, but is close enough to residential development that residents could access the employment and services offered at the site.

- C. **Policy II.B5 i:** Employment and service use shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments. ***The proposed zone and development will not negatively impact the residential areas to the north because the development is separated from the residential areas by additional commercial development and a City park. The traffic from the development will terminate prior to reaching the neighborhood. The proposed restaurant will add a needed amenity that will be accessible by bikes and pedestrians. The employment opportunities at the development will be readily available closer to the residential areas. The request furthers Policy II.B5 i.***

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D. Policy II.B5 I: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The applicant cites this policy in support of the request. The proposed hotel building is similar in style to the surrounding areas and so may be appropriate to the Plan area. While staff believes that the construction will be of high quality, the design is not necessarily innovative. The request partially furthers Policy II.B5I.

E. Policy II.B5m: Urban and site design which maintains and enhances unique vistas improves the quality of the visual environment shall be encouraged.

The applicant states that the buildings have been sited to take advantage of the view to the Sandias. The hotel will have good views to the east and the west and the gap between the proposed hotel and the proposed restaurant will act as a view window. The additional height may obscure views for other sites. Policy II.B5m is partially furthered by the request.

II.C.8 Developed Landscape

A. The goal is to maintain and improve the natural and the developed landscapes 'quality.

The goal is furthered because the landscape plan utilizes a variety of plant materials appropriate for the area. The street frontage along Woodward Road will be developed with street trees and landscaped areas the project that will enhance the pedestrian experience adjacent to the project.

B. Policy II.C.8 c: Incidental structures such as signs, guywires, poles, fireplugs, street furniture and overhead utility wires shall be designed for minimal visual intrusion and mobility impediment to pedestrians.

The site plan shows that the walkways and areas adjacent to the building will design so that these items are not a hindrance. Policy II.C.8c is furthered.

II.D.4 Transportation & Transit

A. The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

The request furthers the goal by allowing the development of employment and services in an area where they are easily accessible. The site is near a multi-family development and .25 miles from a residential area; residents of these developments could walk or bike to the site for work or to access services.

B. Policy II.D.4 g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

Policy II.D.4 g is furthered because the site plan shows pedestrian connections throughout the site and connections to the street that will allow guests to walk from the hotel to the restaurant and along Woodward Road to other destinations.

II.D.6 Economic Development

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- A. The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.
The goal is furthered because the proposed zoning and development will add economic development potential to the area.
- B. Policy II.D.6 a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.
The proposed zoning and development will offer new employment opportunities in the area. The area surrounding the development has an income level less than most of the 87106 zip code and could be considered an area of need. Policy II.D.6a is furthered by the request.
- C. Policy II.D.6 b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.
The applicant states that the future development will be managed by local residents and that other services will come from a wide variety of sources. Construction will offer on-site and off-site opportunities for jobs. The request allows the development of an outside firms by a local business person.
- D. Policy II.D.6 c: Opportunities for improvement in occupational skills and advancement shall be encouraged.
The applicant states that the owner of the proposed hotel encourages promotion within and that there are constant educational opportunities within operation of hotel to encourage employee advancement. The hotel owners offer on-line training programs so that employees can learn new skills. Employees are cross trained so that they learn new skills Restaurant operators will be encouraged to operate in a like manner. The request furthers Policy II.D.6 c.
- E. Policy II.D.6 d: Tourism shall be promoted.
The development of a new hotel on the site will add to the accommodation options for travelers and tourists. The proposed restaurant will add a dining option for those travelers and for area residents. Policy II.D.6 d is furthered by the request.
- F. Policy II.D.6 e: A sound fiscal position for local government shall be maintained.
The applicant cites this policy as a justification for the project because it will allow development that will add to the tax base for the Albuquerque area and enhance the surrounding properties. The proposed development will add to the Gross Receipts Tax received, but the policy seems to be directed at the local government budget process and may not be relevant to this request.
- G. Policy II.D.6 f: The City and the County should remove obstacles to sound growth management and economic development throughout the community.
The applicant cites this policy in support of the request because the applicant is asking for delegation of future development on the site. The allowance for alternate height, setbacks and layout may constitute removal of an obstacle to economic development furthering policy II.D.6 f.

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- H. Policy II.D.6 g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The subject site is not within the Designated Sunport Airport Activity Center, located between University Boulevard and Girard, south of the Kirtland Neighborhood, but is just outside of the boundary. The surrounding area has been developed as a hospitality hub with a concentration of hotels and services such as long-term parking, the development will add to the employment opportunities in the area. The request is consistent with the intent of Policy II.D.6 g.

8. The subject site is within the boundaries of the Sunport Design Overlay Zone. The signage shown on the Site Development Plan for Building complies with the Sunport Design Overlay Zone.
9. The applicant is requesting delegation of SPBP for the proposed restaurant.
10. There are no recognized Neighborhood Associations or Home Owners Associations in the area. Property owners within 100 feet of the site were notified. Staff has not received any comments as of this writing.
11. The TIS required by the EPC 2008 approval of the Master Development Plan is not needed for this project. The applicant submitted a trip generation study, provided on May 9th, which indicates that the project does not meet the threshold for a TIS. Therefore the condition is satisfied.

CONDITIONS 16EPC-40016 – a Site Development Plan for Building Permit:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The landscaping plan shall be coordinated with PNM to verify that the proposed trees are appropriate for the site.
4. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

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5. The proposed restaurant shall be delegated to the DRB for review and approval.

FINDINGS 16EPC-40017 – a Zone Map Amendment (Zone Change):

1. This request was deferred from the May 12, 2016 hearing to allow time for the applicant to clean up the Site Development Plan for Building Permit and to more fully address R-270-1980. The applicant submitted a revised Site Development for Building Permit and an updated R-270-1980 justification.
2. This is a request for a for Zone Map Amendment from IP to SU-1 for IP uses for Lot 2-A-2, Sunport Park located Woodward Road between University Boulevard and Transport Street containing approximately 2.03 acres.
3. The applicant proposes to amend the zoning on site to allow the development of a three story hotel. The IP zone allows the height, but requires that the height fall within a 45 degree angle from the property line. The subject site is narrow and the building cannot be developed under the existing requirements.
4. The EPC approved a Master Development Plan for the site in 2008 (08 EPC 40005). The design standards of this plan apply to the subject site. The Master Development Plan is not subject to section 14-16-3-11, (C), Site Development Plan and Subdivision Regulations because it is not a Site Development Plan for Building Permit or Subdivision.
5. The Albuquerque/Bernalillo County Comprehensive Plan, Sunport Design Overlay Zone and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is located within the Developing Urban Area of the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable policies include:

This request furthers the goal by providing additional employment opportunities and development that is complimentary to the existing development. The future restaurant will offer an amenity that is not found nearby and has been identified as need by the existing hotels. The proposed development will be accessible by auto or foot for nearby residents or hotel guests.

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- A. Policy IIB.5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Policy IIB.5d is furthered. The proposed zoning and development will be similar in uses and style to what is already developed in the area. The project did not require a Traffic Impact Study and traffic generated from the site will not over burden the area. The site plan process helps to maintain the integrity of area by allowing input from residents and property owners. The variations to the height and setback requirements will not negatively impact the views to the mountains or the Bosque. The requested zoning will allow variations that are minor and will not be highly noticeable.

- B. Policy II.B5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy II.B5e is furthered by the request because subject site has access to a full range of urban services including roads, public services, electric and water infrastructure and transit. The subject site is not directly adjacent to single family residential development and will not negatively impact those areas, but is close enough to residential development that residents could access the employment and services offered at the site.

- C. Policy II.B5 i: Employment and service use shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The proposed zone and development will not negatively impact the residential areas to the north because the development is separated from the residential areas by additional commercial development and a City park. The traffic from the development will terminate prior to reaching the neighborhood. The proposed restaurant will add a needed amenity that will be accessible by bikes and pedestrians. The employment opportunities at the development will be readily available closer to the residential areas. The request furthers Policy II.B5 i.

- D. PolicyII.B5 I: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The applicant cites this policy in support of the request. The proposed hotel building is similar in style to the surrounding areas and so may be appropriate to the Plan area. While staff believes that the construction will be of high quality, the design is not necessarily innovative.

The request partially furthers PolicyII.B5I.

- E. Policy II.B5m: Urban and site design which maintains and enhances unique vistas improves the quality of the visual environment shall be encouraged.

The applicant states that the buildings have been sited to take advantage of the view to the Sandias. The hotel will have good views to the east and the west and the gap between the proposed hotel and the proposed restaurant will act as a view window. The additional

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height may obscure views for other sites. Policy II.B5m is partially furthered by the request.

II.C.8 Developed Landscape

- A. The goal is to maintain and improve the natural and the developed landscapes 'quality. *The goal is furthered because the landscape plan utilizes a variety of plant materials appropriate for the area. The street frontage along Woodward Road will be developed with street trees and landscaped areas the project that will enhance the pedestrian experience adjacent to the project.*
- B. Policy II.C.8 c: Incidental structures such as signs, guywires, poles, fireplugs, street furniture and overhead utility wires shall be designed for minimal visual intrusion and mobility impediment to pedestrians. *The site plan shows that the walkways and areas adjacent to the building will be designed so that these items are not a hindrance. Policy II.C.8c is furthered.*

II.D.4 Transportation & Transit

- A. The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. *The request furthers the goal by allowing the development of employment and services in an area where they are easily accessible. The site is near a multi-family development and .25 miles from a residential area; residents of these developments could walk or bike to the site for work or to access services.*
- B. Policy II.D.4 g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions. *Policy II.D.4 g is furthered because the site plan shows pedestrian connections throughout the site and connections to the street that will allow guests to walk from the hotel to the restaurant and along Woodward Road to other destinations.*

II.D.6 Economic Development

- A. The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. *The goal is furthered because the proposed zoning and development will add economic development potential to the area.*
- B. Policy II.D.6 a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need. *The proposed zoning and development will offer new employment opportunities in the area. The area surrounding the development has an income level less than most of the 87106 zip code and could be considered an area of need. The applicant states that there will be clerical, maintenance and management opportunities within the hotel. Policy II.D.6a is*

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furthered by the request.

- C. **Policy II.D.6 b:** Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.
The applicant states that the owner of the proposed hotel encourages promotion within and that there are constant educational opportunities within operation of hotel to encourage employee advancement. The hotel owners offer on-line training programs so that employees can learn new skills. Employees are cross trained so that they learn new skills. Restaurant operators will be encouraged to operate in a like manner. The request furthers Policy II.D.6 c.
- D. **Policy II.D.6 c:** Opportunities for improvement in occupational skills and advancement shall be encouraged.
The applicant states that the owner of the proposed hotel encourages promotion within and that there are constant educational opportunities within operation of hotel to encourage employee advancement. Restaurant operators will be encouraged to operate in a like manner. While staff has no way to completely verify this, the website for the Comfort Inn parent company does offer a variety of benefits for employees. The request furthers Policy II.D.6 c
- E. **Policy II.D.6 d:** Tourism shall be promoted.
The development of a new hotel on the site will add to the accommodation options for travelers and tourists. The proposed restaurant will add a dining option for those travelers and for area residents. Policy II.D.6 d is furthered by the request.
- F. **Policy II.D.6 e:** A sound fiscal position for local government shall be maintained.
The applicant cites this policy as a justification for the project because it will allow development that will add to the tax base for the Albuquerque area and enhance the surrounding properties. The proposed development will add to the Gross Receipts Tax received, but the policy seems to be directed at the local government budget process and may not be relevant to this request.
- G. **Policy II.D.6 f:** The City and the County should remove obstacles to sound growth management and economic development throughout the community.
The applicant cites this policy in support of the request because the applicant is asking for delegation of future development on the site. The allowance for alternate height, setbacks and layout may constitute removal of an obstacle to economic development furthering policy II.D.6 f.
- H. **Policy II.D.6 g:** Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.
The subject site is not within the Designated Sunport Airport Activity Center, located between University Boulevard and Girard, south of the Kirtland Neighborhood, but is just outside of the boundary. The surrounding area has been developed as a hospitality hub with a concentration of hotels and services such as long-term parking, the development will

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add to the employment opportunities in the area. The request is consistent with the intent of Policy II.D.6 g.

7. The subject site is within the boundaries of the Sunport Design Overlay Zone.
8. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
 - A. The proposed zone will be similar to the surrounding zones. The property can only be developed with a Site Development Plan; which will ensure that what is developed is compatible with the adjacent development.
 - B. The proposed zoning will be very similar to what is developed in the surrounding area and that the Site Plan process will address compatibility with surrounding development.
 - C. The applicant cites Land Use policies II.B.5d, II.B.5e, II.B.5i, the Developed Landscape goal and policy II.C.8c, the Transportation goal and policy II.D.4g, the Economic Development goal and policies Policy II.D.6a, Policy II.D.6b, Policy II.D.6c, Policy II.D.6d, Policy II.D.6f Policy II.D.6g in support of the request. Staff agrees that the request furthers these policies. The applicant cites Policy II.D.6e, staff believes that this policy is directed at the City budget process and is not relevant to the request.
 - D. The applicant cites polices in the Comprehensive Plan to demonstrate that the request is more advantageous to the community as articulated in the applicable plans and that the request clearly facilitates the goals and polices of the Comprehensive Plan. The request meets a need for increased economic development and is appropriate on the site due to the narrow lot size impeding the development of the allowed uses in the IP zone. The grade of the site limits the possibility for excavation because the site takes access from Woodward Road and could not use that access if the grade were greatly reduced. The Site Development Plan process ensures that the hotel use with added height and reduced setbacks is compatible with the existing development.
 - E. The proposed zone will allow the permissive and conditional use of the IP zone, but the accompanying Site Development Plan for Building Permit will provide certainty regarding future development on the site.
 - F. The proposed zone will allow development that will be privately developed and will have access to existing urban infrastructure.
 - G. The applicant has not used economics as the justification for the request; the applicant has justified the request by citing the furtherance of applicable policies and goals in the Comprehensive Plan.
 - H. The proposed zone is appropriate on the site as demonstrated by the policy analysis.
 - I. The intent of this prohibition is to make sure that adjacent land uses are compatible. The proposed zoning is similar to what exists on the adjacent sites and will be compatible with those uses. The SU-1 zone is generally considered a justified spot zone because of the policy analysis required in order to approve the zone.
 - J. As stated in the spot zone discussion, the proposed zone will allow development that is similar or exactly the same as the development on the adjacent parcels.

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9. There are no recognized Neighborhood Associations or Home Owners Associations in the area. Property owners within 100 feet of the site were notified. Staff has not received any comments as of this writing.
10. The TIS required by the EPC 2008 approval of the Master Development Plan is not needed for this project. The applicant submitted a trip generation study, provided on May 9th, which indicates that the project does not meet the threshold for a TIS. Therefore the condition is satisfied.

CONDITIONS 16EPC-40017 – a Zone Map Amendment (Zone Change):

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JUNE 24, 2016**. The date of the EPC'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.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

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. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years

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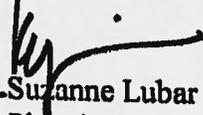
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after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


Suzanne Lubar
Planning Director

SL/MG

cc: Sunport Park Hospitality, LLC, Yogash Kumar, 3304 W. Highway 66, Gallup, NM 87301
Jim Medley, Architect, Nicholas Eveleigh, 3100 Christine St. NE, ABQ, NM 87111