



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

REQUEST FOR EXTENSIONS OF PERIOD OF VALIDITY FOR THE FOLLOWING:

Special Exception No: VA-2020-00238
Project No: PR-2020-004156
Original Hearing Date: September 15, 2020
Closing of Original Public Record: September 15, 2020
Date of Original Decision: September 30, 2020

On September 29, 2021, WT Group/Speedway, LLC, agent for Brian Johnson (“Applicant”), filed a written request for a time extension on the approved application listed above.

Below are the ZHE’s findings and decision:

FINDINGS:

1. Applicant is requesting a time extension on the approved application listed above.
2. The City of Albuquerque Integrated Development Ordinance (IDO) Section 14-16-6-4(X)(4)(a) (Extensions of Period of Validity; General Provisions) reads, in pertinent part:
 1. *For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that all of the following requirements are met:*
 - a. *The applicant or property owner submits a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
 - b. *The extension is considered and a decision made by the same decision-making body as the initial approval, except that no public meeting or hearing shall be required, if one would have been required under the IDO for the initial approval.*
3. Applicant filed its written request before expiration of the original approvals, because the original approvals were set to expire on September 30, 2021, and Applicant filed the written request on September 29, 2021.

4. Applicant's request for extension was considered and made upon the same procedure required for the initial approvals, except that no public hearing is required, consistent with and pursuant to IDO Section 14-16-6-4(X)(4)(a)(1)(b).
5. Applicant has demonstrated good cause for the requested extension.
6. Applicant's application for time extension satisfies the requirements of IDO Section 14-16-6-4(X)(4)(a), cited above.

DECISION:

Dated as of September 29, 2021

APPROVAL of the request for a time extension of one (1) year (to September 30, 2022) on the approved application listed above.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement