PLANNING AND ZONING COMMISSION
AGENDA

Wednesday, January 8th, 2020, 6:00 p.m.
City Hall Council Chambers

*** Call to Order / Roll Call
*** Approval of December 11th, 2019 Meeting Minutes

PUBLIC HEARINGS

ITEM ONE: CASE # 19-00300002: Request by Joe DiGregorio, Six D., Inc, property owner, for Final Plat approval of a Minor Subdivision; Christine Subdivision Replat No. 1 of Block 4, Lebeck-Atkins Subdivision. Said property is generally located Northeast of Marguerite Street and Aztec Avenue (209 Marguerite Street, 1808 & 1820 W. Aztec Avenue); containing 3.8132 acres M/L.

ITEM TWO: CASE # 20-00900001: City initiated request to amend Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup Section 10-2-B-a “Residential” and Section 10-2-B-c “Non-Residential”; Tables 10-2-2, 10-2-4, 10-2-6, 10-2-8, 10-2-19 and 10-2-21. Add side street yard requirements for corner lots within the Rural Residential (RR), Single-Family Residential (SFR-A, B & C), Multi-Family Residential Low (MFRL), Multi-Family Residential Medium (MFRM), General Commercial (GC) and Heavy Commercial (HC) Zone Districts. Establish ten foot (10’) side street yard setbacks for SFR-A & B, MFRL, MFRM and GC and fifteen foot (15’) side street yard setbacks for RR, SFR-C and HC. This item will go before City Council for final approval on January 28, 2020.

ITEM THREE: CASE # 20-01100001: Annual Open Meetings Act, Resolution No. RP2020-01. The Open Meetings Act requires that the Planning and Zoning Commission (at least) annually review what constitutes reasonable notice to the public of its meetings. Accordingly, the resolution is presented to the Board for consideration and approval.

INFORMATION ITEMS

ITEM FOUR: City Council Actions Taken
ITEM FIVE: P&Z Commissioner Attendance 2019
ITEM SIX: December 2019 Building Permit Activity Report
ITEM SEVEN: Building Permit Five-Year Comparison {2015 thru 2019}
ITEM EIGHT: Planning & Zoning Agenda Five-Year Activity Report {2015 thru 2019}

*** Open Floor
*** Adjourn
The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m. by Chairman Kent Wilson.

Upon roll call, the following were present:

Chairman K. Wilson  
Commissioner F. Pawlowski  
Commissioner M. Long  
Commissioner L. Miller  
Commissioner J. Cresto

Upon roll call, the following were absent:

Commissioner K. Mackenzie-Chavez  
Commissioner J. Dooley

Chairman Wilson asked if any Commissioner had a conflict of interest for any agenda item and if so to recuse him/herself prior to discussing the particular item.

Upon roll call, the following votes were:

Chairman K. Wilson (No)  
Commissioner F. Pawlowski (No)  
Commissioner M. Long (No)  
Commissioner L. Miller (No)  
Commissioner J. Cresto (No)

Presented to the Chairman and Commissioners for their approval were the minutes of the November 13th, 2019 regular meeting. Commissioner Pawlowski motioned for approval of the minutes as presented. Seconded by Commissioner Cresto. Motion Carried.

Upon roll call, the following votes were:

Commissioner F. Pawlowski (Yes)  
Commissioner J. Cresto (Yes)  
Commissioner M. Long (Yes)  
Commissioner L. Miller (Yes)

Chairman Wilson administered the oath required by State Law for public forum.

Chairman Wilson stated anyone wishing to speak limit their comments to three minutes and not to duplicate a previous point; they will have one opportunity to testify.

Prior to the discussion of Item One, Commissioner Dooley arrived and stated that she had no conflict of interest with any agenda item.
ITEM ONE: CASE # 19-00600005: Request by Kory Cash, Cash Properties on behalf of Fuhs Industrial Park, LLC, (previous) property owner, for the Rezoning of approximately 13.1849 acres FROM Industrial (I) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located north and south of Boyd Avenue and east and west of Williams Street being described by metes and bounds description.

CB Strain began by using the overhead projector to display the GIS Map showing the property’s location. CB explained how the previous property owner, Jack Fuhs started developing the properties around 1973 whereas all the internal streets and utilities were private. CB was unsure as to when the properties were zoned as Industrial; not sure if it was before or after development had occurred. He spoke about how he thought the intent of the property was for heavier uses related to industrial, but as time went on the uses were more geared towards heavy commercial. CB used the overhead projector to display the GIS Map showing the eight (8) lots and surrounding area’s zoning designations. CB explained how the eight (8) lots were previously zoned industrial park, which was an old zoning designation in the previous code. CB pointed out how the properties to the west and north were zoned as Heavy Commercial (HC). However across the street to the north there was a residential area, which was zoned as Mobile Home Park (MHP). CB explained how they typically wouldn’t want to have an industrial district immediately adjacent to a residential district; best to keep separate being that industrial uses have a large effect on noise, fumes and traffic. CB spoke about how the old code had a provision for the Industrial (I) zone district where it stated that if a use was permitted in a commercial district then it was allowed in the Industrial (I) zone district as a Conditional Use. He explained how this meant anytime a new business wanted to occupy one of the buildings and wasn’t considered an industrial use, the property owner had to apply for a Conditional Use Permit. That permit is a process, which can hold up businesses from immediately occupying a building because they have to wait for the Planning & Zoning Commission’s approval. CB stated that a majority of the uses currently occupying the buildings were permitted in the Heavy Commercial (HC) zone district whereas the most logical thing to do was rezone to Heavy Commercial (HC). When the property owners changed from Mr. Fuhs to Mr. Cash, Cash Properties requested the rezone being that it would make it easier for future businesses to occupy their buildings. CB explained how approving the rezone request would open more permitted uses outright without having to go through a Conditional Use Permit process. In addition it would clean up the zoning designations whereas it would remove the possibility of new heavy industrial uses being placed next to a residential area. CB stated that the zone change is probably what it should have been in the beginning for obvious reasons; he believes there was an error made in the zoning at the time of development. The code requires that applicants own at least fifty one percent (51%) of the property being rezoned and in this case the property owner, Cash Properties owns one hundred percent (100%) of the land. CB read aloud the Zoning Map Amendment Criteria that the property qualified under:

1. There was a mistake in the original mapping of the district for an area and the proposed amendment would correct this mistake. In most instances, a mistake would imply that the district which was applied originally did not correspond well to the character of the existing land use in the area. (CB mentioned how this meant having an Industrial zone district next to
a residential area didn’t correspond with adjacent uses).

5. The social, economic or environmental interests of the public good would be better served by the proposed district than the existing one. (CB explained how this meant that the property owners would get more uses out of their property without having to go through a Conditional Use Permit process whereas it would be easier to develop their property).

**FINDINGS OF CONCLUSION:** CB stated that the findings of staff for the proposed request met the Acceptable Grounds for Amending the Official Zoning Map per Section 10-5-B-d-i2 of the City of Gallup Land Development Standards (LDS). CB recommended approval of the rezone; Resolution Number RP2019-11.

Commissioner Dooley asked CB if NCI was located on the property in question. CB stated that he was unsure which company it was, but knew there was transitional housing there. There was a brief discussion on how CARE 66 was previously located there and how it was currently managed by NCI. Commissioner Dooley wanted to verify that the transitional housing program was able to remain at the same location with the rezone approval this evening. CB stated yes; they could remain because under the old code they were required to obtain a Conditional Use Permit whereas they’ve already complied. If the rezone was approved to Heavy Commercial (HC) zone district any new transitional housing could occupy the building and surpass the Conditional Use Permit process. Chairman Wilson asked if the new LDS had a distance requirement on how far a heavy commercial or industrial zone district had to be from residential. CB stated yes; the code actually allowed commercial and residential to be adjacent.

Chairman Wilson spoke about how his concerns of Gallup not having readily available buildings where industrial uses could be placed. If the eight (8) lots were rezoned to the Heavy Commercial (HC) zone district then the Commission would be eliminating industrial uses such as, small manufacturing. CB informed Chairman Wilson that light manufacturing was a permitted use in the Heavy Commercial (HC) zone district. CB explained that heavy manufacturing on the other hand was only permitted in the Industrial (I) zone district. Chairman Wilson asked CB what a machine shop would be classified under. CB responded that it would depend on the scale. Chairman Wilson was concerned that in changing the zoning they would be blocking out future uses for those buildings. CB stated that the rezone would only block out future industrial uses. He explained how it was up to the property owner on what they wanted the zoning designation to be and what zone district would give them the best use out of their property.

Commissioner Dooley spoke about how allowing heavy manufacturing in the Industrial (I) zone district would cause possible fumes, odors and waste. She was confused as to why Chairman Wilson was favoring this type of use near a residential area. Chairman Wilson stated that he was just concerned that there weren’t many Industrial (I) zone districts to permit the heavier uses. CB reiterated how Industrial (I) zone districts weren’t typically next to a residential district because those heavy industrial uses created excessive noise, fumes and high traffic. Normally they try to place Industrial (I) districts on the outer portions of a town where they don’t have an adverse impact on the adjacent properties. However, the area in question is right in the middle of town and surrounded by residential and commercial areas. CB spoke about how it was never a problem, but could become...
one if they got a true industrial use that created a safety hazard. The City wouldn’t be able to control the types of industrial uses because if the Industrial (I) zone district allowed it, the City couldn’t deny it. With the rezone being requested this evening to change from Industrial (I) to Heavy Commercial (HC) it would eliminate those potential future issues. Chairman Wilson asked CB if the Commission approved the rezone to Heavy Commercial (HC) and later a light industrial use wanted to occupy the building; would the Commission be able to do a Conditional Use Permit to allow that type of use. CB responded that it depended on the type of use and if the code allowed it. If the code allowed a light industrial use as a Conditional Use they could, but if it didn’t allow it then it would be denied. CB emphasized that once the properties were rezoned to the Heavy Commercial (HC) zone district the code would only allow the uses permitted in that district; not the uses of other districts.

John Fuhs, previous property owner approached the podium and introduced himself. Mr. Fuhs stated that he understood it would be ridiculous to allow the two (2) lots located north of Boyd Avenue to run a twenty four (24) hour industrial use such as, a stamping company. He suggested rezoning all eight (8) lots to Heavy Commercial (HC) and later down the line they could rezone certain parcels to Industrial (I). CB informed Mr. Fuhs that they would be unable to do that because it would be considered spot zoning, which wasn’t allowed by code. CB stated that the eight (8) lots either had to stay as it was, Industrial (I) or be rezoned to Heavy Commercial (HC); not both. Mr. Fuhs reminded the Commission that there were eight (8) lots with separate parcel numbers and taxes whereas they all didn’t need to be zoned the same. CB reiterated that spot zoning was illegal whereas they couldn’t spot zone to suit one specific individual’s needs; it had to be zoned for the benefit of the community as a whole and not the individuals. Commissioner Long explained to Mr. Fuhs that spot zoning was when the adjacent properties were zoned differently whereas the one parcel was different creating inconsistency in the area uses. CB stated that it was up to the new property owner, Cash Properties if they wanted to leave as the Industrial (I) or Heavy Commercial (HC) zone district. If they keep the zoning designation as Industrial they will be very limited on what they can do there. Mr. Fuhs stated that if the Commission approved the rezone to Heavy Commercial (HC) and an industrial use came into town; where would they go where that use was permitted? Chairman Wilson stated that was the point he raised earlier. Chairman Wilson asked the current property owner, Kory Cash to approach the podium to get his take on the issue.

Kory Cash, current property owner approached the podium and introduced himself. Mr. Cash stated that when he first looked at putting a new business in those buildings they had a couple of leasees who were not eligible to immediately occupy the building. He then talked to CB about it and was informed that those commercial businesses would require a Conditional Use Permit, which was why he initiated the zone change from Industrial (I) to Heavy Commercial (HC). Most of the uses for those buildings were permitted under the Heavy Commercial (HC) zone district whereas being rezoned would elevate them from having to apply for a Conditional Use Permit every time a new business went into their building. However, Mr. Cash didn’t have a problem leaving the zoning designation as Industrial (I) if the Commission could somehow make it easier for him to allow the same businesses that are currently there. He spoke about how it normally took about thirty (30) days to move a new business in, but if they leave zoned as Industrial (I) they’ll have to request the Commission’s approval whereas it’ll take at least sixty (60) days. Mr. Cash asked if there was a way to speed up the process while also not eliminating some industrial uses inside of Gallup. He stated
that he was willing to work with the City of Gallup in any way being that he was new to Gallup. He spoke about how he was from Grants and started a few new businesses in Gallup. Mr. Cash wants to help Gallup and do what’s best for the City; not just what’s best for him. Chairman Wilson stated that since 1973 when the area was first developed it had significantly changed with new schools and other things in the area. If they have industrial manufacturing wanting to come into Gallup they will need to find a place for those businesses to develop and leave this Heavy Commercial (HC), which he thinks makes sense. Chairman Wilson stated that if it worked better for the property owners and they were okay with it being Heavy Commercial (HC) that was their decision. He thanked Mr. Cash for his cooperation and comments.

Mr. Fuhs again approached the podium and asked if they would be able to change some lots to Heavy Commercial (HC) and some to Industrial (I). CB stated no. Chairman Wilson added that the zoning code wouldn’t allow it. Mr. Fuhs again emphasized that each of the eight (8) lots had their own parcel numbers and property taxes whereas he felt it should be allowed.

Commissioner Dooley asked if there were two (2) entrances into the area (south of Boyd Avenue). CB stated yes; two (2) entrances off Frances Street and Williams Street. CB used the overhead projector to display the GIS Map pointing to the entrances. Commissioner Dooley asked if new businesses had a limit on the amount incoming semi-trucks. She was concerned for the surrounding mobile home park whereas businesses could create excessive noise and traffic flow. CB stated that since he’s been in his position none of the businesses in that area have ever been true industrial uses. If they leave as the Industrial (I) zone district they’ll have to turn down a lot of commercial uses that want to go into those buildings. CB didn’t think that it was fair to be holding out for one industrial use that may go in there someday. He stated that rezoning to the Heavy Commercial (HC) zone district will help the property owners get the most use out of their property and it will also help Gallup to generate more gross receipts because it will have more businesses occupying the buildings.

Chairman Wilson asked the Commissioners if they had any further questions. There were none.

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2019-00600005. Commissioner Cresto motioned for approval of Item One. Seconded by Commissioner Long. Motion Carried.

Upon roll call, the following votes were:

- Commissioner J. Cresto (Yes)
- Commissioner M. Long (Yes)
- Commissioner J. Dooley (No)
- Commissioner F. Pawlowski (Yes)
- Commissioner L. Miller (Yes)

INFORMATION ITEMS

ITEM TWO: City Council Actions Taken
ITEM THREE: November 2019 Building Permit Activity Report

OPEN FLOOR:

*RJ Ferrari Jr. approached the podium and Chairman Wilson administered the oath required by State Law for public forum.*  RJ Ferrari Jr. introduced himself as the business owner of Gallup Sales.  Mr. Ferrari explained how he had a complaint about the Planning & Development Department and wanted to speak to the Commission about resolving his issues.  He spoke about how he received two (2) notices for his vacant lot on East Coal Avenue and how he wasn’t pleased about it.  Mr. Ferrari received a notice from Code Enforcement about his weeds thereafter he started to clean his property.  He later decided to do some dirt work to eventually install a fence whereas he received a Red Tag and had to stop his project.  Mr. Ferrari wanted to know why he needed a building permit to rake and level the ground on his own property.  Chairman Wilson stated that if he received a notice from the Planning and Development Department for Code Enforcement violations or Building Permit issues he needed to go back and deal with them directly.  Mr. Ferrari’s issues weren’t something that the Planning and Zoning Commission could address.  Mr. Ferrari understood and thanked the Commission for their time.

Commissioner Cresto was curious as to how downtown Gallup was zoned and what the mixed use districts intent was.  CB used the overhead projector to display the GIS Map showing the different zone districts located downtown.  CB informed Commissioner Cresto that downtown was primarily zoned Mixed-Use Neighborhood (MXN) and Mixed-Use Center (MXC).  The mixed use districts intent was to allow a mixture of uses whereas MXN allowed residential with small stores or restaurants and MXC allowed commercial with small apartments.  The Chihuahuita area was a good example of the MXN because it’s an older neighborhood that primarily has residential with small restaurants like Genaro’s.  When the City was updating the LDS they wanted to encourage small restaurants and mom n’ pop shops because in the old code it wasn’t allowed.  The new code however does allow it whereas special conditions are placed on the businesses to control outdoor seating, parking, landscaping and buffering for noise.  Having those conditions ensures that there’s not a negative impact on the surrounding neighborhoods.  MXC was used to revitalize the older downtown area whereas it allowed a mix of stores on bottom floors and apartments on top.  The City thinks this will help encourage the foot traffic and business in the downtown area.  Commissioner Cresto asked to see where the Gallup Business Improvement District (BID) was located whereas CB pointed to the area on the GIS Map.  Commissioner Long pointed out how the BID had nothing to do with the zoning code.  CB stated that was correct.

Motion was made by Commissioner Pawlowski to adjourn the meeting.  Seconded by Commissioner Miller.  Motion Carried.

Upon roll call, the following votes were:

- Commissioner F. Pawlowski (Yes)
- Commissioner L. Miller (Yes)
- Commissioner J. Dooley (Yes)

Planning and Zoning Commission Meeting
December 11th, 2019
Page 6 of 7
Commission Adjourned at 6:47 p.m.

PLANNING & ZONING COMMISSION

__________________________
KENT WILSON, CHAIRMAN

ATTEST:

__________________________
CLYDE (C.B.) STRAIN
SECRETARY TO PLANNING & ZONING COMMISSION
MEMORANDUM

TO: Planning and Zoning Commission

FROM: Clyde (C.B.) Strain, Planning & Development Director

REF: Case No. 2019-00300002, request for final plat review and approval of the Christine Subdivision.

BACKGROUND

Joe DiGregorio, dba Six D Inc., property owner, has petitioned the Gallup Planning and Zoning Commission for final plat review and approval of the Christine Subdivision. The property is generally located at the corner of Aztec Avenue and Marguerite Street; containing 3.8132 acres.

DISCUSSION

Currently the property consists of one (1) tract of land containing a total of approximately 3.8132 acres. The purpose of this subdivision is to subdivide the existing tract of land into four (4) individual lots. There are currently three different businesses located on said property. The subdivision would create individual lots for all three businesses and create an additional vacant lot for future development. The property lies within the Heavy Commercial (HC) Zone District. All four (4) proposed lots meet the minimum dimensional requirements for the Heavy Commercial (HC) Zone District.

The property is presently fully serviced with water/wastewater and electric infrastructure as well as driveways and sidewalks therefore no additional infrastructure improvements are required at this time.

Copies of the City of Gallup Task Force comments are included in your agenda packets for your review.

FINDINGS

It is the findings of staff that the proposed subdivision complies with the City of Gallup Subdivision Regulations for a minor subdivision including all dimensional requirements for the Heavy Commercial (HC) Zone District. Staff’s recommendation is for approval of said subdivision.
1. APPLICANT INFORMATION
   (a) NAME: Six D Inc. Phone#: 863-3469
      Mailing Address: P.O. Box 1455 Fax#: 722-7465
      City: Gallup State: NM Zip: 87305
   (b) Agent (if any): Joe DiGregorio Phone#: 870-7111
      Mailing Address: P.O. Box 1455
      City: Gallup State: NM Zip: 87305
   (c) Project Engineer: DePauli Engineering Phone#: 863-5440
      Mailing Address: 307 S. 4th St.
      City: Gallup State: NM Zip: 87301
   (d) Signature of Applicant or Agent: See owner below Date: 9/30/2019
      Printed Name: 

2. PROPERTY OWNER
   (a) NAME: Six D Inc./ Joe DiGregorio Phone#: 863-3469
      Mailing Address: P.O. Box 1455 E-mail: 
      City: Gallup State: NM Zip Code: 87305
   (b) Signature of Property Owner: 
      Printed Name: Joe Di Gregorio Date: 9/30/2019

3. LOCATION OF REQUEST
   (a) Street Address (if any): 209 MARGUERITE ST., 1808 & 1820 W. AZTEC AVE. NL
   (b) Present Legal Description: Lots /Tracts: 3 - 4 new 4.22 ACRES M/L IN SE 1/4 OF SEC. 20 T15 R18, AK/A A PORTION OF LEBECK ATKINS ADDN. BLOCK 4

4. PROJECT DETAILS
   (a) Project is within jurisdiction of: City of Gallup
   (b) Present Zoning: HC Number of Existing Structures: 3
   (c) Proposed Zoning (if a zone change is proposed there is a separate application process): HC
   (d) Number of Existing Lots: 13 Number of Proposed Lots: 4
   (e) Total Land Area: 3.8132 Acres
   (f) **The McKinley County Parcel Tracking Sheet is attached:** Yes □ No □ (Required with Final Plat)

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OFFICE USE ONLY

Pre-App. Confr.: ______ Application/Fees Accepted By: ______
Fee Paid: $25.00 Method of Payment: Check # 1601
Hearing Date: 11/13/2019 Case #: 19-00300002
USE ADDITIONAL SHEETS IF NECESSARY. SUBMIT THE COMPLETED APPLICATION WITH ALL RELATED MATERIALS AND
FILING FEE (PAYABLE TO THE CITY OF GALUP) TO THE PLANNING DEPARTMENT. INCOMPLETE OR INACCURATE
APPLICATIONS MAY DELAY HEARING OR DECISION DATE.

FEES: SKETCH-$25.00 PRELIMINARY-1 acre or less $100, + $25 each additional acre FINAL PLAT-$50.00
SITE DEVELOPMENT PLAN REVIEW-$50.00
ADMIN. FINAL PLAT-$25.00

REVIEW TYPE: (check only one category per submittal)

Major Subdivision:  
Sketch Plat  
Preliminary Plat  
Final Plat & Parcel Tracking Sheet **
Amendment

Minor Subdivision:  
Sketch Plat  
Final Plat & Parcel Tracking Sheet **

Administrative Subdivision:  
Sketch Plat  
X Final Plat & Parcel Tracking Sheet **

Plan Review

Site Development:

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1. APPLICANT INFORMATION
(a) NAME: Six D Inc. Phone #: (505) 863-3469
Mailing Address: P.O. Box 1455 Fax #: (505) 722-7465
City: Gallup State: NM Zip: 87305
(b) Agent (if any): Joe DiGregorio Phone #: (505) 870-7711
Mailing Address: P.O. Box 1455 Zip:
City: Gallup State: NM E-mail: 
(c) Project Engineer: DePauli Engineering & Surveying Phone #: (505) 863-5440
Mailing Address: 307 South 4th Street Zip: 87301
City: Gallup State: NM E-mail: mdepauli@depaulliengineering.com
(d) Signature of Applicant or Agent: Date: 1/2/20
Printed Name: Joe DiGregorio

2. PROPERTY OWNER
(a) NAME: Same as applicant Phone #:
Mailing Address: E-mail:
City: State:
Zip Code:

(b) Signature of Property Owner: Date: 1/2/20
Printed Name: Joe DiGregorio

3. LOCATION OF REQUEST
(a) Street Address (if any): 209 Marguerite St., 1808 & 1820 W. Aztec Ave.
(b) Present Legal Description: Lots /Tracts: 4.22 Acres M/L in SF 144 of Sec 20 T15 R13. AJKA a portion of Lebeck Atkins Addn, Block 4. Block 4 a parcel of land lying within Lebeck Atkins Sub. Cont. 8670.935 sq. ft. M/L: Block 4 the West 74 feet of the South 172 feet of Block Lebeck Atkins Sub.

4. PROJECT DETAILS
(a) Project is within jurisdiction of: City of Gallup
(b) Present Zoning: HC Number of Existing Structures: 3
(c) Proposed Zoning (if a zone change is proposed there is a separate application process): N/A
(d) Number of Existing Lots: 3 Number of Proposed Lots: 4
(e) Total Land Area: 3.8132 Acres
(f) The McKinley County Parcel Tracking Sheet is attached: Yes □ No □ (Required with Final Plat)

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OFFICE USE ONLY
Pre-App. Confr.: Application/Fees Accepted By: No
Fee Paid: $50.00 Method of Payment: Check # 1599
Hearing Date: 1/8/2020 Case #: 19-00300002

JAN 2 2020
340pm
Request by Joe DiGregorio, Six D., Inc, property owner, for Final Plat approval of a Minor Subdivision; Christine Subdivision Replat No. 1 of Block 4, Lebeck-Atkins Subdivision.

Said property is generally located Northeast of Marguerite Street and Aztec Avenue (209 Marguerite Street, 1808 & 1820 W. Aztec Avenue); containing 3.8132 acres M/L.
Request by Joe DiGregorio, Six D., Inc, property owner, for Final Plat approval of a Minor Subdivision; Christine Subdivision Replat No. 1 of Block 4, Lebeck-Atkins Subdivision. Said property is generally located Northeast of Marguerite Street and Aztec Avenue (209 Marguerite Street, 1808 & 1820 W. Aztec Avenue); containing 3.8132 acres M/L.

SITE PHOTOS
October 22, 2019

MEMORANDUM

TO: GALLUP TASK FORCE (GTF)

- C.B. Strain, Community Planner
- Stan Henderson, Executive Director, Public Works Division
- Mike DeClercq, Water/Waste Water Superintendent
- Marita Joe, Senior Electrical Engineer
- Adrian Marrufo, Solid Waste Director
- Jacob LaCroix, GFD, Fire Inspector
- Dianne Willato, CenturyLink Engineer
- Irma Bustamante, NM Gas Co. Distribution Superintendent
- John Ortiz, Comcast Superintendent

FROM: Roman J. Herrera, Development Review Coordinator

cc: Dennis Romero, Water & Wastewater Executive Director
    John Wheeler, Electric Director

CASE #: 19-00300002
PROJECT NAME: Christine Subdivision
PROPERTY OWNER: Six D. Inc. c/o Joe DiGregorio
PROJECT LOCATION: 209 Marguerite St., 1808 & 1820 W. Aztec Ave.; 4.22 Acres M/L in the SE ¼ of Sec. 20, T15, R18, aka A Portion of Lebeck-Atkins Addn., Block 4.
DESCRIPTION: Minor Subdivision; Sketch Plat Review: The property owner is requesting that the above described parcel be subdivided into four (4) lots; 1, 2, 3 & 4. The property is presently zoned Heavy Commercial (HC), a zone change is not being requested.

ELECTRONIC COMMENTS ARE DUE BY: 31 OCTOBER 2019

NO TASK FORCE MEETING HAS BEEN SCHEDULED

COMMUNITY PLANNER COMMENTS:

P1.) Change description of subdivision as follows:

“Christine Subdivision, Being Replat No. 1 of Block 4, Lebeck-Atkins Subdivision, as shown on the plat of said subdivision filed in the office of the Clerk of McKinley County, New Mexico on March 29, 1955, less and except Aztec Avenue, situated within the southeast portion of the NW ¼ of Section 20, T15N, R18W, N.M.P.M. Gallup, McKinley County, New Mexico”

P2.) Ok to proceed to Final Plat. Provide all required data on Final Plat per Section 11-1-E of the City of Gallup Land Development Standards, Subdivision Regulations.
CITY ENGINEER COMMENTS:
Future Development of Subject Subdivision shall be subject of City of Gallup Land Development Standards Compliance.

WATER DEPARTMENT COMMENTS: No comments were received from Water.

WASTEWATER DEPARTMENT COMMENTS: No comments were received from Wastewater.

ELECTRIC DEPARTMENT COMMENTS: Lot 1 will need 10’ wide easement for existing underground high voltage line and City’s Transformer location. Lot 2 additional easements will be required at development from Aztec Street. Lot 3. No additional requirements. Lot 4 meter location is on City Right of Way along Marguerite St behind Atm Machine. The new lot line will make the existing electric service line crossing another property Casano Enterprise. Electric department recommends the gas station get a private electric easement from Casano Enterprise.

FIRE DEPARTMENT COMMENTS: No issues with subdividing property.

SOLID WASTE COMMENTS: No issue with subdivision

CENTURYLINK COMMENTS: No comments were received from CenturyLink.

NM GAS COMPANY COMMENTS: No comments were received from NM Gas.

COMCAST COMMENTS: No comments were received from Comcast.
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ADDRESS LIST

1A. SIX D., INC.
P.O. BOX 1455
GALLUP, NM 87305-1455
4.22 ACRES M/L IN SE ¼ OF SEC. 20 T15 R18, A/K/A A PORTION OF LEBECK-ATKINS ADDN. BLOCK 4
R208881

1C. BLOCK 4 THE WEST 74 FEET OF THE SOUTH 172 FEET OF BLOCK LEBECK ATKINS SUB.
R610135

1B. SIX D., INC.
ATTN: SOUTHWEST PROPERTY TAX
P.O. BOX 5037
GRANBURY, TX 76049-5037
BLOCK 4 A PARCEL OF LAND LYING WITHIN LEBECK ATKINS SUB. CONT. 8,670.935 SQ. FT. M/L
R206920

2. SCHOOL BOARD OF EDUCATION
P.O. BOX 1318
GALLUP, NM 87305-1318
10 ACS. M/L IN 20 15 18, NE ¼ SE ¼, SE ¼ NW ¼
R033561

3. NATIONAL PROPANE, L.P.
C/O AMERIGAS EAGLE PROPANE, L.P.
P.O. BOX 798
VALLEY FORGE, PA 19482-9908

2.014 ACS M/L IN THE SE ¼ NW ¼ OF SEC. 20 T15 R18, A PORTION OF BLOCK 7, LEBECK-ATKINS SUB.
R019925

4. TAMMY BAUMGARDNER
P.O. BOX 4793
GALLUP, NM 87305-4793
A PARCEL OF LAND IN THE SE ¼ NW ¼ OF SEC. 20 T15 R18 CONT. 1.910 ACRES M/L LESS PORTION SOLD TO ARROW REALTY
R035742

5. DENNIS & KAREN HERRING HOWARD
1901 BARBARA AVE.
GALLUP, NM 87301
BLOCK 5, LOTS 1 THRU 6, LEBECK-ATKINS SUB.
R001171

6. OM SAI, LLC
1903 W. HIGHWAY 66
GALLUP, NM 87301
BLOCK 2 LOTS 5 THRU 13, LOTS 60 THRU 72, LEBECK ATKINS SUB.
R022209

7. SERENITY CEMETERIES VI, LLC
7220 N. 16TH ST. STE. C
PHOENIX, AZ 85020
BLOCK 1 LOTS 37 THRU 46, LEBECK ATKINS SUB.
R677620
8. ITAF RASHID, TRUSTEE  
1309 COUNTRY CLUB PL.  
GALLUP, NM 87301  
LOT 3A, REPLAT NO. 1 OF  
LOTS 3, 4 & 5, & 16' WIDE  
ALLEY, A PORTION OF BLOCK 2, LEBECK-ATKINS SUB.  
CONT. 4.4475 ACRES M/L  
R109568

9. CASANO ENTERPRISES, LLC  
P.O. BOX 1455  
GALLUP, NM 87305-1455  
BLOCK 4 IMPROVEMENTS  
ONLY ON N. PORTION OF  
LEBECK-ATKINS ADDN. D/B/A  
WASH & SAVE LAUNDRY  
R180963

10. CASANO ENTERPRISES, LLC  
ATTN: SOUTHWEST  
PROPERTY TAX  
P.O. BOX 5037  
GRANBURY, TX 76049-5037  
BLOCK 4 N. PORTION 5.29  
ACRES IN SE ¼ NW ¼ OF  
LEBECK-ATKINS ADDN.  
R119822

11. T.M. & RAHADA M. SUNDARAM  
4505 ATHERTON WAY NW  
ALBUQUERQUE, NM 87120  
TRACT A, REPLAT NO. 1 OF  
LOT 2, SUNDARAM SUB. NO. 1  
AND SUNDARAM SUB. NO. 2,  
CONT. 9.0298 ACRES M/L  
R037656

12. GALLUP LAND PARTNERS, LLC  
9911 SOUTH 78<sup>TH</sup> AVE.  
HICKORY HILLS, IL 60457  
A PARCEL OF LAND IN THE  
SW ¼ NE ¼ OF SEC. 20 T15N  
R18W, LYING N. OF AZTEC  
AVE. CONT. 4.52 ACRES M/L  
R186686

13. CARL A. & THEODORA R.  
MAYES  
1715 ESCALANTE RD.  
GALLUP, NM 87301-6793  
LOT 1, BLOCK 1, SAGEBRUSH  
VALLEY UNIT 1, ALSO A  
PORTION OF VACATED  
VALLEY ADJACENT TO SAID  
LOT  
R208595
January 2, 2020

MEMORANDUM

To: Planning and Zoning Commission

From: Clyde (C.B.) Strain, Planning & Development Director

Ref: Ordinance No. S2020-2; Draft language creating new text regulating the side street yard setbacks for corner lots within the RR, SFR, MFRL, MFRM, GC, and HC Zone Districts.

BACKGROUND


DISCUSSION

When the City of Gallup adopted the newly rewritten Land Development Standards in August of 2018 requirements for side street yard setback for corner lots within the above mentioned zone districts was overlooked. These setback requirements were in the previous code and are standard for any land use code. These setback standards needed to be carried over to the new code for safety reasons.

Corner lots basically have two street frontages that carry vehicular traffic. The street yards are typically deeper than interior side lot lines in order to provide a buffer safety zone in the event a vehicle should leave the pavement and enter onto the property. The setback also allows for noise buffering from vehicular traffic. On corner lots having two street frontages the side street yard setback should be more than the standard interior side yard setback for the same reasons. Standard planning practice usually provides a side street yard setback that is equal to or slightly less than the street yard setback depending on the depth of the street yard setback. Amending the code will establish a set distance for side street yard setbacks within the aforementioned zone districts which in turn will provide
the minimum protections and safety elements for corner lots in said districts. The following are the proposed side street yard setbacks for these zone districts:

- Rural Residential (RR), 15 ft.
- Single Family Residential (SFR- A,B&C), A- 10 ft., B- 10 Ft., C- 15 ft.
- Multi-Family Residential Low (MFRL), Single-Family/Duplex 10 ft., Townhouses 10 ft.
- Multi-Family Residential Medium (MFRM), Townhouses 10 ft., Multi-Family 10 ft.
- General Commercial (GC), 10 ft.
- Heavy Commercial (HC), 15 ft.

FINDINGS

It is the findings of staff that the proposed text amendment to the Municipal Code of the City of Gallup, New Mexico is necessary in order to establish a minimum side street yard setback safety buffer zone for developments on corner lots within the above mentioned zone districts. Staff recommends a positive recommendation to City Council for approval of said text amendment.

The Board is being asked to send a recommendation to the Gallup City Council for approval or denial of Ordinance No. S2020-2. Recommendation of the Board will be presented to Gallup City Council for final consideration at their regular meeting scheduled on January 28, 2020.
RESOLUTION NO. RP2020-2


WHEREAS, Staff has made recommendation to the Planning and Zoning Commission requesting a text amendment amending Section 10-2 “Zone District”, Subsection 10-2-B-a “Residential” Tables 10-2-2, “RR District Specific Standards” 10-2-4 “SFR District Dimensional Standards”, 10-2-6 “MFRL Dimensional Standards”, and 10-2-8 “MFRM District Dimensional Standards”, and Subsection 10-2-B-c “Non-Residential”, Tables 10-2-19 “GC District Dimensional Standards”, and 10-2-21 “HC District Dimensional Standards” of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico by amending text within the district dimensional standards tables of said subsections thereby creating new text establishing side street yard setbacks for corner lots within the (RR) Rural residential, (SFR- A,B,&C) Single Family Residential, (MFRL) Multi-Family Residential Low, (MFRM) Multi-Family Residential Medium, (GC) General Commercial, and (HC) Heavy Commercial Zone Districts as follows:

Subsection 10-2-B-a “Residential” Table 10-2-2 “Rural Residential (RR) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

   “e. Side, min. Interior 15 ft.”
   “f. Street 15 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Subsection 10-2-B-a “Residential” Table 10-2-4 “Single Family Residential, A, B, C, (SFR) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

   “f. Street, A- 10 ft., B- 10 ft., C-15 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Subsection 10-2-B-a “Residential” Table 10-2-6 “Multi-Family Residential Low (MFRL) District
Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, Single-Family/Duplex 5 ft., Townhouses 5 ft.”
“f. Street, Single-Family/Duplex 10 ft., Townhouses 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Subsection 10-2-B-a “Residential” Table 10-2-8 “Multi-Family Residential Medium (MFRM) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, Townhouses 5 ft., Multi-Family 5 ft.”
“f. Street, Townhouses 10 ft., Multi-Family 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Subsection 10-2-B-c “Non-Residential” Table 10-2-19 “General Commercial (GC) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, 5 ft.”
“f. Street, 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Subsection 10-2-B-c “Non-Residential” Table 10-2-21 “Heavy Commercial (HC) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, 10 ft.”
“f. Street, 15 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.”; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission after notice as required by law; and

WHEREAS, the Planning and Zoning Commission deems it in the best interest of the public that this request for text amendment be recommended for [ ] approval [ ] denial.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GALLUP, SITTING AS THE BOARD OF ADJUSTMENT, that:
1. The City of Gallup Planning and Zoning Commission hereby sends to the Gallup City Council a [ ] POSITIVE [ ] NEGATIVE recommendation for approval of Ordinance No. S2020-2 amending text within the District Dimensional Standards Tables of said Subsections thereby creating new text establishing side street yard setbacks for corner lots within the Zone Districts described above.

PASSED, ADOPTED AND APPROVED THIS 8TH DAY OF JANUARY 2020

CITY OF GALLUP, McKinley County

BY: ____________________________
KENT WILSON, CHAIRMAN
PLANNING AND ZONING COMMISSION

ATTEST:

____________________________
Clyde (C.B.) Strain, Planning & Development Director
Secretary Planning and Zoning Commission
ORDINANCE NO. S2020-2


BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that:

Section 1. Subsection 10-2-B-a “Residential” Table 10-2-2 “Rural Residential (RR) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior 15 ft.”
“f. Street 15 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Section 2. Subsection 10-2-B-a “Residential” Table 10-2-4 “Single Family Residential, A, B, C, (SFR) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“f. Street, A- 10 ft., B- 10 ft., C-15 ft.”
Subsequent dimensional standards within this table are renumbered accordingly.

Section 3. Subsection 10-2-B-a “Residential” Table 10-2-6 “Multi-Family Residential Low (MFRL) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, Single-Family/Duplex 5 ft., Townhouses 5 ft.”
“f. Street, Single-Family/Duplex 10 ft., Townhouses 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Section 4. Subsection 10-2-B-a “Residential” Table 10-2-8 “Multi-Family Residential Medium (MFRM) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, Townhouses 5 ft., Multi-Family 5 ft.”
“f. Street, Townhouses 10 ft., Multi-Family 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Section 5. Subsection 10-2-B-c “Non-Residential” Table 10-2-19 “General Commercial (GC) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, 5 ft.”
“f. Street, 10 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Section 6. Subsection 10-2-B-c “Non-Residential” Table 10-2-21 “Heavy Commercial (HC) District Dimensional Standards”, of Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup, New Mexico is amended by addition of new text as follows:

“e. Side, min. Interior, 10 ft.”
“f. Street, 15 ft.”

Subsequent dimensional standards within this table are renumbered accordingly.

Section 7. This ordinance shall become effective after its passage and publication by title and summary as provided by law.
CITY OF GALLUP, MCKINLEY COUNTY, NEW MEXICO

BY:  ____________________________

Jackie McKinney, Mayor

ATTEST:

______________________________

Alfred Abeita, City Clerk
PUBLIC NOTICE IS HEREBY GIVEN that the City of Gallup Planning and Zoning Commission will consider the following action at its regular meeting to be held on Wednesday, January 8th, 2020. The item will go before the City Council for final approval at its regular meeting to be held on January 28th, 2020. Both meetings will be held at 6:00 p.m. in the Council Chambers of City Hall located on the corner of South Second Street and West Aztec Avenue.

CASE # 20-00900001: City initiated request to amend Title 10 “Land Development Standards” of the Municipal Code of the City of Gallup Section 10-2-B-a “Residential” and Section 10-2-B-c “Non-Residential”; Tables 10-2-2, 10-2-4, 10-2-6, 10-2-8, 10-2-19 and 10-2-21. Add side street yard requirements for corner lots within the Rural Residential (RR), Single-Family Residential (SFR-A, B & C), Multi-Family Residential Low (MFRL), Multi-Family Residential Medium (MFRM), General Commercial (GC) and Heavy Commercial (HC) Zone Districts. Establish ten foot (10’) side street yard setbacks for SFR-A & B, MFRL, MFRM and GC and fifteen foot (15’) side street yard setbacks for RR, SFR-C and HC. This item had been previously advertised with the wrong side street yard setback for SFR-C in a legal notice published December 27, 2019.

Auxiliary aids for the disabled are available upon request. Please contact C.B. Strain at (505) 863-1244, at least one (1) week prior to the meeting or as soon as possible in advance of the meeting to make any necessary arrangements.

All interested parties are invited to attend.

City of Gallup, McKinley County, New Mexico

By: /S/ Alfred Abeita, City Clerk

PUBLISH: 3 January 2020
January 1, 2020

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Clyde (C.B.) Strain, Planning & Development Director:

Ref: Annual Open Meetings Act, Resolution No. RP2020-1

BACKGROUND

The Open Meetings Act requires that the Planning and Zoning Commission (at least) annually review what constitutes reasonable notice to the public of its meetings. Accordingly, the attached Resolution No. RP2020-1 is presented to the Board for consideration and approval.

DISCUSSION

The Open Meetings Act itself does not set out specific requirements, other than a written agenda must be made available seventy-two (72) hours in advance of each meeting. However, the Attorney General recommends the following:

1. Regular meetings (second [2nd] Wednesday of each month at 6:00 p.m.), ten (10), days’ notice, with exception of notice requirements set out in the City of Gallup Land Development Standards (LDS), and mandated by New Mexico State Statute, requiring ten (10) days’ notice.

2. Special meetings, three (3), days’ notice.

3. Emergency meetings, twenty-four (24) hours notice, with exception being a threat of personal injury or property damage.

4. Procedure for notice to the news media.

5. Provisions regarding compliance with ADA requirements, with the contact person being the City Clerk.

RECOMMENDATION

Staff recommends the Board approve the attached resolution RP2020-1, as written to incorporate policy for providing reasonable notice for the Planning and Zoning Commission public meetings.
RESOLUTION NO. RP2020-1

ANNUAL DETERMINATION OF NOTICE UNDER THE OPEN MEETING ACT

WHEREAS, a public hearing was held by the Gallup Planning and Zoning Commission after notice as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4), states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Gallup Planning and Zoning Commission to determine annually what constitutes reasonable notice of its public meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Gallup that:

1. All meetings shall be held at the Council Chambers of City Hall, at the corner of Second (2nd) Street and Aztec Avenue, Gallup, New Mexico at 6:00 p.m., or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held each month on the second (2nd) Wednesday. The agenda will be available at least seventy-two (72) hours prior to the meeting from the Gallup City Clerk, whose office is located in City Hall, at 110 West Aztec Avenue, on the north east corner of South Second (2nd) Street and Aztec Avenue, Gallup, New Mexico. The agenda will also be posted at the offices City Hall and on the City of Gallup’s web site at www.gallupnm.gov.

3. Notice of regular meetings described in Paragraph 2 will be given ten (10) days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two (72) hours before the meeting and posted on the City of Gallup’s web site at www.gallupnm.gov.

4. Special meetings may be called by the Chairman or a majority of the members of the Gallup Planning and Zoning Commission upon three (3) days’ notice. The notice for a special meeting shall include an agenda for the meeting or information on how a
copy of the agenda may be obtained. The agenda will be available at least seventy-two (72) hours before the meeting and posted on the City of Gallup’s website at www.gallupnm.gov.

5. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Gallup Planning and Zoning Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members of the Gallup Planning and Zoning Commission with twenty-four (24) hours prior notice, unless treat of personal injury or property damage requires less notice. The notice of all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Gallup Planning and Zoning Commission will notify the Attorney General’s Office.

6. For the purposes of regular meetings described in Paragraph 3 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted in the following locations: At the offices City Hall and on the City of Gallup’s web site at www.gallupnm.gov. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

7. For the purposes of special meetings and emergency meetings described in Paragraphs 4 and 5, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the offices of City Hall. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

8. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City of Gallup Planning and Development Department at (505) 863-1240 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided on various accessible formats. Please contact the City of Gallup Planning and Development Department at (505) 863-1240 if a summary or other type of accessible format is needed.
9. The Gallup Planning and Zoning Commission may close a meeting to the public only if the subject matter of discussion or action is excepted from the open meeting requirement under Section 10-15-1 (H), of the Open Meetings Act.

A. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Gallup Planning and Zoning Commission taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

B. If a close meeting is conducted when the Gallup Planning and Zoning Commission is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

D. Except as provided in Section 10-15-1 (H) of the Open Meeting Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Gallup Planning and Zoning Commission in an open public meeting.

9. Nothing in this Resolution shall alter any legal requirement for greater or different notice of any specific public hearing.

PASSED, ADOPTED, AND APPROVED THIS 8TH DAY OF JANUARY 2020 BY THE GALLUP PLANNING AND ZONING COMMISSION

BY: ________________________________

KENT WILSON, CHAIRMAN
PLANNING AND ZONING COMMISSION

ATTEST: ______________________________
Clyde (C.B.) Strain, Planning and Development Director
Secretary to the Planning and Zoning Commission
Summary of City Council Actions

December 2019

[No actions taken on any Planning & Zoning items]
### Planning & Zoning Commission Attendance Record

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<th>Commissioner Dooley</th>
<th>Commissioner Pawlowski</th>
<th>Commissioner Kozeliski</th>
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At the City Council Meeting on June 25, 2019 - Kent Wilson, Keegan Mackenzie-Chavez, Fran Palowski and Loren Miller were re-appointed to the Planning and Zoning Commission (two-year terms). John T. Cresto was also newly appointed (two-year term).
## MONTHLY COMPILATION OF PERMITS ISSUED

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<td>DECK</td>
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<td><strong>TOTAL PERMITS &amp; VALUATION</strong></td>
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## Monthly Compilation of Permits Issued
### December 2019

<table>
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<tr>
<th>Date Issued</th>
<th>Permit No.</th>
<th>Owner / Business</th>
<th>Contractor</th>
<th>Site Address</th>
<th>Permit Type</th>
<th>Permit Fees</th>
<th>Valuation</th>
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<tbody>
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<td>12/2/19</td>
<td>19 - 285</td>
<td>CHRISTOPHER LANG</td>
<td>R.G. LATH PLASTER, INC.</td>
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<td>STUCCO PERMIT</td>
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<td>12/3/19</td>
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<td>CHRISTOPHER P. KELSEY</td>
<td>MURPHY BUILDERS</td>
<td>511 E. NIZHONI BOULEVARD</td>
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<td>DAVID BACA</td>
<td>C/O GUADALUPE VALLES</td>
<td>2437 BACA COURT</td>
<td>RESIDENTIAL ALTERATIONS</td>
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<td>HILTON GARDEN INN</td>
<td>SUNDARAM BUILDERS, INC.</td>
<td>1530 W. MALONEY AVENUE</td>
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<td>12/12/19</td>
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<td>506 DEFIANCE AVENUE</td>
<td>RESIDENTIAL RE-ROOFING</td>
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<td>12/16/19</td>
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<td>CENTURY LINK</td>
<td>TARTAN CONSTRUCTION, LLC</td>
<td>121 W. AZTEC AVENUE</td>
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<tr>
<td>12/16/19</td>
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<td>SANDRA MILES</td>
<td>GALLUP ROOFING, INC.</td>
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<td>RESIDENTIAL RE-ROOFING</td>
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<td>12/18/19</td>
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<td>LAKE BEGAY</td>
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<td>POINT AMERICAN TIRES</td>
<td>T.G. ORR ENTERPRISES, INC.</td>
<td>1001 W. COAL AVENUE</td>
<td>COMMERCIAL RE-ROOFING</td>
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<td>12/31/19</td>
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<td>LEANNE GILLSON</td>
<td>DIAZ RESIDENTIAL CONSTRUCTION</td>
<td>3720 MAYA DRIVE</td>
<td>RESIDENTIAL ALTERATIONS</td>
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</table>

**Totals:** $3,984.05 $295,600.00

- 5 Residential Additions / Alterations
- 3 Commercial Additions / Alterations
- 1 Re-Stucco / Siding / Decks
- 3 Roof Repair
- **12 Total Permits**
## Building Permit Activity Report

### Five Year Comparison

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Single Family Dwellings</td>
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<tr>
<td>New Commercial Buildings</td>
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<tr>
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<td>$137,553</td>
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<tr>
<td>Siding/Re-Stucco</td>
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<td>303 $9,752,381</td>
<td>276 $26,217,174</td>
<td>287 $7,595,892</td>
<td>242 $12,622,456</td>
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| Permit Fees                  | $126,561.99 | $93,859.98 | $147,900.75 | $81,757.76 | $109,213.38 |

% change based on permit fees  
-36% -26% 58% -45% 34%

% change based on valuation  
-52% -52% 169% -71% 66%
## City of Gallup
### Planning & Zoning Agenda
#### Five (5) Year Comparison

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<th>ACTION TAKEN</th>
<th>2015 ACREAGE</th>
<th>2016 ACREAGE</th>
<th>2017 ACREAGE</th>
<th>2018 ACREAGE</th>
<th>2019 ACREAGE</th>
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### SUBDIVISIONS

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<th>2018 ACREAGE</th>
<th>2019 ACREAGE</th>
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### ZONING

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<th>2015 ACREAGE</th>
<th>2016 ACREAGE</th>
<th>2017 ACREAGE</th>
<th>2018 ACREAGE</th>
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</table>

| TOTALS                      | 16           | 84.7618      | 10           | 36.51211     | 25           | 338.2733     | 16            | 327.6127     | 18            | 324.4701      |

Miscellaneous items {i.e. right-of-way vacations, street re-naming, text amendments, etc..}