PLANNING AND ZONING COMMISSION
AGENDA

Wednesday, August 12th, 2020, 6:00 p.m.

PUBLIC NOTICE: In accordance with the public health order issued by the New Mexico Department of Health, the meeting will be physically closed to the public; however, it will be accessible to the public via the following technology service: Facebook Live Stream through the City of Gallup's Facebook page: https://www.facebook.com/CityOfGallup

Members of the public may call in with questions and/or comments before or during the meeting at (505) 863-1240. Please leave your name and a return phone number.

*** Call to Order / Roll Call

*** Approval of July 8th, 2020 Meeting Minutes

PUBLIC HEARINGS

ITEM ONE: CASE # 20-00800001: Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43’) from the maximum front yard setback of seventeen feet (17’) within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-2-B-d-iii3a of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit. The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

ITEM TWO: CASE # 20-00600003: Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.

ITEM THREE: CASE # 20-00300006: Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60’ wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing...
unoccupied public utility and drainage easements within proposed Lot 1A. The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres. This item will go before City Council for final approval on August 25, 2020.

INFORMATION ITEMS

ITEM FOUR: City Council Actions Taken

ITEM FIVE: July 2020 Building Permit Activity Report

*** Open Floor

*** Adjourn
The regular meeting of the Planning and Zoning Commission was called to order at 6:04 p.m. by Chairman Kent Wilson. Chairman Wilson stated that the meeting was being held virtually via video and telephone conferencing. The meeting was also being live streamed for the public through the City of Gallup’s Facebook page.

Chairman Wilson began the meeting by welcoming Commissioner Kyle Spolar whom replaced Juliana Dooley.

Upon roll call, the following were present:

Chairman K. Wilson
Commissioner K. Mackenzie-Chavez
Commissioner F. Pawlowski
Commissioner M. Long
Commissioner L. Miller
Commissioner K. Spolar

Upon roll call, the following were absent:

Commissioner J. Cresto

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 K. Mackenzie-Chavez (No)
Commissioner F. Pawlowski (No)
Commissioner M. Long (No)
Commissioner L. Miller (No)
Commissioner K. Spolar (No)

Presented to the Chairman and Commissioners for their approval were the minutes of the May 13th, 2020 regular meeting. Commissioner Miller motioned for approval of the minutes as presented. Seconded by Commissioner Long. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)
Commissioner M. Long (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner K. Spolar (Yes)
Chairman Wilson asked the Madam Secretary to state the names of the individuals attending the virtual meeting. Upon roll call the following were present:

CB Strain, Planning and Development Director
Dennis Romero, Water/Wastewater Director
Marita Joe, Senior Electrical Engineer
Jacob LaCroix, Fire Marshal
Ryan Chavez, agent for AVA, LLC & ABA Land Ltd. Co. (Item One)
Kevin McCarthy, agent for Love’s Travel Stops & Country Stores, Inc. (Item One)
Lorie Pierce, Real Estate Coordinator for Love’s Travel Stops & Country Stores, Inc. (Item One)

Chairman Wilson administered the oath required by State Law for public forum for each of the individuals listed above.

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. Chairman Wilson also notified the Commission that there may be individuals calling in from the public to make comments.

**ITEM ONE: CASE # 20-00300005:** Request by Ryan Chavez on behalf of AVA, LLC and ABA Land Ltd. Co., property owners and Kevin McCarthy on behalf of Love’s Travel Stops & Country Stores, Inc., property owner, for Final Plat approval of a Minor Subdivision; Replat No. 1 of Love Subdivision containing 4.908 acres M/L and a Replat of 3 Unplatted Tracts of Land within a portion of the Ortega Annexation situated in the NE ¼ of Section 27 T15N, R19W and 1 Unplatted Tract of Land within a portion of the Mentmore Meadows Annexation situated in the SE ¼ of Section 22 T15N, R19W, N.M.P.M. containing a total of 16.0381 acres M/L. Also requesting for the City of Gallup to vacate several existing unoccupied public utility and access easements within proposed Lots 2 and 3 containing a total of 0.4632 acres M/L. The properties are located at 3360, 3366B and 3380 West Historic Highway 66 and 2 vacant properties North of 3366B West Historic Highway 66; containing a total of 20.9461 acres M/L. This item will go before City Council for final approval on July 28, 2020.

CB Strain began by using the screen to display the GIS Map to show the property’s location. He pointed to the five (5) tracts of land being replatted into three (3) lots. CB explained how generally when there was a reduction or reconfiguration of lots it could typically be done administratively without a public hearing, however because they’re vacating easements it must go before the City Council. The Planning and Zoning Commission will approve the subdivision plat and if approved it will go before the City Council for final approval for the vacation of the easements. CB used the screen to reference the three (3) newly created lots on the final plat. Proposed Lot 1 is located on the southeast corner, which contains the existing Ortega jewelry store and gas station (Navajo Travel Store). Proposed Lot 2 is currently a vacant lot. CB pointed out how Lot 2 would come down and front Highway 66 as a flag lot whereas the lot does meet the minimum lot width for the Heavy Commercial Zone District. Proposed Lot 3 contains the Love’s Travel Stops & Country Store...
whereas the new lot line wraps around back which increases the acreage of Love’s property where they eventually want to develop a parking area. CB emphasized how all three (3) lots met the minimum dimension requirements for the Heavy Commercial Zone District. The Gallup Task Force (GTF) did review the proposed minor subdivision and there were no issues. All three (3) lots have full service from their frontage on Highway 66 for utilities. There are electrical lines that currently run through the properties, which are being addressed by the dedication of easements for this plat. CB stated that there was no need to require additional infrastructure. The request will go before the City Council for final approval of the vacated easements on July 28, 2020. After the appeal period ends, the Planning and Development Department will file the plat at the County whereas all three (3) lots will become legal lots of record.

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

Chairman Wilson asked if there was anyone wishing to speak in favor of this case.

Ryan Chavez, agent for AVA, LLC & ABA Land Ltd. Co. had no comment.

Kevin McCarthy, agent for Love’s Travel Stops & Country Stores, Inc. also had no comment.

Chairman Wilson asked the Commissioners if they had any questions for Mr. Chavez or Mr. McCarthy. There were none.

Chairman Wilson asked the Madam Secretary if there was anyone who called in wishing to speak for or against this case. There were none.

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300005. Commissioner Miller motioned for approval of Item One. Seconded by Commissioner Long. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)
Commissioner M. Long (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner K. Spolar (Yes)

The item will be presented to City Council on July 28, 2020 for final approval.

**INFORMATION ITEMS**

**ITEM TWO:** City Council Actions Taken
ITEM THREE: May & June 2020 Building Permit Activity Report

OPEN FLOOR:
Chairman Wilson asked the Madam Secretary if there was anyone who called in wishing to comment on a non-agenda item. There were none.

Chairman Wilson asked if there was anyone in attendance that would like to comment on a non-agenda item.

CB welcomed Commissioner Spolar and encouraged him to learn from the other Commissioner’s.

During the open floor, Commissioner Cresto virtually joined the meeting.

Chairman Wilson recognized Juliana Dooley’s many years of service to the Commission.

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 K. Mackenzie-Chavez (Yes)
- Commissioner M. Long (Yes)
- Commissioner J. Cresto (Yes)
- Commissioner K. Spolar (Yes)

Commission Adjourned at 6:22 p.m.

PLANNING & ZONING COMMISSION

______________________________
KENT WILSON, CHAIRMAN

ATTEST:

______________________________
CLYDE (C.B.) STRAIN
SECRETARY TO PLANNING & ZONING COMMISSION
August 5, 2020

MEMORANDUM

TO: Planning and Zoning Commission

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

REF: Case No. 2020-00800001; David Dallago Set Back Variance, 509 Ford Drive

BACKGROUND

Mr. David Dallago, property owner, has petitioned the Gallup Planning and Zoning Commission for a variance from Table 10-2-15 “MXN District Dimensional Standards” and Section 10-2-B-d-iii “Character Protection Overlay (CPO)” of the City of Gallup Land Development Standards. Applicant is requesting a variance of forty three feet (43’) from the maximum front yard setback of seventeen feet (17’) to allow for the construction of a multifamily residential building to be set back sixty feet (60’) from the front property boundary line in order to avoid a conflict with an existing city sewer mainline which cuts across the southwest corner of said property. The property is located at 509 Ford Drive and is more particularly described as Lots 21 thru 26, Block 18, Ford Hwy 66 Addition.

DISCUSSION

Said property lies within the Mixed Use Neighborhood (MXN) Zone District and within the Character Protection Overlay (CPO) District. The Character Protection Overlay District allows for flexible front yard setbacks based on existing development. The front yard setback for construction of new structures shall be within the range of the front setbacks of the block face in which the project site is located. This range of setbacks is determined based on the closest four (4) lots surrounding the project site. Setbacks of structures shall be within the range of the existing setbacks, no closer than the narrowest setback and no further than the deepest setback. Based on this calculation the proposed multi-family residential structure would be allowed to be setback from the front property boundary line within a range of five feet (5’) minimum and seventeen feet (17’) maximum.

An existing hardship peculiar to the land prohibits compliance with the maximum allowed setback of seventeen feet (17’). Currently there is a city sewer mainline that cuts across the property starting approximately forty five feet (45’) in from the Ford Drive boundary line going east and continuing northwest for a length of approximately one hundred ten feet (110’) and exiting onto Ford Drive. The existing sewer mainline lies directly under the seventeen foot (17’) maximum setback area which would place the structure directly above the sewer mainline. In order avoid building over the sewer mainline the building needs to be set further back. After installation of the required off street parking the building will end up being setback a total of sixty feet from the Ford Drive property boundary line which is forty three feet (43’) further than the maximum seventeen foot (17’) front yard setback, therefore...
the variance request for forty three feet is what is needed to eliminate any conflict with the existing sewer mainline.

Section 10-5-B-d-ii of the City of Gallup Land Development Standards sets forth Criteria for Variance. A copy of Section 10-5-B-d-ii is included on your agenda packet and marked as “Exhibit A” for your review.

The Gallup Task Force has reviewed this request and has no issues with granting a variance of forty three feet (43’) in order to overcome the hardship peculiar to the land.

FINDINGS

It is the findings of staff that for the reasons listed above the request meets the Criteria for Variance as defined in Section 10-5-B-d-ii2 of the LDS as follows.

1. The existing sewer mainline that runs through the property as described above creates special conditions and circumstances which are peculiar to the land and which are not generally applicable to other lands in the same zoning district.

2. Because of the special circumstances related to the land listed above literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these Land Development Standards and would work an unnecessary and undue hardship upon the applicant.

3. The extent of the variance requested is reasonably related to what is needed to overcome the alleged hardship.
RESOLUTION NO. RP2020-7

A RESOLUTION [ ] GRANTING [ ] DENYING A REQUEST BY DAVID DALLAGO, PROPERTY OWNER, FOR A VARIANCE OF FORTY THREE FEET (43’) FROM THE MAXIMUM FRONT YARD SET BACK OF SEVENTEEN FEET (17’) IN ORDER TO AVOID A CONFLICT WITH AN EXISTING SEWER MAINLINE TO ALLOW FOR THE CONSTRUCTION OF A MULTI-FAMILY RESIDENTIAL BUILDING AT 509 FORD DRIVE.

WHEREAS, Mr. David Dallago, property owner, has petitioned the Gallup Planning and Zoning Commission for a variance from Table 10-2-15 “MXN District Dimensional Standards” and Section 10-2-B-d-iii “Character Protection Overlay (CPO)” of the City of Gallup Land Development Standards. Applicant is requesting a variance of forty three feet (43’) from the maximum front yard setback of seventeen feet (17’) to allow for the construction of a multi-family residential building to be set back sixty feet (60’) from the front property boundary line in order to avoid a conflict with an existing city sewer mainline which cuts across the southwest corner of said property. The property is located at 509 Ford Drive and is more particularly described as Lots 21 thru 26, Block 18, Ford Hwy 66 Addition; and

WHEREAS, said property lies within the Mixed Use Neighborhood (MXN) Zone District and within the Character Protection Overlay (CPO) District; and

WHEREAS, Table 10-2-15 “MXN Dimensional Standards” sets forth minimum dimensional standards and setbacks for the Mixed Use Neighborhood (MXN) Zone District; and

WHEREAS, the Character Protection Overlay (CPO) District allows for flexible front yard setbacks based on existing development provided that the front yard setback for construction of new structures shall be within the range of the front setbacks of the block face in which the project site is located. This range of setbacks is determined based on the closest four (4) lots surrounding the project site. Setbacks of structures shall be within the range of the existing setbacks, no closer than the narrowest setback and no further than the deepest setback; and

WHEREAS, based on the surrounding development of project site, the proposed multi-family residential structure would be allowed to be setback from the front property boundary line within a range of five feet (5’) minimum and seventeen feet (17’) maximum; and

WHEREAS, an existing hardship peculiar to the land exists that prohibits compliance with the maximum allowed setback of seventeen feet (17’); and

WHEREAS, there is a city sewer mainline that cuts across the property starting approximately forty five feet (45’) in from the Ford Drive boundary line going east and
continuing northwest for a length of approximately one hundred ten feet (110’) and exiting onto Ford Drive; and

WHEREAS, the existing sewer mainline lies directly under the seventeen foot (17’) maximum setback area which would place the structure directly above the sewer mainline. In order avoid placing a structure over the sewer mainline the building needs to be set further back. After installation of the required off street parking the building will end up being setback a total of sixty feet (60’) from the Ford Drive property boundary line which is forty three feet (43’) further than the maximum seventeen foot (17’) front yard setback, therefore the variance request for forty three feet (43’) is what is needed in order to eliminate any conflict with the existing sewer mainline; and

WHEREAS, it is the findings of staff that the request meets the Limitations and Grounds for Variance as defined in Section 10-5-B-d-ii of the Land Development Standards of the City of Gallup as follows:

1. The existing sewer mainline that runs through the property as described above creates special conditions and circumstances which are peculiar to the land and which are not generally applicable to other lands in the same zoning district.

2. Because of the special circumstances related to the land listed above literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these Land Development Standards and would work an unnecessary and undue hardship upon the applicant.

3. The extent of the variance requested is reasonably related to what is needed to overcome the alleged hardship.

WHEREAS, the Planning and Zoning Commission deems it in the best interest of the public that this application be [ ] granted [ ] denied.

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 application, Case # 2020-00800001 for variance of forty three feet (43’) from the maximum seventeen foot (17’) front yard setback for the property located at 509 Ford Drive, more particularly described as Lots 21 thru 26, Block 18, Ford Hwy 66 Addition is hereby [ ] granted [ ] denied.

2. If approved applicant shall comply with all other requirements for the Mixed Use Neighborhood (MXN) Zone District and the Character Protection Overlay (CPO) District.
3. The application, if approved shall pertain only to the variance now being sought.

4. This approval shall become null and void if conditions of this resolution are not complied with prior to issuing a Certificate of Occupancy.

PASSED, ADOPTED, AND APPROVED, THIS 12th DAY OF AUGUST, 2020.

CITY OF GALLUP, McKinley County

BY: ____________________________

KENT WILSON, CHAIRMAN
PLANNING AND ZONING COMMISSION

ATTEST

_______________________________
Clyde “C.B.” Strain, Planning and Development Director
Secretary to Planning and Zoning Commission
Exhibit “A”

10-5-B-d-ii
Limitations and Grounds for Variance

Criteria for Variance: The applicant shall meet the application criteria listed below. In cases where a variance of very minimal extent resolves a serious practical difficulty in properly siting a proposed building and it’s required off street parking and loading areas on a lot and would not appreciably compromise the intent and purpose of the provision to be relaxed, the rigid adherence to such criteria may not be necessary.

1. Special conditions and circumstances exist which are peculiar to the land (such as exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions), structure or building involved and which are not generally applicable to other lands, structures or buildings in the same zoning district.

2. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title and would work an unnecessary and undue hardship upon the applicant.

3. The extent of the variance requested is reasonably related to what is needed to overcome the alleged hardship.
APPLICATION FOR VARIANCE

VARIANCES MAY BE GRANTED BY THE PLANNING & ZONING COMMISSION AT A PUBLIC MEETING. VARIANCE FROM THE STRICT INTERPRETATION OF AREA, HEIGHT, DIMENSION, DISTANCE, PARKING OR SETBACK REQUIREMENTS OF THE ZONING REGULATIONS MAY BE APPROVED IN THE CASE OF EXCEPTIONALLY IRREGULAR, NARROW, SHALLOW OR STEEP LOTS, OR OTHER EXCEPTIONAL PHYSICAL CONDITIONS WHERE THE STRICT APPLICATION OF THE REQUIREMENTS OF THE ZONING ORDINANCE WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP THAT WOULD DEPRIVE THE OWNER OF THE REASONABLE USE OF HIS OR HER LAND AND/OR BUILDINGS.

PROPERTY OWNER INFORMATION:
Name: David Dalluge
Address: 3411 E. M 356
City: Gallup
State: NM
Zip Code: 87301
Phone: 505-722-6638

DRD MANAGEMENT, INC.
Cell Phone: (505) 870-3419  Email Address: drd@dallagocorp.com

APPLICANT INFORMATION:
Name: David Dalluge
Address: 3411 E. M 356
City: Gallup
State: NM
Zip Code: 87301
Phone: 722-6638

AGENT INFORMATION (if applicable):
Name: 
Address: 
City: 
State: 
Zip Code: 
Phone: 

SITE ADDRESS: 509 FORD DRIVE

LEGAL DESCRIPTION: Lot: 21-26 Block: 16 Subdivision: FORD VILLAGE 66 ADDITION

CURRENT ZONING: M.X.N ALSO WITHIN THE CHARACTER PROTECTION OVERLAY DISTRICT

DESCRIPTION OF REQUESTED USE: MULTI-FAMILY DWELLING UNITS

SECTION(S) OF THE LAND DEVELOPMENT STANDARDS FROM WHICH A VARIANCE IS SOUGHT: 10-2-15 Front Yard Set Back; Front, min/max, 5’/15’

AMOUNT OF VARIANCE SOUGHT: 60’ Front yard Set Back

SPECIAL HARDSHIP OF APPLICANT NOT GENERALLY SHARED BY PROPERTY OWNERS: THERE IS A CITY SEWER LINE CROSSING THE PROPERTY IN THE SOUTHWEST CORNER. A VARIANCE IS BEING REQUESTED BECAUSE THAT SEWER LINE CANNOT BE BUILT ON TOP OF, WHICH IS WHY A LARGER FRONT YARD SETBACK OF 60’ IS BEING REQUESTED.

Print Property Owner’s Name

Print Applicant’s Name

Signature

Signature

Date 17 May 2020

DATE STAMP

RECEIVED

JUN 18 2020

CITY OF GALLUP

PLANNING & DEVELOPMENT

BY: L

TIME: 450PM

OFFICE USE ONLY

Pre-App. Confr. 
Fee Accepted by: 
Fee Paid: \$ 50.00
Method of Payment: Check # 3157
Hearing Date: 8/12/2020 Case #: 20-0080001
29 May 2020

Roman Herrera
Planning & Development
P.O. Box 1270
Gallup, NM 87301

Re: Variance for 509 Ford Drive

I am requesting a variance from present codes due to the fact I cannot meet present set back requirements due to the City Sewer Main in the southwest corner of my property.

This hardship will require me to move the apartment building to the center of the property.

I am requesting a variance.

Sincerely,

[Signature]
David Daliago
Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43’) from the maximum front yard setback of seventeen feet (17’) within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-B-d-iii3a of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit.

The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

AERIAL IMAGERY
Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43’) from the maximum front yard setback of seventeen feet (17’) within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-B-d-iii3a of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit. The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

SITE PHOTOS
June 26, 2020

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 Marshal
- Dianne Willato, CenturyLink Engineer
- Irma Bustamante, NM Gas Co. Operations Supervisor
- John Ortiz & Matthew Baca, Comcast Superintendent
- Jayson Grover, Traffic Engineer, NM DOT

FROM: /s Nikki Lee
Nikki Lee, Planning Specialist

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

CASE #: VAR2020-00800001

PROJECT NAME: Variance for 43’ Front Yard Setback from required 17’ Setback in MXN Zone District/Character Protection Overlay

PROPERTY OWNER: DRD Management, Inc. (David Dallago)

PROJECT LOCATION: 509 Ford Drive / Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition

DESCRIPTION: The property owner is requesting a Variance to be given relief on the front yard setback requirements in order to construct a multi-family dwelling with ten (10) units.

In January 2020 the property owner applied for a building permit (BP2020-011) to construct a new multi-family dwelling. When the Building Inspector was reviewing the permit he noticed that the proposed plans did not meet the required front yard setbacks for the MXN Zone District and Character Protection Overlay. According to the Building Inspector’s calculations the dwellings must have a minimum 5’ and maximum 17’ front yard setback. The plans submitted show the dwelling setback 60’ from the property line, which is 43’ in excess of the requirement whereas the permit was denied. The property does have a special hardship because there is a City sewer line crossing the property in the southwest corner. Therefore the property owner has requested a Variance of 43’ from the required 17’ front yard setback, which will allow him to setback his multi-family dwelling 60’ total whereas he will not be obstructing/blocking the sewer line.

The Variance will be presented to the Planning and Zoning Commission as soon as possible, any conditions for approval should be included in staff’s recommendation to the Commission.

ELECTRONIC COMMENTS ARE DUE BY: 6 JULY 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:
P1.) An existing eight inch (8") city sewer mainline is cutting across the southwest corner of the property preventing the proposed apartment building from meeting the maximum allowed front yard setback of seventeen feet (17’). A variance of forty-three feet (43’) is necessary in order to allow for the placement of said multi-family structure outside of the existing sewer mainline and to allow for construction of the required off street parking area to accommodate the proposed development.

P2.) Variance application meets the following criteria for requesting and granting a variance:

- Special conditions and circumstances exist which are peculiar to the land (such as exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions), structure or building involved and which are not generally applicable to other lands, structures or buildings in the same district.

**CITY ENGINEER COMMENTS:**
1. All pedestrian infrastructure requirements will be triggered by the building permit application and will be required during construction.

**WATER DEPARTMENT COMMENTS:**
On reviewing the pdf, there is no issues in the water lines.

**WASTEWATER DEPARTMENT COMMENTS:**
Variance is necessary for access to sewer line, no other options are available for sewer due to elevation issues.

**ELECTRIC DEPARTMENT COMMENTS:**
No comments submitted by the Electric Department by the given deadline.

**FIRE DEPARTMENT COMMENTS:**
No issues with variance. Access addressed with construction plans.

**SOLID WASTE COMMENTS:**
no issues with variance

**CENTURYLINK COMMENTS:**
No conflicts with CenturyLink.

**NM GAS COMPANY COMMENTS:**
New Mexico Gas Company currently has service lines that are running through the property. They were for the trailers that were there prior, and are live.
**COMCAST COMMENTS:**
Comcast currently has infrastructure running through this property.

If this project is approved Comcast will temporarily terminate our lines in the alley and abandon what’s left on the property. This is at no expense to the property owner/developer.

Comcast would then explore the option of joining the new development and rebuild our infrastructure onsite. We will work with the developer to keep costs minimal to meet our ROI model in an attempt to avoid an added expense to the developer.

**NM DEPT. OF TRANSPORTATION COMMENTS:**
It is not anticipated that this development/change will pose any direct or indirect impacts to the State highway, and therefore we have no specific comments. The NMDOT does however recommend that the City consider the possible impacts of allowing the minimal corner clearances (as currently proposed) between the two property entrances on Green St. and the alley.
Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43’) from the maximum front yard setback of seventeen feet (17’) within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-B-d-iii3a of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit. The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

AREA MAP
Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43') from the maximum front yard setback of seventeen feet (17') within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-B-d-iiia of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit. The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

PROPERTY MAP
Request by David Dallago property owner of DRD Management, Inc. for a Variance of forty-three feet (43’) from the maximum front yard setback of seventeen feet (17’) within the base zone district Mixed-Use Neighborhood (MXN) per Table 10-2-15 and the overlay zone Character Protection Overlay District per Section 10-2-B-d-iii3a of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit. The property is located at 509 Ford Drive; more particularly described as Lots 21 through 26, Block 18, I.H. Ford’s Hwy 66 Addition.

ADDRESS LIST

1. DRD MANAGEMENT, INC.
   2411 E. AZTEC AVE.
   GALLUP, NM 87301
   LOTS 21 THRU 26, BLOCK 18, FORD HWY 66 ADDN.
   R648795

2. BUTLER BROTHERS, LLC
   1900 E. HWY 66, SUITE 3
   GALLUP, NM 87301
   LOTS 1 & 2, BLOCK 10, FORD HWY 66 ADDN.
   R675296

3. SHIRLEY SUE WILSON,
   TRUSTEE
   603 SOPHIE DR.
   GALLUP, NM 87301
   LOTS 3 THRU 6, BLOCK 10, FORD HWY 66 ADDITION
   R027189

4. DELBERT A. JOHNSON
   921 E. GREEN AVE.
   GALLUP, NM 87301
   LOT 40A, REPLAT NO. 2 OF LOTS 2A & 39A, REPLAT NO. 1
   OF LOTS 1 THRU 3 AND LOTS 38 THRU 40, BLOCK 11, I.H.
   FORD HWY 66 ADDN. CONT. 0.1249 ACS M/L
   R300768

5. HELENA ATTAKAI
   919 E. GREEN AVE.
   GALLUP, NM 87301

6. ZALDY T. & PAMELA P.
   LAYUGAN
   508 FORD DR.
   GALLUP, NM 87301
   LOT 39A1, REPLAT NO. 2 OF LOTS 2A AND 39A, REPLAT
   NO. 1 OF LOTS 1 THRU 3 AND LOTS 38 THRU 40, BLOCK 11,
   I.H. FORD HWY 66 ADDN. CONT. 0.1596 ACS M/L
   R300767

7. NAEL & NAGLAA AL ASSI
   506 FORD DR.
   GALLUP, NM 87301
   LOT 2A1, REPLAT NO. 2 OF LOTS 4, 5, 36, BLOCK 11 AND
   LOTS 2A AND 39A, REPLAT NO. 1 OF LOTS 1 THRU 3 AND LOTS
   38 THRU 40, BLOCK 11, I.H.
   FORD HWY 66 ADDN. CONT. 0.1596 ACS M/L
   R300766

8. DONALD GOOD
   922 E. MESA AVE.
   GALLUP, NM 87301
9. LAWRENCE A. & BRENDA GRIEGO  
924 E. MESA AVE.  
GALLUP, NM 87301  
LOT 1A, REPLAT NO. 2 OF LOTS 2A AND 39A, REPLAT NO. 1 OF LOTS 1 THRU 3 AND 38 THRU 40, BLOCK 11, I.H. FORD HWY 66 ADDN. CONT. 0.1153 ACS M/L  
R615730

10. ALVIN D. & MARIA E. BLOUGH  
1000 E. MESA AVE.  
GALLUP, NM 87301  
LOTS 17 THRU 20, BLOCK 18, FORD HWY 66 ADDN.  
R016454

11. JUAN MONTOYA  
1002 E. MESA AVE.  
GALLUP, NM 87301  
LOTS 15-16, BLOCK 18, FORD HWY 66 ADDITION  
R025836

12. THOMAS PEREZ  
815 PARKVIEW  
KINGMAN, AZ 86401  
LOTS 13 & 14, BLOCK 18, FORD HWY 66 ADDN.  
R660841

13. LINDA S. SHERMAN, TRUSTEE  
1006 E. MESA AVE.  
GALLUP, NM 87301  
LOTS 9 THRU 12, BLOCK 18, FORD HWY 66 ADDN.  
R002100

14. ORR FAMILY, LLC  
1111 PIANO AVE.  
GALLUP, NM 87301  
LOTS 27 & 28, THE W. ½ OF LOT 29, BLOCK 18, FORD HWY 66 ADDITION  
R027464

15. LOUIE R. & WILDA ORR, TRUSTEES  
1007 E. GREEN AVE.  
GALLUP, NM 87301  
THE E. 12½’ OF LOT 29, LOTS 30 THRU 32, BLOCK 18, FORD HWY 66 ADDN.  
R027510

16. HECTOR & SHARLETT J. CORRAL, TRUSTEES  
1711 LINDA DR.  
GALLUP, NM 87301  
LOTS 7 THRU 9, BLOCK 19, FORD HWY 66 ADDN.  
R208669

17. GALLUP CHURCH OF CHRIST  
1000 E. GREEN AVE.  
GALLUP, NM 87301-5440  
LOTS 10 THRU 31, BLOCK 19, FORD HWY 66 ADDN.  
R050903
MEMORANDUM

TO: Planning and Zoning Commission

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

REF: Case No. REZ2020-00600003: request by the City of Gallup, property owners, for a change in zoning designation from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for certain described real property.

BACKGROUND

The City of Gallup, property owner, has petitioned the Gallup Planning and Zoning Commission for a change in zoning designation from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for certain real property described as Lots 13 and 14, Block A, Burke George Heights Addition.

DISCUSSION

Subsection 10-5-B-d-i-3a of the City of Gallup Land Development Standards states that amendments to the official zoning map which involve a particular area of land may be made by the Council on its own motion or upon request of the Planning and Zoning Commission, or the person or persons holding fifty one percent (51%) or more of the ownership of the area of land may request the Planning and Zoning Commission to amend the map upon a determination that there are sufficient grounds for the amendment. In this case petitioning property owners, City of Gallup represent 100% ownership of the property proposed for rezone and as such are making the request for a zoning map amendment to the Planning and Zoning Commission.

Subject properties are currently zoned Single Family Residential (SFR-A) Zone District. The purpose for the request for a change in zoning designation from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District is to allow for a replat to reduce five (5) city owned lots to one (1) city owned lot. Lots 13 and 14 lie within the Single Family Residential (SFR-A) Zone District whereas the remaining three (3) lots lie within the Heavy Commercial (HC) Zone District.

Said city properties currently contain the City Dog Park. Without a zone change there would be a small portion of the new lot that would lie within the SFR-A District. City code does not allow one lot to have more than one zone designation therefore the lots have
to be rezoned to the zone district that would match the remaining lots which is the Heavy Commercial (HC) zone district. Once these lots are rezoned we can then proceed with completing the subdivision process.

Section 10-5-B-di2 of the City of Gallup Land Development Standards list Zoning Map Amendment and Text Amendment Criteria. A copy of Section 10-5-B-di2 is included in your agenda packed and marked as “Exhibit A” for your review.

The Gallup Task Force has reviewed this request, a copy of their comments are included in your agenda packet for your review.

**FINDINGS**

Section 10-5-B-di2 sets forth criteria for zoning map amendments as shown in exhibit “A”. It is the findings of staff that a rezone is necessary in order allow for subdivision and commercial development which is consistent with surrounding properties, therefore the request meets the following grounds:

1. The exact location of a district boundary is obscure or irrational or severs a lot area into two (2) or more districts so that it is difficult to develop the lot area properly.

2. The social, economic or environmental interests of the public good would be better served by the proposed district than the existing one.

Staff recommends approval of the zone change request from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for the property as described above.
RESOLUTION NO. RP2020-8

A RESOLUTION [ ] GRANTING [ ] DENYING A REQUEST BY THE CITY OF GALLUP, PROPERTY OWNER, FOR A CHANGE IN ZONING DESIGNATION FOR CERTAIN DESCRIBED REAL PROPERTY FROM SINGLE FAMILY RESIDENTIAL (SFR-A) ZONE DISTRICT TO HEAVY COMMERCIAL (HC) ZONE DISTRICT.

WHEREAS, The City of Gallup, property owner, has petitioned the Gallup Planning and Zoning Commission for a change in zoning designation from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for certain real property described as Lots 13 and 14, Block A, Burke George Heights Addition; and

WHEREAS, a change in zone designation is being requested in order to prevent two separate zone districts from existing on an single lot after a replat of City lands to reduce five (5) existing lots into one (1) new lot; and

WHEREAS, Subsection 10-5-B-d-i3a of the City of Gallup Land Development Standards states that amendments to the official zoning map which involve a particular area of land may be made by the Council on its own motion or upon request of the Planning and Zoning Commission, or the person(s) holding fifty one percent (51%) or more of the ownership of the area of land may request the Planning and Zoning Commission to amend the map upon a determination that there are sufficient grounds for the amendment; and

WHEREAS, the petitioning property owner, the City of Gallup, holds one hundred percent (100%) of the ownership of the area of land involved in the proposed zoning map amendment from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for the property as described above; and

WHEREAS, Section 10-5-B-di2 of the Gallup Land Development Standards sets forth minimum criteria for zoning map amendments; and

WHEREAS, it is the findings of staff that the request meets the following grounds for approval:

1. The exact location of a district boundary is obscure or irrational or severs a lot area into two (2) or more districts so that it is difficult to develop the lot area properly.

2. The social, economic or environmental interests of the public good would be better served by the proposed district than the existing one; 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 application be [ ] granted [ ] denied.

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 application, Case #REZ2020-00600003, for a change in zoning designation from Single Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District for certain real property as described above is hereby [ ] granted [ ] denied.

2. The rezone if approved is subject to compliance with the regulations of the Heavy Commercial (HC) Zone District.

3. The rezone pertains only to the properties described herein.

PASSED, ADOPTED AND APPROVED THIS 12TH DAY OF AUGUST 2020

CITY OF GALLUP, McKinley County

BY: ________________________________
    KENT WILSON, CHAIRMAN

ATTEST: ________________________________
          PLANNING AND ZONING COMMISSION

______________________________
Clyde (C.B.) Strain, Planning & Development Director
Secretary Planning and Zoning Commission
Exhibit “A”

10-5-B-d-i2
Zoning Map Amendment and Text Amendment Criteria

Amendments to the text of the Ordinance are warranted when the provisions of the Ordinance evidence such defects as: ambiguity, omission, inconsistency, obsolescence, inadequacy, excessive stringency or generally fail to serve the public interest. Acceptable grounds for amending the Official Zoning Map are that one (1) or more of the following criteria would be met:

1. There was a mistake in the original mapping of the district for a particular area and the proposed amendment would correct this mistake. In most instances, a mistake would imply that the zoning district which was applied originally did not correspond well to the character of the existing land use in the area.

2. The exact location of a particular zoning district boundary is obscure or irrational or severs a lot area into two (2) or more zoning districts so that it is difficult to develop the lot area properly.

3. Due to changing circumstances of land use in the area, the proposed zoning district would be better suited to the area than the existing zoning district.

4. The land area within a Rural Holding Zone designation has become appropriate for urban development as a result of availability of public utilities and services as well as the needs of the public.

5. The social, economic or environmental interests of the general public good would be better served by the proposed zoning district than the existing one.

6. The proposed change in zoning district boundaries is needed to bring the Official Zoning Map into conformance with changes in the text of the Zoning Ordinance or with the City Master Plan.
APPLICATION FOR REZONING
(ZONE CHANGE)

AMENDMENTS TO THE OFFICIAL ZONING MAP OR TEXT OF THE ZONING ORDINANCE ARE INITIATED BY APPLICATION TO THE CITY ON PRESCRIBED FORMS. EACH APPLICATION FOR ANY AMENDMENT TO THE OFFICIAL ZONING MAP MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN, SITE PLAN, BUILDING DEVELOPMENT PLAN, SKETCH PLAN, PROGRAM OR DEVELOPMENT, OR OTHER RELATED MATERIAL AND INFORMATION AS REQUIRED BY THE CITY. AFTER AN APPLICATION FOR AN AMENDMENT IS ADVERTISED FOR PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION, ANOTHER APPLICATION FOR A CHANGE FOR THE SAME PROPERTY OF THE TEXT MAY NOT BE FILED WITHIN TWELVE (12) MONTHS FROM THE DATE OF FINAL ACTION BY THE GOVERNING BODY ON THE APPLICATION.

PROPERTY OWNER INFORMATION:
Name: CITY OF GALLUP
Address: PO BOX 1270 ________________ City: GALLUP ________________ State: NM ________________ Zip Code: 87305 ________________
Telephone: (505) 863-1220 ________________ Fax: ________________

APPLICANT INFORMATION:
Name: SAME AS PROPERTY OWNER
Address: ________________ City: ________________ State: ________________ Zip Code: ________________
Telephone: ________________ Fax: ________________

SITE ADDRESS: VL'S ON MORGAN AVE. BETWEEN S. 2ND ST. & PUERCO DR. LEGAL DESCRIPTION: Lot:13 & 14 Block: A Subdivision: BURKE GEORGE
Other (if not lot and block): HEIGHTS ADDITION
TOTAL SITE ACREAGE: 0.7100 ACS M² DESCRIPTION OF REQUESTED USE: CURRENTLY SERVES NO USE AS VACANT LOTS, BUT PROPOSING TO COMBINE THE 2 LOTS WITH LARGER LOT WHERE THE CITY DOG PARK IS LOCATED.
PRESENT ZONING DESIGNATION OF THE LAND: SINGLE FAMILY RESIDENTIAL REQUESTED ZONE CHANGE: HEAVY COMMERCIAL (HC)

*PMU District may require submittal of a Master Plan. Check here □ if Master Plan is included.

REASON(S) FOR THE REQUESTED CHANGE: CHANGE ZONING DESIGNATION TO HEAVY COMMERCIAL TO BE CONSISTENT WITH OTHER LOTS BEING COMBINED INTO PROPOSED LOT 1A. REFERENCE REPLAT NO. 1 OF LOTS 13 & 14, BLOCK A, LOTS 1 & 2, BLOCK B; AND LOTS 2 & 3, BLOCK C OF BURKE GEORGE HEIGHTS ADDITION AND REPLAT NO. 1 OF LOT 1 OF REPLAT NO. 1 OF A PORTION OF BLOCK B, AND BLOCK C BURKE GEORGE HEIGHTS ADDITION.

**ATTACH A SITE PLAN OF THE PROPOSED DEVELOPMENT / PROJECT **

MARYANN USTICK
Print Property Owner's Name

Signature

Date 7-1-20

SAME AS PROPERTY OWNER
Print Applicant's Name

Signature

Date

OFFICE USE ONLY
Pre-App. Confr. _______ Application & Fee Accepted by: N
Fee Paid: $ 0 Method of Payment: N/A
Hearing Date: 8/12/2020 Case #: 20-00600003

RECEIVED [ DATE STAMP ]
CITY OF GALLUP PLANNING & DEVELOPMENT
BY: KE TIME: 4:15 PM
Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District.

The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.

AERIAL IMAGERY
Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.

SITE PHOTOS
July 20, 2020

MEMORANDUM

TO: GALLUP TASK FORCE (GTF)

- C.B. Strain, Planning & Development Director
- C.B. Strain, Public Works Department
- Mike DeClercq, Water/Waste Water Superintendent
- Marita Joe, Senior Electrical Engineer
- Adrian Marrufo, Solid Waste Director
- Jacob LaCroix, GFD, Fire Marshal
- Dianne Willato, CenturyLink Engineer
- Irma Bustamante, NM Gas Co. Operations Supervisor
- John Ortiz & Matthew Baca, Comcast Superintendent
- Jayson Grover, Traffic Engineer, NM DOT

FROM: /s/ Nikki Lee
Nikki Lee, Planning Specialist

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

CASE #: REZ2020-00600003
PROJECT NAME: Rezone from SFR-A to Heavy Commercial Zone District
PROPERTY OWNER: City of Gallup
PROJECT LOCATION: Vacant Lot’s on Morgan Ave. between South 2nd St. and Puerco Dr. / Lots 13&14, Block A, Burke George Heights Addition
DESCRIPTION: The property owner is requesting the two (2) lots described above be granted a zone change from Single-Family Residential (SFR-A) to Heavy Commercial (HC) Zone District. The reason for the rezone is so the two (2) existing lots can be combined (replatted) with a larger lot currently zoned Heavy Commercial. The rezone is necessary in order for the new proposed lot to comply with the Land Development Standards. Reference the Minor Subdivision case for the City of Gallup and George Athens; Replat No. 1 of Lots 13&14, Block A, Lots 1&2, Block B and Lots 2&3, Block C of Burke George Heights Addition.

The Rezone and Minor Subdivision case will be concurrently presented to the Planning and Zoning Commission as soon as possible, any conditions for approval should be included in staff’s recommendation to the Commission.

ELECTRONIC COMMENTS ARE DUE BY: 27 JULY 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:

P1.) Rezone is necessary in order to prevent two zone district designations on a single lot after subdivision.

P2.) Rezone criteria met is as follows:
• The exact location of a district boundary is obscure or irrational or severs a lot area into two (2) or more districts so that it is difficult to develop the lot area properly.

P3.) Ok to proceed to public hearing.

**CITY ENGINEER COMMENTS:**
No comment regarding the subject rezone.

**WATER DEPARTMENT COMMENTS:** No water issues at this time.

**WASTEWATER DEPARTMENT COMMENTS:** East/west sewer lines are sized for residential, may need upgrade depending on future use.

**ELECTRIC DEPARTMENT COMMENTS:** No issue with rezone

**FIRE DEPARTMENT COMMENTS:** No issues with rezone. Future code requirements will be construction dependent.

**SOLID WASTE COMMENTS:** No issues with rezone

**CENTURYLINK COMMENTS:**
There are no conflicts with CenturyLink for this rezoning. CenturyLink facilities are not in conflict.

**NM GAS COMPANY COMMENTS:**
NM Gas Company has no comments.

**COMCAST COMMENTS:**
Comcast does not have any facilities near these 2 lots and therefore we have no concerns regarding this rezone case.

**NM DEPT. OF TRANSPORTATION COMMENTS:**
The NMDOT has no comments at this time on the proposed rezoning and combination of the two lots into one.

The NMDOT may have comments in the future regarding access to the state highway for any future property development.
Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.
Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.

PROPERTY MAP
Request by the City of Gallup, property owner for the Rezoning of 0.7100 acres M/L FROM Single-Family Residential (SFR-A) Zone District TO Heavy Commercial (HC) Zone District. The properties are generally located on Morgan Avenue between South Second Street and Puerco Drive; more particularly described as Lots 13 and 14, Block A, Burke George Heights Addition.

### ADDRESS LIST

<table>
<thead>
<tr>
<th>Address</th>
<th>Lot and Description</th>
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<tr>
<td><strong>1A. CITY OF GALLUP</strong>&lt;br&gt;P.O. BOX 1270&lt;br&gt;GALLUP, NM 87305-1270&lt;br&gt;BLOCK A, LOT 13, BURKE-GEORGE HEIGHT ADD.</td>
<td>LOT 12, BURKE-GEORGE HEIGHTS ADDN.</td>
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<td><strong>1B. LOT 14, BLOCK A, BURKE-GEORGE HEIGHT ADD.</strong></td>
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<td><strong>12. LOTS 1 &amp; 2, BLOCK B, BURKE GEORGE HEIGHTS ADDN. FIRST UNIT</strong></td>
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<td><strong>2. DONNA A. BRUCE, TRUSTEE</strong>&lt;br&gt;618 ZECCA DR.&lt;br&gt;GALLUP, NM 87301&lt;br&gt;FRAC. LOTS 1 THRU 6, BLOCK 40, A&amp;P ADDN., A PORTION OF LOT 11, ALL LOT 12, BLOCK A, BURKE-GEORGE HEIGHTS ADDN.</td>
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<tr>
<td><strong>3. EDWARD SMITH</strong>&lt;br&gt;103 MORGAN CIR.&lt;br&gt;GALLUP, NM 87301&lt;br&gt;LOT 11, BLOCK A, LESS PORTION CONVEYED BY QCD 9-172 &amp; 173 A PORTION OF</td>
<td></td>
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<td><strong>5. CONCHA MONTANO</strong>&lt;br&gt;2006 S. TOMBAUGH WAY&lt;br&gt;FLAGSTAFF, AZ 86001</td>
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<td><strong>6. EDWARD KLINE JR. &amp; LEONA O. DIAZ</strong>&lt;br&gt;109 MORGAN CIR.</td>
<td>LOT 15B, REPLAT NO. 1 OF REPLAT NO. 1 OF LOTS 15A &amp; 16B, BLOCK A, BURKE-GEORGE HEIGHTS ADDN.</td>
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<td><strong>7. TIMOTHY D. &amp; JENNIFER L. ADCOCK</strong>&lt;br&gt;109 MORGAN CIR.</td>
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8. RICHARD L. & RITA M. CASTILLO
   800 S. PUERCO DR.
   GALLUP, NM 87301
   LOT 7, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
   R014559

9. JOHN EDWARD & MICHELLE MARY KILLGORE
   106 MORGAN CIR.
   GALLUP, NM 87301
   LOT 5A, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE GEORGE HEIGHTS ADDN.
   R050822

10. LOT 4A, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE GEORGE HEIGHTS ADDN.
    R179248

11. LOT 3, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE GEORGE HEIGHTS ADDN.
    R208858

14. NEW MEXICO STATE HWY DEPT.
    P.O. BOX 1149
    SANTA FE, NM 87503-1149
    LOTS 14 & 15, BLOCK 30, A&P RAILWAY CO. ADDN.
    R026867

15. JAMES D. MARTINEZ, ETAL
    1507 S. CLIFF DR.
    GALLUP, NM 87301
    LOTS 16 THRU 19, BLOCK 30, A&P RAILWAY CO. ADDN.
    R626414

16. LOTS 20 & 21, BLOCK 30, A&P RAILWAY CO. ADDN.
    R023388

17. TRES MILPAS, LLC
    P.O. BOX 898
    GALLUP, NM 87305-0898
    R023523

18. LOT 1, BLOCK 30, A&P ADDN.
    REPLAT NO. 1 OF LOTS 24, 25 & 26
    R030600
August 6, 2020

MEMORANDUM

TO: Planning and Zoning Commission

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

REF: Case No. 2020-00300006, request for final plat review and approval of Replat No. 1 of Lots 13 & 14, Block A; and Lots 2 & 3, Block C Burke George Heights Addition, and Replat No. 1 of Lot 1 of Replat No. 1 of a portion of Block B & C, Burke George Heights Addition, minor subdivision.

BACKGROUND

George Athens and the City of Gallup, property owners, have petitioned the Gallup Planning and Zoning Commission for final plat review and approval of Replat No. 1 of Lots 13 & 14, Block A; and Lots 2 & 3, Block C Burke George Heights Addition, and Replat No. 1 of Lot 1 of Replat No. 1 of a portion of Block B & C, Burke George Heights Addition, containing a total of 6.3658 acres. The City of Gallup is also requesting the vacation of sixty foot (60’) wide, undeveloped portion of the Morgan Avenue right-of-way between Block A and Block B. The properties are located at 711 and 801 South Second Street containing a total of 6.3658 acres M/L which includes the portion of right-of-way proposed for vacation containing 0.5741 acres.

DISCUSSION

Currently the properties contains seven (7) lots and an undeveloped portion of the Morgan Avenue right-of-way. Five (5) of the lots are currently owned by the City of Gallup and two (2) lots are owned by George Athens. Mr. Athens wishes purchase a portion of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C Burke George Heights Addition, in order to allow for construction of an addition to the south side of the existing building which lies within his property. Currently the existing building lies directly on the southern property boundary line which doesn’t allow for expansion of said building. Acquiring additional land from the city to add to his already existing property will provide the square footage needed to accommodate placement of said structure.

Also as part of this subdivision the City is wishing to clean up some vacant properties owned by the City which are located directly adjacent to the City Dog Park. Included will be a vacation of an unused, undeveloped portion of the Morgan Avenue right-of-way that
will never be developed, however there is an existing sewer mainline within this right-of-way so as part of this plat a public utility easement will be dedicated over the existing sewer mainline. There are also some existing public utility/drainage easements that have no utilities or drainage within them which will also be vacated as part of this plat. To achieve this, this replat will combine Lots 13 & 14 of Block A, and Lots 1 & 2 of Block B and the vacated portion Morgan Avenue into Lot 1 of Replat No. 1 of a Portion of Block B, And Block C, Burke George Heights Addition, to create one Lot which will contain the Dog Park development.

All proposed lots comply with the required dimensional requirements for the Heavy Commercial (HC) Zone District per Table 10-2-21 of the City of Gallup Land Development Standards. The property is also presently fully serviced with water/wastewater and electric infrastructure across the entire length of the property frontage 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.

If approved the subdivision will go before the Gallup City Council during their regular meeting scheduled on August 25, 2020 for final approval of the vacation of the aforementioned public right-of-way as well as the existing public utility and drainage easements.
This application will serve as the sketch plat application for MNSB2020-00300006

Use additional sheets if necessary. Submit the completed application with all related materials and filing fee (payable to the City of Gallup) 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)

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<tr>
<th>Major Subdivision:</th>
<th>Minor Subdivision:</th>
<th>Administrative Subdivision:</th>
<th>Site Development:</th>
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<tr>
<td>__ Sketch Plat</td>
<td>__ Sketch Plat</td>
<td>X Sketch Plat</td>
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<td>Final Plat &amp; Parcel</td>
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<td>Final Plat &amp; Parcel</td>
<td>Tracking Sheet **</td>
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<td>Amendment</td>
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1. APPLICANT INFORMATION
(a) NAME: George Athens Phone #: 505-879-0819
Mailing Address: P.O. Box 1524 Fax: -
City: Gallup State: NM Zip: 87305

(b) Agent (if any): __________________________ Phone #: __________________________
Mailing Address: __________________________
City: __________________________ State: ______ E-mail: __________________________

(c) Project Engineer: DePauli Engt. - Kyle Phone #: 505-863-5440
Mailing Address: 307 S. 4th St. Zip: 87301
City: Gallup State: NM E-mail: Kyle.Spolar@depaulliengineering.com

(d) Signature of Applicant or Agent: __________________________ Date: 4-22-20
Printed Name: __________________________

2. PROPERTY OWNER
(a) NAME: George Athens Phone #: 505-879-0819
Mailing Address: P.O. Box 1524 E-mail: zztec-auto@yahoom.com
City: Gallup State: NM Zip Code: 87305

(b) Signature of Property Owner: __________________________ Date: 4-22-20
Printed Name: __________________________

3. LOCATION OF REQUEST
(a) Street Address (if any): 711 + 801 S. 2nd St. BLOCK C.
(b) Present Legal Description: Lots /Tracts: Lot 2 +3, Burke George Heights ADD & Lot 1 Replat 19M Plane F-185, 03-05
1.380 ACS OF LOT T, REPL. NO. T OF A PORTION OF BLOCK B AND BLOCK C, BURKE GEORGE HEIGHTS ADDN.

4. PROJECT DETAILS
(a) Project is within jurisdiction of: City of Gallup
(b) Present Zoning: ______ Number of Existing Structures: ______
(c) Proposed Zoning (if a zone change is proposed there is a separate application process): N/A
(d) Number of Existing Lots: ______ Number of Proposed Lots: ______
(e) Total Land Area: 4.6836 ACRES GEOERGE ATHENS 0.3447 ACS & CITY 4.3389 ACS
(f) ** The McKinley County Parcel Tracking Sheet is attached: Yes [ ] No [ ] (Required with Final Plat)

OFFICE USE ONLY
Pre-App. Confr.: ______ Application/Fees Accepted By: ______
Fee Paid: $25.00 Method of Payment: Check # 2874
Date: ______ Case #: ______
THIS APPLICATION WILL SERVE AS THE SKETCH PLAT APPLICATION FOR MNSB2020-00300006 NL

USE ADDITIONAL SHEETS IF NECESSARY. SUBMIT THE COMPLETED APPLICATION WITH ALL RELATED MATERIALS AND FILING FEE (PAYABLE TO THE CITY OF GALLUP) 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)

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<td>Amendment</td>
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1. APPLICANT INFORMATION
   (a) NAME: CITY OF GALLUP Phone #: (505) 863-1220
       Mailing Address: PO BOX 1270 Fax #: __________________
       City: GALLUP State: NM Zip: 87305
   (b) Agent (if any): __________________ Phone #: __________________
       Mailing Address: ____________________________ Fax #: __________________
       City: ____________________________ State: _______ E-mail: __________________
   (c) Project Engineer: DEPAULI ENGINEERING & SURVEYING Phone #: (505) 863-5440
       Mailing Address: 307 S. 4TH ST. Zip: 87301
       City: GALLUP State: NM E-mail: MDEPAULI@DEPAULIENGINEERING.COM
   (d) Signature of Applicant or Agent: __________________ Date: __________
       Printed Name: MARYANN USTICK, CITY MANAGER

2. PROPERTY OWNER
   (a) NAME: SAME AS APPLICANT (CITY OF GALLUP) Phone #: __________________
       Mailing Address: ____________________________ E-mail: __________________
       City: ____________________________ State: _______ Zip Code: __________
   (b) Signature of Property Owner: __________________ Date: __________
       Printed Name: MARYANN USTICK, CITY MANAGER

3. LOCATION OF REQUEST
   (a) Street Address (if any): 801 S. SECOND ST.
   (b) Present Legal Description: Lots /Tracts: LOT 1, REPLET NO. 1 OF A PORTION OF BLOCK B AND BLOCK C, BURKE GEORGE HEIGHTS ADDN.

4. PROJECT DETAILS
   (a) Project is within jurisdiction of: CITY OF GALLUP
       HEAVY COMMERCIAL (HC) Number of Existing Structures: 1
   (c) Proposed Zoning (if a zone change is proposed there is a separate application process):
   (d) Number of Existing Lots: 1 Number of Proposed Lots: 1
   (e) Total Land Area: 4.3389 ACRES ML Acres
   (f) ** The McKinley County Parcel Tracking Sheet is attached: Yes ☐ No ☐ (Required with Final Plat)

OFFICE USE ONLY

Pre-App. Confr.: Application/Fees Accepted By: ☐
Fee Paid: $ ☐ Method of Payment: N/A
Hearing Date: Case #: 20-00400002

APR 28 2020
USE ADDITIONAL SHEETS IF NECESSARY. SUBMIT THE COMPLETED APPLICATION WITH ALL RELATED MATERIALS AND FILING FEE (PAYABLE TO THE CITY OF GALLUP) 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)

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1. APPLICANT INFORMATION
   (a) NAME: GEORGE ATHENS Phone #: (505) 879-0819
       Mailing Address: PO BOX 1524 Fax #: aztec_auto@yahoo.com
       City: GALLUP State: NM Zip: 87305
   (b) Agent (if any): Phone #: 
       Mailing Address: 
       City: State: E-mail: 
   (c) Project Engineer: DEPAULI ENGINEERING & SURVEYING Phone #: (505) 863-5440
       Mailing Address: 307 S. 4TH ST. Zip: 87301
       City: GALLUP State: NM E-mail: MDEPAULI@DEPAULIENGINEERING.COM
   (d) Signature of Applicant or Agent: GEORGE ATHENS Date: 6-22-20
       Printed Name: GEORGE ATHENS

2. PROPERTY OWNER
   (a) NAME: SAME AS APPLICANT (GEORGE ATHENS) Phone #: 
       Mailing Address: E-mail: 
       City: State: Zip Code: 
   (b) Signature of Property Owner: GEORGE ATHENS Date: 6-22-20
       Printed Name: GEORGE ATHENS

3. LOCATION OF REQUEST
   (a) Street Address (if any): 711 & 801 S. 2ND ST. (see purchase agreement where 0.1380 acres from City to George Athens)
   (b) Present Legal Description: Lots /Tracts: LOT 2 & 3, BLOCK C, BURKE GEORGE HEIGHTS ADDITION & 0.1380 ACS OF LOT 1, REPLAT NO. 1 OF A PORTION OF BLOCK 8 & BLOCK C, BURKE GEORGE HEIGHTS ADDN.

4. PROJECT DETAILS
   (a) Project is within jurisdiction of: CITY OF GALLUP
   (b) Present Zoning: COMMERCIAL (HC) Number of Existing Structures: 2
   (c) Proposed Zoning (if a zone change is proposed there is a separate application process): 
   (d) Number of Existing Lots: 1 Number of Proposed Lots: 1
   (e) Total Land Area: 0.3447 ACRES ML Acres
   (f) ** The McKinley County Parcel Tracking Sheet is attached: Yes ☐ No ☐ (Required with Final Plat)

OFFICE USE ONLY

Pre-App. Confr.: Application/Fees Accepted By: J. B. 
Fee Paid: $50.00 Method of Payment: Cash
Hearing Date: 8/12/2020 Case #: 20-0030000

RECEIVED

JUN 22 2020
CITY OF GALLUP
PLANNING & DEVELOPMENT
BY: 10 TIME: 2PM
USE ADDITIONAL SHEETS IF NECESSARY. SUBMIT THE COMPLETED APPLICATION WITH ALL RELATED MATERIALS AND FILING FEE (PAYABLE TO THE CITY OF GALLUP) 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

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1. APPLICANT INFORMATION
(a) NAME: CITY OF GALLUP Phone #: (505) 863-1220
Mailing Address: PO BOX 1270
City: GALLUP State: NM Zip: 87305
(b) Agent (if any): 
Mailing Address: 
City: 
State: 
E-mail: 
(c) Project Engineer: DEPAULI ENGINEERING & SURVEYING Phone #: (505) 863-5440
Mailing Address: 307 S. 4TH ST. Zip: 87301
City: GALLUP State: NM E-mail: MDEPAULI@DEPAULIENGINEERING.COM
(d) Signature of Applicant or Agent: [Signature] Date: 6/29/2020
Printed Name: MARYANN USTICK, CITY MANAGER

2. PROPERTY OWNER
(a) NAME: SAME AS APPLICANT (CITY OF GALLUP) Phone #: 
Mailing Address: 
City: 
State: 
E-mail: 
Zip Code: 
(b) Signature of Property Owner: [Signature] Date: 6/29/2020
Printed Name: MARYANN USTICK, CITY MANAGER

3. LOCATION OF REQUEST
(a) Street Address (if any): 801 S. SECOND ST. & 3 VACANT LOTS
(b) Present Legal Description: Lots /Tracts:

4. PROJECT DETAILS
(a) Project is within jurisdiction of: CITY OF GALLUP
HC (2 LOTS)
(b) Present Zoning: SFR-A (2 LOTS) Number of Existing Structures: 
(c) Proposed Zoning (if a zone change is proposed there is a separate application process): 
(d) Number of Existing Lots: 4 Number of Proposed Lots: 1 (ALSO VACATE ROW)
(e) Total Land Area: 6.0211 ACRES M/L Acres
(f) ** The McKinley County Parcel Tracking Sheet is attached: Yes [ ] No [ ] (Required with Final Plat)

[Stamp: RECEIVED]
JUN 29 2020
CITY OF GALLUP
PLANNING & DEVELOPMENT
BY: ________________________ TIME: 1:15 pm

OFFICE USE ONLY
Pre-App. Confr.: Application/Fees Accepted By: 
Fee Paid: $0 Method of Payment: N/A
Hearing Date: 8/12/2020 Case #: 20-003000001e
Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60’ wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing unoccupied public utility and drainage easements within proposed Lot 1A.

The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres.

**AERIAL IMAGERY**
Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60’ wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing unoccupied public utility and drainage easements within proposed Lot 1A.

The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres.
April 29, 2020

MEMORANDUM

TO: GALLUP TASK FORCE (GTF)

▶ C.B. Strain, Community Planner
▶ Stan Henderson, Executive Director, Public Works Division
▶ Mike DeCerco, Water/Waste Water Superintendent
▶ Marita Joe, Senior Electrical Engineer
▶ Adrian Marrufo, Director, Solid Waste Department
▶ Jacob LaCroix, Fire Inspector
▶ Dianne Willato, CenturyLink Engineer
▶ Irma Bustamante, NM Gas Co. Distribution Superintendent
▶ John Ortiz & Matthew Baca Comcast Superintendent
▶ Jayson Grover, Traffic Engineer, NM DOT

FROM: Roman J. Herrera, Development Review Coordinator

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

CASE #: 20-00400002
PROJECT NAME: Replat of Lot 1, Block C & Lots 2 & 3, Block C, Burke George Heights Addn. Subdivision
PROPERTY OWNER: George Athens & The City of Gallup
PROJECT LOCATION: 711 S. Second Street & 801 S. Second Street
DESCRIPTION: Administrative Subdivision; Sketch Plat Review: The replat request consist of lot line adjustments to the western, southern & eastern lot lines of Lots 2 & 3 (98.48’ x 76.71’ x 76.28") into Lot 1. The new lot designations will be changed to Lot 1A & Lot 2A, the property is zoned Heavy Commercial (HC), a zone change is not being requested. Approval of the replat will be handled administratively, any conditions for approval should be included staff recommendation to the approving official.

ELECTRONIC COMMENTS ARE DUE BY: 7 MAY 2020

NO TASK FORCE MEETING HAS BEEN SCHEDULED

COMMUNITY PLANNER COMMENTS:
P1.) Incorporate Lots 1 & 2, Block B, and Lots 13 & 14, Block A, Burke George Heights Addition into proposed Lot 1A of proposed subdivision. Per discussion with DePauli’s Engineering & Surveying.

P2.) Change description to “Replat No.1 of Lots 13 & 14, Block A, Lots 1 & 2, Block B, and Lots 2 & 3, Block C, of Burke George Heights Addition”

P3.) Change Subdivision Name. Per discussion with DePauli’s Engineering & Surveying.
4.) Vacate a Portion of Morgan Avenue right-of-way adjacent to proposed Lot 1A. Per discussion with DePauli's Engineering & Surveying.

P5.) Change from Administrative Subdivision to Minor Subdivision. Subdivision will be required to go before a public hearing. Add "Certification of Acceptance and Approval" language for Planning and Zoning Commission. And add "Vacated Right of Way Certification of Approval" for City Council.

P6.) Update City of Gallup's contact information.

P7.) Change to final plat.

P8.) Add Document# or Book & Page# for existing easements.


CITY ENGINEER COMMENTS: City sponsored subdivision; therefore, no issues noted.

WATER DEPARTMENT COMMENTS: No comments

WASTEWATER DEPARTMENT COMMENTS: No comments

ELECTRIC DEPARTMENT COMMENTS: No issues with Lot Line adjustment. However, electric will need additional easements for the existing OH line, a 10' PUE along Second Street

FIRE DEPARTMENT COMMENTS: No Fire Department Issues with replat.

SOLID WASTE COMMENTS: No issues with replat

CENTURYLINK COMMENTS: No comments were submitted.

NM GAS COMPANY COMMENTS: No comments were submitted.

COMCAST COMMENTS: No comments were submitted.

NM DEPT. OF TRANSPORTATION COMMENTS: No comments were submitted.
June 22, 2020

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 Department
- Jacob LaCroix, GFD, Fire Inspector
- Dianne Willato, CenturyLink Engineer
- Irma Bustamante, NM Gas Co. Distribution Superintendent
- John Ortiz & Matthew Baca, Comcast Superintendent
- Jayson Grover, Traffic Engineer, NMDOT

FROM: /s/ Nikki Lee
Nikki Lee, Planning Specialist

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

CASE #: MNSB2020-00300006

PROJECT NAME: Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; And Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C Burke George Heights Addition

PROPERTY OWNER: George Athens & The City of Gallup

PROJECT LOCATION: 711 S. Second Street & 801 S. Second Street & Vacant Lots

DESCRIPTION: FINAL PLAT REVIEW - This replat has changed from an Admin to a Minor subdivision being that a portion of Morgan Avenue will be vacated. This revised plat also added 4 more lots (Lots 13 & 14, Block A and Lots 1 & 2, Block B), which are owned by the City of Gallup. The purpose of including the 4 additional City lots and Vacated Morgan Avenue is to combine with the proposed Lot 1A whereas Lot 1A will be increasing its acreage (new total for Lot 1A 6.0211 acres). Lots 2 & 3, Block C (George Athens property) will remain as presented during the Sketch Plat. Five lots are presently zoned Heavy Commercial (HC) and two lots zoned Single-Family Residential (SFR-A). A zone change will be requested for the 2 City lots in order to comply with subdivision regulations. The final plat will be presented to the Planning & Zoning Commission as soon as possible; any conditions for approval should be included in staff recommendation to the Commission.

ELECTRONIC COMMENTS ARE DUE BY: 29 JUNE 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:
Thank you for addressing our previous comments and concerns. Please make the administrative changes shown on the attached marked up plat. Okay to proceed to the public hearings for Planning and Zoning and the City Council.
The two City lots (Lots 13 & 14, Block A) will also concurrently request for a rezone from SFR-A to HC zone district.

**CITY ENGINEER COMMENTS:**
No issues noted.

**WATER DEPARTMENT COMMENTS:** No comments

**WASTEWATER DEPARTMENT COMMENTS:** No comments

**ELECTRIC DEPARTMENT COMMENTS:** Thank you for addressing our previous comments. The dedicated 10' easement along Second Street is accepted by the City Electric Department. No issues with replat.

**FIRE DEPARTMENT COMMENTS:** No Fire Department issues with Replat.

**SOLID WASTE COMMENTS:** No issues with replat

**CENTURYLINK COMMENTS:**
No comments submitted from CenturyLink by the deadline.

**NM GAS COMPANY COMMENTS:**
New Mexico Gas Co does not have any issues at this time.

**COMCAST COMMENTS:**
Comcast does not have any concerns or comments with the revised plat.

**NM DEPT. OF TRANSPORTATION COMMENTS:**
If any future changes to access location or traffic demand are expected on any lot adjacent to NM 602, the NMDOT will need to be consulted.
Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60' wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing unoccupied public utility and drainage easements within proposed Lot 1A. The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres.
Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60’ wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing unoccupied public utility and drainage easements within proposed Lot 1A. The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres.

PROPERTY MAP
Request by George Athens and the City of Gallup, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 13 & 14, Block A; Lots 1 & 2, Block B; and Lots 2 & 3, Block C of Burke George Heights Addition and Replat No. 1 of Lot 1 of Replat No. 1 of a Portion of Block B, and Block C, Burke George Heights Addition. Also requesting for the City of Gallup to vacate a 60' wide, undeveloped street right-of-way (R.O.W.) between Block A and Block B and vacate several existing unoccupied public utility and drainage easements within proposed Lot 1A. The properties are located at 711 and 801 South Second Street; subdivision contains 6.3658 acres M/L which includes the vacated R.O.W. of 0.5741 acres.

ADDRESS LIST

1A. GEORGE ATHENS  
P.O. BOX 1524  
GALLUP, NM 87305-1524  
LOTS 2 & 3, BLOCK C, BURKE GEORGE HEIGHTS ADDN.  
R156159

1B. CITY OF GALLUP  
P.O. BOX 1270  
GALLUP, NM 87305-1270  
LOT 1, REPLAT NO. 1 OF A PORTION OF BLOCK B AND BLOCK C, BURKE GEORGE HEIGHTS ADDN.  
R100595

1C. LOTS 1 & 2, BLOCK B, BURKE GEORGE HEIGHTS ADDN. FIRST UNIT  
R301462

1D. BLOCK A, LOT 13, BURKE-GEORGE HEIGHT ADD.  
R100412

1E. LOT 14, BLOCK A, BURKE-GEORGE HEIGHT ADD.  
R100420

2. DONNA A. BRUCE, TRUSTEE  
618 ZECCA DR.  
GALLUP, NM 87301  
FRAC. LOTS 1 THRU 6, BLOCK 40, A&P ADDN., A PORTION OF  
R025615

3. EDWARD SMITH  
103 MORGAN CIR.  
GALLUP, NM 87301  
LOT 11, BLOCK A, LESS PORTION CONVEYED BY QCD 9-172 & 173 A PORTION OF LOT 12, BURKE-GEORGE HEIGHTS ADDN.  
R002275

4. FERMIN R. & LINDA C. GALLEGOS  
P.O. BOX 954  
GALLUP, NM 87305-0954  
LOT 12A, OF THE REDIVISION OF LOTS 7 THRU 12, BLOCK 38, A&P RAILWAY CO. ADDN.  
R207471

5. CONCHA MONTANO  
2006 S. TOMBAUGH WAY  
FLAGSTAFF, AZ 86001  
LOT 10, BLOCK A, BURKE-GEORGE HEIGHTS ADD.  
R025615

6. EDWARD KLINE JR. & LEONA O. DIAZ  
107 MORGAN CIR.
7. TIMOTHY D. & JENNIFER L. ADCOCK
109 MORGAN CIR.
GALLUP, NM 87301
LOT 15B, REPLAT NO. 1 OF REPLAT NO. 1 OF LOTS 15A & 16B, BLOCK A, BURKE-GEORGE HEIGHTS ADDN.
R009547

12. JAMES B. WATKINS & LOUISE THERESA BERNABE
C/O ZACHARY ARTURS CRESS & SANDRA KORISON LEE
HC 62 BOX 2612
THOREAU, NM 87323
LOT 13A, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R002496

8. RICHARD L. & RITA M. CASTILLO
800 S. PUERCO DR.
GALLUP, NM 87301
LOT 16B, REPLAT NO. 1 OF REPLAT NO. 1 OF LOTS 15A & 16A, BLOCK A, BURKE-GEORGE HEIGHTS ADDN.
R009555

13. TAKARA TRADING COMPANY, LTD.
215 S. THIRD ST.
GALLUP, NM 87301
LOT 14, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R035157

9. JOHN EDWARD & MICHELLE MARY KILLGORE
106 MORGAN CIR.
GALLUP, NM 87301
LOT 5A, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R014559

14. CHARLES A. MATAYA & MARY L. DIPAULO
815 LAGUNA CIR.
GALLUP, NM 87301
LOT 15, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R206934

10. LOT 4A, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R179248

15. JAVIER A. ZARATE & KATHLEEN S. LEYBA
101 UTE CIRCLE
GALLUP, NM 87301
LOT 23, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R141283

11. LOT 3, REPLAT NO. 1 OF LOTS 4, 5, 6 & 13, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R208858

16. P&P INVESTMENTS, LLC
905 PLATEAU CIR.
GALLUP, NM 87301
LOTS 24 & 25, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R023868

17. GEORGE V. & LAURA J. LONG
103 NAVAJO CIR.
GALLUP, NM 87301
LOT 29, BLOCK B, BURKE-GEORGE HEIGHTS ADDN.
R207715

18. ROSE E. GLICK, TRUSTEE
26964 HELMOND DR.
AGOURA, CA 91301
LOT 2, REPLAT NO. 1 OF A PORTION OF BLOCK B AND BLOCK C, BURKE-GEORGE HEIGHTS ADDN. CONT. 1.27 ACS M/L
R300678

19. BLAKES LOTABURGER, LLC
#37
3205 RICHMOND DR. NE
ALBUQUERQUE, NM 87107
LOT 6, BLOCK D, BURKE-GEORGE HEIGHTS
R002860

20. ELEVENTH CONSTELLATION, LLC
808 S. SECOND ST.
GALLUP, NM 87301
LOT 5A, REPLAT NO. 1 OF LOTS 4 & 5, BLOCK D AND INCLUDING PORTIONS OF VACATED PARK CT. AND THIRD ST. BURKE-GEORGE HEIGHTS ADDN. FIRST UNIT FINAL PLAT
R001082

21. KEVIN & LISA A. BRITE
502 SANDS CT.
GALLUP, NM 87301
LOT 4A, REPLAT NO. 1 OF LOTS 4 & 5, BLOCK D AND INCLUDING PORTIONS OF VACATED PARK CT. AND THIRD ST. BURKE-GEORGE HEIGHTS ADDN. FIRST UNIT
R003883

22. JANE’S ENTERPRISES, LLC
C/O MICHAEL L. & TERRY M. JONES, TRUSTEES
2000 MCDEVITT PL.
GALLUP, NM 87301
EAST PORTION OF LOT 3 AKA LOT 3A, BLOCK D, REPLAT BURKE GEORGE HEIGHTS ADDN.
R174807

23. M CUBED, LLC
2275 SUNRISE POINT RD.
LAS CRUCES, NM 88011
W ½ OF LOTS 1 & 2, & W. PORTION OF LOT 3, A/K/A LOT 3-B, BLK D, REPLAT BURKE-GEORGE HEIGHT ADDN, ALSO THAT PORT ST. VACETED BY THE CITY OF GALLUP, CONT. .088 ACS M/L
R100609

24. PABLO ANDABLO
716 S. SECOND ST.
GALLUP, NM 87301
THE EAST ½ OF LOTS 1 & 2, BLOCK D, BURKE-GEORGE HEIGHTS UNIT 1
R154768

25. MARK C. GARTNER
714 S. SECOND ST.
GALLUP, NM 87301
LOTS 22 THRU 24, BLOCK 4, VANCLEAVE SUB. ALSO THE S ½ OF THE FOLLOWING DESC. ALLEY. BOUNDED ON THE N. BY LOTS 1 THRU 5, & ON THE S. BY LOTS 22 THRU 24
R017140

26. GUADALUPE & NANCY VALLES
P.O. BOX 423
GAMERCO, NM 87317-0423
BLOCK 4, LOTS 20 & 21, VANCLEAVE SUB.
R005509
27. MICHAEL A. & MARREL LINN CONDREY
   712 S. SECOND ST.
   GALLUP, NM 87301
   BLOCK 4, LOTS 1 THRU 5 &
   THE N ½ OF ALLEY ADJACENT
   TO SAID LOTS, VANCLEAVE
   ADDN.
   R205473

28. TOBY E. & LINDA L.
   DEARMOND
   P.O. BOX 628
   MENTMORE, NM 87319-0628
   LOT 2, REPLAT NO. 1 OF
   TRACT 1 OF THE THIRD
   STREET CONNECTION,
   VANCLEAVE SUB., ALSO
   SITUATED WITHIN THE NW ¼
   NW ¼ OF SEC. 22 T15N R18W,
   CONT. 1.1591 ACRES M/L
   R141127

29. CHARLES R. & LISA M.
    STEWART
    1206 ROCKY POINT CIR.
    GALLUP, NM 87301
    BLOCK 29 FRAC. LOTS 33
    THRU 36, A&P ADDITION
    FRAC. LOTS 24 THRU 36, A&P
    AMENDED PLAT
    R039470

30. NEW MEXICO STATE HWY
    DEPT.
    P.O. BOX 1149
    SANTA FE, NM 87503-1149
    LOTS 14 & 15, BLOCK 30, A&P
    RAILWAY CO. ADDN.
    R026867

31. JAMES D. MARTINEZ, ETAL
    1507 S. CLIFF DR.
    GALLUP, NM 87301
    LOTS 16 THRU 19, BLOCK 30,
    A&P RAILWAY CO. ADDN.
    R626414

32. LOTS 20 & 21, BLOCK 30, A&P
    RAILWAY CO. ADDN.
    R023388

33. TRES MILPAS, LLC
    P.O. BOX 898
    GALLUP, NM 87305-0898
    LOTS 22 & 23, BLOCK 30, A&P
    ADDN. LOT 22, A&P AMENDED
    PLAT
    R023523

34. LOT 1, BLOCK 30, A&P ADDN.
    REPLAT NO. 1 OF LOTS 24, 25
    & 26
    R030600
Summary of City Council Actions

July 2020

July 28th, 2020:  
Case # 20-00300005:  Request by Ryan Chavez on behalf of AVA, LLC and ABA Land Ltd. Co., property owners and Kevin McCarthy on behalf of Love’s Travel Stops & Country Stores, Inc., property owner, for Final Plat approval of a Minor Subdivision; Replat No. 1 of Love Subdivision containing 4.908 acres M/L and a Replat of 3 Unplatted Tracts of Land within a portion of the Ortega Annexation situated in the NE ¼ of Section 27 T15N, R19W and 1 Unplatted Tract of Land within a portion of the Mentmore Meadows Annexation situated in the SE ¼ of Section 22 T15N, R19W, N.M.P.M. containing a total of 16.0381 acres M/L. Also requesting for the City of Gallup to vacate several existing unoccupied public utility and access easements within proposed Lots 2 and 3 containing a total of 0.4632 acres M/L. The properties are located at 3360, 3366B and 3380 West Historic Highway 66 and 2 vacant properties North of 3366B West Historic Highway 66; containing a total of 20.9461 acres M/L.

City Council approved the vacation of easements- by plat
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<th>DESCRIPTION</th>
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<th>JULY VALUATION</th>
<th>YEAR TO DATE NUMBER OF PERMITS</th>
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## CITY OF GALLUP
### PLANNING & DEVELOPMENT

#### MONTHLY COMPILATION OF PERMITS ISSUED

**JULY 2020**

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<th>DATE ISSUED</th>
<th>PERMIT NO.</th>
<th>OWNER / BUSINESS</th>
<th>CONTRACTOR</th>
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**TOTALS:** $4,206.11 $326,571.00

### Amendments

- **3** RESIDENTIAL ADDITIONS / ALTERATIONS
- **1** RESIDENTIAL STORAGE SHED
- **3** COMMERCIAL ADDITIONS / ALTERATIONS
- **14** ROOF REPAIR
- **5** FENCE / RETAINING WALL

**27 TOTAL PERMITS**