

**PLANNING AND ZONING COMMISSION
AGENDA****Wednesday, October 14th, 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 August 12th, 2020 Meeting Minutes

PUBLIC HEARINGS

ITEM ONE: CASE # 20-00300007: Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions. This item will go before City Council for final approval on October 27, 2020.

ITEM TWO: CASE # 20-00600004: Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District

TO Heavy Commercial (HC) Zone District. The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

ITEM THREE: CASE # 20-00700002: Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District. The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

INFORMATION ITEMS

ITEM FOUR: City Council Actions Taken

ITEM FIVE: August & September 2020 Building Permit Activity Report

*** Open Floor

*** Adjourn



Planning & Zoning Commission
August 12th, 2020 Minutes
Virtual Meeting

The regular meeting of the Planning and Zoning Commission was called to order at 6:05 p.m. by Vice-Chairman Matthew Long. Chairman Long 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.

Upon roll call, the following were present:

Vice-Chairman M. Long
Commissioner K. Mackenzie-Chavez
Commissioner F. Pawlowski
Commissioner L. Miller
Commissioner J. Cresto
Commissioner K. Spolar

Upon roll call, the following were absent:

Chairman K. Wilson

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

Presented to the Chairman and Commissioners for their approval were the minutes of the July 8th, 2020 regular meeting. Commissioner Mackenzie-Chavez motioned for approval of the minutes as presented. Seconded by Commissioner Pawlowski. Motion Carried.

Upon roll call, the following votes were:

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

Chairman Long 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
Jon Pairett, Fire Inspector
David Dallago, property owner (Item One)
George Athens, property owner (Item Three)

Chairman Long administered the oath required by State Law for public forum for each of the individuals listed above (except Ms. Joe and Mr. Pairett).

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

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-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.

CB Strain began by using the screen to display the GIS Map to show the property's location. Mr. Dallago is requesting a variance for his property that lies within the Mixed-Use Neighborhood (MXN) Zone District and also within the Character Protection Overlay (CPO) District. CB explained how the overlay district was created with the code update in 2018, which helps to maintain the older neighborhood's integrity and guide the neighborhood's development. The older neighborhoods don't have as far setbacks as other neighborhoods do for new construction whereas the code recognizes that. CB explained how there was a setback range for the older neighborhoods located in the CPO where it was calculated by looking at the four (4) closest properties adjacent to the subject property. They look at the structure that's the closest and furthest from the property line and in-between that range is where the new structure can go. The maximum front setback for Mr. Dallago's property would be seventeen feet (17') according to the CPO district; however there is a City main sewer line that runs through the southwest corner of the property. CB used the screen to display the GIS Map to show the sewer line on the property. CB stated that the sewer line prevented the property owner from meeting the maximum front yard setback because it would set the building right on top of the sewer line, which creates a hardship peculiar to the property. This is a main sewer line and relocation of the line is not feasible because there would be several issues. CB informed the Commission that if they would like a detailed description of that Dennis Romero, Water/Wastewater Director was present to review with them. CB reiterated that the sewer line prevented Mr. Dallago from complying with the requirements of the Land Development Standards. CB used the screen to display the site plan (Page 1-3) for the multi-family dwelling unit that Mr. Dallago was planning to build. He pointed to the area where Mr. Dallago plans to build a two-story apartment building, which are two buildings connected

by the roof whereas the code considers it one structure. He pointed to the green line which showed the existing sewer line's location. In order for the property owner to meet the off-street parking requirements and properly setback the building it leaves a sixty foot (60') front yard setback from the property line off Ford Street, which is forty-three feet (43') further than the maximum allowed seventeen foot (17') front yard setback. Mr. Dallago is requesting a forty-three foot (43') variance in order to accommodate for the existing sewer line. CB explained that whenever considering the granting of a variance there has to be a hardship peculiar to the land. Mr. Dallago does meet the criteria with the sewer line being there whereas the sewer line makes it impossible to comply with the setback requirement.

FINDINGS OF CONCLUSION: CB informed the Commission that the property owner met the variance criteria under Section 10-5-B-d-ii2 of the City of Gallup Land Development Standards as follows:

1. The existing sewer mainline that runs through the property as described creates special conditions and circumstances, which are peculiar to the land and which are not generally applicable to other lands in the same zone district. CB explained how this meant no one else has this condition on their property and they would be able to meet the regulation, which creates a hardship for the property owner.
2. Because of the special circumstances related to the land, 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.

CB recommended approval of the variance being that the property owner met the criteria; Resolution Number RP2020-7.

Chairman Long asked the Commissioners if they had any questions.

Commissioner Cresto asked CB how far the church located to the south was setback compared to the subject property. CB responded that the church's property was not located within the Character Protection Overlay (CPO) District so we could not take that into consideration. They had to measure the range of adjacent properties located within the CPO, which is north along Ford Drive.

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

David Dallago, property owner introduced himself and stated that he needed the variance in order to proceed with construction.

Chairman Long asked the Commissioners if they had any questions for Mr. Dallago. There were none.

Chairman Long stated that there was one (1) letter that the City of Gallup received. Chairman Long

read aloud the letter received from Maria Blough dated August 11, 2020. The screen was used to display the objection letter. *(A copy is attached hereto, marked as Exhibit A and made a part of these official minutes).*

Chairman Long asked the Madam Secretary if there was anyone who called in wishing to speak for or against this case. There were none. Nikki Lee informed the Commission that Maria Blough wanted to be clear that she was not opposed to the item, but just wanted to submit her concerns for the record.

Chairman Long asked the Commissioners if they had any questions.

Commissioner Mackenzie-Chavez asked Mr. Dallago to address the concerns stated in the letter submitted by Maria Blough. She asked if there were any plans to build a wall around the parking lot to make it more private. Mr. Dallago stated that he was not the previous property owner and purchased the property six to eight months ago. He said these are not going to be typical apartments; they are going to be high end with refrigerated air and security gates with passcodes. He mentioned how he already had verbal commitments from some nursing organizations to rent one bedroom apartments because of the security gates and cameras he plans to install. Mr. Dallago stated that what was there before was a trailer park and these are upper end apartments. Commissioner Mackenzie-Chavez asked Mr. Dallago if there was going to be gating around the parking lot. Mr. Dallago responded yes; it's going to be similar to what some storage sheds have or what larger apartments like Phoenix have. Commissioner Mackenzie-Chavez thanked Mr. Dallago for the explanation.

Commissioner Pawlowski asked if there was a way that the information Mr. Dallago just gave verbally could be extended to the property owner who submitted the letter. CB stated yes they could relay the information, which could help her feel more comfortable with the new apartments.

Chairman Long stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00800001. Commissioner Cresto motioned for approval of Item One. Seconded by Commissioner Mackenzie-Chavez. Motion Carried.

Upon roll call, the following votes were:

Commissioner J. Cresto (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner L. Miller (Yes)
Commissioner K. Spolar (Yes)

Chairman Long informed the public that there was a ten (10) day appeal period and if anyone would like to file an appeal to the Commission's decision they can do so with the City Clerk's Office.

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

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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.

CB began by using the screen to display the GIS Map showing the property's location and zoning designation. The request is to rezone the properties from Single-Family Residential (SFR-A) Zone District to Heavy Commercial (HC) Zone District, which is consistent with the zoning to the west. CB explained how this was a City initiated action to rezone two (2) city owned lots. The two (2) rezoned lots are going to tie into a subdivision for the next agenda item. CB stated that in order to allow the subdivision to go through they needed to rezone the lots accordingly because the regulations do not allow one (1) lot to have two (2) different zoning designations. These properties are near Second Street by the City Dog Park property. CB reiterated that in order to proceed with the following subdivision item they have to rezone the two (2) lots first. CB explained how a majority of the actions would be explained on the next item, but if the Commission had any questions he could answer them. **FINDINGS OF CONCLUSION:** CB informed the Commission that the request meets the criteria for a rezone and recommended approval of Resolution Number RP2020-8.

Chairman Long stated that the City initiated the zone change whereas CB Strain, Planning and Development Director presented the item on behalf of the City whereas they are the party speaking in favor of the case.

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

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

Chairman Long stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00600003. Commissioner Pawlowski motioned for approval of Item Two. 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 J. Cresto (Yes)
Commissioner K. Spolar (Yes)

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.

CB began by using the screen to display the GIS Map to show the property's location. CB explained how the subdivision was tied to the previous rezone item the Commission just approved. CB gave a background as to how the replat began, which was when Mr. Athens needed to acquire additional property. Mr. Athens owns the property located at 711 South Second Street, which is occupied by a glass business. CB continued to explain that there was a carport structure attached to the building, which is encroaching into the City Dog Park property. To fix the encroachment issue Mr. Athens purchased property from the City to gain more property whereas the replat is adjusting his lot line to the south. CB stated that along with Mr. Athens' replat, the City realized there were some things that needed to be cleaned up in the same area. Staff noticed that there were four (4) lots owned by the City, which could be combined with the City Dog Park property (proposed Lot 1A). Staff also noticed there was an undeveloped dedicated right-of-way (Morgan Avenue), which they are requesting to vacate and combine with the City Dog Park property. CB explained how there was no need to have these separate lots as they are currently standing and they do not need the right-of-way either because it will never be developed. CB summarized how the subdivision was basically cleaning up the lot lines and vacating unused easements and right-of-ways. He mentioned how it was typical with any subdivision to dedicate utility and drainage easements. CB used the screen to display the plat and pointed to where easements were being dedicated to reflect existing utility lines.

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

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

George Athens, property owner stated that he needed more parking on the side of his business, which is what initiated his request.

Chairman Long asked the Commissioners if they had any questions for Mr. Athens. There were none.

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

Chairman Long stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300006. Commissioner Miller motioned for approval of Item Three. Seconded by Commissioner Mackenzie-Chavez. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)
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Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner J. Cresto (Yes)
Commissioner K. Spolar (Yes)

The item will be presented to City Council on August 25, 2020 for final approval.

INFORMATION ITEMS

ITEM FOUR: City Council Actions Taken

ITEM FIVE: July 2020 Building Permit Activity Report

OPEN FLOOR:

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

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

Motion was made by Commissioner Pawlowski to adjourn the meeting. Seconded by Commissioner Mackenzie-Chavez. Motion Carried.

Upon roll call, the following votes were:

Commissioner F. Pawlowski (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner L. Miller (Yes)
Commissioner J. Cresto (Yes)
Commissioner K. Spolar (Yes)

Commission Adjourned at 6:38 p.m.

PLANNING & ZONING COMMISSION

KENT WILSON, CHAIRMAN

ATTEST:

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

RECEIVED

AUG 11 2020

CITY OF GALLUP
PLANNING & DEVELOPMENTBY: AL TIME: 4:10 p.m.505-979-1512
Maria E. Blough
1000 E. Mesa Ave.
Gallup, N.M. 87301
August 11, 2020

To:

Gallup Planning and Zoning Commission
Clyde (C.B.) Strain, Planning and
Development Director

This letter is in reference to the request before you by David R. Dalago Management, Inc. for a variance of forty-three feet (43') from the maximum front yard set back of seventeen (17') feet within the base zone district mixed use neighborhood (MXU) per Table 10-2-15 and the overlay zone Character Protection Overlay District per section of the City of Gallup Land Development Standards to allow for the construction of a multi-family dwelling unit at 509 Ford Drive, Lots 21-26, Block 18, IH Ford Hwy 66 addition.

I am concerned that this will lower my property value at 1000 E. Mesa Ave due to the fact that this request involves a commercial property to be built at 509 Ford Drive, described as Lots 21-26, Block 18, IH, Fords Hwy 66 addition.

As you know a trailer Park unit had inhabited that property since we bought our property in August of 1994

Since living at this location we have had to call the Police to settle family disturbances and intoxicated people getting out of hand. I am concerned that people living there may cause damage to my property.

Being that a parking lot for the tenants is being established next to the right of way-alleyway, I am concerned that in the year of living here, prior tenants have come very close to backing up next to my block wall and have on one occasion, toppling over a section of my wall and trying to get the owner (owner) of the property to help with the repair, went unheard. We ended up taking care of the repair ourselves.

I certainly hope the parking lot doesn't turn into a meeting area disrupting and causing noise in the late hours of the night. This matter is a great concern of mine.

I appreciate the consideration of the Gallup Planning + Zoning Commission in understanding this matter.

Sincerely,
Maria E. Blough



OFFICIAL SEAL
KATHY R. MALDONADO
NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires

02-17-2022

Kathy R. Maldonado

STATE OF New Mexico)

COUNTY OF Mckinley)

Subscribed and sworn before me this 11th day of August, 2020. By Marie E. Blough and _____.

Kathy R. Maldonado
Notary Public

Commission Expires: 02-17-2022



OFFICIAL SEAL
KATHY R. MALDONADO
NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 02-17-2022



Louie Bonaguidi, Mayor

Linda Garcia, District 1 Councilor
Michael Schaaf, District 2 Councilor
Yogash Kumar, District 3 Councilor
Fran Palochak, District 4 Councilor

Maryann Ustick, City Manager
Curtis G. Hayes, City Attorney



October 7, 2020

MEMORANDUM

TO: Planning and Zoning Commission

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

REF: Case No. 2020-00300007, request for final plat review and approval of the City of Gallup, Aequitas Education and Joshua Generation minor subdivision.

BACKGROUND

The City of Gallup, Aequitas Education and Joshua Generation for Jesus, property owners, have petitioned the Gallup Planning and Zoning Commission for final plat review and approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions

DISCUSSION

Currently there are eleven (11) tracts of land contained within the proposed replat. Some of the parcels are platted and some are not. There are also dedicated right-of-ways that are not within the original platted alignment and also a paved street known as Elva Drive that was never dedicated as a city right-of-way. The purpose of this subdivision is to reduce the number of tracts of land from eleven (11) to five (5) legal lots of record and to correct all right-of-way issues within said subdivision which includes vacating portions of existing right-of-way and dedicating new right-of-ways.

Sections 11-1-A4g and 11-1-F of the City of Gallup Subdivision Regulations requires any developer of a subdivision to install and construct certain improvements at no cost to the City. Curb, gutter and sidewalks are currently not installed within portions of the Park Avenue frontage of Lot 1 and within portions of the Elva Drive frontage. Furthermore City

water and wastewater system main lines currently are not installed within the Elva Drive frontage of Lot 1. At this time the City has concluded that these installations are not necessary this time and can be deferred until future development triggers such installation or when the City deems installation reasonably necessary. Deferral will be done by Subdivision Agreement which will be recorded with the plat and carry with the land.

Staff will go into greater detail during their presentation as the subdivision is somewhat complicated and involves several elements. That being said the proposed subdivision does comply with all of the City of Gallup Subdivision Regulations for a Minor Subdivision, therefore staff recommends approval.

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.

This subdivision will go before the Gallup City Council for final approval of the vacated portions of right-of-way during their regular meeting on October 27, 2020.

SUBDIVISION AGREEMENT

THIS AGREEMENT, is made this 14th day of October, 2020 by and between the CITY OF GALLUP, NEW MEXICO, a municipal corporation, hereinafter referred to as "CITY," and Aequitas Educations, hereinafter referred to as "OWNER," pursuant to Sections 11-1-A4g and 11-1-F of the City of Gallup Subdivision Regulations.

WHEREAS, the OWNER is subdividing certain lands within the City of Gallup, County of McKinley, State of New Mexico, known as Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L; and

WHEREAS, Sections 11-1-A4g and 11-1-F of the City of Gallup Subdivision Regulations requires any developer of a subdivision to install and construct certain improvements at no cost to the CITY; and

WHEREAS, curb, gutter and sidewalks are not currently installed within portions of the Park Avenue frontage of Lot 1 and within portions of the Elva Drive frontage of Lot 1; and

WHEREAS, City water and wastewater system main lines currently are not installed within the Elva Drive frontage of Lot 1; and

WHEREAS, Section 11-1-F3 of the City of Gallup Subdivision Regulations Gives the City the authority to defer utility installations, under certain conditions, by Subdivision Agreement; and

WHEREAS, the CITY has given conditional approval of the subdivision and has agreed to defer installation of said curb, gutter and sidewalks and installation of said water and wastewater system main lines subject to the OWNER agreeing to comply with the CITY'S Subdivision Regulations pertaining to the installation of curb, gutter and sidewalks and installation of city water and wastewater system main lines within the described portions of the Park Avenue frontage and the Elva Drive frontage if and when development requires such installation, or when installation is deemed reasonably necessary by the City, whichever occurs first, at no cost to the City; and

WHEREAS, this Agreement runs with the land and is binding upon the owner, sub divider, grantee, successors and assigns.

NOW, THEREFORE, in consideration of the above, the CITY and the OWNER hereby agree as follows:

1. The CITY hereby agrees to defer installation of curb, gutter and sidewalks along the portions of the Park Avenue frontage and Elva Drive frontage of Lot 1 that do not contain curb, gutter and sidewalks, until development requires such installation or when installation is deemed reasonably necessary by the City.
2. The OWNER hereby agrees to install curb, gutter and sidewalks along the portions of the Park Avenue frontage and the Elva Drive frontage of Lot 1 that do not contain curb, gutter or sidewalks if and when development required such installation or when installation is deemed reasonably necessary by the City, whichever occurs first, at no cost to the City.
3. The CITY hereby agrees to defer installation of city water and wastewater system main lines within the Elva Drive frontage of Lot 1 until development requires such installation or when installation is deemed reasonably necessary by the City.
4. The OWNER hereby agrees to install city water and wastewater system main lines within the Elva Drive frontage of Lots 1 if and when development requires such installation or when installation is deemed reasonably necessary by the City, whichever occurs first, at no cost to the City.
5. The OWNER and their heirs and assigns, agree to indemnify and hold the CITY harmless save harmless the City, its agents and employees, from all claims, suits and actions brought against the City for any alleged injury or damages caused by the City allowing the deferrals described in paragraphs 1 and 3 above.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CITY OF GALLUP, NEW MEXICO

ATTEST:

BY: _____

Kent Wilson

Chairman, Planning and Zoning Commission

 Clyde "C.B." Strain
 Director of Planning and Development
 City of Gallup

OWNER:

 Patrick Mason, Aequitas Education
 Property Owner

STATE OF NEW MEXICO)

)§

COUNTY OF MCKINLEY)

The foregoing instrument was acknowledged before me this ____ day of October, 2020, by

_____.

_____.

NOTARY PUBLIC

My Commission Expires:

_____.

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)

<u>Major Subdivision:</u> <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet ** <input type="checkbox"/> Amendment	<u>Minor Subdivision:</u> <input checked="" type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	<u>Administrative Subdivision:</u> <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	<u>Site Development:</u> <input type="checkbox"/> Plan Review
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1. APPLICANT INFORMATION

(a) NAME: Acquitas Education Phone #: 505-862-9498
 Mailing Address: 104 E Actec Ave Fax #: _____
 City: Gallup State: NM Zip: 87301

(b) Agent (if any): Patrick Mason Phone #: 505-862-9498
 Mailing Address: 104 E Actec Ave Zip: 87301
 City: Gallup State: NM E-mail: p.mason@milawfirm.net

(c) Project Engineer: Kyle Spolar / DEPAULI ENGINEERING & SURVEYING Phone #: 505-863-5440
 Mailing Address: 307 S. 4TH ST. Zip: 87301
 City: GALLUP State: NM E-mail: KSpolar@depauli-engineering.com

(d) Signature of Applicant or Agent:  Date: 08/31/2020
 Printed Name: Patrick T. Mason

2. PROPERTY OWNER

(a) NAME: Acquitas Education Phone #: 505-862-9498
 Mailing Address: 104 E Actec E-mail: p.mason@milawfirm.net
 City: Gallup State: NM Zip Code: 87301

(b) Signature of Property Owner:  Date: 08/31/2020
 Printed Name: Patrick T. Mason

3. LOCATION OF REQUEST

(a) Street Address (if any): 405 PARK, 515 PARK, 425 PARK AVE.

(b) Present Legal Description: Lots /Tracts: ~~BERNARD T. ESPELAGE ADD. LOTS 1-5~~
~~PORTION LOT 6, BLK 6, BURKE-GEORGE HEIGHTS 1 ST~~

A TRACT OF LAND WITHIN 21 15 18, THE NE 1/4 OF SEC. 21 ALSO A TRACT 75' X 150' AND LOTS 1 THRU 6 IN BLOCK G BURKE GEORGE HEIGHTS ADDN. CONT. 29.28 ACS ML

4. PROJECT DETAILS

(a) Project is within jurisdiction of: CITY OF GALLUP

(b) Present Zoning: SFR-B Number of Existing Structures: 3

(c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____

(d) Number of Existing Lots: 6 ¹ Number of Proposed Lots: 3 ²

(e) Total Land Area: 30 Ac +/- Acres

(f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

RECEIVED

OFFICE USE ONLY

Pre-App. Confr.: 8/11/20 Application/Fees Accepted By: N.D.

Fee Paid: \$ 25.00 Method of Payment: CHECK # 1436

Hearing Date: _____ Case #: 20-00300007

AUG 31 2020

CITY OF GALLUP
PLANNING & DEVELOPMENT
BY: RE TIME: 4:40pm

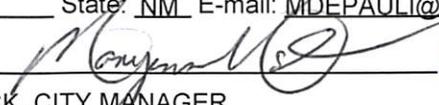
USE ADDITIONAL SHEETS IF NECESSARY. SUBMIT THE COMPLETED APPLICATION WITH ALL RELATED MATERIALS AND FILING FEE (PAYABLE TO THE CITY OF GALLUP) TO THE PLANNING DEPARTMENT. **INCOMPLETE OR INACCURATE APPLICATIONS MAY DELAY HEARING OR DECISION DATE.**

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

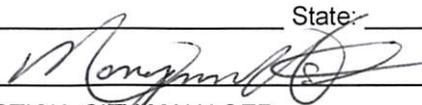
REVIEW TYPE: (check only one category per submittal)

<u>Major Subdivision:</u> <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet ** <input type="checkbox"/> Amendment	<u>Minor Subdivision:</u> <input checked="" type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	<u>Administrative Subdivision:</u> <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	<u>Site Development:</u> <input type="checkbox"/> Plan Review
--	--	--	--

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: _____ Zip: _____
 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:** 9-9-20
 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:** 9-9-2020
 Printed Name: MARYANN USTICK, CITY MANAGER

3. LOCATION OF REQUEST

- (a) Street Address (if any): 925 PARK AVE., 1 PARCEL NE OF SPORTS COMPLEX & 1380 ELVA DR.
- (b) Present Legal Description: Lots /Tracts: 56.691 ACRES M/L IN SEC. 21 T15N R18W, N. OF BYPASS HWY; A TRACT OF LAND WITHIN 21 15 18, LYING WITHIN THE BERNARD T. ESPELAGE CONT. 4.027 ACRES M/L;

4. PROJECT DETAILS

- (a) Project is within jurisdiction of: CITY OF GALLUP
- (b) Present Zoning: RHZ (1 LOT) Number of Existing Structures: _____
- (c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____
- (d) Number of Existing Lots: 3 Number of Proposed Lots: 2 (ALSO DEDICATE ROW)
- (e) Total Land Area: 61.1003 ACRES M/L Acres
- (f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

O F F I C E U S E O N L Y

Pre-App. Confr.: _____ Application/Fees Accepted By: AD.
 Fee Paid: \$ 0 Method of Payment: N/A
 Hearing Date: _____ Case #: 20-00300007



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)

Major Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet ** <input type="checkbox"/> Amendment	Minor Subdivision: <input checked="" type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet **	Administrative Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet **	Site Development: <input type="checkbox"/> Plan Review
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1. APPLICANT INFORMATION

- (a) NAME: JOSHUA GENERATION Phone #: (505) 863-2688
 Mailing Address: PO BOX 900 Fax #: _____
 City: GALLUP State: NM Zip: 87305
- (b) Agent (if any): CORINE & DENNIS GALLEGOS Phone #: (505) 870-4254
 Mailing Address: PO BOX 900 Zip: 87305
 City: GALLUP State: NM 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:** Dennis Gallegos **Date:** 9-19-2020
Printed Name: Dennis Gallegos

2. PROPERTY OWNER

- (a) NAME: SAME AS APPLICANT (JOSHUA GENERATION) Phone #: _____
 Mailing Address: _____ E-mail: _____
 City: _____ State: _____ Zip Code: _____
- (b) **Signature of Property Owner:** Dennis Gallegos **Date:** 9-19-2020
Printed Name: Dennis Gallegos

3. LOCATION OF REQUEST

- (a) Street Address (if any): VACANT LOT SOUTHEAST OF PARK AVE. & ELVA DR.
- (b) Present Legal Description: Lots /Tracts: LOTS 5 & 6, BLOCK F, BURKE GEORGE HEIGHTS ADDN.
FIRST UNIT

4. PROJECT DETAILS

- (a) Project is within jurisdiction of: CITY OF GALLUP
- (b) Present Zoning: SFR-B Number of Existing Structures: _____
- (c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____
- (d) Number of Existing Lots: 2 Number of Proposed Lots: 2 (VACATE & DEDICATE ROW)
- (e) Total Land Area: _____ Acres
- (f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

O F F I C E U S E O N L Y

Pre-App. Confr.: 9/19/20 Application/Fees Accepted By: NO.
 Fee Paid: \$ 0 Method of Payment: N/A
 Hearing Date: _____ Case #: 20-00300007



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)

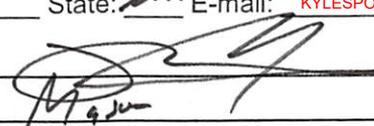
Major Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet ** <input type="checkbox"/> Amendment	Minor Subdivision: <input type="checkbox"/> Sketch Plat <input checked="" type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet **	Administrative Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel <input type="checkbox"/> Tracking Sheet **	Site Development: <input type="checkbox"/> Plan Review
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1. APPLICANT INFORMATION

(a) NAME: Acquitas Education Phone #: 505-862-9498
 Mailing Address: 104 E Actec Ave Fax #: _____
 City: Gallup State: NM Zip: 87301

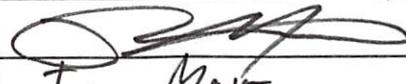
(b) Agent (if any): Patrick T. Mason Phone #: _____
 Mailing Address: _____ Zip: _____
 City: _____ State: _____ E-mail: _____

(c) Project Engineer: Kyle Spolar / DEPAULI ENGINEERING & SURVEYING Phone #: 863-5440
 Mailing Address: 307 S 4th ST Zip: 87301
 City: GALLUP State: NM E-mail: KYLESPOLAR@DEPAULIENGINEERING.COM

(d) Signature of Applicant or Agent:  Date: _____
 Printed Name: Patrick T. Mason

2. PROPERTY OWNER

(a) NAME: Acquitas Education Phone #: 505-862-9498
 Mailing Address: 104 E Actec Ave E-mail: p.mason@milawfirm.net
 City: Gallup State: NM Zip Code: 87301

(b) Signature of Property Owner:  Date: _____
 Printed Name: Patrick T. Mason

3. LOCATION OF REQUEST

(a) Street Address (if any): 405, 515, 425 PARK AVE.

(b) Present Legal Description: Lots /Tracts: ~~BERNARD T. ESPELAGE ADD, LOT 15~~
~~PORTON LOT 6, BCK G BURKE GEORGE HEIGHT, LOT 6 REPLAT~~
~~BEH.~~

4. PROJECT DETAILS

(a) Project is within jurisdiction of: LOG

(b) Present Zoning: SFR-B Number of Existing Structures: 3

(c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____

(d) Number of Existing Lots: ~~6~~ 7 Number of Proposed Lots: ~~5~~ 1

(e) Total Land Area: ~~80 AC +/-~~ 26.1278 + 0.7974 + 0.4027 = 27.3279 Acres

(f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

O F F I C E U S E O N L Y

Pre-App. Confr.: _____ Application/Fees Accepted By: AD
 Fee Paid: \$ 50.00 Method of Payment: Check #1440 & #1442
 Hearing Date: 10/14/2020 Case #: 20-00300007

RECEIVED

SEP 30 2020

V2016.04.06

ne 4pm

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)

Major Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet ** <input type="checkbox"/> Amendment	Minor Subdivision: <input type="checkbox"/> Sketch Plat <input checked="" type="checkbox"/> Final Plat & Parcel Tracking Sheet **	Administrative Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	Site Development: <input type="checkbox"/> Plan Review
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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: _____ Zip: _____
 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:** *Maryann Ustick* **Date:** 9/23/20
 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:** *Maryann Ustick* **Date:** 9/23/20
 Printed Name: MARYANN USTICK, CITY MANAGER

3. LOCATION OF REQUEST

(a) Street Address (if any): 925 PARK AVE., 1 PARCEL NE OF SPORTS COMPLEX & 1380 ELVA DR.

(b) Present Legal Description: Lots /Tracts: 56.691 ACRES M/L IN SEC. 21 T15N R18W, N. OF BYPASS HWY; A TRACT OF LAND WITHIN 21 15 18, LYING WITHIN THE BERNARD T. ESPELAGE CONT. 4.027 ACRES M/L; A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE BEING SITUATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 21, T15N R18W, CONT. 0.64 ACS M/L

4. PROJECT DETAILS

(a) Project is within jurisdiction of: CITY OF GALLUP

(b) Present Zoning: RHZ (1 LOT) Number of Existing Structures: _____

(c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____

(d) Number of Existing Lots: 3 Number of Proposed Lots: 2 (ALSO DEDICATE ROW)

(e) Total Land Area: 57.9679 + 0.3823 = 58.3502 Acres

(f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

O F F I C E U S E O N L Y

Pre-App. Confr.: _____ Application/Fees Accepted By: *NO*

Fee Paid: \$ 0 Method of Payment: N/A

Hearing Date: 10/14/2020 Case #: 20-00300007

RECEIVED

SEP 23 2020

CITY OF GALLUP
 PLANNING & DEVELOPMENT

BY: *NO* TIME: 11:30am

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)

Major Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet ** <input type="checkbox"/> Amendment	Minor Subdivision: <input type="checkbox"/> Sketch Plat <input checked="" type="checkbox"/> Final Plat & Parcel Tracking Sheet **	Administrative Subdivision: <input type="checkbox"/> Sketch Plat <input type="checkbox"/> Final Plat & Parcel Tracking Sheet **	Site Development: <input type="checkbox"/> Plan Review
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1. APPLICANT INFORMATION

- (a) NAME: JOSHUA GENERATION Phone #: (505) 863-2688
 Mailing Address: PO BOX 900 Fax #: _____
 City: GALLUP State: NM Zip: 87305
- (b) Agent (if any): CORINE & DENNIS GALLEGOS Phone #: (505) 870-4254
 Mailing Address: PO BOX 900 Zip: 87305
 City: GALLUP State: NM 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:** Dennis Gallegos **Date:** 9-19-2020
 Printed Name: Dennis Gallegos

2. PROPERTY OWNER

- (a) NAME: SAME AS APPLICANT (JOSHUA GENERATION) Phone #: _____
 Mailing Address: _____ E-mail: _____
 City: _____ State: _____ Zip Code: _____
- (b) **Signature of Property Owner:** Dennis Gallegos **Date:** 9-19-2020
 Printed Name: Dennis Gallegos

3. LOCATION OF REQUEST

- (a) Street Address (if any): VACANT LOT SOUTHEAST OF PARK AVE. & ELVA DR.
- (b) Present Legal Description: Lots /Tracts: LOTS 5 & 6, BLOCK F, BURKE GEORGE HEIGHTS ADDN. FIRST UNIT

4. PROJECT DETAILS

- (a) Project is within jurisdiction of: CITY OF GALLUP
- (b) Present Zoning: SFR-B Number of Existing Structures: _____
- (c) Proposed Zoning (if a zone change is proposed there is a separate application process): _____
- (d) Number of Existing Lots: 2 Number of Proposed Lots: 2 (VACATE & DEDICATE ROW)
- (e) Total Land Area: 0.3144 Acres
- (f) ** The McKinley County Parcel Tracking Sheet is attached: Yes No (Required with Final Plat)

O F F I C E U S E O N L Y

Pre-App. Confr.: _____ Application/Fees Accepted By: ND.

Fee Paid: \$ 0 Method of Payment: N/A

Hearing Date: 10/14/2020 Case #: 20-00300007

RECEIVED

SEP 21 2020

V2016.04.06

BY: nl 2:30pm

REPLAT No.1

OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M.

AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID ADDITION DATED JUNE 12, 1954, UNKNOWN FILING IN THE OFFICE OF THE CLERK OF MCKINLEY COUNTY, NEW MEXICO.

AND LOTS 1-5, AND A PORTION OF LOT 6, BLOCK G, FIRST UNIT OF BURKE-GEORGE HEIGHTS,

AN ADDITION TO THE TOWN OF GALLUP, NEW MEXICO AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JULY 6, 1950.

AND LOT 6, BLOCK F; REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION,

AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1968.

AND CITY TANK SITE PARCEL DESCRIBED AS A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE WITHIN SECTION 21, T15N, R18W, N.M.P.M.; CONTAINING 0.64 ACRES +/-

AS THE SAME ARE SHOWN AND DESIGNATED ON THE SURVEY OF SAID PARCEL FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JUNE 13, 2003, BK. 20 COMP., PG. 5612.

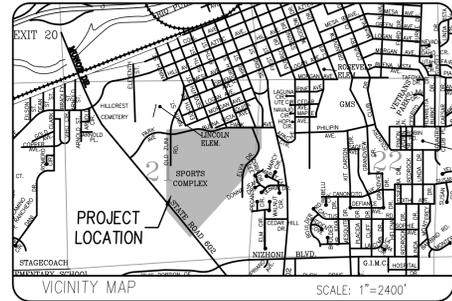
AND SPORTS COMPLEX PARCEL 56.691 ACRES +/-, NORTH OF STATE ROAD 602 (F.K.A. HWY. 32 BYPASS)

AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1912-1915, MAY 2, 1991.

TOGETHER WITH A 4.027 ACRES +/- PARCEL, A PORTION OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M.

AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1916, MAY 2, 1991.

GALLUP, MCKINLEY COUNTY, NEW MEXICO.



NOTES:

1) OWNER: AEQUITAS, INC. DOCUMENT No. 393224, JULY 29, 2020 DOCUMENT NO. 393774, SEPTEMBER 25, 2020

CITY OF GALLUP BK. 3 COMP., PG. 1912-1915, MAY 2, 1991 BK. 3 COMP., PG. 1916, MAY 2, 1991

JOSHUA GENERATION FOR JESUS DOCUMENT No. 373680, OCTOBER 23, 2015

2) FIELD SURVEY PERFORMED: MARCH, APRIL, MAY, AND SEPTEMBER 2020

3) BEARING REFERENCED TO THE NEW MEXICO STATE PLANE WEST ZONE GRID (OBTAINED PER GPS OBSERVATIONS) DELTA ALPHA= -0°31'46". DISTANCES ARE GROUND

4) SEE REFERENCE No. 9 FOR IMPROVEMENTS

5) ZONING: GC

6) ACCORDING TO FIRM NO.35031C1540E AND FIRM NO.35031C1540E, EFFECTIVE DATE: FEBRUARY 17, 2010. THE PROPERTY DESCRIBED HEREIN LIES WITHIN FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE "A", AREAS OF 1% ANNUAL CHANCE FLOOD; NO BASE FLOOD ELEVATION DETERMINED.

REFERENCE PLATS:

1) T.E. SCANLON & ASSOC. PLAT - BERNARD T. ESPELAGE ADDITION, DATED: JUNE 6/12/1954; UNKNOWN FILING INFO.

2) JOHN L. KLEINER PLAT - C.F. VOGAL'S ADDITION No.1, RECORDED: 6/21/1940

3) HAYNES ENGINEERING PLAT - LOT 4A, BLOCK 2, REPLAT OF LOTS 1-4, BLOCK 2, C.F. VOGAL'S ADDITION NO.1; RECORDED: 9/12/2003, E-157, BK. 21 COMP., PG. 2694.

4) ROSS BEYER ENGINEERING PLAT - BURKE-GEORGE HEIGHTS RECORDED: 7/6/1950

5) WILLIAM P. MATAYA PLAT - REPLAT BLOCK F, H, & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION RECORDED: 8/15/1968.

6) ADVANCED ENGINEERING & CONSULTING, LLC - PLAT OF 3A, BLOCK F IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION RECORDED: 2/27/2003, E-153, BK. 18 COMP., PG. 8931.

7) HAYNES ENGINEERING PLAT - THE PROMISED LAND SUBDIVISION; RECORDED: 9/2/1994 D-35

8) DePAULI ENGINEERING PLAT - BOUNDARY SURVEY OF THE SOUTHWESTERN HILL RESERVOIR SITE SITUATED IN SE1/4 OF THE NE1/4 SEC. 21, T15N, 18W, N.M.P.M.; RECORDED: 6/13/2003, E-160, BK. 20 COMP., PG. 5612.

9) DEPAULI ENGINEERING PLAT - ALTA/NSPS LAND TITLE SURVEY OF A PORTION OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M.; LOTS 1-5, AND A PORTION OF LOT 6, BLOCK G, FIRST UNIT OF BURKE-GEORGE HEIGHTS, NOT FILED, DATED: 7/18/2020

10) STERLING & MATAYA PLAT - CITY OF GALLUP SPORTS COMPLEX SURVEY, SEC. 21, T15N, 18W, N.M.P.M. NOT FILED, DATED: 9/14/1991.

OWNERS:

- LOT 1 - AEQUITAS, INC.
LOT 6A - AEQUITAS, INC.
LOT 2 - CITY OF GALLUP
LOT 3 - CITY OF GALLUP
LOT 6B - JOSHUA GENERATION FOR JESUS INC.

CERTIFICATION OF ACCEPTANCE AND APPROVAL

THE ABOVE DESCRIBED SUBDIVISION AND CONDITIONAL ACCEPTANCE OF THE DEDICATION OF RIGHTS OF WAYS, EASEMENTS AND SITES FOR CITY USE AND THE PLAT THEREOF UPON WHICH THIS CERTIFICATE APPEARS IS HEREBY APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GALLUP, NEW MEXICO.

THIS DAY OF

ATTEST:

SECRETARY CHAIRMAN OF PLANNING AND ZONING COMMISSION

ANY IMPROVEMENTS TO THE LAND CONTAINED WITHIN THIS SUBDIVISION SHALL BE SUBJECT TO THE TERMS AND CONDITIONS CONTAINED WITHIN THE SUBDIVISION AGREEMENT APPROVED BY THE GALLUP PLANING AND ZONING COMMISSION, ON THIS DAY OF

AND RECORDED SIMULTANEOUSLY WITH THIS PLAT.

CERTIFICATE OF FILING

I, THE UNDERSIGNED CLERK AND EX-OFFICIO RECORDER OF THE CITY OF GALLUP, NEW MEXICO, A MUNICIPAL CORPORATION OF THE STATE OF NEW MEXICO WITHIN THE COUNTY OF MCKINLEY, DO HEREBY CERTIFY THAT THE ABOVE PLAT WAS DULY FILED IN MY OFFICE AS PROVIDED BY LAW ON THE

DAY OF

CLERK AND EX-OFFICIO RECORDER CITY OF GALLUP, NEW MEXICO

CERTIFICATE OF FILING

I, COUNTY CLERK AND EX-OFFICIO RECORDER FOR MCKINLEY COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT CONTAINED HEREON WAS FILED IN MY OFFICE AS

PROVIDED BY LAW ON THE DAY OF

CLERK AND EX-OFFICIO RECORDER MCKINLEY COUNTY, NEW MEXICO

APPROVALS

CITY OF GALLUP WATER & WASTEWATER DIRECTOR

CITY OF GALLUP ELECTRIC UTILITY DIRECTOR

NM GAS COMPANY

QWEST CORPORATION dba CENTURYLINK QC

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT THE FOREGOING REPLAT IS DESCRIBED AS FOLLOWS:

BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID ADDITION DATED JUNE 12, 1954, UNKNOWN FILING IN THE OFFICE OF THE CLERK OF MCKINLEY COUNTY, NEW MEXICO.

AND LOTS 1-5, AND A PORTION OF LOT 6, BLOCK G, FIRST UNIT OF BURKE-GEORGE HEIGHTS, AN ADDITION TO THE TOWN OF GALLUP, NEW MEXICO AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JULY 6, 1950.

AND LOT 6, BLOCK F; REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1968.

AND CITY TANK SITE PARCEL DESCRIBED AS A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE WITHIN SECTION 21, T15N, R18W, N.M.P.M.; CONTAINING 0.64 ACRES +/- AS THE SAME ARE SHOWN AND DESIGNATED ON THE SURVEY OF SAID PARCEL FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JUNE 13, 2003, BK. 20 COMP., PG. 5612.

AND SPORTS COMPLEX PARCEL 56.691 ACRES +/-, NORTH OF STATE ROAD 602 (F.K.A. HWY. 32 BYPASS) AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1912-1915 MAY 2, 1991; SAID SPORTS COMPLEX PARCEL NOW SURVEYED AND DESCRIBED AS: A PARCEL OF LAND LYING WITHIN SECTION 21, T15N, R18W, N.M.P.M. GALLUP, MCKINLEY COUNTY, NEW MEXICO MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE GRID BEARINGS AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 21; THENCE N05°26'13"E, 1859.12' TO THE TRUE POINT OF BEGINNING; THENCE N00°50'18"E, 1613.80' TO A POINT; THENCE S89°55'36"E, 187.91' TO A POINT; THENCE N07°17'24"E, 161.43' TO A POINT; THENCE N89°46'16"E, 208.95' TO A POINT; THENCE N16°37'37"W, 177.28' TO A POINT; THENCE S89°54'22"E, 256.29' TO A POINT; THENCE S19°51'20"E, 58.20' TO A POINT; THENCE N87°36'21"E, 208.79' TO A POINT; THENCE N70°08'40"E, 100.83' TO A POINT; THENCE N19°51'20"W, 11.96' TO A POINT; THENCE S89°54'22"E, 90.32' TO A POINT; THENCE S00°50'32"W, 987.87' TO A POINT; THENCE S89°09'59"E, 417.33' TO A POINT; THENCE S00°50'57"W, 629.24' TO A POINT; THENCE N89°55'26"W, 626.33' TO A POINT; THENCE S00°50'57"W, 308.63' TO A POINT; THENCE S50°54'17"W, 578.92' TO A POINT; THENCE N25°04'40"W, 206.16' TO A POINT; THENCE N39°06'51"W, 446.10' TO A POINT; THENCE S00°50'57"W, 629.24' TO THE POINT OF BEGINNING. CONTAINING 56.6725 ACRES.

TOGETHER WITH A 4.027 ACRES +/- PARCEL, A PORTION OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1916 MAY 2, 1991.

NOW SURVEYED AND PLATTED AND KNOWN AS LOT 1 CONTAINING 26.1278 ACRES, LOT 2 CONTAINING 0.3823 ACRES, LOT 3 CONTAINING 57.9679 ACRES, LOT 6A BLOCK G CONTAINING 0.4027 ACRES, LOT 6B CONTAINING 0.3144 ACRES, PARK AVENUE, AND ELVA DRIVE; AND THIS PLAT HAS BEEN SUBMITTED TO THE CITY OF GALLUP AS BY STATUTE PROVIDED WITH FREE CONSENT AND IS IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS. ELECTRIC, TELEPHONE, GAS, WATER, SEWER AND CABLE TELEVISION FACILITIES AND OTHER FRANCHISED PUBLIC UTILITIES WILL BE INSTALLED UNDERGROUND OR OVERHEAD, IN OR ALONG STREETS AND ALLEYS, UTILITY EASEMENTS, PUBLIC AREAS AND IN LOT OWNER'S FACILITIES. ALL INSTALLATIONS SHALL CONFORM WITH APPLICABLE LOCAL CODES IN EFFECT. THE STREETS, ALLEYS, PUBLIC WAYS AND OTHER PUBLIC PROPERTY AS SHOWN HEREON ARE DEDICATED TO THE PUBLIC FOR ITS USE FOREVER. THE EASEMENTS AS SHOWN HEREON ARE GRANTED FOR UNDERGROUND PIPELINES, OVERHEAD AND UNDERGROUND CABLES, POLES, ANCHORS, CONDUCTORS, CONDUITS, TRANSFORMER INSTALLATION (INCLUDING PADMOUNT AND CONVENTIONAL) PULLBOXES, MANHOLES, SERVICE FACILITIES AND ALL OTHER NECESSARY EQUIPMENT FOR AN UNDERGROUND OR AERIAL DISTRIBUTION SYSTEM, TOGETHER WITH OVERHANG OR SERVICE WIRE AND WITH THE RIGHTS OF INGRESS AND EGRESS THERETO FOR THE INSTALLATION, OPERATION, INSPECTION, REPAIR, MAINTENANCE, REPLACEMENT AND RENEWAL THEREOF AND ALSO THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. PERMANENT STRUCTURES WILL NOT BE PERMITTED ON OR OVER ANY EASEMENT. FENCES, SIDEWALKS AND DRIVEWAY ARE HEREBY EXEMPTED BUT MAY BE REMOVED BY RECIPIENT OF THIS EASEMENT DEDICATION. WE THE UNDERSIGNED OWNERS WITH FREE CONSENT, HEREBY SET OUR HAND AND SEAL.

PATRICK MASON - AEQUITAS EDUCATION, INC. 104 E. AZTEC AVE. GALLUP, NM 87301 (505) 862-9498

MAYOR, CITY OF GALLUP P.O. BOX 1270 GALLUP, NM 87305 (505) 863-1220

DENNIS GALLEGOS - JOSHUA GENERATION FOR JESUS P.O. BOX 900 GALLUP, NM 87305 (505) 863-2688

ACKNOWLEDGEMENT

STATE OF NEW MEXICO) COUNTY OF MCKINLEY)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF

BY

NOTARY PUBLIC:

MY COMMISSION EXPIRES:

ACKNOWLEDGEMENT

STATE OF NEW MEXICO) COUNTY OF MCKINLEY)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF

BY

NOTARY PUBLIC:

MY COMMISSION EXPIRES:

ACKNOWLEDGEMENT

STATE OF NEW MEXICO) COUNTY OF MCKINLEY)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF

BY

NOTARY PUBLIC:

MY COMMISSION EXPIRES:

VACATED PORTION OF ELVA DRIVE

A PORTION OF ELVA DRIVE AS SHOWN AS LOS LUNAS ROAD ON THE REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1968, MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE WEST ZONE GRID BEARINGS AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6, OF SAID REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, THENCE S89°46'31"W, 185.75' TO THE REAL POINT OF BEGINNING. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00', LENGTH OF 24.15', DELTA OF 69°10'29", AND CHORD DIMENSIONS OF S65°38'14"W, 22.71' TO A POINT OF TANGENT; THENCE S21°03'00"E, 113.38' TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 310.00', LENGTH OF 49.01', DELTA OF 09°03'32", AND CHORD DIMENSIONS OF S16°31'13"E, 48.96' TO A POINT OF TANGENT; THENCE S11°59'27"E, 3.56' TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 310.00', LENGTH OF 111.82', DELTA OF 20°40'02", AND CHORD DIMENSIONS OF N22°19'28"W, 111.21' TO A POINT OF TANGENT; THENCE N32°39'29"W, 58.99' TO A POINT CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00', LENGTH OF 42.74', DELTA OF 122°33'31", AND CHORD DIMENSIONS OF N28°33'31"E, 35.06' TO A POINT OF TANGENT; THENCE S89°46'31"W, 20.52' TO THE REAL POINT OF BEGINNING; CONTAINING 1488 SQ. FT., 0.0342 ACRE.

THE RIGHT OF WAY THOUGH DEDICATED TO PUBLIC USE, ARE NOT NOW NEEDED FOR PUBLIC'S BENEFIT AND HEREOF UPON WHICH THIS CERTIFICATION

APPEARS AND APPROVED FOR VACATION BY THE CITY OF GALLUP, NEW MEXICO THIS DAY OF

ATTEST:

CITY CLERK CITY OF GALLUP, NEW MEXICO

MAYOR CITY OF GALLUP, NEW MEXICO

RECEIVED By Nikki Lee at 2:40 pm, Oct 09, 2020

Marc A. DePauli N.M.P.S. Lic. No. 13606

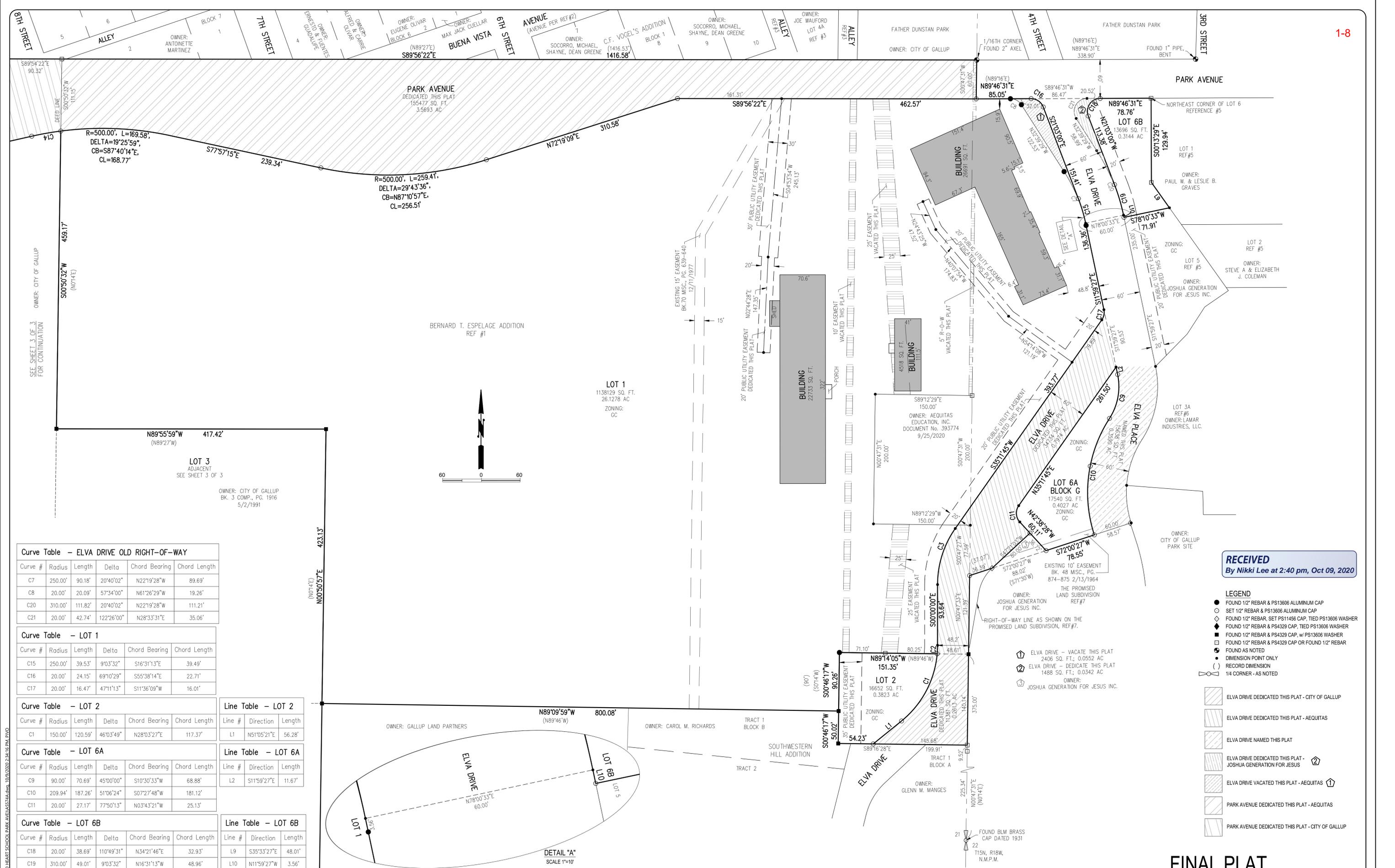
Date

DEDICATED PORTION OF ELVA DRIVE

A PORTION OF ELVA DRIVE AS SHOWN AS LOS LUNAS ROAD ON THE REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1968, MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE WEST ZONE GRID BEARINGS AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6, OF SAID REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, THENCE S89°46'31"W, 78.76' TO THE REAL POINT OF BEGINNING.

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00', LENGTH OF 38.69', DELTA OF 110°49'31", AND CHORD DIMENSIONS OF S34°21'46"W, 32.93' TO A POINT OF TANGENT; THENCE S21°03'00"E, 113.38' TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 310.00', LENGTH OF 49.01', DELTA OF 09°03'32", AND CHORD DIMENSIONS OF S16°31'13"E, 48.96' TO A POINT OF TANGENT; THENCE S11°59'27"E, 3.56' TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 310.00', LENGTH OF 111.82', DELTA OF 20°40'02", AND CHORD DIMENSIONS OF N22°19'28"W, 111.21' TO A POINT OF TANGENT; THENCE N32°39'29"W, 58.99' TO A POINT CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00', LENGTH OF 42.74', DELTA OF 122°33'31", AND CHORD DIMENSIONS OF N28°33'31"E, 35.06' TO A POINT OF TANGENT; THENCE S89°46'31"W, 20.52' TO THE REAL POINT OF BEGINNING; CONTAINING 1488 SQ. FT., 0.0342 ACRE.



Curve Table - ELVA DRIVE OLD RIGHT-OF-WAY

Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C7	250.00'	90.18'	20°40'02"	N22°19'28"W	89.69'
C8	20.00'	20.09'	57°34'00"	N61°26'29"W	19.26'
C20	310.00'	111.82'	20°40'02"	N22°19'28"W	111.21'
C21	20.00'	42.74'	122°26'00"	N28°33'31"E	35.06'

Curve Table - LOT 1

Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C15	250.00'	39.53'	9°03'32"	S16°31'13"E	39.49'
C16	20.00'	24.15'	69°10'29"	S55°38'14"E	22.71'
C17	20.00'	16.47'	47°11'13"	S11°36'09"W	16.01'

Curve Table - LOT 2

Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C1	150.00'	120.59'	46°03'49"	N28°03'27"E	117.37'

Curve Table - LOT 6A

Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C9	90.00'	70.69'	45°00'00"	S10°30'33"W	68.88'
C10	209.94'	187.26'	51°06'24"	S07°27'48"W	181.12'
C11	20.00'	27.17'	77°50'13"	N03°43'21"W	25.13'

Curve Table - LOT 6B

Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C18	20.00'	38.69'	110°49'31"	N34°21'46"E	32.93'
C19	310.00'	49.01'	9°03'32"	N16°31'13"W	48.96'

Line Table - LOT 2

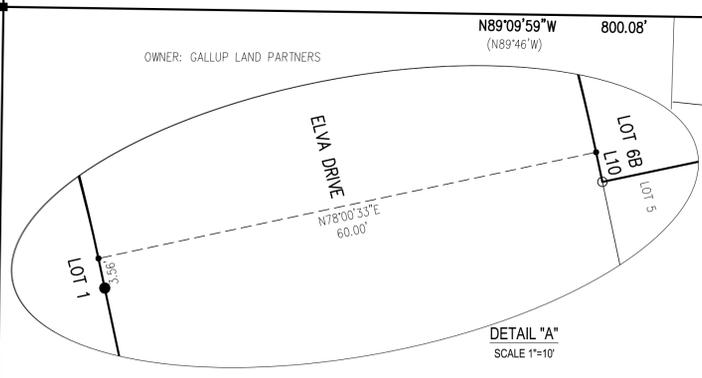
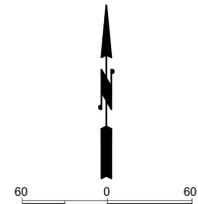
Line #	Direction	Length
L1	N51°05'21"E	56.28'

Line Table - LOT 6A

Line #	Direction	Length
L2	S11°59'27"E	11.67'

Line Table - LOT 6B

Line #	Direction	Length
L9	S35°33'27"E	48.01'
L10	N11°59'27"W	3.56'



RECEIVED
By Nikki Lee at 2:40 pm, Oct 09, 2020

- LEGEND**
- FOUND 1/2" REBAR & PS13606 ALUMINUM CAP
 - SET 1/2" REBAR & PS13606 ALUMINUM CAP
 - ◆ FOUND 1/2" REBAR, SET PS11456 CAP, TIED PS13606 WASHER
 - ◆ FOUND 1/2" REBAR & PS4329 CAP, TIED PS13606 WASHER
 - ◆ FOUND 1/2" REBAR & PS4329 CAP, w/ PS13606 WASHER
 - ◆ FOUND 1/2" REBAR & PS4329 CAP OR FOUND 1/2" REBAR
 - FOUND AS NOTED
 - DIMENSION POINT ONLY
 - () RECORD DIMENSION
 - 1/4 CORNER - AS NOTED

- ▨ ELVA DRIVE DEDICATED THIS PLAT - CITY OF GALLUP
- ▨ ELVA DRIVE DEDICATED THIS PLAT - AEQUITAS
- ▨ ELVA DRIVE NAMED THIS PLAT
- ▨ ELVA DRIVE DEDICATED THIS PLAT - JOSHUA GENERATION FOR JESUS
- ▨ ELVA DRIVE VACATED THIS PLAT - AEQUITAS
- ▨ PARK AVENUE DEDICATED THIS PLAT - AEQUITAS
- ▨ PARK AVENUE DEDICATED THIS PLAT - CITY OF GALLUP

FINAL PLAT

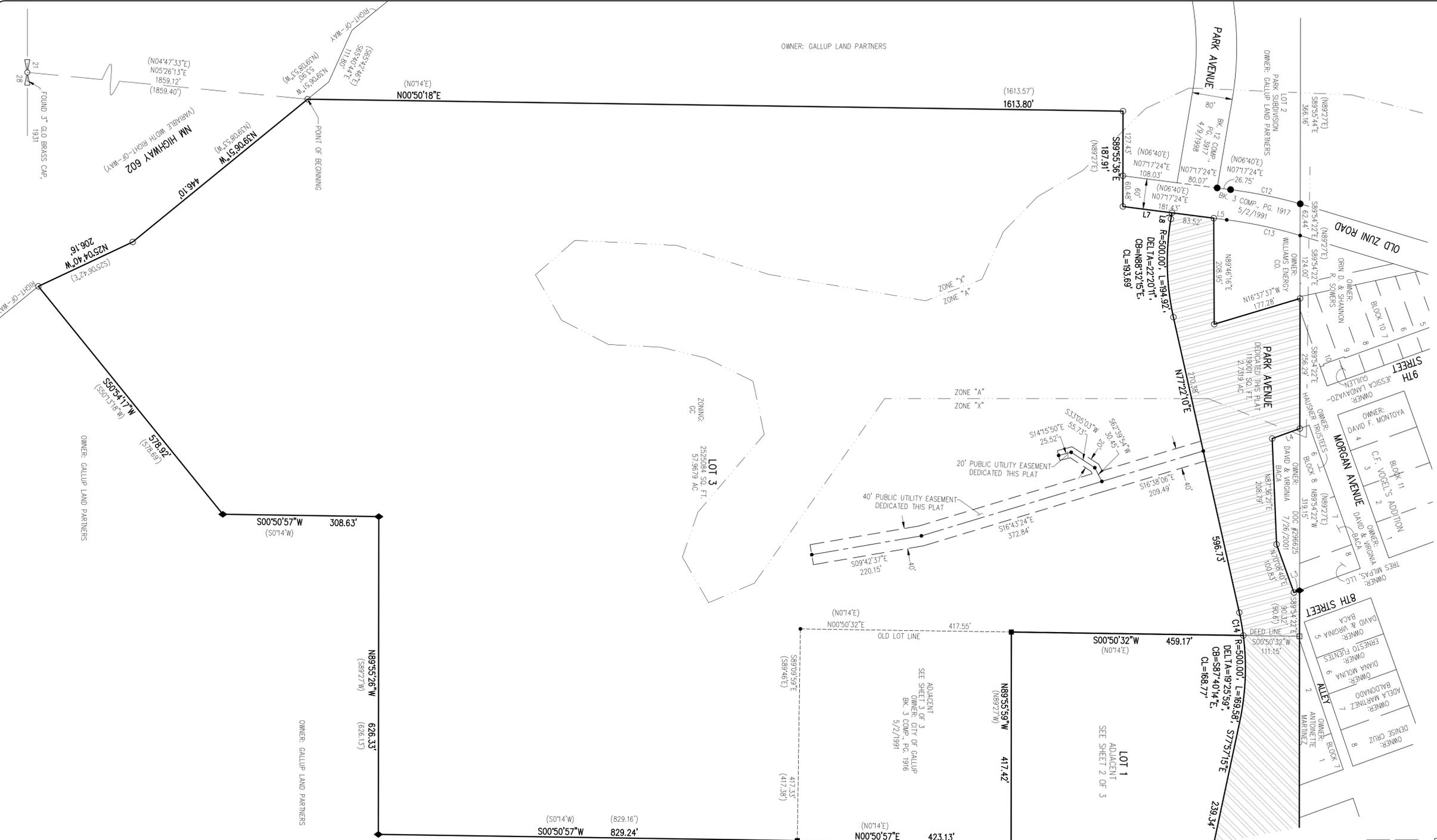
DePauli Engineering & Surveying LLC.
- Civil Engineers & Land Surveyors -
307 S. 4th Street Gallup New Mexico, 87301
Tel: (505) 863-5440 --- www.depaullengineering.com

Office of the Clerk - McKinley County, New Mexico Filing Information

REPLAT NO. 1 OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID ADDITION DATED JUNE 12, 1954, UNKNOWN FILING IN THE OFFICE OF THE CLERK OF MCKINLEY COUNTY, NEW MEXICO, AND LOTS 1-5, AND A PORTION OF LOT 6, BLOCK G, FIRST UNIT OF BURKE-GEORGE HEIGHTS, AN ADDITION TO THE TOWN OF GALLUP, NEW MEXICO AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JULY 8, 1950, AND LOT 6, BLOCK F; REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1968, AND CITY TANK SITE PARCEL DESCRIBED AS A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE WITHIN SECTION 21, T15N, R18W, N.M.P.M. CONTAINING 0.64 ACRES +/- AS THE SAME ARE SHOWN AND DESIGNATED ON THE SURVEY OF SAID PARCEL FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JUNE 13, 2003, BK. 20 COMP., PG. 5612, AND SPORTS COMPLEX PARCEL 56.681 ACRES +/-, NORTH OF STATE ROAD 602 (F.K.A. HWY. 32 BYPASS), AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1912-1915, MAY 2, 1991, TOGETHER WITH A 4.027 ACRES +/- PARCEL, A PORTION OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1916, MAY 2, 1991, GALLUP, MCKINLEY COUNTY, NEW MEXICO.

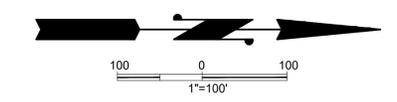
Drawing No:	AS-574A	Scale:	1"=60'	Sheet:	2
Date:	OCTOBER 9, 2020			of:	3
Drawn By:	KCS				
Checked By:	MDP				

Curve Table - OLD ZUNI ROAD					
Curve #	Radius	Delta	Chord Length		
C12	960.00'	140.72'	873.54'		
C13	900.00'	148.71'	978.02'		
Curve Table - LOT 3					
Curve #	Radius	Delta	Chord Bearing		
C14	500.00'	45.76'	N93°52'28"E		
Line Table - LOT 3					
Line #	Direction	Length	Line #	Direction	Length
L7	N07°17'24"E	97.91'	L3	N19°51'20"W	11.96'
L8	S80°17'39"E	12.16'	L4	S19°51'20"E	58.20'
Line Table - PARK AVE					
Line #	Direction	Length	Line #	Direction	Length
L5	N07°17'24"E	25.83'			



LEGEND

- FOUND 1/2" REBAR & PS13806 ALUMINUM CAP
- SET 1/2" REBAR & PS13806 ALUMINUM CAP
- ◆ FOUND 1/2" REBAR SET PS11456 CAP. TIED PS13806 WASHER
- ◇ FOUND 1/2" REBAR & PS4329 CAP. TIED PS13806 WASHER
- FOUND 1/2" REBAR & PS4329 CAP. w/ PS13806 WASHER
- ▣ FOUND 1/2" REBAR & PS4329 CAP OR FOUND 1/2" REBAR AS NOTED
- DIMENSION POINT ONLY
- RECORDED DIMENSION
- 1/4 CORNER - AS NOTED
- ▨ PARK AVENUE DEDICATED THIS PLAT - ACQUITTAS
- ▨ PARK AVENUE DEDICATED THIS PLAT - CITY OF GALLUP



RECEIVED
By Nikki Lee at 2:40 pm, Oct 09, 2020

FINAL PLAT

DePauli Engineering & Surveying LLC.
- Civil Engineers & Land Surveyors -
307 S. 4th Street Gallup New Mexico, 87301
Tel: (505) 863-5440 --- www.depaullengineering.com

Office of the Clerk - McKinley County, New Mexico Filing Information

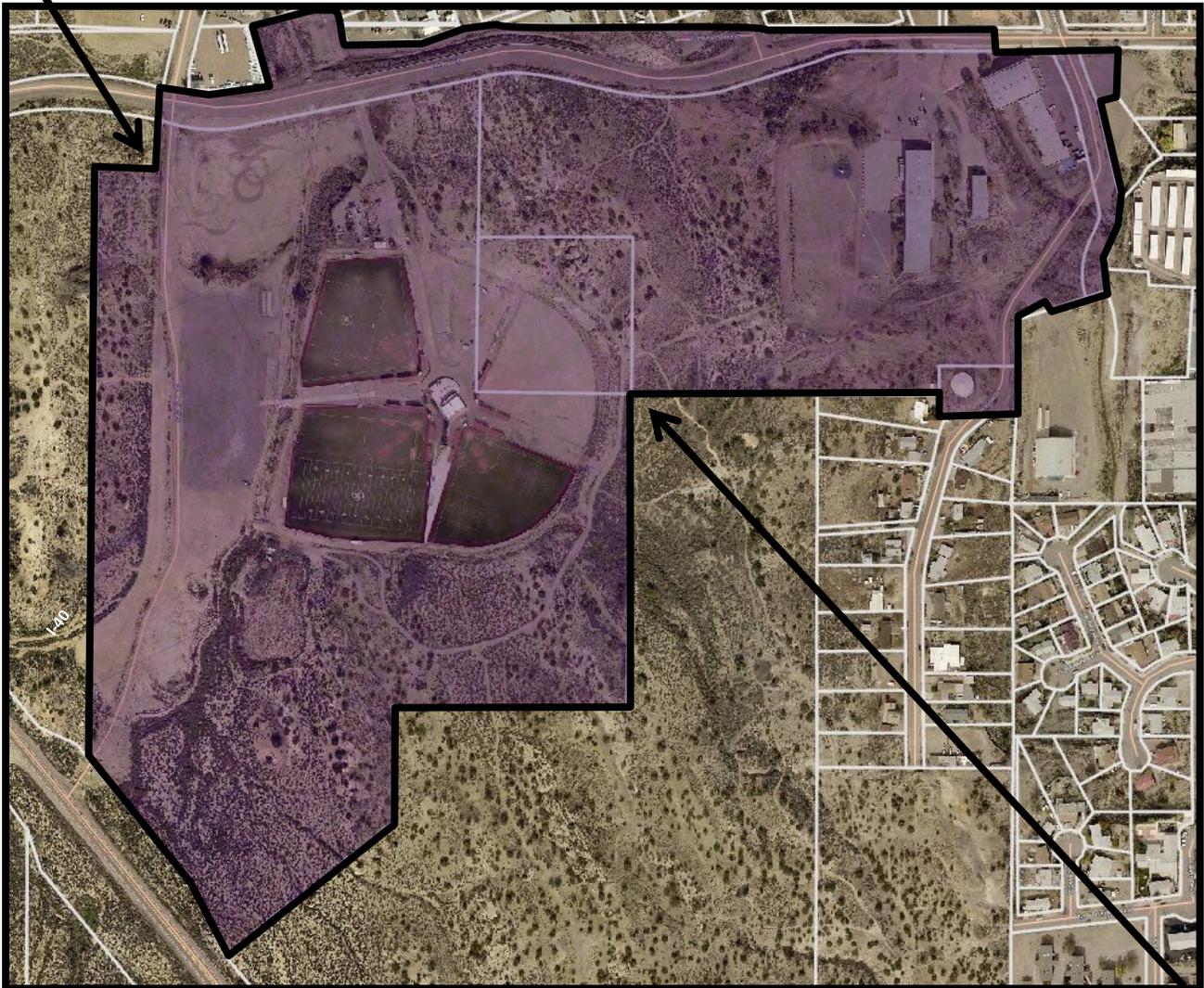
REPLAT NO. 1 OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID ADDITION DATED JUNE 12, 1954, UNKNOWN FILING IN THE OFFICE OF THE CLERK OF MCKINLEY COUNTY, NEW MEXICO, AND LOTS 1-5, AND A PORTION OF LOT 6, BLOCK G, FIRST UNIT OF BURKE-GEORGE HEIGHTS, AN ADDITION TO THE TOWN OF GALLUP, NEW MEXICO AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JULY 6, 1980, AND LOT 6, BLOCK F; REPLAT OF BLOCKS F, H & J IN THE FIRST UNIT OF BURKE-GEORGE HEIGHTS ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID REPLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON AUGUST 15, 1988, AND CITY TANK SITE PARCEL DESCRIBED AS A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE WITHIN SECTION 21, T15N, R18W, N.M.P.M. CONTAINING 0.64 ACRES +/- AS THE SAME ARE SHOWN AND DESIGNATED ON THE SURVEY OF SAID PARCEL FILED IN THE OFFICE OF THE COUNTY CLERK OF MCKINLEY COUNTY, NEW MEXICO ON JUNE 13, 2003, BK. 20 COMP., PG. 5612, AND SPORTS COMPLEX PARCEL 66.681 ACRES +/-, NORTH OF STATE ROAD 602 (F.K.A. HWY. 32 BYPASS), AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1912-1915, MAY 2, 1991, TOGETHER WITH A 4.027 ACRES +/- PARCEL, A PORTION OF BERNARD T. ESPELAGE ADDITION WITHIN SECTION 21, T15N, R18W, N.M.P.M. AS THE SAME IS DESCRIBED IN BK. 3 COMP., PG. 1916, MAY 2, 1991, GALLUP, MCKINLEY COUNTY, NEW MEXICO.

Drawing No:	AS-574A	Scale:	1" = 100'	Sheet:	3
Date:	OCTOBER 9, 2020			of:	3
Drawn By:	KCS				
Checked By:	MDP				

Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way.

The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

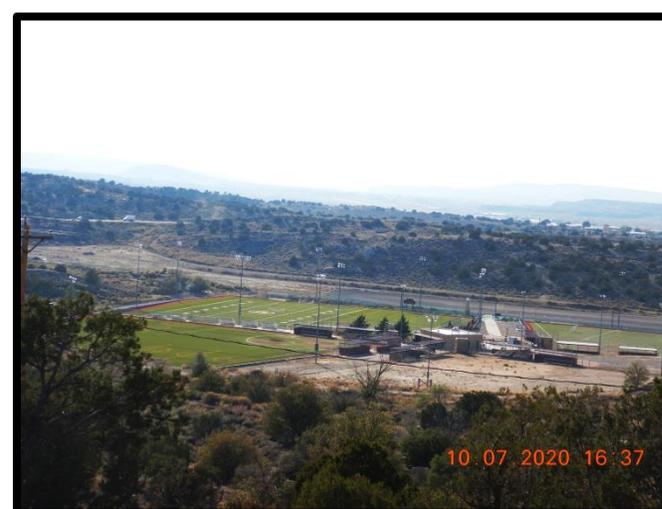
AERIAL IMAGERY



Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way.

The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

SITE PHOTOS



September 3, 2020

MEMORANDUM

TO: GALLUP TASK FORCE {GTF}

- C.B. Strain, Planning & Development Director
- William Verburg, Public Works Department
- Sathya Geetha, Water/Wastewater Engineer
- Marita Joe, Senior Electrical Engineer
- Jon Pairett, GFD, Fire Inspector
- Adrian Marrufo, Solid Waste Director
- Laurence Joe, CenturyLink Engineer II
- Irma Bustamante, NM Gas Co. Operations Supervisor
- John Ortiz & Matthew Baca, Comcast Technical Operations Manager / Construction Specialist
- Jayson Grover, NMDOT Acting District 6 Traffic Engineer

FROM: *161 Nikki Lee*

Nikki Lee, Planning Specialist

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

CASE #: MNSB2020-00300007

PROJECT NAME: Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5 & a Portion of Lot 6, Block G, First Unit of Burke-George Heights & City Tank Site & Sports Complex

PROPERTY OWNER: Aequitas Education & City of Gallup

PROJECT LOCATION: 405, 425, 515 & 925 Park Avenue; 1380 Elva Drive; 1 Parcel NE of Sports Complex / A Tract of Land Within 21 15 18 the NE ¼ of Sec. 21 also a Tract 75' X 150' and Lots 1 thru 6 in Block G Burke George Heights Addition Containing 29.29 Acs M/L; 56.691 Acres M/L in Sec. 21 T15N R18W N. of Bypass Hwy; A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L.

DESCRIPTION: MINOR SUBDIVISION (SKETCH PLAT REVIEW)

The school property owner is requesting to replat an Unplatted Tract of Land Consisting of 30 Acres M/L into Two (2) Lots. The school has been an existing use for several years, however with the recent change of ownership and parcel splitting from the Catholic School to Aequitas Education (Patrick Mason/Hozho Academy) the property is now being brought into compliance.

The City of Gallup found this as an opportunity to also clean up City properties located to the west at the Sports Complex. The City is requesting to replat two (2) unplatted tracts of land consisting of 60.718 acres M/L into one (1) lot.

The City of Gallup also has the water tank property directly south of the schools, which has never been platted. This replat will recognize the lot by creating one (1) lot along Elva Drive.

Lastly, there will be a portion of Elva Drive vacated being that it is an undeveloped street right-of-way. That will allow Elva Drive to be dedicated along the actual existing road that is developed.

Three (3) lots are presently zoned Single-Family Residential (SFR-B) and one (1) lot is zoned Rural Holding Zone (RHZ). A zone change will be requested for the City lots in order to comply with subdivision regulations. Aequitas Education may also request a zone change to expand the use of the school.

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. Final approval of the Vacation will be presented to the City Council.

ELECTRONIC COMMENTS DUE: MONDAY, SEPTEMBER 14, 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:

The portion of Elva Drive will not be vacated as requested on the plat. NM Gas Company informed the City about their gas lines being located within that undeveloped street right-of-way. We will instead rename that portion "Elva Place" and dedicate Elva Drive on the primary road being currently used.

Please see the attached marked up plat and make necessary changes and resubmit for the Final Plat phase.

Also, remove the two (2) lots owned by Joshua Generation being that we were unable to contact the property owners to complete a Subdivision Application.

The property owner will need to complete a Rezone Application to rezone the lot to the General Commercial (GC) Zone District. Being that this is a City initiated request there will be no application fee for Aequitas; just a completed application is required. Thereafter the rezone will be presented to the Planning & Zoning Commission.

CITY ENGINEER COMMENTS:

All pedestrian infrastructure shall remain in place along Park Avenue and Elva Drive and will be deferred until a later date based on the City's next project affecting this subdivision.

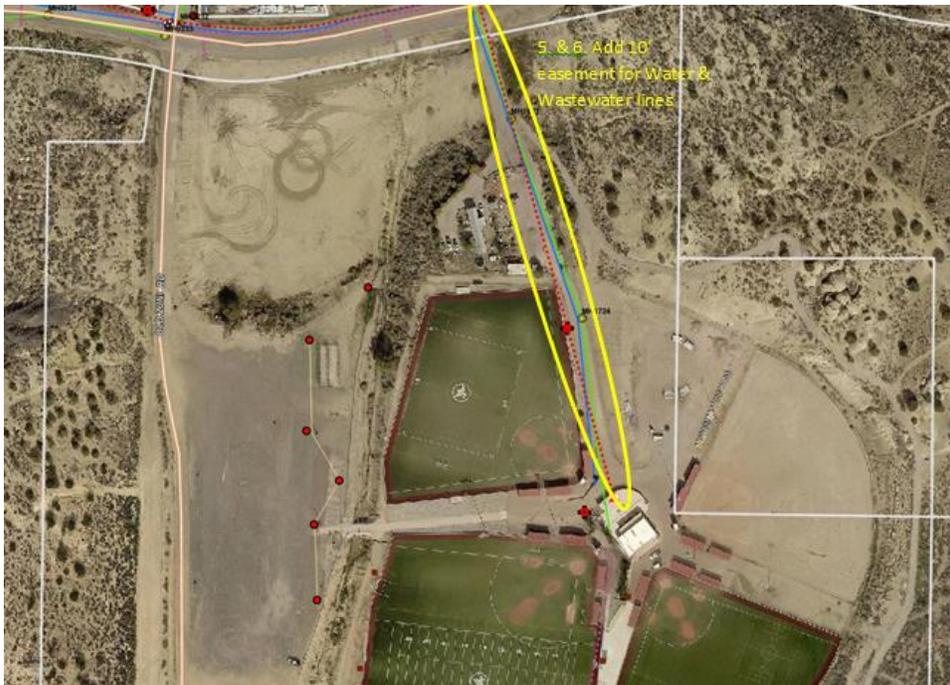
WATER DEPARTMENT COMMENTS:

1. The ten foot (10') water easement can be vacated as shown on the plat, however the water line must be cut and capped at the drive way south of Park Avenue and Northwest corner of Lot 2 at the owner's expense. When ready to cut and cap the line please call (505) 870-0034.
2. Future water lines will require dedicated easements.
3. Approve vacating utility easement (25') shown on plat, however why isn't the entire 25' easement being vacated?
4. Show the 10' easement for the southwest corner of the Lot 2 to Elva drive.
5. On Lot 3 add 10' easement from Park Avenue to the Center of Sports complex.

WASTEWATER DEPARTMENT COMMENTS: No actions required.

6. On Lot 3 add 10' easement from the manhole on Park Avenue to the Center of Sports complex.

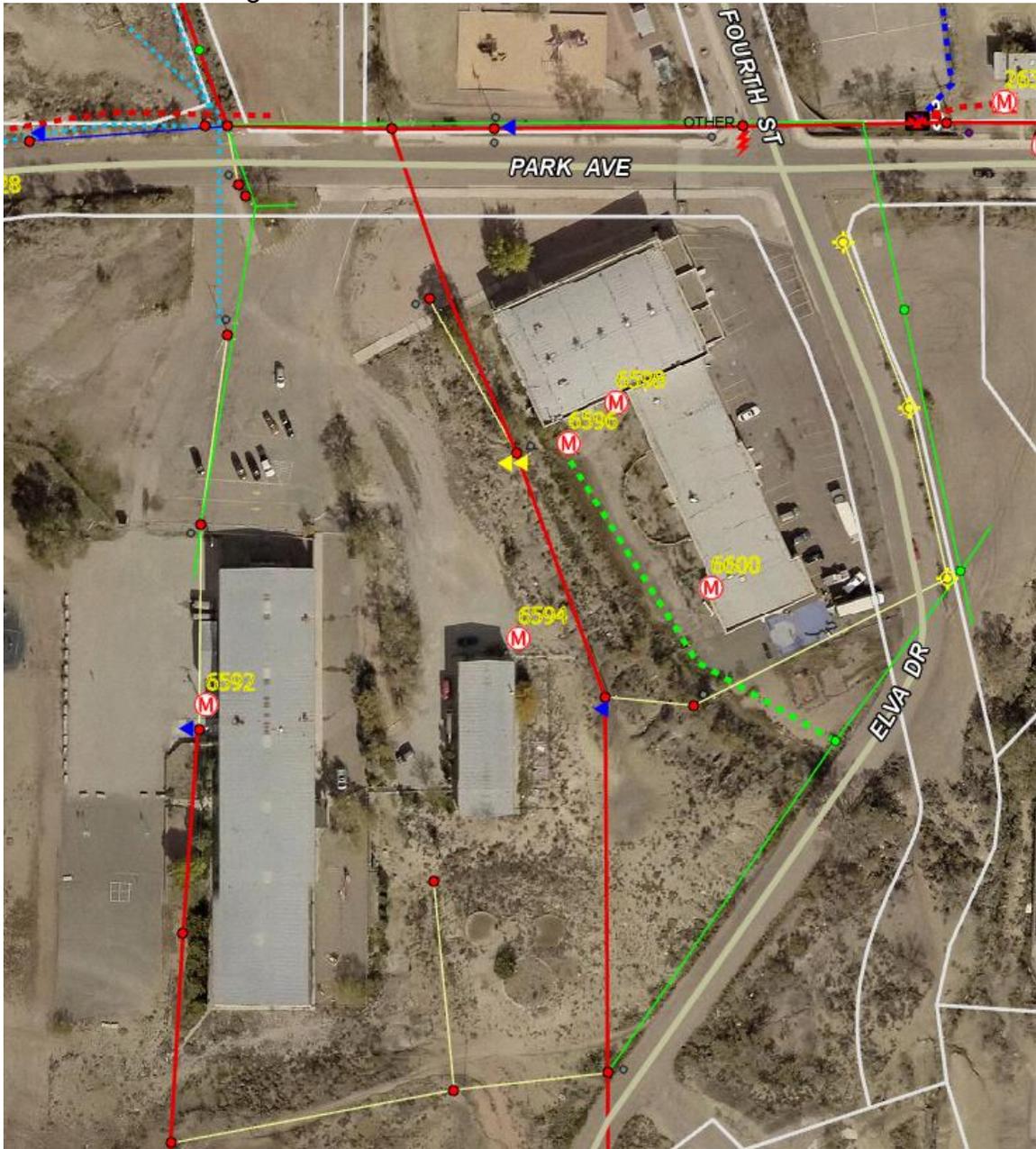
SEE ILLUSTRATIONS BELOW.



ELECTRIC DEPARTMENT COMMENTS:

Electric will need a 10' wide easement for underground line with in Sports complex area coordinate with Electric Administration for Electric line locates.

Propose reroute of OH Trunk line along Elva and new OH 3ph in Elementary school side will need 30' wide easement 15' each side of pole line and 10'X40' Guy wires. Note once design and easement are set, communication will be notified of the changes.



FIRE DEPARTMENT COMMENTS:

Fire department has no issues with the replat. Any future fire code requirements will be construction dependent.

SOLID WASTE COMMENTS: No issues with replat

CENTURYLINK COMMENTS:

Reviewed and there are no conflicts with CenturyLink for this replat.

NM GAS COMPANY COMMENTS:

NMGC currently has gas facilities that follow the section of road to be vacated near City Park Site (Los Lunas Rd.)

COMCAST COMMENTS:

After our team reviewed this, we have no concerns with this replat.

NM DEPT. OF TRANSPORTATION COMMENTS:

No comments as what is proposed does not appear to have direct or indirect impact on the state highway system.

October 1, 2020

MEMORANDUM

TO: GALLUP TASK FORCE {GTF}

- C.B. Strain, Planning & Development Director
- Sathya Geetha, Water/Wastewater Engineer
- Marita Joe, Senior Electrical Engineer
- Irma Bustamante, NM Gas Co. Operations Supervisor

FROM: JL Nikki Lee

Nikki Lee, Planning Specialist

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

CASE #: MNSB2020-00300007
PROJECT NAME: Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M.; Lots 1-5 & a Portion of Lot 6, Block G, First Unit of Burke-George Heights; Lot 6 Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition; City Tank Site described as a Tract Known as the Southwestern Hill Reservoir Site being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Cont. 0.64 Acres M/L; Sports Complex described as 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy and A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Cont. 4.027 Acres M/L
PROPERTY OWNER: Aequitas Education, City of Gallup and Joshua Generation for Jesus
PROJECT LOCATION: 405, 425, 515 & 925 Park Avenue; 1380 Elva Drive; 1 Parcel NE of Sports Complex; 1 Vacant Lot SE of Park Avenue and Elva Drive / A Tract of Land Within 21 15 18 the NE ¼ of Sec. 21 also a Tract 75' X 150' and Lots 1 thru 6 in Block G Burke George Heights Addition Containing 29.29 Acs M/L; Lot 6, Block F Burke-George Heights Addition; 56.691 Acres M/L in Sec. 21 T15N R18W N. of Bypass Hwy; A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L; A Tract Known as the Southwestern Hill Reservoir Site being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Cont. 0.64 Acres M/L
DESCRIPTION: MINOR SUBDIVISION (FINAL PLAT REVIEW)
<p>This is a final plat review of the above mentioned subdivision. Recall there was a GTF Meeting on September 15, 2020 to discuss the first round of comments submitted. The engineer should have addressed all your previous comments. Please review the Final Plat and submit your comments specifying if your concerns have been addressed and if you have any further requirements.</p> <p>Also the following small changes were made from the sketch plat to the final plat that you should be aware of:</p> <ul style="list-style-type: none"> -For Joshua Generation's property the engineer decided to only include Lot 6 and leave out Lot 5. The new proposed Lot will be named Lot 6B. -Vacating a 5' right-of-way that currently goes through the old high school/gym building. <p>The final plat and rezone will be presented to the Planning & Zoning Commission at the October 14, 2020 meeting. The final approval of the Vacation will be presented to the City Council.</p>
ELECTRONIC COMMENTS DUE: TUESDAY, OCTOBER 6, 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS: Thank you for addressing our previous comments. Please make the changes shown on the attached marked up plat. Okay to proceed to the public hearings for the Planning and Zoning and the City Council after corrections.

All the lots included in the replat will also concurrently request for a rezone to the General Commercial (GC) zone district.

WATER DEPARTMENT COMMENTS: All previous comments applied.

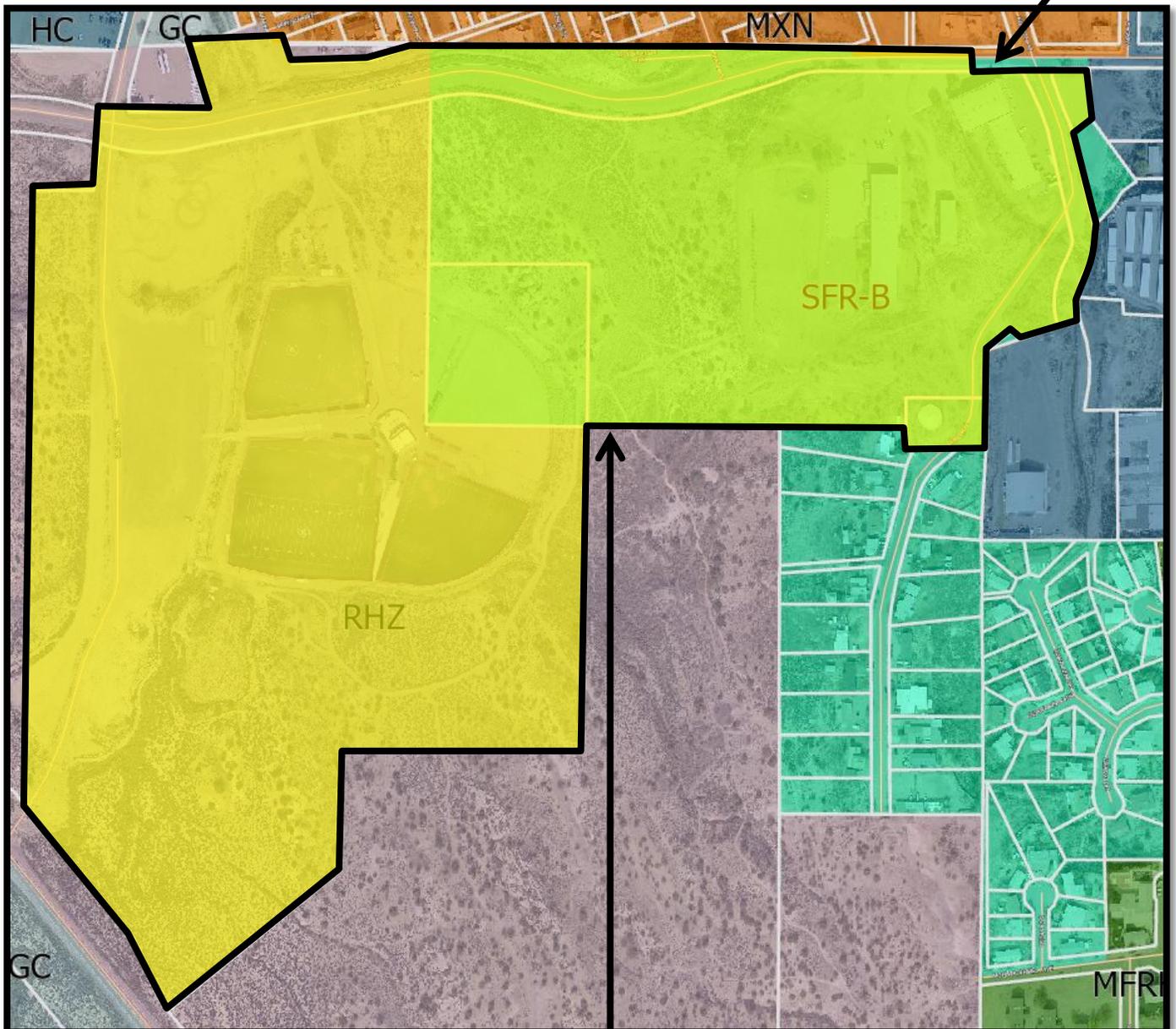
WASTEWATER DEPARTMENT COMMENTS: All previous comments applied.

ELECTRIC DEPARTMENT COMMENTS: All comments and new easements are applied.

NM GAS COMPANY COMMENTS: No comments

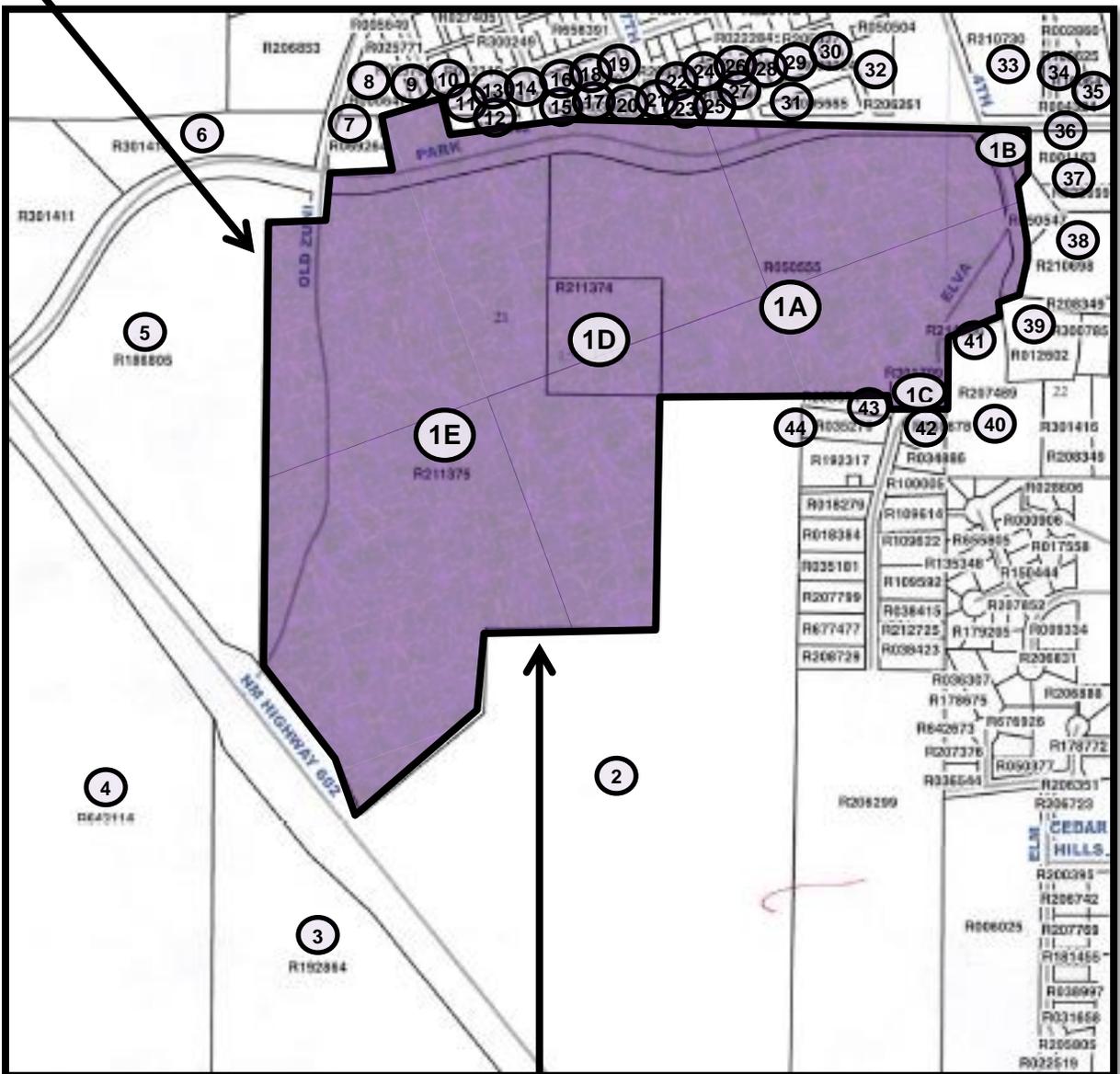
Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

AREA MAP



Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

PROPERTY MAP



Letters sent 09/25/2020

Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for Final Plat approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Block F, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

ADDRESS LIST

- | | | |
|-----|---|--|
| 1A. | AEQUITAS EDUCATION, INC.
104 E. AZTEC AVE.
GALLUP, NM 87301
A TRACT OF LAND WITHIN 21
15 18, THE NE ¼ OF SEC. 21
ALSO A TRACT 75' X 150' AND
LOTS 1 THRU 6 IN BLOCK G
BURKE GEORGE HEIGHTS
ADDN. CONT. 29.28 ACS M/L
R050555 | HEIGHTS ADDN. CONT. .0338
ACS M/L
R214256 |
| 1B. | JOSHUA GENERATION FOR
JESUS
PO BOX 900
GALLUP, NM 87305-0900
LOTS 5 & 6, BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
FIRST UNIT DOC
R050547 | 1C. CITY OF GALLUP
PO BOX 1270
GALLUP, NM 87305-1270
A TRACT KNOWN AS THE
SOUTHWESTERN HILL
RESERVOIR SITE BEING
SITUATED IN THE SE ¼ OF
THE NE ¼ OF SECTION 21,
T15N R18W, CONT. 0.64 ACS
M/L
R301799 |
| 40. | A TRACT OF LAND IN THE NW
¼ CONT. 3.8951 ACS M/L 22 15
18, A/K/A THE PROMISED
LAND SUB.
R207489 | 1D. A TRACT OF LAND WITHIN 21
15 18, LYING WITHIN THE
BERNARD T. ESPELAGE
CONT. 4.027 ACRES M/L
R211374 |
| 41. | A TRACT OF LAND WITHIN LOT
6, BLK G, BURKE GEORGE | 1E. 56.691 ACRES M/L IN SEC. 21
T15N R18W, N. OF BYPASS
HWY 32
R211375 |

- | | | | |
|-----|---|-----|--|
| 33. | A PORTION OF TRACT E
BURKE GEORGE HEIGHTS
ADDN. VETERAN'S PARK
R210730 | 7. | WILLIAMS ENERGY COMPANY
C/O FERRELLGAS, INC.
ONE LIBERTY PLAZA
LIBERTY, MO 64068
*801 OLD ZUNI ROAD
GALLUP, NM 87301
.4 ACRES M/L IN NE ¼ OF SEC.
21 R15N R18W, ADJ. BLOCK
10, VOGEL ADDN.
R069264 |
| 34. | A PORTION OF TRACT E
BURKE GEORGE HEIGHTS
ADDN. VETERAN'S PARK
R210730 | 8. | ORIN D. & SHANNON R.
SOWERS
PO BOX 2933
GALLUP, NM 87305
BLOCK 10 LOTS 3 THRU 10,
LESS & EXCEPT THE E. 64' OF
LOTS 3 & 4 AND THE E. 40' OF
LOTS 5 THRU 10, ALSO A
PARCEL OF LAND ADJACENT
TO BLOCK 10 AND BOUNDED
ON THE W. BY THE OLD ZUNI
RD. IN C.F. VOGEL ADDN.
WITHIN SEC. 21 T15 R18
CONT. 1.296 ACRES M/L
R000647 |
| 39. | TRACT OF LAND NW ¼ OF 22
15 18, SO. OF BLOCK F BURKE
GEORGE HEIGHT ADDN.
R012602 | 9. | JESSICA LANDAVAZO-
GUILLEN
710 S. NINTH ST.
GALLUP, NM 87301
E. 40' OF LOTS 9 & 10, BLOCK
10, TOGETHER WITH RIGHT
OF WAY OF NINTH ST. 7' X 80',
C.F. VOGEL'S ADDN. NO. 1
R021865 |
| 2. | GALLUP LAND PARTNERS,
LLC
9911 SOUTH 78 TH AVE.
HICKORY HILLS, IL 60457
A TRACT OF LAND LYING IN
SEC. 21 T15N R18W, N. OF
BYPASS HWY 32 CONT. 106.23
ACRES M/L
R186805 | 10. | DAVID F. MONTOYA
707 S. 9 TH ST.
GALLUP, NM 87301
LOT 4, BLOCK 11, VOGEL
ADDN.
R012343 |
| 3. | 27.19 ACRES M/L IN THE SE ¼
OF SEC. 21 T15N R18W, SW
OF HWY 32 BYPASS
R192864 | 11. | JOSEPH V. & BEVERLY J.
HAUSNER, TRUSTEES
HC 62 BOX 2627 |
| 4. | 234.35 ACRES M/L IN THE E ½
OF SEC. 20 T15N R18W AND
THE W ½ OF SEC. 21 T15N
R18W STAGECOACH EAST
DEV. ALSO 1.23 ACRES M/L
ADJACENT TO & N. OF
INTERCHANGE AT HWY 32
R643114 | | |
| 5. | A TRACT OF LAND LYING IN
SEC. 21 T15N R18W, N. OF
BYPASS HWY 32, CONT.
106.23 ACRES M/L
R186805 | | |
| 6. | LOT 2, PARK SUB.
R301410 | | |

*MAILED TO CORRECT ADDRESS DERIVED FROM THE CITY GIS MAP

- THOREAU, NM 87323
LOT 6, BLOCK 8, VOGEL ADDN.
R001570
12. DAVID & VIRGINIA BACA, REV.
TRUST
805 W. MORGAN AVE.
GALLUP, NM 87301
A PARCEL OF LAND IN THE S
½ OF THE NE ¼ OF 21 15 18, N.
OF BYPASS HWY 32
R211382
13. BLOCK 8 ALL OF LOT 7, THE
W. 25' OF LOT 8, VOGEL ADDN.
R001406
15. BLOCK 7 LOT 5, VOGEL ADDN.
LESS .003 ACS M/L
R001384
14. TRES MILPAS, LLC
PO BOX 898
GALLUP, NM 87305-0898
BLOCK 8 E. 50' OF LOT 8,
VOGEL ADDN. ALSO 1043 SQ.
FT. ADJACENT TO LOT 8
R018171
16. ERNESTO & GUADALUPE
FUENTES
803 S. SEVENTH ST.
GALLUP, NM 87301
W ½ OF LOT 6, ALSO .003 ACS
M/L WITHIN LOT 5, BLOCK 7,
VOGEL ADDN.
R204995
21. BLOCK 6, LOT 4, VOGEL ADDN.
R009865
17. DIANA M. MOLINA
711 W. MORGAN AVE.
GALLUP, NM 87301
BLOCK 7 THE E ½ OF LOT 6,
VOGEL ADDN.
R025399
18. ADELA MARTINEZ
BALDONADO
709 W. MORGAN AVE.
GALLUP, NM 87301
BLOCK 7 LOT 7, VOGEL ADDN.
R601780
19. DENISE R. CRUZ
701 W. MORGAN AVE.
GALLUP, NM 87301
LOT 8, BLOCK 7, VOGEL ADDN.
R028711
20. ANTOINETTE MARTINEZ
308 ZECCA DR.
GALLUP, NM 87301
LOTS 1 & 2, BLOCK 7, VOGEL
ADDN.
R035602
22. RICHARD E. JUAREZ
608 ½ W. BUENA VISTA AVE.
*805B S. 7TH ST.
GALLUP, NM 87301
BLOCK 6 N ½ OF LOT 3,
VOGEL ADDN.
R018651
23. ALFRED & CARRIE OLIVAR
606 W. BUENA VISTA AVE.
GALLUP, NM 87301
BLOCK 6 THE S ½ OF LOT 3,
VOGEL ADDN.
R027243
24. PETER OLIVAR
810B S. SIXTH ST.
GALLUP, NM 87301
BLOCK 6 THE N ½ OF LOT 2,
VOGEL ADDN.
R027251
25. EUGENE OLIVAR
602 W. BUENA VISTA AVE.
GALLUP, NM 87301
THE S ½ OF LOT 2, BLOCK 6,
VOGEL ADDN.

- R027235
26. KHANG THUAN LE & IRENE LEE
810 S. SIXTH ST.
GALLUP, NM 87301
BLOCK 6 THE N ½ OF LOT 1,
VOGEL ADDN.
R118273
27. MAX JACK CUELLAR
810 S. SIXTH ST.
GALLUP, NM 87301
S ½ OF LOT 1, BLOCK 6,
VOGEL ADDN.
R027286
28. CELERINA C. FREITAS
811 S. SIXTH ST.
GALLUP, NM 87301
LOT 5, BLOCK 5, VOGEL ADDN.
R005088
29. LOTS 2 THRU 4, BLOCK 5,
VOGEL ADDN.
R205027
30. ANTHONY DELAO
708 N. FIRST ST.
GALLUP, NM 87301
BLOCK 5 LOT 1, VOGEL ADDN.
R009024
31. SOCORRO GREENE &
MICHAEL GREENE & SHAYNE
GREENE & DEAN A. GREENE
C/O 706 W. LOGAN AVE.
GALLUP, NM 87301
LOTS 7 THRU 10, BLOCK 1,
VOGEL ADDN.
R005665
32. JOE WAUFORD
1122 RIDGECREST AVE.
GALLUP, NM 87301
LOT 4A, BLOCK 2, REPLAT OF
LOTS 1 THRU 4 AND
- PORTIONS OF THE ADJOINING
STREETS VOGEL ADDN. NO. 1
R206261
35. AL TAQWA, LLC
814 S. SECOND ST.
GALLUP, NM 87301
LOT 8, BLOCK D, BURKE-GEO.
HEIGHT ADD.
R100633
36. PAUL W. & LESLIE B. GRAVES
1511 DIAMOND CIR.
GALLUP, NM 87301
ALL OF LOT 1 & A PORT. OF
LOT 2 BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
FIRST UNIT
R001163
37. STEVE A. & ELIZABETH J.
COLEMAN
PO BOX 5028
GALLUP, NM 87305-5028
A PORTION OF LOT 2, BLOCK
F, BURKE GEORGE HEIGHTS
ADDN. FIRST UNIT
R622699
38. LAMAR INDUSTRIES, LLC
3601 W. HIGHWAY 66
GALLUP, NM 87301
LOT 3A, BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
REPLAT OF LOTS 3, 4 & A
PORTION OF LOT 2, BLOCK F,
IN THE FIRST LIMIT OF BURKE
GEORGE HEIGHTS
R210698
42. GLENN M. MANGES
1401 ELVA DR.
GALLUP, NM 87301
BLOCK A TRACT 1,
SOUTHWESTERN HILLS ADDN.
R150878

43. CAROL M. RICHARDS
1354 WINDMILL RD.
EL CAJON, CA 92019
TRACT #1 BLOCK B,
SOUTHWESTERN HILL ADDN.
R605654

44. ELIZABETH J. CRAIG
1402 ELVA DR.
GALLUP, NM 87301
BLOCK B, TRACT 2,
SOUTHWESTERN HILL ADDN.
R035270



Louie Bonaguidi, Mayor

Linda Garcia, District 1 Councilor
Michael Schaaf, District 2 Councilor
Yogash Kumar, District 3 Councilor
Fran Paloachak, District 4 Councilor

Maryann Ustick, City Manager
Curtis G. Hayes, City Attorney



October 8, 2020

MEMORANDUM

TO: Planning and Zoning Commission

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

REF: Case No. REZ2020-00600004: request by the City of Gallup, Aequitas Education and Joshua Generation for Jesus, property owners, for a change in zoning designation from Rural Holding Zone (RHZ) Zone District and Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District, and from Single Family Residential (SFR-B) Zone District to Heavy Commercial (HC) Zone District for certain described real property.

BACKGROUND

The City of Gallup, Aequitas Education and Joshua Generation for Jesus, property owners, have petitioned the Gallup Planning and Zoning Commission for a change in zoning designation from Rural Holding Zone (RHZ) Zone District, and Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District, for certain real property described as Lots 1, 2 and 3, of Replat No. 1 of Bernard T. Espelage Addition, Lot 6A, Block G, First Unit of Burke-George Heights Addition, Lots 5 and 6B, Block F, First Unit of Burke-George Heights Addition, containing a total of 85.7025 acres m/l. Also including an unplatted tract of land being rezoned from- Single Family Residential (SFR-B) Zone District to Heavy Commercial (HC) Zone District described by metes and bounds description, containing 0.0338 acres m/l.

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 the petitioning property owners 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 Rural Holding Zone (RHZ) Zone District and Single Family Residential (SFR-B) Zone District. The purpose for the request for a change in zoning designation for the described properties is to bring the properties and existing development on the properties into compliance with current zoning standards. The driving factor for the proposed rezone was a replat of said properties and a reactivation of an educational use on one of the described lots which required a rezone to allow the use to continue at the existing square footage.

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. Due to changing circumstances of land use in the area, the proposed district would be better suited to the area than the existing district.
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 for certain described real properties from Rural Holding Zone (RHZ) Zone District and Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District and for a certain real property from Single Family Residential (SFR-B) Zone District to Heavy Commercial (HC) Zone District.

RESOLUTION NO. RP2020-10

A RESOLUTION [] GRANTING [] DENYING A REQUEST BY THE CITY OF GALLUP, AEQUITAS EDUCATION, AND JOSHUA GENERATION FOR JESUS, PROPERTY OWNERS, FOR A CHANGE IN ZONING DESIGNATION FOR CERTAIN DESCRIBED REAL PROPERTY FROM RURAL HOLDING ZONE (RHZ) ZONE DISTRICT AND SINGLE FAMILY RESIDENTIAL (SFR-B) ZONE DISTRICT TO GENERAL COMMERCIAL (GC) ZONE DISTRICT, AND FROM SINGLE FAMILY RESIDENTIAL (SFR-B) ZONE DISTRICT TO HEAVY COMMERCIAL (HC) ZONE DISTRICT.

WHEREAS, The City of Gallup, Aequitas Education, and Joshua Generation for Jesus, property owners, have petitioned the Gallup Planning and Zoning Commission for a change in zoning designation for certain real property as follows; and

WHEREAS, a change in zone designation from Single Family Residential (SFR-B) Zone District, to General Commercial (GC) Zone District is being requested for certain real property described as, Lots 1 and 2, Replat No. 1 Bernard T. Espelage Addition; and

WHEREAS, a change in zone designation from Rural Holding Zone (RHZ) Zone District and Single Family Residential (SFR-B) Zone District, to General Commercial (GC) Zone District is being requested for certain real property described as, Lot 3, Replat No. 1 Bernard T. Espelage Addition; and

WHEREAS, a change in zone designation from Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District is being requested for certain real property described as Lots 5 and 6B, Block F, First Unit of Burke-George Heights Addition; and

WHEREAS, a change in zone designation from Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District is being requested for certain real property described as Lot 6A, Block G, First Unit of Burke-George Heights Addition; and

WHEREAS, a change in zone designation from Single Family Residential (SFR-B) Zone District to Heavy Commercial (HC) Zone District is being requested for certain real property described as;

A TRACT OF LAND IN LOT SIX (6) IN BLOCK G OF BURKE-GEORGE HEIGHTS ADDITION, WHICH IS IN THE NORTHWEST QUARTER (NW¼) OF SECTION TWENTY TWO (22), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) WEST, N.M.P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING FOR A TIE AT THE SOUTHWEST CORNER OF SAID LOT 6;
THENCE N 71° 30' E, ALONG THE SOUTH LINE OF SAID LOT 6, 37.07 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ELVA DRIVE, SAID POINT BEING THE NORTHWEST CORNER OF THE PROMISED LAND SUBDIVISION AND THE REAL POINT OF BEGINNING;
THENCE N 46° 50' 51" E, ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 80.00 FEET TO A POINT;

THENCE S 43° 09' 09" E, A DISTANCE OF 36.72 FEET TO A POINT OF THE SOUTH LINE OF SAID LOT 6 WHICH IS ALSO THE NORTH LINE OF THE PROMISED LAND SUBDIVISION; THENCE S 71° 30' W, ALONG SAID LINE A DISTANCE OF 88.02 FEET TO THE REAL POINT OF BEGINNING, CONTAINING 0.0338 ACRES, MORE OR LESS; 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 owners hold one hundred percent (100%) of the ownership of the area of land involved in the proposed zoning map amendment; 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. Due to changing circumstances of land use in the area, the proposed district would be better suited to the area than the existing district.
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 #REZ2020-00600004, for a change in zoning designation from Rural Holding Zone (RHZ) Zone District and Single Family Residential (SFR-B) Zone District to General Commercial (GC) Zone District, and from Single Family Residential (SFR-B) Zone District to Heavy Commercial (HC) Zone District, for certain real properties as described above is hereby [] granted [] denied.
2. The rezone if approved is subject to compliance with the regulations of the General Commercial (GC) Zone District and the Heavy Commercial (HC) Zone District.

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

PASSED, ADOPTED AND APPROVED THIS 14TH DAY OF OCTOBER 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

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: AEQUITAS EDUCATION
Address: 104 E. AZTEC AVE. City: GALLUP State: NM Zip Code: 87301
Telephone: (505) 862-9498 Fax: _____

APPLICANT INFORMATION:

Name: PATRICK T. MASON
Address: 104 E. AZTEC AVE. City: GALLUP State: NM Zip Code: 87301
Telephone: (505) 862-9498 Fax: _____

SITE ADDRESS: 405, 515 & 425 PARK AVE. LEGAL DESCRIPTION: Lot: _____ Block: _____ Subdivision: A TRACT OF LAND WITHIN
Other (if not lot and block): 21 15 18, THE NE 1/4 OF SEC. 21 ALSO A TRACT 75' X 150' AND LOTS 1 THRU 6 IN BLOCK G, BURKE GEORGE HEIGHTS
ADDN. CONT. 29.28 ACS M/L
TOTAL SITE ACREAGE: 26.1738 ACS M/L DESCRIPTION OF REQUESTED USE: EDUCATIONAL FACILITY, PRIMARY SECONDARY
+ .4027 ACS

PRESENT ZONING DESIGNATION OF THE LAND: SINGLE FAMILY RESIDENTIAL REQUESTED ZONE CHANGE: GENERAL COMMERCIAL (GC)
(SFR-B)

**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 GENERAL COMMERCIAL TO ALLOW FOR THE
EXPANSION OF THE EXISTING SCHOOL USE.

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

PATRICK T. MASON [Signature] Sep 21, 2020
Print Property Owner's Name Signature Date
SAME AS PROPERTY OWNER [Signature] Sep 21, 2020
Print Applicant's Name Signature Date

O F F I C E U S E O N L Y

Pre-App. Confr. _____ Application & Fee Accepted by: ND
Fee Paid: \$ No Fee Method of Payment: N/A
Hearing Date: 10/14/2020 Case #: 20-00600004

RECEIVED
[DATE STAMP]
SEP 22 2020
CITY OF GALLUP
PLANNING & DEVELOPMENT
BY: NO TIME: 10am

Aequitas Education

104 E. Aztec Ave., Gallup, NM 87301
505-862-9498
p.mason@milawfirm.net

September 15, 2020

City of Gallup – Planning & Development
110 W. Aztec Ave.
Gallup, NM 87301

Dear City of Gallup Planning & Development,

Please accept this as my formal request to rezone the property located at 405, 515 and 425 Park Avenue Gallup, NM 87301 from Single Family Residential (SFR-B) to General Commercial (GC) Zone District. I'd like to qualify under the following criteria according to the City of Gallup Land Development Standards section 10-5-B-d-i2:

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

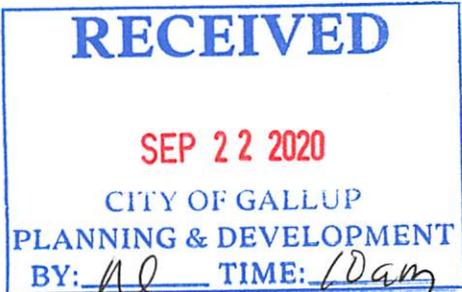
Specifically, this serves the common good in that it:

- Conforms the zone to the pre-existing uses, which include multiple schools, residences, and businesses;
- Allows Hozho Academy to remodel the existing educational site, and to eventually expand into the premier community point in the City of Gallup; and
- Expands both social and economic benefits of the area by allowing the premier educational institution in Gallup to come into an underserved area.

Any questions I can be contacted at 505-862-9498.

Sincerley,

Patrick T. Mason
President, Aequitas Education



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:

925 PARK AVE.; 1 PARCEL NE OF SPORT'S COMPLEX;
SITE ADDRESS: 1380 ELVA DR. LEGAL DESCRIPTION: Lot: Block: Subdivision: 56.691 ACRES M/L IN SEC. 21

Other (if not lot and block): T15N R18W N. OF BYPASS HWY. A TRACT OF LAND WITHIN 21 15 18 LYING WITHIN THE BERNARD T. ESPELAGE CONT. 4.027 ACRES M/L. A TRACT KNOWN AS THE SOUTHWESTERN HILL RESERVOIR SITE BEING SITUATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 21, T15N R18W, CONT. 0.64 ACS M/L

TOTAL SITE ACREAGE: 58.3655 ACS M/L DESCRIPTION OF REQUESTED USE: 2 LOTS ARE CURRENTLY PART OF THE SPORTS

COMPLEX AND PROPOSING TO COMBINE INTO 1 LOT. 1 LOT IS WHERE THE WATER TANK IS LOCATED WHICH IS FINALLY BEING ADDED INTO A SUBDIVISION.

PRESENT ZONING DESIGNATION OF THE LAND: ONE LOT: RURAL HOLDING ZONE (RHZ) REQUESTED ZONE CHANGE: GENERAL COMMERCIAL (GC)
TWO LOTS: SINGLE FAMILY RESIDENTIAL (SFR-B)

*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 GENERAL COMMERCIAL TO BE CONSISTENT WITH

SURROUNDING DISTRICTS SINCE REPLATTING LOTS: REFERENCE MNSB2020-00300007

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

MARYANN USTICK
Print Property Owner's Name Signature Date 9-22-20

SAME AS PROPERTY OWNER
Print Applicant's Name Signature Date 9-22-20

OFFICE USE ONLY

Pre-App. Confr. Application & Fee Accepted by: [Signature]
Fee Paid: \$ 0 Method of Payment: N/A
Hearing Date: 10/14/2020 Case #: 20-00600004

RECEIVED
[DATE STAMP]
SEP 22 2020
CITY OF GALLUP
PLANNING & DEVELOPMENT
BY: [Signature] TIME: 2:30pm

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: JOSHUA GENERATION For Jesus
Address: PO BOX 900 City: GALLUP State: NM Zip Code: 87305
Telephone: (505) 863-2688 Fax:

APPLICANT INFORMATION:

Name: CORINE & DENNIS GALLEGOS
Address: PO BOX 900 City: GALLUP State: NM Zip Code: 87305
Telephone: (505) 870-4254 Fax:

SITE ADDRESS: VL SE OF PARK AVE. & ELVA DR. LEGAL DESCRIPTION: Lot: 5 & 6 Block: F Subdivision: BURKE GEORGE HEIGHTS

Other (if not lot and block): ADDN. FIRST UNIT: TRACT OF LAND WITHIN LOT 6, BLOCK G, BURKE GEORGE HEIGHTS ADDN. CONT. 0.0338 ACS M/L

TOTAL SITE ACREAGE: 0.8218 ACS M/L + 0.0338 ACS M/L DESCRIPTION OF REQUESTED USE: Vacant lot

PRESENT ZONING DESIGNATION OF THE LAND: SINGLE FAMILY RESIDENTIAL (SFR-B) REQUESTED ZONE CHANGE: GENERAL COMMERCIAL (GC) 0.8218 ACS M/L
SINGLE FAMILY RESIDENTIAL (SFR-B) TO HEAVY COMMERCIAL (HC) 0.0338 ACS M/L

*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 GENERAL COMMERCIAL TO BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD. ALSO CHANGE TO THE HEAVY COMMERCIAL ZONE DISTRICT TO AVOID SPOT ZONING.

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

NL

Dennis Gallegos
Print Property Owner's Name

Dennis Gallegos
Signature

9-19-2020
Date

Print Applicant's Name

Signature

Date

OFFICE USE ONLY

Pre-App. Confr. 9/17/20 Application & Fee Accepted by: NO.

Fee Paid: \$ No Fee Method of Payment: N/A

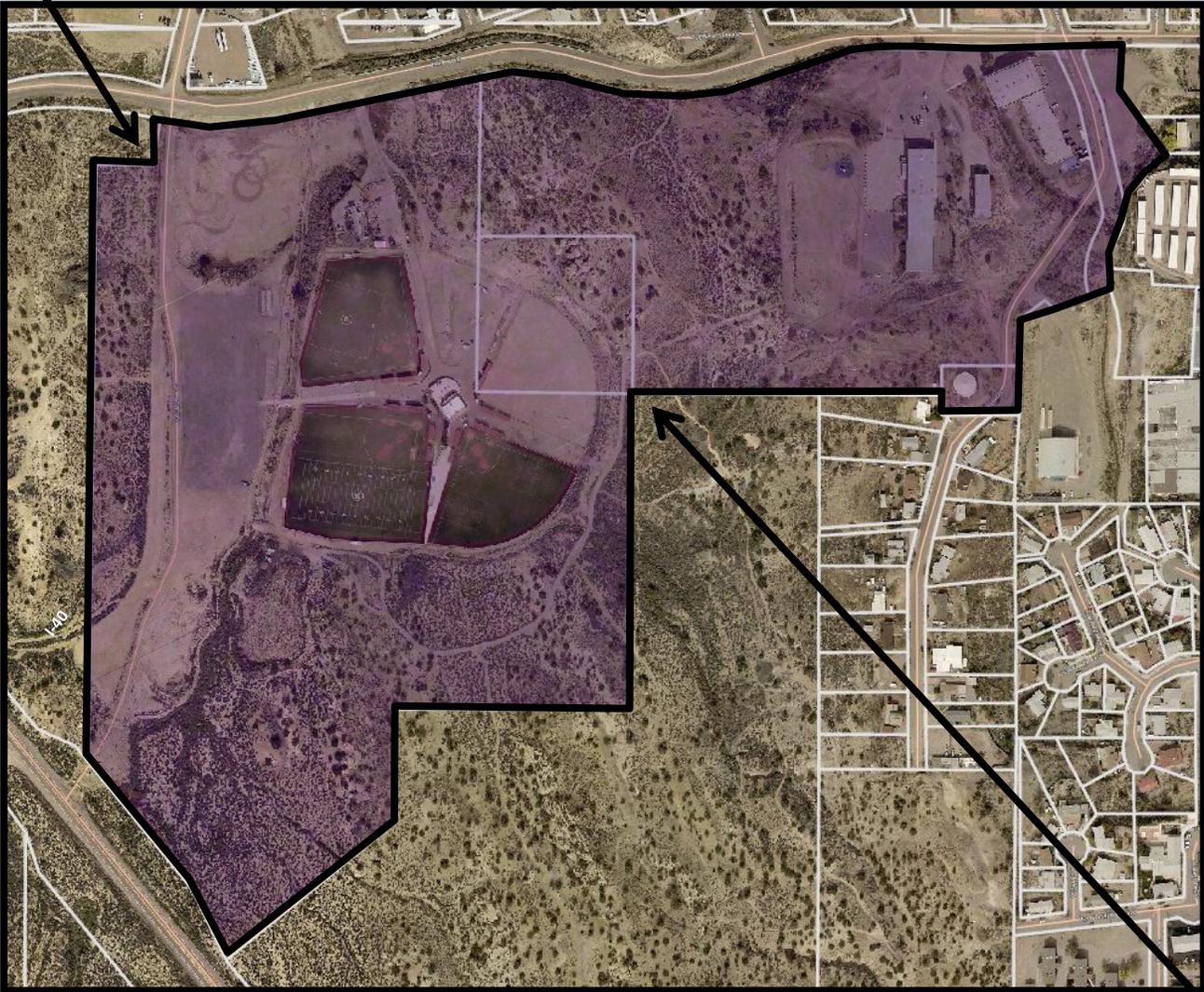
Hearing Date: 10/14/2020 Case #: 20-00600004



Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** Heavy Commercial (HC) Zone District.

The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

AERIAL IMAGERY



Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** Heavy Commercial (HC) Zone District. The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

SITE PHOTOS



September 28, 2020

MEMORANDUM

TO: GALLUP TASK FORCE {GTF}

- C.B. Strain, Planning & Development Director
- William Verburg, Public Works Department
- Sathya Geetha, Water/Wastewater Engineer
- Marita Joe, Senior Electrical Engineer
- Jon Pairett, GFD, Fire Inspector
- Adrian Marrufo, Solid Waste Director
- Laurence Joe, CenturyLink Engineer II
- Irma Bustamante, NM Gas Co. Operations Supervisor
- John Ortiz & Matthew Baca, Comcast Technical Operations Manager / Construction Specialist
- Jayson Grover, NMDOT Acting District 6 Traffic Engineer

FROM: 161 Nikki Lee

Nikki Lee, Planning Specialist

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

CASE #: REZ2020-00600004
PROJECT NAME: Rezone from Single Family Residential (SFR-B) to General Commercial (GC) Zone District
PROPERTY OWNER: Aequitas Education, City of Gallup & Joshua Generation for Jesus
PROJECT LOCATION: 405, 425, 515 & 925 Park Avenue; 1380 Elva Drive; 1 Parcel NE of Sports Complex / A Tract of Land Within 21 15 18 the NE ¼ of Sec. 21 also a Tract 75' X 150' and Lots 1 thru 6 in Block G Burke George Heights Addition Containing 29.29 Acs M/L; 56.691 Acres M/L in Sec. 21 T15N R18W N. of Bypass Hwy; A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L.
DESCRIPTION: The property owners are requesting the above described 86.578 acres M/L be granted a zone change from Single-Family Residential (SFR-B) to General Commercial (GC) Zone District.
<p>The reason for the rezone is as follows:</p> <ol style="list-style-type: none"> 1. So the City can combine (replat) the Sports Complex lots into one (1) lot and subsequently be rezoned to General Commercial. The rezone is necessary in order for the new proposed lot to comply with the Land Development Standards being that the existing lots are zoned two different zone districts. 2. So the property owners can bring their properties into compliance with current uses. Aequitas Education's property (formerly occupied by the Gallup Catholic School) would like to expand upon the Educational Facility, Primary/Secondary use whereas Hozho Academy plans to eventually occupy the building. The City of Gallup water tank site and Joshua Generation's vacant properties are included in the replat whereas rezoning them to their current uses would be recommended to remain consistent with the surrounding neighborhood. <p>Reference the Minor Subdivision case for Aequitas Education, City of Gallup, and Joshua Generation for Jesus (CASE#: 2020-00300007); Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Cont. 0.64</p>

Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Cont. 4.027 Acres M/L

The Rezone and Minor Subdivision case will be concurrently presented to the Planning and Zoning Commission at the October 14, 2020 meeting. Any conditions for approval should be included in staff's recommendation to the Commission.

ELECTRONIC COMMENTS DUE: THURSDAY, OCTOBER 1, 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:

P1.) Rezone is necessary in order to bring the existing structure on school property and the existing City Sports Complex into compliance with current zoning standards.

P2.) Zoning Map Amendment Criteria met is as follows:

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

CITY ENGINEER COMMENTS:

All pedestrian infrastructure shall remain in place along Park Avenue and Elva Drive and will be deferred until a later date based on the City's next project affecting this subdivision.

WATER DEPARTMENT COMMENTS: No issues on water, all issues addressed on prior GTF review.

WASTEWATER DEPARTMENT COMMENTS: No issues on wastewater, all issues addressed on prior GTF review.

ELECTRIC DEPARTMENT COMMENTS: Electric has no issues with the rezone.

FIRE DEPARTMENT COMMENTS:

No Fire Department issues with Re-zone. Future construction may require installation of fire hydrant(s), sprinkler systems, and/or fire department access roads. Future fire code requirements will be construction dependent.

SOLID WASTE COMMENTS: No issues with rezone

CENTURYLINK COMMENTS:

No comments or conflict from CenturyLink with case 20-00600004.

NM GAS COMPANY COMMENTS: No comments or issues.

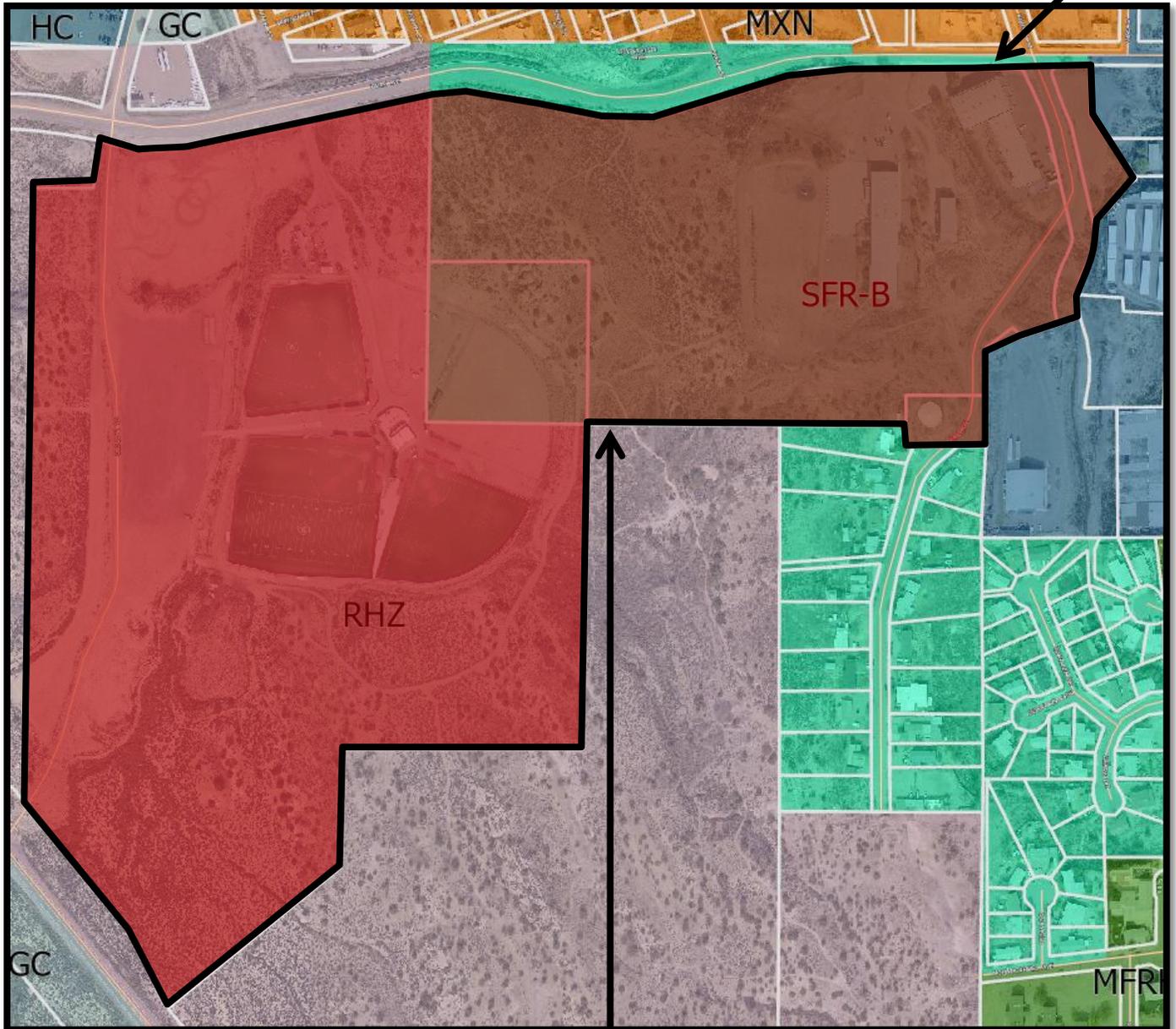
COMCAST COMMENTS:

Comcast does not have any comments or concerns with this rezone.

NM DEPT. OF TRANSPORTATION COMMENTS: No comments, as there are no direct or indirect impacts to the state highway foreseen at this time.

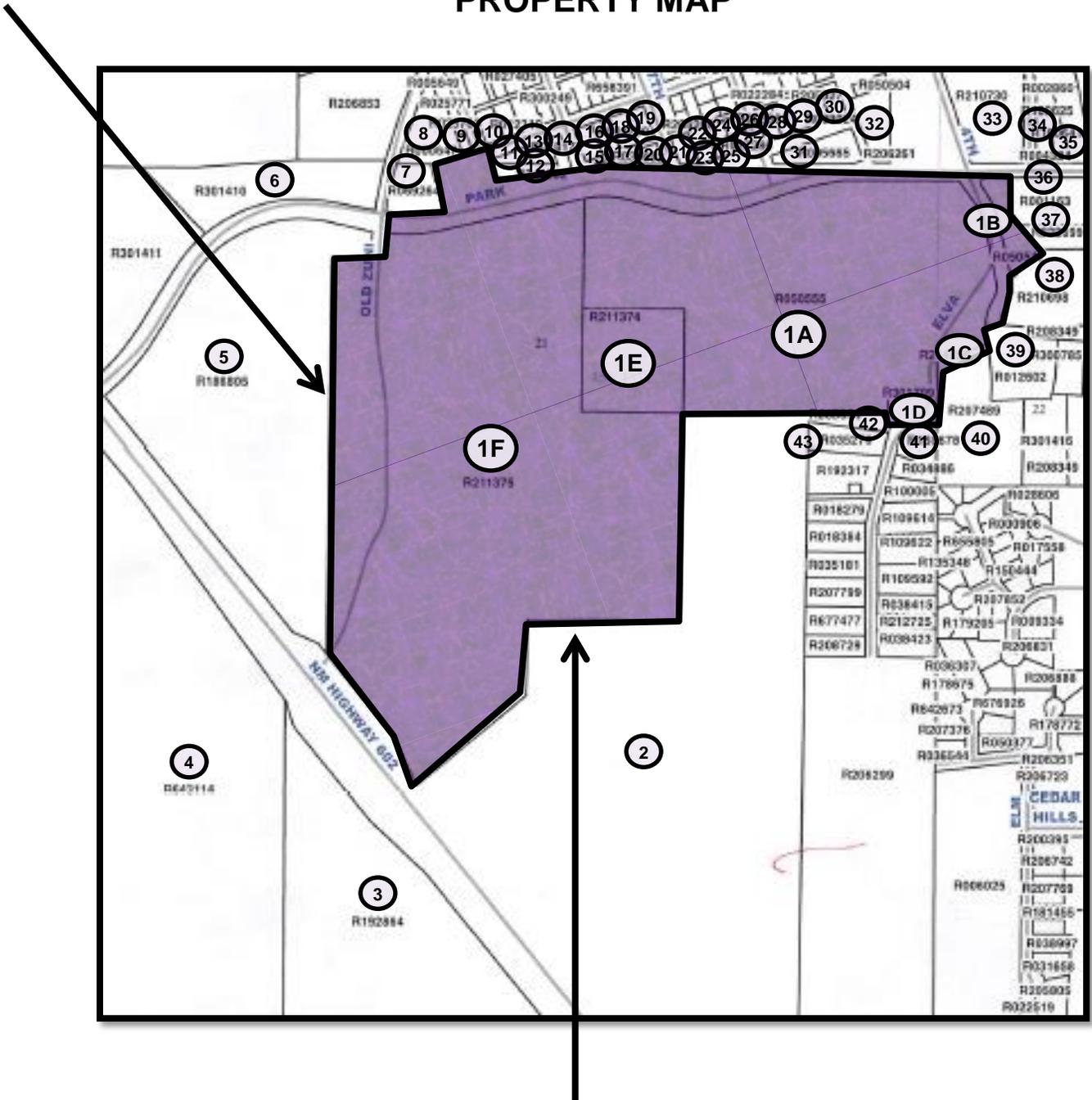
Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** Heavy Commercial (HC) Zone District. The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

AREA MAP



Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** Heavy Commercial (HC) Zone District. The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

PROPERTY MAP



Letters sent 09/25/2020

Request by Aequitas Education, the City of Gallup, and Joshua Generation for Jesus, property owners for the Rezoning of 31.7025 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** General Commercial (GC) Zone District; 54 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District; 0.0338 acres M/L **FROM** Single-Family Residential (SFR-B) Zone District **TO** Heavy Commercial (HC) Zone District. The properties are located at 405, 425, 515 & 925 Park Avenue, 1380 Elva Drive, and three vacant lots on Elva Drive.

ADDRESS LIST

- | | | |
|-----|---|--|
| 1A. | AEQUITAS EDUCATION, INC.
104 E. AZTEC AVE.
GALLUP, NM 87301
A TRACT OF LAND WITHIN 21
15 18, THE NE ¼ OF SEC. 21
ALSO A TRACT 75' X 150' AND
LOTS 1 THRU 6 IN BLOCK G
BURKE GEORGE HEIGHTS
ADDN. CONT. 29.28 ACS M/L
R050555 | A TRACT KNOWN AS THE
SOUTHWESTERN HILL
RESERVOIR SITE BEING
SITUATED IN THE SE ¼ OF
THE NE ¼ OF SECTION 21,
T15N R18W, CONT. 0.64 ACS
M/L
R301799 |
| 1B. | JOSHUA GENERATION FOR
JESUS
PO BOX 900
GALLUP, NM 87305-0900
LOTS 5 & 6, BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
FIRST UNIT DOC
R050547 | 1E. A TRACT OF LAND WITHIN 21
15 18, LYING WITHIN THE
BERNARD T. ESPELAGE
CONT. 4.027 ACRES M/L
R211374 |
| 1C. | A TRACT OF LAND WITHIN LOT
6, BLK G, BURKE GEORGE
HEIGHTS ADDN. CONT. .0338
ACS M/L
R214256 | 1F. 56.691 ACRES M/L IN SEC. 21
T15N R18W, N. OF BYPASS
HWY 32
R211375 |
| 40. | A TRACT OF LAND IN THE NW
¼ CONT. 3.8951 ACS M/L 22 15
18, A/K/A THE PROMISED
LAND SUB.
R207489 | 33. A PORTION OF TRACT E
BURKE GEORGE HEIGHTS
ADDN. VETERAN'S PARK
R210730 |
| 1D. | CITY OF GALLUP
PO BOX 1270
GALLUP, NM 87305-1270 | 34. A PORTION OF TRACT E
BURKE GEORGE HEIGHTS
ADDN. VETERAN'S PARK
R210730 |
| | | 39. TRACT OF LAND NW ¼ OF 22
15 18, SO. OF BLOCK F BURKE
GEORGE HEIGHT ADDN.
R012602 |

- | | | | |
|----|---|-----|---|
| 2. | GALLUP LAND PARTNERS,
LLC
9911 SOUTH 78 TH AVE.
HICKORY HILLS, IL 60457
A TRACT OF LAND LYING IN
SEC. 21 T15N R18W, N. OF
BYPASS HWY 32 CONT. 106.23
ACRES M/L
R186805 | | GALLUP, NM 87305
BLOCK 10 LOTS 3 THRU 10,
LESS & EXCEPT THE E. 64' OF
LOTS 3 & 4 AND THE E. 40' OF
LOTS 5 THRU 10, ALSO A
PARCEL OF LAND ADJACENT
TO BLOCK 10 AND BOUNDED
ON THE W. BY THE OLD ZUNI
RD. IN C.F. VOGEL ADDN.
WITHIN SEC. 21 T15 R18
CONT. 1.296 ACRES M/L
R000647 |
| 3. | 27.19 ACRES M/L IN THE SE ¼
OF SEC. 21 T15N R18W, SW
OF HWY 32 BYPASS
R192864 | 9. | JESSICA LANDAVAZO-
GUILLEN
710 S. NINTH ST.
GALLUP, NM 87301
E. 40' OF LOTS 9 & 10, BLOCK
10, TOGETHER WITH RIGHT
OF WAY OF NINTH ST. 7' X 80',
C.F. VOGEL'S ADDN. NO. 1
R021865 |
| 4. | 234.35 ACRES M/L IN THE E ½
OF SEC. 20 T15N R18W AND
THE W ½ OF SEC. 21 T15N
R18W STAGECOACH EAST
DEV. ALSO 1.23 ACRES M/L
ADJACENT TO & N. OF
INTERCHANGE AT HWY 32
R643114 | 10. | DAVID F. MONTOYA
707 S. 9 TH ST.
GALLUP, NM 87301
LOT 4, BLOCK 11, VOGEL
ADDN.
R012343 |
| 5. | A TRACT OF LAND LYING IN
SEC. 21 T15N R18W, N. OF
BYPASS HWY 32, CONT.
106.23 ACRES M/L
R186805 | 11. | JOSEPH V. & BEVERLY J.
HAUSNER, TRUSTEES
HC 62 BOX 2627
THOREAU, NM 87323
LOT 6, BLOCK 8, VOGEL ADDN.
R001570 |
| 6. | LOT 2, PARK SUB.
R301410 | 12. | DAVID & VIRGINIA BACA, REV.
TRUST
805 W. MORGAN AVE.
GALLUP, NM 87301
A PARCEL OF LAND IN THE S
½ OF THE NE ¼ OF 21 15 18, N.
OF BYPASS HWY 32
R211382 |
| 7. | WILLIAMS ENERGY COMPANY
C/O FERRELLGAS, INC.
ONE LIBERTY PLAZA
LIBERTY, MO 64068
*801 OLD ZUNI ROAD
GALLUP, NM 87301
.4 ACRES M/L IN NE ¼ OF SEC.
21 R15N R18W, ADJ. BLOCK
10, VOGEL ADDN.
R069264 | | |
| 8. | ORIN D. & SHANNON R.
SOWERS
PO BOX 2933 | | |

13. BLOCK 8 ALL OF LOT 7, THE
W. 25' OF LOT 8, VOGEL ADDN.
R001406
15. BLOCK 7 LOT 5, VOGEL ADDN.
LESS .003 ACS M/L
R001384
14. TRES MILPAS, LLC
PO BOX 898
GALLUP, NM 87305-0898
BLOCK 8 E. 50' OF LOT 8,
VOGEL ADDN. ALSO 1043 SQ.
FT. ADJACENT TO LOT 8
R018171
16. ERNESTO & GUADALUPE
FUENTES
803 S. SEVENTH ST.
GALLUP, NM 87301
W ½ OF LOT 6, ALSO .003 ACS
M/L WITHIN LOT 5, BLOCK 7,
VOGEL ADDN.
R204995
21. BLOCK 6, LOT 4, VOGEL ADDN.
R009865
17. DIANA M. MOLINA
711 W. MORGAN AVE.
GALLUP, NM 87301
BLOCK 7 THE E ½ OF LOT 6,
VOGEL ADDN.
R025399
18. ADELA MARTINEZ
BALDONADO
709 W. MORGAN AVE.
GALLUP, NM 87301
BLOCK 7 LOT 7, VOGEL ADDN.
R601780
19. DENISE R. CRUZ
701 W. MORGAN AVE.
GALLUP, NM 87301
LOT 8, BLOCK 7, VOGEL ADDN.
R028711
20. ANTOINETTE MARTINEZ
308 ZECCA DR.
GALLUP, NM 87301
LOTS 1 & 2, BLOCK 7, VOGEL
ADDN.
R035602
22. RICHARD E. JUAREZ
608 ½ W. BUENA VISTA AVE.
*805B S. 7TH ST.
GALLUP, NM 87301
BLOCK 6 N ½ OF LOT 3,
VOGEL ADDN.
R018651
23. ALFRED & CARRIE OLIVAR
606 W. BUENA VISTA AVE.
GALLUP, NM 87301
BLOCK 6 THE S ½ OF LOT 3,
VOGEL ADDN.
R027243
24. PETER OLIVAR
810B S. SIXTH ST.
GALLUP, NM 87301
BLOCK 6 THE N ½ OF LOT 2,
VOGEL ADDN.
R027251
25. EUGENE OLIVAR
602 W. BUENA VISTA AVE.
GALLUP, NM 87301
THE S ½ OF LOT 2, BLOCK 6,
VOGEL ADDN.
R027235
26. KHANG THUAN LE & IRENE
LEE
810 S. SIXTH ST.
GALLUP, NM 87301
BLOCK 6 THE N ½ OF LOT 1,
VOGEL ADDN.
R118273
27. MAX JACK CUELLAR
810 S. SIXTH ST.
GALLUP, NM 87301

- S ½ OF LOT 1, BLOCK 6,
VOGEL ADDN.
R027286
28. CELERINA C. FREITAS
811 S. SIXTH ST.
GALLUP, NM 87301
LOT 5, BLOCK 5, VOGEL ADDN.
R005088
29. LOTS 2 THRU 4, BLOCK 5,
VOGEL ADDN.
R205027
30. ANTHONY DELAO
708 N. FIRST ST.
GALLUP, NM 87301
BLOCK 5 LOT 1, VOGEL ADDN.
R009024
31. SOCORRO GREENE &
MICHAEL GREENE & SHAYNE
GREENE & DEAN A. GREENE
C/O 706 W. LOGAN AVE.
GALLUP, NM 87301
LOTS 7 THRU 10, BLOCK 1,
VOGEL ADDN.
R005665
32. JOE WAUFORD
1122 RIDGECREST AVE.
GALLUP, NM 87301
LOT 4A, BLOCK 2, REPLAT OF
LOTS 1 THRU 4 AND
PORTIONS OF THE ADJOINING
STREETS VOGEL ADDN. NO. 1
R206261
35. AL TAQWA, LLC
814 S. SECOND ST.
GALLUP, NM 87301
LOT 8, BLOCK D, BURKE-GEO.
HEIGHT ADD.
R100633
36. PAUL W. & LESLIE B. GRAVES
1511 DIAMOND CIR.
GALLUP, NM 87301
ALL OF LOT 1 & A PORT. OF
LOT 2 BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
FIRST UNIT
R001163
37. STEVE A. & ELIZABETH J.
COLEMAN
PO BOX 5028
GALLUP, NM 87305-5028
A PORTION OF LOT 2, BLOCK
F, BURKE GEORGE HEIGHTS
ADDN. FIRST UNIT
R622699
38. LAMAR INDUSTRIES, LLC
3601 W. HIGHWAY 66
GALLUP, NM 87301
LOT 3A, BLOCK F, BURKE
GEORGE HEIGHTS ADDN.
REPLAT OF LOTS 3, 4 & A
PORTION OF LOT 2, BLOCK F,
IN THE FIRST LIMIT OF BURKE
GEORGE HEIGHTS
R210698
41. GLENN M. MANGES
1401 ELVA DR.
GALLUP, NM 87301
BLOCK A TRACT 1,
SOUTHWESTERN HILLS ADDN.
R150878
42. CAROL M. RICHARDS
1354 WINDMILL RD.
EL CAJON, CA 92019
TRACT #1 BLOCK B,
SOUTHWESTERN HILL ADDN.
R605654
43. ELIZABETH J. CRAIG
1402 ELVA DR.
GALLUP, NM 87301
BLOCK B, TRACT 2,
SOUTHWESTERN HILL ADDN.
R035270



October 7, 2020

Louie Bonaguidi, Mayor
Linda Garcia, District 1 Councilor
Michael Schaaf, District 2 Councilor
Yogash Kumar, District 3 Councilor
Fran Palochak, District 4 Councilor
Maryann Ustick, City Manager
Curtis G. Hayes, City Attorney



MEMORANDUM

To: Planning and Zoning Commission

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

Ref: Case No. CUP2020-00700002, David Giron Chacon, plastic, aluminum and cardboard recycling.

BACKGROUND

Mr. David Giron Chacon, tenant, on behalf of United Development Ltd. Partnership, property owner, has submitted an application to the Planning and Zoning Commission for approval of a conditional use permit (CUP) to operate a plastic, aluminum and cardboard recycling facility within the Heavy Commercial (HC) Zone District. The property is located at 920 East Hwy. 66 (NM 118), and is more particularly described as Lots 1 through 8, Block 1, Ford Hwy 66 Addition.

DISCUSSION

Since a “conditional use” may only be appropriate at certain locations within a particular zoning district and with additional safeguards or conditions to mitigate negative impacts on the surrounding area, it is the Boards responsibility to exercise proper discretion when granting approval of the proposed use. Use Table 10-3-1 of the City of Gallup Land Development Standards (LDS) lists a Recycling Facility as a Conditional Use within the Heavy Commercial (HC) Zone District. Acceptable grounds for requesting and granting a conditional use permit (CUP) are shown as attachment “A”.

The applicant wishes to utilize the location at 920 E. Hwy. 66 to store and process plastic bottles, aluminum cans and cardboard for recycling. No chemicals or heavy machinery will be used in this process. Specific conditions applied to this use in order to protect the health, safety and welfare of the public are as follows.

- Outdoor storage of any and all recyclable materials shall be prohibited.
- Use shall comply with all New Mexico Environmental Department Solid Waste Division requirements for recycling facilities.
- Storage of materials shall remain six feet (6') or less in height. Due to the products involved if they are stored higher than six feet (6') it will place the facility into high-

piled combustibles which would require a fire alarm system or fire sprinkler system to be installed.

- Maintain means of egress pathways clear of storage items.
- Install two portable fire extinguishers with a minimum rating of 4A in the warehouse area. For the lobby and garage areas install two portable for extinguishers with a minimum rating of 2A.
- Install "EXIT" signs and emergency lighting units throughout the facility in compliance with the 2015 International Fire Code.
- Facility may require other requirements to be met in accordance with the 2015 International Fire Code when a full fire inspection is completed on the facility.
- All New Mexico Environmental Department, Solid Waste Division approvals shall be in place prior to issuing a City Business Registration.

FINDINGS

It is the findings of staff that the proposed recycling facility is compatible with the Heavy Commercial (HC) Zone District. Staff recommends approval of the conditional use permit contingent upon compliance with the conditions set forth in Resolution No. RP2020-9.

RESOLUTION NO. RP2020-9

A RESOLUTION GRANTING [] DENYING [] A REQUEST BY MR. DAVID GIRON CHACON, TENANT, ON BEHALF OF UNITED DEVELOPMENT LTD. PARTNERSHIP, PROPERTY OWNER, FOR A CONDITIONAL USE PERMIT TO OPERATE A PLASTIC, ALUMINUM AND CARDBOARD RECYCLING FACILITY WITHIN THE HEAVY COMMERCIAL (HC) ZONE DISTRICT FOR THE PROPERTY LOCATED AT 920 EAST HWY. 66 (NM 118)

WHEREAS, Mr. David Giron Chacon, tenant, has submitted an application to the Planning and Zoning Commission on behalf of United Development Ltd. Partnership, property owner, for approval of a conditional use permit (CUP) to operate a recycling facility within the Heavy Commercial (HC) Zone District for the property located at 920 East Hwy. 66 (NM 118), and is more particularly described as Lots 1 through 8, Block 1, Ford Hwy 66 Addition; and

WHEREAS, Use Table 10-3-1 of the City of Gallup Land Development Standards (LDS) lists a recycling facility as a Conditional Use within the Heavy Commercial (HC) Zone District; and

WHEREAS, specific conditions applied to this use in order to protect the health, safety and welfare of the public are as follows:

- a. Outdoor storage of any and all recyclable materials shall be prohibited.
- b. Use shall comply with all New Mexico Environmental Department Solid Waste Division requirements for recycling facilities.
- c. Storage of materials shall remain six feet (6') or less in height. Due to the products involved if they are stored higher than six feet (6') it will place the facility into high-piled combustibles which would require a fire alarm system or fire sprinkler system to be installed.
- d. Maintain means of egress pathways clear of storage items.
- e. Install two portable fire extinguishers with a minimum rating of 4A in the warehouse area. For the lobby and garage areas install two portable fire extinguishers with a minimum rating of 2A.
- f. Install "EXIT" signs and emergency lighting units throughout the facility in compliance with the 2015 International Fire Code.
- g. Facility may require other requirements to be met in accordance with the 2015 International Fire Code when a full fire inspection is completed on the facility.

- h. All New Mexico Environmental Department, Solid Waste Division approvals shall be in place prior to issuing a City Business Registration; 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 #2020-00700002, for a conditional use permit to operate a plastic, aluminum and cardboard recycling facility within the Heavy Commercial (HC) Zone District. The property is located at 920 East Hwy. 66 (NM 118), and is more particularly described as Lots 1 through 8, Block 1, Ford Hwy 66 Addition, is hereby [] granted [] denied.
2. If approved, the proposed recycling facility use shall comply with the following conditions:
 - a. Outdoor storage of any and all recyclable materials shall be prohibited.
 - b. Use shall comply with all New Mexico Environmental Department Solid Waste Division requirements for recycling facilities.
 - c. Storage of materials shall remain six feet (6') or less in height. Due to the products involved if they are stored higher than six feet (6') it will place the facility into high-piled combustibles which would require a fire alarm system or fire sprinkler system to be installed.
 - d. Maintain means of egress pathways clear of storage items.
 - e. Install two portable fire extinguishers with a minimum rating of 4A in the warehouse area. For the lobby and garage areas install two portable fire extinguishers with a minimum rating of 2A.
 - f. Install "EXIT" signs and emergency lighting units throughout the facility in compliance with the 2015 International Fire Code.
 - g. Facility may require other requirements to be met in accordance with the 2015 International Fire Code when a full fire inspection is completed on the facility.
 - h. All New Mexico Environmental Department, Solid Waste Division approvals shall be in place prior to issuing a City Business Registration

3. The application, if approved shall pertain only to the conditional use permit now being sought.
4. Approval of the conditional use permit shall become null and void and the conditional use permit may be revoked if any of the conditions of this resolution are violated at any time.

PASSED, ADOPTED AND APPROVED THIS 14TH DAY OF OCTOBER 2020

CITY OF GALLUP, MCKINLEY COUNTY

BY: _____
KENT WILSON, CHAIRMAN
PLANNING AND ZONING COMMISSION

ATTEST:

Clyde (C.B.) Strain, Planning & Development Director
Secretary to Planning and Zoning Commission

Exhibit “A”

**ACCEPTABLE GROUNDS FOR REQUESTING AND GRANTING A
CONDITIONAL USE PERMIT**

1. The use will not have a significant adverse effect on the character and value of adjacent properties or the surrounding neighborhood.
2. The use will not create a hazard, a public nuisance or be injurious to individuals or to the public.
3. The use will not generate undue traffic congestion.
4. The use will not cause noise which is excessive for the particular area.
5. The use will not have a significant adverse effect on the natural environment and attractiveness of an area.
6. The use will not be contrary to the public interest.
7. The applicant will be able to meet any particular requirements specified for such a use in this Ordinance and any additional conditions that the Board may impose.
8. The applicant will be able to meet all requirements imposed by applicable state and federal laws and regulations.
9. The use is consistent with the policies and recommendations of the adopted City Master Plan.



APPLICATION FOR A CONDITIONAL USE PERMIT

PROPERTY OWNER INFORMATION

NAME: Spartia Markle Nicholson **/UNITED DEVELOPMENT LIMITED PARTNERSHIP** PHONE #: 505 722-5051
 MAILING ADDRESS: 920 E HWY 66 CITY: Gallup STATE: NM ZIP: 87301
12406 E. ENCANTO ST. MESA, ARIZONA 85213

APPLICANT INFORMATION:

NAME: David Giron Chacon **(GALLUP PLASTIC RECYCLING)** PHONE #: (702) 490-8327
 MAILING ADDRESS: 1300 Valley View Dr NW CITY: ABQ STATE: NM ZIP: 87121
 Email: ~~vendettamx1@gmail.com~~ vendettamx1@gmail.com

AGENT INFORMATION: (if applicable)

NAME: _____ PHONE #: _____

MAILING ADDRESS: ~~920 E. Hwy 66~~ CITY: _____ STATE: _____ ZIP: _____

SITE ADDRESS: 920 E. Hwy 66

LEGAL DESCRIPTION: LOT: 1 THRU 8 BLOCK: 1 SUBDIVISION: FORD HWY 66 ADDN.

CURRENT ZONING DISTRICT:

- INDUSTRIAL (I)
- GENERAL COMMERCIAL (GC)
- HEAVY COMMERCIAL (HC)
- MIXED-USE CENTER (MXC)
- MIXED-USE NEIGHBORHOOD (MXN)
- MOBILE HOME PARK (MHP)
- MULTI-FAMILY RESIDENTIAL LOW (MFRL)
- MULTI-FAMILY RESIDENTIAL MEDIUM (MFRM)
- MULTI-FAMILY RESIDENTIAL HIGH (MFRH)
- SINGLE FAMILY RESIDENTIAL-A (SFR-A)
- SINGLE FAMILY RESIDENTIAL-B (SFR-B)
- SINGLE FAMILY RESIDENTIAL-C (SFR-C)
- RURAL HOLDING ZONE (RHZ)
- RURAL RESIDENTIAL (RR)
- PLANNED UNIT DEVELOPMENT (PUD)

DESCRIPTION OF REQUESTED USE: Storage and Process plastic Bottles and Aluminum cans, cardboard (No other Metals) • Recycling

STATEMENT OF COMPLIANCE WITH THE REQUIREMENTS FOR A CONDITIONAL USE PERMIT (§ 10-5-B-d-iii-2):

I agree to comply with the regulations to operate my recycling Business.

ATTACH SITE PLAN OF THE PROPOSED DEVELOPMENT / PROJECT

Markle Nicholson David Giron Chacon
 Print Owner's Name Print Applicant's Name
[Signature] [Signature]
 Owner's Signature Applicant's Signature
 _____ 09/01/2020
 Date Date

FOR OFFICE USE ONLY

PRE-APP. CONFR: 9/1/2020

APPLICATION FEES ACCEPTED BY: [Signature]

AMOUNT PAID: \$ 150.00 METHOD OF PAYMENT: Cash

HEARING DATE: 10/14/2020 CASE #: 20-00700002

RECEIVED

DATE STAMP

SEP 11 2020

CITY OF GALLUP
PLANNING & DEVELOPMENT

BY: AD TIME: V.2019.08.12

1158 am

CONDITIONAL USE PERMIT - STATE OF COMPLIANCE

Statement of Compliance with the Requirements for Conditional Use Permit (10-4LA2)

I hereby state that my property at 920 E Hwy 66, if granted a conditional use permit will comply with the following:

1. The use will not have a significant adverse effect on the character and value of adjacent properties or the surrounding neighborhood. *NO, Because we always work with door closed*
2. The use will not create a hazard, a public nuisance or be injurious to individuals or the public. *NO, Because we are not working with hazardous materials.*
3. The use will not generate undue traffic congestion. *NO, we have plenty of parking*
4. The use will not cause noise which is excessive for the particular area. *No, we use electrical equipment with low noise.*
5. The use will not have a significant adverse effect on the natural environment and attractiveness of an area. *NO, otherwise we are here to help to clean up and the surrounding areas by recycling their plastic, so prevent it from going to the landfill*
6. The use will not be contrary to the public interest. *we are here to help the public interest.*
7. I will be able to meet any particular requirements specified for such a use in the Land Development Standards and any additional conditions that the board may impose. *we will meet all requirements.*
8. I will be able to meet all requirements imposed by applicable state and federal laws and regulations. *we will meet all requirements.*
9. The use is consistent with the policies and recommendations of the adopted city master plan. *we will work with the policies and recommendations as necessary.*



9/10/2020

(Signature)

(Date)



Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District..

The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

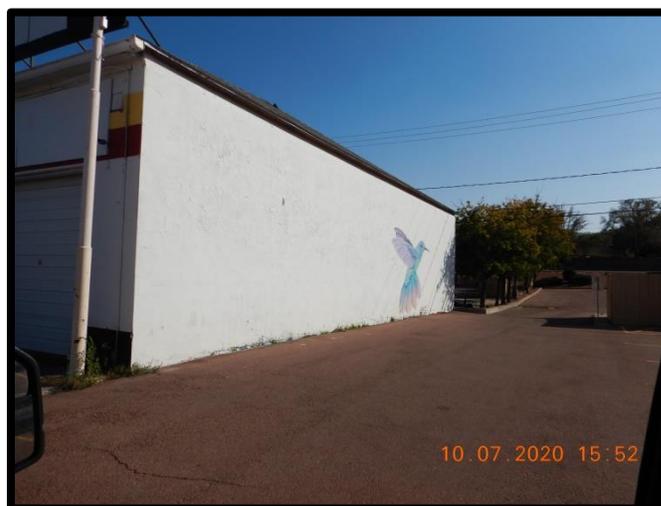
AERIAL IMAGERY



Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District.

The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

SITE PHOTOS



September 18, 2020

MEMORANDUM

TO: GALLUP TASK FORCE {GTF}

- C.B. Strain, Planning & Development Director
- William Verburg, Public Works Department
- Sathya Geetha, Water/Wastewater Engineer
- Marita Joe, Senior Electrical Engineer
- Jon Pairett, GFD, Fire Inspector
- Adrian Marrufo, Solid Waste Director
- Laurence Joe, CenturyLink Engineer II
- Irma Bustamante, NM Gas Co. Operations Supervisor
- John Ortiz & Matthew Baca, Comcast Technical Operations Manager / Construction Specialist
- Jayson Grover, NMDOT Acting District 6 Traffic Engineer

FROM: 161 Nikki Lee

Nikki Lee, Planning Specialist

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

CASE #: 20-00700002
PROJECT NAME: Conditional Use Permit (CUP) to Allow a Recycling Facility in the Heavy Commercial (HC) Zone District.
PROPERTY OWNER: United Development Limited Partnership
APPLICANT: David Giron Chacon (Gallup Plastic Recycling)
PROJECT LOCATION: 920 E. Hwy 66 / Lot 1 thru 8, Block 1, Ford Hwy 66 Addn.
DESCRIPTION: CONDITIONAL USE PERMIT The applicant is requesting the approval of a Conditional Use Permit at the project location in order to legally operate a Recycling Facility. This site is in a Heavy Commercial (HC) Zone District whereas this type of use is not allowed without approval of a Conditional Use Permit. The Planning & Zoning Commission will consider this request at their October 14 th , 2020 regular meeting, any conditions for approval should be included in staff recommendations to the Commission.
ELECTRONIC COMMENTS DUE: FRIDAY, SEPTEMBER 25, 2020

NO Task Force Meeting has been scheduled

COMMUNITY PLANNER COMMENTS:

P1.) Outdoor storage of recyclable materials shall be prohibited.

P2.) Shall comply with all New Mexico Environmental Department Solid Waste Division requirements for recycling facilities.

P3.) All New Mexico Environmental Department Solid Waste Division approvals shall be in place prior to issuing a City Business Registration.

P4.) Ok to proceed to public hearing.

CITY ENGINEER COMMENTS:

No issues with Pedestrian Infrastructure along HWY 66. Pedestrian Infrastructure will be upgraded to meet the City of Gallup Land Development Standards at a later date when renovations commence.

WATER DEPARTMENT COMMENTS: Does not affect City Water system. No issues.

WASTEWATER DEPARTMENT COMMENTS: Unable to comment, need more information on process, inflow and type of contaminants into the sewer system. Contact (505)-863-1288

10/2/2020 AMENDED WWD COMMENT:

PER CONVERSATION WITH APPLICANT, NO SEWER ISSUES.

ELECTRIC DEPARTMENT COMMENTS: No issues with CUP. In the event there is change to existing service entrance Coordinate with Electric to for requirements.

FIRE DEPARTMENT COMMENTS:

1. Storage of materials shall remain 6 feet or less in height. Due to the products involved if they are stored higher than 6 feet it will place the facility into high-piled combustibles which would require a fire alarm system or fire sprinkler system to be installed.

2. Maintain means of egress pathways clear of storage items.

3. Install two portable fire extinguishers with a minimum rating of 4A in the warehouse area. For the lobby and garage areas install two portable fire extinguishers with a minimum rating of 2A.

4. Install EXIT signs and emergency lighting units in the facility.

5. Facility may require other requirements to be met in accordance with the 2015 edition of the International Fire Code when a full fire inspection is completed on the facility.

SOLID WASTE COMMENTS: No issues with the CUP

CENTURYLINK COMMENTS:

I have reviewed this and I don't have any conflicts with this.

NM GAS COMPANY COMMENTS:

No comments or issues.

COMCAST COMMENTS:

Comcast does have facilities attached to the existing pole line going east and west. We have no concerns as long as the existing pole line stays as is.

NM DEPT. OF TRANSPORTATION COMMENTS:

Because the property is along NM 118 and I am assuming they will desire direct access to the state highway, the property owner will need to secure NMDOT Approval of a Driveway Permit application BEFORE opening for business. A Driveway Permit Application has been provided to the City of Gallup to forward on to the business owner. See NMDOT attachments.

Jayson L. Grover, P.E.

Acting District 6 Traffic Engineer

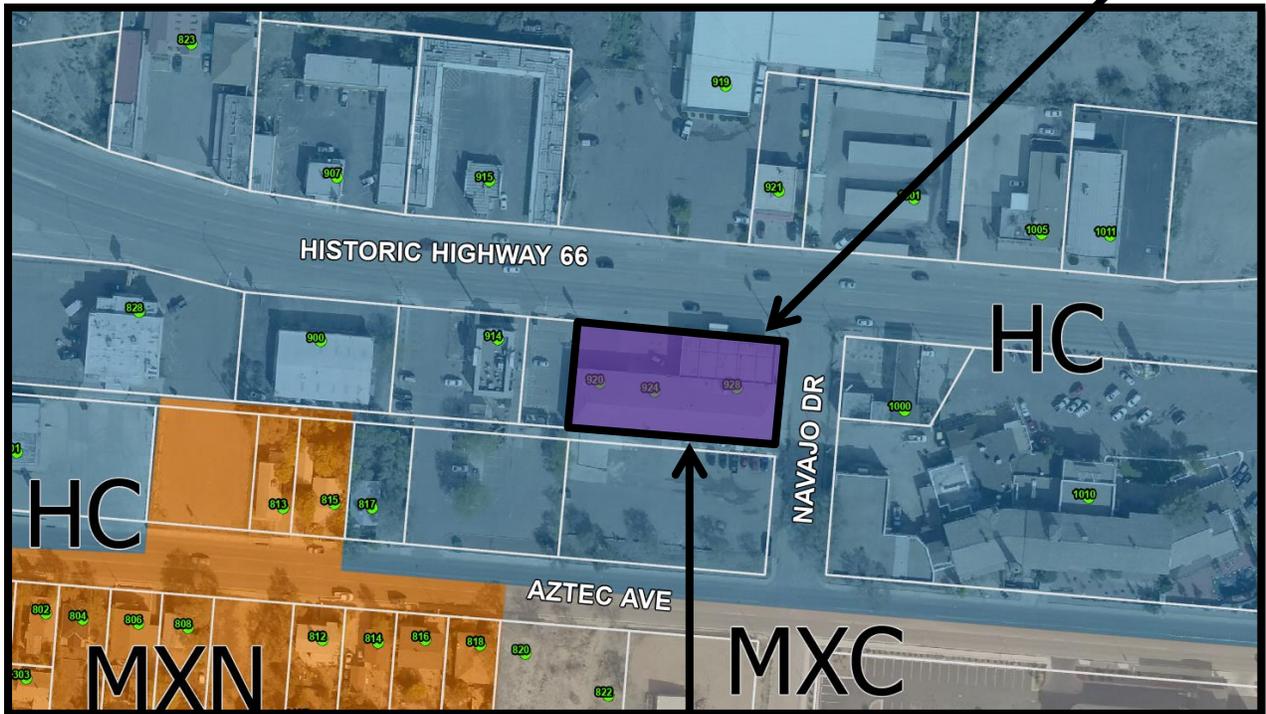
NMDOT

Front Desk (505) 285-3200, Cell (505) 290 -8340

Email: Jayson.Grover@state.nm.us

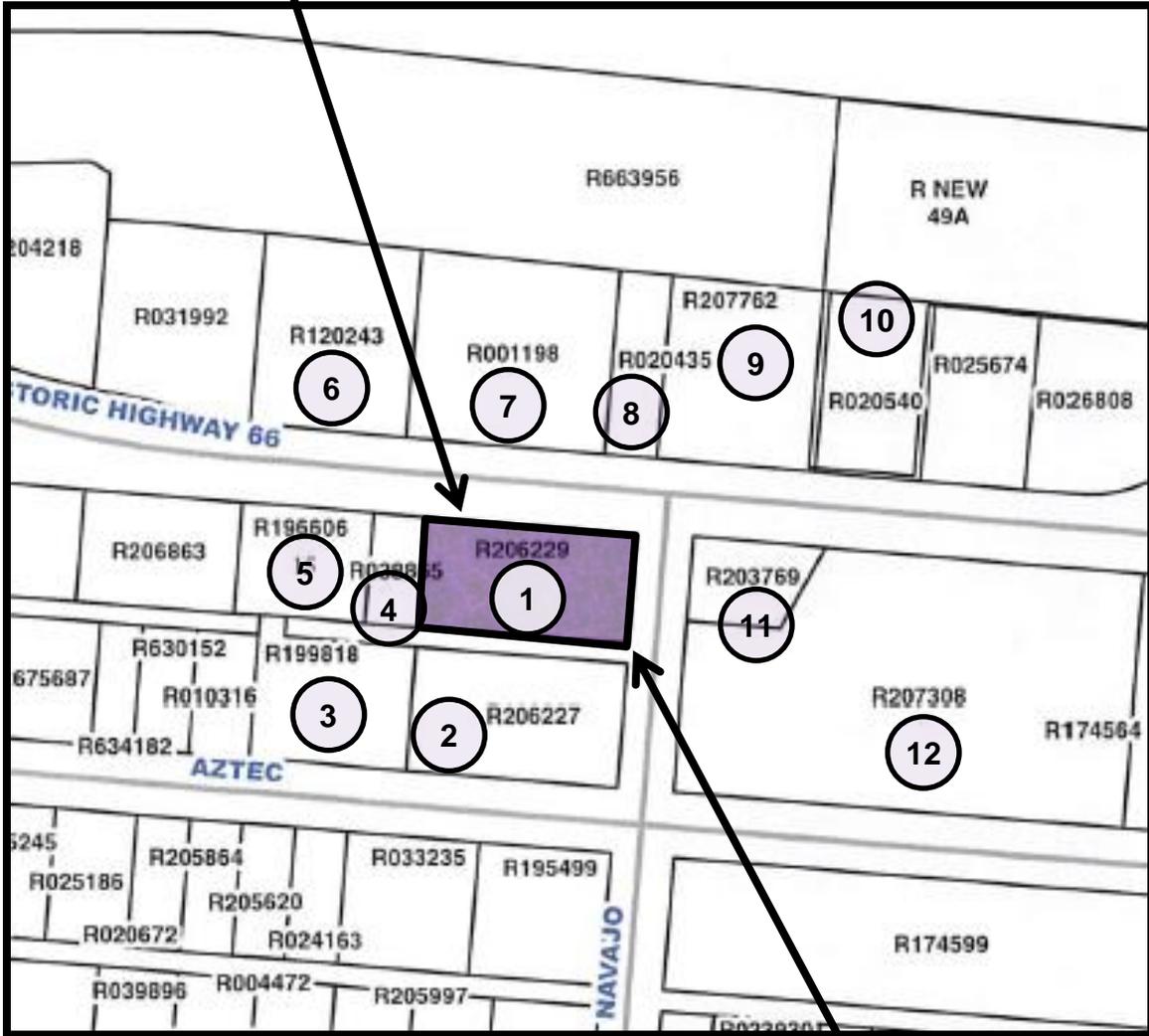
Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District. The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

AREA MAP



Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District. The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

PROPERTY MAP



Letters sent 09/28/2020

Request by David Giron Chacon, Gallup Plastic Recycling on behalf of United Development Limited Partnership, property owner, for a Conditional Use Permit to allow the operation of a recycling facility in the Heavy Commercial (HC) Zone District. The property is located at 920 East Highway 66; more particularly described as Lots 1 thru 8, Block 1, Ford Hwy 66 Addition.

ADDRESS LIST

- | | | |
|----|---|--|
| 1. | UNITED DEVELOPMENT
LIMITED PARTNERSHIP
2406 E. ENCANTO
MESA, AZ 85213
LOTS 1 THRU 8, BLOCK 1,
FORD HWY 66 ADDN.
R206229 | BLOCK 29, FORD HWY 66
ADDN.
R120243 |
| 2. | LOTS 63 THRU 70, BLOCK 1,
I.H. FORD'S HIGHWAY 66
ADDN.
R206227 | 7. A.O. LEBECK JR., ETAL,
& DAB INC.
P.O. BOX 38
GALLUP, NM 87305-0038
LOTS 61 THRU 67, THE E. 12'
OF LOT 68, BLOCK 29, FORD
HWY 66 ADDN.
R001198 |
| 3. | HIGH DESERT QSRS, LLC
2405 PEGGY ANN DR.
GALLUP, NM 87301
LOTS 57 THRU 62, BLOCK 1,
I.H. FORD'S HWY 66 ADDN.
ALLEY RIGHT-OF-WAY
LOCATED BETWEEN LOT 14 &
LOT 57
R199818 | 8. LEBECK PROPERTIES, LLC
ATTN: DAVID RHODES
LEBECK
P.O. BOX 38
GALLUP, NM 87305-0038
LOTS 59 THRU 60, BLOCK 29,
FORD HWY 66 ADDN.
R020435 |
| 4. | LOTS 9 & 10, BLOCK 1, FORD
HWY 66 ADDN.
R038865 | 9. JAMES SMITH
1001 E. HIGHWAY 66
GALLUP, NM 87301
LOTS 53 THRU 58, BLOCK 29,
FORD HWY 66 ADDN.
R207762 |
| 5. | LOTS 11 THRU 15, BLOCK 1,
FORD HWY 66 ADDN.
R196606 | 10. DAB, INC.
P.O. BOX 38
GALLUP, NM 87305-0038
LOTS 49 THRU 52, BLOCK 29,
FORD HWY 66 ADDN.
R020540 |
| 6. | DILIP BAPURAO & SEEMA
DILIP LINGAYAT
C/O KAJEL K. PATEL
915 E. HIGHWAY 66
GALLUP, NM 87301
W. 13' OF LOT 68, LOTS 69
THRU 73, E. 12' OF LOT 74, | 11. EL RANCHO HOTEL, INC.
1000 E. HIGHWAY 66 |

*1010 E. HIGHWAY 66
GALLUP, NM 87301
PORTS. OF LOTS 16 THRU 20,
BLOCK 14, I.H. FORD HWY 66
ADDN.
R203769

12. LOTS 4 THRU 37 & VACATED
ALLEY LESS PORTIONS OF
LOTS 16 THRU 20, BLOCK 14,
I.H. FORD HWY 66 ADDN. EL
RANCHO MAIN HOTEL BLDG.
R207308

Summary of City Council Actions

August 2020

August 24th, 2020:

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.

City Council **approved** the right-of-way vacation- by plat

CITY OF GALLUP
 PLANNING & DEVELOPMENT
 110 W. AZTEC AVENUE
 GALLUP, NM 87301
 505.863.1240

MONTHLY COMPILATION OF PERMITS ISSUED

CITY OR COUNTY: GALLUP, MCKINLEY COUNTY, NM	MAILING ADDRESS: P.O. BOX 1270 GALLUP, NM 87305
--	--

DESCRIPTION	MONTH OF: AUGUST		YEAR TO DATE: 2020	
	NUMBER OF PERMITS	VALUATION	NUMBER OF PERMITS	VALUATION
NEW SINGLE FAMILY DWELLINGS	4	\$ 1,051,000.00	4	\$ 1,051,000.00
RESIDENTIAL ADDITIONS / ALTERATIONS	2	\$ 68,000.00	16	\$ 455,154.00
RESIDENTIAL STORAGE SHED	0	\$ -	4	\$ 31,200.00
RESIDENTIAL GARAGES & CARPORTS	0	\$ -	3	\$ 13,195.00
RESIDENTIAL SITE PERMITS	0	\$ -	1	\$ 1,200.00
NEW COMMERCIAL BUILDINGS	0	\$ -	0	\$ -
COMMERCIAL ADDITIONS / ALTERATIONS	2	\$ 26,000.00	21	\$ 5,599,661.00
COMMERCIAL STORAGE SHED	0	\$ -	0	\$ -
COMMERCIAL GARAGES & CARPORTS	0	\$ -	0	\$ -
COMMERCIAL SITE PERMITS	0	\$ -	0	\$ -
NEW CHURCHES	0	\$ -	0	\$ -
CHURCH ADDITIONS / ALTERATIONS	1	\$ 80,000.00	1	\$ 80,000.00
RE-STUCCO / SIDING / DECKS	1	\$ -	1	\$ -
NEW ASPHALT / ASPHALT OVERLAY / SEALCOAT	2	\$ 102,000.00	2	\$ 102,000.00
EXCAVATION / GRADING	0	\$ -	0	\$ -
NEW APARTMENTS	0	\$ -	0	\$ -
APARTMENT ADDITIONS / ALTERATIONS	1	\$ 10,000.00	1	\$ 10,000.00
HOTELS / MOTELS	0	\$ -	0	\$ -
ROOF REPAIR	12	\$ 102,955.00	62	\$ 732,344.00
DEMOLITION	1	\$ 5,000.00	5	\$ 25,700.00
FENCE / RETAINING WALL	4	\$ 22,138.00	24	\$ 63,825.00
FOUNDATION ONLY - CHARGE	0	\$ -	3	\$ 53,805.00
FOUNDATION ONLY - NO CHARGE	0	\$ -	0	\$ -
SWIMMING POOLS	0	\$ -	0	\$ -
DECK	0	\$ -	0	\$ -
TOTAL PERMITS & VALUATION	30	\$ 1,467,093.00	148	\$ 8,219,084.00
TOTAL PERMIT FEES		\$ 11,368.97		\$ 58,732.17

CITY OF GALLUP
PLANNING & DEVELOPMENT

MONTHLY COMPILATION OF PERMITS ISSUED
AUGUST 2020

DATE	PERMIT NO.	OWNER / BUSINES	CONTRACTOR	SITE ADDRESS	PERMIT TYPE	PERMIT FEES	VALUATION
8/3/20	20 - 141	MATTHEW HUGHBANKS	HOMEOWNER	3735 MAYA DRIVE	RE-STUCCO	\$ -	\$ -
8/5/20	20 - 140	CATHOLIC CHURCH	WADE MACIAS BUILDERS	555 S. WOODROW DRIVE	CHURCH ALTERATIONS	\$ -	\$ 80,000.00
8/10/20	20 - 145	DRD MANAGEMENT, INC.	DALLAGO CORPORATION	216 W. MALONEY AVENUE	FENCE PERMIT	\$ 45.00	\$ 2,000.00
8/10/20	20 - 149	ELEANOR JACOBS	DOMINGUEZ CONSTRUCTION, INC.	3713 CINIZA DRIVE	RESIDENTIAL RE-ROOFING	\$ 72.00	\$ 4,200.00
8/11/20	20 - 143	TAKARA TRADING AMERICAN CO.	GALLUP ROOFING, INC.	215 S. THIRD STREET	RESIDENTIAL RE-ROOFING	\$ 99.00	\$ 7,700.00
8/11/20	20 - 146	SHANE EVANS	SB BUILDERS, LLC	1802 BOYD AVENUE	RESIDENTIAL ALTERATIONS	\$ 601.03	\$ 50,000.00
8/12/20	20 - 062	WAL-MART	PLACED SERVICES, INC.	1650 W. MALONEY AVENUE	COMMERCIAL ALTERATIONS	\$ 181.35	\$ 10,000.00
8/12/20	20 - 144	CARBON CITY, LLC	MURPHY BUILDERS, INC.	3500 E. HISTORIC HIGHWAY 66	DEMOLITION	\$ 111.60	\$ 5,000.00
8/12/20	20 - 150	DANIEL GARCIA	HOMEOWNER	2010 HASLER VALLEY ROAD	RESIDENTIAL RE-ROOFING	\$ 45.00	\$ 2,000.00
8/12/20	20 - 151	FARID KHOURY PROPERTIES	LEGACY ROOFING, LLC	1912 MOUNTAIN VIEW DRIVE	RESIDENTIAL RE-ROOFING	\$ 135.00	\$ 12,000.00
8/12/20	20 - 152	DAVID J. TARRO	GALLUP ROOFING, INC.	1118 MARTINELLI DRIVE	RESIDENTIAL RE-ROOFING	\$ 189.00	\$ 17,500.00
8/14/20	20 - 155	MICHAEL KORY ROWBERRY	SUNWEST ROOFING, LLC	1312 RED ROCK DRIVE	RESIDENTIAL RE-ROOFING	\$ 271.50	\$ 27,890.00
8/17/20	20 - 142	NM TO ULTRA HEALTH, LLC	PMC CONSTRUCTION	200 W. COAL AVENUE	COMMERCIAL ALTERATIONS	\$ 265.05	\$ 16,000.00
8/18/20	20 - 154	LES & JUDITH A. SLADE	AGAVE BUILDERS	1724 MESQUITE DRIVE	APARTMENT ALTERATIONS	\$ 206.35	\$ 10,000.00
8/18/20	20 - 161	EDDIE H. QUANDELACY	DOMINGUEZ CONSTRUCTION, INC.	302 STAGECOACH ROAD	RESIDENTIAL RE-ROOFING	\$ 37.00	\$ 1,600.00
8/18/20	20 - 162	KEITH & DEBBIE WILSON	HOMEOWNER	207 VIRO CIRCLE	RESIDENTIAL RE-ROOFING	\$ 69.00	\$ 2,200.00
8/19/20	20 - 148	ANGLE F. SANCHEZ	HOMEOWNER	311 VICTORIA AVENUE	RESIDENTIAL ADDITIONS	\$ 274.05	\$ 18,000.00
8/19/20	20 - 158	PATRICK & TASHINA DIXON	VERNON HALE	3716 CINIZA DRIVE	FENCE PERMIT	\$ 81.00	\$ 5,490.00
8/24/20	20 - 153	CATHOLIC CHURCH	GALLUP FENCE, CO.	555 S. WOODROW DRIVE	FENCE PERMIT	\$ -	\$ 13,048.00
8/24/20	20 - 165	MICHAEL & SAMANTHA WHITE	WADE MACIAS BUILDERS	814 E. MORGAN AVENUE	RESIDENTIAL RE-ROOFING	\$ 29.00	\$ 1,200.00
8/25/20	20 - 159	DEBRA PIPER	ACCURATE ROOFING, INC.	606 S. WOODROW DRIVE	RESIDENTIAL RE-ROOFING	\$ 108.00	\$ 8,200.00
8/25/20	20 - 163	JIMMY SITU	DIAZ RESIDENTIAL CONSTRUCTION	1106 MARTINELLI DRIVE	RESIDENTIAL RE-ROOFING	\$ 144.00	\$ 12,900.00
8/25/20	20 - 164	YOLANA CARRITTO	MERRILL FENCE COMPANY, LLC	700 S. THIRD STREET	FENCE PERMIT	\$ 37.00	\$ 1,600.00
8/26/20	20 - 170	TIMOTHY N. ROGERS	DOMINGUEZ CONSTRUCTION, INC.	1707 FREEDOM DRIVE	RESIDENTIAL RE-ROOFING	\$ 81.00	\$ 5,565.00
8/26/20	20 - 173	SONIC DRIVE-IN	ACTION ASPHALT OF NEW MEXICO	2404 E. HISTORIC HIGHWAY 66	ASPHALT OVERLAY	\$ 561.88	\$ 42,000.00
8/26/20	20 - 174	SONIC DRIVE-IN	ACTION ASPHALT OF NEW MEXICO	1001 US HIGHWAY 491	ASPHALT OVERLAY	\$ 712.23	\$ 60,000.00
8/31/20	19 - 272	NASH KHALIF	K AND M BUILDERS, INC.	1612 MARK AVENUE	NEW SINGLE FAMILY DWELLINGS	\$ 1,896.60	\$ 291,000.00
8/31/20	19 - 273	NASH KHALIF	K AND M BUILDERS, INC.	1622 MARK AVENUE	NEW SINGLE FAMILY DWELLINGS	\$ 1,409.40	\$ 195,000.00
8/31/20	19 - 274	NASH KHALIF	K AND M BUILDERS, INC.	1624 MARK AVENUE	NEW SINGLE FAMILY DWELLINGS	\$ 1,668.23	\$ 246,000.00
8/31/20	19 - 275	NASH KHALIF	K AND M BUILDERS, INC.	1020 LA PALOMA STREET	NEW SINGLE FAMILY DWELLINGS	\$ 2,038.70	\$ 319,000.00
TOTALS:						\$ 11,368.97	\$ 1,467,093.00

4	NEW SINGLE FAMILY DWELLINGS
2	RESIDENTIAL ADDITIONS / ALTERATIONS
2	COMMERCIAL ADDITIONS / ALTERATIONS
1	CHURCH ADDITIONS / ALTERATIONS
1	RE-STUCCO / SIDING / DECKS
2	NEW ASPHALT / ASPHALT OVERLAY / SEALCOAT
1	APARTMENT ADDITIONS / ALTERATIONS
1	ROOF REPAIR
1	DEMOLITION
4	FENCE / RETAINING WALL
30	TOTAL PERMITS

CITY OF GALLUP
PLANNING & DEVELOPMENT
 110 W. AZTEC AVENUE
 GALLUP, NM 87301
 505.863.1240

MONTHLY COMPILATION OF PERMITS ISSUED

CITY OR COUNTY: GALLUP, MCKINLEY COUNTY, NM	MAILING ADDRESS: P.O. BOX 1270 GALLUP, NM 87305
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DESCRIPTION	MONTH OF: SEPTEMBER		YEAR TO DATE: 2020	
	NUMBER OF PERMITS	VALUATION	NUMBER OF PERMITS	VALUATION
NEW SINGLE FAMILY DWELLINGS	0	\$ -	4	\$ 1,051,000.00
RESIDENTIAL ADDITIONS / ALTERATIONS	7	\$ 32,700.00	23	\$ 487,854.00
RESIDENTIAL STORAGE SHED	0	\$ -	4	\$ 31,200.00
RESIDENTIAL GARAGES & CARPORTS	0	\$ -	3	\$ 13,195.00
RESIDENTIAL SITE PERMITS	0	\$ -	1	\$ 1,200.00
NEW COMMERCIAL BUILDINGS	0	\$ -	0	\$ -
COMMERCIAL ADDITIONS / ALTERATIONS	1	\$ 25,000.00	22	\$ 5,624,661.00
COMMERCIAL STORAGE SHED	0	\$ -	0	\$ -
COMMERCIAL GARAGES & CARPORTS	0	\$ -	0	\$ -
COMMERCIAL SITE PERMITS	0	\$ -	0	\$ -
NEW CHURCHES	0	\$ -	0	\$ -
CHURCH ADDITIONS / ALTERATIONS	1	\$ 30,000.00	2	\$ 110,000.00
RE-STUCCO / SIDING / DECKS	3	\$ 14,700.00	4	\$ 14,700.00
NEW ASPHALT / ASPHALT OVERLAY / SEALCOAT	0	\$ -	2	\$ 102,000.00
EXCAVATION / GRADING	0	\$ -	0	\$ -
NEW APARTMENTS	0	\$ -	0	\$ -
APARTMENT ADDITIONS / ALTERATIONS	0	\$ -	1	\$ 10,000.00
HOTELS / MOTELS	0	\$ -	0	\$ -
ROOF REPAIR	15	\$ 120,995.00	77	\$ 853,339.00
DEMOLITION	1	\$ 7,900.00	6	\$ 33,600.00
FENCE / RETAINING WALL	4	\$ 6,021.00	28	\$ 69,846.00
FOUNDATION ONLY - CHARGE	0	\$ -	3	\$ 53,805.00
FOUNDATION ONLY - NO CHARGE	0	\$ -	0	\$ -
SWIMMING POOLS	0	\$ -	0	\$ -
DECK	0	\$ -	0	\$ -
TOTAL PERMITS & VALUATION	32	\$ 237,316.00	180	\$ 8,456,400.00
TOTAL PERMIT FEES		\$ 3,194.95		\$ 61,927.12

**CITY OF GALLUP
PLANNING & DEVELOPMENT**

**MONTHLY COMPILATION OF PERMITS ISSUED
SEPTEMBER 2020**

DATE ISSUED	PERMIT NO.	OWNER / BUSINES	CONTRACTOR	SITE ADDRESS	PERMIT TYPE	PERMIT FEES	VALUATION
9/2/20	20 - 175	CATHOLIC CHURCH	MACIAS BUILDERS	555 S. WOODROW DRIVE	CHURCH ALTERATIONS	\$ -	\$ 30,000.00
9/2/20	20 - 182	VIRGINIA ESPINO	HOMEOWNER	111 W. LINCOLN AVENUE	RESIDENTIAL ALTERATIONS	\$ 78.30	\$ 2,500.00
9/3/20	20 - 179	TIMOTHY N. JOHNSON	HOMEOWNER	800 COUNTRY CLUB DRIVE	FENCE PERMIT	\$ 15.00	\$ 300.00
9/3/20	20 - 184	CASSANDRA J. HENDESON	DIAZ RESIDENTIAL CONSTRUCTION	409 W. GREEN AVENUE	STUCCO PERMIT	\$ 117.00	\$ 10,000.00
9/8/20	20 - 181	JOSHUA & CRYSTAL TURNEY	HOMEOWNER	615 MCKEE DRIVE	RESIDENTIAL ADDITION	\$ 93.30	\$ 3,000.00
9/8/20	20 - 183	NATIVE RESOURCES DEVELOPMENT CO. INC.	GALLUP FENCE, CO.	318 DEE ANN AVENUE	FENCE PERMIT	\$ 79.00	\$ 2,100.00
9/9/20	20 - 167	1200 PINON LANE	GALLUP ROOFING, INC.	1200 PINON LANE	RESIDENTIAL RE-ROOFING	\$ 117.00	\$ 9,500.00
9/9/20	20 - 177	CARL S. GRANSFORS	GALLUP ROOFING, INC.	613 E. GREEN AVENUE	RESIDENTIAL RE-ROOFING	\$ 72.00	\$ 4,950.00
9/9/20	20 - 178	ERIC M. GALLEA	GALLUP ROOFING, INC.	3063 RED BLUFF COURT	RESIDENTIAL RE-ROOFING	\$ 72.00	\$ 4,675.00
9/11/20	20 - 186	LUCAS & BRITTANY BABYCOS	HOMEOWNER	1518 SUSAN CIRCLE	FENCE PERMIT	\$ 50.00	\$ 1,500.00
9/11/20	20 - 189	ROBERT & BEATRICE DEARMOND	R.G. LATH & PLASTER, INC.	2005 MCDEVITT PLACE	STUCCO PERMIT	\$ 19.00	\$ 700.00
9/14/20	20 - 187	RUSSELL GABALDON	VAY CONSTRUCTION, LLC	3406 CHEE DODGE BOULEVARD	RESIDENTIAL RE-ROOFING	\$ 72.00	\$ 4,200.00
9/14/20	20 - 188	DIANA MENAPACE	GALLUP ROOFING, INC.	1206 RED ROCK DRIVE	RESIDENTIAL RE-ROOFING	\$ 162.00	\$ 14,300.00
9/15/20	20 - 190	TIMOTHY N. ROGERS	HOMEOWNER	1707 FREEDOM DRIVE	STUCCO PERMIT	\$ 63.00	\$ 4,000.00
9/16/20	20 - 193	ROBERT D. BERRY	HOMEOWNER	211 BLACK DIAMOND CANYON DRIVE	RESIDENTIAL RE-ROOFING	\$ 25.00	\$ 950.00
9/22/20	20 - 191	CYNTHIA POBLANO	GALLUP ROOFING, INC.	3186 BLUE HILL AVENUE	RESIDENTIAL RE-ROOFING	\$ 99.00	\$ 7,475.00
9/22/20	20 - 192	JOHN G. & TERESA MATAJICICH	GALLUP ROOFING, INC.	600 CANONCITO AVENUE	RESIDENTIAL RE-ROOFING	\$ 144.00	\$ 12,100.00
9/22/20	20 - 200	RACHEL HENLEY	K & M BUILDERS, INC.	303 HEMLOCK CANYON TRAIL	RESIDENTIAL RE-ROOFING	\$ 63.00	\$ 3,200.00
9/23/20	20 - 198	GALLUP EYE GROUP, LLC	MERRILL FENCE COMPANY, LLC	816 BOARDMAN DRIVE	FENCE PERMIT	\$ 54.00	\$ 2,121.00
9/23/20	20 - 199	WELDON & EILEEN ADCOCK	BONAGUIDI CONSTRUCTION, LLC	102 W. MALONEY AVENUE	DEMOLITION	\$ 143.55	\$ 7,900.00
9/23/20	20 - 201	RAYMOND & MARJORIE MARTINEZ	HOMEOWNER	501 ROCCO CIRCLE	RESIDENTIAL ALTERATIONS	\$ 117.00	\$ 6,000.00
9/24/20	20 - 204	MICHALE G. OR CHERYL BARRETT	DOMINGUEZ CONSTRUCTION, INC.	707 S. FOURTH STREET	RESIDENTIAL RE-ROOFING	\$ 63.00	\$ 3,595.00
9/25/20	20 - 194	JEREMY A. & DESIREE ARAGON	DIAZ RESIDENTIAL CONSTRUCTION	405 CANONCITO AVENUE	RESIDENTIAL RE-ROOFING	\$ 141.00	\$ 11,000.00
9/25/20	20 - 202	ROSAURO S. LUCERO	HOMEOWNER	622 N. THIRD STREET	RESIDENTIAL ADDITION	\$ 36.75	\$ 500.00
9/25/20	20 - 203	ALEXANDER M. JENSON, ETAL.	CAMBIUM CARPENTRY, LLC	1103 BOGGIO DRIVE	RESIDENTIAL RE-ROOFING	\$ 258.00	\$ 24,000.00
9/25/20	20 - 206	CYNTHIA R. FERRARI, REV. TRUST	AUTO GLASS & CONSTRUCTION, INC.	101 S. SECOND STREET	COMMERCIAL ALTERATIONS	\$ 415.60	\$ 25,000.00
9/25/20	20 - 209	ANDREA WALKER	CAMBIUM CARPENTRY, LLC	1001 SUSAN AVENUE	RESIDENTIAL ALTERATIONS	\$ 204.00	\$ 18,000.00
9/29/20	20 - 197	LEVI F. SAUCEDO	BONAGUIDI CONSTRUCTION, LLC	508 S. SECOND STREET	RESIDENTIAL ALTERATIONS	\$ 38.00	\$ 900.00
9/29/20	20 - 205	ERICA URBINA	WADE MACIAS BUILDERS	501 STAGECOACH ROAD	RESIDENTIAL ADDITION	\$ 59.45	\$ 1,800.00
9/29/20	20 - 207	LISA L. HUDSON	GALLUP ROOFING, INC.	511 VANDENBOSCH PARKWAY	RESIDENTIAL RE-ROOFING	\$ 123.00	\$ 8,750.00
9/29/20	20 - 208	LISA LUCERO	GALLUP ROOFING, INC.	220 CRESTWOOD COURT	RESIDENTIAL RE-ROOFING	\$ 123.00	\$ 8,800.00
9/29/20	20 - 211	ROBERT & DEANNE ALLOARD	SB BUILDERS, LLC	1018 E. MESA AVENUE	RESIDENTIAL RE-ROOFING	\$ 78.00	\$ 3,500.00
TOTALS:						\$ 3,194.95	\$ 237,316.00

7	RESIDENTIAL ADDITIONS / ALTERATIONS
1	COMMERCIAL ADDITIONS / ALTERATIONS
1	CHURCH ADDITIONS / ALTERATIONS
3	RE-STUCCO / SIDING / DECKS
15	ROOF REPAIR
1	DEMOLITION
4	FENCE / RETAINING WALL
32	TOTAL PERMITS