Planning & Zoning Commission
May 13th, 2020 Minutes
Virtual Meeting

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

Upon roll call, the following were present:

Chairman K. Wilson
Commissioner K. Mackenzie-Chavez
Commissioner J. Dooley
Commissioner F. Pawlowski
Commissioner M. Long
Commissioner L. Miller
Commissioner J. Cresto

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

Upon roll call, the following votes were:

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

Presented to the Chairman and Commissioners for their approval were the minutes of the February 12th, 2020 regular meeting. Commissioner Pawlowski motioned for approval of the minutes as presented. Seconded by Commissioner Cresto. Motion Carried.

Upon roll call, the following votes were:

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

Chairman Wilson asked the Madam Secretary to state the names of the individuals attending the virtual meeting. Upon roll call the following were present:

CB Strain, Planning and Development Director
Stan Henderson, Public Works Director

Dennis Romero, Water/Wastewater Director
Marita Joe, Senior Electrical Engineer
Jacob LaCroix, Fire Marshal
Matthew Hughbanks, applicant for Item One
Joseph Sanchez, applicant for Item Two and Three
Rick Murphy, applicant for Item Four
Richard Kontz, applicant for Item Five and Six
Mike Burnside, agent for Item Five and Six
Marc DePauli, engineer for Item One, Four, Five and Six

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

Chairman Wilson stated anyone wishing to speak limit their comments to three minutes and not to duplicate a previous point; they will have one opportunity to testify. Chairman Wilson also notified the Commission that there may be individuals calling in from the public to make comments.

ITEM ONE: CASE # 20-01000003: Request by Matthew & Geri Hughbanks, property owners, for the City of Gallup to vacate a 10' wide, 98.07' long public utility and drainage easement along the northern property line in order to allow for the construction of an accessory structure. The property is located at 3735 Maya Drive; more particularly described as Lot 10, Doug Alan Development Subdivision. This item will go before City Council for final approval on May 26, 2020.

CB Strain began by explaining how the property was originally platted in 1997 with a 10' wide, 98.07' long public utility (P.U.E.) and drainage easement dedicated along the northern property line. CB used the screen to display the property's boundary survey pointing to the P.U.E. and drainage. He went on to state that there were no utilities or drainage ever installed within the easement. CB explained that the reason for dedicating an easement was to give the City access to utilities or drainage whenever they needed to maintain the lines. Easements must be kept clear of any obstructions or structures. CB explained how Mr. Hughbanks wanted to build an accessory structure (storage shed) in his back yard within the easement while meeting the five foot (5') setback requirement. However because of the easement Mr. Hughbanks is not allowed to build within that five foot (5') setback area. Being that there are no utilities or drainage within the easement and the City has no future use or plans for it CB recommended the approval of the easement vacation. CB used the screen to display the GIS Map showing the property's location. He explained how the neighborhood was already serviced with all City utilities whereas the existing 10' P.U.E. and drainage easement were not needed for any additional utility or drainage improvements. CB stated that the applicant's request was to vacate the easement to allow for the construction of a storage shed whereas Mr. Hughbanks will be in compliance with the City of Gallup Land Development Standards (LDS) setback requirements. The Planning and Zoning Commission's recommendation this evening will be presented to City Council on May 26, 2020 where they will have final approval.

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

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

Matthew Hughbanks, property owner introduced himself. He stated that he would appreciate the approval of his vacation request. Mr. Hughbanks added how the existing easement was not needed by the City of Gallup and if the Commission approved his request it would help him in building his storage shed in his backyard. He thanked the Commission for their time.

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

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

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-01000003. Commissioner Mackenzie-Chavez motioned for approval of Item One. Seconded by Commissioner Pawlowski. Motion Carried.

Upon roll call, the following votes were:

Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner M. Long (Yes)
Commissioner L. Miller (Yes)
Commissioner J. Cresto (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved for a positive recommendation. The recommendation will be presented to City Council on May 26, 2020 for final approval.

ITEM TWO: CASE # 20-00600002: Request by Joseph Sanchez property owner of Red Rock Self Storage, Inc. and Kevin Taira on behalf of George T. & Wilma Taira, property owners for the Rezoning of 2.1917 acres M/L **FROM** Rural Holding Zone (RHZ) Zone District **TO** General Commercial (GC) Zone District. The properties are generally located Northwest of Nizhoni Boulevard and Mesquite Drive; more particularly described as Lots 12 through 19, Block 1 and Lots 30 through 37, Block 2, Cedar Pine Addition Unit 1.

CB began by using the screen to display the GIS Map showing the property's location and zoning designation. He spoke about how the property owner wanted to commercially develop those properties in the future, which was why they requested a rezone. The request is to rezone the

properties from Rural Holding Zone (RHZ) to General Commercial Zone District, which is consistent with the zoning to the east. CB mentioned how there was another property being included with the rezone, which was owned by the Taira company. This lot has already been developed and has existing storage structures. CB added that for unknown reasons that property was never zoned appropriately so with the action this evening it would bring that property into compliance. CB went on to state that Mr. Sanchez owns more than fifty one percent (51%) of the acreage involved in the rezone; however the Taira's did agree to the rezone and submitted an application as well. The Taira's aren't legally required to be present to precede and approve the rezone. CB stated that the rezone request was pretty straight forward whereas it was just a regular rezone for future commercial development. The Planning and Zoning Commission has final approval authority on rezones.

FINDINGS OF CONCLUSION: CB informed the Commission that the applicants met the rezone criteria under the social, economic or environmental interests of the public good would be better served by the proposed district than the existing one. CB explained how that meant placing a business there would help generate business for Mr. Sanchez and gross receipts tax for Gallup; the rezone benefits both the property owner and the City. CB recommended approval of the rezone; Resolution Number RP2020-6.

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

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

Joseph Sanchez, property owner introduced himself. He stated that he was requesting for a zone change from Rural Holding Zone to General Commercial in order to allow for the construction of storage units. Mr. Sanchez felt there was a big need for storage units in Gallup. He's requesting permission to build these units, which would be a nice state of the art facility. Mr. Sanchez added how it's going to be Gallup's first dust-free storage units and asked the Commission to approve his request.

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

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

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00600002. Commissioner Miller motioned for approval of Item Two. Seconded by Commissioner Cresto. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)

Commissioner J. Cresto (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner F. Pawlowski (Yes)
Commissioner M. Long (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved.

ITEM THREE: CASE # 20-00300002: Request by Joseph Sanchez property owner of Red Rock Self Storage, Inc., for Final Plat approval of a Minor Subdivision; Red Rock Self Storage Subdivision Replat No. 1 of Lots 12 through 17, Block 1 and Lots 30 through 37, Block 2, Amended Cedar Pine Subdivision. Also requesting for the City of Gallup to vacate a 50' wide, 620.43' long landlocked, undeveloped street right-of-way (R.O.W.) between Block 1 and Block 2. The properties are generally located Northwest of Nizhoni Boulevard and Mesquite Drive; subdivision contains 1.9307 Acres M/L which includes the vacated R.O.W. of 0.4016 acres and also the vacated R.O.W. outside the subdivision area of 0.3101 acres. This item will go before City Council for final approval on May 26, 2020.

CB began by using the screen to display the final plat and explained how this subdivision was for the previous rezone item the Commission just approved. He pointed to Lots 12 through 17, Block 1 and Lots 30 through 37, Block 2 of the Cedar Pine Subdivision, which Mr. Sanchez was replatting from 14 lots to 1 lot. CB stated that years ago there was a right-of-way (ROW) dedicated between Block 1 and Block 2. The ROW is actually landlocked because over the years all the surrounding properties were replatted and this was what was left over. The City has agreed to vacate this ROW as a part of the subdivision being that they have no use for it. CB pointed to the plat explaining how the entire length of the ROW was being vacated whereas it affected Mr. Sanchez and other owner's properties. CB noted how the final plat only included the vacated ROW portion into Mr. Sanchez's newly created lot designated as Lot 12A being that he was going through the subdivision process. The remaining vacated portions (outside of the subdivision) will be deeded back to the other adjacent property owners whereas half will go to the north and south property owners. Those adjacent property owners will actually gain a little more property. Mr. Sanchez's subdivision will replat all 14 lots into 1 lot while also including the vacated ROW. For this newly created Lot 12A is where Mr. Sanchez plans to develop his storage units. CB stated that the subdivision complies with all the dimensional requirements for the General Commercial Zone District, which the Commission just approved. CB added how the property does have access to all required utilities whereas no utility extensions were needed. He also believed the sidewalk, curb and gutter were taken care of; if not those issues would be addressed at the building permit phase. CB reminded the Commission that all the Gallup Task Force (GTF) members were virtually present and available to answer any questions they may have. The subdivision does have to go before City Council for final approval being that a right-of-way is being vacated. The Commission does however have final approving authority for the subdivision itself.

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

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

Joseph Sanchez, property owner began by stating that he agreed with what CB presented. Mr. Sanchez asked that the subdivision and right-of-way vacation be approved so he could build the storage units he spoke about earlier.

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

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

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300002. Commissioner Miller motioned for approval of Item Three. Seconded by Commissioner Long. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)
Commissioner M. Long (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner F. Pawlowski (Yes)
Commissioner J. Cresto (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved. The vacation request will be presented to City Council on May 26, 2020 for final approval.

ITEM FOUR: CASE # 20-00300001: Request by Rick Murphy, Gallup Holding & Investment Corporation and the City of Gallup, property owners, for Final Plat approval of a Minor Subdivision; Fox Run Golf Course / Gallup Holding & Investment Corporation Subdivision Replat No. 1 of Tract 1-A-1 containing 80.5992 acres M/L and 6 Unplatted Tracts of Land Containing 187.3836 acres M/L. The properties are generally located immediately North of and adjacent to the City of Gallup Fox Run Golf Course; containing 267.9828 acres M/L.

CB began by using the screen to display the GIS Map showing the property's location. He pointed to the City's golf course property and Rick Murphy's property. CB explained how one of the reasons for this subdivision was to fix some encroachment issues between the City and Mr. Murphy's property. The second reason was to establish six (6) tracts within Mr. Murphy's property for future development. CB wanted to point out to the Commission how the property was currently zoned Rural Holding Zone (RHZ), but because of the property and size of the tracts extremely exceeding any minimum dimensional requirements for any zone district they were able to subdivide now and

rezone later. CB used the screen to display the final plat and pointed to the newly created six (6) tracts. In order to illustrate what was actually being done CB used the screen to display a map created with the aerial imagery showing the new lot configurations and transfers of properties. *(A copy is attached hereto, marked as Exhibit A and made a part of these official minutes).* He pointed to the four (4) portions of property where the City was encroaching into Mr. Murphy's property and vice-versa; 1.2299 acres M/L (green), 0.1335 acres M/L (orange), 1.7976 acres M/L (pink) and 0.7014 acres M/L (purple). CB explained how the red lines represented the proposed lot lines of the replat. At the April 28, 2020 City Council meeting those four (4) properties were swapped between the City of Gallup and Rick Murphy. With the subdivision presented this evening the lot lines would be adjusted to reflect the recent transfers, which will clean up encroachment issues and straighten out lot lines to make it more symmetrical. CB pointed to the 5.5495 acre portion (blue) that was donated by Rick Murphy to the City, which will now be combined with the golf course property. He also pointed to the 27.2942 acre portion (yellow) that was donated by Rick Murphy to the City, which will now be combined with a City lot and used as open space. CB pointed out how that open space land wasn't really suitable for development being that it lied within a canyon, however it was already being used as open space where they had trails and baseball practice fields there. CB stated that there was nothing being vacated whereas the subdivision wasn't required to go before City Council; the Planning and Zoning Commission had authority over final approval.

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

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

Rick Murphy, property owner introduced himself and explained how some of the existing easements were being cleaned up while also updating the property boundaries. Mr. Murphy spoke about how he's owned the large tract of property for several years and decided that the best use would be to donate approximately thirty two (32) acres to the City. He stated that he would work on developing the remaining lots at a later time.

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

Chairman Wilson stated that there was one (1) opposition letter that the City of Gallup received. Chairman Wilson read aloud the objection letter from Silvano and Jessica Corral dated May 13, 2020. The screen was used to display the objection letter. *(A copy is attached hereto, marked as Exhibit B and made a part of these official minutes).*

Chairman Wilson asked the Madam Secretary if there were any interested parties who called in wishing to speak for or against the case. Madam Secretary, Nikki Lee stated that there was a list of nine (9) individuals who requested a call back to make a public comment.

Silvano Corral was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mr. Corral stated that the opposition letter he submitted was pretty straight forward. He stated that he wasn't against

subdividing the property, but against opening up Plateau Drive and having apartments built in his neighborhood. He spoke about how CB informed him earlier that day that Mr. Murphy was just mainly straightening out property lines. Mr. Corral wasn't sure if this was the appropriate meeting to address his concerns, but wanted to make sure he said something ahead of time and didn't want to miss an opportunity for his concerns to be brought forward. Chairman Wilson asked the Commissioners if they had any questions for Mr. Corral. There were none. Chairman Wilson informed Mr. Corral that his comments were made apart of the record and thanked him for calling in.

Brinn King was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Ms. King stated that the Corral's stated some of her same concerns. She lives on Yei Avenue and knows there is about 30-35 kids in her neighborhood, which is a blissful place. Ms. King believed that connecting her neighborhood to the Mossman area would increase traffic, however now that she hears lots lines are just being cleaned up she believes her concerns have been addressed. Chairman Wilson asked the Commissioners if they had any questions for Ms. King. There were none. Chairman Wilson informed Ms. King that her comments were made apart of the record and thanked her for calling in.

Sherry Gertner was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Ms. Gertner stated that she also lived on Yei Avenue and was not notified by mail of this item. Her biggest concern was that the Commission would be making a decision like this during a pandemic when they shouldn't be. Ms. Gertner stated that during the presentation she couldn't see or hear very well. She is opposed to connecting the two streets because of traffic and the safety of the children in their area. Ms. Gertner was also concerned about property values decreasing and increasing the amount of foot traffic that could come to their neighborhood. The opposition letter presented at the beginning of the meeting brought up most of her points. Ms. Gertner reiterated that the Commission shouldn't be making this decision during a pandemic because it affected quite a few people both in the Mossman area and people on Diamond Circle, Yei Avenue and Plateau Drive. Chairman Wilson asked the Commissioners if they had any questions for Ms. Gertner. There were none. Chairman Wilson informed Ms. Gertner that her comments were made apart of the record and thanked her for calling in.

Pat Mataya was added to the meeting via telephone to ask a general question for Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mr. Mataya stated that he had a general question for Rick Murphy. He lives at 905 Plateau Drive on the Mossman side and today was his first time seeing the proposed plat. Mr. Mataya stated it was hard for him to decipher where the lots would be and wanted to ask Mr. Murphy if all those lots would be located on top of the hill. He was opposed to having something built behind his house because he had a pretty unobstructed view. Mr. Mataya stated that he wasn't against the plat for this property; just didn't want his property to be affected. Chairman Wilson asked Mr. Murphy to address Mr. Mataya's question. Mr. Murphy responded that at this time there haven't been any other lot lines drawn for what would be up there. Mr. Murphy believed there was a 16 acre tract behind Mr. Mataya's property, but hasn't got that far yet. Mr. Murphy reiterated how he's just working on transferring and cleaning up lines to break down the property into smaller tracts. Mr. Mataya stated that maybe

when they get further down the line Mr. Murphy can show him his plans so he has an idea of what he's doing. Mr. Murphy stated yes; he can share those plans with him when they get to that point. Chairman Wilson asked the Commissioners if they had any questions for Mr. Mataya. There were none. Chairman Wilson informed Mr. Mataya that his comments were made apart of the record and thanked him for calling in.

Lawrence Andrade was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mr. Andrade stated that he lived at 1516 Plateau Drive and has lived there for 12 years. One of the reasons he's against the item is because when he first moved in cars were racing up and down Plateau Drive and people were dumping trash at the end of the road. Mr. Andrade stated that he had a City Councilor put barricades at the end of Plateau Drive and it decreased the amount of traffic and was much safer now. His big concern was that if they opened up that area up for development they'd open Plateau all the way, which he didn't want to happen because it would increase traffic and bring danger for the kids in the neighborhood. Mr. Andrade stated that since he's been in the neighborhood the longest he's been the one to witness this for a long time and was opposed to any development that opened up Plateau Drive to connect to the Mossman area. Chairman Wilson asked the Commissioners if they had any questions for Mr. Andrade. There were none. Chairman Wilson asked Mr. Murphy if he wanted to address any of the comments Mr. Andrade made. Mr. Murphy reiterated how they're only realigning the property lines and spoke about how he's had the property for quite a while and hasn't done anything with it. He was trying to find the best and highest use and the first thing they decided to do was donate a portion to the City for open space and other portions for the golf course. Mr. Murphy mentioned how he thought the City Master Plan showed how it wanted to connect Plateau Drive to Mossman area since there was already an easement and sewer line in that road. That has been there since about 1968, but like Mr. Murphy previously stated he had no plans to extend the road through there. Mr. Murphy mentioned how previous plats showed Plateau going to the Mossman area, however that was before his time and wasn't sure if there was something they could do to prevent that. Mr. Andrade thanked Mr. Murphy for addressing his concerns. Chairman Wilson informed Mr. Andrade that his comments were made apart of the record and thanked him for calling in.

Diane DiPaolo was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mrs. DiPaolo stated that she lived on Yei Avenue and was concerned about the traffic. She stated that there was a lot of traffic on Plateau Drive and having no stop signs creates a raceway to get up to the top. Mrs. DiPaolo stated that on Yei Avenue there were 23 small children and another 5 children around the corner. She spoke about how children were always out on the street riding their bikes and was concerned that the development would bring more traffic to their neighborhood. The way she understood it; they were planning on connecting Plateau Drive to the Mossman area and then over to Boardman Avenue. Mrs. DiPaolo stated that she was concerned if there was an open walkway from the NCI area to Boardman Avenue because there was already a lot of traffic in that area being that it was a short cut to the hospital. CB intervened and stated that he noticed a common theme on the public's comments this evening, which was regarding the extension of Plateau Drive to the Mossman area. CB clarified that at this point and time that was not what the subdivision was for; there's no plan to approve the extension of that right-of-way (ROW) with this subdivision. CB referenced the plat on the screen

and pointed to the ROW that several of the neighbors were concerned about being extended. He stated that he couldn't say that the ROW extension would never happen because like Mr. Murphy stated the City Master Plan showed the road being extended from Plateau Drive to Mossman. CB continued by explaining that at the time the City Master Plan was adopted there was probably a phased plan to develop that area. However, that wasn't the intent of the subdivision whereas it's not creating anything besides what already there. Mrs. DiPaolo asked CB if they would be extending the road across to Boardman Avenue. CB responded that with the subdivision presented this evening that was not included. CB stated that he couldn't speak to what was going to happen in the future; just what's happening with the subdivision approval at hand. CB reiterated how the subdivision is just cleaning up lot lines and establishing lots for future development. Mrs. DiPaolo stated that since lots are being established, she asked if there were plans to build homes there. CB stated that the way the lots were platted now they all have access to a City ROW, which was required by code. Tract 1-A-5 has access from Plateau Drive where it dead ends to it and Tract 1-A-6 has access from Plateau Drive from the Mossman side that dead ends to it. And Tract 1-A-2, 1-A-3 and 1-A-4 have access from Ridgecrest Avenue. CB stated that all the lots already have streets to them so there was no need to create more streets with this subdivision. Mrs. DiPaolo stated that this issue has come up before and was concerned about the traffic increase it would create. CB stated that he understood her concerns and wanted to put her mind at ease because that wasn't what they were intending to do. Mrs. DiPaolo stated that she appreciated the call back and the clarification of what was actually happening. She asked who she would speak to at the City to request a stop sign and/or children at play sign. CB stated that for any street sign request she would have to contact the City Manager's Office. Chairman Wilson asked the Commissioners if they had any questions for Mrs. DiPaolo. There were none. Chairman Wilson informed Mrs. DiPaolo that her comments were made apart of the record and thanked her for calling in.

Mr. Murphy wanted to inform the public that these properties being subdivided were tracts of land and not lots. And they're of a substantial size and they could build a house on each lot, but that would first require a rezone being that they're currently in the Rural Holding Zone. Mr. Murphy stated that this was just a realignment of lots and splitting up to donate portions to the City; he thinks everyone was misunderstanding his intent.

Kamal and Majeda Jawad were added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mrs. Jawad stated that her concerns were the same as Diane DiPaolo's. She explained how they lived on Fairways Circle and understood that the road would be opened up on Plateau Drive. CB stated no, with the subdivision presented at this time there were no plans to open Plateau Drive. Mrs. Jawad asked if the subdivision would affect her property. CB stated no; the subdivision tonight like Mr. Murphy stated will not open up Plateau Drive to the Mossman area; they're just establishing tracts of land for potential future development. The action this evening does not impact traffic or create roads. Mrs. Jawad clarified that it was a future thing, but asked if it could possibly still happen. CB stated that would be a question for Mr. Murphy, but he could inform her that with the action item this evening that wasn't their plan to open up Plateau Drive. They would have to design the roads, submit construction drawings for review and it would have to go before another public hearing. CB added how they're in the very preliminary phase of that. Mrs. Jawad stated that they had a neighborhood

full of kids, which was why they weren't in favor of the development. Chairman Wilson asked the Commissioners if they had any questions for Mrs. Jawad. There were none. Chairman Wilson informed Mrs. Jawad that her comments were made apart of the record and thanked her for calling in.

Jim Gertner was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mr. Gertner stated that he was against the proposed action and wasn't aware of it until today. He spoke about how the presentation this evening was hard to see and hard to understand what was going on. The opposition letter submitted by the Corral's and the comments made by other callers all have the same concerns that he has. Mr. Gertner stated that he lived on Yei Avenue where there were a lot of kids. He understood that they're not looking to extend the road at this time, but he's still concerned because this could be opening the door for that to happen in the future. Mr. Gertner wanted to inform the Commission that he was against this happening. Chairman Wilson asked the Commissioners if they had any questions for Mr. Gertner. There were none. Chairman Wilson informed Mr. Gertner that his comments were made apart of the record and thanked him for calling in.

Raymond Charles Johnson was added to the meeting via telephone to speak against Item Four. Chairman Wilson administered the oath required by State Law for public forum. Mr. Johnson stated that he didn't think that the development was good for the community or for the City of Gallup. They have too many young kids and traffic as it is in their area; that development would not be good for their community. Mr. Johnson stated that it would also increase the transients and backpackers that already go through their neighborhood. He hoped that the Commission would take all the public comments into consideration when making their decision this evening. Chairman Wilson asked the Commissioners if they had any questions for Mr. Johnson. There were none. Chairman Wilson informed Mr. Johnson that his comments were made apart of the record and thanked him for calling in.

Chairman Wilson asked if there were any other interested parties wishing to speak. There were none.

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300001. Commissioner Miller motioned for approval of Item Four. Seconded by Commissioner Pawlowski. Motion Carried.

Upon roll call, the following votes were:

Commissioner L. Miller (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner M. Long (Yes)
Commissioner J. Cresto (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved.

Chairman Wilson granted a recess at 7:30 p.m.
The regular meeting of the Planning and Zoning Commission was reconvened. Chairman Wilson called the meeting to order at 7:35 p.m.
Upon roll call, the following were present:

Chairman K. Wilson
Commissioner K. Mackenzie-Chavez
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner F. Pawlowski
Commissioner M. Long
Commissioner L. Miller
Commissioner J. Cresto

ITEM FIVE: CASE # 20-00300003: Request by Gallup Housing Authority, property owner, for Final Plat approval of a Minor Subdivision; Replat No. 1 of Lots 21 through 36, Block 20 and Lots 5 through 20, Block 21, Ford Highway 66 Addition. Also requesting for the City of Gallup to vacate an unused portion of Morgan Avenue; a sixty foot (60') street right-of-way (R.O.W.) The property is generally located East of Morgan Avenue and Ford Drive; subdivision contains 3.3944 acres M/L which includes the vacated R.O.W. of 0.5503 acres. This item will go before City Council for final approval on May 26, 2020.

CB began by using the overhead projector to display the GIS Map showing the property's location. CB explained that when the subdivision was originally platted it was platted with 32 lots and dedicated Morgan Avenue from Ford Drive to Burke Drive. Morgan Avenue however was never built all the way to Burke Drive and when Gallup Housing Authority acquired the properties, which was probably around the 1960's they built the housing units on top of the dedicated right-of-way (ROW). CB used the GIS Map to display how the units were located on top of the dedicated ROW. CB continued by explaining how the purpose of this subdivision was to vacate the Morgan Avenue ROW and reduce the number of lots from 32 to 1 lot. CB displayed the plat and pointed to the area being vacated, which was shown with a cross hatch shading. Within this subdivision there are also existing utility lines whereas easements were dedicated across those lines in order to give the City access when maintaining them. CB reiterated that the reason for this subdivision was to clean up the property lines and vacate an unused ROW that was built over. CB mentioned how the code allows for multi-family dwelling units on one lot so they wouldn't be violating any zoning codes. The subdivision does have to go before City Council for final approval being that a right-of-way is being vacated. The Commission does however have final approving authority for the subdivision itself.

Chairman Wilson asked the Commission if they had any questions.

Commissioner Cresto clarified that they were only vacating within the Morgan Avenue on the Gallup Housing Authority's side and still leaving a portion of the right-of-way to Burke Drive. CB referenced the plat pointing to the hatched area being vacated and informed Commissioner Cresto that he was correct; they're leaving a small portion from the east of the property to the end of Burke Drive as a ROW. CB stated that if those neighboring properties wished to vacate the ROW they could; Gallup Housing Authority only requested to vacate the ROW within their property.

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

Richard Kontz, Gallup Housing Authority Executive Director introduced himself and wanted to give a background on how the replat started. When Gallup Housing Authority was confirming their property boundaries to fence off their property with a HUD grant they discovered there was a ROW through their units. That was when the property owner and DePauli Engineering & Surveying asked the City to vacate the ROW and decided to decrease the number of lots and dedicate easements. Mr. Kontz stated that they wanted to take care of all the issues at once with this replat.

Chairman Wilson asked the Commissioners if they had any additional questions for Mr. Kontz. There were none.

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

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300003. Commissioner Mackenzie-Chavez motioned for approval of Item Five. Seconded by Commissioner Pawlowski. Motion Carried.

Upon roll call, the following votes were:

Commissioner K. Mackenzie-Chavez (Yes)
Commissioner F. Pawlowski (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner M. Long (Yes)
Commissioner L. Miller (Yes)
Commissioner J. Cresto (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved. The vacation request will be presented to City Council on May 26, 2020 for final approval.

ITEM SIX: CASE # 20-00300004: Request by Gallup Housing Authority, property owner, for Final Plat approval of a Minor Subdivision; Replat No. 1 of Block 4, La Loma Subdivision. Also requesting for the City of Gallup to vacate an unused twenty foot (20') alley right-of-way (R.O.W.) The property is generally located between Vega Avenue and Curtis Avenue; subdivision contains 3.2547 acres M/L which includes the vacated R.O.W. of 0.2411 acres. This item will go before City Council for final approval on May 26, 2020.

CB began by using the overhead projector to display the GIS Map showing the property's location. He stated that this was pretty much the same situation as the previous item. CB explained that when

the subdivision was originally platted it was platted with 42 lots and dedicated an alley right-of-way (ROW) from Strong Drive to Cliff Drive. He used the GIS Map to display how the Gallup Housing Authority units were located on top of the dedicated alley ROW. CB continued by explaining how the purpose of this subdivision was to vacate the alley ROW and reduce the number of lots from 42 to 1 lot. CB displayed the plat and pointed to the area being vacated, which was shown with a cross hatch shading. The City has no use for the alley and has agreed to vacate, which will clean up the encroachment issues. CB stated that they will also be dedicating easements across existing utilities which will give the City access to maintain water or sewer lines if needed. The subdivision does have to go before City Council for final approval being that a right-of-way is being vacated. The Commission does however have final approving authority for the subdivision itself.

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

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

Richard Kontz, Gallup Housing Authority Executive Director stated that CB was very clear on what was being done for this subdivision. He wanted to inform the Commission that half of this property was built in 1963/1964 and the other half built later. As for the Morgan Avenue development previously discussed, it was built in 1972. Mr. Kontz explained how they're trying to clean up their surveys and get replats done being that they don't have current drawings for their properties.

Chairman Wilson asked the Commissioners if they had any additional questions for Mr. Kontz. There were none.

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

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

Chairman Wilson stated that the hearing was closed.

Motion to approve or deny the request for Case Number 2020-00300004. Commissioner Long motioned for approval of Item Six. Seconded by Commissioner Mackenzie-Chavez. Motion Carried.

Upon roll call, the following votes were:

Commissioner M. Long (Yes)
Commissioner K. Mackenzie-Chavez (Yes)
Commissioner J. Dooley (Not available; lost microphone connection)
Commissioner F. Pawlowski (Yes)
Commissioner L. Miller (Yes)
Commissioner J. Cresto (Yes)

Five (5) votes sufficed for a quorum whereas the item was approved. The vacation request will be presented to City Council on May 26, 2020 for final approval.

INFORMATION ITEMS

ITEM SEVEN: City Council Actions Taken

ITEM EIGHT: February, March & April 2020 Building Permit Activity Report

OPEN FLOOR:

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

Chairman Wilson asked if there was anyone in attendance that would like to comment on a non-agenda item. There were none.

Motion was made by Commissioner Long to adjourn the meeting. Seconded by Commissioner Cresto. Motion Carried.

Upon roll call, the following votes were:

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

Commission Adjourned at 7:51 p.m.

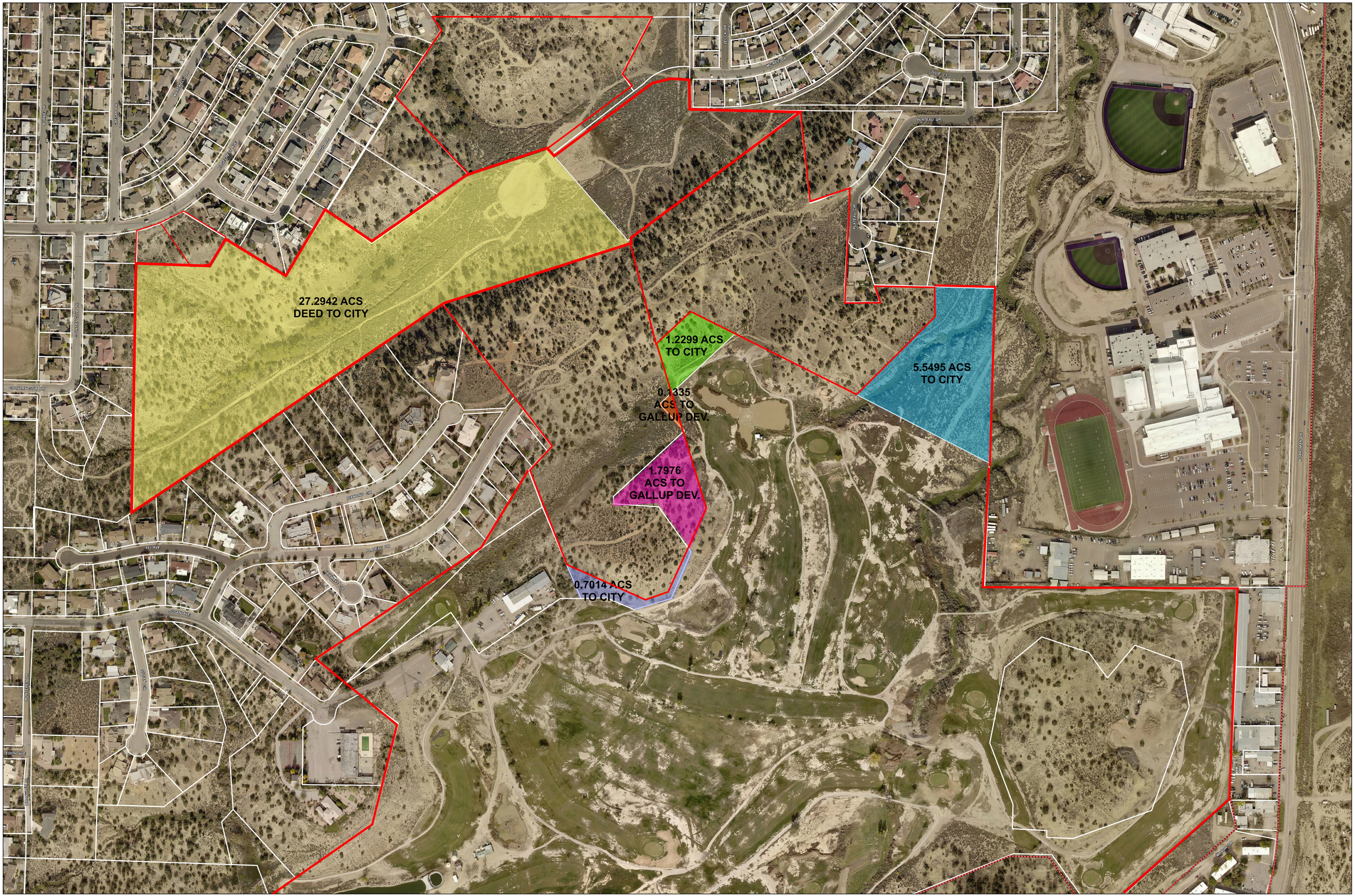
PLANNING & ZONING COMMISSION

KENT WILSON, CHAIRMAN

ATTEST:

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

EXHIBIT A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DEED TO CITY
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TO CITY
0.1335
ACS TO
GALLUP DEV.
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ACS TO
GALLUP DEV.
0.7014 ACS
TO CITY
5.5495 ACS
TO CITY
PLATEAU DR
ZECCA DR
MCKEE DR
JULIE CT
JULIE DR
PLATEAU CT
COUNTRY CLUB DR
DIAMOND CIR
YEI AVE
SUSAN AVE
EDITH AVE
MANZANITA CIR
UNIVERSITY DR

EXHIBIT B

RECEIVED
MAY 13 2020
PLANNING & DEVELOPMENT
BY: TIME: 10:34 AM

Silvano & Jessica Corral
1520 Plateau Dr. Gallup, NM 87301

City of Gallup
Planning & Zoning Commission
Gallup, NM 87301

May 13, 2020

RE: CASE#20-00300001

We received a certified letter in regard to the planned subdivision, and in speaking with our neighbors, we have concerns with the amount of traffic that will flow between the Mossman neighborhood, and our neighborhood in the Diamond Circle/Plateau Dr area.

Every neighbor that we spoke with was completely against opening and/or connecting Plateau Dr. to Plateau Circle. That would create another artery of traffic that would endanger the safety of our children and attract more criminals to our quiet, peaceful neighborhoods.

We have previously lived on Red Rock Dr. and we would never let our children play in the front yard because of the amount of traffic that rushes thru all day long. Drivers constantly speeding and running stop signs. We asked about getting speed bumps installed, but we were told that it would slow down the ambulances and first responders as Red Rock Dr. is considered a special route.

We moved our family to Linda Dr. and we also encountered the same traffic problem with drivers coming from the Mossman neighborhood rushing to get to work in the mornings and rushing home after work. Again, the safety of our children was at stake, so they were not allowed to play in the front yard.

As adult drivers, we were constantly tail gated and were honked at for pulling into our own driveways because people were in such a rush to get to their destination. We had to signal way ahead and had to pull off to the curb to let the traffic go by, so we could safely pull into our driveway. This was the case on both Red Rock and Linda Dr.

The opportunity came up to move to Plateau which seemed to be a quiet neighborhood. Our children's life has changed instantly as they can ride their bicycles without worry of being struck by a vehicle. Our youngest daughter has learned to ride her bicycle at the tender age of 4. She can now enjoy herself with her 3 older sisters, along with other neighborhood children.

In speaking with Rick Murphy, the idea of a cul-de-sac came up, and we think that would be a better fit for our neighborhoods, as traffic would be limited to residents of that immediate area.

Our other concerns are, what price range are these homes going to be? Will they be comparable to the homes on Diamond/Plateau? Are we able to purchase land from the development in order to keep our views unobstructed?

We understand there is a shortage of homes and the Development Group needs to turn a profit, but can we all work out a plan that we can all live with?

Respectfully,

Silvano Corral

OFFICIAL SEAL
KRIS R. MORRIS
NOTARY PUBLIC STATE OF NEW MEXICO
My Commission Expires: 12-13-2022