

# A G E N D A

**Planning & Zoning Commission  
City Council Chambers – 800 Municipal Drive  
February 27, 2020 - 3:00 p.m.**

<b>Item</b>		<b>Page</b>
<b>1</b>	<b>Call Meeting to Order</b>	
<b>2</b>	<b>Approval of the Agenda</b>	
<b>3</b>	<b>Approval of the Minutes of the January 30, 2020 P&amp;Z Meeting</b>	<b>14</b>
<b>4</b>	Petition No. ABD 20-08 – a request from David Koury, representative for Joe G Maloof Realty, property owner, for abandonment of a City alley way. Current zoning is GC, General Commercial and the adjacent property address is 1801 Bloomfield Highway. This abandonment request is connected with the Watson Commercial Subdivision Replat. (Beth Escobar)	<b>1</b>
<b>5</b>	<b>Business from:</b> Floor: Chairman: Members: Staff:	
<b>6</b>	<b>Adjournment</b>	

*The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, March 10, 2020.*

**ATTENTION PERSONS WITH DISABILITIES:**

The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.



**COMMUNITY DEVELOPMENT  
PETITION REPORT**  
**Petition ABD 20-08 Abandonment of a portion of an unnamed City alleyway running parallel to the western property line of 1801 Bloomfield Highway.**

**A. STAFF REPORT, February 27, 2020**

**PROJECT INFORMATION**

<b>Applicant</b>	Joe G. Maloof Realty
<b>Representative</b>	David Koury/Cecil Tullis
<b>Date of Application</b>	January 29, 2020
<b>Requested Action</b>	Abandonment of an unnamed City alleyway
<b>Location</b>	To the west of 1801 Bloomfield Hwy, R0025533
<b>Existing Land Use</b>	Commercial building
<b>Existing Zoning</b>	1801 Bloomfield Hwy is zoned GC – General Commercial
<b>Surrounding Zoning &amp; Land Use</b>	<b>North:</b> GC – General Commercial <b>South:</b> GC - General Commercial <b>East:</b> GC – General Commercial <b>West:</b> GC – General Commercial
	Publication of Notice for public hearings of the Planning and Zoning Commission and City Council appeared in the Daily Times on Sunday, February 9, 2020. Property owners within 100 feet were sent notice by certified mail on Thursday, January 31, 2020 and a sign was posted on Friday, February 14, 2020.
<b>Staff Planner</b>	Beth Escobar, Planning Manager

**STAFF ANALYSIS**

**Background**

The petitioner initially submitted a summary plat application (SP 20-04) to reconfigure lots in the Watson Commercial Subdivision. As part of this, the petitioner has submitted a request to abandon a portion of the alleyway that currently transects two of the parcels to be consolidated.



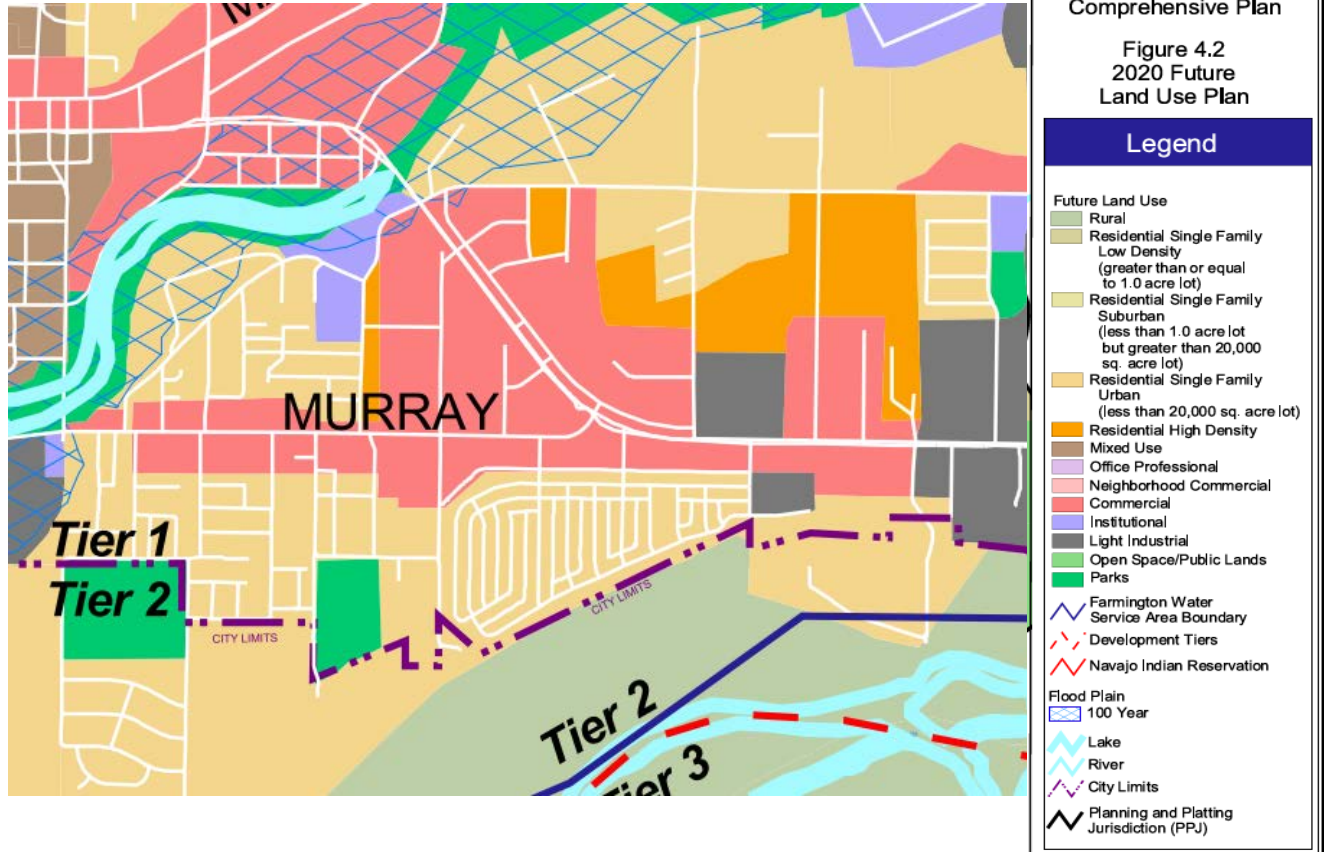


The portion being requested to be abandoned is approximately 4,800 square feet in area. Only a section of the alleyway to the edge of the existing cul-de-sac is included in the abandonment request.

Abandonment of this portion of alleyway will not impact access for any of the surrounding properties.

**Consistency with the Comprehensive Plan**

**Figure 3. Future Land Use Plan**



The property adjacent to the alley way is designated as Commercial in the 2020 Future Land Use Map

**Unified Development Code (UDC)**

Pursuant to UDC 8.8.7A *Abandonment/vacation plat application process*, “an abandonment/vacation plat shall be required where a resubdivision or replat vacates or relocates any street, alley, or other public right-of-way”. Pursuant to UDC 8.8.7C, City Council shall review and have final action on the abandonment/vacation plat.

**Abandonment/Vacation Plat Criteria – UDC Section 8.8.7.D.**

In determining whether to approve, approve with modifications, or deny the proposed abandonment/vacation plat, the City shall consider the following criteria:

**1. Consistency with the comprehensive plan:**

The Comprehensive Plan does not specifically address abandonment of City property. The Comprehensive Plan does encourage the City to pursue compliance with the Unified Development Code. The abandonment would bring the subject property into compliance since it appears the existing structure and related parking currently encroach into the right-of-way.

**2. Transportation and circulation needs of nearby property, the neighborhood and the city:**

Abandonment of this alley way should have no impact on the nearby properties. The reconfiguration of the parcels provides direct access to a dedicated City street.

**3. Right-of-way needs relative to sewer, water, and stormwater facilities.**

All City of Farmington Utility Departments and New Mexico Gas and Century Link have reviewed the proposed abandonment and have no issues.

**STAFF CONCLUSION**

Staff concludes **approval** of Petition SUP 20-08 is appropriate. Abandonment of an unused alleyway will resolve a non-conforming issue related to building and parking placement. The alleyway to be abandoned does not currently provide access to property owned by anyone other than the petitioner.

**STAFF RECOMMENDATION**

The Community Development Department recommends **approval** of Petition SUP 20-08, a request from Joe G. Maloof Realty to abandon the alleyway that currently transects two parcels to be consolidated with the following condition:

1. An abandonment/vacation plat shall be recorded in the office of the San Juan County Clerk within (1) year from the date of approval of City Council.

# PLANNING MEMO COMMENTS SUMMARY

## ABD 20-08 1801 BLOOMFIELD HWY.

### Deadline: 02/13/2020

#### City of Farmington Departments

CW	Planning Manager – B. Escobar	
CW	Addressing – Planning Division	
CW	Chief Building Official – D. Childers	
CW	Long Range Planner	
CW	MPO	
CW	Oil & Gas Inspector	
CITY	City Manager's Office – J. Baird	No Comment
ELEC	Customer Care Manager – L. Richardson	
ELEC	Electrical Engineering – L. Aligarbes	FEUS does not have any equipment or facilities on the proposed alley to be abandoned.
ELEC	T & D – Field Op – L. Lugenbeel	
FIRE	Fire Captain – K. Rix	
FIRE	Fire Marshall – B. Vega	
LEGAL	City Attorney – J. Breakell	
LEGAL	Deputy City Attorney – E. Wayne	
POLICE	Code Compliance – M. Romero	No Comment
POLICE	Sergeant – S. Goodsell	
PRCA	S. Reeves / R. Crosby	No Comment
PRCA	ORII – W. Unsicker	
CW	City Engineer – N. Westerling	
CW	Engineering – T. Sitta	
CW	Streets Superintendent – C. Fuller	
CW	Traffic Engineer – I. BlueEyes	No Comment
CW	Water/Waste Water – M. Tso	No Comment

#### Other Entities

New Mexico Gas Company – R. Castillo	No Comment
CenturyLink – D. Willato	No Comment – STL has no facilities in this alley.
Enterprise Field Services – M. Waszut	No Comment
Comcast Cable – M. Johnson	
JACOBS CH2MHILL OMI	
Surface Land Negotiator for BP – M. Venzara	
Farmington School District – C. Lyons	



<b>PERMIT APPLICATION</b>		
	<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 80%;"> <p style="color: blue; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="color: red; font-weight: bold; font-size: 1.2em;">JAN 29 2023</p> <p style="color: blue; font-weight: bold; font-size: 1.2em;">COMM DEV DEPT</p> </div>	<p style="text-align: center; margin: 0;">Planning Division            Community Works Department            City of Farmington            800 Municipal Drive            Farmington, NM 87401            (505) 599-1317            (505) 599-1299 (fax)</p>
<b>PROJECT TYPE (Check Those Applicable)</b> <span style="float: right;"><i>ABD</i></span>		
<input type="checkbox"/> Annexation and / or Zoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plan	<input type="checkbox"/> Summary Plat <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Variance (ARB) <input type="checkbox"/> Appeal	<input type="checkbox"/> Zone Change to _____ District <input type="checkbox"/> Temporary Use Permit Proposed Length of Use: _____ <input type="checkbox"/> Well site equipment modification
<b>INFORMATION</b>		
Applicant's Name: <i>David Koury</i>	Project Location: <i>1801 Bloomfield Hwy</i>	
Address: <i>202 Sutterville Ave Austin, TX 78717</i>	Existing Use: <i>Commercial</i>	
E-Mail: <i>DKoury@aol.com</i>	Proposed Use: <i>Commercial</i>	
Telephone: <i>512-497-4947</i>	Current Zoning: <i>GC</i>	
Relationship to Property Owner: <i>President - Joe H. Malool Realty Co. Inc</i>	Assessor's Parcel I.D. and/or Tax I.D. Number: <i>2-075-171-032-058</i>	
Legal Description of Subject Property: <i>See Attached Plat</i>		
Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If Yes, please provide copy with application.		
<b>REPRESENTATIVE / CONTACT PERSON (if other than applicant)</b>		
Name: <i>Cecil Tullis</i>	E-Mail: <i>Cecil@e-w-e.com</i>	
Phone: <i>505-327-3303</i>	Address: <i>909 West Apache Farmington, NM 87401</i>	
<b>OWNERSHIP</b>		
<small>PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)</small>	<small>MORTGAGE HOLDERS (if any)</small>	
Name: <i>Joe H. Malool Realty</i> Phone: <i>512-497-4947</i>	Name: <i>N/A</i>	Phone: _____
Address: <i>817 Parklano Circle SE ABQ, NM 87108</i>		Address: _____
<b>OWNER CERTIFICATION</b> <span style="float: right;"><small>*(Physical and Mailing)</small></span>		
<small>I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the PBZ review.</small>		
Name: <i>David Koury, President</i>	Address: <i>817 Parklano Circle SE ABQ, NM 87108</i>	
Owner's Signature: <i>David Koury, President</i>	Phone / Email: <i>512-497-4947 DKoury@aol.com</i>	
<b>**** STAFF USE ONLY ****</b>		
Received By _____	<input type="checkbox"/> Blueline Copies of Plans _____	
Date _____ Fee Received _____	<input type="checkbox"/> Ownership Report (subject and surrounding properties)	
Project File No. _____	<input type="checkbox"/> Legal Description _____	
Date of Hearing/Meeting: _____	<input type="checkbox"/> Detailed Statement of Proposed Use _____	

UTAH  
ARIZ. | COLO.  
N.M.



**CITY OF FARMINGTON**  
800 MUNICIPAL DRIVE  
FARMINGTON, NEW MEXICO 87401-2663  
FAX: (505) 599-1299  
www.fmtn.org

**NOTICE OF PUBLIC HEARING  
ABANDONMENT OF PUBLIC RIGHT-OF-WAY  
PETITION NO. ABD 20-08**

January 31, 2020

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from David Koury, representative for Joe G Maloof Realty, property owner, for abandonment of a City alley way. Current zoning is GC, General Commercial and the adjacent property address is 1801 Bloomfield Highway. This abandonment request is connected with the Watson Commercial Subdivision Replat, in the City of Farmington, San Juan County, New Mexico, as described below:

**LEGAL DESCRIPTION**

Lot 21, in Block 7, filed for record February 17, 1958, and Lots 1, 2, 3, 4, 5 and 22, in Block 7, filed for record September 12, 1974, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision.

Pursuant to the provisions of Section 3-21-6, New Mexico statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on Thursday, February 27, 2020 at 3:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on Tuesday, March 10, 2020 at 6:00 p.m. in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons of interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearing noted above or submit written comments prior to the meeting to the Community Development Department – Planning Division at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that all submitted comments will become public record and that there is the possibility that any petition may be withdrawn before the hearing date.

If you have any questions or would like additional information regarding this notice or the petition, please contact Beth Escobar at (505) 599-1285 or [bescobar@fmtn.org](mailto:bescobar@fmtn.org).

Sincerely,

Elizabeth Sandoval  
Administrative Assistant

**COMMUNITY DEVELOPMENT**

**Text of Ad:** 02/03/2020

**P&Z PLANNING & ZONING COMMISSION  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

**Petition No. ABD 20-08** - a request from David Koury, representative for Joe G Maloof Realty, property owner, for abandonment of a City alley way. Current zoning is General Commercial and the adjacent property address is 1801 Bloomfield Highway. This abandonment request is connected with the Watson Commercial Subdivision Replat, in the City of Farmington, San Juan County, New Mexico, as described below:

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Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on **Thursday, February 27, 2020 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on **Tuesday, March 10, 2020 at 6:00 p.m.** in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petition.

Elizabeth Sandoval  
Administrative Assistant  
#4038237, Daily Times, Feb. 9, 2020

**Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet  
(excluding roadways and easements) of the Following Described Property  
Referenced as TRACT 1:**

Lot 21, in Block 7, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

AND

Lots 1, 2, 3, 4, 5 and 22, in Block 7, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record September 12, 1974.

**TRACT 1**

Joe G. Maloof Realty CO. Attn Admiral Beverage Corp.  
P.O. Box 27821  
Albuquerque, NM 87125-7821

Lot 21, in Block 7, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

AND

Lots 1, 2, 3, 4, 5 and 22, in Block 7, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record September 12, 1974.

Book 843, page 507

**TRACT 2**

Thomas W. and Gayle A. King  
731 Road 2900  
Aztec, NM 87410

Lot Four A (4A) in Block Six (6) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record April 8, 1987.

Book 1271, page 313

**TRACT 3**

Martini Industries Inc.  
P.O. Box 102  
Ft. Davis, TX 79734

Lot (11) in Block Five (5) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

Book 1431, page 65

**TRACT 4**

Nygren Investment LLC  
816 E. Crestview Dr.  
Farmington, NM 87401-9109

Lot Nine (9) in Block Four (4) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

Book 1503, page 430

**TRACT 5**

Norman H. and Martha K. Faver Trust  
P.O. Box 417  
Aztec, NM 87410

Lots Ten (10), Eleven (11), & Twelve (12), in Block Four (4) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

Book 1141, page 909

**TRACT 6**

David Arthur Ziegler  
4800 Hud Dr.  
Amarillo, TX 79124

Lot Thirteen (13) in Block Four (4) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958;

Book 1347, page 880

Book 1408, page 71

**TRACT 7**

Cillessen Development LLC  
2070 Afton Place  
Farmington, NM 87401

Lot 4-8 inclusive; and Lots 14 – 25 inclusive; and Lot 27, All in Block Four (4), of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958.

Book 1434, page 322

**TRACT 8**

Cillessen Development LLC  
2070 Afton Place  
Farmington, NM 87401

Lot 4-8 inclusive; and Lots 14 – 25 inclusive; and Lot 27, All in Block Four (4), of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958.

Book 1434, page 322

**TRACT 9**

Joe G. Maloof Realty CO. Attn Admiral Beverage Corp.  
P.O. Box 27821  
Albuquerque, NM 87125-7821

Lot Five (5) in Block 7, of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record September 12, 1974.  
Book 1649, page 116

**TRACT 10**

Epic Hotels LLC  
1901 E. Broadway Avenue  
Farmington, NM 87401

Lot One (1) in Block 7, of the WATSON COMMERCIAL SUBDIVISION, REPLAT "A", in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record March 16, 1999.

Book 1644, page 631

**TRACT 11**

United Laundries Incorporated  
904 Schofield Lane  
Farmington, NM 87401

Lot Thirteen A (13A), in Block Seven (7), of the WATSON COMMERCIAL SUBDIVISION, REPLAT "H", in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record December 22, 2014.

Book 1652, page 208

**TRACT 12**

SCFRC HW V LLC  
47 Hulfish Street Suite 210  
Princeton, NJ 08542

LOT Sixteen A (16A) in Block Seven ( ), of the WATSON COMMERCIAL SUBDIVISION, REPLAT "H", in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record December 22, 2014.

Book 1623, page 552

**TRACT 13**

Bearing Group  
1309 Camina Contenta  
Farmington, NM 87401

Lots Seventeen (17), Eighteen (18), and Nineteen (19) in Block Seven (7) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958.

Book 1331, page 363

**TRACT 14**

Jerome and Neoma Pitney Trust  
P.O. Box 771  
Farmington, NM 87499

Lot Twenty (20) in Block Seven (7) of the WATSON COMMERCIAL SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 17, 1958.  
Book 1635, page 94

**TRACT 15**  
City Of Farmington  
800 Municipal Drive  
Farmington, NM 87401

East 210 FT OF SW/SE/SE 152913

Book 585, page 161

TO: January 10, 2020, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY



By: Rebekah Esmiol, Abstracter

**MINUTES**  
**PLANNING & ZONING COMMISSION**

**January 30, 2020**

The Planning and Zoning Commission met in a regular session on January 30, 2020 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:

Chair-Joyce Cardon  
Vice Chair-Clint Freeman  
Kristin Langenfeld  
Elizabeth Lockmiller  
Cheryl Ragsdale  
Mitch Sewell  
Gary Smouse

P&Z Members Absent:

Ryan Brown  
Shay Davis  
Wayne Mangum  
Cody Waldroup

Staff Present:

Beth Escobar  
Elizabeth Sandoval

Others Who Addressed the Commission:

Michael Smith

**Call to Order**

Chair Joyce Cardon called the meeting to order at 3:00 p.m. There being a quorum present the following proceedings were duly had and taken.

**Presentation of the Agenda**

There were no changes to the agenda.

**Approval of the Minutes**

A motion was made by Commissioner Ragsdale and seconded by Commissioner Smouse to approve the minutes of the December 12, 2019 P&Z Meeting. This motion was approved unanimously by a 7-0 vote.

**Swearing in of Witnesses**

Elizabeth Sandoval, Administrative Assistant, swore in all parties that wished to speak on behalf of any agenda items.



## **CONSIDERATION & RECOMMENDATION**

### **SUP 20-01**

#### **Special Use Permit to allow for the operation of a home mortgage loan company on developed 0.17 acre parcel in the LNC, Local Neighborhood Commercial District, 211 N. Auburn Ave.**

##### **Planning & Zoning Commission Discussion of Petition SUP 20-01 on January 30, 2020**

Beth Escobar, Planning Manager, presented the staff report for SUP 20-01, a request from Michael Smith, property owner, for a special use permit to allow for the operation of a home mortgage loan company in the LNC, Local Neighborhood Commercial District, located at 211 N. Auburn Ave.

Loan companies are permitted by right in the GC – General Commercial Zoning District but are required to obtain a Special Use Permit in the LNC – Local Neighborhood Commercial. The subject parcel is located in the Mahany Tract of the Ross’s Second Addition Subdivision platted in 1905.

The subject property has an existing structure constructed in 1975 and renovated in 1994. The property is used as a commercial rental. Access to the property is from N. Auburn onto an alley between 201 and 211. The applicant owns the property directly to the north which is currently occupied by a real estate office.

The 2002 Comprehensive Plan indicates this area is appropriate for mixed-use development which combines business and residential uses in the same neighborhood.

The proposed use at the subject property complies with this designation.

The purpose of a Special Use Permit is to allow for discretionary approval of uses with unique operating characteristics.

Some loan businesses, such as payday loans, can be an intensive, high traffic use not compatible with a neighborhood location. Union home mortgage, the proposed tenant at 211 N. Auburn Ave. is a full service mortgage company and does not process payday loans.

If granted, this special use permit for a commercial business would be transferable to future owners.

The subject property is located in an area with existing office and residential uses. The addition of a home mortgage company would not have a negative impact on the surrounding neighborhood.

Existing circulation and parking is harmonious with the character of the surrounding area and meets the requirements of the Unified Development Code.

The proposed use should have minimal impact on existing infrastructure.

There are eleven properties within the effected area, two of these properties are owned by the Petitioner.

Staff concludes approval of Petition SUP 20-01 is appropriate. The subject property has been used as a commercial rental for an extended period of time. Minimum lot size and setback requirements do not conform to the Local Neighborhood Commercial standards, however, the lot is determined to be legal, non-conforming. Lot coverage and minimum parking requirements and building setbacks comply with the Unified Development Code. Operation at this location of a home mortgage company is compatible with the surrounding neighborhood and meets the intent of the Local Neighborhood Commercial District to accommodate neighborhood-oriented, low-intensity retail sales and services.

The Community Development Department recommends approval of Petition SUP 20-01, a request from Mike Smith to allow for operation of a home mortgage loan company at 211 N. Auburn Avenue, a 0.17-acre property located at 211 N. Auburn Avenue, Tax ID # R0030042.

Ms. Escobar asked if there were any questions.

Commissioner Freeman asked if the applicant is the owner and if the owner sells the property is the SUP transferable.

Ms. Escobar responded that the applicant is the owner and that the SUP is transferable.

Commissioner Freeman asked if the SUP could specify that it is only for a home mortgage loan company and not for payday loan companies.

Michael Smith, 102 E. Nambe, Farmington, NM, asked if loan company was primarily put in the code so payday loans and title loan companies would not be located in local neighborhood

areas and if small loan companies, such as Security Finance, are considered payday loan or title loans.

Ms. Escobar responded that if they list it as a service they offer, then yes. Ms. Escobar also stated that payday loan and title loan companies are not prohibited, but do have to go through the SUP process.

**Planning & Zoning Commission Action of Petition SUP 20-01 on January 30, 2020**

A motion was made by Commissioner Freeman and seconded by Commissioner Smouse to approve Petition SUP 20-01, a request from Michael Smith, property owner, for a special use permit to allow for the operation of a home mortgage loan company in the LNC, Local Neighborhood Commercial District, located at 211 N. Auburn Ave., with the condition that the SUP will apply to home mortgage companies and will exclude payday loans.

Michael Smith, petitioner, asked if the SUP applied to home mortgage or union home mortgages.

Ms. Escobar stated that it was home mortgage only.

Commissioner Langenfeld asked if the loan type language had been covered.

Ms. Escobar said that she could not think of anything else.

Commissioner Freeman stated that clarification to his motion could be made that the language could state that the SUP only covered home mortgage companies and excluded payday loans, vehicle title loans or anything similar.

Commissioner Smouse agreed to the amendment motion.

AYE: Chair-Joyce Cardon, Commissioner Freeman, Commissioner Langenfeld, Commissioner Lockmiller, Commissioner Ragsdale, Commissioner Sewell, Commissioner Smouse

NAY: None

Abstained: None

Absent: Commissioner Brown, Commissioner Davis, Commissioner Mangum, Commissioner Waldroup

Chair Cardon stated this petition will go to City Council on Tuesday, February 11, 2020.

**Motion passed 7-0**

**Business from the Floor:** There was no business from the Floor.

**Business from the Chair:** There was no business from the Chair.

**Business from the Members:** There was no business from the Members.

**Business from Staff:** Ms. Escobar stated that City Council denied SUP 19-94, Elizabeth Jill Glover's petition for keeping of two horses on 1.98 acres parcel, located at 5302 Marcy Place, at the January 14, 2020 City Council meeting. The vote was 3-1, 2 Council members thought the keeping of horses was not appropriate in that neighborhood and 1 Council member did not support the application.

Ms. Escobar also stated that the Main Street Project has started, with the contract being awarded to AUI, a New Mexico company. Ms. Escobar stated that updates about the project are provided online on the City's webpage.

Ms. Escobar announced that there is an Abandonment Petition set for the February 27, 2020 P&Z meeting.

**Adjournment:** With no further business and a motion by Commissioner Langenfeld and seconded by Commissioner Freeman, the Planning and Zoning Commission meeting of January 30, 2020 was adjourned at 3:21 p.m.

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Joyce Cardon  
Chair

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Elizabeth Sandoval  
Administrative Assistant