AGENDA
Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
April 25, 2019, at 3:00 p.m.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Call Meeting to Order</td>
<td></td>
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<tr>
<td>2</td>
<td>Approval of the Agenda</td>
<td></td>
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<tr>
<td>3</td>
<td>Approval of the Minutes of the March 14, 2019 P&amp;Z Meeting</td>
<td>52</td>
</tr>
<tr>
<td>4</td>
<td>Approval of the Open Meetings Resolution</td>
<td>50</td>
</tr>
<tr>
<td>5</td>
<td><strong>Petition No. ZC 19-27</strong> – a request from Randy Rogers for a zone change</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>from SF-7, Single-family, to GC, General commercial, for 1.11 acres for</td>
<td></td>
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<tr>
<td></td>
<td>property located at 6007 E. Main Street. (Helen Landaverde)</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td><strong>Petition No. ZC 19-28 &amp; SUP 19-29</strong> – a request from Billy Randall,</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>represented by Misty Hensley-Muñoz, for a zone change from SF-7,</td>
<td></td>
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<tr>
<td></td>
<td>Single-family, to LNC, Local Neighborhood Commercial and for a special use</td>
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<tr>
<td></td>
<td>permit to allow for recreational storage for property located at 5001</td>
<td></td>
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<tr>
<td></td>
<td>Redwood Avenue. (Helen Landaverde)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Business from:</td>
<td></td>
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<tr>
<td></td>
<td>Floor:</td>
<td></td>
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<tr>
<td></td>
<td>Chairman:</td>
<td></td>
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<tr>
<td></td>
<td>Members:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Staff:</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Adjournment</td>
<td></td>
</tr>
</tbody>
</table>

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, May 14, 2019.

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 ZC 19-27 – Zone Change from the SF-7, Single-family Residential District to the GC, General Commercial District for a portion of property (0.25 acres) located east of Pryor Court and North of Pryor Lane and behind 6007 E. Main Street

A. STAFF REPORT, April 25, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Randy Rogers with Cornerstone Enterprises, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Randy Rogers</td>
</tr>
<tr>
<td>Date of Application</td>
<td>March 25, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Zone change from the SF-7, Single-family Residential District to GC, General Commercial District for 0.25 acres of property located east of Pryor Court and north of Pryor Lane and behind 6007 E. Main Street</td>
</tr>
<tr>
<td>Location</td>
<td>East of Pryor Court and North of Pryor Lane (R0022453) and behind 6007 E. Main Street</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-7, Single-family Residential District</td>
</tr>
<tr>
<td>Notice</td>
<td>Publication of Notice for public hearings of the Planning and Zoning Commission and the City Council appeared in the Farmington Daily Times on Sunday, April 7, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, April 3, 2019 and a sign was posted at the site on Friday, April 12, 2019.</td>
</tr>
<tr>
<td>Staff Planner</td>
<td>Helen Landaverde, Associate Planner</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS

Project Description
The applicant is requesting to rezone a portion of parcel R0022453, 0.25 acres, from SF-7, Single-family Residential District to GC, General Commercial District. The applicant would like to expand the commercial use, Farmington Fire Equipment, at 6007 E. Main Street into the subject property for the storage of vehicles and equipment.
San Juan County Tax Assessor's records shows that the size of parcel R0022453 (subject property) is 1.11 acres and the size of parcel R0022454 (Farmington Fire Equipment) is 0.86 acres.

The applicant has been expanding the commercial use, Farmington Fire Equipment, at 6007 E. Main Street by storing equipment to the south and into the residential parcel (R0022453) without a zone change and/or a boundary line adjustment.

**Proposal**
The applicant initially proposed a boundary line adjustment of parcels R0022453 (subject property) and R0022454 (Farmington Fire Equipment) (see SP 19-11):

- Proposed Lot 1 will contain 1.10 acres of land; and
- Proposed Lot 2 will contain 0.75 acres of land.

Upon review, the proposed boundary line adjustment would have created a split-zoned parcel and would not have allowed for the expansion of Farmington Fire Equipment on to the subject property, which is zoned residential, without an approved zone change.

Therefore, the applicant is requesting a zone change. The applicant expressed that he would like for a portion, 0.25 acres of parcel R0022453, to be zoned GC to allow for the expansion of Farmington Fire Equipment onto the subject property. It should be noted that Petition SP 19-11, proposes a zone change for 0.31 acres (66.42' x 205.91')

**Consistency with the Farmington Comprehensive Plan**
The 2020 Future Land Use Plan recommends Residential Single Family Urban for the subject area. The proposed zone change does not support the Future Land Use Plan; however, it promotes the City's Economic Development Plan (Chapter 22 City Code), one of the core goals of the Comprehensive Plan, and Chapter 8 Economic Development of the Comprehensive Plan.

**Economic Development Plan**

**Goals.** The goals of the economic development plan are as follows:

3. Affirmative support of local business creation, retention and expansion.

"**Targeted businesses and industry** - ... Economic development efforts are focused on new or expanding industries which add value to these sectors or which add diversity to the economic base and which upgrade the skills and income levels of employees."

**Objective 8.5: Support retention and expansion of existing businesses**

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Action 8.5.2: Support local businesses. Encourage local shopping.

Also, the subject property has access to primary streets and major thoroughfares; it has direct access to E. Main Street, an arterial street.

Figure 2. 2020 Future Land Use Plan

General Commercial (UDC Sec. 3.13)
The general commercial (GC) district is intended to accommodate commercial uses. The GC district is not a neighborhood-oriented district and is not generally appropriate for application within residential areas.

It is intended to be used to accommodate existing commercial uses along thoroughfares. It may also be used to accommodate new development proposals. In all cases, new development in the GC district should be adequately served by infrastructure.

The GC district is intended to implement the planning policies of the Comprehensive Plan's "Commercial" land use designation.

STAFF ANALYSIS

A. Is the proposed zoning and land use(s) compatible with the present zoning and conforming uses of nearby property and the character of the neighborhood?
The proposed zoning, General Commercial District, is compatible with the present zoning of the area and the existing uses of the neighborhood. The existing land use along East Main Street is commercial.

B. Will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?

There should be no anticipated adverse impacts. However, the applicant is required to mitigate any existing and/or future adverse impacts.

C. Is the proposed density and intensity of use permitted in the proposed zoning district?

Yes, the zone change request is GC, General Commercial. Any future demolition and redevelopment will need to meet established requirements of the zone district and off-street parking regulations.

D. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended by the applicant? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?

The subject property has already been developed. Public facilities have been provided. Any future demolition and redevelopment will need to meet established requirements of the district.

E. Does the proposed change constitute "spot zoning" as defined in Article 11, definitions?

Article 11 defines “spot zoning” as “where a particular tract within a larger area is specifically zoned so as to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges not granted generally, not done in pursuance of the Comprehensive Plan.”

The proposed zone change for 0.25 acres of parcel R0022453 is consistent with the City's Economic Development Plan and Chapter 8 Economic Development of the Comprehensive Plan.

The existing land use along East Main Street is commercial. Also, the subject property is connected to the City’s arterial network and will have access to primary streets and major thoroughfares, which would be suitable for the proposed commercial use.
The requested zone change will not be detrimental to the surrounding neighborhood. The proposed zone change will not be a spot zone.

STAFF COMMENTS

Chief Building Official – D. Childers:
Any fill material on the south lot will require proper compaction in lifts, before any structure can be built in this area.

Code Compliance – M. Romero:
Code Compliance has reviewed this request and there could be an issue with the noise level in this area; see Municipal Code Chapter 12 Section 5-8 – Maximum permissible sound levels by receiving land use. The request states that there would be vehicles and equipment stored on the lot in question. When the vehicles are started in the morning they can be loud and disturb the surrounding residents.

City Engineer – N. Westerling:
There is a large box culvert that crosses Main Street which daylights on this property, this box culvert picks up storm water from businesses on both sides of Main Street and the surrounding areas, no fill will be allowed until a grading/drainage plan is submitted.

Community Development – H. Landaverde:
Please check proposed lot sizes for summary plat.

STAFF CONCLUSION

Staff concludes that approval of ZC 19-27 to the GC, General Commercial District is appropriate. Although the proposed zone change for the expansion of Farmington Fire Equipment does not support the 2020 Future Land Use Plan, the request does support the City's Economic Development Plan and Chapter 8, Economic Development, of the Comprehensive Plan for the expansion of local businesses. A zone change to GC for a portion of parcel R0022453, 0.25 acres, would be compatible with this area.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition ZC 19-27, a request from Randy Rogers with Cornerstone Enterprises, LLC, for a zone change for a portion of parcel R0022453, 0.25 acres, from SF-7, Single-family Residential District to GC, General Commercial District for property located east of Pryor Court and North of Pryor Lane and behind 6007 E. Main Street to allow for the commercial expansion of Farmington Fire Equipment with the above mentioned conditions from Staff.
April 6, 2019

RE: Zone change submitted by Randy Rogers petition # ZC 19-27

We object to the purposed zone change; the land should remain Single Family.

Except for the buildings on the west side of Pryor all of the homes that border the property are established and well-maintained homes, the change would lower the property values for the area.

Our property is one lot east of the subject property at 5051 Schmitt Rd.

Don Bloomfield

Karla Bloomfield
# PLANNING MEMO COMMENTS SUMMARY

**ZC 19-27 6007 E. MAIN ST / PRYOR LN**  
**Deadline: 4/11/19**

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
<th>Note</th>
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<tbody>
<tr>
<td>CD Director –</td>
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<tr>
<td>CD Addressing – Planning Division</td>
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<tr>
<td>CD Chief Building Official – D. Childers</td>
<td>Any fill material on the south lot will require proper compaction in lifts, before any structure can be built in this area.</td>
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<tr>
<td>CD Long Range Planner</td>
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<td>CD MPO</td>
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<td>CD Oil &amp; Gas Inspector – L. Simms</td>
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<tr>
<td>CITY City Manager’s Office – J. Baird</td>
<td>No comment</td>
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<tr>
<td>ELEC Customer Care Manager – L. Richardson</td>
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<td>ELEC Electrical Engineering – L Aligarbes</td>
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<td>ELEC T &amp; D – R. Romero</td>
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<td>FIRE Fire Captain – D. Doudy</td>
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<td>FIRE Fire Marshall – B. Vega</td>
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<td>LEGAL City Attorney – J. Breakell</td>
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<td>LEGAL Deputy City Attorney – E. Wayne</td>
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<tr>
<td>POLICE Code Compliance – M. Romero</td>
<td>Code Compliance has reviewed this request and there could be an issue with the noise level in this area. The request states that there would be vehicles and equipment stored on the lot in question. When the vehicles are started in the morning they can be loud and disturb the surrounding residents.</td>
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<td>POLICE Sergeant – P. Flores</td>
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<td>PRCA S. Reeves/ R. Crosby</td>
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<tr>
<td>PRCA ORII – C. Styron</td>
<td>No comment</td>
</tr>
<tr>
<td>PW City Engineer – N. Westerling</td>
<td>There is a large box culvert that crosses Main Street which daylighted on this property, this box culvert picks up storm water from businesses on both sides of Main Street and the surrounding areas, no fill will be allowed until a grading/drainage plan is submitted.</td>
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<td>PW</td>
<td>Engineering – T. Sitta</td>
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<tr>
<td>PW</td>
<td>Streets Superintendent</td>
</tr>
<tr>
<td>PW</td>
<td>Traffic Engineer – I. BlueEyes</td>
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<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
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</tbody>
</table>

**Other Entities**

<table>
<thead>
<tr>
<th>Entity</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – A. Zohner</td>
<td>No opinion</td>
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<tr>
<td>Enterprise Field Services</td>
<td></td>
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<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
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<tr>
<td>CH2M-HILL OMI</td>
<td></td>
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<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td>No comment</td>
</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
Project Type (Check Those Applicable)
- Annexation and / or Zoning
- Preliminary Plat
- Final Plan
- Summary Plat
- Special Use Permit
- Variances (ARB)
- Zone Change to ______ District
- Temporary Use Permit
- Proposed Length of Use: ________

INFORMATION
Applicant's Name: Cornerstone Enterprises, LLC, Randy Rogers
Address: 6007 E Main St., Farmington, NM 87401
E-Mail: randyrogers@prolific.com
Telephone: 505-320-2192
Relationship to Property Owner: Owner

Legal Description of Subject Property: See Attached Plat

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes ☐ No ☑

If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)
Name: Randy Rogers
Phone: (505) 320-2192
Address: 6007 E. Main St., Farmington, NM 87401
Email:

OWNERSHIP
PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest. Fee, Joint Venture, Contract, Option to Purchase)
Name: Cornerstone Enterprises
Address: 6007 E Main St., Farmington, NM 87401
Phone: 505-320-2192

MORTGAGE HOLDERS (if any)
Name:
Phone:
Address:

OWNER CERTIFICATION
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, Planning and Zoning Commission to enter the premises described in this application. I understand that the application will be reviewed by the Planning and Zoning Commission at the first regularly scheduled meeting following the P&Z review.

Name: Randy Rogers, Cornerstone Enterprises, LLC
Address: 6007 E Main, Farmington, NM 87401
Owner's Signature:
Phone / Email: 505-320-2192

Received By (KJ) Time: 
Date: 3/15/19 Fee Received 100%
Project File No: ZC 19-07 6007 E Main/Pryor
Date of Hearing/Meeting: 4/30/19, 6/14/19

STAFF USE ONLY
- Blueline Copies of Plans
- Ownership Report (subject and surrounding properties)
- Legal Description
- Detailed Statement of Proposed Use
Proposal SP 19-11

Area to be Resized
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. ZC 19-27 - a request from Randy Rogers for a zone change from SF-7, Single-family, to GC, General Commercial, for 1.11 acres for property located at 6007 E Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NE/4NE/4 of Section 31, Township 30 N, Range L2 West, Book 1532, page 3 and book 1258, page 729, N.M.P.M., in the City of Farmington, San Juan County, New Mexico, otherwise located at 6007 E. Main St. & Pryor Lane

Petition No. ZC 19-28 & SUP 19-29 - a request from Billy Randall, represented by Misty Hensley-Muslim, for a zone change from SF-7, Single-family, to LNG, Local Neighborhood Commercial and for a special use permit to allow for recreational vehicle storage for property locate at 5001 Redwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NW/4NE/4SW/4 and the SW/4NW/4 of Section 31, Township 30 North, Range L2 West, N.M.P.M., Book 1615, page 25, AND Tract A of the Pinon Center Subdivision Plat A of Tracts 1, 3, & 4, Book 1615, page 23 & Book 1550, page 539, AND Lot 2 of the R.F.G. West Subdivision, Book 1550, page 24, Book 1550, page 879, & Book 1550, page 875, in the City of Farmington, San Juan County, New Mexico, otherwise located at 5001 Redwood Avenue

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1976 Compilation, notice is hereby given that the petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, April 25, 2019 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, May 14, 2019 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.

Karen Walker
Administrative Assistant

Legal No. 1282121 published in The Daily Times on April 7, 2019.
NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-27

April 3, 2019

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 Randy Rogers for a zone change from SF-7, Single-family, to GC, General Commercial, for 1.11 acres for property located at the rear of 6007 E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NE/4NE/4 of Section 31, Township 30 N, Range 12 West, Book 1532, page 3 and book 1258, page 729, N.M.P.M., San Juan County, New Mexico.

Otherwise known as 6007 E. Main St. & Pryor Lane

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, April 25, 2019 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, May 14, 2019 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 Helen Landaverde at 505-599-1282 or hlandaverde@fmtn.org.

Sincerely,

Karen Walker
Administrative Assistant
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:

Beginning for a tie at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE/4NE/4)
of Section Thirty-One (31), Township Thirty (30) North, Range Twelve (12) West, in the City of Farmington, San Juan County, New Mexico;
THENCE South 89°54' West 640 feet to the point of beginning of the tract hereby conveyed;
THENCE North 235 feet;
THENCE North 89°54' East 205 feet, more or less, to the Westerly edge of the tract heretofore conveyed by August C. Schmitt and Mildred H. Schmitt, his wife, to Merle Black and Mary Patricia Black by Warranty Deed dated October 30, 1953, and filed for record on November 2, 1953, in Book 227, page 106 of the Records of the County Clerk of San Juan County (hereinafter referred to as the “Merle Black property”);
THENCE South 235 feet along the Westerly edge of the Merle Black property and to the South line of said NE/4NE/4;
THENCE South 89°54' West 205 feet, more or less, to the point of beginning.

TRACT 1
Cornerstone Enterprises, LLC
5404 Saint Andrews Drive
Farmington, NM 87402
That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1258, page 729

TRACT 2
Charles P. Cole and Nadine M. Cole
2020 North 21st Place
Phoenix, AZ 85006
That part of the SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1258, page 729

TRACT 3
Marlo L. Webb and Louise M. Webb Revocable Trust
C/O Cornerstone Enterprises, LLC
6007 East Main Street
Farmington, NM 87402
That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1532, page 3

TRACT 4
R & J Properties, LLC
P.O. Box 1436
Farmington, NM 87499
That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1632, page 905
TRACT 5
Vance A. Mabry and Dorothy E. Mabry
4405 Boring Street
Farmington, NM 87402
That part of the SE4NE/4NE4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1479, page 976

TRACT 6
Peterson Revocable Trust
6104 Pryor Lane
Farmington, NM 87402
Tract 2A, of the SCMITT ROAD SUBDIVISION
REPLAT "A", in the City of Farmington, San
Juan County, New Mexico, filed for record
October 26, 1994.
Book 1479, page 154

TRACT 7
Don A. Bloomfield and Karla M. Bloomfield
5051 Schmitt Road
Farmington, NM 87402
Tract 1A, of the SCMITT ROAD SUBDIVISION
REPLAT "A", in the City of Farmington, San
Juan County, New Mexico, filed for record
October 26, 1994.
Book 1106, page 305

TRACT 8
Charles Vanden Broeck and Alana Vanden
Broeck
6103 Pryor Lane
Farmington, NM 87402
That part of the E/2SE/4NE4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1360, page 697

TRACT 9
Stephan B. Harper and Gwynet L. Harper
Revocable Trust
6101 Pryor Lane
Farmington, NM 87402
Lot 1, of the CHILLIS SUBDIVISION, in the City
of Farmington, San Juan County, New Mexico,
Book 1494, page 816

TRACT 10
Jack O. Smalley and Royal S. Smalley
5711 Tee Drive
Farmington, NM 87402
That part of the SE/4NE4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1397, page 76

TRACT 11
Bella Luna Investments, LLC
3101 McCullom Drive
Farmington, NM 87402
That part of the SE/4NE4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1627, page 286
TO: March 19, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

[Signature]

By: Jarraine Austin, Abstractor
COMMUNITY DEVELOPMENT PETITION REPORT
Petition ZC 19-28 and SUP 19-29 – Zone Change from the SF-10, Single-family Residential District to the LNC, Local Neighborhood Commercial District and for a special use permit to allow for a recreational vehicle storage yard for property located at 5001 Redwood Avenue

A. STAFF REPORT, April 25, 2019

PROJECT INFORMATION

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<thead>
<tr>
<th>Applicant</th>
<th>Billy Randall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Misty Hensley-Muñoz</td>
</tr>
<tr>
<td>Date of Application</td>
<td>March 27, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>from the SF-10, Single-family Residential District to LNC, Local Neighborhood Commercial District and for a special use permit to allow for a recreational vehicle storage yard</td>
</tr>
<tr>
<td>Location</td>
<td>5001 Redwood Avenue (R0027003)</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residential/Gas well site</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-10, Single-family Residential District</td>
</tr>
</tbody>
</table>
| Zoning & Land Use | **North:** SF-A, Single-family Attached/residential  
|                   | **South:** IND, Industrial & GC, General Commercial/commercial  
|                   | **East:** MF-M, Multi-family Medium Density & SF-A, Single-family Attached/residential and religious institution  
|                   | **West:** SF-10, Single-family Residential District/residential |
| Notice            | Publication of Notice for public hearings of the Planning and Zoning Commission and the City Council appeared in the Farmington Daily Times on Sunday, April 7, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, April 3, 2019 and a sign was posted at the site on Friday, April 12, 2019. |
| Staff Planner     | Helen Landaverde, Associate Planner |

STAFF ANALYSIS

Project Description
The applicant is requesting a zone change from the SF-10, Single-family Residential District to LNC, Local Neighborhood Commercial District and for a special use permit to allow for a recreational vehicle storage yard. The petitioner is also proposing to build a three car garage (see Proposal) at 5001 Redwood Avenue.

San Juan County Tax Assessor’s records show that the size of the property is 5.22 acres. Aerial photographs and other sources provided in this memo indicate that there is well site equipment on the subject property.

The property was annexed into the City in 1959 and is considered to be a lot of record.
Access to the site would be through Sagebrush Street and Alder Street. The subject property is located within an “AE” Flood Zone; portions of the property are in the Floodplain of the Hood Arroyo.

Pursuant to UDC Table 2.3 a recreational vehicle storage yard is permitted in the LNC District with an approved special use permit.

There are nodes of commercial uses and districts along Piñon Hills Boulevard. Commercial uses and districts (IND, GC, and LNC) abut Piñon Hills Boulevard towards E. Main Street.

**Figure 1. FEMA Flood Map**

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**Proposal**

The applicant is proposing to have a dry storage lot “consisting of uncovered parking spaces for RV’s, Boats, flatbed trailers, horse trailers, toy haulers etc.” The proposed recreational vehicle storage yard will be secured; fenced and gated.
According to the applicant, "The proposed storage lot would provide a convenient and less expensive storage option for the surrounding neighborhoods.

- Nearest Dry Storage
  - Stop and Stow RV Storage at it’s located on US 64 and is 6 miles from 5001 Redwood.
  - ABC Covered Boat and RV Storage, which is 8 miles away and also on US 64.
  - American Mini Storage is located on Westland Park Dr. and 12 miles away."

The applicant is proposing to have 72 uncovered spaces with boundary markers and numbers on the site:

- 45 spaces will be 12' x 30' and will be located to the north and south of the gas well site (see Proposal) with a drive aisle clear space of 63.84 feet between the storage parking spaces and the well site.

- 13 spaces will be 16' x 50' and will be located along the South boundary of the property with a drive aisle clear space of 57.06 feet between the storage parking spaces (south of the gas well site).

- 14 spaces will be 14' x 40' and will be located west of the gas well site with a drive aisle clear space of 35 feet between the storage parking spaces and the fenced gas well site.

The parking area will consist of road base and gravel. Most of the requested RV storage yard will be located outside of the designated floodplain.

According to the applicant, the RV storage yard will store recreation vehicles weighing less than 7,500 lbs. No hazardous or flammable materials or food would be stored within the storage yard.

Also, the applicant is proposing to build a three car garage approximately 28' x 72' (2,016 ft.²) on the northwest side of the property and 100 feet away from the well site¹.

**Screening**
The applicant is proposing to place a six-foot tall perimeter fence; chain link with privacy slats, to minimize potential visual impacts between the RV storage yard and adjacent residential uses/properties.

¹ Pursuant to the City Municipal Code Section 19-1-3(c): "No building, other than buildings necessary for the operation of the well, shall be constructed or moved within 100 feet of any wellhead, production equipment or hydrocarbon storage tank".
Access and Hours of Operation
Hours of operation would be from 8:00 a.m. to 5:00 p.m. Monday through Friday. Saturday, 8:00 a.m. to 12:00 p.m. and closed on Sundays. According to the applicant, the customers will be provided with a key card to have access to the storage yard during business hours only.

Consistency with the Farmington Comprehensive Plan
The 2020 Future Land Use Plan recommends Residential Single Family Urban (less than 20,000 sq. acre lot) for the subject property. However, the applicant’s proposed zone change promotes and facilitates priorities of the City's Economic Development Plan, core goals of the Comprehensive Plan:

Priorities. The priorities of the economic development plan are as follows:

4. Businesses and industries that produce goods or services locally, for distribution within the region to displace imported goods and services.

5. Businesses and industries that fill a gap in the local economic base.

Consistency with the Piñon Hills Boulevard Corridor Plan (PHBCP)
The PHBCP recommends OP, Office Professional for the subject property (see Figure 2); however, in 2004 Community Development Department made the following recommendation regarding zoning for the subject property:

Near the Hood Arroyo—Access restrictions, the Hood Arroyo flood hazard area, and proximity to a gas well location and private school make this a difficult-to-develop location. Staff recommends an office/ business park use, but does not strongly favor it over that of neighborhood commercial if the obstacles to development can be overcome.

---

3 City of Farmington (2002) Piñon Hill Boulevard Corridor Plan 2004 Supplemental Information, pp. 28
Pursuant to the City Municipal Code Section 19-1-3(c): “No building, other than buildings necessary for the operation of the well, shall be constructed or moved within 100 feet of any wellhead, production equipment or hydrocarbon storage tank”.

Special conditions and circumstances exist (floodplain and distance requirements from well sites), which limit the applicant from developing the property or making improvements. The applicant would like to maximize the use of the subject property and is requesting a zone change to LNC District and a special use permit to allow for a recreational vehicle storage yard.
Local Neighborhood Commercial (UDC Sec. 3.12)
The local neighborhood commercial (LNC) district is intended to accommodate neighborhood-oriented, low-intensity retail sales and service uses in commercial clusters and/or nodes along thoroughfares and at intersections that are readily accessible from surrounding residential areas. LNC district uses attract customers from a limited area and are typically located along collector or arterial streets. The LNC district includes specific standards designed to ensure the compatibility with the residential-scale and style of the neighborhoods they serve. It is appropriate for application in areas that are already developed with such uses, and it may also be used to accommodate new development proposals that are compatible with such uses. In all cases, new development in the LNC district should be adequately served by infrastructure.

The LNC district is intended to implement, in part, the planning policies of the comprehensive plan's "Commercial" land use designation. The LNC district may further be appropriate for implementation, in part, of the Piñon Hills Plan.

3.12.2 Locational requirement. In addition to the rezoning issues for consideration of section 8.7.4, rezoning to the LNC district, and may be limited to:

A. Areas located within 1,000 feet of the intersection of two collector streets; or
B. Areas located within 1,000 feet of the intersection of a collector street with a local street;

C. Development of LNC nodes may include all four corners at intersections and be at least one-half mile away from any other LNC district.

Commercial uses and districts (IND, GC, and LNC) abut Piñon Hills Boulevard towards E. Main Street. There is another property zoned LNC nearby and approximately 0.12 miles from the proposed site.

Figure 3. Access to City’s Street Network

STAFF ANALYSIS

A. Is the proposed zoning and land use(s) compatible with the present zoning and conforming uses of nearby property and the character of the neighborhood?

The proposed zoning, Local Neighborhood Commercial District, is compatible with the present zoning of the area and the existing uses of the neighborhood. There are nodes of commercial uses and districts along Piñon Hills Boulevard. Commercial uses and districts (IND, GC, and LNC) abut Piñon Hills Boulevard towards E. Main Street.

The properties to the north are residential. However, the proposed use is considered to be a low intensity use and it is not anticipated that the noise
levels will change substantially from the currently experienced noises in the area such as the loading and unloading of RV's, customers driving on the site, and the maneuvering of RVs.

B. Will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?

There should be no anticipated adverse impacts. However, the applicant is required to mitigate any future nuisances/adverse impacts that may occur as a result of the proposed use.

C. Is the proposed density and intensity of use permitted in the proposed zoning district?

Yes, the zone change request is LNC, Local Neighborhood Commercial. A recreational vehicle storage yard is permitted in the LNC District with an approved special use permit.

Any future development, redevelopment, and demolition will need to meet established requirements of the zone district and off-street parking regulations.

D. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended by the applicant? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?

Public facilities have been provided. Any future development, redevelopment, and demolition will need to meet established requirements of the district.

E. Does the proposed change constitute "spot zoning" as defined in Article 11, definitions?

Article 11 defines “spot zoning” as “where a particular tract within a larger area is specifically zoned so as to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges not granted generally, not done in pursuance of the Comprehensive Plan.”

The proposed zone change for the subject property is consistent with the Comprehensive Plan (Economic Development Plan chapter). There are nodes of commercial uses and districts along Piñon Hills Boulevard. Commercial uses and districts (IND, GC, and LNC) abut Piñon Hills Boulevard towards E. Main Street.

Additionally, in 2004 the Community Development Department favored neighborhood commercial for property near the Hood Arroyo due to development obstacles.
The requested zone change will not be detrimental to the surrounding neighborhood. The proposed zone change will not be a spot zone.

Traffic Engineering has expressed that the proposed use will not significantly impact the traffic flow in this area. Sagebrush Street and Alder Street provide safe ingress and egress to the site. It is not anticipated that the traffic generated by the use will significantly impact the streets or intersections.

STAFF COMMENTS

Engineering – L. HaleBlueEyes:
Portions of the property are in the floodplain. Fencing cannot be placed across the arroyo. In areas where the fence is placed in the floodplain, but not across the arroyo, the bottom of the fence shall be placed above the Base Flood Elevation (BFE) or designed as a breakaway fence to allow flood waters and debris to flow without any obstruction.

Additionally, in areas where fill will be placed, a Hydrologic and Hydraulic (H&H) analysis study will need to be completed, during the construction permitting process, to show there is no rise in the Base Flood Elevation, upstream and downstream of the property. This H&H analysis will need to be submitted to FEMA for approval.

According to FEMA regulations, an RV placed in a Special Flood Hazard Area (SFHA) must:
1) Meet the elevation and anchoring requirements for manufacturing homes, OR
2) Be on the site fewer than 180 consecutive days, OR
3) Be fully licensed and ready for highway use. “Ready for highway use” means that it is on wheels or jacking system is attached to the site only by quick disconnect type utilities and has no permanently attached additions.

Engineering – T. Sitta:
Portions of the Property are in the Floodplain of the Hood Arroyo. All floodplain requirements below need to be addressed prior to the issuance of a building permit.

- Fencing cannot be placed across the arroyo. In areas where the fence is place in the floodplain, but not across the arroyo, the bottom of the fence shall be placed above the Base Flood elevation (BFE) or designed as a breakaway fence to allow flood waters and debris to flow without any obstruction.

- In areas where fill will be place, a Hydrologic and Hydraulic (H&H) analysis study will need to be completed, during the construction permitting process, to show there is no rise in the Base Flood Elevation, upstream and downstream of the property.

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- An Elevation Certificate must be submitted and approved for any structures placed on a property that has an associated floodplain crossing its boundaries. If the structures are located within the floodplain, the criteria for placement of fill must also be met.

The owner of any property upon which a building is constructed shall, before issuance of a certificate of occupancy, install sidewalks under the following circumstances (City Ordinance Section 7-1-2):

- Along the street adjacent to any residential building, where sidewalks on any adjacent lot abut the lot upon which such building is located.
- In any commercial district.

In any manufacturing district, adjacent to any major street shown on the city major thoroughfare plan.

**Water/Waste Water – M. Tso:**
For information only, there is an 8" sewer main that crosses North East corner of property.

**STAFF CONCLUSION**
Staff concludes that approval of ZC 19-28 and SUP 19-29 a zone change from the SF-10, Single-family Residential District to the LNC, Local Neighborhood and a special use permit for a recreation vehicle storage yard would be appropriate for the subject property. The request supports the City’s Economic Development Plan and Community Development Department’s 2004 recommendation for neighborhood commercial for the subject property.

**STAFF RECOMMENDATION**
The Community Development Department recommends **approval** of Petition ZC 19-28 and SUP 19-29, a request from Billy Randall, represented by Misty Hensley-Muñoz, for a zone change from the SF-10, Single-family Residential District to the LNC, Local Neighborhood Commercial and a special use permit for a recreation vehicle storage yard for property located at 5001 Redwood Avenue.
Photo of subject property
# Planning Memo Comments Summary

## ZC 19-28 & SUP 19-29 5001 Redwood

**Deadline: 4/5/19**

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
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<tbody>
<tr>
<td><strong>CD</strong> Director –</td>
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<td><strong>CD</strong> Addressing – Planning Division</td>
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<tr>
<td><strong>CD</strong> Chief Building Official – D. Childers</td>
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<td><strong>CD</strong> MPO</td>
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<td><strong>CD</strong> Oil &amp; Gas Inspector – L. Simms</td>
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<td><strong>CITY</strong> City Manager’s Office – J. Baird</td>
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<tr>
<td><strong>ELEC</strong> Customer Care Manager – L. Richardson</td>
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<td><strong>ELEC</strong> Electrical Engineering – L Algarbes</td>
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<td><strong>ELEC</strong> T &amp; D – R. Romero</td>
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<td><strong>FIRE</strong> Fire Captain – D. Doudy</td>
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<td><strong>FIRE</strong> Fire Marshall – B. Vega</td>
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<td><strong>LEGAL</strong> City Attorney – J. Breakell</td>
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<tr>
<td><strong>LEGAL</strong> Deputy City Attorney – E. Wayne</td>
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<tr>
<td><strong>POLICE</strong> Code Compliance – M. Romero</td>
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<td><strong>POLICE</strong> Sergeant – P. Flores</td>
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<td><strong>PRCA</strong> S. Reeves/ R. Crosby</td>
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<td><strong>PRCA</strong> ORII – C. Styron</td>
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| PW Engineering – L. HaleBlueEyes | -Portions of the property are in the floodplain. Fencing cannot be placed across the arroyo. In areas where the fence is placed in the floodplain, but not across the arroyo, the bottom of the fence shall be placed above the Base Flood Elevation (BFE) or designed as a breakaway fence to allow flood waters and debris to flow without any obstruction. Additionally, in areas where fill will be placed, a Hydrologic and Hydraulic (H&H) analysis study will need to be completed, during the construction permitting process, to show there is no rise in the Base Flood Elevation, upstream and downstream of the property. This H&H analysis will need to be submitted to FEMA for approval. According to FEMA regulations, an RV placed in a Special Flood Hazard Area (SFHA) must 1) meet the elevation and anchoring requirements for manufacturing homes, OR 2) Be on the site fewer than 180 consecutive days, OR 3) be fully licensed and ready for highway use. "Ready for highway use" means that it is on wheels or jacking system is attached to the site only by quick disconnect type utilities and has no |


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<th>PW</th>
<th>permanently attached additions.</th>
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- In any commercial district.
- In any manufacturing district, adjacent to any major street shown on the city major thoroughfare plan.

<table>
<thead>
<tr>
<th>PW</th>
<th>Streets Superintendent</th>
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<tbody>
<tr>
<td>PW</td>
<td>Traffic Engineer – I. BlueEyes</td>
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<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
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**Other Entities**

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<td>New Mexico Gas Company – R. Castillo</td>
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<td>Enterprise Field Services</td>
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<td>Comcast Cable – M. Johnson</td>
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<tr>
<td>CH2MILL OMI</td>
<td></td>
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<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td>No comment</td>
</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
**PETITION APPLICATION**

Incomplete applications will not be accepted. Return completed application to: Planning Division
Community Development Department
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 399-1299 (fax)

**COMM-DEV-DEPT**

**RECEIVED** MAR 27 2019

**PROJECT TYPE** (Check Those Applicable)

- [ ] Annexation and / or Zoning
- [ ] Preliminary Plat
- [ ] Final Plan
- [ ] Summary Plat
- [ ] Special Use Permit
- [ ] Variance (ARB)
- [ ] Zone Change to __________ District
- [ ] Temporary Use Permit
- [ ] Proposed Length of Use:
- [ ] Well site equipment modification

**Local Neighborhood comm.**

**INFORMATION**

Applicant's Name: Billy Randall  
Address: 322 Hwy 170 Farmington, NM 87401  
E-Mail: randall.stone@gmail.com  
Telephone: 505-486-3548  
Relationship to Property Owner: Buyer of sellers property

Project Location: 5001 Redwood Farmington, NM. 87401  
Existing Use/Vacant land with Gas Well  
Proposed Use: Dry storage  
Current Zoning: SF-10  
Assessor's Parcel I.D. and/or Tax I.D. Number: 207217437044B  
Account: R0027003

Legal Description of Subject Property:

Is property subject to deed restrictions, covenants, or homeowners' association agreements? Yes [ ] No [ ]

**REPRESENTATIVE / CONTACT PERSON (if other than applicant)**

Name: Misty Hensley-Munoz  
E-Mail: Mistysharnell@gmail.com  
Phone: 505-419-1965  
Address: 116 N Auburn, Farmington, NM. 87401

**OWNERSHIP**

PROPERTY OWNER (Identity General Partners, Managing Partner:
Corporation President and Secretary, Specify type of ownership interest: Fee, Real Estate, Contract, Option, Purchase)

Name: Carolina Francis  
Phone: 505-402-6832

Address: 4909 EVERGREEN DR  
FARMINGTON, NM 87402-1138

MORTGAGE HOLDERS (If any)

Name:  
Phone:  
Address:  

[ ] (Physical and Mailing)

**OWNER**

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 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 P&Z review.

Name: Carolina Francis, et al  
Owner's Signature:  
Address: 4909 Evergreen Dr  
Phone / Email: jnbarra@yahoo.com

**STAFF USE ONLY**

Received By  
Date 3/27/19  
Fee Received $00.00

Project File No. ZC 19-28 w/ SUP 19-29 5001 Redwood

Date of Hearing/Meeting: 3/14/19

- [ ] Blue Line Copies of Plans
- [ ] Ownership Report (subject and surrounding properties)
- [ ] Legal Description
- [ ] Detailed Statement of Proposed Use
5001 REDWOOD PROJECT
Farmington, NM. 87401

Date: March 26, 2019
Applicant: Billy Randall (Misty Hensley – REALTOR & Representative)

Legal Description: BEG N1/4 COR 31 30 12. THENCE S0-17W 1900.86 FT, S58-19-35W 1563.75 FT, N0-44-05E 1654.15 FT, N0-12E 1066.77 FT, N89-57E 1315.30 FT TO BEG.
BK.1429 PG.373 BK.1550 PG.875 BK.1615 PG.25 LESS 26.77 AC EXCEPT 1.91 AC IN BK.770 PG.35 LESS E 40' IN BK.770 PG.301 LESS 5.17 AC IN BK.1124 PG.571 FOR RD
LESS 24.932 AC TO PINON CENTER SUBDIVISION LESS 4.08 AC TO R.E.G. WEST
SUBDIVISION

Project Description: Billy Randall intends to purchase the property at 5001 Redwood Ave, Farmington from Carlotta Francis, Et. Al. In order to create a "dry storage" area.

- Access is currently planned from Redwood Ave.
- Property will be fenced in its entirety, with a coded or key locked gate
  - Proposed fencing will be chain link with privacy slats at a height of 6'
- Road base and gravel will be used as ground surface
- Submitted Plot plan shows the size of the storage areas.
- There will be no permanent structures for the storage areas. They will have boundary markers and numbers.
- Lighting will be installed as recommended. Without light pollution to surrounding properties.
- On the far northwest corner a three car garage will be built to house Mr. Randall's own equipment. Approximately 28'X72'
5001 REDWOOD PROJECT
Farmington, NM. 87401

Date: March 31, 2019
Applicant: Billy Randall (Misty Hensley – Representative)

Project Summary: Rezone property from Single Family-10 to Local Neighborhood Commercial with a Special Use Permit as well, if needed. The proposed dry storage lot would be secured (fenced and gated) lot consisting of uncovered parking spaces for RV’s, Boats, flatbed trailers, horse trailers, toy haulers etc.

REASON FOR REZONING REQUEST

Farmington’s Comprehensive Plan in Chapter 4 – Land Use and Development states: “There also needs to be more neighborhood commercial services located close to residential areas.” We believe this would be applicable to this project and be a positive use of this property. We request that the rezoning and special use should be allowed for the following reasons:

- The lot itself, while 5+ acres houses a large fenced gas well site and a large portion of the property is located in a flood zone.
  o With setbacks well restrictions, and flood zone it would be nearly impossible to build a residence. Nor would it be desirable to do so.
- The proposed storage lot would provide a convenient and less expensive storage option for the surrounding neighborhoods.
  o Nearest Dry Storage
    ▪ Stop and Stow RV Storage at it’s located on US 64 and is 6 miles from 5001 Redwood.
    ▪ ABC Covered Boat and RV Storage, which is 8 miles away and also on US 64.
    ▪ American Mini Storage is located on Westland Park Dr. and 12 miles away.
- It would improve neighborhood conditions.
  o Many neighbors store their recreational, work and daily vehicles, etc. in less than desirable or safe ways.
  o The attached snapshots were taken March 31, 2019 – just in the nearest subdivision from Sagebrush to Alder.
- Specific Special Use Permit requirements
  o Effect on Environment: No negative impact
  o Compatible with Surrounding Area: Property will be full fenced with a privacy fence. The only structure on the property will be a three car garage for applicants own storage use. Entrance will be from Redwood with the most direct route from Foothills to Sagebrush. Sagebrush and Alder are the only two entrances to this neighboring subdivision. This street has residences on the north side with The Seventh Day Adventist Church on the south side with access from Sagebrush.
  o External Impacts Minimized: No negative impact
  o Infrastructure Impacts Minimized: No negative impact
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. ZC 19-27 - a request from Randy Rogers for a zone change from SF-7, Single-family, to GC, General Commercial, for 1.11 acres for property located at 6007 E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NE/4NE/4 of Section 31, Township 30 N, Range 12 West, Book 1321, page 3 and book 1258, page 729, N.M.P.M., in the City of Farmington, San Juan County, New Mexico, otherwise located at 6007 E. Main St. & Pryor Lane.

Petition No. ZC 19-28 & SUP 19-29 - a request from Billy Randall, represented by Misty Hensley-Matus, for a zone change from SF-7, Single-family, to LNC, Local Neighborhood Commercial and for a special use permit to allow for recreational vehicle storage for property located at 5001 Redwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NW/4NE/4SW/4 and the E/2NW/4 of Section 31, Township 30 North, Range 12 West, N.M.P.M., Book 1321, page 125, AND Tract IA of the Pinon Center Subdivision Replat A of Tracts 1, 3, 4, Book 1615, page 23, & Book 1550, page 349, AND lot 2 of the R.E.G. West Subdivision, Book 1615, page 24, Book 1550, page 875, & Book 1500, page 875, in the City of Farmington, San Juan County, New Mexico, otherwise located at 5001 Redwood Avenue.

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, April 25, 2019 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, May 14, 2019 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.

Karen Walker
Administrative Assistant

Legal No. 1321221 published in The Daily Times on April 7, 2019.
NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-28 & SUP 19-29

April 3, 2019

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 Billy Randall, represented by Misty Hensley-Muñoz, for a zone change from SF-7, Single-family, to LNC, Local Neighborhood Commercial and for a special use permit to allow for a recreational vehicle storage yard for property located at 5001 Redwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Otherwise known as 5001 Redwood Avenue

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, April 25, 2019 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, May 14, 2019 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 Helen Landaverde at 505-599-1282 or hlandaverde@fbtn.org.

Sincerely,

Karen Walker
Administrative Assistant
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:

See Attached Exhibit A for legal description.

TRACT 1, 18 & 19
Carlitta Francis, Celeste Mann and Deborah Badger
4909 Evergreen Drive
Farmington, NM 87402
That part of the NW/4 NE/4 SW/4 and the E/2 NW/4 of Section 31, Township 30 North, Range 12 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 1615, page 25

AND

Tract 1A, of the PINON CENTER SUBDIVISION REPLAT A OF TRACTS 1, 3, & 4, in the City of Farmington, San Juan County, New Mexico, filed for record May 3, 2004.
Book 1615, page 23
Book 1550, page 949

AND

Lot 2, of the R.E.G. WEST SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record April 5, 2007.
Book 1615, page 24
Book 1550, page 879
Book 1550, page 875

TRACT 2
Robert George Ekwall
5403 Cleone Place
Farmington, NM 87402
Lot 9, in Block 2, of the A.T. HOGAN ADDITION FIRST EXTENTION, in the City of Farmington, San Juan County, New Mexico filed for record June 1, 1972.
Book 1631, page 333

TRACT 3
Amy L. Bailey and Brandon W. Bailey
5402 Cleone Place
Farmington, NM 87402
Lot 8, in Block 2, of the A.T. HOGAN ADDITION FIRST EXTENTION, in the City of Farmington, San Juan County, New Mexico filed for record June 1, 1972.
Book 1620, page 524
TRACT 4
City of Farmington
800 Municipal Drive
Farmington, NM 87401

That part of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1060, page 241

TRACT 5
Luke Woolsey and Tracie Woolsey
3205 North Mesa Verde
Farmington, NM 87401

Lot 11, in Block 2, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1572, page 168

TRACT 6
Janice Williams
5513 Beech Street
Farmington, NM 87402

Lot 10, in Block 2, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1591, page 986

TRACT 7
Gracia Montoya Trust
P.O. Box 1244
Farmington, NM 87499

Lot 12, in Block 2, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1605, page 186
Book 1405, page 372

TRACT 8
Mark R. and Ruby A. Cowgill Revocable Living Trust
5602 Harmony Drive
Farmington, NM 87402

Lot 12, in Block 2, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1505, page 986

TRACT 9
Sheralyn F. McElhinney and James L. McElhinney
311 Road 2900
Aztec, NM 87410

Lot 14, in Block 2, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.

Book 1628, page 279
TRACT 10
Doug Pilling
802 East 20th Street
Farmington, NM 87401
Lot 60, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1331, page 359

TRACT 11
Ben C. Cogan and Kimberly S. Cogan
5507 Cypress Street
Farmington, NM 87402
Lot 59, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1462, page 125

TRACT 12
The Bevan Family, LLC.
312 South Lake
Farmington, NM 87401
Lot 58, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1462, page 305

TRACT 13
John E. Buffington and Anna L. Buffington
3104 Espacio Street
Farmington, NM 87401
Lot 61, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1520, page 488

TRACT 14
Mary T. Pearman
5506 Sagebrush Street
Farmington, NM 87402
Lot 62, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1606, page 604

TRACT 15
Luke T. Woolsey and Tracie R. Woolsey
3205 North Mesa Verde Avenue
Farmington, NM 87401
Lot 63, in Block 1, of the FOOTHILLS SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record May 30, 1979.
Book 1602, page 701
TRACT 16
Seventh-day Adventist Association of Colorado
2520 South Downing
Denver, CO 80210

Lot 15, of the FOOTHILLS ESTATES
SUBDIVISION, in the City of Farmington, San
Juan County, New Mexico, filed for record
October 28, 1981.

Book 1350, page 848

TRACT 17
Lowe's Home Centers, Inc.
P.O. Box 1000
Mooresville, NC 28115

Tract 1A, of the PINON CENTER
SUBDIVISION REPLAT A OF TRACTS 1, 3, &
4, in the City of Farmington, San Juan County,
New Mexico, filed for record May 3, 2004.

Book 1386, page 925

TO: March 19, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE:

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: [Signature]
   Lawrence Austin, Abstractor
RESOLUTION

A RESOLUTION SETTING AND ESTABLISHING A REGULAR MEETING DAY, TIME AND PLACE FOR THE PLANNING AND ZONING COMMISSION PURSUANT TO CITY COUNCIL RESOLUTION NO. 2013-1466 AS RATIFIED

WHEREAS, pursuant to the provisions of Resolution No. 2013-1466 as ratified, each board, commission, committee or other policy making body of the City of Farmington which holds regular meetings shall annually, subject to the ratification and approval of the City Council of the City of Farmington, establish a regular meeting day, time and place; and

WHEREAS, the Planning and Zoning Commission of the city of Farmington has determined and does recommend to the City Council that the regular meeting day, time and place of the Planning and Zoning Commission of the City of Farmington and the location where a copy of the agenda of such meetings may be obtained shall be as set forth in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF FARMINGTON:

That the regular meeting day, time and place of the Planning and Zoning Commission of the City of Farmington shall be held on each Thursday following each second and fourth Tuesday of each month at 3:00 p.m., in the Council Chambers, Municipal Building, 800 Municipal Drive, Farmington, New Mexico and that the location where a copy of the agenda of the regular meeting may be inspected seventy-two (72) hours in advance of such meeting shall be at the Community Development Department, 805 Municipal Drive, Municipal Annex, Farmington, New Mexico.

PASSED, SIGNED, APPROVED and ADOPTED this ______ day of April 2019.

By: ________________________________
Chairperson, Planning and Zoning Commission
MINUTES
PLANNING & ZONING COMMISSION
March 14, 2019

The Planning and Zoning Commission met in a regular session on March 14, 2019 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:                                                                                     Vice Chair-Clint Freeman
                                                                     Ryan Brown
                                                                     Kristin Langenfeld
                                                                     Joseph Mangum
                                                                     Cody Waldroup

P&Z Members Absent:                                                                                     Joyce Cardon
                                                                     Shay Davis
                                                                     Elizabeth Lockmiller
                                                                     Cheryl Ragsdale
                                                                     Mitch Sewell

Staff Present:                                                                                             Gary Leikness
                                                                     Toni Sitta
                                                                     David Sypher
                                                                     Karen Walker

Others Who Addressed the Commission:                                                                          Nathan Bergal

Call to Order
Vice Chair Clint Freeman 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 Waldroup and seconded by Commissioner Mangum to approve the minutes of the February 28, 2019 P&Z Meeting. This motion was approved unanimously by a 5-0 vote.

Swearing in of Witnesses
All parties that wished to speak on behalf of any agenda items were sworn in by Karen Walker.
Planning Manager Gary Leikness presented the staff report for SUP 19-08, a request from Joel Hunt with Thatcher Company, represented by Nathan Bergal, for outside storage of hazardous materials for property in the IND, Industrial District located at 3111 Bloomfield Highway.

Mr. Leikness said the storage of hazardous materials is only allowed in the IND District with a Special Use Permit. The Comprehensive Plan designates the subject property as IND.

Housing is approximately 369 - 644 feet southwest of the subject property. Those are the closest residents.

Mr. Leikness noted a map of the Comprehensive Plan on page 4 of the Planning & Zoning Agenda Book.

The applicant, Thatcher Company, would like to relocate their operations and inventory from Aztec to 3111 Bloomfield Highway. Thatcher Company intends to store chemicals and distribute materials to customers.

Site security is a big issue and the property is fenced with a 6-foot to 8-foot tall chain link fence around the property. The yard area will be locked during non-operation hours and will be monitored during operation hours.

An analysis of the criteria is provided on page 9 of the Agenda Book. As for the effect on the environment, Thatcher Company needs to adhere to the City building codes, fire codes, and engineering standards, as well as other agencies. It is not expected that the proposed use will cause detriment or injury to the public or adjacent properties in the surrounding area. On page 10 of the Agenda Book, under ‘External impacts minimized’, if conditions are followed, there should not be a problem.

Under ‘Consistency with the UDC and Comprehensive Plan’, the subject property is designated as Light Industrial.

Staff concludes that the required submission of building plans, which are consistent with all of the City’s current building and fire agency permits, for review and approval prior to any site
improvements, and adhering to best management practices will minimize any potential negative impacts on existing uses in the area.

Staff recommends approval of Petition SUP 19-08, a request from Thatcher Company, represented by Nathan Bergal, for the storage of hazardous materials for property located at 3111 Bloomfield Highway in the IND, Industrial District, with conditions listed in the Agenda Book.

Commissioner Mangum asked what the history was for the subject property. Mr. Leikness said it was IND and was used for chemical storage in the past.

Commissioner Freeman asked if the property has changed owners. Mr. Leikness said it was previously owned by Baker Hughes Process and Pipeline Services.

Commissioner Waldroup asked if the engineering plans in the Agenda Book have been approved by an engineer. Mr. Leikness said the plans must be submitted with the building permit. He did not know if the plans have been finalized.

Nathan Bergal, 1811 NM 170, represents Thatcher Company. The company is a family owned chemical company from Salt Lake City, UT. It has been in Aztec for the last 4 years. The company needs more space and would like to move from Aztec to the location on Bloomfield Highway. Currently, only offices are located at the Bloomfield Highway location, said Mr. Bergal.

Vice Chair Freeman asked if Thatcher Company has had any reports from the EPA, Environmental Protection Agency. Mr. Bergal said there have not been any reports.

Mr. Bergal said an engineering group in Salt Lake City has reviewed the conditions and they do not foresee any problems. Mr. Bergal said the company stores hazardous corrosive, and flammable materials, but all chemicals are in proper containers. The company wishes to be good stewards and good neighbors, said Mr. Bergal.

Commissioner Brown asked if any other security measure will be used. Mr. Bergal said the fence has wire on top and the company has discussed using cameras in the future.

Planning & Zoning Commission Action of Petition SUP 19-08 on March 14, 2019
A motion was made by Commissioner Waldroup and seconded by Commissioner Mangum to approve Petition SUP 19-08, a request from Joel Hunt with Thatcher Company, represented by Nathan Bergal, for outside storage of hazardous materials for property in the IND, Industrial District located at 3111 Bloomfield Highway with the following conditions:

1. The applicant will be required to submit a summary plat application for building permits, if the applicant proposes to expand the existing footprint, build, and/or place additional structures on the property.
2. Prior to any construction for the storage of hazardous material, the applicant shall submit building plans that are consistent with all of the City’s current building and fire standards and/or other agency permits for review and approval prior to site work.

3. All required federal, state and local permits and approvals shall be obtained by the applicant and submitted to the City of Farmington prior to any construction or commencement of any work. Any alteration to the proposal that may be required as a result of state or federal agency review must be submitted as a revision to applicable City-issued permits and be reviewed by the Community Development Director.

4. The following minor amendments shall be reviewed and approved by the director:
   (1) Changes that result in a decrease or intensity for the storage of hazardous materials.
   (2) Change in the designation/location of the storage of hazardous materials on the subject property.
   (3) Change in major infrastructure features (e.g. roads/access, sewer, water, storm drainage) for the subject property.

5. Major amendments. All other proposed amendments not specifically addressed above shall be considered major amendments and must be processed in accordance with the procedures and requirements of Section 8.9.3 Special use application process.

The following conditions are requirements of the Fire Department, which shall be responsible for determining compliance with these conditions:
As a contingency to acquire and maintain the Special Use Permit, the City of Farmington Fire Department sets forth the requirements outlined in the 2003 International Fire Code (IFC) to meet and maintain the minimum requirements of Hazardous Material Storage and Use.
(IFC 2003 - 105.1.2, 2003 IFC - 105.2)

Before any hazardous materials can be stored or used the following shall occur:
   1. Provide engineered plans for review and approval to include:
      a. Site Layout with all control areas
      b. Each control area shall identify all chemicals and amounts stored or used in each control area.
      c. Scalable with all distances for each control area from all lot lines, buildings and other control areas.
      d. Code analysis following the International Building Code (IBC) and the IFC conducted by a Fire Protection Engineer, or Chemical Engineer.
      e. All Material Data Sheets, including all mixtures.
      f. All chemicals shall be identified by their hazard classes as outlined in the IFC.
      g. All chemicals shall be identified as meeting the Mass Allowable Quantity (MAQ), or exceeding the MAQ as outlined in the IFC.
      h. Detailed construction plans for all needed permits.
2. Develop an Emergency Action Plan (EAP).

3. Provide a detailed description of all processes and storage and intended use of all chemicals.

4. Follow the following requirements in the 2003 IFC
   b. Corrosive Material for all corrosive materials chapter
   c. Flammable and Combustible Liquid chapter
   d. Flammable Solids chapter
   e. Highly Toxic and Toxic Materials chapter
   f. Water Reactive Solids and Liquids chapter

5. The addition of any new chemicals, use of chemicals, control areas or buildings shall require the following before the storage, use or addition of buildings or products:
   a. Same requirements as in #1.
   b. An updated EAP.

The following conditions are requirements of the Public Works - Engineering Division:
1. According to the EPA's National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Industrial Uses, Thatcher Company is required to seek coverage under this permit per Part 8, Subpart I, Sector I of the MSGP.

2. The City requires the Petitioner to submit evidence of compliance with the EPA's NPDES MSGP permit for the protection of the City's Municipal Separate Storm Sewer System (MS4) and associated surface waters within the City limits.

3. A copy of the Notice of Intent (NOI) for coverage under this permit, submitted to the EPA and a copy of the required Drainage Area Site Map, to include stormwater discharge points from the property, Potential Pollutant Sources, and Erosion and Sediment Controls is required to be submitted to the City for our records.

4. This City does not administer the EPA's NPDES MSGP permit. It is the responsibility of the Petitioner to still meet all additional requirements for this permit for the EPA.

5. Maintain the National Pollutant Discharge Elimination System (NPDES) Multi Use General Permit.

The following recommended Operational Conditions shall be required for the life of the project:
1. If approved, the special use permit shall remain in effect provided that the use meets the conditions imposed by Petition SUP 19-08 and maintains a valid City of Farmington business license.
2. Any contamination/leaks/releases that occur on the property shall be reported immediately to the City’s Police Department, Fire Department, Community Development - Building Inspection Division and to all relevant local, state and federal authorities.

3. The City of Farmington reserves the right to revoke this special use permit approval, by future action of the City Council, if the operations pose detrimental health impacts to the surrounding area or environment.

4. Additionally, this Special Use Permit can be revoked if any of the above conditions are not met.

AYE: Vice Chair Freeman, Commissioners Brown, Langenfeld, Mangum, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis, Lockmiller, Ragsdale and Sewell.

Motion passed 5-0

**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:** There was no business from Staff.

**Adjournment:** With no further business and a motion by Commissioner Waldroup and seconded by Commissioner Langenfeld, the Planning and Zoning Commission meeting of March 14, 2019 was adjourned at 3:16 p.m.

____________________________    _____________________________
Clint Freeman       Karen Walker
Vice Chair        Administrative Assistant