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

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Call Meeting to Order</td>
</tr>
<tr>
<td>2</td>
<td>Approval of the Agenda</td>
</tr>
<tr>
<td>3</td>
<td>Approval of the Minutes of the June 27, 2019 P&amp;Z Meeting</td>
</tr>
<tr>
<td>4</td>
<td>Petition No. ZC 19-55 – a request from J.W. Easley for (1) a zone change from the LNC, Local Neighborhood Commercial District, to the MF-L, Multifamily Low Density District, and (2) a variance to reduce the street side yard setback for the existing structure for property located at 706 W. Apache. (Helen Landaverde)</td>
</tr>
<tr>
<td>5</td>
<td>Petition No. SUP 19-60 – a request from Security Finance of New Mexico, LLC, DBA Continental Loans, represented by Robert Dinning for a Special Use Permit to allow a loan company to do business in the LNC, Local Neighborhood Commercial District for property located at 2222 B E. 20th Street. (Helen Landaverde)</td>
</tr>
<tr>
<td>6</td>
<td>Business from: Floor: Chairman: Members: Staff:</td>
</tr>
<tr>
<td>7</td>
<td>Adjournment</td>
</tr>
</tbody>
</table>

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, August 13, 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 19-55 – Zone Change from the LNC, Local Neighborhood Commercial District to the MF-L, Multifamily Low Density District and variance to reduce the street side yard setback for the existing structure for property located at 706 West Apache Street

A. STAFF REPORT, July 25, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>J.W. Easley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>J.W. Easley</td>
</tr>
<tr>
<td>Date of Application</td>
<td>June 12, 2019</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requested Action</th>
<th>(1) A zone change from the LNC, Local Neighborhood Commercial District to the MF-L, Multifamily Low Density District and (2) a variance to reduce the street side yard setback for the existing structure.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>706 W. Apache St. (R0025758)</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residence</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>LNC, Local Neighborhood Commercial District</td>
</tr>
<tr>
<td>Notice</td>
<td>Publication of Notice for public hearings of the Planning and Zoning Commission and City Council appeared in the Daily Times on Sunday, July 7, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, July 3, 2019 and a sign was posted on Friday, July 13, 2019.</td>
</tr>
</tbody>
</table>

| Staff Planner    | Helen Landaverde, Associate Planner |

STAFF ANALYSIS

Project Description
The applicant J. W. Easley is requesting (1) a zone change from LNC, Local Neighborhood Commercial District to the MF-L, Multifamily Low Density District to allow for residential use on the property and (2) a variance request to reduce the street side yard setback for the existing structure from 20 feet to seven (7) feet to come into compliance with the Code for property located at 706 W. Apache Street.

San Juan County Tax Assessor’s records show that the size of the property is 0.380 acres (18,500 ft.²) and is in the Apache Subdivision (1953); Tract B (see attachment). The subject property is a corner lot. Tax Assessor’s records indicate that the existing structure is a single-family dwelling on the subject property.
This part of the City was annexed in 1947. Research shows that as early as 1976 this area was zoned residential (single-family) and there were some duplexes within this single-family residential district. On December 1976 City Council approved Petition 426 a zone change from R1-B, Single-family residential to R-2, Multi-family Low Density for property located at 503 Glade Place (see Figure 1); nearby the subject property.

The subject property had been zoned OP since 2004 until a zone change (Petition ZC 09-09) from OP, Office Professional to LNC, Local Neighborhood Commercial was approved by City Council in 2010.

The applicant stated that he recently purchased the property and is renting two (2) units as residences on the subject property. The applicant has requested a new address and another separate electric meter for one of the units.

Currently, the area where the subject property is located is surrounded by mixed uses (diverse zoning districts) commercial, office professional and residential (single-family and multi-family) (see Figure 1).

**Figure 1. City of Farmington Zoning Map**

![City of Farmington Zoning Map]

**UDC Code**

Multifamily dwellings are permitted by right in the MF-L, Multifamily Low Density District including manufactured homes, multi-section. Multifamily dwellings and/or any other household living is not permitted in the LNC District; except upper story residential.

**Proposal**

The applicant would like to continue using the building on the subject property as a multifamily residence. At this time the applicant would like to have the current nonconforming two (2) residential units on the property. He is also requesting a variance to reduce the street side yard setback for the existing structure from 20 feet to seven (7) feet.
The applicant stated that the two (2) residential units consist of the following:

- Unit 1 – two (2) bedrooms; and
- Unit 2 – two (2) bedrooms.

A zone change to MF-L would allow conforming household living on the property. A maximum of five (5) units (18,500 ft.² + 3,500 ft.²) would be allowed on the subject property if the requested zone change is approved.

Figure 2. Subject Property.

The property owner would have to provide sufficient off-street parking for the residential uses on the property (see Table 1). The total required off-street parking for the proposed residential use is two (2) spaces including ADA parking.

Table 1. UDC 5.2.3A - Minimum off-street parking

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Minimum Number of Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwellings</td>
<td></td>
</tr>
<tr>
<td>Efficiency &amp; one-bedroom</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>2-bedroom</td>
<td>1.5 per dwelling unit</td>
</tr>
<tr>
<td>3-bedroom</td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>Multifamily dwellings</td>
<td></td>
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<tr>
<td>2-bedroom</td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>3-bedroom</td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

Additionally, the required off-street parking shall be paved pursuant to Unified Development Code Section 5.3.3A Driveways and parking lot access:
"Paving requirements. All required parking areas must be connected to a public street or alley by means of a driveway or private access easement. All driveways providing access to such parking areas shall be paved..."

The minimum driveway width for multifamily dwellings is 10 feet. Currently, there is a small semi-circular driveway partially paved (asphalt and gravel; see Figure 4) in the south street yard. The street side and rear yard area is mostly covered with gravel (see Figure 3). Pursuant to 3.9.4 District standards. District standards applicable in the MF-L, MF-M, and MF-H districts include the following:

A. To the extent practical, all parking shall be located in the side or rear yard.

Figure 3. Existing Off-street Parking (street side yard and rear yard).
Figure 4. Existing Off-street Parking (street side yard and front yard).

If the proposed zone change is approved, the required off-street parking must be located in the side or rear yard.
Furthermore, the proposed zone change to residential use will require that street access for the subject property be directly through a local street (UDC 5.3.2A). Because West Apache Street is a minor arterial street the proposed residential use cannot take direct access to the arterial street (via West Apache Street) and must take access to San Juan Place.

**Consistency with the Farmington Comprehensive Plan**

The 2020 Future Land Use Plan recommends office professional for the subject property (see Figure 5).

**Figure 5. 2020 Future Land Use Plan**

Although the proposed zone change does not support the 2020 Future Land Use Plan, it does promote the following goals and objectives of the Comprehensive Plan:

**Land Use and Development**

"Objective 4.1: Assure the provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible uses in close proximity to each other."

"Action 4.1.4: Amend commercial districts to allow for residential uses to be interspersed with commercial uses in areas of mixed use."

**Housing**

---

1 Farmington Comprehensive Plan (2002). Chapter 4 Land Use and Development, pp. 4-11.
2 Farmington Comprehensive Plan (2002). Chapter 7 Housing, pp. 7-11, 12.
Goal: Promote quality, affordable, and safe housing that meets the needs of the community and assure implementation of sound standards for orderly development and growth.

“Action 7.1: Provide for a variety of housing options… to accommodate housing needs for all residents in Farmington...”

“Action 7.1.1: Revise existing zoning districts to allow for smaller lots, yards, and setback requirements to encourage new and diverse housing options.”

Variance Request
The applicant is also requesting a variance to reduce the street side yard setback for the existing structure from 20 feet to seven (7) feet to come into compliance with the Code. Currently, the existing structure’s street side yard setback is approximately 7 feet and does not meet the required street side yard setback in the MF-L District.

The required setbacks in the MF-L District are as follows:

Front: 20’
Side: 8’
Street Side: 20’
Rear: 25’

Sec. 3.9 - Multifamily, low, medium and high density (MF-L, MF-M, and MF-H).

3.9.1 Purpose. The Multifamily Low, Medium and High Density (MF-L, MF-M and MF-H) Districts are intended to accommodate a substantial portion of the city's residential growth over the 20-year planning horizon covered by the comprehensive plan. By allowing many residential development options (from detached houses on small lots to relatively high density apartments), the MF-L, MF-M and MF-H districts provide the widest range of housing choices for city residents. In all cases, development in the multifamily districts shall be adequately served by infrastructure. Although the MF-L, MF-M and MF-H districts allow moderate to high residential densities they are not generally appropriate for application in areas that are most appropriately suited to intensive nonresidential development. The provision of community open space, neighborhood parks, outdoor recreational areas, and pedestrian facilities is strongly encouraged.

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, MF-L, Multifamily Low Density District, is compatible with the present zoning of the area. The existing land use of the surrounding properties is mixed use (commercial, office and residential).
Although the proposed zone does not support the 2020 Future Land Use Plan, it promotes the Comprehensive Plan's goals and objectives for Land Use and Development and Housing chapters.

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

The subject property has already been developed. The applicant is proposing to have two (2) units with two (2) bedrooms in each unit. He is also proposing to reduce the street side yard setback from 20 feet to seven (7) feet for the existing structure in order to come into compliance with the Code.

It is not anticipated that there will be adverse impacts; however, the applicant is required to mitigate adverse impacts.

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

Yes, the zone change request is MF-L, Multifamily Low Density. The applicant is proposing to have two (2) residential units on the property. Each unit will have two (2) bedrooms. A maximum of five (5) units (18,500 ft.² ÷ 3,500 ft.²) would be allowed on the subject property. Household living is permitted in the MF-L District.

The applicant is also requesting a variance to reduce the street side yard setback for the existing structure from 20 feet to seven (7) feet to come into compliance with the Code.

Any future demolition, development 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 and building code and engineering standards.

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 and variance request for the subject property are consistent with several goals and objectives of the Comprehensive Plan (Land Use and Development, Housing chapters). The existing land use of the surrounding properties is mixed use. The requested zone change and variance request will not be detrimental to the surrounding neighborhood and will not be a spot zone.

The proposed zone will not impose restrictions upon the surrounding lands, nor will it grant special privileges not generally associated with the MF-L District.

STAFF CONCLUSION
Staff concludes that approval of ZC 19-55 to (1) a zone change from LNC, Local Neighborhood Commercial District to the MF-L, Multifamily Low Density District to allow for residential use on the property and (2) a variance request to reduce the street side yard setback for the existing structure only from 20 feet to seven (7) feet to come into compliance with the Code for property located at 706 W. Apache Street is appropriate. The current land use for this area is mixed use and the proposed zone change and variance request is compatible with the surrounding area.

STAFF RECOMMENDATION
The Community Development Department recommends approval of Petition ZC 19-55, a request from J. W. Easley for (1) a zone change from LNC, Local Neighborhood Commercial District to the MF-L, Multifamily Low Density District to allow for residential use on the property and (2) a variance request to reduce the street side yard setback for the existing structure from 20 feet to seven (7) feet to come into compliance with the Code for property located at 706 W. Apache Street with the following condition(s):

- Variance to the required 20-foot street side yard setback shall apply for the existing structure only. If the existing structures are removed/demolish for any reason, they shall be replaced at 20 feet from the street side yard setback from the property line.
Photo of subject property

Sketch of Subject Property
CITY OF FARMINGTON
FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECISION
ZONE CHANGE 09-09

REQUEST:
Petition ZC 09-09 from Wayne M. Dale for a zone change from the OP, Office and Professional District to the LNC, Local Neighborhood Commercial District for 0.38 acres located at 706 West Apache Street.

PUBLIC PARTICIPATION:
A. Publication of Notice for this public hearing appeared in the Daily Times on Wednesday, November 25, 2009. Property owners within 100 feet were sent notice by certified mail on Tuesday, November 24, 2009 and a sign was posted on Tuesday, November 24, 2009.

B. The Planning and Zoning Commission held a public hearing on Thursday, December 10, 2009. The petitioner was present at the hearing and spoke in favor of the zone change. The Community Development Department received phone calls from neighbors inquiring about the petition, though no written comment was received.

SUMMARY OF RELATED FACTS:
The Property

<table>
<thead>
<tr>
<th>Location</th>
<th>706 West Apache Street.</th>
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</thead>
<tbody>
<tr>
<td>Physical Characteristics</td>
<td>Converted residential building used as a commercial building, trees and vegetation.</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Vacant.</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>OP, Office and Professional District</td>
</tr>
</tbody>
</table>

Surrounding Zoning and Land Use

<table>
<thead>
<tr>
<th>North:</th>
<th>SF-7, Single-family Residential District / Residence</th>
</tr>
</thead>
<tbody>
<tr>
<td>South:</td>
<td>GC, General Commercial District /Residence</td>
</tr>
<tr>
<td>East:</td>
<td>SF-7, Single-family Residential District /Residence</td>
</tr>
<tr>
<td>West:</td>
<td>OP, Office and Professional District / Commercial and SF-7, Single-family Residential / Residence</td>
</tr>
</tbody>
</table>

Description of Proposed Activity
The petitioner is requesting a zone change from the OP, Office and Professional District to the LNC, Local Neighborhood Commercial District. The property is 0.38 acres on the northeast corner of West Apache Street and San Juan Place.

Farmington Comprehensive Plan
The Farmington Comprehensive Plan's Future Land Use Plan shows the area designated as Office Professional. The current OP district zoning for this area is consistent with this Comprehensive Plan designation. The LNC district which the petitioner has requested allows office and professional uses, but also allows some retail and service establishments.
The property owner has inquired in the past about leasing to retail and service uses which are not allowed in the OP district. He is requesting this zone change to allow a beauty salon. This zone change will make it possible to lease to the type of tenants who are attracted to the location.

According to Section 3.12 of the City of Farmington Unified Development Code (UDC), the 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. West Apache Street is a minor arterial on the City's Major Thoroughfare Plan and San Juan Place is a local street.

FINDINGS:
1. The area for this zone change is 0.38 acres located at 706 West Apache Street. The area of this zone change is legally described as Tract B of the Apache Subdivision.

2. Wayne M. Dale is the owner of the property.

3. The property for this zone change is currently zoned OP, Office and Professional District. The property owner is requesting a zone change to the LNC, Local Neighborhood Commercial District.

4. Section 3.12.2 of the UDC provides recommended location requirements for LNC districts, stating that rezoning to the LNC district may be limited to areas within 1000 feet of the intersection of a two collectors streets, areas within 1000 feet of the intersection of a collector and a local street, or any node on all four corners of intersections in areas that are at least one-half a mile away from another LNC district.

5. According to the City of Farmington Major Thoroughfare Plan, Apache Street is a minor arterial street and San Juan Place is a local street. Section 3.12 of the UDC does not provide a guideline for locations along arterials. The area of this zone change is across West Apache Street from another recently rezoned LNC district.

6. According to Section 3.12.1 of the UDC, the LNC district is appropriate for application in areas that are already developed with commercial uses to serve adjoining neighborhoods. Retail and service uses are located along West Apache Street adjacent to existing residential neighborhoods.

7. The City of Farmington Comprehensive Plan anticipates office professional uses for the area of this zone change. According to Table 2.3 of the UDC, the LNC district allows office and professional uses, but also allows retail and service uses not allowed in the OP district. The present zone change request to the LNC district is not consistent with the Comprehensive Plan.

8. Section 3.12 of the UDC requires that a site plan shall be approved and filed with the findings of fact and conclusions of law as part of the approval.

9. The amount of required off-street parking will be determined at the time business licenses are issued for the property.
10. Section 8.7.5 of the UDC states that the Planning and Zoning Commission may recommend and the City may approve reasonable conditions upon the granting of a zone change, including installation of paving.

11. The area of this zone change must comply with Residential Protections stated in Section 5.10 of the UDC relating to setbacks, building height, screening, waste receptacles and outdoor lighting.

PLANNING AND ZONING COMMISSION ACTION December 10, 2009:
Motion was made by Commissioner Dennis Irie, seconded by Commissioner Lonnie Moffett to approve Petition ZC 09-09, a zone change request from Wayne M. Dale from the OP, Office and Professional District to the LNC, Local Neighborhood Commercial District for 0.38 acres located at 706 West Apache Street on the northeast corner of West Apache Street and San Juan Place, with the condition that the petitioner shall provide an amended site plan showing the paved parking and if parking is not existing, the petitioner shall install the paved parking and access.

AYE: Chairman Shields, Commissioners Buchanan, Byrom, Irie, Moffett and Simpson.
NAY: None.
ABSTAINED: None.
ABSENT: Commissioners Bird, Cardon, Kutchera and Williams.

THE MOTION PASSED 6-0.

COUNCIL ACTION:
On January 12, 2010, the City Council adopted the Planning and Zoning Commission Action Summary and approved Petition ZC 09-09, a request from Wayne M. Dale for a zone change from the OP, Office and Professional District to the LNC, Local Neighborhood Commercial District for 0.38 acres located at 706 West Apache Street on the northeast corner of West Apache Street and San Juan Place, with the condition that the petitioner shall provide an amended site plan showing the paved parking and if parking is not existing, the petitioner shall install the paved parking and access.

Approved this 12th day of January 2010.

ATTEST:

William E. Standley, Mayor
Dianne Fuhrman, City Clerk

LEGAL DEPARTMENT
APPROVED AS TO FORM

BY: [Signature] DATE: 1/2/10
Mr. Gus Byrom, Assistant Public Works Director, explained that the Standards set forth the minimum standards that anyone wishing to do business of an aviation nature at the Airport must meet. General requirements are good moral character, financial ability, insurance coverage and a prospectus of the proposed activity. The Standards also specify standards that must be met for different types of businesses such as flight training, aircraft charter and taxi, aircraft rental and sales, fuel and oil sales, and other aviation activities. Mr. Byrom said the document is both desirable to the community and required by FAA which states that the City must establish a fair and reasonable set of Standards.

In answer to the Council, Mr. Byrom said the only business at the Airport that is not in conformity does not have a contract with the City. At the suggestion of the Council, Mr. Byrom said the Standards would be revised to be more specific in the area of requiring 24 hour availability for gasoline and oil sales.

Motion made by Councilman Culpepper, seconded by Councilman Hall, to direct the Legal Department to prepare a resolution pertaining to the Minimum Standards for Commercial Aviation Activities to be Conducted at the Farmington Municipal Airport and upon voice vote the motion carried unanimously.

(b) Approval of revision of the terminal building to include a location for incoming baggage for passengers inside the terminal building.

(c) Approval of relocating motel phones and increasing the rate charges.

(d) Approval of erection of canopies over the deplaning and replaning areas for protection of passengers from the weather.

(e) Approval of use of the gravel area south of the parking lot for overnight parking and prohibiting overnight parking in other unmarked areas.

Mr. Byrom asked the Council to defer action as he would like time to study the proposals and make a recommendation on the feasibility and cost involved.

It was the consensus of the Council that consideration of items (b) through (e) be deferred pending a report from Staff.

RECOMMENDATIONS FROM PLANNING AND ZONING COMMISSION:

(a) Approval of Petition No. 426 from Lawrence A. Brewer asking for a zoning change from R-1B, Single Family, to R-2, Multiple Family, for Lots 1 and 2 of Block 2 in the Apache Subdivision to build one four-plex.

In answer to the Mayor, Mr. Scott Brown, Zoning Administrator, said there were no objections from the surrounding property owners.

Motion made by Councilman Culpepper, seconded by Councilman Hall, to approve the zoning change requested in Petition 426 as recommended by the Planning and Zoning Commission and upon voice vote the motion carried unanimously.

(b) Approval of the following R-MH Zoning District and Special Mobile Home Areas where Special Use Permits are not required:
Letter of Support

GRAND HYATT

I, Sixto Campos, Secretary, support the proposed zone change ZC 19-55 as recommended by the City.  

6-24-19
# PLANNING MEMO COMMENTS SUMMARY

**ZC 19-55 706 W. APACHE**  
**Deadline: 6/21/19**

## City of Farmington Departments

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<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>CD</td>
<td>Director</td>
</tr>
<tr>
<td>CD</td>
<td>Addressing – Planning Division</td>
</tr>
<tr>
<td>CD</td>
<td>Chief Building Official – D. Childers</td>
</tr>
<tr>
<td>CD</td>
<td>Long Range Planner</td>
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<tr>
<td>CD</td>
<td>MPO</td>
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<tr>
<td>CD</td>
<td>Oil &amp; Gas Inspector – L. Simms</td>
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<tr>
<td>CITY</td>
<td>City Manager’s Office – J. Baird</td>
</tr>
<tr>
<td>ELEC</td>
<td>Customer Care Manager – L. Richardson</td>
</tr>
<tr>
<td>ELEC</td>
<td>Electrical Engineering – L Aligarbes</td>
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<td>ELEC</td>
<td>T &amp; D – R. Romero</td>
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<tr>
<td>FIRE</td>
<td>Fire Captain – K. Rix</td>
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<td>FIRE</td>
<td>Fire Marshall – B. Vega</td>
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<tr>
<td>LEGAL</td>
<td>City Attorney – J. Breakell</td>
</tr>
<tr>
<td>LEGAL</td>
<td>Deputy City Attorney – E. Wayne</td>
</tr>
<tr>
<td>POLICE</td>
<td>Code Compliance – M. Romero</td>
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<tr>
<td>POLICE</td>
<td>Sergeant – P. Flores</td>
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<tr>
<td>PRCA</td>
<td>S. Reeves/ R. Crosby</td>
</tr>
<tr>
<td>PRCA</td>
<td>ORII – C. Styron</td>
</tr>
<tr>
<td>PW</td>
<td>City Engineer – N. Westerling</td>
</tr>
<tr>
<td>PW</td>
<td>Engineering – T. Sitta</td>
</tr>
<tr>
<td>PW</td>
<td>Streets Superintendent</td>
</tr>
<tr>
<td>PW</td>
<td>Traffic Engineer – I. BlueEyes</td>
</tr>
<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
</tr>
</tbody>
</table>

### No Comments for Zone Change.

However, any structural development that increases the footprint of the existing structure or any new structures may require the installation of sidewalks, adjacent to the property, along San Juan place and the update of sidewalks along Apache Ave to meet Americans with Disabilities Act (ADA) standards.

## Other Entities
<table>
<thead>
<tr>
<th>Company/Person</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – D. Willato</td>
<td></td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td></td>
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<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
</tr>
<tr>
<td>CH2M HILL OMI</td>
<td></td>
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<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td></td>
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<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
**PETITION APPLICATION**

**Community Development Department**
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

**PROJECT TYPE (Check Those Applicable)**

- ☑ Annexation and/or Zoning
- ☐ Preliminary Plat
- ☐ Final Plan
- ☐ Summary Plat
- ☐ Special Use Permit
- ☐ Variance (ARB)
- ☑ Zone Change to HF-1 District
- ☐ Temporary Use Permit
- ☐ Proposed Length of Use:
- ☐ Well site equipment modification

**INFORMATION**

- **Applicant's Name:** J.W. Easley
- **Address:** 708 West Douglas St.
- **E-Mail:**
- **Telephone:** 505-380-1579
- **Relationship to Property Owner:**
- **Project Location:** 708 Apache St.
- **Existing Use:** Rental
- **Proposed Use:** Multiple Family
- **Current Zoning:** Commercial
- **Assessor's Parcel I.D. and/or Tax I.D. Number:** 2076172440013

**LEGAL DESCRIPTION OF SUBJECT PROPERTY:** Apache Subdivision Tract B IRS 1627, P.O. 76

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

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

- **Name:** J.W. Easley
- **Address:** 708 West Douglas St., Farmington, NM 87401
- **E-Mail:**

**OWNERSHIP**

- **PROPERTY OWNER:** (J.W. Easley, General Partner)
  Corporation President and Secretary, Specified type of ownership interest: Fee, Real Estate Contract, Option to Purchase
- **MORTGAGE HOLDERS (if any):**

**OWNER CERTIFICATION**

I certify that I am an owner and the information herein is 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 meeting following the P&Z review.

- **Name:** J.W. Easley
- **Owner's Signature:**
- **Address:** 708 West Douglas St., Farmington, NM 87401
- **Phone/Email:** 505-380-1579

**Received By:**

- **Date:** 6/11/19
- **Fee Received:** $100
- **Project File No.:** 2019-55-708 Apache
- **Date of Hearing/Meeting:** 7/11/19, CC 7/12/19

**STAFF USE ONLY:****

- ☑ Blueline Copies of Plans
- ♦ Ownership Report (subject and surrounding properties)
- □ Legal Description
- □ Detailed Statement of Proposed Use
Request Zone Change 706 West Apache St.

Purchase of residential property to repair and use as rental property. City of Farmington has property as commercial property. Requesting the City of Farmington to change to Multiple Family use. Need zone change to obtain second address for apartment on back side of house. With second address could apply for electric and gas meters for apartment. This would improve the use of the property.

William W. Easter

6-12-19
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 19-68 - a request from J.W. Easley for (1) a zone change from the LNC, Local Neighborhood Commercial District, to the MF-L, Multifamily Low Density District, and (2) a variance to reduce the street side yard setback for the existing structure for conformity located at 706 W. Apache Street, in the City of Farmington, San Juan County, New Mexico, as described

LEGAL DESCRIPTION
Tract 8, in Block 1, of the Apache Subdivision, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 13, 1950.

Petition No. SUP 19-60 - a request from Security Finance of New Mexico, LLC, DBA Commercial Loans, represented by Robert Denning for a Special Use Permit to allow a loan company to do business in the LNC, Local Neighborhood Commercial District for property located at 2222 E. 20th St., in the City of Farmington, San Juan County, New Mexico, as described above.

LEGAL DESCRIPTION
That part of Lot 3 and all of Lot 3, in Block 3 of the Hanttinger Subdivision, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1964. Otherwise known as 2222 E. 20th St.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, notice is hereby given that these petitions will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, July 25, 2019, at 3:00 p.m., in the City Council Chambers at City Hall, 900 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, these petitions will be considered by the City Council on Tuesday, August 13, 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
NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-55

July 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 J.W. Easley for (1) a zone change from the LNC, Local Neighborhood Commercial District, to the MF-L, Multifamily Low Density District, and (2) a variance to reduce the street side yard setback for the existing structure, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Tract B, in Block 1, of the Apache Subdivision, in the City; of Farmington, San Juan County, New Mexico.
Otherwise known as 706 W. Apache St.

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, July 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, August 13, 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:

Tract B, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record February 13, 1950.

TRACT 1
James W. Easley and William W. Easley
708B West Douglas
Farmington, NM 87401

TRACT B, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1627, page 96

TRACT 2
BBR, LLC
P.O. Box 2019
Farmington, NM 87499

Lots 1 and 2, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County New Mexico, filed February 13, 1950.

Book 1467, page 631

TRACT 3
Deanna K. Schulte
507 San Juan Place
Farmington, NM 87401

Lot 3, and that part of Lots 1 and 2, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1360, page 959
Book 1088, page 349

TRACT 4
Christopher H. Woods
5205 Hallmarc Drive
Farmington, NM 87401

Lot 4, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1621, page 64

TRACT 5
Robert W. Dinning Trust
7219 Driftwood Avenue
Farmington, NM 87402

Lot 5, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1633, page 821
Book 1192, page 352
TRACT 6
Freddie L. Hudgins and Maxine Hudgins Trust
2 County Road 2853
Aztec, NM 87410

Lot 10, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1139, page 951
Book 785, page 178

TRACT 7 & 9
Ruby H. Brown Trust
1805 Laguna
Farmington, NM 87401

That part of Lot 10, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

AND

That part of Tract A, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1117, page 380
Book 1044, page 364
Book 978, page 33

TRACT 8
Martin A. Salazar
14686 Blue Wings Way
Colorado Springs, CO 80921

Lot 4, in Block 2, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1640, page 769
Book 1640, page 768

TRACT 10
Jeri Herrera and Zeilith Overlin
505 Glade Place
Farmington, NM 87401

Lot 3, in Block 2, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1342, page 888
TRACT 11
Sixto Campos-Ramirez
704 West Apache
Farmington, NM 87401

That part of Tract A, in Block 1, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1582, page 588

TRACT 12
Kaine Revocable Trust
1830 Boston Drive
Las Cruces, NM 88001

Lots 1 and 2, in Block 2, of the APACHE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed February 13, 1950.

Book 1414, page 750

TRACT 13 & 15
City of Farmington
800 Municipal Drive
Farmington, NM 87401

Lot 2, of the BARLOW SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed December 19, 2001.

AND

A tract of land located in the N½NW¼NW¼ and the NW¼NW¼, of Section 16, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1334, page 119

AND

Book 1294, page 714

TRACT 14
Childhaven Foundation, Inc.
807 West Apache Street
Farmington, NM 87401

Lot 1, of the BARLOW SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed December 19, 2001.

Book 1625, page 582
TO: May 24, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

[Signature]

By: Shay Terry, Abstractor
COMMUNITY DEVELOPMENT
PETITION REPORT
Petition SUP 19-60 Special Use Permit to allow for a loan company at
2222 Suite B E. 20th Street
in the LNC, Local Neighborhood Commercial District

A. STAFF REPORT, July 25, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Security Finance of New Mexico, LLC dba Continental Loans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Robert Dinning</td>
</tr>
<tr>
<td>Date of Application</td>
<td>June 21, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Approval of a special use permit to allow for a loan company in the LNC, Local Neighborhood Commercial District.</td>
</tr>
<tr>
<td>Location</td>
<td>2222 Suite B, E. 20th Street (R0023879)</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Office</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>LNC, Local Neighborhood Commercial District</td>
</tr>
<tr>
<td>Notice</td>
<td>Publication of Notice for public hearings of the Planning and Zoning Commission and City Council appeared in the Daily Times on Sunday, July 7, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, July 3, 2019 and a sign was posted on Friday, July 13, 2019.</td>
</tr>
<tr>
<td>Staff Planner</td>
<td>Helen Landaverde, Associate Planner</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS

Background
The applicant Security Finance of New Mexico, LLC dba Continental Loans, represented by Robert Dinning, is requesting a Special Use Permit to allow for the relocation of an existing loan company/financial services office (Continental Loans) at 2222 Suite B, E. 20th Street in the LNC, Local Neighborhood Commercial District. Pursuant to UDC 2.3 Use Table, Loan Companies, considered to be an office use, are
permitted in the LNC District with approval of a Special Use Permit. The applicant is proposing to relocate the loan company/financial services office from 1903 E. 20th Street (GC, General Commercial District) to 2222 Suite B, E. 20th Street.

Pursuant to UDC 2.7.5 B Office.

(1) **Characteristics.** Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

(3) **Examples.** Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; publishers; data processing; sales offices; government offices and public utilities offices; TV and radio studios; medical and dental clinics (including minor emergency centers), medical and dental labs; and blood-collection facilities.

San Juan County Tax Assessor’s records show that the size of the subject property (parcel R0023879) is 0.547 acres and is owned by D & B 20th Street LLC. The existing building measures approximately 8,098 ft.². The property is in the Huntzinger Subdivision Lot 2 and 3 in Block 3.

The surrounding area is commercial and residential.

**Figure 1. Proposed relocation for loan company/financial services office.**
Proposal
According to the applicant, Security Finance of New Mexico, LLC dba Continental Loans has been in business for nearly 30 years in the City of Farmington. The applicant would like to relocate the existing financial services office to 2222 Suite B, E. 20th Street within the existing commercial strip center (8,098 ft.²) and is proposing to occupy 2000 ft.² of floor area (see Figure 2).

The applicant stated that the proposed office relocation would allow for “easier parking access for customers and more office space.”

Figure 2. Proposed Floor Plan
Parking
Pursuant to the UDC 5.2.3 Minimum off-street parking requirements the proposed use requires a minimum of 1.0 parking space per 250 ft.² (see Table 1). The total minimum off-street parking spaces required are 8 marked spaces, including ADA parking. There are two existing uses in the commercial strip center, Cannon (wholesale sales office) and ASAP MVD (office). It does not appear that the proposed use will interfere with the required off-street parking for the existing uses on the subject property.

According, to the applicant the Cannon wholesale sales office occupies approximately 2,000 ft.² of floor area. The minimum required off-street parking for this use is 0.6 per employee. The ASAP MVD office/service provider also occupies approximately 2,000 ft.² of floor area. The minimum required off-street parking for this use is 1.0 per 250 ft.² (8 spaces).

There are currently 12 parking spaces that are marked, but not clearly designated (see photos pages 9-10). Pursuant to UDC 5.2.11 Parking design standards.

A. Markings.

(1) Required parking spaces shall be permanently and clearly designated for all facilities requiring five or more spaces. Each such parking space and off-street parking facility shall be identified by surface markings and shall be maintained in a manner so as to be readily visible and accessible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Marking required to be maintained in a highly visible condition include striping, directional arrows, lettering on signs and in handicapped designated areas, and field color.

The applicant is proposing to utilize the rear yard area for additional parking (see pages 11-12).

Table 1. Minimum off-street parking requirements

<table>
<thead>
<tr>
<th>UDC 5.2.3 Minimum off-street parking requirements</th>
<th>Minimum number of space required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 per 250 sq. ft.</td>
<td>8</td>
</tr>
<tr>
<td>Total minimum off-street parking</td>
<td>8</td>
</tr>
</tbody>
</table>
The applicant is proposing to maintain the same hours of operation at 2222 Suite B, E. 20th Street; Monday to Friday 9:00 a.m. – 6:00 p.m. and Saturday by appointment only.

**Consistency with the Comprehensive Plan**

The 2020 Future Land Use Plan recommends commercial for the subject property. The proposed use is considered to be an office use and offices are permitted by right in the City’s commercial district, General Commercial, including loan companies/financial services office. The proposed use would promote and facilitate the City’s Economic Development Plan, core goals of the Comprehensive Plan:

"Goals.

3. Affirmative support of local business creation, retention and expansion\(^1\).

**Priorities.**

4. **Businesses and industries that produce goods or services locally, for distribution within the region to displace imported goods and services\(^2\).**"

Figure 3. Future Land Use Plan

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2. *ibid.*
Unified Development Code (UDC)
UDC 8.9A. Special Use Permits:

A. Except as provided herein or specified in the conditions of a special use permit, ownership of a special use permit is not transferrable. However, special use permits associated with nonresidential uses are transferrable.

If the SUP is approved, the approved SUP for the relocation of the loan company/financial services office would "run with the land".

Special Use Permit Criteria – Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

A. Effect on environment: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to the neighboring property.

The proposed loan company/financial services office is permitted with an approved special use permit in the LNC District. It is not anticipated that the proposed use will be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor will it be injurious to the neighboring property.

The proposed use is compatible with other local services, commercial and institutional uses, along 20th Street which are also zoned LNC.

B. Compatible with surrounding area: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

The applicant has submitted a site plan. The proposed relocation of the loan company/financial services office is compatible and is in harmony with the character of the surrounding area. The uses along 20th Street are commercial and institutional uses. The applicant is proposing to continue to provide their services in the City of Farmington.

Any future development, redevelopment, and demolition will need to meet established requirements of the zone district and off-street parking regulations.
C. **External impacts minimized:** The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.

The subject property has already been developed. Public facilities have been provided. The applicant is proposing to relocate an existing loan company/financial services office on the subject property. The applicant is required to mitigate any adverse impacts to the area.

D. **Infrastructure impacts minimized:** The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

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

E. **Consistent with the UDC and Comprehensive Plan:** The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

The proposed use (loan company/financial services office) supports the Comprehensive Plan's Economic Development chapter. The 2020 Future Land Use Plan recommends commercial for the subject property. The proposed use is considered to be an office use and offices are permitted in the City's commercial district. The proposed loan company/financial services office is permitted in the LNC, Local Neighborhood Commercial District with an approved Special Use Permit. The proposed loan company/financial services office in the LNC District is consistent with the UDC and the Comprehensive Plan.

F. **Parcel size:** The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

N/A

G. **Site Plan:** The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

The applicant provided a site plan that conforms to the standards of Section 8.5 (see attachment).
STAFF CONCLUSION

Staff concludes approval of SUP 19-60 is appropriate. Staff has determined that the proposed relocation of a loan company/financial services office supports the goals and priorities of the Economic Development in the City’s Comprehensive Plan. Additional, the proposed use is considered to be an office use and offices are permitted in the City’s commercial districts by right or with an approved Special Use Permit. Staff does not anticipate any adverse effects on the surrounding area due to the proposed use.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition SUP 19-60, a request from Security Finance of New Mexico, LLC dba Continental Loans, represented by Robert Dinning, for a Special Use Permit to allow for the relocation of the existing loan company/financial services office (Continental Loans) at 2222 Suite B, E. 20th Street in the LNC, Local Neighborhood Commercial District and subject to the following conditions/UDC requirements:

- Pursuant to 5.2.11 Parking design standards. The applicant is required to clearly designate all of the minimum off-street parking spaces (8 spaces) including ADA parking. The surface markings shall be maintained visible and accessible at all times including handicapped designated areas.
Photo of subject property
Marked parking spaces not well defined
Proposed additional parking

Side street yard parking area
Rear yard parking area
# PLANNING MEMO COMMENTS SUMMARY

**SUP 19-60 2222 B E. 20TH ST.**  
**Deadline: 6/28/19**

## City of Farmington Departments

<table>
<thead>
<tr>
<th>Department</th>
<th>Comments</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>No comment</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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<td>CITY City Manager's Office – J. Baird</td>
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<tr>
<td>ELEC Customer Care Manager – L. Richardson</td>
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<td>ELEC Electrical Engineering – L Aligares</td>
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<td>ELEC T &amp; D – R. Romero</td>
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<tr>
<td>FIRE Fire Captain – K. Rix</td>
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<tr>
<td>FIRE Fire Marshall – B. Vega</td>
<td>No comment</td>
</tr>
<tr>
<td>LEGAL City Attorney – J. Breakell</td>
<td></td>
</tr>
<tr>
<td>LEGAL Deputy City Attorney – E. Wayne</td>
<td>No comment</td>
</tr>
<tr>
<td>POLICE Code Compliance – M. Romero</td>
<td>No comment</td>
</tr>
<tr>
<td>POLICE Sergeant – P. Flores</td>
<td></td>
</tr>
<tr>
<td>PRCA S. Reeves/ R. Crosby</td>
<td>No comment</td>
</tr>
<tr>
<td>PRCA ORII – C. Styron</td>
<td></td>
</tr>
<tr>
<td>PW City Engineer – N. Westerling</td>
<td>Is there a parking agreement with Blake’s or is there adequate parking on the lot? The lot line is shifted on the assessors map. (We did ROW acquisition from Blake’s for the driveway which makes the parking on Blake’s lot)</td>
</tr>
<tr>
<td>PW Engineering – T. Sitta</td>
<td>No comment</td>
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<tr>
<td>PW Streets Superintendent</td>
<td></td>
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<tr>
<td>PW Traffic Engineer – I. BlueEyes</td>
<td></td>
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<tr>
<td>PW Water/Waste Water – M. Tso</td>
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</tbody>
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## Other Entities

<table>
<thead>
<tr>
<th>Entity</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
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<tr>
<td>CenturyLink – D. Willato</td>
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<td>Enterprise Field Services</td>
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<td>Comcast Cable – M. Johnson</td>
<td></td>
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<tr>
<td>CH2MILL OMI</td>
<td></td>
</tr>
<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td></td>
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<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>

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40
**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

**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) 599-1299 (Fax)

**INFORMATION**

Applicant's Name:

Security Finance of New Mexico

Address:

P.O. Box 8176, Albuquerque, NM 87198

E-Mail:

Jude.Fernandez@securitiesfinance.com

Telephone:

505-599-8863

Relationship to Property Owner (Lease company):

Legal Description of Subject Property:

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: Robert Dimmig

E-Mail: rdimmig@msn.com

Phone: 505-327-3903

**OWNERSHIP**

**PROPERTY OWNER** (Identify General Partner, Managing Partner, etc.):

Robert Dimmig

Phone: 505-327-3903

Address: 2719 Derrick Road, Farmington, NM 87402

**MORTGAGE HOLDERS (If Any):**

Name:

Phone:

Address:

**OWNER CERTIFICATION**

I certify that I am the owner and the information and exhibits herein 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 to interest the request will not be accomplished.

I further certify that the request described in this application, if approved, will not result in non-compliance with the City of Farmington or Planning and Zoning Commission regulations.

If the request is denied, I agree to comply with the decision of the City Council. If the decision is appealed to the State of New Mexico, I agree to comply with the decision of the State of New Mexico Court. The decision of the State of New Mexico Court is final and binding.

**STAFF USE ONLY**

Received By:

Date:

Fee Received:

Project File No.:

Date of Hearing/Meeting:

□ Blueprints of Plans

□ Ownership Report (subject and surrounding properties)

□ Legal Description

□ Detailed Statement of Proposed Use
Continental Loans has been on 20th Street for nearly 30 years. We make small loans to the public. Our business is office/professional. We work Monday through Friday from 9 am to 6 pm and Saturday by appointment only. We are moving to the proposed location about three blocks from our current location. The move is to accomplish two things — easier parking access for our customers and more office space.

The zoning at the proposed location is LNC, and loan companies are an allowed use with a special use permit.
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. 20-19-60 - a request from J.W. Estey (A) to (1) change the zoning of the NF (Light Commercial) District on the Zoning Map of Farmington, New Mexico, to the NF (Light Commercial) District, and (2) a variance to reduce the setback from 80 feet to 40 feet for the existing structure for property located at 2222 E. 20th Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Lot 1, in Block 3, of the Apache Subdivision, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Apache Subdivision filed for record February 13, 1960.

Otherwise located at 2222 E. Apache Street

Petition No. 20-19-60 - a request from Security Finance of New Mexico, LLC, DBA Continental Loans, represented by Robert C. Chinn, for a Special Use Permit to allow a loan company to do business in the NF (Light Commercial) District for property located at 2222 E. 20th St., in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of Lot 2 and all of Lot 3, in Block 3 of the Hartinger Subdivision, in the City of Farmington, San Juan County, New Mexico, filed for record August 10, 1955.

Otherwise known as 2222 E. 20th St.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that these petitions will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington for Thursday, July 29, 2021 at 5:00 p.m. at the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered at the City Council of Tuesday, August 11, 2021, at 5:00 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
NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 19-60

July 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 Security Finance of New Mexico, LLC, DBA Continental Loans, represented by Robert Dinning for a Special Use Permit to allow a loan company to do business in the LNC, Local Neighborhood Commercial District for property located at 2222 B E. 20th Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of Lot 2 and all of Lot 3, in Block 3 of the Huntzinger Subdivision, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1954.
Otherwise known as 2222 B E. 20th St.

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, July 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, August 13, 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 hlrandaverde@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 I:

TRACT I
The East 33.3 feet of Lot Two (2) and the West 30.2 feet of Lot Three (3), in Block Three (3), of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record August 18, 1954.

AND

TRACT II
Lot Three (3) LESS AND EXCEPT the West 30.2 feet thereof, in Block Three (3), of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record August 18, 1954.

TRACT 1
D & B 20th Street, LLC
7219 Driftwood
Farmington, NM 87402

That part of Lot 2 and all of Lot 3, in Block 3, of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1954.

Book 1624, page 203

TRACT 2
Blakely's Lumber Co., LLC
3205 Richmond Drive NE
Albuquerque, NM 87107

Lot I and that part of Lot 2, in Block 3, of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1954.

Book 1367, page 588

TRACT 3 & 4
The Church of Christ of Farmington
2012 Huntzinger Avenue
Farmington, NM 87401

Lots 13 and 14, in Block 1, of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1954.

Book 1322, page 708

AND

Lots 13 and 14, in Block 2, of the HUNTZINGER SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record August 18, 1954.

Book 528, page 77
TRACT 5
Haddon S. Wilson and A. Kathleen Wilson Trust
2405 Catalina Court
Farmington, NM 87401

Lot 2 and that part of Lot 1, in Block 4, of the
HUNTZINGER SUBDIVISION, in the City of
Farmington, San Juan County, New Mexico, filed
for record August 18, 1954.

Book 983, page 596

TRACT 6
Murphy Development, LLC
5601 Preserve Drive
Farmington, NM 87401

That part of Lot 1, in Block 4, of the
HUNTZINGER SUBDIVISION, in the City of
Farmington, San Juan County, New Mexico, filed
for record August 18, 1954.

Book 1584, page 514

TRACT 7
United States Postal Service
2301 East 20th Street
Farmington, NM 87401

Tract 2, of the REPLAT OF TRACTS C, D, & E
REGENCY PARK SUBDIVISION, in the City of
Farmington, San Juan County, New Mexico, filed
for record April 17, 1985.

Book 1022, page 246

TO: June 12, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Lorraine Balbena, Abstractor
The Planning and Zoning Commission met in a regular session on June 27, 2019 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:
Chair-Joyce Cardon
Ryan Brown
Kristin Langenfeld
Elizabeth Lockmiller
Cheryl Ragsdale
Mitch Sewell

P&Z Members Absent:
Shay Davis
Clint Freeman
Wayne Mangum
Gary Smouse
Cody Waldroup

Staff Present:
Francisco Alvarado
Derrick Childers
Andrea Jones
Cindy Lopez

Others Who Addressed the Commission:
Ricky Wenzel

Call to Order
Chair Joyce Cardon called the meeting to order at 3:02 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 Sewell to approve the minutes of the June 13, 2019 P&Z Meeting. This motion was approved unanimously by a 6-0 vote.

Swearing in of Witnesses
Andrea Jones swore in all parties that wished to speak on behalf of any agenda items.
CONSIDERATION & RECOMMENDATION
ABD 19-51
Abandonment of City right-of-way from residential property lines to
Five feet from curb at the cul-de-sac on Hillcrest Place

Planning & Zoning Commission Discussion of Petition ABD 19-51 on June 27, 2019

Associate Planner Francisco Alvarado presented the staff report for ABD 19-51, a request from the property owners on Hillcrest Place, represented by Ricky Wenzel, for the abandonment of City property. The abandonment will begin at the residential property lines and end 5 feet behind the curb of a cul-de-sac on Hillcrest Place in the Country Club Manor Replat E Subdivision in the SF-10, Single Family Residential District.

Ricky Wenzel, one of the petitioners, and representative, whose property is located at 6403 Hillcrest Place on the cul-de-sac, was initially granted a variance in 2018 to reduce the front yard setback from 30 feet to 20 feet, to allow for a detached 30’ x 50’ two-car garage/shop on the property. A second variance was approved for an additional curb cut of 26 feet providing access from the cul-de-sac to the garage.

The Summary Plat for Country Club Manor Subdivision shows that a 200-foot diameter cul-de-sac on Hillcrest Place was dedicated to the City in 1958. A proposed center island was never built, and the cul-de-sac was paved 80 feet, without sidewalks. The area between the back of curb and residential property lines remains as unimproved City right-of-way.

Following the 20-foot setback variance approval in 2018, the applicant considered his property line to be 5 feet behind the back of curb, and thought to build the garage 25 feet from the back of curb. This resulted in an encroachment of 5.5 feet onto dedicated City property, according to a licensed surveyor. The garage overlaps into the cul-de-sac by approximately 151 sq. ft.

The petitioner and representative is requesting an abandonment of City property, beginning at residential property lines and ending 5 feet behind the back of curb of a cul-de-sac on Hillcrest Place.

Pursuant to UDC 6.4.7F states that cul-de-sacs shall have a minimum right-of-way diameter of 90 feet, and a minimum outside edge-of-pavement radius of 40 feet exclusive of curbs. The current paved radius in the cul-de-sac complies with the UDC, with a diameter of approximately 80 feet. The proposed abandonment would leave space for a 5-foot wide future sidewalk.
around the cul-de-sac. The added pedestrian right-of-way would increase the diameter by 10 feet and bring the cul-de-sac into compliance with the UDC requirement of 90 feet.

Currently, three properties in the cul-de-sac do not meet the required setbacks. The abandonment would bring those properties into compliance with the UDC code. The abandonment would allow the petitioner to meet the 20-foot front yard setback permitted by the approved variance.

Commissioner Brown asked about the original use of the right-of-way. Mr. Alvarado said the right-of-way was originally intended to help with traffic and was to include a center island and sidewalks that were never built.

Commissioner Sewell asked about the 90-foot minimum and the 80 foot paved minimum. Mr. Alvarado said the 5-foot sidewalk on either side would amount to the 90 feet. It was noted that there were not any variances found for this development.

Ricky Wenzel, 6403 Hillcrest Place, said he had obtained the variance to be 20 feet from the property line and assumed it was 5 foot from the curb. Mr. Wenzel said when he bought his property he was given a survey. Later he realized the fine print said it was not a boundary survey. It was not until after he had built his garage that he found out it was just behind City property.

Commissioner Langenfeld asked Mr. Wenzel if he had read the conditions recommended with the approval of this petition. Mr. Wenzel said he did not have any problems with the conditions.

Planning & Zoning Commission Action of Petition ABD 19-51 on June 27, 2019
A motion was made by Commissioner Langenfeld and seconded by Commissioner Ragsdale to approve Petition ABD 19-51, a request from the property owners on Hillcrest Place, represented by Ricky Wenzel, for the abandonment of City property. The abandonment will begin at the residential property lines and end 5 feet behind the curb of a cul-de-sac on Hillcrest Place in the Country Club Manor Replat E Subdivision in the SF-10, Single Family Residential District with the following conditions:

- Maintain 10-foot utility easement behind the right-of-way and around the cul-de-sac with connecting adjacent easements.
- An abandonment/vacation plat shall be required where a resubdivision or replat vacates a public right-of-way (UDC 8.8.7.A).
• An approved abandonment will expire automatically unless an abandonment/vacation plat is recorded in the office of the San Juan County Clerk within one (1) year from the date of approval by city council (UDC 8.8.7.F).

AYE: Chair Cardon, Commissioners Brown, Langenfeld, Lockmiller, Ragsdale, and Sewell.

NAY: None

Abstained: None

Absent: Commissioners Davis, Freeman, Mangum, Smouse, and Waldroup.

Motion passed 6-0

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

Business from the Chair: Chair Cardon thanked Ms. Lopez for her assistance for the past few months.

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

Business from Staff: Francisco Alvarado reported that Petition SUP 19-46 was approved on consent at the June 25, 2019 City Council meeting.

Adjournment: With no further business and a motion by Commissioner Sewell and seconded by Commissioner Brown, the Planning and Zoning Commission meeting of June 27, 2019 was adjourned at 3:21 p.m.

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Joyce Cardon       Andrea Jones
Chair         Deputy City Clerk