<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Call Meeting to Order</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Approval of the Agenda</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Approval of the Minutes of the August 15, 2019 P&amp;Z Meeting</td>
<td>30</td>
</tr>
<tr>
<td>4</td>
<td>Petition No. ABD 19-74 – a request from Doug Murray, represented by Sakura Engineering &amp; Surveying, for the abandonment of a portion of Poplar Street along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7. (Helen Landaverde)</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>Business from:</td>
<td></td>
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<tr>
<td></td>
<td>Floor:</td>
<td></td>
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<td></td>
<td>Chairman:</td>
<td></td>
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<td></td>
<td>Members:</td>
<td></td>
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<td></td>
<td>Staff:</td>
<td></td>
</tr>
<tr>
<td>6</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, September 10, 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
ABD 19-74
Abandonment of a City owned street - partial abandonment of Poplar Street right-of-way

A. STAFF REPORT, August 29, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Doug Murray</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Paul Martin of Sakura Engineering &amp; Surveying</td>
</tr>
<tr>
<td>Date of Application</td>
<td>July 31, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Abandonment of a City owned street: a portion of Poplar Street (cul-de-sac) along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 in the Inez Subdivision.</td>
</tr>
<tr>
<td>Location</td>
<td>West of Poulson Avenue in Block 7 and 8 in the Inez Subdivision southern portion of Poplar Street.</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Undeveloped Right-of-Way</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>MF-L SMHAO, Multi-family Low Density Special Mobile Home Area Overlay</td>
</tr>
</tbody>
</table>

Surrounding Zoning & Land Use

| North:          | IND, Industrial / Undeveloped |
| South:          | IND, Industrial / Industrial  |
| East:           | MF-L SMHAO, Multi-family Low Density Special Mobile Home Area Overlay / Undeveloped |
| West:           | Unincorporated San Juan County/ Undeveloped and 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, August 11, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, August 7, 2019 and a sign was posted at the site on Friday, August 16, 2019.

Staff Planner

Helen Landaverde, Associate Planner

STAFF ANALYSIS

Project Description

The petitioner is requesting the abandonment of a City owned street; a portion of Poplar Street along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 in the Inez Subdivision (as shown on Figure 1). This right-of-way was originally dedicated to the City in 1957 through the recordation of the Inez Subdivision.
Pursuant to UDC 8.8.7A Abandonment/vacation plat application process. "An abandonment/vacation plat shall be required where a resubdivision or replat vacates or relocates any street, alley, or other public right-of-way." Pursuant to UDC 8.8.7C City Council shall review and have final action on the abandonment/vacation plat. The petitioner submitted a summary plat application (replat) on June 12, 2019 prior to the abandonment/vacation plat request (Petition SP 19-54).

According to current aerial photos and information provided in this report, the subject area is undeveloped, it does not appear to be used by motor vehicles, and there is no evidence of use of the southern portion of Poplar Street (see Figure 2) for Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7. Additionally, the southern portion of Poplar Street right-of-way does not appear to be a part of the roadway network as it has not been developed/constructed.

Poplar Street is a gravel based road, partially completed, that ends at the intersection of a 40' wide alley for rear properties located in Block 7 in the Inez Subdivision; there is irrigation and a private ditch within the 40’ wide alley (see Figure 3). The southern portion of Poplar Street would provide road access for Lots 9-11 in Block 8 if the lots are developed individually.
Figure 2. Aerial of Subject Area.

Figure 3. Ditch Irrigation Map

If the request is approved, access to the private ditch within the 40’ wide alley would be from the rear of the properties and/or via Poulson Avenue.
Proposal

The petitioner initially submitted a summary plat application, Petition SP 18-83, to consolidate Lots 6 and 7 in Block 7 and Lots 9, 10 and 11 in Block 8. The proposed plat indicated the partial abandonment of the 40’ wide alley in between Block 7 in the Inez Subdivision and a portion of Poplar Street along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 in the Inez Subdivision.

The petitioner withdrew Petition SP 18-83 and is now requesting a partial abandonment of Poplar Street, shorten the south side of the cul-de-sac (see Figure 1), to consolidate Lots 6 and 7 in Block 7 and Lots 9-11 in Block 8 for residential development.

It should be noted that the proposed replat (Petition SP 19-54) is subject to the following conditions for Petition 1966 approved by City Council on June 24, 2003 for a zone change from M-1, Light Industrial District to R-2, Multiple-Family Residential:

A. Any development of multi-family residential uses on the property shall require site plan review by the Planning and Zoning Commission and landscaping buffers on the north and south sides in accordance with the Development Services Division landscape policy.

B. Any future development or replatting shall require the installation of City Utilities.

Consistency with the Comprehensive Plan

The Comprehensive Plan provides the following typical criteria for street and land development, incorporated as a part of the City’s thoroughfare development standards:

“Existing streets in adjacent areas should be continued and, when an adjacent area is undeveloped, the street layout should provide for future projection and continuation of streets into the undeveloped area.”

The City’s current Major Thoroughfare Plan does not address the proposed right-of-way abandonment nor are there any specific plans or policies regarding the continuation of Poplar Street (see Figure 4).

Additionally, the proposed right-of-way abandonment of Poplar Street would not affect the existing Red Apple Transit routes (see Figure 5).

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Figure 4. Farmington Major Thoroughfare Plan 2012

Figure 5. Red Apple Transit routes (2018).²

² City of Farmington (2019) Red Apple Transit. Available at:
ANALYSIS

Abandonment/vacation plat Criteria – Section 8.8.7D, UDC
In determining whether to approve, approve with modifications, or deny the proposed abandonment/vacation plat, the city shall consider the following criteria:

1. Consistency with the comprehensive plan:

   The Comprehensive Plan and the City’s Major Thoroughfare Plan do not specifically address the proposed partial abandonment of Poplar Street. There are no specific plans or policies related to the development and/or continuation of Poplar Street. It is unlikely that the Poplar Street right-of-way, dedicated to the City in 1957, will be needed for future vehicular access.

   The proposed partial abandonment of Poplar Street would still provide flexibility to the southern abutting properties in Block 7 and 8 regarding access to the existing private ditch irrigation.

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

   Because the petitioner is proposing to consolidate Lots 6 and 7 in Block 7 and Lots 9, 10 and 11 in Block 8, the proposed abandonment would not impede the reasonable means of ingress and egress to the subject property. The public right-of-way for the residential lots along Poplar Street will not be altered with this request nor will it be detrimental to the public interest.

   The City does not have any specific plans to extend the existing Poplar Street right-of-way through private property and/or create a connection with existing thoroughfare networks.

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

   As of today, the abandonment request would not interrupt access to and from a public street, Poplar Street, nor would it negatively impact other properties in the Inez Subdivision. If approved, the petitioner should coordinate any and all utility relocations prior to the recordation of the abandonment/vacation plat.

ISSUES

Engineering – T. Sitta

- The site plan/proposed Inez Subdivision Replat "A" also shows a new alignment for the cul-de-sac at the end of Poplar Street. The new area not already dedicated as Poplar Street, will need to be dedicated to the City.
• It will be the responsibility of Lot 1A to improve the newly created cul-de-sac to City Standards. This includes moving the fire hydrant and the associated water lines out of the middle of the cul-de-sac, at the expense of Lot 1A. Improvements will be required as a condition of approval for any development (building) permit on Lot 1A.

Water/Waste Water – M. Tso

• The existing fire hydrant will need to be moved at owner’s expense for this new roadway configuration. The fire hydrant will need to be placed on far west end of new cul-de-sac at the end of the water mainline for flushing purposes. Follow new City of Farmington Standard Specifications and construction standards for installation. A City of Farmington inspector will need to be present at time of fire hydrant relocation to monitor installation and testing.

STAFF CONCLUSION

Staff concludes approval of Petition ABD 19-74 is appropriate. Staff has determined that the proposed abandonment of a portion of Poplar Street right-of-way along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 in the Inez Subdivision will not have any adverse effects on the surrounding area due to the proposed right-of-way abandonment. Public Works has not objected to the requested right-of-way abandonment.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition ABD 19-74, a request from Doug Murray, represented by Paul Martin of Sakura Engineering & Surveying, to abandon a portion of Poplar Street right-of-way, City owned street, along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 in the Inez Subdivision and in the MF-L SMHAO, Multi-family Low Density Special Mobile Home Area Overlay District and with conditions:

1. The approval shall be subject to any technical corrective changes, or easements required by the Community Development Department.
2. All technical corrections (including noted issues in this report) to the right-of-way abandonment and proposed summary plat must be completed and approved by the City prior to submittal of the mylar for signatures.
3. All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
4. The newly aligned cul-de-sac at the end of Poplar Street shall be dedicated to the City.
5. The abandonment will be effective after the execution of the Findings of Fact and after the recordation of the Abandonment/vacation plat, pursuant to UDC 8.8.7.
Inez Subdivision
REQUEST:
Petition 1966 is a request from Don Corley seeking a zone change from M-1, Light Industrial District to R-2, Multiple-Family Residential District for all of Blocks 7 and 8 of the Inez Subdivision, approximately 8.25 acres, located west of Poulson Avenue and north of Spruce Street.

PUBLIC PARTICIPATION:
A. A notice was published in The Daily Times on Wednesday, April 30, 2003. Certified notification letters were sent on Friday, May 2, 2003 to owners of property within 100 feet of the proposed site. The property was posted with a sign on Monday, May 5, 2003.

B. The Planning and Zoning Commission conducted a public hearing on this request on Thursday, May 15, 2003. The matter was remanded by the City Council after receipt of a letter of protest from Waste Management, Inc., and was reconsidered by the Commission on June 12, 2003.

C. Dennis Gallegos, representing Waste Management, Inc., spoke in opposition to the Petition at the June 12, 2003 meeting of the Planning & Zoning Commission.

SUMMARY OF RELATED FACTS:
A. The Property

<table>
<thead>
<tr>
<th>Location</th>
<th>Northwest corner of Spruce Street and Poulson Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Characteristics</td>
<td>The property is generally flat pasture. There is a high water table and the property is served by irrigation ditches.</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Vacant Pasture</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>M-1, Light Industrial District</td>
</tr>
</tbody>
</table>

B. Surrounding Land Use and Zoning

| North       | M-1 and Sand and Gravel Yard                         |
| East        | R-2/SMHA and Vacant                                    |
| South       | M-2 and Waste Management                              |
| West        | Unzoned San Juan County                               |

FINDINGS:
A. Don Corley is the owner of the property.
B. The Inez Subdivision is a "paper" subdivision and has never had roads or utilities developed.

C. The adjacent properties to the north and south are zoned M-1, Light Industrial District and M-2, Heavy Industrial District. These industrial properties could create noise, traffic, and other impacts for the proposed residential uses.

D. Any future platting to reconfigure the lots in this subdivision or the development of the property would trigger the need for road construction and utility improvements.

E. The petitioner has stated that his intent is to consolidate the property and to develop three homes for family members.

PLANNING & ZONING COMMISSION ACTION MAY 15, 2003:

Motion was made by Commissioner Wimsatt and seconded by Commissioner Kuchera to approve Petition No. 1966 from Don Corley seeking a zone change from M-1, Light Industrial District to R-2, Multiple-Family Residential District for all of Blocks 7 and 8 of the Inez Subdivision, approximately 8.25 acres, located west of Poulson Avenue and north of Spruce Street, subject to the following conditions:

A. Any development of multi-family residential uses on the property shall require site plan review by the Planning and Zoning Commission and landscaping buffers on the north and south sides in accordance with the Development Services Division landscape policy.

B. Any future development or replatting shall require the installation of City Utilities.

AYE: Chairman Shields, Commissioners Kysar, Kuchera, Wimsatt, Williams, and Simpson

NAY: None

ABSTAINED: None

ABSENT: Commissioners Merrion, and Moffett

The motion passed (6-0).

Having been remanded by the City Council, Petition No. 1966 was reconsidered by the Planning and Zoning Commission on June 12, 2003.

PLANNING & ZONING COMMISSION ACTION JUNE 12, 2003:

Motion was made by Commissioner Kysar to approve Petition No. 1966 from Don Corley seeking a zone change from M-1, Light Industrial District to R-2, Multiple-Family Residential District, for Blocks 7 and 8 of the Inez Subdivision, located west of Poulson Avenue and north of Spruce Street, provided, however, that Lots B-15 of Block 8, lying between Peach Street and Spruce Street be excluded from the rezoning, and subject to the following conditions:

A. Any development of multi-family residential uses on the property shall require site plan review by the Planning and Zoning Commission and landscaping buffers on the north and south sides in accordance with the Development Services Division landscape policy.

B. Any future development or replatting shall require the installation of City Utilities.
C. Development of the rezoned property is limited to three houses, with subsequent development preceded by a replat of the subdivision.

AYE: Chairman Shields, Commissioners Kysar, Kuchera, Simpson, and Moffett
NAY: None
ABSTAINED: None
ABSENT: Commissioners Merrion, Williams, and Wimsatt

The motion passed (5-0).

COUNCIL ACTION JUNE 24, 2003:

After extensive discussion, the City Council, by a vote of four (4) in favor, none (0) opposed, adopted (with modification) the Planning and Zoning Commission Action Summary and approved Petition No. 1966, a request from Don Corley seeking a zone change from M-1, Light Industrial District, to R-2, Multiple-Family Residential District for Blocks 7 and 8 of the Inez Subdivision, located west of Poulson Avenue and north of Spruce Street, provided, however, that Lots 6-15 of Block 8, lying between Peach Street and Spruce Street be excluded from the rezoning, and subject to the following conditions:

A. Any development of multi-family residential uses on the property shall require site plan review by the Planning and Zoning Commission and landscaping buffers on the north and south sides in accordance with the Development Services Division landscape policy.

B. Any future development or replatting shall require the installation of City Utilities.

Note: The City Council deleted condition "C" of the Commission's recommendation.

Approved this 22nd day of January, 2004.

William E. Standley, Mayor

ATTEST:

Gina Morris, City Clerk
Photos of Subject Property
**PLANNING MEMO COMMENTS SUMMARY**

**ABD 19-73 117 POPLAR ST.**

**Deadline: 8/13/19**

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
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</thead>
<tbody>
<tr>
<td><strong>CD</strong> Director</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> Addressing – Planning Division</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> Chief Building Official – D. Childers</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>CD</strong> Long Range Planner</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> MPO</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> Oil &amp; Gas Inspector – L. Simms</td>
<td></td>
</tr>
<tr>
<td><strong>CITY</strong> City Manager’s Office – J. Baird</td>
<td></td>
</tr>
<tr>
<td><strong>ELEC</strong> Customer Care Manager – L. Richardson</td>
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</tr>
<tr>
<td><strong>ELEC</strong> Electrical Engineering – L Aligabres</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>ELEC</strong> T &amp; D – R. Romero</td>
<td></td>
</tr>
<tr>
<td><strong>FIRE</strong> Fire Captain – K. Rix</td>
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</tr>
<tr>
<td><strong>FIRE</strong> Fire Marshall – B. Vega</td>
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</tr>
<tr>
<td><strong>LEGAL</strong> City Attorney – J. Breakell</td>
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<tr>
<td><strong>LEGAL</strong> Deputy City Attorney – E. Wayne</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>POLICE</strong> Code Compliance – M. Romero</td>
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<tr>
<td><strong>POLICE</strong> Sergeant – P. Flores</td>
<td></td>
</tr>
<tr>
<td><strong>PRCA</strong> S. Reeves/ R. Crosby</td>
<td></td>
</tr>
<tr>
<td><strong>PRCA</strong> ORII – C. Styron</td>
<td></td>
</tr>
<tr>
<td><strong>PW</strong> City Engineer – N. Westerling</td>
<td></td>
</tr>
<tr>
<td><strong>PW</strong> Engineering – T. Sitta</td>
<td></td>
</tr>
</tbody>
</table>

The site plan/proposed Inez Subdivision Replat “A” also shows a new alignment for the cul-de-sac at the end of Poplar Street. The new area not already dedicated as Poplar Street, will need to be dedicated to the City.

It will be the responsibility of Lot 1A to improve the newly created cul-de-sac to City Standards. This includes moving the fire hydrant and the associated water lines out of the middle of the cul-de-sac, at the expense of Lot 1A. Improvements will be required as a condition of approval for any development (building) permit on Lot 1A.
<table>
<thead>
<tr>
<th>PW</th>
<th>Streets Superintendent</th>
</tr>
</thead>
<tbody>
<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>

The existing fire hydrant will need to be moved at owners expense for this new roadway configuration. The fire hydrant will need to be placed on far west end of new cul de sac at the end of the water mainline for flushing purposes. Follow new City of Farmington Standard Specifications and construction standards for installation. A City of Farmington inspector will need to be present at time of fire hydrant relocation to monitor installation and testing.

**Other Entities**

<table>
<thead>
<tr>
<th>Entity</th>
<th>Contact Person</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
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<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – D. Willato</td>
<td></td>
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<tr>
<td>Enterprise Field Services – M. Waszut</td>
<td></td>
<td>No comment</td>
</tr>
<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
<td></td>
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<tr>
<td>CH2MILL OMI</td>
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</tr>
<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
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</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
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</tr>
</tbody>
</table>
PLANNING MEMO COMMENTS SUMMARY
SP 19-54 INEZ SUBDIVISION (FORMERLY DESERT PROPERTIES OF THE SW SP 18-83)
Deadline: 6/21/19

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<th>Comments</th>
</tr>
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<td>City of Farmington Departments</td>
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<td></td>
</tr>
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<td></td>
</tr>
<tr>
<td>PW</td>
<td>Engineering – T. Sitta</td>
<td>- Please included the benchmark elevation to the Northing and Easting information provided on the plat.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Poplar Street needs to be vacated and listed as “vacated by this plat”.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- The area of the proposed Cul-de-sac needs to be dedicated where it is not already within the ROW.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- The fire is proposed to be located in the center of the cul-de-sac. The hydrant will need to be moved on the expense of the property owner.</td>
</tr>
</tbody>
</table>
- Who will be constructing the cul-de-sac? A development agreement may be required for the construction of the cul-de-sac to city standards prior to the acceptance of dedication.

6/19/19
I have revised my comments to be more specific, with timelines.
- Please included the benchmark elevation to the Northing and Easting information provided on the plat.
- Poplar Street needs to be vacated and listed as "vacated by this plat".
- The area of the proposed Cul-de-sac needs to be dedicated where it is not already within the ROW.
- The fire hydrant is proposed to be located in the center of the cul-de-sac. The hydrant will need to be moved on the expense of the property owner.
- Who will be constructing the cul-de-sac? A development agreement shall be required prior to the acceptance of dedication. The dedicated area may be required to be constructed to City of Farmington Standards prior to the issuance of a building permit within this subdivision. A development agreement shall be completed and recorded with the subdivision plat.

<table>
<thead>
<tr>
<th>PW</th>
<th>Streets Superintendent</th>
</tr>
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</tr>
<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
</tr>
</tbody>
</table>

Via email 6/24/19: This right-of-way vacation for a portion of Poplar Street and alley does not affect traffic a lot. Therefore we have no issue with this. An application should be submitted to vacate these right-of-ways.

Fire Hydrant will need to be relocated by owner of property. Follow City of Farmington Technical Specifications and Construction Standards.

Other Entities
<p>| New Mexico Gas Company – R. Castillo | No comment |
| CenturyLink – D. Willato | |
| Enterprise Field Services | |</p>
<table>
<thead>
<tr>
<th></th>
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<tr>
<td>Farmington School District – C. Lyons</td>
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# PETITION APPLICATION

Incomplete applications will not be accepted.
Retain completed application to:

<table>
<thead>
<tr>
<th>Planning Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Development Department</td>
</tr>
<tr>
<td>City of Farmington</td>
</tr>
<tr>
<td>800 Municipal Drive</td>
</tr>
<tr>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td>(505) 599-1317</td>
</tr>
<tr>
<td>(505) 599-1299 (fax)</td>
</tr>
</tbody>
</table>

## 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

## INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name:</th>
<th>Project Location:</th>
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<tbody>
<tr>
<td>Doug Murray</td>
<td>149 Poplar St &amp; 74</td>
</tr>
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<table>
<thead>
<tr>
<th>Address:</th>
<th>E-Mail:</th>
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<tr>
<td>Existing Use:</td>
<td>Proposed Use:</td>
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<tr>
<td>Residential</td>
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<tr>
<th>Relationship to Property Owner:</th>
<th>Assessor's Parcel I.D. and/or Tax I.D. Number:</th>
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<tr>
<td>Self</td>
<td>R4003460, R4001986</td>
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<table>
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<tr>
<th>Legal Description of Subject Property:</th>
<th>Is Property subject to deed restrictions, covenants, or homeowners' association agreements?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots 9-11 Block 8 Lots 9-71, Town Subdivision</td>
<td>Yes [ ] No [ ]</td>
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## REPRESENTATIVE/CONTACT PERSON (If other than applicant)

<table>
<thead>
<tr>
<th>Name:</th>
<th>Phone:</th>
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<tbody>
<tr>
<td>Pam</td>
<td>320-2286</td>
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<table>
<thead>
<tr>
<th>Address:</th>
<th>E-Mail:</th>
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<tbody>
<tr>
<td>125 W. Main St</td>
<td><a href="mailto:Someon@SomeCom.mp">Someon@SomeCom.mp</a></td>
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## OWNERSHIP

<table>
<thead>
<tr>
<th>Name:</th>
<th>Phone:</th>
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<tbody>
<tr>
<td>Sam</td>
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## 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 be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Address:</th>
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<tbody>
<tr>
<td>Doug Murray</td>
<td>1004 S. 3rd</td>
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</tbody>
</table>

<table>
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<tr>
<th>Phone / Email:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>320-8289 <a href="mailto:DougMurray@SomeCom.mp">DougMurray@SomeCom.mp</a></td>
<td></td>
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## Received By

<table>
<thead>
<tr>
<th>Date:</th>
<th>Fee Received:</th>
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<tr>
<td>7/23/19</td>
<td>65</td>
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## Project File No.

<table>
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<tr>
<th>ABD 19-74 (ABD 18-92)</th>
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## Date of Hearing/Meeting:

<table>
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<tr>
<th>P12 8/29/19, CC 9/10/19</th>
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P&Z PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING

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

Petition No. ABD 19-74 - a request from Doug Murray, represented by Sakura Engineering and Surveying, for the abandonment of a portion of Poplar Street along Lots 6-7 in Block 7, and Lots 9-10 in Block 8 of the Inez Subdivision, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Lots 6-7 in Block 7, and Lots 9-10 in Block 8 of the Inez Subdivision, in the City of Farmington, San Juan County, New Mexico.

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, August 29, 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, September 10, 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. ABD 19-74

August 7, 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 Doug Murray, represented by Sakura Engineering and Surveying for the abandonment of a portion of Poplar Street along Lots 6-7 in Block 7, and Lots 9-10 in Block 8 of the Inez Subdivision, in the City of Farmington, San Juan County, New Mexico, as described below:

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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:

Lot One (1), in Block Seven (7), of the INEZ SUBDIVISION, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record September 23, 1958.

AND

Lots Two (2), Three (3), Four (4) and Five (5), in Block Seven (7), of the INEZ SUBDIVISION, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record September 23, 1958.

AND

Lot Seven (7), in Block Seven (7), of the INEZ SUBDIVISION, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record October 16, 1957.

AND

Lot Six (6), in Block Seven (7) and Lots Nine (9), Ten (10), and Eleven (11), in Block Eight (8), of the INEZ SUBDIVISION, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record October 16, 1957.

TRACT 1

Douglas A. Murray and Juliann N. Murray
117 Poplar Street
Farmington, NM 87401

Lot 1, in Block 7, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record September 23, 1958.

Book 1632, page 651

AND

Desert Properties of the Southwest, Inc.
1004 South Lake Street
Farmington, NM 87401

Lot 7, in Block 7, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

Book 1635, page 446

AND

Lot 6, in Block 7 and Lots 9, 10, and 11, in Block 8, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

Book 1635, page 446
TRACT 2 & 10  
Royce J.O. Bowden and Agatha Teresa Bowden  
P.O. Box 1924  
Farmington, NM 87401

That part of the NW/4NE/4 of Section 21,  
Township 29 North, Range 13 West, N.M.P.M.,  
San Juan County, New Mexico.

Book 1132, page 601

AND

That part of the NW/4NE/4 of Section 21,  
Township 29 North, Range 13 West, N.M.P.M.,  
San Juan County, New Mexico.

Book 999, page 36  
Book 1132, page 601

TRACT 3 & 4  
V. Keith Corley and Rachel V. Corley  
108 Puplar Street  
Farmington, NM 87401

Lots 5, 6, 7, and 8 in Block 8, of the INEZ  
SUBDIVISION, San Juan County, New Mexico,  
filed for record October 16, 1957.

Book 1368, page 1170

AND

Lots 1, 2, 3, and 4 in Block 8, of the INEZ  
SUBDIVISION, San Juan County, New Mexico,  
filed for record October 16, 1957.

Book 1421, page 640

TRACT 5  
Neil Foerster and Colleen Foerster  
1105 South Miller  
Farmington, NM 87401

Lots 3, 4, 7, 8, 9 and 10, in Block 1, of the INEZ  
SUBDIVISION, San Juan County, New Mexico,  
filed for record October 16, 1957.

Book 1403, page 205

TRACT 6  
Michael Corley and Leah Corley  
1105 South Miller  
Farmington, NM 87401

Lot 5, 6, 7, and 8 in Block 2, of the INEZ  
SUBDIVISION, San Juan County, New Mexico,  
filed for record October 16, 1957.

Book 1392, page 1012
TRACT 7
Don Lynn Corley and Alberta Corley Trust
1105 South Miller
Farmington, NM 87401

Lots 11 and 12 in Block 1, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

AND

Lots 9, 10, 11, 12, 13, 14, 15, 16, and 17, in Block 2, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

AND

Lots 2, 3, and 4, in Block 3, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

AND

Lots 8, 9, 10, 11, 12, 13, 14, 15, Block 7, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record October 16, 1957.

AND

That part of the NE/4 of Section 21, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

AND

That part of the NE/4NE/4 of Section 21, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1511, page 637

TRACT 8
Nagent Burson Corley and Deborah Corley Living Trust
120 Albert Place
Farmington, NM 87401

Lots 1, 2, 3, 4, 5, 6, 7, 8, in Block 4, of the INEZ SUBDIVISION, San Juan County, New Mexico, filed for record September 23, 1958.

Book 1475, page 803
TRACT 9
Waste Control of New Mexico
P.O. Box 1450
Chicago, IL 60690-1450

Lot A, including all streets, alleys and easements,
of the W.C. SUBDIVISION, San Juan County,
New Mexico, filed for record July 29, 1981.

Book 924, page 235
Book 921, page 152
Book 921, page 153
Book 921, page 154
Book 921, page 155
Book 921, page 156
Book 921, page 157
Book 921, page 158
Book 921, page 159
Book 921, page 160
Book 921, page 161
Book 921, page 162
Book 921, page 163

TO: November 19, 2018, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

Kristina Mitchell

By: Kristina Mitchell, Abstractor
MINUTES
PLANNING & ZONING COMMISSION
August 15, 2019

The Planning and Zoning Commission met in a regular session on August 15, 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
Clint Freeman
Cheryl Ragsdale
Mitch Sewell
Cody Waldroup

P&Z Members Absent:  Shay Davis
Kristin Langenfeld
Elizabeth Lockmiller
Wayne Mangum
Gary Smouse

Staff Present:  Beth Escobar
Helen Landaverde
Toni Sitta
David Sypher
Karen Walker

Others Who Addressed the Commission:  Charlene Caine
Justine Camacho
Raymond Camacho
Richard Cheney
Steve Gabaldon
June Garrison
Denise Hunter
Doug Kinsey
Glen Lanham
Monty Rogers
Rodney Rogers
Deborah Siegfried
Donald Walker
Sarah Walker
Jack Woodward
Call to Order
Chair Joyce Cardon called the meeting to order at 3:00 p.m. There being a quorum present the following proceedings were duly had and taken.

Presentation of the Agenda
There were no changes to the agenda.

Approval of the Minutes
A motion was made by Commissioner Ragsdale and seconded by Commissioner Waldroup to approve the minutes of the July 25, 2019 P&Z Meeting. This motion was approved unanimously by a 6-0 vote.

Swearing in of Witnesses
Karen Walker swore in all parties that wished to speak on behalf of any agenda items.

CONSIDERATION & RECOMMENDATION

ZC 19-67

(1) Zone Change from SF-7 to LNC, (2) a variance to increase the height of a freestanding sign, and (3) a Reduction to the required minimum off-street parking

1451 E. 30th Street

Planning & Zoning Commission Discussion of Petition ZC 19-67 on August 15, 2019
Associate Planner Helen Landaverde presented the staff report for ZC 19-67, a request from Leaf Properties, Inc., represented by Doug Kinsey, for (1) a zone change from SF-7, Single-family Residential, to LNC, Local Neighborhood Commercial, (2) a variance to increase the height of a freestanding sign from 10 feet to 20 feet, and (3) a reduction to the required minimum off-street parking for a new retail store for property located at 1451 E. 30th Street.

San Juan County Tax Assessor’s records show that the size of the property is 5.470 acres and is undeveloped. The surrounding properties in this area are zoned residential with commercial clusters along 30th Street such as Office Professional and Local Neighborhood Commercial.

The existing freestanding signs along 30th Street in the OP and in the LNC Districts are less than 10 feet high. Pursuant to the UDC Section 5.8.7A, the maximum height for freestanding signs in the LNC Districts is 10 feet. Retail sales is not permitted in residential districts, which is why the applicant is requesting a zone change.
The applicant is proposing to have 30 off-street parking spaces, including two ADA parking spaces, and a 20-foot tall freestanding sign. The minimum off-street parking requirement for the proposed use is 45 spaces including ADA parking, with a minimum of three accessible spaces, one of which has to be a van-accessible space.

The proposed zone change meets the UDC, Unified Development Code, location requirements.

Regarding the variance, the applicant is requesting approval of a 20-foot tall freestanding sign. It would be 100% higher than permitted in the LNC District. The sign would be approximately 50.63 sq. ft. of area. The topography of the property is mostly flat, and the nearest freestanding sign in this area is Summit Church. Mapping indicates that the height of a freestanding sign for Summit Church is approximately 6-8 feet tall.

Regarding the request to reduce the minimum off-street parking, the petitioner is requesting a reduction of 15 parking spaces. This would reduce the number of parking spaces required from 45 to 30 parking spaces, three of which must be accessible handicap spaces.

Staff conducted research for the number of off-street parking spaces at other local dollar stores within the City. Two Dollar stores have fewer parking spaces than the UDC requires. The Family Dollar store on West Main was built before the implementation of the UDC in 2008 and has only 25 parking spaces.

The applicant is required to provide landscaping and screening for all new construction on the subject property.

The proposed zone change and variance request is not consistent with the Comprehensive Plan’s 2020 Future Land Use Map. Although the zone change is consistent and does support several goals and objectives of the Comprehensive Plan such as Land Use Development, Economic Development, and the City’s Economic Development Plan.

Regarding signs, it is not consistent. The Comprehensive Plan recommends that smaller advertising signs, such as monument signs, in the LNC area would be appropriate for this location.

The Community Development Department recommends partial approval of Petition ZC 19-67:

1) Approval for the zone change request. The proposal does not constitute a spot zone and would not adversely affect the area. The proposed use for this property is
consistent with sections of the Comprehensive Plan and the City’s Municipal Code
Chapter 22 Economic Development Plan,
2) Approval for the reduction to the required minimum off-street parking for a new
retail store from 45 parking spaces to 30 spaces, with a minimum of three accessible
spaces, one of which has to be a van-accessible space. Improvements and/or
development on the subject property will require submission of 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 improvements and/or development,
3) Denial for a variance to increase the height of a freestanding sign from 10 feet to 20
feet in the LNC District. The request is not a minimum easing of the code and it is not in
harmony with the neighborhood,
4) The applicant is required to provide landscaping and screening for all new
construction on the subject property, and
5) The installation of 5-foot sidewalk along the property boundary adjacent to a City
Street is required as part of any building permit.

Commissioner Freeman asked what portion of the property the petitioner would be using to
build the Dollar General and what were the plans for the rest of the property. Ms. Landaverde
said the petitioner would be building on one acre of the eastern portion of the five-acre
property. She did not know if there were any plans for the rest of the property, but the owner
requested a zone change for the entire property.

Commissioner Freeman suggested that rezoning the entire property to LNC might not be
beneficial if there are no plans yet for the rest of the property. Mr. Freeman suggested a PUD,
Planned Unit Development.

Commissioner Freeman asked if the building design would match the area. Ms. Escobar noted
that the Commission could stipulate design standards in their recommendation.

Steve Gabaldon, Gabaldon Construction, 2014 San Juan Boulevard, is the builder for the
project. Mr. Gabaldon was assisting Doug Kinsey in attending the meeting via phone.

Doug Kinsey, with Leaf Properties, Helen, GA, said a monument sign instead of a freestanding
sign would be acceptable. As far as aesthetics, Mr. Kinsey said the building would be similar to
the Dollar General that was recently built on Wildflower Parkway. Mr. Kinsey stated that a
drainage study would determine the size and area of the retention pond to handle stormwater
runoff. Drainage on the one acre that will be developed will be addressed during construction.
The other part of the parcel would deal with drainage as development progresses. He said the
property owner had asked that the entire parcel be rezoned at the same time for consistent use.

Jack Woodward, 1118 N. Mesa Verde, owner of the property, said he has owned the property for over 60 years. He would like to sell one acre for the development of a Dollar General.

Commissioner Freeman questioned the feasibility of building on the parcel with the high-pressure gas line that goes through the property. Mr. Gabaldon said the gas line presents issues, as they will have to maintain a distance of 30 feet from the gas line.

Commissioner Freeman asked about screening requirements. Mr. Kinsey said there would be screening if required. Ms. Escobar noted that screening requirements would be addressed during the building permit process if this application moves forward.

Commissioner Sewell asked why the petitioner was asking for a reduction to the required minimum off-street parking. Mr. Kinsey said that historical use for Dollar General Stores dictates that not as many parking spaces are necessary. He noted several Dollar General Stores with less than the minimum required parking spaces.

Chair Cardon asked for confirmation that a monument sign would not be an issue. Mr. Kinsey said there was not a visibility issue at this site and a monument sign will be fine. He said he was open to changes if needed. The east end of the property worked best for the building plans.

Raymond Camacho, 2901 Knudsen Avenue, stated that he was not opposed to a business in that area but did not want a Dollar General behind his house. Mr. Camacho said there is an issue with traffic and a Dollar General would increase the traffic problems. He stated that office buildings would be a better fit for the neighborhood. Dollar General Stores tend to have late hours and have semi-trucks offloading products on a regular basis.

Justine Camacho, 2901 Knudsen Avenue, said she did not want a business that stayed open late at night in the neighborhood.

Mr. Kinsey said this type of retail store is a low intensity type of business and has less traffic than most retail stores. He said the development plan would include nice landscaping to make it attractive to the community.
Mr. Camacho asked if this facility would sell alcohol. Chair Cardon said it probably would not be permitted due to schools and churches nearby. Mr. Camacho said he would like to see the City do something with the property such as a park of BMX facility.

June Garrison, 2801 Knudsen, stated she was concerned about an increase in traffic in the alley behind her house if the Dollar General were built in this location. Ms. Garrison’s garage faces the alley. She said she has grandchildren that walk from the nearby school, and the increase in traffic could be detrimental. Ms. Garrison said she was not opposed to building a Dollar General on the west end of the proposed property. She stated that she is also concerned about water runoff as houses have been flooded in this area in the past. Ms. Garrison stated that she is opposed to the project.

Mr. Kinsey said he is concerned about the drainage in the area. He said calculations would be done to build a sufficient retention pond for any water issues. Access to the business will come from the main road and not through the alley, but he cannot restrain the use of a public right-of-way.

Charlene Caine, 2803 Knudsen, stated that she is opposed to a Dollar General at this location. She said she has lived in this house for 33 years, and her yard has flooded several times. She is concerned about increased traffic. Ms. Caine said she would like to see office buildings on this property.

Mr. Kinsey reiterated that a drainage study would be done. If there is currently a stormwater issue, the detention pond may solve the issue. He said he would do whatever is necessary to contain the stormwater.

Glenn Lanham, 3005 N. Carlton, pointed out the current traffic problems in the area. He said he has reported this problem to the police on several occasions. Mr. Lanham said he is opposed to the project. If the Dollar General were built on the property, he would like to see a traffic signal at the intersection of 30th and Knudsen or on 30th and Carlton.

Richard Cheney owns property at 1304 E. 27th Street. He said he is not opposed to the zone change. Mr. Cheney said the City owns the alleys according to plats recorded with deeds and dedications. Mr. Cheney said a building on the property might compound the drainage problem rather than improve it. The alley needs to be improved to carry drainage out of the area. Mr. Cheney said he has already discussed the issue with the City Engineer, Nica Westerling. Mr. Cheney said he likes the idea of the City buying the property and installing a retention pond. Mr. Cheney said he is a civil engineer and has done master drainage studies
for municipalities. Mr. Cheney noted that the gas pipeline is currently bare, and the City needs to commit to maintaining alleys.

Mr. Kinsey said he does not have grading plans at this time. He said he would look into issues with drainage. A traffic signal would be too expensive to install and would not make the project feasible.

Donald Walker, 2611 Knudsen, said his concerns include flooding and traffic. He stated that this is not the right property for a retail business.

Mr. Kinsey pointed out that any type of business at this location will increase traffic. A Dollar General will create the least amount of traffic.

Deborah Siegfried, 3101 N. Carlton, stated that she is opposed due to an increase in traffic.

Monty Rogers, 3002 Knudsen, said he is concerned that the building will block the view and is opposed to the project.

Sarah Walker, 2611 Knudsen, said she has lived in this location for 33 years. She has seen many car accidents near her house due to traffic issues. Ms. Walker stated she would like to see a professional building at this location. She said flooding is an issue and is concerned about a Dollar General attracting vagrants. Ms. Walker said a Dollar General would be a temptation for students to cut class. She said she would like to see the City use the property for a park.

Mr. Kinsey said the traffic impact would be minimal. He wants to be a good neighbor and will do whatever is necessary to contain runoff. As far as the view, Mr. Kinsey said the building is a nice looking building that will be well landscaped with low lighting that fits the neighborhood.

Rodney Rogers, 3002 Knudsen, said he is worried about traffic. A traffic light would slow the traffic down.

Denise Hunter, 3004 N. Carlton, said she is concerned about increased traffic. She said a Dollar General might not be able to stay in business if it has so few cars in the parking lot on a regular basis. She does not want to see an empty building in that location.

Mr. Kinsey said that based on studies, there is a need for this type of retail business in this area and he does not believe an empty building is a concern.
Planning & Zoning Commission Action of Petition ZC 19-67 on August 15, 2019

A motion was made by Commissioner Sewell and seconded by Commissioner Waldroup to deny Petition ZC 19-67, a request from Leaf Properties, Inc., represented by Doug Kinsey, for (1) a zone change from SF-7, Single-family Residential, to LNC, Local Neighborhood Commercial, (2) a variance to increase the height of a freestanding sign from 10 feet to 20 feet, and (3) a reduction to the required minimum off-street parking for property located at 1451 E. 30th Street.

The Commissioners were polled.

Commissioner Sewell said his denial recommendation is based on the lack of compatibility with the neighborhood. This type of retail business would be open late at night.

Commissioner Freeman said his denial recommendation is because he does not believe this is the right location for this type of business. Mr. Freeman said the other end of the property would be a better fit.

Chair Cardon reminded the Commissioners that this petition is about the zone change.

Commissioner Brown said a Dollar General would significantly change the neighborhood and an office professional building would be more appropriate.

Commissioner Waldroup said his denial recommendation is due to the same issues mentioned by the other Commissioners such as compatibility with the neighborhood and increased traffic.

Chair Cardon said she feels a Dollar General would fit better on the other end of the property, and perhaps a PUD should be considered. A traffic study may need to be done to analyze any traffic issues in the area.

Commissioner Ragsdale said this is not the right location for a Dollar General. Drainage will need to be addressed before approving any type of commercial building.

AYE: Chair Cardon, Commissioners Brown, Freeman, Ragsdale, Sewell, and Waldroup.

NAY: None

Abstained: None
Absent: Commissioners Davis, Langenfeld, Lockmiller, Mangum, and Smouse.

Motion passed 6-0

**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:** Beth Escobar reported that the CDBG (Community Development Block Grant) and Affordable Housing reports were approved at the August 13, 2019 City Council Meeting.

The process is moving forward for stakeholders on the Comprehensive Plan Update. The kickoff will be soon.

Ms. Escobar noted that Helen Landaverde would be resigning from the City.

**Adjournment:** With no further business and a motion by Commissioner Waldroup and seconded by Commissioner Brown, the Planning and Zoning Commission meeting of August 15, 2019 was adjourned at 4:36 p.m.

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Joyce Cardon       Karen Walker
Chair         Administrative Assistant