

A G E N D A

**Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
March 10, 2016, at 3:00 p.m.**

Item		Page
1	Call Meeting to Order	
2	Approval of the Agenda	
3	Approval of the Minutes of the February 11, 2016 P&Z Meeting	36
4	Petition No. PP 16-01 – a request from Vernon Gladden, represented by George Walters of Cheney-Walters-Echols, Inc., for L & V Subdivision No. 1, for a preliminary plan for a proposed 5-lot subdivision located at County Road 6480. (Steven Saavedra)	1
5	Petition No. PP 16-02 – a request from Vernon Gladden, represented by George Walters of Cheney-Walters-Echols, Inc., for L & V Subdivision No. 2, for a preliminary plan for a proposed 5-lot subdivision located at County Road 6480. (Steven Saavedra)	12
6	Petition No. SUP 16-01 – a request from Martha Wu for a Special Use Permit for a nonconforming residential use in the Industrial District to allow the structure to be rebuilt if destroyed by more than 50% for property located at 4307 Hannon Drive. (Keith Neil)	23
7	Business from: Floor: Chairman: Members: Staff:	
8	Adjournment	

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, March 22, 2016.

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 ACTION SUMMARY
Preliminary Plan for L and V Subdivision No. 1
Petition No. PP 16-01

A. STAFF REPORT, March 10, 2016

PROJECT INFORMATION

Applicant	Vernon Gladden
Representative	Cheney-Walters-Echols Inc.
Date of Application	February 02, 2016
Requested Action	Preliminary Plan approval
Location	County Road 6480 and Road 6478
Existing Land Use	Recreation Vehicle Park
Existing Zoning	None
Surrounding Zoning & Land Use	Unincorporated Rural Residential
Subdivision Class	Class 2
Notice	Preliminary Plans do not require notice.
Staff Planner	Steven Saavedra, Associate Planner

SUBDIVISION INFORMATION

Number of Lots	5
Acres of Land	4.73 acres
Minimum Lot Size	0.75
Utilities	Water: Existing / Lower Valley Water Users Cooperative Association Sewer: Existing / Septic Electric: Existing / City Of Farmington
Access & Circulation	Access to County Road 6480
Street Lights	To County Standards
Street Signs	To County Standards
Fire Hydrants	To County Standards
Drainage	Per San Juan County Standards

GENERAL INFORMATION

The petitioner requests a preliminary plan approval of a Class 2 subdivision of 5-lots. The area is approximately 4.73 acres and is located at the intersection of County Road 6480 and Road 6478. The lots are 0.75-acres to 0.87-acres in size. The preliminary plan alters Road 6478 from a U-shaped road into a cul-de-sac. The cul-de-sac will keep the same road name. Road 6478 is not maintained as a County Road. This property is in unincorporated San Juan County and has no zoning.

Background

This preliminary plan is originally part of a survey tract layout for Geoff McMahon of 1973. A survey tract layout does not establish a legal lot. Per COF Staff communication with San Juan County staff, neither the City of Farmington nor San Juan County approved this survey tract layout. Pursuant to Section 6.3B of the Unified Development Code, a legal "lot of record" must be reviewed and approved by the City of Farmington if established after June 22, 1971.

Process

The UDC requires that preliminary plans be approved by City Council, after which, a final plan is submitted to the Planning and Zoning Commission only for *final* approval, provided all conditions and issues are reflected in the final plan.

Section 6.6.1 of the UDC states the requirements of section 6.4, subdivision design standards, shall apply to subdivisions in Tier 3 of Farmington's Planning and Platting Jurisdiction, as described in the Farmington Comprehensive Plan (see Article 14, appendix section 13.3), with the following modifications:

- Block length shall not exceed 1,500 feet (UDC 6.6.2).
- Streets. Streets shall be in conformity with the requirements of section 6.4.7, streets and alleys; provided, however, that lesser street/ road improvement standards may be considered for minor subdivisions; i.e., those divisions of land that satisfy one of the "exemptions" of the most recent San Juan County Subdivision Regulations (UDC 6.6.3).
- Pedestrian and biking facilities. Pedestrian and biking facilities are not required (UDC 6.6.4).
- Water supply: the subdivider shall provide an adequate supply of potable water to each lot that is sufficient in terms of quality, quantity, and dependability for the proposed development and approved by the New Mexico Environmental Department. B. Where a private water system is provided, each lot shall be served from a minimum eight-inch water main, unless a lesser diameter is specified by the city engineer, but not less than six-inches (UDC 6.6.5).

However, the City of Farmington usually waves these considerations in favor of

subdivision standards set fourth by the San Juan County.

ISSUES

Engineering: Toni Sitta - 505-599-1399

- Please show the septic system for Lot 5.

Engineering: Manual Tso - 505-599-1315

- Recommend determining if leach lines cross-adjacent property and rectify through NMED.

Legal: Deputy City Attorney-Russel Frost 505-599-1124

- Because Petitioner does not have an approved subdivision, the Petitioner cannot legally divide a lot in an illegal subdivision. After going through the proper plat process, legal sees no other issues.

Associate Planner: Steven Saavedra - 505-599-1282

- The subject property is originally part of a survey tract layout for Geoff McMahon in 1973. A survey tract is not a platted subdivision, but is a survey layout for the property owners benefit only to determine the boundaries. Neither the City of Farmington nor San Juan County signed off on the plat.
- Please show all septic and leach lines.

STAFF CONCLUSION

This plat will legally establish the boundaries of this lot while also subdividing the parcel into 5 lots. This petition will rectify the preliminary plan as a new legal subdivision. The Community Development Department recommends approval.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition PP 16-01, a request from Vernon Gladden, represented by Cheney-Walters-Echols Inc., for the Preliminary Plan for the L and V Subdivision No. 1, a 5-lot subdivision on 4.73 acres located at County Road 6480 and Road 6478 subject to:



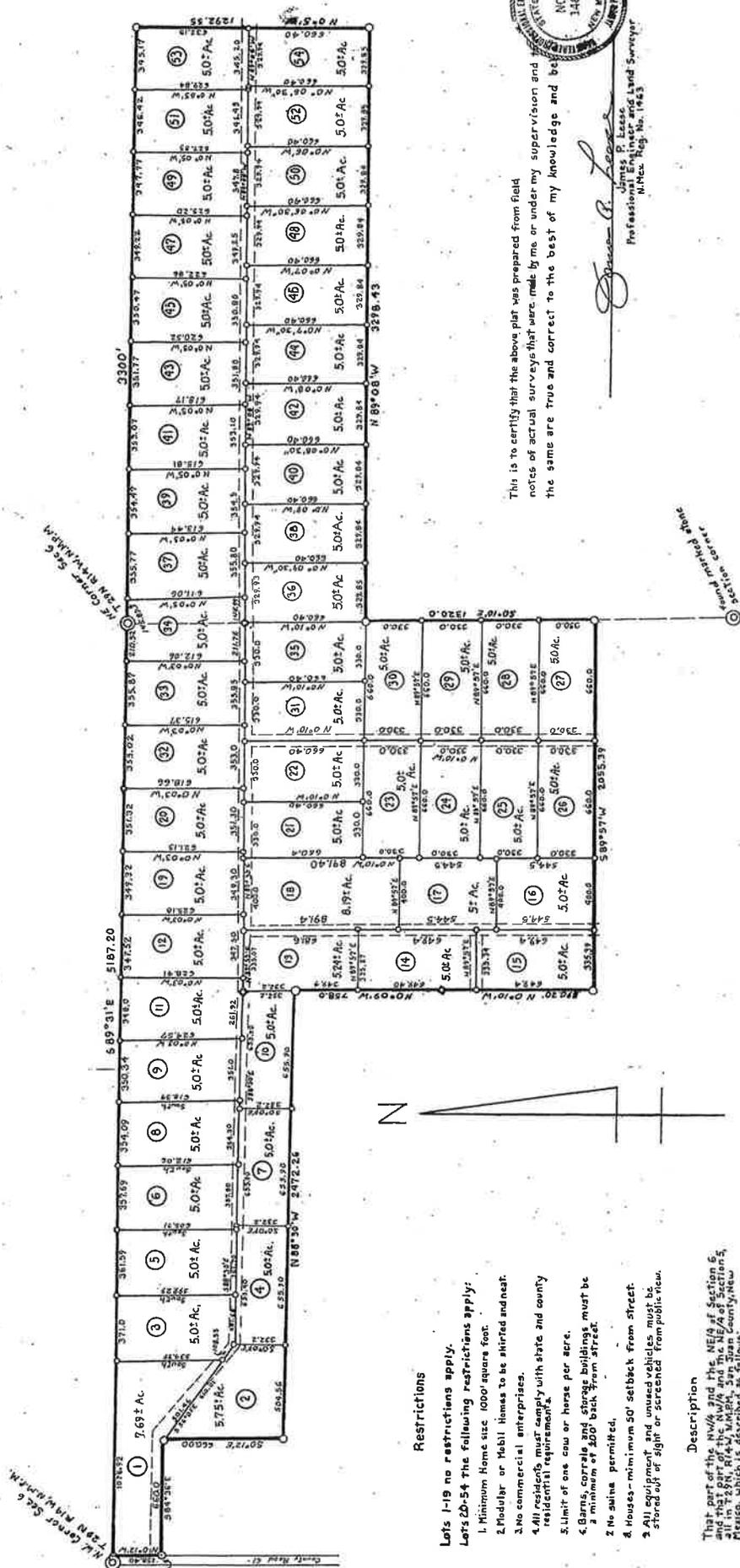
AREA UNDER CONSIDERATION
Petition No. PP 16-01

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Date: 2/4/2016

175
Feet





Restrictions

- Lots 1-19 no restrictions apply.
 Lots 20-54 the following restrictions apply:
1. Minimum Home size 1000 square feet.
 2. Modular or Mobil Homes to be shifed and neat.
 3. No commercial enterprises.
 4. All residents must comply with state and county residential requirements.
 5. Limit of one cow or horse per acre.
 6. Barns, corrals and storage buildings must be a minimum of 200' back from street.
 7. No gaina permittd.
 8. House - minimum 50' setback from street.
 9. All equipment and unused vehicles must be stored out of sight or screened from public view.

Description

That part of the NW/4 and the NE/4 of Section 6 and that part of the NW/4 and the NE/4 of Section 5 in T29N, R14W, N.M.P.M., San Juan County, New Mexico, beginning at the NE corner of said Sec 6; THENCE N 89° 31' W 218.80' to the East 1/4 Line Co. Rd 61; THENCE S 89° 31' W 440.00' along said 1/4 Line; THENCE S 89° 31' W 549.00' to the East 1/4 Line; THENCE S 89° 31' W 786.00' to the East 1/4 Line; THENCE N 89° 31' W 2055.39' to the East 1/4 Line; THENCE N 89° 31' W 13200.00' to the East 1/4 Line; THENCE N 89° 31' W 21000.00' to the point of beginning.



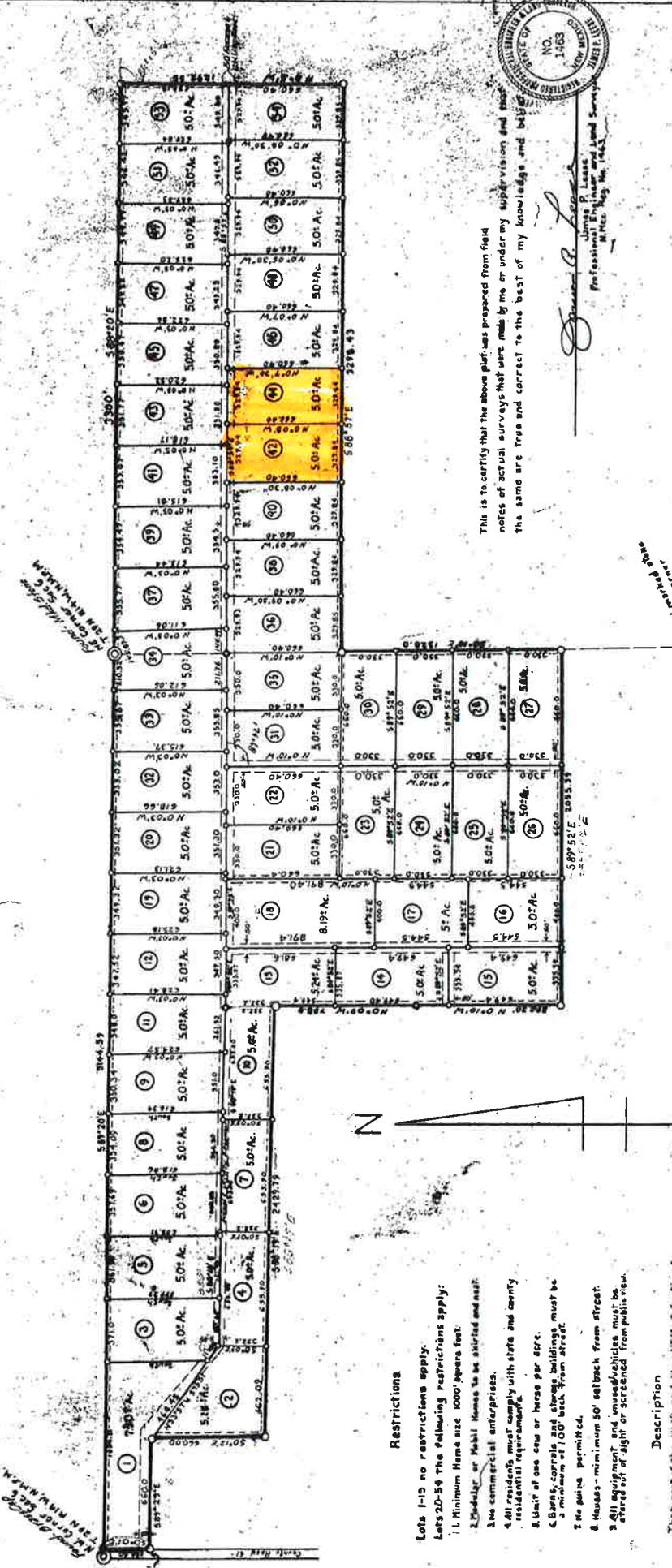
This is to certify that the above plat was prepared from field notes of actual surveys that were made by me or under my supervision and the same are true and correct to the best of my knowledge and belief.

James P. Lasso
 James P. Lasso
 Professional Land Surveyor
 N.Mex. Reg. No. 1483



TRACT LAYOUT
 for
GEOFF MEMARON
 located in
 Sections 5 & 6, T29N, R14W, N.M.P.M.
 San Juan County, New Mexico
 Scale: 1"=400' Date: 3 Oct, 1973
 San Juan Engineering Co. Farmington, N. M.





Restrictions

- 1. Lots 1-10 no restrictions apply.
- 2. Lots 11-19 the following restrictions apply:
 - 1. Minimum Home size 1000 square feet.
 - 2. Modular or Mobile Homes to be skirted and roofed.
 - 3. No commercial enterprises.
 - 4. All residents must comply with state and county residential requirements.
 - 5. Limit of one cow or horse per acre.
 - 6. Garages, carports and other buildings must be a minimum of 1000 feet from street.
 - 7. No wine permitted.
 - 8. Houses - minimum 50' setback from street.
 - 9. All equipment and unusable vehicles must be stored out of sight or screened from public view.

Description

This part of the NW 1/4 and the NE 1/4 of Section 6 and the SW 1/4 of Section 7, T29N, R14W, N44E, are hereby subdivided into 50 lots, which are described as follows:

THENCE N 87°20' W 314.55' to the corner of Lot 1; THENCE S 01°12' E 650.00' to the corner of Lot 2; THENCE S 88°19' W 342.77' to the corner of Lot 3; THENCE S 01°06' E 650.00' to the corner of Lot 4; THENCE N 89°55' E 383.29' to the corner of Lot 5; THENCE N 0°53' W 329.45' to the corner of Lot 6; THENCE N 89°10' W 310.00' to the point of beginning.

50' Wide Easement Utility Right-of-Way (shown by dashed line) Lots 1, 2, 3 and 4 shown.

10' Utility Easement shown around perimeter of Section 6 & 7.

This is to certify that the above plat was prepared from field notes of actual surveys that were made by me or under my supervision and that the same are true and correct to the best of my knowledge and belief.

James P. Leas
 James P. Leas
 Professional Engineer and Land Surveyor
 License No. 1463
 State of New York

188559 03/15/1974 06:00R
 1 of 1 R 0.00
 San Juan County, NM Clerk

REPLAT
 To Correct East-West Dimension of Section 6, & Acreage Correction on Lots 1 & 2, all in T29N, R14W, N44E, San Juan County, New Mexico.

TRACT LAYOUT
 for
GEOFF MEMAHO
 In trust in
 Sections 5 & 6, T29N, R14W, N44E
 San Juan County, New Mexico
 Scale: 1"=400'
 San Juan Engineering Co. Farmington, NM
 Revision Date: 9 Mar. 1974

Original Plat Filed with Clerk
 FILED OR RECORDED
 COUNTY CLERK
 SAN JUAN COUNTY, N.M.
 MAR 15 1974
 BY: [Signature]
 188559

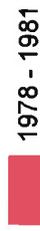
FILED IN S. J. CO. BOOK
 PAGE 1463
 MAR 15 1974
 BY: [Signature]
 188559



PP 16-01 & PP16-02



City Annexations

	1956 - 1961		1978 - 1981
	1962 - 1970		2002 - 2010
	2011 - 2014		FMTN City Limit



PLANNING MEMO COMMENTS SUMMARY

PP 16-01 L&V SUBDIVISION #1

Deadline: 2/14/16

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	Building Inspection has no comments on L and V SD No. 1
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Simms	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	
ELEC	Electrical Engineering - Luwil Aligarbes	-Existing power lines shown on the plat are inside the dedicated utility easement. -Pole met anchor on Road 6478 need to be relocated closer to the edge of the road to get equipment out of the traffic area. -See attached map.
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	No comments from the Fire Marshal's office.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	Because Petitioner does not have an approved subdivision, the Petitioner cannot legally divide a lot in an illegal subdivision. After going through the proper plat process, legal sees no other issues.
POLICE	Code Compliance – Todd Johnston	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni Sitta	Please show the septic system for Lot 5
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	Recommend to determine if leach lines cross adjacent property and rectify through NMED.

Other Entities

New Mexico Gas Company-Ronnie Owens	
CenturyLink-Diane Willatto	No comment
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI-Ron Rosen	
Williams Field Services	
Farmington School District-Cindy Lyons	

PETITION APPLICATION



Incomplete applications will not be accepted.

RECEIVED

Return completed application to:

FEB 11

Planning Division
Community Development Dept.
 City of Farmington
 800 Municipal Drive
 Farmington, NM 87401
 (505) 599-1317
 (505) 599-1299 (fax)

COMM DEV DEPT

COMM DEV DEPT

PROJECT TYPE (Check Those Applicable)

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation and / or Zoning
<input checked="" type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to _____ District
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use: _____ |
|--|---|--|

INFORMATION

Applicant's Name: Vernon Gladden	Project Location: County Road 6478
Address: P.O. Box 1065, Kirtland, NM, 87417	Existing Use: Vacant
E-Mail:	Proposed Use: Residential
Telephone: (505) 598-1329	Current Zoning:
Relationship to Property Owner:	Assessor's Parcel I.D. and/or Tax I.D. Number: R0080179
Legal Description of Subject Property: <i>See Attached Plat</i>	
Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide copy with application.	

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: George T. Walters	Email: gtw@c-w-e.com
Phone: (505) 327-3303	Address: 909 West Apache, Farmington, NM, 87401

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (If any)
Name: Same as Applicant	Name:
Phone:	Phone:
Address:	Address:

OWNER CERTIFICATION

* (Physical and Mailing)

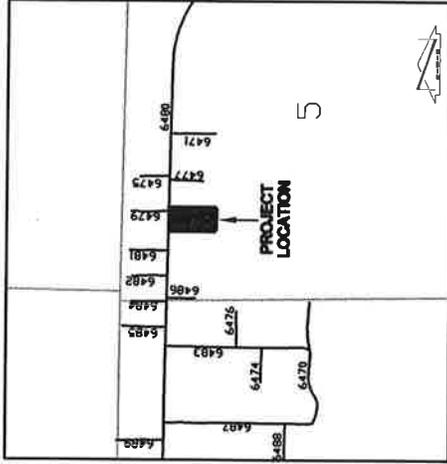
I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Vernon Gladden	Address: P.O. Box 1065, Kirtland, NM, 87417
Owner's Signature: <i>X [Signature]</i>	Phone / Email: (505) 598-1329

****** STAFF USE ONLY ******

Received By <u>Steven</u> Time _____ Date <u>2/3/16</u> Fee Received <u>100</u> Project File No. <u>PP16-01</u> Date of Hearing/Meeting: <u>PEZ 3/10/16 CC 3/22/16</u>	<input type="checkbox"/> Blueline Copies of Plans _____ <input type="checkbox"/> Ownership Report (subject and surrounding properties) <input type="checkbox"/> Legal Description _____ <input type="checkbox"/> Detailed Statement of Proposed Use _____
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L AND V SUBDIVISION NO. 1
A SAN JUAN COUNTY TYPE III SUBDIVISION
A REPEAT OF LOT 42 OF THE TRACT LAYOUT FOR GEOFF McMAHON
AS FILED FOR RECORD ON OCTOBER 10, 1973
LYING IN THE NW1/4 OF SECTION 5 T29N R14W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO



VICINITY MAP - N.T.S.

MONUMENT NOTE:
 MONUMENTS TO THE BOUNDARIES SHALL BE SET
 ACCORDING TO THE STANDARDS FOR SURVEYING IN NEW MEXICO,
 TITLE 12 CHAPTER 8 PART 217.

TELEPHONE AND ELECTRICAL NOTE:
 THE SURVEYOR HAS NO LIABILITY FOR THE INSTALLATION OF
 TELEPHONE AND ELECTRICAL SERVICES.

GAS LINE DISCLAIMER:
 THE SURVEYOR HAS NO LIABILITY FOR THE INSTALLATION OF
 GAS LINES. THE SURVEYOR DOES NOT
 GUARANTEE THAT THE GAS LINES SHOWN ARE
 ALL LINES ON THE PROPERTY AND THOSE SHOWN
 ARE LOCATED FROM EXISTING MARKERS ASSUMED
 TO BE CORRECT. THE SURVEYOR HAS NO LIABILITY FOR
 EASEMENT DESCRIPTIONS FURNISHED BY THE
 PROPERTY OWNER.

SETBACK DISCLAIMER:
 BUILDING SETBACKS FROM GAS WELLS AND GAS
 LINES SHALL BE DETERMINED BY THE OWNER PRIOR
 TO ANY CONSTRUCTION.

SOILS NOTE:
 CHEW-WALTERS-ECKOLS, INC. HAS MADE NO
 SOILS TESTS. THE SOILS SHOWN ARE ASSUMED TO BE
 STABLE AND SUITABLE FOR CONSTRUCTION. THE
 TYPES OF FOUNDATION OR FOOTINGS SUITABLE
 FOR CONSTRUCTION WITHIN THE
 SUBDIVISION.

EPA CONSTRUCTION GENERAL PERMIT:
 THE DEVELOPER, EACH INDIVIDUAL LOT OWNER AND EVERY
 CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE
 GENERAL PERMIT (GCP) EFFECTIVE JULY 1, 2003, WHICH WILL
 INCLUDE PREPARING, IMPLEMENTING, AND UPDATING AS NECESSARY
 EROSION CONTROL MEASURES. THE DEVELOPER SHALL
 CHEW-WALTERS-ECKOLS, INC. ASSUMES NO RESPONSIBILITY
 FOR THE COMPLIANCE WITH THESE REGULATIONS.

NOTE: ENTERPRISE FIELD SERVICES, LLC:

NATURAL GAS, RIGHT-OF-WAY:
 No deep rooted trees or shrubs are to be planted and no rock, building
 excavation, roof overhangs, or other structure or obstructions, including
 fencing or utilities are to be constructed within or across the right-of-way of
 any gas pipeline. The gas pipeline shall be installed in accordance with the
 requirements of the applicable code. The gas pipeline shall be installed
 within the width of the easement as shown. Any approved construction over or
 adjacent to the gas pipeline shall be in accordance with the specifications of
 the applicable code. The gas pipeline shall be installed in accordance with the
 Attention: Right-of-Way Department. If any portion of the improvements located
 within Enterprise's right-of-way may become damaged or destroyed during required
 maintenance operations by Enterprise or its contractor, Enterprise
 shall not be liable for the cost of repair or replacement of the improvements or
 destruction resulted from the sole negligence of Enterprise or its contractor.

WATER RIGHTS DISCLAIMER:
 CHEW-WALTERS-ECKOLS, INC. HAS MADE NO
 DETERMINATION OF WATER RIGHTS FOR THIS PROPERTY.
 WATER RIGHTS ARE ALLOCATED TO THIS PROPERTY
 THE OWNER RESERVES SAID WATER RIGHTS.

LEGAL DESCRIPTION

Lot Four-Two (42) of the TRACT LAYOUT FOR GEOFF McMAHON, as shown on the Replat
 thereon filed in the Office of the County Clerk of San Juan County, New Mexico
 on October 10, 1973, and re-plat on March 15, 1974, with Twp. 29N, R. 14W, S. 5N,
 G.S.M. 1827, which was conveyed to San Juan County by Warranty Deed recorded in Book 98A, Page
 483 of the San Juan County records, being more particularly described as follows:
 A tract of land lying in the Northwest one-quarter (NW1/4) of Section 5 T29N R14W
 Beginning at a point on the South right-of-way line of Road 6480, from which the
 Northwest corner of said Section 5 bears N55°00'00"W for a distance of 896.2
 feet;
 Thence S00°00'00"E for a distance of 329.93 feet along said South right-of-way;
 Thence the Southeast corner of said Lot 42;
 Thence N88°39'39"W for a distance of 329.84 feet along the South line of and to
 the Southwest corner of said Lot 42;
 Thence N44°42'00"E for a distance of 625.06 feet along the West line of and to
 the point of beginning.
 Containing 4.73 ac.

ACCEPTANCE - SAN JUAN COUNTY

The plat of L & V SUBDIVISION NO. 1, shown hereon was duly submitted to the San Juan
 County Subdivision Review Officer and is hereby approved and accepted for recording
 this _____ day of _____, 2016.
 Approval of this plat does not restrict any regulatory official from hereafter requiring
 a correction of error.

Signed, _____
 Subdivision Review Officer

San Juan County
 Floodplain Manager

San Juan County Treasurer

Date

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:
 That L & V Mobile Home Park, LLC, being the sole owner and
 proprietor of the land herein described have made a subdivision
 of said land, and that said subdivision is named and shall be
 known as:

L AND V SUBDIVISION NO. 1

That the said subdivision, as shown on this plat, is with the consent and in
 accordance with the terms of said Owner, and the streets and easements for
 public utilities, including easements for overhead and underground electric
 type utilities, and easements for underground or buried service wires with
 the right to include necessary maintenance of the same, and right of ingress
 and egress to and from said easements.

Vernon Gordon
 L & V Mobile Home Park, LLC

AFFIDAVIT

I, _____
 do hereby certify that the above and foregoing jurisdiction of San Juan County and the City of
 Farmington, New Mexico.

Vernon Gordon
 L & V Mobile Home Park, LLC

ACCEPTANCE

We, the undersigned Mayor and City Clerk of the City of Farmington, County of San
 Juan, State of New Mexico, do hereby certify that the above and foregoing plat
 dedication of the Little Creek Subdivision Phase II was duly submitted by the proprietors
 hereof to the City Council as the governing board thereof in the exercise of its planning
 and zoning jurisdiction in and for said municipality and that said Subdivision is hereby
 approved and accepted for recording and filing.

Done at a regular meeting held this _____ day of _____, 2016.

Mayor

City Clerk

Farmington Electrical Utility SVCS

CITY Engineer

CenturyLink

New Mexico Gas Company

Water and Wastewater O&M Manager

Enterprise Field Services, LLC

State of New Mexico

County of San Juan

The foregoing dedication and affidavit were acknowledged before me by

Vernon Gordon, the _____ day of _____, 2016.

My Commission Expires: _____

Nobley Public

CERTIFICATION

I, George T. Walters, a New Mexico Professional Surveyor certify that
 I conducted and am responsible for this Boundary Survey Plat, that the
 same is correct and true to the best of my knowledge and belief,
 and that this Boundary Plat meets the minimum standards for
 Surveying in New Mexico.
 I further certify that this is a division of land as defined in the New
 Mexico Subdivision Act.

Date

George T. Walters
 Professional Land Surveyor No. 659
 State of New Mexico

Date

San Juan County Treasurer

COMMUNITY DEVELOPMENT ACTION SUMMARY
Preliminary Plan for L and V Subdivision No. 2
Petition No. PP 16-02

A. STAFF REPORT, March 10, 2016

PROJECT INFORMATION

Applicant	Vernon Gladden
Representative	Cheney-Walters-Echols Inc.
Date of Application	February 02, 2016
Requested Action	Preliminary Plan approval
Location	County Road 6480 and Road 6478
Existing Land Use	Recreation Vehicle Park
Existing Zoning	None
Surrounding Zoning & Land Use	Unincorporated Rural Residential
Subdivision Class	Class 2
Notice	Preliminary Plans do not require notice.
Staff Planner	Steven Saavedra, Associate Planner

SUBDIVISION INFORMATION

Number of Lots	5
Acres of Land	4.73 acres
Minimum Lot Size	0.75
Utilities	Water: Existing / Lower Valley Water Users Cooperative Association Sewer: Existing / Septic Electric: Existing / City Of Farmington
Access & Circulation	Access to County Road 6480
Street Lights	To County Standards
Street Signs	To County Standards
Fire Hydrants	To County Standards
Drainage	Per San Juan County Standards

GENERAL INFORMATION

The petitioner requests a preliminary plan approval of a Class 2 subdivision of 5-lots. The area is approximately 4.73 acres and is located at the intersection of County Road 6480 and Road 6478. The lots are 0.75-acres to 0.84-acres in size. The preliminary plan alters Road 6478 from a U-shaped road into a cul-de-sac. The cul-de-sac will keep the same road name. Road 6478 is not maintained as a County Road. This property is in unincorporated San Juan County and has no zoning.

Background

This preliminary plan is originally part of a survey tract layout for Geoff McMahon of 1973. A survey tract layout does not establish a legal lot. Per COF Staff communication with San Juan County staff, neither the City of Farmington nor San Juan County approved this survey tract layout. Pursuant to Section 6.3B of the Unified Development Code, a legal "lot of record" must be reviewed and approved by the City of Farmington if established after June 22, 1971.

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- Block length shall not exceed 1,500 feet (UDC 6.6.2).
- Streets. Streets shall be in conformity with the requirements of section 6.4.7, streets and alleys; provided, however, that lesser street/ road improvement standards may be considered for minor subdivisions; i.e., those divisions of land that satisfy one of the "exemptions" of the most recent San Juan County Subdivision Regulations (UDC 6.6.3).
- Pedestrian and biking facilities. Pedestrian and biking facilities are not required (UDC 6.6.4).
- Water supply: the subdivider shall provide an adequate supply of potable water to each lot that is sufficient in terms of quality, quantity, and dependability for the proposed development and approved by the New Mexico Environmental Department. B. Where a private water system is provided, each lot shall be served from a minimum eight-inch water main, unless a lesser diameter is specified by the city engineer, but not less than six-inches (UDC 6.6.5).

However, the City of Farmington usually waves these considerations in favor of

subdivision standards set fourth by the San Juan County.

ISSUES

Engineering: Toni Sitta - 505-599-1399

- Please show the septic system for Lot 5.

Engineering: Manual Tso - 505-599-1315

- Recommend determining if leach lines cross-adjacent property and rectify through NMED.

Legal: Deputy City Attorney-Russel Frost 505-599-1124

- Because Petitioner does not have an approved subdivision, the Petitioner cannot legally divide a lot in an illegal subdivision. After going through the proper plat process, legal sees no other issues.

Associate Planner: Steven Saavedra - 505-599-1282

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- Please show all septic and leach lines.

STAFF CONCLUSION

This plat will legally establish the boundaries of this lot while also subdividing the parcel into 5 lots. This petition will rectify the preliminary plan as a new legal subdivision. The Community Development Department recommends approval.

STAFF RECOMMENDATION

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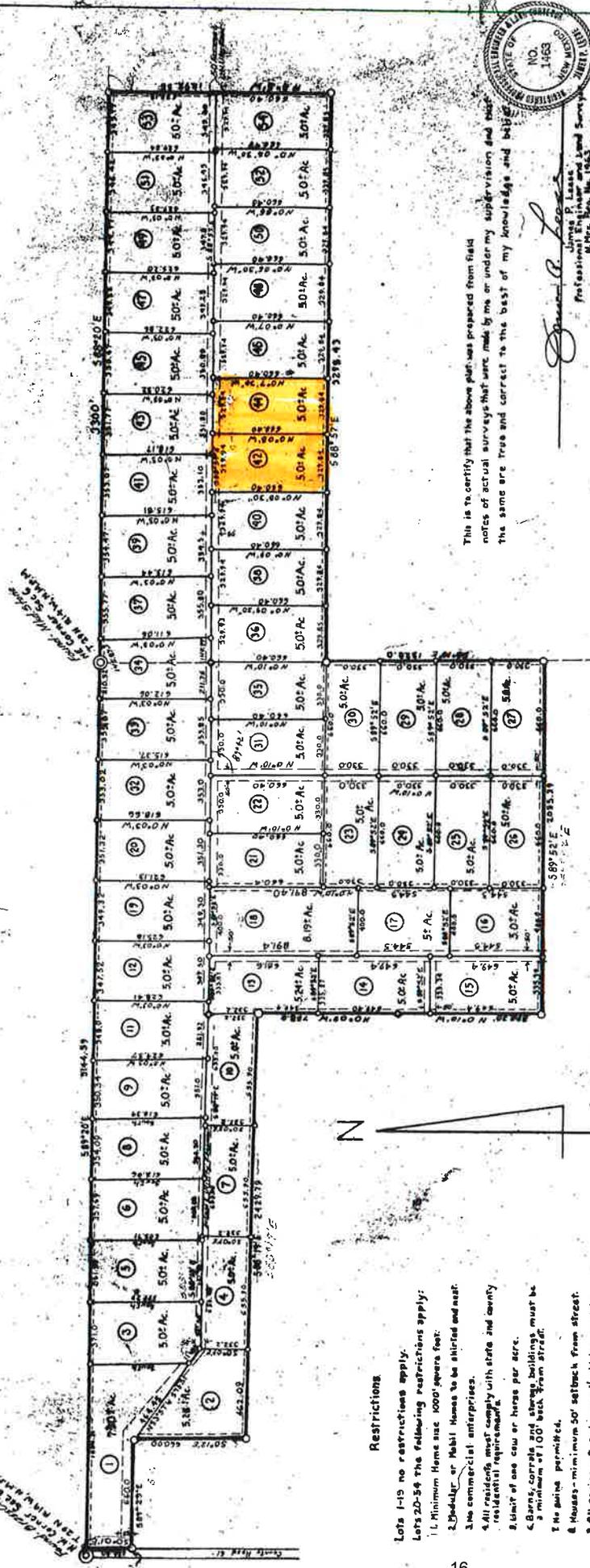


AREA UNDER CONSIDERATION
Petition No. PP 16-02

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Date: 2/4/2016





This is to certify that the above plat was prepared from field notes of actual surveys that were made by me or under my supervision and that the same are true and correct to the best of my knowledge and belief.

James P. Lasso
 James P. Lasso
 Professional Engineer and Land Surveyor
 License No. 1463
 State of New Mexico



168599 03/15/1974 06:00R
 1011 P 0.00
 San Juan County, NM Clerk

REPLAT
 To Correct East-West Dimension of
 Sec. 6, & Acreage Correction on Lots 1
 & 2 all in T29N, R14W, N.M.P.M.
 Surface: 3rd. W. 1/4. - 3rd. 1/4.

TRACT LAYOUT
 for
GEOFF McMAHON
 located in
 Sections 5 & 6, T29N, R14W, N.M.P.M.
 San Juan County, New Mexico
 Scale: 1"=400'
 San Juan Engineering Co. February 1974
 Revision Date: 9 Mar, 1974

Original Plat Filed with Clerk
 RECD ON RECORD
 COUNTY CLERK
 SAN JUAN COUNTY, N.M.
 FILE NO. 168599
 DATE 03/15/1974
 J. P. Lasso
 County Clerk

FILED IN RECORD
 INDEXED
 SAN JUAN COUNTY, N.M.
 FILE NO. 168599
 DATE 03/15/1974
 J. P. Lasso
 County Clerk



Restrictions

- Lots 1-19 no restrictions apply.
 Lots 20-59 the following restrictions apply:
1. Minimum Home use 1000 square feet.
 2. Single- or Multi- Homes to be shirred and neat.
 3. No commercial enterprises.
 4. All residents must comply with state and county residential requirements.
 5. Limit of one cow or horse per acre.
 6. Barns, corrals and storage buildings must be a minimum of 100' back from street.
 7. No swim permits etc.
 8. House - minimum 50' setback from street.
 9. All equipment and unuseful vehicles must be stored out of sight or screened from public view.

Description

- That part of the NW 1/4 and the NE 1/4 of Section 6 and that part of the NW 1/4 and the NE 1/4 of Section 5 all in T29N, R14W, N.M.P.M., San Juan County, New Mexico, as shown on the plat hereto annexed, and the same are hereby conveyed to said Sec. 6:
1. THENCE N 0° 20' W 214.55 to the East Main Line (C.R. 61);
 2. THENCE S 89° 25' E 460.01 along said NW 1/4 line;
 3. THENCE S 84° 15' E 650.07;
 4. THENCE S 0° 00' E 718.00;
 5. THENCE S 0° 10' E 590.00;
 6. THENCE N 89° 25' E 460.01;
 7. THENCE N 0° 20' W 214.55;
 8. THENCE N 89° 20' W 2100.00 to the point of beginning.
- 1/4. With Access & Utility Easements shown by dashed lines on the plat and a 10' wide strip of 20' lines except for 10' utility easement shown around perimeter of utility locations.

PP 16-01 & PP16-02



City Annexations

1978 - 1981	2002 - 2010	2011 - 2014	FMTN City Limit
1956 - 1961	1962 - 1970		



PLANNING MEMO COMMENTS SUMMARY

PP 16-02 L&V SUBDIVISION #2

Deadline: 2/14/16

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Simms	
CITY	City Manager’s Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	
ELEC	Electrical Engineering - Luwil Aligarbes	-Existing power lines shown on the plat are inside the dedicated utility easement. -Pole met anchor on Road 6478 need to be relocated closer to the edge of the road to get equipment out of the traffic area. -See attached map.
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	No comments from the Fire Marshal’s office.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	
POLICE	Code Compliance – Todd Johnston	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni Sitta	I have no comments in regards to this plat
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	Recommend to determine if sewer leach lines cross adjacent properties, rectify with NMED.

Other Entities

New Mexico Gas Company-Ronnie Owens	
CenturyLink-Diane Willatto	No comment
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI-Ron Rosen	
Williams Field Services	
Farmington School District-Cindy Lyons	

PETITION APPLICATION



Incomplete applications will not be accepted.

Return completed application to:

Planning Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

PROJECT TYPE (Check Those Applicable)

<input type="checkbox"/> Annexation and / or Zoning <input checked="" type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plan	<input type="checkbox"/> Summary Plat <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Variance (ARB)	<input type="checkbox"/> Zone Change to _____ District <input type="checkbox"/> Temporary Use Permit Proposed Length of Use: _____
--	---	--

INFORMATION

Applicant's Name: Vernon Gladden	Project Location: County Road 6478
Address: P.O. Box 1065, Kirtland, NM, 87417	Existing Use: Vacant
E-Mail:	Proposed Use: Residential
Telephone: (505) 598-1329	Current Zoning:
Relationship to Property Owner:	Assessor's Parcel I.D. and/or Tax I.D. Number: R0080179

Legal Description of Subject Property: *See Attached Plat*

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes No
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: George T. Walters	Email: gtw@c-w-e.com
Phone: (505) 327-3303	Address: 909 West Apache, Farmington, NM, 87401

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (If any)
Name: Same as Applicant	Name:
Phone:	Phone:
Address:	Address:

OWNER CERTIFICATION

* (Physical and Mailing)

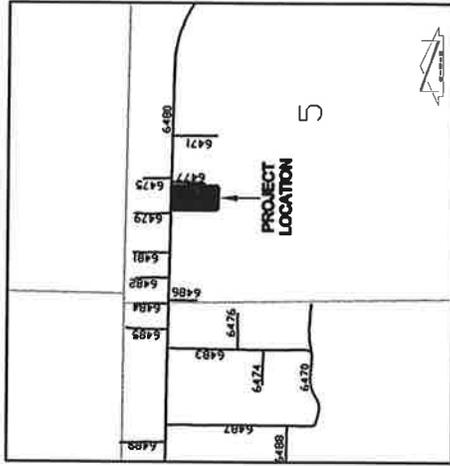
I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Vernon Gladden	Address: P.O. Box 1065, Kirtland, NM, 87417
Owner's Signature: <i>[Signature]</i>	Phone / Email: (505) 598-1329

****** STAFF USE ONLY ******

Received By _____ Time _____ Date _____ Fee Received _____ Project File No. _____ Date of Hearing/Meeting: _____	<input type="checkbox"/> Blueline Copies of Plans _____ <input type="checkbox"/> Ownership Report (subject and surrounding properties) <input type="checkbox"/> Legal Description _____ <input type="checkbox"/> Detailed Statement of Proposed Use _____
---	--

L AND V SUBDIVISION NO. 2
A SAN JUAN COUNTY TYPE III SUBDIVISION
A REPLAT OF LOT 44 OF THE TRACT LAYOUT FOR GEOFF McMAHON
AS FILED FOR RECORD ON OCTOBER 10, 1973
LYING IN THE NW1/4 OF SECTION 5 T29N R14W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO



VICINITY MAP - N.T.S.

MONUMENT NOTE:
 ALL INTERIOR MONUMENTS SHALL BE SET ACCORDING TO THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, TITLE 12 CHAPTER 8 PART 211.

TELEPHONE AND ELECTRICAL NOTE:
 CHEVY-WALTERS-ECHOLS, INC. ASSUMES NO RESPONSIBILITY FOR THE INSTALLATION OF TELEPHONE AND ELECTRICAL SERVICES.

GAS LINE DISCLAIMER
 CHEVY-WALTERS-ECHOLS, INC. DOES NOT GUARANTEE THAT THE GAS LINES SHOWN ARE ACCURATELY LOCATED. ANY GAS LINES ARE LOCATED FROM EXISTING MARKERS ASSIGNED TO BE CENTERLINE OF THE PEELING AND FROM EASEMENT DESCRIPTIONS FURNISHED BY THE PROPERTY OWNER.

SETBACK DISCLAIMER
 BUILDING SETBACKS FROM GAS WELLS AND GAS LINES MUST BE DETERMINED BY THE OWNER PRIOR TO ANY CONSTRUCTION.

SOILS NOTE:
 CHEVY-WALTERS-ECHOLS, INC. HAS MADE NO DETERMINATION AS TO THE STRUCTURAL STABILITY OF THE SOILS WITHIN THE SUBDIVISION. THERE IS NO RECOMMENDATION AS TO THE TYPE OF CONSTRUCTION OR FOUNDATIONS FOR BUILDING CONSTRUCTION WITHIN THE SUBDIVISION.

EPA CONSTRUCTION GENERAL PERMIT
 THE DEVELOPER EACH INDIVIDUALLY SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY CONSTRUCTION PERMIT FROM THE EPA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE EPA'S CONSTRUCTION PERMIT. ANY VIOLATIONS OF THE PERMIT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CHEVY-WALTERS-ECHOLS, INC. ASSUMES NO RESPONSIBILITY FOR THE COMPLIANCE WITH THESE REGULATIONS.

NOTE: ENTERPRISE FIELD SERVICES, LLC:

NATURAL GAS RIGHT-OF-WAY
 No deep rooted trees or shrubs are to be planted and no rock, building, excavation, soil overhangs, or other structures or obstructions, including utility lines, are to be placed over, on, or adjacent to the right-of-way of Enterprise Field Services without its written consent. Additionally no trench, reservoir or other structure or obstructions may be constructed or maintained within the width of the easement or shown. Any approved construction over or adjacent to the right-of-way shall be the responsibility of the contractor. Enterprise Field Services, LLC, 644 Brady Ave., Farmington, New Mexico 87401, Attention: Right-of-Way Department. If any portion of the improvements located over or adjacent to the right-of-way are damaged or destroyed during approved maintenance or construction, Enterprise Field Services, LLC, shall be responsible for the replacement thereof, unless, however, such damage or destruction resulted from the sole negligence of Enterprise or its contractor.

WATER RIGHTS DISCLAIMER
 CHEVY-WALTERS-ECHOLS, INC. HAS MADE NO DETERMINATION AS TO THE EXISTENCE OF WATER RIGHTS AND IS NOT PROVIDING ANY WATER RIGHTS ARE ALLOCATED TO THIS PROPERTY. THE OWNER RESERVES SAID WATER RIGHTS.

LEGAL DESCRIPTION
 Lot Four (4) of the TRACT LAYOUT FOR GEOFF McMAHON, as shown on the Replat on October 10, 1973, and re-platted on March 15, 1974, San Juan County, New Mexico LESS AND EXCEPT the South Ten (10) feet of the North Thirty-Five (35) feet thereof, 4838 sq. ft. of land, more particularly as shown on the Replat of the same, recorded in Book 985, Page 4838, San Juan County, New Mexico. A tract of land lying in the Northwest one-quarter (NW1/4) of Section 5, T29N R14W N.M.P.M., San Juan County, New Mexico. Beginning at a point on the South right-of-way line of Road 6480 from which the Northwest corner of said Section 5 bears N62°7'35"W for a distance of 1482.63 feet; THENCE: S88°42'E for a distance of 323.93 feet along said South right-of-way; THENCE: the southeast corner of said Lot 44; THENCE: the South line of said Lot 44; THENCE: N00°08'59"E for a distance of 625.23 feet along the West line of and to Lot 44 to the point of beginning. Containing 4.73 ac.

ACCEPTANCE - SAN JUAN COUNTY

The plat of L. B. V. SUBDIVISION NO. 1, shown hereon was duly submitted to the San Juan County Subdivision Review Officer and is hereby approved and accepted for recording this _____ day of _____, 2016.

Approval of this plat does not restrict any regulatory official from hereafter requiring a correction of errors.

Signed: _____
 Subdivision Review Officer

San Juan County
 Floodplain Manager

Approved pursuant to Senate Bill 406, that requires all leases, penalties, interest and fees through the current taxable year be paid prior to the division or conveying of any real property in San Juan County.

San Juan County Treasurer _____ Date _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That L. B. V. Mobile Home Park, LLC, being the sole owner and proprietor of the above described land, has made a subdivision of said land and that said subdivision is hereby dedicated to the public use.

L AND V SUBDIVISION NO. 2

That the said subdivision, as shown on this plat, is with the consent and in accordance with the desires of said Owner, and the streets and easements shown are dedicated for public use as such, together with easements for type utilities, including statements for overhead or service wires of pole line utility, and the right to acquire necessary maintenance of the same, and right of ingress and egress to and from said easements.

Vernon Goodson
 Registered Agent,
 L. B. V. Mobile Home Park, LLC

AFFIDAVIT

I, _____, do hereby certify that the above and foregoing plat and oath and states that the subdivision shown hereon was made upon the mutual planning and jointing jurisdiction of San Juan County and the City of Farmington, New Mexico.

Vernon Goodson
 Registered Agent,
 L. B. V. Mobile Home Park, LLC

ACCEPTANCE

We the undersigned Mayor and City Clerk of the City of Farmington, County of San Juan, State of New Mexico, do hereby certify that the above and foregoing plat and oath and states that the subdivision shown hereon was duly submitted by the proprietors thereof to the City Council on the _____ day of _____, 2016, and that the same was approved and accepted for recording and filing.

Done at a regular meeting held this _____ day of _____, 2016.

Mayor _____ City Clerk _____

Farmington Electric Utility SVCS _____ City Engineer _____

Centralink _____ New Mexico Gas Company _____

Water and Wastewater O&M Manager _____ Enterprise Field Services, LLC _____

State of New Mexico _____) ss:
 County of San Juan _____)
 Vernon Goodson, the _____ day of _____, 2016.

The foregoing dedication and affidavit were acknowledged before me by _____

My Commission Expires: _____

Notary Public _____

CERTIFICATION

I, George T. Walters, a New Mexico Professional Surveyor, certify that I conducted a survey and am responsible for the accuracy of the above and foregoing Boundary Survey is true and correct to the best of my knowledge and belief, and that this Boundary Plat meets the Minimum Standards for Surveying as set forth in the New Mexico Statutes. I further certify that this is a division of land as defined in the New Mexico Subdivision Act.

Date _____
 George T. Walters
 Professional Land Surveyor No. 6159
 State of New Mexico

**COMMUNITY DEVELOPMENT
PETITION REPORT
Petition SUP 16-01
Special Use Permit for a Nonconforming Use
located at 4307 Hannon Drive**

A. STAFF REPORT March 1, 2016

PROJECT INFORMATION

Applicant	Martha and Alexander Wu, Sy Ming Deng, Kang Ho
Representatives	Martha Wu
Date of Application	2/2/16
Requested Action	Approval of a Special Use Permit for a nonconforming residence in an Industrial District to be rebuilt if destroyed by more than 50%
Location	4307 Hannon Drive
Existing Land Use	Residential
Existing Zoning	IND Industrial
Surrounding Zoning and Land Use	North: IND: Industrial/ Non-Conforming residence South: IND: Industrial/ Storage Yard- Ralph Miller Inc. East: IND: Industrial/ Storage and Vacant Land West: IND: Industrial/ Storage Yard- Ralph Miller Inc.
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, February 21, 2016 . Property owners within 100 feet were sent notice by certified mail on Wednesday, February 17, 2016 and a sign was posted on Friday, February 26, 2016.
Staff Planner	Keith M. Neil, Associate Planner

STAFF ANALYSIS

Project Description:

The petitioners are requesting a Special Use Permit for a nonconforming residential use in the IND- Industrial District to allow all structures to be rebuilt if destroyed by more than 50% for the property located at 4307 Hannon Drive. The petitioners were initially attempting to refinance the property when they were made aware of the non-conforming status. In order for the petitioner to gain refinancing and insurance for this property, certain stipulations must be met. An insurance company would not insure the property due to the potential situation in which the property would be destroyed by more than 50% of its value, and cannot be rebuilt as it exists currently. If destroyed by more than 50% it must come into conformity with the Unified Development Code. Additionally, financing companies are unlikely to provide financing toward a residential purchase

knowing that their investment is unable to be reconstructed in the event of more than 50% destruction.

The property is a residential parcel of land totaling approximately 0.3031 acres that was part of an area east of East Main Street annexed into the City of Farmington in 1956. The annexed area was zoned IND Industrial at the time. The annexation and zoning encompassed several residential properties.

The residence is a one-story ranch house of approximately 1,650 square feet that was built in 1940. The property also contains additional accessory structures: a 408 sq. ft. detached garage and 192 sq. ft. storage shed. It is on the south side of Hannon Drive, approximately 250 feet east of Best Street. The property is surrounded on three sides (west, east and south) by the Ralph W. Miller Inc. Company. To the northeast of the property are additional residences located within the SF-7 Single Family zoning district. Directly to the north is another legal, non-conforming residence located in the IND district. On the western portion of Best Street are located numerous residences zoned SF-7 Residential, with an overlay of the Special Mobile Home Area.

With the approval of this Special Use Permit, all structures on the property (the principle residence, garage, and storage shed) would be allowed to be rebuilt to the current size and in the exact same location. These structures will not be allowed to be expanded.

Section 9.2.4 of the Unified Development Code states: "If a nonconforming use or structure containing a nonconforming use is destroyed by fire, the elements or other cause, it may not be rebuilt except in conformity with the provisions of this UDC. In the case of partial destruction of such a use not exceeding 50 percent of its replacement value, reconstruction may be permitted by special use permit, provided: the size and function of the nonconforming use shall not be expanded; and work on the restoration of the use must begin within six months and be completed within 12 months of the time of the calamity." However, Section 9.2.6(A) states: "Any lawful nonconforming use of a building shall be considered to be in conformity with the terms of this Code upon application and approval of a special use permit. In order to grant a special use permit, the City Council must find:

- The use is compatible, in terms of scale, building size and intensity of land use, with the existing and permitted uses in the local neighborhood;
- The use does not create excessive additional traffic in the neighborhood; and
- The use does not generate noise, smoke or other environmental pollutants that are foreign to the neighborhood."

The residential uses generate less traffic than the industrial properties to the south. It will generate the same amount of traffic as the residential property to the immediate north. A residential use will not create excessive noise, smoke or other environmental pollutants. It will have a much less impact of the surrounding neighbors than the industrial uses that currently exist in the area.

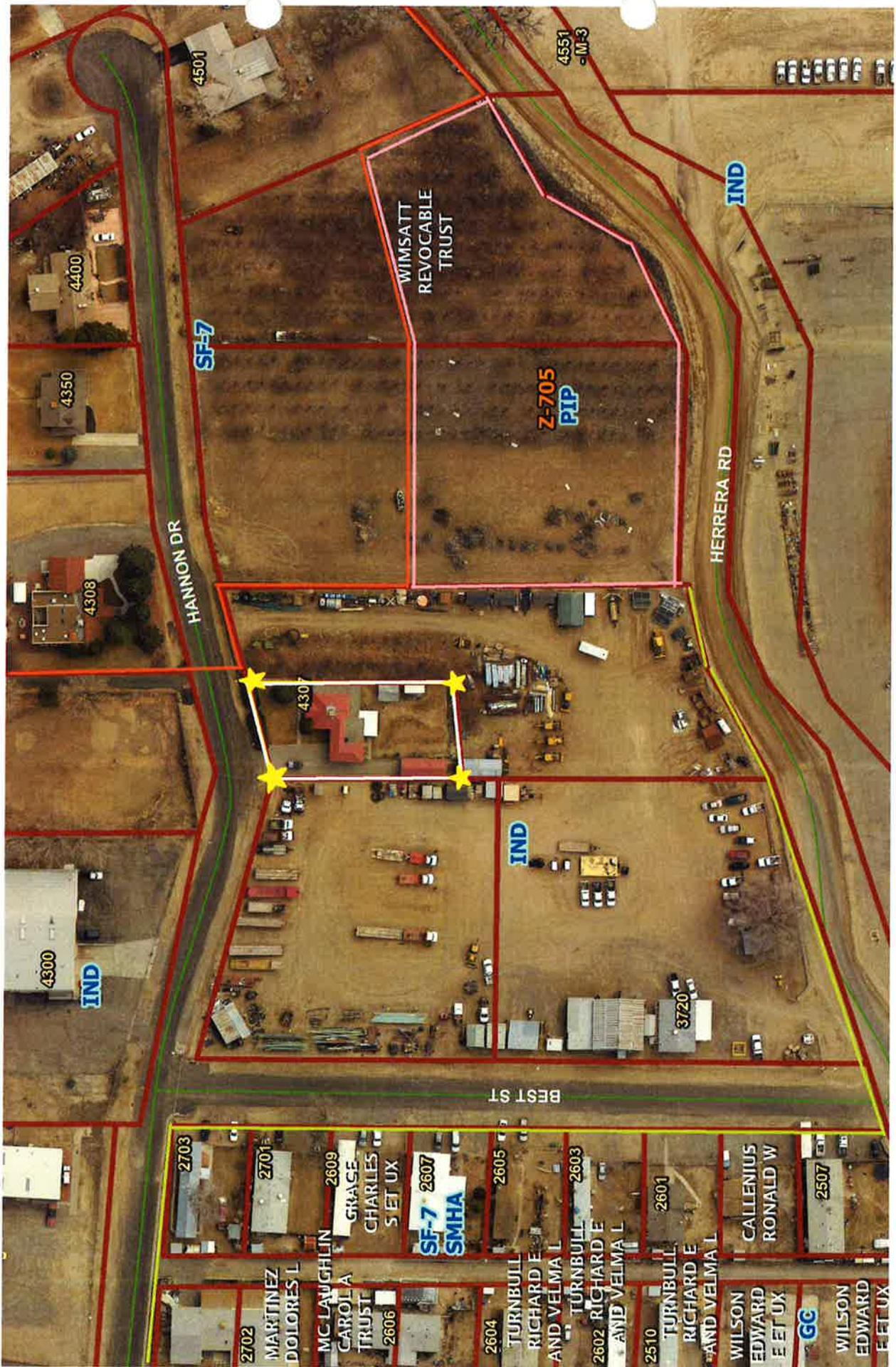
The Future Land Use Plan of the City's Comprehensive Plan identifies the area of this request as Commercial in nature.

STAFF CONCLUSION

Staff concludes that approval of SUP 16-01 is appropriate. The petitioner's request is in compliance with Section 9.2.6(A) of the Unified Development Code. The residence existed prior to the annexation and Industrial zoning by the City of Farmington.

STAFF RECOMMENDATION

The Community Development Department recommends **approval** of Petition SUP 16-01, a request from Martha and Alexander Wu, Sy Ming Deng, Kang Ho to allow a nonconforming residential use and accessory structures to be rebuilt to the same size and location of the existing nonconforming use but not be expanded if destroyed by more than 50% in the IND Industrial District for property located at 4307 Hannon Drive.





AREA UNDER CONSIDERATION 4307 Hannon Drive

COMMUNITY
DEVELOPMENT
DEPARTMENT

PLANNING MEMO COMMENTS SUMMARY

SUP 16-01 4307 HANNON DR

Deadline: 2/12/16

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	Building inspection has no comments on SUP 16-01 Hannon drive
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Simms	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	No comment
ELEC	Electrical Engineering - Luwil Aligarbes	No comment or conflict
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	The Fire Marshal's office is in approval.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	
POLICE	Code Compliance – Todd Johnston	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni Sitta	I have no comments in regards to SUP 16-01 4307 Hannon Dr.
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	No comment

Other Entities

New Mexico Gas Company-Ronnie Owens	
CenturyLink-Diane Willatto	No comment
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI-Ron Rosen	
Williams Field Services	
Farmington School District-Cindy Lyons	

PETITION APPLICATION



RECEIVED
FEB 02 2016

Complete 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)

PROJECT TYPE (Check Those Applicable)

- | | | |
|---|--|---|
| <input type="checkbox"/> Annexation and / or Zoning | <input type="checkbox"/> Summary Plat | <input type="checkbox"/> Zone Change to _____ District |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Final Plan | <input type="checkbox"/> Variance (ARB) | Proposed Length of Use: _____ |
| | | <input type="checkbox"/> Well site equipment modification |

INFORMATION

Applicant's Name: <u>Martha Wu</u>	Project Location: <u>4307 Hannon Dr.</u>
Address: <u>4307 Hannon Dr.</u>	Existing Use: <u>Residence</u>
E-Mail:	Proposed Use: <u>Residence</u>
Telephone: <u>505-686-0473</u>	Current Zoning: <u>IND</u>
Relationship to Property Owner: <u>SAME</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: <u>2073173142209</u>
Legal Description of Subject Property: <u>T29N, R13W, Sec. 1 PT. NW1/4SE 1/4</u>	
Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide copy with application.	

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name:	E-Mail:
Phone:	Address:

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)		MORTGAGE HOLDERS (If any)	
Name: <u>Alexander Wu</u> <u>Sy Ming Deng</u>	Phone: <u>686-0473</u>	Name:	Phone:
Address: <u>Kang Ho</u> <u>Martha Wu</u>		Address:	

OWNER CERTIFICATION

* (Physical and Mailing)

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: <u>Martha Wu</u>	Address: <u>4307 Hannon Dr</u>
Owner's Signature: <u>Martha Wu</u>	Phone / Email: <u>505-686-0473</u>

****** STAFF USE ONLY ******

Received By: <u>Keith Neil</u>	<input type="checkbox"/> Blueline Copies of Plans _____
Date: <u>2/2/16</u> Fee Received: <u>80.00</u>	<input checked="" type="checkbox"/> Ownership Report (subject and surrounding properties)
Project File No. <u>SUP 16-01</u>	<input checked="" type="checkbox"/> Legal Description _____
Date of Hearing/Meeting: <u>PER 3/10 CC 3/22</u>	<input type="checkbox"/> Detailed Statement of Proposed Use



To Whom it may concern
I need a special use permit
if the need came up for
insurance purposes, like if
I were to have a fire.

Thank You
Martha Wu

RECEIVED

FEB 09

COMM DEV DEPT

2-9-16

To Whom it may concern:

The property at 4307 Hannon Dr,
Farmington, NM is compatible with
surrounding uses, as far as the current
use. We reside at 4308 Hannon Dr.

Paul & Sue Olgin

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

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

Petition No. SUP 16-01 - a request from Martha Wu for a Special Use Permit for a nonconforming residential use in the Industrial District to allow the structure to be rebuilt if destroyed by more than 50%, for property located at 4307 Hannon Drive in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

T29N, R13W, Sec1, Pt. NW1/4SE1/4
Otherwise known as 4307 Hannon Drive

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, March 10, 2016 at 3:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, March 22, 2016 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 Petitions.

Karen Walker
Administrative Assistant

Legal No. 72400 published in The Daily Times
on February 21, 2016.

**NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 16-01**

February 17, 2015

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 Martha Wu for a Special Use Permit for a nonconforming residential use in the Industrial District to allow the structure to be rebuilt if destroyed by more than 50%, for property located at 4307 Hannon Drive in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

T29N, R13W, Sec1, Pt. NW1/4SE1/4

Otherwise known as 4307 Hannon Drive

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, March 10, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on **Tuesday, March 22, 2016 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 in 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 hearings noted above or submit written comments prior to the meeting to the Planning Division -- Community Development Department at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that this petition could be cancelled or withdrawn prior to the meeting date.

If you have any questions regarding this notice, or would like additional information regarding this petition, please contact Keith Neil at 505-599-1333 or kneil@fmtn.org.

Sincerely,



Karen Walker
Administrative Assistant

GUARDIAN ABSTRACT & TITLE CO., INC.
221 NORTH AUBURN
FARMINGTON, NEW MEXICO 87401

PROPERTY OWNERS WITHIN 100 FEET, EXCLUDING ROADWAYS AND ALLEYS OF
 THE FOLLOWING DESCRIBED PROPERTY: T29N, R13W, Sec. 1
Pt. NW1/4SE1/4

OWNER: Wu, Alexander JH and Martha M.
 Deng, Sy Ming
 Ho, Kang
 4307 Hannon Dr.
 Farmington, NM 87402
 1434/420, 1504/187

<u>ADJOINING OWNER</u>	<u>ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
Johnson, Victor J. and Jackie M. Trustees 1442/242, 1564/929 1564/930,	303 Mc Donald Rd. Farmington, NM 87401	T29N, R13W, Sec. 1 Pt. NW1/4SE1/4 Pt. NE1/4SE1/4
Carman, Bobby V. and Betty J. Trustees 1378/790, 1378/791	4306 Hannon Dr. Farmington, NM 87402-8716	T29N, R13W, Sec. 1 Pt. NW1/4SE1/4 Pt. NE1/4SE1/4
Ferrari, Reed Joe and Barbara Irene Trustees 1588/697	1512 Diamond Cir. Gallup, NM 87301	T29N, R13W, Sec. 1 Pt. NW1/4SE1/4
Olguin, Paul S. and Sue A. 1298/1025	4308 Hannon Dr. Farmington, NM 87402-8716	Olguin-Baird Subdivision Tract 2-A



Not to Scale

HERRERA RD

R0033332
WIMSATT REVOCABLE TRUST
1409 / 279
1.24 Ac.

HANNON DR

R0022033
BAIRD STEPHEN J AND JULIE P
1528 / 140
0.57 Ac.

R0030822
CARMAN BOBBY V AND BETTY J TRUSTEES
1378 / 790
1.76 Ac.

R0029014
OLGUIN PAUL S AND SUE A
1.68 Ac.
1298/1025

R0036236
JOHNSON VICTOR J AND JACKIE M TRUSTEES
1564 / 929
1.12 Ac.

R0021640
CARMAN BOBBY V AND BETTY J TRUST
1378 / 791
1.18 Ac.

Wu, Martha
Deng, Sy Ming
Ho, Kong
1504/187
1434/420

R0023963
FERRARI REED JOE AND BARBARA IRENE TRUSTEES
1588 / 697
2.01 Ac.

29 - 13 - 1 - 4
100'

R0028567
JOHNSON VICTOR J AND JACKIE M TRUSTEES
1564 / 930
1.06 Ac.

R0028568
JOHNSON VICTOR J AND JACKIE M TRUSTEES
1564 / 930
1.5 Ac.

MINUTES
PLANNING & ZONING COMMISSION

February 11, 2016

The Planning and Zoning Commission met in a regular session on February 11, 2016 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
Shay Davis
Clint Freeman
Kristin Langenfeld
Cheryl Ragsdale

P&Z Members Absent:

Rory Jaquez
Paul Thompson
Cody Waldroup
Del Washburn

Staff Present:

Mary Holton
Cynthia Lopez
Keith Neil
Toni Sitta
Karen Walker

Others Who Addressed the Commission:

Marlo Webb

Call to Order

Chair 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 Davis and seconded by Commissioner Ragsdale to approve the minutes of the January 14, 2016 P&Z Meeting. This motion was approved unanimously by a 6-0 vote.

Swearing in of Witnesses

All parties that wished to speak on behalf of any agenda items were sworn in by Karen Walker.

COMMUNITY DEVELOPMENT PETITION REPORT

Petition No. ZC 16-01

Zone Change from IND to SF-MH Fox Street

Planning & Zoning Commission Discussion of Petition ZC 16-01 on February 11, 2016

Associate Planner Keith Neil presented the staff report for ZC 16-01, a request from Keystone Investments, LLC, John and Amy Clawson, and Russell Casazza, represented by Marlo Webb for a zone change from IND Industrial to SF-MH Single Family-Mobile Home, located at 2601, 2605, 2607, 2609, 2701, and 2703 Fox Street.

The properties are north of Herrera Road and south of Hannon Drive directly behind Webb Toyota. The mobile home located at 2701 Fox Street was destroyed by fire this fall and Mr. Webb of Keystone Investments would like to replace the mobile home. The mobile home was located in the IND Industrial District, which does not permit residences. It was a legal non-conforming structure. According to Section 9.3.3 which states "If a non-conforming structure is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this UDC". This means Mr. Webb is not permitted to replace the mobile home.

Keystone Investments, LLC is the property owner for 2607, 2609, 2703 and 2701 Fox Street. Russell Casazza is the property owner of 2605 Fox Street. John and Amy Clawson are the property owners for 2601 Fox Street. These property owners are together seeking a zone change to SF-MH, Single Family-Mobile Home. A small area of property on Fox Street toward the south will remain IND and is used by Webb Toyota for parking.

These parcels and a large area that surrounds them were annexed into the City of Farmington in 1956 and entered as IND Industrial properties. Since that time, the property to the west, Webb Toyota, had a zone change to GC General Commercial and the residential properties to the east had a zone change to SF-7, SMHA Special Mobile Home Area Overlay.

Staff concludes that approval of ZC 16-01 is recommended.

Commissioner Freeman asked what the Master Plan for the area was. Mr. Neil explained that the Comprehensive 2020 Future Land Use Plan shows the area as Commercial, but the area has

always been residential. Senior Planner Cindy Lopez commented that the residential zoning for this area came into existence prior to the Comprehensive Plan. She explained that the Comprehensive Plan is a visionary plan that was done in 2002 and this area has remained residential since 1956. The area is not following the recommendation of the Comprehensive Plan to change the Commercial area. Ms. Lopez said the proposed zoning suits the current conditions in the area.

Marlo Webb of 5425 San Teresa Court noted that the area would never be appropriate as Industrial because there is not enough room on the lots and with the setbacks required for Industrial zoning. If Webb Toyota chooses to expand, the area could be re-zoned to GC. Mr. Webb mentioned that he did not see the expansion of Webb Toyota happening anytime soon.

Planning & Zoning Commission Action of Petition ZC 16-01 on February 11, 2016

A motion was made by Commissioner Freeman and seconded by Commissioner Ragsdale to **approve** Petition ZC 16-01, a request from Keystone Investments, LLC, John and Amy Clawson, and Russell Casazza, represented by Marlo Webb for a zone change from IND Industrial to SF-MH Single Family-Mobile Home, located at 2601, 2605, 2607, 2609, 2701, and 2703 Fox Street.

AYE: Chair Cardon, Commissioners Brown, Davis, Freeman, Langenfeld, and Ragsdale.

NAY: None

Abstained: None

Absent: Commissioners Jaquez, Thompson, Waldroup, and Washburn.

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 Members.

Business from Staff: Ms. Lopez commented that Petition PFP 15-01, which was approved by the Planning & Zoning Commission on January 14, 2016, has been postponed until the February 23, 2016 City Council Meeting.

Adjournment: With no further business and a motion by Commissioner Davis and seconded by Commissioner Ragsdale, the Planning and Zoning Commission meeting February 11, 2016 was adjourned at 3:16 p.m.

Joyce Cardon
Chair

Karen Walker
Administrative Assistant