

Planning & Zoning Commission
January 11th, 2017 Minutes
City Council Chambers

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m. by Vice-Chairwoman Mackenzie-Chavez.

Upon roll call, the following were present:

Vice-Chairperson K. Mackenzie-Chavez
Commissioner J. Dooley
Commissioner F. Pawlowski
Commissioner F. Kozeliski
Commissioner M. Long
Commissioner L. Miller

Upon roll call, the following were absent:

Chairman K. Wilson

Presented to the Chairman and Commissioners for their approval were the minutes of the November 8th, 2016 regular meeting. Commissioner Pawlowski motioned for approval of minutes as presented. Seconded by Commissioner Kozeliski, A.V.A. Motion Carried.

Acting Chairwoman Mackenzie-Chavez administered the oath required by state law for public forum.

ITEM ONE: CASE# 17-01100001: Annual Open Meetings Act, Resolution # RP2017-01. The Open Meetings Act requires that the Planning and Zoning Commission (at least) annually review what constitutes reasonable notice to the public of its meetings. Accordingly, the resolution is presented to the Board for consideration and approval.

CB explained that this item comes before the Commission at the first meeting of every year. Everyone has expressed that the new time of 6:00 p.m. has worked fine. The only change this year is that per State Law, the written agenda must be available to the public a minimum of 72 hours prior to meeting. In the past it had to be available a minimum of 24 hours prior to meeting. No other changes to our resolution are being considered.

Commissioner Dooley asked if the timeframe for the agenda was lengthened or shortened. CB replied that we must make the agenda available to the public sooner now. Commissioner Dooley then asked if this would affect anyone submitting an application for item to come before the commission. CB replied that it will not affect the application submittal timeframe as all applications must be submitted on the 2nd Friday of the month prior to the Planning and Zoning Commission Meeting.

Motion was made by Commissioner Dooley for approval of this item as presented by staff. Seconded by Commissioner Pawlowski. A.V.A., Motion Carried.

ITEM TWO: CASE # 16-00600003: Request by Rehoboth Christian School Association, property owner, for the Rezoning of approximately 11.04 acres **FROM** Planned Mixed Use (PMU-M) **TO** Single Family Residential (RS-2) Zoning District and approximately 93.53 acres **FROM** Heavy Commercial (C3-B) **TO** Single Family Residential (RS-2) Zoning District. Said property is located with the majority

to the north and south of portions of Churchrock Street near Vandenbosch Parkway & a 1.337 acre m/l parcel between E. Historic Highway 66 and I'40.

As no one was present to represent Rehoboth Christian School Association, the item was not discussed at this time.

It was later discovered that the notice that was sent to the applicant providing the date and time of meeting listed the incorrect time. The notice had the time of meeting as 7:00 pm and not 6:00 pm. The applicants did arrive at the City Council Chambers at 6:45 but the meeting had already adjourned. Chairman Mackenzie-Chavez reconvened the meeting at 6:47 pm.

ITEM THREE: CASE # 16-01000002: Request by Samuel Soohoo, on behalf of Viro Corporation, property owner, to vacate the undeveloped portions Barbara Avenue and Truman Street for future Development. The property is located north of the Chaparral Trailer Park.

CB informed the Commission that in 1962 Rights-of-Way were dedicated which created Barbara Avenue and Truman Street as well as a couple of other streets. This document was in the form a deed and recorded at the McKinley County Clerk's Office. The portions of Barbara Avenue and Truman Street being discussed tonight were never improved or developed. Currently, Mr. SooHoo is considering purchasing the unplatted land for future development. These two undeveloped streets, or rights-of-ways, are located on the land being considered for purchase. The undeveloped rights-of-way diminish the developable area of the property. Mr. Soohoo, and the current property owner agrees, is asking to vacate portions of Barbara Avenue and Truman Street thus they would no longer be considered "rights-of-way" and the property will revert to the property owner. This will relieve the property owner of the requirements to improve the rights-of-way with curb, gutter, sidewalk, pavement, and water & wastewater. However, there are existing electrical lines and drainage that runs through the parcel. So in place of the rights-of-way, we will need to dedicate easements to allow for the existing electrical lines and drainage. Doing so will allow for options to develop this area for commercial use or whatever the purchaser would like.

CB reminded the Commission that they will be voting on a recommendation to present to City Council on the 24th of January, whether to approve or disapprove the request. CB also informed the Commission that DePauli Engineering is preparing drainage and utility easement documents with metes and bounds to be presented to our Mayor for signature prior to the vacation request being presented to City Council on the 24th.

Commissioner Kozeliski asked if Aztec Avenue, adjacent to the property being discussed, is included in the vacation request. CB replied that it is not, the only areas being vacated are the unimproved portions of Barbara Avenue and Truman Street.

Regarding the drainage issue, Chairman Mackenzie-Chavez asked if the problem is being addressed as this area has a huge drainage problem. CB replied that currently Public Works Department is working with DePauli Engineering and are in the process or designing a drainage plan for this area. They are working on solving the drainage issue for this area, and as mentioned earlier drainage easement documents are being prepared for submittal to Mayor prior to the City Council presentation of the vacation.

Commissioner Miller noted that there is no mention of water or sewer and asked why not. CB explained that there is currently no water or sewer only electrical is located on site. CB further explained where water and sewer would need to be acquired from and the reasons why.

Mr. Frank Mraz, representing Viro Corporation, explained that this property has had no development primarily due to the drainage issues at this site. The water drains from to the property from the east and unto the adjacent properties to the west causing problems for the property owners. He feels these

vacations will present a great opportunity for development once the drainage and utility easements are in place. He asked the Commission to consider this item and submit a positive recommendation to City Council.

Mr. Michael DePauli from ReMax Combined Investments, representing the prospective buyer of this property, agreed with the comments made by Mr. Mraz. He noted that the rights-of-ways need to be vacated in order to allow for development. He does not know exactly what will be developed at this site, but he does feel without the vacations any future development is seriously limited. He described the area noting that due to the drainage issue, it is continually flooded, and there is a continual transient problem. He concluded by stating that making this area developable will help the entire neighborhood.

Motion was made by Commissioner Kozeliski to submit a positive recommendation to City Council for approval of this item as presented by staff. Seconded by Commissioner Pawlowski. A.V.A., Motion Carried.

INFORMATION ITEMS

ITEM FOUR: City Council Actions Taken / P&Z Commissioner Attendance 2016

ITEM FIVE: November & December 2016 Building Permit Activity Report

There was a brief discussion regarding the newly developed La Paloma and Sunrise Subdivisions. CB addressed each of the questions presented by the Commissioners. Some of the Commissioners also asked about the updates to City Code regarding curb, gutter and sidewalk requirements for any new developments and the many stop signs within Gallup. CB did inform the Commissioners that any questions regarding the stop signs in town should be directed to the Public Works Department.

ITEM SIX: Building Permit Five-Year Comparison {2012 thru 2016}

ITEM SEVEN: Planning & Zoning Agenda Five-Year Activity Report {2012 thru 2016}

Prior to adjournment, CB did inform the Commission that City Council has approved his request for funding to re-write our Land development Standards. The RFP went out last week and the Purchasing Department should be reviewing all the RFP's by mid-February and hopefully have a firm selected by the end of February. He advised the Commission that he may be looking for members of the Commission to assist on the steering committee when the time comes. CB answered all questions presented to him regarding the update of our LDS.

Commission Adjourned at 6:40 p.m

The regular meeting of the Planning and Zoning Commission was reconvened as representatives from Rehoboth Christian School Association arrived. The meeting was called to order at 6:47 p.m. by Vice-Chairwoman Mackenzie-Chavez.

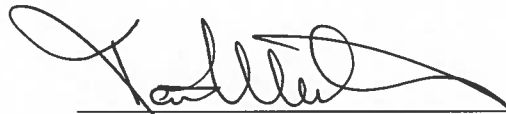
As was mentioned in the minutes previously, it was later discovered that the notice that was sent to the applicant regarding Agenda Item Two, Case # 16-00600003 which provided the date and time of meeting, listed the incorrect time. The notice had the time of meeting as 7:00 pm and not 6:00 pm. The

representatives arrived at the City Council Chambers at 6:45 but the meeting had already adjourned. Chairman Mackenzie-Chavez reconvened the meeting at 6:47 pm.

After apologizing to the representatives from Rehoboth Christian School Association, it was agreed that this item will be tabled until next month's meeting.

Motion was made by Commissioner Kozeliski to table Item Two, the Rezone request by Rehoboth Christian School Association, until the next meeting which will be held on March 8th, 2017. Seconded by Commissioner Pawlowski. A.V.A., Motion Carried.

PLANNING & ZONING COMMISSION



KENT WILSON, CHAIRMAN

ATTEST:



CLYDE (C.B.) STRAIN
SECRETARY TO PLANNING & ZONING