

Existing Land Use	Residential
Existing Zoning	GC General Commercial District
Surrounding Zoning & Land Use	North: CB Central Business District / Commercial South: GC General Commercial District / Residential East: GC General Commercial District / Commercial Parking West: GC General Commercial District / Residential
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily-Times on Sunday, February 20, 2011. Property owners within 100 feet were sent notice by certified mail on Tuesday, February 22, 2011 and a sign was posted on Friday, February 25, 2011.
Staff Planner	Fran Fillerup, Associate Planner

STAFF ANALYSIS

Project Description

The petitioner is requesting a zone change from the GC General Commercial District to the MU Mixed Use District for 0.287 acres located at 608 West Animas Street. There is an existing residence at the subject property. Because the property is in the GC district, the existing residence is a legal non-conforming use. According to the petitioner, the purpose of the zone change is to allow the home to continue to be used as a residence. A zone change to the MU district will make the residence a conforming use, and allow for the sale of the property.

The Community Development Department presented the requested zone change to the City of Farmington Metropolitan Redevelopment Agency (MRA) Board as an information item on February 17, 2011. Because there are no plans for redevelopment of the property, the MRA Board did not forward any comment.

ISSUES

Water and Wastewater O&M Manager: Ruben Salcido – 599-1284

- There is an 8-inch sewer main within the alleyway fronting the properties and a 12-inch water main along Animas Street fronting the properties.
- As there are three separate lots (all of one lot and halves of two others) on the subject property, please be notified that future redevelopment of the subject property may require a lot consolidation, and that individual lots and buildings may be required to provide separate utilities. This is not being required at this time, but is for the petitioner's information.

Planning Division: Fran Fillerup – 599-1282

- The requested zone change meets the goals of the Metropolitan Redevelopment Area (MRA) Plan. According to the MRA Plan, the vision for the Animas District is to "Redevelop the Animas Neighborhood as a mixed-use development with new types of affordable housing, expanded medical and cultural facilities linking Downtown to the Riverwalk." A zone change to the MU district will allow for the mix of uses identified by the MRA Plan.
- The 2020 Future Land Use Plan of the Farmington Comprehensive Plan shows the subject property as being office professional.
- The petitioner's stated purpose for the zone change is to make the existing residence a conforming use in the MU district. While a zone change to the MU district would allow office professional uses, it would also allow property to continue to be used as a residence. A zone change to the MU district is in conformity with both the MRA Plan and the Comprehensive Plan.
- According to Section 11.1 of the UDC, a spot zone is created when "a particular tract within a larger area is specifically zoned so as to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges not granted generally, not done in pursuance of the Comprehensive Plan." While the subject zone change would make one property zoned as a MU district surrounded by GC and CB districts, the subject request would not create a spot zone as defined in the City of Farmington Unified Development Code (UDC) because the request is in pursuance of the Comprehensive Plan and the MRA Plan.

STAFF CONCLUSION

Staff concludes that approval of ZC 11-03 is appropriate. The requested zone change is in accordance with the Metropolitan Redevelopment Area Plan.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition ZC 11-03, a request from Jason Little, for a zone change from the GC General Commercial District to the MU Mixed Use District for 0.287 acres located at 608 West Animas Street.

DISCUSSION FROM THE PLANNING & ZONING COMMISSION

Mr. Fran Fillerup presented the staff report to the commission. Chairman Ivie asked if this lot was related to the MU Mixed-use changes approved in previous meetings.. Mr. Fillerup stated that the previous zone changes were to the west and south about two blocks away and were for M&H Construction.

Commissioner Simpson asked when the General Commercial Zoning was assigned to this area. Mr. Fillerup did not have an exact date, but the change from SF to GC does make the

residence within that area legal non-conforming use. Commissioner Freeman asked if this was 1 lot or 3 lots based on the outline on the site plan. Mr. Fillerup explained that it is ½ of lot 29, ½ of lot 31 and all of lot 30. Chairman Ivie asked if there was a requirement to make it a single lot. Mr. Fillerup stated that if there was future construction on the lot, a plat to consolidate would be required. However, because there is not construction proposed, no replat is required at this time. Commissioner Cardon reviewed the requirement for replatting the lot to consolidate them into 1 lot only if a building permit is issued.

Chairman Ivie asked the petitioner, Jason Little of 11 Road 3733, Farmington, as to whether he had read the staff report and if there were any questions about the recommendation. Mr. Little answered that he had no questions and also that he understood about the requirement for a replat before a building permit could be issued.

Planning and Zoning Commission Action of March 10, 2011

A motion was made by Commissioner Freeman to **approve** ZC 11-03. The motion was seconded by Commissioner Cardon and passed by unanimous vote of 8-0.

AYE: Chairman Ivie, Commissioners Buchanan, Byrom, Cardon, Freeman, Langenfeld, Simpson and Ziesmer (Alt)
 NAY: None
 ABSTAINED: None
 ABSENT: Commissioners Jaques, Kuchera, and Washburn (Alt)

THE MOTION PASSED 8-0

COMMUNITY DEVELOPMENT PETITION REPORT Staff Report Zone Change from MF-M to SF-10 Petition ZC 11-04 – Piñon Hills Villa at Camaron and Messina
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A. STAFF REPORT, March 10, 2011

PROJECT INFORMATION

Applicant	City of Farmington
Representative	N/A
Date of Application	February 10, 2011
Requested Action	Zone change from the MF-M, Multi-family Medium-Density Residential District to the SF-10, Single-family Residential District.
Location	South side of Messina Drive at Camaron
Existing Land Use	Vacant
Existing Zoning	MF-M, Multi-family Medium-Density Residential
Surrounding Zoning & Land Use	North: OP, Office and Professional / Office South: SF-10, Single-family Residential / Vacant East: SF-7 Single-family Residential / Residential West: OP, Office and Professional / Office
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission and also the City Council appeared in the Daily Times on Sunday, February 20, 2011. Property owners within 100 feet were sent notice by certified mail on Tuesday, February 22, 2011 and a sign was posted on Friday, February 25, 2011.
Staff Planner	Cynthia Lopez, Senior Planner

STAFF ANALYSIS

Project Description

The City of Farmington is requesting a zone change from the MF-M, Multi-family Medium-density Residential District to the SF-10, Single-family Residential District pursuant to a condition of approval from a previous zone change (ZC 1430) which was approved by City Council on March 12, 1996. The previously approved zone change was a request from Craig Stoabs of Socuno Ltd. to rezone the property from the R-1A (SF-10) Single-family Residential District to the R-3 (MF-M) for a 5.61 acre parcel of land to construct a 84 unit apartment complex. The zone change condition of approval stated:

“a.) The apartment complex, except as noted below, being generally developed as shown on a site plan under a single ownership and meeting all City Codes with development commencing within five years of the date of City Council approval, or the zoning reverting back to R-1A” (SF-10).

The Unified Development Code, which went into effect on January 1, 2008, specifies the types of conditions that may be applied to a zone change. Section 8.7.5 B states that the Commission and the City Council may “impose time limits for installation of improvements or compliance with the conditions; and, in default thereof, may order that a public hearing be scheduled for the purpose of considering rezoning the subject property, pursuant to the procedures of this section, to that which existed prior to the application or to other more appropriate zoning category.”

A zoning map error occurred between May 1, 2003 and March 3, 2004. The zoning map was changed for this property from multiple-family zoning to the single-family. A zoning designation **can not** automatically revert back to single family as the condition implied and the City must initiate a rezoning process to meet the previous condition of approval. The rezoning process for this property never occurred and the property is currently zoned as MF-M Multiple-family Residential.

The City of Farmington’s Legal Department made a legal determination about conditional approval for zone changes (see attached document). The Legal Department’s findings showed that a zoning reversion from multi-family residential to single-family residential based on a five-year condition (a zone change development approval expiring by 2001 from 1996) could not automatically occur, and it was therefore the City’s responsibility in or after 2001 to initiate a zone change upon expiration of this developments condition.

The property owner is now proposing to construct a 96 unit apartment complex on the vacant property. The Community Development Department has received numerous letters and emails in opposition to the newly proposed apartment complex. The purpose of this zone change is to provide both the petitioner and the surrounding community the opportunity to speak in support and opposition to this zone change request.

Upon receipt of legal analysis and due process recommendations from the City Attorney’s office, both Staff and the Petitioner determined that a community meeting to discuss the characteristics of the proposed apartment development should first take place. That meeting is scheduled to take place on March 9, 2011.

History

The original staff report listed three areas of consideration for the zone change from single-family to multiple-family. It considered if the property was placed in the single-family zoning district by error when the City rezoned in 1969 and determined that the zoning was not the result of an error. Another consideration was the change in character of the area since 1969, which was mostly vacant open land. It determined that the area character had changed considerably with the construction of College Boulevard and Piñon Hills Boulevard, and the development of churches, schools and San Juan College. The last consideration was conformance to land use plans or a comprehensive plan. At that time the City’s land use plan was Vision 2010. Two of the goals cited in the staff report were: 1) Accommodate a variety of housing types to meet the needs and desires of all citizens; and 2) Designate land uses in developing areas to contain a broad range of residential development.

The staff report also included a conclusion about spot zoning. “A change of zone from the R-1A (SF-7) zone district to the R-3 (MF-M) district for an area of 5.61 acres could create a spot zone but 5.61 acres may be large enough to stand on its own as a zoning district. Also, R-3 (MF-M) could be an appropriate zone to place between the O-P zoning on College Boulevard and the remaining R-1A (SF-7) land to the east.”

Farmington Comprehensive Plan 2002

The Farmington Comprehensive Land Use Map shows the property as Residential High Density/Residential Family Urban (less than 20,000 sq. ft. lot). The plan defines Residential High Density as “Residential dwellings with more than one unit per lot or parcel, including duplexes, tri-plexes, four-plexes, apartment buildings, and townhouses.” Residential Family Urban (less than 20,000 sq. ft.) is defined as “Conventional detached dwellings on parcels of less than 20,000 square feet.”

Land Uses Objective 4.1 states “Assure the provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible use in close proximity to each other.” The land use map for this area shows a transition from office professional uses to single-family uses with high density residential (multiple-family) as a buffer between the two zones.

Housing Goal Objective 7.1 states: “Provide a variety of housing options, including traditional subdivisions and mixed use developments, to accommodate housing needs of all residents in Farmington including the elderly, disabled, students, and low income residents.” Objective 7.3 states: “Ensure that there are quality residential areas in and around the community.” An apartment complex across College Boulevard from San Juan College provides an opportunity to live in close proximity to the college for teachers, staff, and students who can afford it. Also older and/or retired members of families could live close to families who own homes in nearby subdivisions.

A gated apartment complex with quality construction meets the objectives of the Farmington Comprehensive Plan. Staff concludes that multiple-family zoning for the property south of Messina and west of Camaron is supported by the Farmington Comprehensive Plan.

STAFF CONCLUSION

Multiple-family and single-family zoning districts are both classified as residential districts, as opposed to non-residential districts which include general commercial, office professional and industrial. Transitioning from nonresidential uses to residential uses buffers the impacts to residential neighborhoods in terms of traffic, noise, and safety. Multiple-family residential developments act as the buffer to single-family residential, reducing the impacts from adjoining commercial uses.

This property is in close proximity to San Juan College. It may provide flexibility and benefit in housing options for San Juan College students, staff and others in the area. It will also provide opportunities for families, who do not have the option or prefer not to purchase a home, to rent a decent apartment near some of the cities activity centers.

Staff concludes that keeping this property as multiple-family zoning is appropriate and recommends denial of this petition.

STAFF RECOMMENDATION

The Community Development Department recommends denial of ZC 11-04 from the City of Farmington for a 5.61-acre lot located at Messina Drive and Camaron from the MF-M, Multi-family Medium-density Residential District to the SF-10, Single-family Residential District.

DISCUSSION FROM THE PLANNING & ZONING COMMISSION

Director Holton presented the staff report to the commission. Commissioner Simpson asked how, when the City of Farmington is the petitioner, staff's recommendation can be contrary to the request. Director Holton stated that staff took into consideration the Comprehensive Plan and other plans. She informed the commission that a neighborhood meeting had been held the previous (Wednesday, March 9, 2011) night. Commissioner Byrom stated that according to the letters that were handed to the commissioners that the subject property was shown on the Zoning Map as single family.

Chairman Ivie asked who was representing the city. Assistant City Manager Bob Campbell came forward to speak with the commission. He provided a brief history regarding the zoning on the property stating that in 1996 there was an approved request to rezone from single family to multi family with the condition that if there was no construction on this property the zoning would revert back to single family. This should have taken place in 2001, however it did not come to the City's attention until Mr. Stoabs petitioned to have the property rezoned to multi family. The City Attorney was consulted and his professional review was that the rezone was not necessary. This process, as directed by city council in 1996 is being brought forward to the Planning & Zoning Commission at this time. Commissioner Simpson again asked how Mr. Campbell, as the petitioner, felt about staff's recommendation. Mr. Campbell stated that staff bases their decision on the rules provided with the codes and recommendations of the Comprehensive Plan, and that the commission has more freedom to find the balance between what could be seen as black and white. At this time Chairman Ivie asked if anyone in the audience wished to speak in favor of staff's recommendation to deny the zone change request to return the subject property from multi family back to single family.

Mr. Tom Andrews of 7728 Eagle Rock, Albuquerque, spoke about apartment complexes that were similar in size to the proposed complex being looked at to be built at this location. He stated that there have been no complexes built in Farmington within the last 20 years and there is a definite demand in this community for multi family properties. Silver Ridge Development is looking to place this type of development on the lot at the corner of Messina and Camaron which is in close proximity to businesses and San Juan College. The property could be developed with 96 units, one entrance from the north end off of Messina, gated access with open space between the properties facing Camaron and the proposed complex. Commissioner Byrom asked about whether the density could be higher than the proposed 96 units. Mr. Andrews stated the 96 units would fit into the zoning density allowed by the city and would consist of two story buildings. Commissioner Simpson and Freeman both inquired about the roofline. Mr. Andrews stated that the roofline is considered flat with parapets. In addition, the entire property would be enclosed with a six foot high decorative wrought iron & rock wall.

Commissioner Cardon asked if the intent was for the units to remain as rental property. Mr. Andrews stated the owners are looking at this project to be a long term asset to be held and maintained. Commissioner Simpson asked about whether a Traffic Impact Analysis was required for this type of development. Director Holton stated that the developer has been told that a TIA would be required for the apartment complex. Commissioner Simpson believed that the average trip per day was approximately 10 trips per vehicle.

Mr. Craig Stoabs stated that even if the property was rezoned to single family, the total houses would be around 25, if the average trips per Commissioner Simpson's estimate, would still be around 250. The city designed Messina with a 60-foot right-of-way and was built to handle that amount of traffic. As growth occurs in the 30 acres surrounding this neighborhood, the traffic will increase also. Previous TIA's have shown that 95% of traffic on College Blvd turns into the college, even with the Elementary, Middle and High School in proximity to this neighborhood.

Commissioner Buchanan asked Mr. Andrews about previously mentioned cross section of people he believed would be renters; young professionals and retirees. He also asked if the similar projects in other New Mexico cities have college students as renters. Mr. Andrews answered that yes, the Las Cruces complex has student renters in a Class A development. Commissioner Buchanan also asked if he had actual documentation for the basis of the comments that this type of housing is needed in Farmington. Mr. Andrews stated that the City of Farmington Comprehensive Plan had identified that housing need. Commissioner Buchanan and Chairman Ivie both questioned whether Mr. Andrews could give an estimate on the

increase of traffic based on the previous development projects he has worked with. Mr. Andrews stated he didn't have those numbers and that a TIA would provide that information. Commissioner Freeman what the proposed rental cost would be per unit and if the neighborhood would have access to the amenities. Mr. Andrews stated that depending on square footage the one bedroom would rent from \$790 to \$905 and the 2 bedroom would rent from \$990 to \$1,020 per month. He stated that it would be unusual for non-residence of the development to have access to the amenities.

Mr. Stoabs stated that when the houses on surrounding properties were built the intent had always been to build multi family within this site. The maximum density is 122 units and the plan is to only build 96. Because of the economy it was not feasible to build in 1996, but it is possible to build now. He also stated that he felt it was unprecedented that the city is petitioning to rezone a private owner's property. In addition, Mr. Stoabs mentioned that the initial property owners signed a notification of intent, acknowledging that there would be future development.

There were no further people the spoke in opposition of returning the zone back to single family.

Chairman Ivie informed the attendees that because of the number of people that signed up to speak, each person would be limited to five minutes. The following concerns were addressed by people in favor of the zone being returned to single family.

SPEAKER	CONCERNS DISCUSSED
Bryce Hunter 4912 Camaron Ave	City council must have been comfortable with requiring the zoning to revert back after five years or wouldn't have made that condition part of the petition. Reasonable separation from existing homes would not be sufficient because the homes on Camaron would directly face the complex. Current traffic within this neighborhood is already affected by the use of these roads to reach services on E. Main Street. Apartments don't fit within the existing character of the neighborhood. Personally would not have bought his property if there were apartment already built at this location. Bought this property from a previous owner, not Mr. Stoabs. Comfortable with using a park as a buffer from the office professional on college could only increase his property value, but feels that multi family at this location would decrease property value.
Pearl Montoya 4902 Camaron Ave	Property values would decrease if this complex was allowed to be built. Homeowners are against this type of multi family complex in this neighborhood. Suggestion that this project may be a better fit for Browning Parkway.
Rodney Montoya 4902 Camaron Ave	If someone sells their property for less that appraisal will cause further appraisals to be lower, market value will decrease. No one in this meeting was aware that apartments/multi family was planned for this property. Increase traffic will cause safety issues and overflow parking will be on their street. Proposed that the city does a land swap and not allow the apartments on this property. Does not want college students living in his neighborhood using the apartments as a dormitory.
Sally Schoenberg 4919 Kingsway Drive	Additional traffic and fencing that will change the characteristic of the neighborhood.
Elizabeth Hathenbruck 4822 Camaron Ave	Has traditionally seen these types of development on major roads. The protective covenants say that property values will be protected.
Joe Brown 3501 Wellington Place	Current traffic issues because of the elementary, junior and senior high schools.
Jamie Burch 4810 Rio Street	Maintenance of proposed property.
Devinder Singh 5011 Rio Street	Wasn't informed about the multi family units and worried that there will be a large number of college students sharing apartments. The children's quality of life would be threatened due to increased traffic.
Chuck Banks 3300 Majesta Place	Apartment complex parking not being adequate enough so that any overflow would be on their street. Doesn't feel 35' buffer is adequate distance. Wife worked for Silver Ridge and there was no mention of multi family at this location. Thinks the project would work better by the existing condos on Victoria Way.

Sunny Mortenson 4810 Camaron Ave	Spoke for Steve & Sandra Perkins in Australia. Acknowledged that the commission has a big responsibility making this decision. If the proposed xeroscape on Camaron contained a drainage ponds it could breed bugs.
Bill Hart 4816 Camaron	Purchase 2 nd house built on Camaron and specifically asked about this lot. Was told nothing is planned to be built there at this time. Safety issues regarding the increased traffic and how the Fire Department would have access to the complex. Retired to this neighborhood because of the quiet area and arroyos in the backyards. Noise issues because the houses on Camaron face the proposed complex and a wrought iron fence would not reduce noise.
Kathy Kleinsteuber 4804 Kingsway Drive	Apartment complex would increase school enrollment and the teacher/student ratio. Safety concerns for elementary and middle school kids walking to school. Suggested a park on that property and the complex closer to Piedra Vista High School. If mainly for college students, why not build a dorm? Is there a guarantee to the home owners that the proposed development won't become subsidized housing and affect homeowner property values?
Will Millis 4600 Rio Street	Others in the neighborhood are always out walking dogs and talking to their neighbors. Feels that most of the cars on College Blvd do not go to the college. Has to be a better way to do this.
Carol Kalcich 3712 Tijeras Ave	Worked with Carol Lee of Silver Ridge Development when purchasing her home, asked about this property. There was no mention of multi family on any of the maps. Believes that there will be more people living in each apartment than presented by Mr. Andrews. Overflow parking when people are visiting the complex will be on their street. Traffic study needed to determine if a signal would be required at Messina and College.
Troy Ramsted 4928 Camaron	Sign located on that property refers to building custom homes. Thought that custom homes would be built on this property.
Lonnie Moffett PO Box 1083 Farmington	The City of Farmington Comprehensive Plan is a living document that is updated and should have reflected the multi family zone change. This was not done and even Mr. Stoabs believed that the zoning reverted back to single family. Gave examples of how multi family units throughout the city are renting for comparable pricing with what houses are renting for in that same area. Therefore the proposed apartments would need to rent for what a 3,000-square foot house would rent for in this neighborhood. Potential income loss because of lower property appraisal. If this complex was built prior to the homes, the homeowners would not have an argument.

In addition to the above mentioned comments, seven individuals in the audience also agreed with other speakers but did not address the commission because they had no new information to add to what had already been stated.

Assistant City Manager Bob Campbell spoke on behalf of the City of Farmington and restated that city administration believes that this property should revert back to single family. He agreed that the city should have proceeded with this process in 2001, but it is being requested now. Chairman Ivie advised the commission that the only issue is the rezone back to single family, not what type of project may or may not be built at this location. Director Holton added that staff is currently researching other petitions for other situations similar to this one. Mr. Campbell stated that they is no assurance what a multi family complex would look like, and that it could be 120 units because of the density within that multi family zone.

Mr. Stoabs addressed the commission stating that there were four conditions of approval on that previous petition. One condition was that the area be designed as close to the site plant as possible, but if this is zoned back to single family it is a moot point. Mr. Stoabs asked if the zoning stays as multi family, would he still be held to the conditions set in 1996. Director Holton stated that the site would need to comply with the UDC and previous conditions would need to be reviewed. Mr. Stoabs appreciated all the comments regarding how nice the neighborhood is and shared that he was the one that would be most affected by a negative situation. He added that the gas well that is currently located on Messina has not devalued anyone property but people fear the apartments. The proposed buffer is a 60-foot street right-of-way, 30-feet of landscaping, then the parking lot, and finally the buildings. Commissioner Byrom mentioned that be felt there would need to be 100-units in order to support itself and that to decrease the

density would be too tough to do. Mr. Stoabs mentioned that Messina has always been planned as a through street to Pinon Hills Blvd. and that it was built to handle traffic flow.

With no further comments from the floor Chairman Ivie closed the discussion. At this point he shared that a lot of the discussion was based on the apartment complex, however, the petition presented to the commission was whether to revert the multi family zoning back to single family as conditioned by city council in 1996. Commissioner Simpson mentioned that if this property zoning is multi family that the surrounding property owners can not asked for the property to be rezoned because they do not own it. She also mentioned that everyone concerned, including the city thought that this property was single family. Commissioner Freeman also commented on the lack of disclosure on the developer's part regarding the multi family zoning.

Chairman Ivie mentioned both options available to the commission, to zone the property as single family, per the city's request, or zone it as multi family per staff's recommendation. Commissioner Freeman asked if there were other instances that the city made changes to zoning without a request from the owner. Commissioner Simpson stated that when the UDC was implemented that rezoning happened without the request from an owner. Commissioner Cardon reminded the commission that even if they make a recommendation, it is possible that the city council could overrule that decision. Commissioner Byrom stated that in the future he would be looking for some transitional zoning and if the zone is multi family the commission would not have much to say about the development. Chairman Ivie also stated that if the property is not zoned as single family, the commission does not have control over what can happen there. Commissioner Byrom realizes that often office and professional back up to residential. Commissioner Cardon stated that she has seen the transition being, commercial to apartments and then to single family. With no further questions, Chairman Ivie asked for a motion regarding the zoning of the property at the corner of Messina and Camaron.

Planning and Zoning Commission Action of March 10, 2011

A motion was made by Commissioner Simpson and seconded by Commissioner Buchanan to **approve** ZC11-04, a request from the City of Farmington for a zone change from the MF-M, Multi-family Medium-density Residential District to the SF-10, Single-family Residential District pursuant to a condition of approval from a previous zone change (ZC 1430) which was approved by City Council on March 12, 1996. The motion passed by unanimous vote of 8-0.

AYE: Chairman Ivie, Commissioners Buchanan, Byrom, Cardon, Freeman, Langenfeld, Simpson and Ziesmer (Alt)
 NAY: None
 ABSTAINED: None
 ABSENT: Commissioners Jaques, Kuchera, and Washburn (Alt)

THE MOTION PASSED 8-0

In lieu of time, the Chairman asked for a motion to table any discussion regarding the information packet sent to them for policies and procedures. A motion was made by Commissioner Byrom and seconded by Commission Langenfeld to table this discussion. This motion passed unanimously by a vote of 8-0.

Business from the Floor: There was no additional business from the floor

Business from the Chairman: There was no business from the chairman

Business from the Members: Commissioner Buchanan bought up the inconsistencies of receiving information during the meeting, from staff and from the floor. He stated that he would like to have that information in a more timely fashion. Chairman Ivie shared with the commissioners that the process for distributing information is one item that could be addressed in the proposed policies and procedures that the commission is planning to write. Commissioner Buchanan asked that if the information is received, prior to the meeting and after the agenda has been distributed, that if there is still adequate time to allow the commission to receive it, it could be emailed or a notification by email that copies are available at the Community Development Department for pickup. Director Holton added that there is an ongoing review being conducted for similar situations. Chairman Ivie stated that the commission needs to take into consideration the volume of testimony today and the issues presented. Commissioner Buchanan stated that as pointed out today, that the decisions the commission makes it directly impacted by testimony and the letters received from the public. He complemented Chairman Ivie for maintaining a calm and productive meeting in spite of the volume of concerns and property owner emotions involved. Chairman Ivie stated that it is

sometimes challenging and the commissioners must remember that they are judges and not witnesses.

Business from Staff: The commission was informed that City Council approved the PFP09-02 on consent. However the city council has asked staff to provide mapping scenarios where the zoning would allow a producer to have a business. Approval was given to draft the ordinance as composed and to be considered at a future work session. Commission Cardon asked what date the mandate needed to be completed by. Director Holton stated that is was a 6-month moratorium that was granted on December 14, 2010 which gives the city until mid-June 2011

Adjournment

Motion was made by Commissioner Freeman to adjourn. With no further business the Planning and Zoning meeting of March 10, 2011 was adjourned at 5:55 p.m.

Dennis R. Ivie
Chairman

Dee Dee Moore
Office Manager