

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**August 25, 2011**

The Planning and Zoning Commission met in a regular session on August 25, 2011 at 2:00 p.m., in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:	Acting Chairperson Commissioners	Joyce Cardon Bruce Buchanan Kristin Langenfeld Cheryl Ragsdale Del Washburn(Alt) Amy Ziesmer
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P&Z Members Absent:	Chairperson: Commissioners:	Dennis Ivie Clint Freeman Rory Jaques Paul Thompson
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Staff Present:	Margaret Ambrosino Fran Fillerup Cindy Lopez Mary Holton June Markle
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Others Present:	Tim Christensen Troy Parker
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**Call to Order:**

The meeting was called to order at 2:00 p.m. by Acting Chairperson Cardon and 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 Minutes of the July 28, 2011 P&Z Meeting**

Commissioner Ragsdale motioned to approve the minutes from the July 28 2011 P&Z Commission Meeting. The motion was seconded by Commissioner Langenfeld and passed by unanimous vote of 6-0.

**COMMUNITY DEVELOPMENT PETITION REPORT**

Certificate of Appropriateness  
 Petition SUP 11-05 COA – Sacred Heart Parish

**Discussion of SUP 11-05 on August 25, 2011**

Associate Planner, Margaret Ambrosino presented the staff report to the commission, stating that this is the same youth center that had been before the commission earlier this year. The plan is being resubmitted because the petitioner has selected a new building site which is located on the existing playground at the northwest corner of Allen Avenue and La Plata Street. Ms. Ambrosino stated that staff recommends approval of this petition.

Commissioner Langenfeld asked if this COA went to the Metropolitan Redevelopment Area Committee and if they were in favor of this new site or if the MRA Committee had any new concerns. Ms. Ambrosino stated that the only concern stated by the members present at the MRA workshop was the displacement of the playground. Commissioner Langenfeld stated that the site plan is generally the same but that the building will face into the church campus and there appears to be more parking available. Ms. Ambrosino

stated that the parking will face toward the church and not outward toward the street, per the Residential Preservation Overlay requirement of the UDC. Commissioner Langenfeld stated that it is confusing with the back of the building on the front of the street. Ms. Ambrosino reassured the commission that the idea behind the requirement in the UDC is to avoid parking lot frontage on the street, and to have parking hidden to the extent practical for the site. She then stated that the MRA members at the workshop had expressed their support for this building and that staff feels that the architect should be allowed to design in accordance with the UDC requirements as they pertain to the Residential Preservation Overlay.

Mr. Tim Christensen, Architect, 3001 Northridge Drive, representing Sacred Heart Parish addressed the commission and stated that moving the building to this new location will bring down the cost because there will be no retaining wall issues and they do not have dig into a hill. The parking shown are existing spaces. Acting Chairperson Cardon asked if the parking at the youth center was to facilitate the teachers or parents. Mr. Christensen stated that generally the parking will be for the older teens, who will drive themselves, and that the younger teens will be dropped off by their parents. Commissioner Buchanan asked if this petition will come back to the commission. Acting Chairperson Cardon stated that the recommendation made by the commission at this meeting will be final. She reminded the commission that the site on Ross Street had issues because of the proximity to the park and the topography of the land. Senior Planner, Cindy Lopez, stated that there was not a quorum at the MRA Committee meeting, but that there was a workshop held to discuss this petition. The members of the MRA workshop felt that this design met the requirements within the Civic Center District with the building located close to the street and that the buildings location partially hides the parking lot. With no further questions, Acting Chairperson Cardon asked for a motion from the commission.

**Planning and Zoning Commission Action of August 25, 2011**

The motion was made by Commissioner Buchanan and seconded by Commissioner Ziesmer to **approve** SUP 11-05, a request from Sacred Heart Parish, represented by Timothy Christensen, for a Certificate of Appropriateness (COA) to construct a new youth center at 414 N. Allen Avenue in the MU/RPO, Mixed-Use, Residential Preservation Overlay District with no conditions.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**COMMUNITY DEVELOPMENT PETITION REPORT**  
 Planned Unit Development in the RE-1 Residential Estate District  
 Petition PUD 11-01 – 544 Northgate Lane

**Discussion of PUD 11-01 on August 25, 2011**

Associate Planner Fran Fillerup presented the staff report for the property located below the Airport at the north end of Northgate Lane. The project is on a 2.29-acre property. The petitioner would like to place a second home on the property for his father. Staff encouraged the petitioner to request the PUD, which will allow him to have two home sites on one property. The petitioner will need to work with the Public Works department for water, sewer and grading work done on this property. Staff is recommending approval of this petition.

Commissioner Buchanan asked if there is presently water and sewer to the property, and also stated that the drawing on page 26 varies from the aerial photo. Mr. Fillerup stated that there are currently utilities serving the existing home, and that since the aerial photo which was taken in March, the original home had been removed and replaced by another home. Commissioner Buchanan also mentioned the concerns made by City Engineer Nica Westerling regarding the grading. Mr. Fillerup stated that Ms. Westerling did not want to make the dirt work conditional to allowing a second home, but that it is pertinent to the safety of the site. Ms. Lopez added that the city does review grading

issues and that the new home would not be approved until the grading is mediated. This process takes place during the building permit phase.

Commissioner Buchanan wanted to state that his understanding for this PUD is that it is clearly not to be used as a mobile home park and should have manufactured homes, not mobile homes. Ms. Lopez stated that multi-section manufactured homes are somewhat permanent in nature and single-section mobile homes are not allowed.

Mr. Troy Parker of 544 Northgate Lane stated that the homes are not presently on permanent foundations, but they do plan to do so within the next two years. The second home is to be used for his father and a caregiver when needed. Commissioner Buchanan stated that if the foundations are tied into bedrock, you will have stability, if not, the soil will slough. Mr. Parker stated that he has plans to go across the front of the property with interlocking block and also to create a wall at the back of the property. With no further questions, Acting Chairperson Cardon asked for a motion from the commission.

**Planning and Zoning Commission Action of August 25, 2011**

The motion was made by Commissioner Buchanan and seconded by Commissioner Ragsdale to **approve** PUD 11-01, a planned unit development in the RE-1 Residential Estate District with no conditions.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**UDC REVISIONS**

Section 2.5.2(E) – Accessory Uses and Standards

**Discussion of UDC Section 2.5.2(E) on August 25, 2011**

Ms. Lopez presented the revisions to Section 2.5.2(E) of the UDC stating that the code currently prohibits shipping crates; however the UDCIC felt that they could be allowed as storage sheds in the rear yards and when screened from the street as long as they met the setbacks and height standards for accessory structures.

Commissioner Buchanan made the motion to approve the changes to Section 2.5.2(E). Commissioner Ziesmer seconded the motion. The motion was passed by a 6-0 unanimous vote.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**UDC REVISIONS**

Section 2.8 – Density & Dimensional Standards

**Discussion of UDC Section 2.8 on August 25, 2011**

Ms. Lopez presented the revision to Section 2.8 of the UDC. With the addition of residential protections to the UDC many architects, builders and developers are not aware that they must provide protections when building non-residential structures next to residential districts or a single-family residence. It was suggested to staff that a footnote be added to the Density & Dimensional table so the architects, builders and developers

would know to go look at that section. Commissioner Langenfeld questioned the single and double asterisks within the body of the chart, but the descriptions were numbered. After examining the footnote Ms. Lopez agreed that corrections to the footnote are necessary and that she would include the corrections when this is sent to City Council.

Commissioner Langenfeld made the motion to approve the changes to Section 2.8 with changes as discussed regarding the use of the asterisks and using a numerical indicator for the “note”. Commissioner Ragsdale seconded the motion. The motion was passed by a 6-0 unanimous vote.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**UDC REVISIONS**  
 Section 5.5.7(C)2 – Screening Devices

**Discussion of UDC Section 5.5.7(C)2 on August 25, 2011**

Ms. Lopez explained that the UDCIC committee was unanimous in their agreement that the words “split-face” be removed from this section of the code. There was no discussion among the commissioners regarding this change.

Commissioner Buchanan made the motion to approve the change to Section 5.5.7(C)2 which deleted the words ‘split-face’. Commissioner Washburn seconded the motion. The motion was passed by a 6-0 unanimous vote.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**UDC REVISIONS**  
 Section 6.8.2 & 6.8.2(D) – Financial Assurances

**Discussion of UDC Section 6.8.2 & 6.8.2(D) on August 25, 2011**

In this revision, Ms. Lopez stated that in the current economy developers are finding it difficult to sell lots in their subdivisions and are requesting extensions of time for the subdivision agreements. The UDCIC is recommending that the time be changed to three years, and that an additional sentence be added in (D) that states “Such agreement shall be signed by the Mayor”. Commissioner Washburn asked if this would make sure sidewalks were placed. Ms. Lopez stated that the developers would not be able to get a building permit if the subdivision standards were not met.

Commissioner Ziesmer made the motion to approve the changes recommended by the UDCIC to Section 6.8.2 & 6.8.2(D). Commissioner Ragsdale seconded the motion. The motion was passed by a 6-0 unanimous vote.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer  
 NAY: None  
 RECUSED: None  
 ABSTAINED: None  
 ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

**UDC REVISIONS**

Section 9.2.6 – Special Use Permits for Non-Conforming Uses

**Discussion of UDC Section 9.2.6 on August 25, 2011**

There are many non-conforming properties in the City and property owners are find it difficult to sell, re-finance or insure their property because if the property is destroyed by more than 50% of the value of the building it can not be rebuilt to its non-conforming status. Prior to the adoption of the UDC a clause was added to the old code which would allow a non-conforming property to get a special use permit to allow any buildings to be rebuilt to the exact same place and size, which satisfied mortgage companies, banks and insurance companies.

The UDC does not allow this ability and we have been seeing many property owners coming forward for a zone change, such as the MU zone changes in the MRA.

Section 9.2.6 will keep the existing zoning in place and provide the banks and insurance company's assurance that the dwelling can be replaced if destroyed more than 50%.

Commissioner Buchanan made the motion to approve the addition of Section 9.2.6 to the UDC. Commissioner Ziesmer seconded the motion. The motion was passed by a 6-0 unanimous vote.

AYE: Acting Chairperson Cardon, Commissioners Buchanan, Langenfeld, Ragsdale, Washburn (Alt) and Ziesmer

NAY: None

RECUSED: None

ABSTAINED: None

ABSENT: Chairman Ivie, Commissioners Freeman, Jaques and Thompson

**Motion passed by a vote of 6-0**

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

**Business from the Chairman:** There was no business from the Chairman.

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

**Business from Staff:** Ms. Lopez stated that the City Council denied the zone change request from Craig Stoabs for his property on Victoria Way and College Blvd. Mr. Craig Stoabs amended the zone change request to only Phase 1 with the removal of Phase 2, but the request was still denied by the City Council.

The NM League of Zoning Officials has a one-day workshop for zoning commissioners and the city will pay for the commissioners' registration fee only. It will be held in Taos, on September 22 or 23, 2011. If you are interested you can let the Planning Department know.

**Adjournment**

With no further business the Planning and Zoning Commission meeting of August 25, 2011 was adjourned at 3:13 p.m.

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Joyce Cardon  
Acting Chairperson

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Dee Dee Moore  
Office Manager