

MINUTES
PLANNING AND ZONING COMMISSION
September 15, 2011

The Planning and Zoning Commission met in a regular session on September 15, 2011 at 2:00 p.m., in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:	Chairman:	Dennis Ivie
	Commissioners	Bruce Buchanan
		Clint Freeman
		Rory Jaques
		Kristin Langenfeld
		Paul Thompson
		Amy Ziesmer
		Daniel Arnold (Alt)
		Del Washburn (Alt)

P&Z Members Absent:	Commissioners:	Joyce Cardon
		Cheryl Ragsdale

Staff Present:		Fran Fillerup
		Cindy Lopez
		Dee Dee Moore
		Leona Simms

Others Present:		XTO Energy
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Call to Order:

The meeting was called to order at 2:00 p.m. by Chairman Ivie 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 August 25, 2011 P&Z Meeting

Commissioner Washburn motioned to approve the minutes from the August 25, 2011 P&Z Commission Meeting. The motion was seconded by Commissioner Freeman and passed by unanimous vote of 9-0.

COMMUNITY DEVELOPMENT PETITION REPORT

Fruitland Coal FRPC 4 #2H Well
Petition SUP 11-06 – XTO Energy

Discussion of SUP 11-06 on September 15, 2011:

Associate Planner Fran Fillerup presented the staff report and stated that this is a request for a new well co-located with FRPC 4 #1. He stated that this well is located east of Piñon Hills Blvd. and north of 30th Street. The Oil & Gas Commission recommended approval of this well. There are no structures within 500 feet of this well site. Mr. Fillerup mentioned that there was no water tank shown on the equipment layout and it is unclear if it will require a water tank at this location. This petition is requesting an expansion of the well-site to the north by 100' x 157'. Both well heads are located in the southern portion of the site. The pipeline plan includes a short extension of the pipe for the new well but would be built within the existing site. Because of the isolated location, there is no landscaping requirement. He also said that the petitioner is requesting 24-hour drilling for this horizontal well. There were no questions from the commission to staff.

Two representatives from XTO Energy, located at 382 Road 3100 in Aztec, answered questions from the commission. Commission Buchanan asked about the impact to the agricultural field south of the site and if there was a reclamation plan in place. The XTO representative stated that the reclamation plan requires XTO Energy to return the surface area back to the state it was prior to being disturbed. Mr. Larry Pruitt of 900 W. 30th Street stated that he is currently planting the property south of the well site and that he believes it has been agricultural since the 1930's.

Ms. Lopez stated that the property south of the well site is currently zoned single family. Commissioner Thompson asked about the 100-foot expansion and if, after drilling is complete, that expansion would no longer be needed. The XTO representative responded that the fence will be moved back after drilling. Mr. Alex Bridge of XTO Energy addressed the water tank issue and state that there is to be no water tank on the location since it is centrally gathered across the street. Commissioner Freeman asked if a new tank would be needed for the additional well. Mr. Bridge stated that the existing equipment is sufficient. Commissioner Washburn asked how long the drilling would take and if a sound barrier would be placed around the rig. Mr. Bridge stated that he believed it would take 12 days and that sound barriers would be in place.

Commission Thompson made the motion to approve SUP11-06 with 24-hour drilling as recommended by staff. Commissioner Ziesmer seconded the motion. The motion passed unanimously by a 9-0 vote.

Planning and Zoning Commission Action of September 15, 2011

A motion was made by Commissioner Thompson and seconded by Commissioner Ziesmer to **approve** SUP 11-06, a request from XTO Energy, represented by Cherylene Charley, for a special use permit to drill and operate a FRPC 4 #2H gas well on property located east of Piñon Hills Blvd. and north of 30th Street, subject to conditions (a) and (b) as stated on the petition report.

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

Motion passed by a vote of 9-0

COMMUNITY DEVELOPMENT PETITION REPORT
 Zone Change from IND District to GC District and
 Special Use Permit for Outside Storage
 Petition ZC 11-10 & SUP 11-07 – 5013 E. Main Street

Discussion of ZC 11-10 / SUP11-07 on September 15, 2011

Associate Planner Fran Fillerup presented the staff report to the commission explaining that the petitioner is requesting both a Zone Change and a Special Use Permit at the property located on the southeast corner of E. Main Street and Sierra Vista. The zone change request to General Commercial is consistent with the City of Farmington's Comprehensive Plan. Chairman Ivie clarified that the setbacks for GC allow for a 0-foot setback and that IND has a 30-foot requirement. He also identified that this location is currently a legal non-conforming use because of those setbacks.

Mr. Fillerup stated that the special use permit is for outside storage and indicated the enclosed storage area and stated that the storage area would have a screening fence. Mr. Fillerup concluded saying that staff recommends approval of both the Zone Change and the Special Use Permit.

Chairman Ivie asked if there was any remaining Industrial zoned property. Mr. Fillerup stated that there is IND district to the south and the east, and added that to the north and the west the properties are zoned general commercial. Commissioner Thompson asked if a steel mill could be allowed on the industrial property. Senior Planner Ms. Lopez stated that the city is unable to rezone property unless the request is made by the

owner. However, she feels that the market will determine which type of businesses would fit in that location.

Commissioner Freeman asked about the comment from Mr. Steve Krest regarding the realignment of this intersection. Mr. Fillerup stated that the plan is likely to straighten out the intersection of Sierra Vista Drive into E. Main Street. Ms. Lopez stated that a portion of the property has been sold and that a lot consolidation will be required before building begins. Commissioner Buchanan stated that currently the industrial property has a furniture store, which seems commercial in type. Mr. Fillerup stated that this is a permitted use in the industrial district, but Chairman Ivie added that you can't have industrial uses in a general commercial district.

Mr. Kirby Mortensen of 3456 E. Main Street, the petitioner, and Mr. Nick Candelaria of 511 E. Broadway, the property owner, approached the commission. Mr. Mortensen stated that he had read and agrees with staff's recommendation. Chairman Ivie asked what type of items would be stored outside. Mr. Mortensen stated that pallets of tile, which are stacked only four feet high, would be stored outside. Commissioner Freeman asked what type of screening would be used. Mr. Mortensen stated that any of the allowed type, such as block, vinyl, or even chain link with privacy slats could be used, but that the decision had not been made.

Commissioner Freeman made the motion to approve ZC 11-10 & SUP11-07 as recommended by staff. Commissioner Thompson seconded the motion. The motion passed unanimously by a 9-0 vote.

Planning and Zoning Commission Action of September 15, 2011

A motion was made by Commissioner Freeman and seconded by Commissioner Thompson to **approve** ZC 11-10 for a zone change from the IND Industrial District to the GC General Commercial District and SUP11-07 for outside storage from Stone Mountain Flooring Outlet, represented by Kirby Mortensen, for 2.05 acres located at 5013 E. Main Street.

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

Motion passed by a vote of 9-0

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

Business from the Chairman: Chairman Ivie stated that he had attended the commissioners training in Santa Fe. He felt that this commission should have a workshop to address the comprehensive plan so that everyone would be familiar with the contents. He thought that the workshop could be held after one of the meetings and that perhaps there were items within the plan that needed to be addressed. Commission Thompson agreed that it was a good idea. Ms. Lopez stated that staff could provide an introduction, summary and overview of each chapter. She felt that this could be accomplished within a two hour timeframe. Ms. Lopez stated that the comprehensive plan update is due but that staff needs to attain sufficient funding and that it will take a year to two before an update could start. Chairman Ivie concluded the discussion by stating that the commission needs to have an understanding of those plans that guide the commission.

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

Business from Staff: Ms. Lopez introduced Mr. Daniel Arnold who was appointed as the newest commissioner for the Planning & Zoning Commission at the last City Council Meeting. He will be filling the remaining alternate position. Mr. Arnold shared his background information which included construction management and consulting.

Ms. Lopez stated that all items from the Planning and Zoning Commission were passed by city council on the consent agenda, which included the two petitions and five revisions to the UDC.

Adjournment

With no further business the Planning and Zoning Commission meeting of September 15, 2011 was adjourned at 2:42 p.m.

Dennis R. Ivie
Chairman

Dee Dee Moore
Office Manager