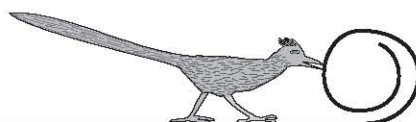
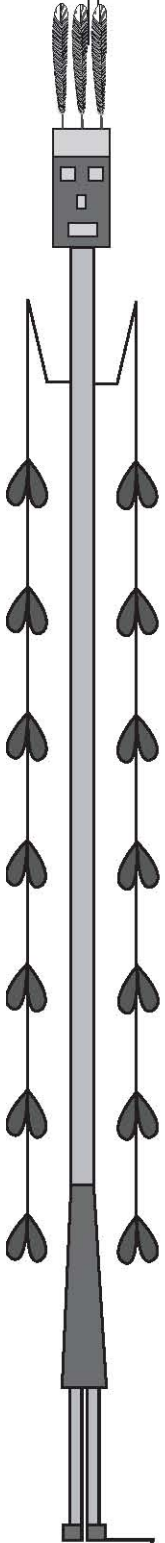


# A G E N D A

## City of Farmington Planning & Zoning Commission

October 27, 2011



# A G E N D A

Planning & Zoning Commission  
October 27, 2011 at 2:00 p.m.

Item		Page
1	<b>Call Meeting to Order</b>	
2	<b>Approval of the Agenda</b>	
3	<b>Approval of the Minutes from the P&amp;Z September 29, 2011 Meeting</b>	1
4	<b><u>Petition ZC 11-15</u></b> a request from Ideal Baptist Church, represented by Larry Hilliard, for a zone change from the IND, Industrial District to the MU, Mixed-Use District, for 2.05 acres located at 203 E. Elm Street.	5
5	<b><u>Overview of the City of Farmington Comprehensive Plan</u></b>	
6	<b><u>Business from:</u></b> Floor: Chairman: Members: Staff:	
7	<b><u>Adjournment</u></b>	

**PLEASE NOTE:**

Unless otherwise announced, all Agenda items forwarded to the City Council will be heard at its next regular meeting, to be held on **Tuesday, November 8, 2011 at 7:00 p.m.** in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico. The next Planning & Zoning Commission meeting will be held in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico on **November 10, 2011 at 2:00 p.m.**

**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.

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**October 13, 2011**

The Planning and Zoning Commission met in a regular session on October 13, 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
		Joyce Cardon
		Clint Freeman
		Rory Jaques
		Kristin Langenfeld
		Cheryl Ragsdale
		Amy Ziesmer
		Daniel Arnold (Alt)

P&Z Members Absent:	Commissioners:	Paul Thompson
		Del Washburn (Alt)

Staff Present:	Margaret Ambrosino
	Dee Dee Moore

Others Present:	Mr. Russell Little
	Mr. Dave Tafoya

**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:**

Associate Planner Margaret Ambrosino noted that there were no changes to the agenda.

**Approval of Minutes of the September 29, 2011 P&Z Meeting**

Commissioner Cardon motioned to approve the minutes from the September 29, 2011 P&Z Commission Meeting. The motion was seconded by Commissioner Ragsdale and passed by unanimous vote of 9-0.

**COMMUNITY DEVELOPMENT PETITION REPORT**  
Zone Change from LNC District to MU District  
Petition ZC 11-13 – 212, 214, 216 N. Auburn Street

**Discussion of ZC 11-13 on October 13, 2011:**

Associate Planner Margaret Ambrosino presented the staff report for a zone change from the LNC, Local Neighborhood Commercial District to the MU/RPO, Mixed Use with a Residential Protection Overlay District on three properties located at 212, 214 and 216 N. Auburn Avenue. She informed the commission that the requested zone changes meet the goals of Article 3.11.1 of the UDC and also the Comprehensive Plan Section 13B.8.3. Staff had initial concerns about parking if both a residential and an office was located on the same property, however the research showed that there is ample parking for both uses to co-exist on any of the properties. Input was received from the MRA Board who supported the zone change and found that it is in accordance with the MRA Plan. Staff recommends approval for the zone change to Mixed Use with a Residential Protection Overlay.

Commissioner Freeman asked what the main differences were between LNC Local Neighborhood Commercial and MU Mixed Use Districts. Ms. Ambrosino stated that in a LNC district you would see low-intensity business uses such as offices, art galleries and convenient stores, as examples. Only the MU, Mixed-Use District allows both residential and limited commercial uses to be co-located on a property.

Mr. Russell Little of 214 N. Auburn approached the commission. He stated that he had read and agreed with staff's recommendation. With no further discussion the Chairman stood for a motion.

Commissioner Cardon made a motion to approve ZC11-13 as recommended by staff. Commissioner Freeman seconded the motion and the motion passed unanimously by a vote of 9-0

**Planning and Zoning Commission Action of September 29, 2011**

A motion was made by Commissioner Cardon and seconded by Commissioner Freeman to **approve** ZC 11-13, a zone change request from Russell Little, Brian Huffhines and Felix and Viola Briones, represented by Russell Little, for a zone change from the LNC, Local Neighborhood Commercial District to the MU, Mixed-Use with Residential Protection Overlay District for properties located at 212, 214 and 216 N. Auburn Ave

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

**Motion passed by a vote of 9-0**

**COMMUNITY DEVELOPMENT PETITION REPORT**  
 Zone Change from IND District to MU District  
 Petition ZC 11-14 – 617 W Cedar

**Discussion of ZC 11-14 on October 13, 2011:**

Associate Planner Margaret Ambrosino presented the staff report and stated that the petitioner came in for an addition to his home to be permitted. Research showed that the property is located in the Industrial zone district and he has a commercial industrial use on the property along with a legally-non conforming residence. She stated that for the petitioner to be able to expand on the home, it would need to be brought into legal conformity with its zone district and that the MU, Mixed-Use District would allow both a commercial and residential use on the property. Therefore, staff is recommending a zone change for this property from the IND, Industrial District to M-U, Mixed Use District. The petitioner has recently been permitted to place a storage and workshop building on this lot and move the existing outdoor storage of pipe materials into that building. Chairman Ivie asked if storage in a MU district would need to be screened. Ms. Ambrosino stated that outdoor storage is not allowed in the MU district even if screening is currently in place; however this zone change request would bring both the home and the commercial business into compliance with the proposed 30-foot by 50-foot building.

Commissioner Langenfeld asked if there was a percentage of the lot that had to remain open space. Ms. Ambrosino stated that the maximum building coverage for the IND District was 70 percent and the Mixed Use District is 60 percent. She added that even with the proposed building the petitioner would be well under this limit. Commissioner Cardon asked if the neighboring properties had outdoor storage. Ms. Ambrosino stated that the property to the east has some outdoor storage that is partially screened, however the adjoining property to the west is zoned IND, Industrial and screening is not a requirement for that zoning district.

Mr. David Tafoya of 617 W. Cedar stated that he had read and agreed with staff's recommendations and understands that the new MU, Mixed Use District will become more restrictive than the current IND, Industrial District.

Commissioner Freeman made a motion to approve ZC11-13 as recommended by staff. Commissioner Buchanan seconded the motion and the motion passed unanimously by a vote of 9-0.

**Planning and Zoning Commission Action of September 29, 2011**

A motion was made by Commissioner Freeman and seconded by Commissioner Washburn to **approve** ZC 11-14, a request from John D. Tafoya, represented by Wade Parker, for a zone change from the IND, Industrial District to the MU, Mixed-Use District for Lot 3A of the Blacks Addition at 617 W. Cedar

AYE: Chairman Ivie, Commissioners Buchanan, Cardon, Freeman, Jaques, Langenfeld, Ragsdale, Ziesmer and Arnold (Alt)

NAY: None

RECUSED: None

ABSTAINED: None

ABSENT: Commissioners Thompson and Washburn (Alt)

**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 the various commissions received notice of the Proclamation by the Mayor that October 2011 was designated as Community Planning Month at the October 11, 2011 City Council meeting.

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

**Business from Staff:** Ms. Ambrosino stated that all items from the Planning and Zoning Commission were passed by City Council. The Special Use Permits remained on the consent agenda, while the two Zone Changes were discussed individually. Office Manager Dee Dee Moore added that Senior Planner Cindy Lopez had completed the NMLZO binders and that the information would be distributed at the next meeting.

**Adjournment**

With no further business the Planning and Zoning Commission meeting of October 13, 2011 was adjourned at 2:29 p.m.

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Dennis R. Ivie  
Chairman

---

Dee Dee Moore  
Office Manager

**COMMUNITY DEVELOPMENT PETITION REPORT**  
**Staff Report**  
**Zone Change from IND District to MU District**  
**Petition ZC 11-15 – 203 East Elm Street Zone Change**

**A. STAFF REPORT, October 27, 2011**

**PROJECT INFORMATION**

<b>Applicant</b>	Ideal Baptist Church
<b>Representative</b>	Larry J. Hilliard
<b>Date of Application</b>	September 26, 2011
<b>Requested Action</b>	Zone change from the IND Industrial District to the MU Mixed Use District.
<b>Location</b>	203 East Elm Street, 0.59 acres on the southeast corner of the intersection of Elm Street and Commercial Avenue.
<b>Existing Land Use</b>	Church
<b>Existing Zoning</b>	IND Industrial District
<b>Surrounding Zoning &amp; Land Use</b>	<b>North:</b> IND Industrial District / San Juan County Public Health Office <b>South:</b> IND Industrial District / Residential <b>East:</b> IND Industrial District / Commercial <b>West:</b> IND Industrial District / Commercial
<b>Notice</b>	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily-Times on Wednesday, October 12, 2011. Property owners within 100 feet were sent notice by certified mail on Monday, October 10, 2011 and a sign was posted on Friday, October 14, 2011.
<b>Staff Planner</b>	Fran Fillerup, Associate Planner

**STAFF ANALYSIS**

**Project Description**

The petitioner is requesting a zone change from the IND Industrial District to the MU Mixed Use District for 0.59 acres located at 203 East Elm Street. The subject property is the location of Ideal Baptist Church and is in the Metropolitan Redevelopment Area (MRA). According to Table 2.3 of the City of Farmington Unified Development Code (UDC), a place of worship with a sanctuary space of less than 4,000 square feet is not permitted in the IND district but is permitted in the MU district. The petitioner’s church is a legal non-conforming use.

The subject property was a part of ZC 11-05, a City-sponsored zone change request for select parcels from the IND district to the MU district within the MRA. ZC 11-05 was tabled on May 10, 2011. Through participation in ZC 11-05, the petitioner became aware that its church is a non-conforming use in the IND district. The petitioner has initiated its own zone change to make the church conforming to be allowed to re-build it in case of destruction.

**ISSUES**

**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.”
- The 2020 Future Land Use Plan of the Farmington Comprehensive Plan shows the subject property as being mixed use.
  - According to Table 2.3 of the City of Farmington Unified Development Code (UDC), a place of worship with a sanctuary space of less than 4,000 square feet is a not permitted in the IND district but is permitted in the MU district. The petitioner’s building is less than 4,000 square feet and is a legal non-conforming use.
  - 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.” 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 harmony with the Comprehensive Plan and the MRA Plan.
  - This zone change request was forwarded to members of the MRA Board for comment, but no comment has been received.

**STAFF CONCLUSION**

Staff concludes that approval of ZC 11-15 is appropriate. The requested zone change is in accordance with the Metropolitan Redevelopment Area Plan and the City of Farmington Comprehensive Plan.

**STAFF RECOMMENDATION**

The Community Development Department recommends **approval** of Petition ZC 11-15, a request from Ideal Baptist Church, represented by Larry J. Hilliard for a zone change from the IND Industrial District to the MU Mixed Use District for 0.59 acres located at 203 East Elm Street.



1 in : 100 ft

10/27/2011

COMMUNITY  
DEVELOPMENT  
DEPARTMENT



**AREA UNDER CONSIDERATION**  
**ZC 11-15 - 203 E Elm Street**  
**IND District to MU District**  
**Ideal Baptist Church**



Copyright ©2011 Pictometry International Corp.

# Ideal Baptist Church

*"Come Grow With Us"*

203 East Elm St. • Farmington, NM 87401 • (505) 325-1602

September 26, 2001

Dear Planning and Zoning Commissioners and City Councilors

Ideal Baptist Church respectfully request a zone change from Industrial to Multi Use.

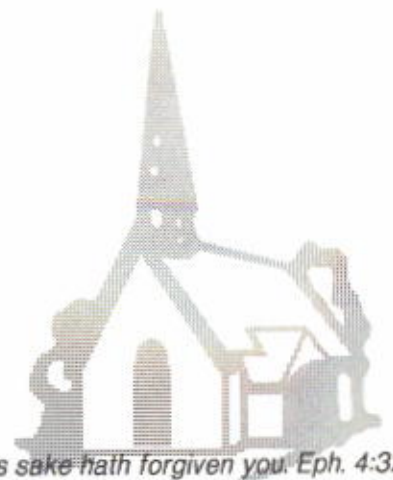
The Church recently discovered from an invitation to participate in a MRA zone change hearing that took place earlier this year that our current zoning put us in an untenable position.

If a natural disaster or fire were to happen the church cannot rebuild another church on that site, so we request a zone change.

Sincerely yours



Neil Johnson  
Pastor



*And be ye kind one to another, tenderhearted, forgiving one another, even as God for Christ's sake hath forgiven you. Eph. 4:32*

City of Farmington

Comprehensive Plan

Figure 4.2  
2020 Future  
Land Use Plan

**Legend**

Future Land Use

- Rural
- Residential Single Family Low Density (greater than or equal to 1.0 acre lot)
- Residential Single Family Suburban (less than 1.0 acre lot but greater than 20,000 sq. acre lot)
- Residential Single Family Urban (less than 20,000 sq. acre lot)
- Residential High Density
- Mixed Use
- Office Professional
- Neighborhood Commercial
- Commercial
- Institutional
- Light Industrial
- Open Space/Public Lands
- Parks

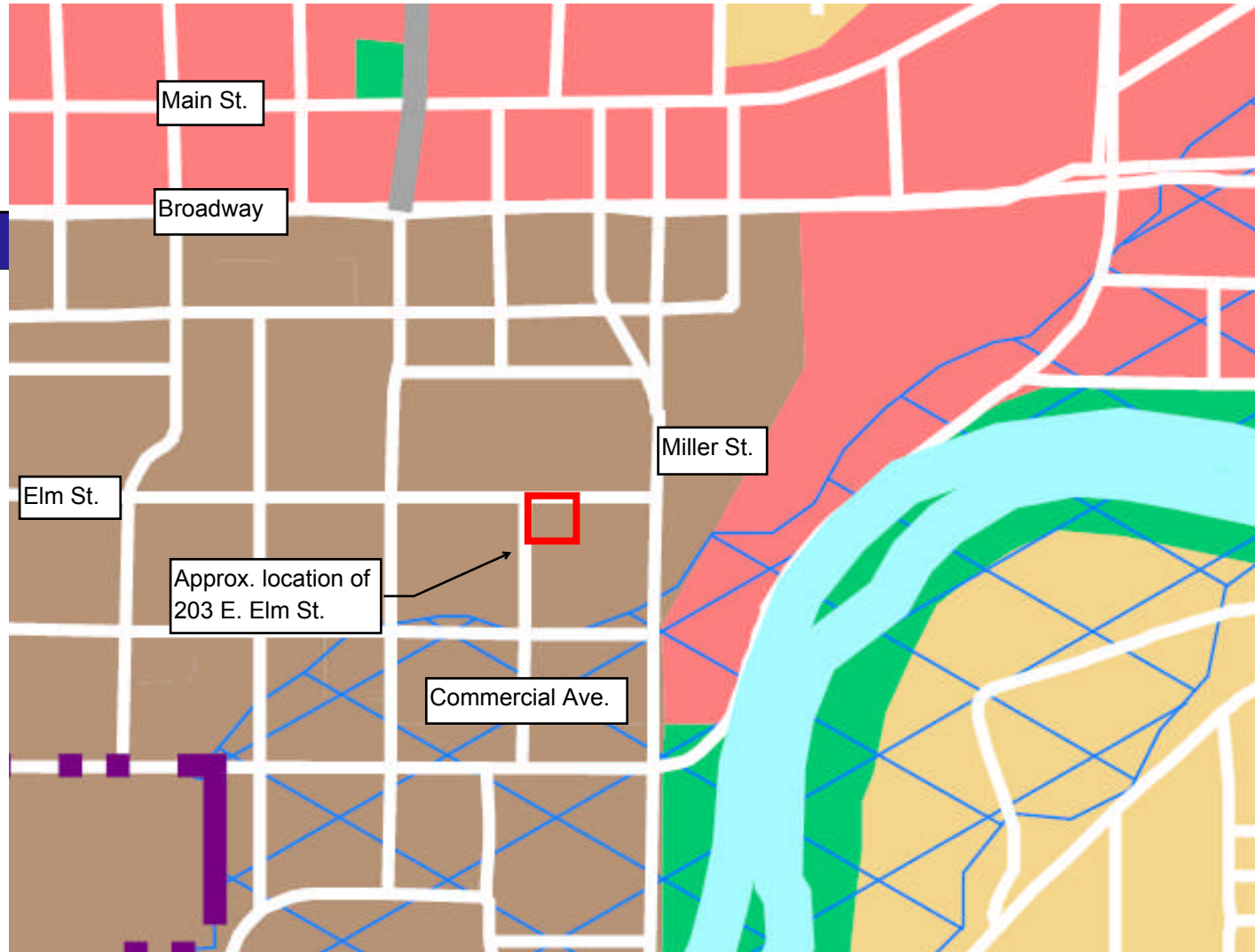
Farmington Water Service Area Boundary

Development Tiers

Navajo Indian Reservation

Flood Plain

- 100 Year
- Lake
- River
- City Limits
- Planning and Platting Jurisdiction (PPJ)



ZC 11-15 - Zoom of 2020 Future Land Use Map in the Farmington Comprehensive Plan

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

**INFORMATION**

Applicant's Name: <u>Ideal Baptist Church</u>	Project Location: <u>203 E. ELM</u>
Address: <u>203 East Elm St.</u>	Existing Use: <u>Church</u>
E-Mail: _____	Proposed Use: <u>Church</u>
Telephone: <u>505-326-7257</u>	Current Zoning: <u>Industrial</u>
Relationship to Property Owner: <u>Ideal Baptist Church</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: <u>R00 21917</u>
Legal Description of Subject Property: <u>N27' of the W1/2 in Block 12, South Farmington Addition</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: <u>Larry J. Hilliard</u>	E-Mail: <u>lghilliard@hotmail.com</u>
Phone: <u>505-326-7257</u>	Address: <u>1224 S. Bluffview Ave. Farmington, NM 87401</u>

**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) <u>None</u>
Name: <u>Ideal Baptist Church</u> Phone: <u>505-325-1602</u>	Name: _____ Phone: _____
Address: <u>203 East Elm St. Farmington, NM</u>	

**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>Larry J. Hilliard (Trustee)</u>	Address: <u>1224 S Bluffview Ave. Farmington, NM</u>
Owner's Signature: <u>Larry J. Hilliard</u>	Phone / Email: <u>326-7257, lghilliard@hotmail.com</u>

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

Received By: <u>dduff</u> Time: <u>3:15 pm</u> Date: <u>9-26-11</u> Fee Received: <u>100.00</u> Project File No.: <u>2011-15</u> Date of Hearing/Meeting: <u>P+Z Oct 27, 11</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
--	--

**PETITION NO. ZC 11-15**

203 E. ELM – IND TO MU

Deadline: October 6, 2011

**City of Farmington Departments**

CD - Director – Mary L. Holton	Comments are incorporated in the staff memo.
CD – Addressing – Planning Division	No Comments
CD - Chief Building Inspector – Leo Hardie	No Comments
CD - MPO - Joe Delmagori	No MPO comments
City Manager’s Office – Bob Campbell	No objections
ELEC - Customer Care Manager – Nicki Parks	No Comment
ELEC - Engineering - Luwil Aligarbes	No comment
ELEC - T & D - Steve Henson	No Response
FIRE – Fire Marshall – Bob Popa	Fire Department criteria will be met through the Building Inspection process.
LEGAL – Deputy City Attorney – Bill Cooke	None
POLICE - Code Compliance Supvr – Todd Johnston	No Response
POLICE -Captain McPheeters	The Police Department envisions no adverse impact to Public Safety or to Police Operations by the proposed petition
PRCA - Roger Drayer	No comments from PRCA
PW - Engineering- Virginia King	No Response
PW - Streets Superintendent - Jim Couch	No Response
PW - Traffic Engineering Admin – Steve Krest	No issues
PW - Water/ Wastewater Admin – Ruben Salcido	No comments

**Other Entities**

CH2MHILL OMI	No Response
Comcast Cable-Mark Johnson	No Response
El Paso Natural Gas – Steve Shafer	No Response
Enterprise Field Services	No Response
Farmington School District	No Response
New Mexico Gas Company – Paul Ramer	No Comment
Qwest Communications	No Response
U.S. Post Office	No Response
Williams Field Services-Lloyd Bell	No Response