

**MINUTES  
PLANNING AND ZONING COMMISSION  
November 10, 2011**

The Planning and Zoning Commission met in a regular session on November 10, 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
		Kristin Langenfeld
		Paul Thompson
		Amy Ziesmer
		Daniel Arnold (Alt)
		Del Washburn (Alt)

P&Z Members Absent:	Commissioners:	Rory Jaques
		Cheryl Ragsdale

Staff Present:	Margaret Ambrosino
	Fran Fillerup
	Dee Dee Moore

Others Present:	Paul Martin
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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 October 27, 2011 P&Z Meeting**

Commissioner Cardon motioned to approve the minutes from the October 27, 2011 P&Z Commission Meeting. The motion was seconded by Commissioner Thompson and passed by unanimous vote of 9-0.

Commissioner Arnold arrived at 2:02 p.m.

<p><b>COMMUNITY DEVELOPMENT PETITION REPORT</b> Degner Subdivision, Replat B Petition PP 11-01 – E. Main Street</p>
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**Planning and Zoning Commission Discussion of PP 11-01 on November 10, 2011**

Associate Planner Margaret Ambrosino presented the staff report identifying that, in addition to the three-lot commercial subdivision, the petitioner has requested a waiver in writing to exceed the maximum 150-foot length of the "pole" portion of a flag lot. She stated that of the three lots, Lot A has an existing office building and contains 2.07 acres; Lot B is the smallest at 2.03 acres; and Lot C is the flagpole-shaped lot of 2.39 acres. The proposed Lots B and C are currently vacant. She explained that the waiver is to allow the "pole" portion of Lot C to exceed 150 feet in length. This area is 30 feet wide and will be used only for access; no construction will occur on that portion of the lot.

Ms. Ambrosino stated that several of the issues identified during the review of this petition have already been discussed between the petitioner and staff, including a Traffic Impact Analysis (TIA) that was provided to the Community Development Department and reviewed by the City Engineer and the Traffic Engineering Administrator. She stated that staff is also aware of existing drainage issues on the subject property. There are no conditions attached to this petition. However, staff would recommend that if approved, the motion would include a waiver to the maximum length of the "pole" portion of the flag lot (Lot C) to exceed 150 feet.

Ms. Ambrosino presented site photos and explained that the hill behind this property, or to the north of Lot C, is approximately 85 feet in height. The height limitation for the General Commercial District is 45 feet. If a hotel, as proposed in the future were to be built on this lot, it would have to meet this height limitation for the District.

Mr. Paul Martin of Sakura Engineering, the petitioner's representative, answered Chairman Ivie's question regarding the reconfiguration of the lots so that all had frontage on East Main Street, and that this is the best way to configure this property. Mr. Martin explained that the developer is planning to use the existing building on Lot A for a mercantile-type business and plans to construct an additional building in the rear of that same lot for an equipment-type operation, with working hours from 6:00 a.m. to 8:00 p.m., similar to the hours in place at Target. He stated that he had read the staff report and concurs with the recommendation made by Staff.

In regards to the drainage issues identified, Mr. Martin stated that he is working with the City Engineer, the State Highway Department and the State Drainage Department. Commissioner Buchanan identified a strip of land that looked like a tract along the base of the hill. Mr. Martin stated that it is an existing drainage easement and is identified as a ditch on the plat map. Commissioner Buchanan then asked if the portion of Lot C that climbs the hill towards the rear of the lot will be cut away to increase the buildable portion of the lot. Mr. Martin stated that the ditch is currently about one foot from the base of the hill and that a previous hotel company had proposed to build on it, noting that the hill may be landscaped with trees and a water feature without disturbing the hillside. Mr. Martin shared that the water from Target would need to drain past any construction on this site, and that there is no intent to cut into the base of the hill for the proposed development.

Commissioner Thompson asked if an additional street light would be placed at the new access point to Main Street. Mr. Martin stated that because Main Street is a State Highway, the spacing standards are already in place, and there does not warrant an additional street light because of the close proximity to English. However, he stated that

there would be an ac-cel (acceleration) and de-cel (deceleration) lane built in front of The Pet Place, which would continue westbound to tie into the lane fronting Target.

Commissioner Thompson disclosed that he is a close friend of the property owner and also had worked with Mr. Martin in the past, but felt that he was still able to make an unbiased decision regarding this petition. Chariman Ivie and the Commissioners were agreeable to Commissioner Thompson voting on this petition.

Mr. Jacobus Niemand, a neighboring homeowner residing on the hill above the subject properties, had concerns about the amount of water that flows down the hill and if the base of that hill was disturbed, the erosion from water may affect the homes on the hill.

Mr. Martin readdressed the water runoff issue; including the fact that State law specifies that storm water may not enter an irrigation ditch. He explained that it should be directed to the Hood Arroyo and the plan here is to provide easements to do so. Additionally, the water from the top of the hill flows down the access road, then proceeds south on English, behind Target and across the subject property. Mr. Niemand readdressed the commission and stated that he just wanted the petitioner to be aware of any erosion that is currently taking place and hopes that the petitioner can get a catch basin and direct the runoff to the arroyo.

Commissioner Freeman made a motion to approve PP 11-01 as recommended by staff to include the waiver to increase the maximum length of a pole portion on a flag lot to exceed 150 feet. Commissioner Cardon seconded the motion and the motion passed unanimously by a vote of 9-0.

#### **Planning and Zoning Commission Action on PP 11-01 of November 10, 2011**

A motion was made by Commissioner Freeman and seconded by Commissioner Cardon to **approve** PP 11-01, a request from Mike Degner, represented by Paul Martin of Sakura Engineering, Inc, for a preliminary plan of three lots located on East Main Street, including a waiver to increase the maximum length of a pole portion on a flag lot to exceed 150 feet.

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

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

**COMMUNITY DEVELOPMENT PETITION REPORT**

1017 &amp; 1021 E. Murray

Petition SUP 11-10

**Planning and Zoning Commission Discussion of SUP 11-10 on November 10, 2011**

Associate Planner Fran Fillerup presented the staff report explaining that the request for outside storage would be on the southern part of both 1017 and 1021 E. Murray. There is currently an existing building that would be refurbished for use as an office and the petitioner plans to continue to use the modular home and house as rental property. There is a Special Use Permit for the Mobile Home on 1017 E Murray Drive and the house at 1021 E. Murray Drive is a legal non-conforming use. Neither of these dwellings are planned to be expanded.

The properties next to the petitioner's land have single-family residences; there are also single-family dwellings on the property. The residential protections for the adjoining properties may also need to be put in place for the residences on the petitioner's land. This would involve cutting off lighting inside the storage area and providing screening from the storage area.

Parking requirements will include five spaces for the office/business building and two paved parking spaces for both of the residences for a total of nine paved off-street parking spaces.

Staff recommends approval of SUP11-10 subject to the residential protection standards in the Farmington Code of Ordinances, Unified Development Code, Article 5, Sections 5.10.6 and 5.10.8.

Commissioner Thompson asked if the area on the site map between the orange and pink lines were an alley. Mr. Fillerup stated that the orange line represents an old lot line and that it was changed on the recorded plat but not in the database that the site plan was printed from. The pink line is the edge of a zoning district. Commissioner Freeman asked if the petitioner was aware that the residences were non-conforming uses. Mr. Fillerup stated that the petitioner was aware of that fact as stated in the staff report. He added that the home is legal non-conforming and the modular home has a special use permit. Outside Storage is allowed with a special use permit within the GC General Commercial district.

Mr. Paul Martin, representative for Mr. Holguin, stated that he had read the recommendation from staff and had no concern or questions.

Chairman Ivie asked the public if there was anyone who wished to address the Commission regarding this petition. There was no response from the public.

Commissioner Cardon made a motion to approve SUP11-10 as recommended by staff subject to the conditions for residential protections including the homes on these properties. Commissioner Thompson seconded the motion and the motion passed unanimously by a vote of 9-0.

**Planning and Zoning Commission Action of SUP 11-10 on November 10, 2011**

A motion was made by Commissioner Cardon and seconded by Commissioner Thompson to **approve** SUP 11-10, a request from Javier Holguin, represented by Paul Martin of Sakura Engineering, to establish outside storage for a construction business at 1017 and 1021 East Murray Drive with the condition of providing protections in the Farmington Code of Ordinances, Unified Development Code, Article 5, Sections 5.10.6 and 5.10.8 to adjoining residential properties and also to the homes located on this property.

AYE: Chairman Ivie, Commissioners Buchanan, Cardon, Freeman, Langenfeld, Thompson, Ziesmer, Arnold (Alt) and Washburn (Alt)  
NAY: None  
RECUSED: None  
ABSTAINED: None  
ABSENT: Commissioners Jaques 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:** There was no business from the Chairman.

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

**Business from Staff:** Mr. Fillerup stated that ZC11-15 was removed from the consent agenda but was approved at the November 8, 2011 City Council meeting.

**Adjournment**

With no further business the Planning and Zoning Commission meeting of November 10, 2011 was adjourned at 2:43 p.m.

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Dennis R. Ivie  
Chairman

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Dee Dee Moore  
Office Manager