

A G E N D A

**Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
December 12, 2019, at 3:00 p.m.**

Item		Page
1	Call Meeting to Order	
2	Approval of the Agenda	
3	Approval of the Minutes of the November 14, 2019 P&Z Meeting	15
4	Petition No. ZC 19-94 - a request from Elizabeth Jill Glover for a special use permit to allow for two horses on 1.98 acres of property in the SF-10, Single-family District located at 5302 Marcy Place. (Beth Escobar)	1
5	Business from: Floor: Chairman: Members: Staff:	
6	Adjournment	

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, January 14, 2020.

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.

**COMMUNITY DEVELOPMENT
PETITION REPORT
Petition SUP 19-94 Special Use Permit
to allow for the keeping of two horses on a 1.98-acre parcel located at
5302 Marcy Pl**

A. STAFF REPORT, December 12, 2019

PROJECT INFORMATION

Applicant	Elizabeth Jill Glover
Representative	
Date of Application	November 12, 2019
Requested Action	Approval of a special use permit to allow for the keeping of two horses on a 1.98-acre parcel.
Location	5302 Marcy Place (newly assigned address) R4009819
Existing Land Use	Vacant – Applicant plans to construct a new home and barn on the property
Existing Zoning	SF-10, Single family residential
Surrounding Zoning & Land Use	North: SF-10, Single family residential South: SF-10, Single family residential East: SF-10, Single family residential West: SF-10, Single family residential
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission and City Council appeared in the Daily Times on Sunday, November 24, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, November 20, 2019 and a sign was posted on Friday, November 22, 2019.
Staff Planner	Beth Escobar, Planning Manager

STAFF ANALYSIS

Background

The applicant, Jill Glover, is requesting a Special Use Permit to allow for the keeping of two horses on her 1.98-acre parcel in the A.T. Hogan Addition First Extension Replat B.

This property is currently vacant but the applicant plans to construct a new residence and a barn on the property. Access to the property is through a 30-foot easement from the end of Marcy Place.

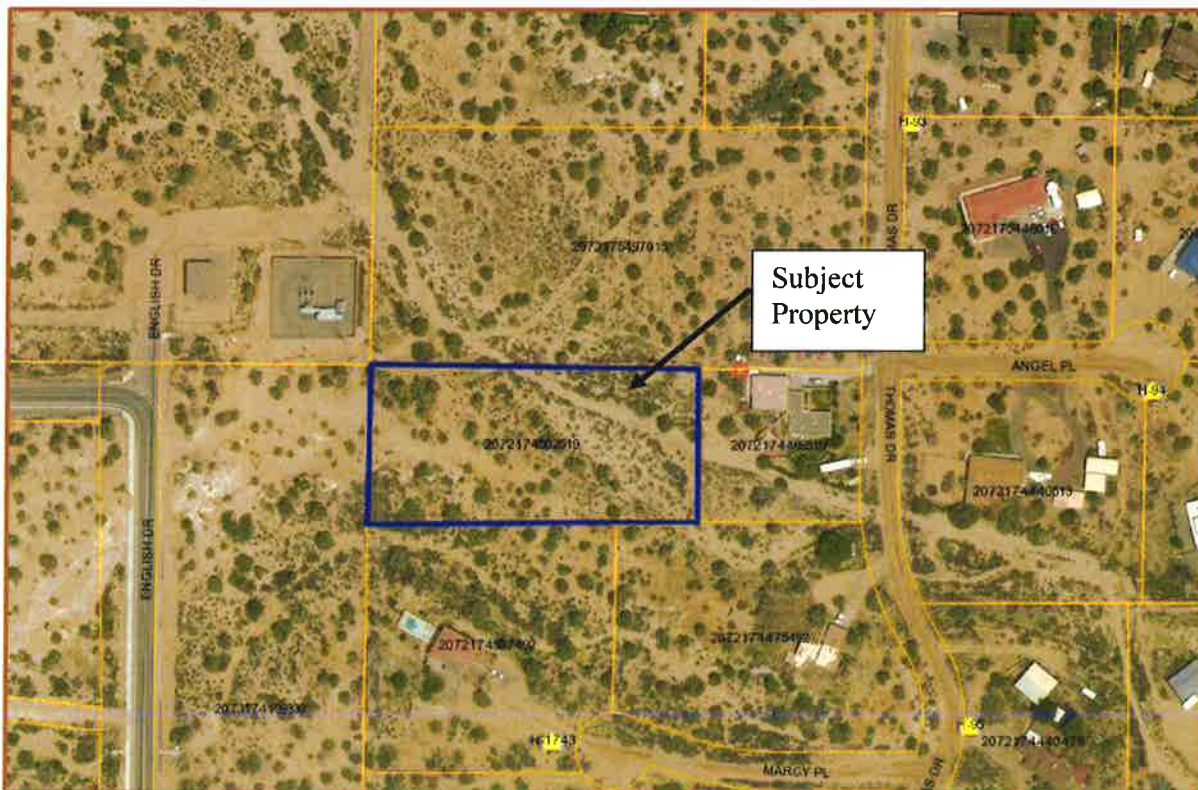


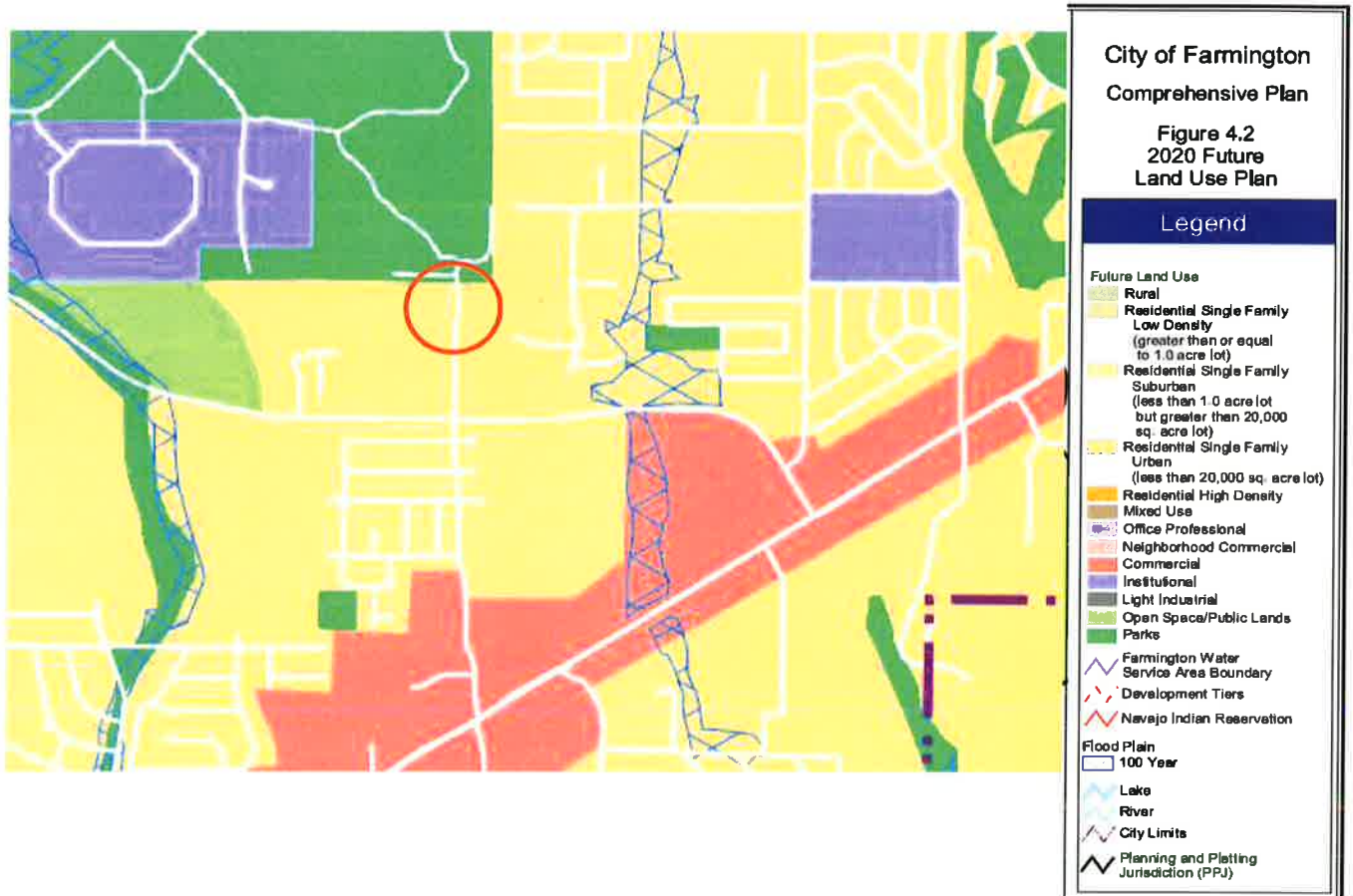
Figure 1. Aerial View

There is an electric utility transfer station and a well site to the northwest of the property. The 4.30-acre parcel to the north and the 5.60-acre to the west are currently undeveloped. South and west of the property have developed as single-family residences on parcels ranging from 1-2 acres in size.

A significant arroyo transects the property across the northeast corner.

Consistency with the Comprehensive Plan

Figure 3. Future Land Use Plan



The subject property is designated as Residential Single Family Suburban, (less than 20,000 square feet per lot).

Unified Development Code (UDC)

The purpose of a Special Use Permit is to allow for discretionary approval of uses with unique operating characteristics.

Per Section 2.4.7.A.1, the keeping of animals is permitted in the RA – Rural Agricultural District. The number of animals permitted is based on a table in Article 11. One horse per acre is the standard allowance.

To keep horses in all other residential districts requires a Special Use Permit.

The City Council has granted four Special Use Permits to allow horses since 2016:

7000 Hood Mesa

SUP 16-57

750 Valentine Road	SUP 16-120
715 Ensenada Way	SUP 17-09
5301 Tampico Way	SUP 18-58

Special use permits associated with residential uses are not transferrable.

UDC 8.9A. Special Use Permits:

- A. Except as provided herein or specified in the conditions of a special use permit, ownership of a special use permit is not transferrable.

Special Use Permit Criteria – Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

- A. Effect on environment: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants and shall not be substantially or permanently injurious to the neighboring property.

Section 6-4-2 of the Municipal Code contains specific requirements regarding keeping the property where horses are kept clean. If the Special Use Permit is granted, the applicant will be subject to these regulations.

Sec. 6-4-2. - General cleanliness of premises where animals are kept; spraying of enclosures.

(a)No person who is the owner, tenant or person in possession and control of any stable, corral, lot, pasture, stall, shed, apartment, yard or premises in the city in which any animal, including but not limited to horses, cows, livestock, domestic fowl, dogs, cats and all other animals, is kept or maintained shall allow the accumulation of manure, water, moisture, animal droppings or liquid discharges of such animal which create a stench or emit offensive odors or which are otherwise injurious to the public health and safety. However, nothing in this section shall be construed to include temporary manure deposits upon any private property for the purpose of fertilizing or composting.(b)Stalls or stables, corrals, lots or pastures shall be kept sprayed with disinfectant to kill germs and to prevent the premises from becoming a breeding place for flies, mosquitoes or other insects.(c)The park ranger-animal control supervisor and all park ranger-animal control officers are authorized to go into or upon and inspect the premises of kennels and pet stores, during regular business hours, to determine compliance with this section. Failure to comply is a petty misdemeanor.

In addition, staff is suggesting a specific condition of approval requiring extra diligence in keeping animal waste out of the arroyo that crosses the property.

- B. Compatible with surrounding area: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

The properties in the area range from 1 to 2 acres which provides substantial buffering between residences.

- C. External impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.

Through enforcement of the conditions of approval and the City regulations, there should be no negative impact to the neighborhood.

- D. Infrastructure impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

The proposed use should have no impact on existing infrastructure.

- E. Consistent with the UDC and Comprehensive Plan: The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

The Comprehensive Plan indicates this area is appropriate for mid-size lot residential development. The Comprehensive Plan is silent on the keeping of horses or other livestock.

- F. Parcel size: The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

The parcel is 1.98 acres in size. Parcels in this area range from 1-2 acres leaving a comfortable distance between residences.

- G. Site Plan: The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

Site plan review requirements only apply to non-residential and multi-family development. The applicant has provided a sketch of her plans for developing the property.

STAFF CONCLUSION

Staff concludes approval of Petition SUP 18-94 is appropriate with conditions. The property is 1.98 acres and is surrounded by other 1-2 acre parcels of land. The applicant needs to mitigate the impact of the horses by maintaining the barn and removing waste. Additionally, drainage design and construction of the shelter for the animals should be taken into consideration. Best management practices need to be implemented to minimize storm water contact with animal waste and prevent runoff of the waste or contaminated waters from leaving the property.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition SUP 19-94, a request from Elizabeth Jill Glover to keep two horses on her 1.98-acre parcel located at 5302 Marcy Place, Assessor's Parcel I.D. 2072174502519 subject to the following conditions/UDC requirements:

1. The residence and the shelter for the animals shall be constructed prior to the keeping of the animals.
2. Building permits for the development and/or improvements of subject property are required.
3. Any proposed development within a natural drainage way shall be required to include a drainage and grading plan, completed by a licensed professional engineer, to reasonably mitigate potential hazards due to flooding and to preserve the primary function of the natural drainage way. If such mitigation cannot be reasonably mitigated, development may be prohibited within the drainage way.
4. The number of horses kept on the subject property is limited to two (2).
5. The SUP shall apply only to the property owner, Elizabeth Jill Glover, for property located at 5302 Marcy Way.
6. Pursuant to the UDC 8.9.6(A) *Expiration of approval*. "A. Special use permits shall be valid for a period of 18 months from the date of approval. If construction or operation of the approved use has not commenced within this period, the special use permit shall expire."

PLANNING MEMO COMMENTS SUMMARY

SUP 19-94 XX 5302 MARCY PLACE

Deadline: 11/28/19

City of Farmington Departments

CD	Director	
CD	Addressing – Planning Division	
CD	Chief Building Official – D. Childers	1- Any structure or fence constructed will require a building permit.
CD	Long Range Planner	
CD	MPO	
CD	Oil & Gas Inspector – L. Simms	
CITY	City Manager’s Office – J. Baird	No comment
ELEC	Customer Care Manager – L. Richardson	
ELEC	Electrical Engineering – L. Aligarbes	No comment
ELEC	T & D – R. Romero	
FIRE	Fire Captain – K. Rix	
FIRE	Fire Marshall – B. Vega	No comment
LEGAL	City Attorney – J. Breakell	
LEGAL	Deputy City Attorney – E. Wayne	
POLICE	Code Compliance – M. Romero	The property will have to be properly maintained to avoid the manure smell from over accumulation.
POLICE	Sergeant – S. Goodsell	No comment
PRCA	S. Reeves/ R. Crosby	No comment
PRCA	ORII – C. Styron	
PW	City Engineer – N. Westerling	
PW	Engineering – T. Sitta	<p>There is a natural drainage (arroyo) channel that runs through the NE corner of the property. This arroyo has not been mapped for the potential impacts of flooding (not included in the FEMA-delineated floodplain boundaries); however, all defined surface water conveyances, arroyos, and other surface water channels are subject to periodic, flash flooding (please see map below).</p> <p>Any proposed development within a natural drainage way will be required to include a drainage and grading plan, completed by a licensed professional engineer, to reasonably mitigate potential hazards due to flooding and to preserve the primary function of the natural drainage way. If such mitigation cannot be reasonably mitigated, development may be prohibited within the drainage way. (City of Farmington Unified Development Code Section 5.7 – Drainage Natural or Historic Drainage ways)</p>

		Animal excrement cannot be allowed to accumulate or be disposed of in any manner within a natural drainage way. The location of any manure collection area, shall be kept outside of the natural drainage way and mitigation measures shall be in place to prevent contact with surface water within the manure collection area. (City Ordinance Section 6-4-1&2).
PW	Streets Superintendent	
PW	Traffic Engineer – I. BlueEyes	
PW	Water/Waste Water – M. Tso	No comment

Other Entities

New Mexico Gas Company – R. Castillo	No comment
CenturyLink – D. Willato	
Enterprise Field Services – M. Waszut	No comment
Comcast Cable – M. Johnson	
CH2MHILL OMI	
Surface Land Negotiator for BP – M. Venzara	
Farmington School District – C. Lyons	

PETITION APPLICATION

549 19-94



Incomplete applications will not be accepted.

Return completed application to:

Planning Division
Community Development Department
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
<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input checked="" type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to _____ District
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use: _____
<input type="checkbox"/> Well site equipment modification |
|---|--|---|

INFORMATION

Applicant's Name: <u>Elizabeth Jill Glover</u>	Project Location: <u>XX Marcy Place</u>
Address: <u>5525 Cypress Street</u>	Existing Use: <u>VACANT LAND</u>
E-Mail: <u>jill.glover@aphoo.com</u>	Proposed Use: <u>2 Horses w/ Barn/House</u>
Telephone: <u>661-388-3958</u>	Current Zoning: <u>NONE</u>
Relationship to Property Owner: <u>Partner</u>	Assessor's Parcel I.D. and/or Tax I.D. Number:

Legal Description of Subject Property:

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes No
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name:	E-Mail:
Phone:	Address:

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>N/A</u>		
Name:	Phone:	Name:	Phone:
Address:		Address:	

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>[Signature]</u>	Address: <u>5525 Cypress Street</u>
Owner's Signature:	Phone / Email: <u>661-388-3958 / jill.glover@aphoo.com</u>

BE

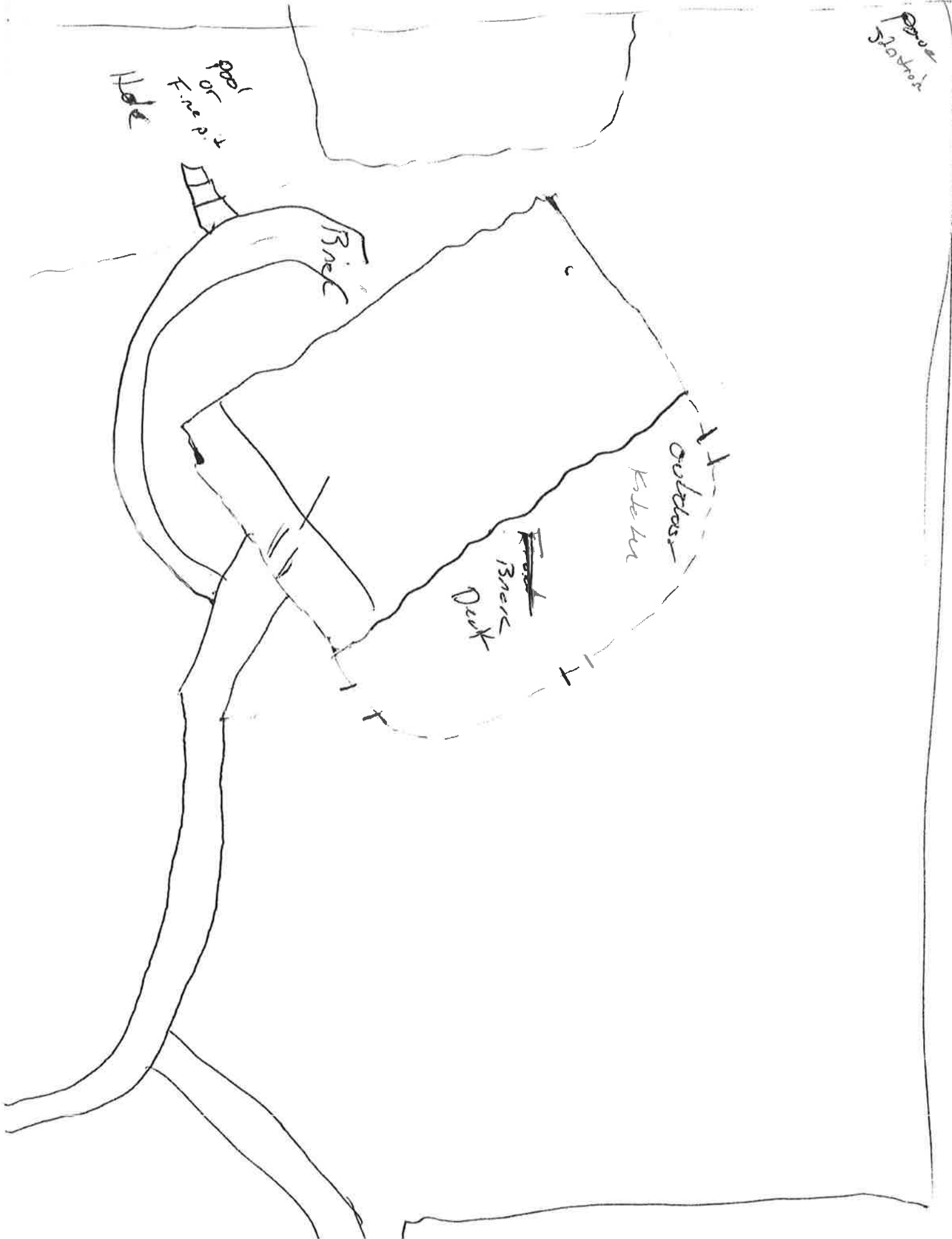
**** STAFF USE ONLY ****

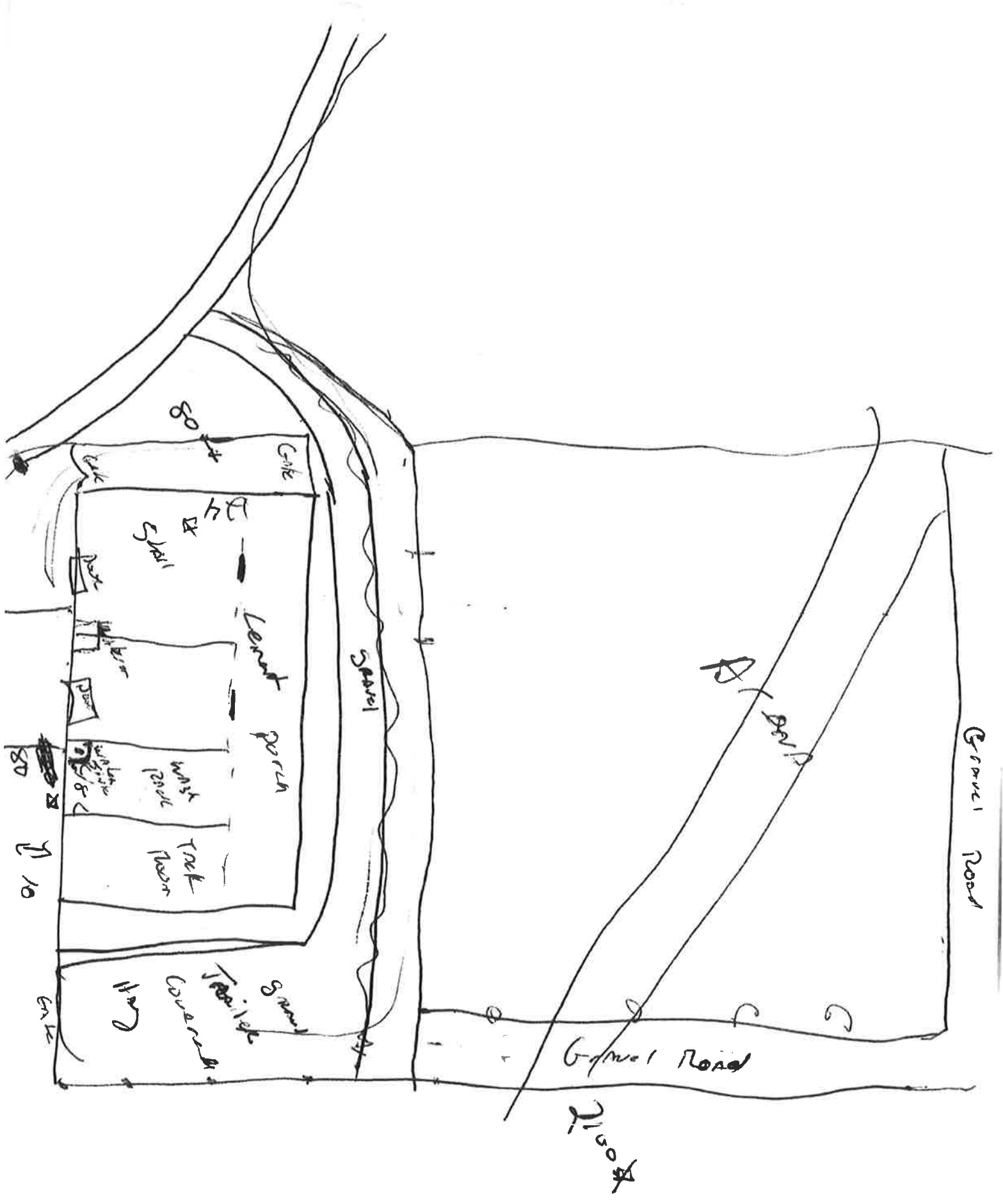
Received By KW
 Date 11/12/19 Fee Received 80
 Project File No. SUP 19-94
 Date of Hearing/Meeting: PER 12/12/19 CC 1/14/19

- Blueline Copies of Plans _____
- Ownership Report (subject and surrounding properties)
- Legal Description _____
- Detailed Statement of Proposed Use

Point
Station

1000
ft
E. of
Hd





Text of Ad: 11/19/2019

**P&Z PLANNING & ZONING
COMMISSION**

NOTICE OF PUBLIC HEARING

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

Petition No. SUP 19-94 - a request from Elizabeth Jill Glover for a special use permit to allow for two horses on 1.98 acres in the SF-10, Single-family District for property located at 5203 Marcy Place, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Lot 6A-2, Block 3 of the A.T. Hogan Addition First Extension Replat B, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition.

Otherwise known as 5203 Marcy Place

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, December 12, 2019 at 3:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, January 14, 2020 at 6:00 p.m. in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petition.

Karen Walker

Administrative Assistant
#3911236, Daily Times, Nov
24, 2019

**Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet
(excluding roadways and easements) of the Following Described Property
Referenced as TRACT 1:**

Lot 6A-2, in Block 3 of the A.T. HOGAN ADDITION FIRST EXTENSION REPLAT B, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record August 9, 2013.

TRACT 1

Elizabeth Glover and W G Hamilton
Po Box 3523
Farmington, NM 87499

Lot 6A-2, in Block 3 of the A.T. HOGAN ADDITION FIRST EXTENSION REPLAT B, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record August 9, 2013.

Book 1645, page 685

TRACT 2

English Land Co
15648 Road 250
Durango, CO 81301-8695

A T HOGAN ADDN FIRST EXTENSION LOT 3 3

Book 904, page 286

TRACT 3

Luigi A. Fanto
5303 Thomas Drive
Farmington, NM 87402-4829

Lot 4-A, Block 3 of the A.T. HOGAN ADDITION FIRST EXTENSION REPLAT "A" in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record January 7, 2013.

Book 1557, page 98

TRACT 4

BAKER STEVEN L AND MELISSA WALDEN
5301 THOMAS DR
FARMINGTON, NM 87402

Lot 5, Block 3 of the A.T. HOGAN ADDITION SUBDIVISION FIRST EXTENSION in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record June 1, 1972.

Book 1472, page 492

TRACT 5

Joseph L And Stephanie Schrag
5300 Marcy Place
Farmington, NM 87402

Lot 6A-1, in Block 3, of the A.T. HOGAN ADDITION FIRST EXTENSION REPLAT "B", in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record August 9, 2013.

Book 1592, page 280

TRACT 6

English Land Co.
15648 Road 250
Durango, CO 81301-8695

414.865 AC located in all of 36/30/13 BK.904 PG.281
Less 1.43 Ac Bk.1022 Pg.187 Less 5.61 Ac Bk.1026
Pg.560 Less 5.48 Ac Bk.1048 Pg.529 Less 1.80 Ac
Bk.1060 Pg.516 Less 5.58 Ac Bk.1060 Pg.517 Less .22
Ac Bk.1107 Pg.481 For Sage co No.1 Less 1.53 Ac To
St Judes Bk.1100 Pg.355 Less .31 Ac Bk.1118 Pg.219
Less 25.73acbk.1135 Pg.1023 Less 8.02 Ac Bk 1328
Pg 59 Less 9.58 Ac In Bk.1348 Pg.672 Less 2.17ac In
Bk.1340 Pg.528 Less 12 Ac in Bk.1372 Pg.120
Less12.09 Ac Bk 1395 Pg.849less 11.42 In Bk.1416
Pg.1010 Less 2.53 Ac In Bk.1434 Pg.280 Less 1.01 Ac
To WINDSOR HEIGHTS SUB NO.11 Less 12.73 Ac
In Bk.1440 Pg.359 Less .03 Ac For Tract 2 In Bk.1444
Pg.712 Less .01 Ac For Tract 4 In Bk.1444 Pg.712
Less 12 Ac In Bk.1462 P.270 Less 12 Ac Inbk.1481
Pg.201 Less 6.97 Ac In Bk.1498 Pg.968 Less 10.81 Ac
In Bk.1514 Pg.787less 10 Ac In Bk.1529 Pg.833 Less
.70 Ac In Bk.1537 Pg.1081less 1.38 Ac Bk.1541
Pg.181 Less 10.01 Ac In Bk.1545 Pg.515less 2.93 Ac
To English Land Company Subdivision See Perm Card
For All Other Lesses Less 10ac In Bk.1562 Pg.793
Less 22.01 In Bk. 1612 Pg. 177

Book 904, page 281

TRACT 7
FEDERAL

No legal given

Book N/A , page N/A

TO: Rebekah Esmiol, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Rebekah Esmiol, Abstracter

MINUTES
PLANNING & ZONING COMMISSION

November 14, 2019

The Planning and Zoning Commission met in a regular session on November 14, 2019 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:

Chair-Joyce Cardon
Ryan Brown
Shay Davis
Clint Freeman
Elizabeth Lockmiller
Wayne Mangum
Cheryl Ragsdale
Mitch Sewell
Cody Waldroup

P&Z Members Absent:

Kristin Langenfeld
Mitch Sewell
Gary Smouse

Staff Present:

Beth Escobar
Toni Sitta
David Sypher
Karen Walker

Others Who Addressed the Commission:

Carl Cordell
Chuck Hagan

Call to Order

Chair Joyce Cardon called the meeting to order at 3:00 p.m. 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 the Minutes

A motion was made by Commissioner Ragsdale and seconded by Commissioner Mangum to approve the minutes of the October 24, 2019 P&Z Meeting. This motion was approved unanimously by an 8-0 vote.

Swearing in of Witnesses

Karen Walker swore in all parties that wished to speak on behalf of any agenda items.

CONSIDERATION & RECOMMENDATION

ZC 19-89

Zone change from IND, Industrial to GC, General Commercial

4109 E. Main Street

Planning & Zoning Commission Discussion of Petition ZC 19-89 on November 14, 2019

Planning Manager Beth Escobar presented the staff report for ZC 19-89, a request from Halliburton Oil Well and Cementing Co., represented by Chuck Hagan with Dimmick Realty, for a zone change from IND, Industrial to GC, General Commercial for 9.94 acres located at 4109 E. Main Street. There is no specific development attached to this request.

Halliburton is in the process of relocating and preparing the property for sale. General Commercial zoning makes the property more marketable. The property has been used as an Industrial lot for over 10 years.

The properties to the north, south, and west are zoned GC, General Commercial. There is a parcel to the east that is zoned IND with SF, Single-family behind that. The single-family section is accessed through Gila Street.

The Comprehensive Plan's 2020 Future Land Use Map recommends the subject area as commercial.

Staff concludes the zone change to GC is appropriate for ZC 19-89. The request supports the objectives of the Land Use and Development objective 4 of the Comprehensive Plan, and the Economic Development section of the Municipal Code. The proposed zone change is compatible with the land uses and character of the area along the east Main Street corridor. Residential protection requirements with buffering, screening, and increased setbacks would be enforced for any new commercial development on the property. Any required site improvements and infrastructure upgrades would be identified at the time of redevelopment. The request does not constitute spot zoning, as GC is consistent with the area.

The Community Development Department recommends approval subject to the following conditions/UDC requirements:

1. All commercial development shall abide by the City's Unified Development Code (UDC) Section 5 – Development Standards. The UDC Development Standards address issues such as parking, access management, screening, drainage, residential protections, etc., for all commercial development. Development Standards are required to be included with any development permit (building permit), as part of the design and site plan submittal. No building permit can be issued until the conditions of the UDC Section 5 are met and no certificate of occupancy can be approved until all improvements are constructed.
2. All non-residential development requires a grading and drainage plan, prepared by a New Mexico Licensed Engineer, as part of any building permit. This shall be submitted and approved prior to the issuance of a building permit.
3. Easements for existing water/wastewater infrastructure shall be granted to the City prior to redevelopment of the property.

Due to holiday scheduling, if the Commission decides to move this petition forward, it will be heard at the November 19, 2019 City Council Work Session at 9:00 a.m. in the Executive Chambers at City Hall.

Commissioner Freeman asked if the other IND property to the east would be a spot zone. Ms. Escobar said that property could remain IND, and rezoning the Halliburton property will not threaten the zoning rights of the property to the east.

Chair Cardon asked if a problem would be created due to noise from the IND property to the east. Ms. Escobar explained buffering that would address noise issues.

Commissioner Freeman asked if the City should approach the IND property owners to the east about rezoning. Ms. Escobar responded that direction could be taken from the City Council.

Chuck Hagan, 3555 E. Main Street, Dimmick Realty, said the property is under contract with a development group and he anticipates a commercial venture. Mr. Hagan submitted a preliminary development plan that includes a few box stores and restaurants for the area.

Carl Cordell, 703 N. Vine Avenue, asked if the property would be undergoing chemical cleanup. Chair Cardon said the property owners would need to follow City Code if cleanup is required.

Mr. Hagan said the property is under contract and any lender would require the property to be clean to Phase 1 and Phase 2 standards. Mr. Hagan said Halliburton had worked on remediating the property. A Phase 2 environmental audit is in progress. A condition of closing on the property is that the property be clean of chemicals.

Planning & Zoning Commission Action of Petition ZC 19-89 on November 14, 2019

A motion was made by Commissioner Waldroup and seconded by Commissioner Freeman to **approve** Petition ZC 19-89, a request from Halliburton Oil Well and Cementing Co., represented by Chuck Hagan with Dimmick Realty, for a zone change from IND, Industrial to GC, General Commercial for 9.94 acres located at 4109 E. Main Street, subject to the following conditions/UDC requirements:

1. All commercial development shall abide by the City's Unified Development Code (UDC) Section 5 – Development Standards. The UDC Development Standards address issues such as parking, access management, screening, drainage, residential protections, etc., for all commercial development. Development Standards are required to be included with any development permit (building permit), as part of the design and site plan submittal. No building permit can be issued until the conditions of the UDC Section 5 are met and no certificate of occupancy can be approved until all improvements are constructed.
2. All non-residential development requires a grading and drainage plan, prepared by a New Mexico Licensed Engineer, as part of any building permit. This shall be submitted and approved prior to the issuance of a building permit.
3. Easements for existing water/wastewater infrastructure shall be granted to the City prior to redevelopment of the property.

AYE: Chair Cardon, Commissioners Brown, Davis, Freeman, Lockmiller, Mangum, Ragsdale, and Waldroup

NAY: None

Abstained: None

Absent: Commissioners Langenfeld, Sewell, and Smouse.

Motion passed 8-0

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

Business from the Chair: There was no business from the Chair.

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

Business from Staff: Beth Escobar noted the City Councilors upheld the decision of denial for Petition ZC 19-82.

Ms. Escobar said on either January 23 or January 30, 2020 there will be TED talk type event on the Comprehensive Plan Update at the Civic Center. Ms. Escobar distributed a handout on a survey for the Commissioners to participate in concerning the Comprehensive Plan Update.

Adjournment: With no further business and a motion by Commissioner Davis and seconded by Commissioner Waldroup, the Planning and Zoning Commission meeting of November 14, 2019 was adjourned at 3:22 p.m.

Joyce Cardon
Chair

Karen Walker
Administrative Assistant