

MINUTES**PLANNING & ZONING COMMISSION****August 29, 2019**

The Planning and Zoning Commission met in a regular session on August 29, 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
 Kristin Langenfeld
 Wayne Mangum
 Cheryl Ragsdale
 Mitch Sewell

P&Z Members Absent:

Elizabeth Lockmiller
 Gary Smouse
 Cody Waldroup

Staff Present:

Beth Escobar
 Toni Sitta
 Karen Walker

Others Who Addressed the Commission:

Burson Corley
 Don Corley
 Juanita Murray

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 Brown to approve the minutes of the August 15, 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**ABD 19-74****Abandonment of a City owned street – partial abandonment of Poplar Street right-of-way****Planning & Zoning Commission Discussion of Petition ABD 19-74 on August 29, 2019**

Planning Manager Beth Escobar presented the staff report for ABD 19-74, a request from Doug Murray, represented by Paul Martin with Sakura Engineering & Surveying, for the abandonment of a portion of Poplar Street along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7. The property

is zoned MF-L SMHAO, Multi-family Low Density with a Special Mobile Home Area Overlay. The Inez Subdivision was platted in 1957.

The portion of the abandonment is a cul-de-sac that leads to an alley. Ms. Escobar noted the fire hydrant located in the portion of the road that is to be abandoned. The proposal is to abandon the cul-de-sac at the south end and redevelop the area to provide access for emergency vehicles at the north end of the property. The applicant owns all three properties that will be impacted. Access to the private ditch would be from the rear of the properties.

The Comprehensive Plan provides the following typical criteria for street and land development, incorporated as a part of the City's thoroughfare development standards:

"Existing streets in adjacent areas should be continued and, when an adjacent area is undeveloped, the street layout should provide for future projection and continuation of streets into the undeveloped area."

Ms. Escobar presented maps showing opportunities for continuation of the streets in other areas. Abandonment of this right-of-way will not land lock any future developments.

This portion of Poplar Street is not considered in the City's current Major Thoroughfare Plan and has no impact on the plan. In addition, it is not part of the Red Apple Transit route.

Staff concludes approval of Petition ABD 19-74 with five stipulations. There were several technical comments submitted by the engineering department. The applicant is aware of those comments. The major issue is if the roadway is abandoned, and a new cul-de-sac is developed, it will need to be based on city standards and it will need to be dedicated to the City.

The Community Development Department recommends approval of Petition ABD 19- 74 with the following conditions:

1. The approval shall be subject to any technical corrective changes, or easements required by the Community Development Department.
2. All technical corrections (including noted issues in the staff report) to the right-of-way abandonment and proposed summary plat must be completed and approved by the City prior to submittal of the Mylar for signatures.
3. All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
4. The newly aligned cul-de-sac at the end of Poplar Street shall be dedicated to the City.
5. The abandonment will be effective after the execution of the Findings of Fact and after the recordation of the Abandonment/vacation plat, pursuant to UDC 8.8.7.

Juanita Murray, 113 W. Apache, said she and her husband bought the lots with the intention of building a house on the property and developing it as one piece of property. She said she understands the conditions.

Burson Corley, 120 Albert Place, said he owns the property next to these lots and he had questions as to where the property lines were located.

Don Corley, 1105 S. Miller, said he bought the property in the 1960s and he would like to know where the boundary lines are located that border his land.

Ms. Escobar noted the original Inez Subdivision plat and stated that the corners match up with the legal description. The abandonment only affects the property of the petitioner. The Commissioners can stipulate that the corners be marked before moving forward to City Council.

Burson Corley said he would like the corners to be marked. Chair Cardon asked Mr. Corley if he understood that the evidence does not affect his property. The fire hydrant will be moved and emergency vehicles will need access.

Don Corley said the owner of the adjoining property, Mr. Bowden, is 92 years old and does not want his property affected by the abandonment.

Ms. Escobar said the cul-de-sac does not provide access to anything. The petitioner is not asking to abandon the road that is currently being used. The corner is the legal corner for the Murray's property, and should not affect any of the neighbors.

Commissioner Sewell asked if the alley does not extend into Mr. Bowden's land. Ms. Escobar commented that access to the ditch would remain the same through the alleyway. The original review was for a replat, which had wider ramifications than the request to abandon the right-of-way.

Burson Corley stated that Mr. Bowden did not want the ditch closed even though he has not used it for a while. This proposal, he said, is different from the original plat abandonment. He stated that he does not have any problems with the current proposal in regards to the ditch.

Planning & Zoning Commission Action of Petition ABD 19-74 on August 29, 2019

A motion was made by Commissioner Brown and seconded by Commissioner Davis to **approve** Petition ABD 19-74, a request from Doug Murray, represented by Sakura Engineering & Surveying, for the abandonment of a portion of Poplar Street along Lots 9-11 in Block 8 and Lots 6 and 7 in Block 7 with the following conditions:

1. The approval shall be subject to any technical corrective changes, or easements required by the Community Development Department.
2. All technical corrections (including noted issues in the staff report) to the right-of-way abandonment and proposed summary plat must be completed and approved by the City prior to submittal of the Mylar for signatures.
3. All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
4. The newly aligned cul-de-sac at the end of Poplar Street shall be dedicated to the City.
5. The abandonment will be effective after the execution of the Findings of Fact and after the recordation of the Abandonment/vacation plat, pursuant to UDC 8.8.7.
6. The property will be surveyed and the corners will be marked.

AYE: Chair Cardon, Commissioners Brown, Davis, Freeman, Langenfeld, Mangum, Ragsdale, and Sewell.

NAY: None

Abstained: None

Absent: Commissioners Lockmiller, Smouse, and Waldroup.

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: There was no business from Staff.

Adjournment: With no further business and a motion by Commissioner Ragsdale and seconded by Commissioner Davis, the Planning and Zoning Commission meeting of August 29, 2019 was adjourned at 3:26 p.m.


Joyce Cardon
Chair


Karen Walker
Administrative Assistant