

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