

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
TUESDAY, SEPTEMBER 15, 2015 @ 4:00 P.M.  
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET

**PURPOSE OF MEETING:**

- Discuss access to Lots 11 – 15 of the J.W. Wallrich Tracts east of Commercial Street between Madison Avenue and Jefferson Avenue
- Consider Recommendation for Variance at 1205 West Avenue O: Front-Yard Setback
- Consider Recommendation for Variance at 705 South Love Street: Side-Yard Setback
- Consider Recommendation for Zone Change Request for four lots adjacent to and north of Morningside Addition in the 800 and 900 Block of East Monroe Avenue
- Consider Recommendation for Faye Heights Street Lights

**PRESENT:** Chairman Kallie Windsor, Vice Chairman Randy Pettigrew, Members Clint Laughrin, David Lynch, and Betty Price.

**NOT PRESENT:** Member Abel Cabello and Bobby Kimbro

**ALSO PRESENT:** Assistant City Manager Jared Cobb, City Attorney Patrick McMahon, City Clerk Carol Ann Hogue, City Planner Merideth Hildreth, Fire Marshall Skip Moorhead, Finance Director Gary Chapman, and Administrative Assistant Anna Juarez

**CALL TO ORDER:** The meeting was called to order by Chairman Windsor at 4:00 p.m.

**APPROVAL OF AGENDA:** Chairman Windsor called for a motion. Member Price so moved to approve agenda as submitted. Member Lynch seconded. Chairman Windsor stated agenda was incorrect. Member Price so moved to amend motion to approve agenda with the correction to change date on consideration of the regular meeting minutes of July 14, 2015 to August 11, 2015. Member Lynch seconded. All Aye, motion was approved.

**APPROVAL OF REGULAR MINUTES OF AUGUST 11, 2015:** Chairman Windsor called for a motion to approve the regular minutes of August 11, 2015. Member Lynch so moved. Member Price seconded. All Aye, motion was approved.

**NON-ACTION ITEMS:**

**DISCUSS ACCESS TO LOTS 11 – 15 OF THE J.W. WALLRICH TRACTS EAST OF COMMERCIAL STREET BETWEEN MADISON AVENUE AND JEFFERSON AVENUE:** City Planner Hildreth stated Lots 8 & 9 and possibly 7 and 10 are Madison Street and Lots 1 -8 is owned by City; Vice Chairman Pettigrew stated right-of-ways are not platted and approved or filed. City Planner Hildreth stated 30 feet of Lots 1-8 is used for commercial's right-of-ways, 20 feet alley easement leaving 45 feet of land owned by the City; the issue is with people on the east side of the lots 30 foot right-of-way on the east side of tract and Lot 11, 12, and 13 on developing sewer lines. Assistant City Manager Cobb stated the biggest challenge is the paved access. Members discussed reassigning

property to allow for a public easement. Members and staff discussed anti donation clause, possible solutions to dedicate road, unsolicited for bid, and concerns with sewer line.

**ACTION ITEMS:**

**CONSIDER RECOMMENDATION FOR VARIANCE AT 1205 WEST AVENUE O:FRONT-YARD**

**SETBACK:** City Planner Hildreth addressed Board of property owner request for a variance at 1205 West Avenue O due to consolidation of two lots into one lot at 1205 West Avenue O, the front yard is redefined as facing Avenue P instead of Avenue O. City Planner stated with this new configuration, the applicant is requesting a variance from the required twenty-five foot front yard setback to allow a twenty foot front yard setback. City Planner Hildreth stated approximately forty feet of the sixty-four feet eight inch façade facing Avenue P is a garage; property is Zone A – single family dwelling district. Members discussed placement of front yard, setbacks, procedure of building permit packet, and inspection of site procedure. Assistant City Manager Cobb stated surveys should be done before hand because of confusion of where the property line is at; Water Superintendent Duncan stated installation of water meters are being redone because property line is not staked and bound. Chairman Windsor called for motion. Vice Chairman Pettigrew so moved to approve a variance to allow a 20 foot front yard setback facing Avenue P at 1205 West Avenue O described as Lots Seven and Eight, Block Two, Replat of Blocks 1, 2, 3, and 4, Faye Heights **Subdivision**; Member Lynch seconded. With no further discussion, all Aye. Motion was approved.

**CONSIDER RECOMMENDATION FOR VARIANCE AT 705 SOUTH LOVE STREET: SIDE-YARD**

**SETBACK:** City Planner Hildreth addressed Board of property owner is requesting a variance for a side yard setback at 705 South Love Street in order to construct a back porch the width of the existing single-family dwelling; property owner owns the adjacent lot. City Planner Hildreth stated on the south side of the property, the wall of the existing house was constructed approximately three feet six inches from the property line and the roof line is located approximately two feet five inches from the property line; property is in Zone “C” – Commercial. Vice Chairman Pettigrew suggested to Mr. Fuentes to consolidate properties; Mr. Fuentes stated the variance is more cost effective at this time, eventually all properties will be replatted as one. Chairman Windsor called for a motion. Member Laughrin so moved to approve variance to allow construction of a back porch and maintenance of existing dwelling within the required five foot side yard setback at 705 South Love Street; Lot Five, Block Seventy-Three, of the Llano Addition to the City of Lovington, Lea County, New Mexico; Member Price seconded. City Planner Hildreth stated staff recommends approval. Members, Staff and Mr. Fuentes discussed the option of a summary replat or wait for Commission to approve variance. Motion was approved.

**CONSIDER RECOMMENDATION FOR ZONE CHANGE REQUEST FOR FOUR LOTS ADJACENT TO AND NORTH OF MORNINGSIDE ADDITION IN THE 800 AND 900 BLOCK OF EAST MONROE AVENUE:**

City Planner Hildreth addressed Board of zone change to be able to place single wide’s in East Monroe. City Planner Hildreth stated on November 25, 1996, the City of Lovington adopted Ordinance No. 405 to change the zoning classification of the Fairview and Morningside Additions from “A” Single Family Dwelling

District to "B: Multiple Family Dwelling District. Chairman Windsor stated Mr. Porraz asked for a variance six years ago for an RV Park and RV's (fire boxes) are still there; Mr. Porraz did not follow last variance and until first variance is fulfilled, City should not approve zone change. City Planner Hildreth stated that the Municipal Zoning Ordinance was adopted in 1971. Possibly units were there before City had zoning; the municipal subdivision regulations were adopted on May 12, 2003 these lots were created before then. Chairman Windsor stated no to the RV Park because they were fire hazard. City Attorney McMahon stated at that time, owner was not even close to complying with RV regulations concerning electrical issues, code inspection issues, living conditions were not addressed, and fire trucks accessibility. City Planner Hildreth stated in 1952 Morningside Addition was platted; it created a 20 foot alley on the north boundary. In 1986 property was sold to Gerardo Rodriguez who is deceased, his wife Rosa Rodriguez owns it. Ms. Rodriguez had a single wide mobile home on lot from 1986-1994, her son is requesting to live there in a single wide mobile home; but property needs to be rezoned. City Planner Hildreth stated in 2008 County designated this alley as Monroe Avenue and property area does have an address. Members and Staff discussed reasons to approve request to rezone or not because of an access issue; water meters were installed years ago. Chairman Windsor called for a motion. Member Pettigrew motion to approve zone change as presented (zoning reclassification for the four lots adjacent to and north of the Morningside Addition's northernmost Alley, currently known as east Monroe Avenue for Lea County addressing purposes, from "A" Single Family Dwelling District to "B' Multiple Family Dwelling District), there are issues regarding access, but those issues have been in existence for the past 30 years and were taken into consideration; Member Price seconded. With no further discussion, all Aye. Motion was approved.

**CONSIDER RECOMMENDATION FOR FAYE HEIGHTS STREET LIGHTS:** Assistant City Manager Cobb stated Faye Heights Addition requires street lights installed for safety and security; new light placements are based upon the distance between existing lights and are intended to keep with neighborhood uniformity. Each 150W residential light will increase costs by \$8.83 per month or \$105.96 annually. As presented, this will increase City electrical costs by \$741.72 with the seven proposed lights. Members discussed why contractors are not paying for street lights and ask Lea County Electric about shadowing diagram current laws. Chairman Windsor called for a motion. Member Price so moved to approve recommendation of the lights; Member Lynch seconded. City Attorney stated contingent on approval of shadow. Member Price amended motion contingent on approval of shadow; Member Lynch amended seconded. With no further discussion, all Aye. Motion was approved.

**PUBLIC COMMENT:** None

**OTHER COMMENT:**

- Fire Marshall Skip Moorhead, Members and Staff discussed concerns with Avenue R fence; homeowners will need to maintain fence. Washington and Love, and 2<sup>nd</sup> Street and Gum was another concern
- Vice Chairman Pettigrew stated Planning and Zoning would like to ask Staff to go out and make sure on the West lot on area of East Monroe Avenue is up to code and met RV standards.

- Chairman Windsor asked Fire Marshall Moorhead to inspect salon by the Turtle Car Wash; no business license has been issued
- City Planner Hildreth invited Members to attend the New Mexico Chapter of Planning Association Conference next week September 23-25, 2015 for Planning and Zoning in Las Cruces

**ADJOURNMENT:**

There being no further business the meeting adjourned at 5:30 p.m.

APPROVED: \_\_\_\_\_

**CHAIRMAN, KALLIE WINDSOR**

ATTEST: \_\_\_\_\_

**VICE CHAIRMAN, RANDY PETTIGREW**

**CITY OF LOVINGTON**  
**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION**  
TUESDAY, OCTOBER 13, 2015 4:00 P.M.  
TO BE HELD AT 214 SOUTH LOVE STREET

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**AGENDA**

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Notice of this meeting has been given to the public in compliance with Section 10---15---4 NMSA 1978

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**OPEN MEETING**

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- Call To Order
- Approval of Agenda
- Consideration of the Regular Meeting Minutes of September 15, 2015

**NON-ACTION ITEMS**

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- Staff Report on Action Items Approved by City Commission

**ACTION ITEMS**

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- Consider Recommendation for Variance at 307 E Avenue C for a Gravel Driveway
- Consider Recommendation for School Zone Improvements

**PUBLIC COMMENT**

**OTHER**

**ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 575---396---2884 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575---396---2884 if a summary or other type of accessible format is needed.

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: October 13, 2015

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Driveway Variance: 307 E. Avenue C  
**DEPARTMENT:** Planning and Zoning  
**SUBMITTED BY:** Laura Brock, Code Enforcement  
**DATE SUBMITTED:** October 7, 2015

**STAFF SUMMARY:**

Owner of property at 307 East Ave C is requesting a variance from 17.20.050 (B)(5) requiring installation of a concrete driveway. Applicant plans to build a 20X25 foot carport on the side of the existing Manufactured Home. Applicant requests a variance in zoning to install a 62 foot long by 20 foot wide gravel driveway instead of concrete. The apron will be concrete and the first 10 foot long by 20 foot wide "all weather protection surface" will comply with as the City's Municipal Code 12.04.080 Curb specifications. 12.04.080 Curb specifications (1) All weather protection shall be construed to mean compacted caliche base with asphalt surface treatment or six-inch concrete slab.

(Property is in Commercial "C" Zoning District.)

(Property legal description: Lot Seventeen •EŽ(17E), Replat of Block One (1), of the Assessors Plat of Tracts in the Dean Addition to the City of Lovington, Lea County, New Mexico.)

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Location Map & Aerial

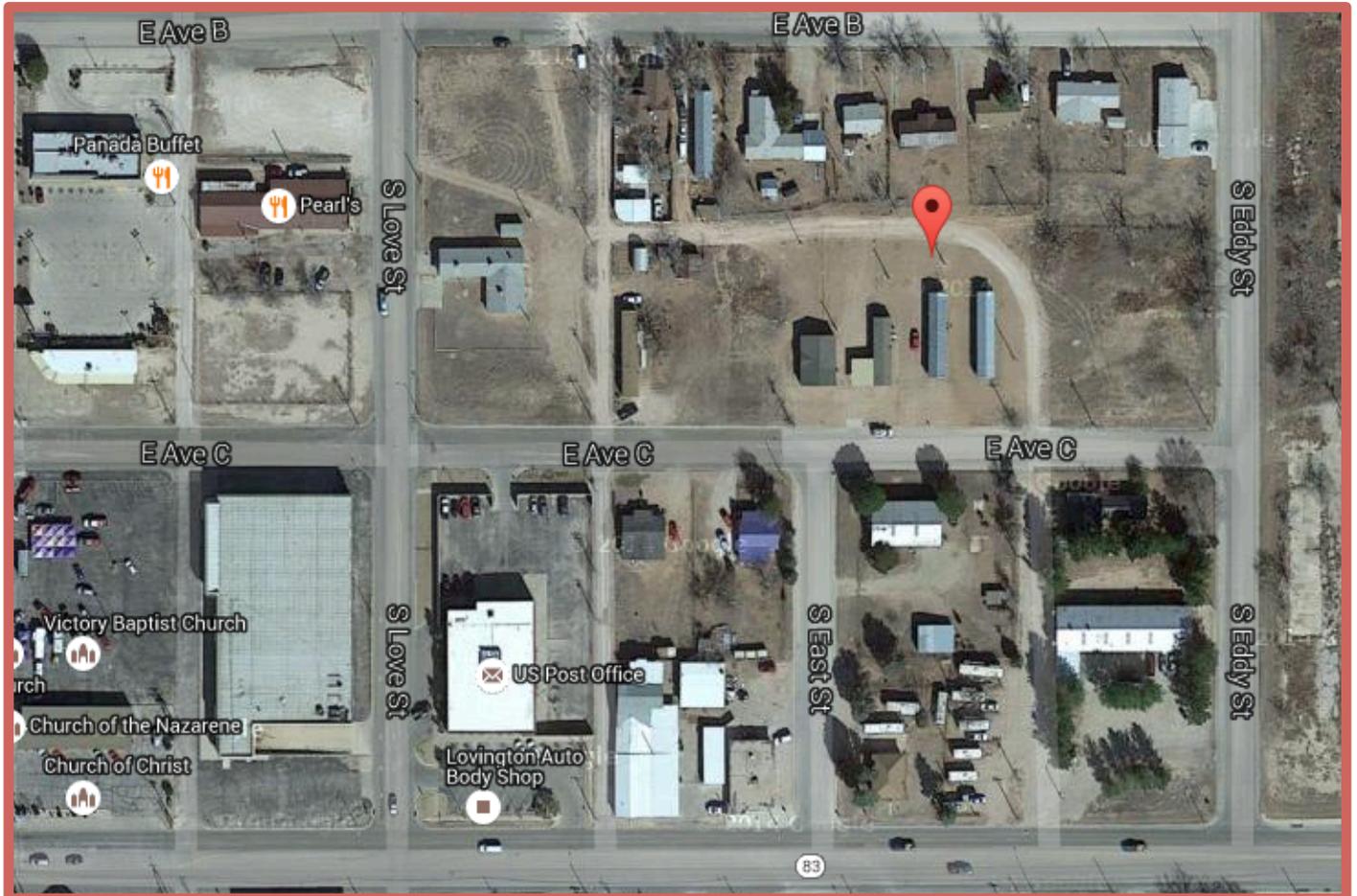
**RECOMMENDATION:**

Consider a motion to approve a variance to allow an approximately 62 foot long by 20 foot wide gravel driveway on the property to and beneath a carport with the provision that the apron and first 10 feet of the driveway be constructed of an all weather protection surface.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

# 307 East Ave C



**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: October 13, 2015

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** School Zone Improvement Recommendations  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** October 7, 2015

**STAFF SUMMARY:**

City staff have prepared the attached document, that was electronically submitted to P&Z at the last meeting for review and comment regarding select school zone improvements within the City. This document has been provided to the Schools for their review as well.

Staff are requesting this Board provide further recommendations or provide a recommendation for approval as submitted.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

School Zone Improvements

**RECOMMENDATION:**

Motion to recommend adoption or modification to the plan.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager



# Recommended School Zone Improvements

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City of Lovington  
September 1, 2015

## **I. Overview**

Recent improvements and operational changes made by the Lovington School District have altered traffic patterns in certain areas of the City. The City and District have received numerous complaints regarding to traffic congestion and safety. Paul Campos, School Board member and City Commissioner requested that the City observe the changes in traffic patterns and congestion and provide recommendations.

The City Manager, Police Chief, and Deputy Police Chief have spent several days observing traffic patterns during the week in the morning (typically between 7:45 a.m. and 8:15 a.m.) and afternoon (typically between 2:45 p.m. and 3:20 p.m.). In addition, City staff have met with various District administrators to obtain their input on current operating procedures as well as their recommendations for improvement. After review of the current conditions at Llano, Ben Alexander, Lea, and Taylor, this document was prepared with City recommendations.

A copy of this document will be provided to the school District so they may evaluate the City recommendations for improvements on their property. City staff will also present the recommendations for City improvements to the Lovington Planning and Zoning Commission for their endorsement prior to being presented for consideration and approval by the Lovington City Commission. Although implementation of City improvements may be somewhat delayed, public notification of proposed signage, changes in traffic direction, etc. is required along with Commission approval.

## **II. General Observations**

- Improvements made to schools have included drop off/pick up lanes. Although these enhance student and pedestrian safety in most cases, it has changed the traditional patterns and created congestion in areas in new areas or increased congestion.
- Additional facility improvements at schools have created new drop off/pick up areas, in particular Llano Elementary. This has altered traffic patterns as well creating new congestion.
- At all of the locations evaluated, peak congestion occurs typically between 2:45 p.m. and when school is dismissed. The general cause of this is due to parents lining up and parking to pick up their child well before school is dismissed. Once pick-ups begin, the congestion eases substantially shortly after school dismissal at approximately 3:10 p.m.

- During the morning drop off period, congestion is observed at its highest at Llano and Lea. This is attributed to individual desiring to walk their children to the entrance and a limited number of on and off site parking areas. After approximately 8:15, congestion in all areas dramatically decreases.
- Although crosswalks are readily available, adults and students continue to cross at non-marked areas or from between parked cars.
- Signage, such as right turn only, is being ignored and leads to traffic congestion.
- None of the building improvements or drop-off/pick-up areas built over the last twelve months or more underwent the City permit review process. A State building permit for each project was required. During the permitting process, the City is required to review each permit to ensure that it conforms to ordinance. Had the permits been reviewed, some of the issues identified could have possibly been avoided.
- Staggering of school start and dismissal times would help to reduce speeding throughout the road system of the City. Many families have multiple children attending different schools and are often rushed to ensure their children are dropped off and picked up on time.
- In order for this proposed traffic plan to be effective, each element needs to be incorporated. Some alternative improvements have been suggested as additional options and are not necessarily deemed as objective critical. These suggestions are marked accordingly.

### III. School Recommendations

The following illustrations are recommendations that City staff have providing for District and City improvements to “School Zones”. A list describing the improvements has also been included and defines what each entity is responsible for should this plan be recommended for approval.

*Ben Alexander*

#### **District Improvements**

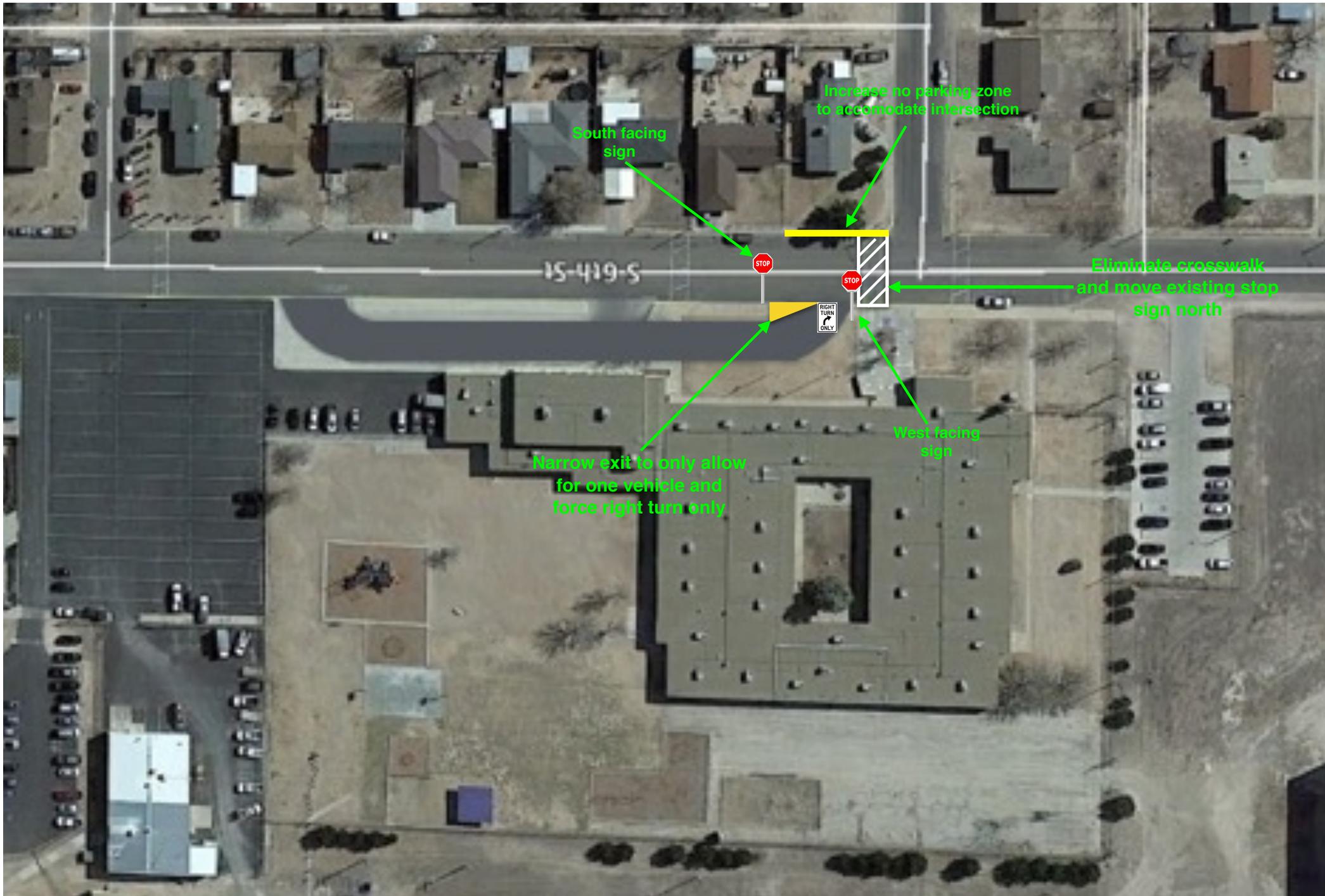
1. The exit from the drop-off/pick up area requires additional curbing that will only allow for one car to exit at a time. At present, this area allows for two lanes of travel. In addition, the curbing needs to be designed to prohibit the ability to make a left hand turn out of the area. Individuals presently attempting to exit to the left area creating congestion as they are trying turning into oncoming southbound traffic. More visible signage indicating a right turn only out of the area is also a recommended improvement.

2. In its present form, the drop-off/pick-up area exits directly into the intersection of Avenue N and 6<sup>th</sup> street. Traffic flow is heavy during school arrival and dismissal times and vehicles are only able to exit the area easily when other drivers are courteous. In order to facilitate the flow of traffic, it is recommended that the District install curbing at the outlet that forces a right turn only into traffic. In addition, install more visible signage to indicate a right turn only.
3. **Additional Alternative:** A large parking lot is located to the north of the school. During mornings of the first semester, this area is utilized by the high school for marching band practice. The practices could be moved to another location. If this option is executed, it is recommended that traffic controls be put in place within the lot (i.e. curb stops, speed bumps) to slow traffic down. This area could then be utilized for a visitor parking and pick-up/drop-off area.

### **City Improvements**

1. Relocate the southbound stop sign on 6<sup>th</sup> street approximately 20 feet to the north to the outlet of the school built pick-up/drop-off lane.
2. Establish a no parking zone on the eastern side of 6<sup>th</sup> street from Avenue N to approximately 20 feet to the north that would coincide with the expanded signed intersection. This measure would increase intersection visibility.
3. Eliminate the north east-to-west crosswalk at the intersection of Avenue N and 6<sup>th</sup> street. The south east-to-west crosswalk would remain.

# Ben Alexander



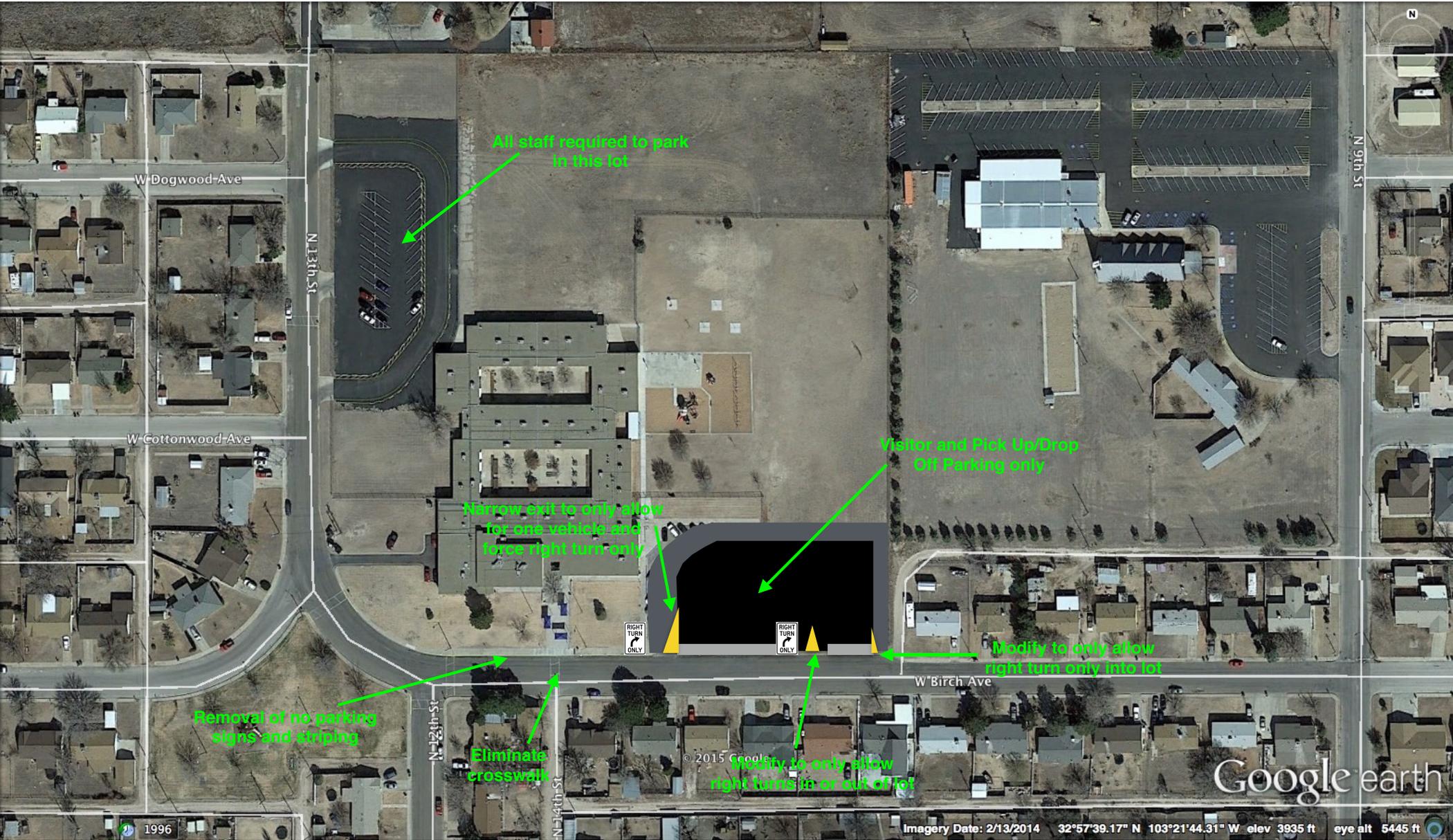
### **District Improvements**

1. The Birch Street parking lot should be designated for visitor and parent parking only. During a site visit, we were advised that 6-8 staff were utilizing the lot for parking.
2. Designate the 13<sup>th</sup> Street parking lot for all staff parking.
3. The exit path of the pick-up/drop-off lane should be narrowed with curbing and designed to force a right turn only. More visible right turn only signage should be installed.
4. Install curb stops and speed bumps to enhance pedestrian safety.
5. The entrance to the pick-up/drop off lane should have additional curbing installed that will allow for a right turn only into the lane.
6. The entrance and exit to the parent and staff parking lot should have a curb island installed and is designed to only allow for a right turn only entrance and right turn only exit. More visible signage, indicating a right turn only, should be installed at the exit outlet.

### **City Improvements**

1. Remove crosswalk on Birch that is between the south entrance and alley.
2. Remove no parking signs and curb painting for “No Parking” area on Birch Street since the area use has changed.

# Lea Elementary



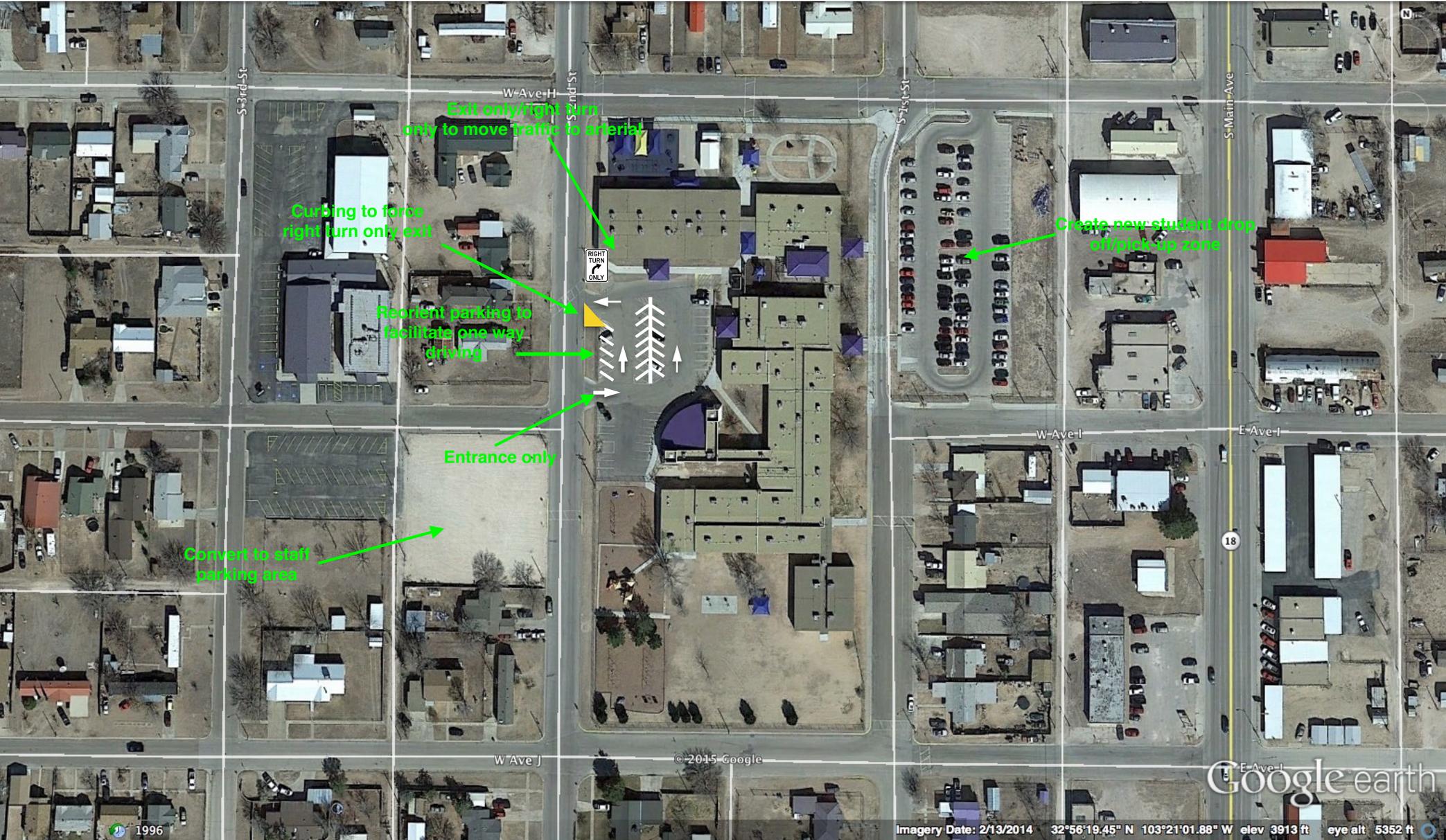
### **District Improvements**

1. Re-orient parking in the paved parking lot accessed off of 2<sup>nd</sup> Street.  
Reorientation would facilitate one-way traffic flow within the lot, with traffic entering the lot from the south and exiting to the north.
2. Narrow paved lot exit to one lane with curbing designed to force a right turn only. Install highly visible right turn only signage at the exit.
3. Install curb stops and speed bumps to enhance pedestrian safety.
4. Utilize the recently acquired unpaved parking pad at Avenue I and 2<sup>nd</sup> for employee parking.
5. Eliminate employee parking lot to create a second off street pick-up/drop-off zone and parent/visitor parking area to the east of the bus lane.
6. Shift classrooms to other pick-up/drop-off points within the school.

### **City Improvements**

1. Provide way-finding signs to crosswalks on 2<sup>nd</sup> Street.
2. Create a four-way stop intersection at 1<sup>st</sup> and Avenue J.
3. **Additional Alternative:** To facilitate traffic flow, Avenue I from Main Street to 1<sup>st</sup> Street would be changed to a one-way street, with traffic flow directed to run east to west. In addition, 1<sup>st</sup> Street between Avenue I and Avenue J would be changed to a one-way street, with traffic flow directed to run north to south. Changing the flow of traffic would allow for two lanes of travel to be created. At the intersection of Avenue J and 1<sup>st</sup>, individuals in the east lane would be required to turn east and west lane traffic would be required to turn west or proceed south onto 1<sup>st</sup> Street. This intersection could be enhanced with a traffic island to force this type of turning and traffic flow at the intersection. This measure would be very drastic and require multiple public hearings and notifications prior to it become effective. This measure would have a direct impact on two businesses (Clean Machine and Peanuts Custom Shop) and 6 private residences.

# Llano Elementary

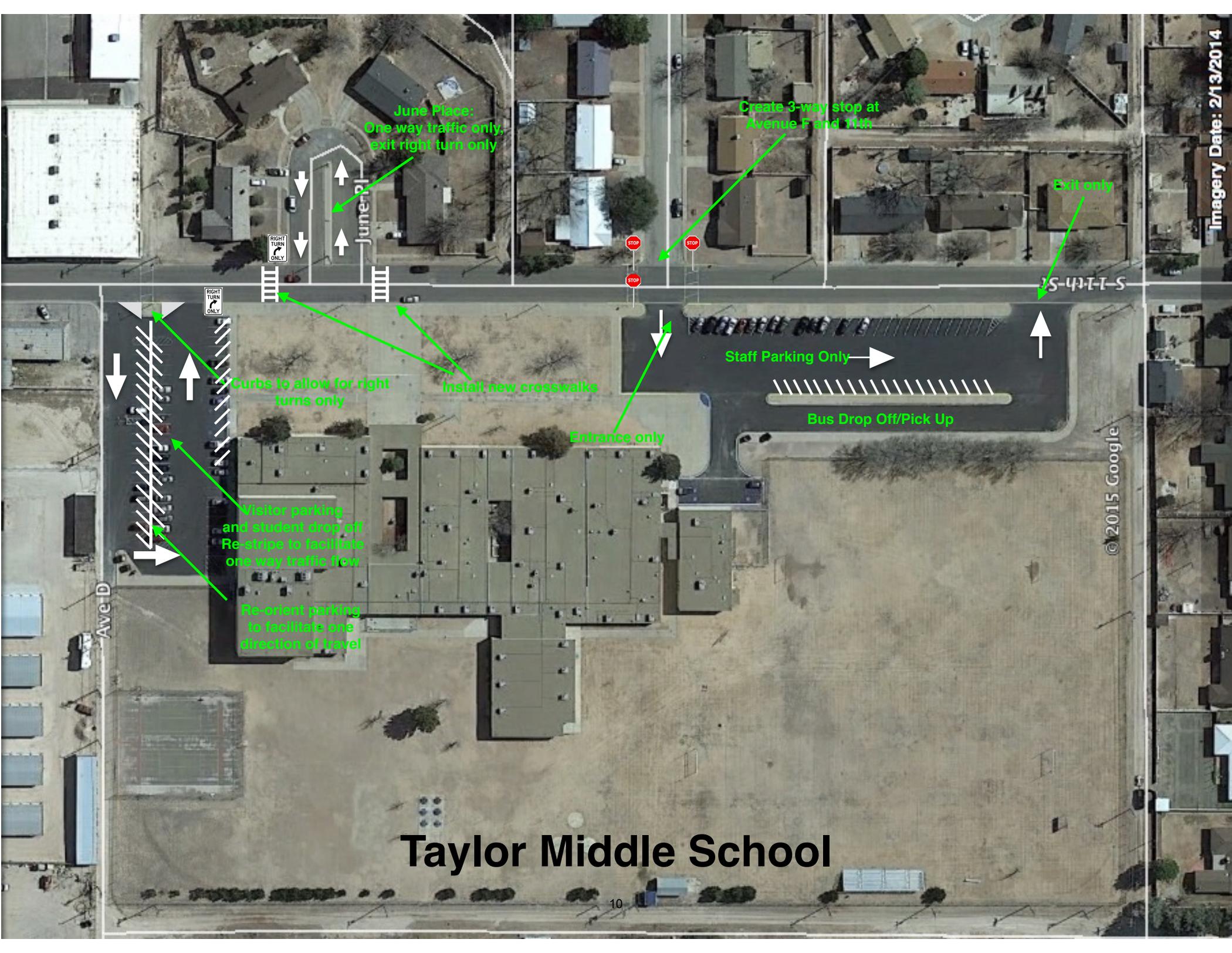


### **District Improvements**

1. Designate the north parking lot for visitor parking as well as student pick-up/drop-off only.
2. Install curbing designed to allow for right turns only on entrance to and exit from the north parking lot. Install highly visible signage to indicate right turns only.
3. Re-orient parking to facilitate one direction of travel within lot. Install curb stops and speed bumps to increase pedestrian safety.
4. Designate the south parking lot for staff parking only. Increase the number of parking slots on the east side of the concrete island as well as installing speed bumps in the employee parking zone to enhance pedestrian safety.
5. Have buses drop-off and pick-up in between the concrete island and sidewalk.
6. Install high visible signage to designate parking lot type as well as entrance and exit only signage.

### **City Improvements**

1. Create a 3-way stop intersection at Avenue F and 11<sup>th</sup> Street.
2. Install new crosswalks and signage at the inlet and outlets of June Place and 11<sup>th</sup> Street.
3. Convert June Place into a one-way street. Entrance to the street would occur from the south and exit from the north. The exit from the street would be limited to a right turn only, facilitated by signage and curbing. The immediate impact from this change would be to four private residences and would require public hearings and notifications.



June Place:  
One way traffic only,  
exit right turn only

Create 3-way stop at  
Avenue F and 10th

Exit only

RIGHT  
TURN  
ONLY

Curbs to allow for right  
turns only

Install new crosswalks

Staff Parking Only

Entrance only

Bus Drop Off/Pick Up

Visitor parking  
and student drop off  
Re-stripe to facilitate  
one way traffic flow

Re-orient parking  
to facilitate one  
direction of travel

Ave D

# Taylor Middle School

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Imagery Date: 2/13/2014