

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MONDAY, SEPTEMBER 24, 2014 @ 4:00 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Consider Approval of 9th & Avenue K Traffic Control
- Consider Approval of Variance Request in Zoning for a Carport to exceed maximum size of 720 square foot at 1209 W Polk
- Consider Approval of Variance Request for front yard setbacks due to odd shape of lot at JL Reed Addition block 9 lot 1 unit 3 (south west corner of Avenue K & 13)
- Discussion of RV Parks Ordinance
- Schedule Next Planning & Zoning Meeting: Date and Time

PRESENT: Members: Chairman Kallie Windsor, Vice Chairman Randy Pettigrew, Betty Price, David Lynch, Lynda Goff, Abel Cabello and Bobby Kimbro.

NOT PRESENT: All Present

ALSO PRESENT: City Manager James Williams, Assistant City Manager Jared Cobb, City Attorney Patrick McMahon, Code Enforcer Laura Brock, Fire Inspector Skip Moorhead, City Planner Merideth Hildreth, and Administrative Assistant Anna Juarez

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

APPROVAL OF AGENDA: Chairman Windsor called for a motion to approve the agenda as submitted. Member Goff so moved. Member Price seconded. Motion was approved.

APPROVAL OF REGULAR MINUTES OF AUGUST 5, 2014: Chairman Windsor called for a motion to approve the regular minutes of August 5, 2014. Member Pettigrew so moved. Member Price seconded. Motion was approved.

ACTION ITEMS:

CONSIDER APPROVAL OF 9th & AVENUE K TRAFFIC CONTROL: Chairman Windsor called for a motion to approve 9th & Avenue K Traffic Control. City Manager Williams addressed the members explaining concern from Lovington Municipal Schools request to implement right turn only on Avenue K and 9th Street exit in order to reduce congestion during lunch and at the end of school. City Manager Williams explained right turn only area on Avenue K side will push traffic deeper into a residential area as well as in the direction of Head Start and potentially Ben Alexander. City Manager Williams recommended temporary barriers be erected at the 9th Street exits to determine if this will positively impact flow. Members discussed other options to slow down traffic; four way stop, speed bumps and parking spaces with curbs. City Manager Williams and Members discussed the potential for a liability from school personnel for directing traffic in school zones. Member Goff motioned not approving Avenue K curb cut out until Schools look at internal parking lot first. Member Price seconded. Motion was approved.

CONSIDER APPROVAL OF VARIANCE REQUEST IN ZONING FOR A CARPORT TO EXCEED MAXIMUM SIZE OF 720 SQUARE FOOT AT 1209 W POLK:

Chairman Windsor called for a motion to approve variance request in zoning for a carport to exceed maximum size of 720 square foot at 1209 West Polk. Code Enforcer Brock stated Jose Vega requested a variance to be granted for a carport exceeding maximum size of carports allowed 720 square feet. Mr. Vega carport is 1540 square feet. State building permit was issued without City's approval; Code Enforcer Officers' noticed carport appeared larger than City allows. Code Enforcer Brock recommended approving the variance, variance will not adversely affect public health and safety, variance will not alter character of the zoning district, and carport does meet required setbacks. Members discussed design, lot size, similar carports in area, and summarizing lots. Member Pettigrew so motioned to approve variance contingent to completion of carport concrete floor and curb. Member Lynch seconded. Motion was approved.

CONSIDER APPROVAL OF VARIANCE REQUEST FOR FRONT YARD SETBACKS DUE TO ODD SHAPE OF LOT AT JL REED ADDITION BLOCK 9 LOT 1 UNIT 3 (SOUTH WEST CORNER OF AVENUE K & 13TH):

Chairman Windsor called for a motion to approve variance request for front yard setbacks due to odd shape of lot at JL Reed Addition block 9 lot 1 unit 3 (south west corner of Avenue K & 13th). Code Enforcer Brock stated Justin Davis requested a variance be granted on the front yard setback due to the odd shape of lot. Front yard setback is 25 feet from property line; the request is for a setback of 15.6 ½ on the northeast side of the house and 20.7 7/8 on the northwest side of the house. Code Enforcer Brock recommended approving variance of the front yard setback due to odd shape of property, variance will not adversely affect public health or safety, and variance will not alter essential character of the zoning district. Justin Davis addressed Members concerns with entry to garage, driveway, roadway easement, addressing, and utilities were discussed. Member Kimbro so moved. Member Price seconded. Motion was approved.

NON ACTION ITEMS:

DISCUSSION OF RV PARKS ORDINANCE: City Manager Cobb introduced City Planner Meridith Hildreth to the Members. City Manager Cobb presented to Members RV Parks Ordinance draft updating ordinance to require a survey plan, plat, and addressing internal streets or drainage issues. Staff and members discussed State inspecting sewer, water, and electrical for all new RV Parks. Member Pettigrew recommended passing a resolution to stop progress of all RV parks until a proper ordinance is in place for the safety of the citizens. Member Pettigrew feels City should set the guidelines from an engineer, design, and safety point of view. Gary Clemens suggested City should consider providing RV Park packets, checklist and a list of upfront cost estimates. Member Pettigrew stressed this is a housing area; as a developer a site plan should be sealed by civil and an electrical engineer for the RV Park. City Manager Cobb stressed the importance of safety for personnel responding to emergencies in narrow spaces between RV's and setbacks. Members mentioned to consider adding full restrooms and privacy fencing to the RV Parks Ordinance. Discussion only, no action taken.

SCHEDULE NEXT PLANNING & ZONING MEETING: DATE AND TIME:
Members decided on a work session to discuss RV Parks draft ordinance and a regular Planning & Zoning Meeting on Tuesday, October 14, 2014 at 4:00 P.M.

PUBLIC COMMENT: None

OTHER COMMENT: None

ADJOURNMENT:

Member Kimbro made the motion for adjournment at 6:01 p.m. Member Lynch seconded.

APPROVED: _____
CHAIRMAN, KALLIE WINDSOR

ATTEST: _____
VICE CHAIRMAN, RANDY PETTIGREW

PLANNING AND ZONING APPLICATION

- Type(s):
- | | | |
|--|--|---|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input type="checkbox"/> CARPORT | <input checked="" type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input checked="" type="checkbox"/> REPLAT | <input checked="" type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input checked="" type="checkbox"/> WATER CONNECTION |
| <input checked="" type="checkbox"/> SEWER CONNECTION | <input checked="" type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

Applicant Name: ROBERT FIERRO, WITH FIERRO & COMPANY
 Mailing Address: 2929 COORS BLVD. N.W., SUITE 307-B
ALBUQUERQUE, NM 87120
 Phone Number: (505) 503-9546
 Property Address (Site Location): 2006 & 2010 N. MAIN ST
LOVINGTON, NM 88260
 Property Owner(s): JOSE SILVEIRA

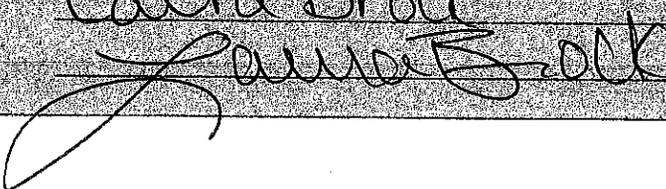
Brief Description of Request:
 Land Divide Existing LOT 8 and consolidate the North 55' of Lot 9. Purpose is to create a lot for each existing trailer on-site and a lot for an RV park.

Subdivision: DRIVE ACRES SUBDIVISION Zone: A B C D
 Block: N/A
 Lot: LOT 8 & NORTH 55' OF LOT 9
 Owner Number: 22460 Parcel Number: 4000224590001 & 4000224600001
 Book: 1774 Page: 939

Present Use of Property: RESIDENTIAL

Applicant Signature: Robert Fierro Date: 10-3-14

To ensure placement on the agenda, submit all materials three weeks in advance of your scheduled meeting.

Date Received by Code Enforcement:	<u>10-6-14</u>
Code Enforcement Officer Name:	<u>Laura Brock</u>
Code Enforcement Officer Signature:	

AFFIDAVIT BY PROPERTY OWNER(S)

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input type="checkbox"/> CARPORT | <input checked="" type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input checked="" type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

Property Address: 2010 N. Main ST, Lovington NM 89260

Legal Description: Tract 8 Drive Acres Sub-division

I (WE) HAVE AUTHORIZED the following individual(s) to act as my (our) agent with regard to this application:

Agent: Fierro & Company Phone: 8-29-14

Address: 2929 Coors Blvd Albuquerque NM 87120

I (WE) UNDERSTAND, CONCUR AND AFFIRM that this application may be approved, approved with conditions or denied, and that as the property owner it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety, or welfare of others and that compliance with all applicable City ordinances is required; and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

Owner 1:

By: José Silveira

PRINTED NAME

By: [Signature]

SIGNATURE

Date: 8-29-14

Notary Seal

Commission expires
March 4, 2015

[Signature]

Owner 2:

By: _____

PRINTED NAME

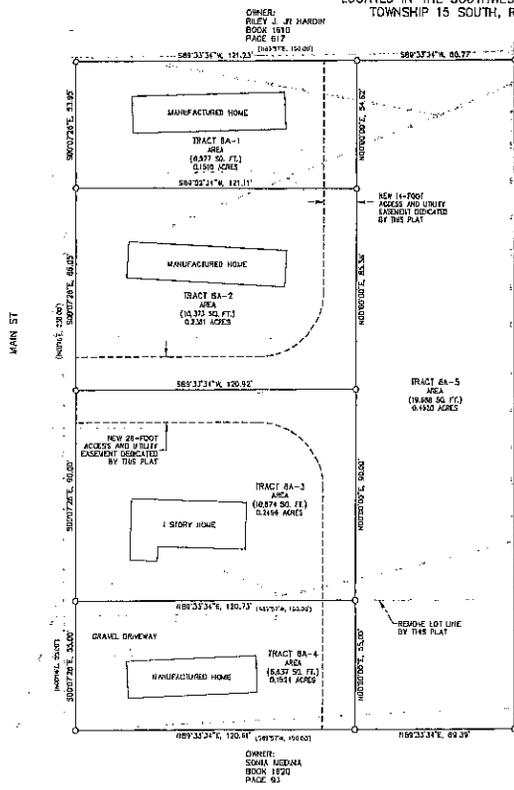
By: _____

SIGNATURE

Date: _____

Notary Seal

**CONSOLIDATION OF TRACTS 8 AND 9 INTO TRACT 8A AND LAND DIVISION OF TRACT 8A,
DRIVE ACRES SUBDIVISION, LOVINGTON, NEW MEXICO**
LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31,
TOWNSHIP 15 SOUTH, RANGE 36 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO



OWNER:
OLBERT'S LEASE SERVICE
BOOK PAGE

THE FOREGOING LAND DIVISION OF A TRACT AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN BOOK 29X, ON PAGE 217 OF THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO, INTO THE FOLLOWING DESCRIBED LOTS:

TRACT 8A
WHEN FULLY LAY OUT

CERTIFICATE OF MUNICIPAL SUMMARY PROCESS APPROVAL:
I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOVINGTON, NEW MEXICO AND CAROL ANN HOOPER, CITY CLERK FOR THE CITY OF LOVINGTON, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAN IN THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE NEW MEXICO SUMMARY PROCESS REGULATIONS ON THIS _____ DAY OF _____, 2014.

JAMES WILLIAMS, CITY MANAGER

CAROL ANN HOOPER, CITY CLERK

ACKNOWLEDGMENT:
STATE OF NEW MEXICO

COUNTY OF LEA

ON THIS _____ DAY OF _____, 2014, BEFORE ME PERSONALLY APPEARED JAMES WILLIAMS AND CAROL ANN HOOPER KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED, UNLESS MY HAND AND OFFICIAL SEAL THE DAY WHEN ARE YEAR LAST ABOVE MY COMMISSION EXPIRES.

NOTARY PUBLIC

OWNER'S STATEMENT:
SAY TRACTS ARE BEING SUBMITTED AND RECORDED AND THE SAID NEW EASEMENTS ARE BEING GRANTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE COORDS OF THE UNDISBURSED CONTRACTS HEREIN, AND IS SUBMITTED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT HEREOF.

JOSE BURGAL, LAND SURVEYOR

ACKNOWLEDGMENT:
STATE OF NEW MEXICO

COUNTY OF LEA

ON THIS _____ DAY OF _____, 2014, BEFORE ME PERSONALLY APPEARED

PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED, UNLESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

BY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATION

I, LYNN A. LANZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAN OR SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I ACCURATELY MEET THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

LYNN A. LANZ, N.P.S. No. 10856



- NOTES:**
1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS NOTED OTHERWISE.
 2. RANGE OF CURVATURE IS 1/8" PER 100' (EPOCH 2010.00000) NEW MEXICO STATE PLANE - NAD 83.
 3. THE UTILITY LOCATIONS SHOWN ARE FROM INFORMATION OBTAINED FROM THE CITY OF LOVINGTON'S WATER DEPARTMENT, FROM SURVEY OF SURFACE UTILITIES AND THE UTILITY WARNINGS PROVIDED BY AN NRI ONE CALL. FIELD SURVEY REQUIRED.

- LEGEND**
- FOUND PRESERVE CORNER AS NOTED
 - SET 1/8" x 5/16" IRONS WITH BLUE PENNA CON MARKS 1/2500
 - BANNER METER
 - POWER POLE
 - GUY WIRE
 - LIGHT POLE
 - OVERHEAD ELECTRIC
 - FENCE
 - WATER LINE
- REMARKS: ALL SURVEY RECORDS BEARING A DISTANCE NOTED ABOVE, DO NOT MEASURED BEARING & DISTANCE

Fierro & Company
P.O. BOX 818
LOVINGTON, NEW MEXICO 88340
PH (505) 338-3377
www.fierroandcompany.com

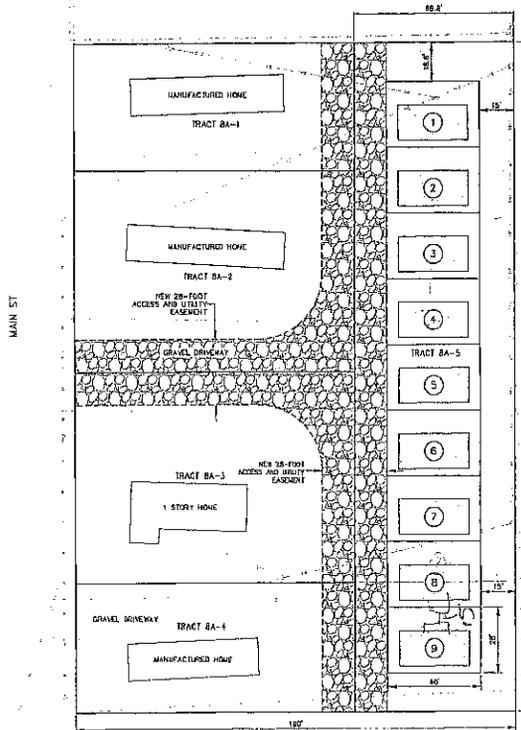
DATE: AUGUST 2014

OWNER: JOSE OLBERT
PROJECT NO: 142-34
FIELD WORK BY: RJF, SAI
DRAWN BY: RJF
CHECKED BY: RJF, LAL
SCALE: 1"=80'
DATE: AUGUST 2014
SHEET: 1 OF 1

STATE OF NEW MEXICO
COUNTY OF LEA

FILED _____ 2014,
AT _____ O'Clock _____ AND RECORDED BY _____
BOOK _____
PAGE _____
PAT CHAPPELLE, LEA COUNTY CLERK
BY _____ DEPUTY

JOSE SILVEIRA SITE PLAN
MINI-RV PARK



LEGEND

- FOUND PROPERTY CORNER AS BOUND
- SET 18" DIA. "O" MARKER WITH BLUE PERMA CAP NIPS 10856
- WATER METER
- POWER POLE
- GUY WIRE
- LIGHT POLE
- OVERHEAD ELECTRIC
- FENCE
- WATER LINE
- RV SPACE NO.
- CHANGE PAD
- DRIVE ROAD

SURVEYOR'S CERTIFICATION

I, LYNN G. LANZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAN OF SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACCURATE COURSE SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION THAT IT ACCURATELY MEETS THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.



LYNN G. LANZ, N.M.P.S. No. 10856

 Ferro Company P.O. BOX 826 LONDON, NEW MEXICO 88560 PH (505) 336-3377 www.ferrocompany.com	OWNER: JOSE SILVEIRA	STATE OF NEW MEXICO COUNTY OF LEA FILED
	PROJECT NO: 113-36	DATE: 08/11/11
FIELD WORK BY: RLF, SML	DRAWN BY: DR	AT _____ DELOCO _____ AND RECEIVED IN _____
DESIGNED BY: RLF, LBL	SCALE: 1/4" = 1'-0"	BOOK: _____
DATE: AUGUST 2011	DATE: AUGUST 2011	FILED: _____
SHEET: 1 OF 1		PLAT CHAMPELLE, LEA COUNTY CLERK

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: October 14, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Cottonwood Additional Street Lights
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: October 6, 2014

STAFF SUMMARY:

Staff have received a request for additional street lights on the 800 block of West Cottonwood. The City approved the installation of additional streetlights on November 25, 2013. This approval allowed for the installation of two additional lights, making the average distance between lights on that section of Cottonwood at 350 feet. A survey of the City revealed the average distance between residential lights to be 310 feet.

The 800 block of west Dogwood (north of area) has similar distance between streetlights. The 800 block of Birch (south) has a spacing of 180 feet between lights.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

For each 150W residential light, it will increase electrical costs by \$8.83 per month or \$105.96 annually.

ATTACHMENTS:

Aerial map

RECOMMENDATION:

Motion to approve 2 additional lights as the poles are already in place and it would conform to placement on the 800 block of west Birch.

Department Head

James R. Williams

City Manager



 Existing Light

 Existing Pole