

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MONDAY, FEBRUARY 3, 2014 @ 4:00 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Consideration of Approval of Off Street Parking Ordinance Recommendations
- Consideration of Approval of Carport Ordinance Recommendations
- Consideration of Approval of Recommendation for Annexation & Zoning Classification for 34 Acres located at 17th & Jefferson Street
- Consideration of Approval of Recommendation for Zoning Change of the 1st Unit, Solar Addition, Block 1, Lot B
- Consideration of Approval of Variance for Carport located at 715 W. Avenue I
- Consideration of Approval of Variance for Carport located at 416 W. Tyler

PRESENT: Members: Chairman Kallie Richards, Vice Chairman Lynda Kreybig, David Lynch, Randy Pettigrew, Betty Price and Bobby Kimbro

NOT PRESENT: Member Abel Cabello and Code Enforcer Laura Brock

ALSO PRESENT: City Manager James Williams, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, Fire Inspector Skip Moorhead, Assistant City Manager Jared Cobb, City Clerk Carol Ann Hogue and Administrative Assistant Imelda Gutierrez.

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

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

APPROVAL OF REGULAR MINUTES OF JANUARY 6 & CALLED MINUTES OF JANUARY 21, 2014: Chairman Richards called for a motion to approve the regular minutes of January 6 & called minutes of January 21, 2014. Member Price so moved. Member Pettigrew seconded. Motion was approved.

ACTION ITEMS:

CONSIDERATION OF APPROVAL OF OFF STREET PARKING ORDINANCE RECOMMENDATIONS: Chairman Richards called for a motion to approve the off street parking ordinance recommendations. City Manager Williams submitted copies of the ordinance drafts as discussed at the January 21, 2014 work session meeting. The ordinance has been split into two separate ordinances, with recommended changes.

- Off Street Parking of Commercial Vehicles in Residential Zone.
- Off Street Parking of Non-Commercial Vehicles

Member Pettigrew so moved to table the non-commercial to be discussed at a work session. Member Kreybig seconded. Motion was approved. Member Pettigrew so moved to approve the commercial vehicles recommendations. Member Price seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF CARPORT ORDINANCE

RECOMMENDATIONS: Chairman Richards called for a motion to approve the carport ordinance recommendations. City Manager Williams explained the three different carport ordinances. The City has amended:

- 17.20.040 – Front Yard Requirements. A carport no larger than seven hundred twenty (720) square feet may be added and attached to the structure, but only if it meets the following:
- 17.20.070 – Intensity of Use – Every lot shall have an area of not less than seven thousand square feet per family; except that, if a lot has less area than required in this chapter and was a lot of record prior to February 12, 1971, the effective date of the ordinance codified in this section, such lot may be used for one single-family dwelling, provided that all other district regulations are observed.
- 17.22.150 – Carports – Regulations of Chapter 17.24 shall apply.
- 17.24.050 – Yard Regulations – A. Yard size regulations shall be the same as in the “A” single-family dwelling district.
 - B. Carport regulations shall be the same as in the “A” single-family dwelling district, except:
 - i. Carports are not required to be attached to a permanent building; and
 - ii. Carports are not required to match or conform to the permanent building in materials, character, and design.
 - C. All interior courts shall have a width equal to at least the height of the highest part of the building forming the court.

Member Pettigrew so moved. Member Price seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF RECOMMENDATION FOR ANNEXATION & ZONING CLASSIFICATION FOR 34 ACRES LOCATED AT 17TH & JEFFERSON STREET:

Chairman Richards called for a motion to approve the recommendation for annexation & zoning classification for 34 acres located at 17th & Jefferson Street. Khalid Farooq addressed the members requesting annexation and zoning classification of 34 acres. The proposed Annex 1 to be Zone B – Multi-family Dwelling and Annex 2 to be Zone C – Commercial. City Manager Williams mentioned that the City would send out a letter to the other property owners to request annexation of their land. City Attorney McMahan asked to modify the petition for annexation letter which states: And Petitioner states in support of such Petition, pursuant to Section 3-7-17.1 of the New Mexico State Statutes Annotated (1978) is for over 200,000 populations and which needs to be amended to 3-7-17 of the New Mexico State Statutes. Gene Samberson addressed the members stating he owned property on Jefferson & 9th Street and is not opposed to the annexation as such but has some concerns about trash. The property is covered with trash and it is frustrating. Mr. Farooq and Mr. Samberson agreed to put up a six foot chain-link fence along the East boundary. Also, there has been motorized bikes (ATV's) riding in that area. Mr. Samberson's other concern is liability and fire hazards. Member Pettigrew abstained if approved. Member Kimbro abstained. Member Lynch so moved to approve the annexation as submitted and to recommend to Commissioners that they proceed with the annexing of all four properties: Chevron, Adair, Energy Research and Solórzano. Member Price seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF RECOMMENDATION FOR ZONING CHANGE OF THE 1ST UNIT, SOLAR ADDITION BLOCK 1 LOT B: Chairman Richards called for a motion to approve recommendation for zoning change of the 1st Unit, Solar Addition Block 1 Lot B. Robbie Roberts on behalf of Lovington Star, LLC addressed the members requesting a zoning change for property located at 1100 block of West Avenue C. The south portion of the land is zoned commercial and is located along the North side of 1100 block of W. Ave D. A retail center and fast food restaurant is planned for this property. The north portion of 1100 block of Ave C. is currently zoned A- Single-family. The north portion property would like to change to Commercial Zoning. Member Lynch so moved to approve the recommendation for zoning change to commercial. Member Kreybig seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE FOR CARPORT LOCATED AT 715 W. AVENUE I: Chairman Richards called for a motion to approve the variance for carport located at 715 W. Avenue I. City Manager Williams stated that ordinance 17.20.040 – carport can be no longer than 480 square feet (20x24). The City has passed an ordinance which allows a carport to be no longer than 720 square feet (24x30). Jose Campos addressed the members requesting a 638 square feet (22x29) carport variance. Member Pettigrew so moved. Member Kimbro seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE FOR CARPORT LOCATED AT 416 W. TYLER: Chairman Richards called for a motion to approve the variance for carport located at 416 W. Tyler. Member Price so moved to table due to Mr. Benny Brito did not show up to the meeting. Member Kreybig seconded. Motion was not approved.

PUBLIC COMMENT: Sherron Little asked the members if the carport variances are requested after the carports are built. Chairman Richards stated no, it should be requested before building the carports.

ADJOURNMENT:

Member Price made the motion for adjournment at 6:10 p.m. Member Kreybig seconded.

APPROVED: _____
CHAIRMAN, KALLIE RICHARDS

ATTEST: _____
VICE CHAIRMAN, LYNDIA KREYBIG