

REGULAR MEETING MINUTES
CITY OF ARTESIA PLANNING AND ZONING COMMISSION
City Council Chambers
April 15, 2015

Commission Members present: Chairman Gary Sims, Dean Chumbley, Paul Alvarez, Richard Price and Aleene Ivy.

Also present: Vincent DeHoyos - Harcrow Surveying Company
Michael Douglas- Smith Engineering
Steve Clark- Habitat for Humanity of Artesia

Present from the City Staff: Jim McGuire- Community Development Director
Louis Jaramillo-Planning and Zoning Administrator
Cheryl Hinkle-Code Enforcement Officer/Building Inspector

Present from City Council: Councilor Hill

The meeting was called to order at 2:00p.m.

It was determined that a quorum was present.

The minutes of the Regular Meeting of Wednesday March 18, 2015 were approved unanimously on a motion by Mr. Price and second by Mr. Alvarez.

Case No. 15-16, Zone Change from PUD to R1-B District; 401 S. 20th Street; being 3.5 acres in NW1/4SW1/4NE1/4 Section 18, T.17 S. R.26 E.; Owner- Faith Baptist Church; Agent- Smith Engineering Company.

Mr. Douglas of Smith Engineering spoke in favor of the zone change. He gave a brief description of the zoning districts in the surrounding area. He stated the reasoning for zone change was for future expansion of the church. Mr. Chumbley abstained. Motion to recommend approval by City Council by Ms. Ivy and seconded by Mr. Price; unanimous vote of approval.

Case No. 15-17, Summary Re-plat; 401 S. 20th Street; being 16.1 acres in NW1/4SW1/4 Section 18, T.17 S. R.26 E.; Owner- Faith Baptist Church; Smith Engineering Company

Mr. Douglas of Smith Engineering spoke in favor of the plat. He explained the location of the site, granting of public right-of-way for 17th Street and the necessity of the plat for future expansion of the church. Mr. Chumbley abstained. Motion to recommend approval by Mr. Price and seconded by Ms. Ivy; unanimous vote of approval.

Case No.15-18, Summary Re-plat; 200 and 202 N. 8th Street, being Lot 12 of Block 10 of Chisum Addition; Owners-Israel and Leslie Catano; Agent- Harcrow Surveying LLC and Melissa Brooker of Century 21.

Mr. DeHoyos of Harcrow Surveying spoke in favor of the plat. He gave a brief description of the proposed area as a single lot with two residential houses and the necessity of the plat to sale the two houses separately. Motion to recommend approval by City Council by Mr. Alvarez and seconded by Ms. Ivy; unanimous vote of approval.

Case No.15-19, Summary Re-plat; 100 W. Texas Avenue; being Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19 of Block 5 of Original Town of Artesia. Owner-City of Artesia.

Mr. DeHoyos of Harcrow Surveying spoke in favor of the plat. He gave a brief description of the proposed area as multiple lots being combined into one lot for sale and future development of the property. Motion to recommend approval by City Council by Mr. Chumbley and seconded by Mr. Price; unanimous vote of approval.

Case No. 15-20, Summary Re-plat; 714 W. James Avenue; being Lots 7 and 9 of Block 2 of Chihuahua Subdivision; Owner- Refugio Alvarado; Agent-Harcrow Surveying LLC.

Mr. DeHoyos of Harcrow Surveying spoke in favor of the plat. He gave a description of the vacant land located and the need to combine the two lots into one lot for residential development . Motion to recommend approval by City Council by Ms. Ivy and seconded by Mr. Alvarez; unanimous vote of approval.

Case No. 15-21, A Variance to City Code 9-9-3 A. Requiring a minimum lot width of 50 feet and lot size of 6,000 square feet in the R1-B District; 606 W. Cleveland Avenue; being Lot 2 of Block 21, including the 30 feet east of Lot 2 of Artesia Heights Subdivision; Owners- Habitat for Humanity of Artesia; Agent-Teresa Ashley.

Mr. Clark, of Habitat for Humanity, spoken in favor of the variance proposal. Mr. Clark stated they would like to re-plat the 80 ft. by 140 ft. area into two lots of 40 ft. by 140 ft. each. He stated Habitat for Humanity would like to build a house on each lot that would meet the required setbacks for R1-B District. Mr. Jaramillo explained there are reasons for approving a variance per City Code and guidelines to follow provided by the State. Mr. Jaramillo stated Staff is not in support of the variance because the applicant does not meet any of the requirements or guidelines for approving a variance. Mr. McGuire and Mr. Jaramillo explained that 6th Street was abandon and deeded in 1996 to owners abutting the right-of-way. Lot 2 received its part of the right-of-way being 30 ft. Mr. Clark stated they thought they were buying two lots, Lot 2 and 30 feet of some other lot. Chair Sims asked for clarification on the description, that it should read the "east" 30 ft. and not "west". Also, Chair Sims stated the street names on the plats don't match what's out there. Mr. Jaramillo stated Staff is aware of the problem but Holmes or Combs street is 6th Street. Chair Sims asked if the City needed to clean up this problem. Mr. Jaramillo stated not at this time. Mr. Chumbley asked how would the proposed lot size and houses conform with the neighborhood. Mr. Jaramillo stated the houses along the abandon right-of-way have utilized the extra space in one way or other, but the houses to the east are smaller and closer together. Discussion issued as Mr. Jaramillo tried to provide an aerial photo for Commission on the overhead. An overhead photo from Yahoo Maps was used as part of the record. Councilor Hill stated he had concerns about the variance. Mr. McGuire re-stated the applicant did not meet the requirements for a variance as stated in City Code and would be creating two non-conforming lots out of one conforming lot. Mr. Price asked if a similar variance request had been approved in the past. Mr.

Jaramillo stated he was unsure but that each request should be examined on its own merit. Mr. Jaramillo reminded the Commission that a reason for their recommendation must be given either in the motion or after the vote as part of the record. Ms. Ivy made a motion to recommend approval by City Council. Mr. Price seconded the motion. Discussion issued for reasoning of approval and disapproval. The motion was approved by a roll call vote of 5-0 in favor. Reasoning for a positive recommendation is as follows: 1) positive for the neighborhood 2) the lot is exceptional in size and would conform to the neighborhood if divided into two lots and 3) Habitat for Humanity inherited a hardship.

Case No. 15-22, Boundary Line Adjustment (County); 6545 Seven Rivers Highway (Highway 285); being a portion of land in the S1/2N1/2 of Section 32, T.17 S., R. 26 E.; Owner- Jorge Luis, Lucia and Jorge Jr. Ramirez and ASSI; Agent-Harcrow Surveying LLC..

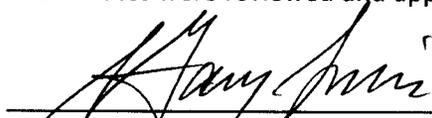
Mr. DeHoyos of Harcrow Surveying spoke in favor of the plat. He explained the reasoning for the plat as an expansion of ASSI business to the west. Motion to approval by Ms. Ivy and seconded by Mr. Price; unanimous vote of approval.

Chair Sims stated due to time constrains the proposed amendments would need to be moved to another meeting or a special meeting. Discussion issued for a possible dated. The proposed amendments were postponed until a Special Meeting of the Planning and Zoning Commission on April 22nd at 1:30 p.m. to be held In City Council chambers.

No Old Business was discussed.

The meeting was adjourned at 3:30 p.m.

The minutes were reviewed and approved without changes during the meeting of May 20th, 2015



Chairman or Vice Chairman

Attest: 