



City of Elephant Butte
Planning & Zoning Commission

City Hall - 103 Water Street, Elephant Butte, NM

DRAFT Un-Official Meeting Minutes
Tuesday, June 25, 2015 Special Meeting

- I. **Call to Order** – Chairman Chuck Looney called the special meeting to order at 9:03 a.m.
Roll Call – City Planner Bradford Dyjak took roll with Chairman Looney, Vice-Chair Cathy Vickers and Commissioner Les Buchanan present. Commissioners Sheridan Fuss and Nathan LaFont both provided advance notice of their absence. Mr. Andrew Finzen, City Manager was also in attendance to learn of the Commission’s proceedings.
- II. **Minutes** –
Motion: *To approve the June 2nd regular meeting and workshop minutes as submitted.*
Made: *Vice-Chair Vickers* **Second:** *Commissioner Buchanan* **Vote:** *Carried 3-0*
- III. **Public Hearing Action Item** –
 - A. **A. Conditional Use – Case #CU-15-02: I’ll Do It Electric**
Establishing a construction yard
Elephant Butte Estates Unit 29/Block 12/ Lot 10; 112 Desert View Drive; C-2 zoning
Applicant/Owner: Mr. Daniel Montoya

Vice-Chair Vickers, a notary public, swore in Mr. Dyjak and Mr. Montoya. Mr. Dyjak then presented the case report, a copy of which is made as part of the case record and attested that all public notice requirements had been met. As part of his report, Mr. Dyjak conveyed that the Applicant proposed to relocate his existing electrical contractor operation to the subject property housing the majority of equipment and tools within the 5,000 ft² (50’ x 100’) metal building. The building was proposed to be situated between 90’- 100’ from the street, 25’ from the south side lot line and 30’ from the north side lot line, with fruit trees and shrubs to be planted along the northeast front yard of the property to provide screening. Additional trees and light landscaping was proposed as part of the application along the northwest and south property lines, with the potential to add other hardscaping features elsewhere on the property. For the Commission’s reference, it was noted that the subject lot and adjacent properties on the west side of Desert View Drive were rezoned to C-2 by the Mayor & City Council in March 2011 as part of several related petitions for rezoning.

Staff found that the application met all applicable requirements within the City Code, notably §155.006(C)(2), §155.006(F), §155.033(G)(8) and §155.033(H), and recommended approval of the application subject to the following conditions:

1. Hours of operation should not extend beyond the City’s established “quiet hours” of 9:00 p.m. – 7:00 a.m. per §90.05 unless a separate temporary/special use or conditional use is submitted.

2. Primary access to the property shall be from the proposed driveway fronting on Desert View Drive only. Access shall be restricted from the rear of the property adjacent to the dedicated Green Space/ arroyo.
3. 8 parking spaces shall be provided in the front parking area and shall be provided with at least 9 feet x 20 feet and accessed by a 24-foot wide aisle. These 8 spaces shall include the provision of at least 1 handicap accessible space per §155.033(I)(6).
4. All equipment and materials shall be contained neat and orderly onsite within the existing fenced yard. Certain scrap and hazardous materials should also be stored within an enclosed container or building after business hours.
5. A fence 6 feet in height shall be provided around the rear construction yard area in accordance with §155.033(G)(8).
6. The proposed detention pond final calculations shall be determined by the City Planner & Zoning Administrator in conjunction with the Applicant prior to occupancy.
7. A Final Landscaping Plan and Schedule shall be provided to the City Planner & Zoning Administrator prior to final issuance of the conditional use and zoning permit. The Final Landscaping Plan and Schedule shall detail the number and general types of landscaping elements including approximate area coverage and meet any buffering or screening requirements located along the street frontage, northwest lot line and portions of the southern lot line as indicated on the Site Plan.
8. All applicable State and Federal permits shall be obtained and furnished to the City prior to operations commencing - including any CID and NMED permits.

Chairman Looney asked specifically whether the “future landscaping” illustrated in the Site Plan would be included as part of the required 10% of lot coverage and of what materials it would constitute. Mr. Dyjak responded that the area would be required to meet the 10% threshold and that he was recommending that a Final Landscaping Plan be submitted to staff specifying the types of plants as a condition of approval. Mr. Daniel Montoya, the Applicant, spoke briefly on his intended use of the property for his existing electrical business, currently based in Monticello. He further explained that he was not completely certain as to what type of landscaping he would like to install on the northwest portion of the property, but that he was favorable to installing fruit trees and shrubs in the other areas. He closed by stating that he concurred with the rest of Mr. Dyjak’s analysis of the case.

Chairman Looney opened the hearing to public comment and there was none; in the absence of any testimony from the public, Chairman Looney closed the public hearing and sought a motion on the case.

Motion: *Based upon the foregoing findings of fact per §155.006(C) and §155.006(F) and in accordance with §155.033 of the City Code, I move to approve the application in Case #CU-15-02 with the conditions as outlined in the Case Report.*

Made: Vice-Chair Vickers **Second:** Commissioner Buchanan **Vote:** Carried 3-0

- IV. **City Planner & Zoning Administrator's Report** – A planning and zoning update was provided by Mr. Dyjak, a copy of which is on file with the department. Included in his report were updates on the Council's interim budget, the Council adopting Ordinance #154 allowing limited chicken keeping and an update on the Annex Building/City Center project cost estimates and possible phasing of construction.
- V. **Public Comment** – There were no comments from the public.
- VI. **Adjournment** – **Motion:** *To adjourn the special meeting at 9:50 a.m. and to defer workshop business until the July 7, 2015 workshop.*
Made: Commissioner Buchanan **Second:** Vice-Chair Vickers **Vote:** Carried 3-0

Minutes Approved:

DRAFT- Unapproved (No quorum of members in attendance)

Respectfully prepared and submitted:

Bradford Dyjak,
City Planner