City of Elephant Butte
Planning & Zoning Commission

City Hall - 103 Water Street, Elephant Butte, NM

Official Meeting Minutes
Tuesday, January 6, 2015 Regular Meeting

I. **Call to Order** – Chairman Chuck Looney called the meeting to order at 9:00 a.m.
Roll Call – City Planner Bradford Dyjak took roll with Chairman Looney, Commissioners Nathan LaFont and Sheridan Fuss all present.
Commissioner Les Buchanan provided advance notice that he was unable to attend and Vice-Chair Cathy Vickers was also not present.

Fire Chief and Code Enforcement Officer Robert Leavitt was also in attendance.

Chairman Looney asked for declarations of conflict of interest on any of the cases before the Commission and there were none.

II. **Public Comment** – Chairman Looney stated that "the open meetings act is in effect and there is a five minute limit per speaker on all non-agenda issues" and asked if there was anyone that wanted to comment, and there was not.

III. **Minutes** – The minutes from the December 2, 2014 regular meeting were tabled as there was not a quorum present of members whom attended that meeting.

IV. **Public Hearing Action Items –**
Clerk of the Municipal Court, Susanah Sivage, a notary public, swore in all those members testifying in both cases, including City Planner Dyjak.

A. **Vacation of Public Street Dedication - #SD-13/14-01 – Sierra Court**
Situated within parcels of Unit 29 Blocks 14 & 15, north and east of Yaple Canyon Road.
Applicant/Owner: Bell Revocable Trust, c/o Mr. Steve Bell, Trustee

Mr. Dyjak noted that all public notice requirements had been met and that no public comments had been received at that time. He further indicated that this request was to vacate the public dedication of the platted street recorded as "Sierra Court", wholly contained within properties owned by the applicant.

The subdivision and associated recorded roads were granted several variances and grandfathering provisions by the City Planning & Zoning Commission since annexation and remain active, with the streets to eventually be publicly dedicated and accepted by the City for maintenance upon completion. The applicant sought to create a private street through a perpetual private access easement, which Mr. Dyjak testified would be allowed per City Code Section 151.10. It was noted that this request replaces Case #SD-

13-01 and that staff found that the request was consistent with the City Code and Comprehensive Plan in conjunction with the forthcoming re-plat of the subdivision. Commissioner LaFont asked Fire Chief Leavitt whether he was satisfied with the proposed access to the rear lots. Chief Leavitt responded that access was adequate and that he had no safety concerns with the vacation of public dedication to create a private street.

Chairman Looney opened the public hearing, although there was no comment. Upon closing the public hearing, Chairman Looney then sought a motion on a recommendation of action to the City Council for its consideration during its January 21st meeting.

Motion: *Based upon the foregoing findings, the Commission recommends that the City Council GRANT the requested vacation of street dedication in Case #SD-14-01 for the street recorded as Sierra Court.*
Made: *Commissioner Fuss* ***Second:*** *Commissioner LaFont* ***Vote:*** *Carried 3-0*

B. **Re-Plat - #RP-1410**
Platting of lots, Realignment of Streets and Removal of Easements
Elephant Butte Estates/ Unit 29 /Block 14/ Lots 1-12;
Warms Spring Boulevard and Yaple Canyon Road east of Desert View Drive
Applicant/Owner: Bell Revocable Trust, c/o Mr. Steve Bell, Trustee

The Applicant and owner of the parcels, Mr. Steve Bell, made an application requesting that re-platting of various adjacent lots, easements and realignment of "Sierra Court". Prior to annexation of the subject properties in 2005, the Sierra County Planning & Zoning Commission approved a subdivision in 1971 which included platted, but never completed streets. Mr. Dyjak noted that the application would consolidate 12 lots into 3 and all easement changes had been approved by their respective utility companies.

Mr. Bell testified that these lots were all zoned commercial (C-2) and that they were being combined in order to allow for an RV Park, shop and possible office with internal driveways for access.

Upon review of the application, staff concluded that the conditions in Section 151 of the City Code have been met and recommended approval as submitted. After some discussion on the location of the realigned Sierra Court relative to the arroyo and BLM property, 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 application.

Motion: *To grant approval in Case #RP-1410 as submitted per §155.006(C)(2) and in accordance with §151 of the City Code as per the findings of fact*
Made: *Commissioner LaFont* ***Second:*** *Commissioner Fuss* ***Vote:*** *Carried 3-0*

V. **New Business –**

A. **2015 City Priorities and Goals –** Mr. Dyjak provided the Commission with last calendar year's priorities and requested that they be reviewed for progress as part of developing the upcoming objectives.

VI. **Continuing Business –** There was no continuing business scheduled.

VII. **City Planner & Zoning Administrator's Report –** A planning and code enforcement update was provided by Mr. Dyjak, a copy of which is on file. Included in the highlights was a progress update on the revised floorplan for the City Annex Building, updates on nuisance abatements on certain properties and an announcement that Turtleback Mountain Resort would be transferring its liquor license to another company that would operate the clubhouse, restaurant and golf course. Additionally, Mr. Dyjak informed the Commission that the City Council had authorized a letter of interest to be submitted to the Bureau of Reclamation (BOR) to investigate the feasibility of leasing the Dam Site Recreation Area from the BOR.

VIII. **Commissioners Comments –** There were no comments from the commissioners.

IX. **Public Comment –** There were no comments from the public.

X. **Adjournment –** ***Motion:*** *To adjourn the regular meeting at 10:16 a.m. and convene the scheduled workshop after a brief recess.*
Made: *Commissioner Fuss* ***Second:*** *Commissioner LaFont* ***Vote:*** *Carried 3-0*

Workshop Minutes

I. Chairman Looney called the workshop to order at 10:35 a.m. It was noted that the extended recess included Mr. Dyjak providing an overview of the latest floorplans for the City Annex Building as previously discussed during the City Planner Report.

II. **City Priorities and Goals –** As a continuation of the discussion held during the regular meeting, commissioners offered input on specific priorities. There was particular emphasis placed on economic development strategies and tourism development and it was agreed that objectives would be refined at the next meeting.

III. **Comprehensive Plan Update – Information & Discussion –**

Using the formulation of City Priorities and Goals as a springboard, the commissioners and Mr. Dyjak reviewed the Comprehensive Plan goals and began coordinating these with the current year's priorities while also focusing on convergence of with other related plans. Among these were the Fiscal Year 2016 Infrastructure Capital Improvement Plan and the adopted 2014-15 City Marketing Plan, which would both be reviewed at the next workshop. The Comprehensive Plan update schedule was also revisited with the tentative timeframe proposing a final draft plan to be delivered to the

Council by the first quarter of next year. Commissioner LaFont inquired as to the timeframe for hosting public outreach sessions, to which Mr. Dyjak responded that these were still planned to occur within the next few months.

IV. *The workshop was adjourned by unanimous consent at 10:53 a.m.*

Minutes Approved:
February 16, 2015

Respectfully prepared and submitted:

Bradford Dyjak,
City Planner