



City of Elephant Butte
Planning & Zoning Commission

City Hall - 103 Water Street, Elephant Butte, NM

Official Meeting Minutes
Monday, February 16, 2015 Special Meeting

- I. **Call to Order** – Chairman Chuck Looney called the special meeting to order at 9:00 a.m.
Roll Call – City Planner Bradford Dyjak took roll with Chairman Looney, Vice-Chair Cathy Vickers, Commissioners Les Buchanan, Sheridan Fuss and Nathan LaFont were all present. 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”

- II. **Presentation** – The Commission formally recognized the dedicated efforts of former Commissioner Mogen, whom did not seek renewal of her term as alternate-commissioner in the autumn. Mr. Dyjak and the Commission presented Mrs. Mogen with a Certificate of Special Recognition and gifts in honor of her dedicated service and visionary leadership in the community from 2000 – 2014.

- III. **Minutes** –
Motion: *To approve the previously tabled January 6, 2015 regular meeting and workshop minutes as submitted.*
Made: Commissioner Fuss **Second:** Commissioner LaFont **Vote:** Carried 3-0-2, with Vice-Chair Vickers and Commissioner Buchanan abstaining after noting their absence from the meeting.

Motion: *To approve the February 3, 2015 regular meeting and workshop minutes as submitted.*
Made: Vice-Chair Vickers **Second:** Commissioner Fuss **Vote:** Carried 4-0-1, with Commissioner LaFont abstaining after noting his absence from the meeting.

- IV. **Public Hearing Action Items** –
A. **Conditional Use – Case #CU-15-01 Garrett Western Construction**
Establishing a construction yard and possible future office.
Scott’s Dale Subdivision Lots 11 & 12; 779 Highway 181; C-2 zoning
Applicant/Owner: Mr. Kerry Garrett

Vice-Chair Vickers, a notary public, swore in the five members planning to testify in the case, including City Planner Mr. Dyjak. Mr. Dyjak then presented the case report, a copy of which is made as part of the case record and noted that all public notice requirements had been met. He further noted that this case had been granted a continuance by the Commission at its February 3rd meeting at the request of both the applicant and staff. Staff received one informal concern related to the case and one formal letter from Mr. Wayne Johnson of 124 Scottsdale Drive, whom was in attendance, in support of the application.

The subject property lots were approved for an alternate summary re-plat on February 12, 2015 and would need to be recorded by the Applicant to form Lot 12A as part of the conditions of approval. Staff found that the application met all applicable requirements within the City Code 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 2 existing driveways fronting on Highway 181 only. Access shall be restricted from Scottsdale Circle.
3. 10 parking spaces shall be provided in the office parking area and shall be demarcated at least 9 feet x 20 feet and accessed by a 24-foot wide aisle. These 10 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 materials should also be stored within an enclosed container or building after business hours.
5. A fence 6 feet in height shall continue to be provided around the construction yard area.
6. A light landscape screening be provided around the rear (east side) of the property and side (north side) so as to partially shield the operations from adjacent residential properties.
7. 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 what type of landscaping should be required and Mr. Dyjak responded that it would be at the Commission's discretion, but recommended some shielding as noted in the Case Report that could include shrubs in the back and taller plants on the north side. 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-15-01 with the conditions as outlined in the Case Report.*

Made: Vice-Chair Vickers **Second:** Commissioner Buchanan **Vote:** Carried 5-0

- V. **Commissioners Comments** – Commissioner LaFont reported that he and several local business owners toured Spaceport America at the invitation of Virgin Galactic, explaining that progress was continuing to be made on the project. He further remarked

that he met the Spaceport fire chief, informing Mr. Dyjak that the chief was a former Federal Emergency Management Agency official and could serve as a resource for future mitigation grant applications.

- VI. **Public Comment** – There were no comments from the public.
- VII. **Adjournment – Motion:** *To adjourn the regular meeting at 9:26 a.m. and convene the scheduled workshop after a recess for a recognition reception in honor of former commissioner Karen Mogen.*
Made: Commissioner LaFont **Second:** Commissioner Fuss **Vote:** Carried 5-0

Workshop Minutes

- I. Chairman Looney called the workshop to order at 9:50 a.m. Following the conclusion of the regular meeting and prior to the commencement of the workshop, Vice-Chair Vickers excused herself, noting that she had an appointment.
- II. **Draft C-2 Commercial Zoning District Regulations** – In the interest of time, discussion of this item was rescheduled to the March 3rd regular meeting and workshop.
- III. **Comprehensive Plan Update – Information & Discussion** –
After reviewing the goals from the City’s Marketing Plan, Fiscal Year 2016 Infrastructure Capital Improvement Plan and Comprehensive Plan updates, the Commission discussed community character and identity goals. Commissioners each shared their goals based upon three different perspectives: that of a resident, tourist and business owner. There was consensus that a common theme amongst those three perspectives was the community’s connection to the lake.
- IV. *The workshop was adjourned by unanimous consent at 10:12 a.m.*

Minutes Approved:
March 3, 2015

Respectfully prepared and submitted:



Bradford Dyjak,
City Planner

