



P&Z REGULAR MEETING MINUTES
Roswell Planning & Zoning Commission
Tuesday, February 25, 2020 - 6:00 PM
Roswell Convention Center
912 North Main Street

Chair: Riley Armstrong, Vice Chair: David Storey, Secretary: Jesse McDaniel
Members: Kent Taylor, Saul Aguilar, James MacCornack, Jana Lessard

Community Development Staff: William Morris, AICP, CZO;
Merideth Hildreth, AICP; Miguel Martinez, CZO
Engineering Staff: Louis Najar, PE

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4, NMSA 1978 and City of Roswell, NM Resolution 19-37.

A. CALL TO ORDER AND WELCOME – Chair Riley Armstrong

The regular meeting of the Planning & Zoning Commission was called to order at approximately 6:00 p.m. by Chair Armstrong.

B. ROLL-CALL

Riley Armstrong (Chair)	PRESENT
David Storey	PRESENT
Kent Taylor	PRESENT
Jesse McDaniel	PRESENT
Saul Aguilar	PRESENT
Jana Lessard	PRESENT
James MacCornack	PRESENT

Staff Members Present:

Louis Najar, PE, Director of Engineering & Public Works
William Morris, AICP, CZO, Director of Community Development
Merideth Hildreth, AICP, Planning & Zoning Administrator
Miguel Martinez, CZO, Planning & Zoning Technician

Audience Members Present:

C. SWEARING IN: Chair Armstrong swore in staff and members of the audience.

D. APPROVAL OF THE AGENDA

Commissioner Storey MOTIONED to approve the agenda of the Planning & Zoning Commission Meeting for Tuesday, February 25, 2020 as presented. Seconded by Commissioner Taylor. The motion passed by a voice vote of seven to zero.

E. **MINUTES:** Consider approval of the January 28, 2020 P&Z Regular Meeting Minutes
Commissioner Lessard MOTIONED to approve the Regular Planning & Zoning
Commission regular meeting minutes for the January 28, 2020 as written. Seconded by
Commissioner Storey. The motion passed by a voice vote of seven to zero.

F. **PUBLIC HEARING ITEMS:**

1. **CASE 19-024 SUP:** A request for a Special Use Permit for Multi-Family in C-2 (Community Commercial Zoning District) with a Variance for the Number of Required Parking Spaces. Subd: SOUTH ROSWELL Block: 5 Lot: 1 AND: - Lot: 2 , BK: 326 PG: 566 REC. ADDRESS: 301 S MAIN STREET (OWNER: TIERRA REALTY TRUST, LLC). (Per Article 3, Section 8(E) of the Roswell Zoning Ordinance, Applicant and Staff are requesting this item remain tabled for up to six months to allow time for additional preparation on the case.)

Chair Armstrong introduced Case 19-024, a request to approve a Special Use Permit for multi-family apartments in the C-2 zoning district.

1st and 2nd Cases 19-024 and 19-025 need to be tabled until further motion

MOTION – 19-024 SUP

Commissioner McDaniel made a motion to table Case 19-024 and Case 19-025 until further notice. Seconded by Commissioner Aguilar. Mr. Morris: Wants the public to be aware that these cases will be readvertised and notices sent out. The motion passed by a voice vote seven to zero.

2. **CASE 19-025 SUP:** A request for a Special Use Permit for Multi-Family in C-2 (Community Commercial Zoning District) with a Variance for the Number of Required Parking Spaces. Subd: SOUTH ROSWELL Block: 5 Lot: 13 AND:- Lot: 15 AND:- Lot: 17 AND:- Lot: 19 AND:- Lot: 21 AND:- Lot: 23 N 60 FT AND:- Lot: 25 N 60 FT AND:- Lot: 27 N 60 FT AND:- Lot: 29 N 60 FT AND:- Lot: 31 N 60 FT , , , , , , , , , BK: 326 PG: 566 REC. ADDRESS: 300 S VIRGINIA AVENUE (OWNER: TIERRA REALTY TRUST, LLC). (Per Article 3, Section 8(E) of the Roswell Zoning Ordinance, Applicant and Staff are requesting this item remain tabled for up to six months to allow time for additional preparation on the case.)

Chair Armstrong introduced Case 19-025, a request to approve a Special Use Permit for multi-family apartments in the C-2 zoning district.

MOTION – 19-025 SUP

Commissioner McDaniel made a motion to table Case 19-024 and Case 19-025 until further notice. Seconded by Commissioner Aguilar. Mr. Morris: Wants the public to be aware that these cases will be readvertised and notices sent out. The motion passed by a voice vote seven to zero.

3. **CASE 20-004 ZOC: A request for a Change in Zoning from R-2 and R-3 Residential Zoning Districts to C-2 Community Commercial. Subd: FRUITLAND Block: 20 Lot: 5 BK: 654 PG: 384 QCD and Subd: FRUITLAND Block: 20 Lot: 6 THRU:- Lot: 8 , , S: 17 T: 11S R: 24E S: 17 T: 11S R: 24E S: 17 T: 11S R: 24E BK: 654 PG: 384 QCD, BK: 654 PG: 384 QCD, BK: 654 PG: 384 QCD. 3200 BLOCK OF S MAIN STREET - ADDRESSING TO BE DETERMINED (OWNER: PRESTIGE WORLD WIDE DEVELOPMENT, INC).**

Chair Armstrong introduced Case 20-004, a request for a change in zoning for approximately 20 acres from R-2 and R-3 to C-2 in the 3200 Block of South Main Street.

Commissioner Storey: Recused himself from 20-004.

Commissioner Aguilar made a MOTION to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 20-004. Seconded by Commissioner McDaniel. The motion passed by a voice vote of six to zero. (Storey recused)

Chair Armstrong: Is there anyone wishing to speak in favor of Case: 20-004?

In Favor: Freddy Nasrallah: Wants to develop a multi-purpose commercial building and a motel.

Chair Armstrong: Looks like one of your applications if for Residential to RV Park and the other one.

Mr. Nasrallah: The RV Park parcel is the next zoning case.

Chair Armstrong: Where is the metal building going to be located?

Mr. Nasrallah: On the very back.

Chair Armstrong: What about the easement north of the property?

Mr. Nasrallah: That is where I will build a road.

Chair Armstrong: Will there would be egress and ingress from the alley?

Mr. Nasrallah: No.

Chair Armstrong: Asked Mr. Najar to address traffic per the protest letter.

Mr. Najar: The median crossing will be allowed but must be engineering and a study. To follow up on your comments, there will be a 60' wide street built to city specs. No access to alley except for trash. Infrastructure to the sewer is available in the sewer. South Main is a major arterial. You can expect traffic to increase upon development.

Chair Armstrong: Is there anyone wishing to speak against Case: 20-004?

Against: None

Staff Comments:

Mr. Morris: This property is a request to convert existing residentially zoned properties to C-2. There is a C-2 Corridor Industrial high intensity use. Rezoning is compatible with high intensity use. Staff is recommending approval.

Mr. Najar: Regarding opposition letter referring to the street light, I understand the concerns. The median opening with turning lanes should suffice 34' wide residential street to service the hotel and RV Park. Engineering supports.

MOTION – 20-004 ZOC

Commissioner McDaniel made a motion to approve Case Number 20-004 along with the land use and zoning considerations, findings of facts, staff recommendations, and testimony we received this evening. Second by Commissioner Lessard. The motion carried by a voice vote of six to zero (with Commissioner Storey recusing himself).

- 4. CASE 20-005 ZOC: A request for a Change in Zoning from R-2 and R-3 Residential Zoning Districts to RVP (Recreational Vehicle Park Zoning District). Subd: FRUITLAND Block: 20 Lot: 3 S 434.24 FT AND:- Lot: 4 S 434.24 FT , S: 17 T: 11S R: 24E S: 17 T: 11S R: 24E BK:829 PG:1039 QCD. 3100 BLOCK OF S MAIN STREET - ADDRESSING TO BE DETERMINED (OWNER: PRESTIGE WORLD WIDE DEVELOPMENT, INC).**

Chair Armstrong introduced Case 20-005, a request for a change in zoning for approximately 5 acres from R-2 and R-3 to RVP in the 3100 Block of South Main Street.

Commissioner Storey recused himself.

Commissioner Aguilar made a MOTION to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 20-005. Seconded by Commissioner McCornack. The motion passed by a voice vote of six to zero.

Chair Armstrong: Is there anyone wishing to speak in favor of Case: 20-005?

In Favor: Freddy Nasrallah: Wants to do an RV Park. The center of the property will have bathrooms and a game room.

Joletha Alford: Thinks she's in favor and has some specific questions. Will there be a solid wall on their side of the alley? How will trash collection happen, will it happen inside the park or in the alley? Will there be a site manager? I'm glad the developer is a local. Will there be a time limit for stays?

Chair Armstrong: There will be a solid wall around the property. Will trash be collected by the city in the alley?

Mr. Najar: It may behoove the City to do trash collection inside the RV Park and inside the Commercial area to the south.

Mr. Nasrallah: I plan to have a site manager. There will be no longer term parking of RVs.

Chair Armstrong: Is there anyone wishing to speak against Case: 20-005?

Against: None

Commissioner Aguilar: Is there a certain amount of greenspace required?

Mr. Morris: There will have to be a landscaping plan submitted with the plans.

Mr. Najjar: This is a concept only. The plan review will look at parking, turning radius, ADA parking, landscaping, and drainage.

Staff Comments:

Mr. Morris: Staff feels this use is compatible with the prevailing norms and uses in the area. Staff is still waiting on a site plan that must meet all criteria in the Zoning Ordinance. Staff recommends approval.

Mr. Najjar: Engineering is supportive.

MOTION – 20-005 ZOC

Commissioner McDaniel made a motion to approve Case Number 20-005 along with the land use and zoning considerations, findings of facts, staff recommendations, and testimony we received this evening. Second by Commissioner Lessard.

The motion carried by a voice vote of six to zero (with Commissioner Storey recusing himself).

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5. **CASE 20-006 ZOC: A request for a Change in Zoning from C-2 Community Commercial Zoning District to RVP (Recreational Vehicle Park Zoning District). Subd: MARLEY SUMMARY REPLAT Lot: 1 S: 9 T: 10S R: 24E BK:834 PG:866 WDJT. ADDRESS TO BE ASSIGNED AS 501 E PINE LODGE ROAD (OWNER: LARRY D LOPEZ AND TRACY L LOPEZ).**

Chair Armstrong introduced Case 20-006, a request for a change in zoning for approximately 11.263 acres from C-2 to RVP on the property located at 501 E Pine Lodge Road.

Commissioner Storey recused himself.

Commissioner Aguilar made a MOTION to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 20-006. Seconded by Commissioner Lessard. The motion passed by a voice vote of six to zero (with Commissioner Storey recusing himself).

Chair Armstrong: Is there anyone wishing to speak in favor of Case: 20-006?

In Favor: Tracy Lopez: I am planning an RV Park on East Pine Lodge Road. All the spaces are designed for pull thru. Looking at naming it Antelope Crossing RV Park.

Alex Palamino: In your packet is the conceptual layout.

Chair Armstrong: Is there dirt work happening already?

Mr. Palamino: Dirt is being moved onto the site to build it up.

Chair Armstrong: Is there anyone wishing to speak against Case: 20-006?

Against: None

Staff Comments:

Mr. Morris: When Staff looked at this rezoning, we looked at this as a way to feather C-2 to residential, to step down the intensity. I find it compatible with the general intent of the area. Staff supports the request.

Mr. Najar: We have reviewed drainage, bringing in fill due to the floodplain. Sewer and water are available on Pine Lodge. Engineering is in full support of this project.

MOTION – 20-006 ZOC

Commissioner Lessard made a motion to approve Case Number 20-006 along with the land use and zoning considerations, findings of facts, staff recommendations, and testimony we received this evening. Second by Commissioner Aguilar.

The motion carried by a voice vote of six to zero (with Commissioner Storey recusing himself).

6. **TEXT AMENDMENT to ZONING ORDINANCE ARTICLE 4: DEFINITIONS SECTION 2: DEFINITIONS to consider text amendment to modify the Zoning Ordinance.**

Chair Armstrong Introduced Item 6: A Text Amendment to Article 4: Definitions in the Roswell Zoning Ordinance.

Mr. Martinez: Staff was looking at the definitions; we are proposing additional language for corner lots.

MOTION – TEXT AMENDMENT

Commissioner Storey made a motion to recommend approval of the text amendment to Zoning Ordinance Article 4, to amend the definition of Lot line, front as presented. Second by Commissioner Lessard. The motion passed by a voice vote of seven to zero.

7. **TEXT AMENDMENT to ZONING ORDINANCE ARTICLE 12: R-1 RESIDENTIAL DISTRICT SECTION 2: USE REGULATIONS A. PERMITTED USES - To consider text amendment to modify the Zoning Ordinance.**

Chair Armstrong Introduced Item 7: A Text Amendment to Article 12: R-1 Residential District.

Staff: Ms. Hildreth: Staff recommends lots with setbacks 75' or greater be allowed to build second structure in the R-1 zoning district. This allows non-conforming uses to be legal.

Mr. Morris: The additional units would have to be compatible with the Zoning Ordinance. This will allow second unit. Clean up the text to match some of the issues that staff often finds.

Commissioner Storey: How will utilities be handled?

Mr. Morris: Shared utilities on one parcel under one name. Lot size in R-1 is 6,000. It's not the intent to create smaller lots. This is seen on interior lots in the older areas, and it would be difficult to separate into multiple lots.

MOTION – TEXT AMENDMENT

Commissioner McDaniel made a motion to recommend approval of the text amendment to Zoning Ordinance Article 12: R-1 Residential District (as presented this evening.) **Second by Commissioner Storey.** The motion passed by a voice vote of seven to zero.

8. **TEXT AMENDMENT to ZONING ORDINANCE ARTICLE 46: RVP RECREATIONAL VEHICLE PARK SECTION 2: GENERAL STANDARDS AND REQUIREMENTS** To consider text amendment to modify the Zoning Ordinance.

Chair Armstrong Introduced Item 8: A Text Amendment to Article 46: RVP RECREATIONAL VEHICLE PARK.

Staff: Ms. Hildreth: Staff is recommending separating parking spaces for vehicles from parking pads for RVs.

Commissioner Storey: Some that strictly do pull thru parking limits perimeter spaces. This type of text amendment allows design and better use of the property.

Mr. Palomino: Consider the width is not changing from 25' width. May wish to consider expanding the width and depth requirements. Minimum

Mr. Najjar: Staff is seeing a possibility of 6 RV parks coming in. Staff is trying to be accommodating.

MOTION – TEXT AMENDMENT

Commissioner Storey made a motion to recommend approval of the text amendment to Zoning Ordinance Article 46: RVP Recreational Vehicle Park (as presented this evening). **Second by Commissioner Aguilar.** The motion passed by a voice vote of seven to zero.

G. NON-ACTION ITEMS

Planning & Zoning Commissioner Terms

Riley Armstrong 2nd Term: 4/1/2016 – 3/31/2020 (1st Term: 4/1/2012 – 3/31/2016)
(Partial Term 1/2011 – 3/31/2012)

David Storey: 1st Term: 4/1/2016-3/31/2020 (Partial Term 2/2014 – 3/31/2016)

Kent Taylor 1st Term: 4/1/2016-3/31/2020

Jesse McDaniel 1st Term: 4/1/2016-3/31/2020

Jana Lessard 1st Term: April 2018 -

Saul Aguilar 1st Term: April 2018 -

James McCornack 1st Term: April 2018 –

Mr. Storey mentioned the Commission will need to elect new officers.

H. OTHER BUSINESS

I. PUBLIC COMMENTS

J. REPORTS/ANNOUNCEMENTS

K. ADJOURN

Chair Armstrong adjourned the meeting at 6:57 p.m.