

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, April 12th, 2022 at the North Annex, Clovis-Carver Library, 701 N. Main in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Vincent Soule
Commissioner Juan Garza
Commissioner Thom Moore
Commissioner Marcus Smith
Commissioner Travis Cline
Commissioner Cody Stewart
Vice Chairman Candace London

ALSO PRESENT:

Les Ciano, Zoning Administrator
Daron Roach, Building Safety Director
Justin Howalt, City Manager
Vicki Reyes Assistant City Clerk
Members of the public

Chairman Soule called the meeting to order at 3:05 p.m. and established the presence of a quorum.

Agenda Item No. 1 – Call to Order

1. Approval of Agenda

Commissioner Moore moved for approval; Vice Chairman London seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Approval of Minutes of March 9, 2022

Vice Chairman London made a motion to approve the minutes of March 9, 2022; Commissioner Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

- A. Discussion and recommendation regarding a zone change at 1312 Jones, changing an [RS-7] – Residential Single-Family District to an [RM] – Residential Multi-Family. Said zone change to include lots 1-12, block 39, West Lawn Subdivision.

Mr. Roach advised that property belongs to his mother and himself. Ms. Tamara Marez, 1220 Jones, advised her concern is that an apartment complex could be built and could increase crime.

They also have an issue with flooding. They feel it is safer with an empty lot. Mr. Roach advised the intent was to rezone for sale. It has been for sale for year and there are no potential buyers. Mr. Howalt advised they would have to adhere to stormwater management and there have been improvements made by the City of Clovis. They are able to pump down from Dennis Chavez.

Mr. Richard Marez, 1220 Jones, advised the lot is 3 feet deep when it gets flooded. He advised it takes 2-3 weeks to drain in that area. Commissioner Cline asked where his house was located. Mr. Marez advised he lived across the street. If anything is built there it is going to raise the water more which would cause more flooding to his house.

Commissioner Moore asked if it was the responsibility of the builder to mitigate the drainage issues. Mr. Howalt advised that would not be their responsibility. It is part of the Master Drainage Plan to make improvements to.

Mr. Roach advised it was currently residential single family so it would still be built the same.

Commissioner Cline moved for approval; Vice Chairman London seconded the motion. Upon a roll call vote, with all voting in the affirmative with the exception of Commissioner Stewart who voted against, the motion carried. Commissioner Moore advised this was only a recommendation to the city commission so there is still opportunity there.

B. Discussion and recommendation regarding a zone change at 2820 E. 21st and surrounding area, changing an [RS-170] – Residential Single-Family District to a [CG] – Commercial General. Said zone change to include a tract of land in SE ¼, Section 4, T2N R36E.

Mr. Ciancio gave a background of the zone change. Commissioner Smith asked what the plan was for this property. Mr. Chad Lydick, 906 Curran Drive and Mr. Chris Rolsten, 300 Abbey Road approached the podium. Mr. Lydick advised Mr. Rolsten has purchased property on east 21st that is on the east, north and west side of High Plains Baptist Church. The building that occupies the east side of this property is the old National Guard Armory, which has been vacant for a long period of time. The area to the west of the High Plains Baptist Church is an undeveloped storm retention basin. Mr. Rolsten would like to build his main office where the old armory currently sits. There would also be a warehouse, storage yard for his construction business. The area to the west of the church, they propose to cleanup the stormwater retention basin and help it function better. The area behind that is designated into a park area and he would like to develop that into a park area for the residents of this subdivision. He is proposing multi family development.

The area to the west is fully developed and the area to the north is part of the Colony's Subdivision. The cul-de-sac would go through the Colony and come up through Putnam Drive. There are only 20 lots in this multi family district.

Commissioner Smith asked about the existing road that was there. Mr. Lydick advised it isn't a platted roadway. They will probably not see that developed as a road. Commissioner Smith asked if it would go away. Mr. Lydick advised there was currently a 40 foot right of way, but

has not been developed further to the north as a roadway. Mr. Howalt advised it is basically a nice alley and there are no plans to make it a dedicated street.

Chairman Soule asked if this would be planned for an HOA. Mr. Howalt advised the city will get this added to their maintenance schedule but the park will be maintained by the developer. Mr. Lydick advised this was the only multi family development in that entire development and thought the park would be a nice touch.

Mr. Daniel Platt, 100 Providence Circle, advised he has concerns about the retention pond and existing drainage on 21st. His yard is flooded if there are large rains. He asked if the city was going to take care of the drainage in that area. Mr. Howalt advised that was what was supposed to happen. Over the years the capacity of the ditch and maintenance may need to be performed. That's a state highway so the city doesn't have the ability to make those improvements, but they could reach out to the state DOT. He advised with the improvement they are proposing it may help the situation because they are adding additional volume. Mr. Platt advised the parking lot where the armory is located is always flooding so he is concerned. Mr. Howalt advised they would work with the engineers if this is approved.

Mayor Morris, 213 Wrangler, advised he is just outside the area that would have received a notice. He is excited about the progress being done around town but the residents along Wrangler Way and Rosewood would like more explanation about traffic. If they wind up with 20 duplexes in that cul-de-sac and access would be from Putnam they would want to get there from east 21st to Putnam and Wrangler. He loved the idea of putting a park in but there are residents that would have visitors of the park parking in front of their houses or driveways. He asked how they get people off of east 21st into this subdivision. Mr. Lydick advised the traffic impact analysis had been done. He understood the concerns about traffic but thought it would short term, at best. They are starting on unit 2 which would be to the north of unit 1.

Mr. Zane Brothers, 101 Wrangler Way, advised over the last five years the traffic has increased. The potential of adding 20 multifamily homes would add a potential of 80 more cars through this area. He asked if the city planned to put up no parking signs. He requested that it be blocked off with a fence so they can only come in from the new area because they are concerned with parking. One of their concerns is that the only entrance is off of Putnam. He heard this was a projected 10-year development. He isn't against the development and hopes the duplexes will not be low income. Another concern was the layout of emergency vehicles being able to get in and out. He asked why there wasn't an idea of putting a road coming off of 21st street. Mr. Lydick advised the design standards say 250 average trips a day for the residents so 20 lots would be 40 families with 160 ADT. There is nothing in this that exceeds any of the design standards.

Ms. Melissa Romero, 101 Rosewood Drive, advised they would be living close to the park that would be developed. The retention basin is a safety issue right now. If they are going to add a park, one of the priorities should be to make that alley into a road. It is also a safety issue now. The parking for the park is another issue. She asked if there would be a parking lot at the park. If there were a parking lot that would be better. Mr. Howalt advised this was only a

recommendation to the City Commission and they will take final action on this item. Between now and then they can share what has been provided to the City of Clovis. Ms. Romero asked if they would be notified again. Mr. Howalt advised the meeting would be April 21st at 5:15 p.m. in the North Annex. This was the public hearing process.

Mr. Rolsten advised the park is meant to be a walking park. He doesn't intend to put a lot of playground equipment due to the cost of insurance. In terms of a fence or parking site, it would be difficult to fence them out. It would not make it feasible for a parking lot due to cost and size. This is for the residents of the multi-family because they don't have a yard like single family homes. Mr. Howalt advised this was only the zone change so if it is approved, they will have to submit a preliminary plat and they will go through this process again.

Commissioner Stewart moved for approval; Vice Chairman London seconded the motion. Upon a roll call vote, with all voting in the affirmative with the exception of Commissioner Cline and Commissioner Stewart who voted against, the motion carried with a vote of 5-2.

C. Discussion and recommendation regarding replat of Sunset Acres, Lot 1, Block 1.

Mr. Ciancio gave a background of the replat. Ms. Judy Morrow, 3324 Cherry Drive, advised Sondra Rush's property is next to this land, but she was not able to attend. There is a row of trees that are close to what is being proposed and she is afraid they will be damaged. There is also a spicket in the middle of that land that belongs to her well. The other concern was there is low water pressure and EPCOR has said there was nothing that could be done.

Vice Chairman London moved for approval; Commissioner Cline seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

D. Discussion and recommendation regarding a zone change at 112 Dianne from a [RS-7] Residential Single Family [RS-7 MH] and Residential Single Family with Mobile Home Overlay to a [RM MH] Residential Multi-Family with Mobile Home Overlay. Said zone change to include a tract of land in the NW 1/4 of Section 20, T2N, R36E.

Attorney Morris advised this item still needed to be noticed and published so it is not ready for a recommendation or vote. Commissioner Moore made a motion to table this item until the next meeting; Commissioner Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

E. Discussion and recommendation regarding an amendment to the Sign Code Chapter 17.45 of the Unified Development Ordinance adopted by the City of Clovis. Said text amendment to address temporary signs in Section 17.45.080(D) and Section 17.45.090(E).

Attorney Morris advised the sign code that was approved by the Planning & Zoning Commission as it related to election signs allowed individuals and property owners to have one sign per candidate and per issue in their property for a certain period of time. He asked for help from an outside attorney to give the ordinance a final review and there were numerous changes made after it was approved at this level but before it was adopted by the Commission. One change

suggested by outside council was to remove the per candidate, per issue requirement because it is content restrictive. They inadvertently left the wording that reads one temporary sign and they didn't intend to restrict people to one temporary election sign. Subsection D applies to residential zones and Subsection E applies to commercial, general and industrial zones. A property owner would be able to have as many signs as they please with this proposed change as long as they comply with the other regulations.

They received comments from members of the public stating that 30 days prior to the day of election is not enough time. They have had suggestions to change that number to either 30 days prior to early voting or increase the number to 45 days.

Vice Chairman London advised the city would give out a packet that has guidelines for election and she thought it was 60 days. Mr. Howalt advised the old sign ordinance stated 60 days prior to the election day. Between the primary and the general election there wasn't a requirement to remove those particular signs.

Commissioner Smith asked when the early voting process was. Mr. Howalt advised typically 30 days prior. If they adopted as recommended, they would have 60 days prior to the election and 10 days following election day they would have to be removed. He advised they could either state 60 days prior to election day or 30 days prior to the start of early voting. Attorney Morris advised it might be better to tie it to the start of early voting in case that number changes. Commissioner Smith advised he preferred the 30 day wording. Attorney Morris advised it would now read "temporary signs may be located on the owner's property for a period of thirty (30) days to the first day of early voting, and no more than ten (10) days on the election day, involving candidates for a federal, state, or local office, or involves an issue on the ballot of an election within the district where the property is located. Any such sign shall be no larger than six (6) square feet and no closer than five (5) feet from the curb or public right of way." The commercial general, industrial and CBD section would read the exact same way except the size of the signs would be 32 square feet.

Commissioner Smith made a motion to recommend the proposed ordinance to the City Commissioner for approval with the amended changes; Commissioner Stewart seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. IV – Future Agenda Items

None.

Agenda Item No. V – For the good of the order

Chairman Soule advised the next meeting would be at 3:00 p.m., Wednesday, May 11th.

Agenda Item No. VI – Adjournment

There being no further business to come before the commission the meeting adjourned at 4:11 p.m.