



P&Z REGULAR MEETING MINUTES
Roswell Planning & Zoning Commission
Tuesday, August 30, 2022 - 6:00 PM

Meeting Room A; Roswell Convention and Civic Center
912 North Main Street, Roswell, NM

Chair: David Storey; Vice Chair: James MacCornack; Secretary: Jesse McDaniel
Members: Saul Aguilar, Jana Lessard, Steve Henderson, Richard L. Gutierrez

Kevin L. Maevers, AICP, CZO
Merideth Hildreth, AICP
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 Resolution 22-14.

A. CALL TO ORDER AND WELCOME – Chair David Storey

Chair Storey called to order the regular meeting of the Planning & Zoning Commission at approximately **6:00 p.m.**

B. ROLL-CALL

David Storey	Present
Jesse McDaniel	Present
Saul Aguilar	Present
Jana Lessard	Present
James MacCornack	Present
Steve Henderson	Present
Richard L. Gutierrez	Present

Staff Members Present:

Kevin Maevers, AICP, CZO, Community Development Director
Merideth Hildreth, AICP, Planning and Zoning Administrator
Louis Najar, P.E., City Engineer

Audience Members Present:

James Ridgway, Adam Villegas, Tamara Kazma
Online – Gabriel Villegas

C. SWEARING IN: Commissioner Henderson swore in staff and members of the audience.

D. APPROVAL OF THE AGENDA

Consider approval of the August 30, 2022 Planning & Zoning Commission meeting agenda. Commissioner Lessard MOTIONED to approve the Tuesday, August 30, 2022 Planning & Zoning Commission agenda as presented. SECONDED by Commissioner Henderson. The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

E. APPROVAL OF MINUTES:

Consider approval of the July 26, 2022 Planning & Zoning Commission meeting minutes. Commissioner Aguilar MOTIONED to approve the minutes from the July 26, 2022 Planning & Zoning Commission meeting. SECONDED by Commissioner McDaniel. The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

F. PUBLIC HEARING ITEMS:

Chair Storey introduced Case 22-031 VAR

1. **CASE 22-031 VAR:** Request for approval of Variances to minimum lot size requirements and setbacks in the R-1 Residential zoning district at 808 & 806 W Fourth Street. Subd: WILDYS Block: 2 Lot: 14 Quarter: SW S: 32 T: 10S R: 24E BK 705 PG 512 REC (Applicant: James Ridgway.)

Commissioner McDaniel MOTIONED to waive the reading of the findings of fact and land use and zoning considerations with respect to case 22-031 VAR. SECONDED by Commissioner MacCornack. The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

Ms. Merideth Hildreth: Presented Case 22-031 VAR, a request for a variance to split a residential lot in the R-1 Zoning District to allow each house to be on its own separate lot with lot sizes less than 6,000 square foot minimum lot size in R-1: Lot 14A with 5,475 square feet and Lot 14B with 2,945. Variances to the setbacks is also under consideration as proposed on the Ridgway Summary Replat. Subdivision of corner lots in the immediate area is the historic land use pattern, even in the R-1 district. Upon approval by the Planning and Zoning Commission the lot split will be performed by a Summary Plat and will not require City Council approval. Staff received no objections or inquiries.

Chair Storey: Is there anyone wishing to speak in favor of Case 22-031 VAR?

In Favor:

James Ridgway

Chair Storey: Is there anyone wishing to speak against Case 22-031 VAR?

Against: None

Motion – 22-031 VAR

Based on the land use and zoning considerations, findings of fact, surrounding land uses and the regulations established in the Zoning Ordinance and Subdivision Code, Commissioner Henderson MOTIONED to approve Zoning Case 22-031 VAR under the proposed Ridgway Summary Replat.

SECONDED by Commissioner McDaniel.

The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

Chair Storey introduced Case 22-032 ZOC

2. **CASE 22-032 ZOC:** Request for approval of a Zone Change from C-2 Community Commercial District to R-3 Residential zoning district at 1117 S Pennsylvania Avenue. Subd: ROSWELL HOMES REDIV Block: 1 Lot: 17 BK:825 PG:352 SWD (Applicant: Trustees of Romulo G. Villegas Revocable Trust.)

Commissioner Lessard MOTIONED to waive the reading of the findings of fact and land use and zoning considerations with respect to case 22-032 ZOC. SECONDED by Commissioner McDaniel. The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

Ms. Merideth Hildreth: Presented Case 22-032 ZOC, a request for a zone change from C-2 Community Commercial to R-3 Residential Zoning District for an existing residential property. The property is contiguous to the R-3 Zoning District, and next to residential structures in the C-2 District. This property and the surrounding residential structures are listed as Residential Improvement in the Chaves County Assessor Information. Staff received no objections or inquiries.

Chair Storey: Is there anyone wishing to speak in favor of Case 22-032 ZOC?

In Favor: Gabriel Villegas, Trustee of Bobby Villegas's estate stated that prospective buyers have been unable to qualify for a mortgage or home loan as the property is zoned commercial.

Chair Storey: Is there anyone wishing to speak against Case 22-032 ZOC?

Against: None

Motion – 22-032 ZOC

Based on the land use and zoning considerations, findings of fact, surrounding land uses and the regulations established in the Zoning Ordinance, Commissioner Lessard MOTIONED to approve Zoning Case 22-032 ZOC, a zone change from C-2 Community Commercial to R-3 Residential for 1117 S Pennsylvania Avenue.

SECONDED by Commissioner Gutierrez

The motion passed by a voice vote of 7 to 0 as follows: Saul Aguilar-yes, Richard L. Gutierrez-yes, Steve Henderson-yes, Jana Lessard-yes, James MacCornack- yes, Jesse McDaniel-yes, David Storey-yes.

G. OTHER BUSINESS

1. **Kevin Maevers** facilitated discussion regarding future amendments to the Zoning Ordinance and Subdivision Regulations, including establishment of a priority list. Over the last year and-a-half, the Planning & Zoning Commission has heard more variances and zone changes for issues not standardized indicating how out-of-date the Zoning Ordinance and Development Code is and highlights a need for amendments. City Council and Legal Committee requested that Planning and Zoning Commission create a prioritized schedule for text amendments. Mr. Maevers presented the following list of priorities.
 - Article 3: Add Conditional Use Permit (CUP) Requirements and actions the city can take when an applicant violates an existing CUP and procedure for city to revoke a CUP.
 - Article 4: Update Definitions as needed.
 - Article 12, 14, and 16 Residential Zoning Districts should include provisions for Short Term Rentals in the Zoning Ordinance. Following the UFO Festival, staff discovered there are approximately 90 short-term rentals operating in the City of Roswell, some of which may not be registered. The R-3 Zoning District allows bed and breakfast with a Special Use Permit. Staff will work on updating the Zoning Ordinance and the Lodgers Tax Ordinance for Short-Term-Rentals simultaneously.
 - Article 52: Parking section is confusing and obsolete to today's parking needs and can be revised to allow for site specific Parking Analysis instead of arbitrary parking standards. Mr. Maevers is also working with MainStreet Roswell on public parking in the downtown.
 - The Sign Ordinance has major gaps and needs clarification.
 - In a post-COVID world, more and more people are working from home and starting their own businesses, so the Home Occupation Article needs to be updated.
 - The design guidelines for Old Municipal Airport could be looked at.

Chair Storey: Staff knows the priorities and suggested going with staff recommendations to bring text amendments to the Commission.

Commissioner McDaniel: suggested that staff bring examples along with the text revisions.

Chair Storey: asked about Business License Renewals.

Commissioner Lessard: Asked for an update on the Community Development Department's space.

H. PUBLIC COMMENTS

None

I. ANNOUNCEMENTS

J. ADJOURN

Chair Storey adjourned the meeting at 6:43 p.m.