



P&Z DRAFT REGULAR MEETING MINUTES
Roswell Planning & Zoning Commission
Tuesday, May 25, 2021 - 6:00 PM
Roswell City Hall – Large Meeting Room
425 N Richardson Avenue, Roswell, NM

Chair: David Storey; Vice Chair: James MacCornack; Secretary: Jesse McDaniel
Members: Saul Aguilar, Jana Lessard, Steve Henderson, Daniel M. Lopez, Sr.

Kevin Maevers, AICP
Merideth Hildreth, AICP
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 Resolution 21-007.

A. CALL TO ORDER AND WELCOME – Chair David Storey

The regular meeting of the Planning & Zoning Commission was called to order at approximately 6:01 p.m., by Chair Storey.

B. ROLL-CALL

David Storey	PRESENT
Jesse McDaniel	PRESENT
Saul Aguilar	PRESENT
Jana Lessard	PRESENT
James MacCornack	PRESENT
Steve Henderson	PRESENT
Daniel Lopez	PRESENT

Staff Members Present:

Kevin Maevers, AICP, Community Development Director
Merideth Hildreth, AICP, Planning & Zoning Administrator
Louis Najar, P.E., City Engineer
Todd Verciglio, Property Technician

Audience Members Present:

Cesar Aguilar, Margarita Aguilar, Del Journey, Kristie Journey, Jolene Hale, Bill Davis, Larry Connolly.
Online: Rick Piacenti, and Judy Stubbs (City Council Member)

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

D. APPROVAL OF THE AGENDA

Chair Storey: Regarding the agenda, staff requested to move item number four 21-008 VAR to item number 1 and all subsequent items will move down one position.

Mr. Maevers: This afternoon, the applicant requested additional time to work with staff to work out the specifics of the variance request to June 22, 2021.

Commissioner Aguilar MOTIONED to adopt the Tuesday, May 25, 2021 Planning & Zoning Commission agenda with the following amendments: move Item F.4 Zoning Case 21-008 VAR to be heard before Case 21-005. Seconded by Commissioner McDaniel. The motion passed by a voice vote of 7-0.

E. APPROVAL OF MINUTES:

- 1. Consider approval of the February 23, 2021 Planning & Zoning Commission Regular meeting minutes. Commissioner Henderson MOTIONED to approve the minutes from the February 23, 2021 Planning & Zoning Commission meeting. Seconded by Commissioner Lessard. The motion passed by a voice vote of 6-0 (Commissioner Lopez not present at February 23, 2021 meeting).**
- 2. Consider approval of the March 23, 2021 Planning & Zoning Commission Workshop minutes. Commissioner Lessard MOTIONED to approve the minutes from the March 23, 2021 Planning & Zoning Commission Workshop. Seconded by Commissioner MacCornack. The motion passed by a voice vote of 5-0. (Commissioners Aguilar and Lessard not present at March 23, 2021 meeting).**
- 3. Consider approval of the April 27, 2021 Planning & Zoning Commission Workshop minutes. Commissioner Aguilar MOTIONED to approve the minutes from the April 27, 2021 Planning & Zoning Commission Workshop. Seconded by Commissioner Henderson. The motion passed by a voice vote of 6-0. (Commissioner McDaniel not present at April 27, 2021 meeting).**

F. PUBLIC HEARING ITEMS:

- 1. CASE 21-008 VAR:** Request for a variance to allow off-site and shared parking, loading, unloading, and landscaping adjustments similar to allowed in the C-3 Zoning District based on a needs assessment and subject to an Improvements Deferral Agreement for a multi-use restaurant, tasting room, retail, event center, distillery in historic warehouses in the I-1 Zoning District. Subd: EAST SECOND STREET SUMMARY PLAT Lot: 1A S: 4 T: 11S R: 24E DOC# 202001591 WD (CORR), & Subd: EAST SECOND STREET SUMMARY PLAT Lot: 3A S: 4 T: 11S R: 24E DOC# 202004471 WD. ADDRESS: 220 E Second Street (Owner: Roswell Trading Co LLC).

Chair Storey introduced Case 21-008

MOTION – 21-008 VAR

**Commissioner Henderson MOTIONED to table Case Number 21-008 request for a variance to the June 22, 2021 Planning & Zoning Commission Regular Meeting.)
Seconded by Commissioner McDaniel. The motion passed by a voice vote of 7-0.**

2. **CASE 21-005 VAR:** Request for a Variance to rear yard setback in order to convert existing garage into master bedroom and attach to main house with an addition in the R-1 Residential Zoning District. Subd: SOUTH PLAINS PARK REPLAT Block: 2A Lot: 10 BK: 423 PG: 310. ADDRESS: 2804 S Lea Avenue (Owner: Cesar Aguilar).

Chair Storey introduced Case 21-005-VAR

Commissioner Lessard MOTIONED to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 21-005. Seconded by Commissioner Aguilar. The motion passed by a voice vote of 7-0.

Chair Storey: Is there anyone wishing to speak in favor of Case: 21-005 VAR?

In Favor:

Cesar Aguilar: Garage has been in the back yard a long time and was there when he bought the house. Mr. Aguilar wants to pitch the roof of the house and connect the garage to the house at the same time. The garage is in good condition and already has electric, water, and a bathroom for conversion into a master bedroom.

Mr. Najjar: Francisco Contreras received a notification letter and contacted Mr. Najjar. Mr. Najjar reported that Mr. Contreras is in favor of the project.

Chair Storey: Is there anyone wishing to speak against Case: 21-005 VAR?

Against: None

Staff:

Ms. Hildreth: While reviewing the application the existing garage is 4.5' from the property line and the house is 5' from the property line. The connecting addition will need a slight side yard setback variance from 5' to 4.5'. Staff is in support of this application. The site plan shows a proposed enclosed addition connecting the house to the garage.

Mr. Najjar: If everything is built per the site plan, Mr. Najjar indicated support for the variance.

Mr. Maevers: Mr. Aguilar is attempting to do everything properly. This is the kind of application and homeowner who is reinvesting back into his property and neighborhood. From a community development perspective, this is the kind of homeowner and kind of application we want to move forward to enhance the quality of life for his family. As a team, staff is in favor of the granting of this variance.

MOTION – 21-005 VAR

Commissioner Aguilar MOTIONED to approve Case Number 21-005 along with the land use and zoning considerations, finding of facts, staff recommendations, and testimony received with conditions noted from staff that a building permit is required and north wall of addition connecting garage to house is allowed to match existing setbacks. Seconded by Commissioner Lessard. The motion passed by a voice vote of 7-0.

3. **CASE 21-006 SUP:** Request for a Special Use Permit to operate a health and beauty spa in the R-3 Residential Zoning District. Subd: WEST SIDE Block: 40 Lot: 6 AND:- Lot: 7 N2 , Quarter: SE S: 32 T: 10S R: 24E BK 777 PG 551 SWD. ADDRESS: 404 N Kentucky Avenue (Owner: KMDJ Properties).

Chair Storey introduced Case 21-006 SUP

Commissioner Lessard MOTIONED to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 21-006. Seconded by Commissioner Henderson. The motion passed by a voice vote of 7-0.

Chair Storey: Is there anyone wishing to speak in favor of Case: 21-006 VAR?

In Favor:

Del Journey: Introduced himself and wife Kristie Journey as owners of the property located at 404 N Kentucky Avenue. They are asking for Special Use Permit and introduced Jolene Hale from Clovis, owner of MediSpa and Body Shop. This property in the R-3 Zoning District has consistently served as a professional office. It is been a real estate office, Floral Credit Union, Securetel, and Mr. Journey's professional office. The three structures on the property will be used for the new Medispa business. It is likely that the single car garage will be converted into a facility for the business. Proper permits have been obtained for the property upgrades.

Jolene Hale: Owner of Medispa and Body Shop is planning to expand the business from Clovis to Roswell. Medispa is a medical type spa that treats clients. There will be some retail sales of bare minerals, skin care, cosmetics, and beauty industry products.

Mr. Maevers: Any retail sales are ancillary to the services provided similar to products sold at beauty salons.

Mr. Najjar: Everything is paved and well maintained and he sees no problems as the City Engineer.

Mr. Journey answered questions about parking. There are five parking spaces in the front, there will be three in front of the second structure, and there is room for five or six spaces in the back for staff parking. The primary house is 1,000 square feet, the second structure is 400 square feet. The third building is a one-car garage that may be renovated in the future for additional space for the business.

Chair Storey: Is there anyone wishing to speak against Case: 21-006 SUP?

Against: None

MOTION – 21-006 SUP

Commissioner Lessard MOTIONED to approve Case Number 21-006 along with the land use and zoning considerations, finding of facts, staff recommendations, testimony received, and meet parking requirements. Seconded by Commissioner McDaniel. The motion passed by a voice vote of 7-0.

4. **CASE 21-007 ZOC:** Request for Change in Zoning of 6 lots (6.1 acres) from R-4 Residential District to CO-1 Commercial Office District for professional and medical offices and facilities. Subd: BELLA PIAZZA SUBDIVISION Lot: 1 S: 30 T: 10S R: 24E DOC# 202009151 WD. Subd: BELLA PIAZZA SUBDIVISION Lots: 2, 3, 4, & 5 S: 30 T: 10S R: 24E BK: 571 PG: 1117 WD. Subd: BELLA PIAZZA SUBDIVISION Lot: 6 S: 30 T: 10S R: 24E DOC# 202009152 WD(REC). ADDRESS: 1300 Block of West Country Club Road and 2300 Block of North Union Avenue. (Owner: Eden Land Development, LP (Lots 1-5) & Mac Real Estate, Inc. (Lot 6).

Chair Storey introduced Case 21-007 ZOC to change zoning from R-4 to CO-1 Commercial Office.

Commissioner Lessard recused herself from Case 21-007.

Commissioner Aguilar MOTIONED to waive the Reading of the Finding of Facts and Land Use and Zoning Considerations with respect to Case 21-007. Seconded by Commissioner Henderson. The motion passed by a voice vote 6-0 with Commissioner Lessard recusing herself from voting.

Chair Storey: Is there anyone wishing to speak in favor of Case: 21-007 ZOC?

Commissioner Henderson swore in Bill Davis.

Bill Davis: Representative for Eden Land. A couple of years ago, six lots were created at the corner of Country Club Road and Union Avenue. The lots retained the R-4 Zoning and the Planning & Zoning Commission granted a Special Use Permit for the six lots for professional office in the newly platted Bella Piazza Subdivision. A group of local medical providers are interested in purchasing three of the lots. It makes sense to rezone to Commercial Office. Eden Land owns five of the lots and Mac Real Estate owns one of the lots under consideration for rezoning. Both parties would like to move forward with rezoning to commercial office space.

Mr. Maevers: Staff has met with Mr. Davis and his team doing the design and development to build an out-patient medical facility. From a community development perspective, it makes sense to rezone the properties to CO-1 Commercial Office due to existing medical facilities on Country Club Road to the east. This is a consistency rezoning and it is appropriate to rezone all six lots.

Chair Storey: Is there anyone wishing to speak against Case: 21-007 ZOC?

Against: None

MOTION – 21-007 ZOC

Commissioner Henderson MOTIONED to approve Case Number 21-007 along with the land use and zoning considerations, finding of facts, staff recommendations, and testimony we have received. Seconded by Commissioner MacCornack. The motion passed by a voice vote 6-0 with Commissioner Lessard recusing herself from voting.

G. OTHER BUSINESS

Mr. Maevers: Eden Land has been receptive to upgrading the quality, style, and design of the development for the residential subdivision at Sycamore Avenue and Country Club Road. The design concept for the 30-acre commercial corner is impressive. A number of new commercial projects will be first-class developments for Roswell.

H. PUBLIC COMMENTS

I. REPORTS/ANNOUNCEMENTS

Ms. Hildreth: The June 22, 2021 meeting will be held at the Roswell Convention & Civic Center.

J. ADJOURN

Chair Storey adjourned the meeting at 6:34 p.m.