

**MINUTES**  
**PLANNING & ZONING COMMISSION**

**April 14, 2016**

The Planning and Zoning Commission met in a regular session on April 14, 2016 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico

**P&Z Members Present:**

Chair-Joyce Cardon  
Shay Davis  
Cheryl Ragsdale  
Cody Waldroup  
Del Washburn (Via Phone)

**P&Z Members Absent:**

Ryan Brown  
Clint Freeman  
Kristin Langenfeld  
Rory Jaquez  
Paul Thompson

**Staff Present:**

Julie Baird  
Mary Holton  
Cynthia Lopez  
Keith Neil  
Steven Saavedra  
Toni Sitta  
Charlie Trask  
Duane Wakan  
Karen Walker

**Others Who Addressed the Commission:**

Linda Dunn  
William Sharer  
Kyle Stowell

**Call to Order**

Chair Cardon called the meeting to order at 3:00 p.m. There being a quorum present the following proceedings were duly had and taken. Commissioner Del Washburn participated via telephone.

**Presentation of the Agenda**

There were no changes to the agenda.

**Approval of the Minutes**

A motion was made by Commissioner Ragsdale and seconded by Commissioner Waldroup to approve the minutes of the March 24, 2016 P&Z Meeting. This motion was approved unanimously by a 5-0 vote.

**Approval of the Open Meetings Resolution**

A motion was made by Commissioner Ragsdale and seconded by Commissioner Waldroup to approve the Open Meeting Resolution. This motion was approved unanimously by a 5-0 vote.

**Swearing in of Witnesses**

All parties that wished to speak on behalf of any agenda items were sworn in by Karen Walker.

**COMMUNITY DEVELOPMENT PETITION REPORT**  
**Petition No. SUP 16-02**  
**Special Use Permit allowing a drive-through window at**  
**509 E. 20<sup>th</sup> Street**

**Planning & Zoning Commission Discussion of Petition SUP 16-02 on April 14, 2016**

Associate Planner Steven Saavedra presented the staff report for SUP 16-02, a request from Kyle Stowell for a Special Use Permit for a drive-through on 0.75 acres located at 509 E. 20<sup>th</sup> Street.

Mr. Saavedra reported that pursuant to Section 2.3 the Use Table of the UDC, a drive-through restaurant is permitted in the LNC district with an approved special use permit. The site plan provided by the petitioner indicates eight stacking spaces. Stacking spaces must be a minimum 9 feet by 20 feet each. The Planning & Zoning Division calculations indicate six (6) stacking spaces, 9 feet by 20 feet from the order window. The planned stacking spaces meet the UDC's requirements.

Mr. Saavedra continued to explain that the building is approximately 4,100 square feet: 1,440 square feet for office space and 2,666 for a restaurant. The current parking site plan indicates thirty-nine parking spaces. The preliminary building floor plan shows thirty seats for the restaurant. Based on the number of seats, the restaurant needs ten parking spaces and the office building needs five parking spaces. Fifteen total parking spaces are required for the subject property. The parking requirements will be reviewed during the building permit process.

Staff concludes approval of SUP 16-02 is appropriate. However, staff feels there may be concern with the current parking space arrangement.

The Community Development Department recommends approval of Petition SUP 16-02, a request from Johnny O's Spudnuts, represented by Kyle Stowell, for a special use permit to have a drive-through at 509 E. 20th Street, in the LNC Local Neighborhood Commercial District subject to the following condition:

The parking plan should be revised to accommodate the stacking spaces, circulation plan, and solid waste collection. These issues will be further assessed with the application for a building permit.

Commissioner Waldroup asked if the Spudnuts building shared a parking lot with the building to the east. Mr. Saavedra confirmed that it would be a shared parking area.

Kyle Stowell of 519 Summer Solstice and owner of the proposed Spudnuts commented that the drive-through is an existing drive-through that has been at this location for over 25 years. The building has been used for financial services and as a drug store pharmacy in the past. Mr. Stowell said he is aware of the parking situation and feels eliminating a few parking spaces that may interfere with the drive-through will not be a problem due to the fact that there are thirty-nine parking spaces and only fifteen are required by the UDC.

Mr. Stowell discussed the circulation plan for the parking lot. He stated there were four exits, which includes the alley in the back.

Commissioner Davis asked if Spudnuts expected to have a large volume of drive-through traffic at one time. Mr. Stowell commented that the mornings may see a heavier volume, but the turnaround time for the drive-through is anticipated to be less than one minute for each car.

Linda Dunn, 505 E. 20<sup>th</sup> Street, works at the physician's office to the west and is a co-owner of that building. Ms. Dunn's husband is a physician in the office and frequently has elderly patients. Her concern has to do with the clientele visiting the drive-through and the possibility of putting the elderly patient's safety in jeopardy in the parking lot. Ms. Dunn is also concerned about the amount of noise from cars at the drive-through as the patient's rooms were on the side of the building closest to the drive-through. Her suggestion is to build a wall to cut down on the noise level.

William Sharer, 509 E. 20<sup>th</sup> and owner of the Spudnut building, stated the current parking can be changed and spaces can be eliminated. Exiting the parking lot can be through the alley, onto Butler or around the building and back onto 20<sup>th</sup> Street. Mr. Sharer stated that a fence could be built, but he was not willing to build a soundproof wall. Most of the business for Spudnuts is anticipated in the morning. There may be some traffic during the lunch period. Mr. Sharer mentioned that he went to other locations with drive-through windows and did not hear a lot of loud engines. He stated that if it became a problem, he would be willing to work with the physician's office.

Kyle Stowell suggested adding bump stops to the physician's parking lot if speeding cars became a problem.

**Planning & Zoning Commission Action of Petition SUP 16-02 on April 14, 2016**

A motion was made by Commissioner Davis and seconded by Commissioner Waldroup to **approve** Petition SUP 16-02, a request from Kyle Stowell for a Special Use Permit for a drive-through on 0.75 acres located at 509 E. 20th Street.

AYE: Chair Cardon, Commissioners Davis, Ragsdale, Waldroup and Washburn.

NAY: None

Abstained: None

Absent: Commissioners Brown, Freeman, Jaquez, Langenfeld, and Thompson.

**Motion passed 5-0**

**Business from the Floor:** There was no business from the Floor.

**Business from the Chair:** There was no business from the Chair.

**Business from the Members:** There was no business from Members.

**Business from Staff:** Ms. Lopez commented that Petition PP 16-03, a request from Pat Messerli, represented by Cheney-Walters-Echols, Inc., for a lot split for property located at the intersection of Cannery Court and Nelson Avenue, passed on consent at the April 12, 2016 City Council Meeting.

Petition ZC 16-02, a request from San Juan Regional Medical Center for a zone change from the OP Office Professional and MU Mixed Use zoning districts to the PD Planned Development was denied at the April 12, 2016 City Council Meeting.

**Adjournment:** With no further business and a motion by Commissioner Waldroup and seconded by Commissioner Ragsdale, the Planning and Zoning Commission meeting April 14, 2016 was adjourned at 3:33 p.m.

  
\_\_\_\_\_  
Joyce Cardon  
Chair

  
\_\_\_\_\_  
Karen Walker  
Administrative Assistant