

**MINUTES**  
**ADMINISTRATIVE REVIEW BOARD**  
**May 5, 2016 – 6:00 P.M.**

The Administrative Review Board met in regular session on Thursday, May 5, 2016 at 6:00 p.m. in the City Council Chamber, 800 Municipal Drive, Farmington, New Mexico.

Members present:

Chairman Ireke Cooper  
Vice Chairman James Dennis  
Via Phone-Lynn Scott  
Adam Soukup

Members absent:

Paul Martin

Staff present:

Mary Holton  
Keith Neil  
Steven Saavedra  
Karen Walker

Others addressing the board:

Ken Coleman  
Jeremy Galloway  
Johnny Quintana

**Call to Order**

The meeting was called to order at 6:00 p.m. by Chair Ireke Cooper and there being a quorum present the following proceedings were duly had and taken.

**Approval of the Agenda**

A motion was made by Board Member Dennis, seconded by Board Member Soukup, to approve the agenda. The motion passed unanimously by a vote of 4-0.

**Approval of the Minutes from the February 4, 2016 Regular Meetings**

Board Member Dennis made a motion to approve the minutes of the February 4, 2016 regular meeting. The motion was seconded by Board Member Soukup and passed unanimously by a vote of 4-0.

**Open Meetings Resolution**

Board Member Dennis made a motion to approve the Open Meeting Resolution to continue with the same date and time for the regular ARB meetings. The motion was seconded by Board Member Soukup and passed unanimously by a vote of 4-0.

**Swearing in of Witnesses**

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

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**Petition No. ARB 16-02**  
**Variance to the Off-Site Sign 200 feet Right-of-Way Requirement**  
**5600 E. Main Street**

**Discussion of ARB No. 16-02 on May 5, 2016**

Associate Planner Keith Neil presented the staff report for ARB 16-02, a request from US Eagle Credit Union, represented by Jeremy Galloway of Young Electric Sign Company (YESCO), for a variance to allow an off-site sign to be located along Pinon Hills Blvd. without the required 200 feet of right-of-way for the property located at 5600 E. Main St. in the GC General Commercial District.

The property was recently subdivided into two parcels, both owned by US Eagle Federal Credit Union. Currently the US Eagle Credit Union is constructing a new branch on the southern parcel abutting East Main Street. The northern parcel is vacant at this time.

Mr. Neil mentioned the vehicular access issues at 5600 E. Main St. Along E. Main Street, access is limited by a "right turn in" only pattern. Access is prohibited along Pinon Hills Blvd. The secondary access is along the north property line by way of Foothills Drive. This traffic access pattern includes three lanes: one for entrance and two for exiting the property. Permits have been obtained for one principal freestanding sign to be located on the southern parcel

along E. Main Street. The petitioner believes that a second sign is necessary to direct customers traveling along Pinon Hills Blvd. to the northern entrance along Foothills Drive.

The need for a variance is due to the subdividing of the property. The second sign will be an off-site sign. The proposed sign will total approximately 40 square feet and will extend to a maximum height of approximately 12'9". Off-site signs require a minimum right-of-way width of 200 feet, a total area of not more than 200 square feet, not to exceed 26 feet in height, 750 feet from other off-site signs, and 100 feet from any on-site sign or residence. There is an on-site freestanding sign on the north side of Foothills Drive for the Pinon Hills Dental Complex that is approximately 127 feet from the proposed sign location.

Recommendations from Traffic and Engineering Staff addressed safety concerns of the proposed sign's location in relation to the corner sight-triangle of Foothills Dr. and Pinon Hills Blvd. The petitioner has agreed to raise the overall height with a base of 7 feet, extending to 12'9". This will provide a traffic line-of-sight for motorists traveling south on Foothills Drive and those traveling north on Pinon Hills Blvd.

Staff recommends approval with the condition that when future development occurs on the adjacent parcel, the off-site sign must either be removed or area for signage to negotiated with the adjacent property owner.

Jeremy Galloway of 6725 W. Chicago Street, Chandler, AZ, works for YESCO Young Electric Sign Company. His company will be installing the sign for US Eagle Credit Union. Mr. Galloway noted that the Traffic Division asked to have the sign raised. He stated that he has no problem with raising the sign.

#### **Administrative Review Board Action of May 5, 2016**

A motion was made by Board Member Dennis and seconded by Board Member Soukup to **approve** Petition No. ARB 16-02, a request from US Eagle Credit Union, represented by Jeremy Galloway of Young Electric Sign Company (YESCO), for a variance to allow an off-site sign to be located along Pinon Hills Blvd. without the required 200 feet of right-of-way for the property located at 5600 E. Main St. in the GC General Commercial District, with recommendations by staff that when future development occurs on the parcel, the off-site sign will either be removed or negotiations made with the adjacent parcel owners.

AYE: Chair Cooper, Board Members Dennis, Scott (Via Phone), and Soukup.

NAY: None

ABSTAIN: None

ABSENT: Martin

#### **APPROVED 4-0**

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#### **Petition No. ARB 16-20 Variance to Increase the Maximum Allowed Size of a Sign 3903 Beckland Drive**

Board Member Dennis recused himself prior to the hearing of this petition.

#### **Discussion of ARB No. 16-20 on May 5, 2016**

Associate Planner Steven Saavedra presented the staff report for ARB 16-20, a request from Ken Coleman, represented by Ram Studio Signs, for a variance to increase the maximum allowed size from 50 square feet to 93 square feet and height from 10 feet to 20 feet for a principal freestanding sign for property located at 3903 Beckland Drive in the LNC, Local Neighborhood Commercial, district.

Mr. Saavedra noted that there was a variance to this property on December 3, 2015. Farmington's Administrative Review Board approved a variance from the required 20-foot side yard setback to 10-feet for the property. The property was re-zoned in May of 2015 from R-4 to LNC. The LNC zone change was recommended because there is commercial to the south of the property with Enterprise, Burger King, and Sam's Club on the east. LNC was chosen because there are residential properties to the north and northwest. LNC is intended to accommodate neighborhood-oriented low-intensity retail sales and service uses.

Mr. Saavedra explained that the proposed freestanding sign is a single-faced box-style frame, with internal fluorescent lighting and a scrolling message on the bottom. The proposed sign would face south, towards East Main Street. The petitioner indicated there will be no signage facing north toward the residential area. The building currently being constructed is over 10,000 square feet and will house two tenants. One of the future tenants is Sundance Dental. If approved this variance prevents the other tenant located at 3903 Beckland Drive the opportunity of signage on a freestanding sign.

Mr. Saavedra noted that a variance may be granted only where a hardship would be the result for a particular property. The variance must prove positive in regards to seven criteria as described in Section 8.12.4 of the Unified Development Code. Mr. Saavedra explained each of those criteria and commented that only one of the seven criteria was met.

The Community Development Department understands the petitioners need for exposure and growth. However, ARB 16-20, said Mr. Saavedra, is not a minimum easing of the code, there are no special conditions unique for this variance, the sign is not in harmony with the general interest, the general purpose, and intent of the Code. The criteria justifying the approval of this variance are not met. Therefore, staff recommends denial of Petition ARB 16-20.

Commissioner Cooper asked how the second tenant will advertise their business. Mr. Saavedra explained that the sign could not be added on to. The face of the sign could be changed or divided to advertise the second tenant.

Ken Coleman of 6530 Clubhouse Drive, Farmington, NM, stated the building needs a large sign to allow more visibility from Main Street. The Burger King and Enterprise buildings in front of the 5600 Beckland tend to block the building. Mr. Coleman felt that because the building was next to GC General Commercial district, it should not be a problem to allow him to have a larger sign even though he is in the LNC district. Mr. Coleman noted that the closest resident is over 100 yards away.

Johnny Quintana of 1111 San Juan Boulevard and owner of Ram Signs stated that the bottom of the sign will have a rolling digital message that will advertise the second tenant.

Mr. Coleman stated that he would not be opposed to lowering the sign. He also stated that the sign could be reduced in size, but would like to have it a little larger than what was allowed in LNC. Mr. Coleman felt the scrolling message might be difficult to read if it was too small. Mr. Coleman asked if the property could be rezoned to GC. Community Development Director Mary Holton stated that the property was zoned LNC to protect the adjacent residential properties. Ms. Holton did not feel rezoning to GC would be acceptable for the property.

The Commissioners, Ms. Holton, Mr. Coleman, Mr. Quintana, and Mr. Saavedra continued to discuss possible designs in height and size concerning the proposed signage. The final decision by Mr. Coleman after discussion was to withdraw Petition ARB 16-20 and discuss an Administrative Adjustment with the Planning Division at a later date.

#### **Administrative Review Board Action of May 5, 2016**

There was no action made by the ARB Board. Commissioners accepted the withdrawal of Petition No. ARB 16-20, a request from Ken Coleman, represented by Ram Studio Signs, for a variance to increase the maximum allowed size from 50 square feet to 93 square feet and height from 10 feet to 20 feet for a principal freestanding sign for property located at 3903 Beckland Drive.

**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 the Members.

**Business from Staff:** There was no business from Staff.

**Adjournment:** The May 5, 2016 meeting of the Administrative Review Board was adjourned at 6:58 p.m.



Ireke Cooper-Chairman



Karen Walker-Administrative Assistant

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