

**VILLAGE OF CLOUDCROFT, NM
PUBLIC HEARING – AUGUST 16, 2021
OTERO COUNTY**

Minutes of the **ZONING REQUEST / PUBLIC HEARING** of the Governing Body for the Village of Cloudcroft, held on Tuesday, August 16, 2022, at 5:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

Mayor William Denney called the meeting to order at 5:21 p.m. with the following Council members present:

John Tieman – Mayor Pro Tem
George Mitchell - Trustee
Jim Maynard – Trustee
Gail McCoy - Trustee

The following guests were present for the Zoning Request / Public Hearing: Dee Don Bates; Donald Eldred; Gary Trues; Kody Adams; Erich Wuerschling; Todd Coor; Bridget Condon; Rubert Madera and Gerold Green.

The pledge of allegiance to the US and NM flags was led by Mayor Denney.

APPROVAL OF AGENDA

Mayor Denney entertained a motion to approve the Agenda for the Public Hearing of August 16, 2022. Trustee Mitchell made such motion, Trustee Tieman seconded the motion and upon vote of Mitchell, Tieman, Maynard and McCoy all voting “aye” the motion passed.

PUBLIC HEARING PROCESS EXPLAINED

Mayor Denney informed the Council and those in attendance that the Public Hearing would be for the purpose of approving or disapproving a zoning request submitted by BW Gas & Convenience Retail (Allsup’s) for their property located at 10 Curlew Pl. and 202-204 James Canyon Hwy in Cloudcroft, NM, and that the Public hearing would be conducted under procedures mandated by the NM Court of Appeals, in Battershell v. the City of Albuquerque; he also read the rules of conducting a Public Hearing. Mayor Denney asked each of the Council members in attendance if they personally had any “conflicts of interest” regarding the zoning request, and they all stated “no”. Mayor Denney asked each of the Council members if they have had any “outside or ex-parte communications” concerning the request and they all stated “no”. The Village Clerk swore in Dee Don Bates (representing Allsup’s).

**PRESENTATION OF INFORMATION REGARDING ZONING
REQUEST CZR#2022-02**

Dee Don Bates, representing Allsup's, made a presentation to the Council requesting that C-2 zoning (wholesale/retail sales) be added to the current zoning of C-7 (fueling stations with or without convenience stores) of Allsup's property located at 10 Curlew Pl. and 202-204 James Canyon Hwy. The request would allow Allsup's to sell package liquor sales

Staff (Planning & Zoning Clerk) presented to the Governing Body that 14 letters were mailed by certified mail to surrounding property owners and that 10 mail receipts were returned and 4 were not. Staff reported that one letter of opposition was received.

The Governing Body did not have any questions pertaining to the zoning request.

There were not any parties who wished to cross-examine the Applicant.

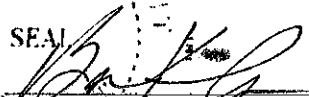
There were not any questions from staff.

After detailed discussion between members of the Governing Body, Mayor Denney entertained a motion to approve or disapprove the zoning request. Trustee Maynard made a motion to approve adding C-2 zoning to the current zone of C-7 for Allsup's property at 10 Curlew Pl. and 202-204 James Cyn Hwy. Trustee Mitchell seconded the motion and upon roll call vote of Trustees Maynard, Mitchell, Tieman and McCoy all voting "aye" the motion passed.

ADJOURNMENT

Mayor Denney stated that having reached the end of the Agenda, the Public Hearing of August 16, 2022, be adjourned at 5:45 p.m.

SEAL


Barbara K. Garcia
Village Clerk / Treasurer


William Denney
Mayor