The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, held a Public Hearing in the Commission Chambers, on Tuesday June 6, 2006, at 5:30 P.M.

Roger Smith, Vice-Chairman opened the Public Hearing with reading the Legal Notices as follows:

NOTICE is hereby given that the Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 6, 2006 at 5:30 P.M. in the Commission Chambers 405 W. Third, Truth or Consequences, New Mexico to receive input regarding the following:

1. Special Use Application — Apartments over ten in C-1 Zoning District, 900 N. Highway 51, Tract 2, projected Section 35, Township 13 South, Range 4 West, Pedro Armendaris Grant No. 33 – Alexander Arrow.

Mr. Arrow introduced himself and thanked the P&Z Board for allowing him to present his plan to build multifamily housing.

Mr. Arrow stated that we think the city has a need for housing, it’s a growing city that has that influx of new residents so we think it’s an appreciate use of the land.

We would preliminary call the development Third Street Village and it would be developed in a way that would be harmonies with the community and respectful of the design and architecture of the southwest. It would be harmonies with the environment in which we would be using trees that are drought resistant and do not consume inordinate amount of water.

Scott McKenzie: Presented the board with a preliminary drawing of what building A would look like. (Complete copy attached hereto and made a part hereof.)

Mr. Howell asked if they were going to have a fountain, pool and a game room.

Mr. Arrow: In the middle, we have designed a community center. This is just an idea and we are open-minded too, if you don’t think we should.

Mr. Rogers: Since there are three stories, what about handicapped or senior citizens are they all going to be on the ground floor?

Mr. McKenzie: Yes, there are ten units on the ground floor.

Mr. Howell: Are some of the units going to be specifyly built handicap accessible.

Mr. McKenzie: They are all setup to be handicap accessible. We would have to modify bath and kitchen for wheelchair use. At this point, they are not handicap accessible. They could easily be adapted to that.

Mr. Howell: If you get a handicap, applicant you would adapted an apartment for them.
Mr. McKenzie: Or adapt them prior to the plans, do you understand these plans are just preliminary.

Mr. Howell: I’m just wondering, is there any regulation that how many handicap units you have to have in the apartment complex.

Mr. Nobes: Yes, there is a ratio. Typically, it is 5% and if any single building has more, then 16 units then you are required to have the accessible apartments and as Scotts explaining it. There’s something called type A and type B. Type A is fully accessible as its constructed and type B is adaptable. It has the backing for the handrails and clearances and can easily be adapted to a full compliance.

Bill Howell: At the start of this project and when their building their not going to have them handicap associable immediately.

Chris Nobes: No, they will have to have a certain ratio of them ready.

Mr. Arrow: We could do much more then 5 %; we could do 33% because we could do the entire ground floor.

Chris Nobes: What you are doing tonight is really a zoning issue.

Mr. Howell: Just a special use permit.

Chris Nobes: Correct

Catharine McKenzie: I’m the realtor that sold Alex the property and worked with them. I wanted to say that both of these gentleman and myself have met with Sierra Electric, PNM, Fire Marshall and Sanitation and every one that would be involved and all the fire apparatus are in place and the dumpsters are set in the proper way and they all conform to the rules and regulations of our town.

Mr. Howell: Their units would be under the City of T or C utilities not Sierra Electric.

Chris Nobes: There is a portion of the city that is served by Sierra Electric and this would be Sierra Electric.

Scott McKenzie: Again, I want to say this is a sample floor plan and we are just applying for a special use permit tonight.

Kathy Vickers: I work for the agent that sold them the property and I would like to speak in favor of the special use permit.

Mr. Howell: Personally, I feel this would be a good idea for the city and would provide more housing. I happen to have been a realtor that had the listing side of the land sale but I don’t feel that this is going to affect my decision in anyway and I just wanted to make that known.

Discussion ensued

There being no other comments the Public Hearing closed at 5:45 P.M.

PLANNING & ZONING COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
REGULAR MEETING

The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, met in Regular Session in full
conformity with the law and ordinance of said Commission, at the Commission Chambers of said City on Tuesday, the 6th day of June, A.D., 2006, at 5:30 P.M.

PRESIDING OFFICER: The meeting was called to order by Roger Smith, Vice-Chairman and Virginia Womack acted as secretary of the meeting.

ATTENDANCE: Upon calling the roll the following members were reported present:

Roger Smith, Vice Chairman
Yolanda Sepulveda, Member
Bill Howell, Member

Also Present:

Chris Nobes, Building Inspector

Absent:

Viola Bonner, Member

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

APPROVAL OF AGENDA: Roger Smith Vice - Chairman called for approval of the Agenda.

"Yolanda Sepulveda made a motion to approve the Agenda as submitted."

Seconded by Bill Howell
Motion carried unanimously.

APPROVAL OF MINUTES: Roger Smith, Vice - Chairman called for review and approval of minutes of the Regular meeting held Tuesday, May 2, 2006.

"Bill Howell made a motion to approve the minutes of the Regular meeting held Tuesday, May 2, 2006 as submitted."

Seconded by Yolanda Sepulveda
Motion carried unanimously.

COMMENTS FROM THE PUBLIC:

None

SPECIAL USE REQUEST ARROW:

Yolanda Sepulveda: Asked is this going to be low-income housing or more like condominiums or nice apartments or motel type.

Mr. Arrow: The objective is middle range. Something normal working people could afford. The rent would be very much in keeping with the rest of the rent in the community. It will be attractive and people would be proud to call it their home and add to the community around it. We do not plan to sell them. We would keep them as rentals and not as a motel; it would be monthly or yearly leases.

Roger Smith: According to your floor plan, you have a master bedroom and a regular bedroom. If you have a family of 6 are you going to let them live there or will there be a limit on how many in the apartment.

Mr. Arrow: I would abide by the local housing rules.

Mr. Howell: Will you have a property manager?

Mr. Arrow: Yes, there will be a business property manager that
would over see repairs, collect rents do anything that the tenants noticed was wrong and then there would be an on site manager who would be in touch with the day to day activities.

Discussion ensued.

"Yolanda Sepulveda made a motion to approve the Special Use Permit-Arrow with the stipulation that the outdoor swimming pool and 30' X 40' clubhouse indicated on the site plan be constructed as part of a later phase of the project."

Seconded by Bill Howell
Motion carried unanimously.

Yolanda Sepulveda made a motion to reappoint Roger Smith to the P & Z Board."

Seconded by Bill Howell
Motion carried unanimously.

"Yolanda Sepulveda made a motion to reappoint William Howell to the P & Z Board."

Seconded by Roger Smith
Motion carried unanimously.

Roger Smith read the names of the applicants to see who was in attendance, Russell Goff, Lee Foerstner, Ron Kent and Adam Polley.

Mr. Polley was the only applicant present.

Yolanda Sepulveda asked Mr. Polley what his interest was in being on the P & Z Board.

Mr. Polley: That is to look and view each and every project on its own merits and hopefully make wise decision for both the city and also developer and see that the city grows and grows in a planed way.

Mr. Howell: Are you for growth and development.

Mr. Polley: Yes sir, I don’t come to this with any kind of agenda in hand.

Discussion ensued

"Bill Howell made a motion to recommend appointment of Adam Polley to the P & Z Board."

Seconded by Yolanda Sepulveda
Motion carried unanimously.

Chris Nobes, City Building Inspector recommending that the board postpone item #6 on the agenda, Encantada Estates Subdivision.

"Yolanda Sepulveda made a motion to postpone item #6 on the agenda, Encantada Estates Subdivision."

Seconded by Bill Howell
Motion carried unanimously.
ZONING ANNEXED
AREA:

Chris Nobes, City Building Inspector recommending that the board postpone item #7 on the agenda, Zoning Annexed Area.

“Yolanda Sepulveda made a motion to postpone item #7 on the agenda, Zoning Annexed Area.”

Seconded by Bill Howell
Motion carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, Roger Smith, Vice-Chairman asked for a motion to adjourn the meeting.

“Bill Howell made a motion to adjourn.”

Seconded by Yolanda Sepulveda
Motion carried unanimously.

APPROVAL:

PASSED AND APPROVED this ___ day of July, 2006, on motion duly made by Bill Howell, seconded by Yolanda Sepulveda, and carried.

Roger Smith, Vice-Chairman
Planning & Zoning Commission