

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
AGENDA
MONDAY, OCTOBER 5, 2020**

REGULAR MEETING

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, October 5, 2020 at 5:30 p.m.

INTRODUCTION:

ROLL CALL:

James Bush, Member
Rick Dumiak, Member
Chris Sisney, Member

1. APPROVAL OF AGENDA
2. APPROVAL OF MINUTES:
 - a. Regular meeting of July 8, 2020
 - b. Regular meeting of August 3, 2020
3. COMMENTS FROM THE PUBLIC
4. RESPONSE TO COMMENTS FROM THE PUBLIC
5. NEW BUSINESS:
 - a. Discussion/Action: Selection of a new Chairman and Vice-Chairman.
 - b. Discussion/Action: Recommendation of a new board member to fill vacancy.
 - c. Discussion/Action: Minor Amendment of a Plat at 120 W. Third Ave. Traci Alvarez, Grant/Project/Zoning Official
6. COMMENTS FROM THE PLANNING & ZONING COMMISSION
7. COMMENTS FROM STAFF
8. ADJOURNMENT

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**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES**

WEDNESDAY, JULY 08, 2020

REGULAR MEETING MINUTES

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Wednesday, July 8, 2020 at 5:30 p.m.

ROLL CALL:

Lillis Urban, Chairman
Dennis Dunnum, Vice Chairman - **RESIGNED**
James Bush, Member
Richard Dumiak, Member
Merrill Dicks, Member - **ABSENT**

ALSO PRESENT:

Morris Madrid, City Manager
Angela A. Torres, City Clerk
Traci Alvarez, Grants/P&Z Coordinator
Jay Rubin, City Attorney
Lisa Gabaldon, Secretary

1. APPROVAL OF AGENDA

Chairman Urban noted that there was no public comment on the agenda. City Clerk Torres apologized and reassured her that it would be included in all future agendas.

Member Bush made a motion to approve the agenda as submitted.

Member Dumiak seconded the motion.

Motion carried unanimously.

2. APPROVAL OF MINUTES:

- a. Special meeting of Wednesday, June 24, 2020

Chairman Urban moved to approve the Minutes from June 24, 2020.

Member Dumiak seconded the motion.

Motion carried unanimously.

3. NEW BUSINESS:

- a. Discussion/Action: Appointment of a second Vice Chairman.

Chairman Urban stated that Vice-Chair Dennis Dunnum resigned as of July 3, 2020 via email.

City Clerk Torres suggested that the board table the item since it is calling for a 2nd Vice-Chairman and at the next meeting they can reappoint a new Vice-Chairman and she will do a publication in the newspaper. She will advertise for the P&Z Commission and will also contact any applicants who applied prior to the board being adopted by bringing to the current members the applications that were submitted.

Chairman Urban agreed that it was a smart idea altogether and tabled the item until the next meeting.

b. Discussion: MainStreet District

Chairman Urban: The Main Street District is mentioned many times in the downtown master plan. And I believe that there may be a map of the Main Street district on page 109 of the downtown master plan. I'm really hoping that the city staff particularly Ms. Alvarez or the city manager might be able to orient a bit more on the Main Street district.

City Manager Madrid: I'm not sure what direction you would like to take with this discussion, it wasn't clear on the agenda.

Chairman Urban: I'm hoping to understand the designation of the Main Street district, its boundary and how that impacts potentially Planning & Zoning. Based on reading the downtown master plan, I certainly need some orientation on this. My understanding is that the Main Street district became designated as a metropolitan redevelopment zone and therefore that enables the city to be eligible for certain grants and funds. Really I'm just asking for a general orientation that the city might be able to provide us or a discussion on the Main Street district and its relevance to Planning & Zoning.

City Manager Madrid: In regard to the Main Street district and the Planning & Zoning Commission, there really is not a connection because the commission has authority throughout the city regardless of the district. In regards to the discussion on Main Street, the expert is the director of the Main Street program would be the one best to addressing the issues. Although I am familiar with it, she should be included in the discussion.

Chairman Urban: My questions are arising in part by my careful read of the downtown masterplan and on page 109 it mentions that in September of 2014 the City Commission adopted the designation of the Main Street district as a metropolitan redevelopment area. Per the requirements of the New Mexico metropolitan redevelopment code, the downtown masterplan was subsequently adopted by the city commission as the metropolitan redevelopment plan. I know that there's a MainStreet program but I seem to think that it's different from the Main Street district, although I am not certain. Maybe the Main Street program acts as a principally interested in their redevelopment and revitalization and preservation of our Main Street district, but it sounds like the Main Street district is actually an area that the City Commission recognized.

City Manager Madrid: Absolutely, it does recognize the district. The Main Street program has a primary responsibility for the Main Street district, in all areas. In generating public input and trying to generate development, they also are very active in applying for funding for the development of the Main Street district and coordinating that with both tourism and economic development.

Chairman Urban: Thank you City Manager Madrid. Perhaps I think some of this might make a little more sense in terms of its relevance that I'm seeing for planning & zoning. Are there anymore thoughts regarding this from the Planning & Zoning Commission members or the City staff?

Member Dumiak: I agree with Mr. Madrid that it would be really beneficial if we got a look at this Main Street district to get the Main Street district representative in here. She could definitely give us a lot more information.

Chairman Urban: I would be more than willing to invite our MainStreet representative to provide us with a presentation and an orientation in an upcoming meeting.

The board would like to invite Linda DeMarino for this item in the future.

c. Discussion: Downtown Master Plan goals

Chairman Urban made reference to the Down Town Master Plan pages 73-75, sections 4.2 of the downtown vision in the Downtown Master Plan which was approved and adopted by our City Commission. She referenced 5 goals as being:

- 1) Work with the City to provide for a variety of complimentary land uses that support a vibrant downtown including art and entertainment venues, restaurants and vertical mixed use that limits new residential uses to the second floor of commercial buildings. Elsewhere in the document it also mentions horizontal mixed use with residential use for the back.
- 2) Focus redevelopment efforts on Broadway and Main Street by promoting, providing and encouraging incentives for redevelopment and/or reuse of vacant and underutilized buildings and properties.
- 3) Work with the City and housing nonprofits on attracting a private sector developer to construct a mixed use project specifically geared towards working artists.
- 4) Ensure vacant buildings are maintained, secured, and safe through the adoption of a vacant building ordinance.
- 5) Update the C-1 zoning regulations to provide for a downtown overlay zone that addresses permissive uses, setbacks, development standards, etc.

She also read the historic preservation header under the downtown master plan:

- 1) Pursue becoming a Certified Local Government
- 2) Work with the City on updating the Zoning Ordinance to include a design overlay zone specifically crafted for the Historic District
- 3) Develop walking tours and other materials that highlight and celebrate the history of Truth or Consequences.

Member Dumiak made his concerns known that he thinks that the P&Z Commission should wait on making any decisions until they have a full board. Chairman Urban stated that she is not looking to make any resolutions or motions, she just wants to share information and set goals. Member Bush agreed that this is all good food for thought.

d. Discussion: Possibility of creating zoning overlays within the C-1 district

Chairman Urban: So again, I'm not anticipating or even supportive of our commission making any specific motions or taking any action this evening. This is simply an opportunity for an orientation and discussion. I am leaning heavily on the downtown master plan documents that the City has already adopted and approved. As recommended and noted in 3 places in the downtown master plan, there is recommendation to create building overlays in the C-1 district for 2 areas. Both areas are:

- 1) Main Street District, which is also referred to as 'The Downtown Overlay Zone'
- 2) Hot Springs and Commercial Historic District

As noted in the downtown master plan, the Hot Springs and Commercial Historic District has significant overlap with the Main Street District. And the Main Street District is contained within the historic district however the historic district is larger. The downtown master plan does provide what I believe to be that map of the Main Street district on page 109, although it's a little bit unclear. The boundaries of the Hot Springs & Commercial Historic District are provided in the designation for the downtown historic district but the Commission members now have access to online. Before I open it up to discussion, and I really welcome comments from the Commission and discussion and likewise from city staff. In addition to the adoption of the downtown master plan, there are a number of specific recommendations on these overlays, moreover how the code of ordinance for 'The Main Street District' in particular is to be amended. I've started to flag the specific lines in placements for recommendations and I'm curious if the City can the Planning & Zoning Commission to understand. The code of ordinances is going to be updated by way of a contract potentially then amending the code of ordinances. I certainly don't want to duplicate the effort, I want for the Planning & Zoning Commission to be in step with the efforts of the City. It appears in terms of amending the code and/or considering the potential overlay of the zoning districts, the first step would be to establish the boundaries of any zoning overlay and decide if the Planning & Zoning Commission is in favor of creating them and then develop the zoning codes for those new overlay districts, keeping to the recommendations of the downtown master plan which has been adopted and approved by the City Commission. We would then send any approved recommendation to the City Commission for final approval but, being as this is potentially a bigger process with what might be significant changes, I welcome the City staff insight on how this might unfold and meetings with the City Commission and the public would be really advisable. I welcome input from Ms. Alvarez and the City staff.

Member Dumiak: If I understand this correctly, Wilson & Company is working on this already, correct; as far as amending the code?

City Manager Madrid: We've had some discussion with them, we haven't given them that chart yet.

Member Dumiak: Has a contract been signed with them yet, or is that just part of the existing contract?

City Manager Madrid: We have an existing contract with them; we have not engaged them for this particular scope of work.

Member Dumiak: It sounds like a good opportunity to get on the ground floor with them.

Chairman Urban: Is it the City's plan to engage Wilson & Company on this specific task?

City Manager Madrid: Probably; we want to make sure that we have the resources available and that the update of the code should be a priority in relation to any of these other discussions. I want to caution the Commission, I absolutely respect gaining knowledge and doing your homework and understanding every part of the city that may impact Planning & Zoning, however I do want to caution you that the Planning & Zoning Commission exists to provide interpretation and rulings of the code. Not primarily to engage in the planning process or the formulation of additional districts or anything like that. The master plan is mentioned, and that's a community wide process and of course the Planning & Zoning Commission members are invited to be a part of that. The Main Street district is also a different undertaking that you are absolutely welcome to participate with, but I just want to caution the Commission that this is not the purpose of the Commission and you should be very careful in staying within your boundaries of responsibility. If I were members, just initially engaging the Commission after being dormant for so long, I would probably take a different focus on making sure that the Commission is prepared to address any of these issues that come out city wide and I think that you're doing that, but also maybe instead of being so forward looking so soon, I think it would be wise to work with the City on doing an assessment of what we have in place now. We have situations that I think have deteriorated in some of our areas that need to be addressed. There are questions as to whether or not they are grandfathered in? What kind of action can we take to give T or C a better zoning enforcement, upgrade, and promotion of our downtown area? I know that wasn't really your question, but I think that these are tangential items and not essential items. That's really my comment. I believe that the Commission should stay with the basics for a little while until the Commission and the community can figure out roles, rights, and responsibilities. I hope that my comment wasn't too long or too political.

Chairman Urban: My understanding in part was that as the Planning & Zoning Commission we would make recommendations to the City regarding zoning and planning and in my opinion, these are elements that the Planning & Zoning Commission are formed and placed to assist with. I very much understand that we don't make any final decisions and we would be working in report and concert with the city and the public. Your comments about that there's issues and circumstances needing the Planning & Zoning Commissions attention, I think that issues pertaining to the C-1 district in particular do need attention and as the downtown master plan is pointing out that from a zoning perspective can be remedied by the potentiality of adopting these overlays with their own discreet sets of exceptions. I see it as very connected. We're all well aware that the zoning code is rather outdated and I was hoping that our Planning & Zoning Commission could assist with the updating of that code by way of recommendations.

City Manager Madrid: I think the commission would be an essential part of upgrading and updating the code.

Member Dumiak: If indeed Wilson & Company is given this task that would be a great opportunity to work with them. Obviously they're the experts, so we'd be listening to them; they'd take the lead, I would assume. And as the Planning & Zoning committee, we could make recommendations to the City Commission.

Chairman Urban: Correct, that's my understanding as well.

City Manager Madrid: Your City Manager is nodding his head Madam Chair, yes.

Chairman Urban: My understanding is that the City or any member of the public can bring before the Planning & Zoning Commission a request or a proposal or a point of discussion for an amendment to the code of ordinances and as a Planning & Zoning Commission, we would consider that, discuss it, and potentially make recommendations to the City. As an extension, it seems that internally within the Planning & Zoning Commission membership we can be similar.

City Manager Madrid: That is technically correct Madam Chair, however what the Commission prefers as I'm sure you would also, is that in the revisions to the code be done more in a broad swipe rather than a piecemeal. I would caution against updating this little piece and then that little piece and another little piece. I think it should be incorporated into one major overhaul.

Chairman Urban: Yes, I agree to that approach entirely and I propose that as the Chairman of the Planning & Zoning Commission the reason why this orientation discussion is focused on the C-1 district and specifically the downtown master plan in looking at those areas first. Certainly if you have a contractor that's gonna come on board and be able to take into hand the entire code of ordinances and rework the entire code of ordinances; with the downtown master plan, the comprehensive plan, and the affordable housing plan as guiding documents for that effort, that is 100% the way to go. However if that's gonna take many many years for the code of ordinance to be revised by an external contractor, I think it might be worth discussing with the City staff and the City Commission to trying to do some work internally, but again, if you have a contractor that can take all of this on, absolutely. But I do think that we might have capacity to at least begin to discuss or look at the overlay zones within the C-1 district and a potential revision of the code for the C-1 district and then potentially for subsequent overlay zones within that district. That's only but a couple of pages of text in the code of ordinances and in my opinion potentially a really helpful way of moving forward to ensure that the City is growing in a positive way, that we're encouraging thoughtful planning and developments and entrepreneurial effort. I see that we are really fortunate to have in hand the downtown master plan, the comprehensive plan, and the affordable housing plan. My opinion on those documents is that they are actually quite excellent. Very few times do you get to be handed really great planning documents that are still current. I would encourage the City Commission and our Planning & Zoning Commission and the City staff to become familiar with them and help that guide any efforts that are undertaken in a revision of the code of ordinance. City Manager Madrid, did you have any thoughts?

City Manager Madrid: No, I don't disagree with it, I just think that it's gonna end up being a matter of priority and a matter of 'what do we address first'. I think for the City, the code is a priority. We're also due to update both the comprehensive plan and the master plan within the next year. I don't think that the proposed revision of the code would not take more than 6 months. I think that working with Wilson & Company we can develop a strategy to do it in large sections, where they would draft proposed language, bring it to you for your review and recommendation and then go onto the next section. I think that should be our priority, let's bite that bullet first. I'm not sure if there are reasons to have other priorities than of course the Commission can act and make any recommendations that it wishes to. I think we should work together on that because anything that goes to Commission will carry my recommendation. And if there's a conflict in priorities than instead of both getting done it will probably be neither one, so I look forward to making this progress in coordination with all of you. Just as a side note, there was a question earlier about being able to operate without members. As long as you have a quorum, the quorum being a majority of the members that are in attendance, you could have 3 and operate and make all of the rulings that you needed to because you do have a quorum. You do not need

to wait. Of course, we all want to follow the process in taking the applications, you all reviewing them, being comfortable with the recommendations that you make as a commission and have the commission make the appointments. However you want to fast track that is fine with us. The Clerk's office and my office will assist with that. I just want to reassure you that during the shortage of membership, we are not gonna hesitate to bring items to you that need your attention and you have the full capability to make the rulings that you need as you see. Thank you.

Member Bush: I have listened and understood what City Manager Madrid said and you also Madam Chair. I know that we are orientating right now, this meeting is orientating. I think for me so far, this has been a very good orientation. I'm formulating, as we all are, because we haven't had this commission in some years now.

Chairman Urban: I have one question City Manager Madrid, you mentioned just now that the City was potentially undertaking in the next year an update of the downtown master plan and the comprehensive plan; I was wondering if you could clarify that for us. In a past meeting I asked for clarification from Ms. Alvarez and I understood from her that the city code of ordinances was going to be updated but not at present the downtown master plan, the comprehensive plan, or affordable housing plan being as those documents are 2014, which in the realm of planning is unfortunately or fortunately very recent.

City Manager Madrid: Actually, we are overdue in updating some of those plans. We're in the process right now of trying to identify the funding to pay for the update of those plans. That's something that we do need a consultant to do and it is a fairly lengthy process. It requires numerous community hearings and input from the different facets of the community; private, personnel, business owners, realtors, tourist personnel, the whole spectrum. Where we are right now is trying to identify the funding.

Chairman Urban: Does the City feel that there's a particular reason to update those documents now? As a planner, my interpretation is that they're very strong documents; they seem very current and in terms of planning documents and the date on them, 2014 is actually really quite recent. I'm wondering if there are specific things about those plans that the City staff feels that there's a priority need to acquire funds and spend resources on updating them.

City Manager Madrid: I can't quote a statute Madam Chair, but it is standard practice for all local governments to update those plans every 5 years.

Chairman Urban: Ok, thank you. Without any further discussion, we'll move onto our next item.

e. Discussion: Potential Funding Opportunity: Land and Water Conservation Fund

Chairman Urban: This item is on our agenda in part to a written public comment from Ike & Sharon Eastvold that were submitted to the members of the Planning & Zoning Commission as well the City staff, thank you very much to the City Clerk for passing that on to us. This dealt with the opportunity for funding to come to the City, should the City develop an open space plan. City Manager Madrid, can you bring us up to speed on if the City is developing one or has one.

City Manager Madrid: I'm not aware that we have one and no we are not in the process of developing one.

Chairman Urban: Commissioner Dumiak or Commissioner Bush, I'm not sure if you received the comments from Eastvold's, but if either of you have any concerns pertaining to that comment. And now I'm a little bit hesitant because of the feedback that you had from City Manager Madrid with regard to the role of our Planning & Zoning Commission, to discuss this point but the reason why I put it on the agenda is again I thought it was in the purview of the Planning & Zoning Commission to discuss such things, to talk about the potentiality of having an open space plan and potentially working with the City to help develop one.

Member Bush: This has been an orientation meeting and I frankly what I'm feeling right now is the City is not ready for a Planning & Zoning Commission and they haven't had in many years. They reformed it and we were selected and I think I'm at kind of at a loss. I feel like I'm at a loss, and I feel Madam Chair that you're at a loss, as far as our job. City Manager Madrid, if I may, I'm just wondering, you said the City is supposed to update every 5 years, well we're into our 6th year and there's no criticizing here because I'm new to this, and I'm certainly new to the political scene but I'm just; wow. If you haven't done it and there's not this other plan in place, it's a little deservating to me.

Member Dumiak: I saw the original email when it came out and I thought about this in the funding and the land and water conservation and my first immediate thought was is this really in our wheelhouse? Also, I'm not clear entirely what our duties are. I have a fairly good understanding of it. This is something that I think yes we could recommend to the City Commission. Quite honestly, it's their prerogative if they want to move forward with it or not. I don't think it's really our wheelhouse to apply for a grant or anything else. I assume the City already has grant writers that go in search of this. Some of my comments on this grant were from my own knowledge was, I don't know the terms or the conditions of the grant. Can it be used for land purchase only? Can it be used for improvements on existing open space that we may own, that maybe is not defined as open space but is City owned property? I do have a lot of questions on this, but my first thing was I'm not really sure that this is in our wheelhouse as far as going for the grant money.

Chairman Urban: I certainly agree with you that our Planning & Zoning Commission wouldn't necessarily be putting in for grant money. The City certainly has a grant writer. Ms. Alvarez is as I understand, one of the many roles that serve for the City. I do think that it may be in our wheelhouse but again I'm hesitant now on not quite knowing what the roles of the Planning & Zoning Commission but as open space is a part of planning & Zoning and certainly coming up with an open space plan has everything to do with planning & zoning, I thought that it was relevant to us in that respect. Again, with the City, as a Planning & Zoning Commission, we are volunteers who are here to be helpful to the City and the City Commission with respect to planning & zoning issues. I put this on the agenda in part in the hope of discussing with the City if we had an open space plan might the City care to think about developing one; how could our Planning & Zoning Commission help in that effort, more to be helpful than anything else. With the bandwidth of people on the commission that perhaps someone could take that as something that they could work with the City and the commission to begin discussion about for example, just mapping the city owned properties that are vacant. Seeing how that might make sense in an open space plan for trails or bike routes or new trails on the river. There is the meeting that is underway to create a trail between the Village of Williamsburg and the city or Truth or Consequences with 2 foot bridges. One of them near Rotary Park and to potentially consider how that might intersect with our city's open space. To be perfectly honest, City Manager Madrid, this type of work, the higher level of bigger picture work for planning & zoning for the city of Truth or Consequences, that's largely why I came before the commission to serve. I absolutely understand that we review actions and have very specific duties with

respect reviewing compliance with the code of ordinance and I see that is very clearly our task and also my thought is that we're here to help the City with planning & zoning from many levels and perspectives. I do welcome your thoughts on that. My hope is that as chairman of the Planning & Zoning Commission is that we're helpful to the City and we're helpful to the citizens. I understand that we're not an advisory board but we do function in a sense as an advisory board in some capacities and the Planning & Zoning Commission can provide some expertise or recommendations to the City Commission because the City Commission itself, what a hard job. They can't be expected to know things electricity and waste water and planning & zoning, and all of these issues that they're asked to make decisions about, so the City has advisory boards and we're one of them.

City Manager Madrid: Let me clarify my earlier comments. In no way do I want to diminish or muzzle or short leash any members of this commission or the commission as a whole. My comments are intended to provide some guidance hopefully and assist the commission to maintain a focus; a focus of your primary responsibility. For example, in the email from the Eastvold's, there is already a process to study and to obtain some funding for a path along the river. There's a group that has undertaken that, they've been active for at least 6-8 months maybe a year now. Now that the pandemic was starting to let up now, the group has become active again. You will see some signs along the river that will be posted in the next couple of weeks, soliciting ideas from anybody that uses that area. The core group that was formed about 6-8 months ago and it includes the city. These are important things to us. The applications for funding, yes we can undertake those. The city always needs to be the applicant in the fiscal agent. In regard to the open space, that is also something that we can look at. We don't want to limit ourselves or you, we want to provide the support and help you because this commission is new, maintain the focus so that neither one of us is overwhelmed. I think that's very important when any organization is formed newly that the priority is to maintain focus and to serve the primary purpose. Of course, this commission could be an essential part especially in updating the code; you will be an essential part of that. In these other areas, I just want to make sure, that the appropriate parties are included; I don't want to exclude anyone, especially this commission.

Chairman Urban: I had a question in regard to the meetings that are being held for the potential trail along the river between The Village of Williamsburg and the city of Truth or Consequences. I have been attending those but in a different capacity and I wondered, is there a City representative that attends those meetings regularly or would it be advisable for a Planning & Zoning commission member to attend as a representative?

City Manager Madrid: We haven't had a regular representative. Initially it was the Mayor. We haven't had representation the last few meetings. Our representative will be OJ Hechler because he is in charge of our Parks division and that's the most relevant person to be able to participate and provide the support. I'm gonna try and attend some of those meetings myself but the City will have representation at these meetings as that group becomes active again.

Chairman Urban: Great, thank you for that. Are there any other comments from the Planning & Zoning Commission?

Member Dumiak: I'd be actually very interested in seeing when those meetings do take place again, if they can get them up and running. Of course with this COVID, everything's up in the air, but I'd certainly like to go for my own benefit, just as a regular citizen representative.

4. COMMENTS FROM THE P&Z COMMISSION

Member Bush: I have nothing further to add other than what I have already added. Listening to City Manager Madrid, Commissioner Dumiak and yourself it was indeed fact finding. I'm a little somewhat disconcerted with I'm not quite sure that the City is ready for this Planning & Zoning. Mr. Madrid, this is with all due respect, but you've made a few points that are very clear and we are here, I am speaking for myself and I think for the others, I myself have been a resident for 30 years and I love the city or Truth or Consequences so I want it to flourish and grow, that's why I applied and hopefully that's one of the reasons I was picked to serve. That's my comments tonight.

Member Dumiak: I think that we're a new commission, we're going through some growing pains, there's no question about it. I don't necessarily think that the City is putting us down or putting handcuffs on us or asking us to do anything or not do anything, I think they're just pointing out, we do have specific duties and chores that need to be done; basic housekeeping. It's fine for us to look at other things but I think that we're just so new right now that there's just a little on both sides of contention if you will like wow what's going on? I think we'll both get into this as we move forward down the path; we'll start working together a lot more closely. It's all new for all of us right now as well as the commission having new commissioners. I think we're just in a learning curve, I think we'll pick the ball up and run. There's a lot of discussion tonight and I appreciate it all but initially I'll admit I wasn't sure that this was all ours. And that may be my misinterpretation.

Member Bush: May I address Commissioner Dumiak? I agree entirely, you made it very clear, we are on a learning curve; the City has not had planning & zoning for a number of years. This was very good information received tonight. City Manager Madrid made it fairly clear what he or at least what the City Commission expects of Planning & Zoning at the first meeting with the city attorney. We're all in this together, there's no disrespect at all here. I'm very happy to be a member of this board and I want it to proceed smoothly and forward always. We will have a few little glitches now and then because, as you said, we're all on a learning curve. City Manager Madrid, I think that you're doing one hell of a job; I'm just throwing my two-sense in there. That's my comment.

Chairman Urban: In response to the discussion, I would like to add that in formulating the agenda this evening and also in part leading the discussion. Again, as I process the items in the agenda for discussion, it's just simply a place of orienting, a place of sharing information, getting us on the same page, making us aware of the elements of the downtown master plan which was adopted by the City Commission, that I believe to be relevant to the Planning & Zoning Commission. I acknowledge and how we undertake any project or analyze an issue and I certainly appreciate the idea of not taking on more than we can undertake and also very much appreciate not undertaking what we do not have the authority to. We're learning what our role is and just to assure you City Manager Madrid, my principal goal as the Chairman of the Planning & Zoning Commission is to be of assistance to the City and to be of assistance to the City Commission and to the public and our visitors. I do take a broader view of Planning & Zoning in that respect and how we may be of assistance and I also by no means am proclaiming that we undertake anything at this time, it's simply orientations, discussions about how best the city can plan and zone. I have a lot of questions because we are a new commission. I'm really happy to be a part of the Planning & Zoning Commission. My 2 questions that I do have is I'm curious do new well permits in the hot springs district, do those come before the Planning & Zoning Commission and also any sales of city owned property?

City Manager Madrid: Neither one Madam Chair.

Chairman Urban: Then I wanted to share with the Planning & Zoning Commission moving forward for all the public hearings that we have, my intention is to follow the batter shell process in its entirety. And that hopefully will allow for a really consistent and sensible procedure.

Chairman Urban stated that maybe a member of the P&Z Commission should be in attendance of the City Commission meetings should any of the Commissioners have any questions or concerns in regard to any decisions that they made. City Manager Madrid advised her that they are not required to attend any meetings, as he or Traci or the city attorney are there to address anything that may come up, but they are more than welcome to attend. He stated that if there is an appeal that it would be a good idea for one of the commissioners to be present at the City Commission meeting for that. Chairman Urban asked that a discussion/action item be added to the agenda for August 3 with regard to live/work permits in the downtown.

5. COMMENTS FROM STAFF

City Manager Madrid: Madam Chair, just one. Haven't you heard enough from me tonight?

Chairman Urban: Yes.

6. ADJOURNMENT

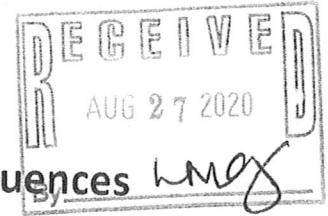
There being no further business to come before the Planning & Zoning Commission, Member Dumiak declared the meeting adjourned.

Member Bush seconded the motion.

Motion carried unanimously.

PASSED AND APPROVED this 5th day of October 2020.

Chairman
Planning & Zoning Commission



City of Truth or Consequences

City Boards Application

Name: Steven Zeschke Address: 1019 Parkway Street
Phone: 708-606-2993 Email: am.zeschke@gmail.com

I am interested in serving as a member of one the following Boards:

- ☐ Airport Advisory Board ☐ Public Arts Advisory Board ☐ Golf Course Advisory Board
☐ Public Utility Advisory Board ☐ Library Advisory Board ☐ Recreation Advisory Board
☐ Lodger's Tax Advisory Board ☒ Planning & Zoning Commission ☐ Impact Fee Board
☐ Other: _____

My qualifications are:

I became full time in Jan 2018 was a snowbird since 2012. Also own 3 vacant lots on parkway on 1st Fairway.
I have a undergraduate degree from University of Illinois in Urban Geography. I run a snow plowing + lawn service in the South Suburbs of Chicago for 31 years and owned + rented several Duplexes for 34 years in different suburbs. One had a commercial 1st floor, upstairs apt. and 4 car garage out back where I ran the business out of. I am familiar with various land use strategies and challenges of small business. I also think lack of railroad in town makes it harder to draw intermodal warehouses, assembly & packaging jobs.
Got nothing to do on Monday nights.
I hereby certify that my appointment to this board neither creates, nor should create, any conflict of interest for myself or the Board. I further confirm that any possible conflict of interest that may arise will be reported to the Board and the City Clerk.

Signature: Steven Zeschke



UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

Urbana, Illinois 61801

STUDENT NAME

Zeschke, Steven Mitchell

STUDENT NUMBER

342-62-9509

DATE OF BIRTH

APRIL 28, 1960

HIGH SCHOOL: HOMEWOOD FLOSSMOOR HS
FLOSSMOOR IL 60422 6/78

OFFICIAL TRANSCRIPT: ISSUED TO STUDENT 12/2/83

CRSE	NUMB	CRSE DESCRIPTION	CREDIT	GRD NTE
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LIBERAL ARTS AND SCIENCES
SCIENCES AND LETTERS- GEOGRAPHY

COLLEGE LEVEL EXAM PGM

SOCIAL SCIENCE I 501	3.00	PASS
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FALL SEMESTER 1978

BIOL	100	BIOL SCI	4.00	B
ECON	101	INTRO TO ECONOMICS	4.00	B
GEOG	105	INTRO ECONOMIC GEOG	4.00	C
MATH	112	COLLEGE ALGEBRA	3.00	D

SPRING SEMESTER 1979

BIOL	102	BIOLOGICAL SCIENCES	3.00	B
HIST	112	W CIV 1660 TO PRES	4.00	A
MATH	114	PLANE TRIGONOMETRY	2.00	D
PHET	105	PRINCIPLES OF COMP	4.00	C

FALL SEMESTER 1979

GEOG	104	PERSPECT-HUMAN BEHAV	4.00	B
HIST	111	W CIV ANTIQUITY-1660	4.00	A
MATH	124	FINITE MATH	3.00	D
SPAN	101	ELEMENTARY SPANISH	4.00	D

SPRING SEMESTER 1980

GEOG	103	EARTH PHYSICAL SYST	4.00	C
GEOG	271	SPATIAL ANALYSIS	4.00	D
PE	103	RACQUETBALL I	1.00	B
POLS	150	AMER GOVT ORG&POWERS	3.00	C

CREDIT TRANSFERRED FROM:

PRAIRIE STATE COLLEGE
SS80

ELEM SPANISH	4.00	xx
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TR HRS EARNED= 4.00 GPA=3.00

FALL SEMESTER 1980

LCIV	112	ROMAN CHIEVEMENT	2.00	C
GEOG	210	CONTEMP SOC ENV PROB	3.00	A
PE	104	FIGURE SKATING I	1.00	A
PSYCH	100	INTRO TO PSYCHOLOGY	3.00	B
P	171	PLAN-CITIES & REGION	3.00	D

SPRING SEMESTER 1981

LCIV	110	INTRO GREEK CULTURE	2.00	C
GEOG	314	REG PRIB RES MANAG	3.00	C
SPAN	123	READ-SPEAK SPANISH I	4.00	D
ROOM	178	ARTS-1 EAT-INTERP-SP	4.00	C

FALL SEMESTER 1981

LCIV	111	MYTHOL GREECE & ROME	2.00	C
GEOG	290	INDIVIDUAL STUDY	2.00	A
GEOG	332	GEOG-SOUTH AMERICA	3.00	C
GEOG	383	URBAN GEOGRAPHY	3.00	A
PE	100	WEIGHT TRAINING	1.00	B
PE	104	FIGURE SKATING II	1.00	B

--- CONTINUED NEXT COLUMN ---

UIC DEGREE INFORMATION

DEGREE: A.B. (L.A.S.)

FIELD OF CONCENTRATION:

GEOGRAPHY

DATE: JANUARY 15, 1983

CRSE	NUMB	CRSE DESCRIPTION	CREDIT	GRD NTE
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SPRING SEMESTER 1982

GEOG	326	ART LANDSCAPE FR 1880	4.00	B
GEOG	380	URBAN FORM/FUNCTION	3.00	A
SOC	100	INTRO TO SOCIOLOGY	3.00	C
SPAN	124	READ-SPEAK SPAN II	4.00	C

FALL SEMESTER 1982

GEOG	373	MAP COMPILA & CONSTR	4.00	C
HED	206	HUMAN SEXUALITY	2.00	B
HUMAN	171	WOMEN IN CHANGE	3.00	A
SOC	276	CITIES AND SUBURBS	3.00	A

UIC UNDERGRADUATE GPA=3.475 BASED ON 118.00 HOURS
UNDERGRAD TRANSFER GPA=3.00 BASED ON 4.00 HOURS
TOTAL UNDERGRADUATE HOURS EARNED=125.00

--- END OF TRANSCRIPT ---

A CERTIFIED TRANSCRIPT WILL HAVE THE UNIVERSITY SEAL
EMBOSSED AND THE REGISTRAR'S SIGNATURE IN BLUE BELOW.

OFFICIAL TRANSCRIPT: ISSUED TO STUDENT 12/2/83

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**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES
MONDAY, AUGUST 3, 2020**

REGULAR MEETING MINUTES

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday August 3, 2020 at 5:30 p.m.

INTRODUCTION:

ROLL CALL:

Lillis Urban, Chairman
James Bush, Member
Richard Dumiak, Member – Via Phone
Merrill Dicks, Member - **RESIGNED**

ALSO PRESENT:

Morris Madrid, City Manager
Angela A. Torres, City Clerk – Via Phone
Traci Alvarez, Grants/P&Z Coordinator – Via Phone
Lisa Gabaldon, Secretary

1. APPROVAL OF AGENDA

**Member Bush made a motion to approve the agenda as submitted.
Chairman Urban seconded the motion.
Motion carried unanimously.**

2. APPROVAL OF MINUTES

a. Regular meeting of July 8, 2020

**Member Bush moved to approve the Minutes from July 8, 2020 as submitted with amendments.
Member Dumiak seconded the motion.
Motion carried unanimously.**

3. COMMENTS FROM THE PUBLIC

No comments.

4. RESPONSE TO COMMENTS FROM THE PUBLIC

No response.

5. NEW BUSINESS:

- a. Discussion/Action: Appointment of Vice-Chairman and 2nd Chairman.

The Commission decided to table this item until the next meeting.

- b. Discussion/Action: Recommendation of a new board member to fill vacancy.

Ron Fenn and Chris Sisney both took a few minutes to introduce themselves and give some background information.

Member Bush made a motion to recommend both members to the City Commission to fill the vacancies.

Member Dumiak seconded the motion.

Motion carried unanimously.

- c. Discussion: MainStreet District.

Linda DeMarino was present via phone to orient the P&Z Commission on MainStreet Truth or Consequences and her background as well as answer questions from the P&Z Commission.

- d. Discussion/Action: Set time and date for future meeting.

Due to the Labor Day holiday falling on the first Monday of September, the P&Z Commission agreed to meet on Tuesday, September 8, 2020 at 5:30 p.m.

The meetings will resume to the first Monday of every month thereafter.

6. COMMENTS FROM THE PLANNING & ZONING COMMISSION

Member Bush addressed City Manager Madrid by stating that he is doing a hell of a job; that he wears many hats. He went on to say that he felt as though City Manager Madrid had stifled the P&Z Commission at their last meeting. Member Bush stated that he's not sure if City Manager Madrid is ready for a P&Z Commission that wants to proceed. He said that Chairwoman Urban and Mr. Dicks as well as himself are very passionate and want to see the city progress and move forward. He asked City Manager Madrid to respect the P&Z Commission.

Member Dumiak said that he wished the agenda was a little clearer where Linda DeMarino was concerned.

Chairman Urban thanked her fellow commissioners for their service as well as the potential applicants. She thanked everyone who is there on a volunteer basis and that care about the city. She hopes that we can all find common ground.

7. COMMENTS FROM STAFF

City Clerk Torres made a comment in regards to the minutes. She stated that she noted that the commissioners tabled the item because they wanted some verbiage added; according to the Open Meetings Act, we are supposed to have the minutes approved at the following meeting for every single meeting. In the future, if anyone has any amendments that they would like, during the meeting or even before the meeting they can send whatever amendments you have and then voice it during the meeting that you would approve the minutes with whatever amendments you may have at that time. Chairwoman Urban asked the City staff to have a look at the minutes again and also particularly the end where there's a real drop off of either the verbatim and/or a summary of substantial content. City Clerk Torres agreed. Member Bush stated that Ms. Gabaldon said that the minutes do not have to be verbatim. He agrees with Chairwoman Urban that the last paragraph in the minutes is paraphrased. If it's gonna be recorded and transcribed it should be correct; it's either paraphrased or it's accurate. City Clerk Torres stated that according to the Open Meetings Act we are not required to do verbatim minutes unless it's for a public hearing, so we can do them if we would like or we can also summarize the minutes. P&Z Commission gets the minutes in the same amount of time as the City Commission, that's why they are sent out on Friday. Member Dumiak stated that if they have a choice between verbatim or summary, he will pick verbatim. City Clerk Torres advised the Commissioners that if there is something specific that they want included in the minutes, they could state that during the meeting. Chairman Urban concurred with Member Dumiak that she prefers verbatim transcripts. She said that if the City Commission is getting verbatim minutes than she doesn't see why the Planning & Zoning Commission can't get them as well. She knows it's more work however it's a really accurate record. City Clerk Torres advised Chairman Urban that the City Commission meeting minutes are summarized. The only time we do verbatim is during public hearing, she just wanted to make that clear. Chairman Urban stated that was an important clarification. She said that she could add that if the City staff elects to summarize the P&Z Commission minutes because they are not obligated to do verbatim in accordance with the Open Meeting Act, we have a recording of the meeting and she would propose that they make it common and regular practice to post that to the website, just as the City Commissions audio/video posted. City Clerk Torres stated that she will make sure that the audio is posted to the website.

City Manager Madrid wanted to address Commissioner Bush's comments and started off by saying that it was not his intention to stifle the commission in any way. You are a new commission and his purpose is to try and make suggestions early on, because in a few months, the P&Z Commissioners probably won't see him unless they really need him. He's there to guide and help the members focus. As a City Manager, it is his duty to make sure that everyone is walking in the same direction and on the same page. That was his objective. He apologized if he came on a little bit strong, that wasn't his intent. His intent was to make the point to stay focused and everyone should move in the same direction. Member Bush asked City Manager Madrid to let the P&Z Commission to work with him and they all agreed.

8. ADJOURNMENT

There being no further business to come before the Planning & Zoning Commission, Member Dumiak declared the meeting adjourned.

Chairman Urban seconded the motion.

Motion carried unanimously.

PASSED AND APPROVED ON THIS 5th day of October 2020.

**Chairman
Planning & Zoning Commission**



CITY OF TRUTH OR CONSEQUENCES
PLANNING AND ZONING COMMISSION ACTION FORM
DATE: 10-5-2020

ITEM: Discussion/Action – Minor Amendment of a Plat – 120 W Third Ave

BACKGROUND:

Request to move East lot line of parcel 1 by 37 feet to the East creating a lot of 90x140. Applicants were previously approved for a Summary Plat Amendment and Variance on 2-26-2020 by the City Commission. Applicants are requesting to amend the previously approved lot line by 37 feet. Both lots still meet minimum required for the district. This amendment does not have the effect to significantly alter the impacts on utilities, drainage, or traffic.

SUPPORT INFORMATION:

Plat Survey

Chapter 15 - Subdivision Code Sec. 15-17. - Amendment of plats.

Name of Drafter: Traci Alvarez	:	Meeting date: 10-05-2020
E-mail: tburnette@torcnm.org	Phone: 575-894-6673	

Sec. 15-17. - Amendment of plats.

- A. *Administrative amendment:* Any change that is required to correct an error in lettering, numbering or other minor detail on a filed plat which does not affect any material aspect of the subdivision will be considered a minor amendment. Administrative amendments may be processed and approved by the City's Zoning Administrator, who shall have the right to require review and approval by the Planning and Zoning. The City's Zoning Administrator shall insure that the corrections are noted on the original filed plat. The fee schedule for administrative amendments shall be as approved by the City of Truth or Consequences.
- B. *Minor amendment of plat:* Any proposed amendment that is greater than an administrative amendment which does not have the effect to significantly alter the impacts on utilities, drainage, or traffic, may be approved as an amendment by the Planning and Zoning Commission.
- C. *Major amendment of plat:* Any proposed correction or amendment of a filed plat that affects material aspects of the subdivision shall be considered by the Planning and Zoning Commission, with approval by the City Commission, the Planning and Zoning Commission shall determine if the subdivider may use the alternate summary procedure or if the subdivider shall be required to vacate a portion or all of the filed plat and follow the procedures appropriate for the approval of a new subdivision. The fee schedule for major amendments shall be as approved by the City of Truth or Consequences.

(Ord. No. 555, 5-23-06)