

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

Tuesday, September 2, 2008

TIME & PLACE: The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, met in Regular Session in full conformity with the law and ordinances of said Commission, at the Commission Chambers of said City on Tuesday, the 2nd day of September, A.D., 2008.

PRESIDING OFFICER: The meeting was called to order by Bill Howell, Chairman. Hazel F. Peterson acted as Secretary.

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

Bill Howell, Chairman
Viola Bonner, Vice Chairman
Lee Foerstner, Member
Joey Perry, Member
Raymond Ruffini, Member

Absent:

Also Present:

Chris Nobes, Building Inspector
Hazel F. Peterson, Deputy City Clerk

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

APPROVAL OF AGENDA: Bill Howell, Chairman called for approval of the Agenda.

“Viola Bonner moved approval of the Agenda.”

Seconded by Joey Perry
Motion carried unanimously.

COMMENTS FROM THE PUBLIC: None.

APPROVAL OF MINUTES: Bill Howell, Chairman called for review and approval of minutes of the Regular meeting held Tuesday, August 5, 2008.

Joey Perry stated she found a couple of typos in the minutes starting on Page 4 towards the bottom spoken by JA that starts with, “Mr. Chair, a clarification. In the study session that the recorder did not attend” should read “that the **reporter** did not attend.” Page 6 about the sixth paragraph down, it’s JP talking, the last sentence “What are **out** legal obligations” should read “What are **our** legal obligations.” Page 10, the large paragraph at the top of the page, the third sentence down with Sam Senn talking, “Under **you** own code” should read “Under **your** own code.” Page 21, it’s the first full paragraph, BH speaking, “Mr. Ritch **you** concerns” should read Mr. Rich **your** concerns.” Page 39 second paragraph from the bottom it’s JP speaking, the next to the last sentence “non-residential land **and** the PUD concept”, it should say “land **than** the PUD concept.”

Lee Foerstner stated he has one on Page 72 where it references

“**Audience**” beginning where it states “It’s such an interracial part” and continuing to the bottom of the page where it references “**Audience**” should be “**Tom Mills**”.

Raymond Ruffini stated he recalled the first “**Audience**” on that page was **Sam Senn** and thereafter was Tom Mills.

Joey Perry stated also in the sentence where it stated “It’s such an **interracial** part” should be “an **integral** part”.

“Joey Perry moved to approve the minutes of the Regular meeting held Tuesday, August 5, 2008 as corrected.”

Seconded by Lee Foerstner
Motion carried unanimously.

SUBDIVISION –
PRELIMINARY
PLAT & FINAL
PLAT – NELSON:

Alvin Campbell approached the podium and stated he was representing the seller Carl Allen and spoke to the subdivision.

Mr. Campbell stated the engineer was supposed to be at this meeting but called and said he could not make the meeting because of unforeseen circumstances. He stated that one of the requirements was that Mr. Allen provide a signed notarized statement that he approved the division of the land and recording of the plat. They received that fax today, the original is being mailed to Ekmar which will be on file and properly recorded when the rest of the documents are recorded. He stated that Mr. Allen would like to proceed.

Mr. Campbell stated all of this has been closely coordinated with Mr. Nobes from the very start and he believes all of the conditions and requirements have been met.

Discussion ensued.

“Lee Foerstner moved to postpone the Subdivision to the October meeting because there is no one to represent Mr. Nelson.”

Seconded by Joey Perry

Joey Perry stated she does not feel this is a complete application. She stated that looking at the city’s subdivision code and all of the different things that are required she doesn’t see that this application includes anything about the ADA compliant sidewalks, lighting, and she is concerned about access to lot number five, it doesn’t address sewer capacity, or water transfer, and fire hydrants, grading and drainage plan, or underground utilities. She stated that all of these things are required in the city code and they’re not included in the application. She stated she feels that this is an incomplete application and she thinks that these items need to be brought back to this Commission when this application comes back.

Chris Nobes stated some of the issues such as, utilities are the concern of the Utility Advisory Board and this is on their agenda for the 15th of this month. He stated they go out and ascertain in the field the location of the utilities, water, sewer, and electric availability and such as that.

He stated that some of the other issues, one thing is the scope of this project, the lower end of it down on Riverside represents two existing houses and this formalizes the split of that property between the two of them, in fact they are looking at five lots above which would constitute some new work.

Mr. Nobes stated it is a subdivision request there is no question, no one is trying to misrepresent anything, and it has retention indicated on each lot based on the size of each future dwelling, there's a note to that effect on Lots 1, 2, 3, 4, and 5. There's a drainage easement which crosses between 4 and 5 and then passes down the hill and then across Riverside down to the river.

He stated that sidewalks, that's something staff was going to bring up. He stated it probably could be seen simplest on the vicinity map where it shows it as a large metes and bounds parcel and the areas above it around to the north and the east were platted as subdivisions and it's as though this metes and bounds doesn't quite jive with the lines they determined during that subdivision process and Gold Street can be seen as quite narrow about 1/3 of the way down is metes and bounds parcel.'

Mr. Nobes stated that staff would make a recommendation that any approval would be conditional upon the widening of Gold Street to a minimum of 24' of pavement with a 2' foot of curb and gutter on each side to a total of 28' per the city subdivision code.

He stated he isn't really exactly sure how to address the rest of the issues and that he had the subdivision code and asked Ms. Perry what it was that she would like to address.

Ms. Perry stated the sidewalks.

Mr. Nobes stated he doesn't think there is any sidewalk in the rest of the neighborhood so he guesses that's a judgment call if this Commission feels this is something they wish to impose on this or just simply taking what exists out in the neighborhood, there are no sidewalks out there.

Ms. Perry stated she thinks there should be sidewalks out there, that she thinks that's partly why they have the codes so that eventually as development occurs one of the requirements when certain types of development occurs that a sidewalk goes in and eventually as all land gets redeveloped then sidewalks will be built.

She stated he mentioned widening the narrowest part of Gold to 24'?

Mr. Nobes stated pavement yes two driving lanes 12' each so 24' of flat pavement plus the 2 feet of curb and gutter on each side.

Ms. Perry asked if Gold was a local road.

Mr. Nobes stated yes.

Ms. Perry stated then the requirements for local road right-of-ways are 50' so where is the pavement width in that?

Mr. Nobes stated that existing pavement back to back, a curb is 21'.

Ms. Perry stated for a local road it's supposed to be 36'.

Mr. Nobes asked if she was asking existing or what was her question?

Ms. Perry stated her question was what is the requirement for a local road, for the pavement and she sees in the code that it is 36'.

Mr. Nobes stated yes it is.

Ms. Perry asked what the width of Gold was north of this property.

Mr. Nobes stated he did not research that. He stated it's between the two subdivisions so it could be irregular. He stated he doesn't know the width of Gold Street above this property.

Further discussion ensued

Motion carried unanimously.

Ms. Perry stated that she would like to remind people that she had asked for a couple of items to be put on future agendas and she was hoping that they would be found on agendas when they had enough time to discuss them when they didn't have any other really big items so tonight would have been a good night to have a couple of those items on the agenda but obviously they're not on tonight's agenda.

She asked if there was anything scheduled for the October Planning & Zoning meeting other than the item from tonight.

Chris Nobes stated he was not aware of any thing right now.

Ms. Perry stated she would like to put on the agenda for next month then a discussion of updating the city's Comprehensive Plan and with that she is hoping that the other Planning Commissioner's can take an opportunity between now and then to read the Comprehensive Plan and identify items that they think need to be updated or might need to be worked on so that they can try to have an informed discussion about it at next months meeting and that they could made a recommendation to the City Commission about whether the Comprehensive Plan needs to be updated at this time or if perhaps it needs a partial update, maybe update portions of it as opposed to a complete update. She stated she suspects there is not money in this years budget to do the update, but she knows they will be working on the budget for next year fairly soon so she wants to make sure to get this item into them in time so that it can be considered for next years budget.

Raymond Ruffini stated he thought it was mentioned at one of the City Commission meetings that the City was working on updating the Comprehensive Code.

Discussion ensued.

Ms. Perry stated she would also like to have put on the agenda for next month the Minor Modification Procedure. She stated she knows they had some discussion on this with the Hot Springs Land Development and she raised the issue at that time but she wasn't comfortable with the percentages that were being used for those minor modifications, and that this Commission did not have any discussion about those percentages.

Discussion ensued.

ADJOURNMENT: There being no further business to come before the Commission, Bill Howell, Chairman called the meeting adjourned.

APPROVAL: PASSED AND APPROVED this 7 day of October, 2008, on motion duly made by Joey Perry, and seconded by Raymond Ruffini and carried.


Bill Howell, Chairman