

PLANNING & ZONING COMMISSION
6:00 P.M. SEPTEMBER 15, 2008
EDGEWOOD COMMUNITY CENTER
26 E. FRONTAGE ROAD
MINUTES

1. CALL TO ORDER:

Commissioner Gary Chemistruck called the meeting to order at 6:00 P.M.

In Attendance: All Commissioners were in attendance with the exception of Commissioner Schober.

2. APPROVE AGENDA

Action: Commissioner Fleming made a motion to approve the Agenda asking that #8 be moved up to #4 on the agenda. Commissioner Turner seconded the motion. The motion carried unanimously.

3. APPROVE MINUTES of September 8th, 2008.

The Commission asked that the following changes be made to the minutes: changing #10, (Pre-application Tierra West) Councilor Fulwiler commented on the type of subdivision and the length of the cul-de-sacs, not Councilor Chemistruck. Under item #13(Pre-Application for Liberty Square South) Commissioner Turner believed that the questions asked pertaining to the utility lines, easements, water and lot 8 should all be under #12 Pre-Application for Liberty Square North.

Action: Commissioner Fulwiler moved to approve the Minutes of September 8th, 2008 as discussed and amended. Commissioner Wilhite seconded the motion. The motion carried unanimously.

4. In the motion to approve the agenda, the Grading & Drainage Discussion item #8 was moved up. Dr. Christian Meuli reported to the Commission different solutions for grading and drainage.

5. **Public Hearing-Quasi Judicial Procedure. Staff noted that notice had been properly posted and all Commissioners noted no conflicts of interest or ex parte communication. All parties wishing to testify were sworn in.**

Preliminary Plat for Greene & Varner, SU-2008-3, applicant requesting approval of a two lot subdivision of 5.02 acres located on the north side of Prairie Moon Trail to the east of Highway 344. Property is zoned R-1.

Steve Williams of Dennis Engineering Co., 21 Main Street Edgewood testified that this is a subdivision of Lot 45 of the Edgewood Heights Subdivision and is zoned R-1. The owners are Richard M. Green and Wanda L. Varner. Dennis Engineering Co. is the agent. The total area of the tract right now consists of 5.02 acres. The proposed subdivision will create two lots being 2.42 net acres in size. That is after the road right-of-way. The lots will be accessed from Prairie Moon Road and each lot will be developed subject to the Town of Edgewood's Ordinances and Permitting process. Utilities to be provided by the developer include water. There will be a water line extension required by N.M. American Water. Natural gas will be provided by E.M.W. Gas and power from C.N.M.E.C. Phone service will be provided by Qwest. Utilities to be provided by the purchaser of the lot include sanitary sewer which will be onsite septic tanks or some other means that the lot owner may chose. The owner will also be responsible for all necessary service lines on their lot.

Commissioner Fleming asked if the installation of septic tanks would require blasting.

Steve Williams stated no.

Commissioner Turner asked if the applicant had a current "will serve" letter from the water company?

Steve Williams responded that he believed it had not been updated yet.

Commissioner Turner inquired if the location of the fire hydrant had been ascertained.

Steve Williams stated that he was aware that the fire hydrant had not been called out on the utility lay out plan. The hydrant will be located at the end of the water line extension which will be at the center of the two lots.

Commissioner Turner stated that the Disclosure Statement indicated that the Developer will be putting a road into the lots.

Steve Williams explained that there would be not be a road and that the Disclosure Statement will be changed and that both lots would be accessed by Prairie Moon Trail.

Commissioner Turner asked Steve Williams if he was aware of any other parts of the Disclosure Statement that would need to be changed.

Steve Williams stated he was not aware of any other errors.

Commissioner Turner asked staff if it would be appropriate to include the drainage easement in the Disclosure Statement.

Karen Mahalick stated it was appropriate.

Commissioner Chemistruck asked if the houses would be built on the North side of the drainage.

Steve Williams explained that the owners would decide. He went on to say that he felt that on Lot 45B there was ample room on the South side of the drainage easement to build a house. On Lot 45A it may be marginal. As far as permitting, it would be up to the Town if they required a Grading & Drainage plan for that lot.

Commissioner Chemistruck asked if they built to the North of it, will they have to install culverts.

Steve Williams felt there would be two ways to approach this and he was not sure where the Town stands as far as governing what a person does on their lot, but a person could build a dip section thru there. Or culverts could be installed the driveway could be built over the top of them.

Commissioner Chemistruck asked if that if it could be a part of the Disclosure Statement stating that if they do decide to build on the North side that they need to worry about flooding.

Karen Mahalick stated that if the drainage easement is in the Disclosure Statement, it is already calling out a no build area.

Councilor Fleming asked if; on page 6 of the Disclosure Statement if the statement in paragraph 3 could be clarified. The third to last sentence reads, "No permanent structures may be placed in the drainage with the exception of structures which are related to or used to facilitate said drainage."

Steve Williams stated that would be culverts or some other type of drainage structure. A bridge could be viewed as a drainage structure.

Commissioner Chemistruck called for any other comments from the audience. No one came forward.

Karen Mahalick commented that on page two of the staff report there is a staff analysis. Conditions of approval include:

1. Upgrade of Prairie Moon Trail, the newly dedicated 25' of easement to a 6" base.
2. The culvert sizing for driveway entrances.
3. The disclosure amendment stating installation of culverts prior to building permit approval.
4. The disclosure of the drainage easements for the drainage for the lots.
5. Submittal of a suitable improvement agreement.
6. Submittal of the subdivision improvement guarantee.
7. Submittal of confirmation of the fire hydrant location.

Commissioner Chemistruck called for a motion.

Commissioner Fleming asked what improvements are required for the upgrade of Prairie Moon Trail.

Karen Mahalick stated that the applicant is proposing to dedicate a new area of road and are widening it to the Subdivision Regulation. The area in front of the applicant's property is being dedicated and needs to be brought up to standards. Not all of Prairie Moon Trail, but the area that they are impacting and dedicating. Prairie Moon Trail is a private road and the Town does not presently maintain it. The Highway Department did do improvements to the entrance area which creates a de-facto public area.

Commissioner Fulwiler asked if the water line was already existing in the roadway.

Steve Williams replied yes and that it is an 8" line.

Commissioner Fulwiler asked Ms. Mahalick if an 8" line was adequate to serve any more lot splits that might come up.

Karen Mahalick stated that 8" lines are standard in subdivisions.

Commissioner Turner read from page 6 of the Disclosure Statement, under item number 17 for maintenance it states, "Prairie Moon Trail is a gravel road maintained by the Town of Edgewood.

Karen Mahalick said that was an incorrect sentence and that the Town does not maintain Prairie Moon Trail. Karen stated that she believed the adage was that we maintain it to the extent of the Highway Dept. improvements, but not in front of this property.

Action: Commissioner Wilhite made a motion to approve the preliminary plat of Greene & Varner, SU-2008-3 with the 7 recommendations listed by staff and removing the sentence that the Town maintains Prairie Moon Trail. Commissioner Fleming seconded the motion. During discussion, Commissioner Fleming asked for a friendly amendment to Commissioner Wilhite's motion. He would like the drainage easement included in the Disclosure Statement, to have the "Will Serve" letter from the water utility updated. Commissioner Turner made a friendly amendment to Commissioner Fleming's amendment to modify the Disclosure Statement with regard to the developer's intent with regard to roads. Commissioner Wilhite accepted both friendly amendments.

Commissioner Fulwiler voted aye. Commissioner Turner voted aye. Commissioner Fleming voted aye. Commissioner Wilhite voted aye. The motion carried.

6. **Old Business:**

Karen Mahalick reported that individual Commissioners are not supposed to do site visits on their own. Ms. Mahalick asked commissioners when preliminary or pre-applications come in, did they want site visits to be included. It was decided that anything brought forward with a significant drainage easement, flood plain areas and/or drainage issues would warrant a site visit.

Commissioner Wilhite asked where the Town was with the weed ordinance and Highway problem. Ms. Mahalick stated that the Highway Department asked the Town to put a letter together requesting community service volunteers from prisons to pull weeds or for herbicide application.

7. **New Business:**

Commissioner Fleming about training classes, Ms. Mahalick stated that a training class is being set up by the Municipal League in Albuquerque to train new commissioners. Commissioner Fleming stated he would like to attend the training class in Albuquerque.

8. **Community Sign Program for 1917 Highway 333:**

The applicant is Robbie Travis. Mr. Travis is requesting 140 square feet of signage for a multi-tenant building. The property is to the East of the Town Municipal Offices. That property is zoned for a maximum of 70 square feet. The Comprehensive Sign Program does allow for a submittal for a comprehensive sign review. However, Ms. Mahalick stated she did not have enough information that would allow her to grant additional square footage. Mr. Travis stated that after the Highway project was finished, his building no longer had access onto Highway 333 and a lot of people are having a hard time figuring out how to access his building. Plaza Road was changed to Plaza Court in an effort to help. He would like to erect a new multi-tenant sign that would be tall enough to be seen by cars on Highway 66. Karen Mahalick went on to explain that Mr. Travis' building is in Zone 2 but is right on the border of Zone 1. Mr. Travis stated that his building has the potential to rent to 10-12 tenants, but the eye doctor and dentist have expanded their business to 3 suites each; giving him 6 tenants total. Ms. Mahalick asked if the sign material would match the building and Mr. Travis stated yes. The Commission asked for Ms. Mahalick's recommendation. She stated that she believed that the proposal and the accommodations discussed here tonight go along with what she has heard discussed by the Council for size and visibility intent and that is to serve the multi-tenant business area and to accommodate; in this case, by virtue of the panels.

Action: Commissioner Wilhite made a motion to approve the Comprehensive Sign Program exception for Mr. Travis based on the discussion tonight and using a faux panel at the bottom of the sign to bring it to 125 square feet. Commissioner Turner seconded the motion. Commissioner Chemistruck voted aye, Commissioner Fulwiler voted aye. Commissioner Turner voted aye, Commissioner Wilhite voted aye. The motion carried.

9. **Adjourn**

Action: Commissioner Fulwiler made a motion to adjourn the meeting. Commissioner Fleming

seconded the motion. All Commissioners voted aye. The meeting adjourned at 7:28pm.

Gary Chemistruck, Vice Chairman

ATTEST:

Karen Mahalick, Community Planning & Development Manager