

PLANNING & ZONING COMMISSION
6:00 P.M. November 2, 2009
EDGEWOOD, COMMUNITY CENTER
26 E. FRONTAGE ROAD
MINUTES

1. Call to order

Commissioner Wilhite called the meeting to order at 6:00P.M.
Commissioners Present: Wilhite, Fleming, Bassett, Turner, Jackson.
Commissioners Absent: Fulwiler.
Staff: Ms. Mahalick A.I.C.P., Administrator

2. Approve agenda

Action: Commissioner Fleming made a motion to approve the agenda with one change moving item 4 after item 7. Commissioner Turner seconded the motion. The motion carried unanimously.

3. Approve minutes of 10-5-09 & 10-19-09

The Commissioners stated there were some errors that needed to be corrected before approval. Ms. Mahalick informed the commission that the minutes needed to be approved before the Commission could move on to the Findings of Fact. The Commission discussed making the corrections at this meeting and then moving on the Findings at the next meeting.

Action: Commissioner Bassett made a motion review the minutes of 10-5-09 with the Findings of Fact. Commissioner Fleming seconded the motion. The motion carried unanimously.

Action: Commissioner Bassett made a motion to approve the minutes of 10-19-09. Commissioner Turner seconded for discussion. The motion carried unanimously.

Commissioner Jackson stated for the record that he is not a government employee.

Action: Commissioner Turner made a motion to approve the minutes of 10-19-09 with an amendment to state Commissioner Jackson is not a governmental employee and may participate on the Capital Improvement Committee. Commissioner Bassett seconded the motion. The motion carried unanimously.

4. Capital Improvement Plan / Santa Fe Fire & Rescue.

Ms. Mahalick presented this item to the Commission and discussed the effect the economy has had on new construction both residential and commercial. No action was necessary.

**PUBLIC HEARING – QUASI JUDICIAL PROCEDURE
CERTIFICATION WAS MADE THAT PUBLIC NOTICE OF THIS HEARING HAS
BEEN POSTED AS REQUIRED:**

Ms. Mahalick certified that public notice of this hearing had been posted as required.

STATEMENT OF PROCEEDINGS WAS READ INTO THE RECORD.

Commissioner Wilhite read the statement of the proceedings into the record.

CONFIRMATION OF NO CONFLICTS OF INTEREST/EX PARTE CONTACTS

All Commissioners certified no conflicts of interest or ex-parte communication.

At this time Commissioner Turner swore in the parties to give testimony.

5. Continuation of Request to subdivide 2.5 acres on Piñon.

Mr. Dominguez discussed the changes and additions he had made at the request of the Commission and stated he would answer any questions.

Commissioner Bassett stated the access to the lot in the back was cut off.

Mr. Dominguez responded stated there was 22' and he felt this was enough to get through there. Commissioner Bassett added that is still not flow smoothly even though the tree or the fence could be moved.

Mr. Dominguez stated they had met the set back requirements as far as the code was concerned and is there enough room to move a vehicle through there. He believes the requirements of the subdivision ordinance have been met.

Commissioner Bassett stated he felt they had created a bottleneck at the back of the property that could pose a problem if a future owner wanted to put up a fence.

Ms. Mahalick requested a few moments to look at the code in question.

Action: Commissioner Fleming made a motion to approve the request to subdivide 2.5 acres on Piñon. Commissioner Turner seconded for discussion.

Commissioner Bassett outlined his concerns with the passageway that limits the ability of fire and rescue vehicles to access the lots. He added it would be better if the shed were gone because there is not a lot of room to move as it is.

Commissioner Jackson stated this seemed to be a common issue for fire and rescue and they would cut down the fence if they needed access to the structure.

Commissioner Turner stated the tree was a more significant obstacle.

Ms. Mahalick read a portion of the Subdivision Ordinance for the Commission which gives the commission latitude for approval where there are unusual circumstances.

Commissioner Fleming withdrew his motion.

Action: Commissioner Fleming made a motion to grant the request to subdivide 2.5 acres on Piñon Rd. to 2 lots zoned R-1. Commissioner Turner seconded with a friendly amendment to the motion to include that EMW sign off on the double meter. Commissioner Jackson voted aye. Commissioner Fleming voted aye. Commissioner Wilhite voted aye. Commissioner Turner voted aye. Commissioner Bassett vote nay. The motion carried.

Out of Public Hearing

6. Findings of Fact – Campbell Ranch Request for preliminary plat extension.

Commissioner Bassett presented some edits to the findings for the Commissioners consideration and discussed them. Commissioner Turner discussed the relevancy of the development agreement being part of the findings.

The Commission and staff discussed the issue of open space and the development agreement in the findings of fact.

Action: Commissioner Fleming made a motion to integrate Commissioner Bassett's edits to the findings excluding his item six. Commissioner Turner seconded the motion. Commissioner Fleming amended his motion to include Commissioner Bassett's conclusions of law. Commissioner Turner seconded the amendment. The motion carried unanimously.

7. Guidelines for coordinating with Governing Body.

Ms. Mahalick reviewed this item for the Commission. The Commission and staff discussed some of the changes and additions that had been made as well as correcting some of the typographical errors.

8. Public Comments.

None.

Ms. Mahalick reviewed the parliamentary procedures regarding motions made by Commissions and Councilors. The Commission entered into discussions regarding motions in the affirmative as well as the having the chair restate the motion for clarity.

9. Calendar Update.

Commissioner Turner asked about the Sector Plan and if the Commission would discuss it again.

Ms. Mahalick stated she had not received any input and would bring it to the Commission at the next meeting.

Ms. Mahalick discussed the Boundary Commission meeting scheduled for Monday November 9, 2009.

The Commission discussed holding only one P & Z Meeting in December on the 14th.

10. Adjourn.

Action: Commissioner Bassett made a motion to adjourn. The motion carried unanimously.

Commissioner Wilhite adjourned the meeting at 7:45 pm