

MINUTES
Tuesday Nov 3, 2009
Planning and Zoning Commission Meeting
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Chair David Gershenson
Doug Abbott
Lori Ann Bonomo
Ken Foster
Alice Jones
Teri Matelson

Commissioners Absent

Gillian Sherwood

Staff Present

Peter Russell
Alexandra Perrault
Luan Mitchell

The regular meeting of the Planning and Zoning Commission for the Town of Silver City was called to order at 7:00 p.m. by Chair David Gershenson. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Approval of Agenda

Commissioner Bonomo moved to approve the agenda as written. Commissioner Abbott seconded the motion. All in favor, motion carried.

Approval of Minutes

Commissioner Jones moved to approve the Minutes of the October 6, 2009, meeting as written. Commissioner Matelson seconded. All in favor, motion passed.

Old Business

None

New Business

Public Hearings

ZC 09-2 - request for a Map Amendment/Zone Change from Commercial to Residential B for a tract of land approximately 0.17 acres in size, and located on a tract of land addressed as 1208 Corbin St., Lot 8, Block 243, Section 3 of the Fraser Addition. The applicant is Lillian J. Marquez.

There was no ex parte communication or conflict of interest on the part of any commissioner present. Two people were sworn in for testimony. Alexandra Perrault presented the case explaining that the applicant is asking for a zone change from

commercial to residential B in an area where the commission has previously granted zone changes due to the fact that although zoned commercial, the area is predominantly residential in use. She explained that it is an area that is being considered for rezoning to mixed use when the new Land Use Code is approved. The difficulty for the applicant is that she wants to refinance her house and since it is in a commercial zone, the banks charge a higher interest rate. Ms. Marquez contacted 20 people in accordance with the Citizen Participation Ordinance and had only one reply from Jose Antonio Rivera who was supportive of the zone change. Chair Gershenson asked if there was anything different about this request from the many others and Ms. Perrault answered no. Commissioner Matelson asked if the area changes to mixed-use, would the applicant have to apply for another zone change. Again, the answer was no. Commissioner Jones asked if any of the other granted zone changes had resulted in spot zoning. Ms. Perrault answered that several had and that even the ones that involved two or more properties still would be considered spot zoning.

Commissioner Jones moved to recommend approval of ZC 09-2 to the Town Council, with the finding that the proposed amendment is in substantial compliance with the Town's Comprehensive Plan. Commissioner Foster seconded and the motion was approved by unanimous roll call vote.

Reports from Staff

None

Reports from Commission

None

Community Input

None

Adjournment

Commissioner Abbot moved to adjourn the meeting. Commissioner Bonomo seconded the motion. All in favor, the meeting adjourned at 7:20 p.m.

David Gershenson
Planning & Zoning Commission Chair

Approved December 2, 2009