

MINUTES
Tuesday May 4, 2010
Planning and Zoning Commission Meeting
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Lori Ann Bonomo
Ken Foster
Alice Jones
Teri Matelson
Gillian Sherwood

Commissioners Absent

Chair David Gershenson
Doug Abbott

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 7:10 p.m. by Vice Chair Teri Matelson. 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. Commissioner Jones seconded and the motion passed unanimously.

Approval of Minutes

Commissioner Foster moved to approve the Minutes of the March 2, 2010, meeting. Commissioner Jones seconded. All in favor, motion passed.

Old Business

None

Public Hearings

SD 09-1 – a preliminary subdivision plat request for the dividing of a 27.5 acre tract of land into 56 lots either 2,500 or 5,000 square feet in size. The tract of land consist of recently vacated portions of Reynolds Street, Newsham Street, Durango Street, Market Street, Kelly Street, 6th Street, 7th Street, 8th Street, College Street, 10th Street, and all of Blocks 114, 115, 116, 117, 118, 119, 150, 151, 152, 153, 154, 155, 188, 189, 190, 191, and 192, including part of Blocks 218 and 219, Section 2 of the Fraser Survey. The applicant is the Town of Silver City.

Five people were sworn in for testimony. There was no ex parte conversation or conflict of interest. Alexandra Perrault presented the case stating that the area had been rezoned from Industrial to Residential B. She also explained that the previous subdivision plat for the area had been vacated. She said all Town department heads were satisfied with the preliminary

plan with the condition to improve the intersection of Mountain View Road with 10th Street. When asked what improvements would be made, she said it was a Town project and they wouldn't know if it would be funded until June, but regardless of the funding, someone would have to make the improvements. Peter Russell explained that there will be turn lanes added to the intersection. Zan suggested a second condition that the applicant must have an approval letter from Qwest that had not yet been received.

Tim Grattan, Pam Weber and Ron Witherspoon, architects and engineers for the project presented the plans showing the different phases proposed, the water and sewer lines, streets and open areas.

Mr. Russell explained that the subdivision is for "affordable housing" for people earning 50% to 120% of the median income for Grant County, which is approximately \$46,000.

Commissioner Matelson asked whether or not the homes in the subdivision were going to be passive solar, because she said the designs did not look like they had taken that into account. Ron Witherspoon responded that the homes would be designed under the New Mexico Mortgage Finance Authority's Enterprise Green Communities Program for sustainability, which is the middle tier of the program. The homes will have to beat the average consumption rate by a certain percentage with passive home designs that include increased insulation and more efficient air conditioners. He pointed out that this was not the same as passive solar, but has to do more with a tighter insulated home. Mr. Russell added that other options were being explored, such as the use of Energy Star appliances, structurally insulated panels (SIPs), and solar water heating, but the Town will still have to meet the goal of having the homes be affordable. He did add that the proposed street lights will be solar.

Commissioner Jones asked if there were any common play or park areas. The response was that the large natural area was considered common area. She asked how safe it was for children since it included the drainage ponds and it was explained that the drainage is for flow through of storm water and would not be a standing pond. Commissioner Sherwood asked if there would be any handicap accessible houses. Mr. Witherspoon explained that a minimum of 5% of the homes must be handicap accessible by law. Ms. Sherwood also asked what kind of dwellings would be on the 2500 sq. ft. lots. Peter Russell explained that those would be designated for duplexes or four-plexes, each half or quarter being on its own lot but joined at connecting property lines.

Commissioner Jones moved to approve the preliminary subdivision plat with conditions mentioned above. Commissioner Foster seconded. The motion was passed by a unanimous roll call vote.

VA 10-3 – request for a variance to allow a lot size of 2500 sq. ft. and 25' of street frontage instead of the required lot size of 5000 sq. ft. and 50' of street frontage (Table 151.033(B) of the Land Use Code). The property is located on a tract of land in a Residential B zone, and consists of recently vacated portions of Reynolds Street, Newsham Street, Durango Street, Market Street, Kelly Street, 6th Street, 7th Street, 8th Street, College Street, 10th Street, and all

of Blocks 114, 115, 116, 117, 118, 119, 150, 151, 152, 153, 154, 155, 188, 189, 190, 191, and 192, including part of Blocks 218 and 219, Section 2 of the Fraser Survey. The applicant is the Town of Silver City.

Six people were sworn in for testimony. There was no conflict of interest or ex parte conversation. Zan Perrault presented the case. Her staff report included one comment in opposition to the variance from Randall Gose, owner of Oakridge Home Industries, who felt the Town should have to follow the same rules as everyone else. Commissioner Matelson pointed out that the Town was following the same rules because everyone is allowed to request a variance.

Commissioner Foster questioned whether the new Land Use Code, if passed, will allow lot sizes of 2500 sq ft. Ms. Perrault answered that if the new LUC is approved, for lots that would accommodate duplexes that would be true.

M. Jim Goodkind asked how reducing street frontage to 25 feet would affect handicap access. He also suggested that more than 5% of the homes should be handicap accessible as more and more people are living longer but with age comes disability. It may not be financially feasible for them to retrofit their homes. It was explained that it was preferable for the lots to be sold before the houses are built and the owners would have the option of having the house built with handicap access. Peter Russell said he did not see how the 25-foot lot width would affect accessibility. The issue is vertical, not horizontal. Also, all of the homes, single family or connected will have garages for parking.

Commissioner Jones moved to approve the variance. Commissioner Sherwood seconded and the motion was passed with a unanimous roll call vote.

New Business

None

Reports from Staff

Ms. Perrault said the Planned Unit Development that the commission had heard and approved in March had been approved by the Town Council after discussion in closed session. She commented that the commission seldom goes into closed session and is an example of true transparency. She wanted to commend the commission for that. She also noted that we now have a Sustainability Director, jointly hired with the county. Commissioner Jones asked that he be put on the agenda when they are prepared to ask questions.

Reports from Commission

Commissioner Sherwood asked if there was any progress by the Town Council on approving the revised Land Use Code. Peter Russell explained that the council put off looking at it until after the new councilors were sworn in, and also, since he will be away for a month, he believes they will postpone the work sessions until he returns.

Commissioner Matelson suggested the commission meetings should be run more like the council meetings with less interrupting.

Community Input

None

Adjournment

Commissioner Bonomo moved to adjourn; Commissioner Jones seconded. The meeting was adjourned at 8:45 pm by unanimous vote.

David Gershenson, Chair
Planning & Zoning Commission Chair

Approved June 1, 2010