



## MINUTES

### Planning and Zoning Commission

Tuesday, April 3, 2012  
Grant County Administration Building  
1400 Hwy 180 East  
Silver City, New Mexico

#### **Commissioners Present**

Alice Jones, Chair  
George Lundy  
Sherry Clements  
Rodger Koest  
Alexandra Perrault

#### **Commissioners Absent**

Nickolas Seibel  
John Tafoya

#### **Staff Present**

Jim Coates, Planner  
Jaime Reading, Planner

The regular meeting of the Planning and Zoning Commission was called to order at 7:02 pm by Chair Alice Jones. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

#### **Approval of Agenda**

A vote was not taken to approve the agenda.

#### **Approval of Minutes**

Chairperson Jones requested the following changes to the minutes on page 1, under Old Business; "The reason for the repeal is that the rules and procedures of the Planning and Zoning Commission are spelled out in the new Land Use Code and Town Ordinances. The Bylaws and Rules of Procedure are no longer needed." On page 1 of Appendix A, under Neighborhood, bullet 1; "from" should be added between fruit and neighbors'. On page 1 of Appendix A, under Pedestrians and Bicyclists; "Narrow street for volume of traffic; unsafe passing observed". On page 2 of Appendix A, under potential solutions, bullet 9; "Church does not own the land suggested". On page 2 of Appendix A, under potential solutions, bullet 16; "...with appropriate signage installed" should be included after designation as an official neighborhood. Commissioner Lundy moved to approve the minutes of the March 6, 2012, meeting as amended. Commissioner Clements seconded and the motion passed unanimously.

### **Old Business**

The Commissioners discussed the information from the Alabama Street Community Forum. Commissioner Lundy stated that he was pleased with the information gained from the forum. He would like to make sure that the momentum from the forum continues. Chairperson Jones has spoken to the Mayor about the forum and will be speaking to the County Commission. She requested that staff send the information from the forum to the Town Council, the County Commissioners and the County Manager. Chairperson Jones will present the information at a later meeting of the County Commission. Commissioner Perrault would like to continue the process of evaluating the Alabama Street corridor so that the participants in the Community Forum feel that their input was valuable. Chairperson Jones stated that the Commission is meeting its goals in regard to the issue. Commissioner Lundy stated that it is beneficial that the issue keeps coming up before the Council and County Commission. Jim Coates stated that Peter Russell and Chief Reynolds have toured the area and are looking into solutions. He also stated that the neighbors were pleased with the forum. The citizens at the forum were appreciative of the fact that the Commissioners were close to the audience. At future meetings, the Commissioners will be seated physically closer to the audience.

### **Public Hearings**

**DA 12-01** is a Dimensional Adjustment request to allow a reduction in off-street parking spaces by less than ten percent from 88 to 81 spaces. The parcel is addressed as 2707 HWY 180, Silver City, NM and the applicant is The Tractor Supply Company. There was no conflict of interest or ex parte communication on the part of any commissioners.

Three people were sworn in for testimony. Jaime Reading presented the case and read the staff report. The applicant wishes to be allowed a Dimensional Adjustment to reduce the off-street parking by less than ten percent from 88 to 81 spaces. Mr. Brian Miller spoke as his client's representative.

Chairperson Jones requested further information on the process to determine how many spaces the property required. Commissioner Perrault asked what the original number of spaces was before the bicycle reduction was included. Commissioner Lundy noted that the company has added the three large truck and trailer spaces which reduced the total number of spaces available. Chairperson Jones questioned the practicality of the addition of bicycle spaces.

Brian Miller explained the nature of business conducted by The Tractor Supply Company. He explained the detailed demographic and parking studies that the company has completed in order to design their parking lot. They have over 300 stores across the country and have a large amount of data available for planning use. Mr. Miller stated that the application meets all four required findings in order for the Dimensional Adjustment to be granted. Commissioner Clements asked how many employees will be parking at the facility at any given time. Mr. Miller was not sure of the number but stated that it will likely be under 11. Commissioner Clements was also concerned about using the parking area for outdoor sales. Mr. Miller explained that there is a dedicated outdoor sales area and no parking spaces will be used for displays or sales events. Commissioner Lundy stated a concern that the company would have to re-apply for another Dimensional Adjustment if they wanted to add more truck and trailer spaces. Staff showed the

commissioners the areas of the lot where additional parking could be added in the future if needed. Addition of parking area will not need an additional Dimensional Adjustment. Commissioner Clements stated that the comment by Code Enforcement regarding bags blowing onto the property should not be considered as that is not pertinent to this Dimensional Adjustment. Commissioner Perrault had concerns about the loading area to the north of the building. Mr. Miller explained the dimensions of the loading area on the survey and site plan to her satisfaction.

Commissioner Lundy moved to approve DA 12-01, a Dimensional Adjustment to reduce the off-street parking by less than ten percent from 88 to 81 spaces as it meets all four required findings;

1. The requested dimensional adjustment is consistent with the stated purposes of the Land Use Code, and
2. The requested dimensional adjustment is consistent with the stated purposes of the Comprehensive Plan, and
3. The granting of the adjustment will not be detrimental to the public health, safety, comfort, convenience, and general welfare, and will not adversely affect the established character of the surrounding neighborhood, and
4. The requested dimensional adjustment will not be injurious to the property or improvements in the vicinity of the property for which a dimensional adjustment is requested.

There were no conditions attached to the approval by the Commission. Commissioner Perrault seconded the motion. The matter was passed by a unanimous voice vote.

**ZC 12-01:** A request for a Map Amendment/Zone Change for a tract of land addressed as 1419 Corbin Street, Silver City, NM, which is currently zoned Commercial. The parcel is described as part of Lots 1, 3 and 5, Block 1 of the Schadel Subdivision. The request is to amend the Official Zoning Map for the property from Commercial to Mixed-use. The applicant is Emelia Imperiale.

There was no conflict of interest or ex parte communication on the part of any commissioners. Three people were sworn in for testimony. Jaime Reading presented the case and read the staff report. Mrs. Colleen Stinar spoke as the client's representative.

The property is near several other properties that have been changed to allow residential use. Mrs. Stinar stated that the block is currently residential and the Zone Change/Map Amendment will not change the use of the block. Lenders will not allow residential loans in areas that are zoned as Commercial. None of the Commissioners had any comment.

Mr. Coates stated that larger map changes will be started at the end of the current month and should go before the Commission at the June meeting and the Town Council in July. The block the residence is located on will be included in the proposed area to be changed to Mixed-use.

Commissioner Clements moved to approve ZC 12-01 as it meets findings 1, 2, 4 and 7 presented by staff;

1. The proposed amendment is in substantial compliance with the Town's Comprehensive Plan;

2. The proposed amendment will not adversely affect the implementation of the goals and policies of the Town's Comprehensive Plan;
  4. The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Land Use Code;
  7. The proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code.
- Commissioner Koest seconded the motion. The matter was passed by a unanimous voice vote.

**New Business**

None

**Community Forum**

A tentative infrastructure Community Forum was scheduled for the June meeting pending review of the other agenda items that will be scheduled as Public Hearings.

**Reports from Staff**

Jim Coates reported that the changes to the Zoning Map are going forward. The Historic Downtown Commercial District will be the first district to be completed, followed by Mixed-use and Residential B. The other districts will follow. Commissioner Koest reported that real estate sales have increased in the area of Corbin Street and that the zone changes will likely increase. He was pleased with the areas that will be changed first. The May meeting will be Chair person Jones' last meeting. Commissioner Clements was concerned with ex parte communication if she attended the Community Forums for the Map Amendments. She will contact the Town Attorney for clarification.

**Reports from Commission**

None

**Community Input**

None

**Adjournment**

Commissioner Perrault moved to adjourn the meeting. Commissioner Clements seconded and the motion passed unanimously. The meeting was adjourned at 8:15 pm.

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Alice Jones, Chair  
Planning & Zoning Commission

Approved May 1, 2012