



VILLAGE OF RUIDOSO
Village Hall
313 Cree Meadows Drive



PLANNING COMMISSION
REGULAR MEETING
DRAFT MINUTES
February 02, 2010 2:00 PM

1. CALL TO ORDER & ROLL CALL

The meeting was called to order by Chairman Glen Barrow at 2:00 pm. Roll call was taken. Members present were Chairman Barrow and Commissioners Barnett, Dutton, Hood, and Hirschfeld. Commissioner Alborn was absent. Commissioner Williams was absent at the beginning of the meeting but arrived at approximately 2:05 pm.

Staff present was Village Attorney Daniel Bryant, Deputy Village Manager Bill Morris and Staff Planner Jennifer Williams. Building Official Shawn Fort were present in the audience.

2. CERTIFICATION OF COMPLIANCE WITH RESOLUTION 2009-01

Mr. Morris stated that we were in compliance with Resolution 2009-01.

3. ADOPTION OF RESOLUTION 2010-01, A RESOLUTION DECLARING REASONABLE NOTICE OF PUBLIC MEETINGS FOR THE PLANNING COMMISSION

Commissioner Hood asked if the item could be moved to the bottom of the agenda so that some discussion could take place later on in the meeting. She didn't want the public to have to sit through the discussion about the resolution.

4. APPROVAL OF AGENDA

A motion was made by Commissioner Barnett to approve the agenda with the change that item 3 be moved to after item 8, Public Input. The motion was seconded by Commissioner Dutton. The motion passed with all ayes.

5. APPROVAL OF MINUTES

A. Regular Meeting – January 05, 2010

Commissioner Hood stated that she wanted to commend the presentation of the minutes for January 05, 2010. Adding that she thought they were excellent.

Commissioner Hood made a motion to approve the minutes as presented. The motion was seconded by Commissioner Barnett. The motion passed with all ayes.

6. PUBLIC HEARING

- A. PZA10-001 – Zone District Amendment – Lot 15A, Block 1, Forest Heights Subdivision; Wayne Usrey, Applicant (Case postponed from January 5, 2010 and then withdrawn by applicant)

Mr. Morris stated that this application is not coming back to the Commission. Chairman Barrow asked why the case was listed if it has been completely withdrawn. Mr. Morris stated that it was noticed in the paper so staff included it on the agenda just for that reason.

- B. PV10-001 – Variance Request – Lot 3A, Block 7, Wingfield Homestead 2nd Addition; James Lattimer, Applicant – DT Collins & Associates, Agent

Eric Collins approached the podium and discussed the details of the case. He stated that the applicant was asking for a variance because the applicant would like to make a few small additions to the property. Mr. Collins reminded the Commission that a few years ago a portion of the road was vacated in an effort to correct an encroachment into the public right of way. He stated that the additions are shown on the plats included in the application packet. He also added that since the property is on a corner, there is a lot of land that might appear to be part of the property but actually is the road right of way. Mr. Collins stated that he put up stakes at the property to show the boundary lines.

Chairman Barrow stated that from any point of the pavement, the property is quite a ways. Mr. Collins confirmed that there is at least 20 feet from the roadway to the addition.

Chairman Barrow asked if anyone of the public would like to comment. No one came forward.

Commissioner Hirschfeld made a motion to approve the variance request. The motion was seconded by Commissioner Barnett.

Commissioner Dutton stated that there should have been a reason in the motion.

Commissioner Hood asked if it was appropriate to include as a condition that the project must begin by a certain date and be completed by a certain date. Mr. Morris stated that the work will be done with a building permit and the lifetime of the building permit is one year.

Commissioner Hirschfeld amended his motion to approve the variance request as presented. The motion was seconded by Commissioner Barnett. The motion passed with all eyes.

- C. PV10-002 – Variance Request – Lot 3, Block 5, Airport West Subdivision; Martha and Francisco Sonora, Applicants – Ruidoso Land Surveying, Agent

Attorney Bryant stated that for the record, we spelled their name wrong in the agenda. It is spelled Sonora.

Ms. Sonora approached the podium and discussed the details of the case. She stated that her son was building the deck. She stated that they wanted to build the deck to help her husband who is disabled to get around the property easily and safely. She stated that the work was started and stopped because they weren't aware that they needed to take out a permit. Once they realized they were supposed to have a permit, they took the necessary steps. Ms. Sonora explained the design of the deck.

Chairman Barrow asked if anyone in the audience wanted to speak. No one approached the podium.

Commissioner Dutton stated that while he planned to vote in favor of the variance, he wanted to just remind the public that it is sometimes difficult to get behind these requests when the work has already begun and proper procedures were not followed. He added that in El Paso they must have similar processes for building permits and variance requests and that people need to be aware that the processes exist and that they need to be followed.

Commissioner Hood made a motion to approve the variance request with conditions as presented. Commissioner Williams seconded the motion. Mr. Morris stated that he would like to add the condition that the work is done within one year. Commissioner Hood accepted the condition that Mr. Morris added and Commissioner Williams agreed. The motion passed with all eyes.

7. REGULAR ITEMS

- A. PSD10-001 – Site Plan Approval – South 1/2 of lots 18-21, Block 9, Palmer Gateway Subdivision; Caughron Investments, LLC, Applicant – Shaw Engineering, Agent

Mr. Caughron approached the podium and introduced himself. He stated that he was here to ask for an approval of the new building which will replace the building which burned down.

Chairman Barrow asked if the new building was the same footprint as the old. Mr. Caughron stated that it was not. There were a few changes that were made and Mr. Caughron went through a list of the changes that were made in designing the new building.

Commissioner Hood stated that she thought the building being moved back in the lot was going to make a big improvement to the property.

Mr. Morris stated that the project meets all of the requirements of the code. The conditions of approval on page for of the staff report are also directly on the site plan so that there should be no confusion about what is required. He added that staff would recommend approval.

Commissioner Hood asked if this was a preliminary and a final plat. Chairman Barrow stated that it was a site plan approval and didn't require a preliminary and a final. It is basically a final plat. Chairman Barrow asked if anyone in the audience wanted to speak. No one indicated that they did.

Commissioner Dutton made a motion to approve the site plan with conditions as presented. Commissioner Hirschfeld seconded the motion. The motion passed with all ayes.

8. PUBLIC INPUT

Rick Albers asked how it is determined if an item is to be a public hearing or a regular item. Commissioner Hood stated that the code determines which items are heard as a public hearing item and as a regular item.

Mr. Morris introduced Janet Lynn to the Commission stating that she would be temporarily sitting behind the front desk in the Planning, Zoning and Building Department.

3. ADOPTION OF RESOLUTION 2010-01, A RESOLUTION DECLARING REASONABLE NOTICE OF PUBLIC MEETINGS FOR THE PLANNING COMMISSION (Moved from item 3 of the agenda)

Commissioner Hood stated that she wondered if it would be appropriate to postpone this until the March or April meeting, not only to allow for new appointments or re-appointments to make a vote on the resolution but to also allow time for her to meet with staff to go over some of the items that are unclear. **With that, Commissioner Hood made a motion to postpone a vote until the April meeting.**

Commissioner Dutton asked if this resolution was the same or different then what was prepared last year. Mr. Morris stated that it was basically the same with the exception of the two meetings a month which was added. Commissioner Dutton then asked if the document was prepared or reviewed by the legal counsel. Attorney Dan Bryant stated that he did not prepare this particular document but that he has read it and it is acceptable. Commissioner Dutton asked what areas of the document Commissioner Hood found objectionable. Commissioner Hood went through the document and pointed out areas where the document needed to be clarified.

Commissioner Dutton seconded the motion to postpone a vote until the April meeting. The motion passed with all ayes.

9. STAFF REPORTS

A. DISCUSSION OF THE FOLLOWING ITEMS:

I. Code Enforcement Update – report was presented to the Commission for review.

Mr. Morris stated that staff is working to codify the land development approval process. He stated that we reinstated a new tracking chart. In addition, he added that we are trying to put together a development manual that includes the processes for everything that the Planning Department does. This manual will allow us all to be on the same page and be able to take some of the mystery out of some of the processes that take place. He stated that we are also investigating creating a formal land development process.

10. COMMISSIONER COMMENTS

Commissioner Hirschfeld asked if there was a report from Shawn as far as red-tags, change of use, new businesses, etc. Mr. Morris stated that he is still working on getting some of these things together. He stated that many of the items are already available and can be provided on a regular basis.

Commissioner Dutton brought up section 54-196B of the sign code, which references political signs. He stated that much of that statement is ridiculous and needs to be reviewed.

Commissioner Barnett stated that she was resigning from the Commission and that she believed that her last meeting would be March. She stated that she had fun and appreciated the opportunity.

Commissioner Williams also extended her resignation and expressed that she enjoyed her service.

Commissioner Dutton stated that he appreciated all of the time that everyone put into the Commission.

Commissioner Hirschfeld stated that even though he wasn't able to find anything in the sign code that outlawed the moveable signs, he is almost certain that they were outlawed in some way. He asked if staff could look into that possible sign code change. Mr. Morris asked if anyone remembered how long ago it was. No one remembered exactly, just that it had been several years.

Attorney Bryant stated that in 2007 he thought that he addressed this question before. He seemed to recall finding something in the code that regulated but didn't outlaw these types of signs. He stated that he would look for the discussion and get that to everyone.

11. ADJOURNMENT

The meeting was adjourned at 2:42 pm.