

**PLANNING BOARD MEETING
MINUTES
October 20, 2009**

The Planning Board met on October 20, 2009 at 10:00 a.m. at the Hobbs Public Library, Public Meeting Room, located at 509 North Shipp Street, Hobbs, NM 88240 with Mr. W. M. "Tres" Hicks, Chairman presiding.

Members Present:

Members Absent:

W. M. "Tres" Hicks, Chairman
Guy Kesner, Vice Chairman
Sam Cobb
Bill Ramirez
Brett Drennan

Also present were members of the public and City staff as follows:

Joe Dearing, City Planner
Kevin Robinson, Project Manager
Carlos Guzman
Beth Hahn

Julie Nymeyer, Staff Secretary
Dennis Holmberg
Eric Enriquez, Fire Marshal
Justin Welch

1) Call To Order.

Chairman Hicks called the meeting to order at 10:00 a.m.

2) Review and Consider Approval of Agenda.

The first item of business was to review and approve the Agenda for the October 20, 2009 meeting. Mr. Hicks asked Mr. Jack Horn if he would like his item to be moved from item #7 to the beginning of the Agenda. Mr. Horn said he would appreciate that. Mr. Cobb made a motion, seconded by Mr. Jones to approve the agenda with the agenda change. The vote on the motion was 5-0 and the motion carried.

3) Review and Consider Approval of Minutes.

August 18, 2009 – Regular Meeting

Mr. Ramirez made a motion seconded by Mr. Kesner to approve the Regular Meeting Minutes for August 18, 2009 as presented. The vote on the motion was 5-0

and the motion carried.

September 15, 2009 – Regular Meeting

Mr. Cobb made a motion seconded by Mr. Ramirez to approve the Regular Meeting Minutes for September 15, 2009 as presented. The vote on the motion was 5-0 and the motion carried.

September 29, 2009 - Special Meeting

Mr. Hicks said on the September 29, 2009 Special Meeting Minutes he would like to make one change. He said on page 2 item #5 where parkway landscaping was discussed it should be changed from a maximum to a minimum. Mr. Kesner made a motion seconded by Mr. Jones to approve the Special Meeting Minutes for September 29, 2009 with the change as noted. The vote on the motion was 5-0 and the motion carried. Mr. Drennan arrived at the meeting.

7) Progress Report and Update – Park Development in Ranchview Estates. City staff will make a brief update to the Planning Board on efforts to complete these park developments.

Mr. Horn discussed the park developments and said that the park is 100% complete. He said that they are in the process of turning the deeds over to the city.

4) Review and Consider Subdivision Proposals.

A. Step 1 Subdivision Sketch Plan for La Paloma Subdivision South, submitted by Daniel Johncox, Young's Mobile Homes. The proposed subdivision is located south of Kansas Street and east of Dal Paso within the extraterritorial jurisdictional area. The proposed area is 40 +/- acres containing 42 lots with an average density of 1 per acre.

Mr. Dearing discussed the new subdivision proposed on Kansas Street in the ET Planning area. He said the subdivision is located about a half mile east of Dal Paso and is an expansion of La Paloma Subdivision. He said this is a request by Mr. Daniel Johncox. He said the subdivision total amount is 42 lots on approximately 45 acres. He said there is no minimum frontage establish. He said the other comment concerns that these will be 42 new lots with 1 acre septic systems and a well on each of them. He said he thought the State and County both have regulations on how much land you must have to have a water well and septic system. He said this type of density will require a waiver.

Mr. Dearing said that it would be good to limit the number of driveways fronting Kansas. Mr. Cobb asked if he was requesting a 10 foot setback? Mr. Jones said the County will require a 60 foot ROW with a total of 75 feet off of the section line.

Mr. Hicks said the only real issue then is the number of driveways off Kansas because it is a Major Collector. Mr. Hicks said there will be two variances which will be the block length and access on Kansas. Mr. Kesner made a motion to recommend approval to the City Commission, seconded by Mr. Jones to accept the variance on Kansas as long as Mr. Johncox approves the ROW and adheres to the setback requirements based on the MTP and he also accepts the variance on the block length for the two roads on Verde and Casa Bonita. Mr. Cobb asked about the fence setback line. Mr. Dearing said the fence setback line would be 21 feet for a 6 foot fence or a 2 foot fence can go on the property line. Mr. Kesner amended his motion, seconded by Mr. Jones to match the Building Code Regulations for the MTP fence setback. The vote on the motion was 6-0 and the motion carried.

B. Summary Subdivision Approval of the James Walker Summary Subdivision located in the northeast corner of Iron Avenue and North Dal Paso Street. Tierra Realty Trust of Ranchos de Taos has submitted a preliminary proposal to locate a 60 unit multi-family apartment project on the site.

Mr. Dearing said that he is presenting this item because there is a Right-of-Way dedication for an extension of Glorietta Drive. He said the purpose of the subdivision is to create a back lot of 6.4 acres proposed for a new housing development by Tierra Realty. Mr. Kesner asked who would build Jefferson Street? Mr. Dearing said the person that builds to the north and that land is owned by Ranchview. He said that part of Jefferson is in the Ranchveiw Master Plan. Mr. Kesner said that he does not want the tax payers to pay for infrastructure in the future because the developer could not pay for them. Mr. Hicks said in the development agreement with the city the rest of the Glorietta extension will be paid for by whoever does the rest of the access to the north. After a lengthy discussion about the roadway and ROW's, Mr. Jones made a motion, seconded by Mr. Drennan to approve the Summary Subdivision. The vote on the motion was 3-2 with Mr. Cobb and Mr. Kesner voting no and Mr. Hicks abstaining.

C. Merced Flores Summary Subdivision located at the northwest corner of East Marland Boulevard and Fourth Street.

Mr. Kevin Robinson said that this is a three lot subdivision on Marland Street. He said he is asking for an additional amount of ROW. He said this will allow at least two driveways on tract A and tract B. Mr. Kesner asked if the lots would be functional with a 35 foot setback. Mr. Robinson said it would be a pick and choose as to what could be on the lot. Mr. Ramirez made a motion, seconded by Mr. Drennan to approve the subdivision with 21 foot setbacks on Marland Street and 10 foot setbacks on 4th Street, and to grant a front setback variance of 14' from the 35 foot required by the Major Thoroughfare Plan . The vote on the motion was 6-0 and the motion carried.

5) Review and Consider Setback Variance Requests.

A. Review and Consider a 35' Front Yard Setback Variance located on a proposed Summary Subdivision parcel on the Holiday Inn Express property on Lovington Highway, submitted by Windstream Communications. A setback of 45 feet is required by the Major Thoroughfare Plan on a Major Arterial and the proposed setback is approximately 10 feet resulting in a variance request of 35 feet.

Mr. Justin Welch, Outside Plant Engineer with Windstream and Mr. Joe Harvey the Operation Manager for the Windstream in the State of NM were at the meeting to answer any questions. Mr. Harvey said that after seven months of negotiations with various land owners they have finally located a place to put their cabinet and equipment which is a DLC (digital line carrier). He said the largest cabinet dimensions are 50 x 52 x 75 inches. Mr. Cobb made a motion, seconded by Mr. Jones to approve the setback variance. The vote on the motion was 6-0 and the motion carried.

B. Review and Consider 21' Side Yard Setback Variance located at 1007 N. Coleman. La Esperanza Meat Market has submitted a variance request to allow a side yard setback of 0' at Coleman Street. Coleman Street is designated as a minor residential street with a 70' right-of-way.

Mr. Robinson said that the La Esperanza Meat Market has submitted a variance for a 0 foot side yard setback for Coleman Street. Mr. Dearing said that they would like to expand 23.5 feet towards Coleman Street which was a 70' right of way. Mr. Hicks asked if it would line up with Blaine Chemical. Mr. Robinson said it would be approximately a foot east of Blaine. Mr. Hicks said that parking was a problem in the area. He suggested they need to organize their parking possibility with striping. Mr. Jones made a motion, seconded by Mr. Ramirez to approve the Setback Variance to 0 feet with the recommendation to clarify their parking issues as part of the building permit, including striping. The vote on the motion was 6-0 and the motion carried.

6) Review and Consider Street and Alley Right-of-Way Vacation Requests.

A. Right-of-Way Vacation Request of a portion of Texas Street located between Grimes Street and the railroad and west of the railroad property. Hobbs Iron and Metal is the applicant submitting the request.

Mr. Dearing said this vacation is proposed west of the railroad tracts on a part of Texas Street that is between the two properties owned by Hobbs Iron and Metal. Mr. Carlos Guzman at 1205 S. Hannah said that it was difficult to get through that area because of the road construction on Main Street and he requested the City to consider opening up Texas Street. Mr. Dearing said that he would see what could be done to help with the traffic flow and try to get Main Street opened. Mr. Jones

asked if they are being asked to vacate all of the 60 foot ROW through Texas. Mr. Dearing said there are no Rights-of-Way across the railroad just from Grimes ROW east to the railroad. Mr. Hicks asked if Hobbs Iron & Metal owned Western Liquors. Mr. Robinson said that he believed Hobbs Iron & Metal was the owner of Western Liquors according to the Lea County Clerk's Office. Mr. Dearing said that there should be a title search done to make sure that Hobbs Iron & Metal does own Western Liquors before it goes to Commission. Mr. Ramirez made a motion, seconded by Mr. Drennan to approve the Vacation of a portion of Texas Street on the condition that there is a title search on Western Liquors. The vote on the motion was 6-0 and the motion carried.

- B. Right-of-Way Vacation Request of an alleyway running east - west through the center of Block 75 of the Original Hobbs Addition, located between Fowler Street and Mckinley Street and north of Marland Street. Victory Center Church has submitted the request to vacate the alley.**

Mr. Hicks asked why they wanted to vacate the alley. Mr. Dearing said they do not want traffic to run through there and they would like to separate their outside children play areas from the main building. He said they would have to grant a utility easement. Mr. Cobb said the alley does not serve anyone else other than the church so he does not have a problem with it. Mr. Kesner made a motion, seconded by Mr. Drennan to approve the Right-of-Way Vacation Request as long as the utility companies agree to the vacation. The vote on the motion was 5-0 with Mr. Jones abstaining.

8) Continued Review and Discussion of Landscaping Issues.

There was not enough time allowed for this item.

9) Communications from Citizens.

There were no further communications from Citizens.

10) Adjournment.

The meeting adjourned at 12:02 p.m.