

Meeting Minutes
City of Hobbs Planning Board Meeting
SPECIAL MEETING
September 29, 2009

The Hobbs Planning Board conducted a Special Meeting on September 29, 2009 at 10:00 am in the Public Meeting Room at the City Library, located at 509 N. Shipp Street, Hobbs, NM 88240.

Members Present:

W.M. "Tres" William Hicks, Chairman
Guy Kesner, Vice Chairman
Gary Jones
Sam Cobb, Acting Chairman
Bill Ramirez

Members Absent:

Brett Drennan

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

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

Julie Nymeyer, Staff Secretary
Dennis Holmberg
Members of the public

1) Call To Order.

The meeting was called to order at 10:04 am by Chairman "Tres" William Hicks.

2) Review and Consider Approval of Agenda.

The first item of business was to review and approve the Agenda for the September 29th, 2009 Special Meeting. Mr. Ramirez made a motion to approve the agenda as presented, seconded by Mr. Jones. The vote on the motion was 5-0 and the motion carried.

3) Third Review - Discuss Amendment to Right-of-Way Vacation Policy Concerning Compensation to The City for Right-of-Way being vacated by the City. Tabled by the City Commission and returned to the Planning Board for further study.

Mr. Hicks discussed #3 of the ROW Vacation policy. He said if a developer fails to finish a subdivision and then there is an adjacent subdivision and you have to go through the subdivision that has not been completed there is a possibility that the City will have to purchase ROW if the ROW has been given back to the developer. Mr. Dearing said that if the city determines that both collectors are needed then a vacation would not be approved. He said it is not in the policy but just the normal

review of the MTP and the Master Plan. Mr. Cobb said that given the nature of the real estate development in this community there are a lot of developments that have platted and dedicated streets that do not complete. Mr. Dearing said that he will put it in the policy that the Planning Board may consider such circumstances that a future collector is dedicated but not built. Mr. Kesner said that you could state the purpose of this policy is to provide fair and equal compensation and if the city does not deem the property to be for the welfare of the community the vacation will not be approved.

Mr. Cobb said that there needs to be a fair market value. Mr. Hicks said if there is going to be any compensation then #3 basically negates the entire policy. Mr. Dearing said yes in anything to do with development. Mr. Cobb said if it gives the right for anyone to take the right-of-way back without any fair market compensation to the city he would not be in favor of that. Mr. Hicks said he knows there has been disagreement about whether or not the city should be compensated for the land at all or whether the compensation should go back to the original developers. Mr. Dearing said that he believed that the land never reverts back to the original developers. The recommendation was then made to delete item #B3 from the draft. Mr. Kesner made a motion, seconded by Mr. Cobb to approve the policy with the following changes; fair market be added in A and that B3 be stricken. The vote on the motion was 4-1 with Mr. Jones voting no and the motion carried.

4) Review and Consider New Policy to require street paving in order to issue building permits for new housing units on unpaved and undeveloped City streets.

Mr. Dearing said the city has a 90 day moratorium on this item. He said the moratorium is coming to the end of the 90 days and a policy needs to be established. Mr. Kesner said that street paving should be consistent with the current Major Thoroughfare Plan and or the current road. Mr. Hicks said a policy should be created that states you cannot get a building permit if there is not a street in place. Mr. Dearing said that anytime there is a building permit comes in where there is not a paved street they will not get a building permit. Mr. Hicks said to address the problem there should be a notice at the courthouse and put signs up.

5) Discuss potential amendments to Landscaping Regulations.

Mr. Cobb asked about the landscaping in parking lots on page 3, paragraph A. He said he thought in previous discussions the trees in parking lots had been eliminated. Mr. Cobb said on the parking lot issue it should state "the city requires trees be planted in visual areas from the roadway". The Planning Board agreed.

Mr. Hicks discussed xeriscaping and The Planning Board decided that 50% of the landscaping would be required to be low water use xeriscaping.

Mr. Dearing discussed parkway or street right-of-way. Mr. Cobb said that there can be a huge amount of landscaping required on parkways that he is not sure there would be a beneficial use for the public. Mr. Kesner agreed and said that beyond 15 or 20 foot width is not useful. After a brief discussion the Planning Board decided parkway's shall be landscaped to a maximum depth of 15 feet.

The Board said they would like to look over the Landscaping proposal and bring it back to the next Regular Meeting.

6) Other Issues

There were no further issues to discuss.

7) Adjournment.

With nothing further to discuss the meeting adjourned at 12:10 pm.