

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
April 15, 2021

This meeting was streamed on Facebook Live
<https://www.facebook.com/riocommunities>

Call to Order

- Chairman Tom Scoggins called to order the Planning and Zoning Commission meeting at 6:42 p.m.

Pledge of Allegiance

- Chairman Tom Scoggins led the Pledge of Allegiance.

Roll Call

- Present- Chairman Tom Scroggins, Vice-Chairman John Thompson, Secretary Scott Adair, Lawrence Gordon, and L. E. Rubin.
- Present- City Manager Dr. Martin Moore and Deputy Clerk Amy Lopez

Approval of Agenda for April 15, 2021

- Vice-chair Thompson said we should move the agenda order from items 7, 8, 9 to items 9, 8, 7.
- Vice-chair Thompson made the motion to approve the agenda for April 15, 2021 as amended. The motion was second by Vice-chair Thompson. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson- yes; Secretary Scott Adair – yes; Lawrence Gordon – yes; L. E. Rubin – yes. With 5-0 vote the agenda for the Planning and Zoning meeting on municipality has not asked for a property tax increase was approved as written.

Approval of Meeting Minutes from April 1, 2021

- Mr. Gordon asked that CID in the minutes be changed to Construction Industries Division to be clearer to the public.
- Mr. Lawrence Gordon made the motion to approve the Meeting Minutes for April 1, 2021 as amended. The motion was seconded by Vice-chair Thompson. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson- yes; Secretary Scott Adair – yes; Lawrence Gordon – yes; L. E. Rubin – yes. With a 5-0 vote the agenda for the Planning and Zoning meeting minutes from April 1, 2021 was approved.

Public Comment

- No comments were made.

Animal Welfare

- Manager Dr. Moore said the attorney is looking at the letter now just to make sure the survey questions are alright, the Municipal Clerk has the mailing list ready, and began a discussion.
- Chairman Scroggins said Deputy Clerk Lopez will inform the commission when the surveys are ready and will send out notice of a possible quorum and continued the discussion.

Approval/non-approval of the variance request involving the construction of a see-through security fence. Legal Description: 480 Rio Communities Blvd #2

- Chairman Scroggins said last time we talked about this variance, we tabled it until we got a survey and we have been provided that this evening and began a discussion.
 - Mr. Chavez explained the history of the property and the problem and said he has asked for a variance to put a nice security fence so that he may sell the property.
- Secretary Adair restated that Mr. Chavez is asking the City to allow him to keep the three posts that have been there since the fence was originally put up even though they are on the City's property as well as allowing him to place a 6' tall see-through fence.
 - Mr. Chavez said the fence is see-through and would not obscure the view.
- Vice Chair Thompson asked when the house was built and what was the distance to the property line and the fence.
 - Mr. Chavez said he did not know when the home was built, and the distance varies and began a discussion.
- Vice-chair Thompson made a motion to grant them his variance since it has not been a problem in the past.
- Manager Dr. Moore began a discussion about private property on City land.
- Mr. Rubin said the fence is no longer grandfathered because the original fabric of the fence has been taken down, but he would like to know if there is a gate in the fence.
 - Mr. Chavez located the gate on the fence on the property map and continued the discussion.
- Manager Dr. Moore said over the next few months, the City will be working on a traffic calming plan that might help solve some of these issues regarding parking and speeding.
- Secretary Adair asked if the City is able to sell property and began a discussion.
 - Mr. Chavez said he would be willing to talk to the City about buying or trading property.
- Manager Dr. Moore said we can approach Council to arrange something that would help both of us, but he would recommend making sure with that type of fencing material that it can be seen through it at that corner and continued the discussion.
 - Mr. Chavez recommended that there be signage on that street that says no parking any time and continued the discussion.
- Secretary Adair said the motion is to accept the materials to build the see-through fence at a maximum height of 6,' with a 3' height if necessary, to maintain the 25' line-of sight and everything as far as the fence-line that it outside of his property will be tabled and given to Council to act on.
- Vice-chair made a motion to grant conditional approval to Mr. Chavez to erect a 6' fence given his described materials at the same points of his prior fence-line based subject to resolution of property boundary with Council. Lawrence Gordon seconded the motion. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson- yes; Secretary Scott Adair – yes; Lawrence Gordon – yes; L. E. Rubin – yes. With a 5-0 vote the motion to accept the materials used to build the fence at specified height with Council's approval of the fence boundary to was approved.

Manzano Expressway Access

- Vice-chair Thompson said he has noticed on the expressway there is a backyard access that is very nice, graveled, and clean of weeds.
- Chairman Scroggins began a discussion regarding easement regulations.
- Vice-Chair Thompson said there was a problematic area in the City that a gentleman took a whole summer to clean an easement, and as he finished, I approached the previous City Managers to recognize them, but they would not because it belongs to the County and continued the discussion.

- Manager Dr. Moore said this is a problem throughout the State and he had learned there are processes to develop rights of easement, which will probably have to go through the attorney.
- Vice-chair said we should not take any action and continued the discussion.
- L. E. Rubin said it might cause an issue with traffic with a slow big truck turning off the busy road, but it sounds like a County problem since it is off the County road.
- Manager Dr. Moore recommended no action.
- Chairman Scroggins said we should have the Code Enforcer talk to him and have the gentleman talk to the County.
- Vice Chair John Thompson made a motion to table discussion of Manzano Expressway assess. L. E. Rubin seconded the motion. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson- yes; Secretary Scott Adair – yes; Lawrence Gordon – yes; L. E. Rubin – yes. With a 5-0 vote the motion to table discussion of Manzano Expressway was approved.

General Discussion

- Vice-chair Thompson said we previously did a park study and Councilor Winters sent that to me and he can send it to the commission.
- Manager Dr. Moore said the park committee is working on park plans and is working with a park firm, they are planning on doing a walk around potential park sites, and the Legislature has approved around \$305,000 for us to get the planning, design, and construction of a park.
- Chairman Scroggins asked if the parks group is a commission.
- Manager Dr. Moore said it is not a commission, it is a committee to give public input.
- Vice-chair Thompson said the biggest discussion with the park committee has been which park should be developed first and feels having a park on Rio Communities Blvd that would be seen and more accessible to everyone. The discussion continued.
- Chairman Scroggins asked if the Planning and Zoning Commission is needed for the parks, we would not have any say in that.
- Vice-chair Thompson said the City gave us a task of looking at a park plan and began a discussion.
- Manager Dr. Moore said the commission should look at the parks from a planning perspective rather than a zoning perspective, looking at keeping people on park grounds, and what problem areas might be. The discussion continued.
- Manager Dr. Moore began a discussion regarding training in May that would cover Code Enforcement and other items.
- Chairman Scroggins said we often have a quorum at training, and we should be able to have a virtual meeting without involving the public in the training.
- Deputy Clerk Lopez said what we can do is send out a notice saying there is a possibly of a quorum due to training and continued the discussion.
- Secretary Adair said in the newsletter it was mentioned that there would be a Planning and zoning educational blurb and asked for ideas of what the next article should cover.
- Mr. Rubin asked how the hole is on Chamartin is going.
- Manager Dr. Moore said that it is due to be worked on within the week and continued the discussion.
- Mr. Rubin asked what would be on the agenda for next meeting.
- Chairman Tom Scroggins said it will include parks and zoning training and asked if there are more items that need discussed.
- Manager Dr. Moore explained how a little explanation solves a lot of problems and began a discussion.
- Chairman Scroggins said the agenda for next time will include the park study and training.

- Vice-chair Thompson said there has been an abundance of motor homes and RVs in front or on the side of people's homes and thinks our ordinance might not be retiree friendly and suggested changing our code to allow them to park there.
- Mr. Rubin said part of the problem with that is people living in them and running a power cord to them from the house and began a discussion.
- Manager Dr. Moore said after the training, Planning and Zoning might consider updating the Zoning Ordinance, there is nothing wrong with the recent revisions, but things change quickly, and somethings might need to be re-visited.
- Chairman Scroggins said the City is looking to have all the ordinances codified and if we make changes, it would be easier to update when the do codifying.
- A discussion began regarding lot size and multi-family housing.
- Vice-chair Thompson began a discussion regarding new construction and continued the discussion.

Adjourn

- Vice-chair Thompson motioned to adjourn and carry the neighborhood plan to the next agenda. Mr. Rubin second the motion and the meeting adjourned at 8:04p.m. with a 5-0 vote.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

Scott Adair, Secretary

L. E. Rubin

Lawrence Gordon