

**Planning and Zoning Commission
Special Meeting
May 31, 2018 6:30 PM**

Call to Order –

- John Thompson called the meeting to order at 6:30 p.m.

Roll Call –

- Present - Jim Winters, Dennis Kintzler, Tom Scroggins, L.E. Rubin, John Thompson
- Absent - Robert Teague (excused) and Lawrence Gordon (excused)
- Also present – City Manager Bob Skerry, Deputy Clerk Pam Johnson, Scott Edeal, Bricena Aragon and Shanna Platow

1. General Discussion –

- John Thompson introduced two new members of the P&Z – Tom Scroggins and Jim Winters and said they are familiar with city operations.
- Jim Winters said he promised Council that he will put a solid waste ordinance together. He said he will use Belen’s because it has everything P&Z wants.
- Dennis Kintzler asked if the ordinance will go back to Council.
- Jim Winters said it will come back to P&Z – then it goes to lawyers.

2. Subdivisions

- Bob Skerry introduced Scott Edeal, Bricena Aragon and Shanna Platow and said they are at tonight’s meeting to discuss plans for developing property off Kaghan Loop. He said Mr. Edeal owns 295 lots in the city and located those lots on a map. He said Mr. Edeal is involved in housing developments in Los Lunas and is trying to arrive at a price point that will keep homes in the \$150,000 range in Rio Communities. He said they will build the same house they’re building in Los Lunas and it is selling for \$200,000 but, to do that, they need to cut down on cost of infrastructure which means they need more units per lineal foot of infrastructure.
- Bob Skerry explained that Mr. Edeal is building homes in a subdivision in Huning Ranch on 45’ lots with 5’ side setbacks, and the homes range in size from 1,400 to 2,600 square feet. He said one of the things they’re doing is mixing single and two-story homes. He said Mr. Edeal wants to divide the 295 lots, but our ordinances require a quarter acre minimum lot size. He said we would have to change our regulations, but they were written to protect the people that were here, and the market has changed and is for higher density and less yard.
- Ms. Aragon said they don’t want to change the layout of the subdivision but want to divide all lots in half and each lot would be approximately 10,800 square feet.
- Mr. Edeal said he would like to divide the lots on one street, get a bid for all the utilities and paving and see how it goes before they divide all the lots.
- Ms. Aragon said dividing lots in half will give them 50’ lots. She said if they have to put the infrastructure in for a 100’ lot, they won’t be able to sell a house for \$150,000.
- Jim Winters said most of their lots are 110’ wide and almost 200’ deep.

- John Thompson said when they were told about 45' lots, he didn't like it and didn't think it would enhance the value of the community. He said he looked at the subdivision in Los Lunas that has 45' lots and they are close together but look ok because of what has been done with the architecture.
- Ms. Aragon said their builder in Los Lunas is a custom home builder rather than a tract builder, so the homes don't look the same. She said they would have the same concept in Rio Communities.
- Bob Skerry said Mr. Edeal has eight lots with infrastructure and they can do whatever they want to do if it's R-1 zoning. He explained that Mr. Edeal wants to get the mood of P&Z and see if they're conducive to amending our square footage and setback requirements. He asked if P&Z is amiable to changing our zoning regulations to meet the current market conditions.
- Mr. Edeal suggested doing a variance on those lots and then P&Z wouldn't have to do much but could see how it works and then adopt it.
- John Thompson said his concern is changing the ordinance for one developer in one spot or are we changing the ordinance for everyone. He said he would not want to put Rio Communities in a spot where we change the ordinance for one developer and someone comes in with "cookie cutter shoe box" houses.
- Bob Skerry said the lots that have no infrastructure have to be re-platted and a new subdivision has to be approved. He said the eight lots that have infrastructure are the lots Mr. Edeal would like to "practice on" and see if they want to go for all 295 lots.
- Mr. Edeal said he can do a lot with variances and wants to test the waters by dividing the lots on one street.
- Bob Skerry explained that P&Z can't commit tonight but wanted to give Mr. Edeal an idea of what P&Z will do.
- Shanna Platow said they need to start now to bring value up.
- Ms. Aragon said now is the time to do this. She said the market is strong now and they don't want to wait until the market dies and try to attract people.
- John Thompson said, before they invest, they should be aware of our plan for parks and trails and incorporate that in a subdivision.
- Bob Skerry said he told them when he went to their office that the things that are not negotiable are sidewalks on both sides to ADA standards and curbs and land donated or in-kind or matching of some kind for recreation and/or open space trails.
- Dennis Kintzler said he doesn't see a problem with allowing Mr. Edeal's proposal and P&Z is here to help.
- L.E. Rubin asked about fire hydrants.
- Bob Skerry explained that where there is infrastructure there are fire hydrants.
- Dennis Kintzler asked if new buyers are looking for street lighting.
- Ms. Aragon said the buyers in this area appreciate the night sky.
- Jim Winters asked that a preliminary sketch be drawn so everyone can look at it and provide input. He said we should seriously consider Mr. Edeal's request.
- Tom Scroggins asked if there will be vehicle access to back yards.
- Ms. Aragon said some don't have backyard access because they're maxing out on the lots. She also said there are some restrictions in Los Lunas that don't allow that.
- L.E. Rubin asked about cinder block walls between the houses.
- Ms. Aragon said they will put up walls but they won't use Santa Fe brown block.

- Mr. Edeal said they can save money by putting in wood fencing. He said they need to figure what the cost will be and build a house to come in at the price they're looking for.
- Ms. Aragon said it is in their best interest to be sure that what they build in the beginning will hold value and look good for the rest of the development. She said they have talked about using a block wall on the front so what you see from the front is block and use wood fencing on the sides.
- L.E. Rubin said the reason he asked about fencing is that we already have a problem with dogs in the city and, as these homes are built and have high density, a lot of people will have dogs.
- Mr. Edeal said, when the economy went flat, and houses weren't being built, no one paid any attention to what is going on in Los Lunas and regulations weren't being enforced. He said, if we do this project in Rio Communities, the code enforcement people will watch new subdivisions and enforce the regulations.
- John Thompson said we should do all we can to make developer successful.
- Ms. Platow said they wanted to meet with P&Z tonight and see what it is they want from us and asked if they should provide a preliminary sketch of their plan for the lots.
- Tom Scroggins said he is concerned that if someone buys a house without backyard access, they won't be able to get equipment in back if they need to.
- Mr. Edeal said, if the lots are 55', they can have an 8' gate.
- John Thompson asked if there's enough water available for the homes.
- Mr. Edeal said NM Water Service has enough water for Rio Communities.
- Bob Skerry said the problem is not water but sewer if the lots are split.
- Ms. Aragon said their goal is to be building by spring.
- Jim Winters said the city has a fast process for land that wouldn't change at all so, if the lots stays the same for any part of this project, that can go quickly.
- Mr. Edeal said he will have a plan of the first street drawn showing what they want to do and bring it back and get permission to go for replat. He said they can show the lots and houses on the lots with setbacks.
- Bob Skerry said the replat procedure is different and P&Z recommends to Council. He suggested that they show the top selling floor plans and what they would look like from street.
- Tom Scroggins asked if the plan is to divide the eight lots that have utilities in half.
- Mr. Edeal says he doesn't see any reason to do that.
- Ms. Aragon said there will be people that want a bigger lot, so we won't split all of the lots.
- Bob Skerry said he is talking with Herman Tabet about getting Timan and Del Fuego parks back and he also owns the area that was planned for ball parks. He asked Mr. Edeal if he would be amiable to using some of his in-kind money to buy that land.
- Mr. Edeal said he would provide equipment to help develop the land. He said there also may be a way for him to help with the water that will be required for the parks.
- Jim Winters asked that a sketch be drawn and given to Bob.

- Bob Skerry said we have a subdivision to consider for approval tonight and reminded everyone that, by definition of a subdivision, anytime a piece of property is divided, it is a subdivision. He explained that this property owner divided the property into two tracts and moved the property line between what is now R&R Fleet Service and County Towing about twenty years ago. He said

now the property owner wants to move the property line back to its original location, so he needs to replat the property and P&Z needs to make a recommendation to Council.

- Jim Winters moved to accept the proposed subdivision described as Re-plat of Tracts A and B, Land of Leroy Stevenson within projected Section 21 T5N R2E NMPM Valencia County NM December 2017. Tom Scroggins seconded, and the motion passed on 5-0 vote.
- Bob Skerry located Herman Tabet's proposed 64 lot subdivision on the map and explained that the lots have been surveyed and staked and some of the infrastructure is in. He said we're talking about a replat where the surveying has been done and now Mr. Tabet will have to put in the infrastructure to our specifications. He said what is planned does not meet our setback requirement. He said we've told him we can give variances for square footage and the only things we will require are sidewalks and that they take care of open space and parks. He said they have a plan by an engineer and a drainage plan.
- L.E. Rubin said we gave them a list of things to do and asked if those things were done.
- Bob Skerry said all the things we asked for are done.
- John Thompson said his concern is that we have "shoe box" houses.
- Bob Skerry said these houses will be the same size as the existing homes in the area.
- Jim Winters said when we have guidelines, we don't have to change them, and we'll note that the plan is "per approval of the commission".
- Bob Skerry said if you pick an arbitrary high number everything will have to have a variance. He said all we need to say is everything has to be per current code.
- Bob Skerry said accessory buildings and setbacks need to be discussed and we need to realize that subdivisions will have a denser population.
- Jim Winters distributed a document showing existing lot sizes in Rio Communities and explained that a significant number of people in the city are living on small lots. He said there are large lots on the east side of Hwy 47 and smaller ones on the west side.
- Bob Skerry said the 64-lot subdivision is ready to go and we need to meet next time and get ready for Council. He said, by that time, we'll have the schedule of time to post and other requirements for subdivision approval.

3. Zoning – no discussion at this meeting

ADJOURN -

- Jim Winters moved to adjourn. L.E. Rubin seconded, and the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Pam Johnson, Deputy Clerk

Approved

Robert Teague, Chair

Dennis Kintzler

John Thompson, Vice Chair

Lawrence Gordon

L.E. Rubin, Secretary

Tom Scroggins

Date: _____

Jim Winters