

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**PLANNING & ZONING COMMISSION  
SPECIAL MEETING  
WEDNESDAY, JULY 3, 2007**

**Chairman Nicholson**, called this special meeting to order at 6:00 p.m. at Coronado Hall, Council Chambers, located at 120 Civic Plaza Drive. This is a Special Meeting of the Town of Taos Planning and Zoning Commission.

**1. ROLL CALL**

*The following were present:*

*Commissioners:* Patrick Nicholson, Chairman  
John Delmargo, Vice-Chairman  
Sheila McCarthy-Grainger  
Eugene A. Sanchez

*Historic Preservation:* Richard Montoya  
Leah Slator  
Peter Wengert

*Absent:* D. Dennis Cruz  
William Himes  
Lillian Miller

*Planning Department Staff present:*

*Rudy Perea, Planner  
Renee Barela-Gutierrez, Town Attorney  
Melinda Vasquez, Admin. Asst.*

**2. PLEDGE OF ALLEGIANCE**

Pledge of allegiance was recited.

**3. APPROVAL OF AGENDA**

**Chairman Nicholson** asked for any amendments to the agenda as presented.

**No amendments noted.**

**Commissioner Sanchez** made motion to approve the Agenda as presented.

**Commissioner Delmargo** seconded the motion.

**Commissioners voted yes verbally on the motion.**

**Motion carried unanimously.**

1                   **4.           PUBLIC HEARINGS**  
2  
3

4                   **A.           Case No. P&Z 2007-07**

5                   **Plaza de Retiro, property owner; Dave DiCicco, agent; requesting a**  
6                   **Conditional Use Permit, to construct 16 new units. The 3.15 acre property**  
7                   **is located at 329 Valverde Street, in the C-1 Zone of the Town of Taos.**  
8

9                   **Chairman Nicholson** noted that unfortunately the Town Council had requested the  
10                   Commission meet at a special session some ten/twelve days ago, apparently they have  
11                   forgotten that we are not Town employees and are volunteers and have jobs. Stated that  
12                   he did send an official correspondence indicating that a quorum could not be established  
13                   for the Friday or Monday special hearing time they recommended; it is unfortunate that  
14                   this information was not communicated to the applicant and would have avoided a  
15                   spectacle at that time. With that said would like to call the applicant forward.  
16

17                   **Mr. David DiCicco** is sworn in, stated that they have read the staff report and stand for  
18                   questions.  
19

20                   **Commissioner Sanchez** stated that the application was presented to the Town Council  
21                   as a ten year project, this was not presented to the Commission as such.  
22

23                   **Mr. DiCicco** stated the project could take up to ten years, it is planned as a ten year  
24                   project, it depends on the rate the units are occupied and the speed at which that  
25                   occupation takes place will determine how fast they are built, hopefully, it will happen  
26                   within twelve to fifteen months.  
27

28                   **Commissioner Slator** asked how many of the proposed units are already spoken for or  
29                   is occupancy later on.  
30

31                   **Mr. DiCicco** stated that four of the units are definitely spoken for at this time, there is a  
32                   continual effort to occupy the units.  
33

34                   **Commissioner Wengert** questioned staff, in the staff report under condition number  
35                   one, is that grading and drainage plan to be applied for at building permit time.  
36

37                   **Rudy Perea** stated that the grading and drainage plan is required when the applicant  
38                   applies for building permit.  
39

40                   **Commissioner Slator** asked in regard to the fire department requirement, that on the  
41                   Manzanares access to install traffic delineator posts or something similar, would like to  
42                   see some specifics on what was decided on and how it will work, will it be open or shut  
43                   on a permanent basis until needed.  
44

45                   **Mr. DiCicco** stated that what was designed are a reflector strip, made out of plastic and  
46                   will place a number of them across the way so it will look like its permanently closed, the  
47                   reflector posts are designed to be driven over by emergency vehicles and will plant  
48                   flowers on both ends with the understanding that they will be driven over in emergency.  
49                   Those reflector posts were shown in a manufacturers spec sheet submitted, they are  
50                   designed to take a direct hit on a pop back up.  
51

1 **Commissioner Grainger** asked if that emergency exit will ever be used on a permanent  
2 basis.

3  
4 **Mr. DiCicco** stated that it will not be used, it was not in the original design, at the  
5 predevelopment meeting in December the Town staff asked to consider putting in an  
6 emergency access, if something should happen and the emergency staff is on the  
7 premises, they can easily access at that emergency exit.

8  
9 **Commissioner Sanchez** asked Rudy to explain the proposed condition number two.

10  
11 **Rudy Perea** stated that he received an email from Publics Work Director this morning,  
12 to address one of the Commissions concerns, the Public Works Director is proposing this  
13 resolution to have Town Hall Drive become a Town road, that road then will be placed  
14 on the five-year capital improvement projects fund.

15  
16 **Commissioner Wengert** asked Rudy if the applicant has been asked to pay for costs to  
17 improve that road.

18  
19 **Rudy Perea** stated that the applicant has not been asked to pay for costs to improve that  
20 road.

21  
22 **Chairman Nicholson** asked if the owner will construct a sidewalk between the Town  
23 Library and the school along the eastern side of the property.

24  
25 **Mr. DiCicco** stated that is correct.

26  
27 **Commissioner Sanchez** asked Rudy if the road is officially dedicated to the Town, they  
28 must have an idea of how long it will take to bring up to standard.

29  
30 **Rudy Perea** stated what he understands from the Resolution public works is proposing,  
31 if that road has been officially dedicated and accepted as an official town road, at this  
32 point the Public Works Director can only place that road on the lists of roads to be  
33 improved within five years.

34  
35 **Chairman Nicholson** asked if the 40 foot roadway width will the Town need to acquire  
36 the 40 feet.

37  
38 **Renee Barela-Gutierrez** stated she did discuss this resolution with public works, and  
39 the proposed expansions in that area, the library and town hall, so that roadway will need  
40 to accommodate those expansions.

41  
42 **Commissioner Delmargo** asked why there is not a sidewalk proposed on the north side  
43 of the property, shouldn't the applicant be held responsible to place curb and gutter  
44 controlling drainage.

45  
46 **Rudy Perea** stated that the applicant is responsible to control drainage on his property,  
47 the applicant has not been asked by Town Council or staff to contribute to improvements  
48 to that roadway.

49  
50 **Commissioner Grainger** asked if the roadway will be placed on a five-year  
51 improvement plan, will that restrict the applicant from developing.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**Mr. DiCicco** stated that time frame will not affect the project.

**Commissioner Wengert** asked the applicant what the dotted line is on the site plan next to Town Hall Drive, just to the south.

**Mr. DiCicco** stated on sheet S1, indicates a the ditch to serve this piece of property only, the main ditch is near the church cemetery on the west.

**Commissioner Montoya** asked if a construction staging plan will be submitted, even though the Town Council determined that a construction staging plan was not necessary, that it was optional.

**Mr. DiCicco** stated that the construction staging plan will be up to the contractor to submit if he prefers.

**Chairman Nicholson** asked what assurances can be given to the Commission and the community that construction will not disrupt the elementary school.

**Mr. DiCicco** stated that they will be happy to work with the elementary school and the neighbors, there has been a lot of construction to the Plaza de Retiro, the neighbors were never opposed to that construction, on the construction staging plan that was submitted, there is a construction phasing to minimize impact to the elementary school.

**Commissioner Montoya** stated that he did not understand the objection of the applicant to not submit a construction staging plan.

**Mr. DiCicco** stated that the objection was one of policy and procedure, objects to being required to do something that is not part of the legislation that the Town Council has passed, it is part of his overall understanding of the planning process and approval process, this is a quasi-judicial proceeding and that means he has to obey the rules, the Town needs a construction nuisance ordinance, that indicates what is allowed or not allowed in a construction project, not a construction staging plan.

**Commissioner Montoya** agreed, but in the absence of that ordinance, what was requested and has been previously requested of other applicants, a construction staging plan was required to submit, to assure the neighbors, the community that they will not have any problems during the construction of this project. It is the duty of the Commission to make sure that is taken care of for them.

**Mr. DiCicco** stated that is something that the Town Council should be approached to adopt, a construction staging plan was voluntarily submitted.

**Chairman Nicholson** stated that it is not explicitly stated in the Code, but the Code does give the Commission the authority to request any additional information it deems necessary to ensure the safety and general welfare impact on this community.

**Mr. DiCicco** disagreed, the Commission cannot set precedence's because this is not appellat court and cannot make policy, the frustration the applicant has is that they should be relatively assured of what is required, as it stands right now this is a land use matter not a nuisance matter.

1 **Chairman Nicholson** stated this Commission will continue to insist that projects and  
2 developments within the Town that this body understands is its jurisdiction will require  
3 applicants to conform.  
4  
5 **Commissioner Sanchez** stated that developers need to make sure the construction is  
6 safe for the community, keeping dust to a limit and keeping the neighborhood safe during  
7 and after construction.  
8  
9 **Commissioner Wengert** asked if the acequia association would be wise to consult.  
10  
11 **Mr. DiCicco** stated that there has been close contact with the acequia commission.  
12  
13 **Commissioner Delmargo** asked if the retaining wall on the east side has been changed.  
14  
15 **Mr. DiCicco** that has not been changed, it will be made of a curved stacking block,  
16 starting from almost nothing at the north end of the site and to almost a height of 4 feet,  
17 the steps are small, he pointed out the location of the wall on the site plan to  
18 Commissioners.  
19  
20 **Commissioner Slator** stated she would like to know the location of the chain link fence,  
21 is concerned for the school children.  
22  
23 **Mr. DiCicco** stated the chain link fence is on the school property and along the  
24 Manzanares street side, which property is in contention, it is not clear if the school owns  
25 that area or not.  
26  
27 **Chairman Nicholson** asked how will the children utilize the new sidewalk.  
28  
29 **Mr. DiCicco** stated that when the project was designed the school board was in the  
30 process of selling the property, if the school wants to access the sidewalk they will have  
31 to place access on that fencing, the sidewalk will be part of a good walking path within  
32 the units.  
33  
34 **Commissioner Delmargo** asked if the roadways within the units have changed.  
35  
36 **Mr. DiCicco** stated they have not changed, they are a base course and gravel roadway,  
37 there is no requirement to pave those roads and the chances the residents are going to  
38 have cars is fifty/fifty, it will be lightly used, it is a granular surface road built for  
39 driveways, the other big reason for not paving is for drainage.  
40  
41 **Commissioner Delmargo** asked where the retention ponds are to be located.  
42  
43 **Mr. DiCicco** stated they are indicated on the grading and drainage plat, submitted at an  
44 earlier meeting, shown on sheet S4, the site is able to absorb water, the slope is about 3  
45 and 4 feet.  
46  
47 **Commissioner Wengert** asked how the residents who are capable of walking, have  
48 access to walking area within the compound.  
49  
50 **Mr. DiCicco** stated that the idea is to eventually put in a sidewalk system, they will be  
51 sculpted in with the landscaping.

1 **Chairman Nicholson** opened the application for public hearing.  
2

3 **Mr. Arsenio Cordova** is sworn in, stating he is the President of the Taos Municipal  
4 School Board, and is present this evening to ensure the health and safety of the children.  
5 The Board has begun meeting and planning renovations and expansions to that  
6 elementary school, there will be expansions. The roadway will be used by the students,  
7 is concerned with how the developers address that issue to ensure the children are safe.  
8 On working on the consolidation of the property the school will take it upon themselves  
9 to do a traffic study on Manzanares; and although it may not be in the code developers  
10 should take it upon themselves because it does affect a lot of children in the area. Has  
11 confidence that this developer will take those issues into consideration, there are buses,  
12 children that walk to school, will the Town then assure there will be crossing guards for  
13 the children, is very concerned. The Commission should foremost think about the  
14 children that are going to be affected, the school is planning expansion in that area as  
15 well and will comply with safety considerations. The main concern now is the roadway  
16 improvement, if it is going to take five years to improve, what will happen in that time  
17 frame, people will use that road as a short cut; as a school board member and as a citizen  
18 would like assurance the children will be safe.  
19

20 **Chairman Nicholson** thanked Mr. Cordova for his statement; and noted that regrettably  
21 and unfortunately the Town Council has taken upon itself, as is their right to remove this  
22 Commissions' recommendation that a most basic traffic study be included in the  
23 assessment of this project, so this Commission will no longer have no sense of traffic  
24 impact, regrettably, the Commission cannot do due diligence in that aspect, the Town  
25 Council has assumed all liability for the safety of this project.  
26

27 **Commissioner Montoya** thanked Mr. Cordova for his statement, and understands that a  
28 sidewalk is needed along Town Hall Drive, if the students will be going to and from  
29 school, whether it is required from the Town or the developers, it certainly seems that  
30 someone should be required to put a sidewalk in for the students.  
31

32 **Commissioner Slator** stated that she would like to discuss process and procedure here,  
33 the legality of the application presented to the Town Council at preliminary and then to  
34 have it brought back to the Commission with conditions the Commission is impelled to  
35 ignore now, that is close to the Council telling the Commission what to say, and this  
36 should have not been done in that manner.  
37

38 **Chairman Nicholson** entertained more public comment.  
39

40 **No further public comment noted.**  
41

42 **Chairman Nicholson** closed the public hearing and asked Mr. DiCicco if he would like  
43 to make a final statement on the project.  
44

45 **Mr. DiCicco** thanked Mr. Cordova for his comment and assured that they are not  
46 ignoring the school, is here to work with the Town as best he can, the impact of this type  
47 of development is very low, people who will live in these units do not go to work  
48 everyday, they will not leave their houses everyday. Also commented to the Commission  
49 that there is a big difference between the way things are done and the way things should  
50 be done, you can appeal a case to a court and that court can decide on what part to hear,  
51 also respectfully requests that when the public hearing is closed, and the Commission is

1 making statements in deliberation would like to be able to address the Commission on  
2 those statements or answer questions, would like to be allowed to address the  
3 Commission after the public hearing is closed.

4  
5 **Commissioner Slator** responded that the Commission is here to review the project, the  
6 Towns' staff requests may be out of line as well, but the Commission should not be told  
7 what to say by the Town Council.

8  
9 **Chairman Nicholson** stated that the request will be considered, it is the procedure to  
10 close public comment and remand to the Commission for consideration.

11  
12 **Commissioner Montoya** stated that he would like to make a statement before  
13 continuing regarding this special meeting. Did not think the Planning Department placed  
14 any excessive requirements or requests for information on the owner and applicant. The  
15 items that were asked to be submitted by the Planning Department are in line with other  
16 projects of this type that have been brought before the Planning and Zoning Commission.  
17 Believes these conditions were placed on the project based on the scale of the project and  
18 the location that the project lies in relation to the school, library, the historic district and  
19 Town Hall. Would also like to voice opposition to the calling of this special meeting to  
20 hear the case. Several months ago the Commission agreed to change the regularly  
21 scheduled July 4 meeting to July 11, to allow everyone to spend time with family and  
22 friends and enjoy the holiday. Personally had plans for the evening that were made weeks  
23 ago and cancelled due to this meeting, can only imagine that there were probably others  
24 that had plans as well. Does not think that waiting one week to hear this project at the  
25 regular meeting date would have caused a hardship on anyone. If building time was of  
26 concern cannot see how one week would have made a difference. The owner of this  
27 property is fully aware of the process and the conditions that have been placed on  
28 projects of this type and he should have submitted his application earlier in the year to  
29 anticipate unforeseen circumstances. It is bad policy to grant special meetings and  
30 wouldn't be surprised if more special meetings are requested following this precedence.

31  
32 **Chairman Nicholson** continued with that statement, commenting that he fully agrees, it  
33 challenges the notion of equity under the law, the Chairman was under intense political  
34 pressure to call this meeting and those opportunities are not available to other applicants.  
35 Stated that it is unfortunate the applicant himself chose to delay this application as long  
36 as he did, this Commission from its considerations was basically predisposed to approve  
37 this project months ago, but the applicant and agent chose to not fulfill certain basic  
38 standards of safety data and other requested information so this body could prudently  
39 make a determination as to its impact on surrounding uses and property. It is most  
40 unfortunate that political pressure was brought to bear to allow special consideration for  
41 this application and agrees the Town Council has set itself up for possible lawsuits and  
42 special consideration for other cases, and it has basically taken the LUDC into its hands  
43 and determined its own purposes and processes.

44  
45 **Commissioner Sanchez** stated that he takes exception to the fact that certain members  
46 of the Town Council have judged his integrity by making statements that were biased,  
47 that he is not able to provide a just and satisfying decision on this matter.

48  
49 **Chairman Nicholson** stated that this body is an all volunteer Commission and members  
50 represent a variety of community members and yet Town Council consistently has  
51 overturned the Commissions' thoughtful and considerate decisions.

1 **Commissioner Wengert** called attention to another item, the applicant himself, has  
2 caused a lot of the delay and the LUDC is clear that the Code Administrator is  
3 empowered to request kinds of information that are not specifically listed in the code if  
4 health, safety and welfare are affected, the code also provides an appeal process, if the  
5 Code Administrator asks for information that the applicant feels is unreasonable the  
6 applicant can appeal to the Planning Commission not to the Town Council, in this case  
7 appealing to Town Council before any final decision is made not only violates the code it  
8 trivializes the Commission members who now are not happy about that, if the Council  
9 wants to eliminate the Commission the Council will then need to take responsibility for  
10 review of the zoning applications, they will discover that there is a place for independent  
11 review in this Town.

12  
13 **Commissioner Slator** noted that the code does state only final decisions of the  
14 Commission can be appealed, this application was continued to a date certain, it was not  
15 finalized yet, the conditions on the application were a recommendation to the applicant, a  
16 way to help out their project.

17  
18 **Commissioner Montoya** stated that his statement made earlier was not directed at the  
19 project, the project is a worthwhile and needed service in the community, believes it  
20 should go forward, was only in opposition to the process.

21  
22 **Chairman Nicholson** stated as chairman and commissioner, the concept of the project is  
23 fine, it is infill, it is necessary and yet this body only wanted to follow due diligence, its  
24 in a very delicate location in the Town, with a lot of civic activity nearby and also feels  
25 he has to respond to statements that this Commission is being characterized as anti-  
26 development, which is not just ingenuous but false, it is a distortion of the facts, this body  
27 approves with great enthusiasm a vast majority of projects and requests before it, but it  
28 does this only after assuring the public that the project will be safe and in the best interest  
29 of the community, as volunteers and community members, it is the Commissions duty  
30 before any questions or concerns about planning or proper land use or architectural  
31 details are addressed, to ensure that projects are conceived and built in as safe a manner  
32 as possible, and this Commission will continue to do so, not only because it is well within  
33 the Code but is obviously the right thing to do.

34  
35 **Commissioner Grainger** commented that Commissioner Wengert in his statement  
36 stated that he was speaking for the Commission, but wanted to note that he is not  
37 speaking for her.

38  
39 **Chairman Nicholson** entertained a motion on the application.

40  
41 **Commissioner Delmargo** asked if there will be a problem with the school kids, it is  
42 interesting, the Commission met once, the Commission asked for information and they  
43 refused to give it, the applicant knows full well, he is a member of the Commission he  
44 knows full well what the routine is, if you don't have data submitted the Commission  
45 doesn't want to hear it, he knows that and he went over and above the call of duty to take  
46 it to Council, feels that is undermining the Commission, and feels the applicant should  
47 not have followed that procedure, Mr. DiCicco even stated this evening that they will  
48 work with the Town as best they can, so that's it, they don't have to do anything, still  
49 thinks this application is incomplete. Mr. DiCicco knows the process too, if an  
50 application is incomplete the Commission shouldn't hear it. The applicant decided to  
51 appeal an application to the Council that was not voted on, it was only continued.

1 **Chairman Nicholson** asked the Commissioner Delmargo what he is suggesting, the  
2 Council basically stripped away police, fire, drainage, landscaping and traffic safety  
3 concerns the Commission had, the Commission basically has little information upon  
4 which to assess the impact, that is Council's prerogative and won't be challenged by this  
5 body, but it does make it uncomfortable, all sorts of developers appear before the  
6 Commission making promises, well intentions and when it becomes difficult it is not  
7 forthcoming.

8  
9 **Commissioner Delmargo** stated that he agreed with Commissioner Montoya in  
10 scheduling a special meeting the Commission cannot be criticized for not exercising due  
11 diligence to schedule this special meeting.

12  
13 **Chairman Nicholson** stated that this Commission has tried to move this review forward,  
14 the first meeting the Commission was held over midnight to hear this case, the  
15 Commission did approve the certificate of appropriateness a few months back, and yet for  
16 the reluctance of the applicant to provide the information requested has delayed his  
17 applicant and has prevented himself from proceeding

18  
19 **Commissioner Grainger** stated that the Town Council has mandated a lot of things for  
20 the Commission to just ignore, should the Commission send it back to the Council, this is  
21 a good project, it just needed some tweaking, it could have been approved long ago,  
22 should the Commission just allow the Council finish approval or should the Commission  
23 continue, deny or approve.

24  
25 **Chairman Nicholson** asked Town Attorney if the Commission can forward the  
26 application to Town Council without a Commission decision and leave it to them to  
27 complete a decision.

28  
29 **Ms. Renee Barela-Gutierrez** stated that the Commissions' options are to deny, approve,  
30 or approve with conditions, does not recommend to continue, would like to research the  
31 Code as to the process.

32  
33 **Commissioner Slator** stated that the Commission is an independent body and should  
34 not be swayed by anyone especially by an upper body, but the Commission should be  
35 dealing with the facts in front of them, and if there are no minutes from that Council  
36 meeting telling why they made those decisions, how is the Commission to proceed.

37  
38 **Ms. Renee Barela-Gutierrez** stated that the Council did not impose any conditions, the  
39 Council has reviewed the conditions the Planning Commission imposed in their last  
40 meeting, the Council made a determination as to whether or not they believed those  
41 conditions were appropriate, the Council did not send anything back to Commission with  
42 any mandate.

43  
44 **Commissioner Sanchez** asked if there is a written decision from Town Council on the  
45 appeal application.

46  
47 **Ms. Barela-Gutierrez** stated that the Councils' determination on the appeal will be  
48 recorded in the minutes.

49

1 **Chairman Nicholson** stated that the Councils' determination was presented in the Staff  
2 Report with Rudys' interpretation but some Commissioners are uncomfortable to rely on  
3 that solely, called for a five minute recess so that the Counsel can research the question.  
4

5 **Ms. Renee Barela-Gutierrez** thanked the Chairman for the time to research the Code,  
6 stated that when the appeal application was presented to Council, they were tempted to  
7 make a final decision on the application, but she insisted that the application had to be  
8 sent back to Commission for final decision, that is what the Code specifies, this was  
9 remanded back to Commission to make final decision, the Code states the Commission  
10 can approve, approve with conditions or modifications or deny, the Commission cannot  
11 forward to Council for final decision, believes that the Commission cannot continue for  
12 an indefinite reason, based on the procedural way this went to Council and came back,  
13 this was sent back from Council with direction to make a final decision, recommends a  
14 final decision be made at this time.  
15

16 **Commissioner Delmargo** made a motion, concerning case number P&Z2007-07, that  
17 the Commission follow staff recommendation for approval with the following conditions,  
18 1) the applicant submit a grading and drainage plan prepared by a registered professional  
19 engineer at the time a grading and drainage permit is applied for; 2) an official  
20 acceptance by the Town of Taos Town Council be done for the portion of Town Hall  
21 Drive the applicant is going to utilize for his project be officially accepted as a town road;  
22 and 3) the Town has a budget proposed for capital improvements and since a majority of  
23 this road will be accessed by this project, on the south side of the road, the applicant  
24 should enter into a cost sharing agreement for the improvements on the road; and approve  
25 based on the staff findings.  
26

27 **Commissioner Sanchez** seconded the motion.  
28

29 **Commissioners voting yes on the motion: Commissioner Delmargo, Commissioner**  
30 **Sanchez, Commissioner Grainger and Chairman Nicholson votes in the affirmative.**  
31

32 **Motion carried unanimously.**  
33  
34  
35  
36  
37

## 38 **5. ADJOURNMENT**

39

40 **Commissioner Sanchez** made motion to adjourn.  
41

42 **Commissioners** seconded motion.  
43

44 **Commissioners voted yes on the motion verbally.**  
45

46 **Motion carried unanimously.**  
47

48 **Meeting minutes of July 3, 2007 prepared by: \_\_\_\_\_**  
49 **Melinda Vasquez, Planning Assistant**