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**PLANNING & ZONING COMMISSION  
REGULAR MEETING  
WEDNESDAY, MAY 2, 2007**

**Chairman Nicholson**, called this meeting to order at 5:30 p.m. at the Coronado Council Chambers, located at 120 Civic Plaza Drive. This is the monthly Regular Meeting of the Town of Taos Planning and Zoning Commission.

**1. ROLL CALL**

*The following were present:*

*Commissioners:* Patrick Nicholson, Chairman  
John Delmargo  
Sheila McCarthy-Grainger  
William Himes  
Lillian Miller  
Eugene A. Sanchez

*Historic Preservation:* Richard Montoya  
Peter Wengert

*Absent:* D. Dennis Cruz  
Leah Slator

*Planning Department Staff present:*

*Rudy Perea, Planner  
Michael Valerio, Chief Building Official.*

**2. PLEDGE OF ALLEGIANCE**

Pledge of allegiance was recited.

**3. APPROVAL OF AGENDA**

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

**Rudy Perea** stated he does have matters for discussion for item 8, but no other amendments to the agenda as presented.

**Chairman Nicholson** stated he would like to add consideration of Resolution 07-06 under item 5, update from Matt Foster.

**Commissioner Miller** made motion to approve the agenda as amended.

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**Commissioner McCarthy Grainger** seconded the motion.

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

**Motion carried unanimously.**

**4. APPROVAL OF MEETING MINUTES OF APRIL 4, 2007.**

**No corrections to the minutes as presented.**

**Commissioner Miller** made motion to approve the minutes as presented.

**Commissioner Wengert** seconded the motion.

**Commissioners voted yes verbally to approve the minutes as presented.**

**Motion carried unanimously.**

**5. UPDATE FROM MATTHEW FOSTER, LONG RANGE PLANNER**

**Rudy Perea** stated that Matt is attending a conference in Albuquerque, gave the Commission update on the Land Use Master Plan and the changes needed on the existing contract and time delay on the completion; updated the Commission on the Historic Building survey.

**A. Consideration of Resolution 07-06**

**Rudy Perea** handed the Chairman the Resolution at beginning of the meeting and explained the resolution needed to present to Council, confirming the Commissions total support on the Town funds needed to complete the Land Use Master Plan.

**Commissioner Wengert** made motion to approve Resolution 07-06, supporting the efforts to increase funds to complete the Land Use Master Plan.

**Commissioner Delmargo** seconded the motion.

**Commissioners voted yes verbally to approve the minutes as presented.**

**Motion carried unanimously.**

**Rudy Perea read the rules for public hearings.**

1           **6.     PRELIMINARY PUBLIC HEARINGS**

2  
3           **A.     Case No. P&Z 2007-09**

4                   **Nancy Schultz, property owner; Bob Orner, Agent; requesting a**  
5                   ***Certificate of Appropriateness, for new construction, remodeling. The***  
6                   **0.8 acre property is located at 314 Rosarita Lane, in the Historic**  
7                   **Overlay zone, R-14 Zone of the Town of Taos.**

8  
9           **Mr. Bob Orner** is sworn in, Agent for the applicant, was not present last month, stated  
10           that the concerns addressed at the last meeting have been addressed, the circular stairs  
11           and roof trellis.

12  
13           **Rudy Perea** stated that the modifications requested at the last meeting were done, the  
14           second story addition was removed; the stairway up to the roof was modified to make it  
15           more amenable with pueblo style architecture, as requested at the last public hearing.

16  
17           **Commissioner Delmargo** asked the height of the parapet on the roof.

18  
19           **Mr. Orner** stated he does not know, doesn't have the scale.

20  
21           **Rudy Perea** stated there is a scale on the north elevation.

22  
23           **Commissioner Wengert** stated that the questions he had have been addressed.

24  
25           **Commissioner Montoya** asked on the roof top decking, the parapet, asked the code on  
26           balcony railings and if it applied to this.

27  
28           **Rudy Perea** stated that would be a building code issue and referred the question to  
29           Michael Valerio, Chief Building Official.

30  
31           **Michael Valerio** stated that the code for residential guard rail is 36 inches.

32  
33           **Mr. Orner** confirmed the height of the railing.

34  
35           **Chairman Nicholson** opened the application for public comment.

36  
37           **No Public comment noted.**

38  
39           **Chairman Nicholson** closed the public hearing and returned to the Commission for  
40           discussion.

41  
42           **Commissioner Wengert** made motion to schedule the application for Final Public  
43           Hearing on June 6.

44  
45           **Commissioner** seconded the motion.

46  
47           **Commissioners voting yes on the motion: Commissioner Delmargo,**  
48           **Commissioner Montoya, Commissioner Sanchez, Commissioner McCarthy-**  
49           **Grainger, Commissioner Miller, Commissioner Wengert, Commissioner Himes.**

50  
51           **Motion carried unanimously.**

1           7.       **PUBLIC HEARINGS – CERTIFICATE OF APPROPRIATENESS**

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, and Certificate of Appropriateness, to**  
7                   **construct 16 new units. The 3.15 acre property is located at 329**  
8                   **Valverde Street, in the C-2 Zone of the Town of Taos.**  
9

10                   **Commissioner Himes recused himself from considerations on this application.**

11  
12  
13  
14                   **Mr. David DiCicco** began by stating that there are differences of opinion with  
15 the staff as to what can or cannot be included in a condition in zoning review of a project, as a  
16 quasi-judicial body, the Commission’s findings and everything discovered or stated in a hearing  
17 must be based on a finding of fact and conclusion of law, read from Town Ordinance Section 3-  
18 4.9, “Decision of the Zoning Authority, Commission or Code Administrator”; “No zoning  
19 authority or Commissioner or Code Administrator thereof shall: Participate in a final decision in  
20 a zoning adjudicatory proceeding unless that person has heard all of the evidence or read the  
21 record. A final or tentative decision shall include findings of fact and conclusions of law,  
22 separately stated. Findings of fact, if set forth in statutory ordinance language, shall be  
23 accompanied by a concise and explicit statement of the underlying facts supporting the findings.”  
24 Section two goes on “Impose any sanction or substantive rule or order except within the  
25 jurisdiction delegated to the Commission and as authorized by law.” Also under “D. On the  
26 basis of the findings of fact approved or issued by the Code Administrator, Commission or  
27 Zoning Authority, the Code Administrator, Commission or Zoning Authority shall issue  
28 conclusions of law.” Also “The Code Administrator, Commission or Zoning Authority may  
29 require or impose such conditions on the decision as will, in its judgement, be reasonably  
30 necessary to meet and secure the requirements and factors enumerated in this Code, and to secure  
31 substantially the objectives of this Code.”

32                   The reason he read this was because some of the requirements placed upon this  
33 application, are outside the realm of the Planning Commission decision and are in the realm of a  
34 construction contract administration item, some issues are building code issues and not planning  
35 issues. For example, the requirement for a construction staging plan, is in construction contract  
36 administration a contract between the contractor and the owner of the project, the Commission  
37 does not want to be involved in decisions in a position to dictate or participate in Construction  
38 Contract Administration.

39                   Just wanted to state that before beginning to respond to the staff report; In the  
40 staff report he received April 27, according to the staff the items to be reviewed is the STA level  
41 traffic study, according to the Town’s access manual, the manual in table 6.2.D.1.an STA and  
42 TIA limits for traffic studies are 30 residential units for an STA, there are 16 proposed and there  
43 are 20 existing on the property, in order for the Commission to require that, the Commission must  
44 state a finding of fact or conclusion of law that states why it is needed, a traffic study is not  
45 required according to the Manual for a project of this size. Similarly, a grading and drainage plan  
46 prepared by a registered professional engineer, that’s a condition of getting a building permit, not  
47 for planning and zoning approval, as an architect he cannot, nor can staff evaluate the accuracy of  
48 an engineer’s drainage plan, the town has relied on the fact that a licensed professional engineer  
49 signs that statement prior to getting a building permit. Same with the Landscaping Plan, cannot  
50 get a building permit without it, but can get zoning approval without it. If the Commission can  
51 find, in the LUDC that requires all this be done at this juncture would like to see it.

1 In regard to details on the emergency gate and exit details gave that information  
2 in a packet dated February 12, and doesn't know where those 14 copies went and on the 16<sup>th</sup> of  
3 April submitted another packet and has another copy for Mr. Perea, those details are submitted  
4 again. On the construction staging plan, the Town has no written criteria or legislative  
5 requirement for a construction staging plan, the Commission wants one, but there is no criteria  
6 requiring one and the Commission does not want to get involved in the methods of construction  
7 that is the pervue of the licensed contractor. There are Town nuisance laws to prevent nuisances.  
8 A construction staging plan was submitted, but apparently, it was not what the staff wanted, he  
9 had asked for written criteria, but there are none; so that is something that is difficult to hold to.

10 Explained that he is no position to demand a letter from the Fire Department or  
11 Public Works, a letter was only requested. They are going to have to sign off on the building  
12 permit anyway, so they have no control over these required letters; asks the Commission to point  
13 out in the Code where all these items are required.

14 On the percentage of open space, it is on the site plan, but is an incorrect  
15 calculation will explain what he did. Handed out a correction on the percentage of open space,  
16 have seven duplexes with 14 units, and each duplex is 4194 sq. feet, lot coverage is just under 30  
17 percent. Regarding the shed removal plan, it is his clients position that the shed removal is a  
18 completely different item that will have to do with whatever corrections are done to the street for  
19 the fact that Mr. Himes property on the northwest corner is in the middle of Valverde Street when  
20 the Town straightened the curb of that street they took Mr. Himes property without his  
21 permission, so there are some things that need to be worked out there, which is a total separate  
22 issue, and shouldn't need to be done at this point, again there should have to be some  
23 determination of finding of fact and conclusion of law to that would lead them to make that a  
24 requirement of the applicant.

25 Would like to go through a couple of other critiques of the staff report; on page 2  
26 where it starts out "the special use or conditional use will not create a danger to the public nor  
27 cause an extraordinary public expense, nor create a nuisance" and it goes on and says that the  
28 "applicant has not submitted critical information," with no statement as to what that critical  
29 information is, so that he could properly evaluate the potential for the proposed conditional use to  
30 create a danger to the public health and safety, there is no enumeration of the danger, what is the  
31 factual description of the danger, that is his argument, the same thing with the extraordinary  
32 public expense, what is the extraordinary public expense that his project will create, if it was  
33 stated he then can do something about it, if you can't state the expense then it becomes an opinion  
34 and not a finding of fact or conclusion of law.

35 On the window schedule, referred to sheet 3.0, in the packet there is a window  
36 schedule that shows of a 4 inch bullnose, which by the way there in no mention in the code of a 4  
37 inch bullnose, it requires a bullnose but there is no dimension indicated in that section. Colors to  
38 be used, submitted the colors in the original packet February 12, the photographs indicate colors  
39 of the windows, beams of corbels and color of stucco noted in the letter to be adobe brown shown  
40 in the color photo copy. As a Contractor he also builds stuff and one of the biggest frustrations is  
41 the stucco color, the colors indicated on samples and in reality are different, but the color to be  
42 used in this case is the adobe brown color.

43 On the standards of non-contributing properties, the bullnose, the colors, stucco  
44 colors are all in the original packet, so the statement that all these items were not submitted is not  
45 true. Under the staff evaluation for the wall thickness, details are on sheet 3.0 so that information  
46 has been submitted. On the next page, again a statement about the color samples, that the colors  
47 were not submitted but those were. On the next page regarding 4-20.8 subsections 5. a, b, c, d  
48 staff says we do not comply because no architectural details have been submitted, but they were  
49 submitted.

1           Again, on the bottom paragraph, the historic section 4-20.8, is filled with words-  
2 should and appropriate, should not, but in most of the section it states is appropriate, but it does  
3 not say required.

4           In the Finding of Fact page on the conditional use permit, the lot coverage was  
5 corrected and taken care of; in number 4, it states “in staffs opinion the proposed conditional use  
6 has the potential to create a danger to public” again, it can’t be staffs opinion, it has to be a  
7 finding of fact and conclusion of law, the Commission has to base its decision on facts and law,  
8 not on opinions; explained to the Commissioners that hearing is a chain that leads to New Mexico  
9 State Supreme Court; the Commission can also deny but only based on fact. Again in number 5,  
10 create an extraordinary public expense and nuisance, but there is no enumeration of what those  
11 things are, no where in the report, explained that the code states you have to have a concise and  
12 specific listing of findings of fact.

13           On the next page where the staff recommends denial, hopes the Commission  
14 does not do that; believes he has followed the letter of the code and followed the intent of the  
15 code; unfortunately in New Mexico the court looks at the strict construction of the code, not the  
16 code intent; thinks the STA is not required; the grading and drainage plan is a condition of  
17 building permit, as with the landscaping plan; submitted details of the emergency gate and exit  
18 details twice; the construction staging plan feels is not a requirement; the letters from the fire  
19 department and public works have been asked for and are not in position to require them to do it;  
20 the shed removal is not an issue relevant to this case and submits that he has followed and met the  
21 conditions of the code and as the Commission requested, followed the ones required to follow and  
22 can follow. Will stand for questions at this time.

23  
24 **Commissioner Delmargo** asked how the shed removal does not affect the turning lane.

25  
26 **Mr. DiCicco** stated that he does not want to remove the shed because he doesn’t know what  
27 public works wants to do with the intersection.

28  
29 **Commissioner Delmargo** asked if he has met with the fire department and if they indicated  
30 review of the turning lanes.

31  
32 **Mr. DiCicco** stated that the fire department wanted fire hydrants and indicated where they  
33 wanted them located, and they are the ones who asked for the through drive next to Enos Garcia.

34  
35 **Commissioner Wengert** asked in regard to the conditional use, one, stated the drove by on the  
36 gravel portion in front of the library onto Valverde; understands that is not a road, it was opened  
37 for emergency only for the repaving on Placitas, and if it is not a legitimate street, asks how this  
38 road is to be used for this project.

39  
40 **Mr. DiCicco** stated that in the pre-development discussion with staff, was told it was going to be  
41 kept as a public right of way, it is signed, its named, has stop sign and Mr. Himes did talk to the  
42 road department and legal department and they told him it will remain as an open street for public  
43 use.

44  
45 **Rudy Perea** responded to Mr. DiCicco’s statements; in regard to the request for a construction  
46 staging plan, he is claiming that is outside of our purview, he also stated he was not told, but he  
47 did explain what should be shown on a construction staging plan, basically, once the construction  
48 starts he needs to see where the equipment is to be placed, contractors vehicles parking, hours of  
49 work, what mitigation measures to take when preparing the site for construction; Mr. DiCicco’s  
50 contention that the Commission cannot require this construction staging plan; but in the same  
51 section he referred to Section 3-9. E., “The Code Administrator, Commission or Zoning

1 Authority may require or impose such conditions on the decision as will, in its judgment, be  
2 reasonably necessary to meet and secure the requirements and factors enumerated in this Code,  
3 and to secure substantially the objectives of this Code.” One of the objectives and criteria in the  
4 granting of a conditional use permit is the public safety, health and welfare will be observed and  
5 no nuisance will be created, if the Commission does give approval for this project a nuisance will  
6 not be created when construction begins with this construction staging plan in place.

7  
8 **Chairman Nicholson** asked if a construction staging plan has been requested on other projects.

9  
10 **Mr. Perea** stated he has requested a construction staging plan from other large projects.  
11 In response to Mr. DiCicco’s contention that he was not informed of how this project would  
12 create a public expense, it is specifically stated on page 7, number 5. “the proposed conditional  
13 use has the potential to create an extraordinary public expense and a nuisance because the traffic  
14 impact on Valverde Street has not been evaluated due to the lack of a traffic study and no letter  
15 from the Public Works Director has been submitted which indicates when improvements will be  
16 done to the section of Civic Plaza Drive that intersects Valverde Street.” It is specifically stated  
17 how this will create a public expense and nuisance; also, in the first part of the report under  
18 conditional uses, listed there specifically what the Staff and Commission requested, this is the list  
19 of the requested “critical information” needed as part of this application, Mr. DiCicco has been  
20 informed of the critical information need and has elaborated appropriately the issues with this  
21 conditional use permit.

22  
23 **Mr. DiCicco** asked if he could respond to Mr. Perea’s statements; indicated that Mr. Perea has  
24 not stated any factual reasons, has stated what the Commission wants, but has not stated any  
25 facts, have not found a fact, only described what the Commission wants; the same thing goes  
26 with the “critical information” what is the factual reason to go outside of securing the  
27 requirements and factors enumerated in this code, and to secure substantially the objectives of the  
28 code, we have to follow the code, the staging plan is not in the code; this is a situation where it is  
29 a clear idea that this has to be based on factual information and not on opinions and not on what  
30 you want. The Commission is an appointed body, not a legislative body and Rudy’s position is a  
31 quasi-judicial position.

32  
33 **Commissioner Delmargo** stated that it seems like you don’t want to submit a construction  
34 staging plan because no one wants to be responsible for the construction phase.

35  
36 **Mr. DiCicco** stated that the Commission does not want to take that responsibility, the contractor  
37 is responsible for errors on the construction process, how can the Commission evaluate a  
38 construction staging plan, using what criteria there is no written criteria, how can you ask to have  
39 one prepared if there is no requirement or no criteria.

40  
41 **Mr. Perea** responded that this is a public health issue and also a nuisance issue the staff and  
42 Commission does have the authority to ask for additional information to achieve the objectives of  
43 the code, that is why the construction staging plan was required, and the listed items are  
44 reasonable.

45  
46 **Mr. DiCicco** asked if the staff can state a factual finding for that staging plan, it has to be based  
47 on facts.

48  
49 **Chairman Nicholson** opened the application for public comment.

50  
51 **No public comment noted.**

1 **Chairman Nicholson** closed the public hearing and returned to the Commission for discussion.

2  
3 **Commissioner Sanchez** stated that the code section 1-9-2. B. if there is a conflict the stricter  
4 applies, the other thing too the same information has been requested of all applicants, required  
5 information to review to be submitted, which has not been provided, a staging plan, a drainage  
6 plan, traffic analysis, so why all of a sudden everything requested is contrary to the Code; this  
7 application is deficient.

8  
9 **Commissioner McCarthy-Grainger** reiterated what Mr. Sanchez was stating; this application is  
10 not special, the applicant was not required to submit any information that has not been required of  
11 other applicants; the fact that they are claiming access to a undedicated road for this huge project  
12 is why a traffic analysis is needed; it is a matter of public health, safety and welfare, so state that  
13 they just don't have to do it does not apply, the Commission has to ask for these to be addressed.

14  
15 **Commissioner Wengert** stated that he is reading the list in the staff report under the alternate  
16 recommendation, this list of nine items recommended as conditions, seem relatively easy to  
17 resolve, such as the letters from department heads, the staff and applicant should review and see  
18 which ones can be done now, which ones can be done later, suggests the two sides should discuss  
19 if the traffic study needs to be done now or until the road is legally a dedicated road that needs to  
20 be established.

21  
22 **Chairman Nicholson** stated that the traffic study requested is the most minimal study to be  
23 presented, and that was requested at the first hearing.

24  
25 **Rudy Perea** stated that is correct, the STA is a checklist a list of criteria which determines the  
26 need of traffic study, because this is a conditional use permit the Commission can request a traffic  
27 study.

28  
29 **Chairman Nicholson** called for a motion on the application.

30  
31 **Commissioner Sanchez** made a motion to continue the application, until the applicant submits  
32 all the information requested and based on the findings of fact in the staff report, additionally that  
33 the Public Works Director and Fire Department submit sufficient information in a timely manner.

34  
35 **Commissioner McCarthy-Grainger** seconded the motion.

36  
37 **Commissioner Wengert** suggested to include the dedication of Town Hall Drive be clarified.

38  
39 **Commissioners voting yes on the motion: Commissioner Delmargo, Commissioner**  
40 **McCarthy-Grainger, Commissioner Miller, Commissioner Sanchez.**

41  
42 **Motion carried unanimously.**

43  
44 **Chairman Nicholson** asked Rudy to clarify with the Town Attorney a time certain to allow the  
45 applicant time to submit all the information requested.

46  
47 **Rudy Perea** asked for clarification on the motion, if the Commission will act on the Certificate  
48 of Appropriateness.

49  
50 **Chairman Nicholson** entertained discussion from the Commission on the Certificate of  
51 Appropriateness.

1 **Commissioner McCarthy-Grainger** made a motion to continue the Certificate of  
2 Appropriateness, along with the conditional use permit, based upon the findings of fact included  
3 in the staff report for case number P&Z2007-07.

4  
5 **Commissioner Sanchez** seconded the motion.

6  
7 **Commissioner McCarthy-Grainger** withdrew the motion.

8  
9 **Commissioner Sanchez** made a motion to continue the certificate of appropriateness until the  
10 conditional use permit has been determined.

11  
12 **Commissioner McCarthy-Grainger** seconded the motion.

13  
14 **Commissioners voting yes on the motion: Commissioner McCarthy-Grainger,**  
15 **Commissioner Miller, Commissioner Sanchez.**

16  
17 **Commissioners voting no on the motion: Commissioner Delmargo, Commissioner**  
18 **Montoya, Commissioner Wengert.**

19  
20 **Chairman Nicholson** voted No on the motion, to break the tie.

21  
22 **Motion not carried.**

23  
24 **Chairman Nicholson** entertained another motion on the certificate of appropriateness.

25  
26 **Commissioner Montoya** made motion to approve case number P&Z2007-07, the certificate of  
27 appropriateness, based on the conditions listed in the staff report.

28  
29 **Commissioner Wengert** seconded the motion.

30  
31 **Commissioners voting yes on the motion: Commissioner Delmargo, Commissioner**  
32 **Montoya, Commissioner Wengert,**

33  
34 **Commissioners voting no on the motion: Commissioner McCarthy-Grainger,**  
35 **Commissioner Miller, Commissioner Sanchez,**

36  
37 **Chairman Nicholson** voted Yes on the motion, to break the tie.

38  
39 **Motion carried.**

40  
41 **Commission recessed for 10 minutes.**

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1           **10.       MATTERS FROM STAFF / COMMISSIONERS**  
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3           **Chairman Nicholson** stated that he read an article in the Newspaper about the Vista  
4 Grande High School and asked Rudy if that needs to be heard before the Commission.  
5

6           **Rudy Perea** stated that he has received such an application and should be heard before  
7 the Commission next month.  
8

9           **Chairman Nicholson** asked the Town Attorney if she has any knowledge of any  
10 development agreements executed with the Town in the last 180 days.  
11

12           **Renee Barela-Gutierrez** stated she has not been asked to review any development  
13 agreements.  
14

15           **Chairman Nicholson** asked if there were any other matters for discussion.  
16

17           **Rudy Perea** stated he had submitted a Memo in the meeting packet and would like to  
18 address his concerns at this time with the Commission, explained how there is nothing  
19 outlined to allow staff or the public to address concerns or conflicts of interest.  
20

21           **Chairman Nicholson** reminded Mr. Perea that the issue should be a confidential matter  
22 and should not be discussed at a public hearing.  
23

24           **Commissioner Montoya** confirmed that the issue should be discussed between the  
25 Chairman of the Commission, the Mayor giving the Commissioner time to respond to the  
26 allegations, as described in the Code of Ethics. It should have not been included in the  
27 meeting packet for the Commission. Asked the Town Attorney is the Commission  
28 should discuss this issue.  
29

30           **Renee Barela-Gutierrez** stated that the code of conduct is specific with regard to  
31 procedures for the Commission, what is lacking is a procedure for the public or Town  
32 staff, the code of conduct discusses interaction between the Commission but doesn't  
33 discuss Staff's interaction. Rudy is asking that the procedures described in the code of  
34 conduct begin now, the Chairman can make a determination as to how proceed at this  
35 time.  
36

37           **Chairman Nicholson** stated that he would acknowledge receipt of the Memo, the  
38 concerns addressed, and there will be more to follow.  
39

40           **Rudy Perea** stated he had not other matters, informed the Commission of the status of  
41 the Land Use Master Plan and will keep the Commission informed.  
42

43           **Commissioner McCarthy-Grainger** asked Rudy if he could update the Commission on  
44 the Land Use Development Code Revisions Committee discussions.  
45

46           **Rudy Perea** stated he will give the Commission updates on the LUDC Revisions  
47 Committee.  
48

49           **Commissioners discussed time limit on updates from Matt Foster, discussed update**  
50 **on annexation, and Chairman stated he would like to add public comments under**  
51 **matters from staff/commissioners.**

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**11. ADJOURNMENT**

**Commissioner Sanchez** made motion to adjourn.

**Commissioner Wengert** seconded motion.

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

**Motion carried unanimously.**

**Meeting minutes of May 2, 2007 prepared by: \_\_\_\_\_  
Melinda Vasquez, Planning Assistant**