

Sol y Lomas Homeowner Association Board Meeting
July 21, 2023
Via ZOOM

Members Participating:

Lucia Deichmann, President; Jackie Dulle, Secretary; Holly Porter, Treasurer; Jeff Atwell, Jens Deichmann and Kristin Slater-Huff

CALL TO ORDER

Lucia called the meeting to order at 1:02 p.m.

APPEAL RELATED TO REZONING APPROVAL FOR THE DEVELOPER OF 2200 OLD PECOS TRAIL

Lucia reported that the District Court on July 6, 2023 granted the Plaintiffs-Appellants' Motion to correct and supplement the record as shown in filing D-101-CV-2023-00477. This was considered an important issue in light of the proposed 2200 Old Pecos Trail subdivision, for which the developer has requested a rezoning of the property from R-1 to R-3 and a plat approval for 25 lots for the same property.

2200 OLD PECOS TRAIL (OPT) SUBDIVISION

On July 6, 2023 the Planning Commission decided to grant final plat approval for the proposed 2200 OPT subdivision to the City's Governing Body. There is now a movement to appeal this decision in order to prevent the developer of that proposed subdivision from recording a final plat until the pending appeal of the City's rezoning of that Property (R-1 to R-3) is finally resolved and to address legal and procedural issues regarding that Planning Commission decision.

Jeff questioned whether a stay on the City's rezoning of the 2200 OPT subdivision could be filed. Lucia would check with Bruce on that matter.

Lucia had submitted a proposed motion to the Board members for review prior to the meeting. After some minor changes suggested by Jackie and Jeff, the motion reads as follows:

MOTION:

I move that the Sol y Lomas HOA be included with other individuals and organizations as a party to an appeal of the Planning Commission's decision to grant final plat approval for the proposed 2200 Old Pecos Trail subdivision to the City's Governing Body. The appeal is being prepared pro bono (without charge) by Bruce Throne, acting as an individual and retired attorney, in order to prevent the developer of that proposed subdivision from recording a final plat until the pending appeal of the City's rezoning of that Property (R-1 to R-3) is finally resolved and to address legal and procedural issues regarding that

Planning Commission decision. This motion is subject to the understanding that (i) the HOA and other named appellants in this appeal will authorize Mr. Throne to act as their agent to prepare, file and present this appeal to the Governing Body, (ii) the City's \$200 fee for filing this appeal will be paid from the existing OPT Scenic Corridor Appeal fund and not by the HOA or its Board, (iii) the HOA will not be required to engage legal counsel to join or present this appeal to the Governing Body, and (iv) joining this appeal to the Governing Body therefore will not subject the HOA or any HOA member to any attorney's fees or costs associated with this appeal.

Jens called the question. Jens moved that the above motion be approved. Jackie seconded the motion. There was no further discussion. The motion carried unanimously.

HOA ZOOM MEETING

In order for the Sol y Lomas HOA to join the appeal effort regarding the decision of the Planning Commission to grant final plat approval for the proposed 2200 OPT subdivision, a meeting of the HOA must be held to take a vote. This meeting will be on Wednesday, August 2, 2023 at 6 p.m. via ZOOM. Lucia will prepare an email notice to the HOA regarding this meeting.

FUTURE MEETINGS WITH BRUCE THRONE

Lucia reported she was unaware that HOA Board members were invited to attend update meetings with Bruce Throne and in the future she will see that Board members are notified.

ADJOURNMENT

Lucia adjourned the meeting at 1:47 p.m.

Submitted by Jackie Dulle, Secretary