



**MINUTES  
PZHAC WORK SESSION  
SEPTEMBER 8, 2015**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION ON TUESDAY, SEPTEMBER 8, 2015 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA TO DISCUSS THE FOLLOWING:**

1. Submitted by Scott Bannister, a request to discuss the concept of using an approximately 52 acre parcel at 1113 S Hwy 292 owned by the Bombach Limited Partnership as a baseball and sports complex. Zoned: Rural Farm (RF). **(15 min.)**

*A brief description of the proposal was given by Mr. Bannister. Mr. Bannister provided handouts in the form of a color renditions of the proposal and a written handout outlining the key features of the proposal. He also stated that the project will be affiliated with the Little League, and that the project would be youth oriented. There would be no cost to the Town, everything (@ \$3 million) would be paid for by the project. Other elements of the project were presented and explained, and members of the PZHAC expressed support for the potential use of the property as presented, although concerns were expressed about traffic, parking and lighting. These will be addressed in the future as plans progress.*

2. Submitted by Donna Siedow, a request to discuss her proposal for signs for Mesilla Mercantile, a business to be located at 1937 Calle de Parian. (A request for a business registration and permits for the signs will be voted on in the Regular Meeting.) Zoned: Historic Commercial (HC). **(15 min.)**

*A brief description of the proposed business and signs was given by Ms. Siedow. Ms. Siedow expressed the fact that the signs were actually to be made from banners that were made before she was aware of the requirements of the Sign code. She was told by the PZHAC that the signs would have to meet the size requirements of the Code, and that any other requirements would also have to be met. The PZHAC also stated that the proposed colors (red, black and white) would be acceptable for the sign as proposed by Ms. Siedow.*

3. Submitted by Roxanna Gates for the “Roundtable Children’s Academy Daycare and Preschool”, a request by the PZHAC to discuss items concerning Case S15-001 that were brought up during the last PZHAC meeting on August 17, 2015. **(15 min.)**

*This case was originally heard by the PZHAC on Tuesday, September 8, 2015 in a Public Hearing and Regular Meeting, and was postponed to the current meeting in order for the applicant to be able to provide the PZHAC with more information, including:*

- Total number of children that will be allowed by law at the facility, along with proposed group sizes*
- Ages of children that will be attending the facility.*
- Detailed description of the operations proposed, especially whether the use of the property will be a day care center, or a school.*
- Definite hours of operation.*
- Controls on children using the play/recess area, as well as controls on noise levels from this area.*

*The applicant provided answers to these questions in a presentation to the PZHAC. (See “Facts of the Case – SUP 15-001 at attached at the end of these minutes.) There was no additional discussion.*

4. Discussion of the request submitted by Jack and Lisa Kirby for a Summary Subdivision to remove a lot line between two lots located on this street in order to create one buildable lot. (Case 012417) Zoned: Historical Residential (HR). (5 min)

*Staff provided a brief explanation of the case, including the fact that the purpose of this summary subdivision was to combine two small lots to form a larger lot for a dwelling, not create a lot smaller lots from a larger lot. Staff explained that the resulting lot would be closer to compliance with the Code than the existing lots, would create fewer impacts upon development. There were no issues or problems brought up that would result from the proposal.*

**MINUTES  
PZHAC MEETING  
SEPTEMBER 8, 2015**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING TUESDAY, SEPTEMBER 8, 2015 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA**

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL AND DETERMINATION OF A QUORUM**

*Commissioner Prieto was absent, all other Commissioners were present; there was a quorum.*

**3. CHANGES TO THE AGENDA**

*There were no changes to the agenda.*

**4. \*ACCEPTANCE OF THE CONSENT AGENDA**

*Note: Items on the agenda indicated by an asterisk (\*) are on the consent agenda and will be voted on with one motion unless a Commissioner requests that a specific item be removed.*

*The PZHAC discussed the question as to whether or not all cases involving repairs or construction in the Historic Districts should be reviewed and approved by the PZHAC before work can begin. There was also a belief among some members of the PZHAC that the PZHAC had said that it would review all work in the historic districts, and that there would not be any administrative approvals these areas. It was eventually determined that the concept had been discussed, but the process was not changed due to the delays and staff work that would be caused. It was agreed at this time that the cases involving photovoltaic panels would be taken off the Consent Agenda for review by the PZHAC.*

*A motion to approve the Consent Agenda, with the condition that cases 012411, 012414, and 012418 be taken off the Consent Agenda; was made by Commissioner Lucero, seconded by Commissioner McLeod, and approved by a vote of 3 – 0.*

**\*PZHAC MINUTES:**

Regular Meeting Minutes of August 17, 2015

*Approved as part of the Consent Agenda*

**\*ADMINISTRATIVE (CONSENT) APPROVALS:**

**Building Permit Requests:**

- a. Case 012396 – 2501 Calle del Norte, by Neri Fietze; a request for a building permit to repaint the poles and replace and paint a fascia board on a porch on a dwelling at this address. Zoned: Historic Residential (HR).

*Approved as part of the Consent Agenda*

- b. Case 012398 – 2109 Calle de Parian, by Arthur Fountain for Robert Fountain; a request for a building permit to repaint a wall on the east side of the store (Nambe's) located on the Plaza at this address. Zoned: Historical Commercial (HC).

*Approved as part of the Consent Agenda*

- c. **Case 012401** – 2209 Calle de Parian, by Felix Armijo, a request for a building permit to allow a wooden window frame to be replaced and repainted at a restaurant (Emelia’s) at this address. Zoned: Historic Commercial (HC).  
***Approved as part of the Consent Agenda***
- d. **Case 012411** – 3331 Gandy Lane, a request by Solar City for Justin Sevey; a request for a building permit to allow photovoltaic solar panels to be installed on a dwelling at this address. Zoned: Single Family (R-1).  
***Taken off the Consent Agenda by the PZHAC. Motion that all further construction on these projects must cease pending PZHAC review of construction information to be provided by the applicant made by Commissioner Lucero and seconded by Commissioner Apodaca. Postponed by a vote of 2 – 1. Commissioner McLeod voted against the motion.***
- e. **Case 012412** – 209 Capri Arc, by Stryker Urethane Foam Roofing for David and Darlene Kegel, a request for a building permit to allow a foam overlay to be placed on a roof of a dwelling at the address. Zoned: Single Family (R-1).  
***Approved as part of the Consent Agenda***
- f. **Case 012413** – 2549 Calle de San Albino, by Teresa F. Sanchez; a request for a building permit to allow the repair of a portion of a block wall that had been knocked down at the rear property line of this address. Zoned: Historical Residential (HR).  
***Approved as part of the Consent Agenda***
- g. **Case 012414** - 2921 Calle de Guadalupe, a request by Solar City for Hallie and Virgil Lee Shelton; a request for a building permit to allow photovoltaic solar panels to be installed on a dwelling at this address. Zoned: Historical Residential (HR)  
***Taken off the Consent Agenda by the PZHAC. Motion that all further construction on these projects must cease pending PZHAC review of construction information to be provided by the applicant made by Commissioner Lucero and seconded by Commissioner Apodaca. Postponed by a vote of 2 – 1. Commissioner McLeod voted against the motion.***
- h. **Case 012415** –1910 Calle de Parian, by Aaron Garcia for Lillian Grijalva of the Old Tortilla Factory; a request for a building permit to patch multiple leaks in the roof of the structure at this address by reroofing the structure. There will be no changes to the appearance or style of the structure. Zoned: Historic Commercial (HC)  
***Approved as part of the Consent Agenda***
- i. **Case 012418** – 207 Capri Arc, by Sunspot Solar Energy LLC for Albert and Dawn Stephens; a request for a building permit to allow photovoltaic solar panels to be installed on a dwelling at this address. Zoned: Single Family (R-1).  
***Taken off the Consent Agenda by the PZHAC. Motion that all further construction on these projects must cease pending PZHAC review of construction information to be provided by the applicant made by Commissioner Lucero and seconded by Commissioner Apodaca. Postponed by a vote of 2 – 1. Commissioner McLeod voted against the motion.***
- j. **Case 012483** – 2380 Calle Principal, by Sunvista Construction, Inc. for Eric and Teresa Sanchez; a request for a building permit to allow the repair repainting of the plaster on a portion of a commercial structure at this address. Zoned: Historical Commercial (HC).  
***Approved as part of the Consent Agenda***

## 5. **PZHAC NEW BUSINESS:**

### **Special Use Permit:**

- k. **S15-001** – Submitted by Roxanna Gates for the “Roundtable Children’s Academy Daycare and Preschool”, a request for a Special Use Permit to allow a day care center and preschool to operate at a former restaurant at 1750 Calle de Mercado. **The SUP includes a request for approval of a Business Permit and a Sign Permit (Case 012407) for the proposed use. Zoned: General Commercial (C).**  
**(This case is being continued from the August 17, 2015 PZHAC meeting.)**  
**(See “Facts of the Case – SUP 15-001 at attached at the end of these minutes.)**

### **Building Permit Requests:**

- l. **Case 012423**– 2410 Calle de San Albino, submitted by McBe Partners, LTD for La Posta Restaurant; a request for a building permit to allow an alcove between two existing joined structures owner by the applicant to be enclosed to form a 500 sq. ft. storage addition to the La Posta Restaurant. Zoned: Historical Commercial (HC).  
***Staff provided a brief description of the Case. Mr. Hutchison, representative for McBe Partners, answered questions about color, exits, and parking. No issues were noted, and a motion to recommend approval of this case was made by Commissioner McLeod, seconded by Commissioner Apodaca, and approved by a vote of 3-0.***

### **Summary Subdivision Request:**

- m. **Case 012417**– Calle Tercera , submitted by Jack and Lisa Kirby; a request for a Summary Subdivision to remove a lot line between two lots located on this street in order to create one buildable lot. Zoned: Historical Residential (HR).  
***Staff stated that a description of this case was presented during the Work Session. There were no issues with the proposal. A motion was mad to recommend approval of the case by Commissioner Lucero, seconded by Commissioner McLeod, and approved by a vote of 3 -0.***

### **Business Registration/License Requests:**

- n. Submitted by Donna Siedow for Mesilla Mercantile; a request for a business registration and license to operate a gift shop at a commercial structure at 1937 Calle de Parian. Zoned: Historic Commercial (HC).  
***Staff provided a brief description of the case. A motion to approve was made by Commissioner Lucero, seconded by Commissioner McLeod, and approved by a vote of 3 – 0.***
- o. Submitted by Francisca Hakes for Walking Tours of Mesilla; a request for a business license and registration to operate a home occupation at 2935 Estrada Lane that will provide guided tours around Mesilla. Zoned: Residential/Agricultural (RA)  
***Staff provided a brief description of the case. The applicant was not present to answer questions about the business. A motion was made by Commissioner Lucero to postpone this case until the next meeting to allow the applicant to be present to answer questions by the PZHAC, seconded by Commissioner McLeod, and approved 3 – 0. The case was postponed.***
- p. Submitted by Timothy Nelson for Raxia, Inc; a request for a business registration and license for a video production service to be operated as a home occupation out of a dwelling located at 284 Boldt Street. Zoned: Single Family (R-1).  
***Staff provided a brief description of the case, stating that the applicant planned to produce video advertisements for local businesses to be used by the client on Facebook, You-tube and other social media. A motion to approve was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by a vote of 2 – 1 (Commissioner Lucero voted against approval based on not knowing what the videos contained.***
- q. Submitted by Laura Romanelli for Cheeky Chaps; a request for a business license to operate a barber shop in a commercial structure at 2521 Avenida de Mesilla #E. Zoned: Historic Commercial (HC).  
***Staff provided a brief description of the case. A motion to approve was made by Commissioner Lucero, seconded by Commissioner McLeod, and approved by a vote of 3 – 0.***

### **Sign Permit Request:**

- r. Case 012422 - Submitted by Donna Siedow for Mesilla Mercantile; a request for a permit to allow signs to be placed on a gift shop to be operated at 1937 Calle de Parian. Zoned: Historic Commercial (HC). *Staff provided a brief description of the case. A motion to approve was made by Commissioner Lucero with a condition that one sign be approved for installation on the building and a freestanding sign be approved for location in the parking lot, with the final locations to be determined by staff with respect to the Code. The motion was seconded by Commissioner McLeod, and approved by a vote of 3 – 0.*

### **6. PUBLIC COMMENTS**

*Susan Krueger – Resident of Mesilla and former Town employee*

*Had comments about the way the PZHAC conducts business; erroneously stated that the sports complex would require a zone change because the RF zone (Section 18.20.040) does not list this as a permitted use (Chapter 18.55 of the Code actually does allow this use in this zone with a Special Use Permit); stated that competition between businesses is not a PZHAC concern; questioned why she has not heard any further about the “food truck” amendment; and had several comments about the SUP case that had been heard by the PZHAC (see attached “Facts of the Case”).*

*Eddie Binns – owner of commercial property for sale or lease in the Mercado*

*Had comments about the SUP that had been heard by the PZHAC, including: concern that the approval of the SUP will change the character and attitude of the Mercado; that business rights have been lost to the school; and that the Public Comments section of the agenda does not give the public an adequate chance to address the cases being heard (see attached “Facts of the Case”).*

### **7. PZHAC/STAFF COMMENTS**

*Russell Hernandez – PZHAC chairman*

*Stated that:*

- a. *The business permit that was postponed was postponed because the applicant was not present to answer PZHAC questions about the operation of the business, not because there was concern that the business would compete with another business in Town. This is a risk all applicants face if they fail to show up for a meeting.*
- b. *Further discussion of the Itinerant Vendor amendment has been delayed while the amendment is under legal review by the Town’s attorney.*
- c. *The agenda will be amended to allow Public Input at the beginning of the meeting, after the Consent Agenda.*
- d. *Any changes to the SUP process will require further review.*
- e. *Mr. Binns should bring any ideas for the Mercado area, or for anything that might help commercial help in the Town, to staff and the PZHAC for consideration.*
- f. *All SUP’s approved by the PZHAC go to the Board of Trustees for a Public Hearing and final approval.*

*Tamra McLeod – PZHAC Commissioner*

*Explained that she voted no against postponing items on the Consent Agenda because she felt that it was not a good idea to approve an item, and then pull it from the agenda with the chance that it could then be denied.*

*Mayor Barraza*

*Stated that Administrative Approval (i.e.: what can be approved at the administrative level) needs to be addressed by the Board of Alderman. Additionally, all SUP’s approved by the PZHAC need to go to a Public Hearing held by the Board of Alderman for final approval.*

*Don Apodaca – PZHAC Commissioner*

*Stated that he is excited about having a Sports Complex come to the Town.*

### **8. ADJOURNMENT OF THE REGULAR PZHAC MEETING**

*Commissioner Lucero made a motion to adjourn the meeting, seconded by Commissioner Apodaca, and approved by a vote of 3 – 0. The meeting was adjourned at 7:28 pm.*