



PZHAC MINUTES

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING ON TUESDAY, SEPTEMBER 3, 2013, AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

PLEDGE OF ALLEGIANCE

ROLL CALL AND DETERMINATION OF A QUORUM

Commissioner Prieto, Commissioner Hernandez, Commissioner Contreras and Commissioner Seifert were all in attendance. A quorum was present.

CHANGES TO THE AGENDA

None.

ACCEPTANCE OF THE CONSENT AGENDA

Commissioner Prieto made a motion to accept the consent agenda; seconded by Commissioner Hernandez. All in favor and the motion carried.

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.*

***PZHAC MINUTES:**

Regular Meeting Minutes of August 19, 2013.

PZHAC NEW BUSINESS

****A public hearing must be held prior to the following item****

- 1) For approval to make a recommendation to the BOT for the approval of the Proposed Ordinance changes to MTC 15.10 Manufactured Homes.

Commissioner Hernandez made a motion to close the regular session to enter into Public Hearing for MTC 15.10 Manufactures Homes; seconded by Commissioner Prieto. All in favor and the motion carried.

Staff read the revision to the Ordinance for the record. Chairman Seifert asked if there was any public comments. Ms. Susan Krueger handed out a memo to the Board with the following:

“Reference to town’s “Guidelines and Criteria for Preservation and Development” manual. It is my understanding that this manual is no longer in use since the town attorney said he could not enforce guidelines and criteria, which was the driving force for writing a historic preservation ordinance. There is a letter in the PZHAC records stating this position. It is also my understanding that a reference to Chapter 18, permitting imposition of architectural styles and design elements, is inappropriate because construction in the rural farm zones is not subject to Chapter 18. Does the town have a legal opinion stating that it is permissible to impose stricter building requirements on modular/manufactures homes than are imposed on site-built homes in the same zone? Does this propose set a precedent, i.e. open the door, to requiring all construction in the rural zones to comply with the rules and regulations of the Town’s historical preservation ordinance? Is this something the community wants? Does it fit in with the Town’s comprehensive plan?”

Ms. Krueger stated that she was opposed to further consideration of this proposed change in Chapter 15.10 until the above questions are addressed.

Chairman Seifert thanked Ms. Krueger for her comments and asked if there were any other public comments. Seeing none, Chairman Seifert asked for a motion to close the public hearing. Commissioner Contreras made a motion; seconded by Commissioner Hernandez. All in favor and the motion carried.

Commissioner Hernandez made a motion to open regular meeting; seconded by Commissioner Hernandez. All in favor that the motion carried.

Chairman Seifert made a comment that the town is still waiting on legal opinion regarding the ordinance change. Commissioner Prieto and Commissioner Hernandez stated that Ms. Krueger had very valid points. Commissioner Hernandez made a motion to table the ordinance pending legal opinion and answers to the questions heard during public comment. Commissioner Hernandez stated that with a table, the board must state when the tabled item would be reconsidered. Commissioner Hernandez amended his motion to include that the item would be tabled until the next meeting on September 16. Seconded by Commissioner Contreras. All in favor and the motion carried.

BUILDING PERMIT REQUESTS:

- 2) *Case 012218* – 2820 Boldt St, Robert Church, a building permit for a sun room. Zone: Historic-Residential (HR).

Staff presented the facts of the case. The proposed enclosure would not be visible from the road. The panels would be placed around and already laid foundation toward the back of the home and would be for non-habitual purposes. Commissioner Contreras made a motion to approve the application; seconded by Commissioner Hernandez. All in favor and the motion carried.

*** ADMINISTRATIVE (CONSENT) APPROVALS:**

- 1) *Case 012217* – 2171 Calle de Parian, Bus: El Patio Bar, Applicant: Alti Fountain, a temporary sign permit application to advertise Menudo & Posole Sunday's.

PUBLIC COMMENTS

Ms. Susan Krueger commented that the proposed ordinance seems like it gives the appearance that we are shutting out manufacture homes from the town of Mesilla. She also recommends that on future agendas we use “for consideration” instead of “for approval.”

PZHAC/STAFF COMMENTS

Staff stated that they had attended a workshop in Taos and have been busy with various aspects of the job.

NEXT REGULAR BOARD MEETING September 16, 2013 at 6:00 PM

PZHAC ADJOURNMENT

Commissioner Hernandez made a motion to adjourn the meeting at 5:35 PM; seconded by Commissioner Contreras. All in favor and the motion carried.

Dr. Kim Seifert, Chairman

Cynthia Stoeher-Hernandez, CDC