



**PZHAC WORK SESSION
AGENDA
NOVEMBER 18, 2019**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION MONDAY, NOVEMBER 18, 2019 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

Item 1: Submitted by Sam and Jessica Kane; a request to discuss plans to re-establish a lot line that had been recorded with Dona Ana County as part of a subdivision since 1939, recreating a second property at the SW corner of Calle de Colon and Calle de Tercera. (Case 060978). Zoned: Historic Residential (HR)

Commission chair Lucero stated that the case would be postponed at the request of the Town attorney, so it was not necessary to hear the discussion at this time. The applicant's representative wanted to know why the case would be postponed, since the requested lot split is a separate issue that has nothing to do with the legal opinion requested by the BOT and there was no specific reason why the case should be postponed. He then proceeded to explain the rationale for the request.

Item 2: Submitted by Gerard Nevarez; a request to discuss plans to add a sunroom to an existing dwelling at 2305 Calle de Segunda. (Case 060979) Zoned: Historical Residential (HR)

The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the proposed addition would not be out of character with the property or the area. There were no issues.

Item 3: Submitted by Dave and Kelly Salas; a request to discuss plans to construct an additional two dwellings on a property located on the north side of Calle del Sur, adjacent to the east side of the property at 2138 Calle del Sur. (Case 060981) Zoned: Historic Residential (HR).

Commission chair Lucero stated that the case would be postponed at the request of the Town attorney due to the fact that the proposal was very similar to the case that had been postponed by the BOT for a legal opinion, so it was not necessary to hear the discussion at this time. No discussion took place.

Item 4: Submitted by Eric Serna for Eleda Guggiana; a request to discuss plans to renovate a dwelling at 2184 Avenida de Mesilla. (Case 060982) Zoned: Historic Commercial (HC).

The applicant's representative, Eric Serna, was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the proposed renovations were primarily repairs to damaged or deteriorating portions of the structure, and would not result in any changes to the appearance of the structure. Mr. Serna testified that this was true. There were no issues.

**PZHAC REGULAR MEETING
AGENDA
NOVEMBER 18, 2019**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING MONDAY, NOVEMBER 18, 2019 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

Commission Chair Hernandez was absent. All other Commissioners were present. There was a quorum. Commissioner Lucero was the acting chair.

III. CHANGES/APPROVAL OF THE AGENDA

Since Case 060981 was to be postponed at the request of the Town attorney, it was removed from the agenda. A motion to approve the Agenda as amended was made by Commissioner Prieto, seconded by Commissioner Houston, and approved by a vote of 3 - 0.

IV. *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 for discussion.*

There were no changes to the Consent Agenda. A motion to approve the Consent Agenda was made by Commissioner Houston, seconded by Commissioner Prieto, and approved by a vote of 3 - 0.

A. *PZHAC MINUTES – PZHAC Special Meeting of November 4, 2019

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVAL

Zoning Permits

1. **Case 060984** – 2392 Calle de Parian, submitted by Yolanda Lucero; a request for a zoning permit to repair a storage door and a front gate, and to add a small portales over a door on a dwelling at this address. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

2. **Case 060985** – 1780 Calle de El Paso, submitted by Jon Strain; a request for a zoning permit to remodel a bathroom in a dwelling at this address. Zoned: Rural/Agricultural (RA)

Approved as part of the Consent Agenda

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Susan Krueger – resident

Case 060978

With respect to the applicant's argument that the lot exists as two separate lots, stated that DAC would not recognize the lots as separate unless they met Mesilla's requirements for a subdivision, and stated that the original lots do not meet the current requirements for a subdivision.

Case 060981

Stated that the proposed request should fall under the moratorium on development proposed by the Mayor. She recommended that if certain definitions do not exist in the Zoning Code, than the definitions from the Building Code should be used. She also stated that Davie Salas had said that he is willing to change the architectural styles of the structures to meet PZHAC requirements, and that staff should work with Salas to find a style that works.

Ralph Geck – neighbor of Case 060978

Stated that the lot to be divided has always been considered as one lot and should remain one lot.

Harold Denton – Case 060978, Representative for the applicant

Stated that he has done the research on the lot in question and that historically it has been considered as two lots. Also, the Building Code clearly defines apartments, and the proposed development does not consist of apartments.

Susan Krueger – resident

Stated that the PZHAC deals with the Zoning Code, not the building Code.

B. DECISIONS:

Summary Subdivision:

1. **Case 060978** – SW corner of Calle de Colon and Calle de Tercera, submitted Samuel and Jessica Kane; a request for a summary subdivision to re-establish a lot line that had been recorded as part of a subdivision in 1939, recreating a second property at this location. Zoned: Historical Residential (HR) (**This case was discussed during the Work Session – Item 1**)

Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC determined that there were no issues with the proposed request. In addition to the argument provided by Mr. Denton as to the history of the property as two distinct lots, issues discussed were the fact that the lots as proposed do not meet current frontage requirements, and whether or not

allowing the lot split would result in an increase of development density for the area. Davie Salas read the section of the Code that allows “multi-family” development in the RF zone, and then read the definition of “multi-family” in the Code that basically defines “multi-family” dwellings as “apartments”. There was no further discussion. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Prieto, and a vote 2 - 1 resulted in the need for Commission Chair to vote in order to provide a quorum for a decision. The final vote was 2 - 2, resulting the motion failing. (Commissions Houston and Prieto voted to approve the motion, and Commission Chair Lucero and Commissioner Nevarez voted against the motion. Commissioner Nevarez stated that he was not satisfied with the documents provided that they provided a legal basis for a positive decision. Commission Chair Lucero stated that the PZHAC needed more information in the form of a letter from the County Assessor stating the County’s opinion in the matter. The request was not approved.

Zoning Permit:

2. **Case 060979** – 2305 Calle de Colon, submitted by Gerard Nevarez; a request for a zoning permit to allow the addition of a sunroom to an existing dwelling at this address. Zoned: Historic Residential (HR) **(This case was discussed during the Work Session – Item 2)**

Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC determined that the proposed addition would not be out of character with the nature of the area. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Prieto and approved by a vote of 3 - 0. (Commissioner Nevarez recused himself from voting on this case.)

3. **Case 090681** - Submitted by Dave and Kelly Salas; a request to discuss plans to construct an additional two dwellings on a property located on the north side of Calle del Sur, adjacent to the east side of the property at 2138 Calle del Sur. (Case 060981) Zoned: Historic Residential (HR). **(This case was discussed during the Work Session – Item 3)**

This case was removed from the agenda.

4. **Case 060982** – 2184 Avenida de Mesilla, submitted by Eric Serna for Eleda Guggiana; a request to discuss plans to renovate a dwelling at this address. (Case 060982) Zoned: Historic Commercial (HC). **(This case was discussed during the Work Session – Item 4)**

Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC determined that the proposed addition would not be out of character with the nature of the area. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Prieto and approved by a vote of 3 - 0.

5. **Case 060983** – 208 Capri Road, submitted by Fort Selden Roofing for Andy Ondo; a request for a zoning permit to reroof a dwelling at this address. Zoned: Residential, one acre minimum (R1)

Staff provided a brief review of this request. The PZHAC determined that there were no issues with the proposed request. A motion was made by Commissioner Nevarez to approve the request, seconded by Commissioner Houston, and approved by a vote of 3 - 0.

Sign Permit

1. **Case 060986** – 1750 Calle de Mercado, submitted by Melissa Roybal for “United Country Real Estate – Revolution LLC”; a request for zoning permit to allow a wall sign for a real estate office at this location. Zoned: General Commercial (C)

Staff provided a brief review of this request. The PZHAC determined that there were no issues with the proposed request. A motion was made by Commissioner Prieto to approve the request, seconded by Commissioner Nevarez, and approved by a vote of 3 - 0.

VI. PUBLIC COMMENTS

Susan Krueger – resident

Complained that her statements have been consistently misquoted by Staff in the minutes. She also stated that her requests for a Work Session to discuss the ordinances have never been mentioned.

Davie Salas – Case 060981 applicant

Stated that he would like to know what was specifically asked of the attorney.

VII. PZHAC/STAFF COMMENTS

Commissioners Prieto and Nevarez both requested that any info and clarification of the Codes by the attorney be shared with the PZHAC.

Commissioner Lucero stated that the delays caused by waiting for the attorney's opinion were unfair to the applicants.

VIII. ADJOURNMENT

The meeting was adjourned at 6:52 pm.

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 48 hours prior to the meeting.

Posted on 11/14/19 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Shorty's Food Mart - 2290 Avenida de Mesilla; Ristramn Chile Co. - 2531 Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.