



**THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING ON TUESDAY, MAY 26, 2020 AT 6:00 P.M. VIA TELECONFERENCE 1-346-248-7799, MEETING ID 989-2091-8810, PASSWORD 025699.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL & DETERMINATION OF A QUORUM
3. CHANGES TO THE AGENDA & APPROVAL
4. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.

**Public input in writing shall be received at [cvnthias-h@mesillanm.gov](mailto:cvnthias-h@mesillanm.gov) at by 5:00 p.m., the day of the meeting and will be read into the record. You will also be given an opportunity to speak during this time by pressing \*9 while in the teleconference. You will be prompted when to begin speaking.**

5. **\*APPROVAL OF CONSENT AGENDA –**

(The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*):

- a) **\*BOT Minutes** – Minutes of a Work Session & Regular Meeting on May 11, 2020.
- b) **\*PZHAC Case 061026** – 2149 Calle de Los Huertos, submitted by Martin Serna for Gabriel Quintana; request for a zoning permit to allow the construction of stucco wall around a courtyard at this address. **Zoned: Historical Residential (HR).**
- c) **\*PZHAC Case 061033 w/Condition of submittal of right-of-entry agreement** – 2230 Calle del Sur, submitted by Stephen Cadena; a request to for a zoning permit to construct a rock wall and a stucco wall on a property at this address. **Zoned: Historic Residential (HR).**
- d) **\*PZHAC Case 061044 w/Condition of submittal of right-of-entry agreement** – 2545 Calle Santa Ana, submitted by Oscar Fritze; a request for a zoning permit to install a fence along the west edge of a pecan grove at this address. **Zoned: Historical Residential (HR)**
- e) **\*PZHAC Case 061047 w/Condition submittal of right-of-entry agreement for all sides and only approving the 6 ft wall in the back until documentation is given for clear-sight-triangle on the walls for the sides of the property.** – Calle Tercera, submitted by Frankie Torres, a request for a zoning permit to allow a rock wall to be constructed on the property lines of a residential property at this address. **Zoned: Historical Residential (HR)**
- f) **\*For Approval:** the hiring of three (3) temporary employees for the Summer Recreation program.

6. **\*OLD BUSINESS:**

- a) **\* BOT Minutes** – Minutes of a Regular Meeting on April 27, 2020.

7. **PUBLIC HEARINGS:**

- a) **AN APPEAL FROM A PLANNING & ZONING DECISION:** on Case 061021- 1922 Calle de Cura, submitted by Nia Rucker; a request for a zoning permit to replace windows on a dwelling at this address. **Zoned: Historical Residential (HR).**
- b) **A LIQUOR LICENSE** - Application 1156030 for Creative Spirits Distillery LLC aka Dry Point Distillers for a winegrower liquor license, with on premises consumption and package sales.

## 8. NEW BUSINESS:

- a) **For Consideration:** an appeal of the PZHAC's decision on Case 061021- 1922 Calle de Cura, submitted by Nia Rucker; a request for a zoning permit to replace windows on a dwelling at this address. **Zoned: Historical Residential (HR).** **\*\*A resolution with the decision must be brought back to the Trustees at our meeting June 8<sup>th</sup>. \*\***
- b) **For consideration:** Application 1156030 for Creative Spirits Distillery LLC aka Dry Point Distillers for a winegrower liquor license, with on premises consumption and package sales. – *Cynthia Stoechner-Hernandez, Clerk/Treasurer.*
- c) **For consideration:** FY 2020-2021 Preliminary Budget for the Town of Mesilla. – *Cynthia Stoechner-Hernandez, Clerk/Treasurer.*
- d) **Resolution 2020-10:** amending the Planning, Zoning and Historical Appropriateness Commission meeting time to 2:30 p.m. on the 1<sup>st</sup> and 3<sup>rd</sup> Monday's of each month. – *Nora L. Barraza, Mayor.*

## 9. BOARD OF TRUSTEE COMMITTEE REPORTS

## 10. BOARD OF TRUSTEE/STAFF COMMENTS

## 11. ADJOURNMENT

### **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 one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at [www.mesillanm.gov](http://www.mesillanm.gov).

Posted 5/22/2020 at the following locations: Town Clerk's Office 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.



**BOARD OF TRUSTEES  
TOWN OF MESILLA  
WORK SESSION  
MONDAY, MAY 11, 2020  
5:30 P.M.**

**VIA TELECONFERENCE 1-346-248-7799**

**TRUSTEES:** Nora L. Barraza, Mayor  
Carlos Arzabal, Mayor Pro Tem  
Jesus Caro, Trustee  
Veronica Garcia, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
Kevin Hoban, Fire Chief  
Eddie Lerma, Marshal  
Rod McGillivray, Public Works Director

- Discussion of the Town of Mesilla Preliminary Budget for FY 2020/2021– **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

Ms. Stoechner-Hernandez presented the Town of Mesilla’s Preliminary Budget for FY 2020/2021.

- 3% increase in health benefits
- Adjustments made to all department’s operation line item to allow for the bottom line to remain the same
- 1% increase as per collective bargaining to union employees
- 1.4% Experience Modifier for Worker’s Comp which is based on claims 3 years ago
- Savings due to personnel and benefit changes in the Marshal’s Department will help cover the School Resource Officer contract and add to the operational budget
- Marshal’s budget may change due to personnel assignments
- Savings due to benefit changes in Public Works will be moved to the Community Center line item
- 2% utility service increase due to CPI; senior trash will remain the same
- Fire Protection Fund will receive \$145,946 which is less than what received this year due to COVID19
- EMS Fund shows the minimum that we could receive; adjustment will be made once the final number is received
- Correction Fund has never met the budgeted amount, so it was decreased. She is waiting to hear from Ms. Carbajal who stated it may need to remain the same due to State Statute.
- Changes in personnel in School Resource Officer
- Marshal Lerma is going to request more funding from the Las Cruces School District for the School Resource Officer

1 Mayor Pro Tem Arzabal expressed concerns with other employees not being union. All employees  
2 deserve at least a 1% increase.

3  
4 Ms. Stoechner-Hernandez responded when union first came forth it was offered to everyone and the only  
5 one that chose to participate was the Marshal's Department.

6  
7 Mayor Barraza stated she feels confident with the preliminary budget as presented. We have been able  
8 meet most of what was projected in the 2019-2020 budget; adjustments will be made once we receive  
9 final numbers. Had the GRT trend continued we would have exceeded what had been projected.

10  
11 Trustee Garcia asked if the Recreation Fund is only for Summer Recreation and asked if the town will be  
12 affected by the minimum wage.

13  
14 Ms. Stoechner-Hernandez responded it is only for Summer Recreation Program. We are fine with regards  
15 to the minimum wage. She understands the City of Las Cruces will have an increase, but she will do  
16 research to see if the state will have an increase.

17  
18 Mayor Pro Tem Arzabal stated we are being proactive with the preliminary budget.

19  
20 Mayor Barraza stated the budget needs to be submitted to the state by June 1<sup>st</sup>. She asked the trustees to  
21 bring forth any concerns or questions so they can be addressed.

22  
23 Trustee Caro stated we need to watch our expenditures since we do not know what will be cut at the state  
24 level.

25  
26 Mayor Barraza stated Capital Outlay funding which has not obligated has been frozen. A Special  
27 Legislative Session may be scheduled in June where more cuts may take place.

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30 Worksession ended at 5:41 p.m.



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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, MAY 11, 2020  
6:00 P.M.**

**VIA TELECONFERENCE 1-346-248-7799**

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**TRUSTEES:** Nora L. Barraza, Mayor  
Carlos Arzabal, Mayor Pro Tem  
Jesus Caro, Trustee  
Veronica Garcia, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
Kevin Hoban, Fire Chief  
Eddie Lerma, Marshal  
Rod McGillivray, Public Works Director  
Dorothy Sellers, Special Events Coordinator  
Larry Shannon, Community Development Coordinator  
Joseph Cervantes, Attorney

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**1. PLEDGE OF ALLEGIANCE**

Mayor Barraza led the Pledge of Allegiance.

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

**Roll Call.**

**Present:** Mayor Barraza, Mayor Pro Tem Arzabal, Trustee Garcia, Trustee Johnson-Burick.

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**3. CHANGES TO THE AGENDA & APPROVAL**

**Motion: To approve agenda, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Caro.**

**Roll Call Vote:** Motion passed (summary: Yes =3).

Mayor Pro Tem Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

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**4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

Ms. Stoechner-Hernandez read public input submitted in writing; see attached. No other input was received during the meeting.

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**5. \*APPROVAL OF CONSENT AGENDA** – (The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*):

1 **Motion: To approve consent agenda as amended, Moved by Trustee Caro, Seconded by Mayor**  
2 **Pro Tem Arzabal.**

3  
4 Mayor Pro Tem Arzabal placed new business items c, d, and e on the consent agenda.

5  
6 Trustee Garcia questioned attachments of the April 23, 2020 public hearing.

7  
8 **Roll Call Vote:** Motion passed (**summary:** Yes =3).

9 Mayor Pro Tem Arzabal Yes

10 Trustee Garcia Yes

11 Trustee Johnson-Burick Yes

12  
13 **Motion: To pull April 27, 2020 minutes and postpone them to the next board meeting, Moved**  
14 **by Trustee Johnson-Burick, Seconded by Trustee Garcia.**

15  
16 Trustee Johnson-Burick pulled April 27, 2020 minutes for a correction to page 12.

17  
18 **Roll Call Vote:** Motion passed (**summary:** Yes =3).

19 Mayor Pro Tem Arzabal Yes

20 Trustee Garcia Yes

21 Trustee Johnson-Burick Yes

22  
23 a) \* **BOT Minutes** – Minutes of a public hearing held April 23, 2020. *Approved by consent*  
24 *agenda*

25  
26 b) \* **BOT Minutes** – Minutes of a Regular Meeting on April 27, 2020. *Postponed until next*  
27 *board meeting for corrections.*

28  
29 **6. NEW BUSINESS:**

30 a) For consideration: **Ordinance 2020-02** – Revising Chapter 18.35 Historic Residential Zone.  
31 – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

32 **Motion:** To approve Ordinance 2020-02 – Revising Chapter 18.35 Historic Residential Zone, **Moved**  
33 **by Trustee Johnson-Burick, No Second; motion failed.**

34 Mayor Barraza presented information regarding the Town's Comprehensive Land Use Plan from  
35 2017. Further, she presented Mr. Cervantes' opinion to the Board of Trustees relating to  
36 grandfathering in.

37  
38 Trustee Garcia stated she had not received this information until 5 p.m. when she got home from  
39 work.

40  
41 Trustee Caro echoed what Trustee Garcia stated and had gotten the attorney's information late.  
42 Further, he stated that he would like to wait until COVID is over to have Public Hearing.

43  
44 Trustee Arzabal also related concerns with public meetings during this time.

45  
46 Trustee Garcia asked Mr. Cervantes if having this presented during these times is against Open  
47 Meetings Act.

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49 Mr. Cervantes responded that he had not had time to review this and apologized for the Trustees

1 getting his opinion late.  
2

3 Mayor Barraza stated that the County had a meeting and it was in the paper that they violated the  
4 Governor's Orders by having so many people in a public meeting. She did not want to go against  
5 these orders.  
6

7 Trustee Johnson-Burick stated that families can still build, this ordinance change does not prohibit  
8 them from building. She was elected to help Mesilla maintain its historical integrity and she plans to  
9 continue to do so.  
10

- 11 b) **Resolution 2020-10:** A resolution repealing all resolutions regarding a moratorium ceasing  
12 all construction of new building in the HR Zone. – **Nora L. Barraza, Mayor.**

13 **Motion:** To approve Resolution 2020-10: A resolution repealing all resolutions regarding a  
14 moratorium ceasing all construction of new building in the HR Zone, **Moved by Trustee Garcia, No**  
15 **Second; motion failed.**  
16

- 17 c) For consideration: awarding RFP 2020-05; a construction contract to the low bidder for CN  
18 LC00320 La Llorona Trail Extension Project. – **Rod McGillivray, Public Works Director.**

19 *Approved by consent agenda*

- 20 d) For consideration: awarding RFP 2020-04; a contract to serve as On-Call Engineer for the  
21 Town of Mesilla. – **Rod McGillivray, Public Works Director.** *Approved by consent*  
22 *agenda*

- 23 e) For consideration: awarding RFQ 2020-01; a contract to design/construct the Town of Mesilla  
24 Plaza Lighting Replacement Capital Outlay project. – **Rod McGillivray, Public Works**  
25 **Director. Capital Outlay Frozen**

- 26 f) For consideration: amending the Planning, Zoning and Historical Appropriateness  
27 Commission and/or Board of Trustee meeting times during this pandemic crisis. – **Nora L.**  
28 **Barraza, Mayor.**

29 Mayor Barraza stated the requested amendment is only for the Planning, Zoning and Historical  
30 Appropriateness Commission meetings. The recommended times are 10:30 a.m. or 2:30 p.m.

31 A resolution will be brought forth at the next Board of Trustee Meeting to approve the change.  
32

## 33 7. \*STAFF REPORTS:

34 Community Development  
35 Community Programs  
36 Finance Department  
37 Fire Department  
38 Marshal's Department  
39 Public Works Department  
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## 41 8. BOARD OF TRUSTEE COMMITTEE REPORTS

42 Trustee Johnson-Burick stated there will be an MPO meeting soon, working on it virtually with  
43 Andrew Wray.  
44

## 45 9. BOARD OF TRUSTEE/STAFF COMMENTS

46 Trustee Johnson-Burick stated she feels for people not being able to build at this time. She  
47 reiterated that she was elected to help preserve Mesilla and will not be responsible for allowing  
48 another property to go up like the ones near the Geck's.

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Mayor Pro Tem Arzabal stated this does not mean it is dead it will depend on Government orders. Two trustees did not get it until 5:00 p.m.

Mayor Barraza responded two trustees will be needed to bring it back with revised ordinance if they want for a vote. Staff will not be putting in any more time on this ordinance. Staff spend so much time on this for the Board not to vote. Submit in writing if Trustees want to bring it back. In addition, a Re-opening Plan was to submit to Gov office. Mayor Barraza plans on bringing back the Architectural styles committee.

**10. ADJOURNMENT**

**The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

**MEETING ADJOURNED AT 7:35 P.M.**

**APPROVED THIS 26th DAY OF MAY 2020.**

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Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer

## Cynthia Stoechner-Hernandez

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**From:** Biviana Cadena <bivianasnt@gmail.com>  
**Sent:** Monday, May 11, 2020 8:27 AM  
**To:** cynthias-h@mesillanm.gov  
**Subject:** Ordinance 2020-02

Dear Trustees,

As a land owner and citizen of Mesilla; I am asking that you Table Ordinance 2020-02 until there is an opportunity for more research and Public Input. A change like this is not warranted at this time, without more information. It seems rushed.

Thank you for your consideration,

Biviana M. Cadena  
2087 Stithes Rd.  
Mesilla, NM 88046

## Cynthia Stoechner-Hernandez

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**From:** Susan krueger <skrueger575@msn.com>  
**Sent:** Monday, May 11, 2020 2:32 PM  
**To:** Cynthia Stoechner-Hernandez  
**Cc:** Susan krueger  
**Subject:** BOT meeting 5/11/2020

Good afternoon Cynthia,

Regarding New Business, 6. e) Plaza lighting replacement capital outlay project.

Will this project comply with MTC Chapter 18.50 "Outdoor Lighting"?

Initially, Plaza lighting was grandfathered in; however, now the grandfathering period has expired. Plus, it appears that the Plaza lighting fixtures will be replaced, so it's a perfect opportunity to have the Plaza come into compliance with the purpose stated at 18.50.020, and to set an example for the Townspeople as well as save the night sky.

Thanks, Susan

## Cynthia Stoehner-Hernandez

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**From:** Maryhelen Ratje <maryhelen.ratje@jpaultayloracademy.org>  
**Sent:** Monday, May 11, 2020 4:09 PM  
**To:** cynthias-h@mesillanm.gov  
**Subject:** Public Input for tonight's meeting

Under New Business a) I am requesting that you please take Ordinance 2020-02 off the agenda's new business and wait until we can meet in person to discuss. I believe discussion is needed and input from residents is vital, but with the current stay at home orders it is limiting fairness with something that is as important as this issue.

Thank you,  
Mary Helen Ratje  
2231 Calle de Santiago

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Joni Marie Gutierrez & Lowell B. Catlett  
2350 Calle de Parian  
Mesilla, NM 88046

May 7, 2020  
Mayor Nora L. Barraza  
P.O. Box 10  
2231 Avenida de Mesilla  
Mesilla, NM 88046

Dear Mayor Barraza & Trustees:

After several hours of thinking about Mesilla's Proposed Ordinance 2020-20, we are urging you to make some adjustments before passing this Ordinance.

We believe that the Ordinance has taken on an approach that does not actually fall within the original plan of Historic Mesilla and could be damaging to the image of Mesilla in the future.

Our concerns are more specifically Item 18.25.0470, A, B & D.

*A. Each lot developed in H-R Zone shall have a minimum 80 feet of frontage & a minimum of 8000 sf of area.*

*B. Population Density..... Each Lot or parcel shall have sufficient area to provide 48,000 sf of area for each family unit.....*

*The maximum number of dwellings allowed on any property shall be two providing density & parking requirements are met..... A maximum of 40% impervious & 60% pervious shall be required...*

*D. Yards for all new buildings, front, side & rear yard must be at least seven feet.*

### **Regarding Item A.**

According to *The Historical Buildings Survey of the Greater Las Cruces Area*, published in 1982. "La Mesilla; the first buildings erected in Mesilla were jacales centered around the plaza for defense against the Apache.....

....Between the mid 1850's through the 1870's district neighborhoods took shape. Businesses centered around the plaza and streets leading into it. Surrounding this nucleus of the town **were blocks of continuous adobe residences which fronted the street line and usually had patios and corrals in back enclosed by high walls**. Residences also clustered the Acequia Madre and Contracequia, the life providing irrigation ditches".

Mesilla was built by planners that followed traditional Spanish town layouts.

### **Possible Solutions A:**

- Follow the historic building models that made Mesilla a quant community by allowing houses to be built close to the street and have walled Patios as entryways.
- Consider allowing homeowners to design their lots so that cars are parked in the back as was done in historic Mesilla.
- Allow for Owners to be creative, new trends are happening every day in the housing market, Tiny Homes, Smaller block sizes, Walkable urban places, Smart Homes.

### **Regarding Item B.**

Traditionally in Mesilla, families used to buy one large lot for their entire family. As members got older and started their own families, they would simply build another house on their parent's lot or divide the large house into multi homes.

In the past multi residential lot owners have had the resources to develop them. However many may not have the money at this time.

With the adoption of this Ordinance, you are discriminating against those older families/property owners that may have a dream of one day building a home on their lot for their children or older relative as well as dividing their home for the same reason.

I am hoping that 48,000 sf is a typo & you meant 8,000 sf. As it is written it contradicts with Item A. In addition, 48,000 sf is 1.1 Acre. Imagine if the founders of Mesilla followed this rule, we would have no plaza and none of yours or my house would be built.

Why is a maximum of 40% impervious & 60% pervious required?

If the reason is that Mesilla is trying to be a more Green Community or retain surface water than require Trees for shade & Plants to provide wildlife habitat & absorb water.

### **Possible Solutions B:**

- Follow the historic building model that made Mesilla a quant community by continuing to allow multifamily lots.
- If you must adopt.....Allow current property owners to build multi homes on their lots. If the property is sold after a specified date at that time new property owner will need to appeal to Town of Mesilla.

### **Finally Regarding Item D.**

The requirement of a setback & frontage is straight out of 1920's Suburban Subdivision Development Standards.

Why is 7' required on all sides? As long as safety & possibly utilities can be accessed from 1 or maybe even 2 sides 7' on all sides in not necessary. Again look to your Historic Mesilla Model.

Zoning –and laws pertaining to site development, such as setbacks have been criticized recently by urban planners (most notably Jane Jacobs) for the role that these laws have played in producing urban sprawl and automobile-dependent cities.

### **Possible Solutions D:**

- Allow flexibility on setbacks. Focus on the goal of access for safety reasons.

We hope that you will find that what you are accomplishing if this Ordinance is adopted is exactly what you do not want Mesilla to become, that is a typical suburban community. Try to visualize Mesilla if you adopt this Ordinance. I believe it will be large lots (if you do mean 48,000 SF), very suburban with driveways & garages as the focal point.

Please remember, Zoning Laws & Design Standards are adopted for the *health, safety and general welfare* of the public.

If you have any questions we can be reached at 575 496-2474 or email.  
We appreciate your time in considering these observations.

As Always,

*Joni Marie Gutierrez & Lowell B Catlett*

Joni Marie Gutierrez & Lowell B. Catlett

C: Trustee Stephanie Johnson-Burick  
Trustee Veronica S. Garcia  
Trustee Carlos Arzabal  
Trustee Jesus Caro  
Attorney Joseph Cervantez

## Cynthia Stoechner-Hernandez

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**From:** Micaela Cadena <micaela.cadena@gmail.com>  
**Sent:** Monday, May 11, 2020 5:09 PM  
**To:** Cynthia Stoechner-Hernandez; cc: Nora L. Barraza; Stephanie Johnson-Burick; veronicag@mesillanm.gov; lucasa@mesillanm.gov; jesusc@mesillanm.gov; Joseph@cervanteslawnm.com  
**Subject:** Fwd: Public comment  
**Attachments:** Mesilla\_Final.jpg; Mesilla\_Final Page 2.jpg

Dear Mayor and Trustees-

I ask that you vote down the proposed revisions to the Historical Residential Zone on your agenda for tonight's meeting.

There is a way to get this right, please let's take the time needed to make that happen.

Best,  
Micaela

----- Forwarded message -----

**From:** Micaela Cadena <[micaela.cadena@gmail.com](mailto:micaela.cadena@gmail.com)>  
**Date:** Mon, May 11, 2020 at 5:00 PM  
**Subject:** Public comment  
**To:** Cynthia Stoechner-Hernandez <[cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov)>

Honorable Mayor and Board of Trustees-

I write again with concerns related to the revision of Chapter 18.35 Historical Residential Zone.

1) The Mayor continues to move forward these revisions during a public health emergency when impacted property owners have not had a real in-person mechanism to engage in this process. Additionally, you would be eliminating rights that have been on these properties since Mesilla's first comprehensive plan in the 1970s, and should you pass these revisions you would be eliminating millions of dollars of property rights and property value from our families. This is not a time-sensitive issue, and this should be addressed with real public meetings on the other side of this crisis.

2) To date, the Town has still not communicated with property owners to let them know that there may be revisions made to zoning ordinances that will significantly diminish their property rights.

3) While the Mayor has continued to repeat that efforts to amend this ordinance have been going on since November of last year, upon detailed review of minutes (all BOT meetings, work sessions and public hearings since October 2019) there was not a single documented notice, mention or discussion about of changing zoning density standards and/or eliminating the currently held development rights of property owners prior to sharing the draft amendments to this ordinance with the public on March 9th. **According to the approved and published minutes, the discussions related to eliminating development rights simply did not happen.**

Please see additional attachments for statement I have shared publicly.

Micaela Lara Cadena



**THE BACKSTORY:** This began several months ago when the town approved the new construction of an apartment complex inside our Historical Residential Zone. They did so legally, following our current Mesilla ordinances. As construction proceeded, many in Mesilla agreed that large apartment complexes do not conform with the historical character that we seek to preserve. Since then, the Mayor and Trustees have expressed a desire in preventing this kind of development in the future.

I fully support their efforts to stop this type of unsightly development AND know that there are thoughtful mechanisms to do so without causing harm to the development rights our families and property owners may have held for generations.

You see, if the mayor's proposal were to advance, any new development would require 8,000 square feet per unit and would be limited to two units per lot, no matter how large your lot is. For my family, that means the mayor would have eliminated more than half the development rights that have been attached to our property for decades, since we bought the land from my Papo, Manuel "Nene" Cadena.

In every comprehensive plan that has been community-developed since the Yguado Plan in the 1970's, high density housing has been allowed and encouraged. This approach matched the precedent and characteristics of housing in place when Mesilla was incorporated. Such development is not only beautiful to admire, but it also preserves our centuries-old culture. Our development traditions also provide our children with affordable housing options that are close to home, and they protect our agricultural heritage and outdoor recreation opportunities.

**WHERE WE STAND TODAY:** I am concerned that property owners likely do not know that these amendments are being considered right now, nor that language in these proposed amendments would decrease their development rights. To date, property owners have not been formally notified of this proposal; we have not received a certified letter, communication or notice of any kind.

Over several weeks, the Mayor has held two virtual Board of Trustees meetings and a virtual public hearing with items relating to her proposal. Throughout this process I've asked, in writing, the Mayor and Town Clerk how many vacant or partially developed properties within the Historical Residential Zone would these proposed amendments impact, and asked what communication the Town has had with residents and property owners about eliminating their currently held development rights. I've repeatedly asked that the Town consider changing the ordinances in a way that would eliminate apartments from the zoning code for any new construction AND respect the currently held development rights for Mesilleros and other property owners.

Although my questions and comments have been read into the record, I've had no response from the Mayor or town staff.

Throughout these virtual meetings, the Mayor has made statements saying that she doesn't want any new apartments or rental units. Residents have wondered and asked if her comments and agenda amount to housing discrimination. Others have politely requested that the Town not rush into changes that would be a hardship for those families that have owned these properties and now can't use them as they could before.



At different times, every single Town Trustee has raised concerns about causing harm to our Mesilla families and regret about the recent apartment complex construction. By insisting that her proposal is the only way to eliminate apartments, Mayor Barraza has put the Trustees in a difficult position. Unfortunately, many of the Mayor's comments have not been factual or accurate.

**THE SOLUTION:** This issue is not time-sensitive as required by the Attorney General in order for a public entity to meet virtually during COVID-19. For now, the Mayor needs to pull this ordinance from upcoming agendas and wait until Mesilla can return to in-person meetings and concerned residents can show up and participate. Eventually, the Town could amend the Historical Residential Zone ordinances and effectively eliminate apartments by only allowing single family units or multiple detached single family units, without changing density limitations. Additionally, Mesilla could pass and enforce a new height limit for all construction and a new lot set-back, both of which would minimize construction that frustrates the existing neighbors. We need to support our Town Trustees in slowing down the process and getting this right.

In my conversations with municipal planners, attorneys who practice in land use/zoning, and elected trustees/councilors in different parts of New Mexico, they were all shocked to hear this could be happening now. Several commented that by moving these proposed amendments during the COVID-19 stay-at-home order the Mayor might be violating the Open Meetings Act. Others remarked that their communities would literally be up in arms if the government came for their property rights, as what is currently happening in Mesilla. Notably, it was shared that if a municipality were ever to consider undoing development rights it would be most appropriate to do so in a widely publicized and extensive comprehensive planning process, if for no other reason than to avoid costly and unneeded litigation.

**The next Board of Trustees meeting is scheduled for Monday, May 11th.** These proposed amendments to the ordinances could be voted on then. Do you have property in Mesilla, do you know family or friends that might? Please call or text or reach out by any safe means to let them know what's going on. Let's make sure all those that might be impacted by the Mayor's plan hear about it.

Together we can find common sense solutions to protect the culture, history, and way of life for us and for generations to come.

Don't wait. Let your voice be heard today.

Below are the names, numbers, and addresses of the people who hold our future in their hands. I've also provided the advisory memo from the Attorney General mentioned above.

In community-

Micaela

**BOT ACTION FORM**  
**BUILDING PERMIT 061026**  
**[PZHAC REVIEW – 5/18/20]**

**Item:**

**Case 061026** – 2149 Calle de Los Huertos, submitted by Martin Serna for Gabriel Quintana; request for a zoning permit to allow the construction of stucco wall around a courtyard at this address. Zoned: Historical Residential (HR)

**This case was originally supposed to heard at the April 6, 2020 PZHAC Meeting, but it was determined by the Mayor that the proposed work would be affected by the current moratorium on building in the HR zone and therefore was removed from the agenda. It is now being heard at this meeting as a result of a determination that walls and fences are not affected by the intent of the resolution prohibiting new construction in the HR zone.**

**Staff Analysis:**

The applicant has extensively landscaped the property at this address. Now the applicant would like to install a three to four foot high stucco wall around a portion of the landscaped area. The wall will run along part of the front (west) property line and along part of the side (north) property line for a total of 104 feet and will be stuccoed to match the existing dwelling. There will be two openings for gates about four feet wide. These openings will have arches that go over the gates. This project will complete the landscaping of the property.

**Estimated Cost: @ \$10,500.00**

**Consistency with the Code:**

The PZHAC will need to determine that the wall when finished, will be consistent with the other properties in the HR zoning district. Additionally, the request appears to meet all other development and application requirements of the Code.

The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing a wall around part of a residential property at this address.
- The PZHAC has determined that the proposed wall will meet all applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC agreed with the determination that walls and fences are not affected by the intent of the resolution prohibiting new construction in the HR zone and that the proposed wall will be consistent with the Code, and voted 5 – 0 to recommend APPROVAL of this request to the BOT.*

**BOT OPTIONS:**

1. Approve the application as recommended by the PZHAC.
2. Approve the application with conditions.
3. Reject the application.

**BOT ACTION:**



**PHOTOS OF PROPERTY FROM CALLE DE LOS HUERTOS**





# Doña Ana County, NM

General Reference Maps

2014 Aerial

Select Search Type:

Maps

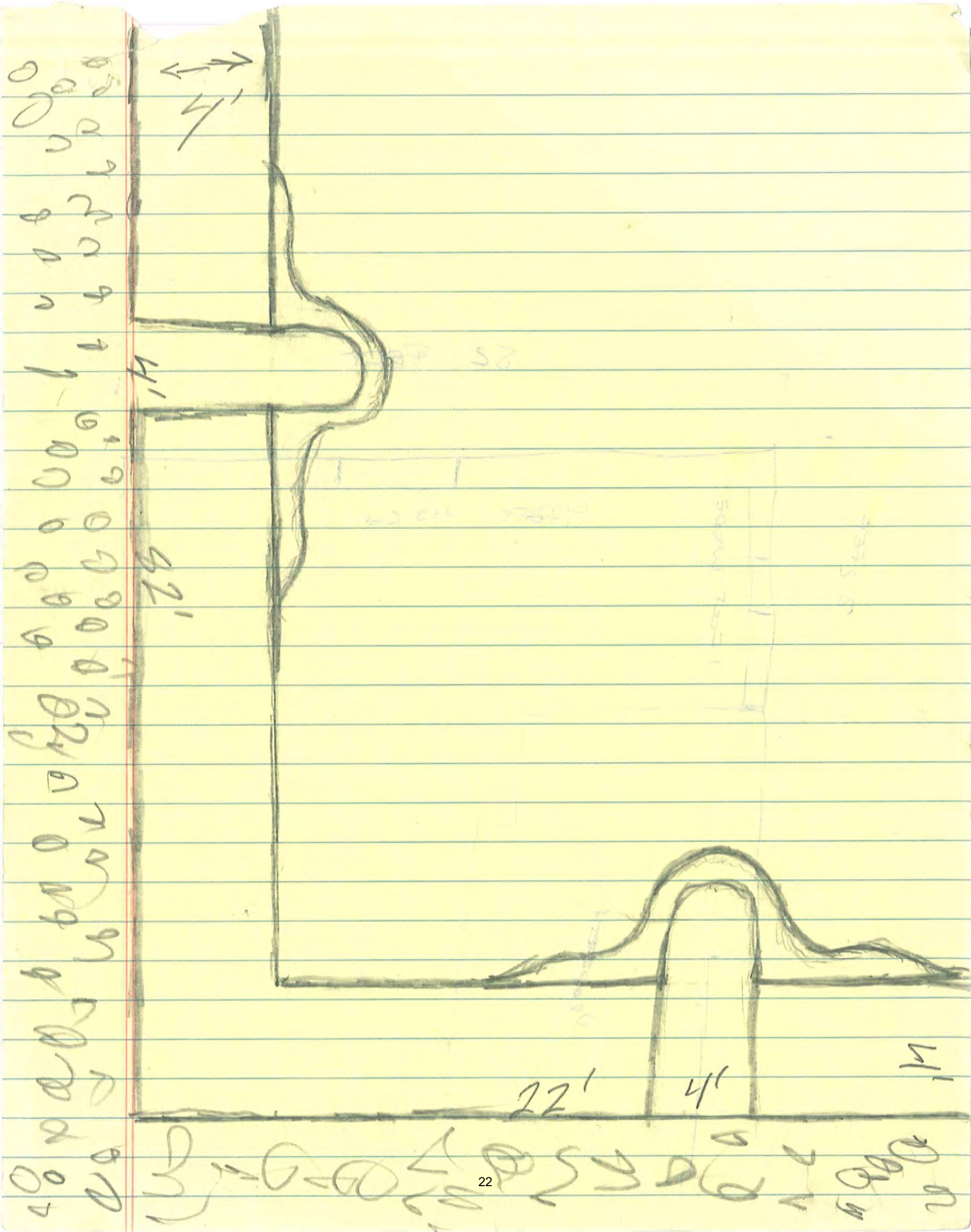
Legend

<b>Map Themes</b>
Parcels
UDC Zoning
Roads and Transportation
NM House Districts
NM Senate Districts
County Commission Districts
City Council Districts
Median Household Income
General Land Ownership

Account Number: [R0401146](#)  
 Parcel Number: 4006137063464  
 Owner: QUINTANA GABRIEL  
 Mail Address: 33 S GULFSTREAM AVE #802  
 Subdivision: USRS TR 11A-155A , 11A-155B1 , 11A-155B2 , ETC.  
 REPLAT NO 1 (BK 18 PG 603 - 9628891)  
 Property Address: 2149 CALLE DE HUERTOS  
 Acres: 0









**TOWN OF MESILLA  
ZONING APPROVAL**

OFFICIAL USE ONLY:

Case # 061027

Fee \$ \_\_\_\_\_

**PERMISSION TO CONDUCT WORK  
OR  
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID**

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. \_\_\_\_\_ ZONE: \_\_\_\_\_ CODE: \_\_\_\_\_ APPLICATION DATE: \_\_\_\_\_

GABRIEL QUANTANA 941-539-5709  
Name of Property Owner Property Owner's Telephone Number  
2149 CALLE DE LOS HUERTOS LAS CRUCES, NM 88005  
Property Owner's Mailing Address City State Zip Code

Property Owner's E-mail Address \_\_\_\_\_  
Rocio Serna 1025 LARRY DR LAS CRUCES, NM, 88001  
Contractor's Name & Address (If none, indicate Self)  
575-644-8691 473165283 384637  
Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

Address of Proposed Work: 2149 CALLE DE LOS HUERTOS  
Description of Proposed Work: Cover YARD IN FRONT OF  
PROPERTY 1' X 104' X 4"

\$10,500 Rocio Serna 3-5-2020  
Estimated Cost Signature of Applicant Date

Signature of property owner: \_\_\_\_\_

**With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and/or BOT before issuance of a zoning permit. Plan sheets are to be no larger than 11 x 17 inches or shall be submitted electronically.**

**FOR OFFICIAL USE ONLY**

PZHAC  Administrative Approval BOT  Approved Date: \_\_\_\_\_  
 Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  
 Disapproved Date: \_\_\_\_\_  Approved with Conditions  
 Approved with conditions

PZHAC APPROVAL REQUIRED: \_\_\_ YES \_\_\_ NO BOT APPROVAL REQUIRED: \_\_\_ YES \_\_\_ NO

CID PERMIT/INSPECTION REQUIRED: \_\_\_ YES \_\_\_ NO \_\_\_ SEE CONDITIONS

CONDITIONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMISSION ISSUED/DENIED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_

**THIS APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:**

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was LEGALLY subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Site Plan with dimensions and details.
3. Foundation plan with details.
4. Floor plan showing rooms, their uses and dimensions.
5. Cross section of walls
6. Roof and floor framing plan
8. Proof of legal access to the property.
9. Drainage plan.
10. Details of architectural style and color scheme (checklist included for Historical zones) – diagrams and elevations.
11. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
12. Proof of legal access to the property.
13. Other information as necessary or required by the City Code or Community Development Department (See other side.)

**BOT ACTION FORM**  
**ZONING PERMITS 061033**  
**[PZHAC REVIEW – 5/18/20]**

**Items:**

**Case 061033** – 2230 Calle del Sur, submitted by Stephen Cadena; a request to for a zoning permit to construct a rock wall and a stucco wall on a property at this address. Zoned: Historic Residential (HR)

**This case was originally supposed to heard at the April 6, 2020 PZHAC Meeting, but it was determined by the Mayor that the proposed work would be affected by the current moratorium on building in the HR zone and therefore was removed from the agenda. It is now being heard at this meeting as a result of a determination that walls and fences are not affected by the intent of the resolution prohibiting new construction in the HR zone.**

**Staff Analysis:**

The applicant would like to build a 5 foot 6 inch high rock wall along the southern property line. This rock wall will be similar in style and color to other rock walls constructed on property lines in the area. In addition to the rock wall, the applicant plans to construct a 10 inch wide by 5 foot 6 inch high stuccoed wall at the southwest corner of the property and along the east side of the dwelling in order to provide privacy for the dwelling (see attached site plan for the locations of the walls).

**Estimated Cost: \$2000.00**

**Consistency with the Code:**

The PZHAC will need to determine that the walls will be consistent with Chapters 18.33 (Historic Preservation) and 18.35 (HR-Residential Cultural Historic zone) of the Code.

**18.33.080 Historical appropriateness permit.**

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

**18.35.030 Exterior appearance.**

An application for a permit which would authorize construction, modification, moving or destruction which would affect the exterior appearance of any structure, sign, or other improvement affecting use or function must first be approved by the commission. [Ord. 94-06 § 1; prior code § 11-2-11.4.C]

The PZHAC will need to determine that the proposed walls will be consistent with other walls in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing a rock wall on a property line and a stucco privacy wall on a property at this address.
- The PZHAC has determined that the proposed walls meet all applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC voted 5 – 0 to recommend APPROVAL w/Condition of the submittal of right-of-entry agreement. Further this does not include a gate because it was not included as part of the application.*

**BOT OPTIONS:**

1. Approve the application as recommended by the PZHAC.
2. Approve the application with conditions.
3. Reject the application.

**BOT ACTION:**



# Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type: Account Number ▾ Enter Value:

Maps

Legend

### Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400628](#)  
 Parcel Number: 4006138275105  
 Owner: CHAIN ENTERPRISES LLC  
 Mail Address: PO BOX 489  
 Subdivision: DEL SUR SUBDIVISION  
 1073  
 Property Address: 2230 CALLE DEL  
 SUR  
 Acres: 0

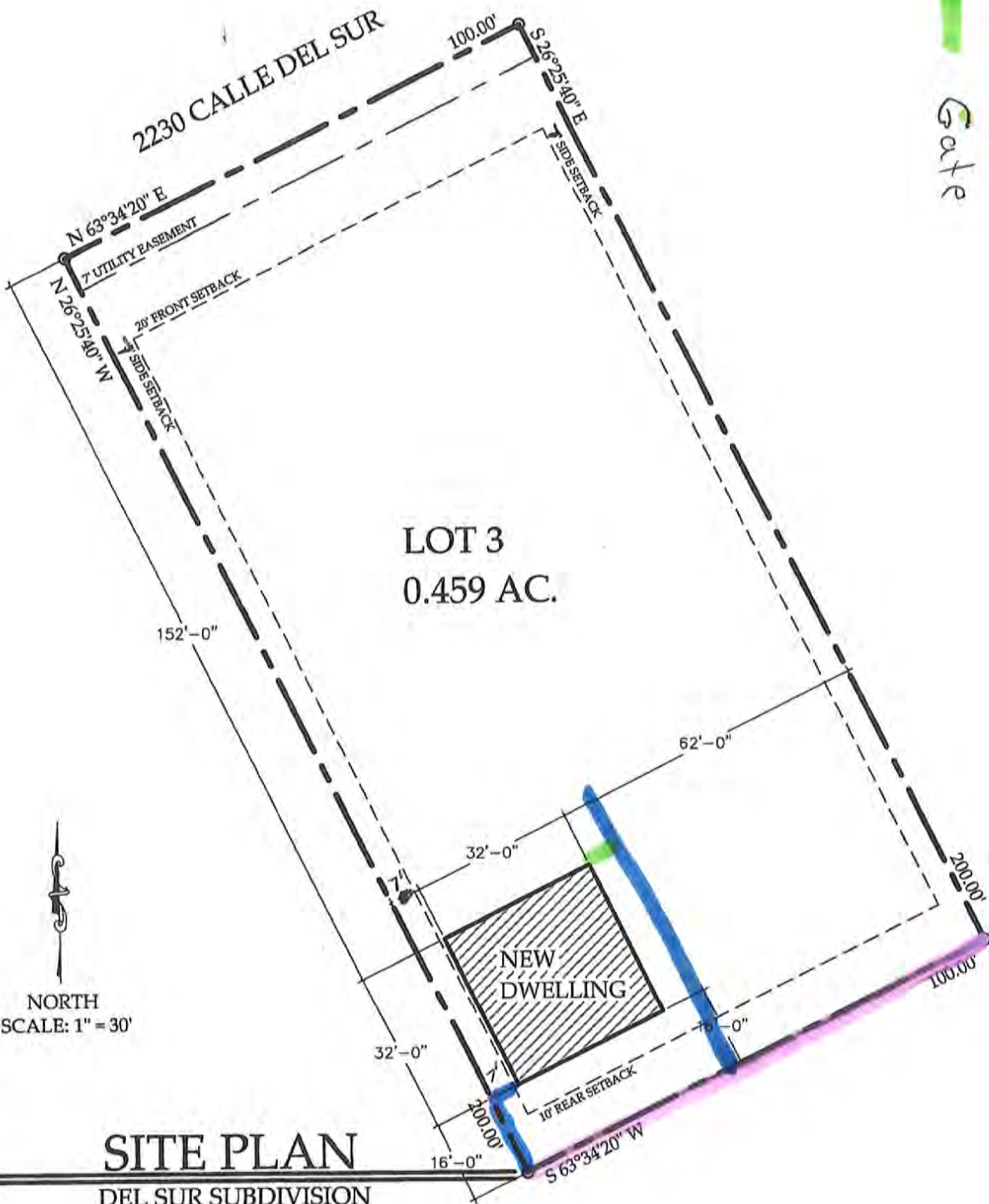




PHOTOS OF PROPERTY FROM CALLE DEL SUR







█ Gate  
█ 18" plastered wall 5' 6" tall  
█ Rock wall 5' 6" tall


# SITE PLAN

DEL SUR SUBDIVISION

LOT 3

TOWN OF MESILLA, DONA ANA COUNTY  
NEW MEXICO

LOT 3  
0.459 AC.

 <p>Cadworks Home Designs &amp; Drafting P.O. BOX 1872 Las Cruces, N.M. 88004 Office: (575) 523-7720</p>	DATE		PROJECT NAME:	SHEET TITLE
	11/1/17		Steve Cadena	SITE PLAN
	DRAWN BY			SHEET NO.
	UMPHRESS	<small>DISCLAIMER ALL MEASUREMENTS, DIMENSIONS, &amp; SPECIFICATIONS, INCLUDING ALL BLOG MATERIALS ARE TO BE CHECKED BY OWNER &amp; CONTRACTOR &amp; ARE THE RESPONSIBILITY OF THE OWNER &amp; CONTRACTOR. THE STRUCTURAL INTEGRITY OF THIS PROJECT IS THE RESPONSIBILITY OF THE CONTRACTOR AND OWNER. THIS DRAWING IS AN INSTRUMENT OF SERVICE AND CONTRACTOR. THIS DRAWING MAY NOT BE REPRODUCED OR REPRODUCTIONS HEREOF USED WITHOUT THEIR WRITTEN PERMISSION.</small>		3 OF 3
FILE NAME	SC-828S17			



02.03.2020





02.03.2020



**TOWN OF MESILLA  
ZONING APPROVAL**  
PERMISSION TO CONDUCT WORK  
OR  
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:  
Case # \_\_\_\_\_  
Fee \$ \_\_\_\_\_

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. \_\_\_\_\_ ZONE: \_\_\_\_\_ CODE: \_\_\_\_\_ APPLICATION DATE: \_\_\_\_\_

Steven Cadena (575) 800-9216  
Name of Applicant/Owner Applicant's Telephone Number

PO Box 489 Mesilla NM 88046  
Applicant's/Owner's Mailing Address City State Zip Code

sapasc@msn.com  
Applicant's/Owner's E-mail Address

SELF  
Contractor's Name & Address (If none, indicate Self)

Contractor's Telephone Number \_\_\_\_\_ Contractor's Tax ID Number \_\_\_\_\_ Contractor's License Number \_\_\_\_\_

Address of Proposed Work: 2230 calle del sur Mesilla

Description of Proposed Work: building a Rock wall at back end of property. building a 10" thick thick wall around dwelling. Neighbor is in favor of wall between properties.

\$ 3000.00 Estimated Cost Steven A Cadena Signature of Applicant 3/13/20 Date

Signature of property owner if applicant is not the property owner: \_\_\_\_\_

**With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and BOT before issuance of a building permit.** Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

**FOR OFFICIAL USE ONLY**

**PZHAC**  Administrative Approval  Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  Approved with conditions  
**BOT**  Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  Approved with Conditions

**FIRE INSPECTION/APPROVAL REQUIRED:** \_\_\_ YES \_\_\_ NO \_\_\_ SEE CONDITIONS

**CID PERMIT/INSPECTION REQUIRED:** \_\_\_ YES \_\_\_ NO \_\_\_ SEE CONDITIONS

**CONDITIONS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PERMISSION ISSUED/DENIED BY:** \_\_\_\_\_ **ISSUE DATE:** \_\_\_\_\_

- This Application will include the following, if checked:
1. \_\_\_\_\_ Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was **legally** subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
  2. \_\_\_\_\_ Site Plan with dimensions and details.
  3. \_\_\_\_\_ Proof of legal access to the property.
  4. \_\_\_\_\_ Drainage plan.
  5. \_\_\_\_\_ Architectural style and color scheme – diagrams or elevations (Historical and commercial zones only).
  6. \_\_\_\_\_ Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
  7. \_\_\_\_\_ Other information as necessary or required by the City Code or Community Development:

**BOT ACTION FORM**  
**ZONING PERMITS 061044**  
**[PZHAC REVIEW – 5/18/20]**

**Items:**

**Case 061044** – 2545 Calle Santa Ana, submitted by Oscar Freitze; a request for a zoning permit to install a fence along the west edge of a pecan grove at this address. Zoned: Historical Residential HR)

**This case is being heard at this meeting as a result of a determination by the Mayor that walls and fences are not affected by the intent of the resolution prohibiting new construction in the HR zone.**

**Staff Analysis:**

The applicant would like to install a five foot high agricultural type fence along the west property line of a property containing a small pecan orchard in order to delineate which trees are on his property. The property line runs through the pecan grove with a jog in the line between rows of trees (see attached aerial diagram showing the property line). The fence will consist of wire or sheep fence on metal uprights and will not affect the overall appearance of the property.

**Estimated Cost: \$1500.00**

**Consistency with the Code:**

The PZHAC will need to determine that the fence will be consistent with Chapters 18.33 (Historic Preservation) and 18.35 (HR-Residential Cultural Historic zone) of the Code.

**18.33.080 Historical appropriateness permit.**

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

**18.35.030 Exterior appearance.**

An application for a permit which would authorize construction, modification, moving or destruction which would affect the exterior appearance of any structure, sign, or other improvement affecting use or function must first be approved by the commission. [Ord. 94-06 § 1; prior code § 11-2-11.4.C]

The PZHAC will need to determine that the proposed fence will be consistent with other fences in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing an agricultural fence along a property line in a pecan grove at this address.
- The PZHAC has determined that the proposed renovation meets all applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC voted 5-0 for APPROVAL w/Condition of submittal of right-of-entry agreement. There was a question as to whether or not this would create a summary subdivision, however, with the right-of-entry agreement this would eliminate that.*

**BOT OPTIONS:**

1. Approve the application as recommended by the PZHAC.
2. Approve the application with conditions.
3. Reject the application.

**BOT ACTION:**



# Doña Ana County, NM

General Reference Maps

2014 Aerial

Select Search Type:

Maps

Legend

### Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

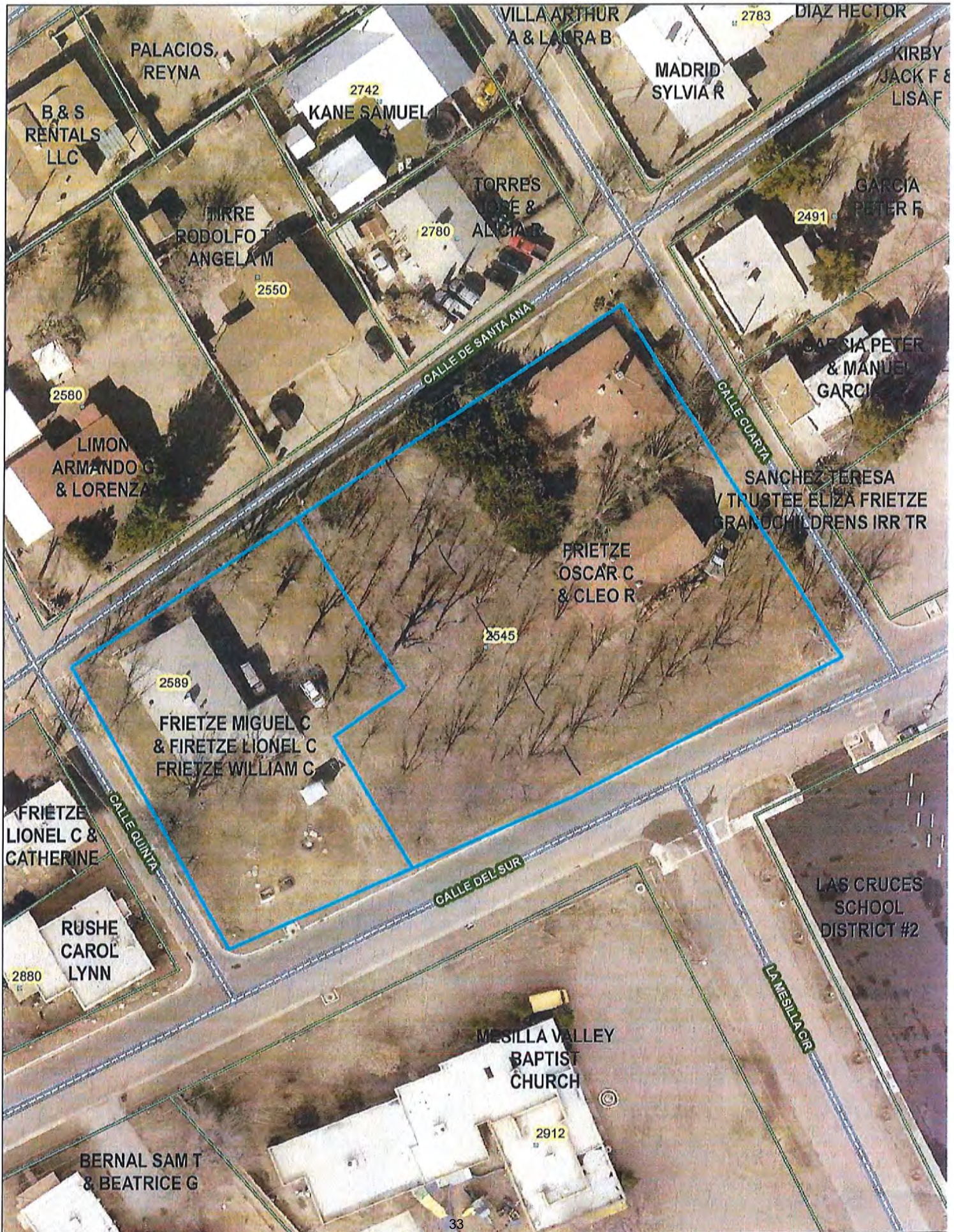
Median Household Income

General Land Ownership

Account Number: **R0401604**  
 Parcel Number: 4006138184128  
 Owner: FRIETZE OSCAR C & CLEO R  
 Mail Address: PO BOX 454  
 Subdivision: SOUTHWEST ADDITION  
 TO MESILLA 201  
 Property Address: 2545 CALLE DE  
 SANTA ANA  
 Acres: 0.77







PALACIOS  
REYNA

B & S  
RENTALS  
LLC

KANE SAMUEL

VILLA ARTHUR  
A & LAURA B

MADRID  
SYLVIA R

2783 DIAZ HECTOR

KIRBY  
JACK F &  
LISA F

TORRES  
RODOLFO T  
ANGELA M

2550

TORRES  
JOSE &  
ALICIA B

2780

GARCIA  
PETER F

2491

2580

LIMON  
ARMANDO G  
& LORENZA

GARCIA PETER  
& MANUEL  
GARCIA

CALLE CUARTA

SANCHEZ TERESA  
W TRUSTEE ELIZA FRIETZE  
GRANDCHILDRENS IRR TR

FRIETZE  
OSCAR C  
& CLEO R

2545

2589  
FRIETZE MIGUEL C  
& FRIETZE LIONEL C  
FRIETZE WILLIAM C

FRIETZE  
LIONEL C &  
CATHERINE

CALLE QUINTA

RUSHE  
CAROL  
LYNN

2880

CALLE DEL SUR

LAS CRUCES  
SCHOOL  
DISTRICT #2

LA MESILLA GR

MESILLA VALLEY  
BAPTIST  
CHURCH

2912

BERNAL SAM T  
& BEATRICE G



PHOTOS OF PROPERTY FROM CALLE DEL SUR





OFFICIAL USE ONLY:

Case # 061044

Fee \$ 68.00

TOWN OF MESILLA

APPLICATION FOR RESIDENTIAL BUILDING PERMIT

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 061044 ZONE: M1 CODE: HR APPLICATION DATE: 4/7/20

Name of Applicant Oscar C. Frietze Applicant's Telephone Number (575) 621-1004

Mailing Address P.O. Box 454 Mesilla City N.M State 88046 Zip Code

Contractor's Name & Address (If none, indicate Self) self

Contractor's Telephone Number N/A Contractor's Tax ID Number N/A Contractor's License Number N/A

Address of Proposed Work: 2545 Calle Santa Anna + Calle 12<sup>a</sup> Sur (Mesilla)  
Description of Proposed Work: WIRE FENCE 99 FT

Estimated Cost \$ 1500.00 Signature of Applicant [Signature] Date 4-7-20

With the exception of administrative approvals, all permit applications must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC  Administrative Approval BOT  Approved Date: \_\_\_\_\_  
 Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  
 Disapproved Date: \_\_\_\_\_  Approved with Conditions  
 Approved with conditions

CONDITIONS: PZHAC REVIEW AND BOT APPROVAL REQUIRED.

REVIEW ISSUED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_  
PERMIT ISSUED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_

This application includes:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Foundation Plan with details.
3. Floor Plans showing rooms, their uses and dimensions.
4. Cross Sections of walls.
5. Roof and floor framing plan. (If manufactured trusses, submit layout of trusses and stamped engineer design plan.)
6. Drainage plan.
7. Architectural style and color scheme (Historical and commercial zones only).
8. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).

**BOT ACTION FORM**  
**ZONING PERMITS 061047**  
**[PZHAC REVIEW – 5/18/20]**

**Items:**

**Case 061047** – Calle Tercera, submitted by Frankie Torres, a request for a zoning permit to allow a rock wall to be constructed on the property lines of a residential property at this address. Zoned: Historical Residential (HR)

**This case is being heard at this meeting as a result of a determination by the Mayor that walls and fences are not affected by the intent of the resolution prohibiting new construction in the HR zone.**

**Staff Analysis:**

The applicant would like to build a six foot high rock wall along the eastern (rear) as a continuation of a rock wall that is being built on a neighboring property to the east. This will be built by the same contractor that is building the wall for the neighbor and will be identical to that wall. Additionally, the applicant would like to have the same contractor build a similar five foot high wall across the front of the property. (The wall will need to meet clear-sight-triangle requirements at any driveways from the property to the street.)

The applicant originally started construction of the wall without first obtaining a zoning permit from the Town but was stopped and informed that a permit would be necessary. The applicant was also informed that the proposed walls would need to be reviewed by the PZHAC, with final approval by the BOT. A penalty fee was subsequently applied to the permit fee.

**Estimated Cost: \$8075.00**

**Consistency with the Code:**

The PZHAC will need to determine that the walls will be consistent with Chapters 18.33 (Historic Preservation), 18.35 (HR-Residential Cultural Historic zone), and 18.60 (Wall, fence, or hedge) of the Code.

**18.33.080 Historical appropriateness permit.**

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

**18.35.030 Exterior appearance.**

An application for a permit which would authorize construction, modification, moving or destruction which would affect the exterior appearance of any structure, sign, or other improvement affecting use or function must first be approved by the commission. [Ord. 94-06 § 1; prior code § 11-2-11.4.C]

**18.60.340 Wall, fence, or hedge.**

A. Height (see illustration in Appendix A).

1. A six-foot maximum height above ground surface level shall be permitted on any part of the required setbacks of front yards or side yards abutting a street in H-R and H-C zones; provided, such wall, fence or hedge is in accord with subsections (D) and (G) of this section.

The PZHAC will need to determine that the proposed walls will be consistent with other walls in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings that need to be made:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing rock walls on front and rear property lines at this address.
- The PZHAC has determined that the proposed walls meet all applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC voted 5 – 0 to recommend APPROVAL w/Condition of submittal of right-of-entry agreement for all sides and only approving the 6 ft wall in the back and not the sides of the property until documentation is given for clear-sight-triangle in the driveways of the properties. Much discussion was had on clear-sight-triangle and how to meet that within the driveways as it is a middle lot and it was determined that more information is needed.*

**BOT OPTIONS:**

1. Approve the application as recommended by the PZHAC.
2. Approve the application with conditions.
3. Reject the application.

**BOT ACTION:**



# Doña Ana County, NM

General Reference Maps

2014 Aerial

Select Search Type: Account Number  Enter Value:

Maps

Legend

### Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400564](#)  
 Parcel Number: 4006138203056  
 Owner: TORRES FRANCISCO J  
 Mail Address: 3575 TILE AVE  
 Subdivision: SOUTHWEST ADDITION  
 TO MESILLA 201  
 Property Address: 2631 CALLE  
 TERCERA  
 Acres: 0





**PHOTO OF FRONT OF PROPERTY FROM CALLE TERCERA**



**PHOTO OF REAR OF PROPERTY FROM CALLE SEGUNDA**





# PLAT OF SURVEY

OF A 0.192 ACRE TRACT AND A 0.247 ACRE TRACT  
 LOCATED IN SECTION 36, T.238., R.1E.  
 N.M.P.M. OF THE U.S.R.S. SURVEYS  
 BEING LOT 6 & 7, BLOCK C  
 SOUTHWEST ADDITION TO THE  
 TOWN OF MESILLA, PLAT FILED  
 FEBRUARY 4, 1943, IN BOOK 9, PAGE 76  
 OF THE DONA ANA COUNTY RECORDS  
 AS U.S.R.S. TRACT 11A-140 AND  
 PART OF U.S.R.S. TRACT 11A-141C  
 TOWN OF MESILLA  
 DONA ANA COUNTY  
 NEW MEXICO

drawn by	S. Fealo
FILED as	RR, c.s.
JOB NO.	18-01-0030
DATE	January 19, 2018

INSTRUMENT OF RECORD  
 FILED  
 INSTRUMENT 02210312 & 01311133  
 OF THE DONA ANA COUNTY RECORDS

PROPERTY IS IN AN "X" DESIGNATED ZONE,  
 AS SHOWN ON THE FLOOD INSURANCE RATE MAP  
 COMMUNITY PANEL NO. 35033C1093 O  
 EFFECTIVE JULY 6, 2016



**SURVEYOR'S CERTIFICATE**

THIS IS TO CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT IT IS TRUE AND CORRECT, MEETING THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ASSUMED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*T.G. Scanlon*  
 TED G. SCANLON - BY NO. 9433  
 2990 N. MAIN STREET, STE. 3C, LAS CRUCES, NEW MEXICO 88001

January 19, 2018  
 DATE OF SURVEY



**SCANNON & ASSOCIATES**  
**ENGINEERS AND SURVEYORS LLC**  
 2990 N. MAIN STREET, STE. 3C  
 LAS CRUCES, NEW MEXICO 88001  
 PHONE (575) 523-1443  
 FAX (575) 523-9928

THIS IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS OF LAND. IT IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO CONSTITUTION.

TOWN OF MESILLA  
ZONING APPROVAL

PERMISSION TO CONDUCT WORK  
OR  
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID

OFFICIAL USE ONLY: Case # 061047 Fee \$ 280.00  
88046 (575) 524-3262 ext. 104

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM

CASE NO. 061047 ZONE: H1R CODE: M1 APPLICATION DATE: 5/1/20

Name of Property Owner Francisco Torres Property Owner's Telephone Number 575-644-3490

Property Owner's Mailing Address City State Zip Code  
3575 Tile Ave Las Cruces NM 88001

Property Owner's E-mail Address  
chulas.woodfiregill@gmail.com

Contractor's Name & Address (If none, indicate Self)  
BJ Calderon

Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number  
575-650-4196

Address of Proposed Work: 0631 Calle Tercera

Description of Proposed Work: 6' Rockwall on east side of property  
4' Rockwall on west side of property

Estimated Cost \$8,075.00

Signature of Applicant

[Signature]

Date 4/24/20

Signature of property owner:

[Signature]

4/24/20

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and/or BOT before issuance of a zoning permit. Plan sheets are to be no larger than 11 x 17 inches or shall be submitted electronically.

FOR OFFICIAL USE ONLY

PZHAC	<input type="radio"/>	Administrative Approval	BOT	<input type="radio"/>	Approved Date:
	<input type="radio"/>	Approved Date:		<input type="radio"/>	Disapproved Date:
	<input type="radio"/>	Disapproved Date:		<input type="radio"/>	Approved with Conditions
	<input type="radio"/>	Approved with conditions			

PZHAC APPROVAL REQUIRED:  YES  NO BOT APPROVAL REQUIRED:  YES  NO

CID PERMIT/INSPECTION REQUIRED:  YES  NO  SEE CONDITIONS

CONDITIONS:

**PZHAC + BOT APPROVAL REQUIRED.  
FEE WAS DOUBLED FOR STARTING WITHOUT A PERMIT**

PERMISSION ISSUED/DENIED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_

THIS APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

- Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was LEGALLY subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
- Site Plan with dimensions and details.
- Foundation plan with details.
- Floor plan showing rooms, their uses and dimensions.
- Cross section of walls
- Roof and floor framing plan





## **TOWN OF MESILLA BOARD ACTION FORM**

### **CONSENT AGENDA ITEM:**

1. FOR APPROVAL: THE HIRING OF THREE (3) TEMPORARY EMPLOYEES FOR THE SUMMER RECREATION PROGRAM.

### **BACKGROUND:**

The Recreation Supervisors will oversee approximately 15 children ages 6-to-12 as part of the Town of Mesilla Summer Rec Program. This year we would like to hold two 3-week programs June 15-July 3, 2020 and July 6 - July 24, 2020. As per the Governors Health Order the ratio of staff to child will be at 1:5. By separating into two groups we can attempt to accommodate more children at the Mesilla Community Center. All three Recreation Supervisors will be responsible for planning and implementing various activities for the participants. The Recreation Supervisor (Lead) will also serve as the on-site supervisor and decision-maker.

I submit the following for approval: Gloria Garza to serve as the Recreation Lead Supervisor, and Melissa Padilla and Emily Arellano as Recreation supervisors. They were interviewed on Friday, May 22nd.

### **BOT ACTION:**

**Approve**  
**Approve with changes**  
**Deny**



**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, APRIL 27, 2020  
6:00 P.M.**

**VIA TELECONFERENCE 1-346-248-7799**

**TRUSTEES:** Nora L. Barraza, Mayor  
Carlos Arzabal, Mayor Pro Tem  
Jesus Caro, Trustee  
Veronica Garcia, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stochner-Hernandez, Town Clerk/Treasurer  
Kevin Hoban, Fire Chief  
Eddie Lerma, Marshal  
Rod McGillivray, Public Works Director  
Dorothy Sellers, Special Events Coordinator  
Larry Shannon, Community Development Coordinator  
Gloria Maya, Recorder

**1. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Arzabal led the Pledge of Allegiance.

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

**Roll Call.**

**Present:** Mayor Barraza, Mayor Pro Tem Arzabal, Trustee Caro, Trustee Garcia, Trustee Johnson-Burick.

Mayor Barraza held a Moment of Silence for Ms. Dolores Gallegos, Mr. Dan Lowry, and Ms. Diane Rogers.

**3. CHANGES TO THE AGENDA & APPROVAL**

Mayor Barraza moved item 7b down and move items 7c, d and e up on the agenda.

**Motion:** To approve agenda as amended, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Garcia.**

**Roll Call Vote:** Motion passed (**summary:** Yes =4).

Mayor Pro Tem Arzabal Yes  
Trustee Caro Yes  
Trustee Garcia Yes

1 Trustee Johnson-Burick Yes

2  
3  
4 **4. PROCLAMATIONS**

- 5 a) A proclamation recognizing 9-1-1 Telecommunicators and call takers as first responders. –  
6 **Mr. Albert Flores, Deputy Director, MVRDA/ Nora L. Barraza, Mayor.**

7 Ms. Stoechner-Hernandez read proclamation recognizing 9-1-1 Telecommunicators and call takers for  
8 first responders.

9  
10 Fire Chief Hoban stated this recognition is important not only for the work they do but it will make  
11 them eligible for benefits which they currently do not have. He asked for the town’s support during the  
12 legislative session.

13  
14 **5. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

15  
16 Ms. Stoechner-Hernandez read correspondence submitted; see attached.

17  
18 Mr. Geck stated his concerns of allowing new rental property construction and the demolition of old  
19 structures to build new structures which he feels is hurting the ambience of Mesilla. The Board of  
20 Trustees should not allow this to continue.

21  
22 **6. \*APPROVAL OF CONSENT AGENDA** – (The Board will be asked to approve by one motion the  
23 following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*):

24 **Motion:** To approve consent agenda, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**  
25 **Garcia.**

26  
27 **Roll Call Vote:** Motion passed (summary: Yes =4).

28 Mayor Pro Tem Arzabal Yes

29 Trustee Caro Yes

30 Trustee Garcia Yes

31 Trustee Johnson-Burick Yes

- 32  
33 a) **\* BOT Minutes** – Minutes of a Regular Meeting on April 13, 2020. *Approved by consent*  
34 *agenda*

35 **\*Sign Permits:**

- 36 b) **\*PZHAC Case 061023**– 2488 Calle de Guadalupe, submitted by Joseph Foster for  
37 “Psychology Consulting Options”; a request for a sign permit for a therapist practice at this  
38 address. Zoned: Historical Commercial (HC). *Approved by consent agenda*

- 39 c) **\*PZHAC Case 060125** – 2601-3 Calle de Santiago, submitted by Kerry Carman for “Co-  
40 Lab Artisan’s Loft”; a request to install a hanging sign at this address. Zoned: Historic  
41 Commercial (HC). *Approved by consent agenda*

42  
43 **7. NEW BUSINESS:**

- 44 a) **First Reading: ORDINANCE 2020-02** Revising Chapter 18.35 Historic Residential Zone. –  
45 **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

46 Ms. Stoechner-Hernandez noted some changes/deletions to draft. She stated the ordinance is posted on the  
47 town’s website; www.mesillanm.gov.

48  
49 Mayor Barraza confirmed the trustees have an opportunity to review the current draft; trustees responded  
50 yes.

1 Mayor Pro Tem Arzabal recommended adding a grandfather clause in the ordinance and having it  
2 reviewed by an attorney, who does not have history with the town, to insure the legality of the clause.

3  
4 Mayor Barraza stated Mr. Randy VanFleck, New Mexico Municipal League attorney, there cannot be a  
5 grandfather clause. The town has no way of knowing when property is being sold and to whom it is  
6 being sold to. Mr. VanFleck will submit his response in writing which she will share with the trustees.

7  
8 Trustee Caro stated Mr. VanFleck does not have the expertise in real estate that Mr. Cervantes has.

9  
10 Trustee Johnson-Burick stated records are available through the county that can be referenced. The town  
11 cannot discriminate if a parcel is rental property. We have the ability and the due diligence to honor  
12 what our forefathers created and founded. We owe it to families that want to keep their properties.

13  
14 Trustee Garcia asked if Mr. VanFleck explained why there could not be a grandfather clause. She  
15 agrees with Trustee Johnson-Burick.

16  
17 Mayor Barraza responded the only way we know if a property has been sold is if an applicant comes  
18 in for a permit and indicates that the property was purchased.

19  
20 Trustee Garcia recommended revising the Building Permit Application to include area for previous  
21 owner.

22  
23 Mayor Barraza responded the buyer will purchase property with certain intentions and not be aware  
24 there are limitations as to what they can do.

25  
26 Trustee Garcia stated new owners will have to abide by the new ordinance; grandfather clause would  
27 not be applicable.

28  
29 Mayor Barraza recommends waiting for the attorney recommendations.

30  
31 Trustee Johnson-Burick recommended having the ordinance read 2 multi-family units in order to  
32 avoid what happened near Mr. Geck's. She recommended having the required square footage at 6,000  
33 on property that has been in the family for years.

34  
35 Mayor Barraza responded we cannot discriminate against property owners but can limit the number of  
36 units. The square footage for multi-family lots, as they are now called, was changed to the same  
37 requirements for building a home; 8,000 square feet.

38  
39 Mayor Pro Tem Arzabal stated the board got legal interpretation regarding Mr. Kane's application for  
40 multi-family units before voting.

41  
42 Mayor Barraza stated the board has the option to give direction which was not done in Mr. Kane's case.  
43 She will contact Mr. Cervantes for a response regarding this and will share the information with the  
44 board. There are 2 applicants that have been waiting 6 months and it is costing them money; would it be

1 possible to allow them to proceed if they are meeting the requirements of the new ordinance  
2 recommendations. She also does not want to open the door for anybody else until the moratorium is  
3 lifted.

4  
5 Ms. Stoechner-Hernandez responded since the new ordinance has not been put in place they would need  
6 to abide by the old ordinance; this would be a legal question for the attorney.

7  
8 Mayor Barraza stated she will ask Mr. Cervantes for guidance as well. The board needs to move forward  
9 on passing this ordinance.

10  
11 **\*\*\*\*Motion:** To enter Closed Session pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion  
12 limited to personnel matters in the Marshal's Department and Planning, Zoning, and Historical  
13 Appropriateness Commission where no action will be taken, **Moved by Mayor Pro Tem Arzabal,**  
14 **Seconded by Trustee Garcia.**

15  
16 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

17 Mayor Pro Tem Arzabal Yes

18 Trustee Caro Yes

19 Trustee Garcia Yes

20 Trustee Johnson-Burick Yes

21  
22 **Entered Closed Session at 7:20 p.m.**

23  
24 **\*\*\*\*Motion:** To enter Regular Meeting after discussion limited to personnel matters in the Marshal's  
25 Department and Planning, Zoning and Historical Appropriateness Commission pursuant to NMSA  
26 1978 Chapter 10-15-1(H)(2); no action taken, **Moved by Trustee Johnson-Burick, Seconded by**  
27 **Trustee Garcia.**

28  
29 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

30 Mayor Pro Tem Arzabal Yes

31 Trustee Caro Yes

32 Trustee Garcia Yes

33 Trustee Johnson-Burick Yes

34  
35 **Entered Regular Meeting at 7:52 p.m.**

36  
37 b) Discussion regarding COVID-19 and budget process for FY 2020. – **Nora L. Barraza,**  
38 **Mayor.**

39 Mayor Barraza reported the budget process has started and will be brought forth at the first meeting in  
40 May. The FY 2020-21 budget will be the same as FY 2019-20; the only increase will be to the fringe  
41 benefits line item. The town has met what was project for GRT for this fiscal year. There will be some  
42 short months before we can get on our feet for next fiscal year. Ms. Stoechner-Hernandez will keep the  
43 board informed. Mayor Barraza reviewed the COVID-19 current statistics in New Mexico. The Town  
44 of Mesilla currently does not have any cases; residents should be commended. She would like to know  
45 how many have recovered in Dona Ana County. She will be doing research on municipal parks on when  
46 they can be open as residents are asking.

47  
48 Mayor Pro Tem Arzabal recommended there be certain restrictions when the parks are reopened.

1 Trustee Garcia stated she has seen quite a few people on the plaza.  
2  
3 Mayor Barraza responded she has not seen mass gatherings. The deputies have been doing a great job  
4 to insure there are not mass gatherings around the town. She feels comfortable having the plaza open if  
5 people are continuing to do social distancing.  
6  
7 Trustee Garcia asked if we are doing the stay at home and does that include the town hall staff.  
8  
9 Mayor Barraza responded Governor Lujan-Grisham has imposed Stay-At-Home until May 15<sup>th</sup>. Town  
10 Hall is still closed to the public. She had all staff return to regular work hours. Everyone is to stay in  
11 their office with the door closed, wear their mask and no social gatherings.  
12  
13 Trustee Garcia asked why can staff not stay home.  
14  
15 Mayor Barraza responded the anti-donation clause is a concern when we pay employees to stay at home  
16 and not work.  
17  
18 Mayor Pro Tem Arzabal asked for clarification on anti-donation clause.  
19  
20 Mayor Barraza responded we are paying employees to work when they are not working.  
21  
22 Mayor Pro Tem Arzabal stated the state offices are closed; people are working from home. Why are we  
23 putting people in danger?  
24  
25 Mayor Barraza responded there is some staff that cannot or does not have the equipment to work from  
26 home; gave receptionist and maintenance as an example.  
27  
28 Trustee Garcia asked if she was split schedule.  
29  
30 Mayor Barraza responded they were on rotation. There are 5 people at the office right now.  
31  
32 Trustee Johnson-Burick stated people are adhering to social distancing at the plaza.  
33  
34 Mayor Barraza stated municipalities are being asked to come up with a plan on how they will be opening  
35 businesses as restrictions are lifted. These plans are to be submitted to the New Mexico Municipal  
36 League who then will forward them to Governor Lujan Grisham for review the opening of the business  
37 implementation. She reviewed her recommendation for members of a Task Force.  
38  
39 Trustee Garcia recommended Ms. McGinley who has several businesses in the town. She is a big part  
40 of Experience Mesilla along with Mr. Hernandez from Salud.  
41  
42 Mayor Barraza responded she was looking at having representation, 1 or 2, from each area; difficult to  
43 make decisions when there are too many people.



1  
2 Mayor Pro Tem Arzabal recommended Mr. Blevins. Sometimes too many different personalities can  
3 make it difficult to make decisions.

4  
5 Mayor Barraza responded she did get some plaza business owners.

6  
7 Trustee Johnson-Burick recommended Julienne.

8  
9 Mayor Barraza stated the task force will need to be opened minded.

10  
11 Trustee Johnson-Burick agreed Ms. McGinley and Mr. Shaefer should be part of the task force.  
12 Recommended looking at how the City of Las Cruces is planning to reopen up the businesses.

13  
14 Mayor Barraza stated Governor Lujan Grisham is interested to see how each municipality is planning to  
15 open businesses according to the needs of the area.

16  
17 Mayor Pro Tem Arzabal stated he feels the task force mix is a good one.

- 18  
19 c) For consideration: the appointment of a Planning, Zoning and Historical Appropriateness  
20 Commissioner to serve a two-year term. – **Nora L. Barraza, Mayor.**

21 Mayor Barraza recommended Mr. Davie Salas to serve a two-year term on the Planning, Zoning and  
22 Historical Appropriateness.

23  
24 **Motion:** To approve the appointment of a Planning, Zoning and Historical Appropriateness  
25 Commission to serve a two-year term, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**  
26 **Garcia.**

27  
28 **Roll Call Vote:** Motion passed (**summary:** Yes =3; No=1).

29 Mayor Pro Tem Arzabal Yes

30 Trustee Caro No

31 Trustee Garcia Yes

32 Trustee Johnson-Burick Yes

- 33  
34 d) For consideration: the hiring of a deputy marshal. – **Edward Lerma, Marshal/ Nora L.**  
35 **Barraza, Mayor.**

36 Mayor Barraza recommended Mr. Gilbert Garcia for deputy marshal.

37  
38 **Motion:** To approve the hiring of a deputy marshal, **Moved by Mayor Pro Tem Arzabal, Seconded**  
39 **by Trustee Garcia.**

40  
41 **Roll Call Vote:** Motion passed (**summary:** Yes =3; No=1).

42 Mayor Pro Tem Arzabal Yes

43 Trustee Caro No

44 Trustee Garcia Yes

1 Trustee Johnson-Burick Yes

2  
3 Mayor Barraza indicated the position will be offered to Mr. Garcia upon receipt of his background  
4 check.

- 5  
6 e) For consideration: an agreement with Dona Ana County to allow them to serve as fiscal agent  
7 for Emergency Management funding. – **Cynthia Stohner-Hernandez, Clerk/Treasurer.**

8 Ms. Stohner-Hernandez stated agreement with Dona Ana County to serve as the fiscal agent for  
9 Emergency Management funding is for \$10k with a 25% match per agreement. The town does not  
10 anticipate using the total amount of the agreement. The county will not be charging an administration  
11 fee.

12  
13 **Motion: To approve an agreement with Dona Ana County to allow them to serve as fiscal agent for**  
14 **Emergency Management Funding, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Caro.**

15  
16 **Roll Call Vote:** Motion passed (summary: Yes =4).

17 Mayor Pro Tem Arzabal Yes

18 Trustee Caro Yes

19 Trustee Garcia Yes

20 Trustee Johnson-Burick Yes

- 21  
22 f) For consideration: establishing a Taskforce to assist in developing a plan for the re-opening  
23 businesses after the executive order is lifted. – **Nora L. Barraza, Mayor.**

24  
25 **8. BOARD OF TRUSTEE COMMITTEE REPORTS**

26  
27 **9. BOARD OF TRUSTEE/STAFF COMMENTS**

28 Trustee Johnson-Burick reiterated she would like to see Ms. McGinley on the Task Force.

29  
30 Mayor Pro Tem Arzabal reiterated that with regards to Mr. Geck's concerns, the board sought legal  
31 opinion before voting.

32  
33 Mayor Barraza thanked and congratulated Sergeant Shepan, who will be retiring on April 30<sup>th</sup>, for his  
34 dedication and commitment he provided to the Town of Mesilla. Thanked everyone for their  
35 commitment; we will get through this.

36  
37 Mr. McGillivray stated Caliber Construction which came in 10% below our estimate for the trail.

38  
39  
40 **10. ADJOURNMENT**

**The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-3)**

**MEETING ADJOURNED AT 8:30 P.M.**

**APPROVED THIS 26th DAY OF MAY, 2020.**

---

Nora L. Barraza  
Mayor

**ATTEST:**

---

Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer

DRAFT

Two items of Public Input from Susan Krueger for the BOT meeting on 4/27/2020:

6. Consent Agenda (b): PZHAC Case 061023.

This request for a sign permit that will list multiple therapists with offices in the building at 2488 Calle de Guadalupe appears to be a significant change in the business license which was originally issued for one therapist at this location.

Should P&Z review the business license for compliance with parking, etc?

7. New Business (a): First Reading Ordinance 2020-02.

Regarding height of walls, fences or hedges in front and side yard setbacks in the HR zone: please lower this height requirement from 6 feet to 4 feet to match the height requirements in the R-1, RF and RA zones as spelled out in Section 18.60.340 A.2. (MTC). This section also permits a maximum six foot height when the wall includes openwork fencing which is when 40 % of the area is transparent within each six-foot width of fence. An example of how this can work is the fencing (recently approved) at 2685 Calle de Parian (HR zone) directly across the street from the Public Safety Building.

If architectural styles are important to preserving the history and character of the Town of Mesilla, then let the Town do all it can to assure their visibility.

Thanks, Susan

## Cynthia Stoechner-Hernandez

---

**From:** Micaela Cadena <micaela.cadena@gmail.com>  
**Sent:** Monday, April 27, 2020 5:04 PM  
**To:** Cynthia Stoechner-Hernandez; cc: Nora L. Barraza; Stephanie Johnson-Burick; veronicag@mesillanm.gov; lucasa@mesillanm.gov; jesus@mesillanm.gov  
**Subject:** Fwd: Public Comment

Honorable Mesilla Mayor and Trustees-

My apologies, I sent email to Cynthia by 5 but didn't include you all on the email.

Please see below.

----- Forwarded message -----

**From:** Micaela Cadena <[micaela.cadena@gmail.com](mailto:micaela.cadena@gmail.com)>  
**Date:** Mon, Apr 27, 2020 at 5:00 PM  
**Subject:** Public Comment  
**To:** Cynthia Stoechner-Hernandez <[cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov)>

Honorable Mesilla Mayor and Trustees-

I am writing again to request that you consider adjusting the proposed amendments to the Historic Residential Zone on two fronts:

- 1) Draft language to existing ordinances so that all new construction will meet new standards related to building height, lot line, and lastly, draft language to clarify that apartments or attached multi-family units are not allowed
- 2) Enact a new section of ordinance that applies only to properties purchased after the moratorium went into effect (like the Section C New Construction language you have drafted). Use this section to change development rights, limiting two total units for lot and requiring 8,000 square feet per unit.

Figuring out these two points would allow you to eliminate apartments from the zoning code for any new construction AND respect the currently held development rights for Mesilleros and other property owners. ,

The current property owners could still build same number of units as little houses, as long as they were not apartments and met new height and lot-line standards. It would also meant that if and when we sold land, those rights would not be transferred to new owner. New owner would have to build on new lot standards, limited to two units with 8,000 feet each.

Thank you,  
Micaela



## **BOT ACTION FORM**

### **APPEAL TO THE BOT OF A ZONING DECISION BY THE PZHAC CASE 061021**

#### **SUMMARY**

On March 2, 2020, the appellant applied to the PZHAC for a zoning permit to allow the replacement of windows on a small dwelling at 1922 Calle de Cura in the Historic Residential zoning district. The windows to be replaced consisted of double-hung single pane glass in wood frames that were in badly deteriorated condition. The replacement windows were to be double-hung two pane windows in aluminum frames that would have the same appearance and size as the original windows. There were a total of six windows to be replaced.

The dwelling is in the Historical Register for the Town and was considered to be contributing to the architectural style of the Town. The dwelling was determined to have been built around 1920. (Information from the Historic Register was provided to the PZHAC and is attached along with the info provided to the PZHAC.)

The PZHAC determined that the wood framing of the windows should remain wood, and that other similar dwellings in the Historic zoning district that have had windows replaced have been required to have wood frames instead of metal or vinyl, and voted to allow the replacement of the windows provided that the frames be wood.

The appellant is appealing this decision based on the PZHAC's requirement that the frames around the panes be wood. According to the applicant, the head, jambs, and sill of each window to be replaced are currently wood and will remain in place. The only parts to be metal will be the casing holding the glass panes. The overall appearance will remain the same as the original windows (see attached letter and photos from appellant). The submittal of the appeal was timely, but due to COVID19 was pushed until now by the applicant.

The contractor for the appellant (WindowWorld) has also stated that the frames of the windows will be wood and that only the portions of the window holding the glass will be aluminum (see attached letter from the contractor).

#### **BOT OPTIONS:**

- 1. Uphold the decision of the PZHAC to require all wood in the windows.**
- 2. Uphold the decision of the PZHAC to require all wood in the windows with conditions.**
- 3. Overturn the decision of the PZHAC to require all wood in the windows.**

#### **BOT ACTION:**

#### **Attachments:**

**BOT Action Form with summary of the appeal  
Appeal letters and information from the Appellant and her contractor  
Information provided to the PZHAC on March 20, 2020**



**APPEAL LETTERS  
AND  
INFORMATION  
(From Homeowner and Contractor)**

NIA RUCKER

P.O. BOX 1668 MESILLA, NM 88046

Dear Mayor Barraza and Trustees,

Thank you for considering this appeal of the denial of my permit for new windows at 1922 Calle de Cura. First off, I would like to apologize for not having followed protocol on securing a permit before contracting with a window provider. I have lived in Mesilla for almost nine years, renting a casita for seven years then becoming a proud homeowner two years ago. I appreciate our unique charm and historical nature of our town. When I purchased my home, I knew that I was purchasing an older casita that needed a lot of work. In all other situations including getting the electrical system up to code, removing a fence and remodeling the bathroom, I sought out the necessary permits before finalizing any services. In this instance, I should have made sure that the company had the ability to get the permit, to avoid exactly this situation.

Although the windows may seem like a cosmetic issue, there are serious health, safety and welfare concerns with the current windows. Three of the windows are damaged and need replacing - the West facing window has several cracks (see attachment below - "West Window"), and two panes on the north-facing windows have large cracks (see below North 1,2,3). As far as weatherization, there are gaps between the windows that let a lot of dust and insects in during the spring and summer months. The current windows are single pane. In winter, heat escapes through the drafts and my monthly electric bill quadruples from November to February. The windows I would like to install are double paned, airtight, and much more energy efficient.

The current windows are double-hung white wood and the replacement windows that I am contemplating are double-hung white aluminum. The head, jamb and sill are all wood and would remain in place. The only change would be the window casing. Because my kitchen window is aluminum set inside of the wood jamb, I hope it will be acceptable to replace the other windows with aluminum. (see below "aluminum"). If the aluminum windows are allowed, they would be placed in the existing wood frame. The paint around the windows needs to be redone. My hope had been to sand the wood frame and re-paint it white. (see "window jamb")

I hope this gives you additional information in considering the appeal. I plan to be present at the hearing and am willing to answer any additional questions you might have.

Thank you,

Nia Rucker

West Window





North 1





North 2



North 3





Aluminum





Window Jamb





To whom it may concern,

03/09/2020

Window World of Las Cruces would like to appeal case # 061021 Nia Rucker At 1922 Calle De Cura. The commission approved window Installation under the circumstance, that all wood frames stay in tacked on 03/02/2020. After reviewing the matter with the lead In-staller I was informed that the frames would remain in tacked. The only thing that would be removed is the sash which holds the glass in place. Thank you for your time in this matter. If you have any questions please feel free to contact the Office at 575-532-9390 or email us at [las Cruceswindowworld@gmail.com](mailto:las Cruceswindowworld@gmail.com)

Respectfully submitted,

Amanda Diaz

Sales Person:  
19 - MARCO SAUCEDO



Customer Acknowledgement
Quote Date 12/27/2019
Date Ordered Quote Not Ordered

Dealer Name:  
850340 WINDOW WORLD OF LAS CRUCES

**Bill To:**  
WINDOW WORLD OF LAS CRUCES  
300 N TELSHER BLVD SU 100  
LAS CRUCES, NM 88011

**Ship To:**  
SAME

Order Notes:

Delivery Notes:

Phone: (575) 532-9390 Fax:

Quote Name:

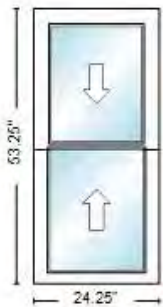
Project Name:

Rucker Nia

Rucker Nia

QUOTE #	RUSH	STATUS	PO#
2448542	No	None	213-2543

Line Item #	Qty	Width x Height	UI	Description
1	1	24.25" X 53.25"	79	

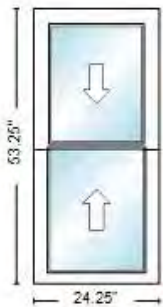


3A01-New 4000 Series Double Hung 24 1/4 x 53 1/4  
Frame Width = 24.25, Frame Height = 53.25, Sash Split = Even  
Operation / Venting = Double Hung  
Frame Option = Standard Block Frame, Composite Reinforcement  
Frame Color = White, Exterior Finish = No Exterior Finish  
SolarZone Elite, Double Strength, IE Liners, Glass Breakage Warranty  
Standard Screen  
U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD = ASO-A-89-69629-00001  
Header Expander, Foam Wrap, Net Overall  
Line Item Notes:

Comment / Room:

FRONT LIV

Line Item #	Qty	Width x Height	UI	Description
2	1	24.25" X 53.25"	79	



3A01-New 4000 Series Double Hung 24 1/4 x 53 1/4  
Frame Width = 24.25, Frame Height = 53.25, Sash Split = Even  
Operation / Venting = Double Hung  
Frame Option = Standard Block Frame, Composite Reinforcement  
Frame Color = White, Exterior Finish = No Exterior Finish  
SolarZone Elite, Double Strength, IE Liners, Glass Breakage Warranty  
Standard Screen  
U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD = ASO-A-89-69629-00001  
Header Expander, Foam Wrap, Net Overall  
Line Item Notes:

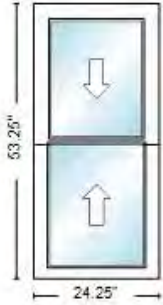
Comment / Room:

FRONT LIV

QUOTE #	RUSH	STATUS	PO#
2448542	No	None	213-2543

Line Item #	Qty	Width x Height	UI	Description
-------------	-----	----------------	----	-------------

3 1 24.25" X 53.25" 79



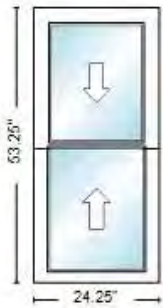
3A01-New 4000 Series Double Hung 24 1/4 x 53 1/4  
 Frame Width = 24.25, Frame Height = 53.25, Sash Split = Even  
 Operation / Venting = Double Hung  
 Frame Option = Standard Block Frame, Composite Reinforcement  
 Frame Color = White, Exterior Finish = No Exterior Finish  
 SolarZone Elite, Double Strength, IE Liners, Glass Breakage Warranty  
 Standard Screen  
 U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD = ASO-A-89-69629-00001  
 Header Expander, Foam Wrap, Net Overall  
 Line Item Notes:

Comment / Room:

LEFT LIV

Line Item #	Qty	Width x Height	UI	Description
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4 1 24.25" X 53.25" 79



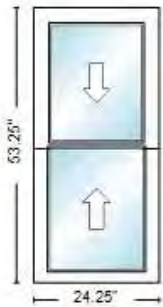
3A01-New 4000 Series Double Hung 24 1/4 x 53 1/4  
 Frame Width = 24.25, Frame Height = 53.25, Sash Split = Even  
 Operation / Venting = Double Hung  
 Frame Option = Standard Block Frame, Composite Reinforcement  
 Frame Color = White, Exterior Finish = No Exterior Finish  
 SolarZone Elite, Double Strength, IE Liners, Glass Breakage Warranty  
 Standard Screen  
 U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD = ASO-A-89-69629-00001  
 Header Expander, Foam Wrap, Net Overall  
 Line Item Notes:

Comment / Room:

LEFT LIV

Line Item #	Qty	Width x Height	UI	Description
-------------	-----	----------------	----	-------------

5 1 24.25" X 53.25" 79



3A01-New 4000 Series Double Hung 24 1/4 x 53 1/4  
 Frame Width = 24.25, Frame Height = 53.25, Sash Split = Even  
 Operation / Venting = Double Hung  
 Frame Option = Standard Block Frame, Composite Reinforcement  
 Frame Color = White, Exterior Finish = No Exterior Finish  
 SolarZone Elite, Double Strength, IE Liners, Glass Breakage Warranty  
 Standard Screen  
 U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD = ASO-A-89-69629-00001  
 Header Expander, Foam Wrap, Net Overall  
 Line Item Notes:

Comment / Room:

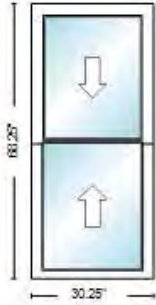
REAR BED



QUOTE #	RUSH	STATUS	PO#
2448542	No	None	213-2543

Line Item #	Qty	Width x Height	UI	Description
-------------	-----	----------------	----	-------------

6 1 30.25" X 68.25" 100



3A01-New 4000 Series Double Hung 30 1/4 x 68 1/4  
 Frame Width = 30.25, Frame Height = 68.25, Sash Split =  
 Even  
 Operation / Venting = Double Hung  
 Frame Option = Standard Block Frame, Composite  
 Reinforcement  
 Frame Color = White, Exterior Finish = No Exterior Finish  
 SolarZone Elite, Double Strength, IE Liners, Glass  
 Breakage Warranty  
 Standard Screen  
 U-Factor = 0.28, CR = 58, SHGC = 0.21, VT = 0.48, CPD  
 = ASO-A-89-69629-00001  
 Header Expander, Foam Wrap, Net Overall  
 Line Item Notes:

Comment / Room:

REAR BED

Customer Notes:

Total Unit Count	6
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**ATTENTION**

Please note that all weights provided are estimates and subject to change based on actual order shipment.  
 For Informational Purposes: All windows are viewed from the outside looking in.

**NOTICE:** The rating information provided on this quote is based upon the NFRC ratings at the time of quote. Such ratings are subject to changes in the standard by the applicable regulatory agencies and will be finalized at the time of manufacturing. All ratings printed on the NFRC label will supersede the NFRC rating set forth in the quote. Any changes made to an order after submission may also result in changes to the NFRC rating. Customer shall be solely responsible for determining whether the product ordered meets their jurisdiction's requirements.

In accordance with the state of California:

**WARNING:** Cancer and Reproductive Harm - [www.p65Warnings.ca.gov](http://www.p65Warnings.ca.gov)

This order is subject to AMI's Standard Terms and Conditions, which can be found here:  
<http://www.associatedmaterials.com/Tools.html>

I have reviewed this order and certify that it is correct. I understand that this order is noncancellable, nonreturnable, and nonrefundable.

By \_\_\_\_\_ Authorized Representative

**PZHAC ACTION FORM**  
**ZONING PERMITS 061009**  
**[PZHAC REVIEW – 3/2/20]**  
**STAFF ANALYSIS**

**(Decision was based on information presented during the Work Session – Item 2)**

**Items:**

**Case 061021:** 1922 Calle de Cura, submitted by Nia Rucker; a request for a zoning permit to replace windows on a dwelling at this address. Zoned: Historical Residential (HR)

**Staff Analysis:**

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed windows will be historically and architecturally acceptable to the Town as proposed, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed windows will not be historically and architecturally acceptable to the Town, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

**Estimated Cost: \$2710.80**

**Consistency with the Code:**

The PZHAC will need to determine that the proposed windows will be consistent with other construction in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings that need to be made:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of replacing the windows on an existing dwelling at this address.
- The PZHAC has determined that the proposed dwelling meets all applicable Code requirements.

**PZHAC OPTIONS:**

1. Recommend approval of the zoning permit to the BOT.
2. Recommend approval of the zoning permit to the BOT with conditions.
3. Reject the application.

**PZHAC ACTION:**

**PZHAC MINUTES FROM THE 3/20/20 PZHAC REGULAR MEETING**

*Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC determined that the wood framing of the windows should remain wood, and that other similar dwellings in the Historic zoning districts had been required to have wood frames.*

***A motion was made by Commissioner Prieto to approve the request, seconded by Commissioner Houston, and approved by a vote of 3 – 0 with the following:***

***CONDITION: The window frames shall be wood, not vinyl.***

**PZHAC WORK SESSION  
MARCH 2, 2020  
ITEM 2**

Submitted by Nia Rucker; a request to discuss plans to replace windows on a dwelling at 1922 Calle de Cura. (Permit 061021) Zoned: Historical Residential (HR)

The applicant would like to replace the windows on the dwelling at this address with more energy efficient windows. The replacement windows will be double hung double pane windows that have the same appearance and size as the existing windows. Currently, each window has two panes of glass (see attached photos and diagrams of replacement windows). The windows will be finished in white and will be set into the existing frames on the dwelling.

The dwelling is listed in the Historic Register for Mesilla and is considered was considered to be contributing to the architectural style of the Town (see attached sheets from the Historic Register). The dwelling was built around 1920 and does not appear to have been significantly changed. The replacement windows will be the same style and color of the existing windows and will not change the appearance of the dwelling. There will be a total of six windows to be replaced.

**Estimated Cost: @ \$2,710.80**

**Consistency with the Code:**

The PZHAC will need to determine that the new windows will be consistent with Chapters 18.33 (Historic Preservation) and 18.40 (HC-Historical Commercial zone) of the Code.

**18.33.080 Historical appropriateness permit.**

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

**18.40.030 Exterior appearance.**

An application for a permit for erection, construction, modification of, moving or destruction which would affect the exterior appearance of any structure, sign, or any other improvement affecting use or function must first be approved by the commission. [Ord. 94-06 § 1; prior code § 11-2-11.5.C]

The PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

The applicant will be present at the work session to provide further details about the proposed construction, and to answer any questions that may arise.

**PZHAC MINUTES FROM THE 3/20/20 PZHAC WORK SESSION**

*A person from “Window World” was present to represent the applicant and to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case stating that the dwelling was in the Historical register and was built in the 1920’s. Staff also explained that the applicant intended to replace the wood framed windows in the structure with vinyl framed windows that looked very similar to the original windows. There would be no other work to the structure. The main issue that was discussed was that the original windows had wood frames and that the new windows had modern vinyl frames. There was no other discussion.*



**PHOTOS OF THE FRONT AND REAR OF THE SUBJECT PROPERTY**





1. ALERT SHEET? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NEW MEXICO HISTORIC BUILDING INVENTORY FORM 1: BUILDINGS & STRUCTURES 6-6 79							
2. SURVEY DATE 1-25-80 JRM	3. BY	4. CHECK DATE	5. BY	6. COMPUTER DATE	7. BY	8. FILE DATE	9. BY	10. REVISION DATE	11. BY
12. COUNTY Dona Ana		13. FIELD MAP		14. NUMBER CORA 1962		15. UTM REFERENCE NUMBER 12 331250 3571950 ZONE EASTING NORTHING			
16. SPECIFIC LOCATION The second house west of the north/west corner of the Camino Real & Calle de Cura intersection						17. CITY/TOWN Mesilla		20. I.D. # 183202291	
						18. ZIP		22. ROLL # 48	
19. LAND GRANT OR. RESERVATION Mesilla Civil Colony						24. LOCATION OF NEG.			
20. LEGAL DESCRIPTION: TOWNSHIP NS RANGE EW SECTION 1/4 1/4 1/4									
25. ARCHITECTURAL STYLE Adobe Vernacular					26. NUMBER OF STORIES one				
27. FOUNDATION MATERIAL(S) ?					Robert Buckingham Box 7 Mesilla PARK 88046-4625				
28. EXTERIOR WALL SURFACE(S) Stucco / adobe 4006-137-320-503									
29. FENESTRATION (TYPE, DIVISIONS, SURROUNDS, SILLS, ARRANGEMENTS) - random 1/1 dhw, w/narrow surrounds, concrete lug sills - Horizontal 4/4 fixed frame, window w/out surrounds or sills									
30. DOOR/ENTRANCE (TYPE/SURROUNDS) Standard wood panel door w/lite, no surrounds									
31. ROOF(S) (NUMBER/SHAPE/MATERIAL DETAILS) flat roof w/ flat parapet									
32. CHIMNEY(S) (NUMBER, EXTERIOR-INTERIOR/MATERIALS) none									
33. EXTERIOR DETAILS Small louvered attic vents, picket fence around front									
34. COMMENTS									
35. DATE OF CONSTRUCTION ESTIMATED 1920					36. ACTUAL				
37. SOURCE OF DATE					45. IMMEDIATE SURROUNDINGS Residential				
38. ARCHITECT/ENGINEER/BUILDER					46. RELATION TO SURROUNDINGS <input checked="" type="checkbox"/> SIMILAR <input type="checkbox"/> NOT SIMILAR				
39. SOURCE OF INFORMATION					47. ARCHITECTURAL CONTRIBUTION TO SURROUNDINGS <input checked="" type="checkbox"/> PLUS <input type="checkbox"/> NEUTRAL <input type="checkbox"/> MINUS				
40. NAME					48. OVERALL SIGNIFICANCE <input type="checkbox"/> NATIONAL <input type="checkbox"/> STATE <input checked="" type="checkbox"/> LOCAL <input type="checkbox"/> NONE				
41. USE PRESENT Residential					49. ASSOCIATED BUILDINGS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
42. HISTORIC					50. WHAT TYPE?				
43. CONDITION <input type="checkbox"/> EXCELLENT <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> DETERIORATED					51. IF INVENTORIED, LIST I.D. #'S				
44. DEGREE OF REMODELING <input checked="" type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR					52. SEE BACK? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

- 287 This stuccoed, gabled house has aluminum frame windows and a gabled porch protecting the entrance. est. 1960. (N)
- 288 This is a stuccoed residence with a flat roof and parapet. and aluminum frame windows. est. 1930. (C)
- ~~289 This is an adobe farm house with aluminum frame windows, a flat roof with parapet, viga ends visible, and a shed roof porch with mission tile. There is a utility shed, a barn, and a silo associated with this house. est. 1900. (C)~~
- 290 This stuccoed adobe residence has a flat roof and parapet and metal casement windows. est. 1910. (C)
- 291 This stuccoed adobe residence has a flat roof, wood frame windows, a parapet, and a square-plan. est. 1920. (C)
- 292 This Ranch Style house has terracotta brick walls. est. 1965. (N)
- 293 This is an apartment complex in a Territorial Revival style. The architecture matches that of the house to the north. This building blends well with the surroundings. est. 1975. (N)
- 294 This stuccoed house has a gabled roof and wood frame windows. est. 1910. (C)
- 295 This stuccoed gabled house with a brick half wall and wood frame windows has purlins and brackets. est. 1935. (N)
- 296 This gabled adobe residence has wood frame windows. est. 1910. (C)
- 297 This Ranch Style house has brick walls and aluminum frame windows. est. 1965. (I)
- 298 This stuccoed adobe house has a low gabled roof and aluminum frame windows. est. 1900. (C)
- 299 This is a rectangular-plan house with aluminum frame windows and a gabled roof. est. 1965. (N)
- 300 This is a small gabled house with aluminum frame windows. A trailer house is adjacent to it to the west. est. 1955. (I)
- 301 This house has a crenalated parapet and wood frame windows covered by tiled hoods. est. 1915. (C)
- 302 This square-plan stuccoed house with a flat roof and parapet has wood frame windows. est. 1900. (C)
- 303 This is a very long, rectangular-plan adobe house with a flat roof, parapet, wood frame windows, and an open porch spanning the length of the facade. est. 1900. (C)



# Window World

**Window World of Las Cruces**  
 300 N. Telshor • Suite 100 • Las Cruces, NM 88011  
 Phone: (575) 632-9390 • Fax: (575) 632-5230

NM CID# 391055

Customer: NIA ROCKER Phone (h) 575-993-2930  
 Install Address: 1922 CALLE DE CORA - BECOS Phone (w) \_\_\_\_\_  
 Bill Address: \_\_\_\_\_ E-mail \_\_\_\_\_

WINDOW WORLD WINDOW PACKAGES	
<small>(Window max single hung / double hung 48x72 or 2-Lite 60x60. Package includes SolarZone Elite, DS glass, 1/2 screen, foam on jambs and head)</small>	
3000 Series Single Hung	\$368
3000 Series 2-Lite Single Slider	\$388
<u>6</u> 4000 Series Double Hung	\$388 <u>2328</u>
4000 Series 2-Lite Slider	\$408
6000 Series Double Hung	\$459
6000 Series 2-Lite Slider	\$489

WINDOW WORLD WINDOWS	
<small>(All Windows include SolarZone Elite)</small>	
4000 Series Picture / Fixed	\$459
4000 Series 3-Lite (1/3, 1/3, 1/3) (1/4, 1/2, 1/4)	\$610
6000 Series Picture / Fixed	\$499
6000 Series 3-Lite (1/3, 1/3, 1/3) (1/4, 1/2, 1/4)	\$670
3000 Series 3-Lite Slider (1/3, 1/3, 1/3) (1/4, 1/2, 1/4)	\$590
3000 Series Picture / Fixed	\$449
3000 Series Rounded Top SH	\$719
Windows Over 120 U.I	\$100
Casement (Not Egress)	\$459
Specialty Window	\$
Almond / Desert Clay	\$50
Bronze Exterior (Series 3000/4000) <small>(Full Screens Only)</small>	\$160
Window Color <u>White</u> / <u>White</u>	
<small>Inside</small>	<small>Outside</small>

DOORS	
Vinyl Rolling Patio Door	\$
Stucco Protector (Y/N) Custom Trim (Y/N)	
Color _____ Grids _____	
Custom Rail Rolling Patio Door	\$
3" Rail _____ 5" _____ French Rail _____	
Stucco Protector (Y/N) Custom Trim (Y/N)	
Color _____ Grids _____	
Interior Blinds (white blinds in white door panels) <small>(Specific Standard Series Only)</small>	\$
Specialty Doors	\$

INSULATED GLASS PACKS	
Solar Sun Shield Upgrade	\$60
Triple Glazed TG2** (Argon Filled)	\$155
Triple Glazed TK2** (Krypton Filled)	\$196
<small>(**Series 6000 Only)</small>	

ADDITIONAL FEATURES	
1/2 Screens	\$9
Foam Insulation on Jambs and Head	\$11
Double Strength Glass	\$15
Double Locks (> 26") (4000/6000)	\$5
Full Screens	\$22
Colonial Grids (Contoured/Flat)	\$65
Prairie Grids	\$75
Specialty Grids	\$
Tempered Sash	\$70
Tempered Other	\$
Tinted or Specialty Glass	\$
Obscure Glass Both Sash	\$80
Oriel Style (40/60 or 60/40)	\$60

PRE 1978 BUILT HOMES (Federal Lead Containment Law)	
<u>4</u> With Custom Premium Exterior Trim	\$50 <u>200</u>
Without Custom Premium Exterior Trim	\$70
<u>1</u> Lead Testing Fee (up to 4 windows)	\$50 <u>50</u>
MY HOME WAS BUILT IN THE YEAR	Initial

MISCELLANEOUS	
Second Story Labor	\$60
Custom Exterior Trim (minimum of 2 windows)	\$60
Custom Coil Color	
<u>6</u> Window Removal Steel or in Stucco	\$60
Window Removal Other	\$40 <u>240</u>
Stucco Protector/Flush Fin	\$40
<small>(Designed to be trimmed for installation)</small>	
Install Interior Stops (unpainted wood)	\$50
Install Interior Casing	\$50
<small>(Customer must provide the materials)</small>	
Replace Sill (pine-no painting or staining)	\$100
Wood or Steel Mull Removal	\$40
Mull to Form Mull Unit	\$40
Remove Storm Window	\$30
Remove Security Bars (no reinstallation)	\$50
Other	\$

**ROUND-UP FOR WINDOW WORLD CARES**  
 St. Jude Children's Research Hospital \$

You the buyer are responsible for providing at least two feet of clear access on both sides of windows and for completely removing all blinds, brackets, shutters and other window coverings prior to installation. Initial: NR  
 You the buyer are responsible for any applicable permitting. Balance due based upon percentage of windows installed upon completion. No compensation for job delays or product errors. No painting and no repairs or painting of damages to Stucco unless stated on Contract. Initial: NR

**NO EXTRA WORK IF NOT IN WRITING!**  
-120 - off Double Hung  
-122-10 - Final  
9-Weeks

Customer agrees to the terms of payment as follows:	
Subtotal	\$ <u>2818</u>
Setup and Handling (5%) Fee (minimum \$50)	\$ <u>134.90</u>
Permit	\$ <u>65</u>
Trip Charge	\$
Subtotal	\$ <u>2678</u>
Tax (where applicable)	\$ <u>24.20</u>
Total Amount	\$ <u>3000</u>
Custom Order Deposit 50%	\$ <u>1500</u> Ck#
Balance Paid to Installer upon Completion	\$ <u>1500</u>
Amount Financed	\$

You the buyer may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Notice of cancellation must be in writing postmarked no later than midnight of the following third business day.  
**THIS IS A CUSTOM ORDER NOT FOR RESALE!**

11-18-19  
 Salesman \_\_\_\_\_ Date \_\_\_\_\_ Owner \_\_\_\_\_ Date \_\_\_\_\_





"Simply the Best for Less"

WEST COAST

WINDOW AND PATIO DOOR ORDER FORM

Phone: 866.716.5368 Fax: 866.618.2783

Account # **MALCO 019**  
 Sales Rep Name / # **MALCO 019**  
 Date **11-18-19**  
 Customer P.O. # **013-2513**

Customer Name and Address: **Window World Las Cruces #85034**  
 Ship To: **N/A Direct**  
 Job Name: **1922 CAILES DE CUMA - 8800**  
 Job Name 2:  
 Ordered By: **Window World Las Cruces**  
 Sketches: **#85034**

Special instructions

Be sure to note if non-mullied units require grid alignment or shade configurations requires a continuous radius

This entire order requires (where applicable):  Head Expander  Glass Breakage Warranty  Foam Wrap

NOTE: Hinge Left (HL) or Hinge Right (HR) on all casement orders as viewed from the exterior. Add (RH) for Express Hinge

ALL PRODUCT CONFIGURATIONS MUST BE ORDERED AS VIEWED FROM THE EXTERIOR

LINE	QTY	MODEL	WHTL COLOR	DIMENSIONS (W x H x D)	WIDTH	HEIGHT	FRAME OPTIONS	MULL TYPE	ROOM LOCATION	6500 SASH STYLE (3", 5", or FRENCH)	HINGE (L/R/H)	GLASS OPTION	E/E/C OPTION	TINTS	OBSCURE	ORNL	WOODEN STYLE	GRID OPTION	SCREEN	FOAM ENHANCED	MULL FN	TEMP
1	1	3401	01		24 1/4	53 1/4	RD		FRONT	GLASS	LE	LE										
2	1	3401	01		24 1/4	53 1/4	RD		FRONT	GLASS	LE	LE										
3	1	3401	01		24 1/4	53 1/4	RD		FRONT	GLASS	LE	LE										
4	1	3401	01		24 1/4	53 1/4	RD		FRONT	GLASS	LE	LE										
5	1	3401	01		24 1/4	53 1/4	RD		FRONT	GLASS	LE	LE										
6	1	3401	01		30 1/4	68 1/4	RD		FRONT	GLASS	LE	LE										
7																						
8																						
9																						
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						

FRAME OPTIONS: RP = REPLACEMENT FRAME/PEN, FS = FLANGE FOR STUCCO APPLICATION, S1 = SERRIS CLAY, S2 = BRONZE EXT, WITH WHITE INTERIOR, LOP - LIGHT OAK, S1 = BRCK MOLD 1 1/2", S2 = BRCK MOLD 2"

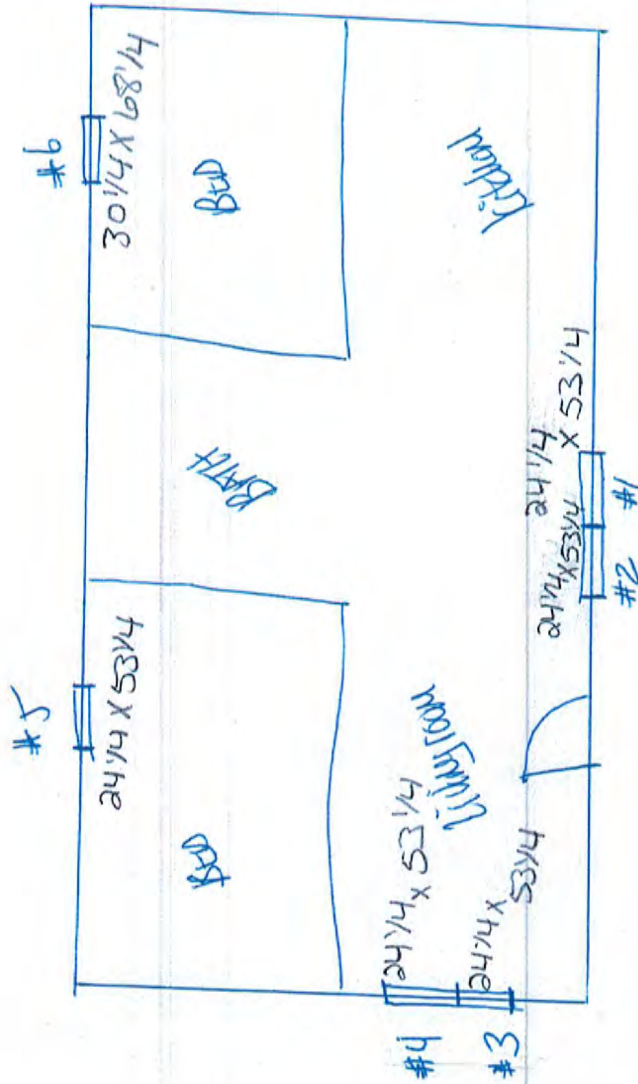
MULL-TYPE: D = DOUBLE, T = TRIPLE, S = 1 1/2", 1 1/4", S = STACKED, C = CUSTOM, GT = GREY TINT, BT = BRONZE TINT, DL = DARK LUTE, PL = AQUA LUTE

TUPEPRED AND OBSCURE: T8 = TEMP BOTTOM, T9 = TEMP FULL, O9 = OBSCURE FULL, O8 = OBS BOTTOM, O7 = OBS TOP, O6 = NARROW FEED, O5 = DOUBLE ONS BOTTOM, O4 = RAIN GLASS FULL, O3 = RAIN BOTTOM, O2 = GLUECHIP FULL, O1 = GLUECHIP BOTTOM, S12B = SOLAR COOL BRONZE, S12C = SOLAR COOL GRAY, S12D = ENVIROGREEN, S12E = SOLAR

GLASS OPTIONS: LE = SOLARZONE, LEE = SOLARZONE ELITE, LEE2 = SOLARZONE PLUS, LEE3 = SOLARZONE 2, LEE4 = SOLARZONE T2, T = LOW END ANCHOR (P999 SERIES ONLY)

SCREENS: FS = FULL SCREEN (FIBERGLASS), FIBERGLASS 1/2 SCREENS ARE STANDARD

GRID OPTIONS: SEE BACK OF ORDER FORM FOR GRID OPTIONS



1. All windows that originally meet egress will meet egress.
2. No changes to existing construction.
3. All windows are energy efficient.

NIA LUCKER  
 1122 CALLE DE CURA - 88005  
 575-993-2930



TOWN OF MESILLA  
ZONING APPROVAL

OFFICIAL USE ONLY:

Case # 061021

Fee \$ 80.00

PERMISSION TO CONDUCT WORK  
OR  
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 061021 ZONE: UR CODE: ACC APPLICATION DATE: 2-19-20

Nia Rucker 575-993-2930  
Name of Property Owner Property Owner's Telephone Number  
1922 Calle De curca mesilla NM 88005  
Property Owner's Mailing Address City State Zip Code

Property Owner's E-mail Address  
Window World of Las Cruces  
Contractor's Name & Address (If none, indicate Self)  
575-532-9390 81-4803551 391055  
Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

Address of Proposed Work: 1922 Calle De curca mesilla NM 88005  
Description of Proposed Work: Window Installation

\$ 2710.80 ATD 2-19-20  
Estimated Cost Signature of Applicant Date  
Signature of property owner: Nia Rucker

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and/or BOT before issuance of a zoning permit. Plan sheets are to be no larger than 11 x 17 inches or shall be submitted electronically.

FOR OFFICIAL USE ONLY

PZHAC  Administrative Approval BOT  Approved Date: \_\_\_\_\_  
 Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  
 Disapproved Date: \_\_\_\_\_  Approved with Conditions  
 Approved with conditions

PZHAC APPROVAL REQUIRED:  YES \_\_\_ NO BOT APPROVAL REQUIRED:  YES \_\_\_ NO

CID PERMIT/INSPECTION REQUIRED:  YES \_\_\_ NO  SEE CONDITIONS

CONDITIONS: CID PERMIT MAY BE REQUIRED.

PERMISSION ISSUED/DENIED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_

THIS APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was LEGALLY subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Site Plan with dimensions and details.
3. Foundation plan with details.
4. Floor plan showing rooms, their uses and dimensions.
5. Cross section of walls
6. Roof and floor framing plan
8. Proof of legal access to the property.
9. Drainage plan.
10. Details of architectural style and color scheme (checklist included for Historical zones) – diagrams and elevations.
11. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
12. Proof of legal access to the property.
13. Other information as necessary or required by the City Code or Community Development Department (See other side.)



New Mexico Regulation and Licensing Department  
ALCOHOLIC BEVERAGE CONTROL DIVISION

PO Box 25101 ▪ Santa Fe, New Mexico 87504-5101  
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/abc

March 12, 2020

Certified Mail No.: 9171 9690 0935 0078 2605 87

Michelle Lujan Grisham  
Governor

Marguerite Salazar  
Superintendent

Andrew Vallejos  
Director

**Town of Mesilla**

Cynthia Stoechner-Hernandez, Clerk  
PO Box 10  
Mesilla, NM 88046

**Lic. No. /Appl. No.:** Application No. 1156030  
**Name of Applicant:** Creative Spirits Distillery LLC  
**Doing Business As:** Dry Point Distillers  
**Proposed Location:** 1680 Calle de Alvarez Ste C, Las Cruces, NM 88005

Greetings:

The Director of the Alcoholic Beverage Control Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned ABC Hearing Officer listed on page 2.

**Notice of the Public Hearing** required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcoholic Beverage Control;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made of the hearing.**

**THE APPLICANT IS SEEKING A WINEGROWER LIQUOR LICENSE, WITH ON PREMISES CONSUMPTION AND PACKAGE SALES.**

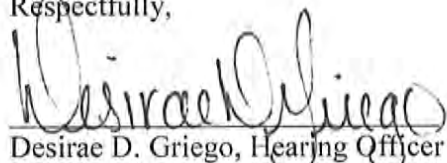
Alcoholic Beverage Control  
(505) 476-4875



**Within thirty (30) days** after the Public Hearing, the governing body shall notify the Alcoholic Beverage Control Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcoholic Beverage Control Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Desirae D. Griego, Hearing Officer  
New Mexico Regulation & Licensing Dept.  
Alcoholic Beverage Control Division  
Phone: (505) 476-4552 Fax: (505) 476-4595  
Email: [Desirae.Griego@state.nm.us](mailto:Desirae.Griego@state.nm.us)

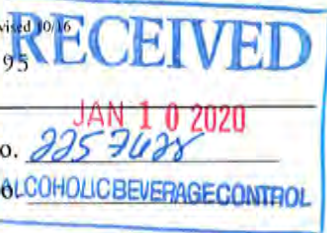
Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement





Des  
1-14-20



AGD USE ONLY: Payment| Application Fee \$ 300 Received on: 1-10-2020 Receipt No. 2257428  
License Fee \$ \_\_\_\_\_ Received on: \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Application # 1154030 Local Option District: Mesilla

**WINEGROWER LIQUOR LICENSE APPLICATION**  
\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for:  New License  Off-Site Location - 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Master License No. \_\_\_\_\_

Applicant is:  Individual  Limited Liability Company  Corporation  Partnership (General/Limited)

NAME OF APPLICANT: (Company or Individual) Creative Spirits Distillery LLC DBA Dry Point Distillers TELEPHONE NUMBER 575-636-3856

EMAIL ADDRESS (required): Chris@drypointdistillersnm.com

MAILING ADDRESS: 1680 Calle de Alvarez Ste C

D/B/A Name to be used: Dry Point Distillers Business Phone #: 575-652-3414

Physical location where license is to be used: (Include street number / highway number / state road, city, county, state, and zip code)  
1680 Calle de Alvarez Ste C, Las Cruces, NM 88005

Are alcoholic beverages currently being dispensed at the proposed location?  Yes  No If Yes, License #/Type: Craft Distillers 63022

Agent/Contact Person: Chris Schaefer Phone#: 575-636-3856 Email: chris@drypointdistillersnm.com

I, (print name) Chris Schaefer, as (title) owner/operator, being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date before a Notary Public.

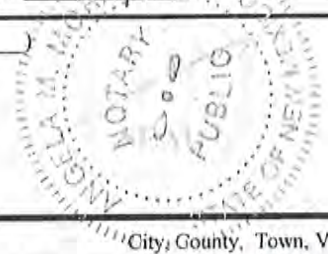
Signature of Applicant: [Signature] Date: 1/6/2020

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Dona Ana)

SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of January, 2020

By: Christopher Schaefer Notary Public: [Signature]

My Commission Expires: 9/25/2020



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: \_\_\_\_\_ City, County, Town, Village

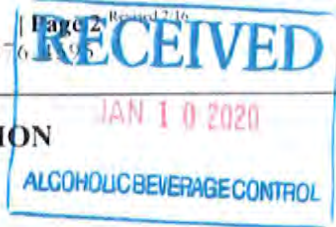
Public Hearing held on \_\_\_\_\_, 20\_\_\_\_. Check one:  Approved  Disapproved

Signature and Title of City/County Official: \_\_\_\_\_

FOR ALCOHOL AND GAMING DIVISION USE ONLY:  Approved  Disapproved

Signed by Director: \_\_\_\_\_ Date: \_\_\_\_\_





**PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION**  
 NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

- Owned by Applicant, copy of deed/document attached       Leased by Applicant, copy of lease/document attached  
 Other (provide details): \_\_\_\_\_

2. If the land and building are not owned by Applicant, indicate the following:

- A. Owner(s): Stefan Schaefer  
 B. Date and Term of Lease: 10/01/2019 to 10/01/2025

3. Premises location is Zoned (example C-1, see Zoning Statement): \_\_\_\_\_  
 **Zoning Statement attached**, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance\* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: San Albino Miles/feet: 2667 ft  
 Address/location of Church: 2280 Calle de Principal, Mesilla, NM, 88046

5. Distance\* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Las Cruces Academy Miles/feet: 433.5 ft  
 Address/location of School: 1755 Ave. de Mercado, Mesilla, NM 88046

6. Distance from military installation \*(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, *circle one*: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),  
 Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)  
 Miles: 31

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation:  Hotel       Lounge       Package Grocery       Restaurant       Racetrack  
 Small Brewer       Craft Distiller       Winery       Wholesaler  
 Other (specify): \_\_\_\_\_

\*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

# Town of Mesilla, New Mexico

December 20, 2019

New Mexico Regulation and Licensing Department  
Alcohol and Gaming Division  
Toney Anaya Building  
P.O. Box 25101  
Santa Fe, NM 87505-5105

**Re: Statement of Zoning- 1680 Calle de Alvarez, Suite C; Mesilla, NM**

To whom it may concern:

The property located at 1680 Calle de Alvarez, Suite C in Mesilla, NM, further described as part of Dona Ana County parcel ID # 04-01485, is located in the General Commercial (C) Zone in the Town of Mesilla. The requirements of this zone are described in Section 18.54 of the Mesilla Town Code, which states that "This zone is intended to provide for limited commercial enterprises." Among the uses permitted under section 18.45.020 (Permitted Uses) are: Bars and cocktail lounges; Package liquor stores; and Restaurants and eating establishments; and other similar uses. This would also include a "craft winery" of the type proposed by Chris Schaefer.

If you have any questions or concerns, please do not hesitate to contact me at (575) 524-3262, ext. 104.

Sincerely,



Larry Shannon  
Community Development Coordinator





## Cynthia Stoehner-Hernandez

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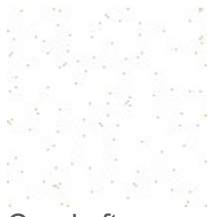
**From:** Lopez, Debra, RLD <Debra.Lopez@state.nm.us>  
**Sent:** Monday, May 4, 2020 4:04 PM  
**To:** Stoehner-Hernandez, Cynthia  
**Cc:** Griego, Desirae, RLD  
**Subject:** Re: [EXT] Application No. 1156030 | Creative Spirits Distillery LLC

Yes, that would be ok

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Cynthia Stoehner-Hernandez <cynthias-h@mesillanm.gov>  
**Date:** 5/4/20 2:42 PM (GMT-07:00)  
**To:** "Lopez, Debra, RLD" <Debra.Lopez@state.nm.us>  
**Cc:** "Griego, Desirae, RLD" <Desirae.Griego@state.nm.us>  
**Subject:** RE: [EXT] Application No. 1156030 | Creative Spirits Distillery LLC



Good afternoon:

I wanted to follow up on this. I would like to advertise the public hearing tomorrow on this license which would take place at 6PM on May 26<sup>th</sup>. This would be 21 days out. If you are okay with this I will proceed?

Thank you for all of your help during these times!

Cynthia Stoehner-Hernandez

Clerk/Treasurer

☎ (575) 524-3262

Fax: (575) 541-6327

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**From:** Griego, Desirae, RLD <[Desirae.Griego@state.nm.us](mailto:Desirae.Griego@state.nm.us)>  
**Sent:** Thursday, March 19, 2020 11:20 AM  
**To:** Stoehner-Hernandez, Cynthia <[cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov)>  
**Subject:** RE: [EXT] Application No. 1156030 | Creative Spirits Distillery LLC

Hi Cynthia,

ABC Deputy Director Lopez and I had this discussed regarding this particular situation. We are aware that all public meetings are cancelled or postponed at this time do to the COVID-19 epidemic. You may email me a request for a waiver of time to hold the public hearing on this matter. As none of us know when this will be over we understand the hardship this brings upon us all. Worst case scenario, if this goes beyond a good amount of time after the forty-five day period we can reassess the situation and the LOD will have the option to send the application back with a letter outlining the circumstances. When we receive the application back, ABC Director Vallejos will have the discretion to issue or deny the application. Hopefully this helps.

Please let me know if you have any other questions or concerns.

**Desirae D. Griego**

Admin Law Judge / Hearing Officer  
NM Regulation & Licensing Department  
Alcoholic Beverage Control Division  
P.O. Box 25101, Santa Fe, NM 87504

Phone: 505-476-4552

Email: [desirae.griego@state.nm.us](mailto:desirae.griego@state.nm.us)

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**From:** [cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov) <[cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov)>  
**Sent:** Thursday, March 19, 2020 10:25 AM  
**To:** Griego, Desirae, RLD <[Desirae.Griego@state.nm.us](mailto:Desirae.Griego@state.nm.us)>  
**Subject:** [EXT] Application No. 1156030 | Creative Spirits Distillery LLC

Hi Desirae: I received the above referenced application yesterday. We have currently cancelled all public meetings until further notice due to COVID19. I know we have between 30-45 days to act on it, and I am unsure of how/when we will be able to approve this application. I wanted to keep you in the loop as far as what's going on. Any guidance on this from your office?

Thank you for all of your help during these times!

Cynthia Stoehner-Hernandez  
Clerk/Treasurer

☎ (575) 524-3262

Fax: (575) 541-6327

Check out our website!

[www.mesillanm.gov](http://www.mesillanm.gov)

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.



# Las Cruces Sun News.

PART OF THE USA TODAY NETWORK

## Affidavit of Publication

Ad # 0004180075

This is not an invoice

TOWN OF MESILLA  
POBOX 10

MESILLA, NM 88046

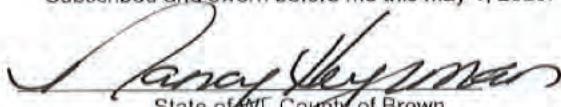
I, a legal clerk of the Las Cruces Sun News, a newspaper published daily at the county of Dona Ana, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

05/05/2020

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

  
Legal Clerk

Subscribed and sworn before me this May 5, 2020:

  
State of WI, County of Brown  
NOTARY PUBLIC  
5.15.23  
My commission expires

### NOTICE OF PUBLIC HEARING FOR LIQUOR LICENSE IN THE TOWN OF MESILLA

Pursuant to the New Mexico Liquor Control Act, the Board of Trustees of the Town of Mesilla will hold a public hearing on the question of whether or not the NM Alcohol and Gaming Division should approve a winegrower liquor license with on-premise consumption and package sales for:

License / App. #: 1156030

Applicant Name:  
Creative Spirits Distillery,  
LLC

Doing Business As:  
Dry Point Distillers  
Proposed Location: 1680  
Calle de Alvarez Ste C, Las  
Cruces, NM 88005

The public hearing will be held on Tuesday, May 26th, 2019, at 6:00 p.m. via teleconference:

(1) 346 248 779 Meeting ID:  
989 2091 8810 Password:  
025699. To speak during  
this time please press \*9 so  
that the moderator can  
allow you to speak.

Following the public hearing, the Board of Trustees will consider whether to approve or disapprove the issuance of the license. For questions or comments, please contact Cynthia Stoechner-Hernandez, Town Clerk-Treasurer, at (575) 524-3262 or e-mail at [cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov). #4180075, Sun-News, May 5, 2020

Ad # 0004180075

PO #: Dry Point  
# of Affidavits 1

This is not an invoice

NANCY HEYRMAN  
Notary Public  
State of Wisconsin





**RESOLUTION NO. 2020-10**

**A RESOLUTION OF THE TOWN OF MESILLA BOARD OF TRUSTEES  
DESIGNATING PLANNING, ZONING, AND HISTORICAL  
APPROPRIATENESS COMMISSION MEETING TIME.**

**WHEREAS**, the Board of Trustees discussed the need to amend the time of Planning, Zoning and Historical Appropriateness Commission Meetings; and

**WHEREAS**, this will save staff time to have meetings during working hours.; and

**NOW THEREFORE, BE IT HERBY RESOLVED** by the Board of Trustees that the regular meetings of the PZHAC shall be at 2:30 p.m. every 1<sup>st</sup> and 3<sup>rd</sup> Monday of every month.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup> day of May 2020.

\_\_\_\_\_  
Nora L. Barraza  
Mayor

**ATTEST:**

\_\_\_\_\_  
Cynthia Stoechner-Hernandez  
Town Clerk-Treasurer