



Town of Mesilla, New Mexico

PZHAC MEETING MINUTES JUNE 2, 2020

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A VIRTUAL MEETING VIA ZOOM OR PHONE MONDAY, JUNE 2, 2020 AT 6:00 P.M. **TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 985 3179 0777, PASSWORD 368032.**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

Attendance was electronic via “Zoom”. All PZHAC members were present. Commissioner Lucero was acting chair.

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the agenda. Commissioner Houston made a motion to approve the Agenda, seconded by Commissioner Salas, and approved by a vote of 4 – 0

IV. *ACCEPTANCE OF THE CONSENT AGENDA

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

There were no changes to the Consent Agenda. Commissioner Salas made a motion to approve the Agenda, seconded by Commissioner Houston, and approved by a vote of 4 – 0.

A. *PZHAC MINUTES – PZHAC Regular Meeting of May 18, 2020.

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVAL

Zoning Permit:

1. **Case 061049** – 2371 Calle de Parian, submitted by Michael Clute; a request to regrade and replace gravel on an existing gravel driveway at this address. Zoned: Historical Residential (HR).

Approved as part of the Consent Agenda

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Public input shall be received at larrys@mesillanm.gov at by 1:30 p.m. June 1st and will be read into the record. You will also be given an opportunity to speak during this time by joining in the meeting by phone and pressing *9 while in the teleconference. This will let the host know that you wish to speak. You will be prompted by the host when to begin speaking.

Staff stated that one e-mail had been received from Susan Krueger, resident. Staff read the e-mail for inclusion into the record. (A copy of the e-mail is attached at the end of these minutes.)

B. DECISIONS:

Zoning Permits:

1. **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 provided a brief review of this request, explaining that Case was originally heard and approved by the PZHAC on March 2. The applicant appealed the PZHAC’s requirement for wood to the BOT, and the BOT remanded the case back to the PZHAC to be reheard with new information provided to the BOT by the applicant. Issues that were discussed included: differences between vinyl and wood (modern vs. wood), cost of wood, appearance of vinyl, and whether the bedroom window would meet CID egress requirements. (It was pointed out that the replacement window for the bedroom does meet CID egress requirements.) A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Nevarez, and APPROVED by a vote of 3 – 0 – 1 (Commissioner Nevarez voted “Present”).

2. **Case 061032** - 2305 Calle de Colon, submitted by Gerard Nevarez, a request for a zoning permit to enclose an existing covered patio and install a new covered patio at the rear of a dwelling at this address. Zoned: Historic Residential (HR) *Staff provided a brief review of this request and the fact that the case was delayed by the recent moratorium on building in the Historic Residential zone. The only issue discussed was how the roof of the patio was going to be attached to the existing roof. Staff responded yes. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Salas, and APPROVED by a vote of 3 – 0. (Commissioner Nevarez recused himself from voting.)*
3. **Case 061034** - 2230 Calle del Sur, submitted by Stephen Cadena; a request for a zoning permit to construct a porch around a dwelling at this address. Zoned: Historic Residential (HR) *Staff provided a brief review of this request and the fact that the case was delayed by the recent moratorium on building in the Historic Residential zone. There were no issues. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Salas, and APPROVED by a vote of 4 – 0.*
4. **Case 061045** – 2391 Calle de Parian, submitted by Robert Reynolds, a request for a zoning permit to allow the replacement of a door and two windows on a storage building at this address. Zoned: Historical Residential (HR) *Staff provided a brief review of this request and the fact that the case was postponed in order to allow the applicant to provide more information and details about the replacement windows. Staff also provided a brief history of the structure as provided by the applicant. There were no building code issues. Commission Chair Lucero brought up the fact that the original frames for the original plate glass was wood, and the frames are now metal. She also stated that the structure is in the Historic District and that the new windows should look like the existing windows. A motion was made by Commissioner Salas to approve the request, seconded by Commissioner Houston, and APPROVED by a vote of 4 – 0 WITH THE FOLLOWING CONDITIONS:*
 1. **THE NEW WINDOWS SHOULD BE SLIDERS THAT OPEN FROM SIDE-T-SIDE, AND**
 2. **THE WINDOWS SHALL APPEAR TO HAVE DIVIDED LITES.**
5. **Case 061047** – 2631 Calle Tercera, submitted by Frankie Torres, a request for a zoning permit to allow a rock wall to be constructed on the front property line of a residential property at this address. Zoned: Historical Residential (HR) *Staff provided a brief review of this request and the fact that the case was postponed in order to allow the applicant to provide specific details about the location of the front wall and how the clear-sight-triangle requirements for the two driveways would be met. Staff explained that the applicant did provide a rough diagram shortly before the meeting, and that this diagram was e-mailed to the Commissioners prior to the meeting. Discussion centered around whether the wall would create problems with the clear-sight-triangle, and it was determined that the diagram provided was not clear enough to use to make a decision. A motion was made by Commissioner Salas to postpone the request, seconded by Commissioner Houston, and POSTPONED by a vote of 4 – 0 to allow the applicant to provide Staff with a better diagram showing further details about the wall.*
6. **Case 061050** – 319 Capri Arc, submitted by Sam McBurney; a request for a zoning permit to allow the replacement of eleven windows on a dwelling at this address. Zoned: Residential, one acre (R-1) *Staff provided a brief review of this request. Tom Maese, Chief Inspector for CID, stated that there was a problem with two of the bedroom windows not meeting egress requirements and recommended that the PZHAC require the applicant to provide plans that would be approved by CID. A motion was made by Commissioner Salas to postpone the request to allow the applicant to provide information showing that the bedroom windows meet CID requirements for egress, seconded by Commissioner Nevarez, and POSTPONED by a vote of 4 – 0.*
7. **Case 061051** – 2447 Calle del Norte, submitted by Matilde Estrada; a request for a zoning permit to allow the replacement of nine windows on a dwelling at this address. Zoned: Historical Residential (HR) *Staff provided a brief review of this request. Commissioner Nevarez questioned whether or not the replacement windows should reflect what exists or can they be different. Tom Maese, Chief Inspector for CID, stated that none of the bedroom windows meet the requirements for egress, and since the structure has been significantly changed, it is no longer significant historically and must meet building code requirements for egress from bedrooms. A motion was made by Commissioner Houston to postpone the request, seconded by Commissioner Nevarez, and POSTPONED by a vote of 3 – 1 (Commissioner Salas voted no) to allow the applicant to provide Staff with a plan showing that the windows meet CID requirements and meet the style of the windows they are replacing.*
8. **Case 061052** – 2445 Calle de Santa Ana, submitted by ViCa One Inc. for Jack and Lisa Kirby; a request for a zoning permit to allow the construction of a new dwelling at this address. Zoned: Historical Residential (HR) *Staff provided a brief review of this request. Concerns discussed were that the size and style of the dwelling would not fit in with the development zone, or that the elevations did not fit the floorplan for the dwelling. According to Tom Maese, the plans submitted to the PZHAC would not be acceptable to CID. A full set of plans should be submitted. Additionally, the rock wall around the property would be considered under a separate permit. A motion was made by Commissioner Nevarez to postpone the request to allow the applicant to provide further construction plans, seconded by Commissioner Houston, and POSTPONED by a vote of 4 – 0.*

9. **Case 060153** – Calle Pacana, Lot 2 of the Sommer Grove Subdivision, submitted by ViCa One Inc. for Charles and Marilyn McMurray; a request for a zoning permit to allow the construction of a new dwelling at this address. Zoned: Historical Residential (HR)
Staff provided a brief review of this request. Concerns discussed were that the off-street parking was not accurately shown, and the supplied information was too small to be legible. According to Tom Maese, the plans submitted to the PZHAC were not complete by CID standards and would not be acceptable to CID. A full set of plans should be submitted. A motion was made by Commissioner Salas to postpone the request to allow the applicant to provide further construction plans, seconded by Commissioner Nevarez, and POSTPONED by a vote of 4 – 0.
10. **Case 061054**– 2581 Calle de Cura, submitted by Gary and Laura Ramsey; a request for a zoning permit to allow renovations to the interior as well as the replacement of windows and repair and repainting of the exterior of a dwelling at this address. Zoned: Historical Residential (HR)
Staff provided a brief review of this request. A concern was brought up by Commissioner Nevarez that this case would have the same problems as the other cases involving windows at this meeting. The applicant stated that all windows that will be required to meet CID requirements will be modified to meet these requirements. A motion was made by Commissioner Salas to approve the request, seconded by Commissioner Nevarez, and APPROVED by a vote of 3 – 0 – 1 (Commissioner Nevarez voted “Present”).
11. **Case 061055** – 2821 Cielo Grande Court, submitted by Zachary and Jodie Penn; a request for a zoning permit to allow the installation of an in-ground pool behind a dwelling under construction at this address. Zoned: Rural Farm (RF)
Staff provided a brief review of this request. Tom Maese stated that the plans submitted do not contain a structural or an aesthetic design, therefore the PZHAC would be approving an incomplete application. A full set of plans should be submitted. A motion was made by Commissioner Nevarez to postpone the request to allow the applicant to provide further construction plans, seconded by Commissioner Houston, and POSTPONED by a vote of 4 – 0.
12. **Case 061056** – 1680 Calle de Alvarez Suite C, submitted by Stefan Schaefer for Christopher Schaefer; a request to expand an existing 161 square foot patio service area by 290 square feet. Zoned: General Commercial (C)
Staff provided a brief review of this request. Issues discussed included handicapped access to the operation as well as how the added serving space would affect existing parking requirements. Staff explained that since the applicant's hours of operation differed from the hours of operation of the other tenants, his would be the only operation using the parking lot, therefore all the spaces would be available. Tom Maese disagreed and stated that CID would need to determine if the parking, including ADA spaces, was adequate for the added use. Additionally, according to Mr. Maese, the drawings provided with the application were incomplete and that there was not enough information provided for CID to approve the plans.

Additional discussion centered around what is generally being provided to Staff for each case by the applicants for presentation to the PZHAC. According to Tom Maese, CID bases its decisions on the information approved by the PZHAC. Mr. Maese does not feel that the information submitted to the PZHAC for each case is acceptable to CID for review. Staff asked the PZHAC if the PZHAC is deciding cases based on the zoning code or the building code. Commission Chair Lucero stated that the PZHAC needs “...more detailed information”. According to Commission Chair Lucero, Staff will need to meet with Tom Maese before plans are submitted to the PZHAC in order to ensure that CID requirements are met for approval. Commissioner Salas stated that this would streamline the process for the applicant and CID.

The applicant for this case, Christopher Schaefer, asked the PZHAC what further information he needed to provide and who he should provide it to – Mesilla or CID. Commission Chair suggested that the applicant meet with CID first to determine what CID is expecting, then bring the information to Staff. Tom Maese stated that this is a commercial project, and that architectural or engineered plans are required. Since these were not provided, the application to the PZHAC is incomplete. Mr. Schaefer explained why the plans were simple. Mr. Maese stated that the only reason this was coming before CID was because of the ADA requirements. A motion was made by Commissioner Houston to postpone the request to allow the applicant to provide further details and information about the ADA parking and a revised drawing showing the removal of the fence between the two patio sections. This was seconded by Commissioner Salas and POSTPONED by a vote of 4 – 0.

Business Permits

1. 1695 Calle de Alvarez – submitted by Tina Brookshire for “Quality Life”; a request for a business license to allow the applicant to operate a professional office at this location. Zoned: General Commercial (C)
Staff provided a brief review of this request, including a description of the type of operation to be provided. There were no issues. A motion was made by Commissioner Nevarez to approve the request, seconded by Commissioner Salas, and APPROVED by a vote of 4 – 0.

VI. PZHAC/STAFF COMMENTS

Staff:

Stated that a meetings will be set up with Tom Maese (CID) to discuss the cases to be heard by the PZHAC and to determine what will be needed by CID so that the applicants can be informed as to what they will need to provided for review.

Commission Chair Lucero:

Stated that BOT is depending on the PZHAC to make the right decisions, so the PZHAC needs to be more specific as to what is approved. She will be talking to the Mayor and Staff to determine how to improve

Commissioner Salas:

Suggested having a work session with the BOT to determine what the BOT would like the PZHAC to address.

There was no further discussion.

VII. ADJOURNMENT

The PZHAC voted to adjourn the meeting at 5:40 pm.