



**PZHAC MEETING
MINUTES
AUGUST 3, 2020**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION VIA TELECONFERENCE ON MONDAY, AUGUST 3, 2020 AT 2:30 P.M. **TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 PASSWORD 193857.**

A. Discussion of duplexes to be built by Steven Cadena on properties at 2220 and 2230 Calle del Sur (Case 061089 and Case 061090). Zoned Historical Residential (HR)

Case 061089 – 2220 Calle del Sur, submitted by Steven Cadena; a request for a zoning permit to allow the construction of a duplex on a property containing an existing duplex at this address. Zoned: Historical Residential (HR)

Case 061090 – 2230 Calle del Sur, submitted by Steven Cadena; a request for a zoning permit to allow the construction of a three additional dwellings, including a duplex, on a property containing half of a duplex under construction, to create a total of two duplexes on the property at this address. Zoned: Historical Residential (HR)

The applicant was present by “Zoom” to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the applicant has submitted two applications for duplexes that were submitted after the moratorium on construction in the Historic Residential (HR) zone expired, but before the new amendment to the HR zone (MTC 18.35) was approved by the BOT in May. As a result, the requested permits were to be considered under the old regulations and the Town’s legal opinion that the wording of MTC 18.35 allowed properties to be developed to a density of one dwelling per every 4000 square feet of land for “multi-family” (duplexes or larger) development. The requested permits, when considered with dwellings that were already on the two properties, would result in development of the properties to eight dwelling in four duplexes on about one acre, or about one dwelling per 4000 square feet of land.

Commission Chair stated that the fire chief would need to check the access to the dwellings to ensure that it met Code. She also stated that the overall development of the two properties appeared to be a subdivision without having to meet the subdivision requirements such as road standards and fire hydrant requirements, and that there was nothing else like it in Town. Mr. Cadena compared his project to others in Town. Commissioner Salas replied that these were on one-half acre and did not have as many dwellings. Further discussion included the stated from Mr. Cadena that he was there to get input from the PZHAC as to how they would like to see the development take place. Commissioner Nevarez stated that the current proposal looks like it has the elements of a subdivision, and that the impacts of the development should be analyzed. Commission Chair suggested that a Traffic Impact Analysis be done. She also stated that she would like to have the proposal heard by the full commission, since Commissioner Prieto was not present. Commissioner Salas suggested that the applicant meet with staff to consider the input from this meeting, and that another work session was needed after the meeting with staff and the issues brought up at this meeting were addressed. There were no other issues.

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, AUGUST 3, 2020 AT 3:00 P.M. TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 PASSWORD 193857.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

Commissioner Prieto was absent. All other Commissioners were present. There was a quorum. Commissioner Lucero was acting chair.

III. CHANGES/APPROVAL OF THE AGENDA

Commission chair Lucero recommended that Case 061084 be removed from the agenda to allow property research to be done to determine if the subject lot was created legally under the subdivision regulations. A motion to approve the Agenda as amended was made by Commissioner Salas, seconded by Commissioner Houston, 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. A motion to approve the Consent Agenda was made by Commissioner Salas, seconded by Commissioner Lucero, and approved by a vote of 4 - 0.

A. *PZHAC MINUTES – PZHAC Special Meeting of July 23, 2020.

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVALS

Zoning Permit:

- Case 061083** – 2649 Calle del Sur, submitted by Paul Barraza; a request for a zoning permit to allow repairs to a wrought iron driveway gate 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 one hour prior to the meeting 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.

Judy Harris, applicant for Case 061084 (by telephone)

Stated that the case was submitted four months ago and that numerous questions were brought up about the proposed building, but nothing was ever mentioned about the property size. This should have been brought up four months ago.

B. DECISIONS:

Zoning Permits:

- Case 061084** – Snow Road (adjacent to the south side of 2515 Snow Road – address to be assigned) submitted by John and Judy Harris, a request for a zoning permit to allow the construction of a combined barn and dwelling on the subject property at this location. Zoned: Rural Farm (RF)

Removed from the agenda to allow research into the creation of the property.

- Case 061085** – 2852 Ermindia Street, submitted by Eric and Cindy Van Pelt; a request for a zoning permit to allow the construction of a pergola over a patio at the rear of a dwelling at this address. Zoned: Historical Residential (HR)

Staff provided a brief review of this request, including the fact that the site diagram showed that a corner of the pergola intrude into the new rear setback requirement of five feet. The PZHAC determined that the entire pergola needed to be outside the seven foot required setback. There were no other issues with the proposed request. A motion was made by Commissioner Nevarez to POSTPONE the request to allow the applicant to address the setback issue, seconded by Commissioner Houston, and postponed by a vote

of 4 - 0.

3. **Case 061086** – 2288 Calle de Arroyo, submitted by Mary A. Madrid; a request for a zoning permit to allow the repainting of a dwelling at this address. Zoned: Historical Residential (HR)
Staff provided a brief review of this request. The PZHAC determined that there were no issues with the proposed request. A motion was made by Commissioner Salas to approve the request, seconded by Commissioner Nevarez, and approved by a vote of 4 - 0.
4. **Case 061087** – West side of 2890 Avenida de Mesilla, along Calle de San Albino; submitted by Pena Rentals; a request for a zoning permit to allow the replacement of a deteriorating white wooden fence along the west property line at this address with a similar white wooden fence. Zoned: Historical Residential (HR)
Staff provided a brief review of this request. The PZHAC determined that there were no issues with the proposed request. A motion was made by Commissioner Nevarez to approve the request, seconded by Commissioner Salas, and approved by a vote of 4 - 0.
5. **Case 061088** – 2067 Stithes Road, submitted by Jon Strain; a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address. Zoned: Rural/Agricultural (RA)
Staff provided a brief review of this request. Discussion arose as to the fact that the RA zoning of the property requires three acres for each property and that this property does not meet that requirement, making the property a legal non-conforming property. The PZHAC then determined that since this was a legal non-conforming property, the structures on it are legal non-conforming and therefore such use could not be expanded. A motion was made by Commissioner Houston to POSTPONE the request to allow staff to obtain a legal opinion from the Town attorney on this determination. The motion was seconded by Commissioner Salas, and approved by a vote of 4 - 0.

VI. PZHAC/STAFF COMMENTS

Commission chair Lucero directed staff to research the creation of the property in Case 061084, and to obtain a legal opinion as to the PZHAC decision reached in Case 061088.

VII. ADJOURNMENT

The meeting was adjourned at 3:45 pm.

NOTICE

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

Posted on 7/31/20 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Shorty's Food Mart - 2290 Avenida de Mesilla; Ristramnn Chile Co. - 2531 Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.