



# Town of Mesilla, New Mexico

## PZHAC WORK SESSION & MEETING

### AGENDA

JANUARY 4, 2021

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION VIA TELECONFERENCE ON MONDAY, JANUARY 4, 2021 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. Submitted by Samuel Kane; a request to discuss plans to construct a rock wall around a residential property at 2610 Calle Tercera (Case 061151) Zoned: Historic Residential (HR)  
*This discussion and case were removed from the agenda at the request of the applicant.*
- B. Submitted by Cesar Huizar for “Casa Blanka de Mesilla” a request to discuss plans to construct a commercial building and conduct a retail operation on two properties located at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)  
*The applicant and his contractor were present by zoom to discuss the request and answer any questions that might arise. Staff provided a brief review of this request, including the fact that the applicant would like to construct and operate a commercial retail business at this location. Issues discussed included the type of fence that would surround the property (the applicant originally requested chain link but agreed to hollow tubing similar to wrought iron); the type of building finish (stucco all around); location of access to the property (from Tierra de Mesilla); the height of the fence, and parking (to be based on the size of the building). There were no further issues. The PZHAC recommended that the applicant return to the PZHAC with new plans showing the requested changes.*
- C. Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request to discuss plans to construct an addition on a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)  
*The applicant and his contractor were present by zoom to discuss the request and answer any questions that might arise. Staff provided a brief review of this request, including the fact that the existing dwelling appeared to straddle the property line between two lots owned by the applicant. Another issue brought up was that the access to the property did not meet the Fire Code requirements for access by emergency vehicles because the two existing fifteen foot wide parallel easements adjacent to the south edge of the property were separated by a wire fence, severely limiting access to the property by emergency vehicles. Staff explained the ROW requirements of the Fire Code. (According to the applicant, the fence could be removed.) Commission Chair Lucero stated that she would like the Town Fire Chief, Kevin Hoban, to review the access available to the property. Kevin McGinley, contractor for the applicant, stated that he would be willing to meet with staff and the Fire Chief to discuss and resolve the access and platting issues. There were no further issues. The PZHAC recommended that the applicant return to the PZHAC with new plans showing the requested changes.*

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, JANUARY 4, 2021 IMMEDIATELY FOLLOWING THE WORK SESSION. 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

*Commission Chairperson Lucero and Commissioners Salas, Prieto and Houston were present. Commissioner Nevarez was absent. There was a quorum.*

*Other attendees:*

*Tom Maese (Chief Inspector-CID); Larry Shannon (Mesilla Staff); Cesar Huizar (applicant-Casa Blanka); Al Medina (contractor for Casa Blanka); Matthew Abrams (applicant); Kevin McGinley (contractor for Matthew Abrams); Susan Krueger (Town resident)*

### III. CHANGES/APPROVAL OF THE AGENDA

*The PZHAC determined that Discussion Items 2 and 3 were not ready for decisions at this time and decisions on these the items were to be postponed to a later date. Commissioner Houston made a motion to approve the agenda as amended, seconded by Commissioner Prieto, 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 Prieto, seconded by Commissioner Houston, and approved by a vote of 4 - 0.*

#### A. \*PZHAC MINUTES – PZHAC Work Session and Meeting of December 21, 2020.

*Approved as part of the Consent Agenda*

### II. PZHAC NEW BUSINESS:

#### A. PUBLIC INPUT ON CASES

**Public input shall be received at [larrys@mesillanm.gov](mailto:larrys@mesillanm.gov) at least 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 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 or the Commission Chair 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 061151** – 2610 Calle Tercera, submitted by Samuel Kane; a request for a zoning permit to construct a rock wall around a residential property at this address. Zoned: Historic Residential (HR) **Discussed during the Work Session**

*This case was removed from the agenda at the request of the applicant.*

##### PZHAC Determinations:

2. Submitted by Cesar Huizar for “Casa Blanka de Mesilla”, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of a commercial building at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)

*This case was removed from the agenda in order to allow the applicant to bring the PZHAC further information about the proposal.*

3. Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of an addition to a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)

*This case was removed from the agenda in order to allow the applicant to bring the PZHAC further information about the proposed addition.*

### VI. PZHAC/STAFF COMMENTS

*Commission Chair Lucero stated that two windows had been replaced along Calle de Parian at Matteo’s in La Posta and that the new windows did not match the original windows, nor did they appear to be historical. She requested that staff have La Posta obtain a permit for the window replacements.*

### VII. ADJOURNMENT

*The meeting was adjourned at 3:40 pm.*

**From:** [Susan krueger](#)  
**To:** [Lawrence Shannon](#)  
**Cc:** [abramsm@gmail.com](mailto:abramsm@gmail.com)  
**Subject:** Public input for PZHAC 1/4/2021  
**Date:** Monday, January 4, 2021 2:01:35 PM

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Casa Blanka de Mesilla case, submitted by Cesar Huizar.  
Regarding further information necessary to allow the construction of this commercial building, please note Section 18.45.040 N. Perimeter Wall.

Matthew Abrams case, submitted by McGinley Construction.  
This property is zoned Rural Farm, not R-1, single family residential. The official town zoning map shows this lot as a four acre lot, located between two five acre lots.  
Further, this property has never been subdivided through the Town of Mesilla. The "Property Record Card" included in the paperwork does not match with the County mapping records, which don't show this lot subdivided into 4 acres. None of the subdivision attempts by either the Fresquez family or by John D. Smith, prior owner of this property, to subdivide what is a 14 acre tract (from east at Snow Rd. to west: a 5 acre lot, a 4 acre, and a 5 acre lot) were approved by the Town of Mesilla.  
Larry, please pull J.D. Smith's file to verify the acreage on which this house was built and review the material regarding the several subdivision attempts.

Thanks Susan

## Lawrence Shannon

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**From:** Samuel I. Kane, P.A. <sam\_kane@yahoo.com>  
**Sent:** Monday, January 4, 2021 7:30 AM  
**To:** Lawrence Shannon  
**Subject:** Re: 12/21/20 PZHAC Packet

Larry,

Please remove me from the agenda this week--my architect was not able to comply with the numerous demands requested by the commission. I will let you know when I am ready to move forward on this.

Samuel I. Kane Attorney

Law Office of Samuel I. Kane, P.A.

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Las Cruces, NM 88001

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On Monday, December 21, 2020, 01:04:25 PM CST, Lawrence Shannon <larrys@mesillanm.gov> wrote:

Attached is the agenda packet for the PZHAC meeting on Monday, December 21, 2020 at 2:30 pm. This will be a "Zoom" meeting. Please note that there will be a Work Session. The Regular meeting which will start immediately after the Work Session.

### Meeting:

This meeting will be a Zoom meeting that can be attended by Zoom or by phone. To join the meeting by **video (Zoom)**, use the following:

Link: <https://us02web.zoom.us/j/6037544231?pwd=LytoWXZvZU05QW9yNF12NXFyckRFQT09> , Passcode 193857