



# Town of Mesilla, New Mexico

## PZHAC WORK SESSION & MEETING AGENDA DECEMBER 21, 2020

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION VIA TELECONFERENCE ON MONDAY, DECEMBER 21, 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. Submitted for Neal McMillan by Miguel Rincon of Hurlburt Construction; a request to discuss plans to incorporate part of an existing structure into a new dwelling at 2130 Calle de Picacho (**Case 061148**). Zoned: Historic Residential (HR)

*The applicant was present by zoom to discuss the request and answer any questions that might arise. Staff Stated that the case was originally heard at the December 7, 2020 PZHAC meeting and a decision on the case was postponed in order to allow the applicant to provide further information about the request. One of the questions that arose was whether the proposed dwelling was a “zero lot line” structure. It was determined that since the property line actually ran through the structure and this was the only place where the structure was near the lot line, the project was not the same as one in which a structure was being built on a property line. There will be no penetrations of the wall between the two properties. It was also determined that a parapet firewall will be needed along the property line between the two parts of the existing structure. The applicant stated that he will obtain a Right-of-Entry agreement from the other owner of the structure and that his portion of the structure would be used as a fourth bedroom for the proposed dwelling to be built on his property. The new dwelling will be attached to the existing structure on the north side of the existing structure and will meet the required seven foot setbacks from the property lines. There was no further discussion.*

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, DECEMBER 21, 2020 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

*All commissioners were present. There was a quorum.*

*Other attendees present by Zoom or phone:*

*Tom Maese (Chief Inspector-CID); Neal McMillan (Applicant); Sam Kane (applicant); Susan Krueger (Town resident)*

### III. CHANGES/APPROVAL OF THE AGENDA

*There were no changes to the Agenda. A motion to approve the Agenda was made by Commissioner Prieto, seconded by Commission Chair Nevarez, and approved by a vote of 5 - 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 Nevarez, seconded by Commission Chair Houston, and approved by a vote of 5 - 0.*

**A. \*PZHAC MINUTES – PZHAC Work Session and Meeting of December 7, 2020.**

*Approved as part of the Consent Agenda*

**B. \*ADMINISTRATIVE APPROVALS**

**Zoning Permit:**

1. **Case 061149** – 1940 Calle Pacana, submitted by Organ Mountain Solar for Henry Newman; a request for a zoning permit to allow additional solar photo-voltaic panels to be installed on a dwelling at this address. Zoned: Historic Residential (HR)

*Approved as part of the Consent Agenda*

2. **Case 061150**– 2550/2558 Calle de San Albino, submitted by Richard Perez; a request for a zoning permit to conduct minor repairs to an exterior adobe wall. Zoned: Historic Residential (HR)

*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 two e-mails had been received and read the e-mails for inclusion into the record. (Copies of these e-mails are attached at the end of these minutes.)*

**B. DECISIONS:**

**Zoning Permits:**

1. **Case 061148** - 2130 Calle de Picacho, submitted for Neal McMillan by Miguel Rincon of Hurlburt Construction; a request for a zoning permit to incorporate part of an existing structure into a new dwelling to be constructed at this address. Zoned: Historic Residential (HR) **Discussed during the Work Session**  
*Staff provided a brief review of this request, explaining that the case had been discussed during the Work Session. Commissioner Nevarez stated that several conditions should be applied to address the need for a Right-of-Entry agreement, the need to ensure that setbacks are met, and the fact that if the swimming pool is not built at this time, it should be indicated as future construction on the plans. There was no further discussion. A motion was made by Commissioner Prieto to approve the request, seconded by Commissioner Houston, and APPROVED by a vote of 5 – 0 WITH THE FOLLOWING CONDITIONS:*

1. **A RIGHT-OF-ENTRY AGREEMENT SIGNED BY THE OTHER PROPERTY OWNER OF THE STRUCTURE WOULD BE OBTAINED BY THE APPLICANT, AND**
2. **THE NEW DWELLING WILL HAVE SEVEN FOOT SETBACKS FROM ALL ADJACENT PROPERTY LINES, AND**
3. **IF THE SWIMMING POOL WILL NOT BE BUILT AT THE SAME TIME AS THE DWELLING, THE POOL SHOULD BE SHOWN ON THE PLANS AS A FUTURE CONSTRUCTION.**

2. **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)

*The applicant was present by phone to discuss to answer any questions that might arise. Staff provided a brief review of this request, explaining that a decision on the case had been postponed in order to allow the applicant to provide the PZHAC with more detailed plans of the proposal. The PZHAC still had questions as to the access to the water meter, the height of some of the pillars, and the fact that the neighbor to the north had expressed concerns that the wall would hinder her from leaving her driveway. The applicant explained that there would be access to the water meter, that the pillar heights would be lowered to six feet, and that the purpose of the wall was to keep people driving or parking on Calle de Colon from driving onto his property and hitting the dwelling or air conditioning units on his property. He explained that the neighbor did not have a right to be backing onto is property to exit her property. Tom Maese, Chief Inspector for CID, stated that CID would like to see more of a detailed rendering with better dimensions, especially with respect to the arches over the irrigation ditch.*

*A motion was made by Commissioner Prieto and seconded by Commissioner Nevarez to postpone making a decision on the request in order to allow the applicant to bring the PZHAC more architecturally detailed plans showing the requested changes. The request was POSTPONED by a vote of 5 – 0.*

**Business Permits:**

3. **Permit 0864** – 2261 Calle de Guadalupe, submitted by Randy McMillan for “Josephina’s Old Gate Café”; a request for a business license to continue a restaurant operation under new ownership at this address. Zoned: Historic Commercial (HC)  
*Staff provided a brief review of this request, explaining that the applicant is purchasing the existing restaurant and intends to continue the operation of the restaurant with no changes. The restaurant has been here for years. There were no issues. A motion was made by Commissioner Salas and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 5 – 0.*
  
4. **Permit 0865** – 1680 Calle de Alvarez, submitted by Roxanne Livingston for “Livingston Bridal and Events, LLC”; a request for a business license to allow the applicant to operate a wedding and event planning operation from an office at this address. Zoned: General Commercial (C)  
*Staff provided a brief review of this request, explaining that the applicant would like to operate an event planning operation out of an existing office at this location and that the building has historically been used for office operations. There were no issues. A motion was made by Commissioner Prieto and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 5 – 0.*

**Sign Permits:**

5. **Case 061152** – 2230 Avenida de Mesilla, submitted by Roman Prieto; a request for a sign permit to allow a Directory Sign to be installed at this address. Zoned: Historical Commercial (HC)  
*Staff provided a brief review of this request, explaining that the applicant would be like to install a directory sign for the two businesses to be located at this address. There were no issues. A motion was made by Commissioner Houston and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 4 – 0. (Commissioner Prieto recused himself from voting on the case.)*

**VI. PZHAC/STAFF COMMENTS**

*Commissioner Prieto*

*Stated that two of the three windows (the first and third) on Matteo’s on Calle de Parian appear to have been broken and replaced that he doesn’t think that a permit to do the work had been applied for. Additionally, the two windows do not match.*

**VII. ADJOURNMENT**

*The meeting was adjourned at 3:50 pm.*