



Town of Mesilla, New Mexico

PZHAC MEETING MINUTES MARCH 15, 2021

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A **REGULAR MEETING** VIA TELECONFERENCE ON MONDAY, MARCH 15, 2021 AT 2:30 PM. **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, Nevarez, and Houston were present at the beginning of the meeting. Commissioner Prieto was late. There was a quorum.

Other attendees:

Larry Shannon (Mesilla Staff), Tom Maese (Chief Inspector-CID), Mayor Barraza (Permit applicant – 061171), Sonya Quintana (Permit applicant - 061180), Jennifer Tyson (Permit applicant - 061184), Patrick Vigil (Permit applicant – 061170), Susan Krueger (resident)

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the Agenda. Commissioner Salas made a motion to approve the Agenda, seconded by Commissioner Houston, and approved by the PZHAC by a vote of 4 – 0. (Commissioner Prieto was not present yet.)

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 Agenda. Commissioner Nevarez made a motion to approve the Agenda, seconded by Commissioner Salas, and approved by the PZHAC by a vote of 4 – 0. (Commissioner was not present yet.)

A. *PZHAC MINUTES – PZHAC Meeting of MARCH 1, 2021.

Approved as part of the Consent Agenda.

B. *ADMINISTRATIVE APPROVALS

Zoning Permit:

1. **Case 061185** – 1857 Paisano Road, submitted by Barry Byrnes, a request for a zoning permit to allow the applicant to replace two bathroom windows on a dwelling at this address. Zoned: Rural Farm (RF)

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 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.

There was no Public Input.

B. DECISIONS:

Summary Subdivision

1. **Case 061172** – 2445 Calle de Parian, submitted by Steve Delgado and Victoria Hernandez; a request for a summary subdivision to remove a lot line between two properties at the rear of a residential property at this address. Zoned: Historic Residential (HR)

Staff provided a brief description of this request. There were no issues. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Prieto, and APPROVED by the PZHAC by a vote of 4 – 0. (Commissioner was not present yet.)

Zoning Permits

2. **Case 061170** – 1915 Calle Pacana, submitted by Charles and Marilyn McMurry; a request for a zoning permit to allow the construction of a rock wall around the residential property at this address. Zoned: Historic Residential (HR)

Staff provided a brief description of this request. Tom Maese (CID) stated that the ditch needed to be cleaned and that the wall should be placed low enough that the irrigation water would not get under the foundation for the wall and erode the wall. There were no other issues. Commissioner Salas made a motion to approve the request, seconded by Commissioner Nevarez, and APPROVED by the PZHAC by a vote of 4 – 0 (Commissioner was not present yet) with the following CONDITION:

- a. *The foundation of the wall should be installed low enough so that the irrigation water cannot get under the wall and erode it.*

3. **Case 061171** – 2649 Calle del Sur, submitted by Paul Barraza; a request for a zoning permit to allow the applicant to enclose a car port on an existing dwelling at this address. Zoned: Historic Residential (HR)

Staff provided a brief description of this request. Commissioner Salas stated that he would like to have divided lites on the west side of the building. Commissioner Nevarez responded that there were no other windows in the home that had divided lites. Tom Maese (CID) had questions about a small door that was shown leading to a bathroom in the dwelling. According to the Mayor, this door provided access to the plumbing in the bathroom and was not an access door. Tom Maese stated that this door would need to be fire rated. There were no other issues. Commissioner Salas made a motion to approve the request, seconded by Commissioner Houston, and APPROVED by the PZHAC by a vote of 5 – 0 (Commissioner was present for this vote) with the following CONDITION:

- a. *The small plumbing door in the garage door is to be fire rated.*

4. **Case 061173** – 2445 Calle de Parian, submitted by Steve Delgado and Victoria Hernandez; a request for a zoning permit to allow the construction of a covered porch on the rear of a dwelling at this address. Zoned: Historic Residential (HR)

Staff provided a brief description of this request, explaining that the property was the subject of a summary subdivision heard earlier in the meeting that combined two lots to create one larger lot in order to meet lot size and setback requirements for this request. Tom Maese (CID) stated that the building plans and the survey showing the new lot would need to be brought to CID in order to apply for a building permit. There was no further discussion. Commissioner Salas made a motion to approve the request, seconded by Commissioner Houston, and APPROVED by the PZHAC by a vote of 5 – 0 with the following CONDITION:

- a. *The building plans will need to be brought to CID along with a copy of the new survey showing the combined lots.*

5. **Case 061174** – 2011 Avenida de Mesilla, submitted by Grady Oxford for “The Bean Café”; a request for a zoning permit to allow the applicant to replace the front doors on a coffee shop on a property at this address. Zoned Historic Commercial (HC)

Staff provided a brief description of this request, explaining that the original door was divided into a number of separate lites and that the new door would have a single paned of glass for security purposes. The main purpose of the new door was to provide additional security for the business. Commissioner Salas stated that the door should be the same style as the original and should at least have the appearance of divided lites. There was no further discussion. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Prieto, and APPROVED by the PZHAC by a vote of 5 – 0 with the following CONDITION:

- a. *The door [s] to have a divided lite panel installed to simulate the look of the original door.*

6. **Case 061175**- Camino del Reyes, Lot 4 (address to be assigned), submitted by Fernando Chavez; a request for a zoning permit to allow the applicant to construct a new dwelling on a vacant property at this address. Zoned Residential, one-acre minimum lot size (R1).

Staff provided a brief description of this request, explaining that the proposed dwelling met all of the Code requirements for a new dwelling in the R-1 zoning district. There was no discussion. Commissioner Houston made a motion to approve the request, seconded by Commissioner Nevarez, and APPROVED by the PZHAC by a vote of 5 – 0.

7. **Case 061176**– 1305 Tierra de Mesilla, submitted by Blanca Huizar for “Casa Blanka; A request for a zoning permit to allow the applicant to construct a six foot high decorative iron fence around a commercial property at this address zoned General Commercial (C).

Staff provided a brief description of this request, explaining that the proposed fence would meet the setback requirements for the north, west, and south sides of the property and that the applicant would need to move the fence three feet inside the east property line in order to meet the Code requirements for the General Commercial (C) zone. Commission Chair Lucero stated that she did not have a problem with the proposed fence style as this was the same style of fence that was approved for the Acton Academy further down Tierra de Mesilla. Tom Maese (CID) compared the fence with the solid rock wall for Meson de Mesilla across the street and stated that the proposed fence would be better for clear-sight-triangle visibility and security. Cesar Huizar (applicant) wanted to know where the driveway should be and was told by Staff to check with the NM State Department of Transportation to see if they had any distance requirements for Avenida de Mesilla. If not, the driveway should not be located on the curve of the intersection with Avenida de Mesilla. Commissioner Nevarez stated that there needs to be a uniform development plan for the Mercado area. Susan Krueger (resident) stated that the subdivider of the property should have erected a wall between the commercial subdivision and the neighboring agricultural property and suggested that the current applicant should be responsible for constructing this wall along the subdivision. Staff stated that this wall should have been required at the time the subdivision was done 15 – 20 years ago, and that this requirement was no longer enforceable as written. There was no further discussion. Commissioner Houston made a motion to approve the request, seconded by Commissioner Nevarez, and APPROVED by the PZHAC by a vote of 5 – 0 with the following CONDITION:

a. The fence along the south property line is to be placed solely on the applicant’s property.

8. **Case 061177** – 2510 Calle de Parian, submitted by Stephan Carrasco, a request for a zoning permit to allow installation of two antique wood gates and a six foot high rock wall to be constructed along the west edge of a residential property at this address. Zoned: Historic Residential (HR).

Staff provided a brief description of this request, explaining that the applicant recently acquired the property and was in the process of landscaping the whole property, including replacing an old fence with a wall. Commissioner Nevarez stated that the diagram of the wall was good, but that no examples of the gates were provided. He did not feel comfortable approving the gates without knowing what they would look like. There was no further discussion. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Salas, and APPROVED by the PZHAC by a vote of 5 – 0 with the following CONDITION:

a. Approval was for the wall only and not the gates.

9. **Case 061178**– 2957 Calle de Guadalupe, submitted by Vivian Herrera; a request for a zoning permit to allow the applicant to enclose an existing patio on the east side of a dwelling located on a legal non-conforming 0.45 acre parcel at this address. Zoned: Rural/Agricultural (RA)

Staff provided a brief description of this request, explaining that the property is smaller than the three acres required by the RA zoning of the property and that the property is therefore legal non-conforming. Staff also advised the PZHAC that it would need to determine that the proposed enclosure is not an expansion of a legal non-conforming use. The PZHAC made the determination that since the proposed work did not change the “footprint” of the dwelling, it was not an expansion. Tom Maese (CID) also verified that there were no bedroom windows being blocked by the enclosure. There was no further discussion. Commissioner Salas made a motion to approve the request, seconded by Commissioner Houston, and APPROVED by the PZHAC by a vote of 4 – 0. (Commissioner Nevarez recused himself because he is related to the applicant.)

10. **Case 061179** – 2532 Calle de Cura, submitted by Ralph Lucero; a request for a zoning permit to allow a small tool shed on a residential property at this address. Zoned: Historic Residential (HR)

Staff provided a brief description of this request, explaining that the proposed shed would be small and would not be mounted to a foundation or fixed to the ground in any way. Tom Maese (CID) stated that CID considered small sheds (under 120 square feet) to be temporary structures and did not require a permit for them. Staff let the PZHAC know that the applicant had been informed that the shed would need to meet the seven foot setbacks from the property line required by the Code. There was no further discussion. Commissioner Salas made a motion to approve the request, seconded by Commissioner Salas, and APPROVED by the PZHAC by a vote of 5 – 0.

11. **Case 061180**– 2149 Calle de Los Huertos, submitted by Gabriel Quintana; A request for a zoning permit to allow the applicant to construct a 30 foot by 22 foot (660 square feet) freestanding carport on a 12,632 square foot residential property at this address. Zoned Historic Residential (HR)
Staff provided a brief description of this request, explaining that the carport would be separate from the main dwelling on the property but would match the style of the porches attached to the dwelling. The applicant, who was present, stated that the carport would be on a concrete slab, and the wood posts and corbels would match those on the porch attached to the dwelling. Tom Maese (CID) stated that a complete set of construction drawings should be supplied to CID when a construction permit is applied for. Commissioner Nevarez stated that the PZHAC needed to see these drawings and recommended that a decision on the request be postponed to allow the applicant to submit the drawings to the PZHAC. Commissioner Salas made a motion to postpone the request, seconded by Commissioner Prieto, and the case was POSTPONED by the PZHAC by a vote of 5 – 0.
12. **Case 061181** – 2750 Via Grande, submitted by Victor Sloan; a request for a zoning permit to allow the installation of a 20 foot by 40 foot inground pool behind an existing dwelling at this address. Zoned Rural Farm (RF)
Staff provided a brief description of this request, explaining that the property contains a large storage building that was approved by the PZHAC last year. There were no issues or questions. Commissioner Salas made a motion to approve the request, seconded by Commissioner Houston, and APPROVED by the PZHAC by a vote of 5 – 0.
13. **Case 061182**– 1717 Boutz Road, Apartments 3 & 4, submitted by John Wright; a request for a zoning permit to allow the applicant to repair and repaint the exterior stucco and close off two exterior doors on two apartments at this address. Zoned Historic Residential (HR).
Staff provided a brief description of this request, explaining that the PZHAC approved a permit for interior renovations at the March 15, 2021 PZHAC meetings and there were concerns that some of the work would affect the exterior of the structure. The current permit is to allow two exterior doors to be closed off. Tom Maese (CID) explained that although the interior renovations are extensive, aside from the two exterior doors being sealed, the interior work would create very little impact to the exterior. There was no further discussion. Commissioner Houston made a motion to approve the request, seconded by Commissioner Prieto, and APPROVED by the PZHAC by a vote of 5 – 0.
14. **Case 061183** – 501 Lucerne Court, submitted by Armando Reyna; a request for a zoning permit to allow the applicant to construct a five foot high rock wall around the front yard of a dwelling at this address. Zoned: Residential, one acre minimum new lot size.
Staff provided a brief description of this request, explaining that the wall was being built without a permit and that Tom Maese (CID) had reported the wall to staff. Tom also explained that no inspections have ever been done on the wall and that the wall is about 80% complete. He recommended that a letter from an engineer be provided to CID certifying that the foundation has been done to CID’s standards. There was no further discussion. Commissioner Salas made a motion to approve the request, seconded by Commissioner Houston, and APPROVED by the PZHAC by a vote of 5 – 0 with the following CONDITION:
 - a. *A letter from an engineer is to be provided to CID certifying that the foundation has been done to CID’s standards.*

Sign Permit

15. **Case 061184** – 2309 #3 Calle de Santiago, submitted by Jennifer Tyson for “Co-Lab Artisans Loft”; a request for a sign permit to allow the applicant to install an on-premises directory sign on part of a commercial property on which the store is located. Zoned Historic Commercial (HC).
Staff provided a brief description of this request, explaining that the sign is to replace an identical sign at this location that had been approved by the PZHAC several years ago. There was no discussion. Commissioner Prieto made a motion to approve the request, seconded by Commissioner Nevarez, and APPROVED by the PZHAC by a vote of 5 – 0.

VI. PZHAC/STAFF COMMENTS

Staff

Explained that the Development Review Committee does not make decisions and that its role at this time is to ensure that applications are complete before being presented to the PZHAC. Staff also explained that the requests are not going to create a violation of the Code.

Commissioner Nevarez

Stated that a uniform plan is needed for the building sites along Tierra de Mesilla.

Tom Maese (CID)

Referring to Case 061182 submitted by John Wright, stated that extensive renovations are being done to the interior of the structure, but that these renovations are being done to CID standards.

Referring to Case 061183 submitted by Armando Reyna, stated that the Engineer's report should be submitted directly to him.

Referring to Case 061176 submitted for Casa Blanka, stated that a mechanism should be put in place that would ensure that a uniform wall or fence is provided as each property is developed.

Commissioner Chaier Lucero

Expressed the desire to preserve the historic value of Mesilla

VII. ADJOURNMENT

The meeting was adjourned at 4:33 pm.