



Town of Mesilla, New Mexico

**THE PLANNING, ZONING AND
HISTORICAL APPROPRIATENESS COMMISSION (PZHAC)
THURSDAY, August 15, 2022, 2:30 PM**

MINUTES

1. PLEDGE OF ALLEGIANCE

Commission Walkinshaw led the Pledge of Allegiance.

2. ROLL CALL AND DETERMINATION OF QUORUM

Commissioner Jones, Walkinshaw, Salas present. Commissioner Lucero and Commissioner Nevarez not present. No Quorum.

3. CHANGES/APPROVAL OF THE AGENDA

None

4. PUBLIC INPUT

None

5. APPROVAL OF CONSENT AGENDA

Motion to approve consent agenda was made by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw - Yes
Commissioner Salas-Yes
Commissioner Lucero- Absent
Commissioner Nevarez- Absent

Motioned passed

Motion to close the regular meeting was made by Commissioner and seconded by Commissioner .

Roll Call Vote:

Commissioner Jones - Yes

Commissioner Walkinshaw - Yes
Commissioner Salas - Yes
Commissioner Lucero- Absent
Commissioner Nevarez- Absent

6. Public Hearing

- a. **PZHAC Case #061421-** Conquistadores del Norte, Replat, being a replat of lots A and B, filed March 8, 2011, Book 23, Page 165 Dona Ana County records Town of Mesilla, Dona Ana County, New Mexico (1 088 Calle Del Norte). **Zoned: Historical Residential (HR).**

Public comment:

Rocky Burke provided history as to how he came to own property in Mesilla. He purchased property and made improvements to the land to increase its beauty and value and to generate income and tax revenues for the Town of Mesilla. In 2008, Mr. Burke stated he was prepared to move forward but the former administrator denied his application and work design; with his reason being that he would not allow a garage to be seen from the street even though the existing garage doors could be seen from the streets. He believes he met all the restrictions and regulations, but he didn't want to waste more time and money, so he built his home in Las Cruces instead. His next experience was when he planned on moving the structure in Mesilla but was told that the structure he owned was grandfathered in and could not be removed because it was over 100 years old. Mr. Burke stated the purpose of the removal was to build 5 or 6 casitas. In the meantime, he maintained the property to remain in compliance until he could add additional casitas as he initially intended. Now it is fifteen years later with an investment with only one new casita that will never be recouped in his lifetime. Mr. Burke would appreciate assistance and thanked the board for their time.

Mr. Salas asked for clarification as to reason for replat. It was reiterated that Mr. Burke's plans are to add one casita as that is what is allowed at this time. He would like to build the casita in the back corner. Mr. Salas asked if the fire department has looked at this and was advised they have, and it meets requirements.

Mr. Anton Magallanes employed Moy Surveying in Mesilla. He is the applicant on behalf of Mr. Rocky Burke. They were present at a previous meeting in July for a public meeting but there was not enough time for residents to have received the letters. There was one gentleman at the hearing who stated he was interested in creating a screen or buffer between the two properties but believes this is likely a building permit issue. Mr. Magallanes wanted this information on the record as that gentleman was not able to attend this meeting. He wants to reiterate they're proposing a replat and changing the configurations of the two lots and creating more space in the back lot as it does not meet compliance.

Motion to close out the public hearing was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw - Yes
Commissioner Salas - Yes
Commissioner Lucero- Absent
Commissioner Nevarez- Absent

7. NEW BUSINESS

a. **PZACH Case #061421-** Conquistadores del Norte, Replat, being a replat of lots A and B, filed March 8, 2011, Book 23, Page 165 Dona Ana County records Town of Mesilla, Dona Ana County, New Mexico (1 088 Calle Del Norte). **Zoned: Historical Residential (HR).**

Motion to approve was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Staff presented facts of the case.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – yes
Commissioner Salas - Yes
Commissioner Lucero – Absent
Commissioner Nevarez – Absent

Motioned passed

- a. **BL #1006-** 22060 Calle de Carreon submitted by Mr. Bader Jouda of Cannabis Tropic LLC, **Zoned: Historical Commercial (HC).** The applicant proposed an open business retail of cannabis, this application falls under the new ordinance just passed by the board of trustees on December 30, 2021 and went into effect July 4, 2022.

Motion to approve was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Staff presented facts of the case. Discussion followed. Case will be tabled.

Roll Call Vote:

Commissioner Jones – Yes to table
Commissioner Walkinshaw – Yes to table
Commissioner Salas – Yes to table
Commissioner Lucero – Absent
Commissioner Nevarez – Absent

Motioned to table this case- passed

- b. **BL #1005-** 2060 Calle de Parian submitted by Bader Jouda of Cannabis Tropic LLC for Cannabis Dispensary license, **Zoned: Historical Commercial (HC)**

Motion to approve was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Staff presented facts of the case. Discussion followed. Case will be tabled.

Roll Call Vote:

Commissioner Jones – Yes to table
Commissioner Walkinshaw – Yes to table
Commissioner Salas – Yes to table
Commissioner Lucero – Absent

Commissioner Nevarez – Absent

Motion to table this case -passed

- c. **Case # 061439-** 3380 McDowell Road submitted by Jordan and Bethany Carvalho to build a 45x22 carport with enclosed storage for casitas. **Zoned: R1.**

Motion to approve was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Staff presented facts of the case. Discussion followed.

Roll Call Vote:

Commissioner Jones – Yes
Commissioner Walkinshaw - Yes
Commissioner Salas – Yes
Commissioner Lucero – Absent
Commissioner Nevarez – Absent

Motion passed

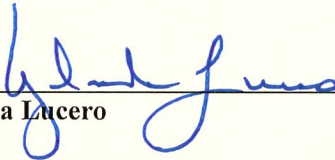
7. COMMISSIONERS/STAFF COMMENTS

Commissioner Jones expressed it would be helpful if city council would provide information that is sensible regarding the footage requirement. The information on the schools and daycares is straight forward. He believes the explanation of wall to wall is ambiguous.

8. ADJOURNMENT


Meeting adjourned at 3:36PM.

APPROVED THIS 6th DAY OF SEPTEMBER 2022



Yolanda Lucero
Chair

ATTEST:



Rani Bush
Town Clerk-Treasurer

