



**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION
(PZHAC) WILL BE HAVING HEARINGS AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA.
TUESDAY- FEBRUARY 17, 2026, AT 5PM
(MINUTES)**

COMMISSIONERS

- Chairperson – Eric Walkinshaw
- Vice Chair – Eric Gallegos
- Secretary – Lori Miller
- Commissioner – Rosemary Alvillar
- Commissioner – Martha Mulvihill
- Alt. Commissioner – Stevie Paz
- Alt. Commissioner – Mary Lucero (absent)

STAFF

- Community/Economic Director – Eddie Salazar
- Historic Preservation Specialist – Liana Aguirre
- NM Construction Industry Division – Thomas Maese

PUBLIC

- | | |
|----------------|-------------------|
| Trina Witter | Sallie Clayshulte |
| Andrea Bryan | Beverly Estrada |
| Van Bullock | Virginia M. |
| Laurie Findley | Jon Sepp |
| Jim Dye | Kate Felzer |
| John K.C. | Aida Lopez |
| Richard Knobb | Arthur Lopez |
| Roberto Maese | Dave Lowry |

Call to Order and Pledge of Allegiance

Chairperson Walkinshaw called the meeting to order at 5:05 PM and welcomed all attendees. He stated that the meeting would address three items on the agenda and requested attendees to rise for the Pledge of Allegiance.

Pledge of Allegiance:

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Chairperson Walkinshaw thanked attendees and summarized the agenda:

1. Amendments to Mesilla Town Code 18.65 regarding signs in all sections of the town code.
2. Amendments to the code regarding wall heights, specifically along University Road, MTC 18.60.
3. Nominations of historic buildings to the town's local historic register.

He explained that any public comment for hearings one and two would require witnesses to be sworn in due to the quasi-judicial nature of the proceedings.

Establishment of Quorum

Mr. Eddie Salazar confirmed attendance of commissioners:

- Vice Chair Gallegos – Present
- Commissioner Miller – Present
- Commissioner Alvillar – Present
- Commissioner Mulvihill – Present
- Chairperson Walkinshaw – Present

He noted that Commissioner Paz would arrive approximately 15 minutes late due to a scheduling conflict. Commissioner Lucero will be absent.

Quorum was established.

Mr. Salazar

All right. As you mentioned, this is the Planning and Zoning Historical Appropriateness Commission. This is February 17th. We are having three hearings today. Each hearing needs to be processed individually in itself.

Hearing number one will be code amendments to the sign code. Number two will be a code amendment proposed for the wall height between the project on University and the residential properties alongside of it. Number three will be our historic registry—local registry—presented to you by Miss Liana Aguirre, our historic preservation specialist.

I'll present numbers one and two; Miss Liana will present the local registry nominations.

Just so we get a quick review: a quasi-judicial hearing is similar to a civil case, a normal case, or a case you would see on TV where a judge would be presiding. You are in charge of this commission. Mr. Chair, you are at liberty, as long as we meet certain criteria, to conduct the hearing as you wish.

Opportunity to speak or comment is determined by the Chair. He mentioned he is going to swear in whoever wants to speak. Everybody gets to speak. We are not holding anybody back. This is to keep control of the meeting. All questions and comments need to be directed to the Chair. Anyone wishing to give testimony will need to be sworn in by the Chair. Speak only when it's your turn.

Commissioners will hear your testimony and ask neutral, fact-finding questions. Comments and discussion should be done during action and consideration in the scheduled regular meeting. At that point, no more testimony from either party will be accepted unless a commissioner wants to clarify something.

We just need to make sure that we stay on top of that. With that said, let's begin.

Hearing 1: Amendments to Sign Code (18.65)

Mr. Salazar introduced the proposed amendments to the sign code, focusing on the commercial zone. He explained that prior cases and work sessions revealed opportunities to update the code to better serve the community. Key proposed changes included:

- **Temporary Signs:** Increasing the number permitted from two to four per year, each lasting up to 15 days. This would accommodate seasonal promotions, events, and holiday signage.
- **Gas Pump Island Signs:** Adding a definition and exception for small signs adjacent to fuel pumps that provide operational or pricing information, allowing convenience stores to maintain effective signage.
- **Permit Considerations:** Adding language permitting the commission to consider justifiable requests not explicitly addressed in the code.
- **Permit Fees:** Increasing fees from \$2 per square foot to \$5 per square foot, remove maximum fee per sign.
- **A-Frame / Sandwich Board Signs:** Limiting one sign per business, requiring placement on private property, and prohibiting obstruction of pathways or public right-of-way.
- **Wall Signs:** Revising measurements to allow one square foot of signage per 1.5 linear feet of building frontage, removing the previous 10% wall coverage limitation.

Public Comments – Hearing 1:

Mary Helen Taylor Ratje (2231 Calle de Santiago)

My comment concerns sandwich board signs.

I frequently walk my dog along Calle Principal and Calle Guadalupe. There are multiple sandwich board signs, including three for the same property. Some signs are located in dirt areas or in front of businesses and appear to obstruct pedestrian movement.

Additionally, some signage is not visually consistent with the aesthetic of Mesilla. I request better enforcement and oversight of sandwich board signage.

Chris Alexander

Code enforcement is not enforcing the current ordinance. Sandwich board signs are placed on public property, not private property. The historic commercial zone limits signs to 15 square feet per sign for preservation reasons. Expanding allowances undermines historic preservation. The commercial zone was already increased to allow 25 square feet per sign. Some businesses now want even larger signage. Mesilla's identity is historic preservation. Changing this ordinance benefits a small number of individuals seeking greater exposure. Additionally, amendments should be clearly posted in advance so the public can review them. I urge the Commission to leave the ordinance unchanged and enforce existing rules.

Jonathan Seb (Managing Owner, The Chocolate Lady)

I recently submitted an application for an A-frame sign. The proposed language stating "shall not cause any obstruction on pathways and sidewalks" may be overly strict. I suggest modifying the language to reference not impeding the public right-of-way instead. Certain areas near light poles or non-primary pedestrian paths could accommodate signage without obstructing movement.

No further public comments were made and Hearing 1 concluded.

Hearing 2: Wall Height Amendments (18.60.340)

Mr. Salazar introduced proposed amendments regarding wall and fence heights along University Avenue. Key points included:

- **Maximum Wall Height:** Generally six feet, measured from the finished ground level immediately outside the property.
- **Residential Properties South of University Avenue:** The six-foot limit remains, measured consistently from exterior grade to ensure uniform appearance. Clear sight triangles must be observed at all corner lots.
- **Privacy Considerations:** Adjustments allow residents to maintain privacy and security given changes in street grade due to road widening projects by New Mexico DOT.
- **No regulations on material:** At this time, the type of fence material is not regulated.
- **NM DOT project** is governed and regulated by the state and not Mesilla. Issues with design and safety should be directed to them.

Public Comments – Hearing 2:

Chris Alexander

The New Mexico Department of Transportation (NMDOT) elevated the roadway rather than placing drainage underground as originally anticipated. NMDOT should construct a retaining wall at its own expense rather than shifting the burden to residents or altering Town rules. This change affects a primary entrance to Mesilla and compromises historic preservation standards.

Jim Dye (2860 McDowell Court)

The measurement should be consistent. Some yards sit significantly below the walking path. Residents east of McDowell should also be included.

Sue Theodorson (315 Capri Arc)

Ms. Sue Dorson, residing at 315 Capri Arc, commented on the proposed six-foot wall along University Avenue. She expressed concern that the wall height, measured from the yard, would not provide sufficient coverage due to variations in elevation. She also raised issues regarding the narrow space between her property and the walking path, noting potential maintenance challenges and weed growth.

Lori Finley (2860 McDowell Court)

The amendment should apply beyond McDowell. All University Avenue residents should have equal opportunity to modify their fences.

Roberto Maese (309 Capri Arc)

Since the grade change, pedestrians can see directly into my yard. Individuals have thrown objects at my dogs. A deputy discharged a firearm during an incident involving my dog. My concern is safety created by increased pedestrian exposure.

Mary Helen Taylor Rachie

Stated that commissioners should visit the affected area to understand the property conditions fully.

Hearing 2 concluded after public testimony.

Hearing 3: Historic Register Nominations

Mr. Salazar introduced Hearing 3 and invited **Lianna Aguirre**, Historic Preservation Specialist, to present the nominations.

Liana Aguirre welcomed commissioners and residents, emphasizing the importance of preserving Mesilla's cultural heritage. She outlined the benefits of local historic designation, including eligibility for grants, workshops, and funding to restore and maintain historic properties.

She noted that owner consent is not required for nomination, consistent with the National Historic Preservation Act and local code, and that exterior preservation is prioritized while interior modifications are generally permitted.

Nominations Presented:

1. **Leonart-Maurin Store and Rear Structure (2380 Calle Principal):**
 - Already listed on the National Register of Historic Places.
 - Significance: Early settlement patterns, introduction of new building technologies, European immigrant influence.

- Materials: Fired brick construction (front), adobe (rear), original windows and wood lintels.
- Historical Use: Town hall, residence, saloon; currently a gift shop (Thunderbird de la).
- Recommendation: Nominate both front and rear structures to the local historic register due to historical, architectural, and cultural significance.
- Oldest brick structure in New Mexico
- Currently known as Thunderbird de la Mesilla.

Public Comment

None

2. Palacio Bar (2600 Avenida de Mesilla)

- Operating since 1936
- Contributing altered classification
- Retains adobe construction and dance hall configuration
- Reflects Mesilla's social and commercial heritage
- Not individually eligible for National Register due to alterations, but suitable for local designation

Public Comment

none

3. Ginther Farm-Rural Farmland (2090 Snow Road)

- Located at Snow Road and Calle del Norte
- Rare agricultural example on original 10-acre allotment
- Reflects early irrigation, farming patterns, and rural settlement
- Not currently listed on National Register but eligible
- Owner consent not required; designation based on historic significance.
- Outside of Mesilla Historic zones – Rural Farmlands.
- Preservation of historic structures outside of the preservation umbrella necessary

Public Comment

Richard Knobb (Owner)

Addressed the commission regarding the Ginther Farm property. He stated that in putting the property up for sale, he was aware that any purchaser of the 10-acre parcel would have no need for the 4,300-square-foot barn, which was originally built to support a 300-acre farm. Mr. Knobb noted that a prospective buyer is interested in the property and

wishes to remodel the barn in the manner his grandmother had envisioned. He explained that remodeling would require adding windows and doors to the south side of the barn.

Mr. Knobb expressed concern that the property is now proposed for inclusion on a historic registry, which would prevent any remodeling. He argued that such restrictions would make it virtually impossible to sell the property, disrupt the agreement he holds with his siblings, and necessitate renegotiation. He emphasized personal circumstances, noting that his wife is ill, he is 77 years old, and he relies on the proceeds from the sale to support their needs.

He further stated that the house and barn have already been extensively altered from their original design, with only the south wall of the barn appearing original. Mr. Knobb contended that one wall of one building on a 10-acre parcel should not justify imposing strict historical restrictions. He expressed willingness to sell the property to the town for preservation but argued that, under private ownership, restrictions should only be those agreed upon by the owner. He also raised concerns about unauthorized access by Lianna Aguirre, who had entered the property and taken photographs without permission, calling it an illegal act. Mr. Knobb concluded by noting that he had been advised to retain legal counsel but hoped the matter could be resolved without litigation. He invited questions from the commissioners.

Van Bullock (Real Estate Agent)

Mr. Van Bullock, a licensed real estate appraiser residing at 720 Roadrunner Circle, spoke next. He noted that he holds the oldest commercial license in the state and expressed appreciation for the commissioners' time and service. He clarified several points raised by the town's preservation representative:

- The Ginther Farm property is not an original 10-acre farm but part of a larger 100-acre farm divided two years ago.
- He questioned claims that historic designation would increase property value, citing his 30-plus years of appraisal experience. He argued that such a designation would drastically reduce the property's value.
- He criticized the preservation representative for discouraging potential buyers by implying they could not alter the property.
- He noted that two other properties cited as historical attractions are publicly accessible, whereas the Ginther Farm is private and distant from public view, limiting any potential historical tourism benefit.

Mr. Bullock concluded by reiterating the financial impact on Mr. Knobb, emphasizing that further restrictions would threaten the proceeds from a property that has been difficult to sell for two years.

Aida Lopez (Interested Buyer)

An interested buyer addressed the commission, acknowledging the points made by Lianna Aguirre regarding historical alterations of nearby properties. The speaker expressed intent to preserve the barn while making necessary modifications, including adding windows and doors to

render the structure habitable. They argued that such alterations would not diminish the historical integrity of the building but would allow it to continue to be used and respected for many years.

Chris Alexander

A long-time resident, whose family has been in the area for ten generations, stated agreement that certain properties, such as the Plaza area and Palacio Bar, should be designated as historic. However, the resident argued that the Ginther Farm should not receive historical designation. He explained that other farms along Calle de Norte have existed as long or longer and noted that the 10-acre property falls within a rural farm zoning allowing cluster subdivisions, which could legally accommodate up to five residences. He emphasized that historical designation should focus on preserving the historic district rather than imposing restrictions on individual properties.

Trina Witter

Requested clarification regarding the process for historic property designation, suggesting that a local building survey should precede nomination to the local registry. She asked about potential benefits to homeowners from local registry designation, including tax incentives.

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION
(PZHAC) WILL BE HAVING A REGULAR MEETING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA.**

TUESDAY - FEBRUARY 17, 2026, (AFTER HEARINGS)

(MINUTES)

COMMISSIONERS

Chairperson – Eric Walkinshaw
Vice Chair – Eric Gallegos
Secretary – Lori Miller
Commissioner – Rosemary Alvillar
Commissioner – Martha Mulvihill
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Alt. Commissioner – Mary Lucero (absent)

STAFF

Community/Economic Director – Eddie Salazar
Historic Preservation Specialist – Liana Aguirre
NM Construction Industry Division – Thomas Maese

PUBLIC

Trina Witter
Chris Alexander
Jim Dye
Laurie Findley
Andrea Bryan
Eric L.

2. ROLL CALL AND DETERMINATION OF A QUORUM

Mr. Eddie Salazar confirmed attendance of commissioners:

- Vice Chair Gallegos – Present
- Commissioner Miller – Present
- Commissioner Alvillar – Present
- Commissioner Mulvihill – Present
- Chairperson Walkinshaw – Present
- Commissioner Paz – Present
- Commissioner Lucero - absent

3. CHANGES / APPROVAL OF AGENDA

1st Motion to approve by Commissioner Miller

2nd Motion to approve by Commissioner Mulvihill

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

4. PUBLIC INPUT

The public is invited to address the commission regarding items listed on the agenda as allowed by the chair. You can also email your comments to clerktreasurer@mesillanm.gov at least seventy-two (72) hours prior to the meeting. All comments/questions need to be in a professional and respectful by EVERYONE while quorum is established. The Chairperson has the authority to determine when matters are distasteful and he/she will address them accordingly.

Sue Dorson, residing at 315 Capri Arc, addressed the Commission. She expressed concerns regarding the proposed six-foot maximum wall between her property and the adjacent area, noting that the wall would only reach the top of the ditch. She explained that her existing chain-link fence is three feet tall, matching the code requirements when her property was developed, and that the ditch itself is three feet high. She indicated that a six-foot wall would not provide adequate safety or privacy for her yard.

Ms. Dorson also raised concerns about the narrow space between the walking path and her property, which is currently two to three feet deep but filled with weeds due to recent rain. She emphasized that, because her yard is situated at a lower elevation, the weeds could grow taller than a proposed fence, creating maintenance challenges. She requested that the Commission consider these practical issues when reviewing the proposed fence height and placement.

Mary Helen Taylor Rachie added to Ms. Dorson's comments, noting that she wanted to clarify whether Commissioners had visited the area in question. She encouraged Commissioners to walk the property to better understand the topography and how the proposed improvements would

affect the adjacent yards. She noted that she herself had stayed away from the University property due to ongoing construction but was familiar with Ms. Dorson’s yard.

Trina Whit asked for clarification regarding the process of nominating properties to the local historic registry. She referenced a discussion at the last Board of Trustees meeting where funding of \$150,000 was mentioned for a local building survey, noting that the last survey was conducted in 1978. Ms. Whit suggested that a comprehensive survey should precede any nominations to the local register, allowing for informed decisions by property owners and the town regarding historic significance. She also questioned the benefits to homeowners of being included on the local registry, noting that tax incentives only apply if a property qualifies for the state or national register.

5. APPROVAL OF CONSENT AGENDA

**Note: Items on the Consent Agenda, indicated by an asterisk (*), will be voted on with one motion unless the commissioner requests that a specific item be removed for discussion.*

a. *February 2, 2026, PZHAC Regular meeting/Work Session minutes

1st Motion to approve by Commissioner Mulvihill

2nd Motion to approve by Commissioner Miller

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

6. ACTION AND CONSIDERATION

a. Recommend amendments to Board of Trustees on Mesilla town code, ~~18.40~~ Historic Commercial/18.45 Commercial Zone/18.65 Signs

The Commission addressed discussion regarding the regulation of A-frame or sandwich signs in the Town of Mesilla. A Commissioner inquired about how to properly word the ordinance section, specifically Section 18.6, concerning A-frame signage.

It was noted that the current code allows only one sandwich sign per business and requires it to be located on the business’s property. During prior work sessions, Commissioners had discussed difficulties in clarifying this language. Suggestions included adding language stating that signs “shall not obstruct pathways or sidewalks” or “impede the public right-of-way” to ensure clearer enforcement.

Commissioners discussed the practical challenges for businesses whose property fronts directly onto sidewalks or public right-of-way, noting that some businesses might seek to place signs by light posts or parking meters in areas that would not interfere with pedestrian or vehicular traffic. It was clarified that any modifications to signage placement would need to avoid violating the Americans with Disabilities Act (ADA).

A Commissioner mentioned examples of temporary signs along narrow trails and streets that are leaned against walls rather than placed in the public right-of-way. It was noted that such placement may alleviate obstruction concerns while still allowing businesses visibility for their menus or advertisements.

Commissioners agreed that while the ordinance should be enforceable, flexibility may be required to accommodate unique circumstances, such as buildings with multiple street-facing sides or businesses on corners. It was suggested that special conditions could be addressed either through an exception clause in the code or on a case-by-case basis, allowing Commissioners to evaluate requests individually while maintaining clarity for enforcement purposes.

Further discussion highlighted the importance of consistent application of the rules, with one Commissioner noting that clear “black-and-white” guidelines help the Board of Trustees and code enforcement staff apply the ordinance fairly, rather than relying solely on interpretation. The Commission concluded that the language should balance enforceability with reasonable flexibility, considering both pedestrian safety and business needs.

1st Motion to approve by Commissioner Miller

2nd Motion to approve by Commissioner Mulvihill

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

- b. **Recommend amendments to Board of Trustees** on Mesilla town code, 18.60.340; wall height south of University Ave. from Bowman St to McDowell St.

1st Motion to approve by Commissioner Mulvihill

2nd Motion to approve by Commissioner Alvillar

A Commissioner requested clarification regarding the fence height measurement.

The Commissioner asked whether the six-foot height would be measured from the walkway rather than from the residents’ yards. Staff confirmed that the measurement would be taken from the walkway. Therefore, all fences would measure six feet from the walkway itself. Because of elevation differences between the walkway and individual properties, some fences could appear taller from the yard side—potentially up to ten feet—depending on grade differences. Staff confirmed that this was correct and that the intent was for consistency at the walkway level.

A Commissioner noted that members of the public may not have fully understood this distinction during earlier discussions and acknowledged that the explanation may not have been clearly presented initially.

The discussion then shifted to whether the Town had exhausted all possibilities with the State regarding responsibility for the project. A Commissioner asked whether the State had definitively declined to assist.

Staff clarified that the matter remains on the table and has not been officially denied; however, assistance from the State is unlikely. In the meantime, the Town is seeking to provide residents with some form of protection while awaiting a final determination. Staff noted that the Mayor is actively pursuing grant funding, as this is the appropriate time in the funding cycle to submit applications. Funding efforts include potential improvements to the walkway corridor.

It was emphasized that even if the State ultimately does not provide assistance, the Mayor is committed to finding a way to protect the affected residents. However, any permanent solution will involve significant cost, and careful planning is necessary.

A Commissioner expressed concern about drainage and elevation differences along the corridor, questioning how stormwater runoff might affect the adjacent properties. Staff acknowledged those concerns and explained that when projects are undertaken by the State, the Town does not have direct authority to approve or deny them. The State informs the community, but final decisions are made at the agency level. The Town may provide input through proper channels, but ultimate authority rests with the State.

The discussion then turned to the specific language of the proposed ordinance revision. Staff explained that the revision clarifies how fence height is measured—specifically from the walkway or street level—rather than from the individual property owner’s yard. This ensures consistency across properties regardless of elevation changes.

A Commissioner raised concerns regarding allowable materials. The Commissioner noted that some residents may seek to build sound barriers similar to those used along highways and questioned whether material restrictions should be imposed to maintain aesthetic consistency.

Staff responded that this issue had been discussed with the Town Attorney. The Attorney advised against imposing strict material restrictions because the residents are experiencing a hardship resulting from the State’s highway project. Requiring specific or expensive materials—particularly for walls exceeding four feet in height that may require engineering—could impose additional financial burdens on affected homeowners. Therefore, the recommendation was to avoid overly stringent material requirements.

Another Commissioner summarized the intent of the revised provision, stating that the code does not permit unlimited height; rather, it clarifies that height is measured from outside grade level. The six-foot maximum remains in place, but the point of measurement is adjusted to ensure fairness and consistency across zones. The Commission agreed that measuring from street level provides a consistent “ground zero” standard.

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

- c. **Recommend the Board of Trustees** to include 2380 Calle de Principal in Mesilla’s local historic registry.

1st Motion to approve by Commissioner Mulvihill

2nd Motion to approve by Commissioner Gallegos

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

d. **Recommend the Board of Trustees** to include 2600 Avenida de Mesilla in Mesilla's local historic registry.

1st Motion to approve by Commissioner Miller

2nd Motion to approve by Commissioner Mulvihill

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

e. **Recommend the Board of Trustees** to include 2090 Snow Rd in Mesilla's local historic registry.

1st Motion to approve by Commissioner Miller

2nd Motion to approve by Commissioner Mulvihill

Liana Aguirre addressed the Commission to clarify prior statements and provide additional context regarding the nomination.

The speaker stated that a comment had been made by Mr. Val regarding photographs allegedly taken on-site without permission. The speaker clarified that they **did not visit the property uninvited at any time**. They explained that they had spoken with **Aida Lopez**, a prospective purchaser of the property, who inquired about the implications of historic designation. The speaker stated they were transparent in explaining that designation would require Commission review and approval.

Ms. Liana further clarified that all photographs used were obtained from publicly available real estate listings, including Zillow, and not taken personally.

Ms. Liana stated their selection of the property for nomination was intentional, noting that they frequently pass the site and became interested after learning it was for sale. The speaker emphasized a broader concern regarding **community value versus individual property interests**, stating that historic preservation requires advocacy because "buildings cannot speak for themselves."

Ms. Liana described the property as one of the first structures in the rural farmland area and expressed concern about the **deterioration of agricultural lands and historic structures**. They stated their intent was to draw attention to the area and potentially pursue designation of the broader farmland area as an endangered historic landscape to attract funding, grants, and rehabilitation efforts.

Ms. Liana acknowledged the emotional impact on the property owner and stated they felt threatened during prior interactions. Due to concerns about interfering with a pending sale, the speaker consulted:

- A historic preservation attorney
- The state historic preservation division
- The Town's legal counsel

They stated all advised that proceeding with nomination was **legally permissible and common practice**, even without owner consent.

Ms. Liana emphasized that historic designation is a matter of **public policy**, not individual preference, citing Town Code and stating that designation decisions are based on **community benefit**.

A Commissioner asked whether a property owner can decline nomination.

Ms. Liana responded:

- Owner consent is **not required** for nomination.
- Claims of economic hardship are only relevant **after designation**, not to prevent it.

A Commissioner asked about restrictions on modifications.

Ms. Liana clarified:

- Exterior changes are restricted after designation.
- Interior modifications are generally allowed.
- Additions may be permitted depending on compliance.

A Commissioner asked whether the Town could be liable if a sale falls through due to nomination.

Ms. Liana responded:

- The Town **cannot be held liable**.
- This situation is common in historic preservation processes.

A Commissioner noted the timing issue, stating that a sale could occur before designation is finalized.

Ms. Liana acknowledged this and stated that the nomination process had been underway prior to the sale listing and was not intended to interfere.

Another Commissioner expressed concern about the hardship on the owner, noting that the structure has limited usability and cannot be easily modified if designated.

The Commission discussed the balance between:

- Preserving historic resources
- Allowing property owners flexibility

A Commissioner shared a personal example of losing historic value on a property due to prior modifications and expressed regret.

Ms. Liana acknowledged the difficulty of the decision and emphasized that:

- The structure is architecturally unique
- It contributes to the visual and historical landscape
- Preservation decisions often set precedent

No further discussion

- Vice Chair Gallegos yes
- Commissioner Miller no
- Commissioner Alvillar yes
- Commissioner Mulvihill no
- Chair Walkinshaw yes

Motion Passes, 3-2

- f. **PZHAC CASE# 062088** – 2872 Calle de San Albino, submitted by Jeffrey Buras. Requesting approval for to place a pre-manufactured wooden shed on his property. ZONE: Historic Residential (HR).

1st Motion to approve by Commissioner Gallegos

2nd Motion to approve by Commissioner Mulvihill

- Vice Chair Gallegos yes
- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

- g. **PZHAC CASE #062090** – 2290 Calle de Guadalupe, Submitted by Catholic Diocese of Las Cruces. Requesting approval to install two windows to Parish Hall. ZONE: Historic Commercial (HC).

1st Motion to approve by Commissioner Miller

2nd Motion to approve by Commissioner Gallegos

- Vice Chair Gallegos yes

- Commissioner Miller yes
- Commissioner Alvillar yes
- Commissioner Mulvihill yes

Motion Passes, 4-0

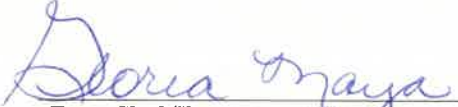
7. COMMISSIONERS / STAFF COMMENTS

Staff discussed upcoming community cleanup event, February 21, 9am – 12pm

Ms. Liana announced an upcoming adobe structure panel discussion scheduled at 6pm.

8. ADJOURNMENT @ 8pm


Chairperson - Eric Walkinshaw


Town Clerk/Treasurer - Gloria Maya

