

Town of Mesilla, New Mexico

PZHAC WORK SESSION

AGENDA
MAY 9, 2018

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION, **WEDNESDAY, MAY 9, 2018 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.**

This meeting was originally scheduled to be heard on the regularly scheduled date of May 7, 2018, but was postponed until May 9, 2018 due to the lack of a quorum on May 7. Staff was present at the original Work Session and Regular meeting times to ensure that any interested parties that showed up for the meetings were informed of the new meeting times.

Item 1: Submitted by R Builders Inc. for the Descalced Nuns; a request to discuss plans to construct a 600 square foot casita and classroom to be used to house a visiting instructor on a property located at 2015 Glass Road (Case **060720**). Zoned: Rural Farm (RF).

The contractor for the applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the applicant would like to construct a small casita on the property for an instructor that is hired by the Diocese to provide courses and instructional teachings to the nuns living on location in order to fulfill their vocations. The instructor will stay in a 400 square foot section of the casita when she is there. The remaining 200 square feet of the casita will be used as a workshop and teaching area. This will have separate access from the outside.

The main dwelling is surrounded by a size foot high latia fence that also encloses a garage and an old horse stable, as well as of the property. The casita will be located in the northwestern corner of this enclosure. It will be finished to match the main dwelling. Access to this portion of the property is limited to the nuns that live on the property. There will be no access to the property by anyone else.

There were no issues with the proposal.

Item 2: Submitted by R. Builders Inc. for the Las Cruces Diocese; a request to discuss plans to replace a window with a door on a religious store located at 2270 Calle Principal, across from the church (Case **060721**). Zoned: Historical Commercial (HC).

The contractor for the applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the subject structure was owned and used by the Diocese of Las Cruces as a church store, and gave a brief description of the current access to the structure as well as outlining the applicant's proposal to replace an existing window at the front of the structure with a door to improve access to the structure. Staff also referred to the Historical Register for the Town to highlight the historical nature of the window to be replaced, and the fact that there was an application by the Diocese in 2009 to renovate the interior of the structure and to replace an exterior window at the north side of the structure with a door. (Although the 2009 building permit was approved by the BOT, the window was never replaced with a door.) Discussion ensued about the historical nature of the structure and the importance to maintain the exterior historical elements and character of the structure.

Item 3: Submitted by Rafael Morones, Jr.; a request to discuss plans to convert an existing carport into a garage on a dwelling at 2909A La Mesilla Circle. Zoned: Historical Residential (HR). (Case **060722**)

The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, referring to photos of the dwelling in the packet and explaining that the existing carport, which is large enough for two vehicles, was built as part of the dwelling and is open on three sides. The applicant would like to close two of the open sides with continuations of the walls at these sides. The third side, which faces Calle del Sur, will have garage doors. The enclosures will be finished to match the style, texture, and color of the existing walls. The dwelling is not in the Historical Register for the Town.

There were no issues with the proposal.

Item 4: Submitted by Artie Fountain; a request to discuss plans to install an awning over an exterior door on the east side of a commercial building at 2490 Calle de Guadalupe (**Case 060724**). Zoned: Historical Commercial (HC).

The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, referring to photos of the dwelling in the packet and explaining the applicant's proposal to install a small canopy over an existing door on the structure. Staff referred to copies of the entries for the structure in the Historical Register for the Town and explained that even though the portion of the structure affected was built in the 1940's, it was an extension of a historical structure that was built in the 1800's and is a part of what was known as the "Transportation District".

The applicant stated that the principal reason for the awning was to keep rain and run-off from damaging the door and leaking into the structure. There will be no changes to the structure itself. The wood frame supporting the awning will be made of 4" by 4" sections of rough hewn stained wood. The awning will be covered with a corrugated onduras covering in brick red.

There were no issues.

Item 5: Submitted by Thomas Feldt; a request to discuss plans to install a small open patio area at the rear of a restaurant ("Thai Delight") at 2184 Avenida de Mesilla (**Case 060726**). Zoned: Historical Commercial (HC)

The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explained that the applicant would like to surround a 22 foot by 17 foot section of a back parking area with a bamboo fence to create an outdoor eating area. According to the applicant, the purpose of this area would be to allow patrons to have a smoking area where they can eat, since smoking inside the restaurant is not legal. The proposed seating area would have direct access to a rear dining area of the restaurant through a set of double doors, and would have a 10-12 foot wide opening to the outside to allow emergency egress. The area would not be enclosed by walls or a roof, and shade would be provided by individual table mounted umbrellas.

Tom Maese, inspector for CID, stated that the applicant will need to check into state requirements for public smoking areas, as the area to be provided may be too close to the entrance to the structure for state requirements. Additionally, there may be portions of the Fire Code that would need to be met. The applicant would also have to provide CID with a set of drawings from an architect for the area to be enclosed showing proper entrance and exit requirements.

The applicant decided to withdraw his application at this time.

Item 6: Submitted by Davie & Kelly Salas, a request to discuss a change in plans for an adobe and latia wall across the front of two properties at 2417 and 2419 Calle de Parian. (**Case 060682**). Zoned: Historical Residential (HR)

The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the applicant originally obtained permission from PZHAC on March 5, with final approval by the BOT on March 12, 2018, to build an adobe and latia fence at the proposed locations. The applicant would now like to alter some of the plans that were approved. The request is the result of Staff stopping the applicant when it was recognized that the fence being built did not entirely match what was approved. The applicant was informed that the PZHAC and BOT would need to approve any substantial changes to plans that were already approved.

The applicant stated that the adobe and latia fence across the front of the property at 2419 Calle de Parian would be latia only without adobe. This fence will be moved back an additional 4-5 feet, and will be six feet in height, which is allowed by Section 18.60.340(A)(I of the Code). According to the applicant, this fence will look like other latia fences allowed by the Town in the area, and referred to attached photos of other similar fences.

Additionally, the applicant stated that the fence across the front of 2417 Calle de Parian will still be a mix of a low adobe wall covered with stucco to match the dwelling, with latia on top; but will now generally follow the line formed by the existing wall and brick patio. He referred to the attached Plat of Survey showing the proposed fence locations. This fence will vary in height from 4- 6 feet. Both fences will meet the Code requirements for exits from driveways (Section 18.60.340(G) and Section 18.60.340 Appendix C).he applicant also stated that he would like to change the location of the adobe and latia fence originally approved for the front of 2417 Calle de Parian.

There were no further issues.

**PZHAC REGULAR MEETING
AGENDA
MAY 9, 2018**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING **WEDNESDAY, MAY 9, 2018 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

Commission Chair Hernandez and Commissioner Houston were absent. All other commissioners were present. There was a quorum.

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the Agenda. Commissioner Prieto made a motion to approve the Agenda, seconded by Commissioner Nevarez, and approved by a vote of 3 – 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 Agenda. Commissioner Prieto made a motion to approve the Agenda, seconded by Commissioner Nevarez, and approved by a vote of 3 – 0.

A. *PZHAC MINUTES – Meeting minutes of April 16, 2018.

Approved as part of the Consent Agenda.

B. *ADMINISTRATIVE APPROVAL

Building Permits

1. **Case 060718** – 1360 Paisano Road, submitted by Suniga’s Roofing for Neri Freitze; a request for a building permit to allow the reroofing of a residence at this address. Zoned: Rural Farm (RF).

Approved as part of the Consent Agenda.

2. **Case 060719** – 2929 Camino Castillo, submitted by Tesla Inc. for Zuni Electric, Inc. for Rue and Toby Sanchez; a request for a building permit to allow the installation of a solar photo-voltaic system on a dwelling at this address. Zoned: Residential, one acre (R-1).

Approved as part of the Consent Agenda.

3. **Case 060723** – 2900 Avenida de Mesilla, submitted by Jerry and Susan Grandle; a request for a building permit to allow minor repairs to the drainage on the north side of the structure at this address. Zoned: General Commercial (C).

Approved as part of the Consent Agenda.

4. **Case 060725** – 2991 Estrada Road, submitted by Abel Sanchez; a request for a building permit to allow the installation of a concrete pad/sidewalk around a dwelling at this address. Zoned: Rural Agricultural (RA).

Approved as part of the Consent Agenda.

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Susan Krueger – Town Resident

Provided input on the following cases:

060721 – She stated that the description of the building in the Historic Register says that the structure has national significance and that the window to be replaced is an example of classic pueblo style. She stated that access to the structure should be made through the interior to another, existing door rather than replacing a historic window.

Business Permit 0725 – This should be denied because it will create a fire hazard to the area due to the existence of a high temperature furnace to be used for the glass blowing operation. She also stated that

Mercado discussion item: She thought this was a “good idea”, and that Gandy Lane is not wide enough for fire equipment should the operation cause a fire.

B. CASES:

Building Permits

1. **Case 060720** – 2015 Glass Road, submitted by R Builders Inc. for the Descalced Nuns; a request to for a building permit to allow a 600 square foot casita to be constructed on the property. Zoned: Rural Farm (RF). **(Discussed during Work Session – Item 1)**

Staff stated that this request had been discussed during the Work Session and provided a brief description of the discussion. There were no issues. A motion was made by Commissioner Prieto to approve the request, seconded by Commissioner Nevarez, and approved by a vote of 3 – 0.

2. **Case 060721** – 2270 Calle Principal, submitted by R. Builders Inc. for the Las Cruces Diocese; a request for a building permit to allow the replacement of a window with a door on the religious store at this address, across from the church. Zoned: Historical Commercial (HC). **(Discussed during Work Session – Item 2)**

Staff stated that this request had been discussed during the Work Session and provided a brief description of the discussion. There was further discussion as to the historical significance of the structure, especially with respect to the window to be replaced. Commissioner Lucero expressed extreme concern with altering the exterior of the structure, which was determined to be one of the more significant structures on the Plaza. A motion was made by Commissioner Nevarez to approve the request, seconded by Commissioner Prieto, and denied by a vote of 0 - 3. The building permit was not approved.

3. **Case 060722** – 2909A La Mesilla Circle, submitted by Rafael Morones, Jr.; a request for a building permit to allow an existing carport to be converted into a garage on a dwelling at this address. Zoned: Historical Residential (HR). **(Discussed during Work Session – Item 3)**

Staff stated that this request had been discussed during the Work Session and provided a brief description of the discussion. There were no issues. A motion was made by Commissioner Prieto to approval of the request to the BOT, seconded by Commissioner Nevarez, and approved by a vote of 3 – 0.

4. **Case 060724** – 2490 Calle de Guadalupe, submitted by Artie Fountain; a request for a building permit to construct an awning over an exterior door on the east side of a commercial building at this address. Zoned: Historical Commercial (HC). **(Discussed during Work Session – Item 4)**

Staff stated that this request had been discussed during the Work Session and provided a brief description of the discussion. There were no issues. A motion was made by Commissioner Nevarez to approval of the request to the BOT, seconded by Commissioner Prieto, and approved by a vote of 3 – 0 with the following CONDITION:

The wood frame supporting the awning will be made of 4” by 4” sections of rough hewn stained wood.

5. **Case 060726** – 2184 Avenida de Mesilla, submitted by Thomas Feldt; a request for a building permit to install a small open patio area at the rear of a restaurant (“Thai Delight”) at this address. Zoned: Historical Commercial (HC). **(Discussed during Work Session – Item 5).**

This case was removed from the agenda by the applicant.

6. **Case 060682** – 2417 and 2419 Calle de Parian, submitted by Davie and Kelly Salas; a request for a modification to a building permit to allow changes to plans for an adobe and latia wall across the front of two properties at these addresses. Zoned: Historical Residential (HR). **(Discussed during Work Session – Item 6).**

Staff stated that this request had been discussed during the Work Session and provided a brief description of the discussion. The PZHAC determined that the proposed changes would be compatible with original request and would not be incompatible with the property. A motion was made by Commissioner Nevarez to recommend approval the request to the BOT, seconded by Commissioner Prieto, and approved by a vote of 3 – 0.

Business Permits

7. **Permit 0725** – 3331 Gandy Lane, submitted by Justin Sevey for “Triple Blown”; a request for a business license to allow the applicant to operate a glass blowing operation as a Home Occupation at a dwelling at this address. Zoned: Residential, one acre (R-1)

Staff provided a brief description of the request. The only issue was whether the proposed use would pose a fire issue to itself or the neighboring properties. Staff stated that the Fire Department had been made aware of the proposed use, and that potential fire risks were being followed up on with the Fire Department.

A motion was made by Commissioner Prieto to postpone the action on the proposed business registration to allow the applicant to meet with the PZHAC at the next work session to provide further information about the proposed use. This was seconded by Commissioner Nevarez, and approved by a vote of 3 – 0.

Zone Change

A PUBLIC HEARING MUST BE HELD PRIOR TO ACTION ON THE FOLLOWING ITEM.

1. **Z18-001** – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre parcel containing a residence at this address. *Acting Commission Chair Lucero closed the Regular Meeting and opened the Public Hearing. Staff gave a brief presentation of the requested zone change; including a statement that, although the Community Center to the north is zoned HC, it is not considered by the Town to be a commercial structure even though parts of it are rented to certain organizations for various community uses, or as an occasional office. Staff also stated that there were no comments received from any of the property owners notified by certified mail of the zone change request.*
Susan Krueger, Town resident, provided the only public comment. She insisted that the Community Center is commercial, and that it can and should be used for commercial activities such as stores and gift shops. She also stated that the zone change would be incompatible with the Town Comprehensive Plan in that the plan supports commercial, not residential growth. She also wanted to know where bank requirements (a reference to residential zoning of the property in order to finance the property) fit in with the criteria in the Code for a zone change.
There were no further comments or discussion.
The Public Hearing was closed and the Regular Meeting reopened. A motion was made to recommend approval of the request for a zone change to the BOT and approved by a vote of 3 – 0.

VI. PUBLIC COMMENTS

None

VII. PZHAC/STAFF COMMENTS

Town Fire Chief Kevin Hoban stated that the Community Center was constructed as an Educational Occupancy and not as a commercial structure, and is therefore not suitable or safe for commercial use without substantial and expensive modifications to change its occupancy. Although the current uses are allowed under the current occupancy. Until these modifications are made, the structure cannot be used for commercial operations such as stores or gift shops.

Acting Commission Chair suggested removing the Public Comments section from future agendas on the belief that this section is redundant with the Public Input section at the beginning of the meeting. Commissioner Prieto stated that the Public Input section was intended for input on cases in particular, while the Public Comments sections was intended to allow for general comments by the public. No action was taken.

VIII. ADJOURNMENT

The meeting was adjourned at 7:52 pm.

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 48 hours prior to the meeting.

Posted on 5/1/18 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Shorty's Food Mart - 2290 Avenida de Mesilla; Ristramn Chile Co. - 2531 Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.