



**PZHAC WORK SESSION**

**AGENDA**

**AUGUST 21, 2017**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION, MONDAY, AUGUST 21, 2017 AT 5:30 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.**

**Item 1:** 2188 Calle del Norte, submitted by John Wright; a request to discuss plans for improvements to be done on a dwelling and property at this address. (Building permit 060619) Zoned: Historic 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, and explained that the purpose of this discussion was to enable the applicant to describe the repairs and improvements he would like to do on the property. Items discussed were the fact that the dwelling needs to be restuccoed, some of the windows need to be replaced, replacement of an existing gate at the rear of the carport with a corrugated metal gate, and the addition of a six foot high metal and wood fence along the rear and west side property line. The applicant stated that the fence would not extend into the front setback and that it would meet the clear-sight-triangle requirements. There were no decisions made at this time.*

**PZHAC REGULAR MEETING**

**AGENDA**

**AUGUST 21, 2017**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING MONDAY, AUGUST 21, 2017 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**

*Commissioner Houston was absent, all other commissioners were present. There was a quorum.*

**III. CHANGES/APPROVAL OF THE AGENDA**

*Commission Chair Hernandez stated that there would be a Public Hearing for the zone change request (Z17-001) at which public input would be taken, but that a decision on the zone change would not be made at tonight's meeting. There were no changes to the agenda. Commissioner Lucero made a motion to approve the Agenda, seconded by Commissioner Prieto, 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 Consent Agenda. Commissioner Lucero made a motion to approve the Consent Agenda, seconded by Commissioner Prieto, and approved by a vote of 3 – 0.*

**A. \*PZHAC MINUTES – Meeting minutes of August 7, 2017.**

*Approved as part of the Consent Agenda*

**B. \*ADMINISTRATIVE APPROVALS (Approved by Staff):**

- 1. Case 060606 - 3385 Avenida de Mesilla, submitted by Arturo Jurado for The Four Points Gin; a request for a building permit to allow a fence to be constructed on the property at this address. Zoned: Rural Farm (RF).**

*Approved as part of the Consent Agenda*

2. **Case 060612** – 2551 Calle de Colon, submitted by Edna Bustamante; a request for a building permit to allow the replacement of old vigas and the repainting of a dwelling at this address. Zoned: Historical Residential (HR).  
*Approved as part of the Consent Agenda*
3. **Case 060613**– 422 Bason drive, submitted by Serna Construction LLC for Phillip Marquez; a request for a building permit to allow the reroof of a dwelling at this address. Zoned: Residential, one acre (R1).  
*Approved as part of the Consent Agenda*
4. **Case 060615** – 1820 Paisano Place, submitted by Positive Energy, Inc. for Armando C. Angel; a request for a building permit to allow the installation of a photo-electric array to be installed on a dwelling at this address. Zoned: Rural Farm (RF).  
*Approved as part of the Consent Agenda*
5. **Case 060617** – 2799 Calle del Sur, submitted by Martin Serna; a request for a building permit to allow installation of an electric meter for an agricultural well on a property at this address. Zoned: Rural Farm (RF).  
*Approved as part of the Consent Agenda*

**V. PZHAC NEW BUSINESS:**

**A. PUBLIC INPUT ON CASES - None**

**B. CASES:**

**Building Permits**

1. **Case 060603** – 2557 Calle de Parian, submitted by Andrea Bryan; a request for a building permit to construct a small casita at the rear of a residential property at this address. Zoned: Historical Residential (HR).  
*Staff gave a presentation of the case, including the fact that the proposed casita will contain 580 square feet of living area, and will be located in the southeast portion of the rear yard. Staff also stated that the casita will not be higher than the main dwelling on the property, and that there would be adequate parking for the casita as well as the main dwelling. There were no issues. Commissioner Prieto made a motion to approve the Consent Agenda, seconded by Commissioner Lucero, and approved by a vote of 3 – 0.*
2. **Case 060614** – 2117 Calle de Guadalupe, submitted by Stephanie and Ron Burick; a request for a building permit to allow the repainting of wood fascia boards on a dwelling at this address. Zoned: Historical Residential (HR).  
*Staff presented a brief description of the request, explaining that the applicant would like to repaint the fascia boards on the subject dwelling, but that the color requested, although similar to approved colors, was not specifically allowed by the Code. Commissioner Lucero made a motion to approve the request with the condition that the applicant choose a color that is approved by the Code, or is more similar to an approved color, seconded by Commissioner Prieto, and approved by a vote of 3 – 0.*
3. **Case 060616** – 2860 Calle del Sur, submitted by Saul Prieto; a request for a building permit to finish plastering part of an adobe wall on a dwelling at this address, and to repaint the structure. Zoned: Historical Residential (HR).  
*Staff presented a brief description of the request, explaining that the applicant would like to finish plastering part of an exposed adobe wall on a dwelling at this address.. The applicant will then repaint the wall to match the remainder of the dwelling. There were no issues. Commissioner Prieto made a motion to approve the Consent Agenda, seconded by Commissioner Nevarez, and approved by a vote of 3 – 0.*
4. **Case 060618** – 400 Bason Drive, submitted by Merlin Enterprises for Stuart Kelter: a request for a building permit to install a corrugated metal roof over a shingled roof on a dwelling at this address. Zoned: Residential, one acre (R1).  
*Staff presented a brief description of the request, explaining that the applicant would like to replace an existing shingle roof with a white metal roof. There were no issues. Commissioner Prieto made a motion to approve the Consent Agenda, seconded by Commissioner Lucero, and approved by a vote of 3 – 0.*

5. **Case 060619** – 2188 Calle del Norte, submitted by John Wright; a request for a building permit to allow repair work and painting, as well as minor alterations and landscaping, to a dwelling at this address. **(Discussed during Work Session)**

*This case was discussed during the Work Session. Staff provided a brief description of the request. There were no issues. A motion was made by Commissioner Lucero to approve the request, seconded by Commissioner Prieto, and approved by a vote of 3 – 0.*

### **Zone Change**

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

*Commission Chair explained that the Regular meeting would now be closed in order to hold the Public Hearing, during which input from the public would be taken on the Zoning case. The purpose of the Public Hearing will be to gather information about the proposed zone change. There will be no discussion. A decision will not be made at this time.*

*The Regular meeting was closed and the Public hearing opened.*

1. **Z17-001** – 1971 Union Avenue (the NE Corner of Avenida de Mesilla and Union Ave), submitted by Arthur and Pete Jurado; a request for a Zone change from Rural Farm (RF) to General Commercial (C) for a seven acre property at this address.

*Commission chair opened the floor for public input.*

*Sally Ragan - notified property owner immediately to the east and north.*

*Her family has owned this property since 1926. The property has always been agricultural.*

*Cristopher Alexander – former PZHAC member and Trustee*

*Stated that the Town has “layered” zoning, with the intensity of zoning (and development) spreading out from the middle, with the more intense uses closer to the middle. The commercial zoning on the property outside of the Town’s boundary (in DAC) should not be considered as influential in that it is not considered part of the development zone for the property in question. The RF zoning is part of a buffer around the Town, and approval of the requested zone change would be “spot zoning” and would open up the rest of the Town’s buffers to change. This would encourage the destruction of the RF zone as a buffer. The Comprehensive Plan promotes commercial growth along Highway 28 as infill, to take place from the center out. Shorty’s was “spot zoned” as the result of a lawsuit against the Town, otherwise it would never have been approved. Additionally, infrastructure necessary for commercial development (water and sewer) are not available to the property.*

*Xavier Jurado – one of the applicants and part owner of the subject property*

*The cotton gin has not been used in eight years and has become an eyesore. Since the property has no water rights, it cannot be used for agriculture. The only use that has been allowed on the property are the two existing cell towers, which were allowed by special use permit. These are an eyesore. The actual allowed use of the property is industrial, even though the zoning is RF.*

*Pete Jurado – one of the applicants and part owner of the property.*

*Stated that in reality, the uses of the property that have been allowed are commercial or industrial in nature, therefore the property should be zoned commercial. Additionally, a property across Union Avenue is zoned commercial, therefore the requested zoning would not be out of character with other properties in the area.*

*Arturo Jurado – one of the applicants and part owner of the subject property*

*Reiterated what Xavier Jurado and Pete Jurado had stated.*

*Susan Krueger – resident of the Town and former Town employee*

*Stated that the property was intentionally zoned RF in order to ensure that there was a green belt buffer around the Town. This meant that there would be agriculture, or large lot residential development. She also stated that properties in the County could not be used to influence zoning in the Town. Additionally, the two cell towers are allowed only on property zoned RF. The Code “expressly” prohibits cell towers on properties zoned Commercial, therefore the towers would have to be removed if the property were rezoned to Commercial.*

*There were no further comments. The public hearing was closed and the regular meeting was reopened.*

*No decision was made on this case at this time. The case will be heard by the PZHAC at the next regular meeting of the PZHAC to give the PZHAC and staff time to review the information presented during the Public Hearing. There was no further discussion of the zone change.*

**VI. PUBLIC COMMENTS - None**

**VII. PZHAC/STAFF COMMENTS - None**

**VIII. ADJOURNMENT**

*The meeting was adjourned at 7:21 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 8/14/17 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; Ristramnn Chile Co. - 2531 Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.