

Town of Mesilla, New Mexico

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION
(PZHAC) SPECIAL USE PERMIT HEARING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA.

MONDAY-NOVEMBER 4, 2024, AT 5:00 PM (Revised)
(MINUTES)

COMMISSIONERS Yolanda Lucero - Chair
Eric Walkinshaw – Vice Chair
Lori Miller – Secretary
Eric Gallegos – Commissioner
Kristina Alba – Commissioner

STAFF Eddie Salazar – Community & Economic Director (CED)

PUBLIC

Catherine Walkinshaw	Pat Taylor
Mary F Lucero	Barb Denton
Les Williamson	Susan Krueger
Sylvia D’Andrea	Andrea Bryan
Greg Lestor	Bill Cook
Melanie Goodman	Stacy B.
Pam Foster	Taylor (Bill) Foster
Trina Witter	

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL AND DETERMINATION OF A QUORUM**

Yolanda Lucero – Chair	Present
Eric Walkinshaw – Vice Chair	Present
Lori Miller – Secretary	Present
Eric Gallegos – Commissioner	Present
Kristina Alba – Commissioner	Present

Quorum Established 5 of 5.

3.

WINERY A T 320 W. UNIVERSITY

A REQUEST TO OPERATE A WINERY/WINE TASTING IN A RURAL FARM ZONE AS PERMITTED UNDER MESILLA TOWN CODE 18.20.030(A) :COTTAGE INDUSTRIES.

CED Salazar – swore everyone that was going to testify in the hearing.

Susan Krueger

Sylvia D’Andrea

Barb Benton

Case was introduced to the commission. The applicant, Sylvia D’Andrea looking for approval for a SUP to operate a winery before she purchases the property. Applicant has extensive experience in wine making. Is the owner of Luna Rossa Restaurant and has a vineyard in Deming where she also has a winery there.

Mrs. D’Andrea is looking to purchase the property at 320 W University. This property is 6.2 acres and has a residential home and a metal building. Mrs. D’Andrea or a family member will be living at the residence. The metal building is proposed to have a micro-winery along with wine tasting and a social gathering room (tasting room).

Mesilla town code (MTC) 18.20.030(A) allows cottage industries on rural farm zone with the approval of a special use permit (SUP). A micro-winery falls under a cottage industry by definition- *a cottage industry is a small manufacturing operation and is often run out of the home by a single individual or a family.*

The 2021 Homemade Food Act also falls under the cottage industry as defined by New Mexico Environmental Department. Allows the sale of all shelf-stable foods that do not require refrigeration.

The property in question is at the east boundary of our municipality and on a state road.

Sylvia D’Andrea – introduced herself and her family roots all the way back to Italy. Wine growing has been in the family, 4 generations. Currently grow grapes for various wine companies. Told her story on how she became a business owner at Luna Rossa restaurant. Is willing to comply with all laws and regulations set.

Introduced her ideas on what she is looking to do if approved. I would try to not make it look like a parking lot. Will not change the agricultural use of the land in consideration to Mesilla’s greenbelt.

Not sure if anyone knows, but Mesilla was the first place that grapes were ever brought in. The Catholic monks came through and they didn’t have the communion wine. They brought in grapes and planted them here in Mesilla. There is actually a book about it, Henry Streets wrote it, used to own the Ponderosa Vineyard. So Mesilla started planting grapes here just don’t have anymore currently.

Chair Lucero – asked the public for any testimony anyone wishes to give.

Susan Krueger – is a request for a winery, wine tasting operation and social hall. Rural Farm, cottage industry does not encompass all of the request. Cottages are just small manufacturing businesses. Wine tasting and social gathering hall does not fall under cottages. Can’t pick and choose to adjust the code for approval.

Mary Lucero – is a wonderful idea but needs to be in the commercial part of Mesilla. Rules are rules and we need to continue to preserve our greenbelt.

Barb Benton – the building already exists. Pecan trees are already there. The parking lot will be dirt and park in-between the trees. So there would be very little changes to the property.

Stacey Baca – not a resident of Mesilla but commented on her concerns of the amount of traffic.

Bill Foster – his concerns was the same on the traffic.

Sylvia D’Andrea – I live in an area similar to the one just mentioned. Doesn’t think the number of cars that the winery would attract with be significant. Across the street, NMSU already has vineyards.

Commissioner Mulvihill – asked how many employees, amount of parking and if there has been a study of traffic in that area. Have 4 parking spots for employees and approximately 24 spots for customers.

Sylvia D’Andrea – no more than 3 employees at a time. Is unaware of any traffic studies being conducted in the area. Cars would park in between the trees. A small vineyard on the property and produce Mesilla’s first wine.

Chair Lucero – asked if the property had water rights.

Sylvia D’Andrea – yes, we have checked the well to make sure.

Commissioner Walkinshaw – you’re not going to be producing the wine? Also, will you be maintaining the orchard as it is in bad shape.

At your current location, applicant mentioned about spill over of customers from the restaurant during events. It would be for private sessions. Not necessarily open to the public?

Commissioner Gallegos – would someone be able to stop by and enjoy a glass of wine at your location at any given time?

Sylvia D’Andrea – Yes, it will take about 5 years to get the trees back to being healthy. Not able to have large groups at restaurant, would like to have a place to host larger groups to include private events. Anyone wishing to drink a glass of wine would need to stop at the restaurant. Not the intent to have the winery open to the public in that way.

Commissioner Gallegos – what are the plans for the house?

Sylvia D’Andrea – either my daughter or I will be living in it.

There were no further questions, hearing was adjourned.

4. ADJOURNMENT 5:52pm

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS
COMMISSION (PZHAC) REGULAR MEETING AT THE MESILLA
TOWN HALL, 2231 AVENIDA DE MESILLA.
MONDAY-NOVEMBER 4, 2024, FOLLOWING AFTER
HEARING APPROXIMATELY 6PM.**

COMMISSIONERS Yolanda Lucero - Chair

Eric Walkinshaw – Vice Chair
Lori Miller – Secretary
Eric Gallegos – Commissioner
Kristina Alba – Commissioner

STAFF Eddie Salazar – Community & Economic Director (CED)

PUBLIC Catherine Walkinshaw
Andrea Bryan
Greg Lester
Bill Cook
Trina Witter
Dasa Bausova

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- 1. PLEDGE OF ALLEGIANCE**
 - 2. ROLL CALL AND DETERMINATION OF A QUORUM**

Yolanda Lucero – Chair	Present
Eric Walkinshaw – Vice Chair	Present
Lori Miller – Secretary	Present
Eric Gallegos – Commissioner	Present
Kristina Alba – Commissioner	Present

- 3. CHANGES/APPROVAL OF AGENDA**

PZHAC Case #061910 – removed from agenda. Applicant wishes to remove from consideration due to some new changes to floor plan.

Unanimously approved 5 – 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.

Greg Lester – supported consideration for approval of business case #1282

Catherine Walkinshaw – ad hoc committee member, part of our agreement was to give consideration for approval to any unregistered STR businesses. Recommends approval.

Susan Krueger – when considering a case with various topics, each should have its own consideration such as the case tonight #061909, winery.

Mary Lucero – was member of the ad hoc committee. The #061823 case why is it coming back to commission if it was already voted on. Possible favoritism? STR should not be built on the historical site.

There are communities that have put a stop to STR businesses in their municipalities due to negative impact. They are not as beneficial as we are making them out to be.

Trina Witter – commented on business case# 1282. In support of approval of the case. There has been no evidence of STR having a negative impact in communities. According to the Marshal department, they have no calls on any STRs.

Dasa Bausova – communities that are having problems are the ones with STRs that are purchased by Wallstreet. Times are changing, small mom and pop shops are not the problem. They are the big businesses that are causing issues.

Sylvia D'Andrea- times are changing. If the board doesn't adapt to the change, we are going to be left behind. Been all over the world and stayed in many STRs.

5. APPROVAL OF CONSENT AGENDA

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

- a. * PZHAC STR HEARING MINUTES - 10/21/2024
- b. * PZHAC REGULAR MEETING MINUTES - 10/21/2024
- c. * PZHAC HISTORICAL APPROPRIATENESS PERMIT MINUTES- 10/23/2024
2342 CALLE DE ARROYO/RESTORATION.

Unanimously approved 5 – 0.

6. ACTION AND CONSIDERATION

- a. **SUP #061909** - 320 W University, submitted by Sylvia D' Andrea. Requesting approval to operate a winery/wine tasting/social gathering hall. ZONE: Rural Farm (RF).

CED Salazar – gave a summary of the hearing that was just heard.

Commissioner Walkinshaw – expressed concern about both entries to the property, one on University and the other on Stafford. Both entries are so close to each other and intersection.

Commissioner Mulvihill – expressed concern for the traffic in that area. Another concern is fire department having dual access to the property.

Chair Lucero – stated she believes it is a great idea, but the code is very specific, and it is not allowed.

Yolanda Lucero – Chair	No – winery does not fall under the cottage industry section of our code. I would like to see ordinances are worked on to permit such businesses and the like.
Eric Walkinshaw – Vice Chair	Yes – the code does permit wine tasting/gathering under the section of the code.
Lori Miller – Secretary	Yes – no negative impact on the green zone, good for community and does make use of the agricultural land.
Eric Gallegos – Commissioner	Yes – use of the land is preservation of our green belt, all requirements by any agency regulating the type of business needs to be met.
Kristina Alba – Commissioner	Yes – no negative impact to the green belt and

support local business in the area.

Approved 4 – 1.

- b. **PZHAC STR BUSINESS #1282-2551** Calle de Parian, submitted by Melanie Goodman. Requesting approval to operate short-term rental. ZONE: Historical Residential (HR).

Unanimously approved 5 – 0.

- c. **PZHAC CASE #061823** - 2450 Calle de Principal, submitted by Felix Armijo. Requesting approval to construct a 30' x 36' structure on the property for the purpose of operating 2 short-term rental units. This case decision by PZHAC appealed to BOT. BOT decision was to have

Unanimously approved 5 – 0. With the condition a sign be placed on the front of the property in commemoration of the historical site that once was.

- d. **PZHAC CASE #061910** – 1945 Calle Pacana, submitted by Patrick Michael Fitzgerald & Colleen Boyd. Requesting approval to construct their primary residence. ZONE: Historical Residential (HR).

Case was removed from agenda.

- e. **PZHAC CASE #061913** – 2342 Calle de Arroyo, submitted by Julie Fitzsimmons. Requesting approval to restore structure on property. A work session was scheduled according to MTC 18.33- Historic Preservation requirements. ZONE: Historical Residential (HR).

Unanimously approved 5 – 0. Approval is for total time of project, approximately 2 yrs. It will be in 3 phases. Applicant is responsible for updating commission on each phase.



Yolanda Lucero
Chairperson



Gloria Maya
Town Clerk/Treasurer

