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CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
DECEMBER 2, 2014

Chairman Tom Greer called the special meeting of the Belen Planning and Zoning Commission meeting to order at 6:32 p.m.

PRESENT: Chairman Tom Greer
Vice-Chair Gordon Reeves
Commissioner Steve Ethridge
Commissioner Rod Storey

CITY STAFF: Steven Tomita, Planning & Zoning Director
Lisa Miller, P & Z Administrator

OTHERS: Clara Garcia, News Bulletin
Robert Noblin, Citizen
Romie Blair, Citizen
Randy Blair, Citizen
Katie Arisman, Citizen
Michael Merrell, Citizen
Patricia Garcia-Sais, Citizen
Rosabeth Garcia- Sais, Citizen
Alfonso Peralta, Self
Rosalie Peralta, Self
Arlene Casale, Citizen
Claudine Montano, Self
Arturo Sais, Self
Barbara Horton, Self
Lena Malcom, Citizen

Chairman Tom Greer informed the Public and the Commission members that Commissioner Selma Martinez has resigned from the P & Z Commission and that the City Council was trying to find a replacement.

APPROVAL OF AGENDA:

Commissioner Rod Storey pointed out that the Agenda needed to say Tuesday December 2, 2014 and not Monday December 2, 2014.

Commissioner Steven Ethridge moved to approve the Agenda as corrected.

Vice-Chair Gordon Reeves Seconded the Motion.

Motion Carried.

APPROVE OF MINUTES:

The Minutes of October 27, 2014, were reviewed.

Vice-Chair Gordon Reeves moved to approve the minutes as presented.

Commissioner Steven Ethridge seconded the motion.

Motion carried.

ACTION ITEMS

- A. REQUEST TO AMEND THE ZONE MAP C-R TO INCLUDED AN SU-1 ZONE for the purpose of placing a crematorium in an existing structure located at 109 S First St., Belen NM 87002: MICHAEL & MARY MERRELL. Legal Description:** Township 5 North, Range 2 East, Section 18, Map 100, BTS Addition, Block 38, Lots 5-12, AKA 109 S First St., Belen NM 87002.

Steven Tomita informed the Commission that as of today the Planning & Zoning Department has not received any letters or phone calls in opposition to this request.

Mr. Michael Merrell informed the Commission that they wish to sell the property to Mr. Noblin with the condition that there be a zone addition to the property so that he may place a crematorium in an existing structure. He was a little skeptical about this so he took the information to his engineer son, to review the information that Mr. Noblin

provided, his son reassured him that there would be no particles being admitted into the environment. He did a little research by checking with other crematoriums in the area, one on Aragon and Mesa and several in Albuquerque. He found that their locations varied from being next to an apartment, next to a church, next to a restaurant, a car lot and in a residential neighborhood. Where his property is located is right across the street from the Train yard and they give off more emissions than anyone in the area. There are already two garage structures located on the property where the crematorium can be placed so no new structure will need to be built. He and his wife now live in Albuquerque and they would like to see a local reside at this residence and feels that Mr. Noblin would be an asset to the area. He does not see a down side to this crematorium being placed there.

Mr. Robert Noblin informed the Commission that the simple fact is, that in his business, cremation accounts to about 60 to 70% of the funeral home business. All the information on his choice of crematorium has already been presented to the Commission and Council before, so he feels that he does not need to go over it again. In the past, it seemed that the number one concern was the location of the crematorium. He still believes that there was absolutely nothing wrong with the original location. The reputation of his business is very important to him and his staff. He would be living in the home and the crematorium would be placed in one of the two existing garage structures. The area is larger than the original request which was next to his Funeral Home. There is plenty of room on the property and the two garage structures are larger than what he was planning on placing by the Funeral Home. It is not located next to a park or a residential area. He has located a study that was conducted in Atlanta GA on the property values of properties located next to a crematorium and they found that it did not affect them. The property location and the structures is the perfect area for this.

Chairman Tom Greer said that he has read the information from previous requests and it seems that the issue was more a location issue and not a technical issue, and feels that the new location seems to solve that issue. He asked if there were any questions that the Commission would like to ask Mr. Noblin or Mr. Merrell. There were none. He then asked if there were any comments or questions that the public would like to ask. There were none.

Commissioner Steve Ethridge moved to send this to the City Council with the Approval of the Commission for the Amended zone to include a SU-1 Zone within an existing C-R Zone for the purpose of placing a crematorium within an existing structure at 109 S First St.

Vice-Chair Gordon Reeves Seconded the motion.

Motion Carried.

Vote was as follows:

Vice-Chair Gordon Reeves

Yes

Commissioner Rod Storey	Yes
Commissioner Steve Ethridge	Yes
Chairman Tom Greer	Yes

B. REQUEST FOR ANNEXATION: FIORELLO AND ARLENE

CASALE. Legal Description: Township 5 North, Range 2 East, Section 17, Tract 90-A, Map 99, Containing 1.84 Acres, AKA 921 River Rd., Belen NM 87002

Ms. Arlene Casale informed the Commission that she would like to annex this property into the City limits. She feels that the Gross Receipt taxes would help the City and she would be able to hoop up to the City Sewer system which would help the environment. At this time she is on a septic system.

Commissioner Rod Storey asked if all the properties located in the surround area have been already annexed into the City.

Lisa Miller said yes.

Steven Tomita informed the Commission that this is one of the properties that the Boundary Committee recommended be annexed into the City to straighten our Boundary.

Lisa Miller said that there was a situation surrounding that when the surrounding the property all up and down River Rd. At that time there were several more liquor licenses in the City. If she had annexed in at that time she would have lost one of her liquor licenses. There is a letter in the packet from the New Mexico Regulation and Licensing Department stating that at this time they would not lose the licenses if annexed into the City.

Commissioner Rod Storey asked if that is based on per capita and will that prevent any other businesses of that type from coming into the City.

Steven Tomita said that we are now up to our limit again on a full liquor license.

Chairman Tom Greer asked if the Commission had any questions. There were none. He asked if the public had any questions or comments. There were none.

Vice-Chair Gordon Reeves moved that this request go to the City Council with the recommendation of approval.

Commissioner Steve Ethridge seconded the motion.

Motion Carried.

Vote was as follows:

Vice-Chair Gordon Reeves	Yes
Commissioner Rod Storey	Yes
Commissioner Steve Ethridge	Yes
Chairman Tom Greer	Yes

Lisa Miller inform both applicants that they will be heard by the City Council on the 15th of December.

DISCUSSION/REVIEW

Update on Sound Ordinance.

Steven Tomita informed the Commission that the public workshop for the Sound Ordinance was not very well attended. There were some good comments from the ones who did attend. It is now up to the Commission as to whether these comments are incorporated into the Ordinance and brought back for review before being submitted to the City Council for approval.

Commissioner Rod Storey asked if there was a new copy of the proposed Ordinance.

Lisa Miller said there was not unless the Commission informs them that they want the comments incorporated into the Ordinance.

Steven Tomita said the office would clean it up and erase any references to Temecula. Those that attended the workshop were pleased with the Ordinance and how it was written, the issues that it addressed, the decibel levels that were used, and where the Ordinance allows the City to have more ability to enforce the Ordinance.

Chairman Tom Greer informed the public that the City used Temecula CA Sound Ordinance as a base for the Sound Ordinance for the City and think that we are on good footing with using this with confidence. He would like to have it put on next month's Commission meeting for final review so that it can be sent to the City Council for review and approval.

Steven Tomita said that he would also send a copy of the Ordinance to the City Attorney for review.

OPEN COMMENTS/REQUESTS

Commissioner Rod Storey informed the Commission that he was stepping down from his position as a P & Z Commissioner and tonight's meeting would be his last meeting. He has been on the Commission for 10 years and has other commitments that need his attention at this time.

Chairman Tom Greer thanked Commission Rod Storey for the 10 years of voluntary service to the City of Belen.

Steven Tomita informed the Commission that he has spoken to the Council and informed them that the Commission will be starting their process of reviewing the Ordinances and Mater Plan and would be meeting twice a month instead of once. He asked the Council to consider reinstating the stipend that the Commission was getting at one time.

ADJOURNMENT

There being no further business to come before the City of Belen Planning & Zoning Commission, Commissioner Rod Storey moved to adjourn.

Vice- Chair Gordon Reeves seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:00 pm.

/s/
Tom Greer, Chairman

ATTEST:

/s/
Steven P. Tomita, Planning and Zoning Director