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**FRANK ORTEGA**  
CITY COUNCILOR

**CITY OF BELEN**  
**PLANNING & ZONING COMMISSION MEETING**  
**MINUTES**  
**NOVEMBER 30, 2015**

Chairman Tom Greer called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:00 p.m.

**PRESENT:** Chairman Tom Greer  
Vice Chair Steve Ethridge  
Commissioner Claudine Montano  
Commissioner Debbie Thompson

**ABSENT:** Commissioner Gordon Reeves

**CITY STAFF:** Steven Tomita, Development Service Manager

**OTHER:** Jim Rende  
Mary Stantistevan  
Alfonso Stantistevan  
Barbara Horton  
Quanta Hinson  
Aaron Silva  
Deanna & Frank Montoya  
Robert Uecker  
Dan & Barb Deterichs

**PLEDGE OF ALLEGENCE**

Chairman Tom Greer led the Pledge.

**APPROVAL OF AGENDA:**

Commissioner Claudine Montano moved to approve the Agenda.

Commissioner Debbie Thompson seconded the Motion.

Motion Carried.

**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of November 9, 2015 were reviewed. A few typing errors were corrected.

Commissioner Debbie Thompson moved to approve the minutes with corrections.

Commissioner Claudine Montano seconded the motion.

Motion carried.

**PUBLIC HEARING WITH POSSIBLE ACTION**

- A. **REQUEST FOR A CONDITIONAL USE PERMIT:** Quanta Hinson for the purpose of placing an RV behind her home at 200 Wisconsin St to be used as a residence for her ailing son.

Quanta Hinson informed the Commission her son lives with him at this time and it is her health is not good at this time. It is her wish that she could place an RV behind her home on Wisconsin so that her son may live there after she is gone. Her son needs care and supervision. Once she is gone it would be her Daughter who would be watching him. Her daughter is the one who resides at her home on Wisconsin. Her son is 63 and suffers with several disabilities and she wants to make sure that her son is taken care of after she is gone.

Chairman Tom Greer asked if the structure she is talking about is the RV.

Quanta Hinson said yes. There is no point in putting a big Mobile Home on the property. An RV can be moved off when the time comes. She does not want a permanent structure. There are some nice units out there that are one bedroom, which is all that is needed. At this time she has no plans on developing the 2/3 of an acre that she has there. She just wants to know that there is a place for her son when the time comes.

Steven Tomita said that this be a conditional use. There are many communities across the state due to the aging population. Children taking care of parents, etc. It should be assessed every year, without a fee.

Chairman Tom Greer asked about the utility connections.

Quanta Hinson said that there are some old utility lines located there. She would be replacing them and looking at a chopper pump to get it out to the street. These are all connected to the existing lines at the home.

Chairman Tom Greer asked if there would be a written plan that goes along with this.

Steven Tomita said yes. This is so that we are aware of where things are and how they are connected.

Chairman Tom Greer asked what would be used for heating and possibly cooking.

Quanta Hinson said it would be run off of propane.

Steven Tomita said that she will need to go through Lisa and the Fire Department for the approval on that.

Chairman Tom Greer said that there is a conversion to change from propane to natural gas that would not be hard to do plus it would also be cheaper in heating and cooking costs.

Alfonso Stantistevan informed the Commission that it is not zoned for RV's. This has happened before but this goes against the zoning.

Steven Tomita said that the zone would not change. This is just a conditional use.

Alfonso Stantistevan said that if they connect to the utilities, it is like connecting another home.

Steven Tomita said yes but it is a temporary use and will have to be removed when that use is no longer needed.

Alfonso Stantistevan asked what the conditions would be. They have to know because if they are given 6 months and it keeps on going the next thing you know there is another trailer there.

Mary Stanstistevan said that the main concern is that if we allow that to take place, then someone else will come along and ask for the same thing, this will then snowball.

Chairman Tom Greer said that this is a Conditional Use permit and this is a one time, one deal, for one person special exemption from what is there. This does not apply to changing the zoning or to anyone else.

Mary Stanstistevan said that if you let one you will have to let another.

Steven Tomita said that on a Conditional Use you do not have to. It is a onetime thing. If someone else wanted to do this they would have to come in and go through the process and meet all the criteria for a conditional use.

Deanna Montoya wanted to know how this would affect the value of the properties in the area.

Steven Tomita said that it would not change the value because it is only temporary.

Chairman Tom Greer said that the property values, if keep clean and maintained, would not lose any value.

Deanna Montoya said that she is thinking of the long term. She does not want the values of the property to change except go up. What would determine if the Conditional Use could be extended if it is needed.

Steven Tomita said that they Commission would review the request again and make a determination on the findings at that time.

Frank Montoya said you are saying temporary, but a year seems a long time to be living in an RV and considered temporary. The only time I have seen something like that is when someone is living in an RV while in the process of building a home. This is not the case here. It should be at least six months would be more of a temporary use. It would be better to build onto the home. You would not need to add much and would increase the value of the home.

Steven Tomita said that other communities are bringing in small pods or prefab units that are placed on the property. It is a structure, but it does have to be removed when the situation changes.

Barbara Horton said that they got red tagged by the City for living in their RV. They were on the move and used the RV as a residence while they were here. They had to hook up to all the utilities. She feels that it should be reviewed on a regular bases.

Quanta Hinson said that they take good care of the property and would appreciate it if the Commission would consider a year. It may be awhile before I put an RV on the property. She is not sure when she would place an RV on the property.

Commissioner Claudine Montano said to be fair to the neighborhood it should be a six month Conditional Use to be reviewed at that time.

Deanna Montoya said that it makes no sense to revisit this in six months if the RV is not even going to be there. It needs to be done when the RV is placed on the property. The Conditional Use needs to be heard at that time and not now when it is not clear when the RV will be placed there.

Quanta Hinson said that she does not know when this will happen. It could happen in the next week, depending on her condition. She just wants to have everything set up for her family.

Steven Tomita said that he would like to see this return to staff to assess some of the comments and the situation. We might be able to have an assessment of the situation and then when it gets to the point when the RV needs to be brought in then it can be brought before the Commission.

Chairman Tom Greer asked the Commissioners what they feel needs to be done in this situation.

Vice Chair Steve Ethridge moved to table the Conditional Use.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Vote was as follows:

Commissioner Claudine Montano	Yes
Commissioner Debbie Thompson	Yes
Vice Chair Steve Ethridge	Yes
Chairman Tom Greer	Yes

Staff will follow up on this.

**B. REQUEST TO CHANGE W CASTILLO AVE FROM MAIN ST TO NINTH ST INTO A ONE WAY THOUROUGH FARE GOING WEST: Steven Tomita**

Steven Tomita informed the Commission that he and the Mayor meet with the businesses in the area and the parking issue seemed to be the big thing. It was his recommendation that parallel parking be kept as is and the add diagonal parking on the other side. With this the width of the street would not accommodate this with two way traffic. It was then decided that that section be turned into a one way street. It is also a traffic issue at this time and would cut down on some of these issues. This is why we are making this recommendation.

Aaron Silva said that this would create more parking and he has been working on this for a long time. There is only 7 or 8 parking areas there. Parking needs to be increased for the businesses in the area.

Jim Rende feels that this would be a good deal for everybody there. The safety factor is also an important issue. Coming out of Castillo onto Main is dangerous. This would be a win win situation for the area.

Barbara Horton said that she was speaking with the employees at St Vincent De Pauls and they feel it would hinder the traffic coming and going to St Vincent De Pauls. She wanted to know why you just don't make the whole street, all the way to Tenth, a one way.

Steven Tomita said that they are not opposed to that. They were trying to limit the impact in just that one area. They did not see a need to impact the whole area.

Dan Dietrichs said that he was looking at the design and the net gain would be three more spaces. There is no handicapped parking there and wanted to know if it would now contain handicapped parking. There needs to be some handicapped parking in that area.

Steven Tomita said that they would have to look at spacing to determine if more parking can be added then shown. We need to determine if it will be one way, then we can revisit the parking.

Robert Uecker said that the safety on Main St, he was wondering why the speed limit was 35 and feels that this needs to be looked into this so that it can be lowered.

Steven Tomita said that he has spoken with DOT on this and was informed that it was a federal standard and would not change. There are two ways that this could be changed but they would impact the City as far as costs, maintenance, repairs, etc.

Vice Chair Steve Ethridge said that he likes the idea of taking this down to Tenth St. This might be less confusing.

Chairman Tom Greer asked if this could be done in two phases.

Steven Tomita said that it could and this would allow them to see the impact of the area. Staff can get with the businesses in the area to see how they would like the parking layout to be.

Commissioner Debbie Thompson moved to approve the one way street from Main to Ninth on Castillo Ave and then re-evaluate, in six months, the next section for possible one way section to Tenth with input from businesses on the parking in the area before the street is striped.

Vice Chair Steve Ethridge seconded the motion.

Motion carried.

Vote is as follows:

Commissioner Claudine Montano	Yes
Commissioner Debbie Thompson	Yes
Vice Chair Steve Ethridge	Yes
Chairman Tom Greer	Yes

## **DISCUSSION/REVIEW**

### **Airport Master Plan**

Steven Tomita informed the Commission that the Airport Manager is in attendance to help with any questions, input, and suggestions to come up with a Master Plan for the airport area. There is a copy of an JPA between the City of Belen and the County of Valencia that was drafted in 2009 and not acted on. He would like the Commission to review this document to make any suggestions on updating this document and moving on with a Master Plan for the Airport area. He has met with Jacobo Martinez, from the County, and stressed the importance of getting a Master Plan done for the Airport area, which also includes County area. This will put restrictions on the area so that there is a set plan in place for development.

Robert Uecker said that there are a couple of things going on at the Airport. The new runway is now complete and being used. He received a phone call from a constituent who was concerned about a lot that she owns and there is a section in the corner of this lot that the City has purchased. She was concerned about fencing around the City owned area. She plans on building a home there. She was informed that it was at the end of the runway and could be an issue. She was not too worried about that. She said that it would not bother them. He got with Steven, because of the proximity to the runway, and discussed all the properties in that same situation should be notified of the airport area being there so that later we do not here any complaints from them.

They need to be made aware of what is there and what will be coming in at the airport. After looking through the paperwork that Steve has provided, the agreement that is included is applicable for this airport as well. It can be adapted for our airport. He would also like to have a disclosure notice to anyone who purchases property in that area. He would like this done as soon as possible.

Chairman Tom Greer said that complaints happen all the time around airports. He is aware of the issues but feels that the owners need to be made aware of this also. He would like some suggestions on how this could be accomplished without it being in an Ordinance.

Steven Tomita said that the Master Plan would be an Ordinance, but the documents you are talking about can be something that the City just issues administratively.

Chairman Tom Greer said the thing is that a Master Plan can take a while and these documents are something that needs to be done ASAP.

Commissioner Debbie Thompson asked if they owners are required to sign a disclosure agreement or does the City just need to notify them in writing.

Steven Tomita said what we will do is we will send them notice by certified mail so that we get proof that they have received it. We need to look at a strategy on how to deal with the property owners. The Master Plan will involve meetings, workshops, etc.

Jim Rende suggested that the City ask Jeff Goebel for his input and help with this. He is very good at it.

Steven Tomita said that as we move forward with this we will put together a Committee of Stakeholders' so that they have representation and have a vested interest in what is being done.

Chairman Tom Greer said that the letter of Impact and the Airport notification letter will need to be presented at the next meeting so that we can get them out.

#### **OPEN COMMENTS/REQUESTS**

Commissioner Claudine Montano voiced concerns about the information provided in the packet on the Conditional Use Permit. The SS Number was included in the Packet.

Steven Tomita apologized and said that it was supposed to be blocked.

Vice Chair Steve Ethridge commented on the Park down by the River. He would like to see more lighting out there and would also like to see things like a duck pond. We need a little water features here and there, to keep the wild bird population around.

Steven Tomita said that he need to contact the Schools. They are the owners of the park.

Commissioner Claudine Montano asked if there were any new businesses coming in.

Steven Tomita said that there are three manufacturing companies that are looking in the area to build. Valencia County is being considered for the world's largest solar energy plant. It would be located in the southeast corner of the County called the Belen Energy Park. They would

