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CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
OCTOBER 27, 2014

Vice-Chair Gordon Reeves called the regular 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 Selma Martinez

ABSENT: Commissioner Rod Storey

CITY STAFF: Steven Tomita, Planning & Zoning Director
Lisa Miller, Sr. Code Enforcement Officer

OTHERS: Clara Garcia, News Bulletin
Robert Noblin, Citizen
Ramona Blair, Citizen
Randy Blair, Citizen
Michael Merrell, Citizen
Patricia Garcia-Sais, Citizen
Rosabeth Garcia- Sais, Citizen
Alfonso Peralta, Self
Rosalie Peralta, Self
Joe Laurenz, Self
Jerah R Cordova, Mayor City of Belen
Megan Malon-Morgan, Self
Jake KeHenacher, Self
Nancy KeHenacher, Self
Paul R Baca, Self

Deanna Montoya, Self
Donald Woodman, Self
Lena Malcom, Self

APPROVAL OF AGENDA:

Steven Tomita informed the Commission that he had a concern with the action items. He feels that they need to be more specific on the publication of the hearings, specifically the C-R to S-U1. He feels that the specific use needs to be a part of the notification so that there is no confusion about what exactly the request is. The other issue he has is the fact that the SU-1 does not replace the underlying zone that already exists. What you are doing is adding a special use to an existing use. It is only adding that use. The underlying use does not go away. It is like an overlay zone. He also informed the Commission that Mr. Ulibarri has requested that the three issues that are on the Agenda concerning Zone changes, be delayed for a couple of months due to the fact that the father is recuperating from his surgery and wishes to be involved with this once again.

Chairman Tom Greer said that, that does not necessarily affect the agenda because the Commission may address these as they proceed with the meeting.

Commissioner Selma Martinez moved to approve the agenda as published.

Vice-Chair Gordon Reeves seconded the motion.

Motion carried.

APPROVE OF MINUTES:

The Minutes of September 29, 2014, were reviewed.

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

Commissioner Selma Martinez seconded the motion.

Motion carried.

ACTION ITEMS

- A. REQUEST TO AMEND THE ZONE MAP FROM C-R TO SU-1:
MICHAEL & MARY MERREL. 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

Chairman Tom Greer said based on what information the Planning & Zoning Director has given to the Commission, he feels that this needs to be re-advertised.

Steven Tomita asked if they were clear, or had any other questions, on what he has explained to the Commission and if the people in attendance had any questions he would answer them also.

Commissioner Steve Ethridge asked if it was possible that the people in attendance could, being that they are here, provide their input on these issues now.

Chairman Tom Greer said that the Commission could do this if they wished to.

Mr. Merrell informed the Commission that he felt that would be a waste of time due to the fact that they will need to attend the next meeting. It would be better to do that at one time and not over several meetings.

Commissioner Steve Ethridge moved to table this item until November's meeting so that it may be published correctly.

Commissioner Selma Martinez seconded the motion.

Motion carried.

Vote was as follows:

| | |
|-----------------------------|-----|
| Vice- Chair Gordon Reeves | Yes |
| Commissioner Selma Martinez | Yes |
| Commissioner Steve Ethridge | Yes |
| Chairman Tom Greer | Yes |

Steven Tomita informed the Commission that a mid month meeting could be done to not only hear this but to also work on the zoning ordinances that the Commission will be working on.

Lisa Miller informed the Commission that there would not be enough time to publish this and have a meeting mid month. The legal has to be published 15 days before the meeting. To make it a mid month meeting she would have had this to the papers last Friday, being the News Bulletin is only published once a week. If it was published in next Thursdays paper that would put the meeting on Thursday November 20 and our regular meeting is on the following Monday, which is November 24, so this month it would not be possible to have a meeting mid month.

Chairman Tom Greer said that it was tabled until next month's meeting so that it can be published correctly, so the Commission will hear it at next month's meeting. This needs to be published correctly so that there is no mistaking what the intended use is. We do not want to be accused of any wrong doing. We need to be up front, and maybe over state what the intended use is so that this issue, or any issue, does not come back and bite us.

Steven Tomita asked Lisa what information is required along with the application.

Lisa Miller said that a Letter of Transmittal, explaining why they want to zone change, an owners affidavit, a proposed site plan of the lot, a proposed development plan, and the filing fee.

Steven Tomita said that the way it was worded, you are replacing the present zoning with the SU-1 and we want it to be in addition to the present zoning. It is an overlay to an existing zone.

B. REQUEST TO AMEND THE ZONE MAP FROM R-1 TO SU-1 TO BRING A GRANDFATHERED MOBILE HOME PARK INTO

COMPLIANCE: JEFFERY AND MARK ULIBARRI. Legal

Description: Township 5 North, Range 2 East, Section 18, Map 100, CTS Addition, Block 2, Lots 9-14, aka the 600 block of N Seventh St., Belen, NM, 87002.

Steven Tomita informed the Commission that Mr. Ulibarri has requested that the next three items be postponed. He does not give a specific time period and this is leaving them open to coming back or not. There are some options available to the Commission and you can agree to the request, you can set a specific time period for the delay, or you can vote on this now. He suggested that they put a specific time period on these.

Chairman Tom Greer said that he would like to hear from him and what his intentions are concerning the Mobile Home Park.

Commissioner Selma Martinez said that the letter is not even dated.

Lisa Miller said that the letter was emailed to her on Friday, October 24, 2014, @ 2:54 PM.

Vice-Chair Gordon Reeves moved that the Commission postpone this for the time period of 90 Days and if the Ulibarris do not show, they will have to go through the process and reapply for the zone change, including the filing fee.

Commissioner Steve Ethridge seconded the motion.

Motion carried.

Vote was as follows:

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|-----------------------------|-----|
| Vice-Chair Gordon Reeves | Yes |
| Commissioner Selma Martinez | Yes |
| Commissioner Steve Ethridge | Yes |
| Chairman Tom Greer | Yes |

C. REQUEST TO AMEND THE ZONE MAP FROM R-1 TO SU-1 TO BRING A GRANDFATHERED MOBILE HOME PARK INTO COMPLIANCE: JEFFERY AND MARK ULIBARRI. Legal

Description: Township 5 North, Range 2 East, Section 18, Map 100, Tracts 8A3, 8B, 8A2, 9B, 8-A-1, 9-A-39, aka 108 W Ross Ave., Belen, NM, 87002.

Vice-Chair Gordon Reeves moved that the Commission postpone this for the time period of 90 Days and if the Ulibarris do not show, they will have to go through the process and reapply for the zone change, including the filing fee.

Commissioner Steve Ethridge seconded the motion.

Motion carried.

Vote was as follows:

| | |
|-----------------------------|-----|
| Vice-Chair Gordon Reeves | Yes |
| Commissioner Selma Martinez | Yes |
| Commissioner Steve Ethridge | Yes |
| Chairman Tom Greer | Yes |

D. REQUEST TO AMEND THE ZONE MAP FROM R-2 TO SU-1 TO BRING GRANDFATHERED MOBILE HOME PARK INTO COMPLIANCE: JEFF AND MARK ULIBARRI. Legal Description:

Township 5 North, Range 2 East, Section 18, Map 100, BTS Addition, Block 13, Lots 1-4, and a 60' X 100' section east and adjacent to Lots 1-4, AKA the 101 W Chavez Ave., Belen NM 87002.

Vice-Chair Gordon Reeves moved that the Commission postpone this for the time period of 90 Days and if the Ulibarris do not show, they will have to go through the process and reapply for the zone change, including the filing fee.

Commissioner Steve Ethridge seconded the motion.

Motion carried.

Vote was as follows:

| | |
|-----------------------------|-----|
| Vice-Chair Gordon Reeves | Yes |
| Commissioner Selma Martinez | Yes |
| Commissioner Steve Ethridge | Yes |
| Chairman Tom Greer | Yes |

DISCUSSION/REVIEW

Veterans Garden/Special Events Area.

Steven Tomita informed the Commission that he brought this before them was to get their input on this concept. The owners of the Central Hotel are looking to pick up the vacant lands on the Corner of Second and Castillo for the purpose of creating Veterans Gardens. This would be a sustainable feature that would not only look at growing gardens but at all the different types of work associated with gardens. The Veterans could take the produce to market. It would be training the Veterans' with skills and a capability to find jobs. These owners were looking at some of the things they could do to work with the different organization to go after grants, etc. to build and sustain these gardens. He informed the owners that before they do this they need to get input as to how this concept would fit into what is envisioned with the Becker Street area and the Downtown area. They are also looking at the Doodlebug area, putting up some walking trails, potential boxcars to be brought in as part of the features, and tying this all in with the Becker St area. He would like the input, from the Commission, as to whether this is viable to become a part of the Downtown Becker area or is it something that may not fit in. He wanted to get the Commissions ideas before they went to the effort of getting this project going.

Commissioner Selma Martinez asked if there has been any input from Veterans. Will the owners will be doing this and will they also be working with the Main Street Organization on this project.

Steven Tomita said no.

Commissioner Steve Ethridge asked what the City's part in this was.

Steven Tomita said that the City can help through Main Street and the City, to work with them and go after grants, etc. The City would need to say that they are in support of this project, that this is a good ideas and it helps support our Veterans.

Commissioner Steve Ethridge said that he likes the ideas of this and the fact that they can partner with agencies such as the Boy Scouts, the 4-H, and children who do not have older adults.

Vice-Chair Gordon Reeves asked how much land they were going to try to purchase.

Steven Tomita said it would be a whole City block plus half of another block just to the West of it.

Chairman Tom Greer, as the State Director for the Concerned Veterans for America, would like to get with the owners and compare notes on the contacts they are working with. He has the most established network of State Veterans Organizations as well as the State Secretary of Veterans Affairs. It would be interesting to do a little round table discussion with these Owners and these Organizations.

Steven Tomita said that his concern was that if these owners invested in this land without seeing if it was something that was desirable, they would end up being the owners of vacant land that would just sit there and this project would not happen.

Commissioner Steve Ethridge asked what advantage would it be to the City as opposed to the owners, as private owners, purchasing the land and putting in a garden. Anyone can plant a garden on their property.

Steven Tomita said that there is a Master Plan that is going to be moving forward for all of this area. There has already been some planning for this area with the Main Street Organization and even though a garden sounds good, this type of garden has to be determined whether it would fit in, in this area.

Commissioner Steve Ethridge asked what is to stop them if they purchase this property and go ahead and plant the garden.

Steven Tomita said the Master Plan for this area would stop it if it does not fit into the intended use of the Master Plan.

Lisa Miller said that planting a personal private garden is different than this. They are talking about using this as a working program that will be producing products for the public to purchase or be distributed among stores, the public, etc. It then becomes a business.

Commissioner Steve Ethridge asked about the sponsorships and if it included brass plaques, etc.

Steven Tomita said that if you start getting donors, grants, etc., you will find that things like that need to be done to recognize them. This is an expensive endeavor and that is why they would need to have sponsors, grants, and funding for this big of a project. To get funding the agencies would need a letter of support and that is where the City, Main Street and other big groups would come in. Even if they end up doing it on their own, they would still have to comply with the City Master Plan.

Chairman Tom Greer asked what the property zone was.

Lisa Miller said that it is zoned C-R.

Chairman Tom Greer asked if they plan on presenting this to Main St.

Steven Tomita said that he is encouraging them to present this to Main St.

Chairman Tom Greer said that he believes this is the first step for them. Then they need to present it to some of the Veterans Organizations. This would help them and guide them through the process of getting this project off the ground.

Steven Tomita said that they are looking at this project as a community service project.

Chairman Tom Greer said that your community service projects still need to be run like a business. They may not make a profit but still need to be run like a business. Also, is there enough people to populate a project of this size and would there be enough interest. He would suggest they take it to the Main St. Organization, it is in the Main St. Overlay zone, and it is a part of the charge of the Main St. Organization.

OPEN COMMENTS/REQUESTS

Steven Tomita informed the Commission that this Veterans Park would also tie into the festivals that are being held and planned for the Becker area. The city is looking into grants and funding to put in canopies, new power systems, etc. on Becker St. This would involve temporary structures such as tents, canopies that would slip into sleeves that would be placed in the street, new generators and things long that line, as shown on the map that was provided.

Commissioner Steve Ethridge said that it shows five generators and asked if these would be new ones. He knows that we have existing generators that are not in the best of shape and need to be replaced or repaired.

Steven Tomita said that he is aware of that and would like to see some of them replaced. His ultimate goal for that area is to have a better power supply for these generators and that would mean placing better power lines along Becker.

Commissioner Selma Martinez asked about the change that he was making to the Alcohol in public places Ordinance.

Steven Tomita said that he has made the changes and is ready to go before the Council with it but it has not been placed on the Council agenda. He is waiting for this. He informed the Commission that there was going to be a public workshop on the Sound Ordinance on the 13th of November at City Hall. Lisa will get the information to them.

Commissioner Steve Ethridge suggested that the Commission receive the agenda for the P & Z Meetings at least a week in advance.

Lisa Miller said that she emails this to them the Wednesday before the meeting. If they wish it to be sooner she will do so.

Deanna Montoya asked about the trailer parks that were on the agenda.

Lisa Miller said that they have been a problem area and need to be zoned correctly. At the present time they are zoned R-1 and R-2. Trailer parks are not allowed in that zone. They were grandfathered in and felt that if they were zoned correctly the City would be able to put more restrictions on them. There are rules and regulations that go along with the proper zone.

Deanna Montoya said that those trailer parks have been there a very long time and wanted to know why they are being asked to change now.

Lisa Miller informed them that the zoning ordinance did not go into effect until around 1975-1979 and the trailer parks were already in existence. She did not know why they were not properly zoned at that time but would like to have it changed so that she could have the owners adhere to the rules and regulations that are in place for trailer parks under the SU-1 zone.

Steven Tomita said that the City has been giving them Violation notices and that is what has prompted them to have the zone changed. We want to see this done and have the capabilities to impose more restrictions on them. We would like to see what they have planned for these trailer parks.

Chairman Tom Greer said that this is why we feel uncomfortable making a decision on this until we have spoken with them to find out what their intentions are for those areas.

Vice-Chair Gordon Reeves asked if the City would allow wells being drilled within the City limits.

Lisa Miller said that if you are in the City limits you are supposed to be connected to their utilities.

Vice-Chair Gordon Reeves asked if you could stay on City Utilities and still drill a well.

Lisa Miller said that if it was used for irrigation wells they would need to contact the State Engineers office to see if they could. The state laws have changed and they may not allow irrigation wells when there are utilities available. She knows that the State requires at least a minimum of an acre and a half for a well and a septic. Most of the time they want two acres.

