

AGENDA

FOR THE REGULAR MEETING OF THE CITY OF BELEN PLANNING AND ZONING COMMISSION, STATE OF NEW MEXICO, COUNTY OF VALENCIA TO BE HELD ON MONDAY THE 27TH OF JUNE 2016 AT 6:30 PM IN THE COUNCIL CHAMBERS AT CITY HALL, 100 SOUTH MAIN STREET, BELEN, NEW MEXICO 87002.

ALL P & Z COMMISSION MEETINGS ARE VIDEO AND AUDIO RECORDED.

A COPY OF THE AGENDA CAN BE OBTAINED FROM THE OFFICE OF THE CITY OF BELEN PLANNING & ZONING DEPARTMENT.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGEANCE**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES:
Minutes of June 13, 2016**
- 6. PUBLIC HEARING WITH POSSIBLE ACTION**
 - A. REQUEST TO AMEND THE ZONE MAP FROM R-1 TO C-1: IGNACIO GALLEGOS. LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 18, Map 100, Block 17, Lots 23 & 24, BTS Addition, aka 318 N Sixth St., Belen, NM, 87002
- 7. DISCUSSION**

Airport Overlay Zone-Allowable land use map
- 8. OPEN COMMENTS/REQUESTS**
- 9. ADJOURNMENT**

RESPECTFULLY SUBMITTED

/S/

Lisa R Miller
Planning & Zoning Administrator

cc: Mayor & City Council
Belen Public Library
Belen Recreation Center

Belen Chamber of Commerce
News Bulletin
Belen City Hall

JERAH R CORDOVA
MAYOR
JAY RUYBALID
CITY MANAGER



CITY OF BELEN
100 SOUTH MAIN STREET
BELEN, NEW MEXICO 87002
(505) 966-2746
www.belen-nm.gov

WAYNE GALLEGOS
MAYOR PRO-TEM
DAVID CARTER
CITY COUNCIL
DARLEEN ARAGON
CITY COUNCILOR
FRANK ORTEGA
CITY COUNCILOR

**CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
JUNE 13, 2016**

Vice Chair Steve Etheridge called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:30 p.m.

PRESENT: Vice Chair Steve Etheridge
Commissioner Claudine Montano
Commissioner Debbie Thompson
Commissioner Gordon Reeves

ABSENT: Chairman, Vacant

CITY STAFF: Lisa R Miller, P & Z Administrator
Steven Tomita, Planning & Economic Development Director

OTHER: Tom Greer, Citizen
Diane Gonzales, Belen Health Dept
Robyn Yates, Belen Health Dept
Jim Rende, Citizen

PLEDGE OF ALLEGEANCE

Vice Chair Steve Etheridge led the Pledge.

APPROVAL OF AGENDA:

Commissioner Claudine Montano moved to approve the Agenda.

Commissioner Gordon Reeves seconded the Motion.

Motion Carried.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of May 31, 2016 were reviewed.

Commissioner Claudine Montano moved to approve the minutes as corrected.

Commissioner Debbie Thompson seconded the motion.

Motion carried.

PUBLIC HEARING WITH POSSIBLE ACTION

A. REQUEST TO CLOSE A PORTION OF AN ALLEY adjacent to City Hall from Sixth St to the East side of the Public Health Department.

Steven Tomita informed the Commission that the gate was placed further west than the original location so the Police Department is requesting that the alley behind the Health Department be included in the alley closing.

Lieutenant Miller informed the Commission that they would like to extend the alley closing. To the Police Department it is a safety concern. They need to be able to keep people away from the Police Department and this would also provide a safety net for the Health Department also. They have a lot of confidentiality issues at the Health Department that need to be protected. Placed where we are requesting provides a natural flow into the City Hall Parking lot and not cause an issue of turning around in the Public Health parking lot, which would cause an increase in accident issues within the parking lot. There would be signs placed on Sixth St stating it was a police entrance only. The Health Department would be able to use that access to get to their parking lot. This provides a safety net not only for the Police but for the Health Department also. The Health Department has been informed as to what is going on. Keys will be provided so that the alley can be opened up if the need arises.

Vice Chair Steve Ethridge asked if it would interfere with trash pick up.

Lieutenant Miller said that he did not think so but if they need to open the gate all he needs to do is know the day of the pick up and he will let them have access.

Diane Gonzales from the Health Department said that she agrees with the Police Department. There should not be a problem with the trash pick up.

Commissioner Debbie Thompson moved to have the gate moved to the location where it was mistakenly placed and to change the wording on the request from abate to close.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Vote is as follows:

Vice Chair Steve Ethridge	Yes
Commissioner Claudine Montano	Yes
Commissioner Gordon Reeves	Yes

Commissioner Debbie Thompson

Yes

B. REQUEST TO CONTINUE A CONDITIONAL USE PERMIT AT 1018 W ROSS AVE: CAKTY MCCARTNEY.

Lisa Miller informed the Commission that they received a letter in their packet from Ms. McCartney concerning her attendance at this meeting.

Vice Chair Steve Ethridge asked if there had been any calls on any issues concerning this.

Lisa Miller said she has heard nothing.

Commissioner Gordon Reeves asked if there has been any incidents at the property.

Lisa Miller said no.

Commissioner Gordon Reeves moved to allow the Conditional Use Permit for another year due to the fact that there have been no complaints, parking issues or any other kind of problem.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Vote is as follows:

Commissioner Claudine Montano	Yes
Commissioner Gordon Reeves	Yes
Commissioner Debbie Thompson	Yes
Vice Chair Steve Ethridge	Yes

C. REQUES TO CONTINUE A CONDITION USE PERMIT AT THE RAIL CAFÉ LOCATED AT 202 DESOTO AVE.: TOM GREER AGENT.

Tom Greer informed the Commission that since 2013 and have met all of our requirements from the government for the Hub City Brewing Co. They have all the equipment in place now and the inside and the outside of the building have been cleaned up.

Commissioner Claudine Montano asked about the parking.

Steven Tomita said that there are two conditions on the parking. If it is a new structure or building it is required to have adequate parking provided on site. If it is an existing structure then the requirement is whatever is existing. They have also gotten permission from the Rail Runner to use some of the parking on the Rail Station parking lot.

Commissioner Debbie Thompson asked if the area was originally for homes.

Tom Greer said that it is zoned C-R and has been since 2007. The Conditional Permit has been in place since 2013.

Jim Rende said that he thinks it is great to see new businesses come into town. He is in support of the business and has donated some time to help get this up and going. He is very pleased with what is going on.

Commissioner Gordon Reeves moved to continue the Conditional Use Permit for another year.

Commissioner Debbie Thompson seconded the motion.

Motion carried.

Vote is as follows:

Commissioner Claudine Montano	Yes
Commissioner Gordon Reeves	Yes
Commissioner Debbie Thompson	Yes
Vice Chair Steve Ethridge	Yes

OPEN COMMENTS/REQUESTS

Steven Tomita informed the Commission that they have been working on different Ordinances. One is the Architectural Zone and the Airport Overlay Zone. The last time that the Airport Overlay Zone was discussed the land use map was brought up and discussed. The other question brought up was the sound attenuation. He contacted Motzen & Corbin and was informed that they were not the ones who came up with the land use map, that is was Andrew DeCamillo who developed that. This land use map needs to be changed to fit an airport area and its development. It was also explained the way that the sound attenuation occurs and how extensively it was researched. The sound intensifies when they are taking off and landing. He wants the Commissioners to concentrate on the Airport Overlay zone and then move on to the Architectural Design standards.

Commissioner Debbie Thompson asked if the City would look into getting recycling trash bins available for the local businesses. Lisa will look into this.

Commissioner Claudine Montano said that the carnival was a success. There were a lot of people that attended and it was nice to see all the children there.

Steven Tomita informed the Commission that there will be a ribbon cutting on July 29th for the Business Center.

ADJOURNMENT

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

Commissioner Debbie Thompson seconded the motion

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:06 pm.

Vice Chair Steve Ethridge

ATTEST: _____
Steven Tomita, Planning & Economic Development Director

DRAFT

**CITY OF BELEN, NEW MEXICO
AMENDMENT TO ZONING MAP APPLICATION
(ZONE CHANGE)**

Applicants Name: Anthony M. Gallegos, Ponce de Leon, Juse F. Gallegos, Estella F. G. Horsburgh, Ignacio V. Gallegos, Francisco B. Sanchez. Phone: 505-459-4470
Address: 1105 San Felipe Ave. , Santa Fe, NM 87505
Authorized AgentsName: Ignacio V. Gallegos Phone: 505-459-4470
Address: 1105 San Felipe Ave. , Santa Fe, NM 87505

Address of Property: 318 N. 6th Street, Belen, NM 87002
Block and Lot: Block 17, Lot 23, 24 Addition: BTS Addition
Tract Number: D-5-18 Map: 100
Total acreage in Tract: +/-0.16 Ac.
Number of Dwellings: One Density/Acre: Unknown
Zoning of Property: Residential Present Use: Rental home
Requested Zoning: Commercial C-1

APPLICATION REQUIREMENTS

The following material must be provided by applicant.

- Filing fee of \$250.00
- Letter of transmittal, describing existing zoning, proposed zoning and reasons for the request.
- Affidavit of ownership.
- A scaled drawing describing the survey of tract boundaries, the location of all roads on and adjacent to the tract, the existing zoning for the tract and adjacent properties.
- Survey plat showing boundary, metes and bounds description of the land proposed for rezoning.

The Applicant must also do the following:

- Post and maintain one or more signs on the premises involved at least fifteen days prior Public Hearing Date and remove such signs within five days after Public Hearing Date.

NOTE: Failure to do so is grounds for deferral or denial of this application.

Accompanying this application are the above listed requirements for the proposed Amendment to the Zoning Map. I have examined and am familiar with the zoning regulations of the present zone and the requested zone. I understand that the City of Belen will not assume any liability for a possible lack of understanding on my part.


Signature of Applicant

6/01/16
Date

THIS APPLICATION REQUIRES A PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION AND THE BELEN CITY COUNCIL.

Planning and Zoning Commission Meeting Date: 6-27-16 Approved/Disapproved: _____
Belen City Council Meeting Date: _____ Approved/Disapproved: _____

FEE PAID: \$250 RECEIPT NO.: 2.204085 DATE: 6-6-16

IGNACIO V. GALLEGOS

P.O. Box 31037

Santa Fe, New Mexico 87594

Ignacio V. Gallegos

Phone: (505) 459-4470

June 1, 2016

City of Belen
Planning and Zoning
Attn: Lisa Miller
100 S. Main Street
Belen, NM 87002

Re: Zoning Change application for 318 N. 6th Street, Belen

Dear Planning and Zoning Chairman Greer, Esteemed Committee Members, Mayor Cordova and City Council,

Enclosed is my application for Zoning change. My family members and I are submitting this application and letter of transmittal for your consideration to change the zoning from Residential to Commercial (C-1). The location is less than a block north of Reinken, and a block from Main Street. The street already has a generally commercial character, with H&R Block across the street, the post office and several other businesses nearby.

The specific reason we are asking for the zone change is because we have come to terms on a purchase agreement with the Belen Railway Employees Credit Union to purchase the property from us. I believe their intent is to build a new branch building using this property and the property under contract with Herman Tabet at the corner of the street to the south of this property.

I urge you to consider this application favorably. New development is an essential element in moving toward an economically vibrant Belen, and this is a project that will help start that ball rolling.

Sincerely yours,



Ignacio V. Gallegos

On behalf of myself, Estella F. Gallegos Horsburgh,
Jose F. Gallegos, Anthony M. Gallegos Ponce de Leon,
and Francisco B. Sanchez

/IVG

ENCL: Application, plat map, photo of bird's eye view, Owner's affidavit of Estella Horsburgh, Owner's Affidavit of Jose F. Gallegos, Specific Power of Attorney of Francisco B. Sanchez, Specific Power of Attorney of Anthony M. Gallegos Ponce de Leon, Owner's Affidavit of Ignacio V. Gallegos, filing fee (check# 2084).

17	25
18	
19	
20	
21	
22	
23	
24	Gallegos
25	
26	
27	
28	
29	
30	
31	25
32	35

25	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
35	16

STREET

8	140	25
9		

23	140	



18, 19, & 20
45' & 66' N 1/2 OF LOT 7 & WEST 48.7 FEET OF LOTS 12 & 13
18 & 19 & N 1/2 OF LOT 20
15, 16, & 17
10, 9, & 7
8, 9, & 10
11, 12, & 13
14, 15, & 16
17, 18, & 19
20, 21, & 22
23, 24, & 25
26, 27, & 28
29, 30, & 31
32, 33, & 34
35, 36, & 37
38, 39, & 40
41, 42, & 43
44, 45, & 46
47, 48, & 49
50, 51, & 52

1. 15' RUIN & 15' THRU 22' ALONG WITH ALLEYS & ROADS VACATED
2. THE S 1/2 OF AND ALL OF LOTS 6 THRU 10
3. 1, 2, 3 & TRIANGULAR PORTION OF LOT 4
4. LESS TRIANGULAR PORTION, LOT 5 & LOT 6 LESS TRIANGULAR PORTION
5. 6 A TRIANGULAR PORTION OF & LOTS 7, 8, & 9
6. 10 & 11 & NORTH 295' OF LOT 12
7. 12 SOUTH 55' OF & LOTS 13 & 14
8. 15 THRU 15' AND SOUTH 110' OF LOT 12
9. 6 SOUTH 1/2 OF AND ALL LOTS 9 & 10
10. 11, 12, & 13
11. 14, 15, & 16
12. 17, 18, & 19
13. 20, 21, & 22
14. 23, 24, & 25
15. 26, 27, & 28
16. 29, 30, & 31
17. 32, 33, & 34
18. 35, 36, & 37
19. 38, 39, & 40
20. 41, 42, & 43
21. 44, 45, & 46
22. 47, 48, & 49
23. 50, 51, & 52

WICKHAY AVE
N SIXTH ST
N FIFTH ST
W REINKEN AVE
10 THRU 16
17 THRU 20
21 THRU 24
25 & 26
27 & 28
29 THRU 32
33 THRU 36
37 THRU 40
41 THRU 44
45 THRU 48
49 THRU 52

1. 15' RUIN & 15' THRU 22' ALONG WITH ALLEYS & ROADS VACATED
2. THE S 1/2 OF AND ALL OF LOTS 6 THRU 10
3. 1, 2, 3 & TRIANGULAR PORTION OF LOT 4
4. LESS TRIANGULAR PORTION, LOT 5 & LOT 6 LESS TRIANGULAR PORTION
5. 6 A TRIANGULAR PORTION OF & LOTS 7, 8, & 9
6. 10 & 11 & NORTH 295' OF LOT 12
7. 12 SOUTH 55' OF & LOTS 13 & 14
8. 15 THRU 15' AND SOUTH 110' OF LOT 12
9. 6 SOUTH 1/2 OF AND ALL LOTS 9 & 10
10. 11, 12, & 13
11. 14, 15, & 16
12. 17, 18, & 19
13. 20, 21, & 22
14. 23, 24, & 25
15. 26, 27, & 28
16. 29, 30, & 31
17. 32, 33, & 34
18. 35, 36, & 37
19. 38, 39, & 40
20. 41, 42, & 43
21. 44, 45, & 46
22. 47, 48, & 49
23. 50, 51, & 52

1. 15' RUIN & 15' THRU 22' ALONG WITH ALLEYS & ROADS VACATED
2. THE S 1/2 OF AND ALL OF LOTS 6 THRU 10
3. 1, 2, 3 & TRIANGULAR PORTION OF LOT 4
4. LESS TRIANGULAR PORTION, LOT 5 & LOT 6 LESS TRIANGULAR PORTION
5. 6 A TRIANGULAR PORTION OF & LOTS 7, 8, & 9
6. 10 & 11 & NORTH 295' OF LOT 12
7. 12 SOUTH 55' OF & LOTS 13 & 14
8. 15 THRU 15' AND SOUTH 110' OF LOT 12
9. 6 SOUTH 1/2 OF AND ALL LOTS 9 & 10
10. 11, 12, & 13
11. 14, 15, & 16
12. 17, 18, & 19
13. 20, 21, & 22
14. 23, 24, & 25
15. 26, 27, & 28
16. 29, 30, & 31
17. 32, 33, & 34
18. 35, 36, & 37
19. 38, 39, & 40
20. 41, 42, & 43
21. 44, 45, & 46
22. 47, 48, & 49
23. 50, 51, & 52

1. 15' RUIN & 15' THRU 22' ALONG WITH ALLEYS & ROADS VACATED
2. THE S 1/2 OF AND ALL OF LOTS 6 THRU 10
3. 1, 2, 3 & TRIANGULAR PORTION OF LOT 4
4. LESS TRIANGULAR PORTION, LOT 5 & LOT 6 LESS TRIANGULAR PORTION
5. 6 A TRIANGULAR PORTION OF & LOTS 7, 8, & 9
6. 10 & 11 & NORTH 295' OF LOT 12
7. 12 SOUTH 55' OF & LOTS 13 & 14
8. 15 THRU 15' AND SOUTH 110' OF LOT 12
9. 6 SOUTH 1/2 OF AND ALL LOTS 9 & 10
10. 11, 12, & 13
11. 14, 15, & 16
12. 17, 18, & 19
13. 20, 21, & 22
14. 23, 24, & 25
15. 26, 27, & 28
16. 29, 30, & 31
17. 32, 33, & 34
18. 35, 36, & 37
19. 38, 39, & 40
20. 41, 42, & 43
21. 44, 45, & 46
22. 47, 48, & 49
23. 50, 51, & 52

1. 15' RUIN & 15' THRU 22' ALONG WITH ALLEYS & ROADS VACATED
2. THE S 1/2 OF AND ALL OF LOTS 6 THRU 10
3. 1, 2, 3 & TRIANGULAR PORTION OF LOT 4
4. LESS TRIANGULAR PORTION, LOT 5 & LOT 6 LESS TRIANGULAR PORTION
5. 6 A TRIANGULAR PORTION OF & LOTS 7, 8, & 9
6. 10 & 11 & NORTH 295' OF LOT 12
7. 12 SOUTH 55' OF & LOTS 13 & 14
8. 15 THRU 15' AND SOUTH 110' OF LOT 12
9. 6 SOUTH 1/2 OF AND ALL LOTS 9 & 10
10. 11, 12, & 13
11. 14, 15, & 16
12. 17, 18, & 19
13. 20, 21, & 22
14. 23, 24, & 25
15. 26, 27, & 28
16. 29, 30, & 31
17. 32, 33, & 34
18. 35, 36, & 37
19. 38, 39, & 40
20. 41, 42, & 43
21. 44, 45, & 46
22. 47, 48, & 49
23. 50, 51, & 52

OWNERS AFFIDAVIT

STATE OF NEW MEXICO)
COUNTY OF VALENCIA) SS
CITY OF BELEN)

We,
I Estella F. Gallegos Horsburgh Estella F. Gallegos Horsburgh
(Please PRINT name in full)

being duly sworn, depose and say that (I am) ^{an} (we are) the owner(s) of property located at
318 N. 6th Street, Belen, NM, for which (I am) (we are)
(Address)

requesting a (Zone Change, Special Use Permit, Variance, Conditional Use, Annexation, Appeal, Replat, Lot Split, Etc.) Zone Change through the City of Belen. Furthermore, (I) (we) hereby appoint

Ignacio V. Gallegos of Santa Fe, NM as our agent to act in our
behalf on all matters pertaining to the processing of this application.

[Signature]
Signed
297 Conservation Dr.
Address
Weston, FL 33327
954-835-5592
Phone

Subscribed and sworn to before me this 26 day of May, 2016.

Notary [Signature]

My Commission Expires:
01/08/2018

 **Andres Gamara**
Notary Public
State of Florida
MY COMMISSION # FF 81830
Expires: January 8, 2018

OWNERS AFFIDAVIT

STATE OF NEW MEXICO)
COUNTY OF VALENCIA) SS
CITY OF BELEN)

We,
I Jose F. Gallegos JOSE F. Gallegos
(Please PRINT name in full)

being duly sworn, depose and say that (I am) (we are) the owner(s) of property located at
318 N. 6th Street, Belen, NM 87002, for which (I am) (we are)
(Address)

requesting a (Zone Change, Special Use Permit, Variance, Conditional Use, Annexation, Appeal, Replat, Lot Split, Etc.) Zone Change through the City of Belen. Furthermore, (I) (we) hereby appoint

Ignacio V. Gallegos of Santa Fe, NM as our agent to act in our behalf on all matters pertaining to the processing of this application.

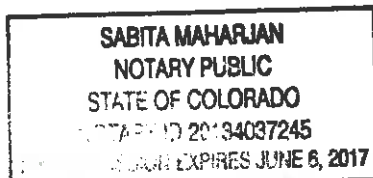
[Signature]
Signed
305 Park Ave # 310
Address
Denver, CO 80205
970-367-7636
Phone

Subscribed and sworn to before me this 27 day of May, 2016

[Signature]
Notary

My Commission Expires:
06/06/2017

State of Colorado County of Denver
Subscribed and sworn before me on 06/07/16
(Date)
[Signature]
(Notary Signature)



SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That FRANCISCO B. SANCHEZ [Principal] whose address is P.O. Box 57
EL RITO, NM 87530 hereby make(s), constitute(s) and appoint(s) Jose F. Gallegos Ponce de Leon or Ignacio V. Gallegos, my true and lawful Agent for me in my name, place and stead and for my use and benefit, as to the following described property situated in the County of Valencia, State of New Mexico:

[Legal Description] Lot Numbered Twenty-three (23) and Twenty-four (24) in Block Numbered Seventeen (17) of the Belen Townsite, to the Town of Belen, Valencia County, New Mexico, as the same is shown and designated on the Plat of said Townsite, filed in the Office of the County Clerk in Valencia County, New Mexico on the 26th day of July, 1969, also filed July 29, 1976 in Plat Cabinet C-4 Folio 50.

Known as: 318 N. 6th Street, Belen, NM 87002

To sell, exchange, grant and convey, contract for, purchase, sign seal, execute and deliver and acknowledge such deeds, covenants, indentures, agreements, mortgages, deeds of trust, receipts, evidence of debt, reconveyances, releases and satisfactions of judgments and other debts, and such other instruments in writing of whatever kind and nature, as may be necessary or proper to the above property; to accept the conveyance or beneficial interest thereof as community property with right of survivorship or as joint tenants with right of survivorship with any others, including my said Agent as one of the joint tenants. This power shall not be affected by disability of the principal. All acts done by my Agent pursuant to this power during any period of disability or incompetence or uncertainty as to whether I am dead or alive shall have the same effect and inure to the benefit of and bind me, my heirs, devisees and personal representatives as if I were alive, competent and not disabled.

GIVING AND GRANTING unto my said Agent, full power and authority to do and perform all and every act and deed whatsoever requisite, necessary or appropriate to be done in and about the premises as fully as to all intents and purposes as I might and could do if personally present, hereby ratifying all that my said Agent shall lawfully do or cause to be done by virtue of these presents.

WITNESS my hand this 12th day of November, 2010.

Francisco Sanchez
Principal

Patsy L. Chavez
Witness

NOTE: THE WITNESS MUST BE A PERSON OTHER THAN THE AGENT, THE NOTARY, THE AGENT'S SPOUSE, OR THE AGENT'S CHILDREN.

STATE OF New Mexico)
) ss
COUNTY OF Rio Arriba)



This instrument was acknowledged before me this
12th day of November, 2010
by Francisco Sanchez, Principal
and Daisy L. Chavez, Witness.

Signature Eliza Martinez
Notary Public

My Commission Expires: 9-11-13

SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That Anthony Moises Gallegos Ponce de Leon [Principal] whose address is 82 Bank St. Apt. 3, New York, NY 10014 hereby make(s), constitute(s) and appoint(s) Jose F. Gallegos Ponce de Leon or Ignacio V. Gallegos, my true and lawful Agent for me in my name, place and stead and for my use and benefit, as to the following described property situated in the County of Valencia, State of New Mexico:

[Legal Description] Lot Numbered Twenty-three (23) and Twenty-four (24) in Block Numbered Seventeen (17) of the Belen Townsite, to the Town of Belen, Valencia County, New Mexico, as the same is shown and designated on the Plat of said Townsite, filed in the Office of the County Clerk in Valencia County, New Mexico on the 26th day of July, 1969, also filed July 29, 1976 in Plat Cabinet C-4 Folio 50.

Known as: 318 N. 6th Street, Belen, NM 87002

To sell, exchange, grant and convey, contract for, purchase, sign seal, execute and deliver and acknowledge such deeds, covenants, indentures, agreements, mortgages, deeds of trust, receipts, evidence of debt, reconveyances, releases and satisfactions of judgments and other debts, and such other instruments in writing of whatever kind and nature, as may be necessary or proper to the above property; to accept the conveyance or beneficial interest thereof as community property with right of survivorship or as joint tenants with right of survivorship with any others, including my said Agent as one of the joint tenants. This power shall not be affected by disability of the principal. All acts done by my Agent pursuant to this power during any period of disability or incompetence or uncertainty as to whether I am dead or alive shall have the same effect and inure to the benefit of and bind me, my heirs, devisees and personal representatives as if I were alive, competent and not disabled.

GIVING AND GRANTING unto my said Agent, full power and authority to do and perform all and every act and deed whatsoever requisite, necessary or appropriate to be done in and about the premises as fully as to all intents and purposes as I might and could do if personally present, hereby ratifying all that my said Agent shall lawfully do or cause to be done by virtue of these presents.

WITNESS my hand this 20 day of October, 2010.

Anthony Moises Gallegos Ponce de Leon
Principal

Jose F. Gallegos Ponce de Leon
Witness

NOTE: THE WITNESS MUST BE A PERSON OTHER THAN THE AGENT, THE NOTARY,
THE AGENT'S SPOUSE, OR THE AGENT'S CHILDREN.

STATE OF NEW YORK)
) ss
COUNTY OF NEW YORK)

This instrument was acknowledged before me this
20th day of OCTOBER, 2010
by Anthony M. Gallegos Ponce de Leon, Principal
and [Signature], Witness.

Signature [Signature]
Notary Public
My Commission Expires: MAY 15, 2010

MANUEL FIGUERO
Notary Public, State of New York
No. 01FI646120
Qualified in New York County 14
Commission Expires May 15, 2014

OWNERS AFFIDAVIT

STATE OF NEW MEXICO)
COUNTY OF VALENCIA) SS
CITY OF BELEN)

We,
I Ignacio V. Gallegos
(Please PRINT name in full)

being duly sworn, depose and say that (I am) (we are) the owner(s) of property located at
318 N 6th Street, Belen, NM, for which (I am) (we are)
(Address)

requesting a (Zone Change, Special Use Permit, Variance, Conditional Use, Annexation, Appeal, Replat, Lot Split, Etc.)

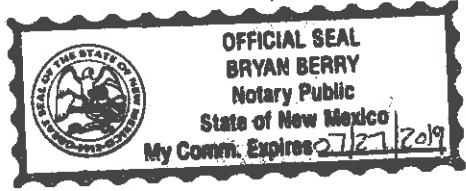
Zone Change through the City of Belen. Furthermore, (I) (we) hereby appoint
_____ of _____ as our agent to act in our
behalf on all matters pertaining to the processing of this application.

Ignacio V. Gallegos
Signed
1105 San Felipe Ave
Address
Santa Fe, NM 87505
505-459-4470
Phone

Subscribed and sworn to before me this 31st day of May, 2016.

Bryan Berry
Notary

My Commission Expires:
07/27/2019



**CITY OF BELEN
100 SOUTH MAIN STREET
BELEN, NM 87002
(505) 864-8221**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to the public and all parties of interest that the Belen Planning and Zoning Commission will conduct a public hearing to consider a **REQUEST TO AMEND THE ZONE MAP FROM R-1 TO C-1: IGNACIO GALLEGOS.**

LEGAL DESCRIPTION: Township 5 North, Range 2 East, Section 18, Map 100, Block 17, Lots 23 & 24, BTS Addition, aka 318 N Sixth St., Belen, NM, 87002.

You are further notified that this public hearing will be held on **Monday, June 27, 2016 at 6:30 PM**, in the Council Chambers at City Hall, 100 South Main Street, Belen, NM 87002. Any person having objections or wishing to be heard should make such protests to the Belen Planning and Zoning Commission at the above stated date and time. Comments should be mailed to the Belen Planning and Zoning Department at 100 South Main Street, Belen, NM 87002.

The Belen City Council will consider the recommendation of the Belen Planning & Zoning Commission and take action on the request to Amend the Zone Map at a public hearing which will be held on **Monday, July 18, 2016 at 6:00 P.M.**, in the Council Chambers at City Hall, 100 South Main Street, Belen NM 87002

LEGAL NOTICE PUBLISHED: June 9, 2016

WREINKENAVE

NSIXTHST

WCHAVEAVE

NFIFTHST

REQUEST FOR
ZONE CHANGE

600

600

600

319

321

323

324

324

324

324

324

324

510

309

315

319

321

323

Figure 4-1. BAMA Noise Contours With Land Use (Proposed Action)

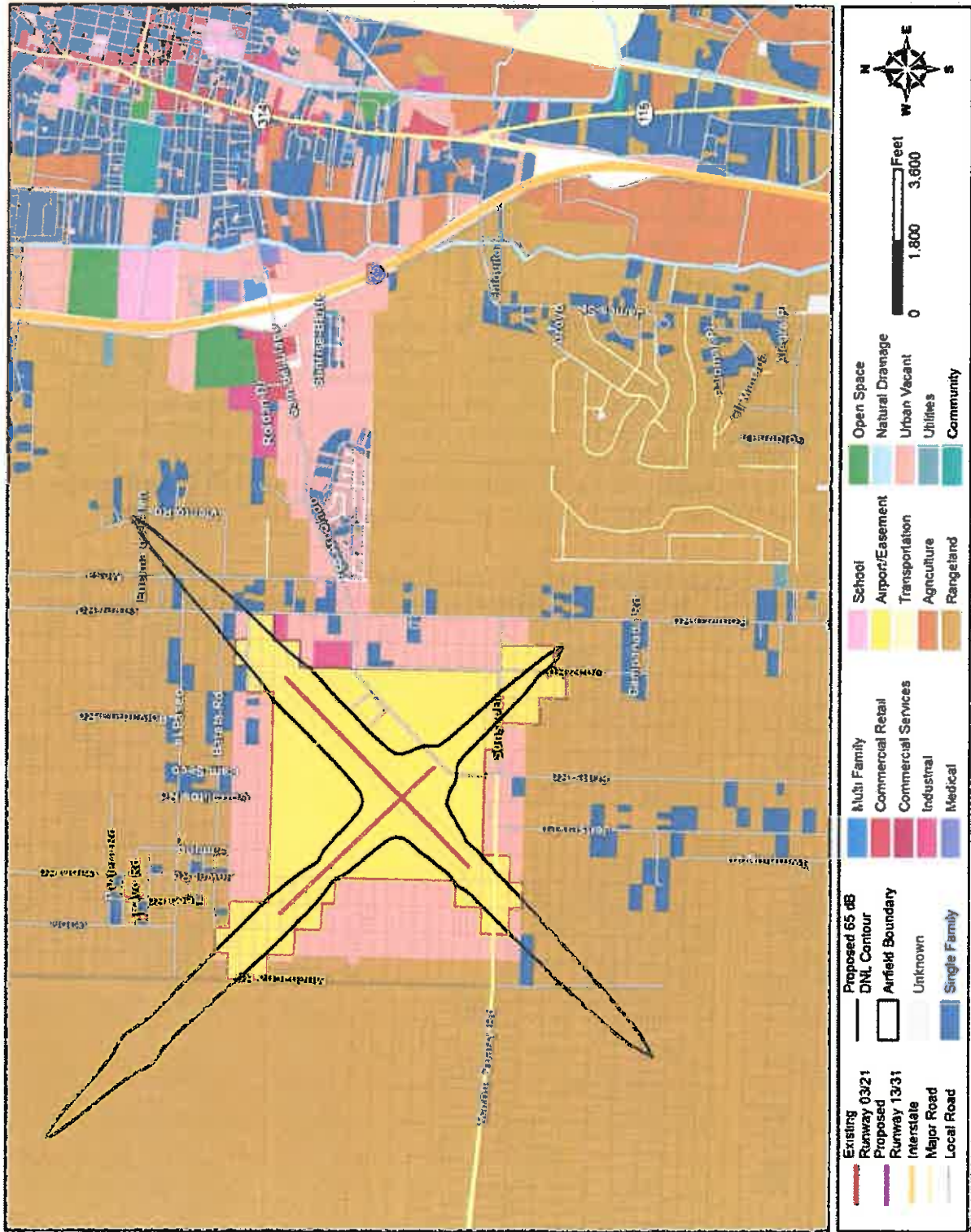
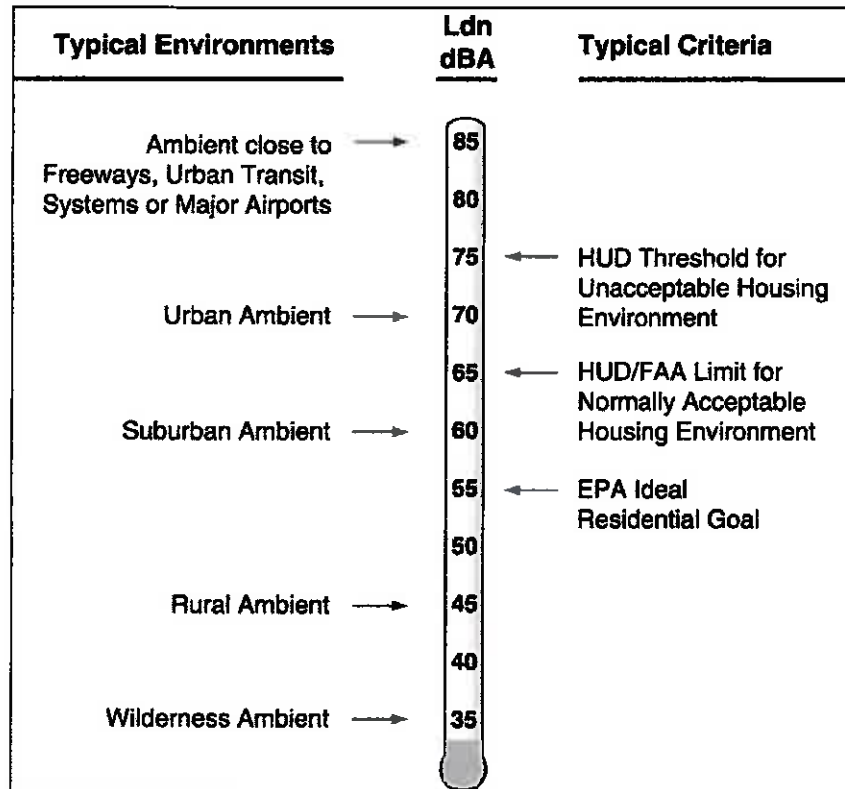


Figure 3-4. Typical L_{dn} Values and Criteria for Outdoor Environments



FAA Noise Policy

Because BAMA is under FAA jurisdiction and the FAA is a cooperating agency for this EA, determination of significant noise impacts follows FAA policy per FAA Order 1050.1E (FAA, 2006). The policy states that noise-sensitive receptors within the DNL 65 dB noise contour exposed to 1.5 dB or greater increase constitute a significant impact. Areas outside the DNL 65 dB noise contour are not considered for significance determination.

Affected Environment

The noise environment at BAMA primarily consists of noise created from aircraft operations. Other sources of noise include vehicle noise, routine operation of equipment and machinery (e.g., generators, heating, and air equipment). The effects associated with the presence of noise at an airport are typically examined in light of their effects on land-use compatibility and human health and safety.

The area considered for a noise assessment is primarily the installation itself and areas extending quietness is a basis for use such as a residence, hospital, church, or park. At BAMA, there are an isolated approximately 5 to 10 miles into the surrounding jurisdictions. For BAMA the jurisdictions would be the City of Belen and Valencia County.

Noise-Sensitive Receptors

A noise-sensitive receptor is commonly defined as the occupants of any facility or area where a state of housing area located approximately 1.5 mile southeast of the project area and another isolated housing area located approximately 1 mile northwest that are considered noise-sensitive receptors.

Section 8.00.080 General Sound Level Standards

No person shall create any sound, or allow the creation of any sound, on any property that causes the exterior sound level on any other occupied property to exceed the sound level standards set forth in Tables S-1 and S-2.

NORMAL ACTIVITY EXAMPLE TABLE

DECIBAL LEVEL (dBA)	ACTIVITY
140	Gun Shots, Fireworks
130	Jackhammers, Ambulance
120	Jet Planes Taking Off
110	Concerts, Car Horns
100	Snowmobiles
90	Power Tools
80	Alarm Clocks
70	Traffic, Vacuum Cleaners
60	Normal Conversation
50	Moderate Rainfall
40	Quite Library
30	Whisper
20	Leaves Rustling
10	Breathing

Table S-1

CITY OF BELEN LAND USE/NOISE STANDARD

PROPERTY RECEIVING NOISE			MAXIMUM NOISE LEVEL (dBA)
Type of Use	Land Use Description	Zone	Exterior – At Property Line
Residential	Single Family	R-1	65
	Single Family Mixed	R-1A	65
	Multifamily	R-2	65
	High Density	R-2A	70
	Small Lot	R-3	65
	Medium Density	R-4	65/70
Commercial	Commercial-Residential	C-R	70
	General	C-1	70
	Mixed Use	C-2	70
Manufacturing	Manufacturing/Commercial	M-C	75
	Industrial And Business Park	M-1	75
Special Use	Residential	SU-1	65
	Commercial	SU-1 (C)	70
	Airport	SU-1 (A)	70
Overlays	Becker Street	BSO	65
	Main St.	MSO	70
Other	Agricultural/Residential	A-R	65
	Open Space		65/70