

RUDY JARAMILLO
MAYOR
MARY LUCY BACA
CITY MANAGER



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

WAYNE GALLEGOS
CITY COUNCILOR
JERAH R. CORDOVA
MAYOR PRO-TEM
AUDREY TORRES
CITY COUNCILOR
DAVID CARTER
CITY COUNCILOR

**CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
SEPTEMBER 30, 2013**

Chairman Rod Storey called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:40 p.m.

Roll call being taken is as follows:

PRESENT: Chairman Rod Storey
Commissioner Gordon Reeves
Commissioner Max Cordova
Commissioner Tom Greer

ABSENT: Commissioner Steven Fitzgerald

CITY STAFF: Lisa Miller, Zoning Enforcement Specialist
Steven Tomita, Planning & Zoning Director

OTHERS: John & Lenora Wyly-Variance Request

APPROVAL OF AGENDA:

Commissioner Max Cordova moved to approve the Agenda as corrected.

Commissioner Tom Greer seconded the motion

Motion carried.

APPROVE OF MINUTES:

The Minutes of August 26, 2013 were reviewed.

Commissioner Max Cordova moved to approve the Minutes of August 26, 2013.

Commissioner Gordon Reeves seconded the motion.

Motion carried.

ACTION ITEMS

- A. REQUEST FOR A VARIANCE ON FENCE HEIGHT RESTRICTIONS:
JOHN & LENORA WYLY. LEGAL DESCRIPTION:** Township 5 North,
Range 2 East, Section 18, BTS Addition, Block 25, Lots 19 & 20. AKA 114
Becker Ave, Belen NM.

Mr. John Wyly presented the request to the Commissioners. He wants to replace the chain link existing fence with a solid fence of 10 ft. high. This is for privacy & security being where the property is located.

Chairman Rod Storey asked if he has had any break ins during the time he has been working on the restoration.

Mr. Wyly said that have not and they have been lucky. The building is almost complete enough to start with the business that they plan on having there.

Commissioner Tom Greer asked if this area would be used as part of the business for entertaining and other functions.

Mr. Wyly said that it would.

Commissioner Max Cordova asked if it was just one wall.

Mr. Wyly said that it would be two. There is one on the East side of the building along Second St. and one on the North side of the building along the alley.

Commissioner Tom Greer said that security on the back side of the building has always been an issue. It is easy access to the back of the building; it is shielded from the street unless you are on the alley and the chain link fence has been broken into.

Chairman Rod Storey asked what the fence would be made of.

Mr. Wyly said that it would be block and would have a decorative veneer to go along with the design of the existing building.

Chairman Rod Storey asked if he was asking for a ten foot height variance.

Mr. Wyly said yes.

Commissioner Max Cordova asked is it would be engineered.

Mr. Wyly said that it would. The footings would be substantial due to the fact that there would be a garden with fountains, etc.

Commissioner Max Cordova asked about the gate that was on the drawings that were provided.

Mr. Wyly said that there would be a gate on the fence on the north side of the building.

Commissioner Max Cordova asked if it would be large enough that a fire truck would be able to enter.

Mr. Wyly said that it would be a sixteen foot gate. It would also be used for the delivery trucks that would be coming. This gate would be made of iron.

Commissioner Rod Storey asked if it would be a solid gate.

Mr. Wyly said that it would be see through.

Commissioner Gordon Reeves asked if the variance was needed to get the building permit.

Mr. Wyly said that it was so that he could begin to get the designs done and then get the building permit. He wanted the approval before he went to the expense of hiring an engineer for the plans.

Steven Tomita said that he has been contact by Donald and Judy Chicago and they had no objection to the fence or the height.

Lisa Miller said that Frances Glidewell has also contacted the Manager and she has not objection to it also. None of the others that were notified contacted Planning & Zoning.

Chairman Rod Storey asked if this was directly against Second St. on the west side and what type of impact would it have on the line of site and on the clear site in the alley that comes out onto Second St.

Mr. Wyly said the fence wall would be in line with the building.

Commissioner Gordon Reeves said that he went by there and drove in the alley. There was plenty of site view when you reach the entrance to Second St. You could see any traffic coming South on Second St. or going North on Second St.

Chairman Rod Storey asked what the distance was from the curb to the proposed fence.

Mr. Wyly said that it is approximately 6 feet.

Ms. Wyly said that as you come out of the alley you have the width of the sidewalk and the driveway before you enter onto Second St. You have plenty of clear site.

Commissioner Tom Greer said that the setback of this wall is the same as the building. The building has never been an obstruction so the fence should not.

Steven Tomita said that is would be the same as the fence across the street. He brought in an areal view of the area and the Commission went over the proposed fence placement and the surrounding area.

Ms. Wyly informed the Commission that she has spoken with Frances Glidewell concerning the building next to theirs and Ms Glidewell has said that the structure has some problems. The building has structural problems in the back and might have to be taken down. She asked if this happened would they have to come before the Planning & Zoning Commission to place a fence on that side of their property or would the Variance, if granted, would also stand for that side.

Chairman Rod Storey said that the Variance, if granted would be for just the requested area and if they were to place a fence along that side they would have to come back for that section. The concerns of the Commission are typically what going on behind the fence, is there going to be access if there was a fire, or if the Police needed access to the back of the building, site clearance issues, etc.

Commissioner Max Cordova said that if entertainment was going on back there that the height of the fence and the type of fence would be a plus for the neighborhood. It would create a sound barrier.

Commissioner Tom Greer moved to approve the request for a variance on the fence height restrictions by allowing a ten foot fence on the South side and North side of this area with the stipulations that an engineered drawing be done, and an access key be supplied to the fire department, the police department, etc. in case it is needed.

Commissioner Gordon Reeves seconded the motion.

Vote was as follows.

Commissioner Tom Greer	Yes
Commissioner Max Cordova	Yes
Commissioner Gordon Reeves	Yes

OPEN COMMENTS/REQUESTS

Chairman Rod Storey asked if Lisa has been able to find anything on the Mural Ordinance.

Steven Tomita said that they have not been able to find anything.

Commissioner Tom Greer said that the Main Street group has talked about doing something new since no one can find any trace of what was done already. They have some architectural people in the group now and they are looking to do something so it was suggested that they work on this.

Chairman Rod Storey asked the Commission if they had received the letter on the re-organization of the Commissions and Committees the City has. He also had concerns that items were pulled off the agenda.

They had received the letter.

Steven Tomita informed the Commission that the Sound Ordinance was pulled off because the Mayor felt that if any changes were done and Commissioners changed that it was better that it be postponed until the Commissions were in place. There are going to be a lot of meetings, public hearings, etc. and it was felt that this should be done after in case that there were changes.

Lisa Miller informed the Commission that the re-addressing has be going very well. Many of the ones that have been corrected have been in the system and has not affected the people. The State is now implementing the next phase of the program by including the addressing and not just the roads. The Commission was told that the maps where coming along and that she has been able to re-build the maps up to 89% accuracy. She explained that this was up due to the fact that all of her maps were basically lost when the network drive that they were on crashed and she lost almost all of the corrections, etc. that she had done to have it at 94%. The State has changed the percentage also and is going to require it to be 98% accurate. She informed the Commission that DOT will be starting the project along the 1-25 Bypass by replacing lights, adding lights, etc.

Steven Tomita informed the Commission that the City has contracted with Bixby, He Believes, to maintain the lights.

Commissioner Tom Greer informed the Commission that all the lighting at the Rail Runner station is repaired and working now. He asked if Adelante had been contacted concerning the Bargain Center building and what they plan on doing to either repair it or have it torn down.

Steven Tomita said that they have spoken to the City in the hopes that the City would sponsor them for a grant under CDBG and they would come up with the matching funds.

Lisa Miller said that the lights on South Main St. have also been repaired. They were repaired by the County. She informed the Commission that one of the homes on Dillon and Twelfth St., which was damaged by fire, is now down.

The Commission asked that a list of homes/buildings that need to come down be provided at the next Commission meeting.

Commissioner Max Cordova asked about the Acosta home.

Steven Tomita said that the City does not know what to do. The City is debating whether to have it taken down but the State does not want that because it is a historic home so the City is at a dilemma as to what to do with it. He also informed the Commission that Lisa has sent out over 60 notices to owners on the Vacant/Foreclosed Registration Ordinance with a Registration form to fill out.

Lisa Miller informed the Commission that she has received about 15 forms back so far. There have been at least 10 Violations on this, due to the fact that they were notified with the original mail out and did not respond.

ADJOURNMENT

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

Commissioner Gordon Reeves seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:10 pm.

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Tom Greer, Chairman

ATTEST:

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Steven P. Tomita, Planning and Zoning Director