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**MINUTES OF A REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
JANUARY 8, 2008**

23 The Planning & Zoning Commission of the Town of Bernalillo met in Regular Session
24 within the laws and rules of the Town on January 8, 2008 at 6:30 pm.

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Commissioner Debbie Kilfoy, Chairman

Applicants / Members of Public Signed In:

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|-----------------------|-----------------------|-------------------|
| David Matthews | Anita Martinez | Marlene Kline |
| Robert Valencia | Brannon Porch | Gilbert Lucero |
| Janet Stauffer | Monica & Jeff Tenorio | Frances L. Valdez |
| Yvette Arnold | Anita Rocha | Rob Arnold |
| Tyrone & Maria Carter | Helen A. Shelburn | Pati Barber |
| Genevieve Archuleta | Alice & John Bailey | James Pike |

The Planning & Zoning Director (Kelly Moe), and Others, were also present but not signed in.

1. CALL TO ORDER

Chairman Kilfoy called the meeting to order at 6:30 pm, and led those attending in a recitation of the Pledge of Allegiance.

2. ROLL CALL

| | |
|-------------------------------|-------------|
| Commissioner Debbie Kilfoy | Present |
| Commissioner Teresa Young | Present |
| Commissioner Hazel Dameron | Not Present |
| Commissioner Tom Wilson | Present |
| Commissioner Georgina Chavez | Present |
| Commissioner Cipriano Montoya | Present |
| Commissioner Robert Satriana | Present |

A quorum was present.

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4 **3. APPROVAL OF AGENDA**
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6 The Chairman asked if all Commissioners had reviewed the Agenda, and asked if
7 there were any changes to propose: Addition to Discussion Items, schedule a
8 work session for commissioners and staff to review new TOD Plan and
9 Ordinances.

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11 Chairman Kilfoy entertained a motion to approve the Agenda as amended.
12 Commissioner Chavez so moved. Commissioner Young seconded the motion.
13 All voted aye. The motion was carried.
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16 **4. APPROVAL OF MINUTES**
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18 The Minutes for December 4, 2007 were submitted for approval. Chairman
19 Kilfoy called for corrections. Corrections proposed: Page 6, line 4. Misspelling:
20 “Meting” should be “Meeting”.
21

22 The Chairman entertained a motion to approve the minutes of December 4, 2007
23 as amended. Commissioner Dameron so moved. Commissioner Montoya
24 seconded the motion. All voted aye. The motion was carried.
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27 **5. REPORTS**
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29 a) **Next Meeting**

30 Mr. Moe informed the Commission that their next regular meeting was scheduled
31 for February 5, 2008 all Commissioners voiced their assent.
32

33 **6. ACTION ITEMS**
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36 a) **Variance– Setback requirements-Carport – (Francisco Uvina):** Applicant requests approval
37 of a Variance from Setback Requirements, Carport, for the property located at 305 La
38 Corrida.
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40 The Chairman introduced the item to the Commission, and asked the applicant to
41 present his request. Mr. Uvina described the nature of the variance for the
42 carport. The carport had already been started and Libie Gonzales, the town’s code
43 enforcement officer noticed the owner did not have the required permits. He told
44 the owner they needed to obtain the proper permitting from town hall and
45 Planning and Zoning. A brief general discussion by the Commission ensued.
46 Some of the Commission’s main concerns were the access to the property and

1 whether the carport would be enclosed. The applicant informed them that the
2 property had access to road on both sides of the property and that the carport
3 would not be enclosed.
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5 The Chairman entertained a motion. Commissioner Montoya motioned to
6 approve. Commissioner Wilson seconded the motion. All voted aye. The motion
7 was carried.
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11 b) **Final Plat – 106 Lot Subdivision– Corazon Del Bosque (Madden Development, Richard**
12 **Costales-Tim Flynn O'Brien, agent):** Applicant request approval of a Summary Plat for
13 Corazon Del Bosque, 106 Lot Subdivision, Portion of Lot One and the East Half of the
14 Northeast Quarter of Section 36 T13N R3E and the Lot Ten of Section 31.
15

16 The Chairman introduced the item to the Commission, and asked the applicant to
17 present his request. Mr. Flynn O'Brien, the applicant's agent, presented their
18 request for Final Plat approval. He explained that the Final Plat being proposed
19 was in conformance with the requirements of Preliminary Plat approval, as well
20 as all changes made to accommodate the commission and community's concerns,
21 had been taken care of. He addressed the issue of the pending litigation regarding
22 the access to the site as well as noting there was an additional access created. A
23 general discussion by the Commission ensued. The main concern was: not letting
24 this decision be delayed any longer, the pending litigation, and the repercussions
25 of their decision.
26

27 The Chairman entertained a motion. Commissioner Chavez motioned to approve.
28 Commissioner Montoya seconded the motion. A roll call vote was taken. Three votes,
29 aye. Two votes, nay. The motion was carried.
30

- 31 c) **Amendment to the Zoning Ordinance – Zone Change, from R-R (Rural Residential) to**
32 **C-1 (Commercial), (Gary Johnson/Randall Allensworth-Richard Costales, agent):** Applicant
33 request approval of an Amendment to the Zoning Ordinance, Zone Change for the property
34 located at Tract D, Damiano Square 1.
35

36 The Chairman introduced the item to the Commission, and asked the applicant to
37 present their request. Mr. Costales, the applicant's agent, requested a Zone
38 Change for his client's property. The Zone change will allow office space. He
39 showed a rough draft site plan. He explained that the plan was in conformance
40 with the new TOD Plan the town adopted. A general discussion by the
41 Commission ensued. Some of the main concerns were: access to the utilities,
42 currently there is only access through the ditch in an easement that the Middle Rio
43 Grande Conservancy District granted. They asked that the applicant provide
44 documentation of that. The other concern was how infrastructure would be
45 improved with only the one access. The applicant agreed to provide a site
46 development plan to answer all the concerns of the Commission.
47

1 The Chairman entertained a motion. Commissioner Chavez motioned to Table the item
2 until the next meeting. Commissioner Montoya seconded the motion. All voted aye.
3 The motion to table item until the next meeting was carried.
4
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- 6 d) **Amendment to the Zoning Ordinance – Zone Change, from R-1A (Single Family**
7 **Residential) to R-2 (Multi-Family Residential) (Olive Drab, LLC-David Soule, agent):**
8 Applicant request approval of an Amendment to the Zoning Ordinance, Zone Change for Lots
9 1, 2, & 3, Lands of Antonio C’De Baca and Tract 11 & West Portion of Tract 78.
10

11 The Chairman introduced the item to the Commission, and asked the applicant to
12 present their request. Mr. Soule, the applicant’s agent, requested approval of an
13 Amendment to the Zoning Ordinance, Zone Change. A brief general discussion
14 by the Commission ensued. The Commission main concern was: the access into
15 the site currently there is only one access from US550 to Station St. then to the
16 property. The agent assured them the road would be wide enough to meet
17 standards and that as other properties developed more access would be created
18 and used. The commission was concerned that there wasn’t sufficient drainage
19 ponds for the residential area. The agent explained that each town home would
20 have its own drainage pond as well as a lager one for the whole subdivision and
21 that according to drainage studies that should be sufficient.
22

23 The Chairman entertained a motion. Commissioner Chavez motioned to Table the
24 item until the next meeting, to have a better understanding of the development.
25 Commissioner Young seconded the motion. All voted aye. The motion to table
26 until the next meeting was carried.
27

- 28 e) **Amendment to the Zoning Ordinance–Zone Change, From R-1A (Single Family**
29 **Residential) to R-2 (Multi-Family Residential) (Plaza Miranda Rental Prop.-Richard**
30 **Costales, agent):** Applicant request approval of an Amendment to the Zoning Ordinance,
31 Zone Change, for the property located at the SE Corner of Melissa Rd. and Athena Ave.
32

33 The Chairman introduced the item to the Commission, and asked the applicant to
34 present their request. Mr. Costales and Mr. Matthews, the applicant’s agent and
35 attorney, briefly described the applicant’s request. They presented drawings and
36 tried to answer some of the concerns they heard from the public. A brief general
37 discussion by the Commission ensued. Several people form the community
38 voiced their concerns, some of those being: The lack of sufficient infrastructure
39 (water, sewer, lighting, drainage/storm water); the density of the proposed
40 apartments, although the density met requirements described in the newly adopted
41 TOD Plan, the community felt it was too high; the design and height of the
42 proposed units, the Commission along with the community felt the design might
43 be out of place in that particular neighborhood, and although there are no
44 laws/ordinances protecting views, they felt the units were too high and would
45 obstruct views; the community felt there was already a high volume of traffic and
46 that an apartment complex would only add to that problem, they reminded the

1 applicant and the commission that there are only two outlets to that neighborhood
2 and both are becoming increasingly hard to use. The commission was also
3 concerned with the streets and corners within the complex and the set up of units.

4 The Chairman entertained a motion. Commissioner Wilson motioned to deny
5 recommendation to Town Council. Commissioner Young seconded the motion. A
6 roll call vote was taken, Commissioner Montoya-aye, Commissioner Young-aye,
7 Commissioner Chavez-abstain, Commissioner Wilson-nay, and Commissioner
8 Satriana-aye. The motion to Deny was carried by a 4 vote's aye.

9

10 f) **Conditional Use Permit–Apartments in R-2 (Multi-Family Residential) Zone** (Plaza
11 **Miranda Rental Prop.-Richard Costales, agent**): Applicant request approval of a Conditional
12 Use Permit for the property located at the SE Corner of Melissa Rd. and Athena Ave.
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15 **SEE ITEM E FOR DETAILS**

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20 **7. DISCUSSION ITEMS**

21 The Commission would like to hold a workshop on Tuesday, January 22, 2008 at 6:30pm
22 to review the newly Adopted TOD Plan.
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25 **8. ADJOURNMENT**

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27 The Chairman entertained a motion to adjourn. All voted aye. Motion carried and
meeting adjourned at 9:05pm.