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3 **MINUTES OF A REGULAR MEETING**
4 **OF THE PLANNING & ZONING COMMISSION**
5 **OF THE TOWN OF BERNALILLO**
6 **HELD AT THE TOWN HALL**
7 **FEBRUARY 3, 2009**
8

9 The Planning & Zoning Commission of the Town of Bernalillo met in Regular Session
10 within the laws and rules of the Town on February 3, 2009 at 6:30 pm.
11

12 Commissioner Debbie Kilfoy, Chairman
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15 **Applicants / Members of Public Signed In:**
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17 Elen-Melinda Peterson	Mike Maloney	Paul Trujillo
18 Tom Ashe	Mary Jo Maloney	Ronnie Gutierrez
19 Frankie Bustamante	Margaret Geller	Orin Safier
20 Theresa Otero-Bustamante	Frances Norriega	Martin Martinez
21 Ron Bohannon	Steve Amiot	Victoria Marinez
22 James Pike	Harriet Watkins	George Valdez
23 Mary Kwapich	Tom Watkins	

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25 The Planning & Zoning Assistant (Margaret V. Navarrette), and Others, were also
26 present but not signed in.
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29 **1. CALL TO ORDER**
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31 Chairman Kilfoy called the meeting to order at 6:30 pm, and led those attending
32 in a recitation of the Pledge of Allegiance.
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35 **2. ROLL CALL**
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37 Commissioner Debbie Kilfoy	Present
38 Commissioner Tom Wilson	Present
39 Commissioner Georgina Chavez	Present
40 Commissioner Cipriano Montoya	Present
41 Commissioner Robert Satriana	Present
42 Commissioner Rita Last	Present
43 Commissioner Christopher Hyer	Present

44 A quorum was present.
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5 **3. APPROVAL OF AGENDA**
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7 The Chairman asked if all Commissioners had reviewed the Agenda, and asked if
8 there were any changes to propose. Commissioner Kilfoy asked that we remove
9 Restaurant from Item C as it did not pertain to the applicant's request.
10 Commissioner Chavez asked that we add to the discussion items.

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12 The Chairman entertained a motion to approve the Agenda as amended.
13 Commissioner Montoya so moved. Commissioner Chavez seconded the motion.
14 All voted aye. The motion was carried.
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17 **4. APPROVAL OF MINUTES**
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19 The Minutes for November 11, 2008 were submitted for approval. The
20 Chairman called for corrections. Proposed corrections were: page 2, line 26
21 remove "table" from sentence and change "approving" to approve. Page 4, line 20
22 should read "The new owner of lot 97 was informed that his lot would be a few
23 feet smaller than originally expected,"
24

25 The Chairman entertained a motion to approve the minutes of December 2, 2008
26 as amended. Commissioner Chavez so moved. Commissioner Satriana seconded
27 the motion. All voted aye. The motion to approve with changes was carried.
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30 **5. REPORTS**
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32 a) **Next Meeting**

33 Mrs. Navarrette informed the Commission that their next regular meeting was
34 scheduled for March 3, 2009 all Commissioners voiced their assent.

35 b) **Introduction of New Commissioners**

36 Mrs. Navarrette introduce and welcomed the newly appointed Commissioners,
37 Rita Last and Christopher Hyer Each will be serving two year terms.

38 b) **Introduction of New Commissioners**

39 Commissioner Kilfoy was re-nominated for Chair, Commissioner Montoya made
40 the motion and Commissioner Chavez seconded the motion, all voted aye and the motion
41 was carried. Commissioner Chavez was nominated for co-chair, Commissioner Montoya
42 made the motion and Commissioner Satriana seconded the motion, all voted aye and the
43 motion was carried.

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6. ACTION ITEMS

- a) **Conditional Use Permit – Home Based Business- Janitorial Services (Frances Noriega):** Applicant requests approval of a Conditional Use Permit for a Home Based Business, Janitorial Services at Lot 6, Block 3, Sandia Vista Subdivision, a.k.a. 543 Coronado Drive.

The Chairman introduced the item to the Commission, and asked the applicant to present her request. The applicant briefly described the nature of her business: She currently cleans and maintains offices in Albuquerque for larger companies. She stores all her materials and chemicals at that location. A brief general discussion by the Commission ensued. Commissioners were concerned with storage of materials and traffic at the applicant’s home. She assured them everything would be done and stored offsite. A neighbor expressed concern that this would change the zoning designation of the neighborhood. The commission explained that is was a special permit granted only for her and her business and that the zoning would not be changed.

The Chairman entertained a motion. Commissioner Wilson motioned to approve the request. Commissioner Montoya seconded the motion. All voted aye. The Motion to approve was carried.

- b) **Conditional Use Permit –Home Based Business- Internet Wholesale Company (Frankie Bustamante)** Applicant requests approval of a Conditional Use Permit for a Home Based Business, Internet Wholesale Company at Lot 68, The Orchards, Unit 1, a.k.a. 1290 La Fonda.

The Chairman introduced the item to the Commission, and asked the applicant to present his request. The applicant briefly described the nature of his request: he wanted to operate an online wholesale company. He would purchase goods from an online site then sell them to others via the internet. Products and customers would never be shipped to the home and there would be no signs or other evidence of the business. A brief general discussion by the Commission ensued. Some of the concerns of the Commission were that the Home Owner’s Association was also in agreement of this request. They would like some form of documentation of their agreement. No one from the public wished to comment on this item.

The Chairman entertained a motion. Commissioner Chavez motioned to approve with the following conditions: *1) the applicant must provide a letter from Home Owner’s Association to Town staff before any permits/Liscenses will be issued.* Commissioner Last seconded the motion. All voted aye. The motion to approve was carried.

- c) **Variance – Setback/Height Requirements-Fence/Wall (Ronnie Gutierrez):** Applicant requests approval of a Variance from Setback/Height requirements for a Fence/Wall Restaurant at Lot 1-A, Perea Land Division, a.k.a 1350 Gutierrez Road.

1 The Chairman introduced the item to the Commission, and asked the applicant to
2 present their request. Mr. Gutierrez briefly described the nature of his request. He
3 was requesting a Variance for a fence that he constructed on his property. As
4 constructed it did not meet the requirements of the Town's Ordinance with
5 regards to height and setback location. He also began construction on the
6 fence/wall prior to being issued a building license and any inspections by the
7 Town's Buildign Offical. A brief general discussion by the Commission ensued.
8 Some of the concerns were that the fence/wall had been constructed prior to any
9 permits being issued and that its location might affect any traffic in that area. The
10 applicant assured the commission that all neighbors had consented to the location
11 and consistence of the fence/wall and it would not create any hazards to traffic.
12 No one from the public wished to comment on this item.

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14 The Chairman entertained a motion. Commissioner Wilson motioned to approve.
15 Commissioner Last seconded the motion. All voted aye. The motion to approve
16 was carried.

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18 d) **Final Plat – Bosque Bluff- 19 Lot Residential Subdivision** (Sagebrush Properties-Tierra
19 West, LLC, agent): Applicant requests approval of Final Plat for a 19 lot residential
20 subdivision of Tracts A, B, C & D, Lands of Wilma Salisbury.

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22 The Chairman introduced the item to the Commission, and asked the applicant to
23 present their request. Mr. Bohannon, the applicant's agent, briefly described the
24 nature of their request. They had come before the commission in April of 2008
25 and been approved Preliminary plat approval. They have since met all the
26 requirements for Final Plat as well as Final approval from the Town's engineer.
27 A brief general discussion by the Commission ensued. There were no issues to
28 address.

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30 The Chairman entertained a motion. Commissioner Wilson motioned to approve.
31 Commissioner Chavez seconded the motion. All voted aye. The motion to
32 approve was carried.

33 34 7. DISCUSSION ITEMS

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36 a) **Pre-Application Review for Annexation and Initial Zoning: Petroglyph Trails-Zone Change to SU**
37 **with Master Plan** (Trails Investors, LLC-Thomas Ashe, agent)- The applicant requests a Pre-Application
38 Review of an Annexation and Intial Zoning for "Petroglyph Trails", a proposed development consisting
39 of 7 Multi-family lots, 21 Commercial Retail/Office/Light Industrial or Manufacturing Lots in the
40 Placitas area.

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42 Discussion items were presented and a general discussion by the commission
43 ensued.

44 45 8. ADJOURNMENT

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47 The Chairman entertained a motion to adjourn. All voted aye. Motion carried and
48 meeting adjourned at 8:02 pm.