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**MINUTES OF A REGULAR MEETING  
OF THE PLANNING & ZONING COMMISSION  
OF THE TOWN OF BERNALILLO  
HELD AT THE TOWN HALL  
February 2, 2016**

The Planning & Zoning Commission of the Town of Bernalillo met in regular session within the laws and rules of the Town on February 2, 2016 at 6:30pm.

**Applicants / Members of Public Signed In**

<b>Richard Costales</b>	<b>Adrian Hooper</b>	<b>Miguel Martinez</b>
<b>Anna Desa</b>	<b>Gabriela Gonzales</b>	<b>Tim Cousens</b>
<b>Eric Edwards</b>		

\*Others were present

**Staff Present**

Ms. Janet Cunningham-Stephens, Planning and Zoning Director  
Ms. Alana Lovato, Administrative Assistant  
Mr. Andrew Edmondson, Public Works Director

**Call to Order**

Chairperson Duran called the meeting to order at 6:30pm, and led those attending in the Pledge of Allegiance.

**Roll Call**

Chairperson Juanita M. Duran	Present
Commissioner Mary Rose Abousleman	Present
Commissioner Sandra Candelario	Present
Commissioner James Hooper	Present
Commissioner Joseph Rinaldi	Absent
Commissioner Raul Montano	Present
Commissioner Lynn Steiger	Present

**A quorum was present**

**Approval of Agenda**

Chairperson Duran entertained a motion to approve the agenda. Commissioner Hooper motioned to withdraw Item B with the request from the applicant and tabling Item C to the March 8, 2016 meeting. Commissioner Steiger seconded the motion. All commissioners voted aye.

**Motion Carried**

**Approval of Minutes**

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54 Chairperson Duran entertained a motion to approve the minutes of January 5, 2016.  
55 Commissioner Montano motioned to approve the minutes of January 5, 2016 with the  
56 following corrections:

- 57 • *Line 156 - Commissioner Montano seconded the motion.*
- 58 • *Line 166 – Changing “Ms. Zack Snyder” to “Mr. Zack Snyder”.*
- 59 • *Line 175 – Rephrase to “Mr. Andy Edmondson, Public Works Director, addressed the*  
60 *estimated time frame regarding, all of the planned NMDOT upgrades may be completed*  
61 *by 2022”.*
- 62 • *Line 266 – Capitalize “P” in Planning and Zoning Department.*

63 Commissioner Steiger seconded the motion. All Commissioners voted aye.

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66 **Motion Carried**

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69 **Swearing in of Witnesses**

70 All present witnesses were sworn in by Chairperson Duran.

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74 **Public Hearing**

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77 a) **PrePlat 16-001 Preliminary Plat: Applicant – Madden Development, represented by Richard**  
78 **Costales (Agent).**

79 Request for approval of a Preliminary Plat of a portion of Corazon del Bosque Subdivision to be  
80 known as Estates at Corazon del Bosque, creating forty-one (41) lots and four (4) tracts and  
81 granting public and private easements, being a subdivision of existing Lots 1 through 12 of Block  
82 3 and existing Lots 1 through 13 of Block 4 of Corazon del Bosque Subdivision, Town of  
83 Bernalillo, Sandoval County, New Mexico, containing 13.5 acres, and zoned R-1 (Single-Family  
84 Residential

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86 Chairperson Duran introduced the item to the Commission, and asked the applicant to present the  
87 request. Mr. Richard Costales, representing Madden Development and the Tenorio Family,  
88 respectfully requests approval of the Subdivision and is in agreement with the recommendations  
89 and conditions set by staff. A general discussion by the Commission ensued.

90 Chairperson Duran re-stated from a previous meeting that the cul-de-sac at the end of Sheriff’s  
91 Posse Road will be addressed and it will be designed and constructed satisfactory to the Town of  
92 Bernalillo. Mr. Costales stated that the cul-de-sac will be addressed with the Casitas Development,  
93 which is north of Corazon del Bosque Subdivision.

94 Ms. Janet Cunningham-Stephens, Planning and Zoning Director, stated she and Mr. Andy  
95 Edmondson, Public Works Director, have discussed all the conditions of approval. All conditions  
96 must be met before Mr. Costales can proceed. Mr. Andy Edmondson strongly stated the  
97 importance of all conditions to be met, due to the fact that some conditions are still open from the  
98 Phase 1 project, also so that the development is built and constructed to the best benefit of the  
99 Town. A general discussion by the Commission continued.

100 There was one public comment made by Adrian Hooper, a resident of the Del Webb at Alegria,  
101 regarding the cost of lots/homes and the location of the Casitas Development. No further  
102 comments were made.

104 Chairperson Duran called for a motion, Commissioner Abousleman made a motion to approve the  
105 Preliminary Plat for the portion of the Corazon del Bosque presented with the following  
106 conditions:

- 107 1. The intersection at Venada Plaza Road and Sheriff's Posse Road must be  
108 designed and constructed to the satisfaction of the Town Engineer.
- 109 2. All easements, must be clearly identified on the plat regarding purpose, size, use,  
110 maintenance, and ownership.
- 111 3. The water budget must be updated and water rights transferred to the Town as  
112 appropriate, prior to construction.
- 113 4. A copy of the updated Conditions, Covenants, and Restrictions (CC&Rs) must be  
114 provided to the Town for review and concurrence.
- 115 5. An updated grading and drainage plan must be provided that addresses the  
116 impact of the increased density of lots.
- 117 6. The Stormwater Management Plan must be updated and provided to the Town  
118 for review and approval.
- 119 7. A schedule of development is required for Corazon del Bosque – Estates.
- 120 8. An estimated engineering construction cost schedule, and fees must be submitted  
121 to the Town prior to construction/building permit application.
- 122 9. The Town must be apprised of FEMA's decision regarding the pending Letter of  
123 Map Revision. This decision will affect the floodplain designated of the  
124 development and required action.
- 125 10. All application, procedural requirements, and design standards of the  
126 Subdivision Regulations must be met.

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128 Commissioner Steiger seconded the motion. All Commissioners voted aye

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130 **Motion Carried – Item Approved with Conditions.**

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133 b) **SumP 16-002 Summary Plat: Applicant – Norm Lazar, represented by Harris Surveying Inc.**  
134 **(Agent).**

135 Request for approval of a Summary Plat, for the purpose of re-aligning the lot line between Tracts  
136 2 and 3 and granting easements, situate within the Valle Grande Center, Sections 29, 31 and 32,  
137 Township 13 North, Range 4 East, New Mexico Principal Meridian (NMPM), Town of Bernalillo,  
138 Sandoval County, New Mexico, zoned C-1 (Retail Commercial).

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140 **Motion Carried – Item Withdrawn by Applicant**

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142 c) **SumP 16-003 Summary Plat: Applicant – Jose Alvarez C' de Baca, represented by Alpha**  
143 **Pro Surveying LLC (Agent).**

144 Request for approval of a Summary Plat, dividing Tract 27B, MRGCD Map 10, into Lots A and B,  
145 and granting a private ingress/egress easement, within the Felipe Gutierrez Grant, Projected  
146 Section 32, Township 13 North, Range 4 East, New Mexico Principal Meridian, Town of  
147 Bernalillo, Sandoval County, New Mexico, containing a total of 5.6802 acres more or less, at 420  
148 S Camino del Pueblo, zoned R-R (Rural Residential).

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150 **Motion Carried – Item Tabled (Applicant's Request)**

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153 d) **CUP 16-004 Conditional Use Permit: Applicant – Miguel Martinez.**

154 Request for approval of a Conditional Use Permit for a Church at 811 S. Camino del Pueblo: Legal  
155 description – Map 10, Tract 57B, Town of Bernalillo, Sandoval County, New Mexico, zoned C-1  
156 Retail Commercial Zone.

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Chairperson Duran introduced the item to the Commission, and asked the applicant to present the request. Mr. Miguel Martinez, Pastor of the Hispanic Church in Bernalillo, respectfully requests approval of a Conditional Use Permit for the use of a Church at 811 S. Camino del Pueblo. Pastor Martinez stated that he has spoken to the owner regarding parking. Adequate parking is available on the side/behind the building and parking lot lines will be re-marked. Pastor Martinez also stated there are about 20 members and meetings will be held on Friday nights and on Sunday mornings at 10:30 a.m. A general discussion by the Commission ensued.

Ms. Janet Cunningham-Stephens, Planning and Zoning Director, stated per discussion with Maria Rinaldi, Community Development Director, regarding a driveway entrance permit from NMDOT that during the Mainstreet Project, the driveway entrance for 811 S. Camino del Pueblo was part of the project and was re-permitted. No public comments.

Chairperson Duran called for a motion. Commissioner Montano made a motion to approve the Conditional Use Permit for the purpose of holding regular worship services with following conditions:

1. **Signage for the church must comply with the Mainstreet Overlay District Design Guidelines as well as the Comprehensive Zoning Ordinance, Section 16, and will require the approval of a separate application.**
2. **An approved Conditional Use Permit shall become void one (1) year after the date of approval if the rights and privileges granted thereby have not been utilized. (Comprehensive Zoning Ordinance, Section 20.B.4.c.)**
3. **An approved Conditional Use Permit shall become void if, after the use has begun, it ceases on the approved site for a continuous period of one (1) year or more. (Comprehensive Zoning Ordinance, Section 20.B.4.d)**
4. **The driveway permit will be adjusted as needed.**

Commissioner Steiger seconded the motion. All Commissioners voted aye

**Motion Carried – Item Approved with Conditions.**

**e) CUP 16-005 Conditional Use Permit: Applicant – Gabriela Gonzalez on behalf of Filiberto’s of Bernalillo Mexican Food LLC.**

Request for approval of a Conditional Use Permit for an Eating and Drinking Establishment (restaurant with drive-through) at 218 W. US Highway 550, Town of Bernalillo, Sandoval County, New Mexico, zoned C- 1 Retail Commercial Zone.

Chairperson Duran introduced the item to the Commission, and asked the applicant to present their request. Ms. Anna Desa and Ms. Gabriela Gonzales respectfully request approval of a Conditional Use Permit for a Mexican Food restaurant at 218 W. US Highway 550. A general discussion ensued.

Ms. Gonzales stated that the building will be not be renovated and drive-thru service will be in operation. Ms. Desa and Ms. Gonzales both stated that there was no changes to the free standing signage. No public comment.

Chairperson Duran called for a motion, Commissioner Abousleman made a motion to approve the Conditional Use Permit with the following conditions:

1. **The building/use must meet all fire code requirements as determined by fire code officials.**

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2. **Trash pickup and other service needs must be accessible to service providers.**
  3. **Utility services (water, sewer, electricity, and gas service) must be operational prior to opening the restaurant.**
  4. **A copy of the updated/approved NMDOT driveway permit must be provided for the file prior to beginning operations.**
  5. **An application for signage must be submitted separately for administrative approval unless a variance is required.**
  6. **All state health department approvals must be obtained before the restaurant is opened for business.**
  7. **The business license from the Town of Bernalillo must be obtained prior to opening for business.**

222 Commissioner Candelario seconded the motion. All Commissioners voted aye.

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224 **Motion Carried – Item Approved with Conditions.**

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227 **f) VAR 16-002 Variance: Applicant – Tim Cousens (ApexNetwork Physical Therapy),**  
228 **represented by SignArt of New Mexico Inc. (Agent).**

229 Request for approval of a Variance to the square footage of signage allowed within the S-U  
230 Special Use Zone, located at 140 E. US Highway 550, Bernalillo Market Place, Town of  
231 Bernalillo, Sandoval County, New Mexico.

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233 Chairperson Duran introduced the item to the Commission, and asked the applicant to present their  
234 request. Mr. Tim Cousens, owner of ApexNetwork Physical Therapy, respectfully requests  
235 approval of a Variance for a signage at 140 E. US Highway 550, near Walgreens and Curves. A  
236 general discussion ensued. No public comments.

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238 Chairperson Duran called for a motion, Commissioner Steiger made a motion to approval the  
239 Variance as presented. Commissioner Hooper seconded the motion. All Commissioners voted aye.

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241 **Motion Carried – Item Approved**

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243 **Commission Business**

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245 a) Department Updates:

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- A Laserfiche upgrade will be installed on department computers on February 10th. Laserfiche allows staff to search records electronically. One computer in the department currently has access to the program: all the computers will have access following the installation of the upgrade.

253 b) Project/ Work Update:

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- Applebee's has requested images of activities in Bernalillo including parades, etc.
  - What-A-Burger complied with the condition to purchase water rights and transfer them to the Town of Bernalillo prior to opening for business.

260 c) General Discussion

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- Joe Benney, Building Inspector, took the final exam for the designation of Building Official in late January.

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- d) Home-based Business Report:  
*January* –
  - Norma A. Trujillo, Jammin’ Jamerz Hotshot Services, 332 Mary Hill Road, zoning R-1A, delivery and paperwork.
- e) Next Meeting: Regular Meeting – **March 8, 2016**

**ADJOURNMENT**

Chairperson Duran introduced a motion to adjourn. Commissioner Hooper made the motion to adjourn with a second by Commissioner Montano. All Commissioners voted aye.

**Meeting was adjourned at 7:13p.m.**