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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 13, 2018**

The Planning & Zoning Commission of the Town of Bernalillo met in regular session within the laws and rules of the Town on February 13, 2018 at 6:30pm.

**Call to Order**

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

Upon Roll call the following members were found present:

**PRESENT:**

Chairperson Juanita M. Duran  
Commissioner Joseph O. Quintana  
Commissioner Mary Rose Abousleman  
Commissioner James Hooper  
Commissioner Joseph Moreno  
Commissioner Sandra Candelario  
Commissioner Raul Montano

**ALSO PRESENT:**

Dan Mowery  
Ronnie Lucero  
Jaenette M Castro-Bueliva  
Jay Parks  
Janet Cunningham-Stephens, Planning and Zoning Director  
Alana Lovato, Admin. Assist. / GIS Technician  
Mike Kloepfel, Director of Econ. & Community Development

**A quorum was present**

**APPROVAL OF AGENDA: 3a)**

Commissioner Hooper motioned to approve the agenda as presented. The motion was seconded by Commissioner Montano and carried unanimously.

**Motion Carried**

**APPROVAL OF MINUTES: 4a)**

Commissioner Quintana made a motion to approve the minutes of January 16, 2018. Commissioner Candelario seconded the motion and carried unanimously.

**Motion Carried**

**SWEARING IN OF WITNESSESS: 5a)**

All present witnesses were sworn in by Chairperson Duran.

47 **PUBLIC HEARING: 6a) VAR 18-001 VARIANCE: Applicant – Jay Parks dba I-25 RV**  
48 **Boat Storage, represented by Electrical Products Co. (EPNM, Inc.) (Agent).**

49 Request for approval of a Variance to “Sign Type C - Business Signs”, to increase the size of the  
50 proposed pole-mounted sign, located at 268 S. Hill Road, legally described as the Easterly portion of  
51 Parcel 2 Lands of Liberman-Grevey, within the Town of Bernalillo, Section 32, Township 13 North,  
52 Range 4 East, New Mexico Principal Meridian, Sandoval County, New Mexico, zoned C-1 (Retail  
53 Commercial), and containing a total of 11.29 acres.  
54

55 Mr. Curtis Mott and Mr. Jay Parks, respectfully request approval of a Variance to signage dimensions.  
56 They are requesting 100 square feet, which is 60% more than the Town’s requirement. Since the property  
57 of the business is located below grade of the Interstate, the proposed request is what will be suitable for  
58 the business. The property is surrounded by billboards to the north and south, which also make it harder  
59 to see any type of signage.

60 There will be four (4) different components to the sign and are all with different square footage. The I-25  
61 component measures out to 30 square feet, RV-Boat-Storage component is 35 square feet, time & date  
62 component is 9.23 square feet, and the business phone number is 24 square feet. The applicant feels that  
63 the time and date component is necessary and convenient for commuters to view if they are traveling on  
64 Interstate-25. The height of the pole is 30 feet. The location of the signage is on the east side of the  
65 property. The sign will be illuminated internally.  
66

67 The Commission proposed to modify the applicant’s request making the I-25 component measure to 30  
68 square feet, RV-Boat-Storage to 35 square feet, business phone number to 20 square feet and eliminating  
69 the time & date component to 20 square feet. The applicant agreed to the suggested proposal by the  
70 Commission.  
71

72 There was a public comment made by Dan Mowery, a nearby resident, who stated that he is in support of  
73 the time & date component and signage square feet as proposed by the applicant. Mr. Mowery stated that  
74 the time & date component will be useful to commuters coming from all directions.  
75

76 Ms. Janet Cunningham-Stephens, Planning and Zoning Director, stated that at this time there are no other  
77 requests for signage by the applicant. However, there may be requests in the future for South Hill Road.  
78

79 Commissioner Quintana made a motion to approve VAR 18-001, a request by Jay Parks dba I-25 RV Boat  
80 Storage, represented by Electrical Products Co. (EPNM, Inc.) (Agent), for approval of a Variance to “Sign Type  
81 C - Business Signs”, to increase the size of the proposed pole-mounted sign, located at 268 S. Hill Road, zoned  
82 C-1 (Retail Commercial), and containing a total of 11.29 acres, be approved, subject to the following  
83 conditions:

- 84 ***1. An applicant for a sign permit must be submitted and approved and fees paid prior to***  
85 ***the installation of the new sign.***  
86

87 Commissioner Quintana also made a motion to not modify the applicant’s request.  
88

89 The motion was seconded by Commissioner Candelario. The Commission proceeded with a poll vote:

90 Chairperson Juanita M. Duran NO  
91 Commissioner Joseph O. Quintana YES  
92 Commissioner Mary Rose Abousleman NO  
93 Commissioner James Hooper NO  
94 Commissioner Joseph Moreno NO  
95 Commissioner Sandra Candelario YES  
96 Commissioner Raul Montano NO  
97

98 Commissioner Abousleman stated that the concern is not the dimensions of the sign but the height. There  
99 are also residential homes located to the west of the property.  
100 Commissioner Hooper made a second motion to change the square footage of the I-25 component to  
101 measure 30 square feet, RV-Boat-Storage to 30 square feet, business phone number to 20 square feet,  
102 eliminating the time & date component and 24 feet in height.

103  
104 Mr. Parks stated that he needs the height of the sign to be taller because it will be visible for  
105 advertisement from the Interstate.

106  
107 Commissioner Hooper withdraws his motion.

108  
109 Commissioner Quintana made a third motion to change the height to 30 feet, the I-25 component to  
110 measure 30 square feet, RV-Boat-Storage to 30 square feet, business phone number to 24 square feet and  
111 eliminating the time & date component.

112  
113 The motion was seconded by Commissioner Candelario. Commissioner Abousleman and Commissioner  
114 Moreno voted No.

115  
116 **Motion Carried – Item Approved with Conditions.**

117  
118  
119 **CUP 18-001 CONDITIONAL USE PERMIT: Applicant – Lesley Picchione.**

120 Request for approval of a Conditional Use Permit for a licensed home daycare for approximately five (5)  
121 children, ages 0-12 years old, at the following location: 1235 La Fonda Street, with a Legal Description  
122 of The Orchards Subdivision 1, Lot 91, Town of Bernalillo, Sandoval County, New Mexico, zoned R-1  
123 (Single-Family Residential) and containing approximately 0.101 acres.

124  
125 Mr. and Mrs. Picchione, respectfully request approval to change from a CYFD registered daycare  
126 provider to a licensed in-home daycare. There will be up to 5 children averaging from the ages 0-12.  
127 Hours of operation are 7 day a week Monday through Friday 5:00am to 7:00pm and weekends are 24  
128 hours. Weekend hours are because of one parent working a graveyard shift at the hospital.

129  
130 Mr. Brian Picchione stated that they have spoken with the HOA and they have no issues with the daycare.  
131 The neighbors are aware of the daycare and also have no issues. The applicant stated that they will work  
132 on getting documentation from the HOA to have on file.

133  
134 The daycare is currently in operation, their request is only to add one more child to the program. Mr.  
135 Picchione stated that there are no parking issues and parking is no longer than 10 minutes. They will also  
136 have fire inspections done by the Fire Chief. There were no public comments.

137  
138 Commissioner Abousleman made a motion to approve CUP 18-001, a request by Leslie Picchione, for  
139 approval of a Conditional Use Permit for a licensed home daycare for approximately five (5) children,  
140 ages 0-12 years old, at the following location: 1235 La Fonda Street, with a Legal Description of The  
141 Orchards Subdivision 1, Lot 91, Town of Bernalillo, Sandoval County, New Mexico, zoned R-1 (Single-  
142 Family Residential) and containing approximately 0.101 acres., subject to the following conditions:

- 143 *1. The daycare must meet all fire/safety code requirements as determined by fire code*  
144 *officials.*  
145 *2. A copy of the CYFD authorization must be provided for the file.*  
146 *3. A current business license from the Town of Bernalillo is required.*  
147 *4. A copy of the HOA approval is needed for the file.*

148  
149 The motion was seconded by Commissioner Hooper and carried unanimously.

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

151  
152 **PUBLIC HEARING: 7c) VAR 18-002 CONDITIONAL USE PERMIT: Applicant – Ronnie**  
153 **Lucero dba Avenida Autoworx**

154 Request for approval of a Conditional Use Permit for the purpose of operating an automotive repair shop  
155 specializing in diagnostic troubleshooting, to be located at 287 E. Avenida Bernalillo, legally described as  
156 Tract 1A1A Lorenzo Rael Estates, Section 5, Township 12 North, Range 4 East, New Mexico Principal  
157 Meridian, Town of Bernalillo, Sandoval County, New Mexico, zoned C-1 (Retail Commercial) and  
158 situated on approximately 0.242 acres.

159  
160 Mr. Ronnie Lucero respectfully requests approval of a Conditional Use Permit to operate an automotive  
161 shop to diagnose vehicles and to also provide interlocks to surrounding communities. He has a Lifesaver  
162 contract which allows him to install and service interlocks. Currently there is no other local interlock  
163 provider in the area and strongly feels he is a good asset to the community. His interlock service is a rate  
164 of \$75.00. Mr. Lucero stated that he had operated a shop in Las Vegas, NM as well, where he had about  
165 120 clients.

166 There is adequate parking in the front of the shop and signs stating no parking zones located by his  
167 driveway. There will also be pre-appointments made so that no one will be parked for storage, just for the  
168 day of service.

169 Hazardous waste will be disposed of properly. Mr. Lucero has cleaned up waste left by tenants. There  
170 were no public comments.

171  
172 Commissioner Quintana made a motion to approve CUP 18-002, a request by Ronnie Lucero dba  
173 Avenida Autoworx, for approval of a Conditional Use Permit for the purpose of operating an automotive  
174 repair shop specializing in diagnostic troubleshooting, to be located at 287 E. Avenida Bernalillo, legally  
175 described as Tract 1A1A Lorenzo Rael Estates, Section 5, Township 12 North, Range 4 East, New  
176 Mexico Principal Meridian, Town of Bernalillo, Sandoval County, New Mexico, zoned C-1 (Retail  
177 Commercial) and situated on approximately 0.242 acres, subject to the following conditions:

- 178 *1. A business registration application must be submitted and approved by the Town prior*  
179 *to beginning operations.*
- 180 *2. If the structure is to be renovated, building plans must be reviewed by the Planning and*  
181 *Zoning Department and approved prior to beginning any construction.*
- 182 *3. If signs identifying the business will be installed, a permit must be approved by the*  
183 *Town of Bernalillo and fees paid prior to installation.*
- 184 *4. Environmental hazards including, but not limited to, coolant, refrigerant, oil, and other*  
185 *chemical must be disposed of properly as per local, state and federal regulations.*
- 186 *5. Vehicles must be parked on-site, within property boundaries.*
- 187 *6. If an updated driveway permit is required by the NMDOT, a copy of the revised*  
188 *approved permit must be provided for the file.*

189  
190 The motion was seconded by Commissioner Moreno and carried unanimously.

191  
192 **Motion Carried – Item Approved with Conditions.**

193  
194 **COMMISSION BUSINESS: 7a) Department Updates:**

- 195 1. Staff are continuing to respond to verbal, walk-in and electronic complaints.
- 196 2. Suzanne Hathon, Code Compliance Officer, attended floodplain training in Albuquerque  
197 the week of February 5th-9th.

198  
199  
200 **COMMISSION BUSINESS: 7b) Project/Work Update:**

- 201 1. Sandia RV and Storage is continuing to make progress and may be ready to open in April.

- 202 2. MCT Bldg #6 may be ready for occupancy late March or early April.  
203 3. Mister Car Wash construction is nearing completion and the business is targeting mid-late  
204 February for opening.  
205

206 **COMMISSION BUSINESS: 8c) General Discussion:**

- 207 1. The Planning and Zoning Department issued seventeen (17) permits for the following:  
208 replacing windows, a residential addition, solar system installations, construction of a  
209 guest house, new construction (residential) and re-roofing jobs between January 1, 2018  
210 and January 31, 2018 for total fees of **\$8,467.11**.  
211 2. Code Compliance: **January 2018:** The Code Compliance Officer made 42 inspections of  
212 properties including 3 re-inspections, closed 13 cases, boarded up 1 structure, removed 10  
213 signs, opened 16 new cases, received 7 responses to certified letters regarding violations,  
214 and took 3 cases to court.  
215

216 **COMMISSION BUSINESS: 7d) Home-based Business Report:**

217 Home-based Business Report:  
218 **January -none**  
219

220 **COMMISSION BUSINESS: 7e) Next Meeting:**

221 Regular Meeting – **March 13, 2018 (2<sup>nd</sup> Tuesday of the Month)**  
222

223 **ADJOURNMENT: 8a)**

224 There being no further business, Commissioner Hooper made the motion to adjourn the meeting at 7:30  
225 *P.M.* The motion was seconded by Commissioner Montano and carried unanimously.  
226