

1  
2  
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 **NOVEMBER 11, 2008**  
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 November 11, 2008 at 6:30 pm.  
11

12 Commissioner Debbie Kilfoy, Chairman  
13  
14

15 **Applicants / Members of Public Signed In:**  
16

17 Ronald Bohannon	Matthew Calabaza	Jim Strozier
18 John Niski	Carole Levitt	Steve Amiot
19 Chuck Gara	Mark Rosch	
20 James Pike	Marci Fabrici	
21 Craig McKinley	Wayne Ullery	
22 Robert Demule	Nancy Ullery	
23 Margaret Geller	John Koller	

24

25 The Planning & Zoning Director (Kelly Moe), and Others, were also present but  
26 not signed in.  
27  
28

29 **1. CALL TO ORDER**  
30

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.  
33  
34

35 **2. ROLL CALL**  
36

37 Commissioner Debbie Kilfoy	Present
38 Commissioner Teresa Young	Present
39 Commissioner Hazel Dameron	Not Present
40 Commissioner Tom Wilson	Present
41 Commissioner Georgina Chavez	Not Present
42 Commissioner Cipriano Montoya	Present
43 Commissioner Robert Satriana	Present

44

45 A quorum was present.  
46  
47

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**3. APPROVAL OF AGENDA**

The Chairman asked if all Commissioners had reviewed the Agenda, and asked if there were any changes to propose. Mr. Moe informed the commission that Item G had been removed from the agenda at the applicant's request. Chairwoman Kilfoy asked that we add a discussion item to the end of the meeting.

The Chairman entertained a motion to approve the Agenda as amended. Commissioner Young so moved. Commissioner Wilson seconded the motion. All voted aye. The motion was carried.

**4. APPROVAL OF MINUTES**

The Minutes for August 5, 2008 were submitted for approval. The Chairman called for corrections. Proposed corrections were:

The Chairman entertained a motion to table approving the minutes of August 5, 2008 as amended. Commissioner Montoya so moved. Commissioner Wilson seconded the motion. All voted aye. The motion to approve with changes was carried.

The Minutes for September 2, 2008 were submitted for approval. The Chairman called for corrections. Proposed corrections were:

The Chairman entertained a motion to table approving the minutes of September 2, 2008 as amended. Commissioner Wilson so moved. Commissioner Young seconded the motion. All voted aye. The motion to approve with changes was carried.

**5. REPORTS**

a) **Next Meeting**

Mr. Moe informed the Commission that their next regular meeting was scheduled for December 2, 2008 all Commissioners voiced their assent.

**6. ACTION ITEMS**

- 1 a) **Conditional Use Permit – Home Based Business-Home Office (Matthew Calabaza):**  
2 Applicant requests approval of a Conditional Use Permit for Home Base Business, Home  
3 Office, at the property located at 983 Sawmill Road.

4  
5 The Chairman introduced the item to the Commission, and asked the applicant to  
6 present their request. The applicant briefly described the nature of his business:  
7 Mr. Calabaza explained that he was a contractor for a magazine distribution  
8 company. He would offer the magazine to local business for purchase or display;  
9 as a result he would then receive commission for the amount of magazines  
10 ordered/sold. His part of the business, paperwork/online ordering, would be done  
11 from his home. There would be no traffic or customers at his residence, traffic  
12 would not be an issue. A brief general discussion by the Commission ensued. No  
13 one from the public wished to comment on this item.

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

- 18  
19 b) **Conditional Use Permit – Home Based Business- Home Office (Martha Fabrici):**  
20 Applicant requests approval of a Conditional Use Permit for a Home Based Business, Home  
21 Office, at the property located at 201 Calle Valle Serrano.

22  
23 The Chairman introduced the item to the Commission, and asked the applicant to  
24 present their request. Commissioner Kilfoy was the applicant's neighbor and  
25 wished to recuse herself. Ms. Fabrici briefly described the nature of her request.  
26 She will be developing cooking recipes in her home. She will then sell those  
27 recipes to the local public. She plans to eventually create a website for the sale of  
28 her recipes. There will be no customers at her residence; traffic would not be an  
29 issue. A brief general discussion by the Commission ensued. No one from the  
30 public wished to comment on this item.

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

- 35  
36 c) **Conditional Use Permit – Business in an M-1 Zone- Off-Site New Home Construction**  
37 **(RMS Capital, LLC-Tierra West, LLC, agent):** Applicant requests approval of a Conditional  
38 Use Permit for a Business in an M-1 Zone, at the property located at Lots 6A, 7A-1 and 7A-2,  
39 Tierra Montana Business Park.

40  
41 The Chairman introduced the item to the Commission, and asked the applicant to  
42 present their request. The applicant's agent briefly described the nature of their  
43 request. They are requesting a CUP for their off-site home construction site. All  
44 business in an M-1 Zone requires a CUP. They would be manufacturing 2-3  
45 homes a month. The home will be built at their business site then transported to  
46 the buyers' property and attached to a permanent foundation. They acknowledged  
47 that S. Hill road had existing traffic problems, but were aware of the Town's  
48 upcoming project to fix all those issues. The applicant's had a meeting with  
49 community members/neighbors and all were in favor of the company moving in.

1 A brief general discussion by the Commission ensued. Some of the issues with the  
2 site were: drainage and parking. Both issues would be handled or fixed with  
3 minor improvements to the site that the applicant had planned.  
4

5 The Chairman entertained a motion. Commissioner Wilson motioned to approve.  
6 Commissioner Montoya seconded the motion. All voted aye. The motion to  
7 approve was carried.  
8

- 9 d) **Variance – Setback/Subdivision Requirements- (Fence/Wall) (Mark Rosch & Carole**  
10 **Levitt):** Applicant requests a Variance from Setback/Subdivision Requirements for a  
11 Fence/Wall at the property located at 1028 Cristanos Drive.  
12

13 The Chairman introduced the item to the Commission, and asked the applicant to  
14 present their request. Mr. Rosch briefly described the nature of their request. They  
15 recently purchased the vacant lot adjacent to their existing home and wished to  
16 fence/wall it in and place the wall/fence further back than the ordinance for  
17 setbacks permits. They purchased the lot to build a home for their elderly parents  
18 sometime in the near future. Until they are able/ready to build, they would like to  
19 enclose the property for security reasons as well as to preserve the look of the  
20 neighborhood. They have designed the opening in the fence/wall large enough to  
21 accommodate any construction/ maintenance vehicles through the building  
22 process, so the wall will remain even after a home is built on the site. The reason  
23 for the setback variance was to align the proposed wall/fence with existing  
24 subdivision property separators (brick walls). A brief general discussion by the  
25 Commission ensued. Some of the concerns from the Commission were: that if the  
26 wall is approved based on the conceptual drawing submitted that the actual  
27 construction be as similar to the drawing as possible; and since there was also a  
28 request for a setback variance the extra open space should be landscaped to match  
29 the general landscaping of the subdivision and that pilasters be added to the wall  
30 to make it more architecturally appealing. No one from the public wished to  
31 comment on this item.  
32  
33

34 The Chairman entertained a motion. Commissioner Wilson motioned to approve  
35 with the following conditions: 1) the wall must be designed to reflect the  
36 conceptual drawing submitted, 2) the un-enclosed property be landscaped with  
37 pilasters. Commissioner Young seconded the motion. All voted aye. The motion  
38 to approve was carried.  
39

- 40 e) **Summary Plat – Re-Plat, Lots A & B, La Plazuela (Sandoval County-Huitt-Zollars Inc.,**  
41 **agent):** Applicant requests approval of a Summary Plat, Re-Plat, Lots A & B, La Plazuela.  
42

43 The Chairman introduced the item to the Commission, and asked the applicant to  
44 present their request. A representative from Huitt-Zollars, Inc. briefly described  
45 the nature of their request. They wished to submit a plat that has recently been  
46 updated; some of the lots and open space parcels had been re-platted in order to  
47 accommodate a larger re-worked public right of way. This was a plat for the  
48 existing Sandoval County health commons, judicial building and possibly future

1 office or living space. A brief general discussion by the Commission ensued.  
2 Some of the concerns from the Commission were: the design of the right of way  
3 might be confusing to the drivers using it and they were concerned that the plat  
4 showed lots that were supposed to be removed. The lots should have been left off  
5 the plat. No one from the public wished to comment on this item.  
6  
7

8 The Chairman entertained a motion. Commissioner Young motioned to approve.  
9 Commissioner Wilson seconded the motion. All voted aye. The motion to  
10 approve was carried.  
11

- 12 f) **Preliminary Plat – Tracts 9B and 10A, MRGCD Map 10, Lands of Jeanene Gross**  
13 **(Jeanene Gross-Consensus Planning/Surv-Tek, agent):** Applicant requests approval of a  
14 Preliminary Plat for a Tracts 9Band 10A, MRGCD Map 10, Lands of Jeanene Gross.  
15

16 The Chairman introduced the item to the Commission, and asked the applicant to  
17 present their request. A representative for Mrs. Gross briefly described the nature  
18 of their request. The explained that they were there to re-plat two tracts into  
19 several lots, the reason for this was to rectify a situation that was created in the  
20 past. The tracts currently had business and other buildings that were built upon the  
21 two tracts, a non conformance of the Town’s ordinance. They wished to create  
22 legal lots for the existing buildings/businesses as well as to allow for future  
23 growth. The conceptual plan that was submitted along with the plat shows what  
24 the site’s potential for businesses could be. All parking and roadways for the  
25 development as well as others abutting the site had been configured into this  
26 conceptual plan. Also pedestrian walk ways and connectivity with commuter  
27 trains and buses was configured in. A brief general discussion by the  
28 Commission ensued. Some of the concerns from the Commission were: the uses  
29 of the buildings and the amount of buildings in the development were thought to  
30 be too many. They were reminded that the plan was just conceptual. No one from  
31 the public wished to comment on this item.  
32

33 The Chairman entertained a motion. Commissioner Wilson motioned to approve.  
34 Commissioner Montoya seconded the motion. All voted aye. The motion to  
35 approve was carried.  
36

- 37 g) **Final Plat – 14 Lot & 2 Parcel Commercial Subdivision, Venada Plaza (south) (Argus**  
38 **Development-Tierra West, agent):** Applicant requests approval of a Final Plat for a 14 Lot & 2  
39 Parcel Commercial Subdivision, Venada Plaza (south).  
40

41 The Chairman introduced the item to the Commission, and asked the applicant to  
42 present their request. The applicant’s agent briefly described the nature of their  
43 request. They were requesting final plat approval for a large commercial  
44 development. They had previously obtained SU zoning for a mixed used  
45 development and preliminary plat approval. The reason for the platting is in order  
46 to have separate lease/sales for the business in the development. The platting  
47 would also create a public road that would connect down to old Sheriff’s Posse  
48 Road and allow for better connectivity in the area as well as fire and police

1 emergency access to site previously un-accessible. A brief general discussion by  
2 the Commission ensued. No one from the public wished to comment on this item.

3

4 The Chairman entertained a motion. Commissioner Montoya motioned to  
5 approve. Commissioner Wilson seconded the motion. All voted aye. The motion  
6 to approve was carried.

7

8

**7. DISCUSSION ITEMS**

9

10

11

12

13

**8. ADJOURNMENT**

14

15

The Chairman entertained a motion to adjourn. All voted aye. Motion carried and  
meeting adjourned at 8:45 pm.