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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 **DECEMBER 1, 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 December 1, 2009 at 6:30 pm.

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12 Commissioner Georgina Chavez, Vice Chairman  
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14 **Applicants / Members of Public Signed In:**  
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16 Larry Medrano  
17 Ross Howard  
18 James Pike  
19 David Sparks  
20 Johnny Garcia  
21 Frances Garcia  
22 JD. Garcia  
23 Alexis Garcia  
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27 Mr. Moe - the Planning & Zoning Director, Tawny Mortensen – the Planning &  
28 Zoning Assistant, and Others were also present but not signed in, or their  
29 signatures were not legible.  
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32 **1. CALL TO ORDER**  
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34 Vice Chairman Chavez called the meeting to order at approx. 6:30 pm, and led  
35 those attending in a recitation of the Pledge of Allegiance.  
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38 **2. ROLL CALL**  
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40 Commissioner Debbie Kilfoy	Not Present
41 Commissioner Tom Wilson	Present
42 Commissioner Georgina Chavez	Present
43 Commissioner Cipriano Montoya	Present
44 Commissioner Robert Satriana	Not Present
45 Commissioner Rita Last	Present
46 Commissioner Christopher Hyer	Present

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1 A quorum was present.  
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3 **3. APPROVAL OF AGENDA**  
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5 The Vice Chairman asked if all Commissioners had reviewed the Agenda, and  
6 asked if there were any changes to propose. There were no changes and the Vice  
7 Chairman asked for a motion to approve. Commissioner Wilson motioned to  
8 approve. Commissioner Hyer seconded the motion. All voted aye. The motion  
9 to approve the agenda was carried.  
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13 **4. APPROVAL OF MINUTES**  
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15 The Minutes for November 3, 2009 were submitted for approval. The Vice  
16 Chairman called for corrections. Commissioner Last motioned to approve as is.  
17 Commissioner Hyer seconded it. All voted aye. The motion to approve was  
18 carried.  
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21 **5. REPORTS**  
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23 a) **Next Meeting**

24 Mr. Moe informed the Commission that their next regular meeting was scheduled  
25 for January 12, 2010. All Commissioners voiced their assent.  
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28 **6. ACTION ITEMS**  
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30 a) **Zoning Review – Main Street Overlay – Bernalillo Feed** (Frances Garcia,  
31 **Applicant**): Applicant requests approval of a Zoning Review for an Old Fashioned Porch  
32 added onto the existing building at 656 Camino Del Pueblo, Bernalillo New Mexico.  
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34 The Vice Chairman introduced the item to the Commission, and asked the  
35 applicant to present her request. Frances Garcia came forward to explain the Old  
36 Fashioned Porch and inform the Commission that it had already been built. Vice  
37 Chairman Chavez asked if there were any questions on this issue. Mr. Pike stood  
38 up in the audience and asked if cars would be able to drive underneath it. Johnny  
39 Garcia who was also in the audience answered that there are cement barriers in  
40 front of the porch so cars would not be able to get under it. Vice Chairman asked  
41 if there were any other questions. Commissioner Last motioned to approve the  
42 Old Fashioned Porch. Commissioner Wilson seconded it. All voted aye. The  
43 motion to approve was carried.  
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1 b) **Summary Plat – Lot Line Adjustment (Ross Howard, Agent):** Applicant requests  
2 approval of a Summary Plat for a Lot Line Adjustment between Lot 7-A and Lot 10 at  
3 T12N R4E SEC6 NMPM, Bernalillo, NM.

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5 The Chairman introduced the item to the Commission, and asked the applicant to  
6 present his/her request. Mr. Howard came forward to explain the need for the Lot  
7 Line Adjustment. He explained that there has been a piece of land just north of the  
8 subdivision that has recently been purchased and his client wants to add it to the  
9 already existing subdivision. The problem is that the way it's laid out, there will  
10 be no access from the road to that lot. Therefore, the lot lines need to be adjusted  
11 in order for it to be accessible. A brief discussion ensued and the Vice Chairman  
12 asked for a motion. Commissioner Hyer motioned to approve the Summary Plat.  
13 Commissioner Last motioned to second. All voted aye. The motion to approve  
14 was carried.

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18 c) **Summary Plat – Lot Consolidation (Precision Surveys, Inc. - Agent)**  
19 Applicant requests approval of a Summary Plat for a Lot Consolidation for Tracts 22,  
20 26B1A, 26B1C and 26B1D1 within T12N, R4E, SEC5, NMPM, Bernalillo, NM

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22 The Chairman introduced the item to the Commission, and asked the applicant to  
23 present his request. Mr. Medrano came forward and explained the need for the  
24 Lot Consolidation. He explained that the building that was there for Qwest  
25 Corporation served Bernalillo, parts of Rio Rancho, Sandia Pueblo and Placitas.  
26 He explained that they were at their capacity and needed to expand.  
27 Commissioner Hyer asked which direction they were planning on expanding. Mr.  
28 Medrano said they would be expanding to the west of the existing building.  
29 Commissioner Hyer then asked what would happen to the buildings that were  
30 there on the property they were purchasing. Mr. Medrano stated that the building  
31 that was there was an old house and it would need to be demolished. Vice  
32 Chairman Chavez entertained a motion. Commissioner Montoya motioned to  
33 approve the Summary Plat. Commissioner Hyer seconded it. All voted aye. The  
34 motion to approve was carried.

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38 d) **Variance – Setback Requirements (David Sparks, Applicant)**  
39 Applicant requests approval of a Variance for Setback Requirements for the placement of  
40 a Duo Pole Sign at 239 East US Hwy 550, Bernalillo, New Mexico.

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42 The Chairman introduced the item to the Commission. David Sparks came  
43 forward and handed out photos of other signs of businesses along Hwy 550 to all  
44 the Commissioners. Mr. Sparks then explained his dilemma with placing the Duo  
45 Pole sign where it would be in compliance with the Town of Bernalillo  
46 Ordinance. According to Mr. Sparks the DOT is making the KFC put in an  
47 ingress/egress access that will inhibit the original spot for the duo pole sign. He

1 then went on to explain that this signs placement will be similar to all other pole  
2 signs on Hwy 550. He showed the examples of the measurements of the other  
3 signs. Vice Chairman Chavez asked Mr. Moe if he had any thoughts on this item.  
4 Mr. Moe explained the Town Ordinance on signs and also commented on the  
5 examples that Mr. Sparks had shown and explained that the majority of the  
6 business signs that were being compared had been constructed before 2001 when  
7 the Ordinance was written. However, Mr. Moe also explained that Mr. Sparks’  
8 KFC sign would in fact have the same distance from the property line that the  
9 other signs on Hwy 550 have. Commissioner Hyer asked how big the KFC sign  
10 was going to be. Mr. Sparks answered that it would be the same size as the  
11 existing KFC sign that was across the street. Mr. Moe did the calculations and  
12 answered that the sign would roughly be 120 square feet. Commissioner Hyer  
13 asked what the Ordinance states the sign size should be. Mr. Moe answered 40  
14 square feet. At this time Commissioner Wilson stated that the Commission was  
15 always passing Variances that goes against the Ordinance. Commissioner Hyer  
16 jumped in to say “That is why 550 looks the way it does.” Commissioner Wilson  
17 then stated that the Commission either needs to stop passing these Variances or  
18 rewrite the Ordinance. Commissioner Montoya added that many of these  
19 companies can only get signs that are provided and that they don’t have a choice  
20 in the matter. Vice Chairman Chavez entertained a motion. Commissioner  
21 Montoya motioned to approve the Variance. Commissioner Wilson seconded the  
22 motion. All voted aye. The motion to approve was carried.  
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25 **e) Resolution – Measurements on Master Plans**

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27 The Vice Chairman introduced the item to the Commission, and read the  
28 Resolution to the Commission that was provided by Mr. Moe. Vice Chairman  
29 Chavez asked if there were any questions or comments. A brief discussion  
30 ensued. Commissioner Montoya then asked if the item could be tabled until the  
31 January meeting due to the fact that Chairman Kilfoy who was absent from the  
32 meeting may have input on this particular item. Vice Chairman Chavez asked for  
33 a motion. Commissioner Montoya motioned to table until the next meeting.  
34 Commissioner Hyer seconded it. All voted aye. The motion to table was carried.  
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37 At this time in the meeting the Vice Chairman ended the meeting and the tape was  
38 turned off. However, discussion items were still discussed.  
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42 **7. DISCUSSION ITEMS**

- 43 \* Commissioner Montoya asked that there be a report on the findings of  
44 discrepancies regarding the Piedra Lisa Subdiviison  
45 \* Commissioner Chavez asked about the election process for Commission seats  
46 for next meeting.  
47 \* Commissioner Chavez asked for an updated contact list for the next meeting.

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**8. ADJOURNMENT**

**Meeting was adjourned at 7:05 pm**