

**PLANNING & ZONING COMMISSION MEETING
MINUTES
FEBRUARY 25, 2008**

Vice-Chair Connie Baca called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:00 p.m.

Roll call being taken is as follows:

PRESENT: Connie Baca, Vice- Chair
Ron Tabet, Commissioner
Rod Storey, Commissioner
Mark Anthony Baca, Commissioner

ABSENT: Sean Gabaldon, Chairman

CITY STAFF: Andrew DiCamillo, Planning & Zoning Director
Lisa Miller, Code Enforcement Officer
Gary Barreras, Building Inspector

OTHERS: Andrew Andrews, Neighbor
Gilbert Tabet, Circle T
Bob McKague, Neighbor
Racquel Villegas, JPR Decorative Gravel
Louis Trujillo
Toni Morgan
Bradley B. Morgan
Marie Martinez, Neighbor
John Campbell, JPR Decorative Gravel
Pat Goodson
Jeff Abeyta, Abeyta's Radiator Service
Carlo Trujillo, TRU LLC
Jon Trujillo, TRU LLC
Larry Marshall, Belen Sand & Gravel
Brandon Jaramillo, B Jar Construction Inc.
Julie Gutierrez, JPR Decorative Gravel

APPROVAL OF AGENDA: Commissioner Storey moved to approve the agenda as published. Commissioner Ron Tabet seconded the motion. Motion carried.

APPROVE OF MINUTES (January 28, 2008): Commissioner Tabet moved to approve the minutes of January 28, 2008 as written. Commissioner Mark Anthony Baca seconded the motion. Motion carried.

ACTION ITEMS

A. REQUEST FOR A VARIANCE ON SIDE SETBACK: BRADLEY & TONI MORGAN. Public Hearing and Approval for a Variance on side setbacks for the purpose of enclosing a portion of the existing carport. **LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 18, South Side Addition, Block 3, Lot 5 & ½ of Lot 6, AKA 424 S. 3rd St., Belen NM 87002.

Mr. Andrew Andrews informed the Commission that he is the next door neighbor of Bradley and Toni Morgan and feels that they have done an excellent job of fixing up the property and have increased the value of his property. The frame has been there and he has seen kids come in there and steal equipment and things in there, and he highly recommends that the Commission allow the setbacks so that he can enclose that portion.

Ms. Toni Morgan addressed the Commission by explaining what they are planning on doing. She provided some pictures of the building as it is now and showed them the area that they want to enclose. The main reason they want to enclose that area is the fact that they have been broken into three times within the last seven months and they want to have a secure safe storage area. When they first submitted the plans to the City Building Inspector he sent them back with something else that was needed for the plans. Since then that inspector is now gone and Mr. Barreras is now there and he brought up the fact that there was a problem with the lot lines because the carport is about 2.5 feet from the lot line.

Commissioner Connie Baca asked Ms. Morgan if they are going to enclose all or just the back portion.

Ms. Morgan informed the Commission that it was just going to be the back portion therefore there would be a two car garage in the back and the carport in the front and not just a carport. They are just enclosing the back part. They would be enclosing the north and east side next to Mr. Andrews lot line.

Commissioner Storey asked Mr. DiCamillo if he was aware of what the issue was with the plans with the previous inspector.

Mr. DiCamillo informed the Commission that he was not aware of it because there was no building permit pulled and that the electrical portion of the construction had already been done and so this was an existing carport where it was what they call grandfathered in but since this is a major renovation and improvement it has to follow the existing

guidelines and pull a building permit they are going to need a variance on the setbacks of the lot lines. If this action is approved they will then submit the building plans for this enclosure which will include footings but Mr. & Ms. Morgan wanted to get the variance on the setbacks before doing this.

Commissioner Connie Baca commented on the fact that she did not see any existing structure on the photos on the property next to them and asked if this was Mr. Andrews property.

Mr. Andrews informed the Commission that that was his property and that there were no existing structures there as the photos show.

Mr. DiCamillo informed the Commission that Mr. & Ms. Morgan are going to place guttering along that side to provide drainage off of the existing roof onto their property, even though right now even with a heavy storm the water runs off onto the present property but the owners are going to put guttering up to ensure that.

Commissioner Storey moved to grant the variance with the stipulation that gutters are placed on the structure to ensure proper runoff.

Commissioner Mark Anthony Baca seconded the motion.

Motion carried.

B. REQUEST FOR A CONDITIONAL USE PERMIT: JEFF ABEYTA (ABEYTA'S RADIATOR SHOP. Public Hearing and Approval for a Six Month Conditional Use Permit to re-open the Radiator Shop once owned by Eddie Abeyta (father). **LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 17, Map 99, Tract 49-A-2, consisting of 1.38 acres, AKA 302 ½ Gabaldon Rd., Belen NM.

Mr. Jeff Abeyta explained to the Commission that he has run into a lot of red tape as far as getting this going. Gary now has the engineering plans for the building that he was going to put up.

Mr. DiCamillo informed the Commission that this action has already been before the Commission in June of 2007 and at that time the Commission granted the Six-Month Conditional Use Permit with the conditions of the following:

1. Owner of said Business and Property agrees to comply with all Zoning Requirements including but not limited to Weed and Litter, proper storage of hazardous materials and proper signage.
2. Owner shall obtain proper business license sign permit and pay all appropriate fees including but not limited to fire review.

3. Conditional Use shall be permissible for no more than 6 months. At the end of the six months owner agrees to submit construction plans, obtain proper permitting and construct building adequate for the said business use to include onsite retention of storm runoff.
4. At the end of the six month Conditional Use Permitted period owner agrees to submit an application to the Planning & Zoning Commission for a Zone Change appropriate for said Business.

Mr. Abeyta has pulled the business license but the storage, the weeds and litter has faltered and not met our standards. The building permit has been applied for but the fire review has not been done due to the fact that a full set of plans has not been submitted. The building has not been done. It has not come to the point that a building permit has been issued because there are some issues with the plans. On the fourth point Mr. Abeyta was to come before the Planning & Zoning Commission for the Zone Change in order to adequately service the type of business he wants to have and we have been unable to do that as well, so the conditions have not been met to this point.

Mr. Gary Barreras, the Building Inspector for the City of Belen informed the Commission Mr. Abeyta did turn in some plans for the building just last week and he has looked thru them. Mr. Abeyta has gotten what was requested for the metal building but we still need more. The plans are incomplete and Mr. Barreras needs three sets for a Commercial Building instead of the two he submitted. He needs three sets of a foundation plan and he also needs the site plan for each set, then he needs to fill out the permit application and submit it so that we can review the plans. He also noticed, when he was inspecting the construction that is going on across the street, that there was some construction going on at Mr. Abeyta's and there has been no permit issued for that. Mr. Abeyta was doing a separate bathroom from the building so it was requested that he pull a permit on that structure also.

Commissioner Storey asked Mr. Barreras if the set of plans that have been submitted were complete except for the fact that there were not enough copies.

Mr. Barreras informed the Commission that there were not enough copies plus all of the applications filled out and there has been no plan review fee paid on the metal building but he has not received anything on the other structure.

Commissioner Storey asked Mr. DiCamillo about the submittal for the Zone Change.

Mr. DiCamillo informed the Commission that this was part of the requirements for the Conditional Use Permit and this hearing was technically supposed to be a Zone Change so that the new building he agreed to construct to get his business up and running would be easier to consider for a Zone Change to accommodate his business but that Mr. Abeyta is not at that point yet. Unlike last time, there have been some complaints on this.

Commissioner Storey asked Mr. Abeyta if he agreed with what Mr. DiCamillo had said.

Mr. Abeyta agreed stating that he has been doing mostly paperwork for the last six months. It took him three months just to find an engineer and he has just gotten the plans back and took it to the office. He was not aware of the application.

Commissioner Storey asked Mr. Abeyta if there were contractors building the building or was he doing it himself.

Mr. Abeyta said that he had contractors helping him but that he was basically doing it himself.

Mr. Barreras informed the Commission that for a commercial building he has to have a licensed contractor pull the permit and that it is a state requirement.

Ms. Pat Goodson, one of the owners of the subdivision Green Acres, that is across the street, informed the Commission that last year when Mr. Abeyta came before the Commission that they did not have any objection to it. She provided pictures to show the Commission what it looks like and it is her concern, being this is right out her front window, is what is it going to do to the project of the subdivision and the development in that area because at some point they had been talking about expanding the subdivision to include the land that is next to the existing project but she is afraid that it is going to discourage it. She does not object to him having a business because she is a business owner herself but it is just not working well the way he has that set up. She would like to see a fence around it and have the building further back off Gabaldon Road.

Mr. Larry Marshall, President of the Belen Greater Economic Development, informed the Commission that they generally stand not only in opposition of a business in the area but in opposition of taking a residential area to commercial based on a single business. He is also an investor in the subdivision and would like to expand it into a more upscale residential area and to have a business there that do not conform and are not attractive to the area counter the economic development in general.

Commissioner Connie Baca asked Mr. Marshall if he had attended the first meeting six months ago for this issue.

Mr. Marshall informed the Commission that he had not.

Ms. Marie Martinez informed the Commission that she had just signed a long term lease for one of the new condominiums and that she was unaware that there was to be a business across the street. She is concerned because she does have children and feels it is not going to be a safe area for her children due to the fact that there will be increased traffic because of the business. There are a lot of junk vehicles parked over there and there is a lot of traffic that goes in and out of there daily, she is there every day to check on the progress of her condominium being built. She thought it was going to be a nice

quite neighborhood where she could be with her children, walk her dogs and not be concerned so much with being a commercial site.

Mr. Bob McKague told the Commission that he feels there are too many vehicles over there, some of them are for sale, and that there should be a fence or something because he can look out his bedroom and see all of this going on across the street.

Mr. Brandon Jaramillo, President of B Jar Construction informed the Commission that his construction company is the one that is building the buildings across the street at Green Acres and he feels that the appearance of Mr. Abeyta's property has somewhat affected the sales and he has received some comments from potential buyers and another concern is Mr. Abeyta came before the Commission almost eight months ago and was granted a Conditional Use permit and there has not been too much progress done and is this going to just keep going with more six month conditional use permits for an extended period of time over and over again until something is accomplished. Eight months is ample time to see some progress yet there has been none. It would be nice to see that building set back further off of Gabaldon Road for appearance sake but does not wish to see an ongoing project continue for an extended period of time over and over again. He would not have a problem if it was off the road with vehicles kept inside of a building with a fence around it and kept clean. He purchased the property at Green Acres approximately a year ago and was not aware of what was going on across the street.

Commissioner Tabet asked Mr. Jaramillo if, at the time he purchased the property, has it changed any.

Mr. Jaramillo informed the Commission that it looks the same as it did when he purchased the property. It has not changed much. His main concern is that this is not an ongoing thing forever.

Commissioner Connie Baca asked Mr. Abeyta why he has not complied with the conditions of his Conditional Use.

Mr. Abeyta informed the Commission that he could not get the building up because the building that he purchased was not engineered. He was in the hospital for approximately two months, has two jobs, doctor bills because at the time he did not have medical insurance, the building is costing a lot of money. He has a lot of money invested in this and when he got ill in December, he could not walk for almost five weeks, this has put him way behind. The paperwork, he keeps getting more and more things that he did not know he needed. Every time he takes in what he has he is informed that he needs more and it has just been taking him a long time.

Commissioner Connie Baca asked if he has had somebody to help him with this, kind of like a secretary.

Mr. Abeyta told them that he had not and it has just turned into a lot more work than he anticipated and being the fact that he was ill and has had to take on two mail routes. It is coming together, slowly and it is hard every time you go and they want two maybe three thousand dollars every time you need something.

Commissioner Connie Baca asked Mr. Abeyta if he had spoken with any of his neighbors.

Mr. Abeyta informed the Commission that he had not. As far as the cars go, all but one is running and the reason it is still there is the fact that I do not know where the owner is and you can not legally get rid of a car without paperwork. The other ones are his brothers, his moms, or his dads and four are his and four more of them are used for his mail runs.

Commissioner Connie Baca commented that listening to his neighbors and their concerns is he interested in moving it to the back, etc.

Mr. Abeyta informed them that he was not. He wants it on the road and that it does meet setbacks.

Commissioner Connie Baca asked if the minutes of the previous meeting were checked to see if at that time he was going to place it farther back.

Mr. DiCammillo informed the Commission that it was going to be attached to the existing home.

Commissioner Mark Anthony Baca asked Mr. Abeyta what had been done so far.

Mr. Abeyta said that the foundation has been dug.

Commissioner Mark Anthony Baca rephrased the question by asking him what has been done with the property in the past.

Mr. Abeyta informed them that it was his grandfathers and he farmed it. His father had the shop next door and he helped run it with his father.

Commissioner Tabet asked Mr. Abeyta whether the building was going to be a metal building and whether the existing building was going to be updated.

Mr. Abeyta informed them that the existing building is his home and that the shop building was going to be a metal building. He already has the building but there are a lot of hoops to jump through.

Commissioner Storey asked Mr. Abeyta if, being the fact that the Building Inspector informed him that he needed a contractor for a commercial building, if he had contacted one.

Mr. Abeyta told them that he had one but that originally he was not aware of that. He told the Commission that he had been talking to Gary for several months and was not informed of all of the requirements for a commercial building. He told them that he knows a lot of contractors who would be able to help him.

Commissioner Storey asked Mr. DiCamillo if, looking ahead, it was to come before the Commission and Council later for rezoning what were they going to be looking at as far as that being commercial in a residential area.

Mr. DiCamillo answered by saying that the Municipal Code does call out for this type of business to be a six month Conditional Use. It would be problematic to have this zoned Commercial because the area is primarily large lot residential. The farther north and east that you move you have infill development that is going in. If Mr. Abeyta complied with all of the conditions and we were at the point of a Zone Change, that would be a public hearing also but that he felt that it would be problematic because it is not a contiguous use in that area although there are, within 500 feet, there are other commercial businesses like the Auge Boys and Alco.

Commissioner Connie Baca asked Mr. Abeyta if he had already purchased the building.

Mr. Abeyta said that he had, it was used and had no engineering plans that came with it because it was not new.

Commissioner Storey asked Mr. Abeyta what he felt he has already spent on this to date.

Mr. Abeyta told the Commission that he had spent close to \$50,000 already. The building was \$20,000, some of the tools were at least \$15,000 and the dirt work that was done last week was \$1,800 and the paperwork and plans were around \$4,000.

Mr. DiCamillo told the Commission that Mr. Abeyta stated that he was not informed, by our office, that we have added requirements after he has come in, but we do have specific requirements, a checklist that has been put together by Gary so that contractors know up front what is required in the construction of any project within the City and it is always given to them. This packet was given to him back when he applied for the original Conditional Use and he was made fully aware of all the provisions that were involved especially being a Commercial Building and we have not received any evidence of any money that he has claimed to have spent. There have been some expenditures on his part but, again, it has been piece by piece from day one and if there has been a significant amount of money spent, we do require that as part of the permitting process as far as value determination, we have not seen that and we have not even received a completed

permit packet so that we could even review that to see what has or has not been done and what else is needed to complete the process.

Commissioner Storey asked Mr. Jaramillo about the infrastructure that is being done or in place for the Green Acre area and how far along the development is.

Mr. Jaramillo told the Commissioners that the infrastructure was existing and that there are five structures in the process of being built.

Commissioner Storey asked Mr. Jaramillo how many of those structures are complete and ready to move into.

Mr. Jaramillo informed the Commission that there were none that were completely done but that the five that are being constructed at this time all five should be completed within the next three to four weeks. There are 11 lots that are going to have structures on them and this is the first phase.

Mr. Gilbert Tabet told the Commission that by what he understands Mr. Abeyta's father had a radiator shop there at one time and that it had to have been Commercial land and does not see where you can knock him out due to that fact that his father was there from years ago. If it was at one time commercial how can you change it.

Commissioner Storey informed Mr. Gilbert that in 1972 there was no conforming use or zoning.

Mr. DiCamillo stated that Commissioner Storey was correct in the fact that in 1972 there was not any major zone uses and that this was part of the presentation when Mr. Abeyta came before the Commission in June of last year. That was a big part of why he was granted the Conditional Use in the first place, because of the heritage and what his father had done in the past and I think that Mr. Abeyta has the where with all for the business but feel that the location is in question. There are many commercial buildings around the City that can accommodate this type of Business Use that may be more practical.

Commissioner Mark Anthony Baca commented that Mr. Abeyta informed the Commission at the time of his first hearing of where the building was going to be located and that he has already invested a lot of money into this.

Mr. Abeyta informed the Commission that the plans that have been turned into the Building Department had cost him \$1,500 because they had to have an engineering seal on them.

Commissioner Storey asked Mr. Abeyta where he had purchased the building.

Mr. Abeyta told the Commission that he purchased the building from a private individual from Atlas Truss due to the fact that he did not need the building but the building itself was manufactured in 2000 and it was not up to current code and that has set him back and that every time he comes in with paperwork he finds out that he needs more and he does not remember getting a packet with a checklist. If he had that packet he would know what he needed instead of coming back again and again and finding out he needs more. He was not aware that he needed a contractor or a foundation plan, etc. He does not remember receiving a packet, but that would be very helpful to him. He has come in repeatedly for the last three months to find out he needs something else to go along with what he brought in.

Commissioner Connie Baca commented that she recalled that Mr. Abeyta had come to the Commission back in June of last year because he was running the radiator shop already without a license or permit.

Mr. Abeyta told the Commission that he works on his own vehicles and sometimes friends because people know that he does that so he would fix them.

Commissioner Connie Baca asked him if he was running the business at that time then.

Mr. Abeyta informed the Commission that he was.

Ms. Goodson told the Commission that the main thing that she was concerned about was, listening to the proceedings, other than the way it looks and the fact that it is right on the road, does Mr. Abeyta even have the money for this project in a manner to keep this going. Belen keeps talking about how they need to improve the properties and make the town look nicer, and we come in and spend money to make the neighborhood and give people a good opportunity to have a home, something close to the Rail Runner, there are a lot of things that could take place with a nice development and if I had seen that this would happen and see the view from my front window I would not have done this. When we first purchased the property they did not have anything over there like they do now. That has changed recently. If so it would have made a big difference in the purchase of the property as an investment. She feels bad, if the Commission votes against Mr. Abeyta, because she knows that small businesses are important but there are other places in Belen where there are empty buildings that Mr. Abeyta could put a Radiator Shop that would not cost him as much as it is to just put this building up. She would like to see Belen have some nicer community areas. She has had the property close to two years.

Commissioner Storey asked Ms. Goodson if any of this was there when she invested in the property across the street.

Ms. Goodson informed the Commission that at the time she purchased the property there was not being used for a radiator shop. He has just now started building some kind of

shop, just the boom for jacking up cars. When she first bought the property there was just a home there and it has been just recently that all of these cars, etc. have showed up.

Mr. Abeyta told the Commission that he had gotten rid of all the cars, at the house and at that time, that were not running. He uses the four Subaru's for his mail delivery, his truck for towing, his wife has her car, his brother has his truck and motor home there, his dad has his vehicles there also.

Commissioner Connie Baca asked Mr. Abeyta if his brother also lived there or was he living in the motor home.

Mr. Abeyta told them that it was complicated but that he does not live there or in the motor home but that he lives in California. Most of those vehicles are mine. There have been a few that have just left there cars there to be worked on and have never come to pick them up or have just disappeared and he can not legally just haul them off and dump them without the proper paperwork.

Commissioner Connie Baca commented that the picture showed two motor homes on the property.

Mr. Abeyta informed the Commission that that was his motor home.

Commissioner Storey asked Mr. Abeyta how far he was away from completing the project.

Mr. Abeyta told them that he was and that his goal is the end of May. He wanted to have it up in November but all of the paperwork was not in order and that it has taken him five months to get as far as he is now.

Commissioner Tabet commented that a concern is also what it was going to look like when it was complete and up and running.

Mr. Abeyta told them that the building is 40' X 40'. He eventually wants to build a wall around the property. He is trying to get this going and he has the building paid for, the paperwork is almost done, the equipment is paid for, the dirt work is around 90% done. I have the drainage done.

Commissioner Tabet asked him if this dirt work had been done without a permit.

Mr. Abeyta informed him that he was not required to have a permit to move dirt around.

Mr. DiCamillo told the Commission that he is required to have a Drainage Plan done by an Engineer for this.

Mr. Abeyta said that he was not aware of that and that is another thing that he is going to have to do. He repeated that he had not received the application packet and that he has already invested so much into this and now he is finding out he has to have more. If he would have known that he needed all of this he would have had it instead of going through all of this and the time it has taken to get this done.

Mr. Barreras informed the Commission that during the time when Mr. Abeyta first came in that the Building Inspector had changed and the packets were redone but that he was given one. Mr. Abeyta just got caught during this transition.

Commissioner Connie Baca asked Mr. Abeyta if he would be interested in moving the building back, being that he has heard the comments from the neighbors.

Mr. Abeyta told the Commission that the building was planned for that area and that the foundation has been dug and the lift is already in place. The reason he has the lift already set up is the fact that he either had to put his lift in storage for two months, this was in California, and he was informed that he either had to have it delivered or they were going to start charging an extra amount for storage. He had already planned where the building would be and he would have to move the house if he moved the building and he can not do that.

Commissioner Storey does not feel another six months is in order.

Commissioner Tabet asked Mr. Abeyta if he had another 60 days would he be able to have all the paperwork, etc. for the permits to complete this job.

Mr. Abeyta told the Commission that he would have all the paperwork and whatever he needed in that amount of time and again informed the Commission that he was unaware of what was needed along with being ill and unable to walk for an extended amount of time and was unable to get things done, but that 60 days would be enough.

Mr. McKague asked the Commission if that would include the wall that Mr. Abeyta said that he was going to put up.

Commissioner Storey informed Mr. McKague that it could be one of the conditions for this.

Mr. Abeyta told the Commission that once the shop is up and running that the vehicles that he would be working on would be inside the building.

Mr. Barreras had a suggestion that Mr. Abeyta's contractor and he have a meeting so that it can be discussed as to what is needed and required for the permits. This way there is no mix up or anything and every one is in the same ball park so to speak.

Commissioner Storey moved that the Commission give Mr. Abeyta another 60 days to come up with the requirements and conditions.

Commissioner Mark Anthony Baca seconded the motion.

Motion carried.

C. REQUEST FOR A CONDITIONAL USE PERMIT: J.P.R DECORATIVE GRAVEL/RACQUEL VILLEGAS – AGENT. Public Hearing and Approval for a Conditional Use Permit for the purpose of have a caretaker/office residence on the property. **LEGAL DESCRIPTION:** Township 6 North, Range 2 East, Section 31, Land of La Vega LTD, Tract 33A21A, containing 8.59 acres, book 361, page 18163.

Ms. Racquel Villegas informed the Commission that they would like to put in a resale yard for decorative gravel, etc. They have two other businesses already, one in Albuquerque and one in Bernalillo. They are going to be putting another one on HWY 314 and Don Philipe and they are requesting the conditional use for a trailer they would like to place there for their office building. The trailer is a 14' x 60' single wide that was her grandmothers and they want to use it as an office.

Commissioner Storey asked what year the trailer was.

Mr. John Champbell, Ms. Villegas foreman, told the Commission that he believed it was a 1972.

Commissioner Storey told Ms. Villegas that there is an existing Ordinance on the age of Manufactured Homes that are allowed in the City.

Mr. DiCamillo told the Commission that it was 1978.

Commissioner Storey asked Ms. Villegas what she thought the time frame would be before she opened for business.

Ms. Villegas informed the Commission that she figured it would be around the end of May or the beginning of June.

Commissioner Storey suggested that the issue be tabled until they get all of the information needed.

Mr. Jonathan Trujillo, TRU LLC, owners of the Road Runner Pit Stop that is going up across the street, is concerned about what is going up. Not the gravel issue but when a trailer was mentioned, he became concerned. There is a lot of money invested into what he is doing and there are some businesses in the area who also have a lot of money invested and being that these businesses are what people are going to first see coming

into the City of Belen, we need to keep the area clean and pleasant looking. If there is going to be an office or caretaker building on the property maybe one could be built, something that is similar to the structures that are already around there. We are just trying to make things look similar.

Ms. Villegas said that the reason why they do not want to place a permanent building there is the fact that they are not planning on having a permanent business there. There are 10 acres there and in the future they would like to put maybe a strip mall or something similar there. The set up that they have in Bernalillo is the same concept of what they want to set up here.

Mr. Trujillo asked if in 5 years, 10 years business is doing very well and you decide to leave the decorative gravel business there and not change it then we will have a building that is not similar to the area.

Ms. Villegas said that she could not give a definite time period for the change but that they will be doing it.

Mr. Campbell told the Commission and every one present that they first need to find out what the criteria is for the trailer year and if we put the trailer in, it will be painted and landscaped so that it will not look like a trailer. It will look nice like the ones we have in Albuquerque and Bernalillo.

Commissioner Tabet said that it was the neighbors concern.

Commissioner Storey asked if the Main Street Overlay goes out that far.

Mr. DiCamillo informed the Commission that it does not.

Mr. Campbell told everyone that this was not planned as a permanent building because it was not a plan to have that business permanently. They want to put in a strip mall, etc. in the future.

Ms. Villegas said that if it was kept it would be moved to the back and develop the front.

Mr. Trujillo made the suggestion of building and then at a later date adding to that building.

Mr. Gary Barreras suggested the possibility of bringing in a Modular office and use that because it is approved for the use of an office. A Manufactured home has a kitchen, etc. like a home and a Modular office is built to be an office.

Mr. Louis Trujillo personally welcomed the business into the community but he is totally against the Manufactured Homes. He has a home in the area and there are four to five

single wide Manufactured Homes just two to three blocks west of this that are falling apart and it makes the area look terrible, and you are wanting to bring in another one, even if it is painted, landscaped, etc. This will not improve the area or add to the existing buildings that are nice. It will not look good at all.

Ms. Jullie Gutierrez asked if the Modular Office would be ok if they matched it with the surrounding area with the landscaping, etc. They just do not want to put in a permanent foundation.

Mr. Carlo Trujillo informed the Commission that he welcomes the new business and wants to build a good relationship with them. The modular building may be a better choice and maybe they could bring it into the City for a review. Belen is trying to move to a new style and we are trying to present a positive Community, with the new development that is planning on going up, Rancho Cielo, we are trying to move up. Unless we have some kind of president to make this town look nice, we need to put our foot down and accomplish this.

Commissioner Tabet asked Mr. DiCamillo what they would need as far as permitting for a Modular.

Mr. DiCamillo informed the Commission that this application is for a permanent conditional use for a caretaker/office and this could be a Modular unit or a Manufactured Home. If it is a Manufactured home it does need to meet the criteria for this. In the C-1 Zone the only allowable Manufactured home is a double wide. If a Modular building is brought in it is allowable being that it is constructed for office use.

Mr. Barreras informed the Commission that a Modular building is completely different than a Manufactured Home. A Manufactured home is inspected by HUD standards through the State Manufactured Housing authority and the Modular building is inspected using the State Building Codes.

Mr. Carlo Trujillo asked if the Modular unit or whatever is placed there is, for all intense purposes, going to be used as just an office.

Ms. Villegas told him yes.

Mr. Jonathan Trujillo asked if a site plan showing the layout of the business is available to show the layout of the area.

Mr. DiCamillo informed the Commission that a site plan was submitted with the application.

The site plan was displayed so that everyone could look at it. A discussion amongst Commissioners, petitioner, and audience took place.

Commissioner Connie Baca called everyone back to order.

Commissioner Storey moved to table this issue until next month and brought back with better plans, pictures, so that all criteria will be met depending on whether it will be a Manufactured Home or a Modular Office.

Commissioner Tabet seconded the motion.

Motion carried.

ADJOURNMENT

There being no further business to come before the City of Belen Planning & Zoning Commission, Commissioner Tabet moved to adjourn. Commissioner Storey seconded the motion. Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 8:00 p.m.

Connie Baca, Vice-Chair
City of Belen Planning & Zoning Commission

ATTEST:

Andre DiCamillo, Planning & Zoning Director
City of Belen Planning & Zoning Department