

**CITY OF BELEN  
PLANNING & ZONING COMMISSION MEETING  
MINUTES  
JANUARY 28, 2008  
6:00 PM**

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 (Excused)

**CITY STAFF:** Andrew DiCamillo, Planning & Zoning Director  
Lisa Miller, Code Enforcement Officer

**OTHERS:** Richard Baldonado, Representing Joe Maestas  
Joseph Quintana  
C. J. Visser  
Jullian Trujillo, JLDJ Inc.  
Wayne Trujillo  
Lonnie Trujillo  
Gilbert Tabet, Circle T

**APPROVAL OF AGENDA:** Commissioner Rod Storey moved to approve the agenda as written. Commissioner Ron Tabet Seconded the motion. Motion carried.

**APPROVE OF MINUTES (November 26, 2007):** Commissioner Rod Storey moved to approve the minutes of November 26, 2007 as written. Commissioner Mark Anthony Baca seconded the motion. Motion carried.

**ACTION ITEMS**

**A. REQUEST FOR A VARIANCE ON LOT WIDTH: JOE MAESTAS.** Public hearing and Approval for a Variance on the Lot Width. **LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 18, South Tenth Street Addition, Block 1, Lot 11B, 12B, 13B, containing approximately .084 acres, Zoned C-1.

Andrew DiCamillo explained that this property is located on Bernard just west of Main Street. The representative for Mr. Maestas, Richard Baldonado, is in attendance. They are asking for a variance of approximately 14 feet. This property is Zoned C-1 and the minimum width for this zone is 70 feet and the property only has 56 feet. He explained that the owner and agent of the property is proposing to place a new commercial building to accommodate an existing auto motive business that is behind this lot. He will also be doing the necessary improvements according to the Municipal Design standards which consist of sidewalks, curb and gutter, paving, etc.

Commissioner Ron Tabet asked if this would also include a grading and drainage plan.

Andrew DiCamillo answered that they would be required to have them on this site.

Commissioner Ron Tabet asked if this would have to be on site storage.

Andrew DiCamillo answered that they would but being that this was a small lot and it was adjacent to Bernard that does not have infrastructure but it is sloped towards Main Street, which does, the site drainage could be diverted to Bernard and then go down to Main. They will be required to submit a drainage plan.

Mr. Baldonado informed the commission that the setbacks will be according to regulations and the only reason we are requesting the variance is the fact that the property is not the required 70 feet. The building that is being planned does fit into that lot the way it is and it will conform to all setbacks. There will be enough parking for at least ten vehicles.

Commissioner Ron Tabet asked if the building that was going up was going to be a metal building or a stick built.

Mr. Baldonado answered by saying it would be stick built and that it would be stucco. He provided a drawing of the building that he has planned for this property.

Commissioner Rod Storey asked if there were going to be any utility easements within this property.

Mr. Baldonado answered that the gas lines are in the front of the property and PNM is located at the back as far as he knows. There will be no easements that are required as far as they know.

Andrew DiCamillo informed the Commission that in addition to pulling a building permit they will have to provide a site plan showing all of the easements, etc.

Mr. Baldonado commented by saying that he felt that building this building would only improve the area more than hurt it.

Commissioner Ron Tabet asked if this building would be connected to the existing auto shop that is on the adjacent property.

Mr. Baldonado informed the Commission that it would not and that he is trying to get the existing auto shop to purchase the new building and therefore abandon the one that is there.

Andrew DiCamillo informed the Commission that the Zone C-1 boundary is at the alley on the west. The two manufactured homes that are there are Zoned C-1 as non-conforming but if they move or become vacant they will have to become a conforming use.

Vice-Chair Connie Baca asked if there was any one in the audience who would like to speak.

Mr. Gilbert Tabet addressed the Commission by saying that the property they are talking about, as far as he can remember, has always been residential. He asked the Commission how it could be suddenly changed when there are homes all around.

Andrew DiCamillo informed the Commission that to the best of his knowledge, the zoning for this area is as early as 2001 and as late as 1976 for this area and the reason behind this was to establish the Main Street Overlay. This area is part of the Main Street Overlay but as far as the building is concerned it does not have to conform to all the regulations due to the fact that it does not face Main Street, but it is part of the Main Street Masterplan. This building is at the end of the Commercial Zone. Where all the residential homes that you see, on the photo provided, they are actually zoned as residential.

Ms. Frances Chavez, who owns the property just east of the KFC, asked the Commission for some clarification because she does not quite understand.

Vice-Chair Connie Baca explained that it was just for a variance on the size of the lot because it does not meet the lot width of the Commercial Zone.

Ms. Frances Chaves asked if this has any thing to do with her because she received a letter about it.

Vice-Chair Connie Baca explained to her that we have to inform the surrounding area (100 feet) property owners of any request for changes and that way if they have any concerns or questions, they are invited to come to the meeting. She asked if the Planning and Zoning Department had received any correspondence in reference to this issue.

Mr. Andrew DiCamillo informed the Commission that there was no correspondence one way or another on this issue.

Commissioner Rod Storey moved to grant the Variance of 15 feet for this property.  
Commissioner Mark Anthony Baca seconded the motion. The motion carried.

**B. REQUEST FOR A CONDITIONAL USE PERMIT: JULIAN TRUJILLO-JLDJ INVESTORS, INC.** Public hearing and Approval for a Conditional Use Permit for the purpose of an out door swap meet. **LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 18, Central Township Addition, Block 3, Tract 9 thru 16, containing .6549 acres. AKA 616-618 N Main St., Belen.

Andrew DiCamillo explained that this property is located directly on Main Street, on the East side between Ross and Aragon and the property is Zoned C-1. Under the C-1 zone this is a permissible use with a Conditional Use Permit. The owner and agent are both present if there are any questions.

Mr. Julian Trujillo informed the Commission that a parking plan has been submitted he is aware that there are some concerns about this but with the way that the parking is planned he feels there will be no problems. They intend to fence the area in along with keeping it clean. He feels that it will also help the area businesses and that with today's economy it would help a few people who wish to try to sell some of their things for some cash. He feels that it is not feasible to place a large business there because the economy the way it is will not allow it.

Commissioner Rod Storey asked Mr. Trujillo if there would be any kind of management on the premises.

Mr. Julian Trujillo informed the Commission that there would be management there at all times, there will be trash cans placed throughout the area, they will police the area and what goes on there. There will be no hanky panky going on. He feels that this is about the only option that they have right now because it is just sitting there empty right now. They have problems with kids parking there, throwing empty beer bottles, etc. peeling out on the dirt and they feel that they need to place something there. They feel that if they place a nice fence around the area they are going to be able to have more control over it.

Vice-Chair Connie Baca asked if they had spoken to the neighbors in that area.

Mr. Julian Trujillo informed them that he had not met with them personally, but he has not heard of any one complaining about it.

Vice-Chair Connie Baca informed Mr. Trujillo that they had received a letter from one of the neighbors, Gilbert Garcia, and he is totally against this.

Mr. Julian Trujillo did say that he had spoke with Mr. Garcia one day when they were cleaning up the lot and informed him that they were thinking about putting up a little flea market, the North Main Flee Market, and he did not get any reaction to this so he felt that it was ok.

Vice-Chair Connie Baca asked if there would be potable potties provided.

Mr. Julian Trujillo informed them that they would be provided along with trash cans, electrical outlets, and dumpsters will also be provided.

Commissioner Ron Tabet said that one of his main concerns would be the parking situation because they do draw a lot of traffic. Not the parking for the flea market, but the parking that is for the surrounding businesses.

Mr. Julian Trujillo told the Commission that he realizes that but that he plans on placing signs stating where the flea market parking is. The only thing that he can control is what is happening on his property. He plans on placing sufficient parking there with signs.

Commissioner Ron Tabet said that with the amount of booths that are shown on the plans in proportion to the amount of parking that there is not enough parking available.

Mr. Julian Trujillo has at 40 parking spots for parking.

Commissioner Ron Tabet said that with the amount of booths there are there would not be enough parking for the public with vehicles parked from the booth rentals.

Mr. Julian Trujillo explained that they are not in actuality booths they are rental areas where the people can park their own vehicles and set up. The vendors are going to use the booth areas because these areas are big enough to park their vehicles and sell out of them. This is experimental at this stage.

Mr. Wayne Trujillo explained that the vendors vehicles will be able to park in the rental area and that everything will be marked.

Commissioner Rod Storey asked if the property extended to seventh street.

Mr. Julian Trujillo said that it does extend to seventh street and that he intends to run a fence all the way across the back and have one entrance for the customers in the front and the vendors will have their own entrance on the north side.

Vice-Chair Connie Baca asked if there were any questions or comments from any one in the audience. There were none.

Commissioner Rod Storey said that he feels that they should have an opportunity to explore this to see what happens. He just wants to be assured that the parking issue would be controlled.

Mr. Julian Trujillo explained that they intend to place curbing in the Main Street area and have the parking at an angle so that there will be only one way in and one way out. They would come in on the south side and exit on the north side.

Commissioner Rod Storey asked what kind of time frame are they looking at as far as the Conditional Use Permit goes.

Andrew DiCamillo explained that it is up to the Commission and the Commission does have the capability to impose conditions on this.

Vice-Chair Connie Baca commented that the other flea markets in the area have all been for a six month period and feels that would be sufficient enough time to test this.

Commissioner Rod Storey moved to grant the Conditional Use Permit with a time period of six months, with sign placements and property maintenance. Commissioner Mark Anthony Baca seconded the motion.

Motion carried.

**C. PUBLIC HEARING AND DISCUSSION ON THE RECENT APPLICATION SUBMITTED TO THE STATE DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION FOR CONSIDERATION OF A COMMUNITY DEVELOPMENT BLOCK GRANT BY THE CITY OF BELEN.**

Andrew DiCamillo explained that this is a proposal that we submitted to the Local Government Division (DFA) for a planning grant. These grants are limited to the amount of \$500,000 with a \$50,000 maximum to each entity. This planning grant that we are submitting for is in response to our 2003 Comprehensive Plan. In that plan there are items and aspects that the City was to take part in and some of those were for example the aviation area of the City to kind of foster the growth and come up with the Airport Zoning and restrictions in that area, the Land Use policy and the Economic Development. Mr. Joe Quintana, the author of the Comprehensive Plan from the Council of Governments and he is here to discuss with us some of the parameters that we may be able to work into this plan in conjunction with the 2003 Comprehensive Plan and basically tonight is the formality aspect of the grant that we are required by DFA to conduct a public hearing prior to submitting for this grant. If you will read in the proposal, it calls out for a Steering Committee that usually is assigned to facilitate or to help form the grant and in this case he felt that it was in the best interest of the City to identify the Aviation Commission, the Economic Development Corporation, which is a non-profit organization, and the Exactions Committee of Belen, which is our Impact Fee Board. Those three Boards are currently working on policies for the City of Belen and those three Boards in conjunction with a common goal for the City will help facilitate this planning grant to focus on a sector of, which we are looking at the Heart of Belen, our downtown district which was identified in this plan for the first time, which is Becker Ave., Main Street, which we have just recently been approved as an applicant for the National Main Street Program and of course our Airport.

Mr. Joe Quintana spoke by asking if the Commission remembered the Comprehensive Plan that was done in 2003 and that in that there was what was called strategic action priorities and that there was a table at the end of that that summarizes that. To continue with this, what Andrew is saying, is to let's take the next step and take some of these and get them done. The Comprehensive Plan is basically the framework for future planning and this is the next step. He found six recommendations that he found in the Comprehensive Plan that could be combined in

this Proposal. What we would do is to explain the same thing to them and take some of these issues and expand on them with graphics, a more detailed presentation. There was a concept that was promoted on called the Corridors and Activity Centers and that concept identified half dozen or so in the City of Belen. You can see that the corridors are the transportation for the Activity Centers and the Activity Centers are big intense activity zones. The Belen Center, which is the downtown area, and then the West Belen Interchange which in itself is developing into an intense area, and then the Airport and bringing those all together you can focus on all the goals and concepts that were in the Comprehensive Plan, which is connecting the Airport to the Downtown, to the Rail and that is another concept to connect the transportation from air to rail to interstate and that is all the transportation modes in the Community and bring them into a focus area, so the recommendations, that I have picked out, would be good to implement those as proof that the Comprehensive Plan has some value and that we are moving on actual things that were recommended back in 2003. There was also recommend the Historic District of Downtown Belen and could be your Belen activity center. You could use the same boundaries and do two things at once, you could work on the Historic Preservation as well as the Becker Ave center part of Belen. Improve the Land Use Regulations, and in order to carry out this plan you are going to have to develop a more refined zoning with more regulatory ordinances and when you do that you have to go through and revise your regulations and zoning. This is the concept that was mapped out in the Comprehensive Plan and the next step would be this proposal to get CDBG money to carry this out. There are three others, expand transportation terminals in Belen, that is making the connection between the air and the ground, and then protecting future development at the Belen Alexander Airport, there is a whole new element that we did not have back in 2003 and that is the homeland security issue, are there going to be new requirements coming down to the smaller airports now that there are smaller jets that can land at the Belen Alexander Airport. Then lastly, to improve the emergency response services, there is really not any fire response, equipment that could be associated with the Airport with all the new development going on. To get there you have to cross the freeway from fire stations and in some instances that may be to late if there was a blockage on the freeway, you could not get to that area. That is a critical need as far as the fire, or emergency response, especially with the airport located out there, it could be a very dangerous area. Those are the kind of things that we could not get into in real detail in the Comprehensive Plan then the next step is this proposal and this application for funding.

Commissioner Ron Tabet asked about the process to obtain the grant.

Andrew DiCamillo explained that the City Manager made him aware that there was still this funding available and so we jumped right on it and part of the process is to have a public hearing on submitting this application for this kind of funding. This kind of puts everything together that we need for submittal to DFA so that they can rate us and then we will go before the Community Development Council in March and testify in front of them to basically sell them on why we need this money to form this plan. Hopefully we are successful because it is critical because of what has been explained to you but as you know the City of Belen is on the verge of attracting a lot of interest. We are actually a victim because we are more organic and better planned as a community then the others around us and the reason why I say that is, look at Los Lunas, they have HWY 6 that they have concentrated on and focused on and they have funneled and channeled all of their traffic through HWY 6 and they have hit the ceiling now and

now they are scrambling where we have three exits and we have HWY 314, the only municipal airport in the County, the only downtown district in the County, we are the only Municipality that has put in for the Main Street Program in the County so we have a lot of things going for us because outside investors look at demographics and demographics are the traffic flows and it will also open up the opportunity for us to do a Comprehensive Strategic Plan that will allow us to go after them instead of waiting for them to come to us. This way we can pick and chose the quality of what we allow here.

**ADJOURNMENT**

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

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 6:45 p.m.

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

ATTEST:

ss/  
Andrew DiCamillo, Planning & Zoning Director  
City of Belen Planning & Zoning Department