AGENDA

FOR THE REGULAR MEETING OF THE CITY OF BELEN PLANNING AND ZONING COMMISSION, STATE OF NEW MEXICO, COUNTY OF VALENCIA TO BE HELD ON MONDAY THE 8th OF APRIL 2019 AT 6:00 PM IN THE COUNCIL CHAMBERS AT CITY HALL, 100 SOUTH MAIN STREET, BELEN, NEW MEXICO 87002.

ALL P & Z COMMISSION MEETINGS ARE VIDEO AND AUDIO RECORDED.

A COPY OF THE AGENDA MAY BE OBTAINED FROM THE OFFICE OF THE CITY OF BELEN PLANNING & ZONING DEPARTMENT.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGENCE**

4. **APPROVAL OF AGENDA**

5. **APPROVAL OF MINUTES**
   Minutes of March 25, 2019

6. **PUBLIC COMMENT 3 MINUTE PRESENTATIONS:** If more time is needed for presentation, please ask to be scheduled on the next agenda.

7. **DISCUSSION**
   Belen Master Plan (Formerly Comprehensive Plan)

8. **INFORMATIONAL ITEMS**
   a. Communication from the Commission and Staff

9. **ADJOURNMENT**

RESPECTFULLY SUBMITTED

/s/
Lisa Miller, Planning & Zoning Administrator

cc: Mayor & City Council
News Bulletin
Belen Chamber of Commerce
Belen Recreation Center
Belen Public Library
Belen City Hall

JERAH R CORDOVA
MAYOR
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CITY MANAGER

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CITY COUNCIL

CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
MARCH 25, 2019

Chairman Steve Ethridge called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:00 PM.

PRESENT: Chairman Steve Ethridge
Vice Chair Pete Armstrong
Commissioner Jim Lardner
Commissioner Claudine Montano

CITY STAFF: Steven Tomita, Planning & Economic Development Director

OTHERS: See attached Sign in Sheet

APPROVAL OF THE AGENDA

Commissioner Jim Lardner moved to approve the Agenda.

Commissioner Claudine Montano

Motion Carried.

APPROVAL OF THE MINUTES

Minutes of February 11, 2019

Vice Chair Pete Armstrong moved to approve the minutes of February 11, 2019.

Commissioner Jim Lardner seconded the motion.

Motion carried.

Minutes of February 25, 2019

Commissioner Jim Lardner moved to approve the minutes of February 25, 2019.

Commissioner Claudine Montano seconded the motion.

Motion carried.

PUBLIC COMMENT – 3 MINUTE PRESENTATIONS
There were none.

Steven Tomita informed the Commission and the public that the annexation procedures that he will be presenting would be on the process of annexation. They will not be discussing any specific annexation at this time.

There were several questions from the audience.

Steven Tomita said that he would be explaining the process and not any specific annexation. This is just general annexation.

PUBLIC HEARING WITH POSSIBLE ACTION

A. **Swearing in of participants.**
Chairman Steve Ethridge swore in all participants.

B. **REQUEST FOR A CONDITIONAL USE** for the purpose of a large animal veterinary clinic: **Yucca Veterinary Medical Center. Legal Description:** Township 5 North, Range 1 East, Section 24, Tract D1B, Land of Tibo Chavez, containing 2.0 acres, aka 1837 Camino Del Llano, Belen NM 87002.

Steven Tomita informed the Commission that this building is the one that was being used by the News Bulletin and is zoned C-1. It is proposed to be used as a large animal clinic and this is an allowable use within the C-1 Zone with a Condition Use Permit. The reason for the Conditional Use Permit is that there could be sensitive issues concerning a large animal clinic. He expressed, to the applicant, to address the control of the large animals because they will be close to Loves Truck Stop and to a Nursing Home, along with the traffic on Camino Del Llano. He has asked the applicant to address these issues.

Chairman Steve Ethridge explained the process of a public hearing.

Lisa Miller said that the location is 1837 Camino Del Llano and the proposed use is a large animal clinic which requires a Condition Use Permit. It is in a C-1 surrounded by properties are zoned C-1. It is currently being used by the News Bulletin under contract to be sold to the Yucca Veterinary Medical Center to be used as a large and small animal clinic. On the West side is the Loves Truck Stop. On the East side is the Nursing Home. On the North West side across the street, there are a set of apartments and on the North East side is vacant land. Commercial Setbacks are 6 feet in the front, 15 feet in the rear, and 5 feet on the sides. Fence height regulations are 3 feet solid within the front setback, 4 feet with clear view within the front setback, and 6 foot the rest of the perimeter. There are no issues concerning the clear site triangle and the police and fire have no issues with their concerns. There are two exist off of Camino Del Llano. There is more than adequate parking for the public and the employees. There is an existing loading dock for area to accommodate the loading and unloading of large animals. In the applicants letter

he does say that the large animals will be housed inside the building. There will be pens outside for the purpose of loading and unloading the large animals.

Dr. Florian Sanchez said that he would like the News Bulletin for working with them through this process, to purchase the building. They see an average of 5,000 patients a year. These are small animal patients. They do see large animals out on the rancher's property. There are no large animal facilities in the City of Belen that can hold the large animals for a short period of time. Along with the large animals they will still see small animals. They will also house these animals within the building. They would like to upgrade the exterior of the building along with the landscaping. The large animal vet is not a lucrative business. That is why they will continue to see the small animals. There will be an exterior along with and interior fence for the protection of the animals and the public.

Commissioner Claudine Montano asked Mr. Sanchez why they chose that location.

Dr. Sanchez said that they were originally going to locate on south main to build on. The current cost of building materials would be very high and the News Bulletin building is bigger than the originally planned building at a lesser cost.

Commissioner Claudine Montano asked how they plan on handling the disposal of animals and their waste material.

Dr. Sanchez said that they have to follow biohazard standards. This is just like any hospital waste. If the animal has an infectious, contagious, or zoonotic it has to be treat by the biohazard standards. Zoonotic means it could be transferred to a human.

Commissioner Claudine Montano asked for an approximate time period for large animal stays.

Dr. Sanchez said that they could not estimate this. They figure that most of the large animal cases would be and in and out the same day. The most he can see a long stay would be two to three days. They would compost the animal manure. They manually pick up the manure very quickly to dispose it.

Steven Tomita said that the City is mandated to comply with the Clean Water Act.

Commissioner Jim Lardner asked if the outdoor pens would be used for long term.

Dr. Sanchez said that they do not plan to use the outdoor pens for long term stays. They will pull all required permitting through the City of Belen and any other agency as required. He does not do a lot of surgeries. He mainly does vaccinations, teeth cleaning, etc., mostly in and out the same day.

Mr. Chris Chavez informed the Commission that he owns the property behind the building. He handed the Commission a letter he had prepared. He feels will be directly impacted by the large animal veterinary clinic. It is a highly visible location. The existing ponding has been filled up with dirt so that it does not even exist anymore. He said that they will need to clean the pond up so that it does have ponding. He said that

there is no architect design on how they are going to fix up the building. They need an architects design and a state building permit to do any remodeling to the structure. He would like to have the number of animals limited. He does not want something that looks like a sale barn. He would like to see some of his concerns addressed before a Conditional Use is given. Until these are addressed he feels that this should be tabled. He would like to know who will be the one to enforce these conditions once given.

Chairman Steve Ethridge asked the staff if the Commission can ask the public questions or does it have to be done a different way.

Steven Tomita said that the Commission can ask anyone who participates in the hearing any questions concerning this proposal. He explained to the participants that some things have changed. Any conditions that are placed will be placed in an agreement with the City so that if they are in violation of the agreement the City has to right to revoke the Conditional Use. It will be the Planning & Zoning Department who will enforce this.

Mr. Chavez said that his main concern is that exterior corrals not be allowed. There will be animal waste build up and run off the property. He feels that the odor will affect the whole area. He would like to see a design on the type of fence he will be putting up.

Dr Roland Sanchez said that he has a lot of clients that like to go on trips. They will need a place to place their animals so that they can go on this trip. The only way they can do that is to place them in a kennel. Dr. Florian Sanchez will provide that place and a place where any sick animal can go to be looked at. Dr. F Sanchez went to a reputable veterinary school. He also goes to different ranches to care for animals. This is an urban center with no large animal clinics. Dr. F Sanchez can provide that. If there is an apartment built next to this, most of the people who live there want pets. They will need veterinary services and kennel services for those pets.

Mr. Oscar Cole said that he runs the Valencia County Rodeo team for the Valencia County Fair. This Clinic would be nice for the area and the animals that can be taken care of here instead of going all the way to Bosque Farms or Albuquerque. He said that we need this type of service in the area.

Dr. Sanchez informed the Commission said that this is going to be a safe operation. He will comply with whatever the Commission requires him to do.

Steven Tomita reminded them that we now have to abide by the Clean Water Act. There can be no runoff from the property going all over. It has to be maintained and kept on the property.

Dr. Adolfo Sanchez told the Commission that this was a great opportunity for Belen. A lot of people do not have access to this service without a big risk to the animals. It is an opportunity to bring technology to the City of Belen. He didn't feel that there should not be a limit to how many large animals at the facility on a daily basis.

Chairman Steve Ethridge asked the Commission if they had any more questions for the applicant.

Commissioner Jim Lardner asked the applicant if he has plans to submit all plans for the modification and the fencing to the Planning & Zoning Staff for approval.

Dr. Sanchez said that he will do so.

Chairman Steve Ethridge asked the Commission if there was a motion.

Commissioner Jim Lardner Armstrong moved to approve the Conditional Use with the conditions that there are no overnight livestock outside of the structure, all drawings and all plans be submitted for the Planning & Zoning Staffs approval, that it will never get to the point of being similar to a sale barn and that will be for a time period of the duration of the business activities (Large/Small Veterinary Clinic). If the business activity changes the Conditional Use goes away.

Vice Chair Pete Armstrong seconded the motion.

Motion carried.

Vote is as follows:

Commissioner Claudine Montano	Yes
Vice Chair Pete Armstrong	Yes
Commissioner Jim Lardner	Yes

C. **RQUEST FOR A VARIANCE ON HEIGHT RESTRICTION** for the purpose of putting up a 50' flagpole: **Canon Christian Academy. Legal Description:** Township 5 North, Range 2 East, Section 6, map 96, Tract B, Land of Casey Luna, containing 8.10 ac., aka 19831 HWY 314, Belen NM 87002.

Steven Tomita said that he would like to recognize and compliment the High School Students of Canon Christen Academy for being here tonight. They are planning a monument and among this monument they would like to place a 50' flagpole in the center of it.

Lisa Miller said that the School contacted the Planning and Zoning Department to set up a meeting with them to explain their project. Each year the Senior students do a project with what they would like to do as their project. There was one thing wrong with the project and that was the height of the flagpole. The area is located 19831 HWY 314 with a total area of 8.10 ac. Everything around the property is Commercial. The structure houses the school, Calvary Chapel Rio Grande Valley, a coffee shop and a small restaurant.

Vice Chair Pete Armstrong asked where the location of the project would be.

Steven Tomita said on the North side entrance of the parking area.

Lisa Miller said that there is a gas station on the west side, the Belen School Yard on the North, a field that belongs to the Church that is used for activities, and the PNM building on the south side. The setbacks are 6' front, 15' rear, and 5' sides. When they first showed me the design, they were asked to make sure that none of the statues or the pole

would interfere with the clear site triangle. They relocated the display to accommodate this. The height restriction for that area is 45'. There are entrances and exits, one off of HWY 314 and the other off of Lopez Loop. There is more than enough parking. The emergency services have no issues with this as there is adequate water and access to this area. There is one entrance located at the back of the building used for deliveries.

Commissioner Jim Lardner asked if this met the side setbacks.

Lisa Miller said that there is no issue with the setbacks.

Commissioner Jim Lardner asked if there are any right-of-ways located in that area.

Lisa Miller said that there were one that she was aware of. All utilities are located in the street. They plan on taking a few of the existing parking spaces out.

Aric Montgomery explained to the Commission that every year the Senior Class comes up with a class project to leave their mark on the school and the area to improve the community. They chose a monument to the Veterans and the First Responders. They are here today to ask for a variance on the height of the flagpole because they will need a 50' pole for their project for the size

Austin Ross explained to the Commission that under the United States Flag Regulations, Chapter 1, Title 4, that for a 10' X 50' flag you need a 50' foot pole.

William Blea explained had folders passed out of what they have planned for the layout of the project. Pictures were included. At first they just wanted to build one. It was a monument for Veterans and First responders and they came up with bricks that could be engraved and placed at the monument or taken home. They have contacted several businesses in the area to ask for help and involvement with the materials they would need. Sisneros is supplying statues for the project. He described the statues. Two of the parking spots have been removed. The flagpole will be placed in the center.

Commissioner Claudine Montano asked how many seniors were there.

William Blea said that there were ten.

They explained that on the back of the information they provided, is a flyer explaining the project and the information on the different size blocks that can be ordered. They asked that this information be spread around to anyone who would be interested in the project or purchasing blocks.

Chairman Steve Ethridge told the group that they appreciate the group presenting the project.

Lisa Miller said that she was very impressed with their presentation and the information that they have provided and they should be very proud of themselves.

Chairman Steve Ethridge asked for any questions of comments. There were none. He then asked for a motion.

Commissioner Jim Lardner moved to approve the Variant of a 50' foot flagpole.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Vote was as follows:

Commissioner Claudine Montano	Yes
Vice Chair Pete Armstrong	Yes
Commissioner Jim Lardner	Yes

The High School Students were complimented on their work and their presentation.

DISCUSSION

Annexation Procedures.

Steven Tomita said this came about is because there were a few customers who wished to be annexed into the City. He sent out letters to the neighborhood to get responses on whether they wished to annex into the City. He explained that three different ways that you can annexed. A copy of the annexation procedures are attached. He then explained the process of the steps they would go through to get the annexation finalized by the City of Belen. If the neighborhood did not want to annex, when the City wants to annex them, a committee would be formed and negotiations would be done to either accomplish this or not. It would then go before the Planning & Zoning Commission and then the City Council after being presented to the County government for their approval. The annexation application and information that the City requires is attached. If the neighborhood is annexed, it becomes the responsibility of the City to provide services to this neighborhood. This includes water, sewer, and emergency services. We would also have to maintain the roads in the area and address any drainage issues.

INFORMATIONAL ITEMS

Communication from the Commission and Staff.

Steven Tomita brought up the happenings of the last P & Z Commission meeting. The actual Agenda was posted correctly as required. It is not required to provide the packets that they receive. It is a courtesy that the staff supplies the Commission with the packet. They went on to discuss this procedure and its application to the happenings of the last meeting. The HonduMex, Big Mikes Burgers, and another Mexican restaurant called La Esquina del Sabor have opened up in Belen. Circle K is supposed to start on their project on the corner of Aragon and Main. There was a slight misunderstanding so the project was delayed a little longer. He is looking at another project that is interested in coming to Belen. He will let them know when everything is finalized and they come to Belen.

Commissioner Claudine Montano asked about the apartments behind Eva Garcia's old building.

Lisa Miller said that the owner has contacted Sanchez Demolition to demolish that section of the building.

Steven Tomita said that there has been a hold on that due to the fact that it might be sold and the possibly restored.

Chairman Steve Ethridge informed the Commission that Gordon Reeves has resigned from the Commission.

Steven Tomita said that if any of the Commission members had suggestions as to who can replace Mr. Reeves, please let him know so that he can present them to the Mayor for approval. He said that the next meeting they will again be discussing the Master Plan and the Commission needs to review the material that has been given to them.

Chairman Steve Ethridge asked the Commission if there was anything they would like to say. There was nothing more.

ADJOURN

There being no further business to come before the City of Belen Planning & Zoning Commission, Vice Chair Pete Armstrong moved to adjourn.

Commissioner Claudine Montano seconded the motion

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:52 PM.

_____
Chairman Steve Ethridge

ATTEST:_____
Steven Tomita, Planning & Economic Development Director