

AMENDED 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 TUESDAY THE 29th OF MAY 2018 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 ALLEGEANCE**
- 4. APPROVAL OF AGENDA**

- 5. APPROVAL OF MINUTES**
Minutes of April 30, 2018
Minutes of May 14, 2018
- 6. PUBLIC COMMENT 3 MINUTE PRESENTATIONS:** If more time is needed for presentation, please ask to be scheduled on the next agenda.
- 7. PUBLIC HEARING WITH POSSIBLE ACTION**
 - a. SWEARING IN OF PARTICIPANTS**
 - b. REQUEST TO AMEND A VARIANCE ON SETBACKS: GNA INVESTMENTS LLC, HOWARD BALMER AGENT. LEGAL DESCRIPTION:** Township 5 North, Range 1 East, Section 25, Land of Louis and Gloria Trujillo, Tract A. AKA De La Reina Subdivision.
- 8. DISCUSSION**
Comprehensive Plan
- 9. INFORMATIONAL ITEMS**
 - a. Communication from the Commission and Staff
- 10. ADJOURNMENT**

RESPECTFULLY SUBMITTED

/s/
Lisa R 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
LEONA VIGIL
CITY MANAGER



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WAYNE GALLEGOS
CITY COUNCIL
DAVID CARTER
CITY COUNCIL
RONNIE TORRES
CITY COUNCIL
FRANK ORTEGA
CITY COUNCIL

**CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
APRIL 30, 2018**

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

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

ABSENT: Commissioner Gordon Reeves

CITY STAFF: Steven Tomita, Economic Development
Lisa R Miller, Planning & Zoning Administrator

APPROVAL OF THE AGENDA

Commissioner Claudine Montano moved to approve the agenda as is.

Commissioner Jim Lardner seconded the motion.

Motion carried.

APPROVAL OF THE MINUTES

Vice Chair Pete Armstrong moved to approve the minutes of April 9, 2018.

Commissioner Jim Lardner seconded the motion.

Motion carried.

PUBLIC COMMENT – 3 MINUTE PRESENTATIONS

There were none.

DISCUSSION

Belen Comprehensive Plan and the Economic Development Strategies.

Stephen Tomita informed the Commission that he had applied for a CDBG grant in 2016 and it was rejected by their review committee. The New Mexico Finance Authority also offers Planning Grants, so he contacted them last year and they had no funds left. The Governor of New Mexico line item vetoed any funding for this coming budget year. Updating the Comprehensive Plan every five years is mandatory by the State of New Mexico. Our last update was in 2003 and without having an updated plan the City could lose the ability to get public funds. One of the things that is a problem with our Comprehensive Plan now is that we have done a Downtown Master Plan, an Affordable Housing Plan, and in 2010 we did a Strategic Growth Plan. The Belen Economic Development did a Strategic Implementation Plan. All those documents were supposed to be integrated into the Comprehensive Plan. The Comprehensive Plan governs all other plans. He has asked the Council to include the money that will be needed to update the Comprehensive Plan in the Planning & Zoning budget. He would like to have a consultant come in and do the updates. When he went through the Strategic Growth Plan it had some good ideas but it did not really tell you anything. It is a plan that identifies that we need to have a plan for the different areas of growth around the City. There is no direction in the Strategic growth plan.

Chairman Steve Ethridge asked if all of those plans have to go into the Comprehensive Plan.

Steven Tomita said that all the plans need to emulate the Comprehensive Plan. The Comprehensive Plan should refer to the other plans.

Vice Chair Pete Armstrong said that since we have all these old documents, and some of them are essentially worthless and he asked what the Planning & Zoning Commissions responsibilities to doing all of these documents.

Steven Tomita said that it is the Planning & Zoning Commissions responsibility to update them. He said that the City needs a growth plan. It needs to say where we want to go, what we want to see, what kind of economic growth do we want here and how we are going to accomplish those goals. He handed out a map General Plan Land Use Map example from Queen Creek. It is a future land use plan on what you would like see in Belen. New Mexico does not require this but he would like to see kind of map included within the City's Comprehensive Plan.

Vice Chair Pete Armstrong who would be doing the update.

Steven Tomita said it would be the consultant, but the consultant would be working with staff and the Commission, and then with public input. The Comprehensive Plan is a guide to direct the future of the City.

Vice Chair Pete Armstrong asked when the Commission would start working on this plan.

Steven Tomita said that it was going to be awhile. Until he finds out what his budget will be and applies for a CDBG grant and gets it, it may be awhile. He looked at the Economic Strategic Plan for Queen Creek AZ. One of the things that they do is what is going to be done and who is going to do it. They include a SWOT (strength, weaknesses, opportunities, threats) document. You take this document and distribute it among the public, the Commission, the Council, etc. and ask them to list what they think are our economic strengths, weaknesses, opportunities and threats are. Once this is done you look at what opportunities that the City can go after and overcome our

threats. This establishes what we can do as a community to take the City where we want it to go. This was not done in Belen's analysis when they developed the Comprehensive Plan. They did site assessments like the airport and Rancho Cielo area. Area like this are called growth nodes. In the Queen Creek Plan they took the SWOT and came up with a chart that shows a list of everything that they are going after. Their strategies shows what they are going to do, when they are going to do it, and then it says who is going to do it. The City's Comprehensive Plan say that we need to do this. We have a plan that has no real objectives. The SWOT and the strategies chart need to be added to our Comprehensive Plan.

Vice Chair Pete Armstrong said that for a 10 year old plan, ours look great. A lot has happened in 10 years.

Steven Tomita said a lot of communities do not have the knowledge and the staff to be involved with the consultant so instead of the City telling the consultant what they want it usually is the consultant telling the City what they want. A lot of these consultant firms overlook that you also need an implementation plan. An implementation plan is critical. WE are going to have to come up with one now because our plan has to be updated. Things have changed. What we have is not something that we are going to just totally throw away but it is going to take some significant work to update it and create an implementation plan to add to it.

Vice Chair Pete Armstrong asked what the Council's feelings are for throwing money into these documents.

Steven Tomita said that he is asking them for an extra \$25,000 in his budget so that when he goes after a \$50,000 grant he will have a total of \$75,000. He is waiting to find out if the Council will give him that so that when he goes after the \$50,000 grant he can show that the City will be putting an extra \$25,000 into this project. That looks good on a funding request. He has provided a copy of the Strategic Growth Plan and Lisa will get them a copy of the Comprehensive Plan so that the Commission may become familiar with them.

Vice Chair Pete Armstrong asked what the next step was as far as the Commission is concerned.

Steven Tomita said making themselves familiar with these documents. It is going to take a few months.

Commissioner Jim Lardner asked how the City been running these many years without an updated Comprehensive Plan. He also asked if this plan is not in up to date is the City not in compliance with some kind of state law.

Steven Tomita said yes. When the City of Belen applied for the CDBG Grant to repave La Luz and San Lorenzo, which we got, we were asked if our Comprehensive Plan was up to date. The only reason we got that grant was because we were also applying for the CDBG grant for our update. When he applied for the grant to have some work done on Delgado from Mesa Rd up to the High School, the Comprehensive Plan was brought up. MRCOG informed them that we were going to be updating our plan, so that grant got approved. We are at a critical point and have to update our plan.

Vice Chair Pete Armstrong said that in his previous employment, they had a Safeguard and Security Masterplan and it was the document they went by. This document also identified

funding for everything that they did. They used that document for leverage for that finding. He does not see that kind of money being available for the series of documents like that for the City of Belen.

Steven Tomita said that he was in a workshop sponsored by Senator Udall. DFA, USDA, HUD and a few others were there, and they were talking about the funding mechanism that are available. There is a lot out there that we are not tapping into.

Vice Chair Pete Armstrong said that it is incumbent on us, the City of Belen, to take the position that these documents are important and we need to come together and get them done.

Steven Tomita said yes. The grant he got for Aragon Rd was done two years ago. Most of our grants do not come through right away. They usually are a couple of years ahead of the actual disbursement of the funds. Belen Mainstreet is trying to tap into funding for the revitalization of Main St. The trade conference was a way to get out there and make some aware of what we have and what is available. He asked that the Commission also make themselves familiar with the Strategic Plan.

Vice Chair Pete Armstrong asked when they would need to start on this project.

Steven Tomita said that if he can secure the funding, which will take several months. The Commission can wait until the grant is secured or they can be discussing the Comprehensive Plan and the Strategic Growth Plan so when we do get the funding the Commission is very knowledgeable about these documents so that we can move forward at a quicker pace when the grant goes through.

Commissioner Jim Lardner asked if the Comprehensive Plan have all the components that should be in it. He understands that this needs to get done and asked if there are certain things that they should put more emphasis on.

Steven Tomita said it has only what the State requires, and nothing else. It has a lot of good information in it. We need to add an accountability factor to these plans. Then it needs to be reviewed once a year to see what things are being done and what things need to be added or changed.

Vice Chair Pete Armstrong asked if the airport manager was working on the Airport Master Plan.

Steven Tomita said no. She is working on getting new customers at the airport. She is marketing the land for things such as hangars but you need to watch how things are placed or you can screw things up and put things in places that should not be.

Commissioner Jim Lardner asked if there was money available in the Planning & Zoning budget for this.

Steven Tomita said that the Planning & Zoning budget is very lean. There is some money in the airport budget that can be used for the Airport Master Plan. He will also be working with the Mainstreet groups to see if there is anything that they can help with on funding for the Comprehensive & Strategic Plans. Those two plans are the backbone to the community. He explained the process he adopted when he was involved with developing a plan for a community

in Arizona. One community came together and developed a plan that there would be no street light along one of their corridors. There are now three traffic lights along that corridor.

Chairman Steve Ethridge said that street lights are now becoming more sophisticated so they are costing more than they used to.

Steve Tomita said that this issue came up with Loves. Everyone said that there would need to be traffic lights installed on that corner due to the increase in traffic. He said that they should not do that too early because it will create a big problem. It will create backup that is not needed at this time. DOT has the consultants do a full analysis and they said that traffic lights were not needed. A four way stop was put in place.

INFORMATIONAL ITEMS

a. Communication from the Commission and staff

Lisa Miller informed the Commission that she received two sets of plans. One was for the Rio Grande Elementary School and the other was for Dr. Dieterichs office on Castillo Ave.

Steven Tomita said that Loves is planning on opening on Thursday. This is a soft opening and usually within two to three weeks after that they do a grand opening with ribbon cutting, etc. He is trying to get something done on the north interchange. He is trying to set up a meeting with Coast Range to see what they can chip in and then we will try to get funding for the rest. He was in a skype conference at West Corporation with Israeli Companies. With the fact that Keter is now here, they are considering New Mexico and this area. With Keter here and the transportation hub going into Los Lunas, he has been getting a lot of calls of interest in the area. We are also getting more interest in the development of housing in Belen.

Chairman Steve Ethridge said that he has read that Facebook is now flying drones. They are going to be having solar powered stationary vehicles that are going to staying at 60,000 feet for days or months at a time.

ADJOURNMENT

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 7:29 p.m.

Chairman Steve Ethridge

ATTEST: _____
Steven Tomita, Planning & Economic Development Director

JERAH R CORDOVA
MAYOR
LEONA VIGIL
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CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
MAY 14, 2018

Vice Chair Pete Armstrong called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:02 p.m.

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

ABSENT: Commissioner Gordon Reeves
Commissioner Claudine Montano

CITY STAFF: Steven Tomita, Economic Development
Lisa R Miller, Planning & Zoning Administrator

APPROVAL OF THE AGENDA

Commissioner Jim Lardner moved to approve the agenda as is.

Vice Chair Pete Armstrong seconded the motion.

Motion carried.

APPROVAL OF THE MINUTES

The minutes of April 30, 2018 have not been completed.

PUBLIC COMMENT – 3 MINUTE PRESENTATIONS

There were none.

DISCUSSION

Belen Comprehensive Plan

Steven Tomita said that now that the Commission has gotten a copy of the Comprehensive he hopes they have had a change to glance over it.

Vice Chair Pete Armstrong said that as he was going through this document, it was obvious that a lot of work has gone into it. He wanted to know what the Commissions role in this.

Steven Tomita said that the Planning & Zoning department to create this document and it is one of the Commissions responsibilities. If we don't have it, then create it or if we have it to lead a team to modify and update it. This is to propose the direction of the City. The Council is the ones to adopt it and Planning & Zoning enforces it.

Vice Chair Pete Armstrong said that it looked like there were a number of hands in the preparation of this document, from many organizations.

Steven Tomita said that the interesting thing is that it does not mention the Planning & Zoning Commission, but in our Ordinances, the Planning & Zoning Commission are the ones that do this document.

Vice Chair Pete Armstrong said that if you look at Table 32 on page 79 of this document, back in 2003 when this was put together and approved, there were a number of items that were identified and he would like to know what the status of the issues identified in that table.

Steven Tomita said he did not know if we had a real annexation policy and procedure and we do have two clean-up days per year.

Vice Chair Pete Armstrong said that this goes back to what he has said before. The City will say something is going to be done and never follow through. The Comprehensive Plan is an official document and when he looks at the critical and the five year issues identified, he had a hard time identifying most of those as being accomplished.

Steven Tomita said a lot has been accomplished and taken on. There is a water conservation plan, the water management program is in place.

Vice Chair Pete Armstrong said that there is a difference between a having a document in place and implementing it. He thinks that the city falls short in many areas.

Steven Tomita said that is what he is talking about with an implementation plan. The existing document lists the strategic action priorities but does not say who is going to implement them. The strategic action priorities is just a wish list.

Vice Chair Pete Armstrong said that he would hate to waste our time on if nothing is going to be done. The City does great things in developing these plans but they fall short in the implementation of these plans. He would like some affirmation that this is not going to be a repeat of the past.

Steven Tomita said that we are mandated by the state to do this. We have no choice. It is partly the responsibility of the P & Z to enforce the Comprehensive Plan. Not necessarily everything on table 32 but all the issues that come before the P & Z Commission. A Zoning issue, a Master Plan, or anything else, should all refer back to the Comprehensive Plan. Let's take Rancho Cielo, they came in with a development master plan, and it was never asked if it complies with the Comprehensive Plan. It was not even considered. This City needs to have a plan for smart growth which should be addressed in the Comprehensive Plan.

Chairman Steve Ethridge said that they just need to update this and if they see things that are irrelevant then remove it and if they see something that needs to be added then add it. He thinks that customer communication needs to be added if it can be. A while back he turned in a petition that was signed by 650 people, in less than two weeks, to implement the use of the old water tower siren and nothing has been done.

Steven Tomita said that when they read through this did it intrigue and motivate you, in any way, to see some of these things implemented.

Vice Chair Pete Armstrong said that he lives in one of the neighborhoods that is identified as a historical area. He wanted it designated as being historical. He did not realize all the requirements there were to designate an area historical. He acquired some of the criteria and started to speak to some of the neighbors and he was amazed at the responses. They did not want to do anything that would require them to do something in a particular manner. He ended up giving up because there was no support from that community.

Steven Tomita said that the City met with SHPO concerning the Aragon Properties. They will be identifying historic neighborhoods whether we like it or not. The old City Hall is going to be declared a historical building and it will be registered with the State. The State will not be putting a lot of pressure on how we do certain things. The Federal government is more stringent than the State. If you designate a neighborhood, there are no grounds placed on it. If you set up an Ordinance that designates a neighborhood as being historic and state what will be done in that neighborhood, that is a different story. When you look at this document, does it inspire and inform.

Vice Chair Pete Armstrong said that it does both. It is an excellent tool to identify what we want to do with our priorities for the next 20 years, but what value is it if it is not implemented.

Steven Tomita said that there is no value and that is the problem. You need to include an implementation plan to identify who will be accomplishing these things.

Chairman Steve Ethridge asked if this plan is not in place or updated, it will affect our possibility of funding resources.

Steven Tomita said it affects our Federal and State funding. It will also affect grants.

Commissioner Jim Lardner said that everything that he has glanced at seems like an update is all that is needed.

Steven Tomita said that we need a consultant to lead us. The consultant should be helping us get the public participation, watching to make sure our individual biases are not included, and to try to get the public into a frame of mind to be thinking forward into the future.

Commissioner Jim Lardner asked how long we have to make this happen.

Steven Tomita said it needs to be happening right away. We are behind. This is supposed to be updated every five years.

Vice Chair Pete Armstrong asked how long it would take to get a consultant on board.

Steven Tomita said that he first has to apply for a grant. He needs to know whether the grant is going to include a 10% matching fund or if the City is going to be adding \$25,000 as their match. It is a CDBG \$50,000 grant. We cannot start this process until we have the grant. He explained the process for applying for the grant and what steps will need to be taken to obligate the funds.

Commissioner Jim Lardner said that Steven is basically saying that this is a yearlong process and we will not see an updated document until 2019 or 2020. He asked if this would affect the City.

Steven Tomita said that as long as we are in the process of this update it will not affect our chances for funding. The Commission can reviewing the document and making comments and suggestions, which can speed up the process. We need to really look at the airport area. Rancho Cielo will also need to be looked at. These two areas are a very important growth node. He also wants to look at Mainstreet redevelopment.

They talked about an upgrade to the I-25 Interchange and the traffic impacts this will have.

Vice Chair Pete Armstrong said that Mainstreet should be involved with this. They are pretty much out there doing their own thing because there is nothing there to guide them and it should be a part of the Comprehensive Plan.

Steven Tomita said that the City has the power to go 3 miles outside the City boundary and we should be looking at those three miles. The north corridor going to Los Lunas needs to be looked at. We can establish a plan for that. If the county does something that could impact the City we can interfere.

Vice Chair Pete Armstrong said that we need to address the Commercial encroachment into neighborhood areas. It is happening. The City allowed the purchase of two homes so that a new commercial building could be placed there. There is a funeral home that is looking to buy property to increase their parking availability.

Commissioner Jim Lardner said that the new Circle K will be taking three homes on Aragon.

Steven Tomita said that the State is off tract by not requiring a future land use plan. This is very important. He feels that all along Reinken Ave should be Commercial. There is no guidance.

Vice Chair Pete Armstrong said that is what he is saying. We need something tangible that says that this is the way it is going to be.

Steven Tomita said that you have to be careful, because if you say you can't do that it can become a big issue. Once you do that you are denying somebody the rights to their property, so we have to be very careful. The future land use map can say that we are designating a certain area as residential. Not only is it zoned residential but it is designated on the future land use map we would like to see that area remain residential. If a developer comes in and says he wants to place a commercial building in a residential area, that developer is going to need to show what the basis for making that decision and why should we allow it to change. Not having the future land use map has removed a lot of power that the Commission and Council have. There is no direction and we have no basis for decision making.

Chairman Steve Ethridge said it is management by crises.

Vice Chair Pete Armstrong said that there seems to be no management.

Steven Tomita said that some of the things like the roads and the infrastructure will have to be addressed. We need to come up with an asset management plan and that funding is being sought. This Asset Management Plan will look at and asses all of the infrastructure that Belen has and what we need to do in the future.

Vice Chair Pete Armstrong said that he was going to speak from experience from his employment with the Air Force base. His team was responsible for the transportation of weapons all over the US and they had a requirement to have a Site Security Plan and it is like similar to the Comprehensive Plan in that it had a lot of elements. Their headquarters would come out and test them on the validity of that plan and their ability to follow that plan. If you couldn't then they were shut down. That document was our guideline to follow.

Steven Tomita said that the Comprehensive Plan should be a very informational and informative Plan. It should be calling out all of the other plans that the City has and saying this is what we want to happen. Our document only says that we should go plan these things and not what we should be doing. He gave them several different communities that they could look at for examples of their Comprehensive Plans or Communities Plan.

Conditional Use Permits

Steven Tomita said he put this on the agenda due to the fact that these were discussed at the Convention that He and Lisa attended. The planner from Gallup said that when a conditional use is granted it is permanent. Not everybody agreed with him. Gallup's approach to the conditional use and the way they use the conditional use is that it stays with the land. The other presenter said that it depends on what you grant. It involves time frames, etc. If you had granted a conditional use for alcohol and that owner decided to sell that business, someone else can come in and continue to serve alcohol. The conditional use runs with the land. There was not an accord on the conditional use. He feels that it is up to the community and its Ordinances itself.

Vice Chair Pete Armstrong said that they have put conditions on a conditional use permit when the Foreign Legion came in and asked for one. Our conditions were not acceptable to them so they did not pursue it any farther.

Steven Tomita said that he would like the Commission to think about whether they are overusing some of the conditions that they place on some of the conditional uses. We need to think of, for the future, is a time frame needed.

Lisa Miller said that there were a lot of people at the convention that did not agree with what Gallup's planner said.

Commissioner Jim Lardner asked if a conditional use does not have any conditions wouldn't that make it a variance.

Steven Tomita said that a conditional use should have conditions attached to it. They really need to delve into the conditions that are placed on a conditional use. Look at the time line carefully

and maybe extend the time frame with a review within that time frame. He informed the Commission that the Staff is coming up with a whole new application and the documentation that has to accompany the application. A lot more information is going to have to be provided by the applicant.

Lisa Miller said that there will be only one application but that each situation will have a set of requirements that will need to be met and provided.

Steven Tomita said that both Queen Creek and Rio Ranchos material has been thoroughly vetted. That is why he likes to use their things as examples.

Chairman Steve Ethridge said that under the conditional use procedures where it speaks of a six month time period, he wanted to know where the food trucks fit in.

Steven Tomita said it is not included.

Lisa said that food trucks are addressed under a business license.

Steven Tomita said that Albuquerque has come up with a whole Ordinance concerning food trucks. They do not want to see them. He thinks food trucks are a good business if they are treated correctly.

Chairman Steve Ethridge asked if the Brad Frances auto sale, that happens at Walmart every year has to have a conditional use permit.

Lisa Miller said that is an event so all it needs is an event permit.

Steven Tomita said that he is surprised that carnivals and circuses are being treated like they are a semi-permanent thing. Most of the time they are just here for a few days and then they leave. To him that is an event and should have a special events permit. I could understand if it was a huge set up, then it would impact the whole community and should obtain a conditional use permit. He asked the Commission to think on this for future request for a conditional use permit.

INFORMATIONAL ITEMS

a. Communication from the Commission and staff

Steven Tomita said that the conference in Clovis was mostly the codes. They also talked about NEXUS of taking and not taking of property. We can't just say give me 150 feet, because that is taking a lot of land away from them. Typically you would ask for the equivalent of two lanes but if we need more we are going to have to compensate the owner for taking more. Now if an owner of a piece of property, which is zoned A-R, and wants to develop a subdivision, he will first have to request a zone change. That is the time to ask that developer for the length and widths of roads. At this time you will be negotiating. Alcohol was also discussed at the convention. We have just done two waivers for the new Circle K store on N Main. Parking lots are not considered according to the state unless there are activities being conducted on a regular basis in the parking lot. We went ahead and decided to grant the waivers. We asked the State agency that attended, if the same applies to schools and churches, when it comes to them moving into an area that an existing liquor license is located as far as the required 300 foot distance. On the second day we spent the time on going around Clovis and touring some of the historic buildings that are being restored. The Clovis Hotel, an old theater, and the recording studio.

Chairman Steve Ethridge asked if there was any requests on the next agenda.

Steven Tomita said that there was an amendment to a variance. He also said that there may be some announcements on the Transportation Hub. WalMart is wanting to put another small restaurant in. It would be located up front.

Commissioner Jim Lardner said that every time he drives by Loves he sees a mountain of vehicles and people there. They are people with out of town plates. He thinks it is great for the City.

Steven Tomita said that Loves open up another travel center on HWY 44 outside of Oklahoma City on the same day the one here opened. The one here just blew them away as far as customers. Arby's made more than \$8,000 the first day. They are doing much better than they expected. The formal ribbon cutting is on the 18th of May. The City has ordered new flashing light stop signs for that intersection. Nobody seems to be paying attention to the ones that are there, even though there are a lot of them and they are on every corner.

Chairman Steve Ethridge asked if the two mobile homes at 612 S Main St were allowed in that area.

Lisa Miller said that single wide mobile homes are not allowed in a C-1 zone.

Chairman Steve Ethridge asked if they had been grandfathered in. He would also like to see them put on the demolition list because they are in pretty bad shape.

Lisa Miller said that the property is up for sale. She has had a few people call in and ask if those two trailers could be removed and re placed by newer ones. She explained to them that no single wide mobile homes were not allowed in a C-1 zone. She said that she would add it to the list and get started on the process.

Chairman Steve Ethridge asked if there were any follow-up reviews on any Conditional Uses that are coming up. He asked about the nutrition/fitness business that came in and got a Conditional Use. The one over by the RSVP Park. Do they follow up with just the staff or with the Commission?

Lisa Miller said that it was coming up due for a review pretty soon.

Chairman Steve Ethridge said it would be nice if the City could get some of these businesses to come in and get a pat on the back from us and a thank you for opening a business in Belen.

Steven Tomita said that, as an example, there is one person that came up to him and asked why no one was advised that one of the film companies were going to show a short film at the library during one of the festivals and why didn't the City take any steps to let the public know. He told her that we had sent out a notice with our utility bills, and she said she throws those away. He then told her it was in the paper, and she said she doesn't read the local paper. He told her that the announcement were on three radio stations and she said it was not on her radio station. He also informed her that it was on a big billboard on the way to Albuquerque and she said that she doesn't go to Albuquerque. So, he told her that this tells him that she does not want to know what is going on in Belen. Part of the problem is that people are not paying attention to what is going

on right next to them, they don't pay any attention to reading the paper or looking at our website for announcements. They just don't care and are not making an effort to find out what is going on around Belen. It's frustrating. When we get peoples interest is when it is controversial issues and then they come out after the fact. The Chamber and Mainstreet run into the same frustration.

ADJOURNMENT

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

Commissioner Jim Lardner seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:54 p.m.

Chairman Steve Ethridge

ATTEST: _____
Steven Tomita, Planning & Economic Development Director

GNA Investments II, LLC

9600 Tennyson Street NE

Albuquerque, NM 87122

Letter of Transmittal

Variance Amendment

Planning and Zoning Department

City of Belen, New Mexico

GNA Investments II, LLC requests the City of Belen, New Mexico to grant an amendment to a variance approved on January 8, 2018 reducing the front setback requirement of 20 feet to 15 feet for all of the residential lots in the Preliminary Plat of De La Reina Subdivision located on Don Luis Trujillo Blvd. This request for amendment asks the City of Belen to grant an additional three foot of rear setback. In return, GNA Investments II, LLC will agree to and/or stipulate that no drive pads in the De La Reina subdivision will be allowed forward of twenty feet (20'). The purpose of this is to correct a flawed part of the original granted variance to protect the optimal drive pad length, by pushing the structure farther from the street.

LEGAL DESCRIPTION: Township 5 North, Range 1 East, Section 25, Land of Louis and Gloria Trujillo, Tract A ,of the New Mexico Principal Meridian in Valencia County, New Mexico. Also Known as De La Reina Subdivision, Belen NM 87002.

The residential lots were originally platted at 50' W x 90' D, rather small by the building standards of the current market. The increase in setback space of five feet will allow the builder to meet and bring to market single story homes up to +/- 1800 square feet.

The homes will include elevations and neighborhood style porches that comprise a community feel, and the additional setback change will allow these designs to be incorporated into the single story homes.

Respectfully submitted,

GNA Investments II, LLC

Gregory N. Anderson – Managing Member



**JERAH R
CORDOVA**
MAYOR
LEONA VIGIL
CITY MANAGER



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CITY COUNCILOR

VARIANCE AGREEMENT

This matter appeared before the City of Belen Planning & Zoning Commission on January 8, 2018 for a public hearing pursuant to Section 17.60.020 of the City Municipal Codes. The hearing was conducted as a quasi-judicial hearing with the purpose of considering a request for a Variance on the front setbacks for the purpose of placing new homes in a stagger pattern instead of row homes. Legal Description: LEGAL DESCRIPTION: Township 5 North, Range 1 East, Section 25, Land of Louis and Gloria Trujillo, Tract A, of the New Mexico Principal Meridian in Valencia County, New Mexico. Also Known as De La Reina Subdivision, Belen NM 87002.

CONDITIONS OF APPROVAL

1. GNA Investments, LLC "owners" shall complete and return signed Variance Agreement within 60 days.
2. Failure to complete the Variance Agreement within those 60 days will void the approval of said Variance
3. The variations of setbacks are to be between 15 feet to 20 feet from front property line.
4. The Mayor, City Manager or the City Planning Director are authorized to sign this Variance Agreement as accepted by the City of Belen Planning & Zoning Commission as a whole.
5. This Agreement shall be binding upon all entities and employees of the City including the City Planning and Zoning Commission.

THEREFORE, the Owner hereby covenants and agrees with the City of Belen to comply with all Terms and Conditions set forth in this agreement and acknowledges that breach of any or all of the named Conditions is grounds for Termination of the Variance,

AND, the City and the owner agree that, in order for this agreement to become effective, it shall be filed for record with the Valencia County, New Mexico Clerk and that its provisions shall be binding upon and inure to the benefit of the parties, grantees, successors, heirs, or assigns.

IN WITNESS WHEREOF, the parties have affixed their signature on this _____ day of _____, 2018.

CITY OF BELEN

BY:

ATTEST:

STATE OF NEW MEXICO }

} ss

COUNTY OF VALENCIA }

The forgoing instrument was acknowledged before me on the _____ day of _____, 2018 by _____ representing the City of Belen, a New Mexico municipal corporation on behalf of said corporation.

Notary Public

My Commission Expires: _____

OWNER/DEVELOPER

STATE OF NEW MEXICO }

}ss

COUNTY OF VALENCIA }

The foregoing instrument was askedged before me on this _____ day of _____, 2018.

Notary Public

My Commission Expires: _____