

1 **SOUTH MESQUITE DESIGN REVIEW BOARD**  
2 **January 21, 2016 at 6:00 p.m.**  
3

4 Following are verbatim minutes of the South Mesquite Design Review Board meeting  
5 held January 21, 2016 in 2007-A, City Hall, 700 N. Main Street, Las Cruces, NM 88001.  
6

7 **MEMBERS PRESENT:** Robert Williams  
8 David Chavez  
9 Faith Hutson  
10 Paul Mach  
11 Tony Dahlin (arrived 6:08)  
12

13 **STAFF PRESENT:** Katherine Harrison-Rogers, CLC Planner  
14 Becky Baum, RC Creations, LLC, Recording Sec.  
15

16 **OTHERS:** Frank Belyan  
17 Rod Ruiz  
18 Julie Ruiz  
19 Rosa Ruiz  
20 Vita Montano  
21 Daniel Ortega  
22

23 **I. CALL TO ORDER (6:01 p.m.)**  
24

25 Williams: We're going to call the meeting to order at 6:01.  
26

27 **II. APPROVAL OF MINUTES - December 17, 2015**  
28

29 Williams: And do we have, the first item on our agenda's approval of the minutes  
30 from the December 17th, 2015 meeting.  
31

32 Hutson: On the last page, 44, line 2, I actually said "actually you don't have to have  
33 a motion." That was in reference to adjournment.  
34

35 Williams: Okay.  
36

37 Hutson: You can just call adjournment, we do not have to have a motion. So there  
38 should be the word "actually" I mean "don't" after the word "you." That's  
39 all I saw.  
40

41 Williams: Okay, any, anyone else? Do we have a motion to approve the minute?  
42

43 Chavez: So moved.  
44

45 Hutson: I make a motion to approve as amended.  
46

1 Williams: Okay. A second?  
2  
3 Chavez: Second.  
4  
5 Williams: All those in favor.  
6  
7 MOTION PASSES UNANIMOUSLY.  
8  
9 Williams: Motion passes unanimously.  
10  
11 Mach: Can I ask a question about the previous meeting and these minutes?  
12  
13 H-Rogers: Sure.  
14  
15 Mach: In the last meeting we approved the zoning change for the property on  
16 Campo with restrictions.  
17  
18 H-Rogers: Yes.  
19  
20 Mach: And those restrictions become a permanent part of the property, so where,  
21 how does a potential homeowner, sees that it's C-2, they come in here  
22 and see that these are the, what they can and can't do. How do they  
23 know that on their particular property the restrictions are on there?  
24  
25 H-Rogers: Sure. Basically what happens is that your recommendation first moves  
26 forward to Planning and Zoning. Let's just assume Planning and Zoning  
27 and City Council agree and those conditions remain and no additional  
28 conditions are added. What happens is then in the zone, the actual  
29 zoning atlas, our official zoning map, what it gets referred to as C-2c, the  
30 latter C meaning conditional. And so anytime anybody sees that they  
31 would ask staff "hey what does that mean?" We pull up the ordinance and  
32 then those, those conditions are there. Additionally our GIS group is  
33 working on linking those ordinances with the conditions in there for all  
34 zoning designations within the City. So if somebody wanted to look up the  
35 property and click on that zone to get more information about it, then it  
36 would link you to the ordinance that specified what that is. That's still in  
37 the works. It works behind the scenes but we haven't pushed it out to the  
38 public yet, but it is available. So anybody, any, any time anybody sees  
39 that C-2c they ask staff what that condition means and then we're able to  
40 tell them.  
41  
42 Mach: Thank you.  
43  
44 Chavez: So if they go and pull a permit.  
45  
46 H-Rogers: Yes.

1 Chavez: That little second C will be on the permit.  
2  
3 H-Rogers: We, that, that second C, that little conditional C ...  
4  
5 Chavez: Yeah.  
6  
7 H-Rogers: At the end is an official zone on the zoning atlas and anytime we're looking  
8 at business registrations or building permits, we have to review the zone  
9 and those conditions would then be brought up.  
10  
11 Chavez: Yeah I just want to make sure that they, you know they understand that.  
12  
13 H-Rogers: Yes.  
14  
15 Chavez: Okay. You're over here.  
16  
17 Dahlin: Excuse me. Oooh, the head of the table.  
18  
19 Rosa Ruiz: Could you turn your signs? Thank you Tony.  
20  
21 **III. NEW BUSINESS**  
22  
23 1. Consideration of official meeting schedule changing the monthly meeting  
24 from every 3rd Thursday of the month to every 1st Wednesday of the month.  
25  
26 Williams: So that, that's ... moving on now to, to consideration of official meeting  
27 change as discussed with the way we wanted to change the meeting from  
28 every third Thursday of the month to every first Wednesday of the month  
29 so.  
30  
31 H-Rogers: If I may, just to reiterate that, that this is a workable day and one other  
32 benefit to having this particular day of the month as your regular meeting  
33 date, it allows staff time to prepare reports to get any applicants onto the  
34 P&Z for that same month, as opposed to delaying them to the next month.  
35 It's actually a benefit for the applicants. I just wanted to state that in case  
36 you weren't aware.  
37  
38 Williams: Any questions? Any, everyone okay with the change?  
39  
40 Hutson: I believe we need to make a motion, correct?  
41  
42 Williams: Do we ...  
43  
44 H-Rogers: You need to make a motion, yes, and a vote.  
45  
46 Williams: A motion to ...

1 Chavez: Make a motion that the meetings change from the third Thursday of the  
2 month to the first Wednesday of the month, same time I believe.  
3  
4 H-Rogers: Correct.  
5  
6 Williams: We have a second.  
7  
8 Hutson: I'll second that.  
9  
10 Williams: Second. Motion's been made and seconded. All those in favor.

11  
12 MOTION PASSES UNANIMOUSLY.

13  
14 Williams: So moved.  
15

16 **2. Statement of Reasonable Notice.**  
17

18 Williams: And then now we've to Statement of Reasonable Notice. Katherine's  
19 going to read that for us.  
20

21 H-Rogers: Thank you. Mr. Chair, Members of the Board. The Statement of  
22 Reasonable Notice has to do with the Public Meetings Act that the State of  
23 New Mexico has. This is something that's read into the record every year  
24 for Planning and Zoning and really should be made part of the record for  
25 every public Board that, that has meetings such as this. So I have been  
26 requested to read this instead of going round-robin which might be easier  
27 for the recording secretary anyway, so I will go ahead and start and it will  
28 be made part of the record and then we'll go ahead and sign it.

29 The City of Las Cruces South Mesquite Design Review Board  
30 Statement of Reasonable Meetings, Statement of Reasonable Notice for  
31 Meetings.

32 The South Mesquite Design Review Board is informed that:  
33 Whereas, the South Mesquite Design Review Board of the City of Las  
34 Cruces met in a public hearing at 6:00 p.m. on January 21, 2016.

35 Whereas, Section, Section 10-15-1(D) of the Open Meetings Act,  
36 Section 10-15-1 to 10-15-4, New Mexico Statutes Annotated (1978), as  
37 amended, states that, except as may be otherwise provided in the  
38 Constitution or the provision of the Open Meetings Act, all meetings of a  
39 quorum of members of any board, council, commission, administrative  
40 adjudicatory body or other policy making body of a local public agency  
41 held for the purpose of formulating public policy, discussing public  
42 business or for the purpose of taking any action within the authority of or  
43 the delegated authority of such body, are declared to be public meetings  
44 open to the public at all times; and

45 Whereas, any meetings subject to the Open Meetings Act at which  
46 the discussion or adoption of any proposed resolution, rule, regulation or

1 formal action occurs shall be held only after reasonable notice to the  
2 public; and

3 Whereas, Section 10-15-1(D) of the Open Meetings Act, as  
4 amended, requires the South Mesquite Design Review Board of the City  
5 of Las Cruces to determine annually what constitutes reasonable notice of  
6 its public meetings.

7 Now, therefore, the South Mesquite Design Review Board of the  
8 City of Las Cruces, New Mexico states:

9 That for regular public hearings and special meetings, the South  
10 Mesquite Design Review Board of the City of Las Cruces generally meets  
11 the first Wednesday of every month at 6:00 p.m. for the regular public  
12 hearing, and the issuance of an agenda in accordance with this statement  
13 shall be issued and circulated to the press, radio, and other public  
14 information media and posted on bulletin boards of the City of Las Cruces  
15 City Hall.

16 That a public hearing is required for requests for zone changes,  
17 Planned Unit Developments, special use permits, Variances not otherwise  
18 excepted by Chapter 38, Article V, Section 38-49.2 of the Las Cruces  
19 Municipal Code, and Flexible Development Standards (as defined in  
20 Section 38-10 of the 2001 Zoning Code, as amended). Notice of the  
21 public hearing shall be sent by regular mail to all property owners, as  
22 shown by the records of the County Assessor, within at least 500 feet of  
23 the proposed case. Notice shall be mailed at least 15 days prior to the  
24 required hearing. Notice of the time and place of the public hearing shall  
25 be published at least 15 days prior to the hearing in a newspaper of  
26 general circulation in the City.

27 That a public hearing is required for requests for: 1) Any new  
28 primary structure(s); 2) Manufactured homes for compliance to South  
29 Mesquite Overlay design standards, with limitations pursuant to State  
30 statute; 3) Any new accessory structure in excess of 120 square feet; 4)  
31 The conversion of an accessory structure to a primary structure such as a  
32 garage or shed to a casita; 5) Additions to an existing primary structure  
33 that was constructed 50 years prior to the current building permit  
34 application, whether or not it is listed as a Contributing on the State or  
35 National Mesquite Street—Original Townsite Historic District Inventory.  
36 The Applicant shall provide evidence of the year built; 6) Additions to  
37 accessory structures in excess of 120 square feet (one time or  
38 cumulative); 7) Window or door replacement on street-facing facades; 8)  
39 Any alterations to the street facade of the primary structure or any  
40 alterations to an accessory structure over 120 square feet in size; 9) Any  
41 alterations, replacement or changes to the roof resulting in an alteration of  
42 the style of roof of a primary structure or accessory structure over 120  
43 square feet in size; and 10) Variances to building height, landscaping  
44 requirements, or parking requirements.

45 Notice of the public hearing shall be sent by certified, first class  
46 mail, to all property owners as shown by the records of the County

1 Assessor, within at least 100 feet of the subject property of the proposed  
2 request, excluding streets, alleys, channels, canals, railroads, and other  
3 public rights-of-way. Thereafter, regular, non-certified, first class mail shall  
4 be sent to those properties that fall within a distance greater than 100 feet  
5 and no less than 500 feet of the subject property. The secondary distance  
6 may include streets, alleys, channels, canals, railroads, and all other  
7 public rights-of-way. When an area larger than one city block is under  
8 consideration, regular non-certified, first class mail shall be used for all  
9 mailed notification and is not subject to right-of-way provisions as outlined  
10 above. Regular, non-certified, first class mail shall also be sent to all  
11 recognized neighborhood groups within 500 feet of the subject property.  
12 Notice shall be mailed at least 15 days prior to the required hearing.  
13 Notice of the time and place of the public hearing shall be published at  
14 least 15 days prior to the hearing in a newspaper of general circulation in  
15 the City.

16 That the City of, excuse me, that the South Mesquite Design  
17 Review Board determines that, reasonable notice shall include the  
18 issuance and posting of an agenda for regular meetings at least 15 days  
19 prior to the required hearing. That reasonable notice for special meetings  
20 shall require the issuance and posting of an agenda within 24 hours of the  
21 time of the special meeting. All other meetings which may be called for  
22 informational purposes at which no action is to be taken shall be held only  
23 after written notice issued to the news media no later than 12:00 noon of  
24 the day of such meeting, or four hours before such meeting, whichever is  
25 greater.

26 That in an emergency, wherein it is necessary for the public peace,  
27 health, safety and welfare, a meeting may be called with as much notice  
28 as may be possible under the conditions.

29 That substantial compliance with any one of the appropriate  
30 foregoing methods of giving notice shall constitute compliance with this  
31 statement and Section 10-15-1 to 10-15-4, N.M.S.A. (1978), as amended.  
32 Nothing herein shall prevent the use of additional means or methods of  
33 giving notice of regular or special meetings. Nothing herein shall require  
34 new notice of any public meeting for which notice has been given and  
35 which is recessed or adjourned. However, in recessing the meeting, the  
36 presiding officer shall announce the meeting, the time and place the  
37 meeting shall, the time and the place the meeting shall resume.

38 That all such meetings are and shall be open to the public as set  
39 forth in Section 10-15-1 to 10-15-4, N.M.S.A. (1978), as amended.

40 That if any section, paragraph, clause, or provision of this  
41 statement shall be for any reason held to be invalid or unenforceable, the  
42 invalidity or unenforceability of such section, paragraph or clause or  
43 provision shall not affect any of the remaining provisions of this statement  
44 or its application to other situations.

45 Williams: Yes.

1 Dahlin: Who's in charge of, who's in charge of implementing that to making sure  
2 we're in compliance?  
3

4 Williams: The City.  
5

6 Hutson: The City.  
7

8 Williams: The staff will do it.  
9

10 Dahlin: Okay.  
11

12 H-Rogers: That would be correct.  
13

14 Williams: They currently do that now so.  
15

- 16 **3. SMO 15-01** - Proposal for the construction of a new single-family home on a  
17 parcel located at 635 S. Mesquite, parcel number 02-06597. The property is  
18 vacant and is zoned R-2 (Medium Density Residential). Submitted by Ralph  
19 Plancarte Jr. on behalf of Pedro Ruiz, property owner.  
20

21 Williams: Okay. Moving on now to item number three, New Business, S, SMO 15-  
22 01.  
23

24 H-Rogers: I will go ahead and make the presentation regarding this. I'm gonna go  
25 ahead and turn the lights down. Thank you Becky.

26 And I know it's dark but we'll (*inaudible*). So this particular property  
27 is located at 635 S. Mesquite. It is proposed single-family home. Here's  
28 the vicinity map showing exactly where it is. You can see that it has  
29 frontage along S. Mesquite and Soledad both, it's a, it's a flag lot. It's one  
30 parcel. It is in the original Townsite. It's 0.19 acre. It is vacant currently.  
31 And it is zoned R-2, just a multidwelling, low-density zone. And of course  
32 single-family residences are allowed in this zone. Here's a picture of the  
33 vacant lot as it is today, you can see the sign for notice sitting right in the  
34 middle of it. The applicant is proposing a single-family home with two  
35 bedrooms, two baths and a recessed attached garage. The architectural  
36 style is mostly to the Spanish Pueblo Revival Style. It is intended to be  
37 no, no more than 13-feet in height. It's going to be less than 13 feet. It  
38 consists of the typical flat roof. It will be stuccoed and is shown to have a  
39 covered porch with a wooden ledger and wooden post.

40 There have been some modifications to elevations you received in  
41 your packet and you can see the most significant modification was actually  
42 just flipping where the garage door is. Originally the garage door was on  
43 this side and now it's moved to the other side of the structure, to the  
44 southern side.

45 Staff did do an analysis and of course we looked at adjacent single-  
46 family homes. There were a variety of architectural styles within the

1 neighborhood, even some structures had a, a variety on themselves with  
2 multiple types of architectural styles. There was the Spanish Pueblo  
3 Revival Style, the Bungalow Style, Prairie Style, Ranch Style architecture  
4 throughout the neighborhood. Staff did analyze Article V, Section 38-  
5 49.2(K)(3) of the Zoning Code and did determine that generally the home  
6 was similar to the guidelines outlined in, outlined in the Secretary of the  
7 Interior's standards for historic properties. Ultimately staff also analyzed  
8 the property and, and saw that it was meeting similar architectural styles  
9 that, that the neighborhood contains and was also compliant with Article V,  
10 Section 38-49.2(L)(1) of the Zoning Code as was outlined in detail in the  
11 report. Just, just so that you can see there are two pictures of the  
12 properties that, that were, to the east of the property along Soledad, we're  
13 looking north. Properties to the west along South Mesquite. This is sort of  
14 catty-corner, Soledad is right here and this is catty-corner to the west.  
15 And then of course you can see the other structures to the west along S.  
16 Mesquite.

17 Again here's some properties to the south that were along Soledad  
18 looking south. You can see here Soledad and then S. Mesquite right here  
19 and then of course this one's along Soledad right there. And this is the  
20 property adjacent and north to the proposed single-family home. Notice  
21 was sent to all landowners within 500 feet of the property. At this point no  
22 input or questions were received from the public. Staff is recommending  
23 approval of this particular project with the findings as outlined in you're  
24 report, report and of course listed on the screen before you. You've a  
25 couple of options tonight, you can vote "yes" and this would approve the  
26 home design so the applicant could pursue a building permit and staff's  
27 recommended findings may be utilized in support of that. You could vote  
28 "no," this would deny the home design and new findings would have to be  
29 developed by this particular Board and articulated regarding that denial.  
30 You could vote to amend and this could modify the design as deemed  
31 necessary by the South Mesquite Design Review Board, and of course  
32 with the cooperation of the applicant; or you could vote to table this  
33 particular application so that you could receive additional information from  
34 either staff or the applicant. And of course the applicant is here to answer  
35 any questions that you may have regarding the property and the project.  
36

37 Williams: And just a, a point, if you, if you'd like to speak make sure you raise your  
38 hand, I'll, I will acknowledge you. When you do talk say your name first  
39 clearly so we know who is speaking and we'll go from there, so. Tony.

40  
41 Dahlin: Is the house gonna be built type-five wood frame?

42  
43 Rod Ruiz: It's 2 x 4 wood frame.

44  
45 Dahlin: Two by four, so we're just doing the (*inaudible*) right now. Okay.  
46

1 Rod Ruiz: I'm here on behalf of Pedro Ruiz who will be the resident, he's a, a senior  
2 citizen here in Las Cruces. I'm with my sisters Julie and Rosa. But you  
3 saw the rendering of the house and we're thankful that, that we heard that  
4 she's proposing that it be approved and we, my dad looks forward to you  
5 know getting it started and moving in and getting the project started. It  
6 should take about three months if we can get started in February.

7  
8 Williams: Yes.

9  
10 Ortega: My name's Daniel Ortega. I'm gonna live almost right across the street on  
11 the corner of Soledad and Mesquite Street. One of the questions that I  
12 have, when I spoke to you, you had told me that somebody told you that  
13 that was not a historical area. It is a historical area so therefore you know  
14 I wouldn't (*inaudible*) by that with you because I, I talked (*inaudible*).  
15 (*inaudible*) it goes all the way around the whole street. I know there's a lot  
16 of pitched roofs there. Those pitched roofs were done before you and I  
17 were born you know. It's a very historical area that should be when you  
18 get to know the history of all that area from Bowman down to Idaho, the,  
19 you know (*inaudible*) that was, (*inaudible*) of town, I don't know. But what  
20 I'm concerned is this thing, building this house you know I know it's not  
21 Roadrunner you know or Rinconada Drive, that house will be in that, the  
22 truth, the neighborhood because hopefully the other people will join in and  
23 remodel once they see the house. I'm gonna remodel mine and I'm gonna  
24 change the, the look on it, make it look a little bit more Pueblo, but you  
25 know as far as somebody tells me that the (*inaudible*) I think that is wrong  
26 cause none of the staff that's been talked about here is living. They don't  
27 know. I think it's being the owner of the house; I think you should be  
28 entitled to choose whatever color he wants as long as it is like the color of  
29 the area you know. You know it's, I know everybody around that vicinity,  
30 was born and raised there. We have different types of groups of people  
31 that live in that area. Are we going to have, are you gonna have a big  
32 trash bin to throw all the trash or they gonna be taking you know every day  
33 the trash?

34  
35 Rod Ruiz: It'll, it'll be whatever ...

36  
37 Ortega: The reason why I'm asking is cause we're looking at the windy months  
38 coming up and (*inaudible*) you know what I'm saying. I know there's a lot  
39 of people that put a trash, big trash bin and they want to dump their stuff  
40 there, but if you could have some mechanic, have some type of security or  
41 something because that is not a very good area (*inaudible*). Some of us  
42 do work hard, there's a lot of people like this gentleman who's sitting right  
43 in front of me who's got a beautiful house, takes care of it. There's others  
44 that don't you know. We do have a high sense of robberies and burglaries  
45 and thieves in the area. I recommend you don't allow putting nothing  
46 outside because it'll be gone. Like I said I'm, I'm happy you're gonna build

1 this house (*inaudible*) but those are the only worries that I have that  
2 somebody might go by and steal you know or, or damage the house in  
3 some way. I wish you the best of luck. And uh, I will, when I'm there I will  
4 look after, you know that little (*inaudible*) in there. I don't (*inaudible*). I'm  
5 sure you're not going to have any problems with anything. But all I ask is  
6 that you can have some times it's taken me a variety of, some type of you  
7 know protection for your property you know. I do have some problems  
8 with the guys that live right behind me but I deal with the (*inaudible*) as we  
9 speak and they're not up to par in a lot of things. I think that's a beautiful  
10 house. (*inaudible*) up to par, I'm gonna have to start cleaning my land.  
11 This is somewhere else you know. It's hard for me to spread around. I  
12 just came from Dallas like it I did last night and I looked at my (*inaudible*)  
13 and oh my God, (*inaudible*) like the ... we welcome your dad. He will be  
14 taken care of you know I'm gonna be living pretty soon right in that area  
15 and I know (*inaudible*) the Munson Center (*inaudible*).

16  
17 Williams: Okay.

18  
19 Ortega: Congratulations and I will, I will be there for you guys 100%.

20  
21 Williams: Okay.

22  
23 Rosa Ruiz: Thank you sir.

24  
25 H-Rogers: Just a, just a point of order. It may be best to allow the applicant to speak  
26 and then open it up to the public which is the typical order of things but  
27 you can just get back.

28  
29 Williams: Yeah.

30  
31 Rod Ruiz: If I could I was gonna say, to address some of the things you mentioned.  
32 During the construction obviously we had advised the, the builder that he's  
33 responsible for the items that are left there overnight during the course of  
34 construction. And I had advised him that, just like any other, other site you  
35 have to take care of your property because we've only built in so much as,  
36 as a (*inaudible*) if there's anything that happens, so he, he is aware that he  
37 needs to be, be responsible for the items that are left there overnight. My  
38 dad does take pride in, in his ownership and he is looking forward to the  
39 house being a, a nice addition to the, to the neighborhood and we  
40 appreciate that and I know I've spoken to you before. And my, and to  
41 address the issue about the historic, I had just been told previously that  
42 Soledad was the end of the historic district. If you corrected me in saying  
43 it goes further down then I'm, I, I stand corrected. What I was advised is  
44 that just for an FYI where our property ended was the last block of the  
45 historic district. If that's incorrect then ...  
46

1 Ortega: It's incorrect, it's right ...  
2  
3 H-Rogers: Please state your name before speaking so we have it for the, for the  
4 record if you could.  
5  
6 Ortega: I'm the owner of the home right across, right across, I do have a lot of  
7 history and very historical, you know history (*inaudible*). You know like I  
8 say we support you. You know we hope the best. Your dad will be taken  
9 care of, don't worry, you know. Good neighborhood.  
10  
11 Rod Ruiz: Yeah.  
12  
13 Ortega: You know but it that (*inaudible*) some other neighborhood.  
14  
15 Williams: Point of clarification. The, the Soledad is the, is the, is the end of the  
16 Federal designated area. So the original Townsite.  
17  
18 Rod Ruiz: Okay.  
19  
20 Williams: The historic district does continue on further.  
21  
22 Rod Ruiz: Okay.  
23  
24 Williams: But the, but the, it is, it is, Soledad is the end of, of the actual Federal  
25 Historic District or the Federal Townsite.  
26  
27 Ortega: Okay what's the difference between the Federal and ...  
28  
29 Williams: There, there's more restrictions on the, the original Townsite area so.  
30  
31 Chavez: I think that changed (*inaudible*).  
32  
33 Williams: There's something that, there's a few more but, so.  
34  
35 Ortega: What perspective?  
36  
37 Williams: I'd have, we'd have to read through the whole thing but there is, there is  
38 designated difference between the two so, all of them have to come to this  
39 area, to this for review, but the, the, the original Townsite, Soledad is the  
40 end marks for it so. Okay.  
41  
42 Dahlin: Is there a place that a person, a landowner, a tenant can go on the  
43 website and find this information that you're speaking of?  
44  
45 Williams: Well the, the, the South Mesquite Design Overlay is on the website.  
46

1 Dahlin: Okay.  
2  
3 Williams: So they can go there and get it so it's like.  
4  
5 Chavez: Could you continue?  
6  
7 Williams: Yes, please.  
8  
9 Chavez: We're getting too many interruptions, so we need to hear from you please.  
10  
11 Rod Ruiz: Okay. I have provided some additional pictures, samples of things that  
12 we're looking to use as, as far as materials, mainly on the aesthetic part of  
13 it. If you, and I e-mailed those to Katherine.  
14  
15 H-Rogers: And I'm trying to open them up, for whatever reason I have them open on  
16 my computer and it's only showing the background of my computer.  
17  
18 Chavez: Well that's across the street.  
19  
20 H-Rogers: I'm happy to pass my computer around if you'd like to look.  
21  
22 Rod Ruiz: And I have them as well. But we were, if, if you want me to go into more  
23 details. As far as colors we're just looking to do there ... those are some  
24 of the sample colors as far as the stucco's concerned and we had two  
25 colors in mind for the, for the overall color, color of the house, the home.  
26 And then we were kind of going to touch on maybe some of the doors as  
27 far as the, the doors that are visible to the street. The only door based on  
28 the drawing is, is going to be Mesquite and we're trying to do maybe a  
29 wooden, very southwestern kind of style home, door, something with a  
30 little bit of character to it. And depending on what color we go with as  
31 stucco on the outside we'll either keep the, all the wood trim in it's natural  
32 state or a dark color, or we'll match it to a light blue that we're thinking of  
33 doing and that color's also in here.  
34  
35 Hutson: Just a point that I'd like to clarify with you guys. The Overlay does not  
36 have any color restrictions.  
37  
38 Rod Ruiz: Oh.  
39  
40 Hutson: That is a misnomer. It's never had. We made sure when we tightened up  
41 the Overlay that again that that was not an issue. We have heard that in  
42 the past from people and I'm not sure where that idea come from, but  
43 we've never mandated that there's certain colors that need to be, to be  
44 used.  
45

1 Dahlin: That was the big discussion of the building that just finished, the color. So  
2 you're saying that it's not a part of us.  
3  
4 Williams: No.  
5  
6 Hutson: It is has not, it is not and never has been an issue.  
7  
8 Dahlin: Oh, okay.  
9  
10 Rod Ruiz: Having heard that, we are still keeping with the same colors that we're  
11 thinking there. It doesn't change. And, and we're doing conservative  
12 colors, something you'll find in Mesilla and, and south, and, and within the  
13 community. There was a home on May Street that was a nice color of  
14 grey and blue we thought maybe something like that. The, the taupe  
15 colors that we see a lot, the, the sand colors. It's, I think it'll just be very  
16 appealing as you, as street, as street value. Curb appeal will be nice on it.  
17  
18 Ortega: Is it gonna, is it, is it gonna have a rock wall?  
19  
20 Rod Ruiz: We haven't pictured, we haven't pictured the rock, the, the fencing on it,  
21 but it will be Rockwell, rock wall and if not it'll be a concrete with the stucco  
22 work, a block, concrete with the stucco that matches the, the exterior color  
23 of the home.  
24  
25 CHAVEZ AND HUTSON SPEAKING IN THE BACKGROUND.  
26  
27 Ortega: The rock wall wouldn't be (*inaudible*).  
28  
29 Chavez: I want to say something.  
30  
31 Rod Ruiz: Okay.  
32  
33 Ortega: And another, you don't have to put a fence up like the neighbors behind  
34 you. You'll be all right.  
35  
36 Hutson: (*inaudible*).  
37  
38 Ortega: Right Faith. (*inaudible*) put up a wall like the neighbors have got.  
39  
40 Chavez: Just, just to give you a point of reference and stuff, the, in the Mesquite  
41 Historic District at one time it was a, a neighborhood of color. We had,  
42 and, and I grew up there as a little kid, and there would be houses in, in  
43 turquoise and, of course we still have two, three early hot pink houses, but  
44 not ... she likes them, but just, just so you can feel comfortable that you  
45 know, your, your colors are very conservative and stuff but just think about  
46 it that you, you're open to a little bit more color if you want. It is a new

1 house in, in that part of the neighborhood and like the gentleman behind  
2 me said, it could be an opportunity for the rest of the neighbors to, wow  
3 look at what they, how they painted it and how it looks.  
4  
5 Rod Ruiz: Okay.  
6  
7 Chavez: To get these folks to start doing some restoration. We've noticed that  
8 other parts of the historic district, not necessarily when a new house is  
9 built but when they start restoring another house and they add color and  
10 they do all the stuff, all of a sudden within a few blocks around those  
11 houses, everybody's kind of like, well we kinda like that color or you gonna  
12 paint it or landscaping and stuff. So, you know if it's not set in stone it's  
13 fine.  
14  
15 Hutson: Yeah.  
16  
17 Chavez: This is fine but I'm just saying use a little bit more imagination. If you want  
18 to you can add a little bit more color.  
19  
20 Rosa Ruiz: Okay.  
21  
22 Chavez: Another question I have is, looking at the plans, um, you said something  
23 that you're gonna do a door that's gonna be more of a New Mexico  
24 southwestern look. Great. The only issue I have kinda is in the design is  
25 the windows.  
26  
27 Rod Ruiz: Okay.  
28  
29 Chavez: I know they're sliders, right, correct?  
30  
31 Rod Ruiz: Yes.  
32  
33 Chavez: Okay. And know with slides they're, they're okay but if you could do the  
34 mullions to make them look like panes. It ties in a little bit more with the  
35 neighborhood or ...  
36  
37 Hutson: Let's see the window that you're (*inaudible*).  
38  
39 Rod Ruiz: The double hung.  
40  
41 Chavez: The double hung. If you could do that look too and, and, there's a lot of  
42 double hung from the presentation we have that doesn't have the mullions.  
43 That's okay, but it just so long as it fits a little bit more with the character.  
44 That's the only, that's the only thing I have. And the other, here's another  
45 question, I'm sorry for asking so many. The way the, the property line is,  
46 are you putting in a wall or is it gonna be a wood fence?

1  
2 Rod Ruiz: We were told that we could do anything other than chain link.  
3  
4 Chavez: Yeah.  
5  
6 Rod Ruiz: And, and that's fine. So on the south wall facing the south side of the  
7 property faces Soledad, that will be a, brick or a concrete wall depending  
8 on what we, if I may go on. On the north side facing the existing property,  
9 that's got a chain link. We will, depending on the budget, depending on  
10 what, what we do with that, if we put another wall against it, maybe just  
11 down the, the wood panels, the six-foot wood panel that wall is what we're  
12 thinking there. The house, the front of the house is gonna be facing  
13 Mesquite so it'll be 25-feet from the, from the yard, from the, it'll be flush  
14 with Mr. ...  
15  
16 Hutson: Ortega.  
17  
18 Rod Ruiz: Ortega's property, pretty much flush, so, or aligned to his. So it won't be  
19 too, too setback, it'll be 25, pretty close to Mesquite. We'll probably only  
20 be utilizing half of the lot really when we, when we're all said and done and  
21 then, but we're gonna be planned to fence it all in, especially because of,  
22 just as my dad is a senior citizen, we wanted to keep him as secure as we  
23 could so we know that we're going to fence in probably with a rock wall.  
24  
25 Chavez: And in the, my last question for right now, and gonna be doing some  
26 landscaping.  
27  
28 Rod Ruiz: And landscaping. That's my sister's.  
29  
30 J. Ruiz: And landscaping, we don't have a full design yet but it's going to be desert  
31 xeriscape, very low maintenance for my dad.  
32  
33 Chavez: Thank you.  
34  
35 Montano: Um, okay you were talking about the fence. My lot is the one on the  
36 corner, the empty one. And my grandmother used to live there long ago.  
37 But the fence, you know because it's an L-shaped ...  
38  
39 Rod Ruiz: Yes.  
40  
41 Montano: Property, so the fence will be an L-shaped property or, or will you take the  
42 whole property. I don't know.  
43 Rod Ruiz: Yeah.  
44  
45 Montano: Like ...  
46

1 Rod Ruiz: Ideally, ideally we want to do the whole, separate our, our lot from, and  
2 make it distinctive so you could see the two different properties. We  
3 haven't completely decided what we, how we're going to address that L-  
4 shape of it. If it's gonna be rock wall as well or if it's just gonna be a little  
5 less, maybe a little bit less, more temporary or in, in, in fixture but we were  
6 not, so we are going to separate it, we just haven't decided on exactly  
7 what material we're gonna use to separate that portion of it.  
8  
9 Montano: And it's gonna be, and it's, it's zoned R-2, is that correct?  
10  
11 Rod Ruiz: Correct. And we spoke on the phone, right? Yeah.  
12  
13 Mach: Thanks for being here.  
14  
15 Rod Ruiz: Thank you.  
16  
17 Mach: And the pictures look really nice, especially the newer ones that are in  
18 color, but like it's going to be a very nice addition to the street. I just had a  
19 couple of questions about the front setback. That your plans show that it  
20 was going to be 20-feet from the, 25 from the street or the sidewalk?  
21  
22 Rod Ruiz: Um, I think it's gonna be the sidewalk. I think, the minimum that's required  
23 by the, by the City for it's regulation as far as the setback. The garage is  
24 going to be the, the furthest, the furthest in and then there'll be a portion of  
25 the rest of the house that will be a little bit further out.  
26  
27 Mach: Okay, part of the requirement for setbacks, for the front setback is that  
28 they're kind of aligned with the other properties on the street.  
29  
30 Rod Ruiz: Correct.  
31  
32 Mach: So when I was going on Mesquite there doesn't seem to be any houses on  
33 Mesquite side that are much more than five feet from the sidewalk or from  
34 the street.  
35  
36 Rod Ruiz: I, I, we were told that we could kind of have, we could play with how far we  
37 were setback because being in the historic district we didn't have to stay  
38 with the, with the regular setbacks that were set for other parts of the City.  
39 So we could play a little bit more with it. I know that where we have the,  
40 the, the front porch into the house, the front window, that is aligned with  
41 Mr. Ortega's property that's on the corner of Soledad and Mesquite. The  
42 other house on the other one may be a lot closer, the house on the north  
43 side, their front door is very, very close to Mesquite, but I think it's a front  
44 door that's not, that's no longer used because they have access through  
45 the backyard, side yard. I don't think that front door is ever even used. So  
46 we didn't want to go as close as the house on the north and the next

1 nearest property because of the vacant lot is the one that Mr. Ortega owns  
2 and we're pretty much on-line with what his front door is facing Mesquite.  
3

4 H-Rogers: Just for clarification the garage setback, we do have more restrictive rules  
5 within the City regarding garage setbacks. They do have to be 25-feet  
6 back for single-family. That's required and has to do with the fact that  
7 often time's people don't park in their garages and you have to have room  
8 for the car plus room for people to be able to walk on the sidewalk. And  
9 that, that's typically one of the reasons we have it. Also we also want to  
10 see that it's pushed back behind the house as opposed to aligned with the  
11 house. So I just wanted to clarify that there, we do have some hard and  
12 fast rules regarding the garage setbacks in particular.  
13

14 Mach: Right. And um, when I was, when I was riding on Mesquite I just did not  
15 see any houses that were that far back. On the, on the west side the  
16 house that's directly across the street from yours, I think I stepped off, it  
17 was probably about 18 feet.  
18

19 Rod Ruiz: Okay.  
20

21 Mach: And then Faith yours is, yours is pretty far back. And there were other  
22 houses on the other side, on the west side of mesquite that were quite far  
23 back. So it, it's not a major concern of mine.  
24

25 Rod Ruiz: Okay.  
26

27 Mach: But according to the latest code, the latest code states that the front  
28 setback within the range of existing setbacks and compatible with the  
29 surrounding area.  
30

31 Rod Ruiz: Okay.  
32

33 Mach: And the surrounding area there, they generally mean all primary structures  
34 on the same side of the block. So I know that there are some across the  
35 street and I don't really want to belabor the issue but according to the code  
36 it's kind of farther back than the other street, houses. I don't, though Mr.  
37 Ortega your house is on the corner.  
38

39 Ortega: Right on the corner sir, yes.  
40

41 Mach: Of Soledad and Mesquite?  
42 Ortega: Yes.  
43

44 Mach: On the south, across the street from you.  
45

46 Ortega: Yes.

1 Mach: Okay. Cause that didn't look like that one was that far back from the street  
2 either. It looked like it was very close.  
3

4 Ortega: Well you got to take into consideration also these houses were built many  
5 years, they were built on stages, you know. You know (*inaudible*). Big  
6 house (*inaudible*) stages and that's why we decided, well mine was  
7 apartments, we wanted to turn it into one whole house and throw in walls  
8 inside you know it was a jail at one time they were so thick. But the, you  
9 know, it's, I, I think I have a question (*inaudible*). I have a question, on the  
10 side are you going to divide your land and hers, is your house, I, I, I don't  
11 know what the (*inaudible*) is now but if I can remember correctly it was  
12 seven feet from the soffit to the wall. I do not have, the soffit, I don't know  
13 if it's around the wall and to the wall to wall. It is seven feet or five feet?  
14

15 Rod Ruiz: I believe we were, we were told I believe it was five-feet from the property  
16 line. There is a, a, there is wire, or utilities on that so we might have to  
17 provide, give it up more access than just the five feet that they're, that they  
18 advised us of, but whatever the regulations are we're willing to, to  
19 accommodate those. And as far as addressing Paul's point, if you would  
20 like us to come further up to the street, we have no problem. We're not,  
21 we're not set in stone with where we're at. If our, where the house is. We  
22 can go further back, we can front, we, we're really just wanting to get part  
23 of the neighborhood and, and get the project started so if we need to  
24 come closer we're fine, but that's what we, I started working originally by  
25 the City, the minimums the City had to build we needed to stay within.  
26

27 Mach: Okay, again did the City staff when, did you bring up that point about the  
28 setback of the front?  
29

30 H-Rogers: The, the applicant and his, his builder and designer were provided all the  
31 regulations. They knew that they had some wiggle room in terms of what  
32 the setbacks were. They did know of course that the, the setback for the  
33 garage as well had, has set, setback that they had to meet. One of the  
34 other issues we faced in terms of the way the regulations are currently  
35 written, they specify all structures on the same side of the block in that  
36 particular section of street, in theory there's really only one which is the  
37 property to the north and so we looked at a much broader swath in terms  
38 of what made more sense in, in the general vicinity, but we didn't give  
39 them a hard and fast setback number for the house in particular, that they  
40 had a range to work with as according to the code.  
41

42 Mach: Okay. And, and thank you. Again personally I don't have an issue with it.  
43 It's just that these new codes were just approved, they're not even out for,  
44 to the website yet and in the new codes there's a map on page V202  
45 which is just a really nice, whoever came up with that, with that map and  
46 shows different setbacks and how they work, so personally I don't have a

1 problem with the fact that it's setback and there are some houses across  
2 the street that are definitely that far back and farther. So the other  
3 questions, another question that I had was the way that you've, you've  
4 changed the garage to be on the north side of the house and there are  
5 those electrical boxes, are those El Paso Electric? Are those coming  
6 down? Or are those not going to be?  
7  
8 Rod Ruiz: The ones, are you speaking to the, in reference to those ones on Mesquite  
9 Street?  
10  
11 Mach: Yes.  
12  
13 Rod Ruiz: I was told that those are the way that they are as is, (*inaudible*)  
14 CenturyLink is one of them, the electric is another one, El Paso Electric,  
15 but I told them ... they, they advised us that we could build, we would  
16 obviously build around them, not to include them within our property so if  
17 we were to build a fence to exclude those items, exclude those so they  
18 were accessible by others and not have to enter the actual property so to  
19 speak.  
20  
21 Mach: Okay, so, I mean your garage looks like it's going to be right in, in front of  
22 those so that's not gonna be a problem for you backing in and out and ...  
23  
24 Rod Ruiz: The set, the set, the setback to the north is going to be five, the minimum  
25 which I believe is five feet, so it may look that way but we've kinda plotted  
26 it out already and, and, and configured it because my dad being 87, that  
27 was a concern whether he was going to be able to drive in and out easily.  
28 And there was enough room at the 25-feet. So again going back if you  
29 need us to come back and come forward a little bit, that's okay with him  
30 because that means there's less entrance space for him off Mesquite.  
31 He'll be utilizing Mesquite and not Soledad. We were told that we could  
32 come in through Soledad as well if we built the driveway from that street,  
33 but we're not, we're not gonna do that at this time. We're just going to use  
34 Mesquite. But to answer, it, it, it may look like they're right there but  
35 they're, it does give him enough room to maneuver his, his car and, and.  
36  
37 Williams: Tony.  
38  
39 Dahlin: Well I'm sorry I don't what you're pushing for.  
40  
41 Mach: What am I pushing for?  
42  
43 Dahlin: Are you pushing for more of a setback or less of a setback?  
44  
45 Mach: The only thing that I was saying was that according to the code the  
46 setbacks in the front will be the way that they're specified. I don't have a

1 problem with it but if we need to have a variance because of that, then we  
2 should make the variance. I, it's just ...  
3  
4 Dahlin: Well I lost that whole point some place. I don't know why we're having  
5 discussion because they've already had (*inaudible*) back to meet the  
6 existing codes and then, what did, did you want them to move it forward  
7 more to, for aesthetics?  
8  
9 Williams: The, the, according to the code he is, and I was looking at it with him  
10 there, the code does state that the house, the house, what's on the street  
11 needs to be, that they need to match what's there.  
12  
13 Dahlin: Oooh. Oooh.  
14  
15 Williams: So if the house is, but the, as, as, and that, that's why he asked the  
16 question, the, the City staff has, has already addressed the issue in that  
17 they looked at a broader area and they've approved it the way it is and,  
18 and Paul has no issues with the way it is. So ...  
19  
20 Dahlin: Where I come from it's always in line generally with all the houses. That  
21 will establish the minimums and then you can go 25-feet.  
22  
23 Chavez: Okay I have another question. I've seen that you didn't add a back porch.  
24 Are you not interested, are you not going to do a patio in the back or a  
25 cover? I mean it's, it's, if you're gonna do it this would be the time to do it.  
26  
27 Rod Ruiz: As, as far as for the rendering for the City if we had, we were advised it  
28 was, if we wanted to make changes down the road we could. Our budget  
29 allowed us either a porch in the front or a porch in the back and we chose  
30 to go with a porch in the front for now. And depending on where we're at  
31 when we get further along and, and, and, and the monies that we have,  
32 than we will, will consider the porch.  
33  
34 Chavez: Okay.  
35  
36 Rod Ruiz: And we also have to consider the rock walls around the property.  
37  
38 Chavez: Okay.  
39 Rod Ruiz: So that's been that kind of, the fencing took priority over the, the back  
40 porch. We wanted to keep it more secure than, than provide him a porch.  
41 He'll be very close to Munson and that's his (*inaudible*).  
42  
43 Chavez: Thank you.  
44  
45 Williams: Any other questions? Thank you again for coming. We've got the, we'll  
46 take a motion to, anyone want to make a motion?

1  
2 Dahlin: I motion that we vote.  
3  
4 Williams: Motion to vote for what?  
5  
6 Chavez: You have to make a motion to ...  
7  
8 Williams: You have to make a motion to ...  
9  
10 Dahlin: I motion that we vote for the approval of the owner's plan submission. I  
11 don't have the language down in my head.  
12  
13 Williams: That's fine. So do we have a second?  
14  
15 Chavez: Second.  
16  
17 Williams: Okay, all those in favor. Any other discussion before? All those in favor.  
18  
19 MOTION PASSES UNANIMOUSLY.  
20  
21 Williams: It passes unanimously.  
22  
23 Hutson: Welcome to the neighborhood.  
24  
25 Rod Ruiz: Thank you. I'll pass that to my dad. His name is Pedro Ruiz, just to  
26 reiterate that.  
27  
28 Williams: Okay. Thank you again.  
29  
30 Hutson: Thank you.  
31  
32 Chavez: Just to warn you she has a lot of parties.  
33  
34 Hutson: I'll (*inaudible*).  
35  
36 **IV. OLD BUSINESS - NONE**  
37  
38 Williams: Moving on to Old Business. There's none.  
39  
40 **V. DISCUSSION OF OTHER ITEMS**  
41  
42 Williams: Discussion of other items. Anyone have anything else to discuss?  
43  
44  
45  
46

1 **VI. STAFF ANNOUNCEMENTS**

2  
3 H-Rogers: I just wanted to info, inform everyone that staff's working on a training  
4 program for Planning and Zoning Commission and we're hoping to get  
5 some of the other Boards and Commissions to participate in that. So as  
6 soon as we get a, a little bit more solid information in terms of how that's  
7 gonna go, we'll provide you ...

8  
9 Williams: Good.

10  
11 H-Rogers: The idea, the concept plan, what we want, want, (*inaudible*) training to  
12 want to provide and hopefully be able to combine it with, with a lot of the  
13 Boards and Commissions, however if it's, it's easier to do we can bring  
14 that to you at a regularly scheduled meeting instead of having you at  
15 Planning and Zoning. What I did want to reiterate that I, those trainings  
16 are conceptualized to include everything from form based codes to  
17 planning 101, to just parliamentary procedure in terms of, of you know  
18 how to run a meeting, so to, it runs the gamut. So I just wanted to inform  
19 you of that.

20  
21 Williams: Good thank you. Yes.

22  
23 Dahlin: You'll keep us posted.

24  
25 H-Rogers: I will.

26  
27 Williams: Okay. That was Staff Announcements. Sorry about that.

28  
29 **VII. ADJOURNMENT (6:52 p.m.)**

30  
31 Williams: So I think we can adjourn the meeting.

32  
33 Chavez: So moved.

34  
35 Hutson: No. No (*inaudible*).

36  
37 Chavez: Okay, that's right we discussed that last time.

38  
39 Williams: I don't have my little gavel.

40  
41  
42  
43  
44 

45  
46 Chairperson