

REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
824 Anthony Drive
Anthony, NM 88021

Thursday, March 14, 2013
6:00 P.M.

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

THOSE ITEMS ON THE AGENDA INDICATED BY AN ASTERISK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ONE BY ONE MOTION UNLESS A COINCIDATOR REQUESTS THAT A SPECIFIC ITEM BE REMOVED AND PLACED ON THE REGULAR AGENDA FOR DISCUSSION PURPOSES.

- 4. APPROVAL OF AGENDA ORDER**
- 5. APPROVAL OF MINUTES**
*Minutes from regular meeting **February 28, 2013**


6. PUBLIC MEETING

Cases:

- A. Case No. 13.02.002 – Resident Mr. Stan Langston is wishing to obtain a business permit to establish a towing service business to be located at 2222000 Stern #2(Zone CR1)
- B. Case No. 13.03.001-Resident Maribel Lozoya is wishing to obtain a business permit to establish a Zumba Fitness Studio and a floral shop to be located 880 Anthony Drive 8A, Anthony, NM (Zone – CC1).
- C. Case No. 13.03.002 – Resident Ana M. Fonseca is wishing to sub-divide her lot located at 935 Church St., which is 12000 square feet into 2 equal lots of 6000 square feet.(Zone CR1)

- 7. PUBLIC COMMENTS**
- 8. COMMISSION MEMBER COMMENTS**
- 9. CHAIRMAN COMMENTS**
- 10. ADJOURNMENT**

POSTED:
City of Anthony City Clerk Office
El Paso Electric Company
N.M Gas Company
Anthony Post Office
Senior Citizen Center
Anthony Water & Sanitation District

Filed in the office of the City
on the 11th of March 2013

Christy Sifuentes
Planning and Zoning Clerk

PLEASE NOTE: *If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Office of the City Clerk at 575-882-2983 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Office of the City Clerk at 575-882-2983, if a summary or other type of accessible format is needed.*

REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission

Municipal Building
824 Anthony Drive
Anthony, NM 88021

Thursday, March 14, 2013
6:00 P.M.

ADDENDUM

6. PUBLIC MEETING

Cases:

- A. **Case No. 13.02.002** – Resident Mr. Stan Langston is wishing to obtain a business permit to establish a towing service business to be located at 222000 Stern #2 (Zone CR1)
- B. **Case No. 13.03.001**-Resident Maribel Lozoya is wishing to obtain a business permit to establish a Zumba Fitness Studio to be located 880 Anthony Drive 8A, Anthony, NM (Zone – CC1)
- C. **Case No. 13.03.002** – Resident Maribel Lozoya is wishing to obtain a business permit to establish a floral shop to be located at 880 Anthony Drive 8A. (Zone –CC1)
- D. **Case No. 13.03.003** – Resident Ana M. Fonseca is wishing to sub-divide her lot located at 935 Church St., which is 12000 square feet into 2 equal lots of 6000 square feet. (Zone CR1)

POSTED:

City of Anthony City Clerk Office
El Paso Electric Company
NMI Gas Company
Anthony Post Office
Senior Citizen Center
Anthony Water & Sanitation District

Filed in the office of the City
on the 12th of March 2013

Christy Sifuentes
Planning and Zoning Clerk

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REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
824 Anthony Drive
Anthony, NM 88021

Thursday, March 14, 2013
6:00 P.M.

MINUTES

1. **CALL TO ORDER @ 6:00pm** by *Fernando Herrera*
2. **PLEDGE OF ALLEGIANCE** by *Commissioner Gonzalez*
3. **ROLL CALL:** – *Comm. Madrid (Absent), Present Comm. Gonzalez, Chairman Herrera, Comm. Brumlow, and Comm. Gomez (late)*
4. **APPROVAL OF AGENDA ORDER** – *Motion to approve the order of the agenda was made by Comm. Brumlow, 2nd by Comm. Gonzalez, unanimous vote, motion passed and agenda was approved.*
5. **APPROVAL OF MINUTES**
* Meeting- February 28, 2013 – *Motion was made by Comm. Brumlow to approve 2nd by Comm. Gonzalez, unanimous vote, motion passed and minutes were approved.*
6. **PUBLIC MEETING**

Cases:

- A. **Case No. 13.02.002** – *Resident Mr. Stan Langston is wishing to obtain a business permit to establish a towing business to be located at 22200 Stern #2(Zone CR1)*
Discussion - Mr. Langston stated that he would like to establish this business to provide a service to the community he currently does work for the City of Anthony, TX, Dona Ana County towing all there heavy machinery. Chairman Herrera asked if he would be storing vehicle and if there would be any issues with any fluids on the ground. Mr. Langston said that would not an issue as he was not going to be servicing the vehicles on the property that he would be doing that at Flying J or Pilot. Chairman Herrera asked how big the area was. Mr. Langston stated that it was about 2 acres and was right next to the state yard. Comm. Gonzalez asked if he only towed heavy machinery. Mr. Langston said that they would tow all types of vehicles like DWI, seized, broken down vehicles. Chairman Herrera asked if they would be salvaging vehicles in the yard and if it was fenced in. Mr. Langston stated that they would not be salvaging vehicles that they would not be there longer than 45 days and there is a fence around the entire property. Chairman Herrera asked Mr. Roman if he had done research on the zoning and if it was legal. Mr. Roman stated he had done his research and that everything is legal and that he had all his permits. Mr. Langston stated that prior to coming here he had also done his research through the county and that everything was

legal. Chairman Herrera asked Comm. Gomez I know you were here late do you have any other questions for Mr. Langston. Comm. Gomez stated he didn't have any questions. Chairman Herrera asked if there were any other questions from the Commissioners for Mr. Langston. Comm. Gonzalez made a motion to approve case no. 13.02.002, 2nd by Comm. Brumlow, Comm. Gonzalez, Chairman Herrera, Comm. Brumlow voted in favor of Comm. Gomez voted against Motion approved.

B. Case No. 13.03.001 – Resident Maribel Lozoya is wishing to obtain a business permit to establish a Zumba Fitness Studio to be located at 880 Anthony Drive 8A, Anthony, NM (Zone – CC1)

Discussion- Mrs. Lozoya stated that she wants to open a Zumba and flower shop Chairman Herrera stated that Mrs. Lozoya has two business' under the same tax id number there is nothing illegal about this but it is something that needs to be discussed and clarified with the state. Comm. Gonzalez asked if this had come up before. Mr. Roman stated that there is a taxed business that was approved for a license and has the same situation. Comm. Brumlow asked if both names are on certificate. Mr. Roman stated that yes and showed the Commissioners the Certificate. Chairman Herrera asked how big the space was. Mrs. Lozoya stated that it was 2,400 square ft. Chairman Herrera asked how many people she was expecting to attend the classes. Mrs. Lozoya stated that she would expect about 25 people per class. Comm. Gonzales asked how much she planned on charging for the classes. Mrs. Lozoya plans on charging \$3 or \$4 per person per class. Chairman Herrera voiced concern about the noise and if it would bother neighboring businesses. Mr. Roman – I will work with them and explain the noise ordinance. Chairman Herrera- I am telling you this in case we have businesses calling to complain about the noise. Mrs. Lozoya stated that they will have a noise limit and that she will talk to the neighboring businesses. Comm. Gomez stated that there are noise buffers and other equipment that can be bought if this becomes an issue. Chairman Herrera asked if there are any other questions from the Commissioners. Mr. Roman asked if as a City we are going to label it as one business or two. Chairman Herrera stated that there is no ordinance against this and it can be discussed all day but would have to be something that would need to be looked at during workshop. Comm. Gonzalez made motion to approve Case No. 13.03.001, motion 2nd by Comm. Brumlow, unanimous vote, motion approved.

C. Case No. 13.03.002 – Resident Maribel Lozoya is wishing to obtain a business permit to establish a flower shop to be located at 880 Anthony Drive 8A, Anthony, NM (Zone – CC1) Chairman Herrera- are you going to be doing this in the same place where you will be having the Zumba classes. Maribel stated that there is a room in the back that she is going to use for the flowers. Comm. Gonzalez asked if the spray that they use on the flowers affect the clients doing Zumba. Mrs. Lozoya stated that it would not be an issue because it is just scents for the flowers and that it is nothing hazardous. Comm. Gomez asked how big the room dedicated to the flowers would be. Mrs. Lozoya stated that it would be about half of the 2,400 square ft. Comm. Gomez- what will your hours of operation be? Mrs. Lozoya stated that they will be open from 8am to 8pm since the Zumba would only be a few hours spread out through the day. Comm. Brumlow

concerned that the area might not be big enough for Zumba. Chairman Herrera stated that he would be doing an inspection and that all the exits and doors come into consideration. Comm. Brumlow made motion to approve Case No. 13.03.002 pending fire inspection motion 2nd by Comm. Gonzalez, unanimous vote, motion approved.

D. Case No. 13.03.003 - Resident Ana Fonseca is wishing to sub-divide her lot located at 935 Church St., which is 12,000 square feet into 2 equal lots of 6,000 square feet.

Discussion – Ms. Fonseca stated she would like to sub-divide her property. Chairman Herrera asked if there was a house on the lot now and what she would be doing with the lot once it was divided. Ms. Fonseca stated that there was a house on the lot and the back was empty, once she divided the lot that she wanted to build an apartment. Mr. Roman stated that all the utilities are installed the only thing that will be added is the gas. Chairman Herrera asked if there was a fire hydrant near the property. Ms. Fonseca stated that there is one near the lot. Comm. Gomez asked what was behind the lot and if she was planning on dividing the lot around the house. Mr. Roman stated that there is an alley way behind the lot but that there will be access to the main road from the lot and that the alley way would not be used to gain access to property, measurements on drawing show both lots in full compliance. Comm. Gomez voiced his concern of future divides creating 40' easements and emergency vehicles having to using alley ways to gain access.

7. PUBLIC COMMENTS

Paul Howard made a suggestion in regards to case no. 13.03.003, that they need to file plat plans with the county to make the two lots legal. Comm. Gomez stated that they need to hire a surveyor to obtain the proper paperwork to file with the county to make sure they are two separate legal properties.

8. COMMISSION MEMBER COMMENTS

Comm. Brumlow- I am very disappointed that I was the only one from planning and zoning present at the BOT meeting, since they were voting on the Ordinance. They didn't drill me but they asked me some questions. They asked me where we got the paperwork which I told them that we got it from the county and changed it to fit our needs. They also asked someone from the County to come in and explain it to them; I'm disappointed that they didn't take our word for it. Also the minutes have a lot of errors in them. I would be happy to proof read them beforehand if you need me to. We need to act quickly with the issues that we have with case like tonight.

Comm. Gomez having a napkin sketch will help us, it will answer many questions that we might have. 2nd thing is sub-dividing lots; we are paying attention to the present but what about future lots. We are taking 20 foot easements and turning them into 40 foot easements. What happens to the alley ways then? It creates headaches later on down the road. Is this really what we want for the city? We need to caution each case as they come up. Chairman Herrera- These are questions that need to be asked when the cases are being presented.


*Comm. Gomez - How are fire trucks going to access this in case of an emergency?
Mr. Roman – they will use the alley way
Comm. Brumlow- Those are plugged up which we discussed last meeting.*

Chairman Herrera- All we can do is bring this up to the BOT. I encourage everyone to bring it up because it is important for the growth of the city. I am making notes of all my concerns.


9. **CHAIRMAN COMMENTS** – *I am getting a list of absences together to discuss next meeting. Some Commissioners have missed 6 some have missed 4 meetings. The bylaws state that we can only have 3 absences a year.*

10. **ADJOURNMENT @ 7:00pm.** *motion made to adjourn by Comm. Gomez, 2nd by Comm. Brumlow, unanimous vote, meeting adjourned.*

APPROVED:


Fernando Herrera, Chair

ATTEST:


Genevieve Descoteaux, Planning and Zoning Clerk

{SEAL}

*Prepared by Genevieve Descoteaux
Approved at Regular Meeting held on March 28, 2013*