DRAFT AGENDA

This will be a Teleconference Planning and Zoning Commission meeting. The public is allowed to join. You are encouraged to join the meeting before 6:35pm so that we may know who is in attendance. The meeting link is https://us02web.zoom.us/j/87495372151. Those without internet access or a computer microphone may also phone in to the meeting at 1-346-248-7799. The meeting ID is 874 9537 2151#. Please email Laurie Stout at L.Stout@corrales-nm.org if you wish to speak during the meeting about a particular agenda item, so we can acknowledge you and have you sworn in.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

June 17, 2020 Regular Meeting

V. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3- Minute limit)

VI. PUBLIC HEARING ITEMS

ZOC 20-10 (Home Occupation). Applicant Erica Jacknin of 100 Sherlock Court in Corrales requests Home Occupation permit approval for “Healing Arts Consulting and Counseling, LLC”. The business will provide art therapy counseling, up to 15 hours per week at the home (part time), Mondays through Fridays between 8am and 6pm.
SUM 20-06 (Summary Plat) Applicant Community Sciences Corporation, on behalf of property owner William Stefanech, requests Summary Plat approval to vacate lines between existing Tracts 111B2, 111C2, 112C1B and 112C2B, creating proposed 2.419-acre "Jackass Acres" (site address 5375 Corrales Rd.)

SUM 20-07 (Summary Plat). Applicant Richard Thaler and agent Community Sciences Corporation are requesting Summary Plat approval to vacate a lot line between existing Tract 44-A and a portion of Tract 44-B-2-A-2 (site address 4404 Corrales Road), combining them to create proposed .97-acre Tract 44-A-1.

ZMA 20-01. (Zone Map Amendment) Assuming approval of the above Summary Plat SUM 20-07, applicant Richard Thaler and agent Community Sciences Corporation request Zone Map Amendment approval to extend the current C-commercial zoning eastward from Corrales Road to the full 350-feet allowed under Village ordinance. If approved, the application will then be forwarded to Village Council for final consideration.

VII. OTHER BUSINESS

VIII. PZA REPORT

IX. COMMISSIONERS FORUM

X. NEXT HEARING: August 19, 2020

XI. ADJOURNMENT

Laurie Stout, Planning and Zoning Administrator 7-6-2020

Laurie Stout, Planning and Zoning Administrator 7-6-2020
This will be a Teleconference Planning and Zoning Commission meeting. The public is allowed to join. You are encouraged to join the meeting before 6:35pm. The meeting link is https://us02web.zoom.us/j/84630776405. Those without internet access or a computer microphone may also phone in to the meeting at 1-669-900-6833. The meeting ID is 846 3077 6405#. Please email Laurie Stout at LSTout@corrales-nm.org if you wish to speak during the meeting, so we can acknowledge you and have you sworn in when that agenda item is heard.

I. CALL TO ORDER

II. ROLL CALL

Present: John McCandless, Sam Thompson, Michele Anderson, Melissa Morris, Ken Killebrew, Jerome Stermer, Cameron Barnes. A quorum was present.

III. APPROVAL OF AGENDA

Move to approve agenda: Ken Killebrew, Second: Sam Thompson. Vote: John McCandless, Sam Thompson, Michele Anderson, Melissa Morris, Ken Killebrew, Jerome Stermer, Cameron Barnes (unanimous)

IV. APPROVAL OF MINUTES (None this meeting)

V. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3- Minute limit) (None)

VI. PUBLIC HEARING ITEMS

SUB 19-03 (Final Plat). Applicant and property owner (trustee) Joseph Cuellar requests Final Plat approval to subdivide two existing adjacent MRGCD Tracts (98-A-1-B-2 and 99-B-1) totaling 4.2882-acres. Proposed Lots 1, 2, 3 and 4 of “Lands of Cuellar” subdivision will each be one acre. The property is between Old Church Road and Loma Larga, and south of Entrada de los Martinez.
Joe Cuellar, 3615 Gun Club Road, Albuquerque: (property owner/trustee, sworn) We're asking for a final plat. My family has been on that land for many years. It's land that is no longer agriculturally viable. I just want to make family plots out of it.

Commissioner Anderson: Is your engineer or surveyor with you?

Cuellar: No, they're not.

Commissioner Anderson: I've got a lot of questions because there are a lot of mistakes on the survey and the engineer drawing. In several locations it says that you are using a new corrugated metal pipe, but it gives a description of concrete pipe. Which one is it?

Cuellar: It's a concrete ditch that has a galvanized metal pipe going through it.

Commissioner Anderson: What's on the plan is not saying that, it says a 24" reinforced concrete pipe. The profile is wrong. There's a lot of technical problems with the plan. I was hoping I could talk to the engineer.

Cuellar: If there had been a problem, I should have known before.

Commissioner Anderson: What do you want to do?

PZA Laurie Stout: Commissioner Anderson, are you speaking about the plat itself? That document was reviewed by the Village Engineer and calculations are correct there. We relied on his engineer to provide the (separate) design for the roadway including the crossing over the concrete ditch.

Commissioner Anderson: According to NMDOT standards, you have to have 12 inches of cover over this 24" pipe (in the ditch). Looking at the details, you've got no cover. That's why I wanted to ask the Fire Chief, how much does this fire truck weigh?

Cuellar: If this thing is going to fail, it will fail when I'm building the road.

Commissioner Anderson: This are legal documents, that are going to be registered. It's got to be correct on here. There are a lot of things that are technically wrong with these plans.

Cuellar: I paid my professional people to do them. I can't speak to that, I'm not an engineer or surveyor.

Chair McCandless: Commissioner Anderson, I understand you have a number of concerns. Could you list those, so we know the totality of them? I have one or two myself. So that Mr. Cuellar knows what those concerns are. I think you are talking about the plan/profile sheet, the design for the road?

Commissioner Anderson: We'll start with North arrow (on road engineering detail). It is about 70 degrees off. In numerous locations where it says two 24" CMP and then you go to the detail it says "new RCP pipe".

You have to have one foot of cover for corrugated metal pipe.

Cuellar: This is a private drive, and I understand our concern is to be able to get the fire truck in there without getting it stuck. I think my engineer knew what he was doing—there's a slurry that has to go in there between the concrete and corrugated metal pipe. There will be 6' of base course on top of that, plus the finish. You will have twelve inches of coverage.

Commissioner Anderson: But you're not showing that, that's the problem. This is a legal document. You say you are using corrugated metal pipe, but you give me a detail for reinforced concrete...

Cuellar: It's a concrete ditch. The pipe goes across...

Commissioner Anderson: It says concrete pipe.

Chair McCandless: There is an inconsistency. In the title on the drawing it says "new RCP pipe". That means reinforced concrete pipe. The arrow pointing to the pipe talks about 24" diameter CMP, which is corrugated metal.

Cuellar: I might have to have the engineer change that.

Chair McCandless: I might point out also that there's nothing in the way of dimensions. There's a reference to 6" of base course. That's about it. One of my concerns is that that dimension, for a technical document, should be there. We want to make sure this gets done to your satisfaction but also to the Village's satisfaction. It's very important it be up to NMDOT standards.

Cuellar: I don't know what to say. It's very difficult to not be in person. I've already been put off three months because of Covid, I know you're not responsible for that. It's costing us money. As some point, we can do more engineering, it depends on what you want to do. Do you want to make a Tanoan out of Corrales? Or do you want to make it a place where all families can live?

Chair McCandless: I understand that. At the same time, it's our job to make sure that the roads and subdivisions are constructed according to the ordinances that we have. And those ordinances are put in place for public safety. We have a responsibility we have to honor.
Cuellar: It’s becoming offensively costly at this point. I’ve changed things to convenience your needs.

Chair McCandless: In this case, I don’t know what to say. There are some concerns. Perhaps you could record some of the concerns that we have because it seems to me these could be fairly easily remedied.

Cuellar: Can we do that on a contingency that they get changed and remedied? If he has concrete pipe there, obviously it’s not going to be concrete pipe. It’s galvanized pipe.

Chair McCandless: It is possible for us to give a tentative approval whereby everything has to be addressed before the plat is signed.

Cuellar: I would ask you please to do that. I still have another subdivision to do through Bernalillo County.

Chair McCandless: Let’s go ahead and address the concerns that we have.

Commissioner Anderson: There are many mistakes. I could get with Ms. Stout, and we could go through them. There are a lot of them—CAD mistakes, profiles and elevations, inconsistencies between the surveyor’s plat document and the road design. Roads are marked “profile one, profile two, profile one” and it doesn’t make any sense. On the typical road section, they don’t have a transition from the 20 feet to 18 feet. I could just get with Ms. Stout and point them all out.

Commissioner Sterner: I would like Commissioner Anderson to articulate. Do you think those technical issues can be resolved in a more perfect set of documents, without changing the basic design?

Commissioner Anderson: Yes, if we can get with the surveyor and the engineer, it can be done.

Commissioner Morris: If we were to approve this with the condition that these things be corrected, how do we know they have been done?

PZA Stout: In my summary, I had asked that conditions already be put on this plat. And that was that the private road must be built, then an “as-built” certificate provided by the applicant’s engineer, and then general approval of the road and irrigation ditch crossing by the Fire Chief—before the plat would be signed and filed. The applicant would have 365 calendar days (Commission conditional approval) to get this done, and if he did not, the plat would be null and he would have to start over. If there were additional conditions—I could certainly write a follow-up report for the Commission with the outcome of these and any other conditions.

Commissioner Morris: Who verifies that the corrections have been made, and that the road has been built correctly? When that’s done, who says that it’s been done correctly?

Cuellar: The engineer has to go back and certify that it was done up to a standard.

Chair McCandless: According to Ms. Stout, basically the signature is withheld on the plat until those conditions are met. One of my concerns here is that, we’re unable at this point to verify the correctness of the (road) design, the engineer who did this work is the one who certifies it. There is an inherent risk there. We do have one other check, and that is the Fire Chief also has to go out and make an inspection and make sure the road is serviceable for emergency vehicles.

Commissioner Morris: That would be reassuring. I’m trying to see what the process is to verify all this.

Cuellar: I do see the problem with having the cul-de-sac and road built if we haven’t clarified the details.

PZA Stout: I’ll submit the paper work prior to starting the road. So it’s as per your request. Prior to construction.

Commissioner Killebrew: The process I see is that Commissioner Anderson’s punch list will be forwarded and documented, and we’ll approve this on the condition that those items are completed within the certain time-frame. Doesn’t Corrales also have an engineer who can sign off on those?

PZA Stout: We do have an engineer. We as a Village do not pay him to certify (private) work, the applicant would have to pay for our engineer’s review of his project. If you’d like to require that. We’re going to ask for a certified as-built from the applicant’s engineer, but now there are some issues with what he’s designed.

Commissioner Killebrew: I would ask the engineer and surveyor re-submit what they’ve done with the proper corrections.

Commissioner Thompson: Could you clarify what an as-built certification is?

PZA Stout: Sure. We see those quite a bit with grading and drainage plans. An engineer designs something, and then it’s built. Afterwards that engineer has to certify that what was built is in substantial compliance with the intent of the design. It’s their stamp as a New Mexico licensed engineer, and their potential liability if they are wrong, as opposed to the Village’s liability. We ask this of applicant’s engineers for other items, too.

Chair McCandless: Is there anyone from the community who would like to address this application? (none)

Commissioner Morris: I was curious about the easement from Entrada de los Martinez to your lands. Is there anything on that that will get in the way of you putting a road there?

Cuellar: It is maintained as an easement. It’s gated, and open.
Chair McCandless: There is an easement shown on the south side, a 16-foot easement.

Cuellar: There’s an easement on the other side, that has nothing to do with my property.

Danielle: (public commenter, sworn, 474 Old Church Road): I was wondering if there would be any impact to the easement on the south side, because it’s an irrigation easement for myself and my neighbors.

Chair McCandless: Is that an easement shared by Mr. Cuellar?

Danielle: No, I don’t think so.

Cuellar: We do not have access to that easement. It doesn’t show on our property.

Chair McCandless: Will your utility easement run along the road?

Cuellar: We’re going to bring in utilities from Entrada de los Martinez, and Old Church for the front lot.

PZA Stout: On the plat drawing, the surveyor has placed “private access and utility easement to be granted with the filing of the plat, for the benefit of Lot 1 and Lot 3”, and then the existing easement between his land and the road is also designated to serve the dual purpose.

Chair McCandless: What was the purpose in changing the road width from 20 to 18 feet?

Cuellar: Right.

Chair McCandless: I think ultimately the concrete ditch will be eliminated. That’s five feet by itself. I see that as eventually going away.

Chair McCandless: From the cul-de-sac to Lots 2 and 3 is 18 feet? Then going the other direction is 20 feet.

Cuellar: Right.

Chair McCandless: I’m quite concerned that the design drawing put together by the engineer has quite a few errors. I’m not entirely comfortable approving until those design issues are addressed. I’m hesitant about approving and allowing the road to be built, based on an engineer certification, in which the engineer drew plans that we don’t think are sufficient.

Commissioner Killebrew: We were talking earlier that if we have a punch list for the changes needed and they do come back with those corrections, then we can give the preliminary OK, and then the ultimate OK of the road by the Fire Chief. Most look like CAD issues, not trying to pull something over on us.

Chair McCandless: I am concerned this is an official document that lays out the design of the road, and whoever is doing the construction is going to go by. One possibility would be to give a tentative approval, but before any approval is given on the road, that all the items on the punch list are done. Before any construction begins. It’s our job to approve these plans, I’m hesitant to put that on Ms. Stout.

Commissioner Morris: Is it possible that Commissioner Anderson can be a committee of one to approve these changes?

Chair McCandless: That would be very difficult. We as a body are approving or disapproving.

PZA Stout: Mr. Chair, you are correct.

Commissioner Killebrew: I move that we tentatively approve of SUB 19-03 based on the punch list provided by Commissioner Anderson, and gone over by Ms. Stout, that any corrections made by surveyor or engineer, and signed off on during and before construction by the Fire Marshall.

Chair McCandless: May I point out that we don’t know what that punch list is yet. We’d be approving a list that we haven’t seen.

Commissioner Morris: Commissioner Anderson, are you willing to read out those items?

Commissioner Anderson: We would be here for quite some time. I think if we postponed, get it all done and back in here, that would be more beneficial.

Commissioner Killebrew: So, what you are saying is that you will give your recommendations back to the applicant through Ms. Stout?

Commissioner Anderson: I can provide a detailed list.

Chair McCandless: I’d love to see this expedited, as long as we are staying within the bounds of our ordinances.

Commissioner Killebrew: As Commissioners, we will all need to see that list, as it’s put out.

PZA Stout: As soon as I receive the list from Commissioner Anderson, I will send it to the applicant. And share it with all of you, via email. That would be appropriate.

Chair McCandless: I just have to remind everyone that there can be no discussion. That would fall under ex parte communication.

Commissioner Stermer: I think what we are looking for is a motion to postpone.
Ken Killebrew: I move that we postpone approving SUM 19-03 until the corrections are made and we’ll relook at it. Second: Jerry Stermer. Chair McCandless: We have a motion to postpone until the questions raised by Commissioner Anderson are addressed.

Vote: Yes: John McCandless, Sam Thompson, Michele Anderson, Jerry Stermer, Melissa Morris, Ken Killebrew, Cameron Barnes. (Unanimous.)

Chair McCandless: Commissioner Anderson, you will share your concerns with Ms. Stout? And Ms. Stout will share those with Mr. Cuellar.

SUB 20-02 (Preliminary Plat). Applicant and property owner (trustee) Claudia Miller and Jennie Stonecipher of Dehler Surveying are requesting Preliminary Plat approval to create a 4-lot subdivision “Lands of Pete and Patricia Smith” from approximately 4.3-acre Tract 107D-1-A-1-B, Map 18. This property includes the site addresses of 294 Old Church Road, 266 Old Church Road, and 2 Sandy Lane. The platting action will also dedicate the adjoining portion of Old Church Road (an additional approximately .3-acres) to the Village of Corrales.

Claudia Miller, 1 Barbara Lane, Corrales (applicant/trustee, sworn): First, thank you for accommodating the applicants and the Village with zoom meetings, I know they must be frustrating.

Jennie Stonesifer, Dehler Land Surveying (sworn)

Miller: The application is complete. You have the description of what I’m asking for as well as the plat, you’ve seen this as a Sketch plan. You also have our request for a waiver, so that when we dedicate the 30-foot roadway to the Village, for that portion of Old Church Road, that the neighbor’s fencing does not have to come down until the Village actually has engineered road plans.

Chair McCandless: Let’s go ahead and address the subdivision first. Then we can take a look at the waiver.

Miller: There was a request at Sketch Plan that we provide a well-share agreement. And that was provided as a draft. The plat will continue to state that a well-share agreement is required. Also, between Laurie's description and mine. I’ve gone out there since we wrote these—she indicates 17 feet wide pavement. I indicate 19.

Stonesifer: We are giving the Village the minimum of 30 feet (for Old Church Road public right-of-way). It’s a little more in some places.

Commissioner Anderson: On the exhibit request for waiver? It shows Old Church Road as parcel A, and the residence across the street. You’re showing Sandy Lane going across the north side of the residence. Sandy Lane ends at Old Church on the other side.

Stonesifer: That may be a drafting error, that’s a different named street.

Miller: On the west it’s Calle Conejo.

Commissioner Anderson: Let’s get that corrected.

Commissioner Morris: I was reading the request that the 16’ easement on the southern edge of the property be vacated. Do those properties to the south have some rights to that?

Stonesifer: No, they have no right to that. They have access off W. Ella. It was never intended for (their use).

No one has ever used it. As things have been subdivided it’s been piece-mealed away

Miller: It originally ran all the way between the two ditches. It no longer does that; it’s abandoned.

Commissioner Morris: I’m not sure the Commission needs to give approval.

Miller: We choose in this platting action to abandon it because I wouldn’t want Lot 4 utilizing it for access.

Stonesifer: When you own property and you have an easement on it, and there’s no use for that easement, you can vacate that easement. They want to vacate it so it’s not an encumbrance on their property.

Commissioner Morris: But that’s a legal—

Stonesifer: It’s done all the time in replatting. You can vacate a street in the City of Albuquerque.

Commissioner Morris: I just don’t know if we have the authority.

Stonesifer: As a surveyor, we routinely vacate easements. It is not a court proceeding, it is a platting action.

Chair McCandless: Ms. Stout, is vacating easements part of the platting? Is that common?

PZA Stout: Yes, it is common for an easement that’s no longer used, or never been used, to be vacated when platting. In this specific case, the Village Engineer, Fire Chief and myself visited the site. The easement itself is on the applicant’s property. The properties to the south and east have legal access via their various streets—W. Ella to the south and Reed Lane to the east. In addition, each of those properties were sent certified letters; and there have been no comments (re: the vacation).
Commissioner Thompson: Are we going to deal with the waiver?

Miller: I had prepared a video of the roadway but I was unaware that of your rules of procedure that Laurie informed me of, that I needed to submit that ten days ago. You as Chair can waive that requirement.

Chair McCandless: I appreciate the effort, but given our rules of transaction of business, we can’t do that. The members of the public must have access to those materials as well.

Miller: I want to tell you my motivation for the waiver. My motivation is that we don’t apply our zoning regulations in such a manner as that we begin to destroy the historic qualities of some of our traditional areas of the Village. I am a trained and degreed planner, who has worked in planning and historic preservation. I also worked for the Village. That roadway (Old Church) leads to one of the historic districts of the Village. Part of what you look at it is retaining or maintaining the character. Not just the buildings, but the surrounding environment. The one-acre zoning was based on two things: that one acre you could still farm, and that families could live together. Since then we have adapted a lot of norms from Albuquerque and Rio Rancho for roadway widths, for drainage. And we are doing what other historic towns try to do, to overlay those ordinances designed for open land, on historic property.

I would have liked to have asked for a waiver on the road width, but I was told that would be met with lots of opposition. So, I’m asking that we don’t impose “pipelines” for roadways on a historic, traditional road. If you look at the waiver document, you’ll see that Michael Chavez (Public Works Director) wants to knock the fence down and grade that area flat, so you’d have a dirt shoulder on that curve. He’s saying he believes that will make it safer. You can see around that curve. Before the Village (does that) I ask that they have a real engineered design plan for Old Church Road.

Commissioner Thompson: You were talking about being familiar with that area. You’ve got a lot of those salt cedars that are really creating a lot of blockage on being able to see around the curve. You indicated that you are going to prune those, but that it’s contingent upon approval of the preliminary plat?

Miller: We’ve done some things in the last two weeks. We got rid of some of the underbrush. I had originally said I do it on condition of the plat, because I didn’t know if you were going to alter some lot lines.

Chair McCandless: I fully appreciate your concern about the historic nature. One of the difficulties is that that part of the road is not in our historic district. If the Village were to (take the road) the Village is responsible for seeing that it follows current design standards. Mr. Chavez and the Village are constrained in some regards—if they own it, they have to make sure it’s up to snuff. The Village would be liable if something were to happen on that road. We have a legal requirement to make sure the road is safe. I appreciate your willingness to give up a chunk of your property to give us that road.

Commissioner Anderson: If we were to go with the proposed waiver, at some point of time in the future, who would actually be held responsible to ensure that the fence is moved out of the way? Is the lot owner across the street reliant on the current fencing for animals?

Miller: We could add a clause to this waiver that the property owner in whatever—pick a lot—would be responsible for removing the fence.

Commissioner Anderson: Will one of those lots still be within your family? Or is it strictly the neighbor across the street?

Miller: You could use their lot number. I prefer you use them, because then they can orchestrate putting up their own fence.

PZA Stout: I’m just going to say a few things to address some of the Commissioner’s questions. I do understand the applicant’s desire to keep Old Church narrow and historic. The reality though, is that now—today—it serves many residences and side roads that connect only to Old Church Road. A 30-foot width unobstructed right-of-way is the minimum allowed by our own ordinances. And it will improve an existing safety hazard with what I believe to be very little impact. In the ordinance language for a waiver, an application must be accompanied by letters from the Village Fire and Police Chiefs, endorsing the proposed waiver and specifically stating that in their opinion, approval of the waiver will not be detrimental to public health, safety or welfare. In my discussions with the chiefs, they were not willing to do that because there is a blind curve there. Opening up that roadway a bit will provide a place for people to walk, off the pavement.

One other thing that was brought up; if the road is dedicated to the Village of Corrales, at the point in time when the approval of the plat is done and it is filed with the County, it then becomes Village property. The reason that Mr. Chavez wrote the letter, is his department didn’t want to get stuck having to take the fence down. I spoke with the neighbor across the road yesterday. He doesn’t want to have to take the fence down,
either. He was surprised to learn that he didn’t own the land up to the fence. I told him of the Village’s intent to make the roadway area safer. There could have been an option for (the applicant) to dedicate some land on the interior part of the curve, but it was her prerogative to dedicate it from the west side.

Chair McCandless: Do we know that the Village is willing to formally accept that section of road?
PZA Stout: Yes, I’ve already discussed this with the Mayor and Village Administrator.
Chair McCandless: Do any members of your family or the public wish to speak? (none)
Chair McCandless: Ms. Miller, would you consider decoupling this waiver from your subdivision application? The reason I ask is that we’re talking about a bigger issue with regards to the historic nature of the road and design standards. That may mean a broader discussion, involving the engineer, perhaps Council. We might deal with the waiver at a later date.
Miller: It’s my understanding that you can de-couple it from the application.
Chair McCandless: The plat shows a 30-foot right-of-way. If it were changed, though, I guess we’d have to re-do the plat.
Miller: I’m asking for two conversations. I ask that the waiver be de-coupled, and I ask that our Preliminary Plat be approved.
Chair McCandless: Could we do the plat without dedicating the road at this point in time? And then transferring the right-of-way at a later date.
PZA Stout: The plat as shown does state that the road is being dedicated; we would need a new set of drawings showing it not being dedicated in order for approval tonight.
Miller: If you want that to just remain a private easement, we could change the language on the plat.
Stonesifer: If you did decide to make that an easement, then it doesn’t need to be 30 feet wide, right?
PZA Stout: Whether a roadway is public or private, it still needs to follow the design standard ordinance roadway width.
Chair McCandless: The Village might be legally committed to the design standards of the road.
Stonesifer: Yes, you have to go with the Code.
Miller: The Commission does have the ability to alter the roadway width in your motion.
Chair McCandless: Our responsibility is to administer the ordinances as they stand.
Commissioner Killebrew: Is it my understanding that the Village of Corrales is willing to accept the dedication, but then again don’t want it, because it means they are going to be responsible for it?
Chair McCandless: I don’t think so. The Village is willing to accept it, and the only condition is that the current owner remove the fence. Is that correct, Ms. Stout?
PZA Stout: Yes, that’s correct.
Commissioner Killebrew: But if it’s not removed, they don’t want it?
PZA Stout: We have to abide by our ordinances. (Roadway width, encroachments, obstructions.) What we’re asking for is that the 30 feet be unobstructed. That means removing the fence prior to final plat.
Chair McCandless: But the upshot is that the Village is not interested in the parcel unless the fence is removed?
PZA Stout: I’m bound to present you with the ordinance requirements. The Village respectfully requests that a condition of approval of this plat be that the fence in the proposed dedicated right-of-way be removed by the applicant.
Commissioner Morris: Is what we’re discussing now just who is going to pay to remove the fence?
Chair McCandless: That’s the way it looks to me.
Commissioner Anderson: If the Village accepts the transfer of Old Church Road to them, then they assume all liability. The 30-foot road, needs to be a 30-foot road, not something else. It has to follow the standards. I’m looking at the liability side. If the Village accepts it, it has to be per Code.
Commissioner Thompson: That’s actually a route I take frequently. It is extremely narrow, it’s a designated bike route, and you have people walking. It concerns me, because it is such a bottleneck right there. I think public safety would be improved if the fence is taken down and the road widened. We have a lot of walking, biking, and that area is very dangerous in my opinion. I see what is being proposed here and that would improve public safety.
Commissioner Morris: I’ve been through the area and I think it’s dangerous to people who are walking and on bicycles.
Commissioner Stermer: Is the Village going to say, we won’t take it unless they take down the fence?
PZA Stout: Our ordinances say that.

Commissioner Stermer: The ordinances say the Village will not accept a transfer of ownership of a portion of a road unless a fence is taken down?

PZA Stout: No. Village Code Section 31-28, Encroachments Prohibited in Public Right-of-Way. (Read out loud.) We’re asking that the encroachment be removed before (the road) is dedicated.

Chair McCandless: That’s what it comes down to. We have an offer to donate this portion of road to the Village, make it legally the Village’s, and the question is who is taking down the fence. The Village is asking that the encroachment be removed before they accept it.

Miller: Our concern was not who takes down the fence, our concern was taking down the fence for an ill-conceived road design. If the Commission would like to make it a requirement that the fence be removed from the proposed right-of-way before Final Plat, we can do that. There are plenty of right-of-way’s in the Village that are used with obstructions that the Village puts in—landscaping, water lines, curbs and gutters.

Chair McCandless: Would you agree to remove the fence at the time that the Village is ready to (improve road)?

Miller: The request for waiver was specific in that we asked at the time the Village provided an engineered and designed plan for the roadway improvements of Old Church Road, then we will then remove the fence. Our concern is that we’re all being arm-chair safety experts. If this is causing a great conundrum, we’ll take down the fence.

Stonesifer: Since she does own that portion of Old Church Road. Would you approve the configuration of those four lots if that portion of Old Church Road continues as (private easement)?

Chair McCandless: You’d have to go back and redo the application and change the plat.

Miller: I don’t want to do that.

Chair McCandless: What you’ve presented right now is what we have to deal with.

Miller: I have applied for a waiver, and my plat. Those things are de-coupled in my application. If you choose to move forward on the plat, the right-of-way will be dedicated. If you move forward on the waiver, the Village would provide engineered roadway plans for Old Church Road prior to removal.

Chair McCandless: And I am not sure we can impose conditions on the Village. What I can see us saying is that the roadway will be properly engineered, at the time that any work begins. The Village will work with their design standards.

Sam Thompson: I move we approve SUB 20-02 with the condition that the fence on the west side of Old Church Road be removed prior to Final Plat. Second: Melissa Morris. Vote: Yes: Cameron Barnes, Ken Killebrew, Melissa Morris, Jerry Stermer, Michele Anderson, Sam Thompson, John McCandless (unanimous)

John McCandless: May I have a motion on the requested waiver?

Motion on waiver: Jerry Stermer: Move to postpone action on waiver; Second: Sam Thompson. Vote: Yes: Cameron Barnes, Ken Killebrew, Melissa Morris, Jerry Stermer, Michele Anderson, Sam Thompson, John McCandless (unanimous)

VAR 20-01. (Variance) Applicant John McCandless of Tract A-1, Lands of Mary Jane Rose, site address 215 Coyote Trail, is requesting a Variance to 10’ side setback for an existing shop building that is approximately 8’ from the side property line.

(Chair was yielded to Commissioner Thompson for this agenda item)

John McCandless, (property owner and applicant, sworn): Back in December 2014, my wife and I applied for an owner-builder permit for a house and a 20 x 20 adobe shop building. In the process of laying out the shop, and trying to observe setbacks, I relied on the position of a fence that was in place at that time, thinking it was on the property line. In 2018, I came to know that the fence was not on the property line, it was not quite two feet into the neighbor’s property, which meant that my shop was less than ten feet from the true property line. The shop did go through the building permit process and all inspections. I am requesting a Variance for the shop setback on the basis that it’s not doing any harm, the neighbors on that adjacent property have no objection, and the cost of tearing it down and putting it back up would be considerable.

Commissioner Stermer: I have a question. These kinds of corrections through variances—are they somewhat common, or somewhat rare given that many people do not come forward?
PZA Stout: We have several a year, and generally they come up if there’s another (requested) action, or if it’s brought up to someone’s attention.

Michele Anderson: Approve VAR 20-01 setback variance. Second: Cameron Barnes; Vote: Yes: Sam Thompson, Michele Anderson, Ken Killebrew, Jerry Stermer, Melissa Morris, Cameron Barnes. (Six yes) John McCandless, as applicant, abstained.

VII. OTHER BUSINESS Election of Officers

Sam Thompson: I would like to nominate John McCandless as Chair. Ken Killebrew: Second. Vote: Yes: John McCandless, Sam Thompson, Michele Anderson, Ken Killebrew, Jerry Stermer, Melissa Morris, Cameron Barnes. (Unanimous)

John McCandless: I would like to nominate Commissioner Thompson as Vice-Chair. Second: Ken Killebrew. Vote: Yes: John McCandless, Sam Thompson, Michele Anderson, Ken Killebrew, Jerry Stermer, Melissa Morris, Cameron Barnes. (Unanimous)

John McCandless: I would like to nominate Commissioner Morris as Secretary. Second: Sam Thompson; Vote: Yes: John McCandless, Sam Thompson, Michele Anderson, Ken Killebrew, Jerry Stermer, Melissa Morris, Cameron Barnes. (Unanimous)

VIII. PZA REPORT

IX. COMMISSIONERS FORUM

Chair McCandless: During the MRCOG webinar, I raised the question regarding our five-minute rule in Resolution 20-01. In Section 5, item 7, we said “community participants must join the meeting no later than the first five minutes after the Call to Order”. The MRCOG (attorney) suggested that was not a good idea. We should allow people to join any time, as we would in a face-to-face meeting. I think we should change that to a “recommendation” and encourage them to join at that point. We would need to take a formal vote as an action item on the formal agenda. We can put that on next time.

(Commissioner Killebrew mentioned a group of citizens interested in doing something with the lateral ditch.)

X. NEXT HEARINGS: July 1, 2020 and July 15, 2020

XI. ADJOURNMENT

Ken Killebrew: Move to adjourn, Second: Sam Thompson. Vote: Yes: John McCandless, Sam Thompson, Michele Anderson, Ken Killebrew, Jerry Stermer, Melissa Morris, Cameron Barnes. (unanimous)

Laurie Stout, Planning and Zoning Administrator 7-2-2020
ZOC 20-10, Healing Arts Consulting & Counseling, LLC,
100 Sherlock Court, Staff Summary

Applicant Erica Jacknin of 100 Sherlock Court in Corrales is requesting Home Occupation permit approval for "Healing Arts Consulting and Counseling", an art therapy counseling business. Her property is zoned A-1 Agricultural and Rural Residential.

She proposes using 156 square feet of a 1,775 square foot home for her business. Her stated business hours are between 8 to 6 Monday through Friday, however; her application states that this will be part-time and her plan is to only see clients 10-15 hours per week during that timeframe.

She notes 6-10 client visits per week. I visited the property and there is ample off-street parking as shown. She notes a kiln on her application, but said that is primarily for her own personal use.

Village Code Section 18-45 (c) (4) (c) (Planning and Zoning Commission approval) governs Home Occupation applications.


Laurie Stout, Planning & Zoning Administrator

Date 7-5-2020
Application for 2019 Home Occupation Permit

Everyone who operates or plans to operate a business at any location within the A-1, A-2, or H zones of the Village of Corrales must obtain a Home Occupation Permit (ZOC) issued by the Village. (Ch.18 Sec. 18-45(c)(1), Codified Ordinances of the Village of Corrales.). In order to obtain a ZOC, you must follow these procedures:

Instructions:

1. Fully and accurately complete the ZOC application and attach ALL of the following: (a) one or more photographs of the home from the road, showing access; (b) a map or sketch clearly showing the location of the proposed business activity on the property; (c) a site plan showing all structures and on-site parking provisions to meet any parking needs of the business; and (d) a copy of your valid New Mexico CRS ID certificate. An application without these required attachments is not complete.

2. Submit the application, $35.00 fee and nine (9) copies of all required materials, to Planning & Zoning. If the application is complete, the administrator will in some cases be able to provide review, or otherwise will schedule a hearing by the Planning and Zoning Commission within 60 days of a 100% complete application. If the application is not complete, it will be returned and will not be set for hearing until resubmitted in a complete form.

3. If Planning & Zoning Commission approval is necessary, you will post an easy-to-see notice (yellow sign), which you must obtain from the Village, for fifteen (15) days prior to the meeting when your application will be heard.

4. Attend the hearing and be prepared to answer questions.

5. Obtain a Village business registration ($35 fee annually) within 90 days, if your ZOC is approved by the Commission or Administrator.

If you have any questions about filling out the form or about the process, please phone, e-mail or make an appointment to see Planning and Zoning. We are here to help.

General Information

Name of Applicant: ERICA JACKNIN

Physical Address: 100 Sherlock Court

Mailing Address: 100 Sherlock Court

Legal Description: Tiffany North

Acreage: __________ Zoning: A-1

Are you the property owner? Yes X No. Do you reside here? Yes X No.
approval for the proposed business use.

Are there other ZOCs on the Property? Yes No (Cannot exceed 4 at any one time)
If YES, you must attach copies of the approvals for existing ZOC’s to the application.

Total Square Footage of Home: ___________ sq. ft. (Exclude Garage unless part of ZOC)

How many square feet of the home will you use for your home business? ___________ sq. ft. (Cannot exceed 25% of total, or 45% in Neighborhood Community and Office District NCOD)

Will you use Accessory Structures in your ZOC? Yes No
If yes, how many square feet of Accessory Structures will you use for your home business? ___________ sq. ft. (Cannot exceed 2,000 square ft., or 4,000 in NCOD)

What is the name of your business? Healing Arts Consulting and Counseling, LLC

Briefly describe your business and its functions. It is an art therapy counseling business. I plan on having this as a part-time occupation.

What days/hours will your business operate? M-F 8 to 6
I only plan on seeing clients for 10-15 hrs. during those times

Will clients/customers be coming to your home? Yes No

If yes, please circle how many persons/vehicles will come to your home for business purposes:

Per Day: 1-5; 6-10; >10
Per Week: 1-5; 6-10; 11-20; >20

How many additional motor vehicle trips in and out of the property will be generated by your business (deliveries, your own business-related trips, and any other business-related trips) PER WEEK? ___________

Will the business be conducted strictly by mail and/or electronic communications? Y _ N X

Will there be any materials storage? Yes No X

If yes, please explain what the materials are and how and where they will be stored.

Will there be any employees who are not residents of the property? Yes No

The statements below track the requirements of the Village Code section governing ZOC permits. (Chapter 18-45(c)(1)(5)). By initialing these items, you certify that you meet these criteria and will abide by them if your ZOC is approved. Violating these requirements may result in loss of your home occupation permit or business license.
INITIAL EACH APPLICABLE ITEM. (Do not use "X" or a check mark.)
Item a, and Items d through j, MUST be initialed. Initial either b1 OR b2, and either c1 OR c2, whichever is applicable in each case.

a. The use of the dwelling unit for the home occupation shall be clearly subordinate and incidental to its use for residential purposes by the occupants.

b1. No more than 25% of the floor area of the dwelling unit and not more than 2,000 square feet in one accessory building shall be used for all home occupations upon the lot.

Or, if applicable:

b2. My lot is zoned A-1 and is located in the Neighborhood Community and Office District (NCOD); no more than 45% of the floor area of the dwelling unit or more than 4000 square feet of any accessory building will be used for all home occupations upon the lot.

c1. Other than family members, no more than 1 (ONE) person will engage in the home occupation(s) on the premises at any one time.

Or, if applicable:

c2. My lot is zoned A-1 and is located in the NCOD; other than family members, no more than three (3) persons will be engaged in the home occupation on the premises at any one time.

d. There will be no change in the exterior appearance of the buildings or premises (except for a single sign authorized and permitted under Chapter 8, Art. IV.).

e. All business-related tools and materials shall be maintained to have an orderly appearance.

f. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, noxious odors, or other nuisances detectable from adjacent properties.

g. There shall be no sales of goods or services from the home, which would generate greater traffic volume than would be created in a residential neighborhood.

h. No more than two (2) service vehicles used in the conduct of the home occupation shall be upon the premises at any one time for all home occupations and business registrations.

i. Any parking needs generated by the conduct of the home occupation shall be met by using off-street parking. Short-term parking for lodging shall meet the requirements of Subsection 18-39 (c) (3), Short Term Lodging Establishments.

j. Maximum of four (4) home occupations shall be permitted on any one lot at one time.

I certify that I meet the above requirements and will abide by them. I understand that I may lose my home occupation permit and business license if I violate any of these requirements. I also understand and agree that any representation made by me in connection with this application, whether orally or in writing, is deemed to be a condition of the home occu-
pation permit, and violation of such condition may result in loss of my home occupation permit and business license.

Signature of Applicant: ___________________________ Date: 5/25/2020

PLANNING & ZONING OFFICE USE ONLY

Received By: ___________________________ Date Received: 6-12-20 File No.: ZOC- 20-10

Amount Paid: $350

[ ] Cash  [ ] Check No.: 1032 Receipt No.: __________

Credit Card No. ___________________________

Application Reviewed and certified complete by: ___________________________ Date: 6-12-20

Planning and Zoning Commission Approval/Denial:

APPROVED with the following conditions, if any:

______________________________________________________________

______________________________________________________________

Village Approval: ___________________________ Date: ____________________

Village Administrator (hearing date, if applicable)

Ninety Day Business License Application Deadline: ___________________________

DENIED with the following findings:

______________________________________________________________

______________________________________________________________

______________________________________________________________

Denial: ___________________________ Date: ____________________

Village Administrator (hearing date, if applicable)
STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE

<table>
<thead>
<tr>
<th>Date ID Issued</th>
<th>IDENTIFICATION NUMBER</th>
<th>Business Start Date</th>
<th>Business End Date</th>
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<tr>
<td>12-Sep-2019</td>
<td>03-506883-00-3</td>
<td>09-Sep-2019</td>
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</table>

Business Location
100 SHERLOCK CT

City and State
CORRALES, NM

Taxpayer Name
HEALING ARTS CONSULTING AND COUNSELING, LLC

Firm Name
HEALING ARTS CONSULTING AND COUNSELING, LLC

Mailing Address
100 SHERLOCK CT

City and State
CORRALES, NM

Zip Code
87048

This Registration Certificate is issued pursuant to Section 7-1-12 NMSA 1978 for Gross Receipts, County Gross Receipts, Municipal Gross Receipts, Compensating and Withholding Taxes. This copy must be displayed conspicuously in the place of business. Any purchaser of the registrant’s business is subject to certain requirements under Section 7-1-61 NMSA 1978.

Cabinet Secretary

By

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630

THIS CERTIFICATE IS NOT TRANSFERABLE

STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
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Cabinet Secretary

By

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THIS CERTIFICATE IS NOT TRANSFERABLE
I, ___________ (applicant/agent) acknowledge receipt of a yellow “public notice” sign from the Village of Corrales that must be displayed and visibly available to passersby on the road at the entrance to the subject property, from end of day June 30, 2020 through 6 pm on Wednesday, July 15, 2020.

A Village representative will be by the property to assure this posting has been completed. If your sign cannot be located by Village rep, your hearing will be postponed till the next meeting and a new round of certified letters will be required.

Signature

6/28/20

Date

(ZOC 20-10, 110 Sherlock Ct., Healing Arts Consulting & Counseling)
Applicant Community Sciences Corporation, on behalf of property owner William Stefanich, requests Summary Plat approval to vacate lines between existing Tracts 111B2, 111C2, 112C1B and 112C2B, creating proposed 2.419-acre "Jackass Acres" (site address 5375 Corrales Rd.) This property is zoned A-1 Agricultural and Rural Residential.

General: This property is on the west side of Corrales Road and comprised of four long, narrow Tracts, only one of which is currently a conforming parcel of at least one acre. A residence exists, accessed via a driveway off Corrales Road.

Access: Driveway mentioned above. The ingress/egress easement shown on the south side of the property is not a legal access for this parcel.

The Village Engineer and I walked the site and noted all lot corners properly marked. See Steve Grollman email dated June 10, 2020. I asked Mr. Grollman about the "apparently" language and he stated tracts that abut that acequia to the west occasionally have discrepancies between MRGCD acequia ownership versus merely an easement. It doesn't impact this plat, which is more than one acre, just something noted by the engineer.

Site plan with wells and septic included.

North arrow and scale shown on the plat. No topographic survey required; the surveyor has included an affidavit stating the property is less than 1% slope. The 35' wide acequia easement granted to MRGCD is shown on the plat on the western edge of the property.

Please Note: Yes, the colorful name proposed by Mr. Stefanich has been duly approved by administration, and accurately describes his future plans of operating a farm and burro rescue.

### Village of Corrales
Planning and Zoning Department

**SUMMARY PLAT APPLICATION (Sec. 18-88)**

<table>
<thead>
<tr>
<th><strong>APPLICANT INFORMATION</strong></th>
<th></th>
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<tbody>
<tr>
<td><strong>Applicant Name:</strong></td>
<td>Community Science Corporation</td>
</tr>
<tr>
<td><strong>Telephone:</strong></td>
<td>897-0000</td>
</tr>
<tr>
<td><strong>Mailing Address:</strong></td>
<td>PO Box 1328</td>
</tr>
<tr>
<td><strong>Email:</strong></td>
<td><a href="mailto:templet@communityscience.com">templet@communityscience.com</a></td>
</tr>
<tr>
<td><strong>Name of Proposed Subdivision:</strong></td>
<td>Jackass Acres</td>
</tr>
<tr>
<td><strong>Zone Classification:</strong></td>
<td>A-1</td>
</tr>
<tr>
<td><strong>Location of Proposed Subdivision:</strong></td>
<td>5375 Corrales Rd.</td>
</tr>
</tbody>
</table>

| **Descriptive Information:** | 1182, 11c2, 110B, 120E, 120E |
| **Acreage of Site:** | 2.4191 |
| **Present Number of Lots:** | 4 |
| **Proposed Number of Lots:** | 1 |
| **Property Owner(s), if different from applicant:** | William F. St. George |
| **Mailing Address:** | 5375 Corrales Rd., Corrales, NM 87048 |
| **Telephone Number:** | 316-9536 |
| **Relationship of Applicant to Land Owner(s):** | Agent |
| **Name/Address of Land Planner:** |  |
| **Name/Address of Engineer:** |  |
| **Name/Address of Surveyor:** | CST, see above |

| **Signature of Applicant:** |  |
| **Date:** | 5-08-2020 |
GENERAL INFORMATION

FEES: Six hundred and fifty dollars ($650) due at the time of application. Cost of certified mailing will be invoiced to the applicant. Re-submittals due to errors or omissions are $1,000.

DEADLINE: A minimum forty days (40) prior to anticipated P&Z Commission hearing; fourteen copies of all documentation are required: four (4) copies shall be 24” by 36”; after the Administrator states the application is complete, then ten (10) copies of the Preliminary Plat, with corrections if any, shall be submitted in 11” by 17” ” and an electronic copy (PDF format) is required with EACH submittal.

REQUIREMENTS: Chapter 18 Section 18-76 – Section 18-94 (see attached checklist). Public notification required; sign must be requested by applicant and posted per §18-79(b) of the Codified Ordinances.

OFFICE USE ONLY

Date Received: 5-8-2020  Received By: LAB  File No.: SUM 20-060

Amount Paid: 650.00  Cash □  Credit □  Credit Card Number: _____________________________

Check □  Check #: 1098  Receipt Number: _____________________________

Completed Application Acceptance Date: ______________________  Date of Hearing: July 15, 2020

Developer Invoiced for Legal Notice (date/amount): 6-29-20, $193.20  Paid: $________

□ Approved: ______________________  Date: ______________________

□ Approved with Conditions: __________________________________________

□ Denied: ______________________

Date

Findings of Facts and Conclusions of Law:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Page | 2 of 9  Revised July 2019
☐ Amended Plat Required: ____________________  

                          Date  

Findings of Facts and Conclusions of Law:
________________________________________
________________________________________
________________________________________

☐ Amended Grading and Drainage Plan Required: ____________________  

                          Date  

Findings of Facts and Conclusions of Law:
________________________________________
________________________________________
________________________________________
SUMMARY PLAT APPLICATION CHECKLIST

Summary Plat submittal. The applicant seeking approval of a subdivision or re-subdivision under this summary procedure shall submit a completed final plat application. The proposed summary plat and all accompany materials shall:

(1) Be clearly identified as submittals pursuant to the summary plat procedure;
(2) Be prepared in accordance with the standards for plats, data and related materials that are required for preliminary plat approval and for final plat approval as provided in this article; and
(3) Comply fully and completely with all requirements for preliminary plat approval and final plat approval as provided in this article.

Unless waived by the Planning and Zoning Commission, the preliminary plat requirements are as follows: INITIAL IF INCLUDED. Completed application form

1. Proof of financial responsibility on the part of the subdivider.

2. The location of all present property lines, projected section lines, streets, watercourses, and other existing features within the area to be subdivided and similar information regarding land immediately adjacent thereto. Buildings, wells and waste water disposal systems shall be shown on the property to be subdivided and on adjacent parcels, on a separate sheet titled “Site Plan.”

3. The proposed location and width of all proposed streets, alleys, utility easements, and areas to be reserved for public use.

4. Existing utilities, drainage courses and culverts within the tract or on streets immediately abutting thereto; the location and size of the nearest water mains and sewer lines.

5. The title under which the proposed subdivision is to be recorded and the name of the land planner, engineer, registered land surveyor, the subdivider and the owner of the tract, with the address to which any notice is to be sent.

6. The layout, numbers and approximate dimensions of proposed lots.

7. The zoning classification and proposed use for the area being platted.

8. Proposed names for all streets in the area being platted.

9. Written and signed statements explaining how and when the subdivider proposed to provide and install all required sewer or other disposal of sanitary wastes, graveled roads, drainage structures and street name signs.
10. The legal description of the area being platted and of each parcel of land proposed as part of the subdivision; legible copies of all prior plats that reflect the history of the land being subdivided, showing how and when the existing lots were created, shall be provided by the subdivider.

11a. Contours referred to the National Geodetic Survey (formerly U.S. Coast and Geodetic Survey) datum with elevation contours shown at not more than one (1) foot intervals on slopes up to eight percent (8%), not more than two (2) foot intervals on slopes between eight percent (8%) and fifteen percent (15%), and not more than five (5) foot intervals on slopes of fifteen percent (15%) or greater. In addition, all areas with slopes greater than eight percent (8%) must be differentiated through shading, tone, color, or line weight; and all areas with slopes of fifteen percent (15%) or greater must be separately differentiated through shading, tone, color, or line weight. Slopes greater than fifteen percent (15%) shall not be disturbed. If there are no slopes greater than fifteen percent (15%) in the area to be platted, an affidavit to that effect, signed and sealed by the surveyor, shall be placed on the preliminary plat.

11b. Land east of the Corrales Main Canal shall be exempt from the requirement to submit a topographic survey unless required by the Commission or the Administrator; an affidavit stipulating that the land has a one percent (1%) or less slope, signed and sealed by the surveyor or professional engineer preparing the plat, shall be placed on the plat.

12. The north point, scale (one inch equal to 100 feet) and date.

13. The acreage of the land to be subdivided.


15. Subsurface conditions on the tract, if required by the Planning and Zoning Commission, including such information as the location and results of tests made to ascertain subsurface soil, rock and groundwater conditions; depth to groundwater, soil percolation and any other subsurface conditions.

16. Such other information and material as may be applicable or required by ordinance or rules and regulations pertaining to utilities, services or streets within the Village or within the area of planning and platting jurisdiction.

Unless waived by the Planning and Zoning Commission, the final plat (Sec. 18-87) requirements are as follows: INITIAL IF INCLUDED.

Following preliminary plat approval and the presentation of proof by the subdivider that he has complied with all preliminary plat requirements, the subdivider shall complete and submit a final plat application and fourteen (14) sets of all application materials as required in this section for review by the planning and zoning administrator, the Village engineer, the Village attorney, and the Commission.

Requirements for Final Plat Application: Sec. 18-87(c)
The final plat shall be in conformity with the requirements of applicable State statutes and shall be
an accurate drawing designating specifically the land so laid out, and particularly describing the portions thereof to be dedicated for public use. Such final plat shall be drawn in black ink to a scale of not more than 100 feet to the inch from an accurate survey. It shall contain one or more sheets of dimensions not exceeding 24 inches by 36 inches. If more than two sheets are submitted, an index sheet of the same dimensions shall be attached showing the entire subdivision on one sheet and the component areas on the remaining sheet.

(2) The final plat of the subdivision and accompanying documents shall show:

- Completed Application Form and applicable fee.
- a) Boundary lines with accurate distances and courses.
- b) Correct legal description, which shall refer to permanent monuments, number of each lot in progression, and dimensions of the same. All property corners shall be set with rebar and cap, or other appropriate materials, and identified as such on the final plat.
- c) Lines of all proposed streets and alleys with their widths and names.
- d) Accurate outline of any portions of the property intended to be dedicated for public use or for the use of the owners of the lots fronting or adjacent to the land, together with dimensions of same.
- e) Line of departure of one street from another.
- f) Names and widths of adjoining streets and alleys abutting the subdivision drawn in dashed lines.
- g) All lots designated by numbers or letters, and streets, avenues and other grounds designated by names, letters or numbers.
- h) Building setback lines shown by narrow dashed lines, if required.
- i) Location of all easements provided for public use, services or utilities.
- j) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and other areas for public or private use.
- k) Radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- l) Location of all survey monuments and their descriptions.
- m) Name of the subdivision and scale of the plat, north point, name of the owner or owners, name of subdividers and date.
- n) Certificate of registered land surveyor attesting to the accuracy of the survey and the correct location of all monuments shown.
- o) Certificate of licensed engineer attesting to the adequacy of, and in compliance with, engineering provisions and requirements.
- p) Acknowledgement. Every plat shall contain a statement that the land being surveyed, and the streets, alleys, easements, drainageways and other public ways appearing on the plat are with the free consent and in accordance with the desire of the undersigned owner and proprietor of the land and are dedicated to the public use and shall be acknowledged by all fee simple owners and any contract sellers and purchasers.
- q) Certification. A certification by a title or abstract company, or a duly authorized attorney, that there are no delinquent taxes, suits, actions at law, easements, restrictive covenants or rights-of-way affecting the property except those stated on the plat.
r) Affidavit. The plat shall also contain an affidavit by a registered land surveyor or registered engineer that the proposed subdivision does lie within the planning and platting jurisdiction of the Village.

s) Separately signed approval blocks with the names of each utility company involved, typed under the signature, along with the date of each signature. For lands east of the Main Canal, a signature and date of approval block shall be provided for the Middle Rio Grande Conservancy District.

t) Signature block (same as for Final Plat Subdivision):

This summary plat of subdivision is approved, but such approval does not constitute acceptance for maintenance purposes of any streets, alleys or other dedicated lands.

Chairman, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

Mayor, Village of Corrales

Village Clerk

(d) Required improvements (final plat).

(1) Upon receipt of a final plat and prints thereof from the subdivider, the Planning and Zoning Administrator shall refer the final plat with such letter of transmittal to the Planning and Zoning Commission at its next regular session and shall report on the following:

a. Any improvements that may be required by this article have been constructed in a satisfactory manner in accordance with the minimum standards established by the Village as approved by the Village engineer.

b. In lieu of such prior construction, the subdivider has filed with the Village Clerk a duly executed performance bond with a financially qualified surety in an amount equal to 100 percent of the cost of the total public improvements and on all of the property abutting each such street or other locations within the subdivision.

c. The developer has presented copies of signed contracts containing adequate financial assurance to the Village providing for installation of public improvements which may be required in a satisfactory manner in accordance with the minimum standards established by the Village; such contracts shall be cancelable only upon disapproval of the plat by the Planning and Zoning Commission.
d. The developer has entered into an agreement or contract with the Village providing for the installation of such improvements and pledging the properties of the subdivision as guarantee that such improvements will be installed. Such contract may provide that the subdivider pay for such public improvements made pursuant to the contract with the Village on a block to block basis as the subdivision is developed, providing for payment for such improvements as constructed, and the release of lien placed up on such properties by the instrument of the Village. Payment to the Village for these purposes shall be made at the time of development even though the entire improvements, or a portion thereof, may be required to be deferred, and such money shall be held in escrow by the Village as a trust fund for such purposes.

(c) Hearing, approval and recordation of summary plat. At hearing, the Commission may approve the proposed summary plat, or may deny it if the Commission determines that the proposed subdivision does not qualify for summary plat approval, the proposed summary plat and accompanying materials are incomplete, or the proposed subdivision fails to meet all standards of this article and other applicable ordinances and policies of the Village. Upon approval, the Village will record the summary plat in the office of the county clerk in accordance with the provisions of Subsection 18-79(e)(3).

Section 18-89. Improvements.
The following improvement procedures will be required unless waived by the Planning and Zoning Commission:

1. Completion of improvements. Plans for improvements shall be prepared by a qualified engineer registered in accordance with the laws of the State. The improvements listed in Subsection (2) of this section shall be installed pursuant to the method decided upon under section 18-87(d).

2. Required improvements. The improvements to be installed shall include the following:

   a. Permanent markers. All subdivision boundary corners shall be marked with a permanent monument. A permanent monument shall be deemed to be concrete with a minimum dimension of four inches, extending three feet below the surface of the ground, or steel pipe or rebar firmly imbedded in concrete which extends at least three feet below the surface of the ground. Should conditions prohibit the placing of monuments on line, offset marking will be permitted, provided however, the offset courses and distances are shown on the plat. A permanent benchmark shall be accessibly placed within the subdivision, the elevation of which shall be referred to the National Geodetic Survey (formerly U. S. Coast and Geodetic Survey) datum and accurately noted on the subdivision plat.

   b. Drainage. Adequate provision shall be made for drainage of storm water. Drainage improvements shall maintain any natural watercourse and shall prevent the collection of water in any low spot. No lot shall be platted to obstruct natural water flow. Storm water drainage shall not be permitted to combine with sanitary sewers. Lined drainage channels may be required and provided with required checks or be installed in concrete storm sewer conduit in accordance with the requirements noted in the master plan and as required by the Governing Body for storm sewers. Drainage structures must be placed on all arroyos where roads intersect them. Drainage
structures shall be based on 1.25 inches of rain in one hour as the standard, and may be either of corrugated metal or concrete.

3. Additional improvement standards. Additional standards for design, construction, specifications and inspection of street improvements, utilities, street name signs, and drainage facilities may be required by the Village. Such standards, rules and regulations shall be approved by the Governing Body and be on file in the Village Clerk's office.

4. Completion of improvements. No building permit for construction within the subdivision, except permits for construction of the improvements, shall be issued until all improvements have been completed to the satisfaction of the Village.

Comments:
July 7, 2020

Planning and Zoning Administrator
Planning and Zoning Commission
Village of Corrales, NM

RE: Summary Plat for Tracts 111B2, 111C2, 112C1B and northerly portion of 112C2B, MRGCD Map No. 16
Site: 5375 Corrales Road, Corrales

Dear Ms. Stout, Chair and Members of the Planning and Zoning Commission,

Community Sciences Corporation (CSC) is the agent for Bill Stefanech, owner of the subject property.

Mr. Stefanech wishes to combine his existing four (4) MRGCD tracts into one (1) new tract.
The property is zoned A-1, one acre minimum. The new combined acreage will be 2.4191 acres, net= gross. There are no vacations, dedications or granting of easements on this plat.

CSC therefore requests your review and approval of this Summary Plat application.

Respectfully,

Thomas W. Patrick
New Mexico Professional Surveyor No.12651
Laurie Stout

From: Stephen Grollman <SGrollman@whpacific.com>
Sent: Wednesday, June 10, 2020 7:01 AM
To: Laurie Stout
Subject: Jackass Acres

Laurie,

The boundary and area of the Plat are apparently correct and the relevant parcel corners are staked in the field.

Thanks,

SJG
I, ___________________________ (applicant/agent) acknowledge receipt of a yellow “public notice” sign from the Village of Corrales that must be displayed and visibly available to passersby on the road at the entrance to the subject property, from end of day June 30, 2020 through 6 pm on Wednesday, July 15, 2020.

A Village representative will be by the property to assure this posting has been completed. If your sign cannot be located by Village rep, your hearing will be postponed till the next meeting and a new round of certified letters will be required.

__________________________
Signature

__________________________
Date

(SUM 20-06, Jackass Acres)
SUM 20-07, Summary Plat, 4404 Corrales Road, Staff Summary

Applicant Richard Thaler (with the permission of daughter and son-in-law Emily and Garrett Allen, property owners), and agent Tom Patrick of Community Sciences Corporation request Summary Plat approval. They are proposing to vacate the tract line between existing .22-acre Tract 44-A and a portion of Tract 44-B-2-A-2 (approximately .75-acres), site address for both 4404 Corrales Road, combining them to create proposed .97-acre Tract 44-A-1.

The .22-acre Tract is currently zoned C-Commercial and the .75-acre Tract is currently zoned A-1 Agricultural and Rural Residential. The Site Plan (well and septic) shows both the existing commercial zoning and the proposed extension (addressed with the next application tonight).

Access: This property contains a residence in the westerly .22-acre Tract that is accessible from Corrales Road via an existing driveway. Hansen Road (ownership of this portion unclear; it is privately owned further east) runs along the south boundary of the property.

History: In January of 2003, a previous owner went before the Planning and Zoning Commission to request that the entire .97 acre area be zoned commercial (back to the 350 feet allowable, at least). Since there are two tracts, and Village Code Section 18-37 (2) (a) (1) regarding Commercial zoning in the Corrales Road Commercial Area states "All lots shall be contiguous to Corrales Road having frontage on Corrales Road," only the westerly tract was allowed to be zoned Commercial at that time. Those previous owners chose not to replat.

General: The property is located east of Corrales Road. No topographic survey required. The surveyor has noted an "affidavit of less than 1% slope" on the plat.

A site plan is included showing existing wells and septic. North arrow and scale shown.

At .97 acres if approved, this platting action will take two non-conforming Tracts and create a nearly conforming one. Since it already contains a residence, that use may continue regardless of current or final zoning.

The boundaries and area calculations are correct and the Village Engineer and I noted all property corners were properly staked at the site during our visit. (See Steve Grollman email dated June 11, 2020.)

Under Section 18-88 Summary procedure, the Planning and Zoning Commission may approve or deny. Summary Plats are not subject to conditions.

Recommendation: Approve SUM 20-07. Substantially compliant with Village Code; takes two non-conforming MRGCD Tracts, and with all property that is available to the applicant, creates a slightly non-conforming one.

Laurie Stout, Planning & Zoning Administrator Date

Laurie Stout, Planning & Zoning Administrator 7-4-2020
Village of Corrales
Planning and Zoning Department

SUMMARY PLAT APPLICATION (Sec. 18-88)

APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Applicant Name:</th>
<th>Telephone:</th>
</tr>
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<tbody>
<tr>
<td>Community Services (CSC)</td>
<td>897-0000</td>
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<tbody>
<tr>
<td>P.O. Box 1325, Corrales</td>
<td><a href="mailto:temp@communityservices.org">temp@communityservices.org</a></td>
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<td>C &amp; A.1</td>
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<th>Property Owner(s), if different from applicant:</th>
<th>Relationship of Applicant to Land Owner(s):</th>
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<tbody>
<tr>
<td>Richard Thaler, Garrett Allen</td>
<td>Agent</td>
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</table>

<table>
<thead>
<tr>
<th>Mailing Address:</th>
<th>Telephone Number:</th>
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<tr>
<td>4404 Corrales Rd., Corrales NM 87048</td>
<td>980-6161</td>
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<tr>
<th>Name/Address of Land Planner:</th>
<th>Name/Address of Engineer:</th>
<th>Name/Address of Surveyor:</th>
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<tbody>
<tr>
<td>NA</td>
<td>NA</td>
<td>Tom Patrick (CSC - see above)</td>
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<table>
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<tr>
<th>Signature of Applicant:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signature]</td>
<td>6-06-2020</td>
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GENERAL INFORMATION

FEES: Six hundred and fifty dollars ($650) due at the time of application. Cost of certified mailing will be invoiced to the applicant. Re-submittals due to errors or omissions are $1,000.

DEADLINE: A minimum forty days (40) prior to anticipated P&Z Commission hearing; fourteen copies of all documentation are required: four (4) copies shall be 24” by 36”; after the Administrator states the application is complete, then ten (10) copies of the Preliminary Plat, with corrections if any, shall be submitted in 11” by 17” and an electronic copy (PDF format) is required with EACH submittal.

REQUIREMENTS: Chapter 18 Section 18-76 – Section 18-94 (see attached checklist). Public notification required; sign must be requested by applicant and posted per §18-79(b) of the Codified Ordinances.

OFFICE USE ONLY

Date Received: 6-8-2020  Received By:  

Amount Paid: $450.00  Cash □  Credit □  Credit Card Number: ________________

Check □  Check #: 150  Receipt Number: ________________

Completed Application Acceptance Date:  

Date of Hearing: July 15, 2020

Developer Invoiced for Legal Notice (date/amount): 6-29-20 $172.50  Paid: $172.50

□ Approved: Date: ________________

□ Approved with Conditions: ________________

□ Denied: Date: ________________

Findings of Facts and Conclusions of Law: ________________

Page 2 of 9  Revised July 2019
☐ Amended Plat Required: ____________________

Date

Findings of Facts and Conclusions of Law:

________________________________________________________________________________

________________________________________________________________________________

________________________________________________________________________________

☐ Amended Grading and Drainage Plan Required: ____________________

Date

Findings of Facts and Conclusions of Law:

________________________________________________________________________________

________________________________________________________________________________

________________________________________________________________________________

________________________________________________________________________________
SUMMARY PLAT APPLICATION CHECKLIST

Summary Plat submittal. The applicant seeking approval of a subdivision or re-subdivision under this summary procedure shall submit a completed final plat application. The proposed summary plat and all accompany materials shall:

(1) Be clearly identified as submittals pursuant to the summary plat procedure;
(2) Be prepared in accordance with the standards for plats, data and related materials that are required for preliminary plat approval and for final plat approval as provided in this article; and
(3) Comply fully and completely with all requirements for preliminary plat approval and final plat approval as provided in this article.

Unless waived by the Planning and Zoning Commission, the preliminary plat requirements are as follows: INITIAL IF INCLUDED. Completed application form

1. Proof of financial responsibility on the part of the subdivider.
2. The location of all present property lines, projected section lines, streets, watercourses, and other existing features within the area to be subdivided and similar information regarding land immediately adjacent thereto. Buildings, wells and waste water disposal systems shall be shown on the property to be subdivided and on adjacent parcels, on a separate sheet titled “Site Plan.”
3. The proposed location and width of all proposed streets, alleys, utility easements, and areas to be reserved for public use.
4. Existing utilities, drainage courses and culverts within the tract or on streets immediately abutting thereto; the location and size of the nearest water mains and sewer lines.
5. The title under which the proposed subdivision is to be recorded and the name of the land planner, engineer, registered land surveyor, the subdivider and the owner of the tract, with the address to which any notice is to be sent.
6. The layout, numbers and approximate dimensions of proposed lots.
7. The zoning classification and proposed use for the area being platted.
8. Proposed names for all streets in the area being platted.
9. Written and signed statements explaining how and when the subdivider proposed to provide and install all required sewer or other disposal of sanitary wastes, graveled roads, drainage structures and street name signs.
10. The legal description of the area being platted and of each parcel of land proposed as part of the subdivision; legible copies of all prior plats that reflect the history of the land being subdivided, showing how and when the existing lots were created, shall be provided by the subdivider.

11a. Contours referred to the National Geodetic Survey (formerly U. S. Coast and Geodetic Survey) datum with elevation contours shown at not more than one (1) foot intervals on slopes up to eight percent (8%), not more than two (2) foot intervals on slopes between eight percent (8%) and fifteen percent (15%), and not more than five (5) foot intervals on slopes of fifteen percent (15%) or greater. In addition, all areas with slopes greater than eight percent (8%) must be differentiated through shading, tone, color, or line weight; and all areas with slopes of fifteen percent (15%) or greater must be separately differentiated through shading, tone, color, or line weight. Slopes greater than fifteen percent (15%) shall not be disturbed. If there are no slopes greater than fifteen percent (15%) in the area to be platted, an affidavit to that effect, signed and sealed by the surveyor, shall be placed on the preliminary plat.

11b. Land east of the Corrales Main Canal shall be exempt from the requirement to submit a topographic survey unless required by the Commission or the Administrator; an affidavit stipulating that the land has a one percent (1%) or less slope, signed and sealed by the surveyor or professional engineer preparing the plat, shall be placed on the plat.

12. The north point, scale (one inch equal to 100 feet) and date.

13. The acreage of the land to be subdivided.


15. Subsurface conditions on the tract, if required by the Planning and Zoning Commission, including such information as the location and results of tests made to ascertain subsurface soil, rock and groundwater conditions; depth to groundwater, soil percolation and any other subsurface conditions.

16. Such other information and material as may be applicable or required by ordinance or rules and regulations pertaining to utilities, services or streets within the Village or within the area of planning and platting jurisdiction.

Unless waived by the Planning and Zoning Commission, the final plat (Sec. 18-87) requirements are as follows: INITIAL IF INCLUDED.

Following preliminary plat approval and the presentation of proof by the subdivider that he has complied with all preliminary plat requirements, the subdivider shall complete and submit a final plat application and fourteen (14) sets of all application materials as required in this section for review by the planning and zoning administrator, the Village engineer, the Village attorney, and the Commission.

Requirements for Final Plat Application: Sec. 18-87(c)
The final plat shall be in conformity with the requirements of applicable State statutes and shall be
an accurate drawing designating specifically the land so laid out, and particularly describing the portions thereof to be dedicated for public use. Such final plat shall be drawn in black ink to a scale of not more than 100 feet to the inch from an accurate survey. It shall contain one or more sheets of dimensions not exceeding 24 inches by 36 inches. If more than two sheets are submitted, an index sheet of the same dimensions shall be attached showing the entire subdivision on one sheet and the component areas on the remaining sheet.

(2) The final plat of the subdivision and accompanying documents shall show:

- Completed Application Form and applicable fee.
  
a) Boundary lines with accurate distances and courses.
  
b) Correct legal description, which shall refer to permanent monuments, number of each lot in progression, and dimensions of the same. All property corners shall be set with rebar and cap, or other appropriate materials, and identified as such on the final plat.
  
c) Lines of all proposed streets and alleys with their widths and names.
  
d) Accurate outline of any portions of the property intended to be dedicated for public use or for the use of the owners of the lots fronting or adjacent to the land, together with dimensions of same.
  
e) Line of departure of one street from another.
  
f) Names and widths of adjoining streets and alleys abutting the subdivision drawn in dashed lines.
  
g) All lots designated by numbers or letters, and streets, avenues and other grounds designated by names, letters or numbers.
  
h) Building setback lines shown by narrow dashed lines, if required.
  
i) Location of all easements provided for public use, services or utilities.
  
j) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and other areas for public or private use.
  
k) Radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
  
l) Location of all survey monuments and their descriptions.
  
m) Name of the subdivision and scale of the plat, north point, name of the owner or owners, name of subdividers and date.
  
n) Certificate of registered land surveyor attesting to the accuracy of the survey and the correct location of all monuments shown.
  
o) Certificate of licensed engineer attesting to the adequacy of, and in compliance with, engineering provisions and requirements.
  
p) Acknowledgement. Every plat shall contain a statement that the land being surveyed, and the streets, alleys, easements, drainageways and other public ways appearing on the plat are with the free consent and in accordance with the desire of the undersigned owner and proprietor of the land and are dedicated to the public use and shall be acknowledged by all fee simple owners and any contract sellers and purchasers.
  
q) Certification. A certification by a title or abstract company, or a duly authorized attorney, that there are no delinquent taxes, suits, actions at law, easements, restrictive covenants or rights-of-way affecting the property except those stated on the plat.
(d) Required improvements (final plat).

1) Upon receipt of a final plat and prints thereof from the subdivider, the Planning and Zoning Administrator shall refer the final plat with such letter of transmittal to the Planning and Zoning Commission at its next regular session and shall report on the following:

a. Any improvements that may be required by this article have been constructed in a satisfactory manner in accordance with the minimum standards established by the Village as approved by the Village engineer.

b. In lieu of such prior construction, the subdivider has filed with the Village Clerk a duly executed performance bond with a financially qualified surety in an amount equal to 100 percent of the cost of the total public improvements and on all of the property abutting each such street or other locations within the subdivision.

c. The developer has presented copies of signed contracts containing adequate financial assurance to the Village providing for installation of public improvements which may be required in a satisfactory manner in accordance with the minimum standards established by the Village; such contracts shall be cancelable only upon disapproval of the plat by the Planning and Zoning Commission.
d. The developer has entered into an agreement or contract with the Village providing for the installation of such improvements and pledging the properties of the subdivision as guarantee that such improvements will be installed. Such contract may provide that the subdivider pay for such public improvements made pursuant to the contract with the Village on a block to block basis as the subdivision is developed, providing for payment for such improvements as constructed, and the release of lien placed up on such properties by the instrument of the Village. Payment to the Village for these purposes shall be made at the time of development even though the entire improvements, or a portion thereof, may be required to be deferred, and such money shall be held in escrow by the Village as a trust fund for such purposes.

(c) Hearing, approval and recordation of summary plat. At hearing, the Commission may approve the proposed summary plat, or may deny it if the Commission determines that the proposed subdivision does not qualify for summary plat approval, the proposed summary plat and accompanying materials are incomplete, or the proposed subdivision fails to meet all standards of this article and other applicable ordinances and policies of the Village. Upon approval, the Village will record the summary plat in the office of the county clerk in accordance with the provisions of Subsection 18-79(e)(3).

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The following improvement procedures will be required unless waived by the Planning and Zoning Commission:

1. Completion of improvements. Plans for improvements shall be prepared by a qualified engineer registered in accordance with the laws of the State. The improvements listed in Subsection (2) of this section shall be installed pursuant to the method decided upon under section 18-87(d).

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a. Permanent markers. All subdivision boundary corners shall be marked with a permanent monument. A permanent monument shall be deemed to be concrete with a minimum dimension of four inches, extending three feet below the surface of the ground, or steel pipe or rebar firmly imbedded in concrete which extends at least three feet below the surface of the ground. Should conditions prohibit the placing of monuments on line, offset marking will be permitted, provided however, the offset courses and distances are shown on the plat. A permanent benchmark shall be accessibly placed within the subdivision, the elevation of which shall be referred to the National Geodetic Survey (formerly U. S. Coast and Geodetic Survey) datum and accurately noted on the subdivision plat.

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structures shall be based on 1.25 inches of rain in one hour as the standard, and may
be either of corrugated metal or concrete.

3. **Additional improvement standards.** Additional standards for design, construction,
specifications and inspection of street improvements, utilities, street name signs, and drainage
facilities may be required by the Village. Such standards, rules and regulations shall be
approved by the Governing Body and be on file in the Village Clerk’s office.

4. **Completion of improvements.** No building permit for construction within the subdivision,
except permits for construction of the improvements, shall be issued until all improvements
have been completed to the satisfaction of the Village.

Comments:
Hello Laurie,
Richard Thaler is my father and has permission from me and my husband Garrett Allen to work on our behalf to resolve the zoning issues associated with our property at 4404 Corrales Road. This includes dropping the lot line and extending the commercial zoning.

Please let me know if you have any questions or need any additional information.

Sincerely,
Emily Allen
Laurie Stout

From: Stephen Grollman <SGrollman@whpacific.com>
Sent: Thursday, June 11, 2020 7:53 PM
To: Laurie Stout
Subject: Hansen Rd Plat

Laurie,

The boundary and area calculation of the parcel are correct and the property corners are staked in the field.

Thanks,

SJG
I, ___________________________ (applicant/agent) acknowledge receipt of a yellow “public notice” sign from the Village of Corrales that must be displayed and visibly available to passersby on the road at the entrance to the subject property, from end of day June 30, 2020 through 6 pm on Wednesday, July 15, 2020.

A Village representative will be by the property to assures this posting has been completed. If your sign cannot be located by Village rep, your hearing will be postponed till the next meeting and a new round of certified letters will be required.

_____________________________
Signature

_____________________________
Date

(SUM 20-07 and ZMA 20-01, Summary Plat and Zone Map Amendment, 4404 Corrales Rd)
Assuming approval of SUM 20-07 to combine the two Tracts, applicant Richard Thaler, represented by Community Sciences Corporation (and again with the approval of daughter and son-in-law the Allens, property owners) requests a Zone Map Amendment, extending the commercial zoning the full 350 feet allowed per 18-37 (2) (a) (3) **"The depth of commercial zoning shall be limited to 350 feet from Corrales Road on each side, measured perpendicular to the right-of-way."**

This property is located within the Corrales Road Commercial Area as defined in Section 18-37 C-Neighborhood Commercial Zone. At present, only the westerly .22-acres (approximately 215 deep from Corrales Road) is already zoned C-Commercial. The lots immediately adjacent, north and south, are zoned A-1 Agricultural and Rural Residential. Properties across Corrales Road are zoned C-Commercial.

**History and background:** The 2003 attempt to rezone to the full 350 feet from Corrales Road resulted in only the western .22-acre Tract being granted Commercial zoning, as the previous owners chose not to replat at that time. That .22-acre tract contains a residence, effectively limiting the available space for a business use.

Early in 2020, when the public health emergency first occurred and it wasn't clear how Village functions including meetings were going to proceed, a few petitioners, including this applicant, were granted "temporary business" permits, allowing them to do some business while it was all sorted out. The understanding in this specific case was that the applicant needed to apply for a Site Development Plan. However, we discovered the proposed business use extends beyond the current zoning depth, necessitating the replat and zone map amendment. The letter granting the temporary business use was specific that approvals of these applications were absolutely not guaranteed, and any investments in business infrastructure would be done at the risk of the applicant. The applicant is taking the steps to comply in a timely fashion.

**General:** The application before you now simply asks to extend the depth of the commercial zoning to the full 350 feet off Corrales Road, as potentially allowed by Village Code. Approval tonight does not imply consent to any business activities currently taking place at the site or any future uses—the specific use desired will be addressed in the Site Development Plan application to be brought forth next, assuming approval of the replat by the Planning and Zoning Commission and approval of the zone map amendment by both the Commission and then Governing Body. (If either were denied, the applicant would then have to submit a Site Development Plan application utilizing only the currently C-zoned area.) I've included a citizen comment received in the P&Z office; her objection is to the specific use. I will keep the comment and include it as well when the Site Development Plan application is submitted. She lives in the small property to the south, that abuts the currently commercially zoned area.

The surveyors' drawing indicates the current limit of the commercial zoning, and notes the proposed new C zoning limit, 350 feet into the property.

Certified letters were sent notifying property owners about both the proposed summary plat and zone map amendment proposing to extend the existing C zoning. Sign was posted as required.

**Section 18-48 (f) Conditions for Zone Map Amendment.**
(2) Other zone map amendment request. In considering a request for a zone map amendment, other than Village-owned property in the M zone, the Commission and the Governing Body shall consider the following, and may impose any condition deemed to be in the best interests of the Village:

(A Site Development Plan is in process for a future Planning and Zoning Commission hearing. It will be required to specifically address many of the items noted below.)

a. Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, adjoining streets/roads, and emergency access in case of fire, flood or catastrophe.

The access to this property is the driveway shown on the drawing, that connects to Corrales Road, which is typical of most businesses located in the Corrales Road Commercial Area.

b. Off-street parking and loading areas where required, with particular attention to refuse and service areas;

There is ample open space east of the residence for future parking needs; to be addressed in Site Development Plan.

c. Show all locations on site for water, septic, sewer and liquid waste facilities, with reference to soil limitations, locations and public health;

d. The noise, glare or odor effects of the proposed use on adjoining properties;

e. On-site drainage and storm water run-off;

f. Compatibility with the zoning and use of adjacent properties and other properties in the vicinity.

Items C through F will specifically need to be addressed in the future Site Development Plan.

Like many other properties located within the Corrales Road Commercial Area, there are residentially zoned parcels located nearby, in this case adjacent on both the north and south sides. The properties across Corrales Road are zoned commercial. A future Site Development Plan would need to address buffering requirements such as fencing—and noise abatement, if necessary.

Please Note: If the Commercial zoning is approved to be extended by the Planning and Zoning Commission, the Commission's recommendation will then be forwarded to the Governing Body who will then take it under consideration.

Staff Recommendation: If approval of the extension of the Commercial zoning is granted, it will allow the applicant greater flexibility for future commercial uses, which will also require Commission approval.

Unless there is great public opposition to this zone extension, the request is reasonable. Commercial zoning already exists here; this extends it to the limit allowed by Village Code.

Laurie Stout, Planning & Zoning Administrator

Date 7-7-2020
Village of Corrales
Planning and Zoning Department

ZONE MAP AMENDMENT, TEXT AMENDMENT, OR VARIANCE APPLICATION

APPLICANT INFORMATION

Property Owner: Richard Taylor
Telephone: 980-6161

Mailing Address: 4404 Corrales Rd., Corrales, NM
Email: rthaler@communitysciences.com

Representative: Community Sciences
Telephone: _______________________

Mailing Address: PO Box 1328, Corrales, NM
Email: tempah@communitysciences.com

Descriptive Information: Tract 44-A-1  

Lot Number/Tract Number  

Acreage of Site: 0.9708  Zoning: C & A-1  

Type of Request: ☒ Zone Change  ☐ Text Amendment  ☐ Variance

Reason for Request: Increase area of Neighborhood Commercial Zone

Signature of Applicant: ___________________________  Date: 6-08-2020
GENERAL INFORMATION

1. Ten (10) sets of required documentation, in 11” by 17” format and an electronic copy (PDF format) is required with EACH submittal. Two full size plan set in 24” by 36” format shall be submitted.

2. Fees are as follows:
   a. Variance Application - $200.00; cost of legal notice mailing shall be invoiced to the applicant.
   b. Zone Change without site development plans - $650.00; cost of legal notice mailing and cost of advertising ordinance, shall be invoiced to the applicant.
   c. Zone Change with site development plans - $500.00 plus 1.5% of the valuation of construction as a condition of approval, or a minimum of $700.00, minimum fee payable at the time of application, and any additional fees owed payable prior to issuance of a development permit; plus costs of legal notification for the Commission hearing (certified mail, signature required; plus cost of advertising ordinance in newspaper for Council hearing, and legal notification for Council hearing.

3. The P&Z administrator shall schedule a hearing on the application before the planning and zoning commission no later than sixty (60) days following the submittal of a complete application.

4. Legal notice required by posting in the village and also by mailing written notice by certified mail, return receipt requested, not less than fifteen (15) days before the date of the hearing, to the owners of properties within 300 feet of the property boundaries, excluding public rights-of-way, of the property for which a hearing has been requested.

5. Public notice sign must be requested by applicant and posted per §18-79(b) of the Codified Ordinances.

OFFICE USE ONLY

Date Received: 6-9-2020   Received By: LNS   File No.: ZMA 20-01

Amount Paid: $500.00   Cash □ Credit □ Credit Card Number: _______________________

Check #: 202   Receipt Number: _______________________

Completed Application Acceptance Date: ______________________   Date: ______________________

Applicant Invoiced for mailing (certified, return receipt): 6-29-2020   Paid: $172.50

□ Approved: ______________________   Date: ______________________

Findings of Facts and Conclusions of Law:

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

Page | 2 of 5   Revised February 2019
Anyone requesting a zone map amendment, text amendment, or variance to this article must submit the completed application form for a zone map amendment, text amendment, or variance application, accompanied by the appropriate application fee and number of set of required drawings.

1) **Meeting with the P&Z Administrator.** Review and comments can be obtained at this time concerning the relationship of the application to the Village Comprehensive Plan and applicable regulations and submittal requirements.

   a) **Amendment.** The Governing Body may amend any part of this article, including the zone district boundaries, following a review and recommendation made by the Planning and Zoning Commission; however, the governing Body is not bound by the recommendation of the Commission.

   b) **Review process for an amendment.** The administrator shall schedule a public hearing on any proposed amendment to this article before the Planning and Zoning Commission no later than sixty (60) days following the submittal of a request for such public hearing by the Governing Body. The Commission shall transmit a recommendation in writing to the
Governing Body within fifteen (15) days after its review of the proposed amendment is completed.

c) **Applications for zone map amendment or variance.** Anyone requesting a zone map amendment or variance to this article must submit the completed application form for a zone map amendment or variance request. This form shall be returned to the Administrator accompanied by the appropriate application fee and number of sets of required drawings.

d) **Meeting the administrator.** Prior to submitting an application for a zone map amendment or variance, the applicant shall first schedule a meeting with the Administrator. Review and comments can be obtained at this time concerning the relationship of the application to the Village Comprehensive Plan and the applicable zoning ordinances, along with copies of the pertinent provisions of this article, applications and other submittal requirements.

e) **Review process for zone map amendment.** The Administrator shall schedule a hearing on an application for a zone map amendment before the P&Z Commission no later than sixty (60) days following the submittal of the completed application. The Commission shall transmit a recommendation on any zone map amendment request in writing to the Governing Body within fifteen (15) days after its review of the proposed zone map amendment is completed. The Governing Body shall schedule a hearing on the application for zone map amendment as soon as reasonably practicable, but no more than one hundred twenty (120) days after the commission's recommendation is transmitted to the Governing Body.

f) **Conditions for zone map amendment.** In considering a request for approval of a zone map amendment, the Planning and Zoning Commission and Governing Body shall consider the following, and may impose any condition deemed to be in the best interests of the Village:

   (1) **Village-owned property;** request for zone map amendment to “M” Municipal, public and quasi-public zone. In considering a request by the Village for approval of a zone change to “M” (Municipal, public and quasi-public) zone, the Commission and the Governing Body shall consider the overall health, safety and welfare of the community.

   (2) **Other zone map amendment request.** In considering a request for approval of a zone map amendment, other than Village-owned property to the “M” zone, the Commission and the Governing Body shall consider the following, and may impose any condition deemed to be in the best interests of the Village.

   a. Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, adjoining streets/roads, and emergency access in case of fire, flood or catastrophe;

   b. Off-street parking and loading areas where required, with particular attention to refuse and service areas;

   c. Show all locations on-site for water, septic, sewer and liquid waste facilities, with reference to soil limitations, locations, and public health;

   d. Noise, glare, or odor effects of the proposed use on adjoining properties;

   e. On-site drainage and storm water runoff;
f. Compatibility with the zoning and use of adjacent properties and other properties in the vicinity;

g. Overall health and safety of the community; and,

h. The goals and objectives of the Comprehensive Plan.

2. **Review process for variance.** The Administrator shall schedule a hearing on the application before the Planning and Zoning Commission no later than sixty (60) days following the submittal of a completed application.

   a) **Conditions for variance.** The Planning and Zoning Commission may deny any request for a variance that is based on conditions which are the result of the action of the applicant. Where the Planning and Zoning Commission finds that the strict application of the requirements of this article would results in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building, a variance may be granted provided that:

      (1) the variation of this article will not be contrary to the public interest;
      (2) the variation will not adversely affect adjacent property owners or residents;
      (3) the conditions are unique to the property; and,
      (4) the variance is authorized only for lot controls and not for use of the premises.

   b) In considering a request for approval of a variance, the Planning and Zoning Commission may impose any condition deemed to be in the best interests of the Village. The Commission shall consider the following:

      (1) Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, all streets/roads, and emergency access in case of fire, flood or catastrophe;
      (2) Off-street parking and loading areas where required, with particular attention to refuse and service areas;
      (3) Show all locations on-site for water, septic, sewer, and liquid waste facilities, with reference to soil limitations, locations, and public health;
      (4) The economic, noise, glare, or odor effects of the proposed use on adjoining properties;
      (5) On-site drainage and storm water runoff;
      (6) General compatibility with adjacent properties and other properties in the vicinity;
      (7) Overall health and safety of the community; and
      (8) The goals and objectives of the comprehensive plan.

3. **Public notification.** Requests for zone map amendment and variance require legal notice mailing, as well as public notice (**applicant shall request a public notice sign**) posted a minimum of 15 days prior to the scheduled public hearing (Sec. 18-79(b)).
July 7, 2020

Planning and Zoning Administrator
Planning and Zoning Commission
Village of Corrales, NM

RE: Summary Plat for Tract 44-A-1, MRGCD Map 18
Zone Map Amendment to extend Zone C
Site: 4404 Corrales Road, Corrales

Dear Ms. Stout, Chair and Members of the Planning and Zoning Commission,

Community Sciences Corporation (CSC) is the agent for Emily Bennet Allen and Garrett M. Allen.

The Allen’s wish to combine two (2) existing tracts into one (1) new tract. The property is zoned C Commercial and A-1, minimum one acre. The resulting lot size will be 0.9708 acres. They also wish to extend the existing C Zone from a depth of approx. 215 feet to a depth of 350 feet easterly from Corrales Road.

CSC therefore requests your review and approval of both the Summary Plat Application and the Zone Map Amendment Request.

Respectfully,

Thomas W. Patrick
New Mexico Professional Surveyor No. 12651
Hello Laurie,
Richard Thaler is my father and has permission from me and my husband Garrett Allen to work on our behalf to resolve the zoning issues associated with our property at 4404 Corrales Road. This includes dropping the lot line and extending the commercial zoning.

Please let me know if you have any questions or need any additional information.

Sincerely,
Emily Allen
Subject property
4404 Cordeia Rd.
June 29, 2020

Re. **Wood Cutting Business on Hanson Road**

Dear Sir or Madam:

At 10:39 AM on 6/26/20, I left a message for Laurie Stout, Village of Corrales Planning and Zoning Officer. On the same day, she returned my call at 11:35 AM regarding the above-mentioned issue.

I advised Laurie that a tree cutting business was presently in operation. Should I have not received a letter advising me that such a “industry” related business was running approximately 100 yards from my property? Laurie informed me that due to the Covid-19, letters have not been sent, but that they are presently being prepared. I do not find this an acceptable response.

Also, the property owner to operate this business had received a temporary permit. This transpired when a pre-permit notification letter was never sent to me. Keeping Corrales rural does not constitute having an “Industrial” business within a residential area.

Laurie advised me that a meeting to determine Residence to be changed to Business would be held on July 15, 2020 at 6:30 PM at the Village Office. I was welcomed to attend, and/or submit information to her by email or letter to inform nearby residences as to how it would negatively affect my household. It was understood, approximately in 2019, that a consulting business would be opened. I was ok with such a business because it was a quiet business. Traffic would not have been a problem since the parking would be to the north-on the opposite side of my property.

Instead, the front structure is being used as a residence and the back part is being used as a business, an industrial, wood cutting, noisy business located approximately 100 yards from my property.

Never in my 66 years as a born and raised in Corrales resident, has the property on 4404 Corrales Rd been used as an industry business. This “industrial” business does not keep Corrales rural, and should not be allowed to operate at any time, now or in the foreseeable future. The noise, traffic, and air will be affected by any industry in the village.

To my knowledge as a resident of Corrales for 66 years, have I ever heard of an “industry” license being granted anywhere in Corrales, much less so close to numerous residences.
Granting an “Industrial” license for a business such as this brings an unacceptable level of ‘noise pollution’ into the historical farming and quiet retail business community of Corrales.

For the record, my property is located at 4372 ½ Corrales Rd which runs alongside Hansen Rd. Hansen Rd is now owned by Dixie Armijo as far as I know.

Sincerely,

Antonette Roybal

Wood Cutting Business.
Planning and Zoning Administrator Report

For July 15, 2020 Meeting

The revised Open Meetings Resolution (amended during the July 1st Planning and Zoning Commission meeting) is now in your packets, "recommending" instead of "requiring" folks to join the teleconference meetings by a certain time. That revision can be found in Section 5 Virtual Meetings, Item 7.

All departments participated in a budget meeting with Council on July 7th. Since we won't know the full impact of reduced gross receipts revenue until after the 15th, the budgets are subject to some reductions.

Laurie Stout, Planning & Zoning Administrator

Date