

Paradise Hills Special Zoning District Commission

Meeting Minutes | October 24, 2023

(Meeting held over Zoom)

Commissioners:

Elizabeth Haley, Chair
Pete Reser
Val Vaughn

Commissioners Cardenas and Dopslaf are absent.

Public Participants:

Kimberley Fleck, candidate for Commissioner
Donna and Randy Turner, residents (6009 Buena Vista)
Robert Tryer, contractor for the Turners (Bilt-Wel)
Veronica Esparza, resident (10024 Fairfax)

1. Call to Order, Roll Call by the Commissioners to establish a quorum. Vote by the Commissioners to approve the agenda.
 - a. The meeting was called to order at 6:34 PM. Roll call was taken, and a quorum was established though it was recognized that for items where Commissioner Haley has recused herself, the Commission does not have a quorum.
 - b. Agenda was approved.
2. Public Comments
 - a. No public comments. Residents in attendance were there to discuss permit applications.
3. Vote to approve any completed Minutes.
 - a. No Minutes were available for approval.
4. Treasurer's Report
 - a. No report.
5. Commission reviewer Elizabeth Haley sent a Summary Report for a revoked permit. Amended to include discussion around Veronica Esparza's permit application.

- a. 6009 Buena Vista
 - i. Owners Donna and Randy Turner are present.
 - ii. Robert Tryer, contractor for the Turners (Bilt-Wel) is also present.
 - iii. Commissioner Haley asked that we move the Turner's permit application ahead of the other agenda items so the 6009 Buena Vista project was discussed first. Commissioner Haley brought up the revised site plan and a discussion ensued regarding the project which is to add a garage to their backyard. The site plan does not show the easement which is something required for us to permit the project and there is a concern that this accessory building could be in that setback. Mr. Tryer was adamant that his site plan met the requirements and asked that the Commission pull up evidence to the contrary. Commissioner Reser suggested that the Commission can approve or disapprove projects at their discretion, in spite of the interpretation of the ordinance. Mr. Tryer asked if he restructured the site plan to have the garage 10 feet from the rear wall if the permit would be approved and since it would require a variance, it would then require a vote and the Commission does not have a quorum because Haley is recused from voting on this issue. It was determined that Mr. Tryer needs to send the new site plan and the Turners need to attend the next meeting for a vote to approve the variance.

- b. 10024 Fairfax
 - i. Owner Veronica Esparza was in attendance to inquire about her permit application.
 - ii. She is wanting to build an addition onto the back of her home. Site plan was included in her permit application, but the Commission needs full drawings and elevations are required before we can review and approve.
 - iii. In addition, Ms. Esparza has an existing pool that will need to be considered due to safety regulations.
 - iv. Ms. Esparza will re-submit her application with the requested documentation.

6. The Bernalillo County Commission passed (Commissioner Benson voting against) a Resolution Opposing a Liquid Natural Gas Plant in District 1 on October 25, 2023. An intervener report summary by New Energy New Mexico is attached. A draft resolution is proposed for adoption by the Commission (Haley).
 - a. Discussion tabled for next meeting.

7. The Bernalillo County Planning Commission has proposed recognizing the 2017 Albuquerque Comprehensive Plan (Discussion). The Commission Chair will send the Notification (sent to PHCA) concerning the Bernalillo County Comprehensive Plan (to be distributed after the meeting).

- a. No further discussion.
8. Status Report on "OPT-IN" The Commission is collecting signatures to opt into notifications by email for zoning issues.
 - a. Continuing to gather email addresses for future notifications to residents.
9. PHSZD zoning permits application in the 2023 backlog, updates on conforming and non-conforming applications.
 - a. The Commission received a verbal recommendation from a Solar Company Manager. Their company, Solar World, has issued procedures for when there are two or more solar applications to the same permitting district for the same address but differing companies. The company requires the property owner to send certified letters to the vendor and the district, giving authorization to proceed with the project.
 - b. The backlog is down to the last 30 days.
10. Commissioner Haley reviews updates to the website to advertise that the PHSZD meetings have moved to the 2ND AND 4TH Thursday. The second Thursday of November is Thanksgiving Day; The Commission has yet to schedule further November meetings. Would the Commission want a second meeting in November?
 - a. Commission agreed to have the second meeting on November 30.
11. PHSZD Resolution; the revised timelines for the LNG plant; The HEEL Amendments to the Albuquerque Bernalillo County Air Quality Board Review Process. Report from Commissioner Haley.
 - a. Discussion tabled for next meeting.
12. Zoning Update – The PHSZD Comprehensive Ordinance 2023
 - a. Discussion tabled for next meeting other than to discuss that we must find the time to draft, review, and publish the changes to the ordinance before the end of year if possible.
13. Commissioner Haley asked if Commissioner Reser would continue in a temporary, voluntary role as Commissioner until we can find a replacement. He agreed to do so.
14. Discussion around Kym Fleck taking over some of the website, permit, and communication duties even though she is not technically an elected Commissioner yet.

The Commission agreed to allow Ms. Fleck to have access to the website and permit applications to assist.

15. Adjourn to next scheduled meeting.

a. The meeting was adjourned at 8:25 PM.

Transcribed from recorded meeting on 4.1.2024.
By Kimberley Fleck, Secretary

Approved on 4.16.2024.