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MINUTES
VILLAGE OF LOS RANCHOS
Planning and Zoning Commission
6718 Rio Grande Blvd. NW
Warren J. Gray Hall
April 10, 2012
7:00 P.M.

Present:

STAFF

Administrator: Kelly Ward

Attorney: Bill Chappell

Planning Staff: Linda Seebach, Director

1. CALL TO ORDER – Chairman Pro Tem Hannah called the meeting to order at 7:03 p.m..

A. Roll Call - Commissioner Brawley, Commissioner Hannah, Commissioner Albert present. Commissioner Gollis is excused.

1. Oath of Office Commissioners Lewis, Seligman and Tourville.

Chairman Pro Tem Hannah stated that the first thing on the agenda is the Oath of Office for the new Commissioners Lewis, Seligman and Tourville then asked Administrator Ward to introduce the new Commissioners.

Administrator Ward introduced the new Commissioners giving a quick biography on each one.

Chairman Pro Tem Hannah asked the new Commissioners to stand and then asked Attorney Chappell to swear in the new Commissioners.

Attorney Chappell swore in the new Commissioners.

Chairman Pro Tem Hannah thanked Attorney Chappell and recognized Administrator Ward.

Administrator Ward stated that a new photo will be taken for the Village Vision once all the Commissioners are present, probably at the May meeting.

Chairman Pro Tem Hannah stated he would not be here for the May meeting.

Administrator Ward stated they would think of something.

Chairman Pro Tem Hannah stated there was a quorum present for the meeting.

B. APPROVAL OF AGENDA

Chairman Pro Tem Hannah asked Planner Seebach if there were any changes to the agenda.

1 **Planner Seebach** stated that there were no changes.

2
3 **Chairman Pro Tem Hannah** asked if there was a motion.

4
5 **MOTION: Commissioner Albert** moved approval of the agenda.

6
7 **SECOND: Commissioner Brawley** seconded.

8
9 **VOTE:** The motion carried unanimously (6-0).

10
11 **2. PUBLIC COMMENTS PERIOD—No comments.**

12
13 **3. CONSENT AGENDA**

14
15 **A. Approval of Minutes**

16
17 **Chairman Pro Tem Hannah** stated all matters listed under the Consent Agenda are
18 considered to be routine and will be enacted by one motion. There will be no
19 separate discussion of these items. If discussion is desired, that item will be
20 removed from the Consent agenda and will be considered separately.

21
22 **Chairman Pro Tem Hannah** asked if there was a motion to move anything off the
23 consent agenda then asked if there was a motion to approve of the consent agenda.

24
25 **MOTION: Commissioner Seligman** moved approval of the consent agenda.

26
27 **SECOND: Commissioner Tourville** seconded the motion.

28
29 **VOTE:** The motion carried unanimously (6-0).

30
31 **4. PUBLIC HEARINGS AND APPLICATIONS**

32
33 **Chairman Pro Tem Hannah** asked all those who will be speaking before the
34 Commission tonight please stand to be sworn in and then asked Attorney Chappell
35 to swear in those speaking.

36
37 **Attorney Chappell** swore in all those who would be speaking tonight.

38
39 **A. S-11-03** A request by Agnes Lewis, Personal Representative for heirs of the
40 Estate of Monico Abeyta for Final Plat for a six lot major subdivision in the R-2
41 Zone of the Camino Real Residential Character Area and C-1 Commercial
42 Corridor. The property is located at 8513 4th Street NW and is legally known as
43 That certain parcel of land situated in the Elena Gallegos Grant within Section 16
44 (as projected), T11N, R.3.E. N. M. P. M., Village of Los Ranchos de Albuquerque,
45 Bernalillo County, New Mexico, and being identified as a portion of Tract 136,
46 M.R.G.C.D. Map No 24, as said tract is being described in Warranty Deed
47 Document #55444, filed for record in the office of the County Clerk of Bernalillo
48 County, New Mexico, on July 5, 1967, in Book D829, Pg. 897. The property
49 contains 4.7850 Acres more or less.

50
51 **Chairman Pro Tem Hannah** asked Planner Seebach for the Planning Report.

1 **Planner Seebach** gave the Planning Report with recommendations of approval with
2 conditions and findings.

3
4 **Chairman Pro Tem Hannah** asked if there were any questions from the
5 Commission for Planner Seebach and recognized Commissioner Brawley.

6
7 **Commissioner Brawley** asked Planner Seebach about the hydrology plan.

8
9 **Planner Seebach** stated that under Ordinance 211 each individual lot will be
10 required to submit an on-site grading and drainage plan that meets the National
11 Pollution Discharge Elimination System (NPDES) requirements. It is recorded on the
12 plat and the deeds as well as the individual installation of sewer and water hook up.

13
14 **Commissioner Seligman** asked for clarification of item #5 under the
15 recommendations. Wanting to add to the language "then in effect" at the end of it
16 making it clear to everyone that future development will be under the ordinances in
17 effect then not what is in effect today.

18
19 **Planner Seebach** clarified that at the time building plans are submitted it is always
20 under the current ordinance, but they can add that language if they want.

21
22 **Commissioner Seligman** stated that for clarity any third party that looks at it knows
23 what they are bound by.

24
25 **Chairman Pro Tem Hannah** asked about the irrigation easement. It is shown on the
26 plat, but there is no current existing irrigation activity going on along those
27 easements.

28
29 **Planner Seebach** stated there are irrigation easements on the property.

30
31 **Chairman Pro Tem Hannah** asked if there were any more questions for Planner
32 Seebach. Then asked if the applicant was present and to come forward and address
33 the Commission stating their name and address for the record.

34
35 **Agnes Lewis** 1110 Juanita Lane NW stated she would like to thank the P & Z
36 Commission for their hard work on this, the Board of Trustees for approving the
37 subdivision, and especially Planner Seebach for all the time and energy she put into
38 this project. As for the irrigation easements they are in use as there is hay and alfalfa
39 being planted.

40
41 **Chairman Pro Tem Hannah** asked if there were irrigation ditches on all the
42 properties on the south edge.

43
44 **Agnes Lewis** affirmed the statement and stated her father planned it that way.

45
46 **Chairman Pro Tem Hannah** asked if any of the Commissioners had any questions
47 for the applicant. He then asked if there was any one wishing to speak in favor of or
48 in opposition of the proposal. Seeing none, he closed the floor for comment and
49 asked the Commissioners if they had any comments on the proposal and recognized
50 Commissioner Seligman.

1 **Commissioner Seligman** stated only that what she commented on before on Item
2 #5 of the recommendations.

3
4 **Chairman Pro Tem Hannah** asked if there was anyone who wanted to make a
5 motion with the added language.

6
7 **Commissioner Seligman** stated she would so move.

8
9 **Chairman Pro Tem Hannah** suggested that she go ahead and make the whole
10 motion with the language in it.

11
12 **MOTION: Commissioner Seligman** moved approval of the Final Plat for a major,
13 six (6) lot subdivision in the R-2 Zone of the Camino Real Residential and C-1 Zone
14 of the Fourth Street Commercial Character Areas.

15
16 With Conditions:

17
18 1. The Final Plat shall contain all of the required language to be placed on the plat,
19 i.e. Data notes, vicinity map, Public Utility Easement statements, restriction,
20 requirements, legend and certifications, etc.

21
22 2. All utility systems shall be underground if PNM permits.

23
24 3. Each lot shall connect to public sanitary sewer and water as each lot is developed
25 at the individual lot owner's expense. All the requirements of the
26 Albuquerque/Bernalillo County Water Utility Authority shall be met at the time of
27 installation of the utilities on each lot and governing rules and regulations adhered to
28 and this condition shall be placed on the Final Plat.

29
30 4. An NPDES grading and drainage plan for on-site ponding shall be required for
31 each lot at the individual lot owner's expense as it is developed under the
32 Stormwater Management Ordinance in effect at the time of development and this
33 condition shall be placed on the Final Plat.

34
35 5. All development shall be carried out in accordance with the applicable state laws
36 and Village ordinances then in effect.

37
38 6. A subdivision Improvement Agreement shall be entered, signed by all Abeyta
39 Subdivision property owners, for the required emergency vehicle turn-around and
40 bollards to be placed around the existing fire hydrants. The bollards shall be placed
41 around the existing fire hydrants upon filing of the subdivision plat. The emergency
42 vehicle turn-around shall be installed prior to the approval of the first building plans.

43
44 7. Installation Insurance shall be jointly posted by all Abeyta Subdivision property
45 owners for 125% of the cost of the engineering and emergency turn-around
46 installation.

47
48 8. The turn-around shall be paved to Village and BCFD private roadway paving
49 standards, but curb and gutter is not required in compliance with the Village

1 rural/agricultural nature. The Village Designated Engineer shall certify all
2 infrastructure installation meets the required standards as per Resolution 2012-1-3.

3
4 9. Above conditions # 3 and # 4 of subdivision approval shall be placed in the
5 recorded deeds and be filed as deed restrictions.

6
7 **Chairman Pro Tem Hannah** asked if Commissioner Seligman had the newest sheet
8 with the findings.

9
10 **Commissioner Seligman** continued.
11 With the findings:

12
13 1. The Subdivision meets the 2020 Master Plan 7.1 Residential Goal: The goal is
14 to maintain residential development in keeping with the rural and diverse
15 character of the Village and within Village scale.

16
17 2. The Subdivision meets The 2020 Master Plan 7.1.2 Objectives: Preserve
18 qualities that reflect the semi-rural character of the Village; Preserve existing low
19 density residential uses appropriate to the Rio Grande, Village West, Guadalupe
20 Trail and Camino Real Character Areas; and Preserve a mix of residential and
21 agricultural characteristics.

22
23 3. The subdivision meets the requirements of Ordinance 182, Subdivision
24 Ordinance, Section 7(C) Major Subdivision and Sections 8, 9 10 and 11.

25
26 4. The subdivision meets the requirements of Ordinance 183 as amended,
27 Section 8(E), R-2 Zone and Section 10(E), C-1 Zone for minimum lot area.

28
29 5. The Commission recognizes substantial hardship would be avoided by allowing
30 the subdivision to develop in a reasonable manner with individual lot owners
31 assuming financial responsibility for public sewer and water connection and
32 NPDES Grading and Drainage plans on their own lot at the time of building
33 permit.

34
35 **Chairman Pro Tem Hannah** asked if there was a second to the motion.

36
37 **SECOND: Commissioner Lewis** seconded the motion.

38
39 **Chairman Pro Tem Hannah** asked if there were any comments; seeing none, he
40 then called for a vote.

41
42 **VOTE:** The motion carried unanimously (6-0).

43
44 **5. OLD BUSINESS - None**

45
46 **6. NEW BUSINESS**

47
48 **A. Election of Officers**

49
50 **Chairman Pro Tem Hannah** asked Planner Seebach for any comments at this time

1 on the election of officers.

2
3 **Planner Seebach** stated that by Resolution PZ-2012-2 Officers for the Commission
4 shall be elected at the March meeting each year after the new Commissioners have
5 been sworn in; however they did not have a March meeting this year therefore;
6 officers for the coming year must be elected tonight. The positions are Chair, Vice
7 Chair and Secretary. The Commissioners are as follows: Tim Tourville, Diane Albert,
8 Sam Gollis, Michael Hannah, Joseph Brawley, Deborah Seligman, and Allen Lewis.

9
10 **Chairman Pro Tem Hannah** asked if there were any questions from any of the
11 Commissioners. He gave an update on the rules concerning the Chair, who is now
12 allowed to vote, whereas before the Chair only voted in case of a tie.

13
14 **Commissioner Albert** nominated Commissioner Sam Gollis for Chair stating her
15 reasons for the nomination.

16
17 **Chairman Pro Tem Hannah** stated that he agreed with the nomination and had
18 tried to nominate him before, but Commissioner Gollis graciously declined the
19 nomination.

20
21 **Commissioner Albert** stated she was glad to have that information.

22
23 **Chairman Pro Tem Hannah** asked if there were any other nominations for Chair.

24
25 **Commissioner Brawley** stated that having held many of these positions he would
26 think that the new Commissioners might be eager to gain some experience.

27
28 **Chairman Pro Tem Hannah** asked if there was anyone who would like to be Chair.

29
30 **Commissioner Tourville** stated that he would rather not be an officer his first year
31 so that he can see how everything goes, but felt that Commissioner Hannah had run
32 this meeting well and nominated Commissioner Hannah as Chair.

33
34 **Chairman Pro Tem Hannah** thanked Commissioner Tourville and asked if there
35 were any more nominations.

36
37 **Commissioner Lewis** seconded the nomination.

38
39 **Commissioner Brawley** nominated Commissioner Seligman for Vice Chair.

40
41 **Chairman Pro Tem Hannah** asked if there were any comments or other
42 nominations for Vice Chair.

43
44 **Chairman Pro Tem Hannah** nominated Commissioner Brawley as Secretary and
45 asked if there were any comments on that. He asked if there were any more
46 nominations, stating that they had only one contention.

47
48 **Chairman Pro Tem Hannah** called for a vote from each Commissioner:

49
50 **Commissioner Lewis** voted Hannah.

1 **Commissioner Seligman** voted Hannah.

2
3 **Commissioner Brawley** voted Hannah.

4
5 **Chairman Pro Tem Hannah** voted Gollis.

6
7 **Commissioner Albert** voted Gollis.

8
9 **Commissioner Tourville** voted Hannah.

10
11 **VOTE:** Commissioner Hannah elected Chair (4-2).

12
13 **Chairman Hannah** stated that since there were no contentions with the other
14 nominations, he called for an approval by acclamation. He stated there were three
15 new officers, Chairman Hannah, Vice-Chair Seligman, and Secretary Brawley.

16
17 **7. REPORTS**

18
19 **A. Planning Department Report**

20
21 **Planner Seebach** gave her report on the department concentrating on the EPA
22 report with emphasis on the watershed permit for the Albuquerque Area. The
23 Watershed partners have not begun to get a plan in place so the EPA is stating that
24 they will write the permit.

25
26 **Chairman Hannah** recognized Commissioner Brawley.

27
28 **Commissioner Brawley** asked what the impacts are if the EPA writes the
29 certification what key things will affect Los Ranchos.

30
31 **Planner Seebach** stated it would probably be costs.

32
33 **Commissioner Brawley** asked if there would be a less customized solution or
34 mandate from the EPA for the Village.

35
36 **Administrator Ward** stated that it would be primarily costs and the way they are
37 distributed. The areas; Placitas, Corrales, and Rio Rancho to some extent are now
38 responsible for the water quality. The fear is that when EPA divvy's up the costs of
39 the monitoring of the water all along the system, \$200 hundred dollars a year to test
40 the water is a good buy. But, if that starts getting into the hundreds of thousands
41 dollars when they split the costs of the monitoring all along the system, that is what
42 concerns the little guys. If there is a penalty to be paid for not having clean water, the
43 Village ends up sharing more of the burden than what the Village is responsible for.
44 That is the fear simply because they haven't even seen a draft of what the permit will
45 say. There is this continuous lack of realization from EPA that there are factors here
46 that impact water quality that the Village doesn't have any control of. One of them is
47 that the Village is downstream of upstream polluters. The Village wants to make sure
48 that the EPA recognizes that the water coming into this area is already hampered.

49
50 **Commissioner Brawley** stated that there could be implications for new ordinances
51 coming along.

1 **Administrator Ward** stated that they are in good shape, the Village is seen as a
2 model in terms of the ordinance they have in place and the Village is the only one
3 with an ordinance, but the Village will see more of those things happen throughout
4 the City, County and Rio Rancho areas because they will be forced to manage this
5 more actively than they do at the present level.
6

7 **Commissioner Brawley** stated that until they see this draft they don't know if there
8 are any life style changes other than cost changes.
9

10 **Administrator Ward** affirmed that statement.

11
12 **Chairman Hannah** asked if there were any more comments or discussion from the
13 Commission. Seeing none he proceeded.
14

15 **8. COMMISSIONER'S INFORMAL DISCUSSION**

16
17 **Chairman Hannah** discussed a meeting he attended of the Strong Towns
18 Organization which is a non-profit dealing with town planning and gave a website
19 address that is available to see the presentation www.strongtowns.org. He asked if
20 there was any more informal discussion from the Commission.
21

22 **9. ADJOURNMENT**

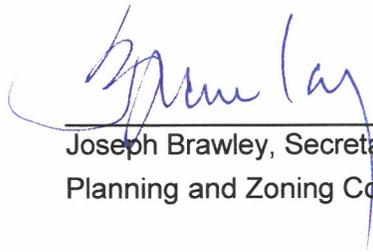
23
24 **MOTION: Commissioner Brawley** moved to adjourn the meeting at 7:42 pm.

25
26 **SECOND: Commissioner Tourville** seconded the motion.

27
28 **VOTE:** The motion carried unanimously (6-0).
29
30

31 **APPROVED** by the Planning and Zoning Commission of the Village Los
32 Ranchos de Albuquerque this 8th day of May, 2012.
33

34 **ATTEST:**

35
36 
37 _____
38 Joseph Brawley, Secretary
39 Planning and Zoning Commission
40
41