

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

MINUTES
VILLAGE OF LOS RANCHOS
Planning and Zoning Commission
6718 Rio Grande Blvd. NW
Warren J. Gray Hall
April 12, 2016
7:00 P.M.

Present:

STAFF

Administrator: Kelly Ward

Attorney: Bill Chappell

Planning Staff: Tim McDonough, Director

1. **CALL TO ORDER – Vice-Chairman Brawley** called the meeting to order at 7:05 p.m.

A. **OATH OF OFFICE**-Lynn Eby

Vice-Chairman Brawley welcomed Ms. Eby to the Commission and asked Attorney Chappell to swear in the newest Commissioner.

Attorney Chappell swore in Commissioner Eby.

B. **ROLL CALL** - Commissioner Craig, Commissioner Riccobene, Commissioner Brawley, Commissioner Eby, Commissioner Phillips, Commissioner Colman, Commissioner Tourville.

Vice-Chairman Brawley stated there was a quorum present for the meeting.

C. **APPROVAL OF THE AGENDA**

Vice-Chairman Brawley asked Planner McDonough if there were any changes to the agenda.

Planner McDonough stated there were no changes.

Vice-Chairman Brawley asked if there was a motion for approval of the agenda.

MOTION: Commissioner Tourville moved approval of the agenda.

SECOND: Commissioner Craig seconded the motion.

VOTE: The motion carried unanimously (7-0).

1 **2. PUBLIC COMMENT PERIOD-There was no public comment.**

2
3 **3. CONSENT AGENDA**

4
5 **A. APPROVAL OF CONSENT AGENDA**

6 1. Approval of minutes – March 8, 2016 meeting.

7
8 **Vice-Chairman Brawley** asked if there were any corrections or comments on
9 the Minutes of the March 8, 2016 meeting. Seeing none he asked if there was
10 a motion.

11
12 **MOTION: Commissioner Colman** moved to approve the minutes as
13 presented.

14 **SECOND: Commissioner Riccobene** seconded the motion.

15
16 **VOTE:** The motion carried 6-0 with Commissioner Eby recusing herself from
17 the vote.

18
19
20
21 **4. PUBLIC HEARINGS AND APPLICATIONS**

22 **Vice-Chairman Brawley** asked Attorney Chappell to swear those present
23 who will speak before the Commission.

24 **Attorney Chappell** swore in those present who would be speaking before
25 the Commission.

26
27 **A. S-16-02 A request by David Acosta, agent, for sketch plat review for a**
28 **vacation of the existing twenty (20) foot right of way for pedestrian**
29 **and equestrian access dedicated to the Village of Los Ranchos on**
30 **Lot 3-A, Tinnin Farms Subdivision and review of Replat of Lot 3-A-1**
31 **of Tinnin Farms Subdivision, creating a new twenty (20) foot right of**
32 **way for pedestrian and equestrian access dedicated to the Village of**
33 **Los Ranchos in the A-1 Zone. The property is located at 6008 Tomas**
34 **Court, legally known as a certain parcel of land being Lot 3-A of**
35 **Tinnin Farms a replat of Tract 4-A-2 Lands of Al Unser Jr. and Lot 3**
36 **Amended Subdivision Map of Tracts 2a and 2c of M.R.G.C.D. Maps 26**
37 **and 30 and Lots 8 and 9, Tomas Herrera Addition Tinnin Farms,**
38 **Bernalillo County, New Mexico filed on March 19, 2010, in Book**
39 **2010C, Page 35. The parcel contains 94034 square feet (2.1587 acres)**
40 **more or less.**

41 **Speakers for this discussion were:**

42 **David Acosta, Agent 1606 Central SE, Albuquerque, NM 87106**

43 **Dan Beaty, 1124 Roadrunner Lane NW, Village resident**

44 **Mary Maguire, 6009 Tomas Court NW, Village resident**

45
46 There was a short question answer period for Planner McDonough, which
47 clarified why the first plat was done and information on the easement that
48
49
50
51

1 exists there now. Questions were asked of Mr. Acosta as to how the new
2 easement impacted the access and his answer was that it had no impact
3 on the access at all. The discussion then moved onto why Mr. Levenson
4 did the first plat and why he was moving the easement again. Mr. Beaty
5 clarified that the original plat was because the easement was only ten (10)
6 feet away from Mr. Levenson's kitchen windows. This will give him more
7 space from the people that use the ditch walk. It was also clarified that this
8 is not a request to get more land to build more structure on the property.
9 The neighbor Mary Maguire asked that the Commission give the
10 neighborhood relief and if Mr. Levenson does build more structure that he
11 have access to his property from the rear along the ditch. Mr. Chappell
12 stated that the Village had no jurisdiction on the ditch. That it is controlled
13 by the Middle Rio Grande Conservancy District (MRGCD) and the Village
14 cannot limit use or refuse access to the ditches. The building permit issue
15 is a county jurisdiction and if there are objections those would have to go
16 through the county. There was then a question for clarification about
17 access to the ditch and why there were gates. It was noted that the ditch
18 gates do not allow vehicles to drive down the ditches, but does not impede
19 the pedestrians or equestrians from accessing the ditch. The easement is
20 care for by the property owner, who will also pay for it to be moved. The
21 discussion was then closed with no action on the part of the Commission.
22

23 **B. H.O. #506 Request for a Home Occupation Permit to operate a towing**
24 **business. The applicant is Jenny Rings-Galvez. The property is**
25 **located at 315 Willow Road NW, and is legally known as Lot F of the**
26 **Blanche P. Dokkens Subdivision of Lot 2 Merritt acres Subdivision.**
27 **Section 28, T11N, R3E, NMPM, Bernalillo County, New Mexico**
28 **September 1937 containing .44 acres more or less.**
29

30 **Speakers for this discussion were:**

31 **Mario Lopez-Galvez, 315 Willow Road NW, Village resident**

32 **Jenny Rings-Galvez, 315 Willow Road NW, Village resident**
33

34 The discussion started with questions for Planner McDonough as to
35 whether or not this fit the description of a home occupation. There were
36 questions about violations of the conditions and how they were handled.
37 The applicants gave a short introduction to what they are doing as the
38 home occupation and it was mainly to keep the tow truck safe from
39 vandalism and burglary. The discussion became extensive on what was
40 expected, how to allow the home occupation, what conditions should be
41 set and what conditions were already listed in the ordinance. The
42 discussion was closed and the motion was made and approved.
43

44 **MOTION: Commissioner Colman** moved to approve the request for a
45 Home Occupation permit for a towing company in the R-3 Zone of the
46 Camino Real Residential Character Area, with the following conditions:

47 All requirements for Home Occupation permit as listed in §9.2.25(E)(8)(B)
48 be met and adhered to and

49 All parking must be on premises and not in the street.

50 No inoperable vehicles shall be brought to or stored at the residence.

1 The Limited Liability Company (LLC) must be solely owned by the property
2 owners in residence in the house.

3 The tow truck is limited to that truck identified or one equivalent.
4

5 Findings:

6 The property is currently zoned R-3 and is within the Camino Real
7 Residential Character Area.
8

9 Approved Home Occupations are an allowable use in the R-3 Zone.
10

11 The application was public noticed per §9.2.24 (F)(2).
12

13 The application meets the 2020 Master Plan Overall Village Goal 1.2.2
14 The goal is to create and promote the Village as a destination point where
15 visitors and residents alike want to be and can take part in the Village
16 lifestyle.
17

18 Commercial Goal 8.0 Policy E: Support home occupation businesses and
19 agricultural related businesses outside the commercial corridor.
20

21 **SECOND: Commissioner Phillips** seconded the motion.
22

23 **VOTE:** the motion carried with a vote of (6-1) with Commissioner Craig
24 voting no.
25

26 **Vice-Chairman Brawley** formally closed the request for a home
27 occupation permit for a towing business.
28

29 **5. OLD BUSINESS-None**

30 **6. NEW BUSINESS**

31 **A. Adoption of Resolution 2016-1-P&Z (Open Meetings Act)**
32

33 **Vice-Chairman Brawley** asked Planner McDonough if there were any
34 changes in the resolutions.
35

36 **Planner McDonough** stated that they were exactly like last years.
37

38 **Attorney Chappell** clarified that the resolutions control the proceedings for
39 the Planning & Zoning Commission.
40

41 **Vice-Chairman Brawley** called for a motion on Resolution 2016-1-P & Z
42 (Open Meetings Act).
43

44 **MOTION: Commissioner Riccobene** moved to approve adoption of
45 Resolution 2016-1-P&Z (Open Meetings Act) as presented.
46

47 **SECOND: Commissioner Tourville** seconded the motion.
48

49 **ROLL CALL VOTE:** Commissioner Craig aye, Commissioner Riccobene
50 aye, Commissioner Eby aye, Commissioner Brawley aye, Commissioner
51

1 Phillips aye, Commissioner Colman aye, and Commissioner Tourville aye.
2 The motion passed unanimously.

3
4 **B. Adoption of Resolution 2016-2-P&Z (Rules for the Transaction of
5 Business)**

6
7 **Vice-Chairman Brawley** called for a motion on Resolution 2016-2-P & Z
8 (Rules for the Transaction of Business).

9
10 **MOTION: Commissioner Eby** moved to approve adoption of Resolution
11 2016-2-P&Z (Rules for the Transaction of Business) as presented.

12
13 **SECOND: Commissioner Tourville** seconded the motion.

14
15 **ROLL CALL VOTE:** Commissioner Craig aye, Commissioner Riccobene
16 aye, Commissioner Eby aye, Commissioner Brawley aye, Commissioner
17 Phillips aye, Commissioner Colman aye, and Commissioner Tourville aye.
18 The motion passed unanimously.

19
20 **C. Adoption of Resolution 2016-3-P&Z (Closed Sessions)**

21
22 **Vice-Chairman Brawley** called for a motion on Resolution 2016-3-P & Z
23 (Closed Sessions).

24
25 **MOTION: Commissioner Colman moved** to approve adoption of
26 Resolution 2016-3-P&Z (Closed Sessions) as presented.

27
28 **SECOND: Commissioner Riccobene** seconded the motion.

29
30 **ROLL CALL VOTE:** Commissioner Craig aye, Commissioner Riccobene
31 aye, Commissioner Eby aye, Commissioner Brawley aye, Commissioner
32 Phillips aye, Commissioner Colman aye, and Commissioner Tourville aye.
33 The motion passed unanimously.

34
35 **D. Election of Officers 2016**

36
37 **Vice-Chairman Brawley** called for nominations for the Chairman position
38 and nominated Commissioner Phillips for Chairman.

39
40 **Commissioner Phillips** graciously declined the nomination.

41
42 **Vice-Chairman Brawley** asked if there were any more nominations.

43
44 **MOTION: Commissioner Craig** nominated Commissioner Brawley for
45 Chairman.

46
47 **SECOND: Commissioner Phillips** seconded the nomination.

48
49 **VOTE: Commissioner Brawley** was unanimously voted in as Chairman.

50
51 **Chairman Brawley** called for nominations for Vice-Chairman.

1 **MOTION: Commissioner Colman** nominated Commissioner Phillips for
2 Vice-Chairman.

3
4 **SECOND: Commissioner Tourville** seconded the nomination.

5
6 **VOTE: Commissioner Phillips** was unanimously voted in as Vice-
7 Chairman.

8
9 **Chairman Brawley** called for nominations for Secretary.

10
11 **MOTION: Commissioner Coleman** nominated Commissioner Tourville
12 for Secretary.

13
14 **SECOND: Commissioner Craig** seconded the motion.

15
16 **VOTE: Commissioner Tourville** was unanimously voted in as Secretary.

17
18 **HOUSEKEEPING NOTE: A (5) five-minute recess was called.**

19
20 **Chairman Brawley** called the meeting to order at 9:05 pm.

21
22 **E. Discussion and action on text amendments to the Village Center**
23 **(VC) Zoning Code**

24
25 The discussion was started by Planner McDonough, who noted that he
26 had put a fair amount of stuff in the meeting packets, mainly the
27 summaries of the informal discussions of the Village Center Zone (V-C)
28 and the summaries of the spread sheets and what the decisions were.
29 And a copy of the last draft of the ordinance that they presented to the
30 Board of Trustees. He pointed out that this was only the beginning there
31 was still the design elements to go through with the illustrations of what
32 was acceptable. Then there are the setbacks, setbacks, and the
33 illustrations of the solar access. As they talk about building size they have
34 to keep in mind these design elements and whether or not they need to
35 hold what they have or if they need to be modified. What they want is a
36 quality development and how do they get that if all they are looking at is
37 the height, size, and the density. It was noted that you cannot legislate
38 good design. It's questionable if it stops bad design. After a short
39 discussion Planner McDonough asked that they take the paperwork home
40 and study it so that next month they have time to discuss it in depth. The
41 question was posed how do they create destination businesses that draw
42 people in. It was pointed out that having just destination businesses were
43 fine, but they need to also serve the community. Discussion moved on to
44 the way the Mayor put in his article in the Village Vision that the V-C Zone
45 would be heavy retail and what they have been discussing is mixed use
46 with a higher density. If they bring in all that retail those twelve (12) acres
47 will be eaten up with a lot of parking unless they do something like the
48 Imperial in downtown Albuquerque. A question was asked about when
49 they would make a recommendation to the Board of Trustees. The
50 answer was only when they are ready. The idea is to create a dynamic,
51 active V-C Zone.

1 **7. REPORTS**

2
3 **A. PLANNING DEPARTMENT REPORT**

4
5 **Chairman Brawley** asked Planner McDonough for his department report.

6
7 **Planner McDonough** gave his report on the stormwater permit, being busy
8 with research, took a facilitation training class and a Geographic Information
9 Systems (GIS) class, and dealing with drainage plans for new houses and of
10 course Los Poblanos. Business registrations were up compared to closures.

11
12 **9. COMMISSIONER’S INFORMAL DISCUSSION**

13
14 Informal discussion was about what was happening in the Philippines with a
15 planned town. A meeting with the Thornburg Foundation with talks about a
16 strategic plan development to incorporate agriculture into the Village’s future.

17
18 **10. ADJOURNMENT**

19 **Chairman Brawley** called for a motion to adjourn.

20
21 **MOTION: Commissioner Craig** moved to adjourn the meeting.

22
23 **SECOND: Commissioner Eby** seconded the motion.

24
25 **VOTE:** the motion carried unanimously with the meeting ending at 9:50 p.m.

26
27 **APPROVED by the Planning and Zoning Commission of the Village Los**
28 **Ranchos de Albuquerque this _____ day of _____, 2016.**

29
30 **ATTEST:**

31
32 _____
33 Tim Tourville, Secretary
34 Planning and Zoning Commission
35