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**MINUTES**  
**VILLAGE OF LOS RANCHOS**  
**Planning and Zoning Commission**  
**6718 Rio Grande Blvd. NW**  
**Warren J. Gray Hall**  
**June 12, 2018**  
**7:00 P.M.**

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**Present:**

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13  
14

<b>Administrator:</b>	Kelly Ward	<b>Attorney:</b> Bill Chappell
<b>Planning Staff:</b>	Tim McDonough, Director	
<b>Scribe:</b>	Marcy Bissell	

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

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21

**A. ROLL CALL** - Commissioner Riccobene, Commissioner Eby, Commissioner Brawley, Commissioner Phillips, Commissioner Pacheco, Commissioner Seavey. Commissioner Park was absent.

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23

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

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25

**B. APPROVAL OF THE AGENDA**

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27  
28

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

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30

**Planner McDonough** stated there were no changes.

31  
32

**MOTION: Commissioner Eby** moved to approve the agenda.

33  
34

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

35  
36

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

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38

2. **PUBLIC COMMENT PERIOD**

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40

**There were no public comments.**

41  
42

3. **CONSENT AGENDA**

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**A. APPROVAL OF CONSENT AGENDA**

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**Chairman Brawley** asked if there were any changes or comments to the minutes of the regular meeting for May 8, 2018.

1 **Commissioner Eby** stated that she thought there was a typo on Page 4 Line 14  
2 “Attorney Chappell stated that the economic liability” she thought it should be  
3 “economic viability”.

4  
5 **MOTION: Commissioner Phillips** moved to approve of the agenda as  
6 amended.

7  
8 **SECOND: Commissioner Eby** seconded the motion.

9  
10 **VOTE:** The motion carried with a vote of (5-0) with Commissioner Riccobene  
11 abstaining.

12  
13 **Attorney Chappell** stated that there were two typos on the word “liability” there  
14 was one also on Page 3 Line 13 it also should be “viability”.

15  
16 **Chairman Brawley** stated it is noted.

17  
18  
19 **4. PUBLIC HEARINGS AND APPLICATIONS**

20  
21 **Attorney Chappell** swore in those of the audience present who would be  
22 speaking before the Commission.

23  
24 A. **V-18-02** A request by Laura M. Blackwood and Kristine M. Roy for a  
25 Variance from §9.2.7(E)(2)(a) “Except as provided in §9.2.7(E)(3), (G)(4)(a) and  
26 (H) of this Section, the setbacks from the property line to the nearest structure  
27 shall be as follows: Side setback shall be: fifteen (15) feet; to allow for a roof  
28 overhang two (2) feet into the north side setback. The property is located at 7316  
29 Guadalupe Trail and is legally known as TR 143-B-1-A (AKA TR 143-B-1-A EXC  
30 THE ELY 10 FT) MRGCD MAP27 CONT 0.3705 AC M/L OR 16,139 SF M/L. The  
31 property contains 0.3705 acres, more or less.

32  
33 **Chairman Brawley** asked Planner McDonough if he wanted to introduce this  
34 item to the Commission.

35  
36 **Planner McDonough** gave the report on the request for a variance stating the  
37 department was recommending approval with findings.

38  
39 **Chairman Brawley** asked if he knew when this part of the building was  
40 constructed.

41  
42 **Planner McDonough** stated that he would let the applicant address that.

43  
44 **SPEAKERS FOR THE DISCUSSION**

45 **Kristine Roy, 3827 San Isidro NW**  
46 **Laura Blackwood, 3827 San Isidro NW**  
47 **Rose Morin, 2929 Duranes Road NW**

48  
49 **DISCUSSION:** Was short with the applicants explaining why they wanted the  
50 variance. The building has some problems with the canales having rotted out and  
51 there was mold throughout the house. There was a comment that they were not

1 alone that the flat roofs were constantly changed to pitched roofs then talked  
2 about the measurement of the Village ordinance 9.2.7 and how it was not  
3 definitive and there was no reason to deny this request. The variance was only  
4 on one side of the property, and that house pre-dated all of the houses in the  
5 neighborhood and needed this variance.  
6

7 **Chairman Brawley** closed the discussion and called for a motion.

8  
9 **MOTION: Commissioner Eby** moved to approve the variance request to allow for  
10 a roof overhang two (2) feet into the north side setback.  
11

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

14 **VOTE:** the vote carried unanimously (6-0).  
15

16 B. **A. SUP-18-01** A request by Matthew Coyte for a Special Use Permit to  
17 provide protection for an archaeological site and allowing a second dwelling unit  
18 on a 1.5-acre lot in the Guadalupe Trail Corridor & Character Area. The property  
19 is at 850 Chamisal Road NW and is legally known as MRGCD MAP 27 TRACTS  
20 121B & 123B & 124B1. The property contains 1.49 acres, more or less.  
21

22 **Chairman Brawley** asked Planner McDonough to introduce this  
23 request.  
24

25 **Planner McDonough** gave his report.  
26

27 **SPEAKERS FOR THE DISCUSSION:**  
28 **Matthew Coyte 831 Chamisal Road NW**  
29 **Jim Beverly 7 Solar Lane, Placitas**  
30 **Susan Sanders 808 Chamisal Road NW**  
31 **John Edward 16 Applewood Lane NW**  
32

33 The first part of the discussion were questions for Planner McDonough and  
34 included clarification on the Special Use (SU) zoning, economic viability, existing  
35 gardens, the historical and archeological background, and what other options  
36 were available for the property. Clarification was given by Attorney Chappell on  
37 how there is nothing in the special use code that talks about economic viability  
38 and that there are multiple components to the Special Use Permit (SUP). The  
39 applicant then came forward and gave his reasons for his request stating that  
40 first he wanted to save the archeological site, but still be able to use the rest of  
41 the property. As it stands the land is worth much more than the buildings. He did  
42 not want a developer coming in and bulldozing the house and destroying the  
43 archeological site or letting nature destroy the site. Speaking for the application  
44 was Susan Sanders, who stated that the house was in bad shape, and no one  
45 should live in it and she was all for having the archeological site preserved. John  
46 Edward spoke against the request stating that there was no site plan, no  
47 elevations, and there were issues for construction and demolition.  
48

49 **Chairman Brawley** closed the discussion and asked if there was a motion.  
50

1 **MOTION: Commissioner Phillips** moved to approve the request for a special  
2 use permit to provide protection for an archeological site and allowing a second  
3 dwelling unit on a 1.5-acre lot in the A-1 Zone of the Guadalupe Trail Character  
4 Area.

5  
6 With the following conditions and findings:  
7

- 8 1. Deed restrictions shall be placed on the proposed second dwelling unit to limit  
9 the size and style of the structure.
- 10 2. The Special Use Permit will not be issued until the repairs to the existing building  
11 have been completed. Owner and Village will agree to and prepare a list of the  
12 critical repairs to be completed
- 13 3. No addition to the footprint of the proposed 3,800 square foot structure for  
14 historic preservation, which includes the 700 square foot suite, shall be made.
- 15 4. Should artefacts and/or remains be discovered in the construction of the  
16 proposed second dwelling unit area, action shall be taken by the property owner  
17 in compliance with state and federal regulation.
- 18 5. Should the structure over the archeological dig site be demolished, or the  
19 archeological dig site be sealed, this special use permit shall no longer apply.  
20

21 **Findings:**

22  
23 The application meets the requirements of §9.2.17 SUP – Special Use Permit.

24 (a) The proposed use is not provided for in any other zone; and  
25  
26

27 This is a unique archeological and architectural site. Archeological sites are not  
28 specified uses in any other zone and structures for historic preservation are not  
29 specified in any other zone. No provisions are made within the code recognizing  
30 preservation efforts.  
31

32 (b) The proposed use is not detrimental to the neighborhood where it is proposed  
33 to be located; and  
34

35 The building and conditions on the site currently exist. Only the proposed future  
36 building site would be new construction. The owner will provide additional deed  
37 restrictions on the size and style of the proposed second dwelling unit in keeping  
38 with the style of the existing structure. The proposed second dwelling unit is for  
39 residential use, the same as the surrounding neighborhood. When completed, all  
40 proposed construction will comply with the Village Floor Area Ratio requirements  
41 (see attached).  
42

43 (c) It can be shown that the use proposed is beneficial to the Village, is in  
44 accordance with the goals and policies of the Village Master Plan and will assist  
45 in the implementation of the Village Master Plan.  
46

47 The use is beneficial to the Village as it preserves a well-documented and known  
48 historic site unique to the Village while encouraging it to be accessible for future  
49 archeological investigations. In addition, the destruction of historical sites and  
50 structures can be an irreplaceable loss. The property is in accordance with the  
51 2030 Master Plan goals and policies below:

1  
2 **Village of Los Ranchos 2020 Master Plan**

3 **1.2 Overall Village Goals**

4 **1.2.1 The goal is to reflect a village character through:**

- 5 • Preservation of historic or archeologically significant buildings and features

6  
7 **5.2 *Historic and Cultural Goal.* The goal is to recognize and preserve Village**  
8 **history and culture and their importance within the Rio Grande Valley.**  
9

10 **Policy A.** In all planning actions, give high priority to the preservation of historic  
11 structures, buildings, national and state designated properties, natural features  
12 such as trees, irrigation ditches and roadways.

13  
14 **Policy B.** Ensure the protection of the location of known and newly discovered  
15 archeological sites.

16  
17 **Policy C.** Give consideration to those historic sites registered with the National  
18 and State Historical Preservation Offices – Los Poblanos Ranch, Los Poblanos  
19 Inn and Cultural Center, and individual houses on the registries – in order to  
20 assist in preserving the existing uses, conditions, and character of each.

21  
22 Therefore, the special use permit request meets the requirements of  
23 §9.2.17(B)(15) (a), (b), and (c).

24  
25 **SECOND: Commissioner Seavey** seconded the motion.

26  
27 **Chairman Brawley** asked if there was discussion.

28  
29 **Discussion:** was that there was not enough information on the site and a  
30 request for an amendment to condition #3.

31  
32 **Commissioner Phillips** amended condition #3 to read:

33 3. No addition to the footprint of the purposed remaining structure for historic  
34 preservation shall be made.

35  
36 **Commissioner Seavey** seconded the amendment.

37  
38 **Chairman Brawley** called for a vote on the amended motion.

39  
40 **VOTE:** the motion failed with **Commissioner Seavey, Commissioner Phillips**  
41 and **Commissioner Eby** voting aye and **Commissioner Brawley,**  
42 **Commissioner Riccobene,** and **Commissioner Pacheco** voting nay.

43  
44 At this time there was a short discussion on how the Commission wanted to bring  
45 this back to the table for more discussion after reviewing more information from  
46 the applicant about the property.

47  
48 **MOTION: Commissioner Riccobene** moved to reconsider the decision and  
49 defer the decision after the applicant provides additional information to a time  
50 that can be set by the Planning Director when he has received the information.  
51

1                   **SECOND: Commissioner Eby** seconded the motion.  
2

3                   **DISCUSSION:** The applicant was given encouragement to provide the necessary  
4 information.  
5

6                   **Chairman Brawley** called for the vote.  
7

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

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11           **5.        OLD BUSINESS**

12  
13           **A.        Discussion of the 2030 Master Plan process**

14                   Update included the following:

15                   There are seven (7) member of the committee including two of the  
16 Commissioners. There were more talks with Research & Polling as to  
17 what was needed in the survey. The survey will happen a couple of ways  
18 including person to person phone calls.  
19

20  
21           **B.        Discussion of Priorities for 2018**

22                   It was noted that they should put archeological sites on the priorities list  
23 for this year.  
24

25  
26           **C.        Discussion and Action on establishing Time Limit/Guideline for**  
27 **Public Comment Period**

28                   This was an re-introduction of this resolution. The discussion was why  
29 was it necessary when the chair can determine how long the public  
30 comment can be. Everyone gave their opinion.  
31

32                   **MOTION: Commissioner Phillips** moved to vote it down.  
33

34                   **SECOND: Commissioner Eby** seconded the motion.  
35

36                   **Chairman Brawley** called for a vote.  
37

38                   **VOTE:** carried unanimously. (6-0)  
39  
40

41  
42           **6.        NEW BUSINESS**

43                   **There was no new business.**  
44

45  
46           **7.        REPORTS**

47           **A.        PLANNING DEPARTMENT REPORT**

48                   **Chairman Brawley** asked if there was a department report.  
49  
50  
51

1 **Planner McDonough** stated there was no report.

2  
3 **9. COMMISSIONER’S INFORMAL DISCUSSION**

4  
5 **Chairman Brawley** asked if there was any informal discussion from the  
6 Commission and seeing none moved onto the next item on the agenda.

7  
8 **10. ADJOURNMENT**

9  
10 **Chairman Brawley** asked if there was a motion for adjournment.

11  
12 **MOTION: Commissioner Pacheco** moved to adjourn the meeting at 9:31 p.m.

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

15  
16 **VOTE:** the motion carried unanimously.

17  
18 **APPROVED by the Planning and Zoning Commission of the Village Los**  
19 **Ranchos de Albuquerque this 10<sup>th</sup> day of July, 2018.**

20  
21 **ATTEST:**

22  
23 \_\_\_\_\_  
24 Tom Riccobene, Secretary  
25 Planning and Zoning Commission  
26