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**MINUTES
VILLAGE OF LOS RANCHOS
Planning and Zoning Commission
6718 Rio Grande Blvd. NW
Warren J. Gray Hall
July 10, 2018
7:00 P.M.**

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Present:

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|------------------------|-------------------------|------------------|---------------|
| Administrator: | Kelly Ward | Attorney: | Bill Chappell |
| Planning Staff: | Tim McDonough, Director | | |
| Scribe: | Marcy Bissell | | |

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1. **CALL TO ORDER – Chairman Brawley** called the meeting to order at 7:02 p.m.

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A. ROLL CALL - Commissioner Park, Commissioner Brawley, Commissioner Phillips, Commissioner Pacheco, Commissioner Seavey. Commissioner Riccobene was excused. Commissioner Eby did not arrive.

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

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B. APPROVAL OF THE AGENDA

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

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Planner McDonough stated there were no changes.

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Chairman Brawley called for a motion to approve the agenda.

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MOTION: Commissioner Pacheco moved to approve the agenda.

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SECOND: Commissioner Phillips seconded the motion.

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VOTE: The motion carried unanimously (5-0).

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2. **PUBLIC COMMENT PERIOD**

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Chairman Brawley called for speakers for the public comment period.

45

SPEAKER:

46
47

Nagib Tony Khader 6798 4th Street NW

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Mr. Khader spoke on the 4th Street construction and how no one will listen to him about the need for a larger drive for his property.

1 **Chairman Brawley** advised him to talk to Maria Rinaldi, the Fourth Street
2 Project manager, then thanked him and closed the public comment.

3
4 **HOUSEKEEPING NOTE: Commissioner Eby** arrived for the meeting at
5 7:07

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7 **3. CONSENT AGENDA**

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9 **A. APPROVAL OF CONSENT AGENDA**

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11 **1. Minutes of the Regular Meeting on June 12, 2018**

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13 **Chairman Brawley** asked if there were any changes or comments on the
14 minutes of the June 12, 2018 regular meeting. Noting none he then called for
15 a motion.

16
17 **MOTION: Commissioner Phillips** moved to approve the minutes of the
18 June 12, 2018 meeting as presented.

19
20 **SECOND: Commissioner Pacheco** seconded the motion.

21
22 **VOTE:** The motion carried unanimously (6-0).

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24 **4. PUBLIC HEARINGS AND APPLICATIONS**

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26 **Attorney Chappell** swore in those of the audience present who would be
27 speaking before the Commission.

28
29 **A. SUP-18-01** A request by Matthew Coyte for a Special Use Permit to
30 provide protection for an archaeological site and allowing a second
31 dwelling unit on a 1.5-acre lot in the Guadalupe Trail Corridor & Character
32 Area. The property is at 850 Chamisal Road NW and is legally known as
33 MRGCD MAP 27 TRACTS 121B & 123B & 124B1. The property contains
34 1.49 acres, more or less. **Decision deferred from June 12, 2018**
35 **meeting**

36
37 **Chairman Brawley** asked Planner McDonough to introduce this item.

38
39 **Planner McDonough** gave a quick summary of what was discussed last
40 month on this item and what new material was being introduced at this
41 meeting. He followed with a recommendation of approval of the request for
42 the Special Use Permit.

43
44 **Chairman Brawley** called the applicant forward and asked him to state his
45 name and address for the record.

46
47 **SPEAKERS FOR THE DISCUSSION:**

48 **Jim Beverly, 7 Solar Court, Placitas, NM 87043**

49 **Matt Coyte, 831 Chamisal Road NW**

50 **Eric Ham, 737 Chamisal Road NW**

1 Discussion included some reiteration of what was discussed at the June 12th
2 meeting and what was included in the new material presented in this month's
3 meeting packet. The material showed some of the damage the old house has
4 sustained throughout the years. At this time the older house is un-livable and
5 requires extensive renovation. Questions were then asked about the need for
6 the second dwelling and could this have been brought to the Commission as
7 a variance. Attorney Chappell explained why the staff felt it was better to
8 have the special use permit since it did not speak of economic gain, whereas
9 a variance would have negated the decision since a variance cannot be
10 granted for economic gain. Discussion was lengthy on whether or not they
11 were setting a precedent. The reiterated discussion was that they were trying
12 to preserve the archeological site that the older house on the property was
13 protecting. Eric Ham a neighbor of the property stated that the Commission
14 should really think about preserving the property. If the State won't step in
15 and buy the property and neither would the Village. The Village should try to
16 preserve it by helping the owner save it. He didn't think this would set a
17 precedent because each archeological site is different and this one is
18 different because of the age and the amount of items found there.

19
20 **Chairman Brawley** brought the discussion to an end and asked if there was
21 a motion.

22
23 At which time there were friendly amendments to the motion from
24 Commissioner Brawley and Commissioner Park on the conditions that were
25 set for the property.

26
27 **MOTION: Commissioner Phillips** moved to approve the request for a
28 special use permit to provide protection for an archeological site and allowing
29 a second dwelling unit on a 1.5-acre lot in the A-1 Zone of the Guadalupe
30 Trail Character Area.

31
32 With the following conditions and findings:

- 33
34 1. Deed restrictions shall be placed on the proposed second dwelling unit to
35 limit the size and style of the structure.
36 2. The Special Use Permit will not be issued until the repairs to the existing
37 building have been completed and a certificate of occupancy has been
38 issued. Owner and Village will agree to and prepare a list of the critical
39 repairs to be completed
40 3. No addition to the footprint of the proposed 3,800 square foot structure for
41 historic preservation, which includes the 700 square foot suite, shall be made.
42 4. Should artefacts and/or remains be discovered in the construction of the
43 proposed second dwelling unit or the renovation of the existing structure,
44 action shall be taken by the property owner to be in compliance with state
45 and federal regulations.
46 5. Should the structure over the archeological dig site be demolished, or the
47 archeological dig site be sealed, this special use permit shall no longer apply.
48 6. The property can never be subdivided.
49
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51

1 **Findings:**
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3 The application meets the requirements of §9.2.17 SUP – Special Use
4 Permit.
5

6 (a) The proposed use is not provided for in any other zone; and
7

8 This is a unique archeological and architectural site. Archeological sites are
9 not specified uses in any other zone and structures for historic preservation
10 are not specified in any other zone. No provisions are made within the code
11 recognizing preservation efforts.
12

13 (b) The proposed use is not detrimental to the neighborhood where it is
14 proposed to be located; and
15

16 The building and conditions on the site currently exist. Only the proposed
17 future building site would be new construction. The owner will provide
18 additional deed restrictions on the size and style of the proposed second
19 dwelling unit in keeping with the style of the existing structure. The proposed
20 second dwelling unit is for residential use, the same as the surrounding
21 neighborhood. When completed, all proposed construction will comply with
22 the Village Floor Area Ratio requirements (see attached).
23

24 (c) It can be shown that the use proposed is beneficial to the Village, is in
25 accordance with the goals and policies of the Village Master Plan and will
26 assist in the implementation of the Village Master Plan.
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28 The use is beneficial to the Village as it preserves a well-documented and
29 known historic site unique to the Village while encouraging it to be accessible
30 for future archeological investigations. In addition, the destruction of historical
31 sites and structures can be an irreplaceable loss. The property is in
32 accordance with the 2030 Master Plan goals and policies below:
33

34 **Village of Los Ranchos 2020 Master Plan**

35 **1.2 Overall Village Goals**

36 **1.2.1 The goal is to reflect a village character through:**

- 37 • Preservation of historic or archeologically significant buildings and features
38

39 **5.2 Historic and Cultural Goal. The goal is to recognize and preserve**
40 **Village history and culture and their importance within the Rio Grande**
41 **Valley.**
42

43 **Policy A.** In all planning actions, give high priority to the preservation of
44 historic structures, buildings, national and state designated properties, natural
45 features such as trees, irrigation ditches and roadways.
46

47 **Policy B.** Ensure the protection of the location of known and newly discovered
48 archeological sites.
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50 **Policy C.** Give consideration to those historic sites registered with the
51 National and State Historical Preservation Offices – Los Poblanos Ranch,

1 Los Poblanos Inn and Cultural Center, and individual houses on the registries
2 – in order to assist in preserving the existing uses, conditions, and character
3 of each.

4
5 Therefore, the special use permit request meets the requirements of
6 §9.2.17(B)(15) (a), (b), and (c).

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8 **SECOND: Commissioner Park** seconded the motion.

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10 **VOTE:** was carried unanimously (6-0).

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12 **HOUSEKEEPING NOTE:** A short recess was called at 8:50 p.m. for technical
13 difficulties and the meeting resumed at 8:55 p.m.

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16 **5. OLD BUSINESS**

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18 A. Discussion of the 2030 Master Plan process

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20 **Planner McDonough** gave an update on the Master Plan process and
21 stated that the first committee meeting was on July 9th at 10:00 and was
22 about the legalities and setting a calendar to focus on what needed to be
23 done. The survey has been completed.

24
25 B. Discussion of Priorities for 2018

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27 The priority is still getting the Master Plan done.

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30 **6. NEW BUSINESS**

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32 *There was no new business.*

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35 **7. REPORTS**

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37 **A. PLANNING DEPARTMENT REPORT**

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39 Included that they had signed the contract for Karpoff & Associates to facilitate
40 the Master Plan committee meetings. Keen Heinzelman has been busy with
41 the Lavender Festival and the Dedication of the Larry P. Abraham Agri-Nature
42 Center. Tiffany continues to be the lead in developing the Master Plan project.

43
44 There was a short discussion on the business report, which reported no
45 closures. And a request for the location of the businesses to be put on the
46 report.

47
48 **9. COMMISSIONER'S INFORMAL DISCUSSION**

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50 *There was no informal discussion.*

1 **10. ADJOURNMENT**

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3 **MOTION: Commissioner Phillips** moved to adjourn the meeting at 9:07 p.m.

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5 **SECOND: Commissioner Eby** seconded the motion.

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7 **VOTE:** carried unanimously (6-0).

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9 **APPROVED by the Planning and Zoning Commission of the Village Los**
10 **Ranchos de Albuquerque this _____ day of _____, 2018.**

11
12 **ATTEST:**

13
14 _____
15 Tom Riccobene, Secretary
16 Planning and Zoning Commission
17

Not Yet Approved by P & Z Commission