



Planning & Zoning Commission  
of the  
Village of Los Ranchos de Albuquerque

MINUTES  
September 10, 2019

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**Commissioners Present:**

Chairman Jeff Phillips  
Vice Chair Sandra Pacheco  
Secretary Lynn Eby  
Commissioner Al Park  
Commissioner Gil Benavides  
Commissioner Drew Seavey  
Commissioner Dan Gay

**Staff Present:**

Tim McDonough - Director, Acting Administrator  
Jennifer Schilling – Admin. Assistant, Scribe  
Nann Winter – Village Attorney

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**1. CALL TO ORDER**

The regular meeting of the Planning & Zoning Commission was called to order at 7:00 p.m., September 10, 2019 at the Warren J. Gray Hall, by Chairman Jeff Phillips. A quorum was present. The agenda was approved.

**2. PUBLIC COMMENT**

There were no speakers for the Public Comment period.

**3. CONSENT AGENDA**

**A. Approval of the Consent Agenda**

1. Minutes of the August 13, 2019 Planning & Zoning Regular Meeting
2. Minutes of the August 23, 2019 P&Z and BOT Working Session

**Commissioner Benavides** added clarification to the August 13<sup>th</sup>, 2019 minutes on page 2 of 7: line 35.

**Motion: Commissioner Park** made a motion to approve the minutes as amended.

**Second: Commissioner Eby** seconded the motion.

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

**4. PUBLIC HEARINGS & APPLICATIONS**

**Attorney Winter** swore in all those who would be speaking before the Commission.

- A. V 19-06 A** request for a Variance by Jan Sultan from §9.2.10(E)(2)(a) the minimum side setback shall be ten (10) feet to allow encroachment of a structure into the setback area for a property in the R-2 Zone in the Camino Real Residential Character Area. The property is located at 501 Mullen Road NW and is legally known as Lot Numbered Twenty Four (24) of Unit One, El Paraiso, a Subdivision of a Tract of Land in School District No. 4, Bernalillo County, New Mexico, as the same is shown and designated on the map of said subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on February 12, 1941. The property contains 0.455 acres more or less.

1 **Resident Speakers for the Discussion:**

2 *In order of presentation*

3 **SPEAKER:**

4 Nishan Garvanian, 3103 Morningside NE, 87110  
5 Carisa Martinez, 507 Mullen Rd. NW, 87107

**POSITION:**

Applicant-Agent  
Opposed

7 **Planner McDonough** gave the planning report with recommendation to approve the application  
8 for a variance. Approval of the application would allow the current structure to remain in the  
9 setbacks but would not change the current setbacks.

11 **Discussion:**

- 12 • Nishan Garvanian spoke to the application on behalf of the homeowner, Jan Sultan. The
- 13 guesthouse would be for the Sultan’s son, while the homeowner would live in the main
- 14 house. A variance is required before the applicant can move forward with the guesthouse
- 15 conditional use application.
- 16 • The current structure has water, plumbing, and sewage. There was discussion on why a
- 17 garage had utilities. The exact reason behind this was unknown but it was believed that the
- 18 shop was built as a welder’s workshop.
- 19 • Carisa Martinez spoke in opposition with concerns that the house has been used as a rental
- 20 and the guesthouse may also be used as a rental. Mr. Garvanian addressed the concern.

22 **Commissioner Phillips** closed the floor for comments.

24 **Motion: Commissioner Pacheco** made a motion to approve the variance, V-19-06.

25 **Second: Commissioner Eby** seconded the motion.

26 *After a brief discussion a vote was called.*

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

29 **Chairman Phillips** stated that the public hearing on item 4-A in the request by Jan Sultan for a  
30 variance was formally closed.

- 32 **B. SDP 19-02** A request by Cherie Montoya for a preliminary review and recommendation to
- 33 the Board of Trustees of a Commercial Site Development Plan for a redevelopment in the
- 34 Fourth Street Corridor and Character Area. The property is located at 8909 Fourth Street
- 35 NW and is legally known as Lot 14 of Plat of Ortega Compound, a Tract of Land Lying
- 36 and Situated within Section 16, T. 11 N., R. 3 E., N.M.P.M., Village of Los Ranchos de
- 37 Albuquerque, Bernalillo County, New Mexico, filed in the Office of the County Clerk of
- 38 Bernalillo County on October 22, 1996. The property contains 1.210 acres more or less.

40 **Resident Speakers for the Discussion:**

41 *In order of presentation*

42 **SPEAKER:**

43 Cherie Montoya, 1053 Camino del Bosque, 87004  
44 Walter Gil, 912 Broadway Blvd., 87102  
45 Danny Lopez, 1053 Camino del Bosque, 87004  
46 Bob Jung, 839 El Pueblo Rd., 87114  
47 David Montoya, 517 Pueblo Solano, 87107  
48 Mike D’Antonio, 8916 Ortega Ct., 87114

**POSITION:**

Applicant  
Project Architect  
Spoke in favor  
Spoke in favor  
Spoke in favor  
Neutral

50 **Planner McDonough** gave the planning report with recommendation to forward the item to the  
51 Board of Trustees with a recommendation to approve the Site Development Plan with conditions.

1  
2 **Discussion:**

- 3 • The possibility of annexation was discussed for the portion of the land of Farm & Table  
4 that is in Bernalillo County. This is an ongoing discussion that requires approval from the  
5 County.  
6 • The conditions on the application were discussed, primarily that of drainage plans needed.  
7 Conditions must be met prior to the hearing before the Board of Trustees.  
8 • The various properties listed in the application were discussed: the main property where  
9 the current restaurant sits, the property located in the Village of Los Ranchos where the  
10 restaurant would expand, and finally an off-site location where the restaurant would valet  
11 cars for additional parking. The valet parking is a contingency for overflow parking and  
12 will utilize a third-party valet service and a shared parking agreement with another property  
13 owner at 8833 4<sup>th</sup> Street. The valet would run down 4<sup>th</sup> Street.  
14 • The applicant, Cherie Montoya, spoke to her application. The property in which the  
15 restaurant would expand is in the process of being purchased. The barn on the property will  
16 be developed into a wine bar and event space. The architect, Walter Gil, spoke to the  
17 current setbacks and goals of the design.  
18 • Gross receipt taxes would be handled by having two separate bank accounts and two  
19 separate Point-of-Sale systems, implemented for each side of the business.  
20 • There were three members of the audience who spoke in favor of the application. One  
21 resident, Mike D'Antonio, was neutral to the application and spoke on behalf of the  
22 homeowner's association of the neighborhood adjacent to the expansion area; the  
23 neighbors would like if the business would communicate with the neighborhood about the  
24 development. There were no speakers in opposition to the application.  
25

26 **Commissioner Phillips** closed the floor for comments.  
27

28 **Motion: Commissioner Benavides** ~~motioned~~ **moved** to recommend approval of SDP-19-02 to the  
29 Board of Trustees with conditions as listed.

30 **Second: Commissioner Eby** seconded the motion.

31 *After a brief discussion on prospect of annexation, a call for vote was made.*

32 **VOTE:** The motion carried unanimously (7-0).  
33

34 **Chairman Phillips** stated that the public hearing on item 4-B in the request by Cherie Montoya  
35 for a Site Development Plan Review was formally closed.  
36

37 **5. OLD BUSINESS**

38  
39 **A. 2035 Master Plan**

40 Director Tim McDonough gave the report on the 2035 Master Plan. A working session with the  
41 P&Z Commission and the Board of Trustees was held on August 23<sup>rd</sup>. For those Trustees and/or  
42 Commissioners who could not make that session, a makeup review will be scheduled with Planner  
43 Justice. The Master Plan is anticipated to be on the October Planning and Zoning meeting agenda.  
44 The draft is online for viewing. The Commissioners discussed next steps in the process of the  
45 Master Plan and their contributions from previous discussions.  
46  
47

48 **6. NEW BUSINESS**

49 There was no new business.  
50

1       **7. REPORTS**

2       Director Tim McDonough gave the Planning Department report:

- 3       • **Fourth Street Project:** The Fourth Street Construction Project continues with construction  
4       on the west side. String lights are being strung across Fourth Street and are active at the  
5       north end of the project at night. The pedestrian light poles are being installed on the  
6       southern end of the project. Other on-going construction activities include the installation  
7       of brick sidewalks, permeable paver system, and irrigation. Bus shelters are also being  
8       installed on the west side and site grading has begun on the public parking lot on the east  
9       side of Fourth Street just south of Tyler Road. The work will be substantially done before  
10       Balloon Fiesta.
- 11       • **General:** Dominic Tomba continues to field concerns and write letters for properties to  
12       come into compliance. Jennifer Schilling continues to work on a 2021 system to manage  
13       business license renewals. Also, as seen in the minutes for the August meeting, she is  
14       simplifying the minutes compliant with Robert's Rules. Jennifer has also taken  
15       responsibility as the Village's 2020 Census Liaison. Tiffany Justice has completed a new  
16       policy for filming in the village. She and Tim McDonough visited a film production last  
17       month to see first-hand the activities during a film production. She has also set up a new  
18       portion of the web site that identifies businesses in the Village, with photographs and links  
19       to their business website. Tiffany has taken over most of the responsibilities of the Planning  
20       & Zoning Director including meeting with architects and developers for potential projects.  
21       There will be a municipal election in November. Bernalillo County will be conducting the  
22       elections. The Commissioners will be reappointed/appointed at the beginning of the year.  
23       The 3<sup>rd</sup> annual Tour de Farms will be held in Los Ranchos on September 29<sup>th</sup>. The Village  
24       will be working with a group called Music in Corrales to host a jazz concert in the barn on  
25       Oct. 19<sup>th</sup>.

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27       **8. COMMISSIONERS' INFORMAL DISCUSSION**

- 28  
29       • The Commissioners had informal discussion concerning meeting procedures.

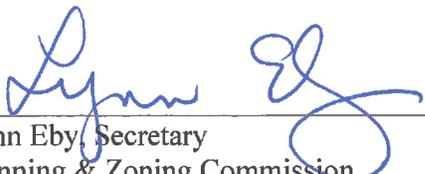
30  
31       **9. ADJOURNMENT**

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33       Chairman Phillips adjourned the meeting at 8:43 p.m.

34  
35                               **Approval of the September 10, 2019 Minutes**

36  
37       These minutes have been **APPROVED** by the Planning & Zoning Commission of the Village of  
38       Los Ranchos de Albuquerque this 15<sup>th</sup> day of October, 2019.

39  
40       ATTEST:

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42         
43  
44       \_\_\_\_\_  
45       Lynn Eby, Secretary  
46       Planning & Zoning Commission