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

MINUTES
October 8, 2019

Commissioners Present:	**Staff Present:**
Chairman Jeff Phillips	Tim McDonough - Director, Acting Administrator
Vice Chair Sandra Pacheco	Jennifer Schilling – Admin. Assistant, Scribe
Secretary Lynn Eby	Nann Winter – Village Attorney
Commissioner Al Park	
Commissioner Gil Benavides	
Commissioner Drew Seavey	
Commissioner Dan Gay	

1. CALL TO ORDER

The regular meeting of the Planning & Zoning Commission was called to order at 7:00 p.m., October 8, 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 September 10, 2019 Planning & Zoning Regular Meeting

Commissioner Eby made a correction on page 3; line 27.
Motion: Commissioner Park made a motion to approve the minutes as amended.
Second: Commissioner Benavides 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 19-07 A request by Jon and Graciela Drake for a Variance from §9.2.7(E)(2)(a) 2. The minimum side setback shall be fifteen (15) feet to allow encroachment of a structure into the setback area for a property in the A-1 Zone of the North Rio Grande Character Area. The property is located at 1104 Green Valley Road NW and is legally known as the easterly portion of Tract 202-C-3-B-2 Middle Rio Grande Conservancy District Map No. 29, a certain tract of land situate in Section 20 and 29, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico. The property contains 0.44 acres more or less.

Resident Speakers for the Discussion:
In order of presentation

SPEAKER:	**POSITION:**
Jon Drake, 1104 Green Valley Rd. 87107	Applicant – Spoke in favor
Graciela Drake, 1104 Green Valley Rd. 87107	Applicant – Spoke in favor

Planner McDonough gave the Planning Report with recommendation to approve variance 19-07, allowing a structure to encroach an existing setback.

Discussion:

- Commissioners asked questions about the public notice process and public notice signs.
- The property's location and character area were clarified.
- The hardship claim was discussed – the irregular shaped lot with A-1 Zone setbacks constituted the hardship. Setbacks were discussed, especially with respect to the ditches. This application would not change the setbacks.
- A previous variance from 1995 existed for the footprint of a carport at the front of the property.
- The applicants discussed that the old carport was replaced with the adobe shed and then moved to the back of the property. The applicants further discussed the challenges of moving the shed to any other location on the property without continued non-compliance with the setbacks. Moving the shed further into the property would obstruct enjoyment and access of the backyard and would be too close to the house.
- Conditions discussed on the approval of Variance 19-07 included abandoning the variance from 1995.

Motion: Commissioner Eby moved to approve the application with the conditions that the previous variance be abandoned. The motion was amended to include the conditions laid out in the Planner's Report; 1) The variance from the setback requirement is for the current size and placement of this structure only, and 2) Movement of this structure to another location within the setback or expansion of this structure's building footprint into the setback requires another variance request.
Second: Commissioner Benavides seconded the motion, as amended.
After a brief discussion, including the amendment of the motion, a call for a vote was made.
Vote: The motion carried 6-1, with Commissioner Gay voting nay.

Chairman Philips stated that the public hearing on item 4-A in the request by Jon and Graciela Drake for a variance was formally closed.

5. OLD BUSINESS

There was no Old Business.

6. NEW BUSINESS

A. 2035 Master Plan – Discussion on the Master Plan and recommendation for the Board of Trustees.

Director McDonough gave a summary report on the 2035 Master Plan process and methodologies. He commended the depth of participation by the Master Plan Committee and the public. Director McDonough recommended the Commissioners forward the 2035 Master Plan, as amended, to the Board of Trustees for approval.

Discussion:

- Commissioners briefly discussed their appreciation of the 2035 Master Plan and the work that went into making it possible. Director McDonough recognized Planner Tiffany Justice as a major contributor to the 2035 Master Plan.

Motion: Vice Chair Pacheco moved to forward the 2035 Master Plan to the Board of Trustees for approval.
Second: Commissioner Gay seconded the motion.
Vote: The motion carried unanimously (7-0).

7. REPORTS

Director McDonough gave the Planning and Zoning Department Report:

- The Fourth Street project is very near to completion, the road is open, and work will continue for the final touches. There will be a *Festival on 4th Street* November 1st to celebrate the opening of the road and to support the businesses along 4th Street who have endured the construction. There was discussion on next steps concerning the construction.
- General staff reports are as follows: Dominic Tomba continues to handle Code Enforcement procedures as part of his new role. Jennifer Schilling has updated the commercial business application process; all commercial businesses are required to obtain a Fire Safety Permit from the BernCo Fire Department and are responsible for fees associated to those permits. Planner Justice continues work on the Village's film permit and is addressing short-term rentals in the Village, including Airbnb-type rentals.

8. COMMISSIONERS' INFOMAL DISCUSSION

- The Commissioners held brief informal discussion.

9. ADJOURNMENT

Motion: Commissioner Park made a motion to adjourn.
Second: Vice Chair Pacheco seconded the motion.
Vote: The motion carried (7-0).
Chairman Phillips adjourned the meeting at 8:07 p.m.

Approval of the October 8, 2019 Minutes

These minutes have been **APPROVED** by the Planning & Zoning Commission of the Village of Los Ranchos de Albuquerque this 12 day of Nov., 2019.

ATTEST:

Lynn Eby, Secretary
Planning & Zoning Commission