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

MINUTES
January 9, 2024

Commissioner:

Commissioner JT Michelson, Chair
Commissioner Mary Homan, Vice Chair
Commissioner Connie Barrow
Commissioner Shelleen Smith
Commissioner Robert Martinez
Commissioner John Edward
Commissioner Gwenn Baldwin

Staff:

Maida Rubin – P&Z Director
Brennon Williams – Village Staff
Michelle S. Austin – P&Z Admin Assistant
Bill Chappell – Village Attorney
Darnell Worrell - IT Specialist Zoom Moderator

1. CALL TO ORDER

The regular meeting of the Planning & Zoning Commission was called to order at 7:00 p.m., January 9, 2024, at the Warren J. Gray Hall, by Chairman JT Michelson.

- a) Oath of Office for new Commissioners
 - a. Gwenn Baldwin
 - b. John Edwards
- b) Roll Call - A quorum was present.
- c) Approval of the Agenda – No changes to Agenda.

Motion: Commissioner Homan moved to approve agenda.

Second: Commissioner Barrow seconded the motion.

Vote: The motion carried unanimously (7 - 0) by roll call vote.

Commissioner Homan – yea
Commissioner Barrow – yea
Commissioner Smith – yea
Commissioner Martinez – yea
Commissioner Edward – yea
Commissioner Baldwin – yea
Commissioner Michelson – yea

2. PUBLIC COMMENT

- Camille Varoz – 427 El Paraiso Rd. NW Los Ranchos
- David Baird – 8211 Guadalupe Trail

Discussion: Concerns for traffic control, pedestrian safety, keeping Los Ranchos rural/agricultural and limiting Pilot Project applications. There is a need for a better understanding of Zoning guidelines. Consider developing a performing art complex.

1 **3. CONSENT AGENDA**

2 a) Approval of the Consent Agenda

3 1. October 10, 2023, Regular Meeting Minutes

- 4 a. Change on page 2; line 36 should read: Commissioner Homan moved to
5 approve with conditions “**recommended by staff**”.

6
7 **Motion:** Commissioner Barrow moved to approve the minutes of October 10, 2023 with
8 changes.

9 **Second:** Commissioner Smith seconded the motion.

10
11 **Vote: The motion carried (7- 0) by roll call vote.**

12
13 *Commissioner Homan – yea*

14 *Commissioner Barrow – yea*

15 *Commissioner Smith – yea*

16 *Commissioner Martinez – yea*

17 *Commissioner Edward – yea*

18 *Commissioner Baldwin – yea*

19 *Commissioner Michelson – yea*

20
21 **4. PUBLIC HEARINGS & APPLICATIONS**

22
23 **A. SDP 19-01 Amendment;** A request by David Newman for a minor amendment to an
24 existing approved Site Development Plan for modifications to authorize building
25 additions of less than twenty percent (20%) of the existing building area, an alternate
26 landscaping plan, outdoor seating area, and changes to the off-street parking layout as
27 allowed by § 9.2.25 (D)(6) Minor Site Plan Amendments. The property is located at
28 7203 4th St. NW (a.k.a. 7201 – 7209 4th St. NW; the NW corner of 4th St. & Roehl Rd.
29 NW), Los Ranchos NM, 87107, and is legally described as Lot 7, Zia View
30 Subdivision, Village of Los Ranchos de Albuquerque. The property contains .5227
31 acres, more or less.

32
33
34 **Director Rubin** having been sworn in by Attorney Chappell gave the planning report with
35 recommendation of approval with conditions. Noted: liquor license for new business at this
36 location was approved at the December 13, 2023 Board of Trustees Meeting.

- 37
38 • Commissioners presented questions for Director Rubin
39 ○ Why has the application been on hold for so long and it appears there is
40 construction going on at the site.
41 • Director Rubin responded to questions.
42 ○ Property was Red Tagged early 2023 for building without a permit. Applicant
43 wanted to add additional improvements which delayed the SDP Amendment
44 being heard before the P&Z Commission.
45
46
47

1 **Speakers for the Discussion:**

2 Shown in the order of presentation. All speakers in attendance were sworn in by Attorney
3 Chappell.

4
5 **SPEAKERS:**

POSITION:

6 David Newman – 504 Mary’s Way NW

Applicant

7 Zac Hulme – 2926 Camilo Lane NW

Favor

8 Nancy Starr – 513 Roehl Rd NW

Opposition

9 Carl Starr – 513 Roehl Rd NW

Opposition

10 Camille Varoz – 427 El Paraiso

Opposition

11
12 **Discussion:**

- 13 • Applicant spoke to his application. Construction has not been going on for two years.
- 14 Started to add an awning early 2023 not knowing a permit is required and was Red
- 15 Tagged. Started working with P&Z to come into compliance. Also met with the Village
- 16 regarding the proposed new parking on 4th Street and wanted to have the SDP amended
- 17 to reflect future development within the Village.
- 18 • Commissioners presented questions for applicant: Will the west wall be extended for
- 19 buffering; can signage be placed on the SW part of property exiting on Roehl Rd
- 20 indicating left turn only; drainage problem already exists; is there sufficient handicap
- 21 parking; and what about noise abatement/buffering for outdoor seating area.
- 22 • Applicant responded to comments heard. Willing to add signage. An additional 6’ fence
- 23 and landscaping will surround outdoor seating area to help buffer sound. Grading and
- 24 drainage was implemented and approved on original SDP in 2019.
- 25 • There was one speaker in favor and two speakers in opposition. A petition opposing
- 26 SDP 19-01 was provided.
- 27 • Floor was closed for comments.

28
29 **Commissioners’ Discussion:**

- 30 • Concerns if signage will work and be enforced; is the shared parking agreement a
- 31 liability; vote is based on site design only; can add additional conditions to the vote.

32
33 **Motion:** Commissioner Baldwin moved to approve with staff findings and conditions plus
34 adding signage requirements returning traffic to 4th Street rather than into the neighborhood
35 and encouraging this and future shared parking agreements to be enforced.

36 **Second:** Commissioner Homan seconded the motion with an amendment adding some kind of
37 noise abatement structure around the outdoor patio seating area.

38
39 **Vote: The motion carried unanimously (7 - 0) by roll call vote:**

- 40
- 41 *Commissioner Homan – yea*
- 42 *Commissioner Barrow – yea*
- 43 *Commissioner Smith – yea*
- 44 *Commissioner Martinez – yea*
- 45 *Commissioner Edward – yea*
- 46 *Commissioner Baldwin – yea*
- 47 *Commissioner Michelson – yea*

1
2 **Chairman Michelson** stated that the public hearing on item **SDP 19-01 Amendment** a request
3 by David Newman for a minor amendment to existing approved SDP was formally closed.
4

- 5 **B. V.23-08;** A request by John Moser for a variance from § 9.2.10(E)(2)(a) requiring
6 a 10-foot side yard setback distance to allow an addition to an existing single-
7 family dwelling to be 5 feet, ½ inches from the side property line. The property
8 is located at 415 Pueblo Solano Rd. NW, Los Ranchos, NM, 87107, and is legally
9 described as Lot 5, Pueblo Solano Addition, All of Lot 5 Excluding the West 50
10 Feet. The property contains 0.5969 acres, more or less.
11

12 **Director Rubin** gave the planning report with recommendation of denial.
13

14 **Speakers for the Discussion:**

15 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*
16 *Chappell.*
17

18 **SPEAKER:**

19 Mark Harmon – 415 Pueblo Solano
20

POSITION:

Applicant Representative

21 **Discussion:**

- 22 • The applicant’s representative stood for questions.
23 • Commissioners asked clarifying questions and expressed concern that the existing
24 building’s setback may not be correct.
25 • The applicant’s representative responded to the questions.
26 • Floor was closed for comments.
27

28 **Commissioner’s Discussion:**

- 29 • None
30

31 **Motion:** Commissioner Homan moved to deny.

32 **Second:** Commissioner Barrow seconded the motion.

33 **Vote: The motion carried unanimously (7 - 0) by roll call vote:**
34

- 35 *Commissioner Homan – yea*
36 *Commissioner Barrow – yea*
37 *Commissioner Smith – yea*
38 *Commissioner Martinez – yea*
39 *Commissioner Edward – yea*
40 *Commissioner Baldwin – yea*
41 *Commissioner Michelson – yea*
42

43 **Chairman Michelson** stated that the public hearing on **V.23-08;** A request by John Moser for
44 a variance was formally closed.
45

46
47 **5. OLD BUSINESS**

1 *There was no Old Business*

2
3 **6. NEW BUSINESS**

4
5 A. Adoption of Resolutions for 2024

6 1. Adoption of Resolution 2024-1 Planning & Zoning – Open Meetings Act

7
8 **Discussion:**

- 9 ○ Question raised about whether the Commission could require a longer notice
10 requirement for special meetings. Director Rubin and Village Attorney Chappell
11 responded. The Resolution is adopted annually, and the contents follow minimum
12 statutory requirements.

13
14 **Motion:** Commissioner Smith moved to approve Resolution 2024-1.

15 **Second:** Commissioner Martinez seconded the motion.

16 **Vote: The motion carried (6 - 1) by roll call vote:**

17
18 *Commissioner Homan – yea*

19 *Commissioner Barrow – yea*

20 *Commissioner Smith – yea*

21 *Commissioner Martinez – yea*

22 *Commissioner Edward – nay*

23 *Commissioner Baldwin – yea*

24 *Commissioner Michelson – yea*

25
26 **7. REPORTS**

27 A. Planning & Zoning Department Report.

28
29 **8. COMMISSIONERS' INFORMAL DISCUSSION**

- 30 • Commissioner Martinez expressed the desire to require site plans to be done on
31 surveys to ensure accuracy of site information.
- 32 • Commissioner Edward added that requiring boundary surveys is necessary and not
33 having that renders the information provided meaningless, stated that we should hold
34 ourselves to a higher standard.
- 35 • Village Attorney Chappell responded. The Village has a lot of old development,
36 much done on old MRGCD tracts. The Village does not want to adjudicate property
37 boundaries whenever development occurs.
- 38 • Director Rubin added that requiring a boundary survey places a very high bar on
39 residents trying to develop their properties.

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41 **9. ADJOURNMENT**


42 **Motion:** Commissioner Homan moved to adjourn the meeting.

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44 **Chairman Michelson adjourned the meeting at 8:51 pm**

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Approval of the January 9, 2024 Minutes

These minutes have been **APPROVED** by the Planning & Zoning Commission of the Village of Los Ranchos de Albuquerque this 12th day of March, 2023.


Gwenn Baldwin, Secretary
Planning & Zoning Commission