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

MINUTES  
August 8, 2023

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**Commission:**

Commissioner JT Michelson, Chair  
Commissioner Mary Homan, Vice Chair  
Commissioner Connie Barrow  
Commissioner Dan Gay  
Commissioner Shelleen Smith  
Commissioner Robert Martinez

**Staff:**

Ann Simon – Village Administrator  
Michelle S. Austin – Administrative Assistant  
Nann Winter – Village Attorney  
Darnell Worrell – IT Specialist & Zoom Moderator

*Absent Excused - Maida Rubin*

*Absent Excused - Karen Christensen*

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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., August 8, 2023, at the Warren J. Gray Hall, by Chairman JT Michelson.

- a) Roll Call - A quorum was present.
- b) 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 (6 - 0) by roll call vote.

*Commissioner Homan – yea*  
*Commissioner Barrow – yea*  
*Commissioner Gay – yea*  
*Commissioner Smith – yea*  
*Commissioner Martinez – yea*  
*Commissioner Michelson – yea*

Commissioner Barrow congratulated Director Rubin on her new arrival and a job well done.

**2. PUBLIC COMMENT**

- Gordene MacKenzie – 7315 Guadalupe Trail NW, Los Ranchos
- Camille Varoz – 427 El Paraiso Rd. NW, Los Ranchos
- Marsha Smiley – 623 El Paraiso Rd. NW, Los Ranchos

**Discussion:** Concerns continue surrounding safety in the community, pooling of water, parking in neighborhoods, keeping residents informed, and Administration should slow down before acting on additional developments in the Village. Suggestion of installing “No Parking Signs” in high-density neighborhoods. The notice of mailing radius of 300’ should

1 increase to 400’ to better inform residents. Not enough green space with current  
2 developments. Los Ranchos should stay agricultural vs. more housing development. Adding  
3 another entrance/exit on Chavez Road will add further congestion.

4  
5 **3. CONSENT AGENDA**

- 6 a) Approval of the Consent Agenda – No corrections or changes  
7 1. July 11, 2023, Regular Meeting Minutes

8 **Motion:** Commissioner Barrow moved to approve the minutes of July 11, 2023 as read.

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

10 **Vote: The motion carried (6-0 ) by roll call vote.**

- 11  
12 *Commissioner Homan – yea*  
13 *Commissioner Barrow – yea*  
14 *Commissioner Gay– yea*  
15 *Commissioner Smith – yea*  
16 *Commissioner Martinez – yea*  
17 *Commissioner Michelson – yea*  
18

19 **4. PUBLIC HEARINGS & APPLICATIONS**

20  
21 **A. V 23-04;** A request by Duane and Brenda Summers for approval of a Variance from  
22 §9.2.10(E)(2)(a) requiring a 15-foot rear setback and a 10-foot side setback. The  
23 property is zoned R-2, is located at 519 Charles Pl. NW in the Fourth Street Character  
24 Area and is legally described as Lot 14 Block 3 Green Valley Addition. The property  
25 contains 0.33 acres more or less

26  
27 **Ann Simon, Village Administrator,** having been sworn in by Attorney Winter, gave the  
28 planning report with recommendation of denial.

29  
30 **Speakers for the Discussion:**  
31 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*  
32 *Winter.*

33  
34 **SPEAKERS:** **POSITION:**  
35 Brenda Summers – 519 Charles Pl., Los Ranchos Applicant  
36 Amy Legant – 511 Charles Pl., Los Ranchos In favor  
37 Camille Varoz – 427 El Paraiso Rd., Los Ranchos In favor  
38

- 39 **Discussion:**  
40
  - The applicant spoke to their application.
  - Commissioner presented questions for applicant regarding other options to build.
  - Applicant responded to comments heard.
  - Floor was closed for comments.  
44

- 45 **Commissioners’ Discussion:**  
46
  - Setbacks encroach in the utility easement not providing enough space for utility  
47 truck(s) to enter.

1  
2 **Motion:** Commissioner Homan moved to deny.  
3 **Second:** Commissioner Gay seconded the motion.

4  
5 **Vote: The motion carried unanimously (6 - 0) by roll call vote:**

- 6  
7 *Commissioner Homan – yea*  
8 *Commissioner Barrow – yea*  
9 *Commissioner Gay – yea*  
10 *Commissioner Smith – yea*  
11 *Commissioner Martinez – yea*  
12 *Commissioner Michelson – yea*

13  
14 **Chairman Michelson** stated that the public hearing on item **V 23-04** a request by Duane and  
15 Brenda Summers for denial of a Variance from §9.2.10(E)(2)(a) requiring a 15-foot rear  
16 setback and a 10-foot side setback is formally closed.

17  
18 **B. V 23-05;** A request by Charles Henry and Sharon Niederman for approval of a  
19 Variance from §9.2.11(C)(1) requiring guest houses be limited to 1,000 square  
20 feet. The property is zoned R-3 in the Fourth Street Character Area, is located at  
21 305 Wayne Rd NW, and is legally described as Lot 7 Englebrecht Subdivision.  
22 The property contains 0.574 acres more or less.

23  
24 **Ann Simon, Village Administrator**, having been sworn in by Attorney Winter, gave the  
25 planning report with recommendation of denial.

26  
27 **Speakers for the Discussion:**  
28 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*  
29 *Winter.*

30  
31 **SPEAKER:** **POSITION:**  
32 Charles Henry – 305 Wayne Rd., Los Ranchos Applicant  
33 Sharon Niederman – 305 Wayne Rd., Los Ranchos Applicant

- 34  
35 **Discussion:**  
36 • The applicant(s) spoke to their application.  
37 • Commissioners presented questions for applicant.  
38 • Applicant responded to comments heard.  
39 • Floor was closed for comments.

40  
41 **Commissioner’s Discussion:**  
42 • Is a medical hardship an exception to the rule, this will set a precedence if a 1,500 SF  
43 casita is approved, need to consider age-in-place for residents, possibly consider this a  
44 onetime variance approval. If approved, there is a 15-day appeal period.

45  
46 **Motion:** Commissioner Gay moved to approve.  
47 **Second:** Commissioner Barrow seconded the motion.

1 **Discussion on Motion:** Commissioners discussed how they would each be inclined to vote  
2 and provided reasoning behind their positions.

3  
4 **Vote: The motion carried (6 -0) by roll call vote:**

5  
6 *Commissioner Homan – yea*  
7 *Commissioner Barrow – yea*  
8 *Commissioner Gay– yea*  
9 *Commissioner Smith – yea*  
10 *Commissioner Martinez – yea*  
11 *Commissioner Michelson – yea*  
12

13 **Chairman Michelson** stated that the public hearing on V 23-05 by Charles Henry and Sharon  
14 Niederman for approval of a Variance from §9.2.11(C)(1) requiring guest houses be limited to  
15 1,000 square feet is formally closed.  
16

17 **C. CDSP 23-01;** A request by Chavez Guadalupe, LLC for review and  
18 recommendation of a Conservation Development Standards Permit as allowed by  
19 §9.2.27. The request is for a residential development in the A-1 Zone in the  
20 Guadalupe Trail Character Area. The property is located at 6535 Guadalupe Trail  
21 NW and is legally described as a tract of land situated within the Elena Gallegos  
22 Grant, projected Section 29, Township 11 North, Range 3 East, New Mexico  
23 Principal Meridian, within M.R.G.C.D. Mop No. 29, being all of Tracts 36-A-1-  
24 E-2, 36-A-2-E-2, 36-A-3-E-2, 36-A-1-F, 36-A-2-F, 36-A-3-F, 35-A-2-A and 62-  
25 8-2-B, M.R.G.C.D. MAP NO. 29. The property contains 9.2682 acres more or  
26 less.  
27

28 **Ann Simon, Village Administrator** gave the planning report for review and  
29 recommendation with conditions to the Board of Trustees.  
30

31 **Speakers for the Discussion:**

32 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*  
33 *Winter.*  
34

35 **SPEAKER:**

36 Scott Schreiber – 9400 Del Arroyo Ave, ABQ  
37 Gordene MacKenzie – 7315 Guadalupe Trail NW, Los Ranchos  
38 Nancy Nangeroni – 7315 Guadalupe Trail NW, Los Ranchos  
39 Diana Clark – 601 El Paraiso Road, Los Ranchos  
40 Mary Chappell – 6435 El Caminito de Guadalupe, Los Ranchos  
41 Jennifer Kueffer – 722 Mullen Rd., Los Ranchos  
42 Randal Gins – 908 Green Valley Rd., Los Ranchos  
43 Joe Craig – 505 Calle del Pajarito, Los Ranchos  
44 Jeff Rob -  
45 Ann Stern – 613 Sandia View Rd., Los Ranchos  
46 Patrick Hurley – 909 Salamanca, Los Ranchos  
47

**POSITION:**

On behalf of applicant  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition

1 **Discussion:**

- 2 • The applicant spoke to their application using a slide show.
- 3 • Commissioners presented questions for applicant:
- 4 ○ Will the open space remain and be visible from the road, what are the water
- 5 rights, do existing casitas become part of new residence, how does the FAR
- 6 work, will the HOA have control over the open space?
- 7 • Concerns surrounding second entrance/exit on Chavez Road, not affordable housing
- 8 for young families and the aging population, high density is not the Village vision, will
- 9 the HOA have control over the open space, Villagers are not being heard, the character
- 10 of the Village is being destroyed, public notice radius of 300' should be increased,
- 11 Village is spending an excessive amount of monies to fix Chavez Road, objections of
- 12 excessive greed, conditional use application process should add "No Guest Houses."
- 13 • Applicant responded to comments heard.
- 14 ○ Will confirm if two entrances/exits are in fact a Fire Department requirement.
- 15 Open space will remain as it currently is with a planned 4' post and rail type
- 16 fence surrounding it. There is a formula to calculate the FAR. New homeowners
- 17 have the option to keep existing casitas, but they are included in the FAR
- 18 calculations. Water rights will continue as is - using the laterals.
- 19 • Floor was closed for comments.
- 20

21 **Commissioner's Discussion:**

- 22 • This is private property, and the landowner has the right to do what they want. P&Z
- 23 Commission is only part of the process that recommends the findings and conditions to
- 24 the Board of Trustees. Review of what the P&Z Commissioners are appointed to do.
- 25 What are the plans for the open space, i.e., maintenance, irrigation.
- 26 • Add to conditions and findings for BOT review:
- 27 ○ Open space language to include maintenance
- 28 ○ Keep visual openness of the open space
- 29 ○ Open space not to be left in a HOA Agreement
- 30

31 **Motion:** Commissioner Homan moved to recommend approval to the Board of Trustees with

32 the additional findings.

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

34

35 **Discussion on Motion:** Commissioners discussed how they would each be inclined to vote

36 and provided reasoning behind their positions and will continue to look at the Master Plan and

37 Village Ordinances for guidance.

38

39

40 **Vote: The motion carried (5 -1) by roll call vote:**

41 *Commissioner Homan – yea*

42 *Commissioner Barrow – yea*

43 *Commissioner Gay– nay*

44 *Commissioner Smith – yea*

45 *Commissioner Martinez – yea*

46 *Commissioner Michelson – yea*

47

1  
2 **Chairman Michelson** stated that the public hearing on **CDSP 23-01** a request by Chavez  
3 Guadalupe, LLC for review and recommendation including additional findings is formally  
4 closed.

5  
6 **D. Appeal to SDP 23-05;** A request by Chavez Guadalupe, LLC for review and  
7 recommendation of a Preliminary Site Development Plan as allowed in §9.2.27. The  
8 request is for a residential development in the A-1 Zone in the Guadalupe Trail  
9 Character Area. The property is located at 6535 Guadalupe Trail NW and is legally  
10 described as a tract of land situated within the Elena Gallegos Grant, projected Section  
11 29, Township 11 North, Range 3 East, New Mexico Principal Meridian, within  
12 M.R.G.C.D. Mop No. 29, being all of Tracts 36-A-1-E-2, 36-A-2-E-2, 36-A-3-E-2, 36-  
13 A-1-F, 36-A-2-F, 36-A-3-F, 35-A-2-A and 62-8-2-B, M.R.G.C.D. MAP NO. 29. The  
14 property contains 9.2682 acres more or less.

15  
16 **Ann Simon, Village Administrator** gave the planning report for approval with findings and  
17 conditions to the Board of Trustees.

18  
19 **Speakers for the Discussion:**

20 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*  
21 *Winter.*

22  
23 **SPEAKER:**

24 Scott Schreiber – 9400 Del Arroyo Ave, ABQ  
25 Nancy Nangeroni – 7315 Guadalupe Tr., Los Ranchos  
26 Marsha Smiley – 623 El Paraiso Rd., Los Ranchos  
27 Jennifer Kueffer – 722 Mullen Rd., Los Ranchos  
28 Patrick Hurley – 909 Salamanca, Los Ranchos  
29 Randal Gins – 908 Green Valley, Los Ranchos  
30 Joe Craig – 505 Calle de Pajarito, Los Ranchos  
31 Gordine MacKinzie – 7315 Guadalupe Tr., Los Ranchos

23 **POSITION:**

On behalf of applicant  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition  
In opposition

32  
33 **Discussion:**

- 34 • Commissioner presented questions for applicant.  
35 ○ Are properties going to be fenced facing the open space?  
36 ○ Confirmation if the two entrances are in fact a Fire Department Code  
37 • Public comments included opposition of two entrances, concerns with parking  
38 overflow and increased traffic on other streets. Public claimed in 2019, Friends of Los  
39 Ranchos was actively working with Kelly Ward and Larry Abraham to buy this  
40 property at 3 million and Jim Long came in with an offer and closed in 30 days. Public  
41 claimed property was purchased as an investment not for personal ownership. Friends  
42 of Los Ranchos urged the Commission to deny and send back to P&Z for correct  
43 approval process.  
44 • Applicant responded to comments heard.  
45 • Floor was closed for comments.

1  
2 **Commissioner’s Discussion:**

- 3 • Confirm notification radius.  
4 • Attorney Winter and Administrator Simon responded.

5  
6 **Motion:** Commissioner Michelson moved to forward preliminary review and  
7 recommendations to the Board of Trustees for approve with additional findings from Agenda  
8 Item 4.C.

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

10  
11 **Discussion on Motion:** Commissioner Homan wanted clarification on the motion.

12  
13 **Vote: The motion carried (5 - 1) by roll call vote:**

- 14 *Commissioner Homan – yea*  
15 *Commissioner Barrow – yea*  
16 *Commissioner Gay–nay*  
17 *Commissioner Smith – yea*  
18 *Commissioner Martinez – yea*  
19 *Commissioner Michelson – yea*  
20

21 **Chairman Michelson** stated that the public hearing on **SDP 23-05 A** request by Chavez  
22 Guadalupe, LLC for review and recommendation of a Preliminary Site Development Plan as  
23 allowed is formally closed.

24  
25 **E. S 23-05 A** request by Chavez Guadalupe, LLC for review and recommendation of a  
26 Preliminary Plat for a Major Subdivision as allowed in §9.2.27. The request is for a  
27 residential development in the A-1 Zone in the Guadalupe Trail Character Area. The  
28 property is located at 6535 Guadalupe Trail NW and is legally described as a tract of  
29 land situated within the Elena Gallegos Grant, projected Section 29, Township 11  
30 North, Range 3 East, New Mexico Principal Meridian, within M.R.G.C.D. Mop No.  
31 29, being all of Tracts 36-A-1-E-2, 36-A-2-E-2, 36-A-3-E-2, 36-A-1-F, 36-A-2-F, 36-  
32 A-3-F, 35-A-2-A and 62-8-2-B, M.R.G.C.D. MAP NO. 29. The property contains  
33 9.2682 acres more or less.

34 **Ann Simon, Village Administrator** gave the planning report for review and  
35 recommendation of approval for a preliminary plat of a major subdivision with findings and  
36 conditions.

37  
38 **Speakers for the Discussion:**

39 *Shown in the order of presentation. All speakers in attendance were sworn in by Attorney*  
40 *Winter.*

41  
42 **SPEAKERS:**

43 Scott Schreiber – 9400 Del Arroyo Ave, ABQ  
44 Joe Craig – 505 Calle del Pajarito  
45 Michelle Smiley – 623 El Paraiso Rd., Los Ranchos  
46 Randal Gins – 908 Green Valley, Los Ranchos  
47 Marsha Smiley – 623 El Paraiso Rd., Los Ranchos

**POSITION:**

On behalf of applicant  
In opposition  
In opposition  
In opposition  
In opposition

3  
4 **Discussion:**

- 5 • Commissioner Homan presented questions for Administrator Simon and Attorney  
6 Winter.
  - 7 ○ Confirmation on process and next steps.
- 8 • Administrator Simon and Attorney Winter responded.
  - 9 ○ Agenda item will have multiple opportunities for hearings and public input.
- 10 • Public comments: Flawed process, strongly urge deny, public comment at past  
11 meetings in favor were not residents of the Village, claimed property is on a watershed,  
12 need to save the sand cranes, Heritage can build anywhere why here, not listening to  
13 your constituents, can the Village negotiate with the owners to purchase property, keep  
14 the open space. The Village appears to be more concerned about what happens on Rio  
15 Grande Blvd and how it looks and catering to builders. All participants here tonight are  
16 in opposition. The Village is “rubberstamping” 16 homes. This affects not just families  
17 within 400’ it concerns the entire Village. Public claimed that Fire Department can  
18 block off an entrance/exit for their access only. Vote for a delay to gain more  
19 understanding and clarification on procedures.
- 20 • Commissioner comments: The Planning and Zoning are not elected officials we are  
21 appointed. Commissioners are here to listen and use the Village Codes, Ordinances and  
22 Master Plan to make informed decisions. It was confirmed that a 400’ radius notice was  
23 provided for this meeting.
- 24 • Applicant responded to comments heard.
- 25 • Floor was closed for comments.

26  
27  
28 **Motion:** Commissioner Homan moved to delay this item until the September meeting.

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

30  
31 **Discussion on Motion:**

32 Commissioners discussed how they would each be inclined to vote and provided reasoning  
33 behind their positions.

34  
35 **Revised Motion:** Commissioner Homan moved to delay this item until the October meeting.

36  
37 **Discussion on Revised Motion.** Commissioners discussed their positions.

38  
39 **Commissioner Homan Withdrew her Motion**

40 **Commissioner Barrow Withdrew her Second**

41  
42 **Motion:** Commissioner Smith moved to forward for review and recommend to the BOT for  
43 approval and include additional conditions listed in Agenda Items 4.C and 4. D and additional  
44 clarification on Green Space.

45 **Second:** Commissioner Barrow seconded the motion

46  
47 **Vote: The motion carried (5 -1) by roll call vote:**

48 *Commissioner Homan – yea*



- 1 Commissioner Barrow – yea
- 2 Commissioner Gay–nay
- 3 Commissioner Smith – yea
- 4 Commissioner Martinez – yea
- 5 Commissioner Michelson – yea
- 6

7 **Chairman Michelson** stated that the public hearing on **S 23-05**; A request by Chavez  
8 Guadalupe, LLC for review and recommendation of a Preliminary Plat for a Major  
9 Subdivision as allowed in §9.2.27 was formally closed.

10  
11 **5. OLD BUSINESS**  
12 *There was no Old Business*

13  
14 **6. NEW BUSINESS**  
15 *Welcome Baby Violet and Congratulations to Director Ruben*

16  
17 **7. REPORTS**  
18 *No reports*

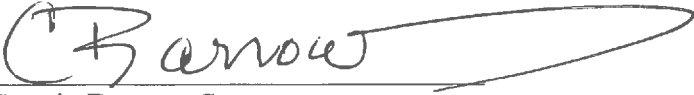
19  
20 **8. COMMISSIONERS’ INFORMAL DISCUSSION**  
21 *No discussion*

22  
23  
24 **9. ADJOURNMENT**

25  
26 **Chairman Michelson adjourned the meeting at 11:01 pm**

27  
28  
29 **Approval of the August 8, 2023 Minutes**

30  
31 These minutes have been **APPROVED** by the Planning & Zoning Commission of the  
32 Village of Los Ranchos de Albuquerque this 10<sup>th</sup> day of October, 2023.

33  
34 ATTEST:  
35  
36 

37  
38 Connie Barrow, Secretary  
39 Planning & Zoning Commission

