

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING – 7:00 P.M.
September 10, 2003

Present:

John Hooker, Mayor
Penny Rembe, Trustee/Mayor Pro Tem
David Siegel, Trustee
Don Lopez, Trustee
Pablo Rael, Trustee

Cyndie Tidwell, Planner
Hank Rosoff, Administrator
David Mathews, Attorney
Annabelle Silvas, Clerk
Allen Leatherwood, Treasurer

1. CALL TO ORDER

The Village of Los Ranchos Governing Body held a Regular Meeting on Wednesday, Sept. 10, 2003 in the Warren J. Gray Hall. The meeting was called to order at 7:00 p.m.

A. APPROVAL OF AGENDA

MOTION: Trustee Rembe moved to approve the agenda. Trustee Siegel seconded the motion.

VOTE: The motion carried unanimously.

2. PUBLIC COMMENT PERIOD

None.

3. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting – August 20, 2003

B. Receive Department and Committee Reports

1. Police
2. Fire
3. Animal Control
4. Court

Trustee Lopez said he had one minor change on Page 9, under informal discussion, last sentence of paragraph 9, Administrator Rosoff said it was 14 properties and they are not marked on the map in the lobby, the word “not” should be removed.

Trustee Siegel said the police report is quite voluminous and requests that it be summarized, and he would like the sergeant to be present at a meeting.

MOTION: Trustee Lopez moved to approve the Consent Agenda with the corrections stated. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously.

4. PUBLIC HEARINGS AND APPLICATIONS

A. Request by Paul Denny Gentry for a Special Use Permit to allow parking and storage of vehicles and/or business inventory of potential renters or lessees in the R-2 Zone. The property is located at 7511 4th St. NW and legally known as A certain parcel of land situate in Section 21, Township 11 North, Range 3 East, N.M.P.M. , Bernalillo County, New Mexico, said parcel being identified as Tract 103-B on Middle Rio Grande Conservancy District Property Map No. 27. This parcel contains approximately 1.945 acres. The Board of Trustees heard an application for Zone Map Amendment on July 23, 2003 and July 31, 2003 and moved that an application for Special Use Permit delineating specific uses of the Special Use Permit be applied for.

Trustee Siegel said that Item 3-C seemed a little vague. Storage of business inventory for tenants of the building seems a little vague and wide-ranging.

Paul Denny Gentry explained his application. He said there was 3600 square feet of covered storage area.

Trustee Siegel suggested striking this item and if a request for storage came up then Mr. Gentry could come back with a specific request.

Planner Tidwell asked for clarification, that the request was for a zone map amendment for a Special Use Permit on the R-2 portion of this lot.

Paul Denny Gentry said he was under the assumption that at the last meeting it had been decided to expand the C-1 to 300 feet per the Master Plan and the remainder would be Special Use.

Planner Tidwell explained the zoning of the Gentry property.

MOTION: Trustee Siegel moved to approve the zone map amendment with Item 3-C of the Planner's Report stricken and that the commercial depth of the property be extended to 300 feet from the 4th Street right of way. Trustee Lopez seconded the motion.

VOTE: The motion carried unanimously.

B. Discussion and Approval of Change in Ownership of Existing Liquor License for Sun Valley Bowl Robert H. Bowers – 6132 4th St NW

Trustee Siegel asked about the public notice saying winery license.

Planner Tidwell pointed out the recommendation or condition number 1. It was suggested that we cite the 1997 Uniform Fire Code.

Mike Draper said he had met with the Fire Marshall and Juan Cordova and said there were some discrepancies in the 1997 Fire Code on which they did not agree. They did agree to an occupancy of 860 for the bowling alley, not the adjacent restaurant or bar. He said he was supposed to get an occupancy certificate the next day and still have not received it. He has been advised that attaching any conditions to a liquor license is not proper and should not be done.

Trustee Siegel said this brings up the question of why we even vote on these liquor licenses.

Attorney Mathews said the municipality does have some power and the statute states that the municipality can disapprove only if the proposed location is within an area where the sale of alcohol is prohibited by the state, the transfer of the liquor license would violate zoning or it would be detrimental to public health, safety and morals of the community. We can not attach zoning requirements to a liquor license.

Trustee Siegel said condition number one is not a zoning requirement; it's a public safety issue. He thinks that we can attach it. He asked why the other conditions were recommended if they are not allowed to attach them.

Trustee Rembe asked if the fire suppression system was completed.

Planner Tidwell said they are working with Mr. Bowers on the signs, but haven't been given any timeline, construction drawings or a permit application.

MOTION: Trustee Siegel moved approval with the staff recommendations. Trustee Rael seconded the motion.

AMENDED MOTION: Trustee Siegel moved to amend approval with the staff recommendation number 2 being withdrawn. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously.

C. Discussion and Approval of New-Restaurant Liquor License (Beer & Wine only) for El Camino Dining – Amanda Chavez & Lydia Sakelaris - 6800 4th St NW

MOTION: Trustee Siegel moved to approve the El Camino Liquor License. Trustee Lopez seconded the motion.

VOTE: The motion carried unanimously.

5. OLD BUSINESS

A. Discussion and Approval to amend the Alarm Ordinance (Chapter 2 of the Codified Ordinances) sections 2,3,4,5,10,11,12 & 14 with a new section 13 added.

Administrator Rosoff explained the major changes in the ordinance.

Trustee Siegel asked if old permit holders would have to reapply.

MOTION: Trustee Lopez moved to approve. Trustee Rembe seconded the motion.

VOTE: Lopez, aye; Siegel, aye; Rembe, aye; Rael, aye. The motion carried unanimously.

6. Discussion and Approval an amendment to Ordinance No. 162, Section 7, of the Wireless Telecommunications Ordinance

Administrator Rosoff explained that when the wire communications ordinance was passed it did not anticipate the creation of the Village Center Zone. This amendment adds the VC Zone to it and the conditions in the zoning ordinance would require that a wireless communication facility in the VC Zone would be completely hidden.

MOTION: Trustee Siegel moved to approve. Trustee Lopez seconded the motion.

VOTE: Lopez, aye; Siegel, aye; Rembe, aye; Rael, aye. The motion carried unanimously.

7. NEW BUSINESS

A. Discussion of Special Use Zoning Criteria and Subdivision Ordinance

Trustee Lopez asked if changes had been made in draft form in this ordinance.

Administrator Rosoff said changes hadn't been made because they needed more clarification to draft the language correctly.

There was discussion about public notice on this item.

Administrator Rosoff said the first comment that Dr. Siegel made was about minimum open space on certain corridors. He suggested that the Board needs to define those corridors all the way down to the parcel level.

Trustee Lopez said that the Master Plan did have a map that showed what we considered the corridors to be.

Administrator Rosoff said there was but it was not defined far enough for zoning purposes.

There was a lengthy discussion on where to define boundaries for corridors. A point system was discussed. The discussion followed the boundaries as defined in the Master Plan Map 4.1.1. Staff was directed to submit a proposal at the next meeting.

B. Discussion and Approval of Resolution No. 2003-9-1 – Regarding Montano Bridge

Trustee Lopez said the draft looks good. He asked if the idea was to present it to the City of Albuquerque.

Mayor Hooker said basically the Board is authorizing the Mayor to negotiate with the city. This is a starting point.

Trustee Rembe said that another environmental impact study will need to be done and asked if all four resolutions from 2000 could be listed.

Mayor Hooker spoke about his meeting with a neighborhood association concerning 4th and 2nd Street intersections, and the lack of improvements made there by the city and their apparent lack of interest in improvements before the restriping of the bridge.

MOTION: Trustee Lopez moved approval of Resolution No. 2003-9-1. Trustee Rembe seconded the motion. Trustee Rembe asked to amend the last paragraph that the four bills that the City of Albuquerque passed (in 2000 resolution) be listed on the resolution. Trustee Lopez supported that amendment.

VOTE: Lopez, aye; Siegel, aye; Rembe, aye; Rael, aye. The motion carried unanimously.

8. FINANCIAL BUSINESS

A. Discussion and Approval of FY 2001-2002 Auditor's Report

Trustee Lopez said on page 17 it shows that we were over budget by \$101,753 and he assumed this was in line.

Administrator Rosoff explained the overages.

Treasurer Leatherwood explained the expenditures not being in compliance with the state statutes.

Trustee Rembe requested that the auditors be at the September 24 meeting in a closed session at 6:30 p.m.

MOTION: Trustee Lopez moved to approve. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously.

9. REPORTS

A. Mayor's Report

Mayor Hooker said the neighbors in Dietz Farms and Los Poblanos have met to discuss the Montano Bridge. There is a charrette coming up on Sept.23 at Central and Broadway on street design. (edocharrette.com) Mayor Chavez held a press conference on the resolution on the regional transit district. A draft will be before the Board on the 24th. MRCOG is leading the effort on how to create this district. Trails Committee has met twice now and are looking into the history of trail planning in the Village. Governing Magazine is hosting a conference on leadership next month that he would like to attend with Board consent (in Denver.) The City of Albuquerque is working on implementing their Centers and Corridors Plan. That could affect the 4th Street Corridor in terms of zoning changes or streetscape plans, etc. The City hopes to roll out their bus rapid transit by next March in their central corridor. There are lawsuits still underway regarding covenants on Los Ranchos Plaza shopping center.

B. Administrator's Report

Administrator Rosoff said he met with FHWA and discussed small details and the project is moving forward. The traffic light project at Los Ranchos and 4th began on Sept. 2nd. There will be about a 2 week break before it finishes up in early October. The parking lot at Hartnett Park is scheduled for some rehab work later this month. The new picnic tables and bench have been set up; other new items have arrived and will be set up. The Planning Aide position has been advertised and closed out yesterday, there were 8 applicants.

C. Legal Report

Attorney Mathews said Sandoval County and Bernalillo County have both set up traps and spraying for areas of infestation. Mediation has been set up to discuss the damage in Sanchez vs. Heartland case. The motion to dismiss the appeal has not been acted on. He said it would be in the Village's best interest for him to meet with the mediator and the attorneys to understand exactly what the position on damages are. The annexation packet needs to be turned in to Bernalillo County. The annexation meeting went well, but the Municipal Boundary Commission wanted Bernalillo County to review. A resolution for an additional 100' of property bought by the apartment owners needs to be done to add that to the annexation. I'm continuing to review the Montano Bridge documents, every one refers to the two lanes and the settlement was never signed. Subdivision conditions will be recorded with Bernalillo County Clerk. An easement agreement has been provided for Horizon Academy.

D. Planner's Report

Director Tidwell said that the Board will see at the next meeting a site development plan amendment for Northdale. Scenic Byway Grant has been executed but she has not had time to put out an RFP for resource management master plan for the Village. The apartments behind the bowling alley are under new management and ownership. The bowling alley has

been brought up to code. The exterior has been re-stuccoed. They are planning to have a restaurant and bar and need to come before the P&Z Commission for a Conditional Use Permit, which has not been done yet. The Village of Los Ranchos won an award for the new zoning code. The sign approval for I.C. Mart was discussed, also that the actions at the store should be reported to the State Liquor Board.

E. Fire Dept. Report

Administrator Rosoff reported on the fire department budget and said that the rank promotions are being looked into.

F. Engineer's Report

None.

10. TRUSTEES INFORMAL DISCUSSION

Trustee Rael reported that he has been invited to go to Washington D.C. with the wastewater board. He asked how old Rob Lee Meadows was, because of failing septic systems, and wondered why those areas were bypassed by the sewer department. Administrator Rosoff explained why they bypassed that area. Ponding along 4th Street was discussed, mosquito problems were brought up. Trustee Siegel wanted an ordinance at the next board meeting banning cell phone use while driving in the Village. MRCOG has created a mid-region agricultural task force and the next meeting is Sept. 17th at 9 am. Mayor Hooker spoke about historic scenic markers for the Village.

11. ADJOURNMENT

MOTION: Trustee Rael moved to adjourn at 10:20 p.m. Trustee Lopez seconded the motion.

VOTE: The motion carried unanimously.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this _____ day of _____ 2003.

ATTEST:

Annabelle Silvas, CMC
Village Clerk