



VALENCIA COUNTY PLANNING & ZONING COMMISSION

MINUTES

March 26, 2014

4:00 PM

**Valencia County Courthouse Commission Chambers
444 Luna Ave, Los Lunas, NM 87031**

Roll Call:

Present: Commission-Chairwoman Artiaga, Commissioner Garcia-Shaffner, Commissioner Baca, Commissioner Huey, Jacobo Martinez (Not Voting)

1. CALL THE MEETING TO ORDER

Chairman Artiaga

2. PLEDGE OF ALLIGANCE

Commissioner Garcia-Shaffner

3. APPROVAL OF AGENDA

Action: Approve

Moved by Commissioner Garcia-Shaffner

Seconded by Commissioner Huey

Motion passed unanimously

4. APPROVAL OF MINUTES:

January 22, 2014...**Tabled**

February 26, 2014

Action: Approve

Moved by Commissioner Huey

Seconded by Commissioner Garcia-Shaffner

Motion passed unanimously

5. SWEARING IN OF PARTICIPANTS

Chairwoman Artiaga

6. ACTION ITEM(S):

A. REQUEST FOR CONDITIONAL USE –HOME OCCUPATION:

Applicant: VC WINERY

Purpose: Plant and harvest grapes for wine production

Legal Description: T6N, R2E, Section 18, Map 86, NMPM; Land of John Schultz; Tract 3; Zoned RR-2; Filed in Book 357, Page 3846 of the office of the Valencia County Clerk; Also known as 1419 Peyton Rd., Los Lunas, NM 87031.

Property is located at the SE corner of Las Campanas & Peyton Rd. and the NW area of Schultz Ln.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Valencia County Planning & Zoning Office at the Valencia County Courthouse, Los Lunas, New Mexico, (505) 866-2050 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Valencia County Manager's Office at the old Valencia County Courthouse if a summary or other type of accessible format is needed.



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Mr. Martinez stated the applicant is requesting a Conditional Use-Home Occupation within an RR-2 district to allow for the growing of grapes and production of wine. Mr. Martinez stated the applicant will not be selling wine out of the home but rather will sell the wine at wine festivals and other establishments. Mr. Martinez stated there will not be any impact in noise or odor, and there is agricultural preservation in the region. Mr. Martinez pointed out to the west of the property there are properties zoned I-1. Mr. Martinez stated since 2010 there have been two other applicants that have come in for this type of condition use-one in Tome and one south of Belen. Mr. Martinez stated this request is coming before the Commission because even though in an RR-2 zone, agricultural activity is allowed, which is the harvesting, growing and selling of grapes, the applicants are required to have a license from Valencia County in order to fulfill alcohol and gaming requirements. Mr. Martinez stated the property is about 2.8 acres that would be used for growing and harvesting of grapes. Mr. Martinez stated the applicant is present and would stand for any questions.

Commissioner Garcia-Shaffner asked Mr. Martinez to explain again what conditional use is.

Mr. Martinez stated in every zone there are permissible uses, the used that are absolutely allowable without any type of permission from County Officials. Mr. Martinez stated conditional uses are uses that are allowed on the condition the Planning & Zoning Board passes it and agrees to it. Mr. Martinez stated the Planning & Zoning Board can make any type of condition they want, whether it be hours of operation, various fencing barriers, etc., Mr. Martinez stated a Home Occupation, specifically in an RR-2 Zone allows for a small business to be conducted on the property with no more than two employees not including the property owner, and there has to be somebody living on the property and have to utilize their land for that Home Occupation Business, and therefore small signage and a small amount of traffic.

Commissioner Garcia-Shaffner asked Mr. Martinez if the applicants decide they do not want to have a vineyard anymore, would the property continue to be zoned RR-2 and if another business wants to be placed on their would that business have to come back in front of the Commission for permission.

Mr. Martinez stated yes and the condition use is specific to that use.

Commissioner Huey asked Mr. Martinez if there is a time limitation for the conditional use.

Mr. Martinez stated there is not a time limitation and runs with the use itself.

Ms. Sanchez stated her name is Marisa and also presented her father Leonard Sanchez and thanked the Commission for hearing the case today. Ms. Sanchez stated they are partners with VC Winery which is a small family owned and operated winery. Ms. Sanchez stated the winery would consist of small batch production and not large mass production. Ms. Sanchez stated the winery would focus on cultivating, producing and bottling high quality tasting wine which would be sold at wine festivals and liquor stores as well as boutique type stores. Ms. Sanchez stated there will not be any hours of operation as this is her parent's primary residence and would like to keep it that way. Ms. Sanchez stated there will not be tasting room or employees and the property

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will be used for planting root stock, cultivating and growing the grapes along with a twelve by twelve office space, a twelve by twelve production area, and a twelve by twelve area that would be a bonded area for storage of the product.

Mr. Sanchez stated his grandfather used to be a wine grower in Cedillo and would like to continue the tradition, and will be getting the same type of grapes he started with.

Chairwoman Artiaga asked what type of grapes would be used.

Ms. Sanchez stated there will be three bridals to start off with- a chardonnay, a zinfandel and a cabernet which are known to do well within this region.

Mr. Sanchez stated they have also consulted with County extension office to check the soil and verify what types of grapes do well here.

Commissioner Louie asked the applicants if the plan on buying and bringing in any crushed grape.

Ms. Sanchez stated it will take about three to four years to start harvesting the grapes and there is a potential that they may need to buy juice from larger vineyards to start off with and bottle some outsourced juice within the first three years to help them financially until they are able to produce and bottle their own grapes.

Commissioner Louie asked the applicants if they would be putting up two buildings.

Ms. Sanchez stated the buildings are existing structures.

Commissioner Louie asked the applicants if they would be selling the waste from the wines.

Ms. Sanchez stated everything being planned is eco-friendly and do not plan on bringing in any insecticides or harmful chemical and will be composting the waste the grapes would produce.

Commissioner Louie asked the applicants if there would be tourists.

Ms. Sanchez stated there would not be any at all whatsoever.

Mr. Martinez stated to the Commission he needed to clarify and correct his statement regarding a time limit for the permit, and stated that it does expire after two years at which time the permit can be renewed provided the requirements are still being met.

Chairwoman Artiaga asked if there was anybody who would like to speak in favor of this.

Ms. Hendron stated her name is Patricia and is the next door neighbor and would like to know if this would change her property taxes by making this a commercial property.

Chairman Artiaga stated this is a request for a conditional use and it is not changing the zoning at all and should not change the value of the property or taxes.

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Chairman Artiaga asked if there was anybody else in favor of the application. There were none.

Chairman Artiaga asked if there was anybody against the application. There were none.

Action: Approve

Moved by: Commissioner Baca

Seconded by: Commissioner Louie

Motion passed unanimously

Mr. Martinez stated to the applicants that their Conditional Use-Home Occupation for the winery has been passed by the Commission and a notification will be sent out and the date of the notification is the official date of the approval and there is a fifteen day appeal process during that time.

B. REQUEST FOR A ZONE CHANGE FROM RR-1 TO C-2:

Applicant: RSBR Investments, LLC-Overland Engineering, LLC as agent.

Purpose: Construction of a Dollar General Retail Store

Legal Description: T7N, REE, Section 28, N.M.P.M.; Land of Jimmy Duncan; Tracts B&C; Zoned RR-2; Filed in the office of the Valencia County Clerk; Also known as 276 Meadow Lake Rd., Los Lunas, NM 87031.

Property is located at the SE corner of Saxon Rd. and Meadow Lake Rd.

(Tabled by Applicant until April 26, 2014 Planning & Zoning Meeting)

Action: Approve

Moved by: Commissioner Garcia-Shaffner

Seconded by: Commissioner Louie

Motion passed unanimously

7. DISCUSSION

The Commission discussed the Tome/Adelino Community Development Plan as well as the Solar Overlay Zone Plan and decided both should be presented at the April 23, 2014 Planning & Zoning Commission Meeting.

8. NEXT MEETING: April 23, 2014 @ 4:00 P.M.

9. ADJOURNMENT

Action: Approve

Moved by Commissioner

Seconded by

Motion passed unanimously

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