



VALENCIA COUNTY PLANNING & ZONING COMMISSION

M-I-N-U-T-E-S

Tuesday November 28, 2023 @ 3:00 pm
Valencia County Administration Building
444 Luna Ave, Los Lunas, NM 87031

PRESENT	ABSENT
	Philip Sublett, Chair
Ralph Freeman, Vice Chair	
Mike Montoya, Member	
	Sue Moran, Member
Mark Aguilar, Member	
Ryan Baca, Land Use Planner	
Jerrie Romero, Land Use Planner Assistant	
Melissa Jaramillo, Community Development Director	

Also present were: Thomas P. Tinnin and John Kirkpatrick

1) CALL THE MEETING TO ORDER

A. At 3:14 PM Vice Chair Freeman brought the meeting to order.

2) PLEDGE OF ALLEGIANCE

B. Montoya lead the Planning & Zoning Commission and the audience in the Pledge of Allegiance.

3) APPROVAL OF AGENDA

C. Planning & Zoning Commissioners reviewed the Agenda

APPROVAL: Motion to approve Agenda.

MOVED: Commissioner Montoya

SECONDED: Commissioner Aguilar

CARRIED: Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Montoya – YES; Commissioner Aguilar – YES; Commissioner Freeman – YES).**

D. 4) APPROVAL OF MINUTES October 24, 2023 County Planning & Zoning Minutes.

APPROVAL: Motion to approve Minutes as presented.

MOVED: Commissioner Aguilar

SECONDED: Commissioner Montoya

CARRIED: Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Montoya – YES; Commissioner Aguilar – YES; Commissioner Freeman – YES).**



VALENCIA COUNTY PLANNING & ZONING COMMISSION

5) STAFF REPORT: Land Use Planner **Ryan Baca** updated the commissioners on the approval of two cases, the GHO#2023-077 and ZC#2023-069 Paul Baca's request out by Manzano Expressway that went forth to the BoCC on Nov. 15, 2023. At the September P&Z meeting there was a large turnout from the public for a zone change that was requested and tabled by the applicant. There was an article published in the News Bulletin about the situation and how it was handled. It was recommended for the board and anyone from the public to read the article if they have not already had a chance to do so. On Dec. 6th the public is invited to attend the Valencia County Annual Christmas Tree Lighting right after the BoCC meeting. On Dec. 19th on the next P&Z meeting, staff is requesting the P&Z commissioners to take new photos to update the website for the new year.

6) SWEARING IN OF PARTICIPANTS

Vice Chair Freeman swore in participants who would be speaking during hearing.

7) ACTION ITEM(S)

A. Zone Change #2023-089 (District V, P&Z Commissioner Aguilar, BoCC Saiz)

Thomas P. Tinnin requests a Zone Change from Rural Residential District 2 (RR-2) to Community Commercial District (C-2) for future commercial development. Legal Description: Tract: 34A2, 34C, 34D, 35A, 35B, 35C, 35D, 35E, 35F, 35G AND 36 S: 32 T: 7N R: 2E 56.21 ACRES M-596; Located on the NE corner of Morris Rd and Shawn Dr. in Los Lunas, NM 87031; UPC 1008037270291; Zoned Rural Residential District 2 (RR-2).

Background: This request is for a Zone Change from Rural Residential District (RR2). To Community Commercial District (C-2). Based upon the application and all available supporting information, this request does appear to meet all the applicable standards and criteria for a zone change within Sections 154.061 of the Valencia County Zoning Code.

Discussion ensued: Mr. Tinnin gave background history on his past developments in Valencia County and out of county and mentioned they have been very successful. This zone change request for the future development in Valencia County is an opportunity not to be taken lightly, he promised to work closely with neighboring groups and Govt. authorities, one to be proud of. Mr. Kirkpatrick mentioned the total of 58 acres is requested only for the zone change and 54 acres border the future bridge crossings comprised at 11 lots currently zoned rural residential, the site is bordered by vacant state land to the south and east, portions to the north are not part of request, the southern border of this property will be the new corridor, a four lane limited access highway that connects I25 to Hwy. 47. The bridge corridor is the reason for this request. Mr. Kirkpatrick briefly explained the comprehensive plan and its relations to this future project. The project focusses on commercial activity preserving the rural character to give a stronger commercial property, services will be closer, improved infrastructure connection, develop linkages overall growth stability. The development of this property to commercial will lessen the impact on Highway 6, Hwy. 47, I25 and Hwy. 314 and Mr. Tinnin's property is the largest piece on the corridor. This project will provide additional commercial and Retail services for new



VALENCIA COUNTY PLANNING & ZONING COMMISSION

businesses, to serve the other side of the county. Commercial businesses will boost through local economy through the creation of jobs, provisions of goods and services and will expand county tax space. This will be an essential addition to the county and will help support the successful implementation of the Morris Rd. Corridor.

P & Z/Public Line of Questioning: *Aguilar*, opens with the statement made by Kirkpatrick on traffic on hwy. 6, and how commercial building will alleviate traffic. *Aguilar* mentioned there would be more traffic on that corridor. *Kirkpatrick*, in response, yes the traffic handled on Hwy 6, may be divided by half, perhaps that direct impact by 2, he was not sure of estimated traffic counts. *Aguilar*, questioned the future development on this property. *Tinnin* in response, the vision is a very nice shopping center, walk-in mall, walking distance to restaurants, a bar, and maybe a movie theatre, a mid-town atmosphere, he stressed there will not be apartments built. *Montoya*, questioned the nature of the three other developments. *Tinnin*, in response, Tinnin Farms subdivision in north Alb a 30 year establishment. Lowes supermarket high grossing store on Juan Tabo rated top 50 in NM. Tinnin Meadows, Highland Center, all successful. *Montoya* to Kirkpatrick on the familiarity of the structure of the new bridge and the off ramps. *Kirkpatrick* in response, the plans for now are to access a frontage road, off the four lane corridor and the frontage road will serve this property. The frontage road is part of the corridor project. *Montoya* on NMDOT survey requirement for the size of this development. *Kirkpatrick* in response, no there have been many meetings attended with MRCOG they are in charge and meetings have also been made with the highway dept. If the development is large enough then a traffic study will be done according to the law. Right now this is just a request for a zone change. *Aguilar*, mentions the reason behind these questions, generating back to the question of this future development is because it is the boards concern for the residents, and to make sure if this does not benefit the community and may disrupt the life style, then it becomes a concern. *Tinnin*, in response is also concerned about the community's wellbeing. *Kirkpatrick*, we have to consider the citizens of the county as a whole and the benefit to the county as a whole, in respect to the constituents. There were **7 members of the public present in opposition of this request with standing**. The public shared concerns of too many shopping centers in the county, an increase of high traffic, explanations on the new corridor that is supposed to move the traffic not create more, a hospital is in need more than a shopping center, a suggestion was made to wait until the new corridor is built there is not enough information to make a decision. One member questioned if the property was going to be annexed by the Village of Los Lunas, and mentioned the request was denied. **No members of the public present in favor of this request**. A discussion cont. on the Village of Los Lunas annexation the water and sewer usage and denial of request in 2022 by the county. *Aguilar* asked if contact was made with the Village of Los Lunas in reference to annexation. *Kirkpatrick*, in response, that was not a viable option for this owner, the land is in the county and this zone change request is within the county. The Commissioner at that time may have had the idea the land would be annexed, but it will take years and not a guaranteed process before the land is annexed, there was no bearing on Tinnin's request and they did not want this P&Z body to think that it was. This is strictly Valencia County and not the Village of Los Lunas. *Montoya* asked if the decision to contact them, was based on the denial. *Kirkpatrick*, did not know why the request was denied they



VALENCIA COUNTY PLANNING & ZONING COMMISSION

111 followed the process. **Montoya**, on water and sewer connection. **Kirkpatrick**, the water and Sewer will
112 be served by the Village of Los Lunas for a fee and will be paying additional fees because the property is
113 not in the village, this was a verbal confirmation. **Montoya**, asked about the plan for noise reduction on
114 the proposed development. **Tinnin**, it depends on who is in there and there is a right away between
115 MRGCD and the ditch, property is separated a couple hundreds of feet. **Montoya** asked staff on the
116 commercial setbacks and on a ditch area. **Staff**, in response, there are no specific setbacks to a ditch in
117 the ordinance, but from the property line, 30 ft. front and 15 ft. sides, and the line against the MRGCD
118 property line (*ditch bank right away*) the setback is set. **Kirkpatrick** added the C2 Community
119 Commercial zone, limits commercial projects that often create louder noises, so the noise will be
120 determined by project by project. **Staff**, read from the noise nuisance ordinance specific to C2, standard
121 of limitations states character and rural atmosphere are to be preserved and if this request is approved
122 by the BoCC then a site design review will be the next step before any development can be allowed.
123 **Montoya** mentioned there is not enough clarification on the development and the off ramp which may
124 affect the neighborhood on the west side and it could be a direct impact of traffic off of the new Morris
125 Rd. Corridor.

APPROVAL:

Motion to Recommend Denial of Zone Change# 2023-089

Not Recommended

MOVED:

Commissioner Aguilar

SECONDED:

Commissioner Montoya

CARRIED:

Motion approved on a Vote of **3**

FOR and 0 AGAINST (Commissioner Montoya – YES;

Commissioner Aguilar – YES; Commissioner Freeman– YES).

8) Next Meeting: Tuesday December 19, 2023 at 3:00 p.m.

9) Adjournment:

MOVED:

Motion to adjourn made by Commissioner Montoya

SECONDED:

Motioned second by Commissioner Aguilar

CARRIED:

Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Montoya - YES; Commissioner Aguilar- YES; Commissioner Freeman – YES).**