



Approved 5-0 on 01-24-2017

VALENCIA COUNTY PLANNING & ZONING COMMISSION

Thursday December 15, 2016 @ 3:00 p.m.

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

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

Present

Chairman Michael McCartney
Vice-Chairman LeRoy Baca
Commissioner Robert Q. Louie
Commissioner Sue Moran
Public Works Director-Lina Benavidez

Absent

Commissioner Frank Gurule

1) Call the meeting to order

Chairman McCartney

2) Pledge of Allegiance

Commissioner Louie

3) Approval of Agenda

Motion to approve by Commissioner Baca
Motion seconded by Commissioner Louie
Motion carries 4-0

4) Approval of Minutes November 17, 2016

Motion to approve by Commissioner Moran
Motion seconded by Commissioner Louie
Motion carries 4-0

5) Swearing in of participants

Chairman McCartney

6) Action Item(s)

A) Request for Zone Change from Outland District (OD) to Community Commercial (C-2)

Application: ZC #2016432
Applicant: Robert Toledo
Location: Sec: 20, T: 7N, R: 1E; Lot 33B; NM Highway 6 Mile Post 28.5
Purpose: RV Storage Facility

Legal Description: T7N, R1E, Section 20; N.M.P.M.; Lot 33B; 2.00 Acres 2008
Revision; Filed in Cabinet L, Plat 829, in the Valencia County Clerk's Office, Los
Lunas, NM. 87031.

This property is located on Highway 6-Mile Post 28.5

This property falls within District I

County Commissioner Helen Y. Cole ♦ P&Z Commissioner Frank Gurule



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Mrs. Benavidez: This is a request to amend the Zone Map from Outland District to Community Commercial. Packets were first handed out for department reviews on November 17, 2016. The applicant is requesting to amend the Zone Maps from OD to C2 in order to place an RV Storage facility that would hold up to 60 units.

Chairman McCartney: Please sign in and state your name.

Mr. Toledo: My name is Robert Toledo.

Chairman McCartney: Please give us an idea of what you want to do Robert.

Mr. Toledo: I would like to change the zoning to C-2 to be able to get an RV Storage facility business out there off of Highway 6.

Chairman McCartney: And you feel there is a need for this facility?

Mr. Toledo: I live in Hunning Ranch and have a lot of neighbors that don't have places to store their units. We are growing. There is more development going in and I think there is definitely a need for open space storage. This location is a little ways out but is next to the industrial rail park that is going to be going in. It is secured. I will have a security officer that I will be utilizing with the rock quarry to be able to watch over the facility as well and that is in place already. Until we are able to get utilities up in that location then we probably have an onsite individual during the operation of the RV Storage.

Commissioner Moran: In the Agenda Request form it states under the analysis that the RV Storage facility would hold up to 60 units. Yet in your request, second paragraph, it states that it is only for 50 units. So which is it, 50 or 60?

Mr. Toledo: It will depend upon the unit size. It can range anywhere from, in that lot location, no more than 60 spaces available, or some of those spaces that are in an aisle can take up two locations depending on the size of the unit. So it will vary, but there shouldn't be more than 60 units with an average size of say 30 foot.

Commissioner Moran: Will you have an onsite building? How are you going to manage people being able to bring their units in and remove them? Will they have keys?

Mr. Toledo: Starting out it would be a work in progress. As need be, we are going to put a security gate. It is gated right now. There is a security gate in its location-a rolling gate in the front-that people will have access to a key to get in, if it gets started and takes off right away. In the near future we are going to be putting in automatic gates with key cards that they will be able to log in and out.

Commissioner Moran: A gross receipts question. If your office is going to be in Hunning Ranch, which is in the city, but the actual building is in the unincorporated area, who gets the gross receipts?



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Mr. Toledo: You, the County. The business is County. Once we are zoned and able to open we will be able to address that location and do a P.O. Box. It won't be an actual office where I would pay gross receipts for the city of Los Lunas.

Chairman McCartney: If he does get the zone change he will have to come see Kerrie to get his business license.

Commissioner Moran: Alright and she would make sure of that. Okay.

Mr. Toledo: And there is a reason why I want to keep it in Valencia County versus annexing it into the Village. The sixteen hundred acres that I abut to is right now annexed into the Village.

Chairman McCartney: Mike Mechenbier, correct?

Mr. Toledo: Yes, Mike Mechenbier's property, Rio Development is doing the project.

Commissioner Moran: One of the notes by the Fire Department says "If access is after hours there is a chance we will cut the lock to gain access." I think the Fire Department has a new program where you can get this box that the Fire Department has key access to. I would recommend you looking into that.

Mr. Toledo: Oh yes, every commercial building does have a fire box access key, or most I should say do. That would be something that we absolutely put in place.

Commissioner Moran: There may need to be an address assigned for general business purposes. So that will be the unincorporated county address and your point of sale. Those are all the questions I have.

Commissioner Baca: It says this property is 5.06 acres net and 1.6 acres. What is it?

Mr. Toledo: The location that I want to zone C-2 is the 2 acres. I own the property next to it which had been split previously. The only reason I am not trying to zone that particular lot is because it is going to be vacant and it is not going to be used. I don't want to pay taxes on 3 extra acres on a C-2 rate. The complete property I own is 5 acres, approximately. The RV Storage facility is 2 acres approximately that I want to re-zone right now, which is gated and fenced in.

Commissioner Baca: And then you are going to have solar lighting and there are not too many people living close by right? According to the picture I don't see anything out there.

Mr. Toledo: There are a few across the street. There is a home located just west of the property. I have put a couple of solar lights out there for now temporarily. Of course things will change eventually as we progress into making this RV Storage available. I still need to grade it at this point and I need to put down base course as the parking pads, I should say. So there are going to be more improvements to this property.

Commissioner Baca: It does show that there is a little slope on there.



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Mr. Toledo: There is a very slight slope. They need, maybe there is two foot from one side, from the back to the front. We have already had it surveyed and elevations taken and the way the water will travel into the ponding location as well. That has already been done but we are going to be changing that.

Commissioner Baca: There is a pond there did you say?

Mr. Toledo: There will a drainage pond. NMDOT recommends that we have a drainage pond so nothing comes on to the access road there.

Mrs. Benavidez: If you don't mind I will add to that, we did meet with DOT and they are requesting him to do an access permit. If you look at tab 5 you will see the drainage. This pond right over here (referring to drainage plan in tab 5 of packet) in this corner is now going to be moved over here because he originally wanted his driveway access here, but since he owns both properties they are going to do a 36 foot and it will be a shared driveway access to his two properties. So he will be making that change before we go to the Board.

Mr. Toledo: The survey and grading change will happen before the Board meeting.

Mrs. Benavidez: I just wanted to bring that to your attention that that was NMDOT's request. He did sit in on the meeting and he has agreed to that.

Commissioner McCartney: Thank you Lina.

Commissioner Baca: We don't need to have two exits right, for the fire department? One would be enough? Or is it a requirement? I am not really sure.

Mrs. Benavidez: DOT has different requirements than we do. Ours is typically 40 feet, but they are only requiring they have 36. And I think 36 is more than enough and all we ask is that two fire trucks are able to-one go in and one go out.

Mr. Toledo: The access, just to add on to that, has a 30 foot radius turn in off of Highway 6. So the main access at the gate location would be 36 but a wide enough entrance and exit.

Commissioner Moran: Is this within the San Clemente Land Grant?

Mr. Toledo: Yes.

Commissioner Moran: Has the San Clemente group been notified of this?

Mr. Toledo: No.

Mrs. Benavidez: They probably don't own any property within a hundred feet so they weren't notified.



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Mr. Toledo: It is on the North side of Highway 6 which is the last property, the only property before the annexed eighteen hundred acres into the Village.

Chairman McCartney: How close are you to the gravel pit?

Mr. Toledo: They are directly behind us. North of us.

Commissioner Louie: You own the property right up to the easement for Highway 6?

Mr. Toledo: Yes sir.

Commissioner Louie: And there is no other property owners that are in front of you?

Mr. Toledo: No sir.

Commissioner Louie: Last time we had a piece of property someone wanted to go to C-2 on, about a year and a half ago. So you own it straight up-5 acres plus 2 acres...

Mr. Toledo: 3 acres plus 2 acres, 5 in total.

Commissioner Louie: And you are going to take the two acres and make it into a storage area.

Mr. Toledo: Yes sir.

Commissioner Louie: No other questions.

Commissioner Baca: I have one more question. The property has already been surveyed for two acres right?

Mr. Toledo: Both properties have been surveyed. The one that is fenced in has the grading and drainage plan that has been surveyed.

Mrs. Benavidez: That is on your next tab Commissioner-his survey. That is on tab 6 if you want to take a look at it.

Commissioner Louie: Are there utilities there now?

Mr. Toledo: No. Rio Development is looking at bringing in utilities hopefully within 6 months. They are going to start grading for the rail spur there I think at the end of the month. Guzman Construction, I think, is going to be doing that and he will be doing some grading for myself as well on this property.

Chairman McCartney: The security guard you were referencing-is for the rock quarry? Is that your property also?



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Mr. Toledo: No sir. I contacted the company that provides the security for the rock quarry and talked to them about being able to have him patrol our area as well. The road to the rock quarry is going to change closer to my property once they get the full plan turned in to the Village of Los Lunas. So that individual would have two locations to be able to secure I guess. We are in front so it makes it easier.

Chairman McCartney: The reason that I ask that is because a company I used to work for provided a storage facility in Las Maravillas. But the vandalism and the (could not understand) was incredible. We didn't have a security guard. Long story short, it failed. Because they will go over there and take those batteries or whatever, the jet skis they have on the RV's and anything else they can get their hands on. It was in an isolated spot at the North end of Las Maravillas so there was not a lot of access for the people who live there. So if you have a security guard you are one step ahead of the game. Just to protect yourself, your liability, because some of those RV's are \$100,000. So you are talking about a lot of insurance. But I think your insurance goes down if you have onsite security.

Mr. Toledo: In the business that we are looking at, I have several people that I know that do have RV storages. One in Albuquerque in the middle of town, RV and closed storage, and another one there on I-40 by the Route 66 Casino back in the back. So there has been a lot of discussion on how to protect ourselves, the insurance and the paperwork that goes along with it. It is going to be a process in the works for probably about 6 years. I just have not found anything to do something about it and now that I have this property finally I located something that I think will work.

Chairman McCartney: Just a point of suggestion, nothing you have to do, if you do have a security guard make him a class 3. That's armed

Mr. Toledo: I don't know if they are or not.

Chairman McCartney: Just a suggestion. They are much more qualified and being isolated like that especially in the evening it will at least give you and him a fighting chance.

Mr. Toledo: I have heard stories about the rock quarry because they have so much electrical cords out there and they have had a couple of incidents out there, but nothing too traumatic.

Commissioner Louie: Are you going to put a residence there for your guard?

Mr. Toledo: I would like to eventually. Once the utilities come in and then go through the process of finding out what I have to do. I think we talked previously that in a C-2 that is allowed.

Chairman McCartney: Or at least a guard shack.

Mr. Toledo: Right. A lot of times the security guys like to live on site rent free but they do secure your area. That is what I am hoping for.

Commission Louie: Anything thing outside the fence?



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Mr. Toledo: No sir. The nice thing about this particular property is there is an easement for the rail track and it actually pushes the property further North off of the highway. You cannot permanently park off of the front but you could pull up far enough off the road to be able to unlock the gate or use your card to be off Highway 6.

Commissioner Louie: Do you plan on collecting fees there?

Mr. Toledo: Yes sir. We are looking at a going rate for the location is \$50 per RV per month with the security. In the beginning I think we can easily put 20 RV's on that property.

Commissioner Louie: So people that stop by to pay, do you expect them to go through the gate?

Mr. Toledo: To pay?

Commissioner Louie: Go through the gate and then go to the office and pay or park outside and then go in to pay.

Mr. Toledo: We are hoping to do it by credit card or by mail to pay.

Chairman McCartney: Obviously there is nobody here to back you up and there is nobody here against you. So Commissioner's is there any discussion? (There was none). This is in Commissioner Cole and Commissioner Gurule's district, and Commissioner Gurule is not here. Would somebody like to make a motion for Commissioner Gurule?

Commissioner Baca: I move that we accept this Outland District (OD) to Commercial C-2 for the two acres.

Commissioner Moran: I second the motion.

Chairman McCartney: Lina call for a vote please.

Roll Call Vote:

Commissioner Louie: Yes

Commissioner McCartney: Yes

Commissioner Baca: Yes

Commissioner Moran: Yes

Motion approved 4-0

Chairman McCartney: What will happen now Mr. Toledo is that anybody has 15 days to appeal and if not you will go before the Valencia County Board of Commissioner's next year.

7) Discussion

8) Next Meeting:



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308 Tuesday 24, 2017 @ 3:00 PM

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310 **9) Adjournment**

311 Motioned by Commissioner Louie

312 Seconded by Commissioner Baca

313 Motion carries 4-0

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