

August 10, 2011
Agenda
5:00 p.m. **Public Hearing Meeting**
Valencia County Commission Chambers
444 Luna Avenue
Los Lunas, NM 87031

Board of County Commissioners
Georgia Otero-Kirkham, Chair District II
Mary J. Andersen, Vice-Chair District I
Lawrence R. Romero District III
Ron Gentry District IV
Donald E. Holliday District V

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda

Georgia Otero-Kirkham

SWEARING IN OF PARTICIPANTS

PUBLIC HEARING ITEM(S):

4) Request to amend the Zoning Map from OD to C-2; Consideration to amend the Zoning Map from OD to C-2 on the subject property defined as: T6N, R1E, Section 4; NMPM; Lands of Nicolas Duran De Chavez Grant; Lot 44 and South ½ of Lot 38; Zoned O-D; Filed in Book 348, Page 9862; of the Office of the Valencia County Clerk: **Eric Zamora / Jacobo Martinez**

PUBLIC COMMENT:

Please sign up on the sheet located just outside the Commission chambers. The Board will allow each member of the public wishing to address the Board a full and complete opportunity to address the Commission.

NEXT COMMISSION MEETING:

♦ **August 17, 2011- Business Meeting @ 9:30A.M.**
Valencia County Commission Board Room 444 Luna Ave. LL, NM

ADJOURN:

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 Manager's Office at the Valencia County Courthouse, Los Lunas, New Mexico. (505) 866-2014 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.

Please Silence All Electronic Devices – Thank You!

VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARING MEETING

AUGUST 10, 2011

PRESENT	
Georgia Otero-Kirkham, Madam Chair	
Mary J. Andersen, Vice-Chair	
Lawrence R. Romero, Member	
Ron Gentry, Member	
Donald E. Holliday, Member	
Eric Zamora, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1) The meeting was called to order by Madam Chair Otero-Kirkham at 5:00 P.M.

2) Madam Chair Otero-Kirkham led the Pledge of Allegiance.

3) Approval of Agenda

Commissioner Andersen moved for approval of the agenda as amended. Seconded by Commissioner Holliday. Motion carried unanimously.

SWEARING IN OF PARTICIPANTS

County Clerk Sally Perea administered the oath to those individuals wishing to give testimony.

PUBLIC HEARING ITEM(S):

4) Request to Amend the Zoning Map from OD to C-2; Consideration to Amend the Zoning Map from OD to C-2 on the Subject Property Defined as: T6N, R1E, Section 4, NMPM; Lands of Nicolas Duran de Chavez Grant; Lot 44 and South ½ of Lot 38, Zoned OD; Filed in Book 348, Page 9862 of the Office of the Valencia County Clerk–Eric Zamora / Jacobo Martinez.

Valencia County Planner Jacobo Martinez stated according to the applicant, he would like to start up a horse training facility that will provide training for horses, trainers and jockey professionals. Pony riding will be provided along with other rodeo events. There will be concerts and food for entertaining.

Packets were handed out for department reviews on May 1, 2011 and all departments had some questions and issues. The sheriff's Department had concerns with security and the possibility of alcohol and drugs on the site. The Fire Marshal would need to inspect the site prior to anything opening. Public Works say there is not a legal access to the site but as of today there is an easement that exists there but the access that goes through does not follow those easements. Public Works is also concerned about safety crossing on the railroad track and safety of the existing roads. Code Enforcement found some violations on the existing site and was also concerned about infrastructure of roads.

The Planning and Zoning Board first heard the case on May 25, 2011 at which time it was tabled and the board asked the applicant for more detailed information concerning the site application. The case was moved to June 22, 2011. The applicant failed to provide any more information. The public hearing on June 22, 2011, one person stood for the proposed change and two people stood against. Ms. Smith who stood against the proposed change and is the San Clemente Neighborhood Association President read letters from others who were also in opposition of the proposed change. The Planning and Zoning Board voted 3-1 to recommend denial of the proposed zone change on the basis that the proposed use of the subject property does not fit with the surrounding area and there is not adequate infrastructure and proper rail crossing for this type of zone change. The surrounding land uses are zoned OD and there is very low density surrounding the subject property. There is a horse and cattle sale barn approximately 3 miles north of the subject property.

Commissioner Andersen questioned the easement to the property.

Mr. Martinez said there are easements that have been platted and mapped out for the San Clemente area which are forty and twenty foot road easements. They were platted out back in the 1930's when the original land was platted out. The road that goes to the property right now does not follow one of those easements so if the request was

approved and they were going to build something on this site, the road would have to follow the property easement which would be further to the south.

Commissioner Andersen asked the people who are making the request do not own the land on which the trail is now, is that true? That is true was Mr. Martinez's response.

Commissioner Gentry said if they are going to be training race horses, ten acres is a pretty small place to have a race track and wondered if the OD designation and the property around it were large enough to accommodate this facility.

Mr. Martinez said the applicant owns 10 acres and will also be including 1.188 acres and Commissioner Gentry will have to ask the applicant if they feel it is adequate for this size of an event.

Madam Chair asked if the applicant was present to make a statement on this. Anna Montoya representative for the applicant stated as far as the 10 acres it's not going to be a full race track, it is just a training facility. It's going to be a strip type where they can run the horses up and down, get the horses in shape and the jockeys get adjusted to the horse before they run in the actual race.

Madam Chair also asked you won't actually have races where people place bets on them, how many horses do you think you'll have at any given time and will water and restroom facilities be provided since you are going commercial?

Ms. Montoya said no and maybe at one given time there might be 20 horses at the most. Yes, these facilities will be provided and as she explained to the zoning commission if this gets approved they will work with the Environmental Health Department to find out what is going to be required of them and will meet those requirements.

Commissioner Holliday asked if they have been sanctioned by the Jockey Club to do this. Ms. Montoya said being that it's not a commissioned race track they don't need to be commissioned by the state. Also whenever they have an event or concert, they would also like to have something for the kids like pony rides. They want to make it family orientated.

Madam Chair said you just mentioned concerts, how close is the closest neighbor and is there going to be a problem with the noise ordinance and when you say events what kind of events?

Mr. Martinez said the closest neighbor would probably be to the north of the property which is just across the railroad track that would be less than a quarter of a mile.

Ms. Montoya said the type of events she is referring to is concerts and rodeos throughout the summers and also the horse training. As far as the concerts and rodeos, they can put up noise barriers as far as planting trees for a barrier and with the lighting they will use shields.

Commissioner Gentry said in regard to the concerts, he would like some clarification because in the past the county has had issues with raves being held in the county and the county has pretty much cleaned that up. Ms. Montoya said they will be staying away from the raves, they don't want anything like that, and they want it to be a family orientated event. They will bring in some nice bands and if anyone from the area wants to have a reception of any type the facility will be available for rent.

Madam Chair said so you plan on have having a big building that can be rented for events under cover. Yes, was Ms. Montoya's response.

Valencia County resident Sylvester Brown who resides at 390 Gallo Rd., Los Lunas stated his residence is located across from the applicant's property and is against the zone change. The roads are bad and have not been maintained for some time. He contracts with Waste Management for trash pickup and they can't even drive down the road to pick up his trash because the road is so bad. Mail delivery is also effected by the condition of the road. There's already one race track in the area and there's a lot of alcohol that is brought in. The noise and traffic created by this is going to become a nuisance to the residents and the lights will be shining right into his home.

Mr. Bernard Thompson also resides in this area and expressed his concern in regards to the zone change request. Mail delivery is an issue, the railroad crossing is dangerous because there are no rail guards on the tracks and it's difficult for emergency vehicles to get out there. All around he is totally opposed to the zone change request.

Valencia County resident Marvin Clinger also expressed his opposition to the zone change request.

Lynn Ray, Valencia County resident said she has been involved in rodeos all her life and is concerned that this will not be a training facility but just another bush track. Match racing

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is cruel to horses. There's already one bush track in that area that should be closed down.

PUBLIC COMMENTS :

Members of the audience making public comments at tonight's Public Hearing Meeting were Brian Benoit, James Crawford, Clarke Metcalf, Mike Wood, Mary Wood, Virginia Smith, Carol Deluisa, Sue Moran and June McClellan.

NEXT COMMISSION MEETING:

The next Regular Business Meeting of the Valencia County Board of County Commission will be held on August 17, 2011 at 9:30 A.M. in the County Commission Room at the Valencia County Courthouse.

11) Adjournment

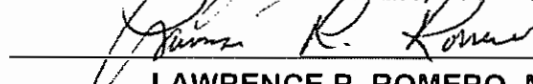
Commissioner Holliday moved for adjournment. Seconded by Commissioner Andersen. Motion carried unanimously. TIME 6:14 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the Public Hearing Meeting August 10 , 2011 Public Hearing Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

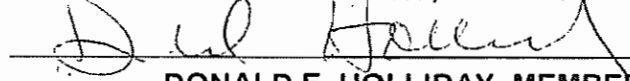
VALENCIA COUNTY BOARD OF COMMISSIONERS


GEORGIA OTERO-KIRKHAM, MADAM CHAIR


MARY J. ANDERSEN, VICE-CHAIRMAN


LAWRENCE R. ROMERO, MEMBER

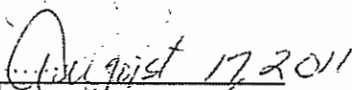

RON GENTRY, MEMBER


DONALD E. HOLLIDAY, MEMBER

ATTEST:


SALLY PEREA, COUNTY CLERK

DATE


 August 17, 2011