

May 8, 2013

Agenda

**5:00 P.M. Public Hearing/Regular Meeting**

Valencia County Commission Chambers  
444 Luna Avenue  
Los Lunas, NM 87031

Board of County Commissioners

Charles Eaton, Chair District IV  
Alicia Aguilar, Vice-Chair District II  
Mary Andersen District I  
Lawrence R. Romero District III  
Donald Holliday District V

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

Handwritten signatures of the Board of County Commissioners.

**EMERGENCY ACTION ITEM**

- 4) Consideration to approve the Emergency Burn Restriction Ordinance 2013-\_\_\_\_\_. Steven Gonzales

**PUBLIC HEARING ITEM(S)**

- 5) Consideration for a Zone Change from Neighborhood Commercial (C-1) zoning designation to a Community Commercial (C-2) zoning designation. "Land of Marlin C. Frettem; Parcel F; NMPM; Zoned RR-2; Filed in Book 344, Page 4552; of the office of the Valencia County Clerk; also known as 1972 Highway 314, Los Chavez.

**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:**

- ♦ May 15, 2013 – Business Meeting @ 5:00 P.M.  
Valencia County Commission Board Room 444 Luna Ave. LL, NM

**ADJOURN:**

*Please Silence ALL Electronic Devices – Thank You!*

*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.*

**B: 75 P: 366**



VALENCIA COUNTY BOARD OF COMMISSIONERS  
PUBLIC HEARING MEETING  
MAY 8, 2013

|   |  |
|---|--|
| <b>PRESENT</b>                            |  |
| Charles Eaton, Chairman                   |  |
| Alicia Aguilar, Vice-Chair                |  |
| Lawrence R. Romero, Member                |  |
| Donald E. Holliday, Member                |  |
| Mary J. Andersen, Member                  |  |
| Bruce Swingle, County Manager             |  |
| Adren Nance & Dave Pato, County Attorneys |  |
| Peggy Carabajal, County Clerk             |  |
| Press and Public                          |  |

- 1) The meeting was called to order by Chairman Eaton at 5:00 P.M.
- 2) Mr. Jacobo Martinez led the Pledge of Allegiance.
- 3) **Approval of Agenda**  
Commissioner Romero motioned for approval. Seconded by Commissioner Holliday. Motion carried unanimously.

**EMERGENCY ACTION ITEM**

- 4) **Consideration to approve the Emergency Burn Restriction Ordinance 2013-03. Steven Gonzales**  
Commissioner Andersen motioned for approval of the Ordinance with the deletion of the next to last paragraph on the last page. Seconded by Commissioner Aguilar. Motion carried unanimously.  
County Clerk Peggy Carabajal announced Ordinance 2013-03. (See Exhibit A)

**SWEARING IN OF PARTICIPANTS**

County Clerk Peggy Carabajal administered the oath to those individuals wishing to give testimony at tonight’s meeting.

- 5) **Consideration for a Zone Change from Neighborhood Commercial (C-1) zoning designation to a Community Commercial (C-2) zoning designation. “Land of Marlin C. Frettem; Parcel F; NMPM; Zoned RR-2; Filed in Book 344, Page 4552; Office of the Valencia County Clerk; also known as 1972 Highway 314, Los Chavez.**  
Jacobco Martinez read the findings from the Planning and Zoning Commission. Kathryn Davis started off by saying that she represents the applicant, The Broadway Group. With her at tonight’s meeting are members of the Broadway Group Bob Broadway, Brittney Whittley, Bernadette Barron, Alisha Cole and also Marlin Frettem owner of the property. Broadway Group is requesting a zone map amendment from C-1 to C-2. On April 29<sup>th</sup> a neighborhood meeting was held with 20 people in attendance. At the meeting there was people for and people against the change so no consensus was reached. Ms. Davis also commented that she had sent a letter dated April 19<sup>th</sup> to the county attorneys. This letter expressed the Broadway Group’s concern over a recent article in the Valencia County News-Bulletin titled “Tome Residents Say No To Dollar Stores” the group was concerned that two commissioners, Chairman Eaton and Commissioner Aguilar, attended the meeting. The Broadway Group had asked if they could attend the meeting, they were told no, they could not. Under New Mexico case law it appears to be ex parte communication by Commissioners who are acting in a quasi-judicial capacity. The Broadway Group has asked that those two commissioners recuse themselves from voting on this matter. Ms. Davis asked that this matter be taken care of before the presentation begins. Commissioner Aguilar asked Ms. Davis if her facts were based solely on the News-Bulletin article. Ms. Davis replied that yes they were because the Broadway Group was not allowed to attend the meeting.

Commissioner Aguilar- I will take your request into consideration.

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Chairman Eaton- I will reserve judgment at this time and continue to participate.

Ms. Davis- The property in question is zoned C-1 and retail stores not exceeding 5,000 square feet are permitted in a C-1 zone. This zone also allows restaurants with liquor sales, flea markets, and also car repair garages. We are requesting C-2 because the store will be 9,000 square feet. 7,000 square feet will be the actual retail space while the remaining 2,000 square feet will be used for offices, restroom and storage. Section 154.061 of the zoning code provides that the zone map be authorized provided that the following conditions are met.

1. The proposed change is consistent with the goals, policies and other provisions of the comprehensive plan.
2. The proposed change is appropriate considering the surrounding land uses and availability of utilities and services.
3. The proposed change enhances the counties protection of the public's health, safety and welfare of the county.

Ms. Davis- The item I am going to address first is #2. On the zone map you can see next to the subject property and across the street there is property zoned C-2. Along Hwy 314 there is a corridor of commercial property. The next item is #1, on page 20 of the comprehensive plan under Los Chavez it states that Los Chavez has significant highway commercial development scattered along NM 314. For example there is a Sears Retail store, John Deere dealer, and Cattleman's Livestock Auction and several other local businesses. These businesses provide local job opportunities. Based on the plans and the zone map provided the proposed zone change is appropriate considering the surrounding land uses. There are other interesting items in the comprehensive plan about Los Chavez, on page 31 about it being an unincorporated area that is fast growing. On page 32 it says Los Chavez has the largest population of the unincorporated communities. Page 69 talks about future development patterns and activity. This area is a concentrated area of commercial property. So whether it starts with our store or other stores or commercial businesses that are going to come in that area will be commercial, as it has been zoned. Mr. Martinez mentioned the reasons that the Planning and Zoning Commission had determined that the proposed use would substantially alter the character of the surrounding area was one of their statements. We would argue that it does not substantially alter the character because it is commercial in a commercial area. There are several goals in the comprehensive plan that support this project. Goal A says "Guide development in a manner that balances the pattern of urban development with the rural character and natural resources of the county." If this application were seeking to change the zone map amendment from rural residential to commercial we wouldn't be able to meet Goal A, but this particular instance we are asking for C-2 in an area that is predominantly commercial. The Planning and Zoning Commission cites Goal B which states "Protect and enhance the distinctive identities of the unincorporated communities and sub regions within the county." They say our plan violates that; I would counter that and say out proposal actually supports Goal B because there is a distinctive identity of commercial property zoned right along NM 314. Goal C actually supports this it says "Identify locations and citing criteria for county activity centers to accommodate intensive commercial and industrial activity clusters and other special use developments." This hasn't officially been designated as an activity center but basically the purpose of that goal is to try to keep the rural areas and the commercial areas developing in commercial areas and that's what this plan does. Objective G was cited by the Planning and Zoning Commission as not supporting the zone map amendment. I would propose that Goal G does actually support this zone map amendment because Goal G says "Accommodate the efficient movement of people and goods through the county by maintaining a road network of sufficient capacity to meet local and regional circulation needs." This site will have access on and off Hwy 314. They also cite Goal H "Preserve the integrity and quality of life in residential neighborhoods and county communities through proper transportation planning." This site is located along a strip of commercial, so that does preserve the quality and integrity of the residential neighborhood because you're isolating the commercial to a certain area and the others are residential. Goal J supports this zone map amendment, this particular site doesn't have public utilities, it will have a well and a septic. Goal P also supports this plan, this plan will bring in local jobs,



Minutes of May 8, 2013 Public Hearing Meeting

and approximately 8-10 people will be employed. It will also bring in gross receipts revenue and provides retail services. The Planning and Zoning Commission stated that our amendment was not supported by Goal S which is "Preserve and enhance features, structures, and places that are historically and culturally significant in the county." But there is no factual finding that actually states why they felt that this particular area was historically or culturally significant so that a commercial project could not be out on this particular piece of property, which is already zoned commercial. There isn't anything that came out of the recommendations. They cite Goal T "Protect the scenic resources and unique visual elements of the county." There isn't anything to say what particular unique visual elements that are located there. We believe this proposed zone map amendment fits the comprehensive plan. Look at the aerial photo regarding nearby traffic generators there is an Allsup's store, Dennis Chavez Elementary, a Sears and a John Deere store. There is also a chili store and U-haul truck rental along with Toby's Doors. On the aerial site photo it shows full access on the side road median and a private drive that will be improved to allow for access. Looking at the site plan photo it shows the proposed deceleration lane on Hwy 314. A traffic plan has been submitted to the New Mexico Department of Transportation and up to this point they have given some comments but have not completely commented on it and that is really more in the site plan approval portion if this zone map amendment is approved. Dollar General will comply with all of the provisions that are required by the County for the site approval process. Dollar General has a variety of different facades. The first is a typical Dollar General store with tan split faced siding with the sign across the top. Second there is siding at the top and also at the bottom and the third is a solid front with different roof edges instead of it being straight. The Commission could make one of the facades a condition of the approval or it could happen through the site plan approval process. The applicant is quite willing to work with the county to determine what will fit in best. The proposed landscape plan will include 30 parking spaces and it will be xeriscaped. Dollar General leases the site from the applicant but Dollar General provides the maintenance and the landscaping. Some people have expressed concern over drug deals, graffiti, and trash but the goal of the Dollar General is to have people come into their store and the way is to have a very inviting site that is kept neat and clean with no vagrants roaming around. The Dollar General lighting plan will include a subdued lighting facing downward, so as not to shine into other people's property. Lee Engineering also did a traffic analysis, the average daily trip for NM 314 is 8,650 vehicles in both directions. With that the traffic engineer made some recommendations such as a deceleration lane and improvement of the private driveway and that is what the NMDOT has to review and determine if this is enough or do we need to do more. They determined that there was no need for a traffic signal control. Brittney Whittle sent an email to the NMDOT asking if they had any comments on what they had seen so far, NMDOT stated that based on the information provided and the proximity to NM 314 the state sees the need to obtain a driveway permit for this development, which was anticipated and will be obtained. Based on these items that have occurred this site is consistent with the goals, policies and other provisions of the comprehensive plan. The proposed change is appropriate considering the surrounding land uses and the proposed change enhances the county's protection of the public health, safety and welfare of Valencia County because it's located on a roadway and it can be made safe so that access can occur, it's going to be a nice development along 314. It will provide needed retail services and jobs and revenues to the county.

Commissioner Andersen- When would you anticipate the full NMDOT reply?

Ms. Davis- We don't have a definite answer.

Commissioner Aguilar- The access is going to be the dirt road, which is shown with a gate marked private drive?

Ms. Davis- Yes, that is going to be expanded and improved.

Commissioner Aguilar- Is this area defined as an agricultural preservation district?

Mr. Martinez- We have no defined boundaries of this being an agricultural district.

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Commissioner Aguilar- Is this considered a flood plain area?

Mr. Martinez- Yes, it is considered in a flood plain area. When they get their building permit they will have to get their flood elevation certificate and make sure it passes flood plain laws.

Commissioner Aguilar- My concern on this is that it is commercial and right behind is residential, and that were thinking ahead and there not contributing to flooding on the adjoining properties.

Mr. Martinez- During the site development plan we do require a grading and drainage plan in which they have to collect all drainage on site so that it does not flow into other properties.

Commissioner Holliday- Looking at the zone map its shows that the private drive will be protruding into the other property, are we going to have to make that a zone change or is it already changed?

Ms. Davis- The zone map shows that this property to the south is already zoned C-1 so there would be no need for a zone change for that particular piece of property.

Commissioner Holliday- Parcel F the 2.0945 acres that's part of your property, what are you planning to do with that. There is no access in or out is it going to be landlocked?

Ms. Davis- It is landlocked, we can't really do anything with it except landscape it because it is landlocked.

Commissioner Aguilar- To the attorneys, if the county gives its approval it will be land locking a piece of property.

Mr. Pato- I believe that this piece of property would already be landlocked, is that right Ms. Davis?

Ms. Davis- Yes, that is part of the piece that we are purchasing together. Our site is going to go on the piece that is immediately to the south of that. That entire parcel is part of the zone map amendment, it is currently C-1 and the back part will be landlocked. The total acreage of the property is 2.0945 acres.

Chairman Eaton- What is the width of the road coming off Hwy 314 into the parking lot of the proposed site.

Ms. Davis- It's probably 12 feet right now but it's going to be widened to 24 feet.

Commissioner Aguilar- Will that 24 feet be wide enough for the public going in and out?

Mr. Pato- It will be up to NMDOT will review whether or not the 24 foot wide access is sufficient.

Commissioner Aguilar- Right now I'm talking about property that is not part of the highway department, its private. Within a subdivision we require a 40 foot easement. And now were dealing with 24 when they're going to be turning into a store and coming out.

Commissioner Holliday- I believe the map is showing that it is currently at 35 feet, so there only off by 5 feet.

Attorney Pato- In section 94.012 under General Planning it states that the local minimum road standards require a 50 foot minimum right of way.

Commissioner Aguilar- For confirmation, we have a re-plat which shows the road, it's not the same width as for what they are needing for commercial C-2. Do we need a re-plat of a replant to change that road?

Attorney Pato- I believe that we would need a re-plat of a re-plat if the access indicated is going to change.

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Chairman Eaton- The concern I had is that this is the only access to the facility and if the fire department had any input or if the IFC had any requirements for this facility.

Ms. Davis- The submittal that was signed by the fire marshal states "This site appears to be ok, we will need this company to contact our office for any site and plans review." I would like to state that for purposes of the zone map amendment we have complied with the three criteria and a lot of these questions, which are very good questions, are part of the site approval process.

Chairman Eaton- Anybody within 100 feet of the zone change and who is being affected by the zone change please come forth.

Los Chavez resident Mr. Herrera- Regarding the gross receipts tax this store will not bring in any outside money. It's just going to take business from other stores such as the Allsup's and Wal-Mart. I thought this was a package proposal including Tome and Los Chavez, if it was rejected then why is this being considered?

Chairman Eaton- The packages were two different zone change applications.

Los Chavez resident Linda Herrera, who lives at 19715 Hwy 314- I live directly across the street from the site. My concern is the turn lane and the median. Also if they take property from the south side of the road there is a concrete irrigation ditch there.

Commissioner Holliday- Ms. Herrera do you know where that concrete ditch goes?

Ms. Herrera- It dead ends there at 314 to the best of my knowledge.

Los Chavez resident Richard Herrera, who lives at 19715 Hwy 314- My concern is the building that is behind the piece of property that is landlocked used to be an old service station and that land is probably contaminated. How much of that is going to get stirred up and distributed through the area when they start digging this property up. It's possible that some of the surrounding wells may get contaminated. They're going to do a declaration lane on the southbound lane but on the northbound there is only a 20 foot wide median that is now barely wide enough for a large pick up but they're going to have large semis pulling in and out to stock the store. Also because it is a public parking lot and public property people will be parking there to sell drugs and there will also be a lot more trash generated from there.

Valencia County resident Teresa Smith de Cherif, who lives at 346 South El Cerro Loop- A reference was made about the April 29<sup>th</sup> neighborhood meeting of about 20 people. What neighborhood, how is that being defined? The comprehensive plan that Ms. Davis cited tonight notes that Los Chavez has the most population of any of our unincorporated areas in the county. So the definition of neighborhood is really at the heart of the matter here. Adequate notice is absolutely essential, there are 2 neighborhood associations in Los Chavez and I would like to ask whether they were notified or not. I don't think adequate notice was provided to either one of them. I think in its quasi-judicial capacity this commission has the authority to send this matter back to a real neighborhood association meeting for adequate notice to be given. In regards to the Broadway Group being denied access to the Tome meeting, I don't think we are real clear on who gave the denial. And I was not aware that the very talented reporter for the Valencia News-Bulletin, Ms. Julia Dendinger, is now providing official records for this commission. As far as I know newspaper accounts are not official records. Also the commission is well aware of issues that can ensue if they overturn a well-studied decision of its own Planning and Zoning commission.

Los Chavez resident Diana Dow- On the March 27<sup>th</sup> Planning and Zoning agenda there was a request for the zone change from C-1 to C-2 by the Broadway Group with the legal description. However for tonight's meeting it is listed as proposed change from C-1 to C-2 but they also mention parcel F, NMPM zoned RR-2. Where did this RR-2 come from because it was not mention on the Planning and Zoning meeting agenda or the minutes from that meeting.

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Los Chavez resident Raymond Baca- I have seen a lot of growth along 314 with different types of businesses. I feel that we cannot stop growth, the economy is already hurting. If it puts 8 people to work, hey it's 8 people working. Drugs how can you stop them, you can't control them; even the police can't control them. I think the store will be convenient and i think it's a good location. And to me traffic is already there, I don't see any problem.

Ms. Davis- It was Rita Padilla-Gutierrez that told my clients that they were not allowed to come to the meeting. And in regards to the notice regarding the neighborhood meeting we suggested doing a neighborhood meeting and Mr. Martinez said he would advise people in a certain area, so i don't know who he advised or didn't advise. I would also like to comment about there being drug deals in the parking lot, it is a store open to the public but you can tell people they are not allowed to be at your establishment. So if anyone is sitting there just dealing drugs they can be asked to leave or the police can be called. Also my clients have no evidence of any environmental contamination that has occurred on that property but if there is any they will clean it up. As to the zoned RR-2 legal description that is not a document that was prepared by us, it must be a typo.

(See Exhibit B)

Chairman Eaton called for a five minute break.

**PUBLIC COMMENT:**

Meadow Lake resident Bob Gostischa- We are in favor of having a Dollar General and for some reason our site is never coming up, we are still waiting for a store to come up there. If some of these other communities don't want them that's their problem, but we do.

**NEXT COMMISSION MEETING:**

The next Regular Business Meeting of the Valencia County Board of County Commissioners will be held on May 15, 2013 at 5:00 P.M. Meeting in the County Commission Room at the Valencia County Courthouse.

**6) Adjournment**

Commissioner Romero moved for adjournment. Seconded by Commissioner Holliday. Motion carried unanimously. TIME: 6:48 P.M.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the May 8, 2013 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**

\_\_\_\_\_  
CHARLES EATON, CHAIR

\_\_\_\_\_  
ALICIA AGUILAR, VICE-CHAIR

\_\_\_\_\_  
LAWRENCE R. ROMERO, MEMBER

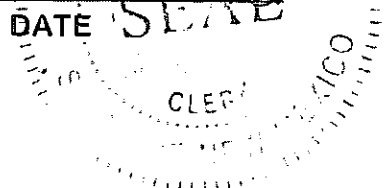
\_\_\_\_\_  
DONALD E. HOLLIDAY, MEMBER

\_\_\_\_\_  
MARY J. ANDERSEN, MEMBER

ATTEST:

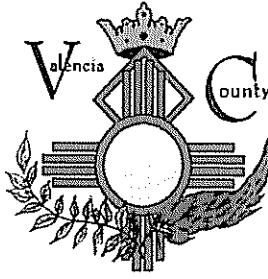
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PEGGY CARABAJAL, COUNTY CLERK

DATE



**B: 75 P: 372**





VALENCIA COUNTY  
ORDINANCE NO. 2013- 03

**AN ORDINANCE DECLARING AN EMERGENCY AND PROHIBITING ALL OPEN AND CONTROLLED BURNING IN VALENCIA COUNTY, NEW MEXICO**

**WHEREAS**, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to "protect generally the property of its municipality and its inhabitants" and to "preserve peace and order"; and

**WHEREAS**, Section 4-37-1 *et seq.* NMSA 1978 provides that counties may adopt ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

**WHEREAS**, NMSA 1978, § 4-37-7 (C) (1981) provides that the Board of County Commissioners has the authority to approve an ordinance, without prior publication, if it is determined to be necessary to address an immediate danger to the public health, safety and welfare of the county and that the emergency ordinance will become effective immediately after adoption; and,

**WHEREAS**, the danger of brush fires, grass fires, forest fires, and structure fires is extremely high in the State of New Mexico and especially Valencia County and the surrounding jurisdictions; and,

**WHEREAS**, on May 8, 2013 the State Forestry Division placed a burn ban restriction on all state land; and,

**WHEREAS**, an Immediate danger to the public health, safety, and welfare of Valencia County residents has arisen due to extreme drought and fire conditions; and,

**WHEREAS**, it is necessary to prohibit all open and controlled burning within the unincorporated areas of Valencia County.

**EXHIBIT A**

B: 75 P: 373



B: 75 P: 374

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, THAT:**

**Section 1. EMERGENCY DECLARATION**

The Board of County Commissioners hereby declares that Valencia County is suffering from extremely or serious drought conditions and high fire hazards represent a significant immediate threat to the peace, safety, health and welfare of Valencia County.

**Section 2. BURNING PROHIBITION**

ALL OUTDOOR BURNING including the following types of burning are hereby prohibited in the unincorporated areas of Valencia County:

- A. Campfires ("Campfire" means a fire set for cooking, warming, or ceremonial purposes, which is not more than three feet in diameter by three feet high, and has had the ground five feet from the base of the fire cleared of all combustible material);
- B. Open Fires;
- C. Open burning of vegetation or rubbish;
- D. Any other smoke producing substance and material that creates a fire safety hazard. (Reference Regulation #301 of the Ambient Air Quality Standards and Air Quality Control Regulation);
- E. Trash Barrel Burning;
- F. Agricultural Burning

**Section 3. ENFORCEMENT**

The Valencia County Sheriff's Department, The Valencia County Fire Department, Valencia County Code Enforcement and any other legally qualified law enforcement officer or any of their agents shall have the ability to enforce this ordinance.

**Section 4. PENALTIES**

Any violation of this ordinance shall be deemed a misdemeanor and punishable by a fine of not more than three hundred dollars (\$300) and/or up to 90 days in jail.

**Section 5. SEVERABILITY**

If any article, section, or provision of this Ordinance is deemed invalid or void, The remaining portions shall not be effected and shall be enforced accordingly.

**Section 6. EFFECTIVE DATE; REPEAL**

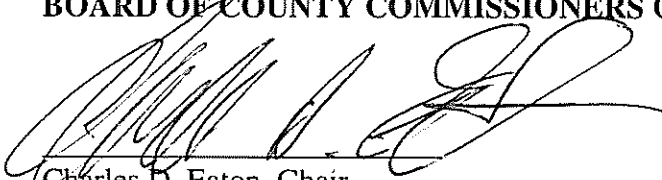
- A. The Board of County Commissioners hereby declares a continuing emergency relating to fire conditions within the county, which is an immediate danger to the public health, safety, and welfare of the county and its residents, and the ordinance shall take effect immediately upon adoption by the Board of County Commissioners and recordation by the County Clerk as required by statute. Due to the declared

emergency and danger, no publication is required pursuant to NMSA 1978, section 4-37-7 (c )(1981).

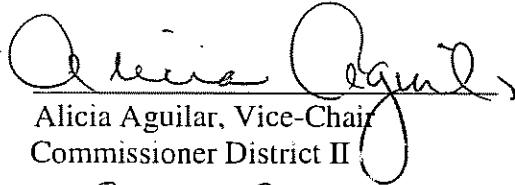
- B. This ordinance shall be in effect indefinitely until rescinded when favorable conditions exist, as determined by the County Fire Chief.

**APPROVED, ADOPTED, AND PASSED** on this 8<sup>th</sup> day of May 2013.

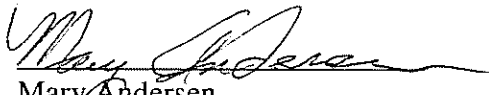
**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA**



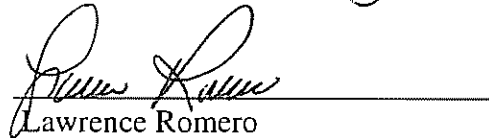
Charles D. Eaton, Chair  
Commissioner, District IV



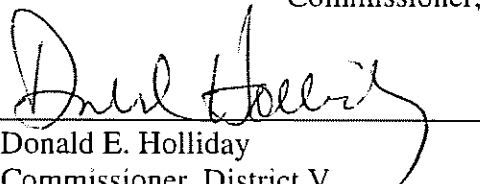
Alicia Aguilar, Vice-Chair  
Commissioner District II



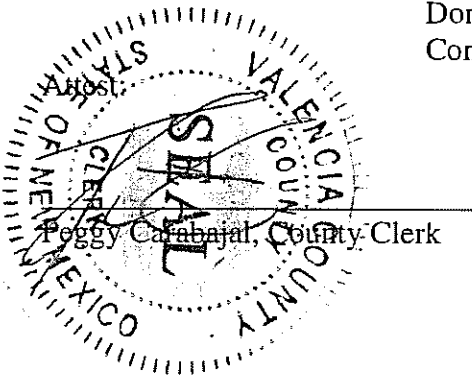
Mary Andersen  
Commissioner, District I



Lawrence Romero  
Commissioner, District III



Donald E. Holliday  
Commissioner, District V



Peggy Carabajal, County Clerk

**B: 75 P: 375**



# Aerial – Surrounding DG's, Retailers

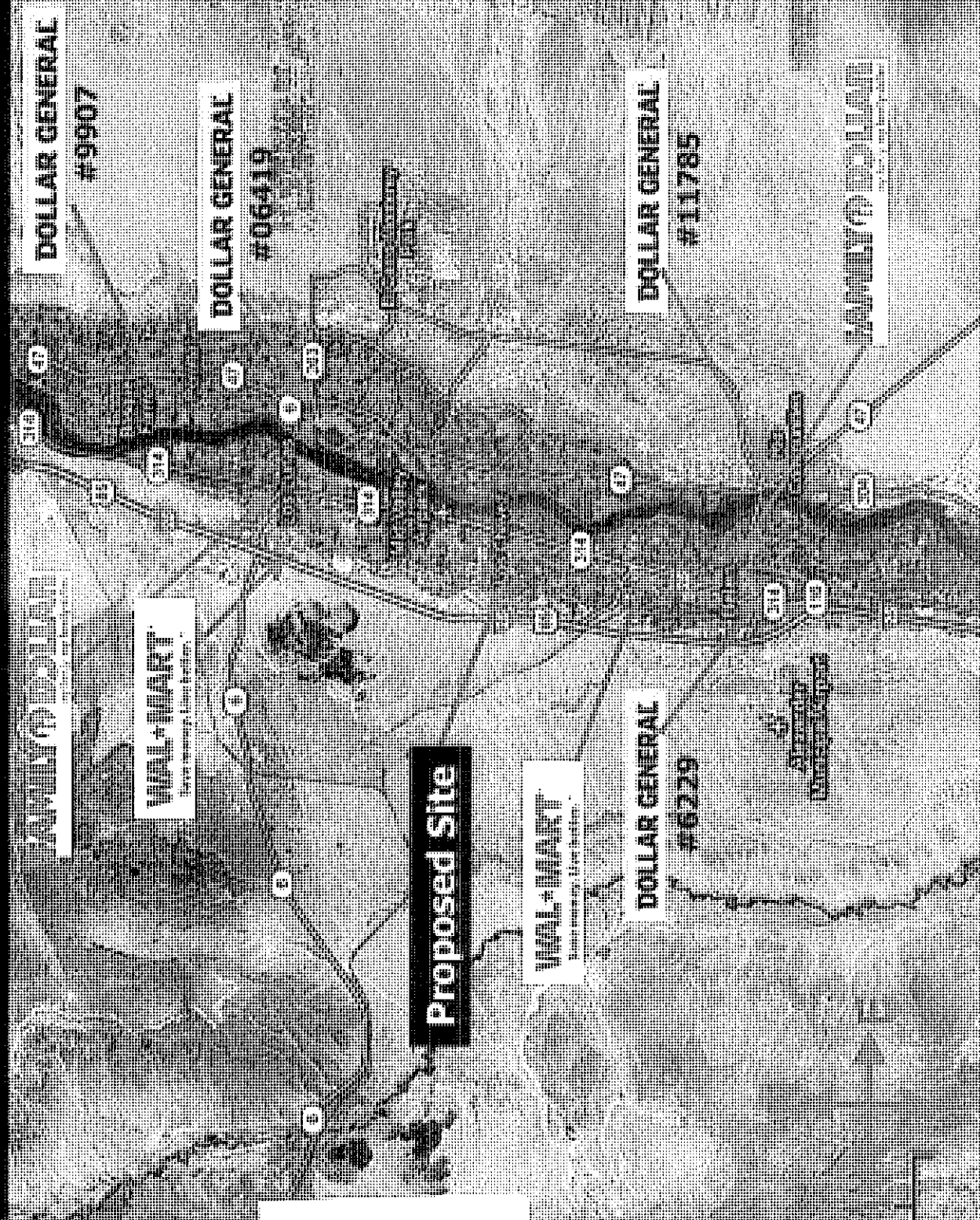
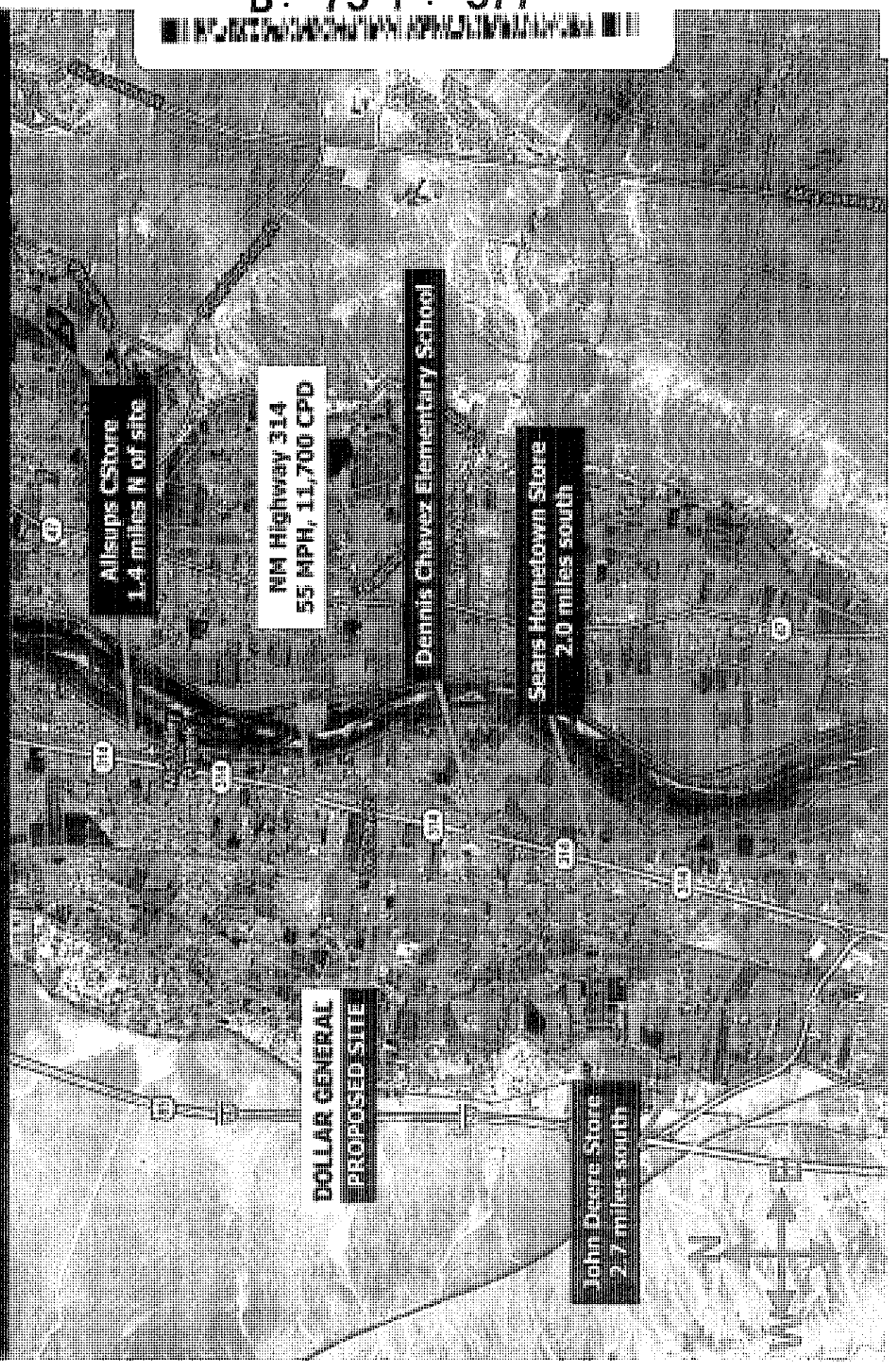


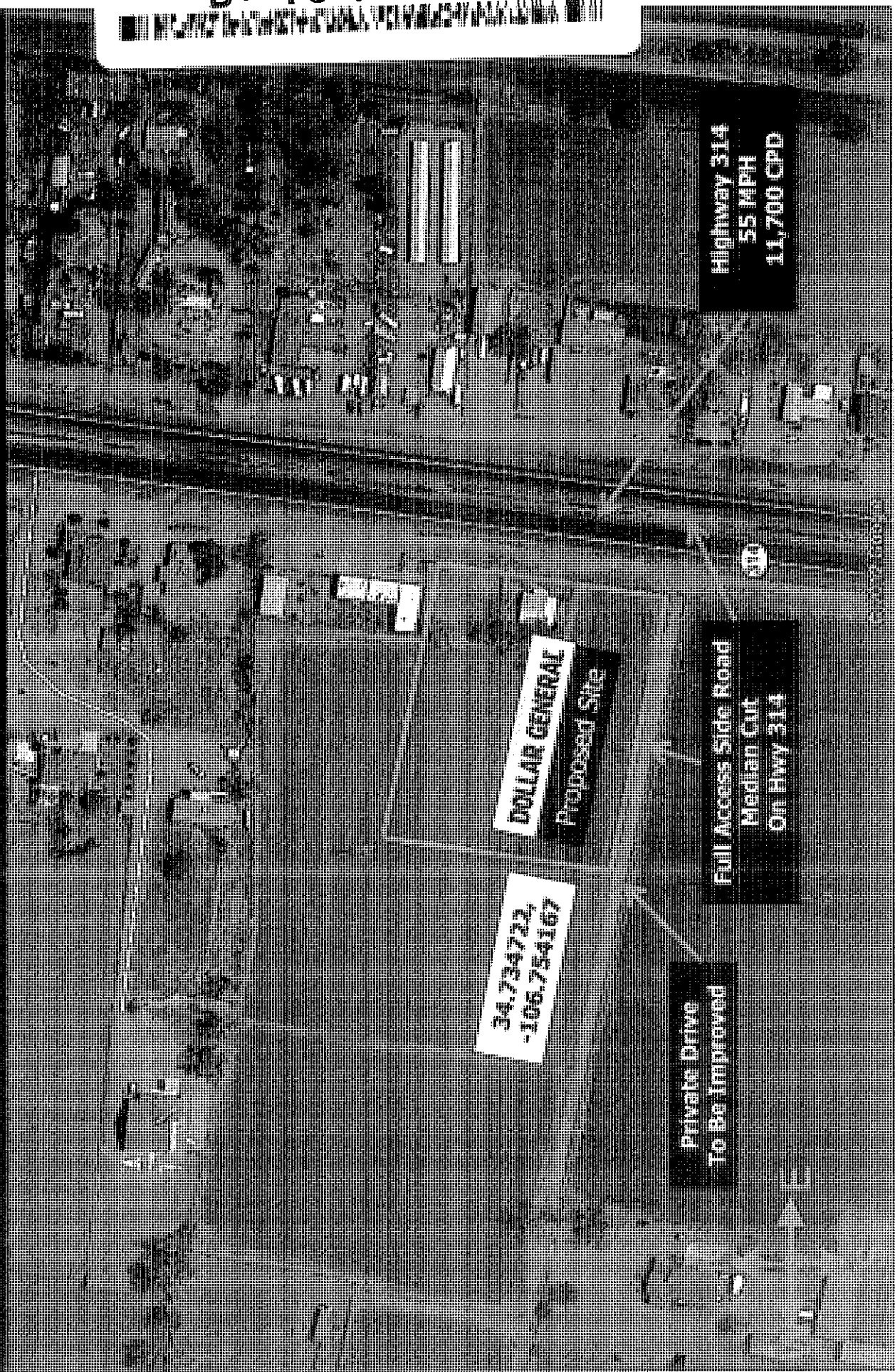
EXHIBIT B

# Aerial – Traffic Generators





# Aerial - Site





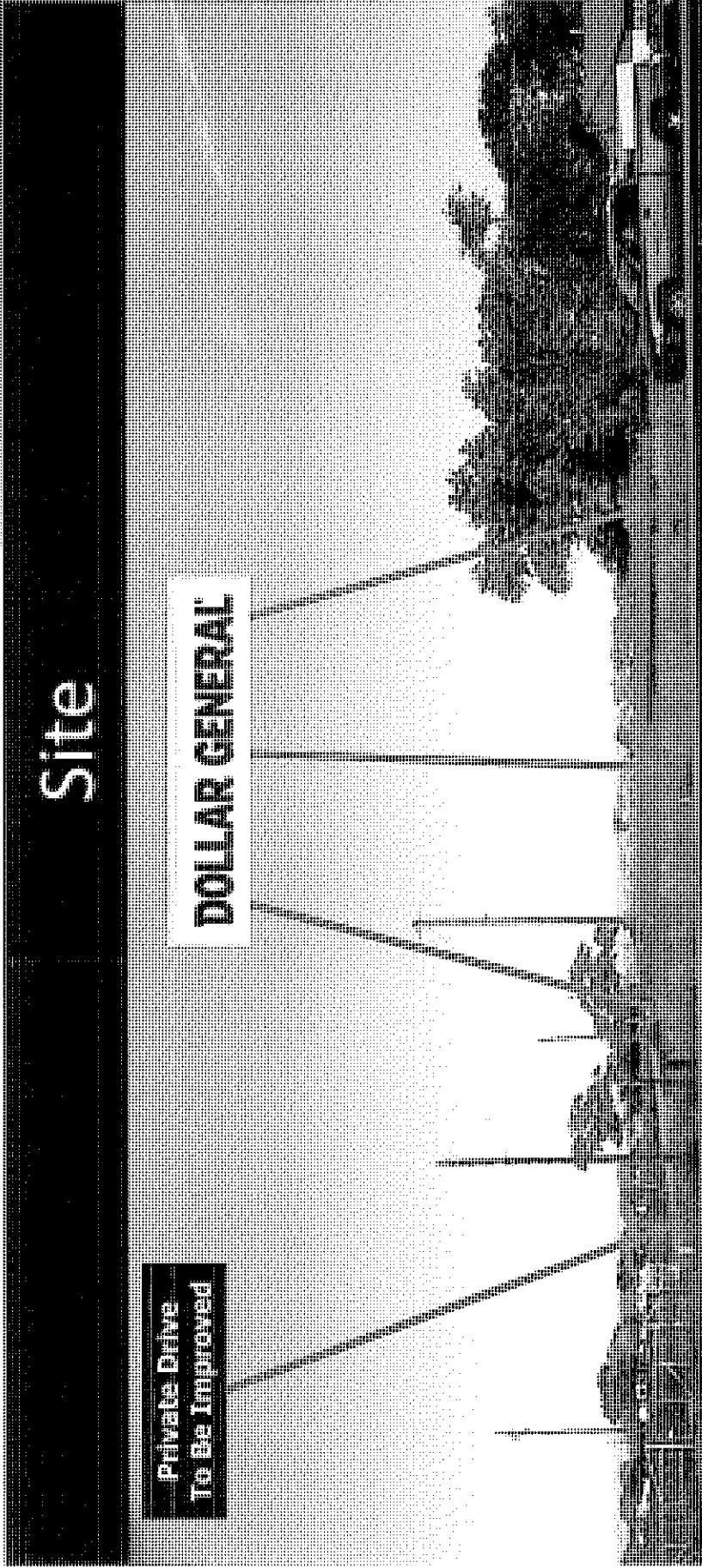
Site

Private Drive  
To Be Improved

DOLLAR GENERAL

Highway 314  
55 MPH  
11,700 CPD

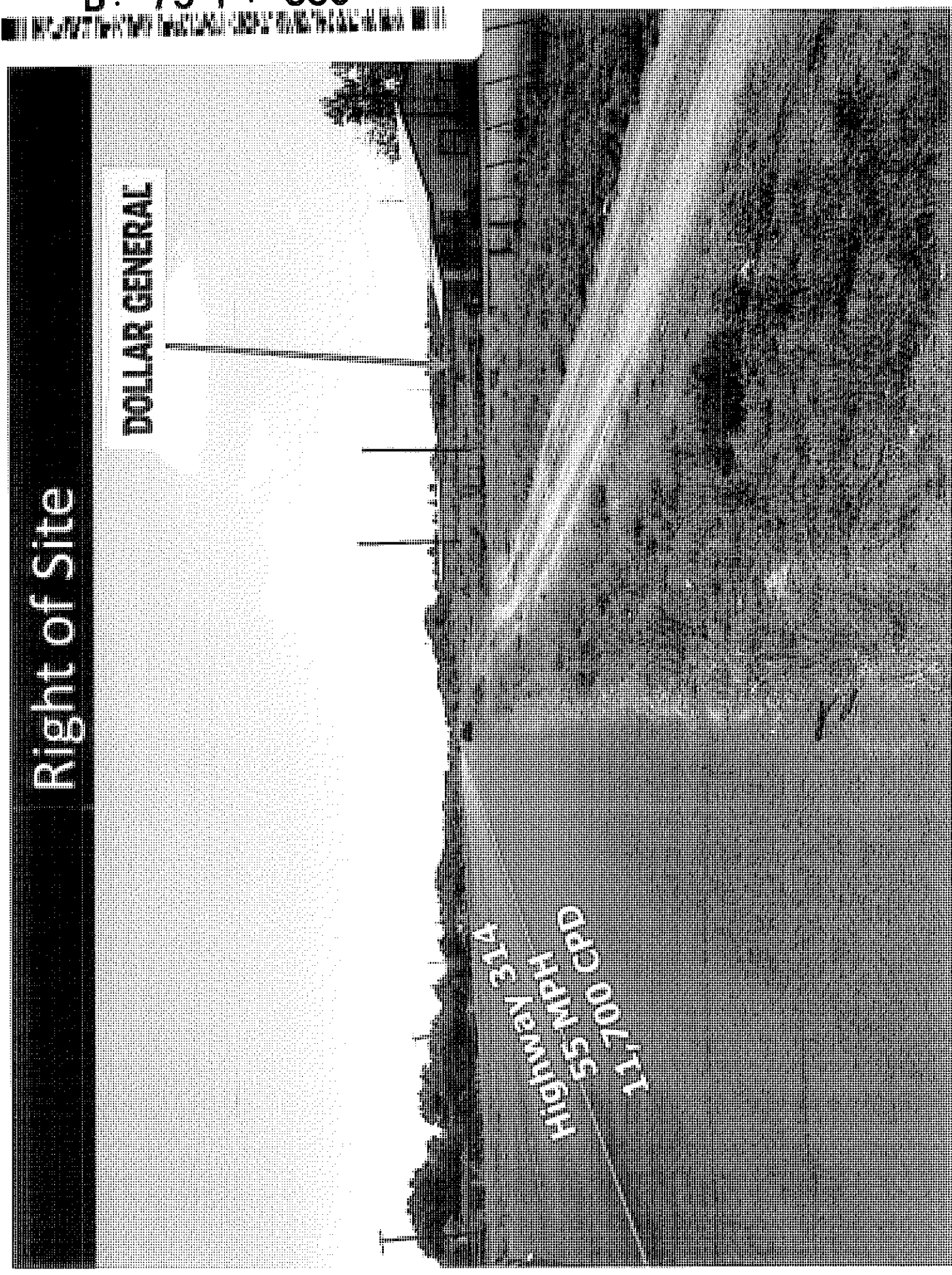
Median cut for  
full access to site



# Right of Site

DOLLAR GENERAL

Highway 31A  
55 MPH  
11,700 CPD

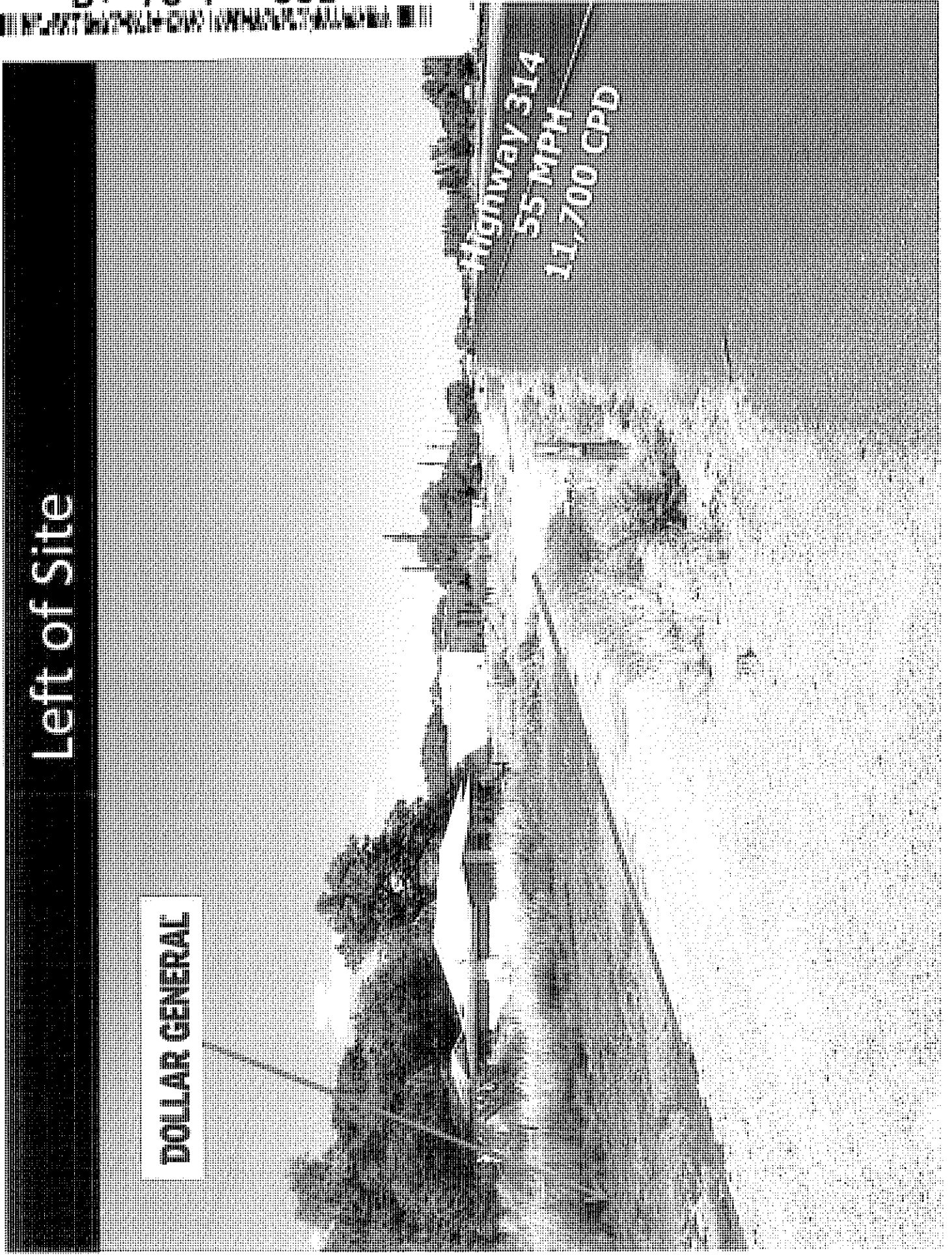




## Left of Site

**DOLLAR GENERAL**

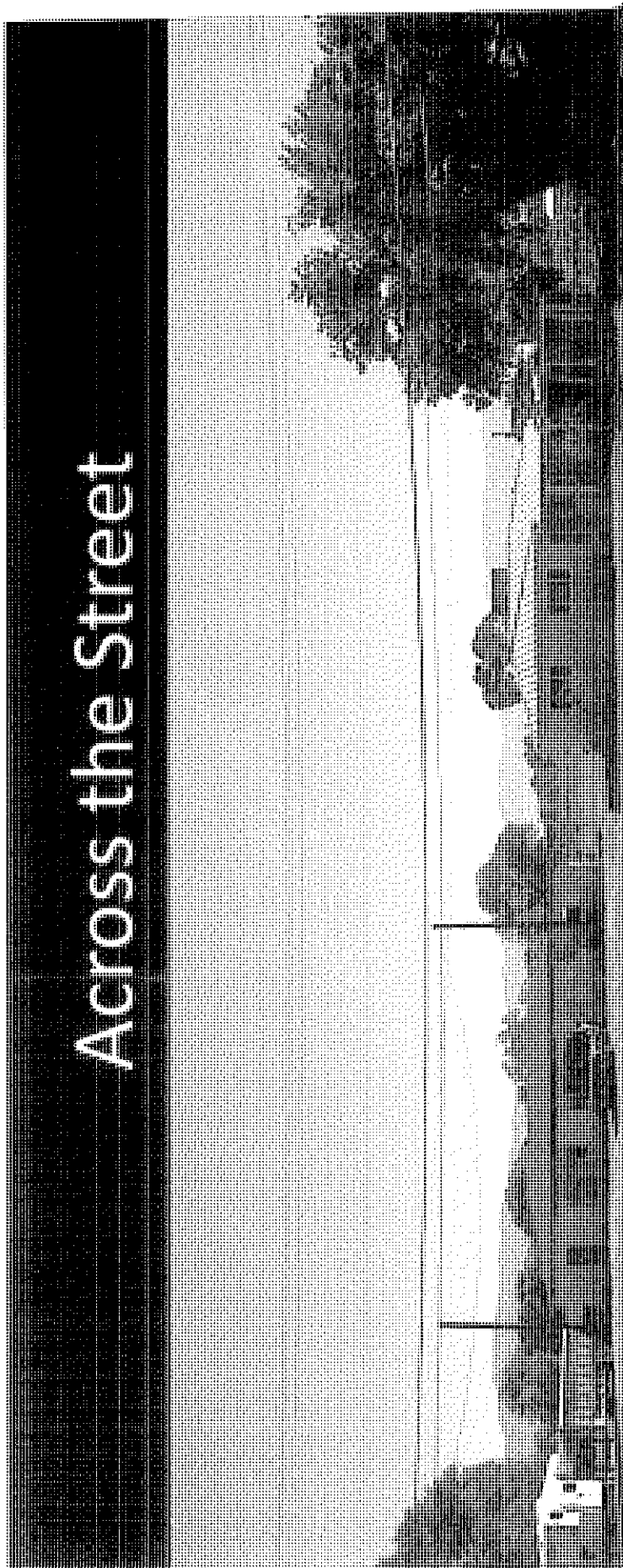
Highway 314  
55 MPH  
11,700 CPD





# Across the Street

Highway 314  
55 MPH  
11,700 CPD



# Across Street Looking Left

Median cut for  
full access to site

DOLLAR GENERAL

Highway 314  
55 MPH  
11,700 CPD

B: 75 P: 383

# Across Street Looking Right

DOLLAR GENERAL

B: 75 P: 384

Highway 31A  
55 MPH  
11,700 CPD





# Back to Front

DOLLAR GENERAL

Highway 314  
55 MPH  
11,700 CPD

Private Drive  
To Be Improved

B: 75 P: 385

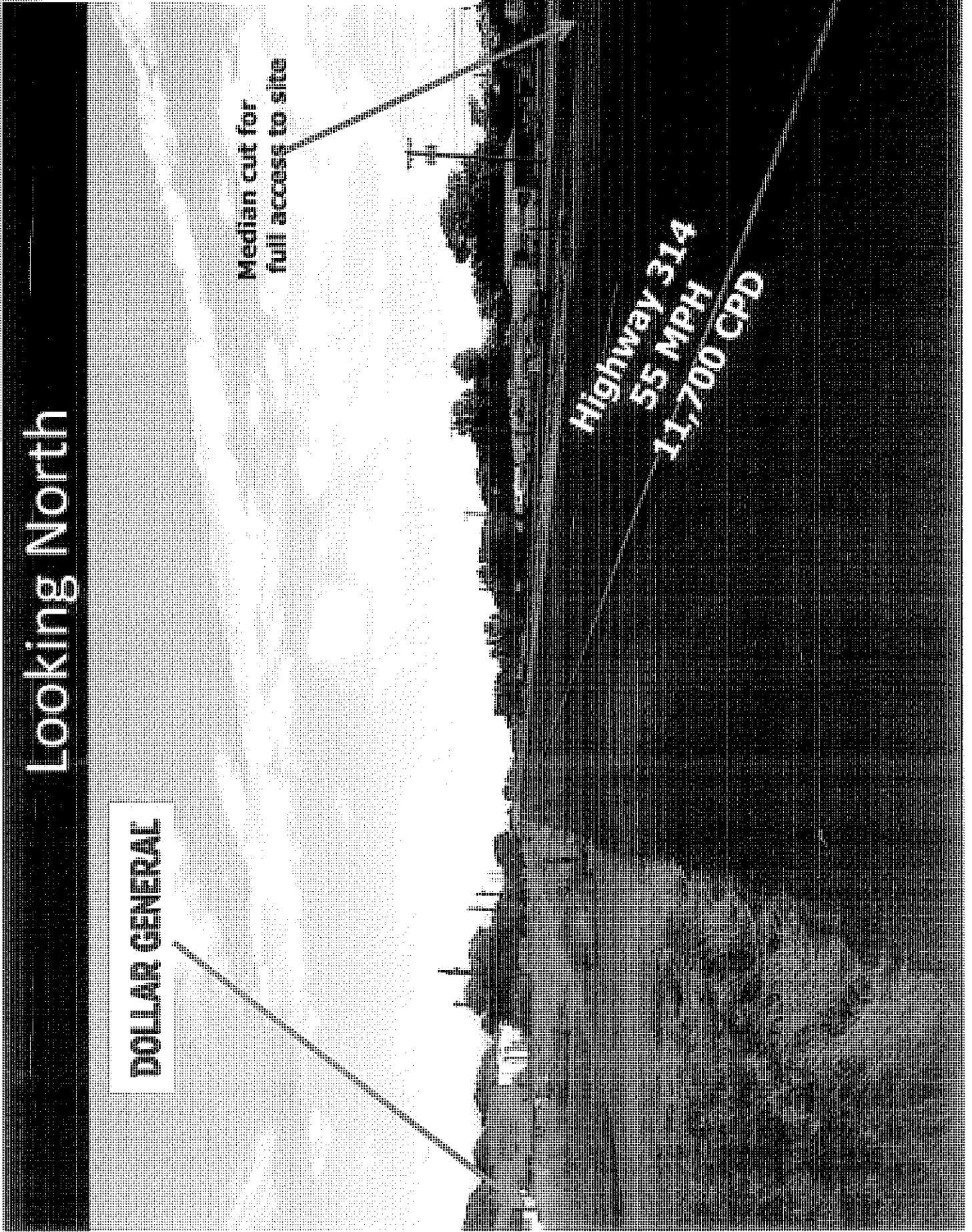


# Looking North

DOLLAR GENERAL

Median cut for  
full access to site

Highway 314  
55 MPH  
11,700 CPD



# Looking South

DOLLAR GENERAL

Highway 314  
55 MPH  
11,700 CPD

B: 75 P: 387





## Traffic Generators

Sears Hometown Store  
2 miles south of site

Allsup's Gas Station/Cstore  
1.4 miles north of site

Dennis Chavez Elementary School  
1.4 miles south of site

John Deere Store  
2.7 miles south of site

## Surrounding Retail

B: 75 P: 389

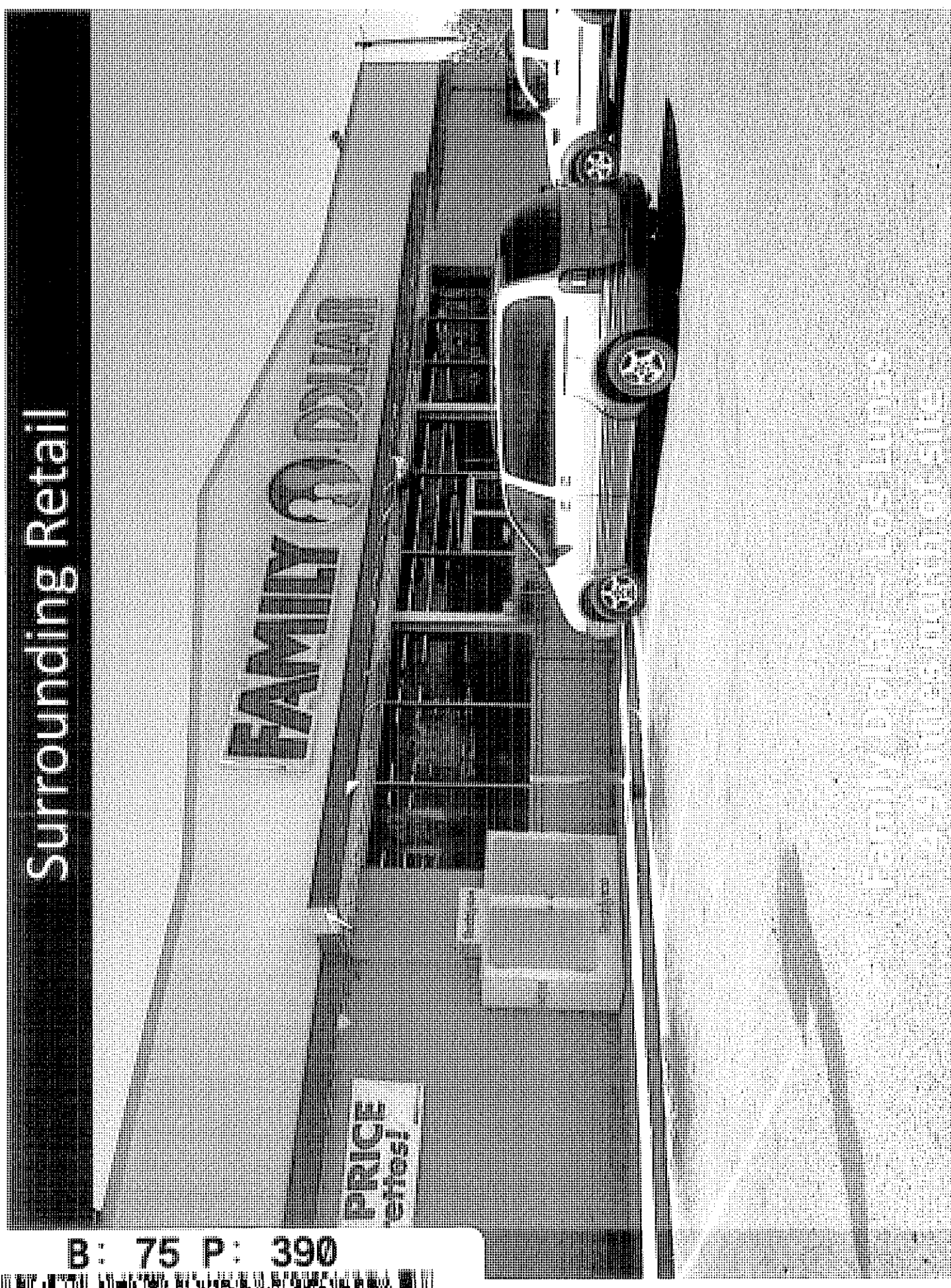
FAMILY DOLLAR

WEX

Family Dollar — Belen, NM  
6.8 miles SE of site



Surrounding Retail



Family Dollar - Los Lunas  
1/2 mile as shown on site

B: 75 P: 390



# Surrounding Retail

B: 75 P: 391

Wal-Mart Supercenter — Belen, NM  
3.0 miles SW of site



## Surrounding Retail

B: 75 P: 392

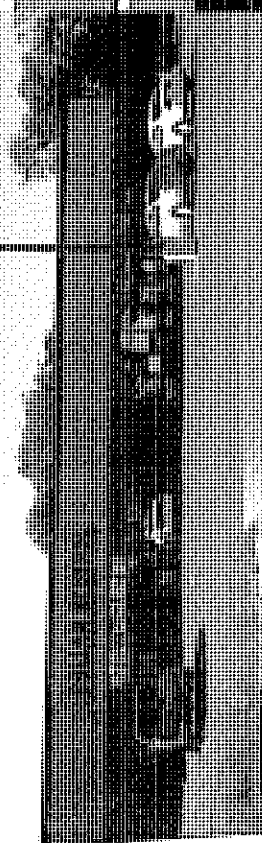
Wal-Mart Supercenter — Los Lunas, NM  
7.4 Miles NW of site





B: 75 P: 393

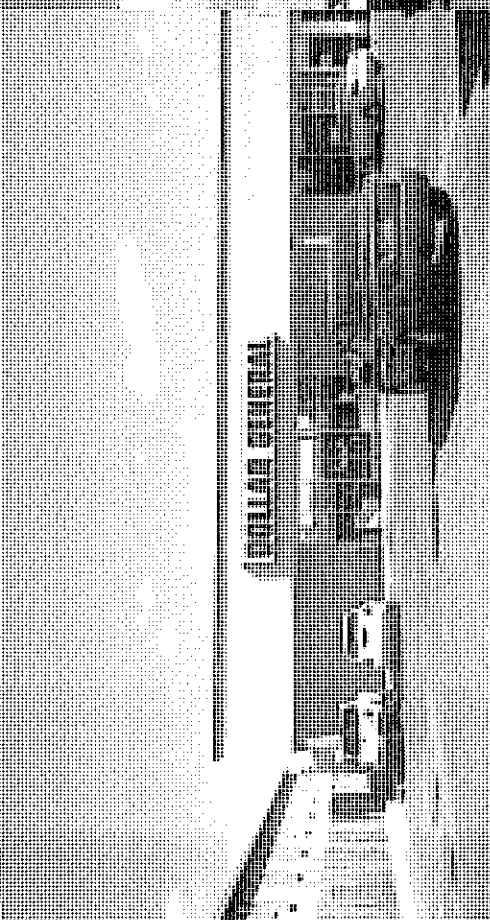
## Nearest DG Stores



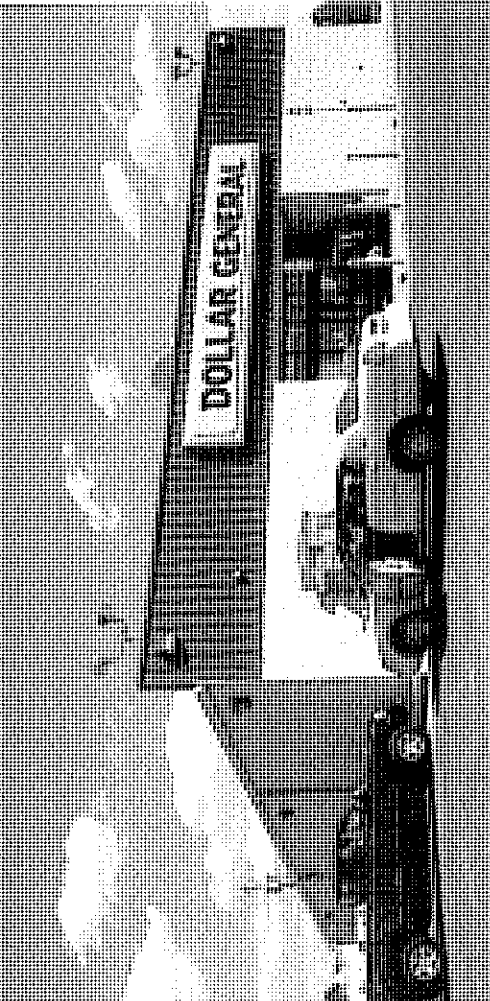
Bosque Farms, NM #9907  
10.7 miles N of site



Los Lunas, NM #06419  
7.2 miles NE of site



Belen, NM #67229  
6.4 miles S of site



Belen, NM #H785  
8.9 miles SW of site