



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, March 02, 2023 4:00 PM
Agenda

Please silence all electronic devices.

Call to Order
Pledge of Allegiance
Roll Call

Approval of Agenda

Approval of Minutes

1. **For the Business Meeting (02/16/23)**

Presentation

2. **Russell and Melodie Good - subdivision preview**

Executive Session - Pursuant to 10-15-1(H)(3) Deliberations by a public body in connection with an administrative adjudicatory proceeding: a) Consideration of Application from Cibola Land Corporation rezoning to commercial 3; b) Consideration of Application from Cibola Land Corporation rezoning to industrial 3

- **Motion and roll call vote to go into close session**
- **Motion and roll call vote to go back into the regular business meeting session**
- **Welcome everyone back and statement by the Chairman:** The Planning and Zoning Commission of the City of Rio Communities, New Mexico, hereby states that on March 2, 2023 a Closed Executive Session was held and the matters discussed were for the purpose of a)
Consideration of Application from Cibola Land Corporation rezoning to commercial 3;
b) Consideration of Application from Cibola Land Corporation rezoning to industrial 3 pursuant to NMSA 10-15-1(H)(3) Deliberations by a public body in connection with an administrative adjudicatory proceeding

Actions Items from Executive Session

3. **Discussion, Consideration, and Decision – Recommendation to move to Council applicant Cibola Land Corporation for the rezoning of Commercial 3**
4. **Discussion, Consideration, and Decision – Recommendation to move to Council applicant Cibola Land Corporation for the rezoning of Industrial 3**

Public Comment: The Commission will take public comments on ***this meeting's specific agenda items***. These should be in written form via email through 2:45 PM on Thursday March 2, 2023 to info@riocommunities.net. These comments will be distributed to all Commissioners for review. ***If you wish to speak during the public comment session in person:*** The Commission will allow each member of the public three (3) minutes to address the Commission. Both the public and Planning & Zoning Commission will follow rules of decorum. Give your name and where you live. The public will direct comments to the Commission. Comment(s) will not be disruptive or derogatory.

General Commission Discussion/Future Agenda Items

5. **General Discussion Topic...**

Adjourn

Please join us from the comfort and safety of your own home by entering the following link: @
<https://www.facebook.com/riocommunities>

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. 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 AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.



**City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, February 16, 2023 4:00 PM
Minutes**

Please silence all electronic devices.

Call to Order

- Chairman Scoggins called to order 4:27pm.

Pledge of Allegiance

- Member Good led the Pledge of Allegiance.

Roll Call

- PRESENT Chair Thomas Scroggins, Secretary Melodie Good, Member Scott Adair (zoom), Member Adelina Benavidez, Member Chad Good.
 - Present: City Manager Dr. Marty Moore, Municipal Clerk Elizabeth Adair, Deputy Clerk Lalena Aragon City Attorney Cory Strife.

Approval of Agenda

- Motion made by Member Good, Seconded by Secretary Good with a unanimous vote the agenda was approved as written.

Approval of Minutes for the Business Meeting for 01/19/2023 & 2/02/2023

- Motion made by Secretary Good seconded by Member Benavidez. With a unanimous vote the minutes for 01/19/2023 & 02/02/2023 were approved as written.

**Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Hearing
Consideration of Cibola Land Corporation: Commercial 3 zone:**

- Motion made by Member Good, Seconded by Secretary Good.
Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good.
With a 4-0 vote the commission recessed the regular meeting to go into the Public Hearing at 4:32pm.

**Public Hearing - Cibola Land Corporation: Commercial 3 zone: Proposed Location: UPC
1009026375240000000 Subd: PLAYA ESTATES Tract: PARCEL 5 11.52 ACRES 1994 SPLIT, UPC
1009026375140000000 Subd: PLAYA ESTATES Tract: PARCEL 7 27.26 ACRES 1994 SPLIT**

- ❖ Chairman Scroggins read his statement.
- ❖ Manager Dr. Moore gave a presentation and explained how the Public Hearing works. Explained that the Planning and Zoning Body is to send to Council with recommendation or without recommendation and that there will be another Public Hearing and Council will make the final decision. He then continued to explain the commercial3 and industrial 3 zoning and steps that are involved in those types of zones. (See packet).
- ❖ Mr. Yates gave his presentation talked about the area that they are planning to have rezoned he showed the blue area that is asked to be rezoned too commercial. Mr. Yates explained that they do don't plan to bring in any heavy commercial.
- ❖ Ron Hironimus 837 Lee Trevino; My main concern is the smell with the industrial we already have a smell my other point is we are land blocking the southeast of our building you are keeping the growth of our city within that boundary. You have a solar to the east you have a little bit to where we can build north. If you ok this all comes down to what they are going to

put there with the running of the railroad there is a few of us here that put in quite a few years with them, and we know the procedures. In my opinion I live on 837 Lee Trevino which is right up against the Golf Course, and I would like to see this turned down or moved into there is 39 acers in commercial and the rest is industrial. I don't want to see a auto body. Mr. Gentry said something in the paper the other day if you want to see industrial 3 go down South Broadway in Albuquerque and I don't want to see that in Rio Communities.

- ❖ Secretary Good asked are we only talking about commercial 3 right now.
- ❖ Chairman Scroggins said yes, we are discussing commercial 3.
- ❖ City Attorney explained anyone coming up to speak has 3 minutes and if everyone could speak into the micro phone on the podium.
- ❖ Tom Marez; I want to make things better for the county. Last time I was here commissioner Good you gave me a hard time about what I was speaking. Free speech you have it I have it everyone has free speech as long as I am not yelling fire in a theater cursing people out inciting a riot you need to listen to what people say if your skin is so thin you don't like what people say you should not be in the position of authority. Commissioner Benavidez know me well I speak what I believe. This should not be happening. Mr. Yates has 7,000 acers in this County why does he want to ruin this part he has a lot of land out by Manzanos put in a railroad spear build a highway he's got the money put it there. You want to do polluting things go out there not right next to the golf course where people live. That is just ridiculous. The County has already been bought out by this guy is Rio Communities next. Come on just because he has the money doesn't mean he can buy and do anything he wants in this County. Shut this down. I'm sorry you do not need heavy commercial heavy industrial right in the middle of your city. It is nice corner of the County why do you want to ruin it so a rich guy can get richer. Thank you.
- ❖ Monique Marquez Rio Communities resident on Godfrey; So Dr. Moore just talked about process that we have in place to protect the community process for planning and zoning Council processes that are supposed to protect us from industrial or different types of businesses that are going to come in how ever he did say this going on to council. That means in my opinion that you guys have already made the decision the process here is where it should stop to protect the community.
- ❖ Darrell Tinsley 463 Bishop Ct.; It is not within the 300ft, but I am in the downwind. In regards to commercial it might not be a very large piece of property that you are talking about. My concern is I have heard that its only supposed to be 100ft high of that is ten stories that may be a problem for some people a lot of us bought property here so we can see what is around us we like to see the mountains we like to see this and that and other things. It is not going to happen if you make it so there is a 100ft ceiling on us. I am retired military I came here as soon as I could we owned property here since 1962. I couldn't get here fast enough I had to finish off my Military. I was 15 when my mom and dad bought property here. I like to see what is going on. I don't want to sit here and say oh that is a pretty building. I like to see what I have; I don't want to watch the air I want to see the air and the sky. I don't want to breath weird stuff I can't smell but I want to breath freely. I got enough problems going on health wise I don't need other issues against it, so am I for this heck no. I am not against Mr. Yates or any of his people. What I would like to see is something where we can have expansion of the city if we are going to have to be a city make it to where it can expand with people real people not companies, companies can move further out there is property available.
- ❖ Elizabeth Dicherry 15 Porsche PL Los Lunas, NM 87031; I am a registered nurse I have done a lot of health care hear in Valencia County and Albuquerque I live in Valencia County I have lived

here almost my whole life I heard something very disturbing when I came here tonight. I heard why are you here. You don't live in Rio Communities. I live here in Valencia County I share the water with you guys I share the air with you I recreate down here I have taken care of some of the babies here and some of the older folks here and I was really disappointed when I heard I wouldn't be welcomed well here I am. I am going to speak thank you very much. I have written letters and almost everyone in this room is opposed to this. I read your vision statement here on the Rio Communities Comprehensive plan that committed to fostering a informed city by actively engaging and being responsive to all the residents young and old and planning the development of a safe and steady community. I am sorry but this commercial 3 doesn't have anything to do with this statement you put in. I see that some of your goals. Your goals fostering a informed citatory no plan and develop a safe community no, create a esthetic community no, create recreational activities no, protect natural resources no, also with commercial you have listed heavy and light machinery have you all seen Artishia have you seen Farmington have you all gone to Louisiana by any chance and see all the things that have happened along the Mississippi River. Yes we live near a beautiful river here so yes light heavy machinery you are look at all kinds of things like automobile, equipment and rental, motor frame terminals have been mentioned also there is a lot construction and contractors yards and by the way I live in an area where there is no zoning pretty much and we have kind construction yard by us and it isn't pretty let me tell you and it isn't fun having equipment repair service insulation the list goes on and on and that is just commercial that isn't even talking about industrial. Mr. Yates says oh he wants light commercial don't they hey deny the c3 end of story you want light commercial then you apply for light commercial sir. Thank you very much.

- ❖ Tom Nelson; I am backing my application everything that you guys receive is timed stamped does it not. This doesn't this also has a check mark application fee paid it is not I demand to see a receipt to where this is paid and when it was received you haven't done any of that.
- ❖ Rudy Griego Lee Trevino Blvd.; I moved here about two and half years ago roughly. My reason for coming here was the esthetics of the area we like the people we like the fresh air. If you start ruining things the air quality is going to be going down the ground water is going to be polluted beautiful Rio Grande is going to disappear under these types of industrial revolution or whatever you want to call it. I think what we had here in the past 2 years is what most people came here for the views the fresh air. The traffic is going to continue to go up low income values are going to go sky high everyone is going to be reduced to a lower income. What I am try to say it is going to bring in the wrong type of people to the area property value is going to go down and I don't want to see that happening to me or my neighbors.
- ❖ Nicole Maestas Olonovch; I am an elected representative for congressional district 2 environmental justice caucus. On the matter of commercial development the primary issue is that Rio Communities don't trust what they are going to put in this particular area of zoning, secondly they do not want a developed area pushed outwardly into their eco systems, lastly they do seem to trust the developer. These are all really important issues that need to be addressed. Once areas are rezoned and done so without the Community as a primary stake holder at the table there is a valid believe that things could spiral out of control quickly and the next thing you know your living in a sacrifice zone. Light commercial is what has happened to the South Valley of Albuquerque. We have negative consequences on the community and on the environment. Non of which could be controlled on visible boundaries we must inspire trust we must make sure the Community has a say on what is on the table on behalf of the Environmental Justice Caucus as a disabled veteran who earned her disability serving our

county down wind of burn pits in Iraq and on behalf of this community and future generations. I humbly ask you to vote no on this rezoning.

- ❖ Kip Karnes I live on 1684 Nancy Lopez; I am urging you to vote no it will ruin the community this could ruin the community we are going to have noise nonstop up and down the roads with the trucks it's not good it will ruin the community we have a quiet community most of us are retired and this will just ruin it. I hope you guys vote no knowing that this could ruin the community and I don't want you to go down in history for that. Oh we are the ones that voted for this what turned out to be a very terrible project. Thank you.
- ❖ Lodi Silva 309 Ricodo Pl. My statements are my own and do not represent any former capacity I hold with any city or nonprofit organization I have involvement with. So, this is c3, but this is data basically. I am a local relator I represent a lot of people in this community either bringing them in or helping them make the transition out. Last year 92 homes were listed in 2022 that is a average of 8 per month. Since last public hearing notice on January 19, 2023, less than 30 days Rio Communities has had 10 homes put on the market in less than 30 days. Currently 8 homes on the market in Rio Communities with only 4 in the city of Belen on the market. That shows with this coming people are wanting out of here and that breaks my heart. This a bedroom community most of u have been here since before it even became a city. So let's vote our residents and not for big dollars. Thank you.

Motion and roll call vote to go back into Planning and Zoning Meeting session.

- Motion made by Secretary Good to move out of public hearing and go back to the regular business meeting. Seconded by Member Benavidez. Voting Yea: Chairman Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good. With a 4-0 vote the Commission went back into regular business meeting session at 6:27pm.

Discussion, Consideration, and Decision – Recommendation to move to Council applicant Cibola Land Corporation: Commercial 3 zone.

- Chairman Scroggins said that it has been suggested that we postpone the discussion and consideration on this commercial 3 zoning until our next meeting on March 2, 2023 meeting.
- Manager Dr. Moore explained that there has been a lot of information given to the commission tonight in person and also in writing and emails he suggested the commission has time to take all the information into consideration on this matter.
- Manager Dr. Moore then explained when a proposal for a zone change comes in, he works with the clerk's office and the responsibility falls on my office. My assistant also looks over the application to make sure it is organized to be brought up to arguments and discussion. Any kind of recommended.
- Chairman Scroggins explained that Mr. Yates explained that they can't tell us what is going there until it is rezoned.
- Manager Dr. Moore explained that it is online and if you come to the office and we will give a printout of what is permission on a C3.
- Monique came up and read what a c2 and a c3 zoning would be.

****1.02**

****1.04 Rick Sandoval**

- Member Benavidez asked if we table this and table an action to the next meeting there are ****1.05**
- Attorney cory explained ****1.06**

**Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Hearing
Consideration of Cibola Land Corporation: Industrial 3 zone:**

- Motion made by Secretary Good, Seconded by Member Benavidez.
Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good. Wit a 4-0 vote the Commission went into Public Hearing for the I3.

Public Hearing - Cibola Land Corporation: Industrial 3 zone: Legal Description: UPC:

1010026145085000000 Subd: PLAYA ESTATES Tract: PARCEL 12 14.29 ACRES 1994 SPLIT, UPC
1010026270120000000 Subd: PLAYA ESTATES Tract: PARCEL 14 19.56 ACRES 1994 SPLIT, UPC
1010026294187000000 Subd: PLAYA ESTATES Tract: SOUTH PORTION OF PARCEL 15 5.65 ACRES 2006 SPLIT, UPC 1010026397131000000 Subd: PLAYA ESTATES Tract: PORTION OF PARCEL 16 REMAINING 16.44 ACRES 2006 REV, UPC 1010026320050000000 Subd: PLAYA ESTATES Tract: PARCEL 19 54.00 ACRES 1994 SPLIT, UPC 1010026195020000000 Subd: PLAYA ESTATES Tract: PARCEL 20 12.84 ACRES 1994 SPLIT, UPC 1010026195020000000 Subd: PLAYA ESTATES Tract: PARCEL 20 12.84 ACRES 1994 SPLIT, UPC 1009026490035000000 Subd: PLAYA ESTATES Tract: PARCEL 22 35.56 ACRES 1994 SPLIT, UPC 1009026365015000000 Subd: PLAYA ESTATES Tract: PARCEL 23 33.40 ACRES 1994 SPLIT, UPC 1010025060475000000 Subd: PLAYA ESTATES Tract: PARCEL 24 47.01 ACRES 1994 SPLIT

- ❖ Attorney Strife read off 4-3-10 heavy industrial. So those include but not limited to following, those are public facilities, meat packaging no slaughtering or rendering, manufacturing of play products brick, tile of cement, community municipal water supply system, heavy manufacturing, feed mills, grain elevators and seed cleaning plants, petroleum or liquified petroleum gas bulk plants, similar uses in character scale in performance with similar noise odor air and water and traffic implants on the properties there are additional uses that are conditional or special use which means they would be potentially permitted with additional consideration. Would be a an open or
- ❖ Chairman Scroggins asked if they get the zoning done and they want to put a meat packaging plant it they will not have to reapply for special use permit.
- ❖ Mr. Yates began his presentation he explained the area that he wants to rezone for industrial was a dumping ground before they purchased it. All this property is planned 140 thousand lots are planned as residential there is a lot of room we not asking to build in the back yard of. they have **1.16 We are proposing a 300ft buffer zone and what you see is it loops up over here the closest house would be 600ft away we are not going to set up a factory right next to the houses. we have two highway that is why we want to do this we want to put new roads and **1.18 We are not trying to destroy the world. **1.19 i will put in writing that we area not going to put storage tanks **1.19 we have a wind mill plant to. the problem is we need these **1.20 They will be paying taxes we will but this in writing that we are trying to put in good development to bring in CEOs and jobs to new Mexico and if we can bring in this we can help the people here, we are not trying to destroy the world we are not going to sell to a hazardous waste **1.22 I don't know what we need to do to put in writing that we are not going to do this we are trying to take advantage to keep the business from moving to Mexico.
- ❖ Member Good asked if we could work with the attorney to have it written up **1.24 we do not want a chemical plant or but i would like it to have language in there there **1.25. Who is going to provide the power the water and the sewer **1.27 next questions are you going to bring in the water rights .
- ❖ Mr. yates said yes, we are going to buy and bring in water rights.

- ❖ Helen Smith 952 Frederico Blvd.; Helen showed a picture of the pipe that is the fence going around the land of the industrial park and the house is mine. Above the land level of the home is all downhill going into the city into the river unless we have sewer of and water reclamation. This will completely change the character of our city. It is inside the city limits there has to be thousands of acers even close to the existing industrial park that are not inside the city limits. They can do this wonderful project there and Rio Communities will still benefit from the jobs the money spent in the area with people buying houses we don't have to put the industry inside the City limits. That is all we are asking is to keep our community. We want the scenery, we want the air, we want the animals we want our peaceful quite life and this is what our master plan calls for. So, we hope that you would seriously think about what this city would become if this goes forward. Because we will be a company town our taxes will go up because we would have to build water recognition, sewer, infrastructure, we would have to add police officers, fire officers, traffic control, lights all of things are a burden on the city. This doesn't have to exist. We can still get the benefits of the developing industries in our area. You can't tell me that these 200 acers is the only place that this industry can go in Valencia county let alone New Mexico it is a pretty big place and is pretty empty. So, there is plenty of room for this to go somewhere else. Please do not do this inside the city limits.
- ❖ Ron Gentry; I filed a letter with your manager under the disability act that that you will provide any adequate sound system for hearing. I am sure it was a little soon for it to get done. But I was assured by the City manager that they were going to get a sound system that worked. This one does not work. Am I the only one having trouble hearing. We cannot hear you that is the problem. I have seen a lot of Public Hearing and never seen one quite this style. I thought last time it was on track according to your agenda you were going to vote yes or no and now it seems that you are having a Hearing and later on you are going to recommend it anyway because your motion here says you will recommend it to Council. So, it is already predestined and that's ok if that's how you run your meetings that way and that is legal. I think it is your responsibility, your duty and we expect that of you to vote up or down if you believe it is good for the community up and if you think it is not what the community wants down. That's simple. My explanation I think the city attorney made it clear and the presentation made it equally as clear. If you want I3. You are going to get that rendition that was ran by the attorney are the legal things that can be done. Your zoning ordinance says that can be done you can't pick and choose once you vote. I beg the differ that you can say oh we don't like that, or we want this one. That what you are going to be up against. I don't think you can piece meal this thing and I think the attorney would have to agree with me. You have an industrial park today and it's not what I call great. I heard that hearing for over two years of it, and it is there I live next to it, and I can smell it you smelled it two weeks ago. When the wind blows this way, you will get it. I hate to see a community that we tried for 20 years to get this community together I hate to see it sit here and degrade and dissolve before our very eyes of a beautiful city it could be. You have a golf course you have nice residents and now you want to put an industrial park. My last comment is if you are going to wait and vote on I3 first or C3 first. If you vote yes on C3 and no on I3 and it passes that way, then you are going to have a commercial zone and a opportunity zone and an industrial park so it looks like the horse and the cart are backwards. You need to start from that end of town and zone it this direction. You are going to split it in half by the way this is done it has to make it look easy it is not a easy job and I don't envy you for having to make a decision. I wish you would make the decision on behalf of the community. Thank you.

- ❖ Clerk Adair said if you are having trouble hearing in this room the overflow room has better sound.
- ❖ City attorney said I just want to clarify the way the zoning ordinance is written that any type of rezone has to go in front of city council it is not the Planning and zoning job to make that decision it is there job to make a recommendation to either approve, deny or up satin that will go up against city council I just wanted to make it clear by it forwarding to city council it doesn't make an automatic approval. This commission must make a decision one way or another it still has to go in front of council.
- ❖ Steve Gladwell 1624 Blanda Ct.; In my remarks tonight, I am going to be very skeptical and very pessimistic on moving forward with this industrial 3. I think there are two positive point that may happen one is this zoning community is going to stop this in its tracks and not move forward. I know there are some complications with that voting but you need think of this community as a whole and stop at this point. The second positive thing is when it gets to council, I think they will see what the residents want and not move forward with this. We are the people you need to be listening to. It is very important that this community stays a pristine community I mean this gentleman Mr. Yates I think he is just a broker. Once he sells these properties off, he is not going to have control on what they do with them he is going to get his money and then the control is going to come to us and maybe out of control. The money is going to be there, and they are going to press us all the way to get what they want. Bad zoning, bad industrial 3 at that point we are going to be way behind and out of control on this. This Cibola land corp. came into our community and saw very nice homes very nice town homes and after looking at this I can't understand what the thing would be to put an industrial 3 on the edge of our community. I mean what kind of people does it take to do something like that. It shows a lack of respect for the residence it shows a lack of respect for the environment and to me it is somewhat unscrupulous because they won't divulge what they want to do with this project. I mean it is very unclear it is very murky and it will continue to be that way once they broke these properties off to other people. It is going to get really murky and a detriment to us as a community. So what I think he has instore for us is he isn't going to accept a no from this planning and zoning comity he isn't going to accept a no from City Council he probably already has a legal team that is ready to go against this community. If we don't stop him now, we are never going to stop him.
- ❖ Kathy Gurule 1032 Guapo rd.; My husband and I moved here last October from Los Lunas. We left my husband's lifelong home and my home for over 30 years to escape the uncontrolled growth which has turned Los Lunas into a community we no longer recognize. We moved here because of the view the open space and the quiet the big majority of the residence of Rio Communities for the same reasons. Retires seeking a restful quiet place to enjoy their retirement and the younger families who moved here seeking a better place to raise their children. I truly don't believe anyone moved here seeking big job opportunities. I am not opposed to growth, but I am opposed to this type of growth which would have an adverse effect on this community the quality of live would only benefit a select few. I am opposed of growth that isn't well planned out. Rio Communities doesn't have an established police department to handle the increased crime or traffic that comes with this type of development it will put a significant burden on the Sheriff department policing a county as big as Valencia. When the westside of Los Lunas exploded with the industrial growth crime increased the Los Lunas police department has been faced with the ongoing shortage of officers this happened in a community that had the necessary infrastructure in place. Imagine what would happen in a

community suck as our that has none of that we don't even know what types of industries we are considering in inviting into our community and yet it is still our community. But what kind of box might be open if the choice is made to deal with a developer who is unwilling to disclose anything. What is it that is being hidden behind their proposed buffer zone of trees that are going to be so close to a residential property and why are we willing to consider doing business with any developer that is led then 100 percent transparent. Others have spoken of the detrimental effect on our environment and I stand in agreement with them and I will also remind you of that adverse effect that is would have on us all but mostly the medically fragile among us. Ladies and gentleman look at the faces in the audience these are the faces of our neighbors we are you community please remember the task at hand is to make a recommendation that is in the best interest of Rio Communities and the of the mayor and City Council is to make a decision that is in the best interest of the residents they were elected by and sworn to represent. It is abundantly clear that the people of Rio Communities are opposed to this purposed rezoning there for the only right choice is to return a no vote on this matter. Thank you.

- ❖ Robert Kaneshiro I live on El Mundo; Helen is my neighbor and we have been watching them put up the fences and stuff for the industrial zone and is really close to our home. I am oppsed to the industrial zone because it is right in my front yard I have to look at that every day and it is going to bring down our property value. You Know Mr. Yates said we won't allow these types of business to come in they won't sell to them so my recommendation is why don't you change the language of the industrial zone to phase out any type of petroleum, liquid petroleum, gas bulk plants, heavy manufacturing, facilities with the production of oil natural oil gas or geo thermal resources of another hydrocarbons are hazardous to our health. Look what happened in Ohio the railroad told us it was safe nothing is going to happen and boom what happened. They had a spill. A month ago Mesa Oil made that release up here on the hill that is just south to me to and nobody knew anything right the fire department didn't know how to respond obviously there is no response plan that is required by the EPA the nearest EPA monitoring sight close to us is in Los Lunas so what type of spill or discharge would it take before they are able to monitor it. We are not located in a proper place to have these kinds of industries we have the industrial zone south of us build on the East side of it. The Yates they own 7,000 acers in this area they have plenty of room to build that isn't right next door to homes that will bring down our propertied. Turn don this zoning proposal.
- ❖ Jeff Zongora Ben Hogan Loop; For the life of me I cannot understand why anyone would go along with putting a heavy industrial are in our beautiful neighborhood. There is so much open land it is crazy to even think of this. You want to talk about buying local or doing local business if want to go to a decent grocery store, we have to go to Los Lunas we could use a great grocery store there is so much that we need here we do not need heavy industry. As far as his mentioning if it is zoned her would be able to have it so they could put in the fuel for the company to fuel their own vehicles that means there is going to be so much traffic. Go to UPS and watch them leave in the morning it is a solid stream as far as you can see and that is what is going to happen here. I can only say I hope common sense is common. Thank you.
- ❖ Tom Lee; One thing he wants to do is do an industrial park well I looked online and in the Rio Communities industrial park there are currently 11 unused parcels 178.94 acers why do we need more of something that is not selling keiter went out of business and so did Solo cup so we don't need more of the same thing that is not working. There was a claim in the January 26th new bulletin I wasn't at that meeting but is says is the zone changed is approved Yates said the

Company plans to build new east west roads through the property to connect the two highway and try to ease some of the heavy semi-truck traffic from city streets. Really. That is absolutely ridiculous you go up 304 or you go up to 47 into Rio Communities it doesn't solve anything. They still have to go through Belen though River Road to get to the Highway i25. Another comment was we are hoping to work with the city to annex the existing industrial park and add to the 300 acers if it is rezoned that would make it the second biggest industrial park in New Mexico. It took me five minutes on the Valencia County assessor's website to look at that area where the railroad goes underneath i25 that is called the Belen industrial park if you don't know what it is and here is some acreages that I found 756, 585, 500, 364, 414, 598 those are single parcels. If a company like amazon or a company like that is going to come in they will want a big continuous piece not a piece that makes a L shape right next to a residential area in addition I looked at Los Lunas and again the Valencia County website didn't take but five minutes there is 738 acer parcel that is only have uses 474 parcel which is not used both of those industrial parks are next to the railroad and to I25. Both are within the incorporated area of Belen and Los Lunas. I live on a Ranch South East of here, but I own a property on Arnold Palmer and one on Pueblo Nuevo. My in laws live on Arnold Palmer I don't want heavy industrial here. I lived in Burbank where I sold real estate and I can tell you horror stories about things like Raytheon and places like that. If you want to smell, go down 47 by the dairy you can smell if a mile away. Vote no.

- ❖ Theresa Smith De Cherif 2424 Highway 47; Thank you Mr. Chairman and members of the Rio Communities Planning and Zoning commission. I am the vice chair of the Valencia soil and water conservation district. I have colleagues here with me Pam Cordova, Dwana Driscivage and the gentleman that gave you a copier of the letter is our District Director Andrew Housesinger. Our soil and water conservation district stands for counties all of Valencia County, all of Isleta Pueblo most of Laguna Pueblo and the northern part of Socorro County. We as a district enjoy very cordial relations that are mutual beneficial in this working relationship with the City of Rio Communities, so it is a pleasure to come to you today and bring some information and questions to the table. Under New Mexico statue our district is charged with specific duties including but not limited to the conservation of natural resources and the promotion of the health, safety and the general welfare of the public. Accordingly, it is appropriate for our district to offer advice and council today, and may I say we just met as a board on Monday and unanimously approved the letter that I have submitted to the record and the comments I will be making today. It is very rare that the Valencia water and soil district does such a thing, but we are an interested party for the reasons I have just mentioned but also because we have property that is very much an assist to this community mainly our Rio Abajo conservation area which is right across the street from the property in review across from 304. We believe as a board that the zone changes to heavy industry coming before you today is a matter of great complexity requiring consultation and bedding the bosque forest which is a unique resource to this State and to our area is the closest part of that is our Rio Abajo conservation area which is you Rio Abajo conservation area. Is the City of Rio Communities Fire Department trained to deal with fire that can be potentially caused by vital chemicals or other matters of I3 materials that can be stored on the property. Is the City of Rio Communities able to measure or monitor the effect on air quality to detect gas leaks. Member of our board who are specialist in their area can answer you no because this is work that is normally forwarded to the environmental protection agency and there is no EPA monitoring site within Valencia County there for there will be no way if you move this to I3 to actually have standers that are

measurable to which parties that can be held accountable. Is the City of Rio Communities prepared to deal with potential leakages of hazardous chemicals or waste into the aquifer or to the Rio Grande itself. Can the City of Rio Communities afford clean up and restoration or does it realize it could possibly be declared as super fund site by the EPA if something terrible should happen. Can the City of Rio Communities the County or the State enforce existing environmental regulations. Is the city of Rio Communities aware that there are significant archaeological and cultural resources that are Native American going back a thousand years surrounding the acreage that is proposed zoning change and likely to be found within it the chances are very high. I have proof that there are cultural resources this an inventory done by the New Mexico Game and Fish by their archaeologist that will tell you that in our property across 304 and the property next to us that there are significant native American ruins dating back a thousand years. So, we believe as a board that the Planning and Zoning don't decide on a zone change without consultation and appropriate parties including our district and others, we believe an environmental impact study and a class 3 archaeological survey be completed before any zone change is permitted. We believe that the City of Rio Communities must consult directly with the tribal nations that have interest and that are represented on our board including the Pueblo of Isleta and the Pueblo of Laguna also the Navajo nation. The Valencia of Soil and Water Conservation stand ready in this and in all matters related to the conservation of natural resources and the promotion of the quality of life in our district.

- ❖ Magda Avila I am a resident of the mountain view community of the South Valley; I am here to fully support Rio Communities in the request for a no vote. Today through my public testimony I wish to address the following Policy re: Planning and Zoning Cibola Land Corporation application to re-zone Planned Development to Commercial 3 zone and Industrial Zone. I am a public health researcher and community health expert at the University of New Mexico, Transdisciplinary Research Center for Equity and Engagement. As a Mountain View Resident from Albuquerque's South Valley and in unity and collaboration with Rio Communities we are asking and requesting that the commission DENY Cibola's Land Corporation's request to change 39 acres to Commercial 3 and 3 zoning and 252 acres to industrial 3 zoning policy. Say no to the Cibola's Industry 500 acre Mega Industrial Complex in the Rio Communities. Mt View request the denial based on evidenced based studies which show a link with industrial contaminants and culmination of potential heavy industry health impacts on our community over the years. Rural communities with high concentrations of people of color (Latino, Black/African American, Native Americans and Asians) are a testament for becoming the dumping grounds for industrial complexes that spew contaminants into our air, water and food. Cities and higher income communities unite under powerful stakeholders and say "Not in our back yard" known as NIMBYism; and it gets shuttled to more vulnerable communities whose leaders/policymakers are desperate for economic investment. Vulnerable communities get sacrificed for economic investment such as Rio Communities, that brings nothing but toxic poisoning to those who live in the frontlines of such industry. For Communities of Color There is case after case that one could go through, just look at what is currently happening at East Palestine, Ohio with the recent train wreck that has released so much toxic poisoning. Local communities especially in rural New Mexico are at the nexus of intersecting negative effects, disinvested rural environments that can and do contribute to health inequity via physical and social environmental exposures, resulting in extensive social, socioeconomic status and racial

injustices. A classic document called The Cerrell Report (1980's) was written by industry consultants in California) and it revealed that "poor, vulnerable, minority communities and even those who were highly catholic minority communities" were the best to target for building toxic producing industrial development because they were the most powerless and vulnerable and least likely to oppose due to lack of power. This report was written by professional consultants in the industry with unlimited financial resources, The neighborhood community of Mountain View in Bernalillo County has dealt with challenge after challenge of being a dumping ground of toxic industry including storage tanks for major fuel distributors, large and small wrecking yards, hazardous railyard shipments and toxic leaks and many other sources of ground and air contaminants. In the 60's we had what is known as the "Blue Baby Syndrome", babies dying of high levels of nitrate poisoning (plumes) from contaminated water draining down from Kirkland Airforce Base. We, as a community are still suffering from continued toxic environmental exposures to this day and working hard to defeat and diminish levels of toxic industrial developments including the most recent proposed New Mexico Terminal Services proposed asphalt batch plant, which was denied a permit to operate in our community just last week. As a policy planning and zoning body for the Rio Communities it is critical you become informed and know that: Understanding and effectively addressing persistent health disparities in vulnerable communities like the Rio Communities requires a clear picture of our concerns and priorities and how we define our environment and our perceptions of environmental exposures affecting our health and there are more than sufficient evidenced based studies to support this. Non-Green industry is bad for us. Proximity to industrial facilities may and do influence health outcomes related to cumulative toxic outcomes. Rural Communities, like Rio Communities may and do experience more exposures due to non-green industry. There are many studies which provide evidence of this starting with the classic 1987 Toxic, Waste and Race in the United States (Lee, C.) There is an important distinction between disparities in health outcomes associated with other causes (such as heavy industry) and differences in degrees of toxic exposure. Rio Communities are being unfairly targeted and will carry the burden of heavy industry in terms of chronic illness, disease and respiratory problems. Our children cannot be guaranteed a healthy and prosperous future. The silent killer of our communities will be inhaling the air from heavy industry which will result in worse health like asthma, allergies sinus issues lung disease and cancers in communities with major disparities in health care. Regardless of where the plants (industry) are located we will be the downstream recipients of what we can or cannot see. This is not development, but it is Industrial genocide. Exposure to toxic industry can result in short-term health consequences but also long term which can take years to reveal themselves but all the while decreasing our quality of life. Water use. How much water use will this industrial complex use and its potential contamination to ground water. In today's current situation water is a resource that is already scarce due to drought circumstances and when you add toxic ground level contaminants which will leak into drinking water and river sources you are creating catastrophic conditions for the Rio Communities. This is what is referred to as being part of the downstream river of risk communities. Four Intersecting Crisis: Structural Racism, Selective Siting of Polluting Industry, Climate Change and Chronic Disease all set up the perfect storm of ill health and no benefits for the Rio Communities. Protecting people from harm caused by nearby heavy industry in their

lived environments is an old and almost forgotten goal of city planning. Industrial pollution is a serious source of concern for Rio Residents because of the domino and cumulative effect it will have on our health and quality of lives. Heavy Industry and its industrial uses are a heavy and serious source of distress that will impact us 24/7. Heavy Industry poses “involuntary exposures” which is one of the largest health inequities of our time. Rio Communities are vulnerable communities and because of the high poverty rate and highly Hispanic (Minority) community we are also “extremely vulnerable” in being viewed by our own zoning and planning makers as “the dumping ground” to increase economic opportunities, opportunities which are exacerbated by structural issues such as systematic racism which are actually part of historical social injustices that include neighborhood disinvestments and poor socially built neighborhood environments. Heavy Industry does not benefit us in any way but digs deeply into our lives and diminishes them. We will be the victims of the silent killer which is toxic daily living. Do not vote or support in favor of heavy industry. DENY Cibola’s Land Corporation’s request to change 39 acres to Commercial 3 and 3 zoning and 252 acres to industrial 3 zoning policy. Say no to the Cibola’s Industry 500 acre Mega Industrial Complex in the Rio Communities. There are healthier land use zoning and planning alternatives, open your minds for policy that doesn’t systematically kill the very communities you are proposing to help just because they are poor and vulnerable.

- ❖ Kathleen Mccord I am a resident of Valencia County; just a few miles north of Rio Communities. First, here are a few excerpts from the Rio Communities Zoning Code (ORDINANCE 2021-76):4-1-2 PURPOSE ...the intent and purpose of [the Rio Communities] Zoning Code is to encourage the most appropriate use of land throughout the City of Rio Communities’ jurisdiction by establishing conditions that stimulate a climate for balanced and harmonious development that best preserves the general health, welfare, safety and order and promotes prosperity that is efficient and economically viable to all residents. Preservation of the character of current and future planned neighborhoods is also a goal of this ordinance. 4-1-6 SUMMARY A. [“All property within Rio Communities shall be divided into zoned districts in accordance with their construction, fitness, nature, and intended use. To preserve the character, stability, orderly growth and development and the general welfare for all residents within the City... D. Ultimately, ... this Zoning Code shall strive to: 2. Secure the public safety from fire, panic and other dangers; 3. Promote health and general welfare; Here is the defined purpose of the Heavy Industrial (I-3) zone that Cibola Land Holdings is requesting: 4-3-10 HEAVY INDUSTRIAL (I-3) A. I-3 Purpose 1. An I-3 District is intended to accommodate a wide variety of heavy manufacturing, commercial, processing, storage, packaging, compounding and wholesaling and distribution operations with no limit on size. The RC application for a zone change requests the following information: Explain how the intended use of the property will correspond with the proposed zoning. (Attach additional documents if needed) The application submitted by Mr. Yates of Cibola Land Holdings provides this explanation in just 9 words: *We intend to bring in industrial and commercial development.* In other words, the applicant provides no specifics about the intended uses for this property as Heavy Industrial land, but simply says “If you RE-ZONE it, they will come. “But who are “They,” these “industrial development” entities? I googled “What is Heavy Industry,” and this is what I found on the website Investopedia: Heavy industry relates to a type of business that typically carries a high capital cost (capital-intensive), high barriers to entry, and low transportability. The term “heavy” refers to the fact that the

items produced by "heavy industry" used to be products such as iron, coal, oil, ships, etc. Today, the reference also refers to industries that disrupt the environment in the form of pollution, deforestation, etc. So, the Rio Communities P&Z Commission, and possibly later the City Council, are being asked to approve rezoning 262 acres of land adjacent to hundreds of homes for unknown, unspecified "industries that disrupt the environment in the form of pollution, etc." This is what my grandmother called "a pig in a poke" – you are being asked to make a very significant decision that will affect the lives and livelihoods of thousands of people, and you have no idea what bill of goods you would be approving. Mr. Yates' proposal for "Industrial and commercial development" says nothing about the commitment you would be making for the entire community. Your city website says: "The City of Rio Communities is a progressive community with a diverse history and culture that is striving for a clean, safe and productive city through dedicated leadership. The City will partner with citizens and businesses to make this a quality community of choice for living, working and leisure activities." How does approving, carte blanche, "industries that disrupt the environment in the form of pollution, etc." fit into this picture of who you say you are? The city's website also says, "The population is nearly 5,000 within the city limits and there are nearly 45,000 New Mexicans within a 15-mile radius" (although I don't know how old this information is). Some of us here today are from those nearly 45,000 New Mexicans. All the people of Valencia County are affected by what happens in Rio Communities, because we ALL breathe the air, and we ALL depend on uncontaminated water from the aquifer that is right under our feet to sustain our lives and livelihoods. When the wind is from the south – as recently happened with the still unsolved noxious fumes presumably from Mesa Oil – it affects everyone to the north; the winds carrying noxious and toxic substances won't magically stop at the municipal boundaries of Rio Communities. Everyone who is downwind of the proposed Heavy Industry area – regardless of the way the wind blows – will be negatively impacted by noxious and toxic air pollution. And everyone who is downhill of the proposed Heavy Industry (industries that disrupt the environment in the form of pollution, etc.) is at risk of industrial contamination of the aquifer. Like the vast majority of people at the Public Hearing today, I ask that you take into account all of the testimony of these people who will be irrevocably impacted by your decision regarding this rezoning, and that you resoundingly vote NO to rezoning this land for Heavy Industry.

- ❖ Chairman Scroggins requested a short recess.
- ❖ Motion made by Secretary Good, Seconded by Member Benavidez. With a unanimous vote the commission took a short recess at 6:44pm.
- ❖ Motion made by Secretary Good to continue the Public Hearing seconded by Member Benavidez. With a unanimous vote the commission continued the Public Hearing at 7:02pm.
- ❖ Chairman Scroggins explained that there are still 36 names on the list and that they are going to limit the time to 2 min per person to speak the public denied the time limit. The commission decided to call up 5 names at a time and have them at the podium and ready to speak.
- ❖ Chairman Scroggins called Anni Hanna, Xavier Barraza, Paula Castillo, Patricia and Wayne Ciccotelli.
- ❖ Anni Hanna; No address given. I am a member of the Valencia Water Watchers and the letters in the public comments are very important and they need to be considered. One is from the Pueblo of Isleta, and I want to quote the letter on public comments from the Governor of Isleta. The areas in and around Rio Communities are the lands where our ancestors lived, worked, worshiped, played, and engaged in all the activities for life for centuries, and so adjacent lands have historical and cultural significance to us. Our members, who mostly live on and near the

Pueblo, continue to engage in traditional lifeways on and near the Pueblo, including gathering of traditional medicine and ceremonies. So it is of upmost importance that the Pueblo be informed of high level before any decisions are made regarding this. The second letter I want to bring to your attention is from Wildlife Guardians submitted today and these are experts in wildland population and water. The I-3 zoning would allow for the development of a wide variety of heavily polluting industries that would threaten nearby communities in any number of ways. Such a zoning change would inevitably expose nearby residents to quality-of-life impacts including increased noise and light pollution, foul and offensive smells, and increased truck traffic. Even more concerning are the toxic air pollutants that are brought by heavy industry, such as asphalt plants, bulk petroleum storage, or oil and gas production facilities. I want to push back on the narrative of that what Mr. Yates is bringing into this that he would say, or we are not doing bulk storage or petroleum things this is I3 so that allows for those things. I do not see a legal path to where he can say he is not going to be doing that. If for anyone who has been to Carlsbad or Artesia as soon as you go through those towns, you can smell the smell you can feel it in your eyes because it stings that is the type of industries that are going to be causing that type of pollution here. It is unconscionable to think of allowing this type of industrial development mere feet from existing residential neighborhoods. With parts of Valencia County already experiencing elevated ozone pollution levels nearing federal standards, opening the door to additional polluting industry will exacerbate a serious air pollution problem, and simply makes no sense. They also refer to the train disaster in Ohio with reports of toxic contaminants in the Ohio river killing thousands of fish and threatening water supplies for millions of people downstream. We live in a shared water shed and a shared air shed so I am speaking as a mother I would not want this to go up south somewhere or out there. These are all industries that are going to impact aquifer that we all share and the river which is only 2/3 of a mile beneath us.

- ❖ Xavier Barraza; No address given. I work at the Los Adinos institute and the environmental justice team. you may have heard of us we recently with some work that we are doing we have a strategic plan that looks at these issues that are being put before you from the contacts of natural and cultural resource management 600ft is more like 6 miles when we are talking about risk management plan when we are talking about I3 recommendation is 6 miles. That is 30,000 ft. over 30 1000 football fields that is EPA risk management plan recommendation. That you get a notice if you are 6 miles with in that area. Dr. Avila is very humble she didn't mention she was a Doctor. She lives in Mountain View that is where Valle Oro is located we have 40 plus EPA permitted to pollute facilities we are an environmental justice site see community. We have two super fund sites which should not be off the national priority list, and I'll tell you what we are advocacy in our city to get the dirty industry out and we are looking for places like this and we don't want them in our back yard as the city of Albuquerque so I am not sure why you would want them in yours. Not that manufacturing industries are not necessary, but they have been over looked and has been deregulated since the 90's especially since the 70's and it is unacceptable I understand that we need that but this isn't it. This is what major cities are moving away from not towards. They are trying to clean their cities up from industries like this. So the last thing I will say is who is going to manage the waste water you are your public tax dollars. Where are the heavy metals arsenic hydrofluorocarbons going to go in your water facility you are going to cover the taxes. We are going to subsidize the building and those roads we are going to subsidize the infrastructure that's what we do we build cities that's what people do industries do not help with that they allot cities look at Detroit look at the South look

at Louisiana look at Louie Ville Kentucky look all across the nation of what this leads to because of poor oversight and 0 percent staff at EPA. EPA is understaffed by 90 percent that is the current staff. There isn't much today I am surprised we are looking at it, there is a lot you can do with this area there is a lot of open land and open space and growing food and having healthy food and local economies and I hope you get this dirty laundry off your desk so you can get some cool and exciting stuff on your desk. We are ready to work you have a lot of opportunity and I3 is not one of them.

- ❖ Paula Castillo left.
- ❖ Patricia Cicitelli 659 Frederico; I moved her a couple of years ago right where they are going to rezone. It has been two years and we love the Community, we walk our dogs in the area where they are going to rezone and we thought man there is neat place for us to walk our dogs we have a walking path there four wheelers use it, it is just kind of a fun place and they are fencing off right where we walk I know it is being selfish for me but it is a lot of our community a lot of our neighborhood they use those paths and we don't want to walk around heavy industry.
- ❖ Marsha Walton left.
- ❖ Nicole Maestas Olivinch; I live in district 2 and I stand in from of you wearing many hats I am the CD2 chair of the environmental justice Caucus a first time mother of a five month old child and finally a disabled veteran of OIF who was exposed to inviable and environmental toxins, 12 hours a day during my deployment in early 2004. Today I remind you we are all interconnected. Potential contamination, air pollution, water pollution, we share no matter your location in New Mexico. This is called cumulative impacts. There is no invisible buffer zone that protects air and water. It knows no boundary. Rezoning like this puts us all at risk. It puts our culture at risk, our farms at risk, it puts our families at risk and water which is life at risk. Not to mention it literally puts the cart before the horse. While I always appreciate New Mexico being open for business, I cannot help but to notice external forces coming into New Mexico for exploitive, explorative, and polluting business. It is so problematic that we continue to allow this it is to the point to where our federal government is considering using New Mexico as a nuclear waste storage dump. What does this have to do with today. It's the continual opportunities we keep giving via rezoning on a micro level that has macro level government looking at New Mexico as if we are a parking lot for some of the worst polluting industrial development projects. Not being to go into specifics on what or who will have access to these rezoned areas. The level of water potentially needed in a water resource scarce state is shocking. Attracting business is one thing but turning protected zoned areas into heavy industrial zones for unknown business does not inspire trust. Our communities deserve better. New Mexico deserves better. And on behalf of the environmental justice caucus, a disabled veteran, who earned her disability serving our country downwind of environmental toxins and on behalf of future generations, I humbly ask you to vote no on considering this rezoning request. Thank you.
- ❖ Ron Heronimous 837 Lee Trevino; I think you know our wishes I think the people have made their opinions known and I am with them I would vote NO and hope you would also. Thank you.
- ❖ Wendy Montoya left.
- ❖ Kuina Tikain 407 Maddox Loop; I use to be the Chair of economic development of Rio Communities. Me reading the comprehensive plan in preparation for today I realize how far as a community we have come in the last ten years. We have really made a lot of progress and how much good has been accomplished and I would like you to please adhere to the

comprehensive plan in the decisions facing us with this proposal. So, the comprehensive plan is a guide for the decisions for the Rio Communities government and basically it ask for use to consider the general health and safety and general welfare of the community in making decisions and the vision statement says you will foster an informed city and be responsible to all residents young and old in planning a safe and esthetic community. So my request is you table the vote on Yates request as it affects all the residents in Rio Communities and all residents need to be informed and in the comprehensive plan it says all the people need make a vote on that I would like all the citizens of Rio Communities to have a say in this because we will all be affected by this and I would like you to take that to the council and consider to have a survey done for all the citizens in Rio Communities right now if you make a vote and I don't envy the two new commissioners this is a baptism by fire for you to join the commission at this time. Right now, three of you can make a vote. If you vote in favor of this tonight, you are responsible to answer to us on the following. How the Yates proposal will promote health and safety needs of the residents how is heavy industrial manufacturing going to promote the health of our residents and how the esthetics of our community are at hand by 13 heavy manufacturing and how you will compensate property owners of the home if their property goes down in value when it is your responsibility to promote increased property value and sustained growth as per the comprehensive plan and then commissioners how can you justify your decision as being responsible to all residents when the majority of the residents who have spoken are in opposition to this proposal. So those are things you need to be accountable to us in terms of answering. Lastly as a former member of Rio Communities I know the increased number of residential homes need to attract residential businesses like grocery stores drug stores or health clinics a yes vote will give us less land for new developed homes and decrease the current home value and less opportunity for retail business that people want.

- ❖ John Lemon 102 El Mundo; I am a five-year resident of Rio Communities it is unfortunate to hear this zoning change. Living on El Mundo with nothing but open Mesa, mountains has brought a peaceful time to many of our residents. Zone 3 changes are not what any residents want to have. Zone 3 changes won't not bring any economic development to Rio Communities not any that a citizen can contribute to. Monday of this week fence post started going up. I live 82 yards from the proposed industrial park our property line is closer to that as I give or I am about to give up my peaceful nights, clean air and water and property value. There is no infrastructure to handle zone 3 I do not want to see truck and machines running at all hours, spotlights, junk cars, storage facilities on property that is used for walking and nature. What happens when the bulldozers come every critter, snakes, spiders, scorpions mouse will head north to our properties a rodent infestation that we would like to avoid. Broadway is not welcome here I believe it will bring a criminal element to our residents and this and more. I ask all of you to not give in to this corruption and greed vote no. Thank you.
- ❖ Linda Gwenly 2729 Highway 47; I live in Adilino about 5 miles north of Rio Communities. I would like to read a letter into the record from Dr. William F Orr. Dr. Orr earned a bachelor's from Stanford in 1968 and his MD from two-lane in 1972 and has practiced in Albuquerque for over 20 years he just can't be here tonight. "I am a medical and I want to eco and expand on the excellent letter sent to you by Doctor Tometi from last meeting. Raising very important concerns regarding Cibola Lands request to changing 262 acers to industrial 3. He outlines very well the risk posed to the affected areas of Rio Communities by the numerous toxin, gasses, carbon monoxide, nitrogen oxide, volcanic, volatile organic compound, sulfur oxide, and chemicals such as led, mercury, PCBs and chlorocarbons that will be released into the air and

ground these risk are substantiated by studied and other communities with similar exposers I am a geriatrician so those who have survived these types of exposure to reach 65 were affected with long term damage such as chronic lung diseases and various malletiers and in addition much of my work were with individuals who were on Medicaid so were economically disadvantage when need to continue to pay attention to social equality so the environmentally damaging industries are not placed in poor communities without considering the long term consequences to that resident population economic development is important however a approval will require these projects has stringent environmental controls to ensure the long term safety of the community I urge you to give this request very careful scrutiny and close attention to Cibola Land Corp. plan for control of these toxic materials to eliminate this risk or to deny the application without appropriate safe guards. I appreciate your attention.”

- ❖ Detra Valasics 1946 Pancan Dr. LL; I am a Valencia Water Watcher I am here on behalf of Ann Mc Cartney to read a letter that she has put into the record Ann Mc Cartney is a resident of Belen at 44 Trueno Loop. Honorable Chairman Scoggins, Vice Chair Fernandez, Secretary Good, Member Adair, Member Rubin. Regarding the Cibola Land Corp. rezoning request to C3 and I3. Dear Planning and zoning commissioners. Thank you for the work you do on behalf of Rio Communities. I have lived in Tierra Grande since 2004 and in Valencia County since 1977. I am writing to request that you deny the request from Cibola Land Corp. to bring heavy industrial zoning to our area. Such zone is not the best interest of Rio Communities and those of us who are near neighbors. Heavy industrial would impact the existing residential areas and would easily and likely impact the drinking water for Rio Communities. According to environmental geologist Dennis McQuillan, who has worked in Valencia County on water protection issues, and whose resume is attached to written comments submitted, the proposed site. 1. Is in an area of shallow ground water that is highly vulnerable to pollution. 2. Within a two-mile Source Water Protection Zone for the Rio Communities drinking water well #2 and the Rio Communities Industrial park public water supply well #4. We all depend on water. The applicants want to subject 262 acers to industrial process, which can include chemical and petroleum storage tanks which have a high probability of using and negatively impacting your water source and air quality. The types of uses allowed in an I3 zone are not compatible with supporting your current residents and once let the “tiger loose” with I3 zoning, the city councilors lose control over what industry comes in. At the first public hearing on January 19,2023, on the proposed zone change, former legislator, Valencia County Commissioner and Rio Communities resident Ron Gentry, spoke from experience. He said if you zone for I3, Rio Communities loses control of denying potentially very hazardous and noxious heavy industry. As Mr. Gentry said once you say yes to heavy industry, you have already said yes when it comes to a special use permit. Mr. Gentry said “if you plan for I3 you can’t deny an I3 use, and you are liable. Who is going to oversight? What engineering company is going to be on them? Where is our EPA department?” Mr. Gentry said: “I don’t think we are ready for it. Belen has I3 five miles south of town. We have one two miles south of town. Se now we want to bring it to our back doorstep?” As Mr. Gentry said, as commissioners you must think about the long-term impacts and the authority and that Rio Communities does not have the capacity to oversee or stop damaging heavy industrial uses and violations once you vote for I3 zoning for this huge parcel surrounding your residential neighbors. Please protect your drinking water, the river, and your residents. Listen to what you will let loose and inflect on your community if you say yes to heavy industry. Vote NO on the requested zone changes.

- ❖ Dick Irvine 607 Western Dr.; We moved her a little less than 2 years ago I am a 82 year old veteran and I got to tell if you approve this I say bye, bye I didn't come here for industry running ramped and I listened to what the gentleman said he didn't say anything he talked about facebook , amazon they are just up the road already in Los Lunas I come from a little town in Michigan when we moved here that probably has less then half of the population that you have here and yet we had more going for us then what you have here. You know why we had infostructure now Monday at the council meeting a very wise man who sits over yonder mention the need for infrastructure you got get households in here. No industry is going to come into something that has less of 5,000 population. I owned a little store in that little old town and if I was looking to move here, I would look at the population. I would look at your annual growth of rate 7.4% and your household income isn't all that high and your average age. Planning and Zoning should be addressing those issues with the wise man over yonder who says we need infostructure. You can't get a business in here without a household and the population that you need. This gentleman didn't present anything. What you have tonight is a lot of restless natives pay attention and say No.
- ❖ Monique Marquez 309 Godfrey; I am here to talk about I3. So Onward energy. Do you know what that is. It is the power generating station that is currently here in our industrial zone that has a registered agent of Mr. Harvey Yates. Mr. Yates mentioned a turbine company is coming in. Onward energy of solar wind and gas this commission and the city council of Rio Communities has already approved Solar, and we now know thanks to Mr. Yates wind is coming in what is next gas. Second point another planet heard from. What does that mean. We would like to know also. Recently city officials have made comments of anti-zoning companies of being outsiders people coming in that are not from here or that there is 30 people against it. Based on today's showing there is more than 30 of us. Mr. Scroggins had an email response to Mrs. Adair to a concerned citizens email in that email it says another planet what does that mean. Is this how our appointed officials should be responding to concerns. We have people from all over the county and within the city and the city responses are being pro trade that it is not us that we are not the ones who are concerned I3 zoning is a city and county concern look around you those of us that are concerned are not from another planet and neither are you. We are your neighbors we all drink from the same well we all drive on the same streets and if this zoning passes, we are all going to face the same health hazards.
- ❖ Darrell Kingsly 463 Bishop Ct.; Some of the points we have to think about we have a 2-man police force in the running. We have a police chief and someone to help him in the running. The concept goes if you have a commercial 3 and industrial 3 area everything goes to pot all at once. You get a bunch of kids that go over there and start wreaking havoc what is going to take your 2 people to go take care if that situation that is going to leave the rest of us in the oh shucks mode. I am going to invest in a dog this tall and teach him how to eat if that is what I have to do that. I don't want to do that to a dog. How long is it going to take to have a response from the sheriff department basically I have deputies tell me this it is going to take 30 minutes or longer to get over here because we only have x amount of people on at a time. I am not going to have 30min of can you wait a few. Second if you haven't noticed we live in a dessert water is scarce if you put in a I3 water is a commodity that is needed in the industry and the commercial operation we don't have a lot. This concept of drilling wells you are sucking water out of the ground that we don't have. Know Mr. Yates I appreciate your presentation I have nothing against you personally or your company. I have put 25 years in the army and other organizations and a lot of years in the industry. What I am hearing is we are the government

and we are here to help. I am sorry I am not real comfortable with that position I would rather recommend tabling this I would recommend voting no personally but that is up to you all and you all have to answer for it.

- ❖ Ross Harms 1611 Brown Dr.; I have lived there for 17 years. Rio Communities ordinance 2021-76 chapter 04 zoning code passed January 21 you guys know this you lied this you are planning and zoning. Someone has already read you the intent and purpose of the zoning code is to encourage the most appropriate use of land throughout the city and then it goes on to say the best preserve the general health welfare safety and order and promotes prosperity that is efficient and economically liable to all the residents. I am not going to lecture you guys in all this I want to go on to the heavy industrial part and it does say, uses shall be constructed and operated to ensure that there is no excessive noise vibrating smoke dust or any particulate matter toxins or noxious matter, humidity heat or glare at or beyond any lot line on any parcel on which it is located how are you going to control that. I won't go any farther on that because what I heard earlier was rather you recommend it or not it still has to go in front of the City Council. I used to come in here and sit at the workshops and sit in the meetings at night I know Peggy, Josh and Lawrence they are all good people they want to do the right thing. I'm sure you want to do the right thing you don't have a choice here you are sitting here with a hot potato and your just going to get this monkey off your back because rather or not you recommend it or not it is going to go to the city council. The city manager just said we are going to go through all this again. You know what Dr. Moore I worked for the city for 17 months I vacuumed your carpet and I have emptied your trash and thank you for trash.
- ❖ Brenda Sanchez 19 Victoria St.; Earlier I guess you are the Chairman and when you said you people you represent us and that was very disrespectful. Mr. Yates you have a business to run, and it is clearly that Rio Communities and Valencia County but we are not ready for that. I live south by Mesa Oil and the smell that everyone smelt a few weeks ago I have been smelling it for over a year and that is your business over there. I don't know where the rest of you live but that's all you smell 5 days out of the week you can almost taste it and that isn't an exaggeration. I have called the planning and zoning before I have spoken to Mesa Oil, they said it was some place out of California that is burning their oil so when they had this thinking it was New Mexico gas leak it was not. It was from there supposedly the fire department went to check it out they said the burner was dry of course they quit burning the wind just happened to be blowing this way that's what happened, and if that is what Mr. Yates business let's take care of that first they didn't even know where it was coming from. I can't even believe that this would happen that you would want more look at the industrial park that is there we can't even handle that, and the City is going to handle something like this if we have two officers, how many firemen what we are going to do. The people from California that had this plant they said they were going to upgrade it they shut down for a few days I talked to the guy from Valencia County air protection they brought it back they had an explosion. Thank God nobody died but there they are burning again.
- ❖ Elizabeth Discherry; I wear a couple of hats to one of my hats one of my hats is I am the Director and founder of Valencia Wildlife Conservation Advocacy Southwest. It is based here in Valencia County we advocate for unprotected species, species for which there are no bag limits, native species, plants, animals, and habitats. It is a passion near and dear to my heart I recognize some of the people I volunteer with, and I am proud to say a I am a master naturalist with Whitfield Rio Bajo. I volunteer with all kinds of projects. One project I have been working on is Native species here in New Mexico and I think it is interesting for you to know how many

Native species we have here in Valencia County I am pretty surprised. This information comes from the Beata information system New Mexico which is managed by New Mexico Game and Fish. We have here in Valencia county 516 different species I am not going to read off all 516 but I will say we have 72 mammals we have 192 birds, 32 dragon fly's I think is amazing, we have 43 different reptiles, we have many, many different kinds of insects so I won't name them all we have fish and butterflies and all of use enjoy these animals a great deal sadly we also have 45 species that are listed as conservation concern. I am going to tell you about the species of greatest conservation need and federally protected species and species that are threatened and endangered and they are all right here and I am not going to list them all but they are from the bat, to the yellow bill coco to the broad bill humming bird to the bald eagle, the common black hawk the Mexican spotted Owl, paragon falcon the Southwestern willow fly catcher and of course the silver minnow and some smaller animals including the mellow jumping mouse. But all of t hem are special they all need this environment they have been here for 100s if not thousands of years all these animals are in need of our protection and I hope you will all understand when they talk about the railroad they want the railroad I go back to what they said about Ohio about what the person in Mountain View said and go back to the importance of the railroad is and look at what they want to do it doesn't take a rocket science to figure out this trouble is going to go far and wide. Thank you.

- ❖ Tom Nelson 309 Recodo; A comprehensive plan expresses the community value and preferences, so commissions ask your self's does this request sub stand to the comprehensive plan and is not judgmental to the health, safety, and general welfare of the citizens of Rio Communities I am a veteran a prostate cancer survivor from toxic chemical say NO.
- ❖ Jeremiah Linscott; According to article 20 section 21 of New Mexico Constitution this governing body duty is the protection the environment as in fundamental important to public interest. Yet in May of 2022 the Valencia County Commissioner decided to ease oil and gas regulations. Article 20 section one of New Mexico Constitution the commissioner has to swear an oath to their duties to as outlined by the Constitution. Did you know article 10 section 9 authorizes the recall of all government officials in the State of New Mexico NM staff 41-40-3 authorizes the recovery of damages for violating our rights. How about the fact that this is the second hearing meant to cover up the failures of this official body follow its own stated rules. This hearing should not exist and is in fact unconstitutional. If you don't believe me listen to the court Nesbic in the city of Albuquerque which held that failing to follow statutory procedures in the proclamation of zoning ordinances due process was violated and no subsequent act could correct the defect yet here we are. After violating oaths of office after violating statutory rules after being informed of these violations after attempting to cover it up by sending late mail to select homes in the area after scheduling a second hearing to cover up everything just stated this in now a willful violation of oath of office. Which brings us to a problem here see the state of New Mexico is no stranger to corruption and this looks like at the least a attempt to defraud the United States government. If two or more persons conspire either to commit any offense against the United States or defraud the Unites States or any agency in any manner or purpose **housebeangle to for the purpose of impairing obstructing or defeating the lawful function of any department of government Hemersend further says that defraud is.** Now let's take a look at article 20 section 21 of the New Mexico state constitution one more time. I think it is time for an environmental impact study and for you to vote no. If you are to afraid to vote no you can use our voice.

- ❖ Lydia I am a future resident my husband and I are in the process of planning to move here importantly because of these issues our plan is on hold. I am also here in behalf of my mother she is 93 years old lives here in Rio Communities on Palmer Ln. for the past 40 years on the behalf of the three of us I urge you to say no to Cibola Lands request. According to the Rio Communities comprehensive plan Rio Communities stands voice to renew its vision and promise as a distinctive small town of many vistas idyllic community living abounds. There is nothing idyllic living next to an industrial park that can contain, meat packing plants ,play products, brick tile or cement factories, heavy manufacturing, feed mills, grain elevator, or seed cleaning plant, petroleum or liquified petroleum gas bulk storage plants and similar uses character, scale and performance with similar noise, air, water and similar impacts as well asphalt material production plants, sand gravel and concrete plants, manufacture of forest products, and facilities for production oil, natural gas, geothermal and other hydrocarbons. A prime example of what this land would look like is South Broad way in unincorporated Bernalillo County this area is zoned light industrial it is dusty, smelly, noisy, an eye sore and has no business being anywhere near an established residential neighborhood. In his January 19th presentation Mr. Yates was long of generalities but very short on details and the same thing has happened here tonight. Unless we know what types of businesses could be located in this industrial park we can't even begin to anticipate what the effects would be on our natural resources our environment our existing infrastructure our property values and our quality of life. Does the commission have answers to the following critical questions, 1. How much water will the industrial park require and where will it be coming from, how much water would be produced and how will it be removed, what prevision will there be to prevent pollution of the ground water and the Rio Grande 2. What prevision will there be to prevent noise pollution in the residential neighbor hoods 3. Rio Communities has already had problems with air and odor pollution with the Mesa petroleum plant how much air pollution and noxious gas release will there be from the industrial park and what will be done to prevent it. My experience living on Los Angeles industrial plants have high intensive lighting that is all around the clock will this industrial park be any different and what previsions will there be to prevent light pollution at night. How badly will residents' property value will be affected and what kind of compensation will there be for these losses if you do not have these answers then you do not have significant information to make a informed decision on behalf of Rio Communities residents on that basis alone you should reject Cibola Lands request.

Ferando Najera; left.

- ❖ Ester Reyes; My family has been in this community for 40 years. We came here looking here looking for *** everything that my colleagues and cowards here and concerned community members are saying and now to see this is what we come to is really shocking. I mean I literally learned to roller skate in this plaza I learned to swim in the Tierra del sol county club. I am shocked that you are actually considering this and that you can sit there quietly and just look at us and I am really shocked that there is just no response I mean how can you even consider anything but a no. there is no good that can come from this not for the environment not the air quality not the water quality not for our human health welfare our future my parents came here to create a legacy for us you know and fortunately we are very blesses I am someone who represents the young people of the community I am generation z my friends still have property here we still come back here because this is where we grew up this is the treasure where my parents found for a safe place for us to play on the streets ride our bikes roller-skate swim we would walk across the fields with the animals we would be like I said go to the county club swim

all day come back pick weeds completely care free I know it isn't something that exist that much in modern society but it existed here. I still feel the safety here in this beautiful community and I grew up here. Did you grow up here Mr. Yates I think not. I would like to see development of real infrastructure I'd like to a traders joes, boutiques and coffee houses a celebration of the wine community with the Jaramillo's Chaves and the blacks we have a real opportunity to have a blossoming Belen and Rio Communities a community thriving economically a community with local business people that are passionate like myself who want to see good come of this not an industrial waste land. I was here a month ago with that crazy smell I couldn't even breath I had to bring my whole family all my animals the whole community was wondering what's going on I called NM gas their phones were ringing off the hook everybody was in a up roar asking questions and I come here to get answers and I am stunned to see nothing. So I urge you please for you own sake for your carrier you families your children your grand children for any sort of legacy you want to leave behind as I stand here and want to leave behind a legacy for my nephew and nieces and kids and anyone who comes after me. I urge you to say no there is no other answer. Thank you.

- ❖ Carol Romero Hunter 600 Western; Some people know me as Miss. Goldie I owned Goldies restaurant here many years ago. I started in the real estate business in 1979. Prior to that I was a Valencia County planer when Valencia County included grants. Over the years selling and listing properties in both counties. Over the years I have spent thousands of hours in meeting like this listing to presentations all the good the bad the ugly thousands and thousands of hours. This is the first time in that 43 year history have I not seen a body demand a impact study on traffic and environment the first time, first time in all those years and I am going back to when it was pretty primitive. This something you must do prior to any plan at all. You need a site plan the gentleman has not provided you with a site plan my gosh. You are voting on something you don't even know what it is going to be what effect it is going to have on this community I think you are smarter then that. I was watching Mr. Yates give his presentation it reminded me of a man that I did a consulting job for many years ago. He called me one day and said Carol come here he said "if you can't razzle them with reality dazzle them with dun" Mr. Yates is quite the dazzler. Please don't do this to your community there are plenty of other opportunities for the Yates family to make money instead of on your back door. Thank you.
- ❖ Joe Macias; As I come up here it says Rio Communities Spectacular Views Endless Opportunities. You will probably have to change that if you vote yes on this. But I think something that helps me out is getting granular with certain things. There is a lot of talk with I3 and stuff like that. What is going to go on there is an industrial complex. I got this from Wikipedia The industrial complex is a concept wherein businesses become entwined in social or political systems of institutions, creating, or bolstering a profit economy from these systems. Such a complex is said to pursue its own financial interests regardless of, and often at the expense of, the best interests of society and individuals. Businesses within an industrial complex may have been created to advance a social or political goal, but mostly profit when the goal is not reached. The industrial complex may profit financially from maintaining socially detrimental or inefficient systems. So, it is pretty straight forward we would want to see a big no on this. Thank you.
- ❖ Celestion Landavazo 16 Mesita Ln; I want to talk about a few things here. There is a lot of heritage her in Valencia there are a lot of families that have been here over 400 years and before that the indigent people that were here using the land and living with the land and not against it. Those families have been here for one reason there is access to water to the Rio

Grand and they love the environment here. This industrial complex will pollute our water our environment and our air. They said they want to bring business like Face Book. Face Book uses 60 million gallons of water a year Niagra water uses 90 million gallons of water a year. This industrial complex is going to need water. Where is that water going to come from our aquafer cannot sustain these big industries water a record rates. What are we going to do when we don't have water to drink. What are we going to do when this water gets polluted beneath our feet. We have no other water source the Rio Grand can not support our water needs we need that water from the Rio Grand and our aquafer. I urge you to vote no today. There has been a lot of people who spoke before me and not one of them stand for this and I stand beside them an i urge you to vote No for the sake our children, community, environment. wildlife and water. Thank you.

- ❖ Edward Gallegos I am in total agreement with everything I have heard tonight it is hard to expand on what has been said here. But what I do have to say they have already started the process. I live on the end of Lee Trevino very close to where this is and what I have seen I have lived there for 14 years and I can count on one hand the amount of trucks I have seen on this property in 14 years and in the past week I have seen more truck and semis and it is very disturbing and ironic that all this activity is happening while all of this is going on. They are putting a new fence they are building access for a gate they are preparing for this to happen before it has happened and it is very disturbing. So I do have a question for Mr. Yates and I would like to ask him, do you live next to an industrial park sir.
- ❖ Manager Dr. Moore explained that the question to the applicant is inappropriate.
- ❖ Mr. Gallegos continued and said we will leave that at that and I am in agreement with everything that has been said and I hope you vote no on this zoning change.
- ❖ Matthew Marquez 309 Godfrey; I wanted to ask there is a road Shawn Marie road there has been money about a million dollars put into that road to upgrade. That road is in the same area where Mr. Yates wants to build his industrial 3 site at. Is there any correlation between the two. Next I have a Rio Communities scrap book pioneer days the first addition from 2014 there is an article in here it says in 1200 AD a pit house was unearthed near Belen and the pit house was located directly north of Baca Auto sales which is here in Rio Communities. According to Reggie Wiseman a project supervisor what he did was indicate a request with the State Highway Department this is from May 21, 1986. When they were working on the Rio Grand Bridge an access improvement project. Mr. Wiseman said he only had enough money to research for about a week and in this article it proves there are in the local are ancient artifacts from a Indian reservation. I have lives here for three or four years I have seen the dessert being used by four wheelers and side by side I have seen trash but not nearly as much as there will be if you approve this. There is so much I have to say but I don't have enough time three minutes are not enough. Infrastructure does Rio Communities have that to handle these industries that want to come in, we don't we don't have the roads that he says he wants to build better roads but still in five ten years those roads are going to ger worse and worse. With the heavy trucks there will be more accidents more accidents are going arise. Air we don't have a way to monitor the pollution, water we don't enough resource to say if the water will get polluted or not. We don't have any thing to do with Mr. Yates and his ideas of what he wants and what he wants is to wright a blank check for you guys to say yes. There is no reason to approve it if there is no idea of what is going to be here and all of us want to say No. Thank you.
- ❖ Lodi Silva this My statements are my own and do not represent any former capacity I hold with any city or nonprofit organization I have involvement with. Mr. Yates I am glad you are taking

advantage of our existing infrastructure the comment of the east mesa having 140 residential lots are a quarter acer lots that you cant put water or a well or septic you should be familiar with the Horizon corporation which your father capitalized on the demise of the Horizon Corp. by purchasing millions of acers of mineral right and 7 thousand plus acers of land. Why are these lots not being utilized, the 140 thousand lots remain unserved the right of water, sewer or electric. Why, because the lots don't have access sewer access without million dollars lift station expansion or addition to the sewer plant our current residents or future residents don't have the financial means to install the infrastructure or build developments 500 lots if you add water sewer streets is 3.4 million dollars where is that money coming from to develop those lots. If Mr. Yates wants to utilize our prime land that doesn't require updating the sewer plant ask him to put it in writing that he will provide infrastructure for new housing development in our community. Who will pay for the EPA upgrade to the sewer plant to monitor the waste coming from the industrial park if it is rezoned. My only other comment is don't check his golden ticket with promises of bring wind turbine here he still has battles with that to get through. BNSF has to approve widening the crossing DOT has to approve the road expansion for those to go down our highways. So, he still has a long battel don't let him wave that in front of you thinking that it is immediate money coming in because it is not. Look at the fight Belen had with DOT to get a simple coffee shop a simple gas station. Dealing with DOT and BNSF is going to be a headache. Thank you.

- ❖ Guy Dicharry; I moved to northern Valencia County 39 years ago I sent a letter with a appendix that mapped for each of the eleven parcels that are requested to be rezoned. See packet for email and appendix.
- ❖ Mr. Sandoval; My first question is for the City Manager. You don't own any utilities here. You don't have a cash register here to provide us with police and city lights and all the things that come with it. They are controlled by New Mexico water you know NM water has a commitment of approximately a thousand lots that they are required to serve. Hermit Tabet and all those rights for their property because they paid their way through water right, assessment and they provided hydrants, streets, gutter service. Now Mr. Yates is going to come is he going to build a bran new sewer plant along the Rio Grand corner the hell he is because the environmental department wont allow the industry waste to be dumped into the river unless it goes though NM water. They a EPDS permit. Does anybody know what that entails that is a national pollution discharge elimination system they don't give those away people. If that plant goes down, then the environmental department will shut that down in a heartbeat and do you know what that fine is for every day not compliant 15 to 25 thousand dollars a day who is going to pay it. So, Mr. Yates doesn't build a brand new sewer plant and get a permit from the EPA they will not allow that to reach that river. But this community is trapped. I own property here. Thank you for the opportunity of my three minutes.

Motion and roll call vote to go back into Planning and Zoning Meeting session.

- Motion made by Secretary Good, Seconded by Member Good.
Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good. With a 5-0 vote the planning and zoning commission went back into the regular business meeting at 8:20pm.

Discussion, Consideration, and Decision – Recommendation to move to Council applicant Cibola Land Corporation: Industrial 3 zone.

- Marty I strongly recommends that you table this and come back dual process is required on **3:55

- Motion made by Member Good, Seconded by Secretary Good.

Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good
8:24

Motion made by Secretary Good, Seconded by Member Good.

Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good

Public Comment:

- Wendy montoya
- Maria Gonzales san locus i think it is safe to say that non of us spent our hard money to **4.01
- Kip Carnes
- Helen Smith i would like to ask if it is possible to put this on the November Ballot

General Commission Discussion/Future Agenda Items

Adjourn 8:30

Motion made by Member Benavidez, Seconded by Secretary Good.

Voting Yea: Chair Scroggins, Secretary Good, Member Adair, Member Benavidez, Member Good

Respectfully submitted,

Elizabeth F. Adair, Municipal Clerk
(Taken and transcribed by Lalena Aragon, Deputy Clerk,
Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Thomas Scroggins, Chairman

Melodie Good, Secretary

Scott Adair, Commissioner

Adelina (Lina) Benavidez, Commissioner

Chad Good, Commissioner

DRAFT

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Saturday, February 11, 2023 4:32 PM
To: Lisa Adair
Subject: Fwd: NO heavy Industrial Zoning!

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From: Patricia Gray <pattyhollis1@yahoo.com>
Sent: Saturday, February 11, 2023 3:41:18 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; jwinter@riocommunities.net <jwinter@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: NO heavy Industrial Zoning!

DO NOT ALLOW ANY INDUSTRIAL ZONING in our communities no matter how much kick back money you receive!!!! This is NOT good for anyone in our community & was the reason we moved away from the cities!

Patricia Gray
Hollis Gray

457 Bishop Ct.
Rio Communities

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Saturday, February 11, 2023 5:21 PM
To: Lisa Adair
Subject: Fwd: Please Read Say No to I-3

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From: David Perfetti <perfetti2010@gmail.com>
Sent: Saturday, February 11, 2023 4:46:50 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>; pcutjaha@riocommunities.net <pcutjaha@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: Please Read Say No to I-3

To whom this may concern,

I have lived in Rio Communities for a couple of years now. My wife and I are in our 30's and we have a 4 year old son. This is a bad decision. This is being pushed by people who don't truly care about our city. They only care about profit from their companies.

We already have to deal with the smell of gas every day because of one of the same company that wants to expand. It already made the news. Who is going to want to live someplace that you have to deal with noxious odors morning, noon, and night. A majority of people here are older and not able to move. The rest are around our age.

If this goes thru I know my family will be leaving and so will other families around our age. Then there goes the property tax base you already have. Then with the increase of Mesa Oil no one will want to move here. So that means no new tax base coming in.

Look at any large city. The poorest neighborhoods are located next to heavy industry. They also happen to be high crime areas. This place doesn't have its own police yet and will take sometime to build a proper force. So you want crime to increase at a higher rate than the force you build. But at the same time pushed out the tax base you have. So the city has less money coming in. People are already leaving because of this. You all want to be elected officials of a city that you will be responsible for destroying in the long run.

Hope this gets through.

Thank you,
 David Perfetti

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Sunday, February 12, 2023 12:42 PM
To: Lisa Adair
Subject: Fwd: industry

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From: John Kaplan <inkspots48@yahoo.com>
Sent: Sunday, February 12, 2023 9:48:58 AM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>
Subject: industry

I seems to me that no one wants to see RC advance and become more prosperous. This reminds me of where I lived before. No one wanted to see the community to grow and provide jobs for families, the community eventually dried up and withered away. Kind of like the hospital that was supposed to be built, what happened there?

Lisa Adair

From: Rio Communities <riocommunities-nm@municodeweb.com>
Sent: Sunday, February 12, 2023 8:37 AM
To: Lisa Adair
Subject: Form submission from: Contact Us

External (riocommunities-nm@municodeweb.com)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#). Powered by INKY

Submitted on Sunday, February 12, 2023 - 8:37am

Submitted by anonymous user: 67.0.64.26

Submitted values are:

First Name Pamela

Last Name Piburn

Email pjinnewmexico@gmail.com

Question/Comment

Please. NO Heavy Industry in Rio Communities. Please vote NO to rezoning Playa Estates parcels to Industrial 3 zone.

The results of this submission may be viewed at:

<https://www.riocommunities.net/node/7/submission/909>

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Tuesday, February 14, 2023 1:59 PM
To: Lisa Adair
Subject: Fwd: Please read Say No to I-3

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From: Valerie Varela <valerievl1990@gmail.com>
Sent: Tuesday, February 14, 2023 11:40:01 AM
To: Chad Good <cgood@riocommunities.net>; pgutjahar@riocommunities.net <pgutjahar@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Mayor Joshua Ramsell <jramsell@riocommunities.net>
Subject: Please read Say No to I-3

To whom this may concern,

My husband and I are in our 30's have lived in Rio Communities for almost 3 years and we have a 4 year old son. This is a very bad decision. This is being pushed by people who don't truly care about our city. They only care about profit from their companies.

We already have to deal with the smell of gas every day because of one of the same company that wants to expand. It already made the news. Who is going to want to live someplace that you have to deal with noxious odors morning, noon, and night. A majority of people here are older and not able to move. The rest are around our age.

If this goes thru I know my family will be leaving and so will other families around our age. Then there goes the property tax base you already have. Then with the increase of Mesa Oil no one will want to move here. So that means no new tax base coming in.

Look at any large city. The poorest neighborhoods are located next to heavy industry. They also happen to be high crime areas. This place doesn't have its own police yet and will take sometime to build a proper force.

Thank you, Valerie Perfetti

Lisa Adair

From: Thomas Scroggins
Sent: Tuesday, February 14, 2023 4:17 PM
To: Lisa Adair
Cc: Martin Moore
Subject: Fw: HEAVY ZONING IN RIO COMMUNITIES

From: Lori K Padilla <LORIKAYVIC@msn.com>
Sent: Thursday, February 9, 2023 12:19 PM
To: Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: HEAVY ZONING IN RIO COMMUNITIES

I would like my voice to be heard in regards to the zoning change to 3 (three)
I vote NO
PLEASE affirm that my vote WILL be acknowledged.
Thank you
Lori Padilla
111 Western Dr.
Rio Communities, NM 87002

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Lisa Adair

From: Scott Adair
Sent: Tuesday, February 14, 2023 10:03 PM
To: Martin Moore
Cc: Lisa Adair
Subject: Fw: Cibola Land, Inc. Rezoning Proposal

From: Frank Mazza Jr <fmazza@live.com>
Sent: Tuesday, February 14, 2023 8:45 PM
To: Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: Cibola Land, Inc. Rezoning Proposal

My name is Frank Mazza and my partner, Linda Zaragoza, and I live at 1623 Blanda Court in Rio Communities. We attended the January Planning and Zoning Commission meeting when Cibola Land, Inc. asked the city to rezone 262 acres into Industrial 3 and another section of land to Commercial 3. Linda and I listened to the Cibola presentation and the comments of our neighbors and concur that both rezoning proposals are not in the best interests of our community. Please deny this rezoning request.

Thank you.

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Wednesday, February 15, 2023 12:35 PM
To: Lisa Adair
Subject: Fwd: Proposed rezoning by Cibola Land Holdings

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From: J D STOUFFER <jeanstouffer@mac.com>
Sent: Wednesday, February 15, 2023 9:35:06 AM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>
Cc: Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>
Subject: Proposed rezoning by Cibola Land Holdings

Gentlemen,

Re the proposed rezoning by Cibola Land Holdings (Harvey Yates), NO NO NO!!!! We are a rural community, and we do not need heavy industry that would inevitably destroy our way of life. PLEASE VOTE NO!!!

Dan & Jean Stouffer

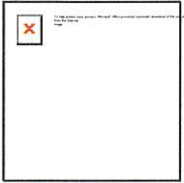
Bosque Farms, NM

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Thursday, February 2, 2023 1:49 PM
To: Lisa Adair
Subject: Fwd: Rezoning Request

Joshua Ramsell

City of Rio Communities, Mayor



[505-861-6803](tel:505-861-6803)

360 Rio Communities Blvd.

Rio Communities, NM 87002

<http://www.riocommunities.net>

From: Mayor Joshua Ramsell <jramsell@riocommunities.net>
Sent: Monday, January 30, 2023 1:41:19 PM
To: Patty Ciccotelli <patty.ciccotelli@gmail.com>
Subject: Re: Rezoning Request

Good afternoon,

Thank you for taking the time to write me. This rezoning request is currently in front of the Planning and Zoning commission. They will be having a 2nd public hearing on this matter on February 16th at 4pm. This is a public meeting and anyone who wishes to attend is welcome.

Joshua Ramsell

City of Rio Communities, Mayor

[505-861-6803](tel:505-861-6803)

360 Rio Communities Blvd.

Rio Communities, NM 87002

<http://www.riocommunities.net>

From: Patty Ciccotelli <patty.ciccotelli@gmail.com>
Sent: Monday, January 30, 2023 12:21:27 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>
Subject: Rezoning Request

Hello,

As a resident of Rio Communities that will be negatively affected by this we are asking you to vote no on the Industrial 3 Rezoning Request.

Wayne and Patty Ciccotelli

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Thursday, February 2, 2023 1:49 PM
To: Lisa Adair
Subject: Fwd: Industrial 3 Rezoning

Joshua Ramsell

City of Rio Communities, Mayor



[505-861-6803](tel:505-861-6803)

360 Rio Communities Blvd.

Rio Communities, NM 87002

<http://www.riocommunities.net>

From: Trinity Olivas <trinityolivas@gmail.com>
Sent: Monday, January 30, 2023 3:11:30 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>
Subject: Industrial 3 Rezoning

Dear Mayor,

I write this as a constituent and concerned resident of Rio Communities. I live on 103 el Mundo Rd. This proposed rezoning reneges on the promise of views and quiet neighborhood living. I want my kids to one day inherit my home and be able to enjoy the views of Manzanos. I want them to possibly have neighbors to the south where they can play and not worry about commercial trucks, or commercial odors. There is already industrial zoning due south for these companies to incorporate. I ask as a voting citizen you reject this proposed rezoning and make the land owners sell to a housing developer.

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Thursday, February 2, 2023 1:49 PM
To: Lisa Adair
Subject: Fwd: industrial pollution in RC

Joshua Ramsell

City of Rio Communities, Mayor



[505-861-6803](tel:505-861-6803)

360 Rio Communities Blvd.

Rio Communities, NM 87002

<http://www.riocommunities.net>

From: G.E. Nordell <garyNM@genordell.com>
Sent: Wednesday, January 25, 2023 4:22:39 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>; Martin Moore <mmoore@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>
Subject: industrial pollution in RC

RC P&Z is supposed to decide whether to recommend rezoning 300 acres of residential (PD) land to HEAVY INDUSTRIAL (I-3).

That land is owned by Cibola Land Holdings — a Yates Petroleum Empire company.

SIMPLE SOLUTION: set up an overlay zone on all industrial properties in the city for ZERO TOLERANCE FOR POLLUTION

where ANY air or water pollution gets the business shut down for 30 days, second and further violations include \$5000 fine

proof is evidence taken by city/county/state/federal officials on that property, regardless of source

THEN see who files for zone change . . .

Lisa Adair

From: Scott Adair
Sent: Thursday, February 2, 2023 11:51 AM
To: Lisa Adair; Martin Moore
Subject: Fw: Possible rezoning in Rio Communities

From: Anna Lareau <lareaal@hotmail.com>
Sent: Thursday, February 2, 2023 10:57 AM
To: tscroggins@riocommunities.net <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; lbenavidez@riocommunities.net <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>; jramsell@riocommunities.net <jramsell@riocommunities.net>
Subject: Possible rezoning in Rio Communities

I am contacting you regarding to the possibility of a rezoning in our city. I am totally against allowing another "industrial row" for the following reasons:

1. We are a residential area and wish to stay that way.
2. We are already subjected to the awful smells coming from a recycling plant that is part of Mesa Oil.
3. Our property values will plummet.
4. If the intention is for industrial storage the chances of having accidents such as leakage and fumes release are great.
5. We will end up looking like how Broadway (Hwy 47) in Albuquerque looks. A major trashed up area.

Harvey Yates Jr. and his companies already own a huge amount of land in the surrounding Valencia county, Socorro county and probably further throughout New Mexico. Why can't it be suggested to him or his representatives to find a open land further out, away from the towns and neighborhoods?

The people and animals in the Rio Communities cannot continue to be subjected to the waste put in air. It baffles me as to why this would even be considered. I really hope that the Planning & Zoning committee will listen to the citizens of Rio Communities. Many of us have invested our lives in this area and would love to be able to stay. If the zoning gets

changed to allow industrial facilities such as oil, gas storage and industrial waste processing, the city will lose a great number of residents. Again, please consider on voting this down.

Sincerely,

Anna L. Lareau
623 Palmer Lane
Rio Communities, NM. 87002

Lisa Adair

From: Thomas Scroggins
Sent: Friday, February 3, 2023 1:14 PM
To: Lisa Adair
Cc: Martin Moore
Subject: Fw: Vote "NO" to Rio Communities Zoning Changes

From: Vida Baca <vidat2007@gmail.com>
Sent: Thursday, January 19, 2023 12:35 PM
To: Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Chad Good <cgood@riocommunities.net>; Mayor Joshua Ramsell <jramsell@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>
Subject: Vote "NO" to Rio Communities Zoning Changes

----- Forwarded message -----

From: **Vida Baca** <vidat2007@gmail.com>
Date: Thu, Jan 19, 2023 at 12:06 PM
Subject: Vote "NO" to Rio Communities Zoning Changes
To: protectriocommunities@gmail.com <protectriocommunities@gmail.com>

Dear Mayor and Governing Body,

I am a concerned Valencia County resident. Although Rio Communities is definitely in a state of decline. Allowing the types of industry into the County listed on the posted meeting for a Zoning Change will only serve to accelerate the decline. Any clean businesses looking to locate in that area of the county, may look elsewhere, knowing they could be surrounded by the types of industries/businesses listed.

Rio Communities residents invested in their homes and businesses based on the past and current zoning rules. Based on many factors, i.e. health, aesthetics, loss of property value these residents/businesses may be forced to relocate; leaving this area of the county with businesses that are detrimental to the health of the land, and certainly not healthy for the residents who call this community home.

It makes sense that this type of zoning change will only serve to devalue the properties in Rio Communities, and surrounding areas.

As the governing board, representing both current residents and business owners of Rio Communities, your actions should reflect their health and welfare - not the business interests of an organization looking to increase their financial bottom line.

I implore you, as the governing body of the Rio Communities, to consider the long term damages that will result from allowing any of the possible listed industries into our county. In an age where the health of our Earth and

global warming are paramount - please consider the long lasting consequences of making any industrial zoning changes at this moment in time.

Thank you for your time and thoughtful consideration.

Vida Baca
Los Lunas, NM

Lisa Adair

From: Councilor Peggy Gutjahr
Sent: Tuesday, February 14, 2023 9:09 AM
To: Lisa Adair
Subject: Fwd:

Sent from my iPhone

Begin forwarded message:

From: +15052275503@tmomail.net
Date: February 13, 2023 at 5:46:29 PM MST
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>, Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>, "Councilor Arthur (Art) Apodaca" <aapodaca@riocommunities.net>, Councilor Lawrence Gordon <lgordon@riocommunities.net>, Councilor Jim Winters <jwinters@riocommunities.net>, Noelle Chavez <nchavez@riocommunities.net>

Ltr to Rio community city council and Dr Martin Moore,
 We recently moved moved to this community for the
 peace and openness it offered not being informed before
 buying our home of the horror that could lay in our future.
 Everyone one who lives here worked hard all their lives or
 is working hard to live our daily lives to live in the
 community we've chosen to live in. My son services this
 community and when it came to buying his first home he
 chose this community. By just buying our home here We
 made a 30 year commitment to this community. The open
 area, quiet peaceful area, the geese flying overhead. A
 community to which the man who wants to bring I3 has
 not made that kind of commitment to. Heavy
 industrialization of our community would be the total
 death of our community and its residents. Does that man
 who is trying to destroy our Lives live here? Has he lived
 here Would he live here in the polluted home he wants us
 and our families to live in. If not why not? He doesn't want
 him or he's family, ancestors to go through the health
 issues and qualify of life he's willing to put us all through .
 Where is Humanity, humility, love for your follow man
 instead of the all might dollar. If you have billions how
 much more money does anyone need to have and how
 does that money give you the right to destroy other
 people's lives. The only commitment he has made to this
 community is to destroy the lives, the futures , the lives of

the children who live here. What happened on January 13th is but an emir fraction of what's to come. Sulfur dioxide that is released negatively effect your health, the health of young children and the unborn, respiratory issues, abortions, skin diseases, cancer, overall poor health not to mention the noise, traffic of heavy equipment and possibility of rail disasters like what recently occurred in Ohio. Will our community be the next Flint, Michigan? What kind of person or people choose to knowingly destroy the lives of others for their own profit? What kind of people/officials would allow this to happen! I commented to living what I prayed would be the rest of my life here. To grow old not to dead from living in a community of polluted toxic chemicals, toxic air, toxic water, soil contamination, toxic waste. I died 6 years ago, I had open heart surgery and my doctor saved my life. My surgeon held in my heart in his hands and gave me life. You hold in your hands all of our lives. Will you give our community life or be the death of it. Scared that we bought a home that would never be worth the price we paid. The Reyes Family 627 Palmer Lane Rio Communities, NM

<tmobilespace.gif>

T-Mobile

This message was sent to you by a T-Mobile wireless phone.

<tmobilespace.gif>

Lisa Adair

From: Councilor Peggy Gutjahr
Sent: Tuesday, February 14, 2023 9:09 AM
To: Lisa Adair
Subject: Fwd: Rezoning

Sent from my iPhone

Begin forwarded message:

From: cheiinali@aol.com
Date: February 13, 2023 at 4:36:13 PM MST
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>, Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>, "Councilor Arthur (Art) Apodaca" <aapodaca@riocommunities.net>, lgordon@riocommunities.net, Councilor Jim Winters <jwinters@riocommunities.net>, Thomas Scroggins <tscroggins@riocommunities.net>, Melodie Good <mgood@riocommunities.net>, Scott Adair <sadair@riocommunities.net>, "Adelina (Lina) Benavidez" <lbenavidez@riocommunities.net>, Chad Good <cgood@riocommunities.net>
Cc: Protectriocommunities@gmail.com
Subject: Rezoning
Reply-To: cheiinali@aol.com

Dear Lord Mayor, Councillors, and Planning & Zoning Commissioners:

The purpose of this email is to express my firm **OPPOSITION** to the request of the Cibola Land, Inc., to rezone 262 acres of vacant land, south of the Golf Course, into a Heavy Industrial (I-3) Zone. I attended the Planning & Zoning Commission about a fortnight back. Many of my fellow citizens, expressed to the Commission, far more eloquently than I could, why this rezoning proposal is not a good idea for our community. So I will not bog this email down with more verbiage beyond stating my position. Do not turn the Rio Communities into an area that resembles the Albuquerque South Broadway area.

I remain Sirs and Madames,

Very respectfully yours,

Lloyd Stuart Colson, III
 505 Maddox Loop
 Rio Communities, NM 87002-6422
 cheiinali@aol.com

Lisa Adair

From: Councilor Peggy Gutjahr
Sent: Saturday, February 11, 2023 5:06 PM
To: Lisa Adair
Subject: Fwd: Rezoning of 262 acres of vacant land

Peggy Gutjahr
 City of Rio Communities, Mayor Pro-Tem/Councilor



505-861-6803
 360 Rio Communities Blvd.
 Rio Communities, NM 87002
<http://www.riocommunities.net>

Begin forwarded message:

From: Tommy Westmoreland <1761tgw@gmail.com>
Subject: Rezoning of 262 acres of vacant land
Date: February 11, 2023 at 4:52:03 PM MST
To: tscroggins@riocommunities.net
Cc: mgood@riocommunities.net, sadair@riocommunities.net, ibenavidez@riocommunitis.net,
cgood@riocommunities.net, jramsell@riocommunities.net, pgutjahr@riocommunities.net,
aapodaca@riocommunities.net, lgordon@riocommunities.net, jwinters@riocommunities.net,
 Martin Moore <mmoore@riocommunities.net>, "protectriocommunities@gmail.com"
 <protectriocommunities@gmail.com>

Ladies and Gentlemen:

My name is Tommy Westmoreland. I reside at 458
 Goddard Court. My email is 1761tgw@gmail.com. My
 telephone number is 505/388-6104.

Today I returned to my home to find a flyer with regards to
 the above issue of rezoning. I am not a member of any
 group but have my own opinion about this issue.

I absolutely understand the concerns about this zoning change.

Like it or not Rio Communities is going to grow. How much and how long can be debated for months and years.

We have only to look to Belen and Los Lunas. Belen was stagnant long before Rio Communities incorporated. Today I rode down Main Street in Los Lunas. I saw many successful businesses and more being built. If Rio Communities had a fraction of that success our future would be bright.

I want every one who reads this to understand what I am most concerned about.

1. Contaminated drinking water.

With all the mining that has gone on in this state I could see it as a possibility. Since uranium is mined in the four corners area and a nuclear blast occurred south of us I can see a concern. One of the most notable contents of bottled water is shredded toilet paper. We do have good water here and it is cheap. Think not try Texas. New Mexico sits on one of the largest aquifers in the continental United States. 80 percent of New Mexico water goes to agriculture.

2. Polluted air.

New Mexico has the 4th cleanest air in the United States. The pollution in Albuquerque is undeniable. Then again more than a million folks live there. We have approximately 5,000 counting all the dogs and cats. The

EPA has gone "green" more than any of you could dream. One would believe that the federal government has enough regulations on the books to protect us.

3. Home values decrease.

Housing values depend on supply and demand. Realtors can research a neighborhood for the last "home" sold and base their asking price. I find realtors determining value is not much better than an "appraiser". When did any of your homes depreciate? According to a recent appraisal my home is worth \$75,000 more in just 6 1/2 years since I bought it. No matter which way this goes it is guess work.

4. Light, noise and dust.

This state has laws and regulations for lighting. Noise? I have four wheelers racing on the mesa behind my home and up and down my alleyway. Dust? This is New Mexico. Unless your home is shrink wrapped dust will always be a problem. We sweep and dust almost everyday. Leave your auto outside the garage. That's proof that New Mexico is always on the move.

5. More semi-trucks.

Truckers are much more safer drivers than small vehicles. They drive millions of miles year in and out. I am more concerned about auto drivers playing cat and mouse (including four wheelers). Both 304 and 47 are state highways with maximum load range. They are designed for heavy vehicles. Volume of trucks would be a

good thing. Maybe a gas station with competitive fuel prices might benefit some.

6. More train traffic.

A railroad spur? My son is an engineer for BNSF railroad. He tells me that Berkshire-Hathaway which owns BNSF wants to get rid of engineers and conductors. That should scare the heck out of anyone near a railway which Rio is not. Presently trains have 1 engineer and one conductor. AS best I can tell we do not have a railroad crossing in the city limits.

7. Low paying jobs.

New Mexico has one of the largest group of people that are able to work but have dropped out of the work force. Any company that wants to come here will have to pay a decent wage or not get good workers. Some of these fast food places are not paying the 15.00 per hour. Best example is Church's Chicken in Los Lunas. Heavy industry will have a higher payroll. Good paying jobs mean our young ones can make enough money to buy a home, build one or pay high rent. If we keep the status quo Belen and Los Lunas will continue to prosper.

8. Loss of view.

Having driven miles on South 47 I saw thousands of acres of undeveloped property. It isn't much of a view. The Monzanos are pretty hard to hide.

So finally I request the zoning change be approved.

A vocal minority sincerely believes this will end life as we know it. Much of the rhetoric is fear mongering without much forward thinking. Recently I was accused of working or being on the payroll of Mr. Yates. I am retired and love my life here in Rio. I have never met Mr. Yates.

I assure you all that I want this city to grow and be prosperous for all.

We can argue that some cannot see this requested change as being good thing. I do believe that the potential economic impact far outpaces the negative concerns above.

Respectfully submitted,
/s/
Tommy Westmoreland

>

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Saturday, February 11, 2023 5:27 PM
To: Lisa Adair
Subject: Fwd: Rezoning of 262 acres of vacant land

Get [Outlook for Android](#)

From: Tommy Westmoreland <1761tgw@gmail.com>
Sent: Saturday, February 11, 2023 4:52:03 PM
To: Thomas Scroggins <tscroggins@riocommunities.net>
Cc: Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; ibenavidez@riocommunitis.net <ibenavidez@riocommunitis.net>; Chad Good <cgood@riocommunities.net>; Mayor Joshua Ramsell <jramsell@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Martin Moore <mmoore@riocommunities.net>; protectriocommunities@gmail.com <protectriocommunities@gmail.com>
Subject: Rezoning of 262 acres of vacant land

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This state has laws and regulations for lighting. Noise? I have four wheelers racing on the mesa behind my home and up and down my alleyway. Dust? This is New Mexico. Unless your home is shrink wrapped dust will always be a problem. We sweep and dust almost everyday. Leave your auto outside the garage. That's proof that New Mexico is always on the move.

5. More semi-trucks.

Truckers are much more safer drivers than small vehicles. They drive millions of miles year in and out. I am more concerned about auto drivers playing cat and mouse (including four wheelers). Both 304 and 47 are state highways with maximum load range. They are designed for heavy vehicles. Volume of trucks would be a good thing. Maybe a gas station with competitive fuel prices might benefit some.

6. More train traffic.

A railroad spur? My son is an engineer for BNSF railroad. He tells me that Berkshire-Hathaway which owns BNSF wants to get rid of engineers and conductors. That should scare the heck out of anyone near a railway which Rio is not. Presently trains have 1 engineer and one conductor. AS best I can tell we do not have a railroad crossing in the city limits.

7. Low paying jobs.

New Mexico has one of the largest group of people that are able to work but have dropped out of the ork force. Any company that wants to

come here will have to pay a decent wage or not get good workers. Some of these fast food places are not paying the 15.00 per hour. Best example is Church's Chicken in Los Lunas. Heavy industry will have a higher payroll. Good paying jobs mean our young ones can make enough money to buy a home, build one or pay high rent. If we keep the status quo Belen and Los Lunas will continue to prosper.

8. Loss of view.

Having driven miles on South 47 I saw thousands of acres of undeveloped property. It isn't much of a view. The Monzanos are pretty hard to hide.

So finally I request the zoning change be approved.

A vocal minority sincerely believes this will end life as we know it. Much of the rhetoric is fear mongering without much forward thinking. Recently I was accused of working or being on the payroll of Mr. Yates. I am retired and love my life here in Rio. I have never met Mr. Yates.

I assure you all that I want this city to grow and be prosperous for all.

We can argue that some cannot see this requested change as being good thing. I do believe that the potential economic impact far outpaces the negative concerns above.

Respectfully submitted,

/s/

Tommy Westmoreland

>

Lisa Adair

From: Councilor Jim Winters
Sent: Saturday, February 11, 2023 3:57 PM
To: Lisa Adair
Subject: Fw: I-3 REZONING

Lisa,

Please add to the list.

JDW

From: David Hawkins <twofeatheredhawk@yahoo.com>
Sent: Saturday, February 11, 2023 1:40 PM
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Igordon@riocomunnities.net <lgordon@riocomunnities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: I-3 REZONING

To all City Councilors,

My sister and I are for the rezoning. We believe that it will bring jobs into the community as well as tax revenue. You have our support in this endeavor.

David Hawkins

Rio community resident

Lisa Adair

From: Councilor Jim Winters
Sent: Saturday, February 11, 2023 1:04 PM
To: Lisa Adair
Subject: Fw: Re-zoning

Lisa,

Can you add this comment to the P/Z Public Hearing input?

Thanks!

Jimmie Winters

From: Stanley Porch <stanleyporch@comcast.net>
Sent: Saturday, February 11, 2023 11:56 AM
To: Councilor Jim Winters <jwinters@riocommunities.net>
Subject: Re-zoning

Dear Governing Body of Rio Communities,

Without mentioning all the points that are being spoken by concerned neighbors of ours.

We would like to ask you all to vote NO on the rezoning
Proposal for the Cibola Land Inc.

We would hope that there can be a better vision for our community.

Respectfully,

Stanley and Lori Porch
921 Lee Trevino blvd.
505-220-5262

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Thursday, February 2, 2023 1:50 PM
To: Lisa Adair
Subject: Fwd: Industrial Zone Wrong Path

Joshua Ramsell

City of Rio Communities, Mayor



[505-861-6803](tel:505-861-6803)

360 Rio Communities Blvd.

Rio Communities, NM 87002

<http://www.riocommunities.net>

From: Helen Smith <capthelen46@gmail.com>
Sent: Tuesday, January 17, 2023 10:46:15 AM
To: Protectriocommunities@gmail.com <Protectriocommunities@gmail.com>; Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Ralph Fernandez <rfernandez@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; lerubin@riocommunities.net <lerubin@riocommunities.net>; Mayor Joshua Ramsell <jramsell@riocommunities.net>
Subject: Industrial Zone Wrong Path

City Council, Planning and Zoning Commission,

The proposed change for rezoning an area in Rio Communities to Industrial 3 is not in the best interests of the community. Surely there are long established reasons not to put I-3 zones next to densely populated residential areas. I find it very concerning that such a move would appear to be undertaken with so little notice to the community.

1. I live at 952 Frederico Blvd, directly across the street from the "pointed" end of the zone. I do not wish to have industrial businesses across the street from my residence, blocking my view of the Manzano Mountains, which was one of the primary reasons I bought this lot to build my home.
2. Such a zone will intensely devalue my property and that of my neighbors.

3. To live 50 yards from industrial business will lead to noise, vibration, smoke, dust, particulate matter, toxins or noxious matter, humidity, heat or glare and heavy traffic of equipment or workers' vehicles on roads not designed to carry them. Rules and regulation about such hazards are routinely ignored or "accidentally" abused. This is intolerable.

4. Surely the Zoning of Rio Communities took this into consideration when establishing the original zoning of the City. Whether the land under consideration is currently zoned residential or agricultural is it located in one of the prime areas for the City to grow its homes and residents (witness the proposed development of Manzano Vista.) This City will grow because it is a prime residential area with views of open space and the mountains. Such growth will forever be ended if this zoning change takes place as no one will buy or build next to an industrial area. You will effectively halt all development in this direction, probably on both sides of Highway 47.

5. I have no information on what industries would be placed in the proposed zone, especially in an I-3 zone that NEED to be placed in such close proximity to residential areas. There is a nearby Industrial Park more appropriate to such needs.

6. I sincerely hope this is not a misguided plan to drill for oil (Harvey Yates?) which has been documented to show huge risk to our underground water supply. Similarly, other industrial activities offer a great risk of polluting the land and threatening the aquifer as well. Even the current Industrial Park is under close supervision for hazardous wastes.

7. Approving the zoning change would completely change the character of our City. Any money gained by the City from such industries would do little to offset the loss of many, many local residents who do not wish to live next to such activities. This may be a death knell to Rio Communities as anything but another Industrial Park.

8. This matter is of great concern to all residents of Rio Communities and should be put to a PUBLIC vote. If requests persist put it on the ballot of the next election held in the City. Surely there is no driving rush to quickly decide such a vital question for the future of our City.

Helen Smith, 952 Frederico Blvd, Rio Communities, NM 87002 505-861-5523
capthelen46@gmail.com

--

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Lisa Adair

From: Martin Moore
Sent: Friday, February 10, 2023 9:57 AM
To: Scott Adair; Lisa Adair
Subject: Re: Cibola Land Corporation

Will follow up

Sent from my Verizon, Samsung Galaxy smartphone
 Get [Outlook for Android](#)

From: Scott Adair <sadair@riocommunities.net>
Sent: Friday, February 10, 2023 9:38:10 AM
To: Lisa Adair <ladair@riocommunities.net>; Martin Moore <mmoore@riocommunities.net>
Subject: Fw: Cibola Land Corporation

From: Rob Ashbaugh <rob@stephensequipment.com>
Sent: Thursday, February 9, 2023 10:38 AM
To: Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: Cibola Land Corporation

Hello Mr. Adair, Ms. Benavidez, and Mr. Good,

We (Stephens Properties, LP) received a public hearing notification letter regarding the Commission's upcoming hearing for Cibola Land Corporation's request to have some of their properties rezoned from Planned Development to Industrial 3.

Could you please tell me what their purpose is for this rezoning? What do they intend to build there? If there is any information available online, please let me know and I'll be happy to look at it there.

Thanks,

Rob Ashbaugh
 Stephens Properties, LP
 724-353-3363

Lisa Adair

From: Mayor Joshua Ramsell
Sent: Sunday, February 12, 2023 7:39 PM
To: Lisa Adair
Subject: Fwd: 16 Feb Planning and Zoning Meeting Time

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From: William Hirner <william.hirner@gmail.com>
Sent: Sunday, February 12, 2023 4:31:30 PM
To: Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>; Mayor Joshua Ramsell <jramsell@riocommunities.net>; Councilor Arthur (Art) Apodaca <aapodaca@riocommunities.net>; Councilor Lawrence Gordon <lgordon@riocommunities.net>; Councilor Jim Winters <jwinters@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: 16 Feb Planning and Zoning Meeting Time

Good Afternoon,

I am concerned the chosen time of 4 P.M. is greatly to the advantage of those who wish to pass this measure with minimal public comment. I suggest rescheduling to a later time to accommodate more interested residents of this small city and make such considerations in the future.

William Hirner

Lisa Adair

From: Councilor Peggy Gutjahr
Sent: Wednesday, February 15, 2023 5:50 AM
To: Lisa Adair
Subject: Fwd: opposition to zoning change
Attachments: Opposition to Rezoning.docx

Sent from my iPhone

Begin forwarded message:

From: Linda Zaragoza <lindar.zaragoza@gmail.com>
Date: February 14, 2023 at 5:05:16 PM MST
To: Mayor Joshua Ramsell <jramsell@riocommunities.net>, Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>, "Councilor Arthur (Art) Apodaca" <aapodaca@riocommunities.net>, Councilor Lawrence Gordon <lgordon@riocommunities.net>, Councilor Jim Winters <jwinters@riocommunities.net>
Subject: opposition to zoning change

I enclose my letter to the council in regard to the Cibola Land Corp. request for zoning change.

Lisa Adair

From: Thomas Scroggins
Sent: Tuesday, February 7, 2023 2:23 PM
To: Lisa Adair
Cc: Martin Moore
Subject: Fw: Important Message from Resident

Lisa,

another planet heard from.

Tom

From: clo ! <feykroziin@gmail.com>
Sent: Sunday, February 5, 2023 3:52 PM
To: Thomas Scroggins <tscroggins@riocommunities.net>
Subject: Important Message from Resident

Chairman Thomas Scroggins:

Residents of Rio Communities have initiated a call to action regarding the City Council's alleged plan to rezone 262 acres to Industrial 3. Many of us are concerned about what Cibola Land Corporation intends to do with that Land, and how it will affect the surrounding environment for the current generation and future ones. We are a growing Community, and with growth comes change. No one is opposing that change. What we oppose is the destruction and degradation of our Community, our Health, and our Quality of Life.

Our Elected Officials have been entrusted with the duty to represent the People's interests and work toward keeping Residents safe. To approve the rezoning would directly contradict what the Public has asked of our Officials, and would put current and future Residents in danger.

The purpose of this message is to urge you to reconsider this action. Say "No" to Big Oil corporations who do not care for the Land or its People. Say "No" to Heavy Industrial 3 rezoning.

Thank you for your time.

Sincerely,
 Clover Willard
 City of Rio Communities

Lisa Adair

From: Martin Moore
Sent: Friday, February 10, 2023 9:56 AM
To: Scott Adair; Lisa Adair
Subject: Re: HEAVY ZONING IN RIO COMMUNITIES

Acknowledged

Sent from my Verizon, Samsung Galaxy smartphone
 Get [Outlook for Android](#)

From: Scott Adair <sadair@riocommunities.net>
Sent: Friday, February 10, 2023 9:38:43 AM
To: Lisa Adair <ladair@riocommunities.net>; Martin Moore <mmoore@riocommunities.net>
Subject: Fw: HEAVY ZONING IN RIO COMMUNITIES

From: Lori K Padilla <LORIKAYVIC@msn.com>
Sent: Thursday, February 9, 2023 12:19 PM
To: Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: HEAVY ZONING IN RIO COMMUNITIES

I would like my voice to be heard in regards to the zoning change to 3 (three)
 I vote NO
 PLEASE affirm that my vote WILL be acknowledged.
 Thank you
 Lori Padilla
 111 Western Dr.
 Rio Communities, NM 87002

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Lisa Adair

From: Thomas Scroggins
Sent: Tuesday, February 14, 2023 4:19 PM
To: Lisa Adair
Cc: Martin Moore
Subject: Fw: Request for a rezoning

From: steve gladwell <sbear1g@live.com>
Sent: Friday, February 10, 2023 10:17 AM
To: Martin Moore <mmoore@riocommunities.net>; Thomas Scroggins <tscroggins@riocommunities.net>; Melodie Good <mgood@riocommunities.net>; Scott Adair <sadair@riocommunities.net>; Adelina (Lina) Benavidez <lbenavidez@riocommunities.net>; Chad Good <cgood@riocommunities.net>
Subject: Request for a rezoning

Gentleman and Ladies of Planning & Zoning & City Manager

I am writing this in response to the request by Mr Yates to rezone to industrial 3

I feel that it is very important that Mr Yates or his representative be very clear , at the feb 16 meeting, as to what his intended usage of the rezoned property will be , residents should know

I understand that Mr Yates is in the oil business

Here are my concerns= if Mr Yates moves forward with some sort of large scale oil operation , such as a oil tank farm

First - oil is not clean

Second - any oil operation of any size can be an eye sore to the community

Third -such an eye sore could and probably would decrease property values

Fourth -also a lot of trucks , heavy or otherwise , can impact road and air quality , and create excessive noise and road congestion

So, as I have stated , I believe that proposed usage of this property , should be fully discussed with residents on the

Feb 16 meeting

Thank you for your attention to this matter

Steve Gladwell- concerned Rio Comm resident

Ps - I plan to submit this response to the city so it can be read into the minutes on Feb 16 2023

Lisa Adair

From: Councilor Peggy Gutjahr
Sent: Wednesday, February 15, 2023 5:49 AM
To: Lisa Adair
Subject: Fwd: I-3

Sent from my iPhone

Begin forwarded message:

From: EDC Admin <edc.admin@riocommunities.net>
Date: February 14, 2023 at 6:42:32 PM MST
To: Councilor Peggy Gutjahr <pgutjahr@riocommunities.net>
Subject: I-3

Hi Peggy.

I can't make the meeting thursday because we are picking up and switching cars in ABQ, but wanted to put my 2 cents in to you. I am definitely NOT in favor of a I-3 change, C-3 isn't much better but the clean businesses we want would work. I-3 opens too many avenue that the industrial industry will exploit, I BELIEVE. It would change the whole atmosphere of Rio Communities.

Thanks for everything you do for RC.
Frank Logan

Lalena Aragon

From: Angelo Tomedi, <atomed2@gmail.com>
Sent: Wednesday, February 15, 2023 2:51 PM
To: Lalena Aragon
Subject: Letter to the Planning and Zoning Commission

External (atomed2@gmail.com)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#), Powered by INKY

February 15, 2023

Chairman Scroggins, Vice-Chairman Fernandez, Secretary Good, Member Adair and Member Rubin
 Rio Communities Planning and Zoning Commission
 360 Rio Communities Blvd.
 Rio Communities, NM 87002

Re: Cibola Land Corporation application to rezone Planned Development to Commercial 3 zone and Industrial 3 zone

Dear Planning and Zoning Commissioners,

Thank you for the work you do as public servants. I am writing today to request that your commission deny Cibola Land Corporation's request to change 39 acres to Commercial 3 and 252 acres to Industrial 3, as these changes have potential health impacts for your community.

I am a medical doctor and I provide care to families who live in communities impacted by industrial development. I am very concerned about the serious adverse health effects of heavy industrial activities that would be allowed by the rezoning, such as oil and gas extraction, auto wrecking yards, petroleum storage, asphalt production or heavy manufacturing. Heavy industries tend to produce byproducts that pollute the air and water. The byproducts can include toxic gases, heavy metals such as mercury, lead, cadmium, and chromium, and toxic chemicals. The exposure of families, especially children, to industry-based air pollution can cause adverse effects such as cardiovascular diseases, asthma and other respiratory diseases, and even death. Heavy metal contamination from heavy industry can cause brain and nerve damage, kidney and liver problems, and cancer. Heavy metals have also been shown to pollute soil, deteriorating arable land quality and adversely impacting food safety. Oil and gas facilities, if the I3 rezoned land is used for them, can leak toxic gases, and people living close to these facilities experience increased rates of cancer, asthma, and adverse pregnancy outcomes.

By example, the Mountain View Community in the South Valley of Albuquerque which experienced continuing expansion of industry next to their residential neighborhood has been constantly exposed to fumes of Carbon Monoxide (CO), Nitrogen Oxides (NOx), Volatile Organic Compounds (VOC), Sulfur Oxides (SOx), and heavy particulate matter. All these pollutants can and do affect the health of the people living near heavy industry.

Serious adverse health risks for Rio Communities are not the legacy we want to leave to our children. As a medical doctor, I urge you to protect your residents from heavy industrial uses.

Sincerely,

Angelo Tomedi, MD
Visiting Associate Professor
University of New Mexico
Department of Family and Community Medicine
Albuquerque, NM

Lalena Aragon

From: Ann Smith <1625buddy@gmail.com>
Sent: Tuesday, February 14, 2023 2:20 PM
To: Lalena Aragon
Subject: NO Heavy Industrial Zoning

Caution: External (1625buddy@gmail.com)

First-Time Sender [Details](#)

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I am writing this letter to express my opinion regarding the above subject. I have lived in Rio Communities for the last 28 years and DO NOT want Heavy Industry in my backyard. Rio Communities is a Residential area not Heavy Industry.

I call on our Elected Officials to Represent us in this URGENT MATTER!!!!

Thank you

Ann Smith
1625 Ben Hogan Loop
Rio Communities, NM

Lalena Aragon

From: Elisabeth Dicharry <lgdicharry@gmail.com>
Sent: Wednesday, February 15, 2023 3:00 PM
To: Lalena Aragon
Subject: Vote NO on Cibola Land Corp request to rezone hundreds of acres allowing heavy commercial/industrial development.

External (lgdicharry@gmail.com)

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Good Afternoon Rio Communities Planning and Zoning members,

I am a Valencia County resident. Please VOTE NO on the heavy industrial (I-3) and heavy commercial (C-3) rezoning requests from Cibola Land Corporation. In addition to writing to you in January, I attended the previous PZ meeting where the rezoning requests were discussed. I listened to all the people who asked you to DENY the request. These heavy industrial/commercial zone requests are opposed by almost all, if not all of the citizens of Rio Communities and surrounding area. If these zoning changes are approved, the quality of life for those living in the area and beyond will be negatively affected. At the meeting in January, Rio Communities and Valencia County residents listed the risks: adverse health outcomes, pollution of all kinds, declining property values, and environmental decay.

Please re-read the Vision Statement found in the Rio Communities Comprehensive Plan:

"The governance of Rio Communities is committed to fostering an informed citizenry by actively engaging and being responsive to all residents, young and old, in the planning and development of a safe and aesthetic community with a diversified local economy that offers varied sources of goods and services that sustains and improves our infrastructure; provides quality health options and resources; expands educational opportunities and enhances youth activities; encourages diversity of housing for all income levels; improves public transportation and recreational activities; recognizes the importance of preserving our past and protecting our natural resources; and revitalizing the shared qualities that we all ascribe to community and home."

Please listen to the citizens of Rio Communities and Valencia County. DENY Cibola Land Corporation's rezoning requests.

Elisabeth Dicharry
 15 Porsche Pl.
 PO Box 2578
 Los Lunas, NM 87031
 505-269-6534 (c)
[Lgdicharry@gmail.com](mailto:lgdicharry@gmail.com)

From: [Karen Mundy](#)
To: [Lalena Aragon](#)
Cc: [Tyler Mundy](#); [Annalee Mundy](#)
Subject: Proposed Industrial Park on Former Golf Course
Date: Wednesday, February 15, 2023 10:56:41 AM

Caution: External (mundyappraisal@gmail.com)

First-Time Sender [Details](#)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#), Powered by INKY

Thank you for taking my call this morning. We are emailing because we are opposed to the proposed industrial park. Mundy Brothers, Inc. owns a townhouse at 310 Horizon Vista Boulevard and in our opinion a heavy industrial complex will destroy the small town ambience of Rio Communities, which provides a relief from the congested areas of Los Lunas and Albuquerque. Not to mention all the health risks associated with being in close proximity to industrial chemicals.

Thank you in advance for your help!

Karen Mundy, Secretary
Mundy Brothers, Inc

Sent from my iPhone

February 14, 2023

To: Rio Communities Planning and Zoning and City Council Members

Re: Cibola Land Development petition to rezone from residential to Commercial 3 zone and Industrial 3 zone

I attended Planning and Zoning Meeting on January 19, 2023, and I spoke and maintain my comments of record.

I have been a resident of Rio Communities since October, 2009, and have made my home here as my retirement home and it is a big part of my financial stability. I never in my WILDEST DREAMS thought a zoning of residential could be changed to Heavy Industrial. If there was a Heavy Industrial Park next door in city limits, I would NEVER have bought my home!!!!!! The selling point of our "Bedroom Community" with beautiful views and tranquility would be out the door if this zoning change went through and our property values would be "tanked" !!!!!!! We elected our City Council with the promise they would support what is best for Rio Communities, hopefully, that will be true in the outcome of this petition.

We do not have the police department to support this as just working on getting it started. We have a VOLUNTEER fire department which cannot support a Heavy Industrial Park. It would have to be a major fire department with much training how to handle a catastrophe in an evacuation situation. We have recently experienced noxious fumes that suggested to evacuate if having health issues, do we need more facilities that this could happen? Do not think so. Also, our water system is not even run by the city and do not need an Industrial Park taking our water and contaminating it and also goes for the sewer system of Rio Communities.

Attached is a flyer from Protect Rio Communities and agree with all

DESTROY RIO COMMUNITIES!!! We have worked hard to become a city
and that would be such a loss.

Make this of record for Planning and Zoning Meeting, February 16, 2023 at
4:00 pm.

Marsha Walton

111 El Mundo Rd

Rio Communities, NM 87002



Att. From Protect Rio Communities

*PS: We Can do better
than this!!!!*



**SHOW UP!
SPEAK UP!**

Heavy Industry Near Homes

Item 1.

**February 16th
4pm**

360 Rio Comm. Blvd.



Impacts of Heavy Industry

- Contaminated Drinking Water
- Polluted Air
- Home Values Decrease
- Light, Noise, Dust
- More Semi-Trucks
- More Train Traffic
- Low paying jobs
- Loss of Views

**Say NO to
Heavy
Industry
(I-3)
Rezoning**

PROTECT RC

We are a group of concerned citizens striving to preserve our quality of life, our health, and the legacy of our Community. We call on our elected officials to REPRESENT US. STAND UP and SPEAK OUT against Heavy Industry.

HEAVY INDUSTRY (I-3)

Cibola Land, Inc, is requesting to rezone 262 acres of vacant land south of the Golf Course into a Heavy Industrial (I-3) Zone.

Cibola Land is planning to create a 500 Acre MEGA INDUSTRIAL COMPLEX in Rio Communities.

City Councilors MUST SAY NO to Heavy Industry.

GET INVOLVED

Speak Feb 16th 4pm

Join Our Email List

Attend Community Meetings

Sign Our Petition

ProtectRioCommunities@gmail.com

Lalena Aragon

From: Rhonda Black <nmrojarb972@gmail.com>
Sent: Monday, February 13, 2023 11:58 AM
To: Lalena Aragon

Caution: External (nmrojarb972@gmail.com)

First-Time Sender [Details](#)

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My name is Rhonda Black, myself and family of 5 are residents of Rio Communities and as concerned citizens we are asking you to vote "NO" to Heavy Industry (1-3) Rezoning. We have too much air pollution from Mesa Oil, any additional impacts on our environment would be catastrophic!

Rhonda Black

132 Damon St, Rio Communities, NM 87002

505-322-0703

Nmrojarb972@gmail.com

Request for a rezoning

steve gladwell <sbear1g@live.com>

Fri 2/10/2023 11:17 AM

To: mmoore@riocommunities.net <mmoore@riocommunities.net>; tscroggins@riocommunities.net
<tscroggins@riocommunities.net>; mgood@riocommunities.net
<mgood@riocommunities.net>; sadair@riocommunities.net
<sadair@riocommunities.net>; lbenavidez@riocommunities.net
<lbenavidez@riocommunities.net>; cgood@riocommunities.net <cgood@riocommunities.net>

Gentleman and Ladies of Planning & Zoning & City Manager

I am writing this in response to the request by Mr Yates to rezone to industrial 3

I feel that it is very important that Mr Yates or his representative be very clear , at the feb 16 meeting, as to what his intended usage of the rezoned property will be , residents should know

I understand that Mr Yates is in the oil business

Here are my concerns= if Mr Yates moves forward with some sort of large scale oil operation , such as a oil tank farm

First - oil is not clean

Second - any oil operation of any size can be an eye sore to the community

Third -such an eye sore could and probably would decrease property values

Fourth -also a lot of trucks , heavy or otherwise , can impact road and air quality , and create excessive noise
and road congestion

So, as I have stated , I believe that proposed usage of this property , should be fully discussed with residents on the
Feb 16 meeting

Thank you for your attention to this matter

Steve Gladwell- concerned Rio Comm resident

RECEIVED

FEB 13 2023

City of Rio Communities

Lalena Aragon
Deputy Clerk

Ps - I plan to submit this response to the city so it can be read into the minutes on Feb 16 2023