



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, March 07, 2024 4:00 PM
Agenda

Please silence all electronic devices.

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Minutes Approval of Minutes for Business Meeting December 21, 2024, January 11, 2024 & February 15,2024

Public Comment: *If you wish to speak during the public comment session, the Chairman will allow each member of the public three (3) minutes to address the Commission. Both the public and Commission will follow rules of decorum. Please state your name and where you live. The public shall direct comments to the Chairman. Comment(s) will not be disruptive or derogatory.*

Public Hearing

- 1. Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Hearing**
Consideration of Rio Holdings Replat Request
Motion and roll call vote to go back into Planning and Zoning Meeting session

Actions Items

- 2. Discussion, Consideration, and Decision – Rio Holdings Replat Request**
- 3. Discussion, Consideration, and Decision – Recommendation to City Council Regarding Applicant Playa Vista Group – Commercial 2 Zone**
- 4. Discussion, Consideration, and Decision – Recommendation to City Council regarding applicant Playa Vista Group – Commercial 2 Zone**
- 5. Discussion, Consideration, and Decision – Recommendation to City Council regarding applicant Playa Vista Group – Business Manufacturing**

Presentations

General Commission Discussion/Future Agenda Items

- 6. Discussion - Vista Grande Estates Rezone**

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 of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, December 21, 2023 4:00 PM
Minutes

Please silence all electronic devices.

Call to Order

Chairman Adair called the meeting to order at 4:01 pm.

Pledge of Allegiance

Vice Chairman Adair led the pledge of allegiance.

Roll Call

- PRESENT: Vice Chairman Scott Adair, Secretary Melodie Good, Commissioner Adelina Benavidez
Commissioner Chad Good
 - Present: Deputy Clerk Lalena Aragon. Manager Dr. Moore

Approval of Agenda

- Motion made by Secretary Good to approve the agenda as presented. Seconded by Vice Chairman Adair. With a unanimous vote the agenda was approved.

Approval of Minutes

- Motion made by Secretary Good to approve the minutes for 12/07/24 as written. Seconded by Commissioner Good. With a unanimous vote the minutes for 12/07/2023 were approved as written.

Actions Items

Discussion – Public Forum Rules and Guidelines

- City Manager Dr. Moore went over the guidelines of a public forum. He explained that a 6-day notice will not include Holidays and Weekends. He explained a motion will need to be made to go into a public forum if we are in a business meeting we will need to if it is a just a public forum we don't have to. He explained that we can set a timeframe for the forum for example 90 min, 2 hours, or 3 hours.
- Secretary Good asked if the public could address the presenter.
- City Manager Dr. Moore said they would have to ask questions through the Chair.
- Chairman Adair explained how he understands the process works. He then asked if they could have a Public Forum that isn't in the regular business meeting.
- City Manager said we could just hold a Public Forum that isn't part of a regular business meeting.
- Mrs. Good asked if at the next meeting we will come back to a recommendation and discussion of what we have.
- City Manager Dr. Moore asked after we came out of a meeting would you like to have the legal counsel come with a draft of recommendations of the Commission.

Discussion – January, 2024 Meeting Schedule

- The commission discussed cancelling the January 4th meeting and having one on the 11th and the 25th. The commission agreed to cancel the January 4th meeting and to have a Regular Business meeting on the 4th with a public forum and a regular business meeting on the 25th.
- Secretary Good asked about the solar farms.
- Dr. Moore explained that one project was accepted in the City of Rio Communities, and they are working on what needs to be done to get it going.

Public Comment:

- No comments

Adjourn

- Motion made by Secretary Good to adjourn. Seconded by Commissioner Good. With a unanimous vote the meeting was adjourned at 4:52pm.

Respectfully submitted,

 Lalena Aragon, Deputy Clerk
 (Taken and transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

 Vacant

 Scott Adair, Vice Chairman

 Melodie Good, Secretary

 Adelina (Lina) Benavidez, Commissioner

 Chad Good, Commissioner



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, January 11, 2024 4:00 PM
Minutes

Please silence all electronic devices.

Call to Order

Secretary Good called to the meeting to order at 4:00pm.

Pledge of Allegiance

Secretary Good led the pledge of allegiance.

Roll Call

PRESENT

Commission

Melodie Good

Chad Good

Richard Henderson

Staff

Manager Dr. Moore

Deputy Clerk Lalena Aragon

Attorney Cory

Approval of Agenda

Motion made by Secretary Good to table the minutes for meeting December 21, 2023 and the decision and consideration of the purposed zone changes for Commercial 2 and Business Manufacturing due to the resignation of our Vice Chair. Seconded by commissioner Good.

Voting Yea:

Secretary Good

Commissioner Good

Commissioner Benavidez

Commissioner Henderson

Motion passed with a 4-0 vote

Approval of Minutes - Business Meeting December 21, 2023.

Tabled until next Regular Business Meeting.

Public Comment:

No comment.

Public Forum - For the purpose of the request for a rezoning for a Planned Development to Commercial 2 Zone and Business Manufacturing Zone

- **Motion and roll call vote to recess Planning and Zoning Meeting session and to go into a Public Forum**

Motion made by Commissioner Benavidez to go into a Public Forum at 4:07. Seconded by Commissioner Good.

Voting Yea:

Secretary Good
Commissioner Good
Commissioner Benavidez
Commissioner Henderson

Motion passed with a 4-0 vote.

Public Comment was taken on the following items:

- **The Playa Vista Group: Commercial 2 zone Proposed Location: UPC 100902637524000000 Subd: PLAYA ESTATES Tract: PARCEL 5 11.52 ACRES 1994 SPLIT, UPC 100902637514000000 Subd: PLAYA ESTATES Tract: PARCEL 7 27.26 ACRES 1994 SPLIT Proposed Location: UPC 100902637524000000 Subd: PLAYA ESTATES Tract: PARCEL 5 11.52 ACRES 1994 SPLIT, UPC 100902637514000000 Subd: PLAYA ESTATES Tract: PARCEL 7 27.26 ACRES 1994 SPLIT UPC 1010026397 PLAYA ESTATES Tract: PARCEL 16 16.44 ACERS 2006 REV, PARCEL 17 33.82 ACRES 1994 SPLIT, PARCEL 18 A 42.01 ACRES**
- **The Playa Vista Group: Business Manufacturing Proposed Location: UPC 100902636501500000 Subd: PLAYA ESTATES Tract: PARCEL 23 33.40 ACRES 1994 SPLIT, UPC 101002506047500000 Subd: PLAYA ESTATES Tract: PARCEL 24 47.01 ACRES 1994 SPLIT, UPC 1010025376425 Subd: PLAYA ESTATES Tract: 18A 42.01 ACRES PLAT M-526, UPC 101002648004000000 Subd: PLAYA ESTATES Tract: PARCEL 17 33.82 ACRES 1994 SPLIT, UPC 101002632005000000 Subd: PLAYA ESTATES Tract: PARCEL 19 54.00 ACRES 1994 SPLIT, UPC 1010026397131000000 Subd: PLAYA ESTATES Tract: PORTION OF PARCEL 16 REMAINING 16.44 ACRES 2006 REV, UPC 1010026294187000000 Subd: PLAYA ESTATES Tract: SOUTH PORTION OF PARCEL 15 5.65 ACRES 2006 SPLIT, UPC 1010026270120000000 Subd: PLAYA ESTATES Tract: PARCEL 14 19.56 ACRES 1994 SPLIT, UPC 1010026150145000000 Subd: PLAYA ESTATES Tract: PARCEL 11 14.52 ACRES 1994 SPLIT, UPC: 1010026145085000000 Subd: PLAYA ESTATES Tract: PARCEL 12 14.29 ACRES 1994 SPLIT, UPC 1010026105020000000 Subd: PLAYA ESTATES Tract: PARCEL 21 23.45 ACRES 1994 SPLIT, UPC 1009026490035000000 Subd: PLAYA ESTATES Tract: PARCEL 22 35.56 ACRES 1994 SPLIT**

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

Motion made by Commissioner Benavidez to go back into Regular Business meeting. Seconded by Commissioner Good.

Voting Yea:

Secretary Good
Commissioner Good
Commissioner Benavidez
Commissioner Henderson

Motion passed with a 4-0 vote.

Commission will make a recommendation at the next Business Meeting.

Adjourn

Motion made by Commissioner Good to adjourn at 5:22pm. Seconded by Commissioner Benavidez. Motion carried.

Respectfully submitted,

Lalena Aragon, Deputy Clerk
(Taken and transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Melodie Good, Secretary

Richard Henderson, Commissioner

Adelina (Lina) Benavidez, Commissioner

Chad Good, Commissioner



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, February 15, 2024 4:00 PM
Minutes

Please silence all electronic devices.

Call to Order

Commissioner Good called the meeting to order at 4:00pm

Pledge of Allegiance

Commissioner Good led the Pledge of Allegiance.

Roll Call

Commission

Melodie Good

Chad Good

Richard Henderson

Staff

City Manager Dr. Moore

Deputy Clerk Lalena Aragon

City Attorney Corie Strife

Approval of Agenda

Motion made by Commissioner Winters to approve the agenda as presented. Seconded by Commissioner Henderson.

Approval of Minutes for Business Meeting January 11, 2024

Motion made by Commissioner Winters to table the minutes for January 11, 2024. Seconded by Commissioner Henderson. With a unanimous vote the minutes for January 11, 2024, were tabled.

Public Comment:

Steven Gladwell voiced his concern about the application for Business manufacturing and Commercial 2 zone change. He explained that everyone knows Mr. Yates' main interest is oil. He is concerned about back door legal loopholes that the community cannot correct after the fact. He continued to explain that he isn't opposed to growth for our city, he knows it is needed to support our police department, fixing roads and other things. But this growth needs to abide by all restrictions under C2, business manufacturing and C3. It is his hope that the applicants will respect the wishes of this community, especially the residents of Nancy Lopez and El Mundo.

Dick Irvin talked about the time of the meeting and asked it to be moved to a time all the residents can attend. He then asked who Playa group is, and that the owners of the 377 acres have changed and stated the property is owned by more than one person.

Discussion, Consideration, and Decision – Election of Officers

Motion made by Commissioner Winters to elect Commissioner Melodie Good as Chair. Seconded by Commissioner Henderson. With a 3-0 vote Melodie Good was elected as Chair.

Motion Made by Commissioner Melodie Good to elect Commissioner Chad Good as Vice Chair. Seconded by Winters. With a 3-0 vote Chad Good was elected as Vice Chair.

Motion made by Commissioner Winters to elect Lina Benavidez as Secretary. Seconded by Commissioner Henderson. With a 3-0 vote Lina Benavidez was elected as Secretary.

Discussion, Consideration, and Decision – Adoption of the City's Open Meetings Act Resolution

Motion made by Commissioner Winters the Adoption of the City's Open Meetings Act Resolution. Seconded by Commissioner Henderson. With a 3-0 vote the Adoption of the City's Open Meetings Act Resolution was adopted.

Discussion, Consideration, and Decision – Recommendation to City Council regarding applicant Playa Vista Group – Commercial 2 Zone

Motion made by Henderson to continue the decision for recommendation to City Council the application for Play Vista Group C2 to the March 7th meeting. Seconded by Commissioner Winters. With a 3-0 vote the decision will be continued until the March 7th meeting.

Discussion, Consideration, and Decision – Recommendation to City Council regarding applicant Playa Vista Group – Commercial 2 Zone

Motion made by Commissioner Winters to continue the decision for recommendation to City Council the application for Play Vista Group C2 to the March 7th meeting. Seconded by Commissioner Henderson. With a 3-0 vote the decision will be continued until the March 7th meeting.

Discussion, Consideration, and Decision – Recommendation to City Council regarding applicant Playa Vista Group -Business Manufacturing

Motion made by Commissioner Winters to continue the decision for recommendation to City Council the application for Play Vista Group C2 to the March 7th meeting. Seconded by Commissioner Henderson. With a 3-0 vote the decision will be continued until the March 7th meeting.

There was discussion

General Commission Discussion/Future Agenda Items

Rio Holdings Replat

Mr. Harris explained that they are requesting a replat on track 3 of the Del Rio Subdivision into 2 tracks, one being 13.47 acres and the other being a 9.28 acres track. The purpose is for the sale of property.

Adjourn

Motion made by Commissioner Winters to adjourn at 5:20pm. Seconded by Commissioner Henderson. Motion carried

Respectfully submitted,

Dr. Martin Moore, (Acting) Municipal Clerk
(Taken and transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Melodie Good, Chair

Chad Good, Vice Chair

Adelina (Lina) Benavidez, Secretary

Richard Henderson, Commissioner

Jimmie Winters, Commissioner

DRAFT



City of Rio Communities
 360 Rio Communities Blvd.
 Rio Communities, NM 87002
 www.riocommunities.net
 (505) 861-6803

APPLICATION FOR REPLATTING OF PROPERTY

Application Fee (\$250) Paid

Type of Plat: (Circle one)	<u>Fast-track</u>	Preliminary	Final
Property Owner Name:	RIO HOLDINGS LLC		
Address: 6615 LBJ FWY	Street:	City: DALLAS	State: TEXAS
Phone: 972-702-0000	Email: CFSANDY@GMAIL.COM		
Name of Applicant:	RIO HOLDINGS LLC		
Agent: (If partnership, provide proof that agent has legal authorization to sign documents).	Harris Surveying Inc.		
Agent Phone: 505-889-8056	Agent Email: harrissurveying51@gmail.com		
Proof of taxes being current			
Legal Description of Property:	Tract 3 Rio Del Oro		
Add attachment if needed	1-01002827029		
Subdivision: Rio Del Oro	UPC #:	Lot #: Tract 3	Block #: N/A
Address /Legal Description:	vacant land		Book J pg. 27
Attach document if needed.	Existing plat map #'s:		
Explanation of Request: Attach documentation if needed	Dividing Tr. 3 into 2 Tracts		
Is annexation or rezoning required? Explain, if yes.	No		
Present Zoning: C-1 / R-1	Requested Zoning Change:		
For Staff Use Only:			
Date of Public Hearing:			

Area of Review:		Partial List of Applicant Document Requirements	
Plat documents: This form must be completed. Note Regulations.		Regulations	Checklist
		Fast-Track Plat: 6-2-1	
		Preliminary Plat: 6-2-5	
		Final Plat: 6-2-6	

Area of Review		Staff Reminders	
Notification of property owners within 300' of proposed replatting area		Regulations	Checklist
		6-6-3	

Accompanying this application are the original and appropriate number of copies for the proposed replatting. I have examined and am familiar with the regulations governing the replatting of property, per Chapter 6, adopted by the City of Rio Communities. I understand the City of Rio Communities will not assume liability for lack of understanding on my part or incorrect information submitted. The application for replatting requires a public hearing and a fee. All final zoning approvals must be filed with the Valencia County Clerks and City of Rio Communities offices.

CHARLES F. POFAHL Charles F. Pofahl JAN 9, 2024
 Printed Name: Signed Name: Date:

FINDINGS OF FACT AND RECOMMENDED DECISION

Pursuant to §3-19-3 NMSA 1978, the Planning and Zoning Commission Chairman and Commissioners set forth the following Findings and Recommended Decision.

FINDINGS

1. The City of Rio Communities accepted a submitted application by _____ (dba The Playa Group for the re-zoning of parcels located in _____ on _____, 2023.
2. The application requested the re-zone of approximately _____ acres from Planned Development to Commercial 2 (C-2) zoning.
3. The Rio Communities Zoning Code provides that “the intent and purpose of this Zoning Code [is] to encourage the most appropriate use of the land...stimulate a climate for balanced and harmonious development...preserves the general health, welfare, safety and order...[of] all residents” and that “[p]reservation of the character of current and future planned neighborhoods is also a goal of this ordinance.” (Section 4-1-2. Purpose).
4. C-2 Zoning allows permissible uses from Commercial 1 (C-1) zoning, and a list of additional uses as enumerated in _____ of the City of Rio Communities Zoning Ordinance (see attachment for the list).
5. A public forum regarding the C-2 Rezoning applications was conducted on January 11, 2024. Members of the public expressed concerns during the forum regarding distances between proposed rail spurs and residential properties, as well as concerns about development standards and water conservation.
6. The Applicant was given the opportunity to present evidence and testimony regarding the rezoning application at both public hearings. The Applicant set forth numerous statements of intent to honor city development standards.
7. The Applicant intends to bring in commercial development consistent with permissible uses in C-2 zones.
8. A Rezoning action generally requires conformance with a city’s comprehensive plan. Goal 4 of the Comprehensive Plan is to “diversify the local economy” in concert with a City Local Economic Development Plan (LEDP). The City’s LEDP identifies that its core weaknesses are “manufacturing and commercial” uses.

9. The Comprehensive Plan also identifies “protecting natural resources,” “improve public mobility and transportation,” and “sustain and improve infrastructure” as core focuses for the City.
10. The Applicant addressed transportation by indicating an intent to pursue a road project, and capitalize on nearby access to the railroad.
11. The Applicant only spoke to natural resources insofar as expressing intent to procure the necessary water for commercial enterprises to occupy the land proposed for rezoning.
12. The Applicant clearly stated and the Zoning Ordinance clearly prohibits the storage for sale, extraction, and manufacturing of petroleum products; the Applicant did express that it may be economically feasible for some industry to store sufficient quantities of fuel on-site for internal operations.
13. The Applicant did not identify specific commercial businesses that may occupy the properties, but did provide representative examples of commercial uses compatible with a C-2 zone.
14. The information presented by the Applicant was specific enough for the Commission to make a responsible, informed recommendation for rezoning the property described in this request from Planned Development (P-D) to a C-2 zone.
15. The Applicant expressed a willingness to comply with restrictions or conditions placed upon specific proposed developments in accordance with local, state, and federal law, including **enumerated development standards in the City’s Zoning Ordinance.**

RECOMMENDED DECISION

1. Based upon the above Findings, the Planning Commission recommends that this application for the rezoning of _____ acres from Planned Development to Commercial 2 be approved, subject to the following conditions:
 - a. Any proposed uses of the land located within the exterior boundaries of the area to be rezoned shall be reviewed by the City of Rio Communities, and approved in writing prior to commencement of improvements. This review will include the development standards, water conservation and availability, and a compliance review of applicable City codes, with a reminder that the City’s Zoning Ordinance requires compliance with State and Federal laws and regulations.
 - b. The Applicant will submit for approval a replat of the parcels or portions of parcels so that the exterior boundary of each parcel does not exceed the exterior boundary of the C-2 zone.
 - c. The Applicant will disclose these findings and recommendations in the closing documents for any sale of a parcel(s) located within the C-2 zone.



City of Rio Communities
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Application Fee (\$250) Paid

Property Owner Name:	AB Southwest LLC		
Address: 5	Street: Ross Ave	City: San Anselmo	State: CA
Name of Applicant:	John Lewis		
Phone: (917) 558-4308	Email: ah@osmiumpartners.com		
Agent: (If partnership, provide proof that agent has legal authorization to sign documents).			
Agent Phone:	Agent Email:		
Legal Description of Property: Add attachment if needed	Attachment		
Subdivision: Vista Grande Estates	UPC #: Attachment	Lot #: Attachment	Block #: Attachment
Address /Legal Description: Attach document if needed.	Attachment		Existing plat map #'s:
Explain how the intended use of the property will correspond with the proposed zoning. (Attach additional documents if needed.) Single-family site-built homes			
Present Zoning:	MH-1	Requested Zoning Change:	R-1

Accompanying this application are the original and appropriate number of copies for the proposed rezoning. I have examined and am familiar with the regulations governing the rezoning of property, per Chapter 6, adopted by the City of Rio Communities. I understand the City of Rio Communities will not assume liability for lack of understanding on my part or incorrect information submitted. The application for rezoning requires a public hearing and a fee. All final zoning approvals must be filed with the Valencia County Clerks and City of Rio Communities offices.

For Staff Use Only:			
Date of Public Hearing:			

John Lewis _____
 Printed Name: _____

 _____
 Signed Name: _____

February 2, 2024 _____
 Date: _____

AB Southwest LLC
5 Ross Ave.
San Anselmo, CA 94960
ah@osmiumpartners.com
(917) 558-4308

February 6, 2024

City of Rio Communities
360 Rio Communities Blvd.
Rio Communities, NM 87002

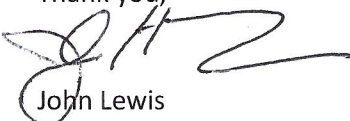
Attention: Planning and Zoning Commission
Lalena Aragon
Deputy Clerk
laragon@riocommunities.net
(505) 861-6803

This letter is a request to zone 75 lots in the Vista Grande Estates Subdivision owned by AB Southwest LLC as R-1. Currently, the lots are zoned MH-1. I request the lots be zoned R-1 in addition to MH-1 to better meet New Mexico residents' affordable housing needs and preferences, given a study commissioned in 2022 by the New Mexico Mortgage Finance Authority has highlighted critical issues affecting New Mexico's housing market. The study revealed a concerning shortage of 32,000 affordable units for low-income households in New Mexico. Therefore, lots zoned for manufactured housing (MH-1) and single-family site-built housing (R-1) can help reduce the shortage, increasing household self-sufficiency and economic growth in addition to local economic development. Finally, neighboring communities such as Jardin de Belen are growing and benefitting by offering MH-1 and R1 housing.

Enclosed is a Plat Map of Vista Grande Estates Subdivision. The yellow, green, and orange dots designate the 75 lots owned by AB Southwest, along with an Excel file containing the legal description, parcel/property number, and account/owner number for each lot.

Please let me know if you have any questions or need additional information. I look forward to working with the City's Planning and Zoning Commission and Council.

Thank you,



John Lewis
Member