

Planning & Zoning Minutes  
P/Z Room South City Hall  
360 Rio Communities Blvd  
April 5, 2018

**Call to Order**

- Chairman Teague called the meeting to order at 6:30 p.m.

**Roll Call**

- Present: Robert Teague, Dennis Kintzler, Lawrence Gordon and L.E. Rubin
- Also present: City Manager Bob Skerry, EDC Chairman Jim Winters and Deputy Clerk Pam Johnson
- Absent: John Thompson

**Approval of Minutes –**

- Dennis Kintzler said Carol Teague should be corrected to “Carol Romero” in the first line under zoning. He then moved to approve the minutes as corrected. Lawrence Gordon seconded the motion and the minutes were approved on 4-0 vote.

**1. General Discussion –**

- Robert Teague asked if there had been any discussion about the proposed 64-lot subdivision.
- Bob Skerry said he hasn’t heard from the developer, but he is now talking with other developers. He said it may be better to start infilling before starting a new subdivision and there are several lots that won’t require any subdivision changes.
- Bob Skerry said he, Jim Winters and Councilor Gutjahr made a presentation to the Rio Grande Industrial Park Ltd group. He said right now it’s “wait and see” and there are still people that think that’s Belen’s park. He explained that most of the owners of land in the industrial park are involved in the major portion of the PD zoned property in the city. He said we have some supporters in the group but also have some that haven’t been convinced.
- L.E. Rubin asked if there is any way for Belen to annex the park since it’s not contiguous.
- Bob Skerry said there is a “shoestring theory” and that’s what they did when they annexed Walmart and a part of the city that goes to Luna Mountain on the west side. He explained that if a city annexes property that isn’t contiguous, they have to show that they can provide utilities, fire protection/EMS and police protection.
- Bob Skerry said Belen has a LEDA Act and an Economic Development Plan and there is an argument that they can spend tax payer money to generate jobs and benefit schools. He said, regardless of what happens, P&Z still has to be notified when something is being proposed so we need to have a plan of what would be acceptable in I-3 zoning. He said we already have a conflict because a permitted use is “petroleum or liquefied petroleum gas bulk plants” but that “facilities for production or production of oil, natural gas, geothermal resources or other hydrocarbons” is a special use. He suggested everyone start by reading our own zoning code and think about what we have in the park now.
- Bob Skerry said one of our selling points is applying for the State Economic Development grant that they have for planning and marketing. He said other selling points are the fire department, helipad, hazmat, connections through the Mayor to BNSF for fire, chemical and hazmat training, increased law enforcement, and our involvement with NMDOT coop grants. He said the plant

managers' concerns are law enforcement and roads and we told them we could start applying for grants to get the roads fixed.

- L.E. Rubin said they didn't meet and invite Belen and Rio Communities to make a presentation unless they have some consideration that they want to do something with us. He asked if all members of the group have an equal vote.
- Bob Skerry said they do not, but we don't know how the votes are assigned.
- Bob Skerry read from the document explaining annexation. He said we chose not to go through a hostile takeover of the park because it would involve a long battle and a lot of attorney time. He said we're asking the owners of 52% of the property to petition us and ask to be part of Rio Communities.
- Lawrence Gordon asked how the members of the Rio Grande Industrial Park Ltd feel about the annexation.
- Bob Skerry explained that the chairman of the board is Harvey Yates and the largest shareholder is Larry Cade whose spokesperson is Willie Giron.
- Robert Teague asked if we could annex the property next to the park.
- Bob Skerry said we can, but it would be complicated because it's broken up into ¼ to ½ acre lots owned by people all over the world and started a discussion.
- L.E. Rubin asked if there has been any more discussion on solid waste.
- Bob Skerry said he has told council to turn it over to a lawyer to draft something that can be defended in court. He said there is a question about giving residents time for compliance.

**2. Subdivisions** – no discussion at this meeting

**3. Parks and Trails** – no discussion at this meeting

**4. Zoning** – No discussion at this meeting.

## **ADJOURN**

Motion to adjourn –

- Lawrence Gordon moved to adjourn. Dennis Kintzler seconded the motion and the meeting adjourned at 7:43 pm.

Respectfully submitted,

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Pam Johnson, Deputy Clerk

Date: \_\_\_\_\_

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Robert Teague, Chair

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John Thompson, Vice Chair

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L.E. Rubin, Secretary

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Dennis Kintzler

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Lawrence Gordon