



City of Rio Communities Council Special Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, September 16, 2024 6:00 PM

Agenda

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Lawrence R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Public Comment: The Council will take public comments in written format. These should be emailed to admin@riocommunities.net through 4:45 PM on Monday, August 16, 2024. These comments will be distributed to all Councilors for review. If you wish to speak during the public comment session, the Council will allow each member of the public to three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Give your name and where you live. The public will direct comments to the City Council. Comment(s) will not be disruptive or derogatory.

The Council will not take action or engage in discussion regarding the comments made or received, but when appropriate the matters raised may be referred to staff or others for further review. Both the public and Council will follow rules of decorum. Derogatory Comments or matters under litigation will not be allowed and any person or persons addressing the Council are liable for their own statements, not the Council. Statements are limited to a maximum of 3 minutes duration. Please state your name and where you live for the record.

Public Hearing

Motion and roll call vote to recess Council Special Business Meeting session and to go into Public Hearing
Consideration of Maverik Inc. Application for a Replat Request Legal description UPC 100902733648600000
Subd: LAND OF HI MESA Tract: 1 4.46 ACRES 2010 REV, 101 Rio Communities Blvd Rio Communities NM 87002

- **Motion and roll call vote to go back into Council Special Business Meeting session**

Public Hearing

Motion and roll call vote to recess Council Special Business Meeting session and to go into Public Forum
Consideration of Maverik Inc. application for Special Use Permit Legal description UPC 1009027336486000000 Subd: LAND OF HI MESA Tract: 1 4.46 ACRES 2010 REV, 101 Rio Communities Blvd Rio Communities NM 87002 Regarding a Fueling Station

- **Motion and roll call vote to go back into Council Special Business Meeting session**

Public Hearing

Motion and roll call vote to recess Council Special Business Meeting session and to go into Public Hearing
Consideration of Billy Baca application for Special Use Permit for a RV Site Legal description UPC 1009028423060000000 Subd: LAND OF FRANK SEMINARA Tract: A1 0.69 ACRE 1987 SPLIT/2009 REV (RAINBOW CAR WASH) 4 MANZANO EXPY Rio Communities NM, 87002

- **Motion and roll call vote to go back into Council Special Business Meeting session**

Action Items

1. **Discussion, Consideration, and Decision - Maverik Inc. Application for a Replat Request**
2. **Discussion, Consideration, and Decision - Maverik Inc. Application for Special Use Permit Regarding a Fueling Station**
3. **Discussion, Consideration, and Decision - Billy Baca application for Special Use Permit for a RV Site**
4. **Discussion, Consideration, and Decision - Resolution 2024- 10 Transportation Project Fund (TPF) Match Waiver Request for the project: Don Diego Road Reconstruction**

Executive Session - For the purpose of discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

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 Mayor:

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.

**Application for a Special Use Permit
City of Rio Communities, NM**

Instructions

This application form is required to initiate a review by the City Planning and Zoning Commission at a regular business meeting for recommendation to the City Council granting a Special Use Permit. This form must be completed and submitted with the required administrative fee to the Municipal Clerk.

Applicant Information

Applicant Name: Matt Reider, Maverik, Inc

Mailing Address: 185 S. State Street, Ste 800 Salt Lake City, UT 84111

Phone Number: 801-683-3237

General Information

Type of Conditional Use (check as appropriate): If unknown, please don't check any box.



Permanent Special Use



Renewable Special Use

Location of property that is subject of the request (physical address and legal description):

TRACT 1, LAND OF HI MESA, LOCATED AT 101 RIO COMMUNITIES BLVD./NM 47

PROJECTED SECTION 21, TOWNSHIP 5 NORTH, RANGE 2 EAST, N.M.P.M.,

TOME GRANT, CITY OF RIO COMMUNITIES, VALENCIA COUNTY, NEW MEXICO

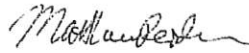
Current zoning of the property: C-2 General Commercial

Required Attachments

1. A written statement describing existing and future land use of the property with reference to Guidelines in (Article 4-7-4 Rio Communities Zoning Ordinance.)
2. A site plan showing location of structures on the property and on contiguous properties, easements and right-of-way, and other relevant information. Proposed future improvements of the property should be indicated if possible.

Procedural Information

Signature of Applicant:



Date: 7.11.2024

Application Received By:

Date:

Action Taken:

Effective Date:

Expiration Date for Renewable Special Use Permit:

NOTE: Special conditions assigned to this application must be attached in written form with this application.

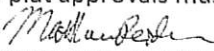
Application for Approval of Plat for Subdivision City of Rio Communities, NM

Type of Plat: (Circle one)	Fast-Track	PRELIMINARY	FINAL
Name:	Matt Reider, Maverik, Inc		
Address:	185 S. State Street, STE 800, Salt Lake City, UT 84111		
Telephone:	801-683-3237		
Agent: (If partnership, provide proof that agent has legal authorization to sign documents).	Michael Johnson, P.E. Souder Miller & Associates		
Agent's Phone:	575-449-2769		
Proof of taxes being current.			
Legal Description of Property: Attach, if more space is needed.	TRACT 1, LAND OF HIMESA LOCATED AT 101 RIO COMMUNITIES BLVD./NM 47 PROJECTED SECTION 21, TOWNSHIP 5 NORTH, RANGE 2 EAST, N.M.P.M., TOME GRANT, CITY OF RIO COMMUNITIES, VALENCIA COUNTY, NEW MEXICO		
Subdivision: (with UPC#, Lot#,Block)		Existing plat map #'s:	
Address of Property: Attach document if more space needed.	101 Rio Communities Blvd		
Explanation of Request: Attach documentation, if needed.	Subdivide Tract 1 into two lots. Lot 1 for Maverik Convenience store and Fuel Station Lot 2 for remaining land and access easement.		
Is annexation or rezoning required? Explain, if yes.	No.		
Present Zoning:	Community Commercial	Requested Zoning Change:	
For Staff Use Only:			
Date of Planning and Zoning Commission Hearing:			

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

Staff Reminders		
Area of Review	Regulations	Checklist
Notification of neighbors on adjoining properties (within 300 feet). Signs posted	6-6-3	

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

Signature: 

Date: 7/15/2024



185 SOUTH STATE STREET
SUITE 800
SALT LAKE CITY, UT 84111
801-936-5557 | MAVERIK.COM

Maverik, Inc
185 S. State St., Ste 800
Salt Lake City, UT 84111
801-683-3237
matt.reider@maverik.com

City of Rio Communities Planning Commission
60 Rio Communities Blvd.
Rio Communities, NM 87002

July 11, 2024

Dear Planning Commission Members,

On behalf of Maverik, Inc., I respectfully request your review and recommendation for approval to the City Council for the Special Use Permit we have submitted.

We propose a 4,425 square foot retail convenience store and a 10-stall fuel canopy, which align with the typical design and function of convenience stores and gas stations within your community. The proposed use is a special permitted use within General Commercial zoning, as outlined in section 4-3-7.C of the City's zoning ordinance.

Approving this special use permit will not adversely affect adjoining property values or compromise public safety. On the contrary, our development will enhance the current site by providing better lighting, sanitary facilities, and increased visibility—thereby improving security. Maverik convenience stores are always fully staffed with trained personnel and are maintained to high cleanliness standards.

Granting this special use permit will not detract from the character of the General Commercial zone. Instead, it will attract additional businesses to the area, thereby boosting the economic vitality of the neighborhood.

Thank you for your time and consideration of our request. We hope for your positive recommendation. Enclosed with this application is a civil plan set that meets the requirements of Zoning Ordinance section 4-7-4.B.

Sincerely,

Matt Reider
Maverik, Inc.



August 19, 2024

Michael Johnson
Souder, Miller & Associates
3500 Sedona Hills Parkway
Las Cruces, NM 88011

**Subject: Maverik Fuel Station Traffic Impact Study
NM 47 and NM 309 (southeast quadrant)
Rio Communities, New Mexico**

Dear Mr. Johnson:

This letter is to inform you that the **FINAL** Traffic Impact Study (TIS) for the Maverik Fuel Station dated July 2024 has been reviewed. The proposed development is located in the southeast quadrant of NM 47 and NM 309.

The NMDOT has no objection to the access points on NM 47 at MP 2.25 and on Manzano Expressway just east of NM 47. Please see Exhibit A for the site plan and proposed access points for this development. Access 1 on NM 47 shall be a partial right-in/right-out access only. Access 2 on Manzano Expressway shall be a full right-in/right-out and left-in/left-out access. This TIS has been finalized and its recommendations are attached. See Exhibit B for the TIS Recommendations. NMDOT gives final concurrence of this development given the conditions below are met.

1. The property owner shall submit a Commercial Driveway Application for a shared partial access at Access 1 on NM 47. Access 1 shall be accessed by Maverik via an access easement. No additional access shall be granted for Maverik or the subdivided parcel that remains.
2. The property owner shall submit a Commercial Driveway Application for a full access at Access 2 on Manzano Expressway due to its corner clearance spacing to the signalized intersection of NM 47 and NM 309.
3. At NM 47 and Access 1 the development shall design and install a northbound right deceleration lane on NM 47 and Access 1 at a total length of 370-feet.

**Michelle Lujan
Grisham**
Governor

Ricky Serna
Cabinet Secretary

Commissioners

Vacant
Commissioner
District 1

Gary Tonjes
Commissioner
District 2

Hilma E. Chynoweth
Commissioner, Vice Chairman
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Thomas C. Taylor
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6

4. At Manzano Expressway and Access 2 the development shall design and install
 - a. An eastbound right deceleration lane on Manzano Expressway at a length of 300-feet.
 - b. A westbound left deceleration lane on Manzano Expressway at a length of 300-feet.
5. At NM 47 and NM 309 the development shall:
 - a. Design and install an extension to the northbound left turn lane on NM 47 to increase its capacity. This mitigation shall help manage partial access at Access 1 while maintaining full access at the existing driveway on NM 47 to the west of Access 1.
 - b. Signalize the northbound right lane via a new signal equipment, signal timing, signing and striping.
 - c. Provide signal timing recommendations to optimize the signal operation. These timings shall be provided to NMDOT's Traffic Operations Engineer.
 - d. Update the existing signal detection as specified by NMDOT's Traffic Operations Engineer for the new signal phasing configuration.
6. The development shall provide ADA improvements along its frontage of NM 47 and Manzano Expressway to include the ADA curb ramps and pedestrian access route on the southeast quadrant of the signalized intersection of NM 47 and NM 309.
7. The development shall verify that there is adequate roadway lighting at its proposed access points and install additional roadway luminaires based on that assessment and discussion with NMDOT and the City of Rio Communities.
8. The NMDOT shall provide final approval on the design for the offsite improvements. The developer shall agree to incorporate all the comments requested by the NMDOT.

In addition to the STA, all improvements are based on other factors, including but not limited to, the State Access Management Manual (SAMM) design criteria, Pedestrian Right of Way Accessibility Guidelines (PROWAG), roadway design references and any local jurisdiction planning documents.

The following information will be required in combination with the approval of the development:

- a. All geometric details associated with the proposed offsite improvements as shown in Exhibit A must be approved by the NMDOT. Any schematic layout(s) for the proposed improvements are for informational purposes only and should not be considered as an approved final design.
- b. Detailed construction plans, including traffic control plans, for the proposed roadway improvements shall be submitted to Keith Thompson, PE at Keith.Thompson@dot.nm.gov prior to any driveway application submittals. The roadway design shall be compliant with proposed right-of-way accessibility guidelines (PROWAG) for pedestrian facilities.
- c. Grading and drainage plans, shall be submitted with the driveway application for review and approval by Mr. Tim Trujillo, PE District 3 Engineer. Mr. Trujillo can be reached at TimothyR.Trujillo@dot.nm.gov
- d. Cultural resource approval will need to be obtained from Mr. Gary Funkhouser for disturbance to the state right-of-way. Mr. Funkhouser can be reached at Gary.Funkhouser@dot.nm.gov
- e. All utility and traffic control permits, within state right-of-way related to the proposed development shall be submitted to Mr. Israel Suazo. Mr. Suazo can be reached at Israel.Suazo@dot.nm.gov
- f. Once the design plans have been approved by NMDOT for construction, any access points that will access a state facility related to the proposed development shall obtain an access permit from Mr. Israel Suazo.

If you have any questions, please feel free to call me at 505.288.2086 or email me at Margaret.Haynes@dot.nm.gov

Sincerely,

Margaret Haynes, P.E.
District 3 Assistant Traffic Engineer

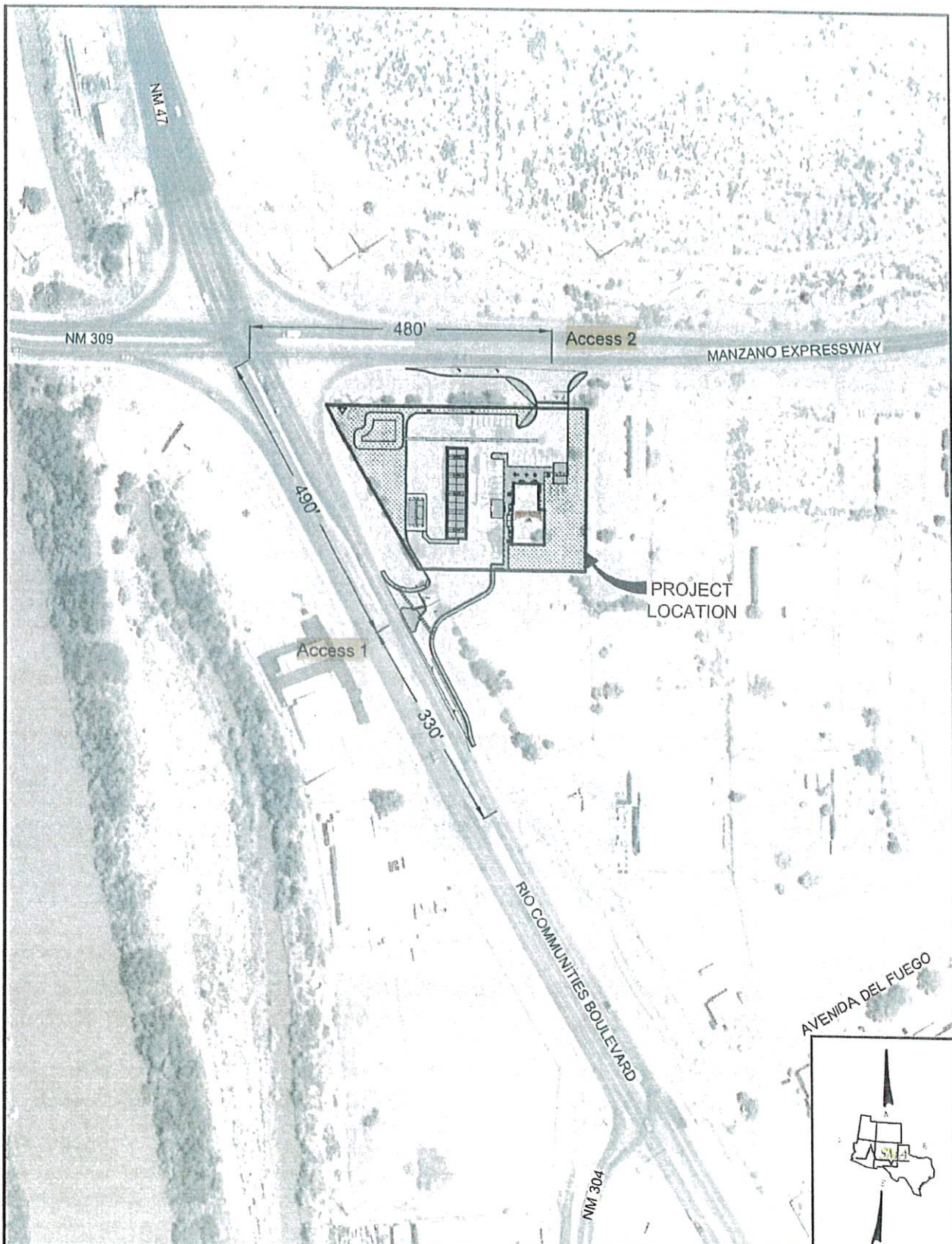
Copies:

Nancy R. Perea, NMDOT D3 DTE
Keith Thompson, NMDOT D3
Israel Suazo, NMDOT D3
Dr. Martin Moore, City of Rio Communities
Lina Benavidez, Valencia County
Estevan Gonzales, NMDOT
Andrew Gallegos, NMDOT
file

Attachments:

Exhibit A – Conceptual site plan
Exhibit B – Proposed TIS Recommendations

EXHIBIT A



SMA
Engineering
Environmental
Geotechnics

**SOUDER, MILLER
& ASSOCIATES**
3500 Sedona Hills Parkway Las Cruces,
NM 88011
Phone (575) 647-0799 Toll Free (800) 647-0799 Fax (575) 647-0680

ACCESS SPACING MAP			Designed BCO	Drawn BCO	Checked MJ
MAVERIK FUEL STATION RIO COMMUNITIES, NEW MEXICO			Date	4/18/2024	
			Scale	1"=200'	
			Project No	9432722	
			AS-1		

- Intersection 2 2035:
 - The results indicate that the signalized intersection at Rio Communities Boulevard and NM 304 is expected to operate at acceptable LOS in the 2035 no-build and build scenarios for most movements and the intersection. The northbound left movement is operating at a failing LOS E in the 2035 no-build scenario and is only expected to experience an increase of 0.3 seconds in delay during the build scenario.

8.2 Recommendations

- Access 1 and Access 2 should be designed meeting all requirements of NMDOT and City of Rio Communities and should be constructed at the time of initial lot development. Off-site improvement design drawings should be completed and submitted for approval by NMDOT and City of Rio Communities prior to beginning construction.
 - Access 1 should be designed and constructed as a right-in/right-out access.
 - Access 2 should be designed and constructed as a full access.
- Intersection 1:
 - The intersection of Rio Communities Boulevard (NM 47) and Manzano Expressway (NM 309) operates with highly congested conditions in both the Implementation Year (2025) unmitigated build scenario and the Horizon Year (2035) unmitigated build scenario. Although LOS in the no-build scenarios does not show a failing LOS, the deficiency can be directly correlated to the extreme volume of vehicles utilizing the intersection. The Maverik development adds minimal traffic to the intersection. The high volumes experienced at this intersection are caused by infrastructure based issues with the majority of deficiencies being linked to the need for travel between Rio Communities Boulevard and the Albuquerque area. Because the majority of cars utilizing the intersection during the peak hours are travelling to or from Albuquerque due to the intersection being located along the nearest river crossing.
 - Based on the results shown in section 5.8.1 above, the intersection of Rio Communities Boulevard (NM 47) and Manzano Expressway (NM 309) is anticipated to operate at an acceptable LOS when updated with the optimized signal timing. The optimized signal timing shown in section 5.8.1.a above should be implemented upon NMDOT review and approval to help resolve congestion issues at the intersection and mitigate long delays.

- Intersection 2:
 - Based on the results of the analyses for Intersection 2 discussed herein, no mitigation is recommended at Intersection 2 as part of this report.
- All designs shall satisfy Valencia County, NMDOT, City of Rio Communities and MUTCD requirements.

Confirmation Number: 13071976**New Mexico**City of Rio
Communities**Transaction Details**

General

NA

COURTS

NA**Credit Card Payment Address Information**

Order Number	13071976
Customer Name	Matt Reider
Email Address	
Address	185 south State St Salt Lake City , UT 84111
Phone Number	(801) 683-3237
Credit Card Number	448213XXXXXX8896
Credit Card Type	Visa
Expiration Date	1127
Operator Name	
Transaction Time	8/5/2024 10:29:07 AM
Authorization Code	303811
Convenience Fee Authorization Code	
Transaction ID	1fad984838bc3f5eb5be8bce2979a0aa
Purchase Type	sale
Agency Total	500.00
Convenience Fee	\$15.00
Total Amount Charged to Card	515.00

ONE OR BOTH CHARGES WILL APPEAR AS PAYGOV.US ON YOUR CARD STATEMENT.

For questions about this payment, please call (866) 480-8552.

PayGov, LLC

5144 E. Stop 11 Rd. Indianapolis, IN 46237

<http://paygov.us>**Disputing a charge with your credit card company may result in an additional \$40.00 charge.**



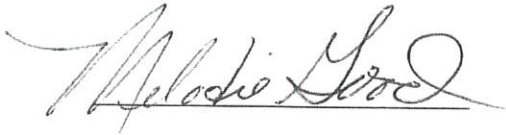
The City of Rio Communities Planning and Zoning Commission (the Commission hereinafter) met on August 22, 2024, at 6:00pm to hold a Public Hearing and consider action on the Application for a Replat as required by Section 6-1-7 of Ordinance 2019-71, the Rio Communities Subdivision Code.

A public hearing was noticed on August 8, 2024, and held on August 22, 2024, pursuant to Subdivision Code §6-1-7 at 6 pm, and members of the public spoke at the public hearing. Members of the public did not appear to express any concerns with the proposed replat. The Applicant testified the need to divide the property so that the applicant and adjoining landowner will have equal access to their properties from a common entry point from Highway 47.

The Commission finds that the Applicant has complied with all requirements of §6-1-7.

Therefore, the City of Rio Communities Planning and Zoning Commission hereby recommends the replat application from Maverik, Inc. be APPROVED pursuant to Chapter 4, Section 6, Subsection 1 of the City of Rio Communities Zoning Code, Ordinance 2019-7

Approved September 5, 2024



Melodie Good, Chair

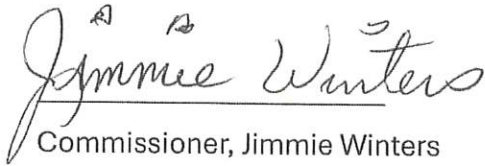


Chad Good, Vice Chair



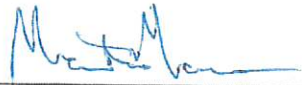
Commissioner, Richard Henderson

Secretary, Adelina Benavidez



Commissioner, Jimmie Winters

ATTEST:



Dr. Martin Moore,

(Acting) Municipal Clerk



The City of Rio Communities Planning and Zoning Commission (the Commission hereinafter) met on August 22, 2024, at 6:00pm to hold a Public Forum and consider action on the Application for a Special Use Permit as required by Section 4-3-7 of Ordinance 2023-92, the Rio Communities Zoning Code.

A public forum was noticed on August 13, 2024, and held on August 22, 2024, pursuant to Zoning Code §4-18-9 at 6 pm, and members of the public spoke at the public forum. Members of the public expressed their concerns for the safety of the property, noting that transient individuals frequented the area. The Applicant testified as to the ability of the Applicant to retain on-site security as necessary. Members of the public also expressed concerns about a large gas station bringing in large semi-trucks and potentially taking away business from a nearby veteran-owned gas station.

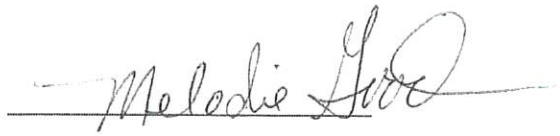
The Commission finds that the property located on 101 Rio Communities Blvd is appropriately zoned C-2.

The Commission finds that the Applicant's proposed Use of of a Gas Station is permitted under Section 4-3-7(C).

The Commission finds that the Applicant has complied with all requirements of §4-3-7 and §4-18-9.

Therefore, the City of Rio Communities Planning and Zoning Commission hereby recommends the application for a Special Use Permit from Maverik, Inc. be APPROVED pursuant to Chapter 4, Section 3, Subsection 7 of the City of Rio Communities Zoning Code, Ordinance 2023-92.

Approved September 5, 2024

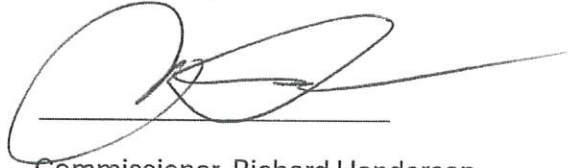


Melodie Good, Chair

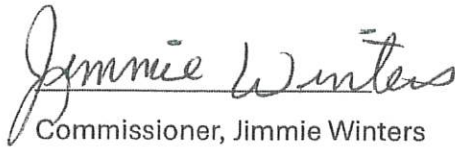


Chad Good, Vice Chair

Secretary, Vacant

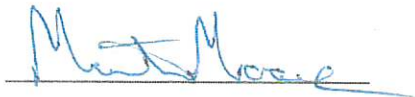


Commissioner, Richard Henderson



Commissioner, Jimmie Winters

ATTEST:



Dr. Martin Moore,

(Acting) Municipal Clerk

Application for a Special Use Permit
City of Rio Communities, NM

Instructions

This application form is required to initiate a review by the City Planning and Zoning Commission at a regular business meeting for recommendation to the City Council granting a Special Use Permit. This form must be completed and submitted with the required administrative fee to the Municipal Clerk.

Applicant Information

Applicant Name: Billy Bara, Georgiana Cotiana, Melanie Cotiana

Mailing Address: 4800 Friendly (NW) Ave NM 87120

Phone Number: 505-507-2038, 505-975-2151, 505-261-3726

General Information

Type of Conditional Use (check as appropriate): If unknown, please don't check any box.

☒ Permanent Special Use

☐ Renewable Special Use

Location of property that is subject of the request (physical address and legal description):

4 Mamano Expy and 103 Mamano Expy Rio Communities, NM 87002
RVPark, Tiny Home Occupancy

Current zoning of the property: C2

Required Attachments

1. A written statement describing existing and future land use of the property with reference to Guidelines in (Article 4-7-4 Rio Communities Zoning Ordinance.)
2. A site plan showing location of structures on the property and on contiguous properties, easements and right-of-way, and other relevant information. Proposed future improvements of the property should be indicated if possible.

Procedural Information

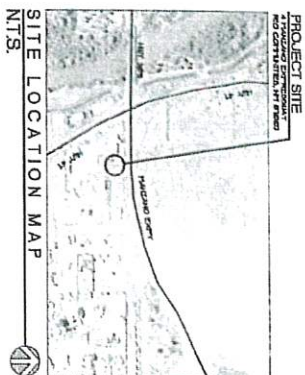
Signature of Applicant: Georgiana Cotiana Date: 6/14/2024

Application Received By: _____ Date: _____

Action Taken: _____ Effective Date: _____

Expiration Date for Renewable Special Use Permit: _____

NOTE: Special conditions assigned to this application must be attached in written form with this application.



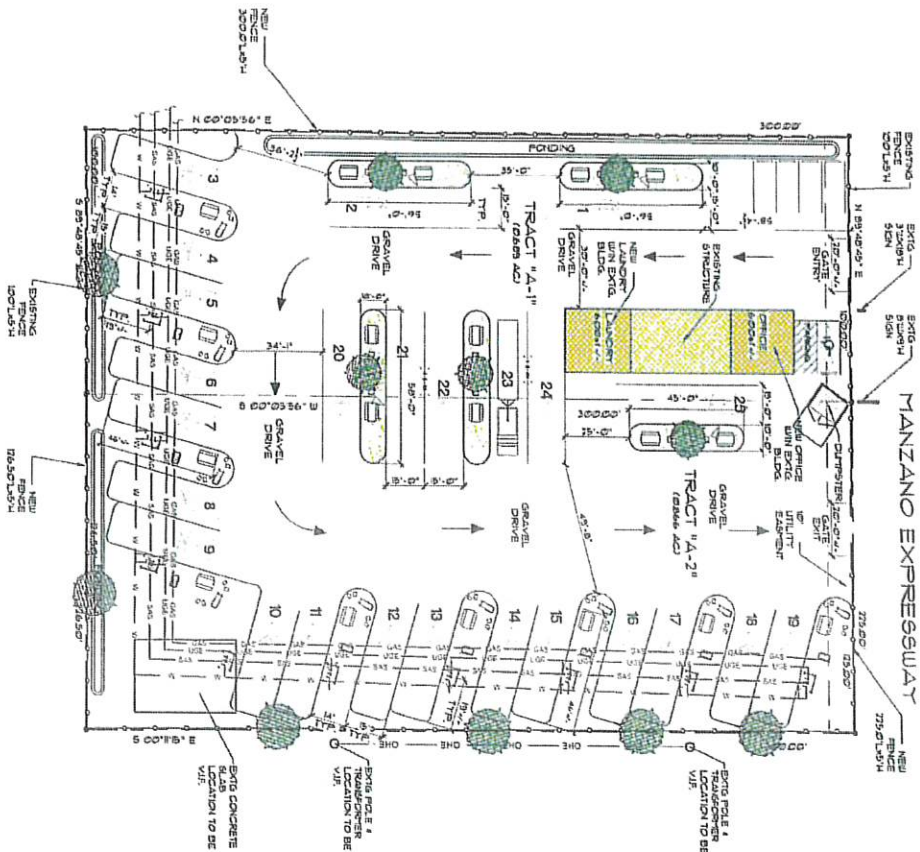
RIO COMMUNITIES RV PARK RIO COMMUNITES, NM PRELIMINARY SITE PLAN 07/23/24

UPC # 1009028423060000000
 1009028435060000000

TYPICAL RV SPACE IMPROVEMENTS

- WATER
- 220
- PICNIC TABLE
- BBQ

JOHN KIRKPATRICK
 ARCHITECT
 P.O. BOX 1743
 LOS LUNAS, NEW MEXICO



421571

of tract heretofore described, said point
is at distance 600 feet west and said point
is of bounded area unit 1, a subdivision
County Clerk, before in County, New Mexico

60 feet to the southwest corner of this
60 feet to the southeast corner of this
60 feet to the northeast corner of this
60 feet along said boundary right-of-way
and point of beginning.

10-11-68

171X
171Z
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174
175

2017年12月31日

1. The first step is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

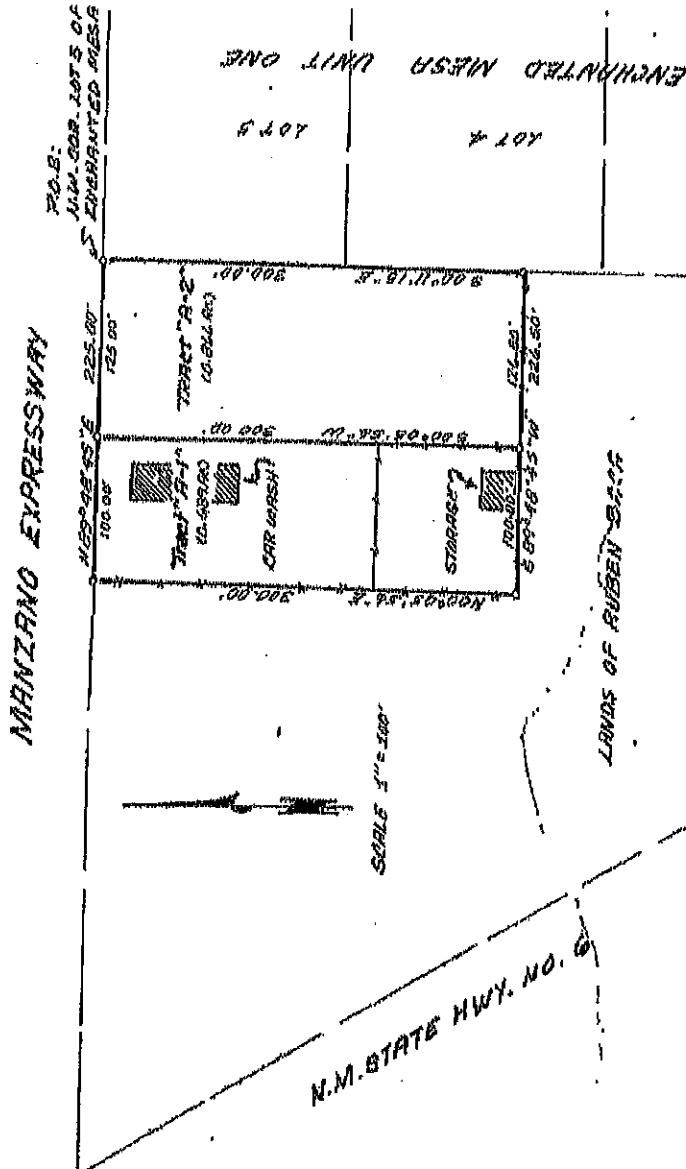
Emerson Nat'l
LORION ALVIN JR.
MINING REGISTRAR LAND SURVEYOR NO 7915

[illegible]

2013

COPIES FOR THE
SECTION 55.

EO 12812 OF 1-15 SEP 1977



ASSISTANT UNITED STATES
SHERIFF

2025-09-25

UNLESS OTHERWISE INDICATED:

[illegible]

Lalena Aragon

From: Georgieana Cotinola <ganacotinola@msn.com>
Sent: Thursday, August 22, 2024 6:37 PM
To: Lalena Aragon

External (ganacotinola@msn.com)

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



Sent from my iPhone



NEW MEXICO WATER SERVICE COMPANY
401 HORNER STREET
RIO COMMUNITIES, NM 87002 • (505) 864-2218 • FAX (505) 864-8438

Date 8/22/2024

4 Manzano Expressway

The above service address is served by one of the following approved water systems:

Check One:

- ☒ Rio Communities Water System (NM 35 248 32)
- ☐ Rio Communities Industrial Park (NM 35 950 32)
- ☐ Rio del Oro Water System (NM 35 802 32)
- ☐ Meadow Lake Water System (NM 35 320 32)
- ☐ Elephant Butte Water System (NM 35 308 27)
- ☐ Cypress Gardens Water System (NM 35 001 32)
- ☐ Sandia Knolls Water System (NM 35 110 01)
- ☐ Indian Hills Water System (NM 35 469 30)
- ☐ Squaw Valley Water System (NM 35 756 30)

To Whom It May Concern:

New Mexico Water Service Corporation, a subsidiary of California Water Service Group, in accordance with the New Mexico Public Regulation Commission Rules and Regulations, provides water and sewer service to the areas in its franchise area.

The water and sewer systems are approved by the State of New Mexico Environmental Division. The systems are monitored and water samples are submitted to the New Mexico State Laboratory on a monthly basis for testing. Our water system is chlorinated on a twenty-four hour basis. The sewer treatment plants are continually monitored and samples are submitted to private laboratories for testing.

The above address of which you made the inquiry is in our community water/sewer franchise areas. If you should need additional information on our company, please do not hesitate to contact our office at (505) 864-2218.

Sincerely,

A handwritten signature in black ink, appearing to read 'Staci Avendano'.

Staci Avendano, Customer Service Supervisor
New Mexico Water Service Co.



The City of Rio Communities Planning and Zoning Commission (the Commission hereinafter) met on August 22, 2024, at 6:00pm to hold a Public Forum and consider action on the Application for a Special Use Permit as required by Section 4-3-7 of Ordinance 2023-92, the Rio Communities Zoning Code.

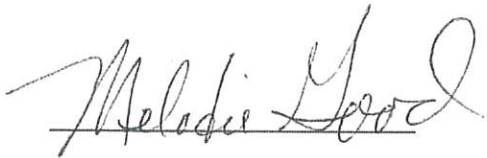
A public forum was noticed on August 13, 2024, and held on August 22, 2024, pursuant to Zoning Code §4-18-9 at 6 pm, and members of the public spoke at the public forum. Members of the public expressed their concerns for the safety of the property, noting that transient individuals frequented the area. Questions were asked of the Applicant regarding availability of laundry facilities and other on-site amenities. The Applicant testified as to the number of RV spaces, utilities and cited his willingness to work with the adjacent property owner to develop the property without nuisance.

The Commission finds that the property located on 4 Monzano Expressway is appropriately zoned C-2.

The Commission finds that the Applicant's proposed Special Use of an RV Park is permitted under Section 4-3-7(E) as it is sufficiently similar to an apartment complex or townhouse development.

The Commission finds that the Applicant has complied with all requirements of §4-3-7 and §4-18-9.

Therefore, the City of Rio Communities Planning and Zoning Commission hereby recommends the application for a Special Use Permit from Billy Baca be APPROVED pursuant to Chapter 4, Section 3, Subsection 7 of the City of Rio Communities Zoning Code, Ordinance 2023-92.



Melodie Good, Chair

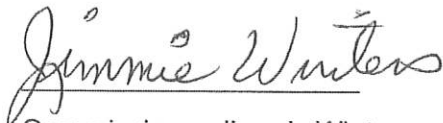


Chad Good, Vice Chair



Commissioner, Richard Henderson

Secretary, Vacant



Commissioner, Jimmie Winters

ATTEST:



Dr. Martin Moore,
(Acting) Municipal Clerk



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, August 22, 2024 6:00 PM

Minutes

Please silence all electronic devices.

Call to Order

Vice Chair Good called the meeting to order at 6:01 pm.

Pledge of Allegiance

Vice Chair Good led the Pledge of Allegiance.

Roll Call

Commission

Melodie Good (virtual)

Chad Good

Jimmie Winters

Staff

Deputy Clerk Lalena Aragon

City Manager Dr. Moore

Approval of Agenda

Motion made by Commissioner Winters motioned to approve the agenda. Seconded by Chair Good. With a 3-0 vote the agenda was approved as presented.

Public Comment:

There were no public comments

Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Hearing

Consideration of Maverik Inc. Application for a Replat Request Legal description UPC

1009027336486000000 Subd: LAND OF HI MESA Tract: 1 4.46 ACRES 2010 REV, 101 Rio Communities Blvd Rio Communities NM 87002

Motion made by Commissioner Winters to recess the Planning and Zoning Meeting session and to go into Public Hearing. Seconded by Chair Good. With a 3-0 vote the commission went into a public hearing at 6:03 pm.

Dick Irvin was sworn in. He stated he is for the gas station as it will clean up that corner, but he is concerned that Maverik will take away from Peewee's current gas station on the other side of the street. He stated that Peewee's is a veteran owner and a small business, and Maverik is a large corporation.

Mr. Johnson was sworn in. Mr. Johnson talked about the land he is requesting a replat on. He explained that it is a 4-acres track and 2 acres on the southwest side of Rio Communities Blvd & Manzano Express Way and will be used to build the Mavrik. He explained that have received approval from NM DOT on traffic impact analysis. There are some improvements that they have asked to be made, and they are working on making those changes.

City Manager Dr. Moore explained that this will be a shared agreement for access off of Highway 47.

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

Motion made by Commissioner Winters to go back into the Planning & Zoning Regular Meeting Session. Seconded by Chair Good. With a 3-0 vote motion was passed at 6:12pm.

Public Forum

Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Forum
Consideration of Maverik Inc. application for Special Use Permit Legal description UPC
1009027336486000000 Subd: LAND OF HI MESA Tract: 1 4.46 ACRES 2010 REV, 101 Rio Communities
Blvd Rio Communities NM 87002 Regarding a Fueling Station

Motion made by Commissioner Winters to recess Planning and Zoning Meeting session and to go into Public Forum for the item listed on the agenda. Seconded by Chair Good. With a 3-0 vote the motion was passed at 6:22pm.

Mr. Johnson from Mavrik gave a presentation and went over the site plan for Mavrik.

A public forum was held.

Members of the community talked about their concerns of crime and the City not having a fully staffed police department.

Matt Rider from Mavrick stated that they will hire security if needed.

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

Motion made by Commissioner Winters to go back into Planning and Zoning Meeting session. Seconded by Chair Good. With a 3-0 vote the motion was passed At 6:35pm.

Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Forum
Consideration of Billy Baca application for Special Use Permit for a RV Site Legal description UPC
1009028423060000000 Subd: LAND OF FRANK SEMINARA Tract: A1 0.69 ACRE 1987 SPLIT/2009 REV
(RAINBOW CAR WASH) 4 MANZANO EXPY Rio Communities NM, 87002

Motion made by Commissioner Winters to recess the Planning and Zoning Meeting and go into a Public Forum. Seconded by Chair Good. With a 3-0 vote the motion was passed at 6:36pm.

Billy Baca explained his plans for an RV park that would include 25 spaces and gave a presentation.

A Public Forum was held.

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

Motion made by Commissioner Winters to go back into Planning and Zoning Meeting session. Seconded by Chair Good. With a 3-0 vote motion was passed at 6:54pm.

Discussion, Consideration, and Decision – Maverik Inc. Application for a Replat Request

Motion made by Commissioner Winters to approve Maverik Inc. application for replat. Seconded by Chair Good. With a 3-0 vote motion was passed.

Discussion, Consideration, and Decision – Maverik Inc. Application for Special Use Permit Regarding a Fueling Station

Motion made by Commissioner Winters to approve Maverik Inc. application for special use permit. Seconded by Chair Good. With a 3-0 vote motion was passed.

Discussion, Consideration, and Decision – Billy Baca application for Special Use Permit for an RV Site

Motion made by Commissioner Winters to approve Maverik Inc. application for special use permit. Seconded by Chair Good. With a 3-0 vote motion was passed.

Discussion, Consideration, and Decision – Approval of Recommendation letter to Council Regarding Maverik Inc. Replat Request

Discussion, Consideration, and Decision – Approval of Recommendation letter to Council Regarding Maverik Inc. Special Use Permit

Discussion, Consideration, and Decision – Approval of Recommendation letter to Council Regarding Billy Baca's Special Use Permit

Motion made by Commissioner Winters to table the action items to approve recommendation letters for Maverik special use permit and replat application and also Billy Baca's special use permit application. Seconded by Chair Good. With a 3-0 vote motion was passed.

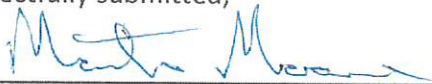
General Commission Discussion/Future Agenda Items

Commissioner Winters talked about going over the animal ordinance and have town hall meetings.

Adjourn

Motion made by Commissioner Winters to adjourn. Motion carried at 7:10pm

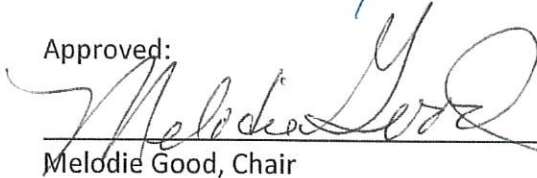
Respectfully submitted,



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

Date: 9/5/2024

Approved:

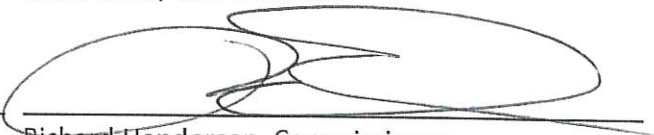


Melodie Good, Chair

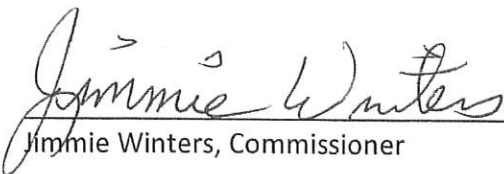


Chad Good, Vice Chairman

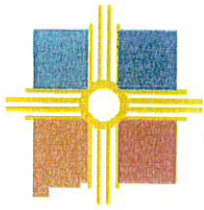
Vacant, Secretary



Richard Henderson, Commissioner



Jimmie Winters, Commissioner



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

September 10, 2024

Joshua Ramsell, Mayor
City of Rio Communities
360 Rio Communities Blvd
Rio Communities, New Mexico 87002

Dear Joshua Ramsell:

We are pleased to inform you that your application for the Transportation Project Fund (TPF) for the project: **Don Diego Road Reconstruction Reconstruct a two-lane road with ADA sidewalk, curb ramps and drive pads. intersection safety improvements for road users and pedestrians.** was approved by the State Transportation Commission on August 30, 2024 and will be included in the New Mexico Department of Transportation's FY25 TPF Program.

The total estimated cost for your project is \$4,392,362.98 the Department has allocated \$4,172,744.83 in TPF funds, with a local match requirement of \$219,618.15.

The Project Oversight Division will develop a project agreement and forward to you for signature.

If your application indicated that you would be interested in applying for Match Waiver funds, please submit a cover letter and resolution to my office no later than 5:00 pm on September 30, 2024.

If you have any questions or comments, please contact me at (505) 699-9946 or Clarissa.Martinez@dot.nm.gov.

Sincerely,

Clarissa Martinez
Project Oversight Division, State Grants Manager

C: Peter Kubiak, District Coordinator
Paul Brasher, P.E, District Engineer

**Michelle Lujan
Grisham**
Governor

Ricky Serna
Cabinet Secretary

Commissioners

Vacant
Commissioner
District 1

Gary Tonjes
Commissioner
District 2

Hilma E. Chynoweth
Commissioner, Vice Chairman
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Thomas C. Taylor
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6

**STATE OF NEW MEXICO
CITY OF RIO COMMUNITIES
RESOLUTION 2024-10**

**APPROVAL OF
New Mexico Department of Transportation Local Government Road Fund
Approval of (LGRF) - (TPF) Match Wavier Request**

WHEREAS, the City of Rio Communities and the New Mexico Department of Transportation will enter into a Cooperative Agreement, and;

WHEREAS, the total estimated cost of the project will be \$4,392,362.98 to be funded in proportional share by the parties:

New Mexico Department of Transportation's share shall be 95% or \$4,172,744.83 ,and;
A City of Rio Communities' proportional matching share requirement of 5% or \$219,618.15,
TOTAL PROJECT COST IS \$4,392,362.98

WHEREAS, the City of Rio Communities desires to receive match waiver funds to cover the 5% proportional match share requirement.

WHERE AS, The purpose of this Agreement is to provide Local Government Road Funds to the Public Entity for the Project, as described Don Diego Road Reconstruction Reconstruct a two-lane road with ADA sidewalk, curb ramps and drive pads, intersection safety improvements for road users and pedestrians. This project was approved by the State Transportation Commission on August 30, 2024 and will be included in the New Mexico Department of Transportation's FY25 TPF Program.

NOW, THEREFORE, BE IT RESOLVED, THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO, determines, resolves and orders that the City of Rio Communities request by application match waiver funds to cover the 5% proportional match share requirement estimated at 219,618.15.

PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2024 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

**City of Rio Communities
Governing Body**

**Joshua Ramsell,
Mayor**

**Lawrence R. Gordon,
Mayor Pro Tem**

**Arthur Apodaca,
Councillor**

**Matthew Marquez,
Councillor**

**Thomas Nelson,
Councillor**

ATTEST:

Martin Moore, (Acting) Municipal Clerk

**RESOLUTION 2024-10
PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2024 BY THE GOVERNING
BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**