Regular Governing Body Meeting
City of Rio Rancho
AGENDA
March 9, 2023
6:00 PM
Council Chambers

Governing Body Members

Greggory D. Hull, Mayor	Paul Wymer, Councilor District 4
Jim Owen, Councilor District 1	Karissa Culbreath, Councilor District 5
Jeremy Lenentine, Councilor District 2	Daniel Stoddard, Councilor District 6
Bob Tyler, Councilor District 3	

Meeting Information
This meeting will be conducted in-person and virtually, as well as, streamed live on the City of Rio Rancho website at https://rrnm.gov/2303/Watch-and-Download-City-Meetings

Individuals wishing to present public comment may do so in-person or remotely via Zoom meeting software with the access information below:

Join by Computer: https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09
Meeting ID: 853 0235 3741
Passcode: 789419

Join by Phone:
Dial 1-720-707-2699 US then enter the Meeting ID and Passcode above

Call to Order and Pledge of Allegiance

Proclamations and Awards of Merit

Public Forum
Pursuant to Section 30.06 of the Rio Rancho Municipal Code, this section of the agenda is for any person wishing to address the Governing Body on an item which is not on the agenda.

Comments by Councilors

Consent Calendar
There will be no discussion of these items unless a Governing Body Member so requests, in which event the item will be moved to a discussion item on the regular agenda.

1. Minutes of February 21, 2023 Work Session Meeting
Minutes of February 21, 2023 Work Session Meeting

2. Minutes of February 23, 2023 Regular Meeting
Minutes of February 23, 2023 Regular Meeting

3. R34, Resolution Authorizing a Budget Adjustment to the Municipal Road Fund for Insurance Recovery for Damaged Traffic Signals and Devices
Resolution

4. R35, Resolution Authorizing the Disposal of Playground Structures and Basketball Court Concrete Surfacing at Rio Vista Park
Resolution

5. R36, Resolution Authorizing a Budget Adjustment to the Recreation Development Fund (310) for North Hills Open Space Lighting
Resolution
Site Map

6. R37, Resolution Authorizing the Disposal of Playground Structures at Veja Baja Park
Resolution

7. R38, Resolution Authorizing the Disposal of Playground Structures at Enchanted Hills Park
Resolution

8. R39, Resolution Accepting the 2022/2023 State Homeland Security Grant Program (SHSGP) Award and Authorizing a Budget Adjustment to the Federal Grants Fund (259)
Resolution

9. R40, Resolution Authorizing Disposal of Obsolete and Non-Working Office Equipment
Resolution
Exhibit A

Boards and Commissions

Public Hearings

10. D15, Approval for Lily and Liam Bistro, LLC. (the "Applicant") located at 1751 Rio Rancho Blvd. SE, Ste. 101 Rio Rancho, NM 87124 for an issuance of a Restaurant A Liquor License with On-Premises Consumption
Lily and Liam Bistro LLC Application
Legal Ad

11. R41, Resolution Amending the Petroglyph Medical Plaza Master Plan
Resolution
Zoning Location
Application
Authorization
Justification Letter
Reproduction of Notices GB
Petroglyph Medical Plaza Master Plan
Exhibit A

12. D4, (Postponed on February 4, 2023) Site Plan Approval for a Four-Plex Development at Unit 13, Block 46, Tract A
Application
Authorization
JustificationLetter
Zoning, Location
Site Plan
Elevations
Additional Elevations
Landscape
Staff Comments
Neighborhood and Applicant Correspondence

Reproduction of Notices 3.9.23
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment
Public Comment - Deborah Davidson

Second Reading of Ordinances

First Reading of Ordinances

Discussion and Deliberation

13. R42, Resolution Confirming and Hiring Joshua Rubin to the Position of City Attorney
Resolution
J.Rubin-Resume-Redacted
Mayor Approval Letter
City Manager Letter

City Manager

Comments by Councilors

Adjournment

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
March 9, 2023

DEPARTMENT:
City Clerk

SUBJECT:
Minutes of February 21, 2023 Work Session Meeting

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Minutes of February 21, 2023 Work Session Meeting

Governing Body
of the
City of
Rio Rancho
Special
Work Session
MINUTES

FEBRUARY 21, 2023
3:00 p.m.
Council Chambers

MEMBERS PRESENT:	**STAFF & SPECIAL GUEST PRESENT:**
Greggory D. Hull, Mayor	Matt Geisel, City Manager
Jim Owen, Councilor Dist. 1(arrived 3:55 p.m.)	Peter Wells, Deputy City Manager
Bob Tyler, Councilor Dist. 3	Rebecca Martinez, City Clerk
Karissa Culbreath, Councilor Dist. 5	Carol Jaramillo, Director of Financial Svcs.
Daniel Stoddard, Councilor Dist. 6	Connie Peterson, Dir. of Park Rec. & Comm Svcs.
	Jim Chiasson, Director of Utilities
MEMBERS ABSENT:	Yolanda Lucero, Deputy City Clerk
Jeremy Lenentine, Dist. 2	
Paul Wymer, Councilor Dist. 4	

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Hull called the meeting to order at 3:00 p.m.

Discussion

1. Aquifer Mapping Presentation

Mr. Chiasson gave a brief overview and stated Mr. Koning will go over the mapping and data.

Dan Koning from New Mexico Tech. provided a presentation. Water in the city comes solely from the groundwater held in the Santa Fe Group aquifer system, which extends several thousands of feet below the surface. We studied permeability-related properties of Rio Rancho's aquifer using both outcrops and well data. Within this aquifer, mapped the depths and extents of hydrostratigraphic permeability within a given unit. Aquifer thickness is greatest in the southeast and slightly thicker in northward between the Zia and Coronado fault zones. Most aquifers shallow over a north-trending geologic structure called the Ziana horst. Available pumping test suggest the Middle Rio Rancho HSU may be slightly more permeable in the extreme southwest, but more data points are needed to confirm this apparent lateral trend.

2. Campus Park Phase II Update

DRAFT

Mrs. Peterson stated Aaron will provide an update on Phase II. Campus Park Phase I has proved to be a destination for citizens to take part in events.

Aaron Zahm MRWM gave an update on Phase II. There is a high demand for parking and additional ADA parking spaces. This Phase will include dedicated food truck spaces, additional seating, and defined walking spaces in and out of the park.

3. Homewise Update

Elena Gonzales, Homewise Chief Operating Officer provided an update on the Homewise program. The City of Rio Rancho has partnered with Homewise to help homeowners make necessary home repairs. Homeowners receive up to $25,000 in a zero-interest, deferred loan that is forgiven after 5 years, as long as they remain in the home. This program was made possible by the Governing Body allocating $360,000 from Federal ARPA funds. Homewise received 250 applications and would be interested in working with the City again, subject to funding.

The meeting adjourned at 4:35 p.m.

APPROVED THIS MARCH 9, 2023

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

DRAFT

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
March 9, 2023

DEPARTMENT:
City Clerk

SUBJECT:
Minutes of February 23, 2023 Regular Meeting

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Minutes of February 23, 2023 Regular Meeting

Governing Body
of the
City of Rio Rancho

MINUTES

FEBRUARY 23, 2023
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:
Jim Owen, Councilor Dist. 1(arrived 6:03 pm)
Jeremy Lenentine, Deputy Mayor/Dist. 2
Bob Tyler, Councilor Dist. 3 (virtual)
Karissa Culbreath, Councilor Dist. 5
Daniel Stoddard, Councilor Dist. 6

MEMBERS ABSENT:
Greggory D. Hull, Mayor
Paul Wymer, Councilor Dist. 4

STAFF PRESENT:
Matt Geisel, City Manager
Peter Wells, Deputy City Manager
Josh Rubin, Acting City Attorney
Rebecca Martinez, City Clerk
James DeFillippo, Fire Chief
Carol Jaramillo, Dir. of Financial Svcs.
Connie Peterson, Dir. of Park Rec. & Comm Svcs.
Amy Rincon, Dir. of Dev. Svcs.
Yolanda Lucero, Deputy City Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Deputy Mayor Lenentine called the meeting to order at 6:00 p.m.

PROCLAMATIONS AND AWARDS OF MERIT

PUBLIC FORUM

The following individuals spoke under public forum:

Anita Leivo
Stephan vanHorn

COMMENTS BY COUNCILORS

CONSENT CALENDAR

1.) Minutes of February 9, 2023 Regular Meeting
2.) R29, Resolution Authorizing the Donation of Six Police Vehicles to the Central New Mexico College Law Enforcement Academy
3.) R30, Resolution Authorizing Recommission of Public Works Department Vehicles and Equipment
4.) R31, Resolution Authorizing a Budget Adjustment to the General Obligation Bond Fund (333)

DRAFT

5.) R32, Resolution Authorizing a Budget Adjustment for Expenses Related to Fire & Rescue Department Cadet Academy Class 18
6.) D6, Appointment of Cherie Martin Irwin to the Arts Commission
7.) D7, Appointment of Faron Segotta to the Ethics Panel
8.) D8, Appointment of Armando Martinez Cantu to the Public Infrastructure Advisory Board
9.) D9, Appointment of Van Billops to the Investment Advisory Board
10.) D10, Appointment of Christopher Daniel to the Investment Advisory Board
11.) D11, Appointment of Ron Baker to the Investment Advisory Board
12.) D12, Appointment of Chandra McCray to the Investment Advisory Board
13.) D13, Appointment of Kelly Wainwright to the Investment Advisory Board
14.) D14, Appointment of David Jablonski to the Investment Advisory Board

Daniel Stoddard moved to approve consent calendar. Seconded by Karissa Culbreath.

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Jim Owen, Jeremy Lenentine, Bob Tyler, Karissa Culbreath, Daniel Stoddard
NO: None

BOARDS AND COMMISSIONS

PUBLIC HEARINGS

15.) O5, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Legally Described as Unit 25, Block 28, Lots 3-14 & 32-36 and Unit 25, Block 27, Lots 2 & 3A, from TZ: Transitional Zoning to R-4: Single-Family Residential, Identifying Conditions of Development; Providing for Severability and an Effective Date

Ms. Rincon presented this item. The applicant, through their agent, Huitt-Zollars, Inc., requests approval of a Zone Map Amendment for the property legally described as Unit 25, Block 28, Lots 3-14 & 32- 36 and Unit 25, Block 27, Lots 2 & 3A, to change the zoning from TZ: Transitional Zoning to R-4: Single-Family Residential. The subject property is 32.72 acres and is zoned T-Z: Transitional Zoning. On January 24, 2023 the Planning and Zoning Board recommended approval.

Karissa Culbreath moved to Approve O5. Seconded by Jim Owen

The motion carried by a vote 5 FOR and 0 AGAINST.
YES: Jim Owen, Jeremy Lenentine, Bob Tyler, Karissa Culbreath, Daniel Stoddard
NO:

SECOND READING OF ORDINANCES

DRAFT

FIRST READING OF ORDINANCES

DISCUSSION AND DELIBERATION

16.) R33, Resolution to Write-Off and Remove Uncollectible Ambulance, Utilities, Parks and Recreation, Alarm, and Library Accounts from the City's Accounts Receivable

Ms. Jaramillo presented this item. The proposed Resolution will allow for the write-off and removal of $382,573.60 in uncollectible ambulance, utilities, parks and recreation, alarm, and library accounts from the City's financial books. Accounts proposed to be written off are four years old or, in some cases, older. After multiple attempts to collect, these accounts are deemed uncollectible, as defined in the City's Uncollectible Accounts Receivable Policy. State Statute - Section 3-37-7 NMSA 1978 - provides a procedure by which a municipality may write-off certain uncollectible accounts by resolution.

Daniel Stoddard moved to approve R33. Seconded by Jim Owen

The motion carried by a vote 5 FOR and 0 AGAINST.
YES: Jim Owen, Jeremy Lenentine, Bob Tyler, Karissa Culbreath, Daniel Stoddard
NO:

CITY MANAGER

COMMENTS BY COUNCILORS

ADJOURNMENT

6:23 p.m.

APPROVED THIS MARCH 9, 2023

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
SEAL

DRAFT

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R34

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Public Works

SUBJECT:
R34, Resolution Authorizing a Budget Adjustment to the Municipal Road Fund for Insurance Recovery for Damaged Traffic Signals and Devices

BACKGROUND AND ANALYSIS:
The City has recently received insurance claims totaling $8,466 for two traffic incidents that damaged City infrastructure. The first incident occurred on June 18, 2022, at the intersection of Northern Blvd. and Broadmoor Blvd., costing the City $5,827 to reinstall a streetlight. The second incident occurred on November 16, 2022, at the intersection of Northern Blvd. and Rainbow Blvd., which cost the City $2,639 to reinstall a standard PNM streetlight.

IMPACT:
Staff has made the required repairs to both the intersection's streetlights, and the insurance funds recovered will be used on other traffic signals and control devices needed presently.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE MUNICIPAL ROAD FUND FOR INSURANCE RECOVERY FOR DAMAGED TRAFFIC SIGNALS AND DEVICES

WHEREAS: the City has received two insurance claim payments totaling $8,466 for incidents at Northern Blvd. and Broadmoor Blvd. on June 18, 2022 ($5,827) and Northern Blvd. and Rainbow Blvd. on November 16, 2022 ($2,639); and

WHEREAS: a budget adjustment is necessary to expend the funds as intended**.**

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Municipal Road Fund (270)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
270-0000-369.20-00 Insurance Recovery		$18,647	$8,466		$27,113
Total Revenue		$18,647	$8,466		$27,113

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
270-0000-443.50-38 Repair & Maintenance – Infrastructure	PW2363	$169,696	$3,466		$173,162
270-0000-443.60-53 Program Supplies	* See Note	$211,689	$5,000		$216,689
Total Expense		$381,385	$8,466		$389,851

*PW2364 Street Signs & TC Devices $2,000 and PW2366 Signal/Light Equipment $3,000

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R35

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Parks, Recreation & Community Services

SUBJECT:
R35, Resolution Authorizing the Disposal of Playground Structures and Basketball Court Concrete Surfacing at Rio Vista Park

BACKGROUND AND ANALYSIS:
Rio Vista Park in the River's Edge subdivision, 1670 Riverside Drive, was developed by the City in 1989. In 2020, the playground structures and basketball court surfacing were found to be deteriorating, making it a priority for replacement for the Parks, Recreation and Community Services Department.

At this time, most of the playground parts and features have become obsolete and cannot be replaced when damaged or vandalized. Additionally, the basketball court surfacing has deteriorated over time due to usage, sun and weather exposure. Finally, aspects of the playground and basketball court no longer meet ADA guidelines. The City has received State Legislature funding and voter-approved Quality of Life Facilities G.O. Bond funding to replace the existing, aging playground structures and deteriorating basketball court with new and ADA compliant structures and new basketball court surfacing.

For safety, independent auditing, and other factors, it is not in the best interest to reuse playground equipment once it has been demolished. When demolishing the playground, some pieces of metal may be recyclable; however, most of the structures would require more costly labor (to remove plastic, concrete, etc.) to prepare parts of the structures for recycling. For these reasons, the existing playground equipment should be disposed of by landfilling. The original value of the playground structure s in 1989 was approximately $30,000. The current value, once removed, as it cannot be resold, reused, or affordably recycled, would be less than $2,500.

For safety reasons and other factors, the deteriorating basketball court needs to be removed and new concrete laid in its place. Concrete once completely removed will not have value.

The disposal of personal property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will enable the City to dispose of obsolete and unsafe property.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF PLAYGROUND STRUCTURES AND BASKETBALL COURT CONCRETE SURFACING AT RIO VISTA PARK

WHEREAS: the Parks, Recreation and Community Services Department has funding to replace playground structures and concrete basketball courts at Rio Vista Park; and

WHEREAS: due to age, use, extreme deterioration, and lack of replacement parts these structures and surfacing's have become obsolete; and

WHEREAS: the disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to remove and dispose of the playground structures and concrete surfacing at Rio Vista Park addressed as 1670 Riverside Drive N.E. in Rio Rancho, NM.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R36

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Parks, Recreation & Community Services

SUBJECT:
R36, Resolution Authorizing a Budget Adjustment to the Recreation Development Fund (310) for North Hills Open Space Lighting

BACKGROUND AND ANALYSIS:
The North Hills arroyo open space is a nearly 1-mile trail near Cherry Road used by citizens for walking, biking, sports practices, picnicking, and frisbee golf. Currently, several of the existing lights are inoperable.

The lack of trail lighting can impact recreation uses. Lighting extends trail accessibility allowing for more flexibility in times available for recreation during seasons with shortened sun exposure. Trail lighting also allows for enhanced safety and security.

The Parks, Recreation, and Community Services Department has obtained a quote for $36,579 to complete the necessary electrical repairs associated with the North Hills arroyo open space lighting. Moving funds between line items will allow the City to proceed with the work, including replacing any unusable conduit, cables, and photocells and installing new lamps and ballasts.

IMPACT:
Approval of this Resolution will allow for required lighting repairs. There is no impact to the General Fund as existing funding is being moved between line items.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Site Map

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE RECREATION DEVELOPMENT FUND (310) FOR NORTH HILLS OPEN SPACE LIGHTING

WHEREAS: staff is undertaking a project to repair lighting located in the North Hills arroyo open space for citizens who use the facility; and

WHEREAS: a budget adjustment is necessary to correctly classify expenditures as park maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Recreation Development Fund (310)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
310-0000-452.50-39 Park Imp<5K & Maintenance	PR2321	$105,497	$36,579		$142,076
310-0000-452.76-10 Park Projects	PR2321	$766,175		$36,579	$729,596
Total Sources		$871,672	$36,579	$36,579	$871,672

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

North Hills – Arroyo Open Space



CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R37

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Parks, Recreation & Community Services

SUBJECT:
R37, Resolution Authorizing the Disposal of Playground Structures at Veja Baja Park

BACKGROUND AND ANALYSIS:
Veja Baja Park in the Corrales Heights subdivision, 303 Veja Baja Drive SE, was developed by the City in 2005. In 2020, the playground structures was found to be deteriorating, making it a priority for replacement for the Parks, Recreation and Community Services Department.

At this time, most of the playground parts and features have become obsolete and cannot be replaced when damaged or vandalized. Finally, aspects of the playground no longer meet ADA guidelines. The City has received voter-approved Quality of Life Facilities G.O. Bond funding to replace the existing, aging playground structures with new and ADA -compliant structures.

For safety, independent auditing, and other factors, it is not in the best interest to reuse playground equipment once it has been demolished. When demolishing the playground, some pieces of metal may be recyclable; however, most of the structures would require more costly labor (to remove plastic, concrete, etc.) to prepare parts of the structures for recycling. For these reasons, the existing playground equipment should be disposed of by landfilling. The original value of the playground structure s in 2005 was approximately $30,000. The current value, once removed, as it cannot be resold, reused, or affordably recycled, would be less than $2,500.

The disposal of personal property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will enable the City to dispose of obsolete and unsafe property.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF PLAYGROUND STRUCTURES AT VEJA BAJA PARK

WHEREAS: the Parks, Recreation and Community Services Department has funding to replace playground structures at Veja Baja Park; and

WHEREAS: due to age, use, extreme deterioration, and lack of replacement parts these structures have become obsolete; and

WHEREAS: the disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to remove and dispose of the playground structures at Veja Baja Park addressed as 303 Veja Baja Drive, SE in Rio Rancho, NM.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R38

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Parks, Recreation & Community Services

SUBJECT:
R38, Resolution Authorizing the Disposal of Playground Structures at Enchanted Hills Park

BACKGROUND AND ANALYSIS:
Enchanted Hills Park in the Enchanted Hills subdivision, 7201 Enchanted Hills Blvd. NE, was developed by the City in 1999. In 2020, the playground structure was found to be deteriorating, making it a priority for replacement for the Parks, Recreation and Community Services Department.

At this time, most of the playground parts and features have become obsolete and cannot be replaced when damaged or vandalized. Finally, aspects of the playground no longer meet ADA guidelines. The City has received State Legislature funding and voter-approved Quality of Life Facilities G.O. Bond funding to replace the existing, aging playground structures with new and ADA -compliant structures.

For safety, independent auditing, and other factors, it is not in the best interest to reuse playground equipment once it has been demolished. When demolishing the playground, some pieces of metal may be recyclable; however, most of the structures would require more costly labor (to remove plastic, concrete, etc.) to prepare parts of the structures for recycling. For these reasons, the existing playground equipment should be disposed of by landfilling. The original value of the playground structure s in 1999 was approximately $30,000. The current value, once removed, as it cannot be resold, reused, or affordably recycled, would be less than $2,500.

The disposal of personal property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will enable the City to dispose of obsolete and unsafe property.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF PLAYGROUND STRUCTURES AT ENCHANTED HILLS PARK

WHEREAS: the Parks, Recreation and Community Services Department has funding to replace playground structures at Enchanted Hills Park; and

WHEREAS: due to age, use, extreme deterioration, and lack of replacement parts these structures have become obsolete; and

WHEREAS: the disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to remove and dispose of the playground structures at Enchanted Hills Park addressed as 7201 Enchanted Hills Boulevard, N.E. in Rio Rancho, NM.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R39

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R39, Resolution Accepting the 2022/2023 State Homeland Security Grant Program (SHSGP) Award and Authorizing a Budget Adjustment to the Federal Grants Fund (259)

BACKGROUND AND ANALYSIS:
The New Mexico Department of Homeland Security & Emergency Management has awarded the Rio Rancho Fire & Rescue Department $296,111 in grant funding. The purpose of the grant is to purchase equipment and pay for advanced public safety training to increase and/or sustain security.

The funding is allotted as follows: $20,134 for training and equipment for Rescue Task Force; $244,000 for technology initiatives/cyber security and equipment (e.g., cameras, security doors, and training); and $31,977 for community emergency response training and equipment.

The FY 2022 Homeland Security Grant Program is important in implementing the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation.

IMPACT:
Approval of the Resolution will provide additional funding to municipal government.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION ACCEPTING THE 2022/2023 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) AWARD AND AUTHORIZING A BUDGET ADJUSTMENT TO THE FEDERAL GRANTS FUND (259)

WHEREAS: the State Homeland Security Program (SHSP) is a core assistance program that provides funds to build capabilities at the State, local, tribal, and territorial levels to enhance national resilience in order to absorb disruptions and rapidly recover from incidents both natural and manmade, as well as to implement the goals and objectives included in State Preparedness Report (SPR); and

WHEREAS: the New Mexico Department of Homeland Security & Emergency Management has awarded the Rio Rancho Fire and Rescue Department federal grant funds in the amount of $296,111; and

WHEREAS: the grant budget consists of training and equipment for the Rescue Task Force ($20,134); technological initiatives/cyber security training and equipment ($244,000); and training and equipment for community emergency response training and equipment ($31,977); and

WHEREAS: a budget adjustment is necessary to expend the grant funds as proposed.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Federal Grants Fund (259)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-331.20-00 Federal Grants	FR2342	$1,245,768	$296,111		$1,541,879
Total Sources		$1,245,768	$296,111		$1,541,879

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-424.32-01 Professional Services	FR2342	$30,000	$65,000		$95,000
259-0000-424.32-07 Contract Services	FR2342	$0	$112,500		$112,500
259-0000-424.40-08 CERT Program	FR2342	$26,211	$31,977		$58,188
259-0000-424.40-09 ERT	FR2342	$12,627	$20,134		$32,761

259-0000-424.50-35 Building Repair	FR2342	$32,250	$31,500		$63,750
259-0000-424.70-11 Building Improvements	FR2342	$339,912	$35,000		$374,912
Total Uses		$441,000	$296,111		$737,111

ADOPTED THIS DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R40

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Administration

SUBJECT:
R40, Resolution Authorizing Disposal of Obsolete and Non-Working Office Equipment

BACKGROUND AND ANALYSIS:
The City Manager's Office has replaced an aged and malfunctioning paper shredder.

Staff desires to properly dispose of the obsolete shredder, which has an estimated value of less than $250.

The disposal of personal property is governed by Section 3-54-2, NMSA1978 requiring Governing Body approval for property that does not exceed $2,500.

IMPACT:
Continuing to store obsolete and non-working office equipment unnecessarily takes up office space and creates potential safety hazards.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING DISPOSAL OF OBSOLETE AND NON-WORKING OFFICE EQUIPMENT

WHEREAS: the City Manager's Office has replaced an aged and malfunctioning paper shredder; and

WHEREAS: staff desires to properly dispose of the obsolete shredder; and

WHEREAS: the disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring Governing Body approval for property that does not exceed $2,500.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal and required authorization is hereby given to properly dispose of the office equipment depicted in Exhibit A attached hereto.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

EXHIBIT A



CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D15

AGENDA DATE:
March 9, 2023

DEPARTMENT:
City Clerk

SUBJECT:
D15, Approval for Lily and Liam Bistro, LLC. (the "Applicant") located at 1751 Rio Rancho Blvd. SE, Ste. 101 Rio Rancho, NM 87124 for an issuance of a Restaurant A Liquor License with On-Premises Consumption

BACKGROUND AND ANALYSIS:
In accordance with 60-6B-4 NMSA, 1978 of the Liquor Control Act, the Director of Alcohol Beverage Control Division has granted this application conditional preliminary approval and has forwarded it to the Governing Body of Rio Rancho for public hearing and action. This application is for the issuance of a Restaurant A - Beer and Wine Liquor License with on premises consumption only.

IMPACT:
If the Governing Body does not approve the issuance of the license, it shall notify the Alcohol Beverage Control Division setting forth the reasons for disapproval.

ALTERNATIVES:
The Governing Body may disapprove the issuance of the license if:
1. The location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico;
2. The issuance is in violation of zoning (or other) ordinances of the City; or
3. The issuance is detrimental to the public health, safety or morals of the residents.

None of these conditions exist at the proposed site.

DEPARTMENT RECOMMENDATION:
Approve the application as presented by the NM Regulation and Licensing Department.

ATTACHMENT: Lily and Liam Bistro LLC Application
ATTACHMENT: Legal Ad

NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

January 24, 2023

By USPS Certified Mail No.: 7022 0410 0000 8283 1909

7022 0410 0000 8283 1909

City of Rio Rancho
Attn: Rebecca Martinez, City Clerk
3200 Civic Center Circle NE
Rio Rancho, NM 87144

CITY CLERK'S OFFICE
JAN 27 '23 PM12:57

Lic. No. /Appl. No.:	**Application No. Not assigned**
Name of Applicant:	Lily and Liam Bistro, LLC
Doing Business As:	Lily and Liam Bistro
Proposed Location:	1751 Rio Rancho Blvd. SE, Ste. 101, Rio Rancho, NM 87124

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Preliminary Approval.** It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

(A) Name and address of the Applicant/Licensee;
(B) The action proposed to be taken;
(C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

While the law states that "within forty-five **(45)** days after receipt of a Notice from the Alcoholic Beverage Control, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:

1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;

ABC has no preference in the option you choose.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING A RESTAURANT A LIQUOR LICENSE WITH ON-PREMISES CONSUMPTION.

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

Tammy Sandoval

Tammy Sandoval
Admin Law Judge | Hearing Officer
NM Regulation & Licensing Department
Alcoholic Beverage Control Division
Phone: (505) 476-4548 | Fax: (505) 476-4595
Email: Tammy.Sandoval@rld.nm.gov

Enclosures:

1. Original Page 1 of the Application *(must be signed and returned w/notices of publication)*
2. Copy of Page 2 of the Application
3. Copy of the Zoning Statement

NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

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ALCOHOL & GAMING DIVISION

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

Restaurant Liquor License Application | $200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee $200.00 Received on: 12.8.22 Receipt No. _____
License Fee $ _____ Received on: _____ Receipt No. _____

Application Number: _____ Local Option District: _____

TYPE of APPLICATION: *Check appropriate box*

☒ Restaurant A | Beer & Wine only | License Fee, pro-rated, due at final: $1,050.00
☐ Restaurant B | Beer, Wine & Spirits | License Fee, pro-rated, due at final: $10,000.00

Applicant is: ☐ Individual ☒ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

Applicant /Company Name: Lily and Liam Bistro, LLC

D/B/A Name: Lily and Liam Bistro, LLC

Email: (required) lilyandliambistro@gmail.com Business Phone No: 505-340-3309

Mailing Address: 1751 Rio Rancho Blvd SE, Ste 101, Rio Rancho, NM 87124

Physical location, if different: 1751 Rio Rancho Blvd SE, Ste 101, Rio Rancho, NM 87124
(Include Street number / Hwy number / State Road, City, State, and Zip Code)

County: Sandoval

Are alcoholic beverages currently being dispensed at the proposed location? ☐ Yes ☒ No If Yes, License # / Type: _____

As defined in §60-3A-3. V. "Restaurant", *means an establishment having a New Mexico resident as a proprietor or manager … as a place where food is prepared and served primarily for on-premises consumption to the general public in consideration of payment and that has a dining room, a kitchen and the employees necessary for preparing, cooking and serving food; … does not include establishments as defined in rules promulgated by the director serving only hamburgers, sandwiches, salads and other fast foods;*
I qualify as a "Restaurant"? ☒ Yes ☐ No

Is food service the primary source of revenue and accounts for 60% or more of the total gross receipts at current licensed premises? ☒ Yes ☐ No

Is Food Service Permit current? ☒ Yes, attached ☐ No

I have attached **photos of the Dining Room and Kitchen** and included a **copy of the Menu.** ☒ Yes ☐ No

Days and Hours of Operation? Monday - Sunday 7:00AM - 3:00 PM

I understand that a restaurant license requires that the establishment is not a bar-like setting and the hours for sales and/or service of alcoholic beverages are only from 7:00am to 11:00pm or until food sale and service ceases, whichever is earlier? ☒ Yes ☐ No

Contact Person: James Garrigan Phone #: 505-503-3441 Email: james.garrigan@gmail.com

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Application No._____

You must sign before a Notary Public.

I, (print name) Megan Garrigan, as (Title) Owner being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

Signature of Applicant: Megan Garrigan Date: 11-16-22

Notary Public Use Only: (State of New Mexico, County of Bernalillo)

SUBSCRIBED AND SWORN TO before me this 16 day of November, 2022

By Affiant: _____

Notary Public Dawn R Goodrum

My Commission Expires on: April 23, 2025

STATE OF NEW MEXICO
NOTARY PUBLIC
DAWN R. GOODRUM
Commission # 1076756
My Comm. Exp. APRIL 23, 2025

Local Option District Use Only:

Local Governing Body of _____ City, County, Town, Village

Public Hearing held on _____ 20____ Decision: ☐Approved ☐Disapproved

Signature of Official: _____ Title: _____

ABC USE ONLY:

☐APPROVED ☐DISAPPROVED, _____

Done this _____ Day of _____, 20____.

SIGNED BY DIRECTOR: _____

ASSIGNED LICENSE NO. _____ **EXPIRES ON:** _____

Reviewed, with copy sent to Licensee via ☐Email, ☐Fax, ☐1st class mail

By: _____ Date: _____

COPY

Premises Location, Ownership, and Description | NMSA §60-6B-10 | **Page 2**

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1. The land and building which is proposed to be the licensed premises is: (check one)

☐ Owned by Applicant, copy of deed/document attached

☒ Leased by Applicant, copy of lease/document attached

☐ Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): Quenby Square, LLC.

B. Date and Term of Lease: 6-28-2019, 5 year terms

3. Premises location is Zoned (example C-1, see Zoning Statement): _____

Zoning Statement attached, ☒ **Yes** ☐ **No** Must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. **Distance* from nearest Church**: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: First Baptist Church of Rio Rancho Miles/feet: 1,074 feet

Address/location of Church: 3906 19th Ave, SE, Rio Rancho, NM 87124

5. **Distance* from nearest School**: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: LEAP International Montessori School Miles/feet: 1,721 ft

Address/location of School: 1598 Sara Rd, Rio Rancho, NM 87124

6. **Attach Detailed Floor Plan**, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

7. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ☐ Racetrack

☒ Restaurant ☐ Craft Distiller ☐ Small Brewer ☐ Winery ☐ Wholesaler

☐ Other (specify): _____

***NOTE**: If the distance is beyond 300 feet, but less than 400 feet, and the Applicant does not admit that the location is within 300 feet and requests a waiver from the LOD, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

Rio Rancho
City of Vision

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ALCOHOLIC BEVERAGE CONTROL

DEVELOPMENT SERVICES DEPARTMENT
Zoning Division

November 04, 2022

Lily and Liam Bistro
1751 NM HWY 528 SE, STE 101 (1751 Rio Rancho Blvd SE, STE 101)
Rio Rancho, NM 87124

RE: Zone Certification request for a beer and wine license at Lily and Liam Bistro.

This zoning certification letter has been prepared in response to your request and confirms;
The subject property is known by legal description as Gateway North, Tract C-9A and is physically located at 1751 NM HWY 528 SE, STE 101 (1751 Rio Rancho Blvd SE, STE 101), Rio Rancho, New Mexico 87124 (see Attachment I). Pursuant to Rio Rancho Ordinance No. 25 Enactment No. 93-022 the subject property is currently zoned Special Use (SU) for C-1: Retail Commercial District. Commercial land uses include all permissive and conditional uses as defined with the C-1: Retail commercial District. Conditional Uses require a conditional use permit (see Attachment II).

Pursuant to Rio Rancho Municipal Code (R.O. 2003) Title XV, Land Use, Chapter 154.24, C-1 Retail Commercial District, the purpose of this district permits limited commercial uses such as those pertaining to the day-to-day needs of the residential populace (see Attachment III).

Also pursuant to Rio Rancho Municipal Code (R.O. 2003) Title XV, Land Use, Chapter 154.24, C-1: Retail Commercial District, (B) (27), Restaurants, bars, lounges, coffee/tea rooms, delicatessens, patio/al fresco dining facilities are a permissive use in the C-1: Retail Commercial zone district (see Attachment III).

If you have any questions regarding the information provided, please contact the Development Services Department at 505- 891-5005 or via e-mail at planning@rrnm.gov.

This information was researched and provided to you on November 04, 2022 by the undersigned, on behalf of the Development Services Department as a public service. The above information is believed to be accurate and is based upon, or relates to the information that has been requested. The Development Services Department assumes no liability for errors and omissions. All information has been obtained from public records, which may be inspected during regular business hours.

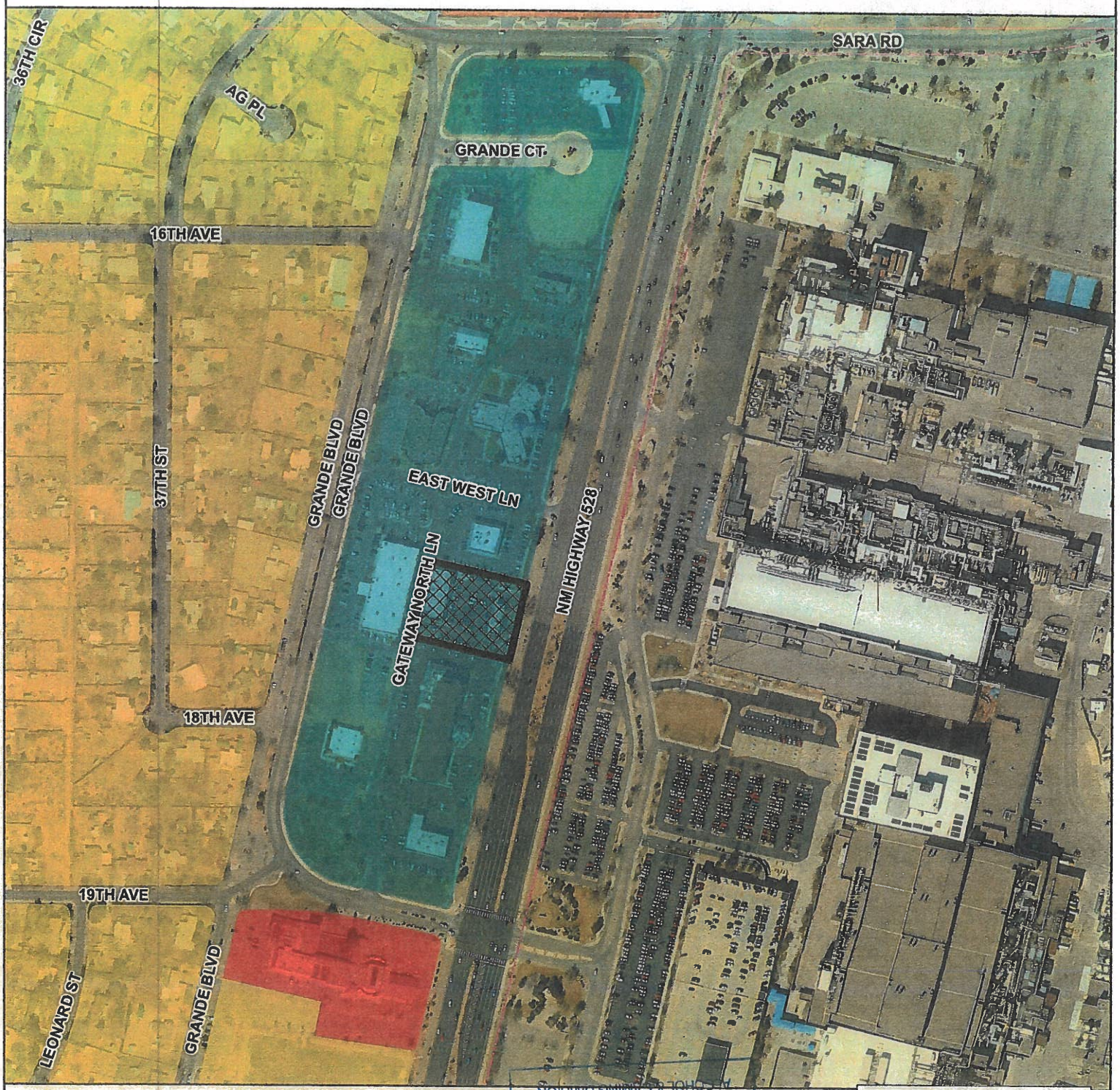
Respectfully,

Christopher Benson

Chris Benson, Municipal Planner I
Development Services Dept., Planning Division
cbenson@rrnm.gov

Attachments: I – Location/Zone Map
II – Rio Rancho Ordinance No. 25 Enactment No. 93-022
III – Rio Rancho Municipal Code 154.24 C-1: Retail Commercial District

1751 NM HWY 528 SE, STE 101 (1751 RIO RANCHO BLVD SE, STE 101)
GATEWAY NORTH, TRACT C-9A



RioRancho
City of Vision

0 300 600 1200
Feet

GIS
Moving Spatial Data Forward

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map Created by Chris Benson on 11/04/2022

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PLANNING & SCHOOL DIVISION

N
E
S

Subject Property

Zoning

C-1

R-1

SU

154.24 C-1: RETAIL COMMERCIAL DISTRICT. Revised 9/22

SHARE

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ALCOHOL & GAMING DIVISI

(A) *Purpose.* This district permits limited commercial uses such as those pertaining to the day-to-day needs of the residential populace.

(B) *Permissive uses.*

(1) Auditoriums, bowling alleys, billiards, dance hall, theaters, skating rinks, indoor entertainment;

(2) Auto repair, minor;

(3) Bakeries, pastry and confectioneries for retail sales;

(4) Banks and other financial institutions;

(5) Churches, Sunday school and parish house, incidental facilities;

(6) Clubhouses, buildings for fraternal organizations, nonprofit public service;

(7) Day spa;

(8) Drive-in, drive-through window restaurants, convenience stores;

(9) Gasoline service stations, convenience stores, and car washes;

(10) Hospitals and private institutions of an educational nature and similar institutions;

(11) Hotel/motel;

(12) Manager/caretaker residential uses within structures;

(13) Medical complexes, professional offices (medical and dental), veterinarians, offices/clinics;

(14) Nursery schools and daycare facilities;

(15) Nursing homes, senior transitional living and care facilities;

(16) Offices and office buildings;

(17) Offset press printing;

(18) Outside storage, as an accessory use, as defined in Article III, Section 154.71;

(19) Park and ride facilities, parking lots, garages;

(20) Parks, recreational parks and open spaces, public facilities;

(21) Permanent outdoor sales display, as defined in Article III, Section 154.72;

(22) Photocopying and blueprinting, shipping and messenger service;

(23) Public facilities;

(24) Public utilities, electric facilities;

(25) Repair shops – electrical, radio, and television appliances, keys, and similar articles;

(26) Residential uses as secondary use or above the first floor; provided, that density does not exceed 50 dwelling units per acre;

(27) Restaurants, bars, lounges, coffee/tea rooms, delicatessens, patio/al fresco dining facilities;

(28) Schools, private, K-12, college, trade schools;

(29) Schools, public, K-12;

(30) Shops – dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;

(31) Stores for the sale of retail goods, products, and services;

(32) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material as defined in Article III, Section 154.75(D)(1);

(33) Undertaking establishments.

(C) *Conditional uses (requiring use permit and site plan).*

(1) Auto repair, major; provided, that:

(a) Repairs and associated activities are conducted within a completely enclosed building; and

(b) A solid masonry wall at least six feet high is erected between the activity and any abutting or contiguous residential zone.

(2) Automotive dealers, motorcycle dealers;

(3) Boarding kennels or pet shelters;

(4) Recycling collection centers as defined in Article III, Section 154.74;

(5) Self-storage facilities;

(6) Temporary model home/sales office as defined in Article III, Section 154.75(B).

(Ord. 18-20; Am. Ord. 22-20)

CITY OF RIO RANCHO
ORDINANCE

ALCOHOL & GAMING DIVISION
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ORDINANCE NO. 25 **ENACTMENT NO. 93-022**

AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

PURPOSE: The property described as Tracts "A" and "C" of Unit 16 consisting of 52.32 acres shall have the zoning designation changed from R-1/Single Family Residential to SU/Special Use for all permissive and conditional C-1/Retail Commercial, select C-2/Wholesale Commercial Uses which will require a conditional use permit (food sales, wholesale commercial, warehousing and storage, indoor amusement enterprise, research and development), and Hotels and Motels.

RESTRICTIONS:

1. **Land Use:** SU/Special Use for:
   - A. All permissive and conditional uses as defined within the C-1/Retail Commercial District. Conditional Uses require a conditional use permit.
   - B. The following C-2/Wholesale Commercial uses are allowed with an approved conditional use permit:
     - Food Sales
     - Wholesale Commercial
     - Warehousing and Storage (minimum 20% building area required as office)
     - Indoor Amusement Enterprise
     - Research and Development
     - Light Industrial
   - C. Hotels and Motels.

2. **Access:** Any and all access via NMSR 528 shall be reviewed and approved by the New Mexico State Highway and Transportation, City Engineering and City Development Departments.

3. **Landscaping:** Landscaping Standards Summary:

Total landscaping required:	10% of gross acreage to include road widening easement and right of way
Front landscaping:	25% of total landscaping requirement
Live plant material:	85% or more of total landscaping requirement
Non-plant material:	15% or less of total landscaping requirement
Trees:	30" boxed or 3" caliper in size One per 1000 square feet of total landscaping 12' in height with full crown

Shrubs: 5 gallon minimum size

Parking Lot Landscaping: Greater than 10 acres/4% of T.L. in parking lot

4. **Buffering:** The applicant shall provide at minimum a three foot high berm along Grande Boulevard to the west, which will be designed so that children will be discouraged from playing on the east side.

5. **Architectural Issues:**
   - A. No metal buildings will be allowed.
   - B. No plain concrete block buildings will be allowed.
   - C. Outside storage and chain link fencing shall be visually screened from any adjacent property owner.
   - D. Height no greater 40', setback requirements as per C-1 Zoning Ordinance regulations.
   - E. All parking lots shall be paved.

6. **Signage:** All signage shall comply with Article 5 of the Zoning Ordinance.

7. The applicant is subject to any and all additional Federal, State and Local laws, rules and regulations.

8. The applicant shall comply with all existing and future plans, policies, etc. directly related to this property.

9. That before development occurs, that the development plan be approved by the Governing Body by Resolution.

10. **Sunset Clause:** The zoning designation of the property shall revert to R-1/Single Family Residential if no development has occurred within thirty-six months from the approval date of the Ordinance.

ADOPTED THIS 27TH DAY OF OCTOBER, 1993.

Pat D'Arco, Mayor

10-29-1993
Date

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DEC 08 2022
ALCOHOL & GAMING DIVISION

ATTEST:

Tina Gonzales, City Clerk
(SEAL)

RE: O-25

GOVERNING BODY
CITY OF RIO RANCHO
AGENDA BRIEFING MEMORANDUM

DEPARTMENT: City Development AGENDA DATE: 10/27/93

SUBJECT: Zone Map Ordinance Amendment

Purpose: R-1/Single Family Residential to SU/Special Use for all permissive and conditional C-1/Retail Commercial Uses, select C-2/Wholesale Commercial Uses which will require a conditional use permit (food sales, wholesale commercial, warehousing and storage, indoor amusement enterprise, research and development), and Hotels and Motels. **(Attachment I).**

Property: Tracts "A" and "C", of Unit 16.

Location: Tract "A" bounded on the east by NMSR 528, north by 21st Avenue and south by the Sandoval County line. Tract "C" bounded on the east by NMSR 528, north by Sara Road and south by 19th avenue **(Attachment II).**

Applicant: Amrep Southwest, Inc.

BACKGROUND AND ANALYSIS:

The property is currently zoned R-1/Single Family Residential and was established when the City incorporated in 1981. The Governing Body has not previously reviewed any zoning requests regarding these parcels. The proposed rezoning of the "Gateway North" and "Gateway South" properties is intended to increase the variety of land uses with provisions to reduce the potential impact on adjacent R-1/Single-family residential neighborhoods. On September 28, 1993, the Planning & Zoning Commission unanimously approved a recommendation for approval to the Governing Body **(Attachment III).**

DEPARTMENT AND/OR ADVISORY COMMITTEE RECOMMENDATION:

The City Development Department recommends **APPROVAL** of the Zone Map Amendment as per the Staff Report **(Attachment IV)** and Development Order **(Attachment VI).**

At their meeting of September 28, 1993, the Planning and Zoning Commission voted to recommend **APPROVAL** of the proposed Zone Map Ordinance **(Attachment III).**

DEPARTMENT DIRECTOR: Art Corsie by JH

CITY ADMINISTRATOR: Hammerman

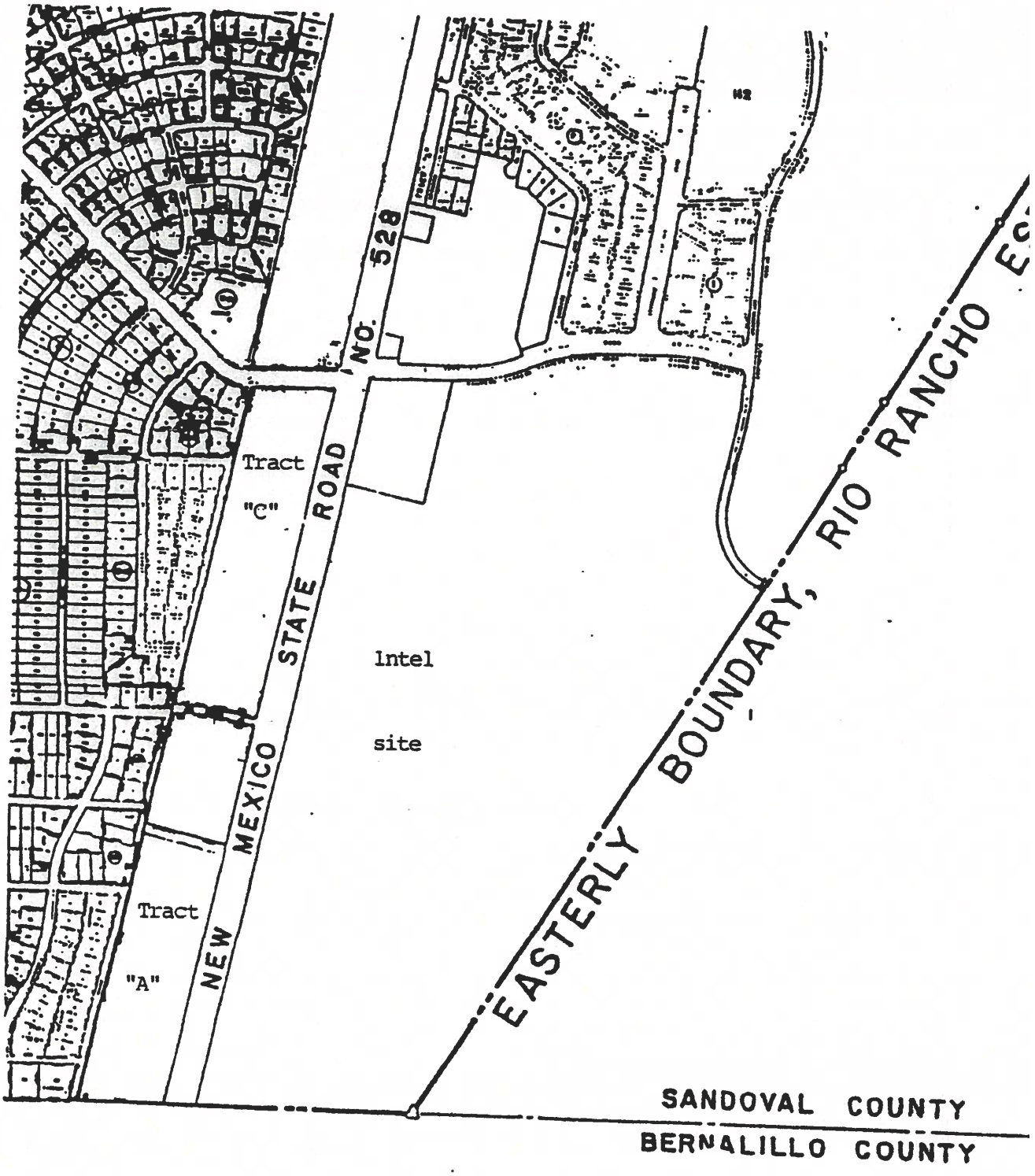
Attachment(s):

Attachment I:	Draft Zone Map Ordinance
Attachment II:	Location Map
Attachment III:	Minutes, P & ZC meeting of September 28, 1993
Attachment IV:	Staff Report
Attachment V:	Development Order
Attachment VI:	Development Plan

ALCOHOL & GAMING DIVISION
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Gate.abm

Attachment I



ALCOHOL & GAMING DIVISION
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Department to correct inconsistencies such as this. There being no further questions by the public or Commissioners, Chairman Ramaeker asked for a motion.

MOTION PZC0928935A: Commissioner Garret moved that the request for a Conditional Use Permit for the purpose of Operating a Family Day Care Facility at the property known by legal description as Unit 16, Block 18, Lots 16 & 17, located at 3200 19th Avenue, Rio Rancho, NM by applicant Peggy Swaekauski be approved with Staff requirements as noted. Commissioner Donnell seconded.

MOTION PZC0928935A VOTE: **6-0, Unanimously approved.**

B. EXTENSION OF PRELIMINARY PLAT. Applicant requests an extension of the Preliminary Plat effective period on the property known by legal description as Coronado Hills, Unit 1, Blocks 1 through 20, Tracts "A" through "E", Rio Rancho, NM; Applicant: Amrep Southwest, Inc.

Mr. Corsie stated that this item is now known by legal description as Coronado Hills, Unit 20. The Preliminary Plat was done on this property a year ago and the Development Department is currently working on the Development Agreement and conditions of the Final Plat which will be presented at the meeting of October 14, 1993. They are requesting an extension to avoid having to go through the Preliminary Plat again. Chairman Ramaeker asked for a motion.

MOTION PZC0928935B: Commissioner Hawley moved that the request for an extension of the Preliminary Plat effective period on the property known by legal description as Coronado Hills, Unit 1, Blocks 1 through 20, Tracts "A" through "E", Rio Rancho, NM by applicant Amrep Southwest, Inc. be approved. Commissioner Ayer seconded.

MOTION PZC0928935B VOTE: **6-0, Unanimously approved.**

C. FINAL PLAT. Applicant requests Final Plat approval on the property known by legal description as Cascades at High Resort, Rio Rancho, NM; Applicant: Amrep Southwest, Inc.

Milt Cox, Cinfran Engineering, explained to the Commissioners that the project in the Cascades Subdivision consists of 100 single family residential lots, 5 parcels which are drainage or open space. There is approximately 48 acres in this area. It is bounded on the South by High Resort Blvd., Broadmoor Blvd. on the West and Montoya's Arroyo on the North. He pointed out the drainage areas on the map. He stated that the drainage plan was approved on September 7, 1993 by Jerry Fossenier, City Engineer. Seventy acres to the East of the parcel were dedicated to the City. This parcel also borders the Montoya's Arroyo with access off of Broadmoor Blvd. Discussion followed on the location of drainage areas and lighting requirements. Commissioner Hawley asked Mr. Corsie who was keeping track of dedicated park land. Mr. Corsie responded that Ms. Barbara Maniaci was keeping track of those figures. There were no other questions from the public or Commissioners. Chairman Ramaeker asked for a motion.

MOTION PZC0928935B: Commissioner Ayer moved that the request for Final Plat approval on the property known by legal description as Cascades at High Resort, Rio Rancho, NM by applicant Amrep Southwest, Inc. be approved. Commissioner Garret seconded.

MOTION PZC0928935B VOTE: **6-0, Unanimously approved.**

D. ZONE MAP AMENDMENT. Applicant requests a Zone Map Amendment from R-1/Single Family Residential to SU/Special Use for all permitted and conditional C-1/Retail Commercial Uses, several conditional C-2/Wholesale Commercial Uses and Hotels and Motels on the property known by legal description as Tracts "A" and "C" of Unit 16, Rio Rancho, NM; Applicant: Amrep Southwest, Inc.

Mr. Corsie addressed the Commission and stated that the following Zone Map Amendment is the result of a lot of work by Amrep, Community Sciences Corp. and the City Development Department.

Chairman Ramaeker asked for a clarification on the acreage listed. Under Findings of Fact, Item G, the acreage is listed as follows: Tract "A" 28.49 acres, Tract "C" 23.84 acres. Then, under Item III, Staff Recommendations, Tract A is listed as having 23.83 acres and Tract C having 28.49 acres. He wanted to know which was correct. Mr. Lenton Malry, City Development Department stated that the latter was the correct acreage. Mr. Malry wanted to clarify the land uses requested. The purpose of the land was listed as follows: R-1/Single Family Residential to SU/Special Use for all permissive and conditional C-1/Retail Commercial Uses, several C-2/Wholesale Commercial Uses which require a Conditional Use Permit. Under the select C-2/Wholesale Commercial Uses, there should be Indoor Amusement Enterprise as well as Light Industrial. Additionally, Hotels and Motels should be added. The listing of Light Manufacturing and Industrial Uses is redundant because it is part of the C-2/Wholesale Commercial Uses.

Kym Dicome of Community Sciences Corporation, Agent for Amrep Southwest, greeted the Commission and introduced the Gateway North and South Development Plan. She stated that Mr. Cliff Spirock would be presenting an overview of the project.

Cliff Spirock, Community Science Corporation, greeted the Commission and stated that his company has been working on this project since December, 1992. He stated that their challenge was how to handle the traffic and some of the impact of the proposed zoning and how the zoning could be accomplished with setbacks and rigid development controls, and were challenged with the access from NM 528. He discussed the different access points and explained that these would all be right-turn-in, right-turn-out entrances. They felt it would be prudent planning if they oriented the smallest businesses toward the existing residents and separate them by creating a larger set-back from their homes. There would be a separator road around the business property which would allow them to reconstruct the existing Grande Blvd. which would be similar to Menaul and Constitution -- Hoffmantown in Albuquerque. They proposed to take the existing Grande Blvd., continue and enhance its residential character by narrowing it to a width of 24 to 28'. They would install a large (22' wide) completely landscaped median, used with a berm and landscaping treatments which would shelter the residential units and then create a well-designed commercial street which could take the access points off of NM 528 and create a very good circulation for commercial traffic and provide connections to the residential streets that would provide difficult circulation. The idea is to stop traffic from using Grande as a North-South throughway. He discussed more of the traffic issues. He also discussed the different zoning uses and the conditions therein. He went on to explain that building height and hours of operation would be limited. The building height limitations is meant to avoid hindering the view of the mountains from the residents living across the street from this development. He also explained the drainage areas and landscaping plans. There would be a 15% minimum landscape requirement which is above current zoning regulations. There would also be a bikeway created. The right-of-way would be approximately 110' plus the set-back of 40' would put the business buildings 150' from the residential properties. He gave the Commissioners computer generated graphics which showed approximately how the businesses would be located and how the view of the mountains would not be hindered. He explained that the building heights would be graduated. The shorter buildings would be closer to the street and the larger buildings would be set back further. The restriction of the building height would require businesses wanting to change their building height to come before the P&Z to be granted an exception ruling.

Commissioner Garret asked about parking for the residents on Grande. Mr. Spirock stated that the residents would be allowed to park only on one side of the street, on the residential side. He went on to explain their plans for the width of Grande, but he did say they would yield to the City Engineer's requirements.

Mr. Corsie stated that he felt this was a well thought-out plan and the City Development Department recommends approval.

Mr. Steve Tollefson, Planner for the City Development Department read, for the record, a letter received from Ms. Ruth Sanders, 1909 Grande Blvd. and Hilga Valentine, 1913 Grande Blvd. which was addressed to Dolores Wood, Zoning and Code Enforcement Supervisor, City Development Department. The letter stated that Ms. Sanders and Ms. Valentine were opposed to the re-zoning of tracts A & C. It listed various reasons, including the reasoning that it would ruin Rio Rancho's City of Vision image. Also, it would put the residents at risk of thievery and undesirable noise levels.

Chairman Ramaeker asked for public comments. Mr. Clarence Mason, 2201 Grande, stated he has followed this plan from the beginning and can endorse it although he has some concerns. He wanted to make sure the special use allowances of warehousing and storage facilities would not mean that mini-storage units would be part of this development. Mr. Corsie assured him that the rents on this land would be too high to support such a business. Mr. Mason also stated he was concerned about the amusement usage. His concern was that an arcade-type of business would be allowed to open, drawing teenagers which might increase the possibility of gang-related activities happening near the residential area.

Mr. Frank Delillo, 3108 Paradise Ct., representing The Community Christian Church, wanted to know if an adult entertainment store could be opened in this location. Mr. Corsie stated that there is an adult entertainment ordinance which will limit those uses in areas such as this.

Mr. Allan Johnson, 1717 Grande, stated he would like to see the berm extended to a wider width and brought up to a 6' height to further hide the cars. He submitted a drawing of his ideas to the Commissioners.

Mr. Neely, 1801 Grande, wanted a clarification of the hours of operation of the businesses. It was explained to him that the businesses would be limited to hours of operation from 6 a.m. to 10 p.m.

Mr. Chester Geetz [sic], 2301 Grande, stated that he was opposed to this project and thought it should be located more in the central part of Rio Rancho, such as along Southern Blvd. He felt that access is easier along Southern Blvd. rather than having to travel to the southern part of Rio Rancho.

Ms. Michelle Neely stated she was in favor of this project and agreed with the drawings Mr. Johnson submitted to the Commissioners.

Mr. Corsie gave an example by pacing off the room as to the size of a 30' berm. Mr. Spirock said they could certainly provide the Commission with drawings of the berm showing drainage, shrubbery, etc.

There being no further questions or comments from the public or Commissioners, Chairman Ramaeker asked for a motion.

Commissioner Ayer took a moment and thanked Community Sciences Corporation for their hard work and the care taken on this project.

MOTION PZC0928935D: Commissioner Ayer moved that the request for a Zone Map Amendment from R-1/Single Family Residential to SU/Special Use for all permitted and conditional C-1/Retail Commercial Uses, several conditional C-2/Wholesale Commercial Uses and Hotels and Motels on the property known by legal description as Tracts "A" and "C" of Unit 16, Rio Rancho, NM by applicant Amrep Southwest, Inc.

MOTION PZC0928935D VOTE: 6-0, Unanimously approved.

Chairman Ramaeker asked for a break before the next item.

Attachment IV

RIO RANCHO CITY DEVELOPMENT DEPARTMENT
ZONE MAP AMENDMENT
STAFF REPORT

Date:	September 28, 1993
Property Owner:	Amrep Southwest, Inc.
Applicant/Agent:	Community Sciences Corp.
Present Zone:	R-1/Single Family Residential.
Proposed Zone:	SU/Special Use for all permissive and conditional C-1/Retail Commercial Uses, select C-2/Wholesale Commercial Uses which will require a conditional use permit (food sales, wholesale commercial, warehousing and storage, indoor amusement enterprise, research and development), and Hotels and Motels.
Property:	Tracts "A" and "C", of Unit 16.

I. **FINDINGS OF FACT:**

A. Application Information:
- Site: Tract "A" is located east of NMSR 528 just north of the Sandoval County line, Tract "C" is located east of NMSR 528 just south of Sara Road.

B. Access: Sites will be accessed via NMSR 528 and Grande Boulevard.

C. Utilities/Infrastructure: All utilities exist near site.

D. Land Use: "Gateway"

Tract "A" "South"	- North:	Haynes Park
	- South:	Sandoval County line/undeveloped
	- East:	NMSR 528/Intel site
	- West:	Single Family residential houses
Tract "C" "North"	- North:	Commercial development/church
	- South:	Church
	- East:	NMSR 528/Intel site
	- West:	Single Family residential houses

E. Zoning:

Tract "A" "South"	- North:	R-1/(developed park site)
	- South:	Sandoval County line
	- East:	Sandoval County Special Use Industrial Uses
	- West:	R-1/Single Family Residential
Tract "C" "North"	- North:	C-1/Retail Commercial
	- South:	R-1/(developed church site)
	- East:	Sandoval County Special Use Industrial Uses
	- West:	R-1/Single Family Residential

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F. Slope: Parcels are predominately flat.
G. Acreage: 52.32 acres (Tract "A" 23.84), (Tract "C" 28.49).
H. Drainage: Will be reviewed during the platting/subdivision process.

II. FINDINGS OF CONFORMANCE WITH CITY OF RIO RANCHO PLANS, POLICIES AND REGULATIONS

A. Conformance to Comprehensive Plan

1. Objective (4.1A6) states, "Continue to develop an economic strategy, implemented to accomplish the goal of a self-sustaining community."
FINDING: This development will provide an economic benefit to the City as a whole. **CONFORMS.**

2. Objective (4.1B1) states, "Encourage the development of a select number of dispersed "Activity Centers" throughout the Rio Rancho Planning Area, allowing concentrations of nonresidential land uses to develop at medium to high density."
FINDING: Project contains a number of different nonresidential land uses developing at medium density. **CONFORMS.**

3. Objective (4.1A5) states, "Encourage in-fill development of all undeveloped areas within the municipal corporate boundary, particularly where vacant land has immediate access to community utilities."
FINDING: This project lies within the municipal corporate boundary of the City of Rio Rancho and has access to community utilities. **CONFORMS.**

B. Conformance to Zoning Ordinance: N/A.

1. Section 9-1-13.A(1) sets forth the Zone Map Amendment submittal requirements.
FINDING: The applicant fulfilled requirement. **CONFORMS.**
2. Section 9-1-14.B(1) sets forth the appropriate land uses within the Special Use District.
FINDING: Number 14 lists as an appropriate land use any use not specified elsewhere under the specific districts.
CONFORMS.

C. Conformance to Other Adopted Plans for the Area: N/A.
D. Conformance to Policies and Regulations: N/A.

III. STAFF RECOMMENDATION

The zoning designation of these two parcels was created when the City incorporated in 1981. The purpose of this request is to allow the applicant a wider variety of land uses. Tract "A" is known as "Gateway South" contains 23.83 acres, while Tract "C", known as "Gateway North" contains 28.49 acres.

This zoning request is accompanied by a development plan (**Attachment VI**). Although the plan is not required to be reviewed for passage by the approval bodies, it does however shed insight and reflect the community and developers' desire for a high-quality project. The development plan contains strict private guidelines. These additional controls are again intended to ensure the design of the site as well as any subsequent structures reflect a series of high-quality projects. An Architectural Review Committee has identified a number of characteristics which provide its definition of "quality" and are reflected in the following design standards:

A. Subdivision and Land Use.

The standards outlined in the development plan will become the criteria by which both the City and Architectural Review Committee (ARC) base their reviews. The City will not accept an administrative procedure for a summary plat or building permit which has not been "reviewed" by the ARC.

B. Buildings.

The purpose of the building design standards is to keep the appearance of each building in scale with its site and location relative to its surroundings. The floor area ratio's developed are intended to restrict an intensely developed district.

C. Building Height.

The development plan creates "zones" of maximum height dependent upon the proximity to the residential area to the west. The closer a structure is to the residential area the smaller the building height allowed.

D. Building Setbacks.

The developer-imposed standards are more restrictive than the minimum zoning ordinance requirements. This is done to accommodate future street expansions (i.e., NMSR 528), parking, landscaped areas and buffering.

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E. Hours of Operation.

Within the 180' area adjacent to the residences to the west (except "Gateway North" cul de sac) the hours of normal operation are limited to 6 am to 10 pm. All other areas, 24 hours of operation are allowed.

F. Landscaping.

The developer-imposed standards are more restrictive and require a minimum of 15% of each site to be landscaped instead of the normally imposed 10%.

G. Access and Site Circulation.

The access and site circulation addresses concerns of the existing residents to the west and the access to NMSR 528. A circular road has been created to control access to NMSR 528 as well as separate on site traffic from the existing Grande Boulevard (expanded to 110'). This has been accomplished by reconstructing the existing Grande Boulevard (50') to create a residential drive with limited access as well as a landscaped buffer between the drive and the new circulator road.

Access points will be positioned at various points along the circulator road through reciprocal easements as shown on the subdivision plat.

North and/or south access points on the sites will occur within common areas that will be maintained through a maintenance association or will be dedicated to the City.

Access to/from NMSR 528 is restricted as shown on the subdivision plat. Besides the controlled intersections of Sara road, 19th Street, 21st Street, Westside Boulevard, right in/right out access points are regulated by the New Mexico State Highway and Transportation Department through traffic analysis and applying for a driveway permit.

Parking is prohibited on the new circulator road, NMSR 528, existing Grande Boulevard and the proposed cul-de-sac in Gateway North.

Stability of land use is important and vital to a self sustaining, prosperous community. Regarding Tract "A" or "Gateway South", the area to the north is developed with park site and to the east light industrial land uses (Intel). The area to the south is bordered by the Sandoval County line and to the west the area is developed with single family houses.

Attachment IV

With regard to Tract "C" or "Gateway North", the areas to the north and east are developed with commercial and light industrial land uses respectively. The area to the south contains a church and to the west single family residential houses. By utilizing stringent development standards such as the limitation of building heights, more generous setbacks, limits on the hours of operation and greater landscaping requirements, the residential areas to the west, park and church sites should be adequately buffered. With these techniques, the allowance of this request should not destabilize the pattern of land use in the area, nor create a significant amount of adverse impacts on the surrounding area respecting the health, safety and well being of the community.

The City Development Department recommends **APPROVAL** of the proposed Zone Map Amendment with the following conditions:

1. **Land Use:** SU/Special Use for:

   A. All permissive and conditional uses as defined within the C-1/Retail Commercial District. Conditional Uses require a conditional use permit.

   B. The following C-2/Wholesale Commercial uses are allowed with an approved conditional use permit:

      1. Food Sales
      2. Wholesale Commercial
      3. Warehousing and Storage (minimum 20% building area required as office)
      4. Indoor Amusement Enterprise
      5. Research and Development

   C. Hotels and Motels.

2. **Access:** Any and all access via NMSR 528 shall be reviewed and approved by the New Mexico State Highway and Transportation, City Engineering and City Development Department.

3. **Landscaping:** Landscaping Standards Summary:

Total landscaping required:	10% of gross acreage to include road widening easement and right of way
Front landscaping:	25% of total landscaping requirement
Live plant material:	85% or more of total landscaping requirement

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Non-plant material:	15% or less of total landscaping requirement
Trees:	30" boxed or 3" caliper in size one per 1000 square feet of total landscaping 12' in height with full crown
Shrubs:	5 gallon minimum size
PARKING LOT LANDSCAPING:	Greater than 10 ac/4% of T.L. in parking lot

4. **Buffering:** The applicant shall provide a three (3) foot high berm along Grande Boulevard to the west.

5. **Architectural Issues:**

   A. No metal buildings will be allowed.
   B. No plain concrete block buildings will be allowed.
   C. Outside storage and chain link fencing shall be visually screened from any adjacent property owner.
   D. Height no greater than 40', setback requirements as per C-1 Zoning Ordinance regulations.
   E. All parking lots shall be paved.

6. **Signage:** All signage shall comply with Article 5 of the Zoning Ordinance.

7. The applicant is subject to any and all additional Federal, State and Local laws, rules and regulations.

8. The applicant shall comply with all existing and future plans, policies, etc. directly related to this property.

9. **Sunset Clause:** The zoning designation of the property shall revert to R-1/Single Family Residential if no development has occurred within thirty-six (36) months from the approval date of the Ordinance.

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Attachment V

CITY OF RIO RANCHO
CITY DEVELOPMENT DEPARTMENT
Development Order #

DATE: September 28, 1993 **APPLICATION NO.:** ZMA0928935_

APPLICANT: Amrep Southwest, Inc.
OWNER: Amrep Southwest, Inc., 333 Rio Rancho Drive Rio Rancho, New Mexico 87124

APPLICATION DESCRIPTION:

Zone Map Amendment for the property legally described as Tracts "A" and "C" of Unit 16. This request allows an amendment from R-1/Single Family Residential to SU/Special Use for all permissive and conditional C-1/Retail Commercial Uses, select C-2/Wholesale Commercial uses which will require a conditional use permit (food sales, wholesale commercial, warehousing and storage, indoor amusement enterprise, research and development), and Hotels and Motels.

KEY ISSUE:

1. Rezoning of property to SU/Special Use for all permissive and conditional C-1/Retail Commercial Uses, select C-2/Wholesale Commercial Uses which will require a conditional use permit (food sales, wholesale commercial, warehousing and storage, indoor amusement enterprise, research and development), and Hotels and Motels.

DATE OF P&Z MEETING(S): September 28, 1993

PLANNING AND ZONING COMMISSION DECISION: Recommendation of Approval

DATE OF GOVERNING BODY MEETING(S): October 27, 1993

GOVERNING BODY DECISION:

APPROVED THIS _____ DAY OF _____,1993.

_____
Harold Donovan, City Administrator

_____
Art Corsie, Department Director

_____
Applicant

gate.dev

CITY OF RIO RANCHO
PUBLIC HEARING

On March 9, 2023 the Governing Body will consider the approval of a Restaurant A Liquor License with On Premises Consumption for Lily and Liam Bistro, LLC located at 1751 Rio Rancho Blvd. NM 87124. The meeting is scheduled at 6:00 pm. Protests may be presented at the public hearing or in writing to the City Clerk, City of Rio Rancho, 3200 Civic Center Circle. NE, 87144 or by email at clerk@rrnm.gov.

/s/ Rebecca Martinez,
City Clerk

Journal: February 6, 27, 2023

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R41

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Development Services

SUBJECT:
R41, Resolution Amending the Petroglyph Medical Plaza Master Plan

BACKGROUND AND ANALYSIS:
The applicant, Petroglyph Real Estate Development, LLC, through their agent, AMC Development, requests approval of an amendment to the Petroglyph Medical Plaza Master Plan to raise the height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A.

The subject property is zoned SU: Special Use for C-1 Commercial Uses for a Commercial-Office Development as described in the Petroglyph Medical Plaza Master Plan, per Ordinance No. 51, Enactment 09-48. The Petroglyph Medical Plaza Master Plan sets forth specific design guidelines regarding parking, signage, lighting, and general architectural requirements. A letter is required from the Petroglyph Architectural Control Committee (ACC), which reviews and determines approval of the project while considering these guidelines.

This item was heard by the Planning and Zoning Board at their meeting on February 28, 2023. The motion to recommend approval passed by a vote of 6-0.

REVIEW CRITERIA:
The City's Comprehensive Plan states that "the City will rely on the development of Specific Area Plans and Master Plans for identifying a specific Land Use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to guide Land Use decision making by the Governing Body." As mentioned above, this subject property is within the Petroglyph Medical Plaza Master Plan. According to the Proposed Building Pad Plan of this plan, the property is located on Pad 6. The vision for Building Pads 1 through 6 is to situate retail, restaurant, gasoline fueling station and convenience store, grocery store, hotel and other retail uses along Unser Blvd. and Westside Blvd. The height limitation set forth in the Petroglyph Medical Plaza Master Plan is as follows: Two Stories Height Limitation in Building Pads 1-6, (which shall in all cases not exceed 32 feet as measured from finished grade to the top of the parapet) and a Four-Story Height Limitation for Building Pad 7 (which shall in all cases not exceed 60 feet as measured from the finished grade to the top of the parapet). The lot directly to the west of the subject property is located within Building Pad 7. The applicant has requested to combine the two lots through a Summary Plat process. This may result in confusion of the height limitation of the newly combined lot because each of their respective Building Pads indicate different height limits.

A justification letter provided by the applicant states, "We are working with a Buyer who is interested in purchasing Lots 6-A-1-A and 7-A-1 in the Petroglyph Medical Plaza. The Buyer has requested that we combine the two lots into one by eliminating the common lot line (see Exhibit 'C'). The re-

platting will be handled as an administrative action through Development Services. Any relocation or elimination of internal easements will have to be delt with subsequently by the Buyer and his Site Development Plan." It later continues, "In the future, there may be some confusion as to what is the permitted building height on the new combined lot, or the two separate lots if they remain uncombined. As a result, we are requesting that the Petroglyph Medical Plaza Master Plan be amended to allow the current Four-Story (not to exceed 60 feet) to apply to both Lot 7-A-1 and 6-A1-A or the subsequent surveyors number as created on the replat."

In Chapter 5, Land Use Element, Goal L-2 seeks to "Encourage consolidation of lots to promote a variety of land uses in a planned manner." This application would be an action in meeting this policy and avoiding confusion as to the height limitation once the lots are combined. The Planning and Zoning Board recommends the Governing Body find this criteria as satisfied.

This property is also located within the Unit 10 Specific Area Plan and the Unser Gateway West Vicinity Plan. The purpose of the Unit 10 Area Plan is to guide and manage the physical development within the area by outlining a generalized land use plan, identifying access management strategies and listing implementation methods. The Unser Gateway West Vicinity Plan addresses specific issues such as architectural controls, design guidelines, and transportation access elements. These plans have been taken into consideration by staff and staff has determined that the request for an amendment to the height limitations set forth in the Petroglyph Medical Plaza Master Plan does not interfere with the goals and objectives of these plans.

SITE ANALYSIS AND SURROUNDING LAND USE:
This subject property is 1.99 acres, bounded by Rincon Rd SE and Harvey Way SE to the north, which are located off of Westside Blvd., a minor arterial. The property is bounded by adjacent parcels to the west, south, and east. The properties to the east and north are zoned SU per the same Ordinance as the subject property. The property to the south is zoned SU: Special Use for Limited C-1: Retail Commercial and the property to the west is zoned MU-A: Mixed Use Activity Center.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided in this document
DSD Engineering	X	No adverse comments
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	No adverse comments
Police Department	X	No comments provided
SSCAFCA	X	No comments provided
MRCOG	X	No comments provided
Parks, Recreation and Community Services	X	No comments provided

NOTIFICATIONS: Property owners within Petroglyph Medical Plaza Master Plan and within 100 feet, excluding right-of-way, were notified by first class mail. A legal advertisement was placed in the February 22, 2023 edition of the Albuquerque Journal and a notice sign was posted to the property on February 21, 2023. All legal notification requirements have been met.

IMPACT:
The Development Services Department and the Planning and Zoning Board recommend that the

Governing Body approve the Master Plan Amendment with findings and conditions:

General Findings of Fact:
1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for an amendment to the Petroglyph Medical Plaza Master Plan.
2. The applicant has the authority to make an application to request an amendment to the Petroglyph Medical Plaza Master Plan.
3. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact for Approval:
1. The change height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A does not adversely affect the goals and objectives of the Petroglyph Medical Plaza Master Plan.
2. The future consolidation of lots and amendment to the height limitation so that the lots will have the same height limit will be consistent with the goals and policies from the Land Use Element of the Comprehensive Plan.

If the Governing Body does not find sufficient justification for amending the Master Plan then the following findings should be noted.

Specific Findings of Fact for Denial:
1. The change of height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A does not comply with the development goals and objectives of the Petroglyph Medical Plaza Master Plan.

ALTERNATIVES:

1. The Governing Body may approve the Resolution to amend the Petroglyph Medical Plaza Master Plan.
2. The Governing Body may deny the Resolution to amend the Petroglyph Medical Plaza Master Plan.
3. The Governing Body may modify and approve the modified request.
4. The Governing Body may postpone its decision to allow for additional review and consideration.

DEPARTMENT RECOMMENDATION:

Staff and the Planning and Zoning Board recommend approval of the Master Plan Amendment.

ATTACHMENT: Resolution
ATTACHMENT: Zoning Location
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: Reproduction of Notices GB
ATTACHMENT: Petroglyph Medical Plaza Master Plan
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AMENDING THE PETROGLYPH MEDICAL PLAZA MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; and

WHEREAS: the Governing Body of the City of Rio Rancho has adopted a Comprehensive Plan that addresses and provides for specific goals, policies, and actions; proposes land use throughout the City; provides for adoption of specific area plans for specific area within the City; and also provides for land use in master planned communities via master plans; and

WHEREAS: the Governing Body of the City of Rio Rancho has adopted a Comprehensive Plan that addresses land use in master planned communities; and

WHEREAS: the Governing Body of the City of Rio Rancho approved the Petroglyph Medical Plaza Master Plan on November 18, 2009 with Resolution No. 127 Enactment No. 09-124, which was amended on March 27, 2013; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Petroglyph Medical Plaza Master Plan at their meeting held on February 28, 2023, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendments (Case No. 23-410-00001) to the Petroglyph Medical Plaza Master Plan at their meeting held on March 9, 2023, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. The Governing Body hereby approves and adopts the amendments and modifications to the Petroglyph Medical Plaza Master Plan as detailed in Exhibit A, attached to this resolution.

Section 2. Effective Date:
This Resolution shall take effect immediately upon adoption.

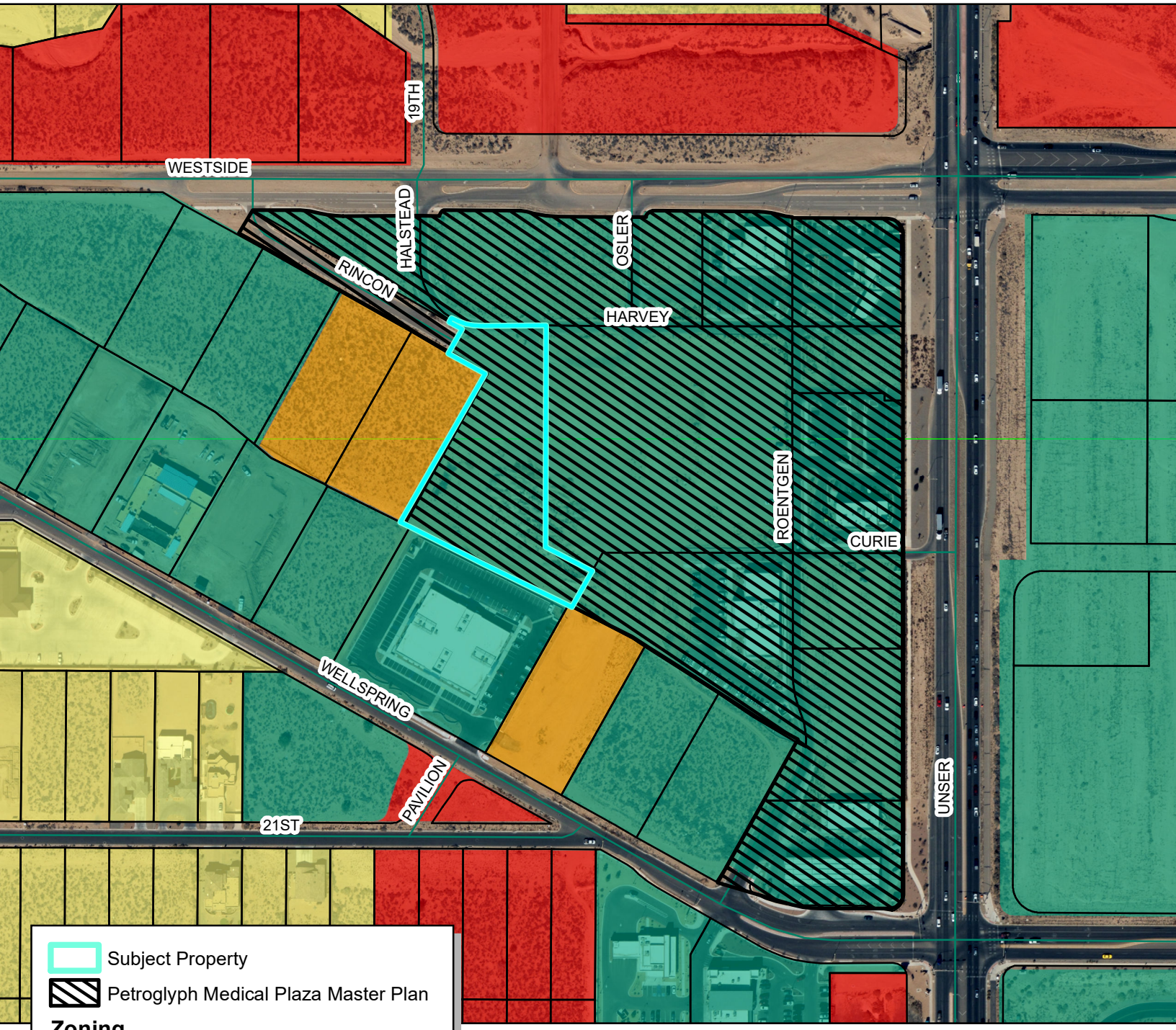
ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

PETROGLYPH MEDICAL PLAZA MASTER PLAN AMENDMENT



- Subject Property
- Petroglyph Medical Plaza Master Plan

Zoning

- C-1
- MU-A
- R-1
- SU

GIS
Moving Spatial Data Forward

N
W E
S

RioRancho
City of Vision

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

0 225 450 900
Feet

Map created by: Michelle Costilla 2/8/2023

6 PAGES TOTAL

Rio Rancho
City of Vision

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box (Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☒ Master Plan Amendment	☐ Vacation of Plat	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Petroglyph Real Estate Development, LLC — Phone: 505-362-3298
Address: 8220 Constition Place NE Ste 101 — E-Mail: Sam.Brandt@xray NM.com
City: Albuquerque — State: NM — Zip: 87110
Proprietary Interest: — List Owners: Various Doctors
Deed or Ownership Verification Provided: (Initials) — Letter of Authorization Provided: (Initials)

Agent Name: Jeffrey Jesionowski — Phone: 505-259-0991
Address: 9751 Carmel Ave. NE — E-Mail: jeff@AMCdevelopment.NET
City: Albuquerque — State: NM — ZIP Code: 87122

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Change Height Limitation on Lot 6-A-1-A in the Petroglyph Master Plan to be consistant w/ Adjacent Contiguous Lot 7-A-1

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: Petroglyph Medical Plaza — Block(s): A — Lot(s): 7-A-1 + 6-A-1-A
Existing Zoning: OS — Proposed Zoning: No Change
No. of existing lots: 10 — No. of proposed lots: 10 — Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Mark Deppe, Managing Partner — Applicant: Petroglyph Real Estate Development
Signature: — Date: 1/30/23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
23-410-00001		

APPLICATION ACCEPTED BY: Michelle Costilla — DATE: 1/31/23

Form revised June 2014

Thursday February 16, 2023

Mark Depper, MD
Petroglyph Real Estate Development LLC
8020 Constitution Place NE
Albuquerque, NM 87110

Michelle Costilla
City of Rio Rancho Planning Department
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: Letter of Authorization

To whom it may concern;

I Mark Depper, MD, Manager Member of Petroglyph Real Estate Development, LLC, do hereby give Jeffrey Jesionowski of AMC Development authorization to represent us as an agent in the matter of an amendment to the Petroglyph Master Plan that is being presented to the City of Rio Rancho.

Your sincerely,



Mark Depper, MD, Managing Member

Petroglyph Medical Plaza – Master Plan Amendment

Petroglyph Medical Plaza (PMP) consists of 18.0372 acres and was originally platted into 7 commercial lots in 2011 **(see Exhibit "A")**. At that time, a Master Plan was also approved by the City of Rio Rancho. To date 4 ½ of the 7 original lots have been sold with Lots 1 , 2, portion of Lot 3, a portion of Lot 6 and Lot 7 remain to be developed. Lot 6 is irregularly shaped and located in the rear of the project. In 2015, lot 6 was subdivided into two parcels 1.2711 acres labeled as Lot 6-B and Lot 6-A consisting of 2.6368 acres. Then in 2019, Lot 6-A was subdivided into 2 parcels, Lot 6-A-1-B consisting of .68 acres and Lot 6-A-1-A consisting of 1.985 acres **(see Exhibit "B")** . Lot 6-A-1-B was sold to New Mexico Orthopedics leaving Lot 6-A-1-A as undeveloped. Lot 6-A-1-A is located at the very rear of the PMP, irregularly shaped with limited access.

We are working with a Buyer who is interested in purchasing Lots 6-A-1-A and 7-A-1 in the Petroglyph Medical Plaza. The Buyer has requested that we combine the two lots into one by eliminating the common lot line **(see Exhibit "C")**. The re-platting will be handled as an administrative action through Development Services. Any relocation or elimination of Internal easements will have to delt with subsequently by the Buyer and his Site Development Plan.

Below is an excerpt for the PMP Master Plan Petroglyph Medical Plaza Master Plan regarding building height that applies to the two lots referenced above:

Page 8, Section 3.II.(E) Height. Two Stories Height Limitation in Building Pads 1-6, (which shall in all cases not exceed 32 feet as measured from finished grade to the top of the parapet) and a Four Story Height Limitation for Building Pad 7 (which shall in all cases not exceed 60 feet as measured from the finished grade to the top of the parapet).

In the future, there may be some confusion as to what is the permitted building height on the new combined lot, or the two separate lots if they remain uncombined. As a result, **we are requesting that the Petroglyph Medical Plaza Master Plan be amended to allow the current Four Story (not to exceed 60 feet) to apply to both Lot 7-A-1 and 6-A-1-A** or the subsequent surveyor s number as created on the replat.

Exhibit "A"

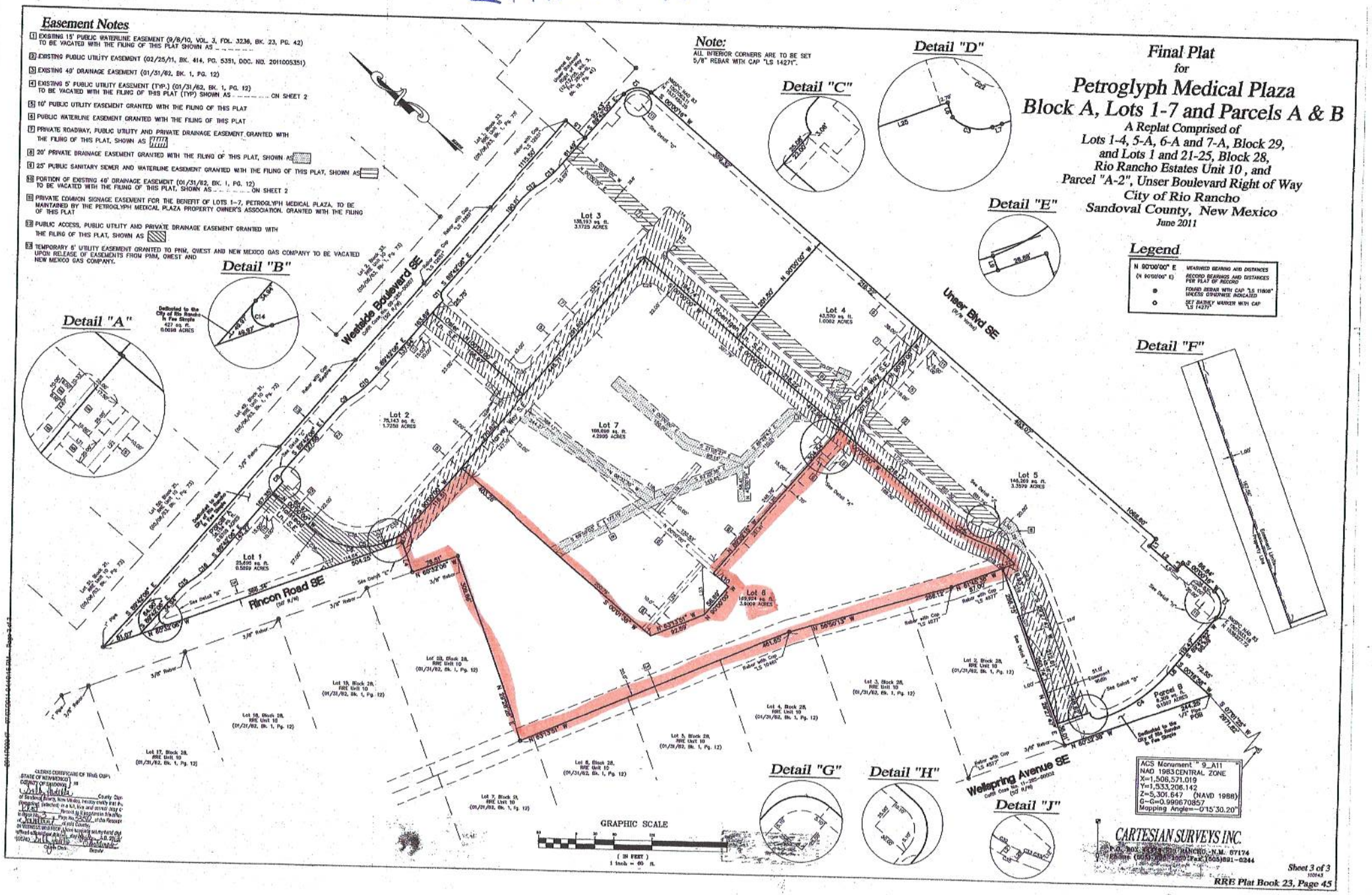
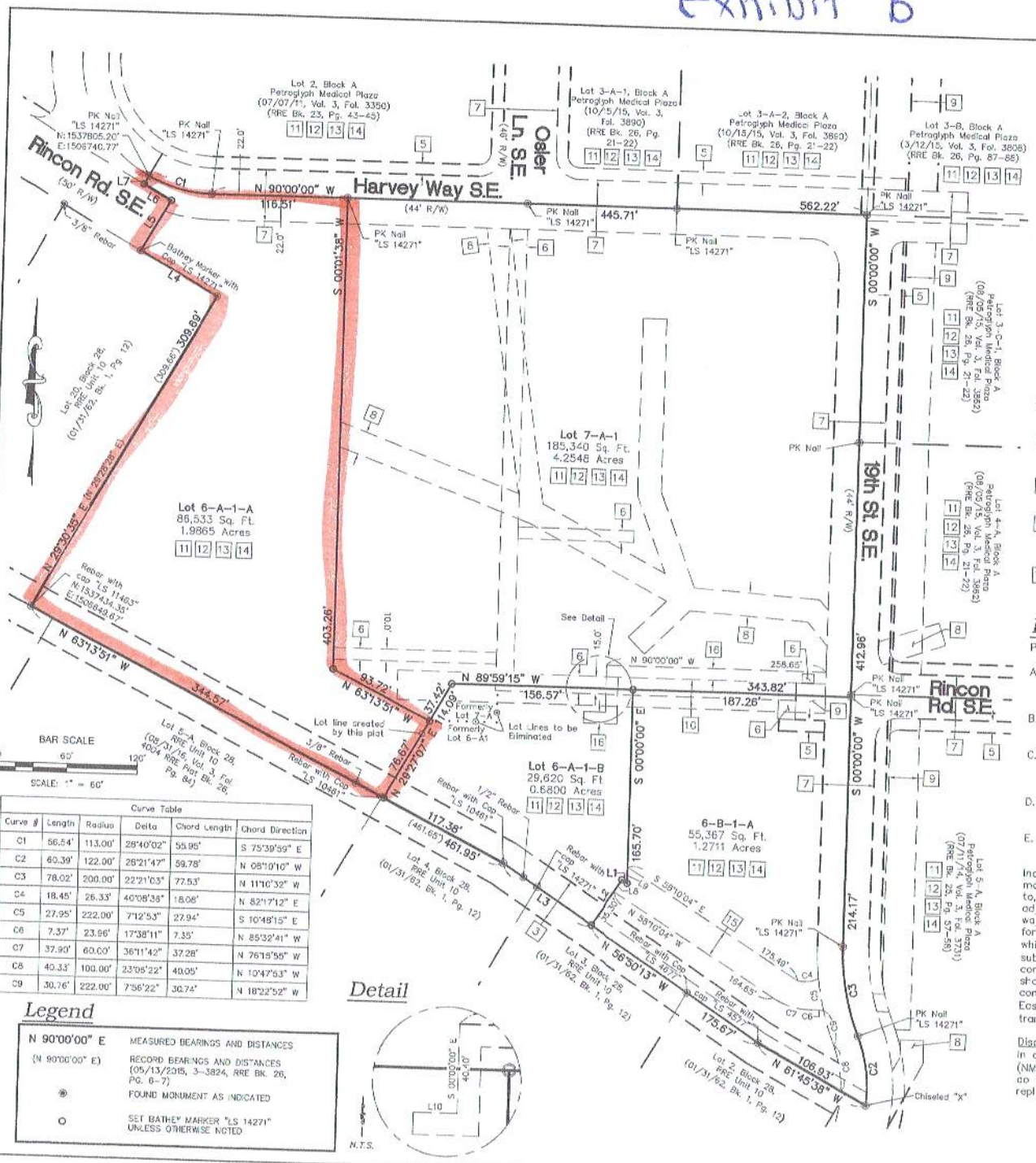

Easement Notes
[1] EXISTING 15' PUBLIC WATERLINE EASEMENT (9/8/10, VOL. 3, FOL. 3236, BK. 23, PG. 42) TO BE VACATED WITH THE FILING OF THIS PLAT SHOWN AS
[2] EXISTING PUBLIC UTILITY EASEMENT (02/25/11, BK. 414, PG. 5351, DOC. NO. 2011005351)
[3] EXISTING 40' DRAINAGE EASEMENT (01/31/82, BK. 1, PG. 12)
[4] EXISTING 5' PUBLIC UTILITY EASEMENT (TYP.) (01/31/82, BK. 1, PG. 12) TO BE VACATED WITH THE FILING OF THIS PLAT (TYP) SHOWN AS ..... ON SHEET 2
[5] 10' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT
[6] PUBLIC WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT
[7] PRIVATE ROADWAY, PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT GRANTED WITH THE FILING OF THIS PLAT, SHOWN AS
[8] 20' PRIVATE DRAINAGE EASEMENT GRANTED WITH THE FILING OF THIS PLAT, SHOWN AS
[9] 25' PUBLIC SANITARY SEWER AND WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT, SHOWN AS
[10] PORTION OF EXISTING 40' DRAINAGE EASEMENT (01/31/82, BK. 1, PG. 12) TO BE VACATED WITH THE FILING OF THIS PLAT, SHOWN AS ..... ON SHEET 2
[11] PRIVATE COMMON SIGNAGE EASEMENT FOR THE BENEFIT OF LOTS 1-7, PETROGLYPH MEDICAL PLAZA, TO BE MAINTAINED BY THE PETROGLYPH MEDICAL PLAZA PROPERTY OWNER'S ASSOCIATION. GRANTED WITH THE FILING OF THIS PLAT
[12] PUBLIC ACCESS, PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT GRANTED WITH THE FILING OF THIS PLAT, SHOWN AS
[13] TEMPORARY 6' UTILITY EASEMENT GRANTED TO PNM, QWEST AND NEW MEXICO GAS COMPANY TO BE VACATED UPON RELEASE OF EASEMENTS FROM PNM, QWEST AND NEW MEXICO GAS COMPANY.
Note:
ALL INTERIOR CORNERS ARE TO BE SET 5/8" REBAR WITH CAP "LS 14271".
Final Plat
for
Petroglyph Medical Plaza
Block A, Lots 1-7 and Parcels A & B
A Replat Comprised of
Lots 1-4, 5-A, 6-A and 7-A, Block 29,
and Lots 1 and 21-25, Block 28,
Rio Rancho Estates Unit 10, and
Parcel "A-2", Unser Boulevard Right of Way
City of Rio Rancho
Sandoval County, New Mexico
June 2011
Legend
Detail "A"
Detail "B"
Detail "C"
Detail "D"
Detail "E"
Detail "F"
Detail "G"
Detail "H"
Detail "J"
Westside Boulevard SE
Unser Blvd SE
Rincon Road SE
Wellspring Avenue SE
Lot 1
Lot 2
Lot 3
Lot 4
Lot 5
Lot 6
Lot 7
Parcel B
GRAPHIC SCALE
1 inch = 60 ft.
ACS Monument "9_A11"
NAD 1983 CENTRAL ZONE
X=1,506,571.019
Y=1,533,206.142
Z=5,301.647 (NAVD 1988)
G-G=0.999670857
Mapping Angle=-0°15'30.20"
CARTESIAN SURVEYS INC.
Sheet 3 of 3
RRE Plat Book 23, Page 45

Exhibit "B"



Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	56.54'	113.00'	28°40'02"	55.95'	S 75°39'59" E
C2	60.39'	122.00'	28°21'47"	59.78'	N 05°10'10" W
C3	78.02'	200.00'	22°21'03"	77.53'	N 11°16'32" W
C4	18.45'	26.33'	40°08'38"	18.06'	N 82°17'12" E
C5	27.95'	222.00'	7°12'53"	27.94'	S 10°48'15" E
C6	7.37'	23.96'	17°38'11"	7.35'	N 85°32'41" W
C7	37.90'	60.00'	36°11'42"	37.28'	N 76°15'55" W
C8	40.33'	100.00'	23°05'22"	40.05'	N 10°47'53" W
C9	30.76'	222.00'	7°56'22"	30.74'	N 18°22'52" W

Line Table		
Line #	Direction	Length (ft)
L1	N 58°10'14" W	5.25'
L2	S 33°09'36" W	47.57'
L3	N 56°50'13" W	92.44'
L4	N 60°33'10" W	76.40'
L5	N 29°27'54" E	50.00'
L6	N 60°32'06" W	26.85'
L7	N 29°06'51" E	8.08'
L8	N 33°09'36" E	12.27'
L9	N 90°00'00" E	13.81'
L10	N 90°00'00" W	20.00'

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES (05/13/2015, 3-3824, RRE BK. 26, PG. 6-7)
◉	FOUND MONUMENT AS INDICATED
○	SET BATHEY MARKER "LS 14271" UNLESS OTHERWISE NOTED

Detail

Summary Plat for Lots 6-A-1-A, 6-A-1-B, 6-B-1-A and 7-A-1, Block A Petroglyph Medical Plaza

Being Comprised of

Lots 6-A-1, 6-B-1 and 7-A, Block A Petroglyph Medical Plaza

City of Rio Rancho

Sandoval County, New Mexico

June 2019

Easement Notes

3 EXISTING 40' DRAINAGE EASEMENT (01/31/1962, BK. 1, PG. 12)

5 EXISTING 10' P.U.E. (07/07/2011, BK. 3, PG. 3350)

6 EXISTING PUBLIC WATERLINE EASEMENT (07/07/2011, BK. 3, PG. 3350)

7 EXISTING PRIVATE ROADWAY, PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT-WIDTH VARIES (07/07/2011, BK. 3, PG. 3350)

8 EXISTING 20' PRIVATE DRAINAGE EASEMENT (07/07/2011, BK. 3, PG. 3350)

9 EXISTING 25' PUBLIC SANITARY SEWER AND WATERLINE EASEMENT (07/07/2011, BK. 3, PG. 3350)

10 EXISTING 25' PUBLIC SANITARY SEWER AND WATERLINE EASEMENT (05/13/2015, BK. 3, PG. 3824)

Easement Notes (cont'd)

11 EXISTING PERPETUAL EXCLUSIVE EASEMENT FOR INGRESS/EGRESS AND PARKING (07/02/2014, DOC. NO. 2014013554)

12 EXISTING PERPETUAL NON-EXCLUSIVE STORM DRAINAGE EASEMENT (07/02/2014, DOC. NO. 2014013554)

13 EXISTING NON-EXCLUSIVE EASEMENT FOR THE INSTALLATION, MAINTENANCE OPERATION AND SERVICING OF ANY IMPROVEMENTS LOCATED IN THE COMMON MAINTENANCE AREAS (07/02/2014, DOC. NO. 2014013554)

14 EXISTING NON-EXCLUSIVE EASEMENT FOR THE INSTALLATION, MAINTENANCE OPERATION & SERVICING OF INTERNAL STREET LIGHTS (07/02/2014, DOC. NO. 2014013554)

15 24' ACCESS EASEMENT FOR THE BENEFIT OF LOT 6-A-1-B TO BE MAINTAINED BY THE OWNERS OF LOT 6-A-1-B AND 6-B-1-A GRANTED WITH THE FILING OF THIS PLAT.

16 10' P.U.E. GRANTED WITH THE FILING OF THIS PLAT

Public Utility Easements

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.

B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.

C. Qwest Corporation d/b/a Century link QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Cable One for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

E. City of Rio Rancho Utilities (water and sanitary sewer) for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

Disclaimer

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CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174

Phone (505) 896-3050 Fax (505) 891-0244

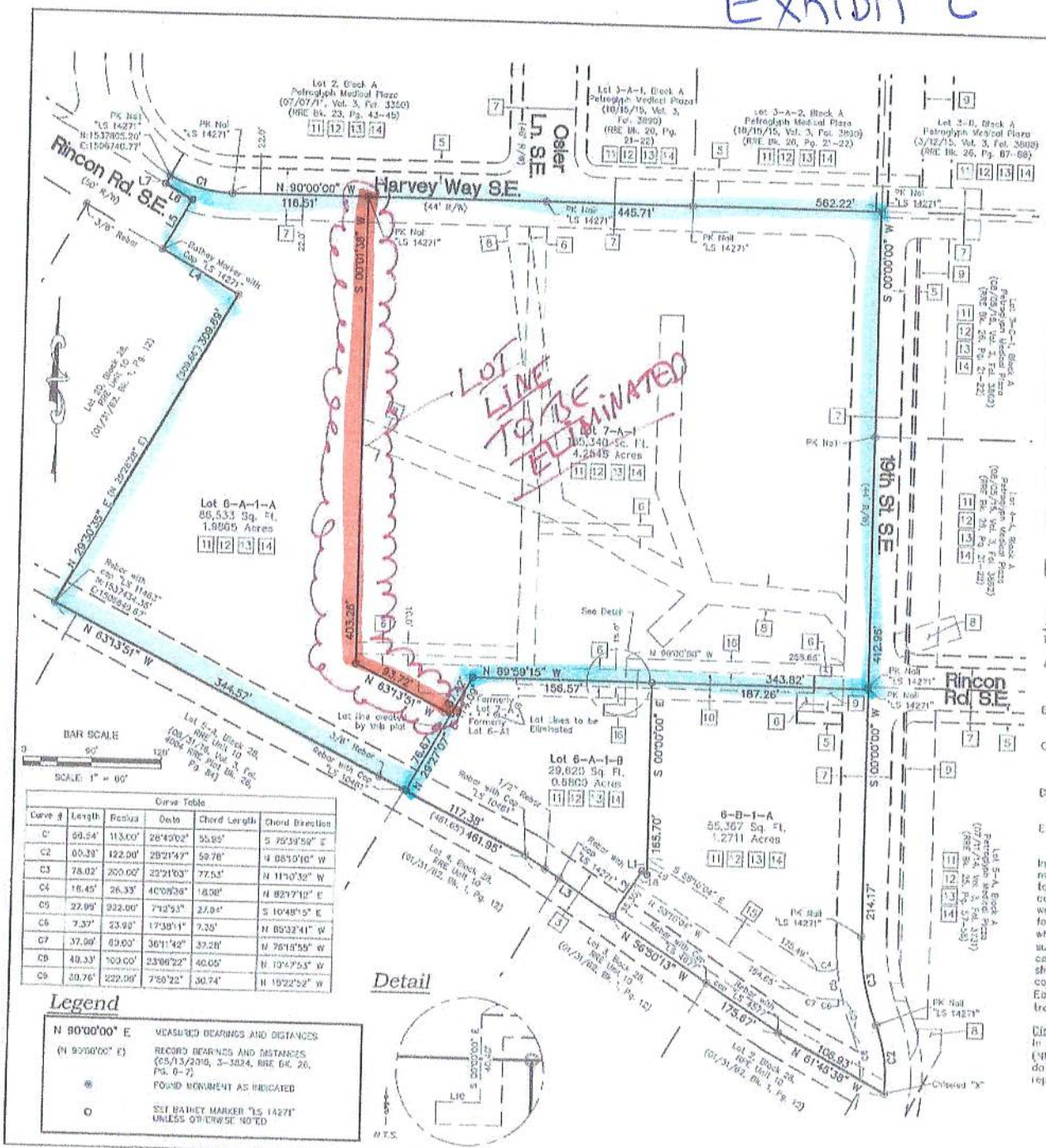
wplotnerjr@gmail.com

Exhibit "C"

Summary Plat for Lots 6-A-1-A, 6-A-1-B, 6-B-1-A and 7-A-1, Block A Petroglyph Medical Plaza

Being Comprised of Lots 6-A-1, 6-B-1 and 7-A, Block A Petroglyph Medical Plaza

City of Rio Rancho
Sandoval County, New Mexico
June 2019



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CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505) 891-0244
wplotnerjr@gmail.com

Sheet 2 of 2
190829
RRE Plat Book 29, Page 6

II. Pad 7 (See Exhibit D for Building Pads):

Permissive Uses:

(1) Stores for the sale of retail goods and products;
(2) Restaurants and bars
(3) Hospitals
(4) Medical Office Buildings
(5) Office (all the permissive uses in the O-1 zone)
(6) Research and development office;
(7) Public facilities;
(8) Nursing homes and similar institutions;
(9) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material not to exceed five months.
(10) Drive-in or drive-up window restaurants, and/or convenience stores
(11) Pharmacy and Drug Store
(12) Gift Shop
(13) Restaurants situated within office buildings or within medical office buildings
(14) Museum

(D) Lot Area Requirements within Pad 1-7: Minimum 1/4 acre

(E) Height. Two Stories Height Limitation in Building Pads 1-6, (which shall in all cases not exceed 32 feet as measured from finished grade to the top of the parapet) and a Four Story Height Limitation for Building Pad 7 (which shall in all cases not exceed 60 feet as measured from the finished grade to the top of the parapet).

(F) Building Setback. Ten-foot minimum setback from internal roadways and Unser Blvd. and Westside Blvd. If any structure is adjacent to residential zoned property then the front, rear, and side setback adjacent to the residential property shall be equal to those in the residential zone.

(G) Off-street parking. Off-street parking shall be permitted in Building Pads 1-7, provided it is approved as part of a Site Development Plan, and the policies of the off street parking shall be guided by the regulations set forth in § 154.20.

(H) Landscaping. Appropriate landscaping shall be provided for visual relief along the frontage of the parcels in Building Pads 1 through 7, provided that no less than 10% of the lot shall be landscaped or open space. Landscape Buffers shall be provided for any lots adjacent to residential development. The Landscape Buffer shall be 10 feet in width, with a six foot wall and include hedges or trees that visually reduce the impact of situating structures adjacent to the residential uses. The City staff shall approve required landscape buffer elements as part of the site development plan review, for any structures located within the Master Plan Area.

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

February 10, 2023

RE: Master Plan Amendment
Case No. 23-410-00001 (Petroglyph Medical Plaza, Block A, Lot 6A1A)

Dear Property Owner:

You are receiving this certified notice because your property is within 100 feet a site where a land development decision is required by the Planning & Zoning Board and the Governing Body.

The applicant, Petroglyph Real Estate Development, LLC, through their agent, AMC Development, requests approval of an amendment to the Petroglyph Medical Plaza Master Plan to raise the height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A.

The **Planning & Zoning Board** will consider the request and decide their recommendation on **Tuesday, February 28, 2022** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

The **Governing Body** will consider the request and have the final approval on **Thursday, March 9, 2023** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

On the back of this letter is a location map of the project, with the subject property identified a light blue outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board and Governing Body. These meetings will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

For the **Planning & Zoning meeting**, to participate virtually: Join via computer:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09.
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

For the **Governing Body meeting**, to participate virtually: Join via computer:
https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09
Meeting ID: 853 0235 3741 Passcode: 789419 Join via phone: 1-346-248-7799 US

Please contact me via e-mail me at mcostilla@rrnm.gov or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

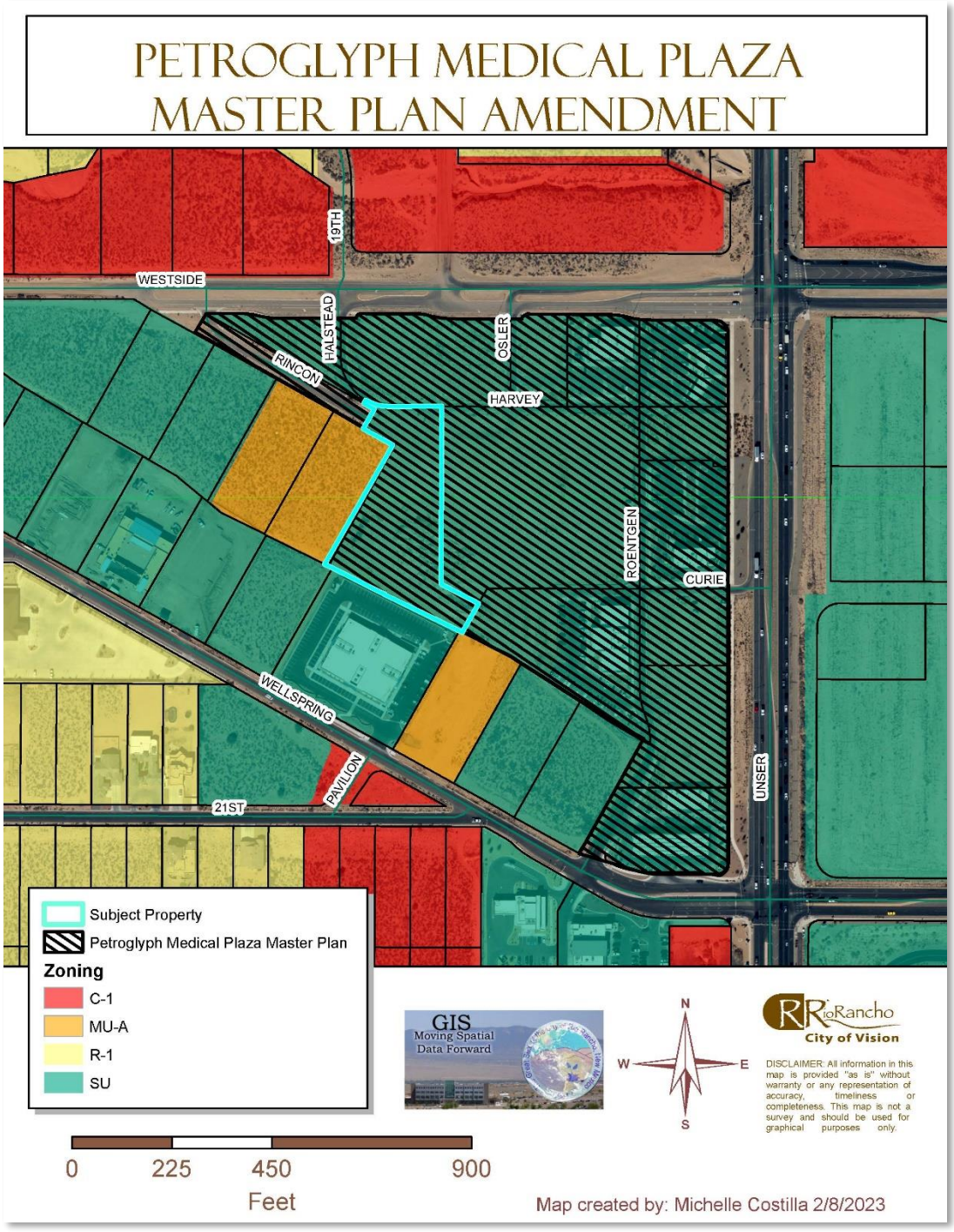
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

Respectfully,

Michelle Costilla
Municipal Planner I
Development Services Department
City of Rio Rancho



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CITY OF RIO RANCHO
ATTN: ACCOUNTS PAYABLE
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RIO RANCHO, NM 871444501 USA

Ordered By	Sharon Bitah	**Customer Phone**	5058915005	**Joint Ad #**
Customer EMail		**PO Number**	230019	
Ad Cost	$78.92	**Sales Rep**	wschult	
Tax Amount	$6.12	**Order Taker**	wschult	
Total Amount	$85.04	**Payment Method**	Credit Card	
Amount Due	$85.04	**Payment Amount**	$0.00	

Affidavits 0

Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001565065-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEGOVERNINGBODYOFTH ECITYOFRIORANCHONMWILLCONSI DERTHEFOLLOWINGMATTERATITSR EGULARLYSCHEDULEDMEETI
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Run Date
02/22/2023
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WYSIWYG Content

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY OF RIO RANCHO, NM, will consider the following matter at its regularly scheduled meeting on Thursday, March 9, 2023 at 6:00 pm:

Site Plan
Case #23-160-00002
The applicant, TDO Partners, through their agent, Myers, McCready & Myers, P.C, is requesting approval of a site plan for a 4-plex building development, at the property located at 2828 Hedingham Ave NE, legally described as Unit 13, Block 46, Tract A.

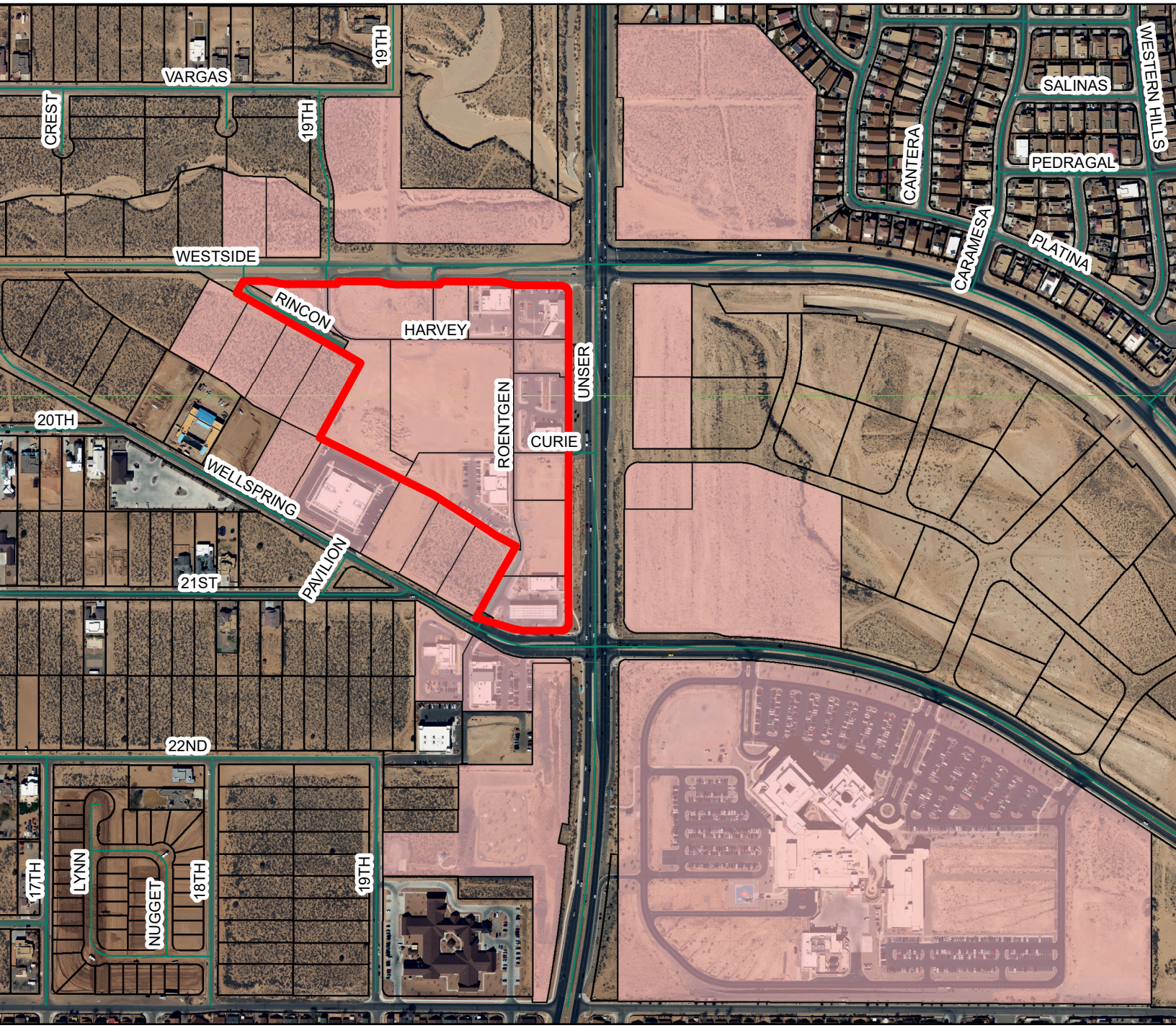
Master Plan Amendment
Case #23-410-00001
The applicant, Petroglyph Real Estate Development, LLC, through their agent, AMC Development, is requesting approval of an amendment to the Petroglyph Medical Plaza Master Plan to raise the height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning @rrnm.gov Written comments will be inserted into the public record.

Journal: February 22, 2023

PETROGLYPH MEDICAL PLAZA MASTER PLAN AMENDMENT



Petroglyph Medical Plaza Master Plan

Notified Properties

GIS
Moving Spatial Data Forward

N
W
E
S

RioRancho
City of Vision

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

0 445 890 1,780

Feet

Map created by: Michelle Costilla 2/8/2023

PETROGLYPH MEDICAL PLAZA

MASTER PLAN & AMENDMENT TO THE UNSER GATEWAY VICINITY PLAN

(REVISED AMENDMENT – JANUARY 2013)
AS GUIDED BY THE
"VISION 2020 INTEGRATED COMPREHENSIVE PLAN"

LANDOWNER:
PETROGLYPH REAL ESTATE DEVELOPMENT, L.L.C.

DEVELOPER:
AMC DEVELOPMENT

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1. INTRODUCTION AND HISTORY

In August 2001, the City of Rio Rancho adopted an Integrated Comprehensive Plan (ICP) designed to be the guiding document for the City in its continuing development through the horizon year of 2020. Subsequently, the following applications have occurred in the area that has an influence over the Petroglyph Medical Plaza Master Plan application:

- VASA Ranch LLC requested approximately 3.8 acres fronting on 20th Street (now Unser Blvd.) as a rezone from R-1 to SU/C-1 with design guidelines.

- The properties of Tom and Rose Willoughby requested a zone map amendment from R-1 to SU/C-1 zoning for approximately 6.1 acres. This application "joined" with that of VASA and other abutting property owners to comprise the Unser Gateway West Vicinity Plan, consisting of 31+ acres.

- In 2005, Mr. Franz Springer requested and received approval for a zone change from R-1 to C1 for approximately 7.6 acres located at 19th Avenue SE and Unser Boulevard.

- In 2008, Petroglyph Real Estate Development, LLC acquired property from the Springer Four, LLC thereby assembling the property in the master plan subject area.

- In 2008, the Presbyterian Healthcare Services ("PHS") purchased the tract of land across the street from Unser Blvd. PHS is grading and performing infrastructure improvements in anticipation of constructing a regional medical facility in 2010/2011.

- In 2009, the landowner of the southeast corner of Unser Blvd. and Westside Boulevard submitted a TIDD application in reliance on constructing a "lifestyle" center retail outdoor shopping center.

- On November 9, 2010 this Original Master Plan was submitted to the City of Rio Rancho and approved by the Governing Body.

- Because of changes in building sizes, locations and adjustments to project entry points, this Amendment dated December 16, 2010 is being submitted to the City of Rio Rancho for consideration and approval.

- On December 16, 2010 this Original Master Plan was amended and submitted to the City of Rio Rancho and approved by the Governing Body.

- On August 22, 2012 The properties to the west and south of Petroglyph Plaza were granted a rezone from R-1 and MU-A to SU for "Limited C-1/Retail Commercial", eliminating the adjacent residential zoning.

- Because of the elimination of the adjacent residential zoning and for clarification of inconsistent design standards, this Amendment dated _____, 2013 is being submitted to the City of Rio Rancho for consideration and approval.

PROJECT VISION:

The Petroglyph Medical Plaza will consist of an 18 acre (+/-) commercial development located in the gateway of Rio Rancho (on the southwest corner of Unser and 19th Avenue SE). The project centerpiece (Situated in Building Pad 7) is a planned 60,000+ square feet medical office building that will be home to an Urgent Care, X Ray Associates of New Mexico Imaging Center, and additional health care professionals. The balance of the 18+ acre campus will include commercial opportunities for the surrounding community in the form of six super pads (see Exhibit D) with potential end users ranging from hotels to gas stations to restaurants.

The Petroglyph Medical Plaza has also planned for the relocation of the storm drain pond for the Special Assessment District 7A ("SAD 7A") to the south of Ronda Road and adjacent to Unser Road, where it will become a joint use facility allowing for adequate storm water discharge as well as a regional park and related equipment. The extensive infrastructure and park improvements have given rise to the Applicant submitting a GRIP application to aid in the reimbursement of these community-wide facilities. The park will impact the existing Unser Gateway Vicinity Plan by moving the SAD 7A storm pond facility from its previously planned location into an area where it can act as a community wide solution to the storm water collection and provide recreational opportunities. The joint use pond and park details are currently being developed.

ICP PLAN GOALS: Public testimony and active involvement with the City of Rancho has transpired during the Integrated Comprehensive Plan review process and with economic development forums. Those activities have suggested that the City of Rancho must expand their opportunities for Gross Receipts Tax Revenue with quality commercial, higher density residential and mixed use opportunities that will enhance the City's sustainability. Accordingly, this Master Plan is proposing to develop a commercial center to include medical office facilities, and various retail and commercial sites to enhance Rio Rancho's sustainability and to visually enhance the gateway of Rio Rancho.

MASTER PLAN COMPLIES WITH ICP PLAN: The Master Plan Application is consistent with the adopted elements of the Comprehensive Plan by "*promoting development of high-density, mixed use activity centers*" at the development node forming at the corner of 19th Avenue SE and Unser Blvd. The medical office buildings and retail/commercial pads will provide for a nice mix of uses and at densities that will support the kind of responsible urban development clearly articulated in the City of Rio Rancho Comprehensive Plan.

Consistent with Page 5.1.5 of the Comprehensive Plan, the Master Plan Application will "*Promote infill and limit strip commercial and sprawling disjointed development*," by creating one development entity that mandates via the CCR's a visually cohesive collection of buildings. The master plan application is attempting to avoid a "disjointed" development that typically results in side by side "strip centers." We believe the Petroglyph Medical Plaza is exactly the kind of project that the City of Rio Rancho is seeking and it is certainly congruent with the policies of the Comprehensive Plan.

The Master Plan application is consistent with the safety, morals and general welfare of the City for the following reasons: (1) **Park**. The construction of a community park supports the health and welfare of the City of Rio Rancho by providing citizens of all ages an opportunity to recreate at a local park, play soccer games, jog or walk the park, and overall promote exercise and community activities (2) **Job Creation**. The Petroglyph Medical Plaza will create a number of jobs in the construction, engineering, architectural and consulting industries to implement the project. (3) **Rio Rancho Medical and Retail Services.** The Petroglyph Medical Plaza will provide the residents of Rio Rancho accessibility to an urgent care, X Ray Assoc. of NM imaging services, health care professionals, and local retail for restaurants, banks, and shop space. This will benefit the environment by reducing the miles traveled by Rio Rancho citizens for services and provide Gross Receipts Tax and Property Tax increases that will benefit Sandoval County and the City of Rio Rancho.

ZONING AND MASTER PLAN PROCESS: Upon approval of the Master Plan Application and Zone Map Amendment presented by Petroglyph Real Estate Development, LLC together with necessary attachments and addenda, the next process for project approval would be the GRIP application. The final step would be specific site development plan applications which must follow the zoning code amendment and this approved Amended Master Plan. The requested zoning will be for Special Use Zoning (SU) with Commercial Uses (C-1) and this will accompany a future site development plan application. After that time, future site specific development plans can be approved administratively by the Planning Director if they reasonably comply with the Master Plan (See Planning Director Flexibility Provision Below)

2. SITE LOCATION AND PHYSICAL CONDITIONS

The Building Pad AS-100 plan of this Master Plan (see Exhibit D) is legally described as:

Legal Description of Master Plan Amendment
Lots 1-4, Lot 5-A, 6-A and 7, Block 29, Lot 1 and Lots 21-25, Block 28, Rio Rancho Estates, Unit 10, and the North Portion of Parcel A, Plat of Unser Blvd. R/W.

Off-site pond/recreational field
Lots 6-7 and 11-14, Block 82, Rio Rancho Estates, Unit 10, and the South Portion of Parcel A, Plat of Unser Blvd. R/W.

The Petroglyph Medical Plaza master plan is approximately 18 acres located primarily on the southwest corner of Unser Blvd. and 19th Avenue SE. Since the property is highly visible, these areas should comply with the provisions of the ICP and prior studies for an attractive, well balanced land use mix together with design guidelines that can accomplish non-residential growth to the advantage of the City of Rio Rancho.

3. INTEGRATED COMPREHENSIVE PLAN ELEMENTS & LAND USE

This is a Master Plan, however, where the property contained in this Master Plan overlaps with the currently adopted "**Unser West Gateway Plan"** this Master Plan will amend and supersede the Unser West Gateway Plan. The attached revised November 10, 2010 land use and building pad plans (See **Exhibit D**) will govern all of the proposed future site development plan applications within this Master Plan boundary.

Petroglyph Medical Plaza Master Plan and Establishment of an SU Zoning District:

The Petroglyph Medical Plaza Master Plan is being submitted pursuant to **154.14 SU: SPECIAL USE DISTRICT** of the Rio Rancho Zoning Code. Specifically, the zoning district being established (SU – C-1) is suitable for property which is special because of its potential effect on surrounding property in the Unser Blvd. and Westside Blvd. corridors. This special use zoning application is also appropriately used to:

(a) To restrict uses otherwise permitted in an underlying zoning district,

(b) To allow a combination of uses not otherwise permitted in an underlying district,

(c) To establish requirements or conditions that are unique to the property.

Also, as a benefit of the SU/C-1 Zone, it is the intention of the landowner and developer to form a Common Area Maintenance Association amongst the tenants for the maintenance of landscaping, internal private roads, parking areas, parking lot lighting, and other elements incorporated as amenities for the benefit of the occupants in the development.

Further, this Master Plan establishes permanent access easements and cross parking easements for all occupants of the development.

The Petroglyph Medical Plaza Permitted Land Uses for each of the Building Pads [an application for a change to SU zoning must state the proposed land use(s)]. It is anticipated that some of the super pads will be subdivided in future Site Development Plans:

I. Building Pads/Super Pads 1, 2, 3, 4, 5, 6, and 7 (See Exhibit D for Building Pads):

Permissive Uses:

(1) Stores for the sale of retail goods and products;

(2) Restaurants, bars, and lounges which exclude drive up liquor dispensing windows;

(3) Repair shops-electrical, radio, and television appliances, keys, and similar articles;

(4) Shops-dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;

(5) Banks, theaters, and office buildings;

(6) Churches and other places of worship, Sunday school buildings, and parish houses;

(7) Bakeries and confectioneries where goods are sold at retail prices;

(8) Parks, recreational parks, open spaces, and public utilities;

(9) Nursery schools and daycare facilities;

(10) Undertaking establishments;

(11) Club houses, buildings for fraternal organizations, nonprofit public service organizations;

(12) Medical complexes, professional offices associated with medical complexes, and veterinarians;

(13) Construction trailers for a period not to exceed 21 days before construction plus the entire period of construction up to 6 months and no more than 30 days after construction has finished, provided that the use of the trailer is for assisting in the security of the construction site and facilitating the delivery of construction material, and that no sales are conducted from the construction trailer either before or after the site development is completed.

(14) Photocopying and blueprinting;

(15) Public facilities;

(16) Nursing homes and similar institutions;

(17) Hospitals;

(18) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material provided they remain for no longer than five months.

(19) Drive-in or drive-up window restaurants, and/or convenience stores, provided drive up liquor dispensing windows are excluded at such establishments; bowling alleys and other indoor recreational uses. As per 154.09 C-1

(19) Residential uses within the structures; and

(20) Office Uses stated in the O-1 Zone

(21) Pharmacy and Drug Store

(22) Grocery Store

(23) Amusement enterprises:

(a) Indoor: Auditorium, billiard or pool hall, dance hall, theater, skating rink.

(24) Automotive dealerships and Gasoline services stations with adjoining convenience stores that sell alcohol for off premises consumption provided that:

(a) Lubricating, minor repairs, and associated activities are conducted within a completely enclosed building; or

(b) A solid masonry wall at least six feet high is erected between the activity and any abutting or contiguous residential zone.

(25) Hotel or Motel: provided Hotels and Motels are permissive in Building Pads #2 through 6.

II. Pad 7 (See Exhibit D for Building Pads):

Permissive Uses:

(1) Stores for the sale of retail goods and products;
(2) Restaurants and bars
(3) Hospitals
(4) Medical Office Buildings
(5) Office (all the permissive uses in the O-1 zone)
(6) Research and development office;
(7) Public facilities;
(8) Nursing homes and similar institutions;
(9) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material not to exceed five months.
(10) Drive-in or drive-up window restaurants, and/or convenience stores
(11) Pharmacy and Drug Store
(12) Gift Shop
(13) Restaurants situated within office buildings or within medical office buildings
(14) Museum

(D) Lot Area Requirements within Pad 1-7: Minimum 1/4 acre

(E) Height. Two Stories Height Limitation in Building Pads 1-6, (which shall in all cases not exceed 32 feet as measured from finished grade to the top of the parapet) and a Four Story Height Limitation for Building Pad 7 (which shall in all cases not exceed 60 feet as measured from the finished grade to the top of the parapet).

(F) Building Setback. Ten-foot minimum setback from internal roadways and Unser Blvd. and Westside Blvd. If any structure is adjacent to residential zoned property then the front, rear, and side setback adjacent to the residential property shall be equal to those in the residential zone.

(G) Off-street parking. Off-street parking shall be permitted in Building Pads 1-7, provided it is approved as part of a Site Development Plan, and the policies of the off street parking shall be guided by the regulations set forth in § 154.20.

(H) Landscaping. Appropriate landscaping shall be provided for visual relief along the frontage of the parcels in Building Pads 1 through 7, provided that no less than 10% of the lot shall be landscaped or open space. Landscape Buffers shall be provided for any lots adjacent to residential development. The Landscape Buffer shall be 10 feet in width, with a six foot wall and include hedges or trees that visually reduce the impact of situating structures adjacent to the residential uses. The City staff shall approve required landscape buffer elements as part of the site development plan review, for any structures located within the Master Plan Area.

Prohibited Uses within Building Pads 1 through 7:

(1) Adults-only bookstores, adults-only motion picture theaters, adult entertainment centers, massage parlors, and saunas.
(2) Self storage facilities
(3) Recycling collection centers
(4) Gun shops or shooting ranges
(5) Circuses or outdoor carnival activities
(6) Auto Dismantling Yard, or auto storage yard.
(7) Manufacture or storage of food products, including beverage blending or bottling, bakery products, candy manufacture, dairy products and ice cream, fruit and vegetable processing and canning, packing and processing of meat and poultry products, distilling of beverages, but not slaughtering of poultry or animals;
(8) Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics and printing and finishing of textiles and fibers into fabric goods;
(9) Manufacture of boxes, crates, furniture, baskets, veneer, and other wood products

Petroglyph Medical Plaza Master Plan and Future Site Plan Submittal:

The SU zoning designation established within this Petroglyph Medical Plaza Master Plan requires that a site plan be approved by the Governing Body. The Petroglyph Medical Plaza Master Plan does not include conceptual site plan. The official site development plan for Pad 7 is included as a separate Site Development Plan submittal. All other super pads will be submitted as Site Development Plans in the future, which is authorized by the Rio Rancho Zoning Code. Approval of the site plan must be obtained prior to any development of the property. The site plan at a minimum shall contain the following information:

(a) Scale and north arrow;
(b) Lot boundaries and easements;
(c) Existing and proposed utilities;
(d) Existing and proposed rights-of-way;
(e) Proposed structures with uses dimensions, and setbacks;
(f) Proposed ingress, egress, parking and circulation;
(g) Landscaping and landscape buffers;
(h) Elevations;
(i) Adjacent property characteristics;
(j) Preliminary drainage plan.

Petroglyph Medical Plaza Master Plan Establishes Flexibility with the Director of Development Services for Future Changes to an Approved Site Plan:

The Director of Development Services may approve minor changes to an approved Petroglyph Medical Plaza site plan if the change is consistent with the use and other written requirements and/or conditions of approval. Substantial changes to an approved Petroglyph Medical Plaza site plan must be approved by the Governing Body. Substantial changes are defined as square footage within building pads that exceed 10% of the

building pad changes in the Super Pad configuration or any change that will substantially aggrieve the city or immediately adjacent neighboring property owners.

Elements Considered With This Master Plan & Gateway Vicinity Plan:

- The site is scaled to the type of transportation situated on Unser Blvd. and 19th Avenue SE.

- The proposed activities (medical office, retail, commercial, restaurant, hotel, etc.) reflect the appropriate scale proximity to other zoning districts and affects on growth nodes in the area. For example, the employment and pedestrian traffic caused by the Presbyterian facility situated across from Unser Blvd. will be seeking the retail, lodging and medical office uses that this Master Plan contemplates.

- The building pad and land use plans attached to this Master Plan encourage pedestrian-friendly uses and bicycle connections running east and west along 19th Avenue SE.

- **Medical Office Building Vision for Building Pad #7**

A. General. The vision for the Building Pad #7 is the construction of a medical office building. The design and tenant mix is subject to change as tenants and owner/users needs are modified over the coming months.

- **Retail/Office Vision for Building Pads #1-6**

- **General:** The vision for Building Pads 1 through 6 is to situated retail, restaurant, gasoline fueling station and convenience store, grocery store, hotel and other retail uses along Unser Blvd. and West Side Blvd. These retail uses will provide great shopping opportunities for local residents and provide for "walkable" retail opportunities for the employees and patients being situated within Building Pad 7. The Vision for Building Pads 1 and 6 is to allow the flexibility of either retail/commercial build out or office facilities.

- **Circulation:** The goal is to create a "frontage road" allowing vehicles to easily access the site from the Ronda Road intersection or the full access off of West Side Blvd.

4. INFRASTRUCTURE IMPROVEMENTS FOR THE MASTER PLAN AREA

SAD 7A

Just recently the City of Rio Rancho substantially completed construction of SAD 7A in the area surrounding the site. These improvements consist of new paving, water and sewer lines, storm drain system, and a new regional pond that was constructed along the west side of Unser Blvd. just south of the Petrogylph site. This new drainage pond collects runoff for the entire upstream basin and then it outfalls to the east through pipes beneath Unser Blvd., which in turn flows into an existing storm drain system further east of Unser. The owners of Petroglyph paid to acquire additional land to expand the SAD pond and also paid additional monies for modifications to the SAD's existing storm drain

system to specifically allow for the receipt of fully developed runoff from their site. Outlays for future landscaping and supplemental recreational amenities to be installed within and around the pond have also been funded by Petroglyph. The expanded pond was also shifted further south so that connection of Ronda Road to Unser Blvd. could be accomplished.

UTILITIES

The SAD built a new water line just west of Unser Blvd. between 19th Ave./Westside and Ronda Road, along with a new line in 19th Ave./Westside Blvd. from Unser west along the full length of the Petroglyph project. The SAD also extended a new sanitary sewer line west up Ronda Road from the east side of Unser. For the south end of Petrogylph new sanitary sewer lines within the project will drain south to the new sanitary line in Ronda, while the balance of the project will drain north to an existing manhole in 19th Ave./Westside located directly west of Unser Blvd. Additional new lines to accommodate proposed new buildings within the site will be extended off of these new utility lines. A new on-site water line will be extended west through the site and loop north to connect to with the existing water line in 19th Ave./Westside (at Rincon Road).

In fall of 2009, the Rio Rancho Utility Commission approved Petroglyph's request for providing water and sewer service to this site (attached as **Exhibit F**). Petroglyph is committed to working with the Rio Rancho Fire and Rescue Department to ensure adequate fire flow and the on-site water line looping was created with their involvement.

TRANSPORTATION

Access to and from the site will be off 19th Ave./Westside on the north and through a new signalized intersection to be constructed at Ronda Road and Unser Blvd. off the southeast corner of the site. The Ronda Road extension west from Unser lines up with the proposed Wellspring Road extension being built just east of Unser for the new Presbyterian Hospital. Full access to the site on its north side will be provided at the realigned intersection of 19th Ave./Westside, approximately 1000 feet west of Unser Blvd. Limited access off Westside will be provided approximately 550 feet west of Unser (right-in, right-out and a left-in) and at Rincon Road (right-in and right-out only). A new private road will circulate through the site between 19th Ave./Westside and Ronda Road that will run parallel 19th St./Westside and Unser. A new right-in off Unser Blvd. into the site will be provided halfway between 19th Ave./Westside and Ronda Road.

VACATION OF RINCON ROAD

At the present time Rincon Road runs diagonally in a southeast direction though the site from its intersection with 19th Ave./Westside to a cul-de-sac located just west of Unser. Except for its western extent where it fronts four vacant lots, Rincon Road will be vacated through the site. The area of this vacation is expected to be approximately the same as the area of proposed R/W dedication along Ronda Road and Along 19th Ave./Westside.

GRADING AND DRAINAGE

The existing site contains well-drained sandy soils covered by sagebrush, Four-winged Saltbush and related native grasses. The land surface slopes down from northwest to southeast at a grade of approximately two to three percent. There is a difference of 40 feet between the NW and SE corners of the site. The site's existing, undeveloped runoff now collects in a low-point along the west side of Unser where it eventually passes east beneath Unser through a corrugated metal pipe just north of Ronda Road. Overflow not able to pass in this pipe flows south and into the new SAD 7A pond.

To account for the significant grade differential across the site, buildings across the site will have to be stepped-down in order to follow the slope of the landscape. Relatively short retaining walls will be necessary at selected locations within the site to accommodate larger buildings that are oriented east-west over the naturally sloping terrain. Other buildings on-site will be graded flat and the surrounding local areas will be tiered-down or sloped-down as necessary from west to east. Along the eastern portion of the site new surfaces will be effectively graded to drain south toward the new ponding south of Ronda Road. New storm drain pipe will also be installed within the site to convey runoff that exceeds surface flow capacity. Water-quality features will be integrated into the new storm drain system design so that potentially adverse surface pollution can be prevented from reaching the new regional ponding area south of the site.

5. DESIGN GUIDELINES

The following goals, policies and terms shall govern all of the development residing with the Petroglyph Medical Plaza Master Plan:

a. SIGNAGE

Monument and Signage: All proposed signage shall be reviewed and approved by the City Development Department in accordance with the City of Rio Rancho's Sign Code and this Plan. The sign locations, dimensions and design shall be determined pursuant to the subsequent Site Development Plan application(s).

<u>Design and Dimensions of Monument Sign to be Included in Site Development Plan:</u>
The design and dimensions of the monument signs shall be submitted with the site development plan application which will be subsequent to the adoption of the Petroglyph Master Plan. The Monument Sign demonstrated on the Conceptual Building Elevations page (Exhibit E) is conceptual in nature. The signs will incorporate multiple tenants on to each monument sign and will be of high quality design and construction. Each monument sign shall include landscaping within the signage easements to help beautify the appearance of the monument sign and to avoid every tenant/owner using their site for signage.

Building Signage: Except as noted under awnings, all signage shall be channel type lettering. Letters shall be internally illuminated. Exposed neon signage, if used, must be within channel lettering, and/or logos, if applicable.

b. BUILDING ORIENTATION STANDARDS

Building Setbacks: Building setbacks are described above in the Land Use Section and shall be a minimum of ten feet from Unser Blvd. and 19th Ave SE. The setbacks shall take into consideration the City's Zoning Ordinance and final locations of buildings shall be vetted as part of any approved Site Development Plan. Buildings situated adjacent to residential development shall include landscape buffering and be setback to afford a buffer from any residential zoned properties.

c. LIGHTING STANDARDS

On Site Lighting: Exterior lighting shall comply with the New Mexico Night Sky Protection Act (HB 39) and any City lighting regulations. The use of "low level" lighting is encouraged should it be deemed necessary for security purposes. All exterior lighting shall not be directed toward adjacent streets and/or adjacent properties. No mercury vapor exterior fixtures shall be allowed on the Property without directed shielding design features. All exterior lighting should be directed such that minimal light trespasses onto adjacent property. All outdoor pole lighting fixtures shall be high-pressure sodium lights in shielded shoebox type light lens to be flushed with bottom of fixture. Light emitted from the site shall not exceed .2 horizontal and .75 vertical foot-candles when measured from the property line of each parcel, as is the method used by the city development department to measure light. Unshielded light fixtures shall be prohibited. All lights must be downward facing and white lights are permitted in canopies only, but must be recessed within the canopy.

* All parking areas, pedestrian walkways and roadways shall be illuminated with metal halide 24'-0" tall light poles, regularly spaced through each area. The site lighting shall be part of a full cut off system, complying with the Night Sky Protection Act.

d. OUTSIDE STORAGE

Outside Storage: If outside storage is required, it shall be fully screened by a minimum of a six foot tall solid wall (for ex. a stucco'd CMU block wall) that eliminates views of the storage from adjacent properties and rights of way.

e. PARKING

The intent of the standards for the development of parking areas is to: mitigate heat/glare through the provision of landscaping; minimize the visual impact of parking areas; and provide, accessible, safe circulation within and adjacent to the parking areas.

* Parking aisles shall be 24'-0" in width.

* Large parking areas shall be broken into smaller parking areas by including a minimum of 8-foot wide pedestrian walkways.

* ADA-compliant parking shall be located adjacent to main building entries.

* Clear pedestrian connections shall be provided through parking areas at a minimum width of 6 feet and shall be clearly demarcated with slightly raised and/or textured paving where they cross vehicular entrances and drive aisles. Shade trees shall be provided along pedestrian walks at approximately 30 feet on center.

* Sidewalks and/or pedestrian paths that are perpendicular and at the front of parking spaces shall be protected from overlapping cars by permanently anchored tire stops, bollards, or raising the walkway to provide for a 6 foot wide, clear pedestrian area.

* Landscaped islands shall be distributed throughout parking areas. The maximum distance from any parking space to a tree/planter shall be 50 feet. Trees located within 8 feet of the perimeter of the parking area may be counted toward this requirement, but may not be used to fulfill street tree requirements. A minimum of 75 percent of parking lot trees shall be large canopied deciduous trees to provide shade during the summer months and reduce shading during the winter months.

* Parking spaces shall be 9 feet (wide) x 20 feet (long), typ. 25% of spaces may be 9 feet (wide) x 15 feet (long), and will be labeled as "COMPACT".

* Parking Area Setbacks: To allow for an appropriately sized landscape buffer adjacent to roadways, parking areas shall be setback as follows:

- Parking areas are to be set back from interior roadways to accommodate 3 feet of landscape on road side, 6 feet sidewalk, and 5' landscape on parking side.

* Drive-thru facilities located within Building Pads 1-7 shall be designed so that they do not interfere with main pedestrian ways or create conflicts between pedestrians and vehicles.

f. BICYCLE FACILITIES

* Bicycle parking for employees shall be provided to promote alternative vehicle use. 1 bicycle parking spaces per 100 total parking spaces is required for the site, and shall be conveniently located near building entrances, but not within pedestrian pathways or landscape areas.

* The bicycle facilities will be located on the Site Development Plans which will be submitted subsequent to the adoption of the Master Plan. The bicycle facilities are to be reviewed during each Site Plan Review.

g. GENERAL ARCHITECTURAL REQUIREMENTS

All buildings and structures shall be built using a similar architectural theme, where possible. Decorative accents (i.e., overhangs, vigas, beams, pedestrian walkways, trims, etc.) shall be the same in color and style throughout Building Pads 1-7. Tinted windows

shall be allowed on all buildings and required on building windows facing west. It will be a goal to break up long buildings by utilizing a vertical or horizontal offset in the façade. The retail buildings situated on Building Pads 1-5 shall have flexibility in architectural style.

h. BUILDING MATERIAL STANDARDS

Exterior materials shall consist of the following or a combination thereof:

- Earth tone plasters
- Stone
- Tile in earth tone colors
- Glazing
- No reflective coatings shall be allowed on glazing.
- Glazing colors shall be muted and consist of clear, light blue or light green. Colors shall be consistent on entire building.
- Glazing frames shall be silver, bronze or dark bronze.
- Mechanical units shall be screened from view.
- Metal roofs are allowed and shall be compatible with surrounding buildings.
- Architectural pre-finished metal wall panels

i. SITE PLANNING

The intent of the following guidelines is to create pedestrian-friendly environments for employees and visitors. A goal is to enhance the opportunities for interaction and the exchange of ideas.

* As individual parcels are created, cross access easements shall be provided between adjoining parcels. Additionally, there shall be cross parking easements executed for all Building Pads that mandate retail/commercial structures to share parking with their adjacent property owners. This will ensure adequate circulation and alleviate parking congestion.

* The following design standards are applicable to all structures located with Building Pads 1-7:

* Sidewalks, a minimum of six feet in width, shall be provided along the entire length of major facades containing primary entrances. The width of the sidewalk shall be increased as follows:

* Ten feet in width for buildings over 30,000 square feet.

* The width of the required sidewalk may vary along the entire length of the facade provided the average required width is maintained and provided the width of the sidewalk along the facade does not fall below 6 feet.

* A six-foot wide clear path shall be maintained along the sidewalk at all times. Site amenities, cars, landscaping and other uses of the sidewalk may not encroach upon the six-foot clear width.

* The building's overall footprint will be considered the area for calculation of sidewalk width. A collection of smaller buildings linked by common walls will be considered as one building.

* Amenities, landscaping, vending and customer pick-up may be incorporated into the width of the sidewalk as long as they do not encroach upon the clear width as stated above.

* Patios, plazas, courtyards, and other outdoor activity or seating areas shall be shaded (25 percent minimum, 50 percent maximum) from summer sunlight by tree canopies and/or shade structures that are architecturally integrated with the building.

* Pedestrian connections (minimum 6-foot clear path) shall be provided from each building to the internal circulation system and to adjacent roadways. Shade trees shall be provided along the pedestrian connection at an interval of 30 feet in planters that have a minimum interior dimension of 5' x 5'.

* Pedestrian links between parking areas and buildings shall be clearly visible and highlighted with an alternative textured paving material.

* Pedestrian pathways, at a minimum, shall be 8 feet wide where there is overlapping parking on two sides; 6 feet wide where there is parking on one side; and 6 feet wide where there is no adjacent parking.

* All pedestrian pathways (sidewalks and trails) shall be designed to be accessible to the handicapped (see Americans with Disabilities Act criteria for barrier free design).

* A difference in paving material, color, or pattern shall be provided at entry drive crosswalks to bring attention in a visual and tactile way for safe pedestrian crossing.

* Paving of primary pedestrian connections and primary outdoor activity areas shall use patterned, stained or integrally colored concrete, and/or concrete inlaid with tile, concrete pavers, brick pavers and/or stone pavers when crossing vehicular pathways.

* Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or plant materials when viewed from the public right-of-way. Screening materials shall not limit access for maintenance purposes by utility companies.

j. SITE PLANNING EXCEPTIONS

Where primary entrances are located adjacent to a public sidewalk, the width of the public sidewalk may be included in the calculation provided a pedestrian connection is provided to connect the public sidewalk with the entrance(s).

Where a vestibule or other projecting entryway is provided, the depth of the vestibule or entryway may be included in the sidewalk calculation, provided 6 feet of sidewalk is located in front of the vestibule or projecting entryway in order to allow pedestrian connectivity along the entire length of the façade.

k. SITE LANDSCAPE

* Landscape plans must comply with the City's Ordinances, and be approved by staff . It is the intent of Petroglyph Real Estate Development, LLC to submit a complete landscape and irrigation plan with each subsequent Site Development Plan(s) which will be submitted subsequent to the adoption of the Master Plan. That landscape and irrigation plan will indicate the location of irrigation water meter, location and type of backflow preventer and controller. All mainline/s lateral lines, and valves shall be indicated. Subsequent Site Development Plan(s) shall also include details on how the **parking lot meets the requirements for tree cover,** specifically in the parking areas and the plan shall demonstrate how the facility will utilize water harvesting.

Future Site Development Plan Goals: This section has been removed. The off-site park and pond was submitted and approved independently from this Master Plan. **Exhibit A (**C-101 – Conceptual Grading & Drainage Plan)

* A minimum of 10 percent of the site area (minus building square footage) shall be devoted to landscape materials. Organic landscape material shall provide coverage per City ordinances at a minimum.

* A mixture of drought tolerant species and lawn areas shall be used at landscaped areas and in conformance with the City's Water Conservation Ordinance. Live plant materials shall, at a minimum, comply to city ordinances.

* Gravel, mulch, cobble, bark, and similar materials are acceptable as a mulch for landscape areas; however, they are not to be considered a focal landscape element.

* Minimum 10-foot wide landscape buffer shall be provided along West Side Blvd SE.

* Minimum plant material sizes at the time of installation shall be as follows:

- Canopy trees-- 2" caliper B&B
- Evergreen trees-- 8 foot minimum height
- Accent trees-- I 1/2" caliper B&B
- Shrubs and groundcovers-- I gallon minimum

- Low water use turf shall be provided at a maximum of 5 percent of the landscape area.

* Landscape materials shall be used as a transition between land uses.

* Street trees (located within the public right-of-way or within 20 feet from the back of curb) shall be installed at a frequency of 25-30 feet per linear foot of street frontage (including driveway locations). They can either be randomly or evenly spaced; however, there shall be no more than a 50 foot gap between groupings. There shall be a 70:30 percent mix of deciduous to evergreen trees.

* Landscape areas shall be a minimum of 36 square feet and a minimum interior width of 3'-0" or 6'-0" x 6'-0" outside curb dimension.

l. SUGGESTED PLANT PALETTE

The suggested plant materials were selected based on qualities such as cold hardiness, fast growth rate, minimal maintenance requirements, water conservation, and aesthetic appeal.

*** Street Trees**

Fraxinus spp.	Ash varieties
Gleditsia spp.	Honeylocust varieties
Pinus nigra	Austrian Pine
Pistachia chinensis	Chinese Pistache
Platanus wrightii	Arizona Sycamore
Prunus spp.	Flowering Plum varieties
Robinia x ambigua	Purple Robe Locust

*** General Use Plant Materials**

Trees

Chilopsis linearis	Desert Willow
Chitalpa tashkentensis	Chitalpa
Cupressocyparis leylandii	Leyland Cypress
Forestiera neomexicana	New Mexico Olive
Fraxinus spp	Ash varieties
Gleditsia spp.	Honey Locust varieties
Koelreuteria paniculata	Goldenrain Tree
Pinus edulis	Pinon Pine
Pinus nigra	Austrian Pine

M. NOISE, REFUSE AND SAFETY

Any equipment operating at greater than seventy (70) decibels at a seventy-foot distance shall only run Monday through Friday from 7:00 am to 5:00 PM.

Crime Prevention: Crime Prevention Through Environmental Design (CPTED) concepts shall be incorporated into the Site Plan.

Refuse Collection Areas: Refuse collection areas shall be allowed between any street and building front. All refuse containers shall be screened within a minimum of a 6 foot tall enclosure that is large enough to contain all refuse generated between collections. The design and materials for refuse collection enclosures shall be compatible with the architectural theme of the site.

EXHIBITS INDEX

EXHIBIT A: Grading and Drainage Plan for Petroglyph Medical Plaza
EXHIBIT B: Vicinity Map for Petroglyph Medical Plaza
EXHIBIT C: Master Utility Plan for Petroglyph Medical Plaza Master Plan
EXHIBIT D: Petroglyph Medical Plaza Building Pad Plan (AS-100)
EXHIBIT E: Conceptual Building Elevations (A-200)
EXHIBIT F: Wastewater Availability Statement from Rio Rancho

EXHIBIT A
Conceptual Grading and Drainage Plan for Petroglyph Medical Plaza

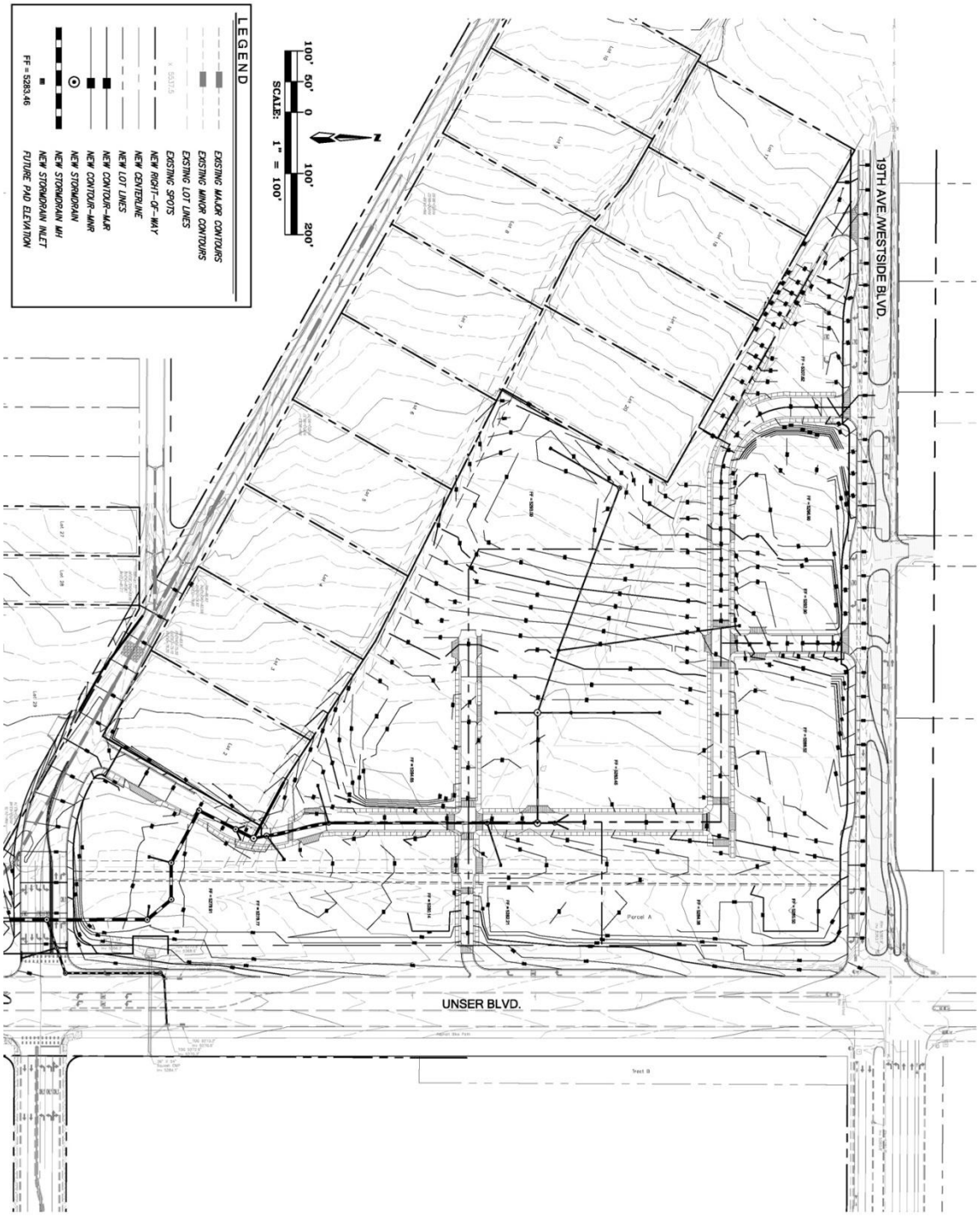


EXHIBIT B
VICINITY MAP PETROGLYPH MEDICAL PLAZA

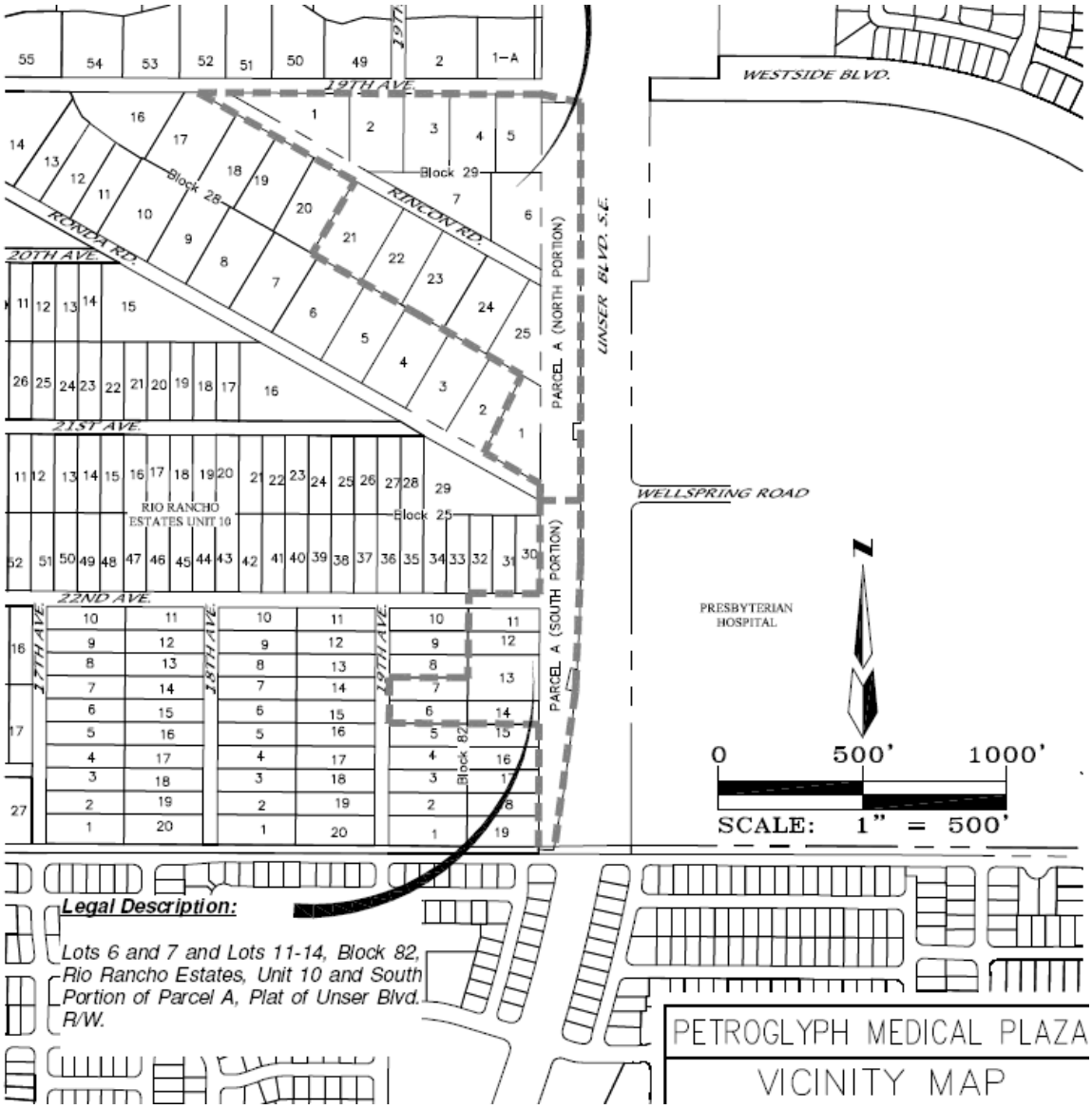


EXHIBIT C
CONCEPTUAL MASTER UTILITY PLAN
FOR PETROGLYPH MEDICAL PLAZA

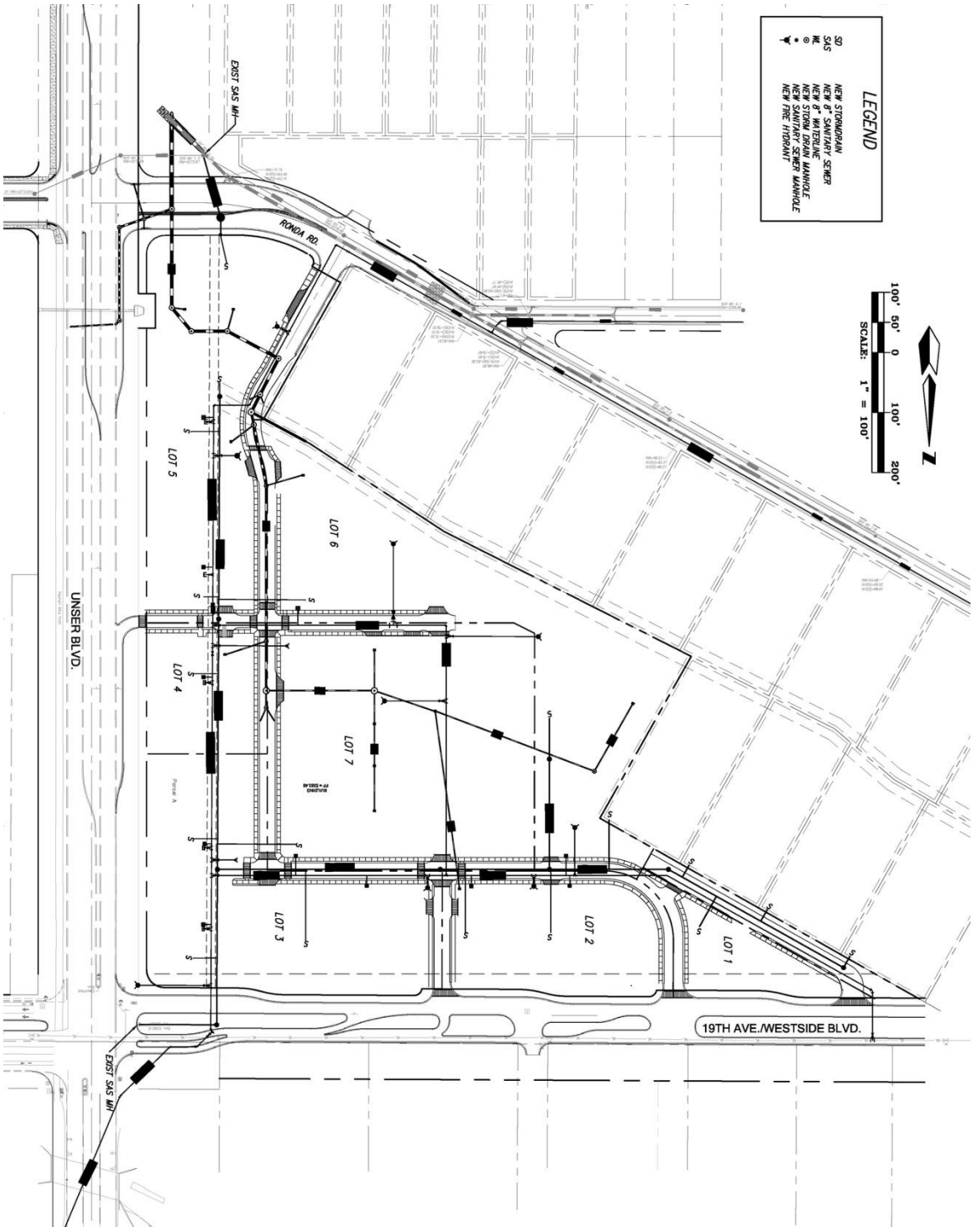


EXHIBIT D
Petroglyph Medical Plaza Proposed Building Pad Plan (AS-100)

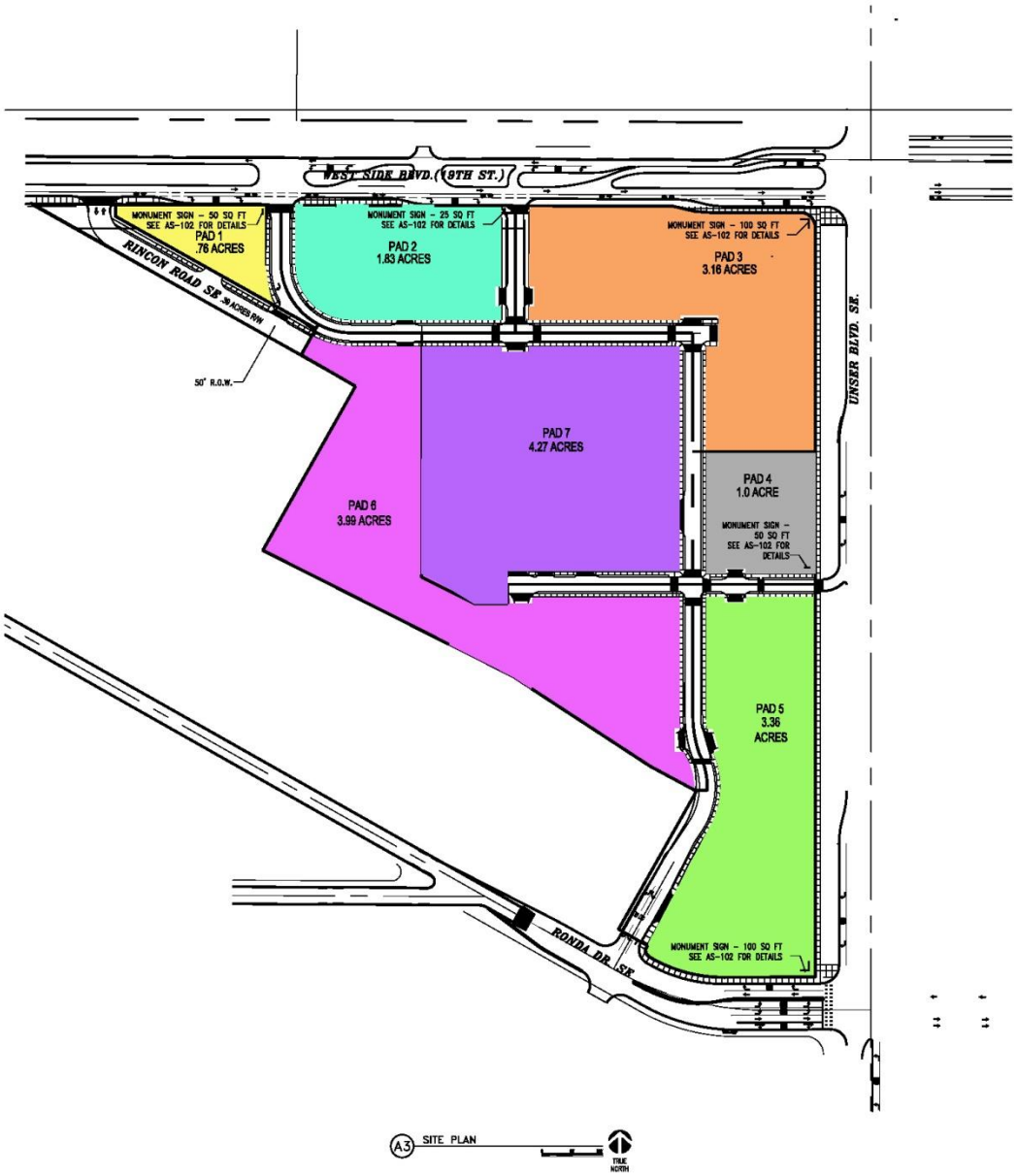


EXHIBIT E
Conceptual Building Elevations (A-200)

BUILDING ELEVATION CONCEPTS



TYPICAL PAD BUILDING

SIGNAGE



EAST ELEVATION



WEST ELEVATION

ARCHITECTURAL FEATURES:
- CANOPIES OVER WALKWAYS AND ENTRANCES
- SCREEN OUTDOOR DINING AREAS
- BALCONIES
- SCREEN WALLS TO BE SPLITFACE OR STUCCO
- LOADING AREAS WILL HAVE SCREEN WALLS

MATERIAL PALETTE:
- STUCCO/PLASTER IN EARTH TONE COLORS
- STONE
- EARTH TONE TILE

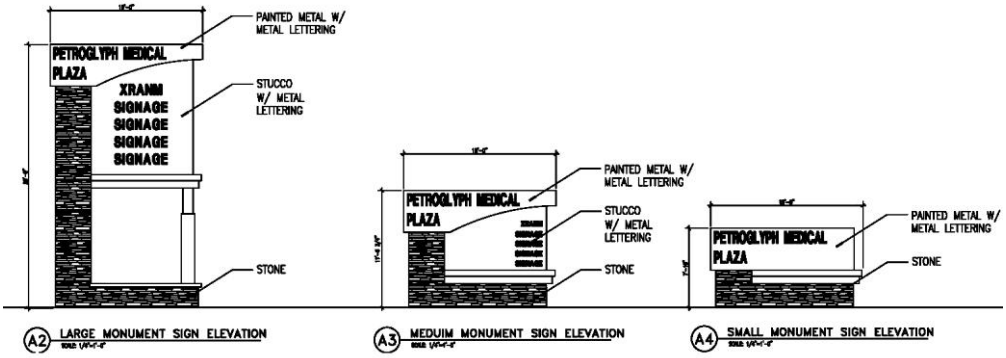


EXHIBIT F
Wastewater Availability Statement

Rio Rancho
City of Vision

October 20, 2009

Mr. John MacKenzie P.E.
D. Mark Goodwin and Associates, P.A.
Consulting Engineers
P.O. Box 90606
Albuquerque, NM 87199

Re: **Letter Granting Water & Wastewater Availability with conditions for Petroglyph Medical Plaza**
Location: Unit 10, Blocks 28 & 29, 20-acre site. Southwest corner of 19th Avenue/Westside Boulevard and Unser Boulevard.

Dear Mr. MacKenzie

The Utilities Commission approves the granting of this Wastewater Availability Statement based on the following conditions. Initial water model results indicate a fire flow of 3,200 gpm to 3,400 gpm. Developer shall work with the City of Rio Rancho Fire and Rescue Department to ensure adequate fire flow for the anticipated buildings.

Approval of this availability statement does not imply or suggest approval of zoning changes, construction plans, conceptual layouts, or any other requirements that may be conditions of approval for this development. This statement merely represents a commitment from the City that, if all other necessary approvals are obtained, and the completion of the proposed water system improvements, this development will be allowed to be served by the City's water and wastewater systems as described above.

Also, in accordance with the *Utility Commission Policy Statement*, this Availability Statement will expire unless construction starts within 18 months of approval by the Commission and is complete within 3 years of approval. If you have questions regarding this Availability Statement or the Utility Commission Policy Statement, please contact Elaine Allen, Utilities Administrative Assistant, at (505) 896-8715 or myself at 891-5046.

Sincerely,

Steve Gallegos,
Utilities System Engineer

3200 Civic Center Circle NE Rio Rancho, New Mexico 87124
Office (505) 896-8715 Fax (505) 891-5201

Petroglyph MEDICAL plaza

MASTER PLAN & Amendment to the Unser Gateway Vicinity Plan

(Revised Amendment - February 28, 2023) AS GUIDED BY THE "VISION 2020 INTEGRATED COMPREHENSIVE PLAN"

LANDOWNER:
PETROGLYPH REAL ESTATE DEVELOPMENT, L.L.C.

DEVELOPER:
AMC DEVELOPMENT

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1. INTRODUCTION AND HISTORY

In August 2001, the City of Rio Rancho adopted an Integrated Comprehensive Plan (ICP) designed to be the guiding document for the City in its continuing development through the horizon year of 2020. Subsequently, the following applications have occurred in the area that has an influence over the Petroglyph Medical Plaza Master Plan application:

- VASA Ranch LLC requested approximately 3.8 acres fronting on 20th Street (now Unser Blvd.) as a rezone from R-1 to SU/C-1 with design guidelines.

- The properties of Tom and Rose Willoughby requested a zone map amendment from R-1 to SU/C-1 zoning for approximately 6.1 acres. This application "joined" with that of VASA and other abutting property owners to comprise the Unser Gateway West Vicinity Plan, consisting of 31+ acres.

- In 2005, Mr. Franz Springer requested and received approval for a zone change from R-1 to C1 for approximately 7.6 acres located at 19th Avenue SE and Unser Boulevard.

- In 2008, Petroglyph Real Estate Development, LLC acquired property from the Springer Four, LLC thereby assembling the property in the master plan subject area.

- In 2008, the Presbyterian Healthcare Services ("PHS") purchased the tract of land across the street from Unser Blvd. PHS is grading and performing infrastructure improvements in anticipation of constructing a regional medical facility in 2010/2011.

- In 2009, the landowner of the southeast corner of Unser Blvd. and Westside Boulevard submitted a TIDD application in reliance on constructing a "lifestyle" center retail outdoor shopping center.

- On November 9, 2010 this Original Master Plan was submitted to the City of Rio Rancho and approved by the Governing Body.

- Because of changes in building sizes, locations and adjustments to project entry points, this Amendment dated December 16, 2010 is being submitted to the City of Rio Rancho for consideration and approval.

- On December 16, 2010 this Original Master Plan was amended and submitted to the City of Rio Rancho and approved by the Governing Body.

- On August 22, 2012 The properties to the west and south of Petroglyph Plaza were granted a rezone from R-1 and MU-A to SU for "Limited C-1/Retail Commercial", eliminating the adjacent residential zoning.

- Because of the elimination of the adjacent residential zoning and for clarification of inconsistent design standards, this Amendment dated March 9, 2013 is being submitted to the City of Rio Rancho for consideration and approval.

PROJECT VISION:

The Petroglyph Medical Plaza will consist of an 18 acre (+/-) commercial development located in the gateway of Rio Rancho (on the southwest corner of Unser and 19th Avenue SE). The project centerpiece (Situated in Building Pad 7) is a planned 60,000+ square feet medical office building that will be home to an Urgent Care, X Ray Associates of New Mexico Imaging Center, and additional health care professionals. The balance of the 18+ acre campus will include commercial opportunities for the surrounding community in the form of six super pads (see Exhibit D) with potential end users ranging from hotels to gas stations to restaurants.

The Petroglyph Medical Plaza has also planned for the relocation of the storm drain pond for the Special Assessment District 7A ("SAD 7A") to the south of Ronda Road and adjacent to Unser Road, where it will become a joint use facility allowing for adequate storm water discharge as well as a regional park and related equipment. The extensive infrastructure and park improvements have given rise to the Applicant submitting a GRIP application to aid in the reimbursement of these community-wide facilities. The park will impact the existing Unser Gateway Vicinity Plan by moving the SAD 7A storm pond facility from its previously planned location into an area where it can act as a community wide solution to the storm water collection and provide recreational opportunities. The joint use pond and park details are currently being developed.

ICP PLAN GOALS: Public testimony and active involvement with the City of Rancho has transpired during the Integrated Comprehensive Plan review process and with economic development forums. Those activities have suggested that the City of Rancho must expand their opportunities for Gross Receipts Tax Revenue with quality commercial, higher density residential and mixed use opportunities that will enhance the City's sustainability. Accordingly, this Master Plan is proposing to develop a commercial center to include medical office facilities, and various retail and commercial sites to enhance Rio Rancho's sustainability and to visually enhance the gateway of Rio Rancho.

MASTER PLAN COMPLIES WITH ICP PLAN: The Master Plan Application is consistent with the adopted elements of the Comprehensive Plan by "*promoting development of high-density, mixed use activity centers*" at the development node forming at the corner of 19th Avenue SE and Unser Blvd. The medical office buildings and retail/commercial pads will provide for a nice mix of uses and at densities that will support the kind of responsible urban development clearly articulated in the City of Rio Rancho Comprehensive Plan.

Consistent with Page 5.1.5 of the Comprehensive Plan, the Master Plan Application will "*Promote infill and limit strip commercial and sprawling disjointed development*," by creating one development entity that mandates via the CCR's a visually cohesive collection of buildings. The master plan application is attempting to avoid a "disjointed" development that typically results in side by side "strip centers." We believe the Petroglyph Medical Plaza is exactly the kind of project that the City of Rio Rancho is seeking and it is certainly congruent with the policies of the Comprehensive Plan.

The Master Plan application is consistent with the safety, morals and general welfare of the City for the following reasons: (1) **Park**. The construction of a community park supports the health and welfare of the City of Rio Rancho by providing citizens of all ages an opportunity to recreate at a local park, play soccer games, jog or walk the park, and overall promote exercise and community activities (2) **Job Creation**. The Petroglyph Medical Plaza will create a number of jobs in the construction, engineering, architectural and consulting industries to implement the project. (3) **Rio Rancho Medical and Retail Services.** The Petroglyph Medical Plaza will provide the residents of Rio Rancho accessibility to an urgent care, X Ray Assoc. of NM imaging services, health care professionals, and local retail for restaurants, banks, and shop space. This will benefit the environment by reducing the miles traveled by Rio Rancho citizens for services and provide Gross Receipts Tax and Property Tax increases that will benefit Sandoval County and the City of Rio Rancho.

ZONING AND MASTER PLAN PROCESS: Upon approval of the Master Plan Application and Zone Map Amendment presented by Petroglyph Real Estate Development, LLC together with necessary attachments and addenda, the next process for project approval would be the GRIP application. The final step would be specific site development plan applications which must follow the zoning code amendment and this approved Amended Master Plan. The requested zoning will be for Special Use Zoning (SU) with Commercial Uses (C-1) and this will accompany a future site development plan application. After that time, future site specific development plans can be approved administratively by the Planning Director if they reasonably comply with the Master Plan (See Planning Director Flexibility Provision Below)

2. SITE LOCATION AND PHYSICAL CONDITIONS

The Building Pad AS-100 plan of this Master Plan (see Exhibit D) is legally described as:

Legal Description of Master Plan Amendment
Lots 1-4, Lot 5-A, 6-A and 7, Block 29, Lot 1 and Lots 21-25, Block 28, Rio Rancho Estates, Unit 10, and the North Portion of Parcel A, Plat of Unser Blvd. R/W.

Off-site pond/recreational field
Lots 6-7 and 11-14, Block 82, Rio Rancho Estates, Unit 10, and the South Portion of Parcel A, Plat of Unser Blvd. R/W.

The Petroglyph Medical Plaza master plan is approximately 18 acres located primarily on the southwest corner of Unser Blvd. and 19th Avenue SE. Since the property is highly visible, these areas should comply with the provisions of the ICP and prior studies for an attractive, well balanced land use mix together with design guidelines that can accomplish non-residential growth to the advantage of the City of Rio Rancho.

3. INTEGRATED COMPREHENSIVE PLAN ELEMENTS & LAND USE

This is a Master Plan, however, where the property contained in this Master Plan overlaps with the currently adopted "**Unser West Gateway Plan"** this Master Plan will amend and supersede the Unser West Gateway Plan. The attached revised November 10, 2010 land use and building pad plans (See **Exhibit D**) will govern all of the proposed future site development plan applications within this Master Plan boundary.

Petroglyph Medical Plaza Master Plan and Establishment of an SU Zoning District:

The Petroglyph Medical Plaza Master Plan is being submitted pursuant to **154.14 SU: SPECIAL USE DISTRICT** of the Rio Rancho Zoning Code. Specifically, the zoning district being established (SU – C-1) is suitable for property which is special because of its potential effect on surrounding property in the Unser Blvd. and Westside Blvd. corridors. This special use zoning application is also appropriately used to:

(a) To restrict uses otherwise permitted in an underlying zoning district,

(b) To allow a combination of uses not otherwise permitted in an underlying district,

(c) To establish requirements or conditions that are unique to the property.

Also, as a benefit of the SU/C-1 Zone, it is the intention of the landowner and developer to form a Common Area Maintenance Association amongst the tenants for the maintenance of landscaping, internal private roads, parking areas, parking lot lighting, and other elements incorporated as amenities for the benefit of the occupants in the development.

Further, this Master Plan establishes permanent access easements and cross parking easements for all occupants of the development.

The Petroglyph Medical Plaza Permitted Land Uses for each of the Building Pads [an application for a change to SU zoning must state the proposed land use(s)]. It is anticipated that some of the super pads will be subdivided in future Site Development Plans:

I. Building Pads/Super Pads 1, 2, 3, 4, 5, 6, and 7 (See Exhibit D for Building Pads):

Permissive Uses:

(1) Stores for the sale of retail goods and products;

(2) Restaurants, bars, and lounges which exclude drive up liquor dispensing windows;

(3) Repair shops-electrical, radio, and television appliances, keys, and similar articles;

(4) Shops-dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;

(5) Banks, theaters, and office buildings;

(6) Churches and other places of worship, Sunday school buildings, and parish houses;

(7) Bakeries and confectioneries where goods are sold at retail prices;

(8) Parks, recreational parks, open spaces, and public utilities;

(9) Nursery schools and daycare facilities;

(10) Undertaking establishments;

(11) Club houses, buildings for fraternal organizations, nonprofit public service organizations;

(12) Medical complexes, professional offices associated with medical complexes, and veterinarians;

(13) Construction trailers for a period not to exceed 21 days before construction plus the entire period of construction up to 6 months and no more than 30 days after construction has finished, provided that the use of the trailer is for assisting in the security of the construction site and facilitating the delivery of construction material, and that no sales are conducted from the construction trailer either before or after the site development is completed.

(14) Photocopying and blueprinting;

(15) Public facilities;

(16) Nursing homes and similar institutions;

(17) Hospitals;

(18) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material provided they remain for no longer than five months.

(19) Drive-in or drive-up window restaurants, and/or convenience stores, provided drive up liquor dispensing windows are excluded at such establishments; bowling alleys and other indoor recreational uses. As per 154.09 C-1

(19) Residential uses within the structures; and

(20) Office Uses stated in the O-1 Zone

(21) Pharmacy and Drug Store

(22) Grocery Store

(23) Amusement enterprises:

(a) Indoor: Auditorium, billiard or pool hall, dance hall, theater, skating rink.

(24) Automotive dealerships and Gasoline services stations with adjoining convenience stores that sell alcohol for off premises consumption provided that:

(a) Lubricating, minor repairs, and associated activities are conducted within a completely enclosed building; or

(b) A solid masonry wall at least six feet high is erected between the activity and any abutting or contiguous residential zone.

(25) Hotel or Motel: provided Hotels and Motels are permissive in Building Pads #2 through 6.

II. Pad 7 (See Exhibit D for Building Pads):

Permissive Uses:

(1) Stores for the sale of retail goods and products;
(2) Restaurants and bars
(3) Hospitals
(4) Medical Office Buildings
(5) Office (all the permissive uses in the O-1 zone)
(6) Research and development office;
(7) Public facilities;
(8) Nursing homes and similar institutions;
(9) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material not to exceed five months.
(10) Drive-in or drive-up window restaurants, and/or convenience stores
(11) Pharmacy and Drug Store
(12) Gift Shop
(13) Restaurants situated within office buildings or within medical office buildings
(14) Museum

(D) Lot Area Requirements within Pad 1-7: Minimum 1/4 acre

(E) Height. Two Stories Height Limitation in Building Pads 1-5, (which shall in all cases not exceed 32 feet as measured from finished grade to the top of the parapet) and a Four Story Height Limitation for Building Pad 6 and 7 (which shall in all cases not exceed 60 feet as measured from the finished grade to the top of the parapet).

(F) Building Setback. Ten-foot minimum setback from internal roadways and Unser Blvd. and Westside Blvd. If any structure is adjacent to residential zoned property then the front, rear, and side setback adjacent to the residential property shall be equal to those in the residential zone.

(G) Off-street parking. Off-street parking shall be permitted in Building Pads 1-7, provided it is approved as part of a Site Development Plan, and the policies of the off street parking shall be guided by the regulations set forth in § 154.20.

(H) Landscaping. Appropriate landscaping shall be provided for visual relief along the frontage of the parcels in Building Pads 1 through 7, provided that no less than 10% of the lot shall be landscaped or open space. Landscape Buffers shall be provided for any lots adjacent to residential development. The Landscape Buffer shall be 10 feet in width, with a six foot wall and include hedges or trees that visually reduce the impact of situating structures adjacent to the residential uses. The City staff shall approve required landscape buffer elements as part of the site development plan review, for any structures located within the Master Plan Area.

Prohibited Uses within Building Pads 1 through 7:

(1) Adults-only bookstores, adults-only motion picture theaters, adult entertainment centers, massage parlors, and saunas.
(2) Self storage facilities
(3) Recycling collection centers
(4) Gun shops or shooting ranges
(5) Circuses or outdoor carnival activities
(6) Auto Dismantling Yard, or auto storage yard.
(7) Manufacture or storage of food products, including beverage blending or bottling, bakery products, candy manufacture, dairy products and ice cream, fruit and vegetable processing and canning, packing and processing of meat and poultry products, distilling of beverages, but not slaughtering of poultry or animals;
(8) Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics and printing and finishing of textiles and fibers into fabric goods;
(9) Manufacture of boxes, crates, furniture, baskets, veneer, and other wood products

Petroglyph Medical Plaza Master Plan and Future Site Plan Submittal:

The SU zoning designation established within this Petroglyph Medical Plaza Master Plan requires that a site plan be approved by the Governing Body. The Petroglyph Medical Plaza Master Plan does not include conceptual site plan. The official site development plan for Pad 7 is included as a separate Site Development Plan submittal. All other super pads will be submitted as Site Development Plans in the future, which is authorized by the Rio Rancho Zoning Code. Approval of the site plan must be obtained prior to any development of the property. The site plan at a minimum shall contain the following information:

(a) Scale and north arrow;
(b) Lot boundaries and easements;
(c) Existing and proposed utilities;
(d) Existing and proposed rights-of-way;
(e) Proposed structures with uses dimensions, and setbacks;
(f) Proposed ingress, egress, parking and circulation;
(g) Landscaping and landscape buffers;
(h) Elevations;
(i) Adjacent property characteristics;
(j) Preliminary drainage plan.

Petroglyph Medical Plaza Master Plan Establishes Flexibility with the Director of Development Services for Future Changes to an Approved Site Plan:

The Director of Development Services may approve minor changes to an approved Petroglyph Medical Plaza site plan if the change is consistent with the use and other written requirements and/or conditions of approval. Substantial changes to an approved Petroglyph Medical Plaza site plan must be approved by the Governing Body. Substantial changes are defined as square footage within building pads that exceed 10% of the

building pad changes in the Super Pad configuration or any change that will substantially aggrieve the city or immediately adjacent neighboring property owners.

Elements Considered With This Master Plan & Gateway Vicinity Plan:

- The site is scaled to the type of transportation situated on Unser Blvd. and 19th Avenue SE.

- The proposed activities (medical office, retail, commercial, restaurant, hotel, etc.) reflect the appropriate scale proximity to other zoning districts and affects on growth nodes in the area. For example, the employment and pedestrian traffic caused by the Presbyterian facility situated across from Unser Blvd. will be seeking the retail, lodging and medical office uses that this Master Plan contemplates.

- The building pad and land use plans attached to this Master Plan encourage pedestrian-friendly uses and bicycle connections running east and west along 19th Avenue SE.

- **Medical Office Building Vision for Building Pad #7**

A. General. The vision for the Building Pad #7 is the construction of a medical office building. The design and tenant mix is subject to change as tenants and owner/users needs are modified over the coming months.

- **Retail/Office Vision for Building Pads #1-6**

- **General:** The vision for Building Pads 1 through 6 is to situated retail, restaurant, gasoline fueling station and convenience store, grocery store, hotel and other retail uses along Unser Blvd. and West Side Blvd. These retail uses will provide great shopping opportunities for local residents and provide for "walkable" retail opportunities for the employees and patients being situated within Building Pad 7. The Vision for Building Pads 1 and 6 is to allow the flexibility of either retail/commercial build out or office facilities.

- **Circulation:** The goal is to create a "frontage road" allowing vehicles to easily access the site from the Ronda Road intersection or the full access off of West Side Blvd.

4. INFRASTRUCTURE IMPROVEMENTS FOR THE MASTER PLAN AREA

SAD 7A

Just recently the City of Rio Rancho substantially completed construction of SAD 7A in the area surrounding the site. These improvements consist of new paving, water and sewer lines, storm drain system, and a new regional pond that was constructed along the west side of Unser Blvd. just south of the Petrogylph site. This new drainage pond collects runoff for the entire upstream basin and then it outfalls to the east through pipes beneath Unser Blvd., which in turn flows into an existing storm drain system further east of Unser. The owners of Petroglyph paid to acquire additional land to expand the SAD pond and also paid additional monies for modifications to the SAD's existing storm drain

system to specifically allow for the receipt of fully developed runoff from their site. Outlays for future landscaping and supplemental recreational amenities to be installed within and around the pond have also been funded by Petroglyph. The expanded pond was also shifted further south so that connection of Ronda Road to Unser Blvd. could be accomplished.

UTILITIES

The SAD built a new water line just west of Unser Blvd. between 19th Ave./Westside and Ronda Road, along with a new line in 19th Ave./Westside Blvd. from Unser west along the full length of the Petroglyph project. The SAD also extended a new sanitary sewer line west up Ronda Road from the east side of Unser. For the south end of Petrogylph new sanitary sewer lines within the project will drain south to the new sanitary line in Ronda, while the balance of the project will drain north to an existing manhole in 19th Ave./Westside located directly west of Unser Blvd. Additional new lines to accommodate proposed new buildings within the site will be extended off of these new utility lines. A new on-site water line will be extended west through the site and loop north to connect to with the existing water line in 19th Ave./Westside (at Rincon Road).

In fall of 2009, the Rio Rancho Utility Commission approved Petroglyph's request for providing water and sewer service to this site (attached as **Exhibit F**). Petroglyph is committed to working with the Rio Rancho Fire and Rescue Department to ensure adequate fire flow and the on-site water line looping was created with their involvement.

TRANSPORTATION

Access to and from the site will be off 19th Ave./Westside on the north and through a new signalized intersection to be constructed at Ronda Road and Unser Blvd. off the southeast corner of the site. The Ronda Road extension west from Unser lines up with the proposed Wellspring Road extension being built just east of Unser for the new Presbyterian Hospital. Full access to the site on its north side will be provided at the realigned intersection of 19th Ave./Westside, approximately 1000 feet west of Unser Blvd. Limited access off Westside will be provided approximately 550 feet west of Unser (right-in, right-out and a left-in) and at Rincon Road (right-in and right-out only). A new private road will circulate through the site between 19th Ave./Westside and Ronda Road that will run parallel 19th St./Westside and Unser. A new right-in off Unser Blvd. into the site will be provided halfway between 19th Ave./Westside and Ronda Road.

VACATION OF RINCON ROAD

At the present time Rincon Road runs diagonally in a southeast direction though the site from its intersection with 19th Ave./Westside to a cul-de-sac located just west of Unser. Except for its western extent where it fronts four vacant lots, Rincon Road will be vacated through the site. The area of this vacation is expected to be approximately the same as the area of proposed R/W dedication along Ronda Road and Along 19th Ave./Westside.

GRADING AND DRAINAGE

The existing site contains well-drained sandy soils covered by sagebrush, Four-winged Saltbush and related native grasses. The land surface slopes down from northwest to southeast at a grade of approximately two to three percent. There is a difference of 40 feet between the NW and SE corners of the site. The site's existing, undeveloped runoff now collects in a low-point along the west side of Unser where it eventually passes east beneath Unser through a corrugated metal pipe just north of Ronda Road. Overflow not able to pass in this pipe flows south and into the new SAD 7A pond.

To account for the significant grade differential across the site, buildings across the site will have to be stepped-down in order to follow the slope of the landscape. Relatively short retaining walls will be necessary at selected locations within the site to accommodate larger buildings that are oriented east-west over the naturally sloping terrain. Other buildings on-site will be graded flat and the surrounding local areas will be tiered-down or sloped-down as necessary from west to east. Along the eastern portion of the site new surfaces will be effectively graded to drain south toward the new ponding south of Ronda Road. New storm drain pipe will also be installed within the site to convey runoff that exceeds surface flow capacity. Water-quality features will be integrated into the new storm drain system design so that potentially adverse surface pollution can be prevented from reaching the new regional ponding area south of the site.

5. DESIGN GUIDELINES

The following goals, policies and terms shall govern all of the development residing with the Petroglyph Medical Plaza Master Plan:

a. SIGNAGE

Monument and Signage: All proposed signage shall be reviewed and approved by the City Development Department in accordance with the City of Rio Rancho's Sign Code and this Plan. The sign locations, dimensions and design shall be determined pursuant to the subsequent Site Development Plan application(s).

Design and Dimensions of Monument Sign to be Included in Site Development Plan:
The design and dimensions of the monument signs shall be submitted with the site development plan application which will be subsequent to the adoption of the Petroglyph Master Plan. The Monument Sign demonstrated on the Conceptual Building Elevations page (Exhibit E) is conceptual in nature. The signs will incorporate multiple tenants on to each monument sign and will be of high quality design and construction. Each monument sign shall include landscaping within the signage easements to help beautify the appearance of the monument sign and to avoid every tenant/owner using their site for signage.

Building Signage: Except as noted under awnings, all signage shall be channel type lettering. Letters shall be internally illuminated. Exposed neon signage, if used, must be within channel lettering, and/or logos, if applicable.

b. BUILDING ORIENTATION STANDARDS

Building Setbacks: Building setbacks are described above in the Land Use Section and shall be a minimum of ten feet from Unser Blvd. and 19th Ave SE. The setbacks shall take into consideration the City's Zoning Ordinance and final locations of buildings shall be vetted as part of any approved Site Development Plan. Buildings situated adjacent to residential development shall include landscape buffering and be setback to afford a buffer from any residential zoned properties.

c. LIGHTING STANDARDS

On Site Lighting: Exterior lighting shall comply with the New Mexico Night Sky Protection Act (HB 39) and any City lighting regulations. The use of "low level" lighting is encouraged should it be deemed necessary for security purposes. All exterior lighting shall not be directed toward adjacent streets and/or adjacent properties. No mercury vapor exterior fixtures shall be allowed on the Property without directed shielding design features. All exterior lighting should be directed such that minimal light trespasses onto adjacent property. All outdoor pole lighting fixtures shall be high-pressure sodium lights in shielded shoebox type light lens to be flushed with bottom of fixture. Light emitted from the site shall not exceed .2 horizontal and .75 vertical foot-candles when measured from the property line of each parcel, as is the method used by the city development department to measure light. Unshielded light fixtures shall be prohibited. All lights must be downward facing and white lights are permitted in canopies only, but must be recessed within the canopy.

* All parking areas, pedestrian walkways and roadways shall be illuminated with metal halide 24'-0" tall light poles, regularly spaced through each area. The site lighting shall be part of a full cut off system, complying with the Night Sky Protection Act.

d. OUTSIDE STORAGE

Outside Storage: If outside storage is required, it shall be fully screened by a minimum of a six foot tall solid wall (for ex. a stucco'd CMU block wall) that eliminates views of the storage from adjacent properties and rights of way.

e. PARKING

The intent of the standards for the development of parking areas is to: mitigate heat/glare through the provision of landscaping; minimize the visual impact of parking areas; and provide, accessible, safe circulation within and adjacent to the parking areas.

* Parking aisles shall be 24'-0" in width.

* Large parking areas shall be broken into smaller parking areas by including a minimum of 8-foot wide pedestrian walkways.

* ADA-compliant parking shall be located adjacent to main building entries.

* Clear pedestrian connections shall be provided through parking areas at a minimum width of 6 feet and shall be clearly demarcated with slightly raised and/or textured paving where they cross vehicular entrances and drive aisles. Shade trees shall be provided along pedestrian walks at approximately 30 feet on center.

* Sidewalks and/or pedestrian paths that are perpendicular and at the front of parking spaces shall be protected from overlapping cars by permanently anchored tire stops, bollards, or raising the walkway to provide for a 6 foot wide, clear pedestrian area.

* Landscaped islands shall be distributed throughout parking areas. The maximum distance from any parking space to a tree/planter shall be 50 feet. Trees located within 8 feet of the perimeter of the parking area may be counted toward this requirement, but may not be used to fulfill street tree requirements. A minimum of 75 percent of parking lot trees shall be large canopied deciduous trees to provide shade during the summer months and reduce shading during the winter months.

* Parking spaces shall be 9 feet (wide) x 20 feet (long), typ. 25% of spaces may be 9 feet (wide) x 15 feet (long), and will be labeled as "COMPACT".

* Parking Area Setbacks: To allow for an appropriately sized landscape buffer adjacent to roadways, parking areas shall be setback as follows:

- Parking areas are to be set back from interior roadways to accommodate 3 feet of landscape on road side, 6 feet sidewalk, and 5' landscape on parking side.

* Drive-thru facilities located within Building Pads 1-7 shall be designed so that they do not interfere with main pedestrian ways or create conflicts between pedestrians and vehicles.

f. BICYCLE FACILITIES

* Bicycle parking for employees shall be provided to promote alternative vehicle use. 1 bicycle parking spaces per 100 total parking spaces is required for the site, and shall be conveniently located near building entrances, but not within pedestrian pathways or landscape areas.

* The bicycle facilities will be located on the Site Development Plans which will be submitted subsequent to the adoption of the Master Plan. The bicycle facilities are to be reviewed during each Site Plan Review.

g. GENERAL ARCHITECTURAL REQUIREMENTS

All buildings and structures shall be built using a similar architectural theme, where possible. Decorative accents (i.e., overhangs, vigas, beams, pedestrian walkways, trims, etc.) shall be the same in color and style throughout Building Pads 1-7. Tinted windows

shall be allowed on all buildings and required on building windows facing west. It will be a goal to break up long buildings by utilizing a vertical or horizontal offset in the façade. The retail buildings situated on Building Pads 1-5 shall have flexibility in architectural style.

h. BUILDING MATERIAL STANDARDS

Exterior materials shall consist of the following or a combination thereof:

- Earth tone plasters
- Stone
- Tile in earth tone colors
- Glazing
- No reflective coatings shall be allowed on glazing.
- Glazing colors shall be muted and consist of clear, light blue or light green. Colors shall be consistent on entire building.
- Glazing frames shall be silver, bronze or dark bronze.
- Mechanical units shall be screened from view.
- Metal roofs are allowed and shall be compatible with surrounding buildings.
- Architectural pre-finished metal wall panels

i. SITE PLANNING

The intent of the following guidelines is to create pedestrian-friendly environments for employees and visitors. A goal is to enhance the opportunities for interaction and the exchange of ideas.

* As individual parcels are created, cross access easements shall be provided between adjoining parcels. Additionally, there shall be cross parking easements executed for all Building Pads that mandate retail/commercial structures to share parking with their adjacent property owners. This will ensure adequate circulation and alleviate parking congestion.

* The following design standards are applicable to all structures located with Building Pads 1-7:

* Sidewalks, a minimum of six feet in width, shall be provided along the entire length of major facades containing primary entrances. The width of the sidewalk shall be increased as follows:

* Ten feet in width for buildings over 30,000 square feet.

* The width of the required sidewalk may vary along the entire length of the facade provided the average required width is maintained and provided the width of the sidewalk along the facade does not fall below 6 feet.

* A six-foot wide clear path shall be maintained along the sidewalk at all times. Site amenities, cars, landscaping and other uses of the sidewalk may not encroach upon the six-foot clear width.

* The building's overall footprint will be considered the area for calculation of sidewalk width. A collection of smaller buildings linked by common walls will be considered as one building.

* Amenities, landscaping, vending and customer pick-up may be incorporated into the width of the sidewalk as long as they do not encroach upon the clear width as stated above.

* Patios, plazas, courtyards, and other outdoor activity or seating areas shall be shaded (25 percent minimum, 50 percent maximum) from summer sunlight by tree canopies and/or shade structures that are architecturally integrated with the building.

* Pedestrian connections (minimum 6-foot clear path) shall be provided from each building to the internal circulation system and to adjacent roadways. Shade trees shall be provided along the pedestrian connection at an interval of 30 feet in planters that have a minimum interior dimension of 5' x 5'.

* Pedestrian links between parking areas and buildings shall be clearly visible and highlighted with an alternative textured paving material.

* Pedestrian pathways, at a minimum, shall be 8 feet wide where there is overlapping parking on two sides; 6 feet wide where there is parking on one side; and 6 feet wide where there is no adjacent parking.

* All pedestrian pathways (sidewalks and trails) shall be designed to be accessible to the handicapped (see Americans with Disabilities Act criteria for barrier free design).

* A difference in paving material, color, or pattern shall be provided at entry drive crosswalks to bring attention in a visual and tactile way for safe pedestrian crossing.

* Paving of primary pedestrian connections and primary outdoor activity areas shall use patterned, stained or integrally colored concrete, and/or concrete inlaid with tile, concrete pavers, brick pavers and/or stone pavers when crossing vehicular pathways.

* Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or plant materials when viewed from the public right-of-way. Screening materials shall not limit access for maintenance purposes by utility companies.

j. SITE PLANNING EXCEPTIONS

Where primary entrances are located adjacent to a public sidewalk, the width of the public sidewalk may be included in the calculation provided a pedestrian connection is provided to connect the public sidewalk with the entrance(s).

Where a vestibule or other projecting entryway is provided, the depth of the vestibule or entryway may be included in the sidewalk calculation, provided 6 feet of sidewalk is located in front of the vestibule or projecting entryway in order to allow pedestrian connectivity along the entire length of the façade.

k. SITE LANDSCAPE

* Landscape plans must comply with the City's Ordinances, and be approved by staff . It is the intent of Petroglyph Real Estate Development, LLC to submit a complete landscape and irrigation plan with each subsequent Site Development Plan(s) which will be submitted subsequent to the adoption of the Master Plan. That landscape and irrigation plan will indicate the location of irrigation water meter, location and type of backflow preventer and controller. All mainline/s lateral lines, and valves shall be indicated. Subsequent Site Development Plan(s) shall also include details on how the **parking lot meets the requirements for tree cover,** specifically in the parking areas and the plan shall demonstrate how the facility will utilize water harvesting.

Future Site Development Plan Goals: This section has been removed. The off-site park and pond was submitted and approved independently from this Master Plan. **Exhibit A (**C-101 – Conceptual Grading & Drainage Plan)

* A minimum of 10 percent of the site area (minus building square footage) shall be devoted to landscape materials. Organic landscape material shall provide coverage per City ordinances at a minimum.

* A mixture of drought tolerant species and lawn areas shall be used at landscaped areas and in conformance with the City's Water Conservation Ordinance. Live plant materials shall, at a minimum, comply to city ordinances.

* Gravel, mulch, cobble, bark, and similar materials are acceptable as a mulch for landscape areas; however, they are not to be considered a focal landscape element.

* Minimum 10-foot wide landscape buffer shall be provided along West Side Blvd SE.

* Minimum plant material sizes at the time of installation shall be as follows:

- Canopy trees-- 2" caliper B&B
- Evergreen trees-- 8 foot minimum height
- Accent trees-- I 1/2" caliper B&B
- Shrubs and groundcovers-- I gallon minimum

- Low water use turf shall be provided at a maximum of 5 percent of the landscape area.

* Landscape materials shall be used as a transition between land uses.

* Street trees (located within the public right-of-way or within 20 feet from the back of curb) shall be installed at a frequency of 25-30 feet per linear foot of street frontage (including driveway locations). They can either be randomly or evenly spaced; however, there shall be no more than a 50 foot gap between groupings. There shall be a 70:30 percent mix of deciduous to evergreen trees.

* Landscape areas shall be a minimum of 36 square feet and a minimum interior width of 3'-0" or 6'-0" x 6'-0" outside curb dimension.

l. SUGGESTED PLANT PALETTE

The suggested plant materials were selected based on qualities such as cold hardiness, fast growth rate, minimal maintenance requirements, water conservation, and aesthetic appeal.

*** Street Trees**

Fraxinus spp.	Ash varieties
Gleditsia spp.	Honeylocust varieties
Pinus nigra	Austrian Pine
Pistachia chinensis	Chinese Pistache
Platanus wrightii	Arizona Sycamore
Prunus spp.	Flowering Plum varieties
Robinia x ambigua	Purple Robe Locust

*** General Use Plant Materials**

Trees

Chilopsis linearis	Desert Willow
Chitalpa tashkentensis	Chitalpa
Cupressocyparis leylandii	Leyland Cypress
Forestiera neomexicana	New Mexico Olive
Fraxinus spp	Ash varieties
Gleditsia spp.	Honey Locust varieties
Koelreuteria paniculata	Goldenrain Tree
Pinus edulis	Pinon Pine
Pinus nigra	Austrian Pine

M. NOISE, REFUSE AND SAFETY

Any equipment operating at greater than seventy (70) decibels at a seventy-foot distance shall only run Monday through Friday from 7:00 am to 5:00 PM.

Crime Prevention: Crime Prevention Through Environmental Design (CPTED) concepts shall be incorporated into the Site Plan.

Refuse Collection Areas: Refuse collection areas shall be allowed between any street and building front. All refuse containers shall be screened within a minimum of a 6 foot tall enclosure that is large enough to contain all refuse generated between collections. The design and materials for refuse collection enclosures shall be compatible with the architectural theme of the site.

EXHIBITS INDEX

EXHIBIT A: Grading and Drainage Plan for Petroglyph Medical Plaza
EXHIBIT B: Vicinity Map for Petroglyph Medical Plaza
EXHIBIT C: Master Utility Plan for Petroglyph Medical Plaza Master Plan
EXHIBIT D: Petroglyph Medical Plaza Building Pad Plan (AS-100)
EXHIBIT E: Conceptual Building Elevations (A-200)
EXHIBIT F: Wastewater Availability Statement from Rio Rancho

EXHIBIT A
Conceptual Grading and Drainage Plan for Petroglyph Medical Plaza

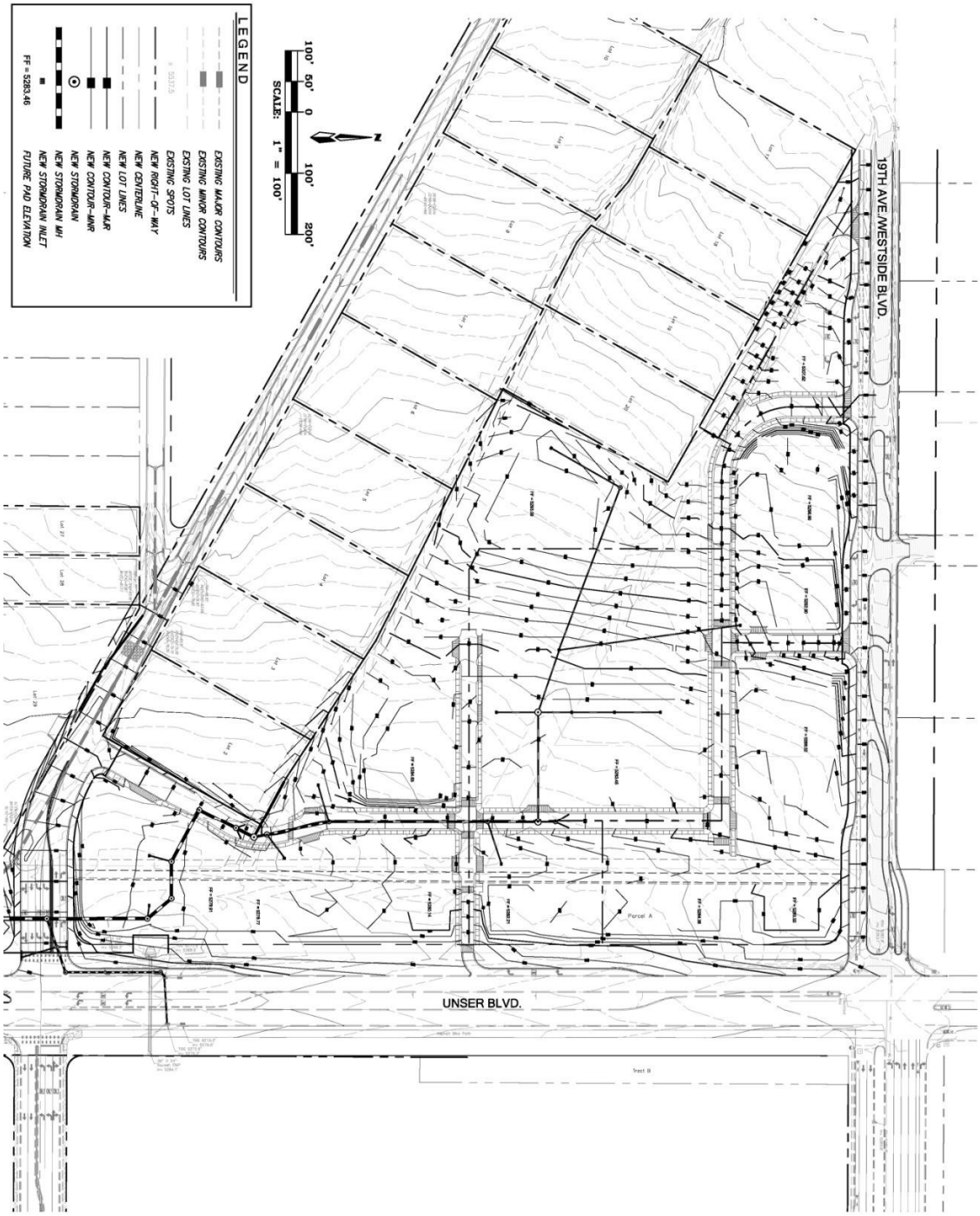


EXHIBIT B
VICINITY MAP PETROGLYPH MEDICAL PLAZA

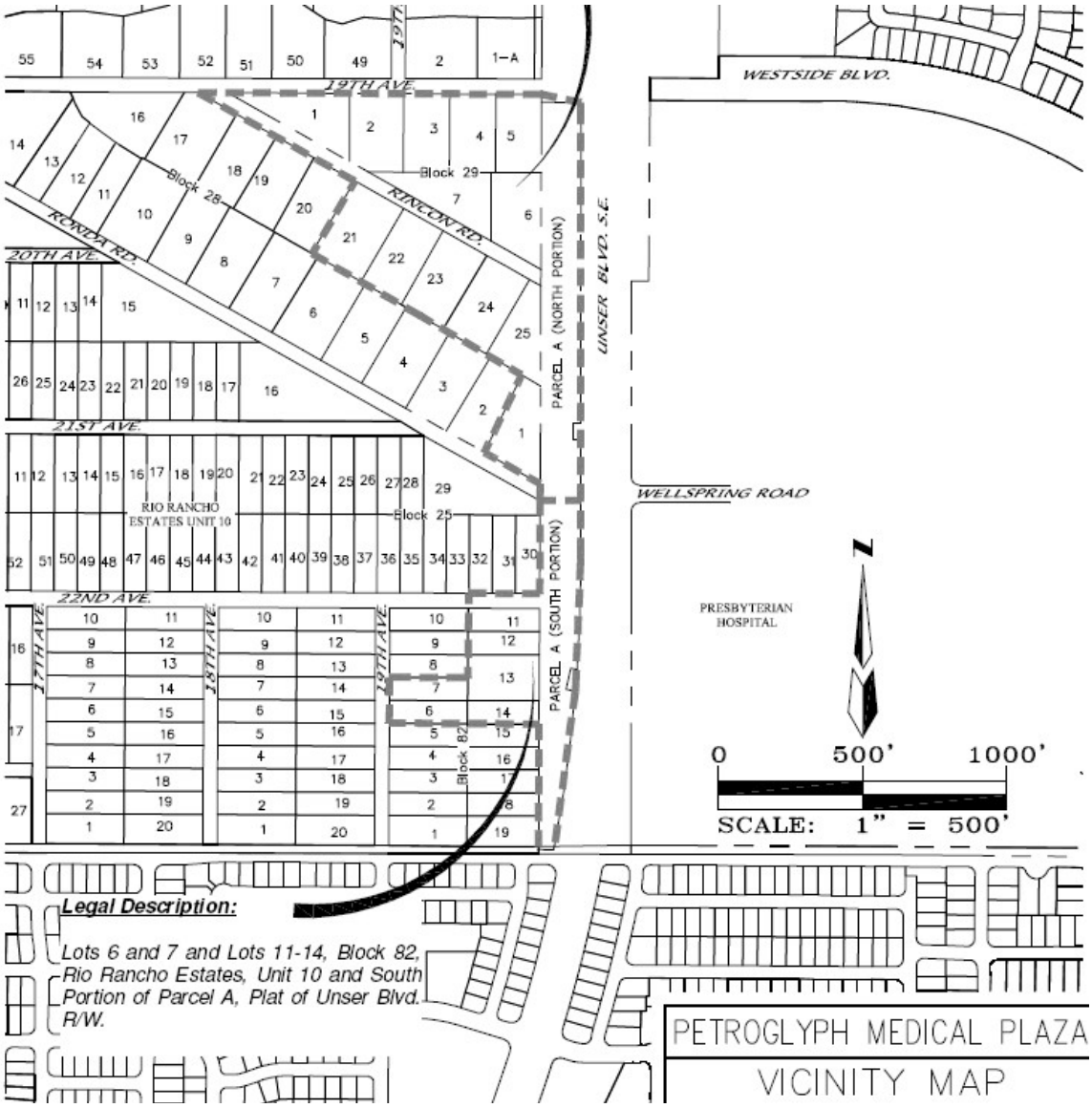


EXHIBIT C
CONCEPTUAL MASTER UTILITY PLAN
FOR PETROGLYPH MEDICAL PLAZA

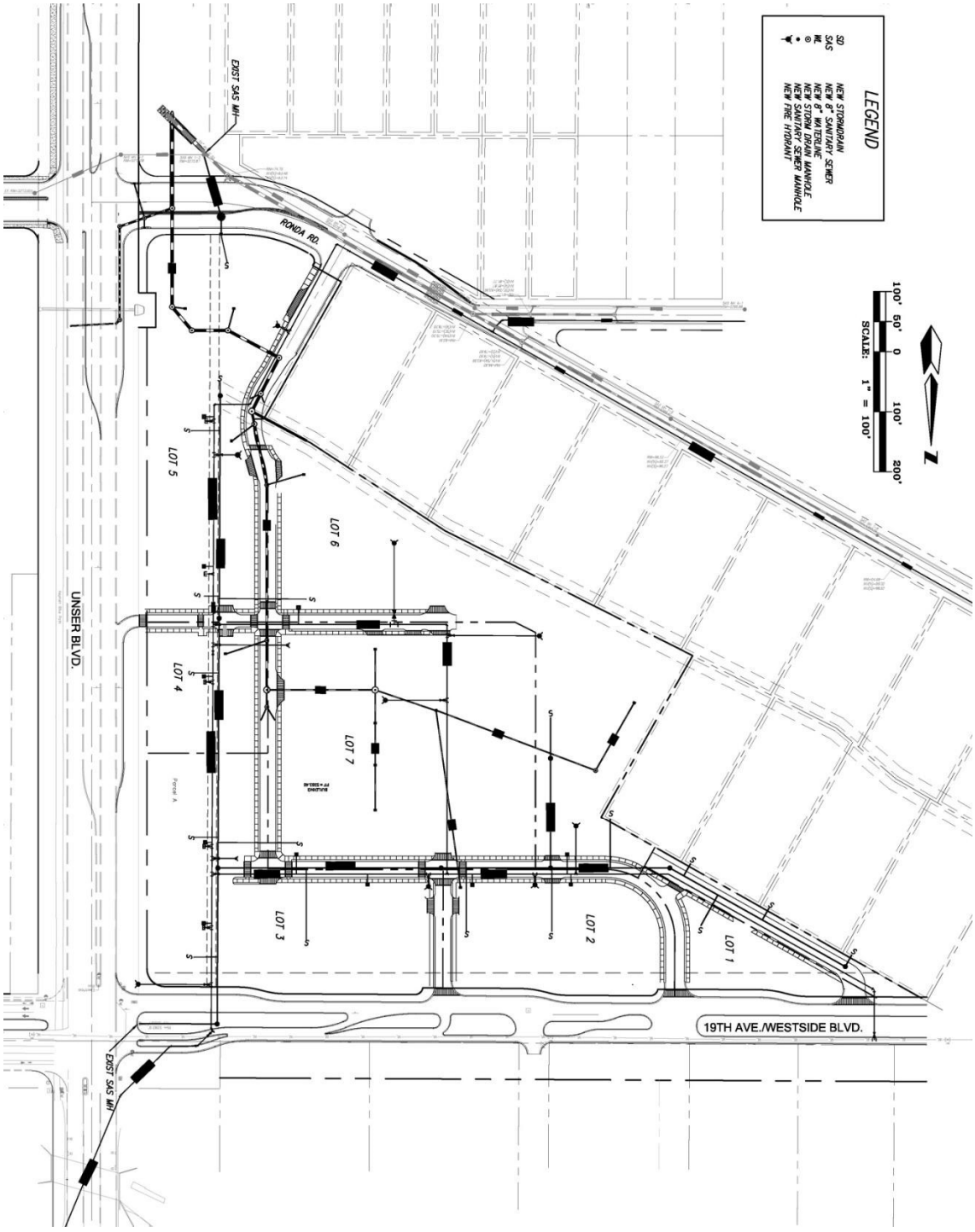


EXHIBIT D
Petroglyph Medical Plaza Proposed Building Pad Plan (AS-100)

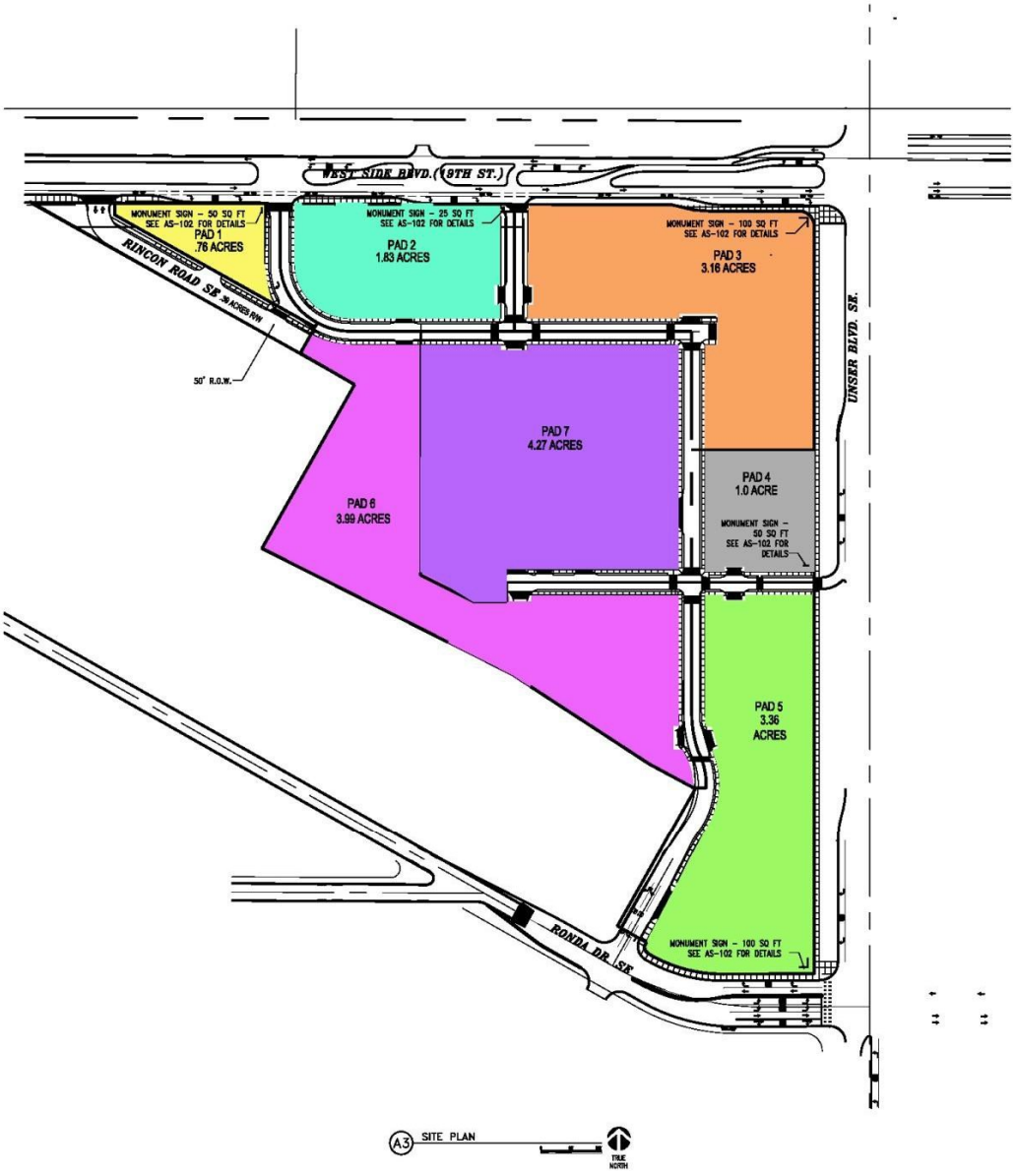


EXHIBIT E
Conceptual Building Elevations (A-200)

BUILDING ELEVATION CONCEPTS



TYPICAL PAD BUILDING

SIGNAGE



EAST ELEVATION



WEST ELEVATION

ARCHITECTURAL FEATURES:
- CANOPIES OVER WALKWAYS AND ENTRANCES
- SCREEN OUTDOOR DINING AREAS
- BALCONIES
- SCREEN WALLS TO BE SPLITFACE OR STUCCO
- LOADING AREAS WILL HAVE SCREEN WALLS

MATERIAL PALETTE:
- STUCCO/PLASTER IN EARTH TONE COLORS
- STONE
- EARTH TONE TILE

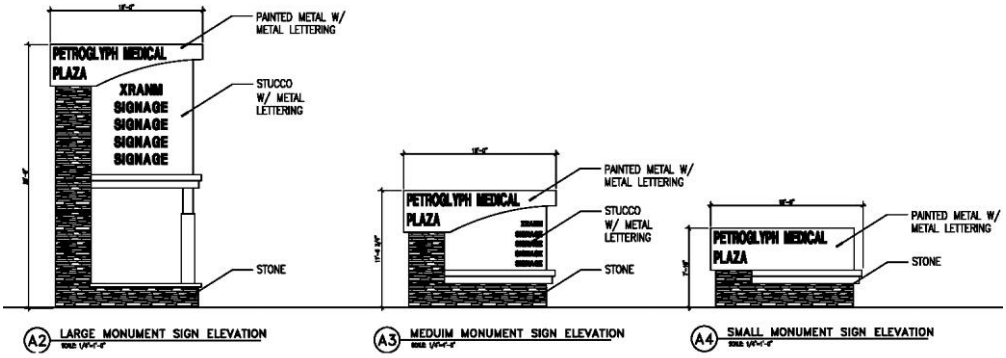


EXHIBIT F
Wastewater Availability Statement

Rio Rancho
City of Vision

October 20, 2009

Mr. John MacKenzie P.E.
D. Mark Goodwin and Associates, P.A.
Consulting Engineers
P.O. Box 90606
Albuquerque, NM 87199

Re: **Letter Granting Water & Wastewater Availability with conditions for Petroglyph Medical Plaza**
Location: Unit 10, Blocks 28 & 29, 20-acre site. Southwest corner of 19th Avenue/Westside Boulevard and Unser Boulevard.

Dear Mr. MacKenzie

The Utilities Commission approves the granting of this Wastewater Availability Statement based on the following conditions. Initial water model results indicate a fire flow of 3,200 gpm to 3,400 gpm. Developer shall work with the City of Rio Rancho Fire and Rescue Department to ensure adequate fire flow for the anticipated buildings.

Approval of this availability statement does not imply or suggest approval of zoning changes, construction plans, conceptual layouts, or any other requirements that may be conditions of approval for this development. This statement merely represents a commitment from the City that, if all other necessary approvals are obtained, and the completion of the proposed water system improvements, this development will be allowed to be served by the City's water and wastewater systems as described above.

Also, in accordance with the *Utility Commission Policy Statement*, this Availability Statement will expire unless construction starts within 18 months of approval by the Commission and is complete within 3 years of approval. If you have questions regarding this Availability Statement or the Utility Commission Policy Statement, please contact Elaine Allen, Utilities Administrative Assistant, at (505) 896-8715 or myself at 891-5046.

Sincerely,

Steve Gallegos,
Utilities System Engineer

3200 Civic Center Circle NE Rio Rancho, New Mexico 87124
Office (505) 896-8715 Fax (505) 891-5201

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D4

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Development Services

SUBJECT:
D4, (Postponed on February 4, 2023) Site Plan Approval for a Four-Plex Development at Unit 13, Block 46, Tract A

BACKGROUND AND ANALYSIS:
The subject property is located at 2828 Hedingham Ave. NE, is legally described as Unit 13, Block 46, Tract A, and consists of approximately 11.08 acres. The Site Plan is approximately 6 acres of Tract A.

This item was initially scheduled for the Governing Body meeting on February 9, 2023. After meeting with the Tierra Del Oro HOA and residents, the applicant requested a 30-day deferral in order to address comments and concerns voiced at the meeting. The motion to defer the meeting for 30 days was passed with a vote of 6-0. The applicant has provided updates to the request including correspondence with community members, enhanced elevations, and an updated justification letter.

The subject property is zoned SU: Special Use per Ordinance No. 56, Enactment No.08-57. In 2008, this Ordinance was adopted putting in place a SU: Special Use for R-6 Multi-Family Residential and Continuing Care Facility, and stipulated that a site plan must be submitted to Governing Body for approval before a building permit may be issued.

The property is also with a Corridor Overlay Zone per Ordinance No. 57, Enactment No. 08-58. The overlay is for access, floodplain, and design standards. The design standards required for commercial and multi-family development state that courtyards, plazas, and public spaces may count towards the landscaping requirement, and bike racks providing spaces for 10% of total parking requirement are required for all multi-family, office, and commercial development.

This area is within the Lomas Negras Specific Area Plan. The purpose of Lomas Negras Specific Area Plan is to help guide and manage future development along, and in the vicinity of, major arterial streets within the City of Rio Rancho. The plan identifies the subject property as High-Density Residential. Access points are mapped out in the plan including one at the intersection of Hedingham and Broadmoor Blvd. NE, which the property will utilize. This area is also within the Tierra del Oro Master Plan. This plan labels this area as a future phase for SU for R-6 and continuing care retirement community with a maximum allowance of 32 units per acre. This development proposes 9.3 units per acre.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:
The Rio Rancho Code of Ordinances (R.O. 2003) §154.43 (3) requires “All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for

a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property." Pursuant to the criteria provided by R.O. 2003 § 154.43 (3)(a) through (3)(j), the site plan, at a minimum, shall contain the following:
a. Scale and north arrow; criteria is satisfied.
b. Lot boundaries and easements; A 5' Public Utility Easement currently exists surrounding the property. A 10' Public Utility Easement exists at the north end of the property, continuing down the east end of the property and a portion along the south end of the property. Pending the Site Plan approval, the applicant will then subdivide the property into 14 lots through the Preliminary Plat process; criteria is satisfied.
c. Existing and proposed utilities; criteria is satisfied.
d. Existing and proposed rights-of-way; The site plan identifies a future 28.5' right of way connecting to Broadmoor Blvd; criteria is satisfied.
e. Proposed structure with uses, dimension, and setbacks; 14 four-plex apartments are purposed. Heights of the buildings will be 23 ft, which is in compliance with the 48 ft maximum height of the SU Ordinance requirements. Setbacks shall conform to §154.76 R-6; criteria is satisfied.
f. Proposed ingress, egress, parking, and circulation; egress and ingress points into the development will be located off of Hedingham Ave. NE with two access points, one at each end of the development. Access points to Hedingham Ave. NE off of Broadmoor Blvd. NE are mapped out in the Lomas Negras Specific Area Plan including one at the intersection of Hedingham and Broadmoor Blvd. NE, which the property will utilize. Off-street parking shall be guided by the regulations set forth in §154.76, which states that Multi-Family Dwelling shall require 2 spaces per each three-bedroom unit. There are 14 proposed four-plexes and 56 individual dwelling units. The required amount of parking is 112 spaces with 8 ADA spaces. The provided amount of parking per the site plan is 122 spaces with 14 ADA spaces. The Corridor Overlay Zone also requires bike racks providing spaces for 10% of total parking for all multi-family, office, and commercial development. This will be included as a condition; criteria is satisfied.
g. Landscaping and landscape buffers; Supplemental landscaping requirements are outlined in the Lomas Negras Specific Area Plan. Compliance with these requirements will be added to the list of conditions; criteria is satisfied.
h. Elevations; According to a justification letter provided by the applicant, the four-plexes, as shown on the enclosed color renderings, will be finished in a Mediterranean architectural style, with concrete tiles on the building front elevations; criteria is satisfied.
i. Adjacent property characteristics; Properties to the north are zoned R-1: Single-Family Residential. Properties to the west and south are zoned R-4: Single-Family Residential. Three properties also to the south of the property are zoned R-1. A property also to the south, towards the east end of the property, is zoned C-1: Retail Commercial. Properties to the east are zoned O-1: Office.
j. Preliminary drainage plan; criteria is satisfied.

NOTIFICATIONS: Adjacent property owners were notified of this hearing by mail. A notice sign was posted on the property on March 2, 2023. A legal notice was published in the February 22, 2023 edition of the Albuquerque Journal for the Governing Body meeting. All legal notification requirements for this project have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Comments provided
DSD Engineering	X	Comments provided
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	Comments provided
Police Department	X	No comments provided

SSCAFCA	X	Comments provided
MRCOG	X	Comments provided
Parks, Recreation and Community Services	X	Comments provided

IMPACT:

The Development Services Department recommends the Governing Body approve the applicant's request for Site Plan Approval with the following findings of fact and conditions of approval:

General Findings:
1. R.O. 2003 154.43 (3) requires site plan approval by the Governing Body;
2. The applicant has the authority to apply for site plan approval;
3. The applicant and adjacent property owners received due process as proper notice and a full opportunity to present views were given.

Specific Findings and Conditions of Approval:
1. The subject property is zoned SU: Special Use District by Ordinance No. 56, Enactment No.08-57. The SU: Special Use zoning designation requires that a site plan be reviewed and approved by the Governing Body.
2. The site plan conforms to the Rio Rancho Code of Ordinances (R.O. 2003) Section 154.43.
3. Development of the site will conform to all City ordinances, standards, and specifications.
4. The review and subsequent building permit applications will ensure conformance to the approved site plan and City ordinances, standards, and specifications.
5. Landscaping shall comply with the Lomas Negras Specific Area Plan.
6. Building standards shall comply with the Lomas Negras Specific Area Plan.
7. The applicant shall address all of the Site Plan reviewer comments.
8. The Director of the Development Services Department may approve minor changes to this site plan if the changes are consistent with the use and other written requirements and/or conditions of approval, if the buildings are the same general configuration, if the total square footage is not greater than 10% of the approved plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the City nor any person will be substantially aggrieved by the altered site plan.
9. This approval is valid for a period of two years from date of approval, in which time a building permit for the proposed structures must be applied for and issued, remain active, and the authorized construction shall be started and diligently pursued to completion without cessation of 30 days.

ALTERNATIVES:

The Governing Body has three alternatives on the disposition of this request and may:
1. Approve the site plan.
2. Deny the site plan.
3. Postpone its decision to allow for further review and consideration.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Governing Body approve the applicant's request for Site Plan approval with findings and conditions.

ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: JustificationLetter
ATTACHMENT: Zoning, Location
ATTACHMENT: Site Plan
ATTACHMENT: Elevations
ATTACHMENT: Additional Elevations
ATTACHMENT: Landscape
ATTACHMENT: Staff Comments
ATTACHMENT: Neighborhood and Applicant Correspondence
ATTACHMENT: Reproduction of Notices 3.9.23
ATTACHMENT: Public Comment
ATTACHMENT: Public Comment
ATTACHMENT: Public Comment
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ATTACHMENT: Public Comment - Deborah Davidson

Rio Rancho
City of Vision

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	XX Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: TDO Partners, a New Mexico General Partnership		Phone: 505-917-6157
Address: 2909 Aloysia Lane NW		E-Mail:RickK@trkmgmt.com
City: Albuquerque	State: New Mexico	Zip: 87104
Proprietary Interest: Owner	List Owners: TDO Partners, a NM General Partnership	
Deed or Ownership Verification Provided: (Initials) Yes – See enclosed Deed – MM	Letter of Authorization Provided: (Initials) Yes - MM	
Agent Name: Myers, McCready & Myers, P.C. (Matt Myers)		Phone: 505-247-9080
Address: 1401 Central Ave. NW		E-Mail: mmyers@moplaw.com
City: ABQ	State: NM	ZIP Code: 87104

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

We are requesting approval of a site plan as the subject property is zoned SU-6. We have enclosed a site plan that meets all of the requirements found on the DRC Checklist, which checklist came from the DRC meeting. A copy of the DRC comments are enclosed.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Rio Rancho Estates Unit 13	Block(s): 46	Lot(s): Tract letter "A"
Existing Zoning: SU-6	Proposed Zoning: SU-6	
No. of existing lots: One	No. of proposed lots: 14	Total area of site (acres): see site plan

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Matt Myers	Applicant: TDO Partners	Agent: Matt Myers
Signature:		Date: 1/6/23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: Michelle Costilla DATE: 1/6/23

AUTHORIZATION LETTER

Development Services Department, Suite 130
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144

RE: Applications before the City of Rio Rancho regarding the following property: Tract "A" of Summary Plat of Tract A & B, Block 46, Unit 13 (the "Property")

Dear City of Rio Rancho:

This letter shall serve as notice that the firms of Myers, McCready & Myers, P.C., Mark Goodwin & Associates, PA, and Adwelling Design, LLC, shall have the authority to serve as agents for TDO Partners, a New Mexico General Partnership, the owner of the above captioned Property, in regards to its efforts to seek entitlements for the Property, including, but not limited to, approval of a site plan, building plans and subdivision plat. This authorization shall extend to any and all actions before the City of Rio Rancho in regards to the Property.

Sincerely,

TDO Partners, a NM General Partnership

By: Richard Kraemer
Its: MANAGING PARTNER

Rio Rancho
City of Vision

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
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☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
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Please Print In Ink Only or Type
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Proprietary Interest: Owner	List Owners: TDO Partners, a NM General Partnership	
Deed or Ownership Verification Provided: (Initials) Yes – See enclosed Deed – MM	Letter of Authorization Provided: (Initials) Yes - MM	
Agent Name: Myers, McCready & Myers, P.C. (Matt Myers)		Phone: 505-247-9080
Address: 1401 Central Ave. NW		E-Mail: mmyers@moplaw.com
City: ABQ	State: NM	ZIP Code: 87104

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

We are requesting approval of a site plan as the subject property is zoned SU-6. We have enclosed a site plan that meets all of the requirements found on the DRC Checklist, which checklist came from the DRC meeting. A copy of the DRC comments are enclosed.

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Existing Zoning: SU-6	Proposed Zoning: SU-6	
No. of existing lots: One	No. of proposed lots: 14	Total area of site (acres): see site plan

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Matt Myers	Applicant: TDO Partners	Agent: Matt Myers
Signature:		Date: 8/12/19

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

JUSTIFICATION LETTER

This letter is being submitted on behalf of TDO Partners, LLC, a New Mexico limited liability company (the "Applicant") who has submitted a request for site plan (the "Site Plan") approval to the City of Rio Rancho's Governing Body (the "Governing Body"). The property that is the subject of the application is zoned SU for R-6 and Continuing Care Retirement Community ("SU for R-6 and CCRC"), and is comprised of approximately six (6) acres (the "Property"). The Property is located at 2828 Hedingham Ave. NE, which is between Hedingham Ave. and Havencrest Ave., just west of Broadmoor.

The Applicant proposes to develop (the "Development") fourteen (14), 4-Plex units (each, a "4-Plex" and together, the "4-Plexes"), for a total of 56 individual dwelling units (altogether, the "Units"). Each 4-Plex will be located on its own legally subdivided parcel of land. The subdivision of the Property into 14 lots will be the next step in the process, assuming the Site Plan is approved by the Governing Body, and will require the approval of a subdivision plat by the City. All of the Units will be for rent at the current market rate. There was some confusion among the neighboring property owners, who were under the mistaken belief that the development would be affordable housing; however, that is not the case. At the present time the Applicant intends to retain ownership of the Units and rent, at a market rate, the Units; however, if the Applicant ever sells one of the 4-Plexes, so that not all of the 4-Plexes are held in common ownership, the Applicant will create a Homeowner's Association and associated Covenants, Conditions and Restrictions, to ensure that the Development maintains a uniform and pleasant appearance.

The Site Plan conforms to the requirements contained in Sec. 154.43 (3)(a) through (3)(j) of the City of Rio Rancho Code of Ordinances (the "Code"), which states that a site plan shall contain, at a minimum, the following:

a. Scale and north arrow;

b. Lot boundaries and easements;

c. Existing and proposed utilities;

d. Existing and proposed rights-of-way;

e. Proposed structures with uses, dimension, and setbacks;

f. Proposed ingress, egress, parking, and circulation;

g. Landscaping and landscape buffers;

h. Elevations;

i. Adjacent property characteristics;

j. Preliminary drainage plan.

The Applicant has satisfied all of the aforementioned requirements, which were shown on, or included as a part of, the Site Plan application. Included with this letter are a rendering showing what the finished 4-Plexes will look like. As you can see, the 4-Plexes will be high-quality construction and will be done in a Mediterranean style, as required by the Tierra del Oro Master Plan (the "TDO Master Plan"), which also requires that the Development not exceed 32 dwelling units per acre. In this particular case, there will

be a total of 56 dwelling units within the six (6) acre site, which means that there will be 9.3 dwelling units per acre, which is less than a third of the density that is allowed by the TDO Master Plan.

It is apparent, based on concerns from the neighbors, that density and traffic are a major concern. The zoning of the Property would allow, permissively, a multi-family development that is three times as dense as the proposed Development, which would result in approximately three times as much traffic as currently proposed. The TDO Master Plan expressly planned for increased density along Broadmoor. The City's applicable planning documents want higher density development to take place along Broadmoor. The Development is consistent with, and furthers, the goals and policies contained in the City's Comprehensive Plan and TDO Master Plan. The Development has more than the required amount of off-street parking, all as detailed in the report prepared by the City's Planning Staff in response to the Site Plan application (the "Staff Report"). The Development will not have, or allow, walls to be built along the interior property lines, which will result in a large amount of open space for use by the occupants of the Units.

The Staff Report, a copy of which is included in the record, recommends that the Governing Body approve the Site Plan. Specifically, the Staff Report states that the Applicant has complied with all of the requirements found in Sec. 154.43 (3)(a) through 154.43 (3)(j), which means that the City Planning Staff, who is tasked with reviewing the Site Plan, has determined that the Applicant has met all of the requirements in the Code and the TDO Master Plan.

Section I.4, Multi-Family Residential (SU for R-6), of the TDO Master Plan requires:

> a. all buildings within the SU for R-6 and CCRC zone shall have a maximum height of 48 feet (3-stories). b. Buildings within the SU for R-6 and CCRC zone shall have a Mediterranean architectural style. c. Buildings within the SU for R-6 and CCRC zone shall have roofs with clay or concrete tile and a maximum 4:12 pitch.

The maximum height of the 4-Plexes will be 23'-8 3/4", which is 24'-3 1/4" less than allowed. The 4-Plexes, as shown on the enclosed color renderings, will be finished in a Mediterranean architectural style, with concrete tiles on the building front elevations.

In addition to complying with the aforementioned requirements in the Code and the TDO Master Plan, the Development will further the goals and policies contained in the TDO Master Plan, as follows:

1) Section E.2 of the TDO Master Plan states:

> The City also promotes the assembly of prematurely platted properties into developable parcels. Increased property taxes derived from the housing and commercial uses developed within Tierra del Oro will help to support the Rio Rancho School District's construction of future school sites, and maintenance of existing facilities.

The Development is doing exactly what is envisioned by the above excerpt, namely, the Property was comprised of "prematurely platted properties," which have been assembled into developable parcels. As this project moves forward it will ultimately result in increased property taxes to support the Rio Rancho School District's construction of future school sites and maintenance of existing facilities;

2) Section E.7 of the TDO Master Plan states:

> The Tierra del Oro Master Plan calls for a mix of land uses that will accommodate a variety of housing options for residents. There are two residential zones within the Master Plan that will provide buyers a choice of housing types, densities, and products, and helps meet the demand of the CCP for diverse housing options. Home buyers are anticipated to include families, singles, couples, empty nesters, and people of all income levels. Each neighborhood will have a unique feel, but will be part of a unified design for the overall community.

The proposed Development will provide housing for those residents of the City who cannot afford to buy their own home. Contrary to many of the claims set out in the letters submitted by the neighbors, people who rent, as opposed to own, are not, by default, less productive or important members of society. I am sure the Governing Body is aware that a City needs to have a variety of housing options available to its residents in order to produce a balanced and complementary society. The Units in this Development will likely be occupied by students, teachers, firemen and women, police officers and other blue collar workers. The TDO Master Plan, which has been in place for over 17 years, and was approved by the City, was put in place so that the Property could be developed with multi-family housing. The City needs to offer housing for all of its residents, not just the residents who can afford their own homes.

3) Section I.2, Multi-Family Residential, of the TDO Master Plan states:

> a. The design of vehicular circulation and parking areas within multi-family developments shall provide for safe and convenient movement of vehicles, limit vehicular/pedestrian conflicts, limit paved areas, and soften their visual impact. Parking areas shall be sufficient to serve the complex without utilizing adjacent streets. b. In multi-family developments, parking areas shall be screened from public streets by landscape, screen walls, berms, or a combination of those materials. Such screening shall be 3 feet in height. c. Bicycle parking shall be provided in multi-family developments in a manner that provides convenient access to each building.

The Site Plan shows that all of the aforementioned design, and layout, characteristics will be met. There will be an approximately 6' tall wall that surrounds the Development and there is more than enough off-site parking, as shown on the Site Plan. Additionally, each 4-Plex has at least four garages, which is something that is not typically offered in multi-family developments.

In addition to compliance with the TDO Master Plan, the Development will further the goals and policies contained in the Lomas Negras Specific Area Plan. Section 7.4 of the Lomas Negras Specific Area Plan states:

> The City will encourage private developers to assemble parcels so they may be replatted to meet City standards with the construction of adequate infrastructure. Incentives may include a streamlined permitting process. Higher density residential rezoning will be delayed until assembly of at least 5 acres occurs.

The Development is doing exactly what the City says it wants to encourage. Furthermore, one of the stated goals of the Lomas Negras Specific Area Plan is to guide and manage future development along, and in the vicinity of, major arterial streets within the City, which is exactly what the Applicant is attempting to do with this Development.

LEGAL ANALYSIS:

The zoning of the Property expressly allows multi-family housing. In fact, as previously mentioned, the zoning allows a density of up to 32 dwelling units per acre. The proposed Development only has ____ dwelling units per acre. The Site Plan satisfies all requirements found in the Code, the TDO Master Plan and the Lomas Negras Specific Area Plan, including setbacks, height regulations, parking requirements, bicycle parking, landscaping, and open space requirements. The Site Plan also meets the design guidelines contained in the TDO Master Plan, and the City's Planning Staff recommends approval of the Site Plan. For those reasons, the Applicant respectfully requests that the Site Plan be approved. The Applicant understands that the Governing Body may have some suggestions, or there may be some conditions of approval, as recommended in the Staff Report; however, the Applicant does not believe that the Governing Body has the authority to outright deny the Site Plan. The New Mexico Supreme Court, in the case of *Albuquerque Commons Partnership v. City Council of the City of Albuquerque*, had the following to say regarding approval of a site plan by the City Council of the City of Albuquerque:

> …the discretion that the City possesses to deny site plans that are otherwise in compliance with existing zoning regulations is limited by the requirement that the City's decision pass muster under judicial review for administrative actions that are arbitrary and capricious or otherwise contrary to law. Existing zoning regulations and sector plans would mean little if the City had limitless discretion to deny proposed developments that were otherwise in compliance with those requirements.

See Commons, 2008-NMSC-025, ¶ 58. The Site Plan meets the requirements found in the Code, the TDO Master Plan, and the Lomas Negras Specific Area Plan, and therefore should be approved by the Governing Body. The New Mexico Supreme Court also stated in *Commons* (internal citations omitted), 2008-NMSC-25, ¶ 58:

> Ad hoc, standard-less regulation that depends on no more than a zoning official's discretion would seriously erode basic freedoms that inure to every property owner.

The Applicant is confident that the Development will provide much needed housing for the City. The Development is taking place within an area of the City where multi-family is expressly allowed. The fact that neighboring property owners object to renters is not a reason to deny a Site Plan that meets all of the City's rules and regulations.

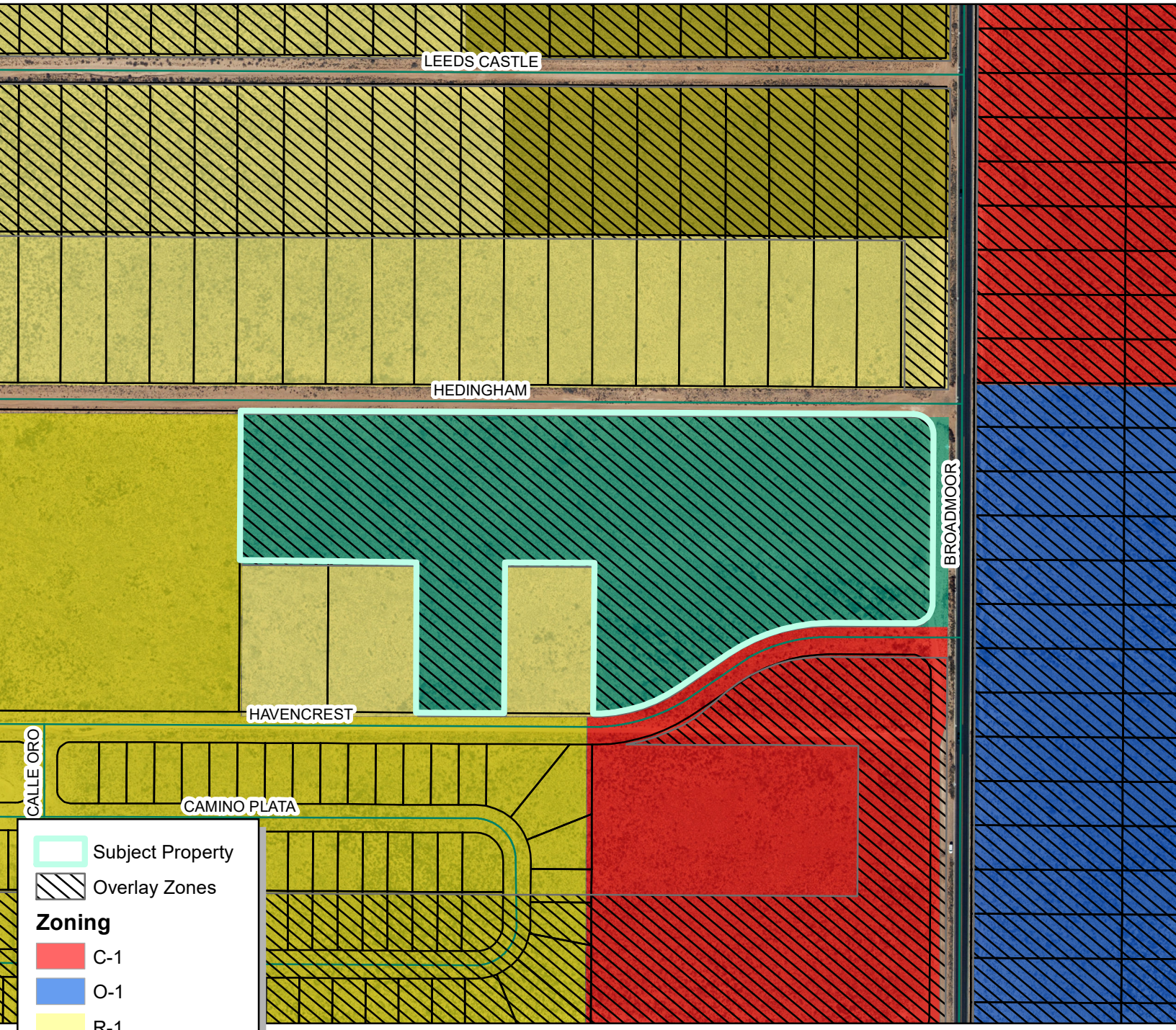
CONCLUSION

The Applicant has been in communication with the neighbors, through Ms. Kristelle Siarza, who has volunteered her time (as a neighboring property owner) to be the point of contact for the neighbors, and assist the neighbors in communicating with the Applicant. Included in the record before the Governing Body are emails that have been sent by the Applicant to Ms. Siarza, wherein the Applicant

has indicated his willingness to answer questions and, in fact, has answered many of the neighbors' questions. Additionally, the Applicant's agents met with the neighbors to discuss the Site Plan at a meeting that took place on Monday, February 6, 2023. In response to the meeting, and the significant amount of questions raised by the neighbors, the Applicant requested, and was granted, a 30 day deferral by the Governing Body so that the neighbors would have some additional time to digest the request and the Applicant could answer some of the neighbors' questions.

For all of the reasons set forth herein, the Applicant respectfully requests that the Governing Body approve the Site Plan. The Applicant looks forward to answering any questions the Governing Body may have.

2828 HEDINGHAM AVE NE



GIS
Moving Spatial Data Forward

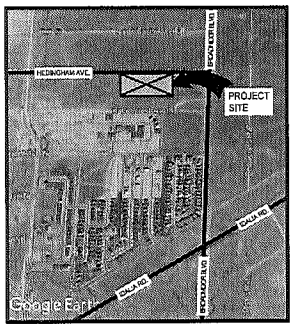
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Rio Rancho
City of Vision

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

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Feet

Map created by: Michelle Costilla 1/18/2023



VICINITY MAP
N.T.S.

CONTENTS

T1 ..... TITLE PAGE & PROJECT DATA
A0 ..... TYPICAL SITE PLAN BLDG. A & B
A1 ..... ARCHITECTURAL FLOOR PLANS - BLDG. A
A2 ..... DIMENSIONED FLOOR PLAN - BLDG. A
A3 ..... DIMENSIONED FLOOR PLANS - BLDG. A
A4 ..... EXTERIOR ELEVATIONS - BLDG. A
A5 ..... EXTERIOR ELEVATIONS - BLDG. A
A6 ..... ARCHITECTURAL FLOOR PLANS - BLDG. B
A7 ..... DIMENSIONED FLOOR PLAN - BLDG. B
A8 ..... DIMENSIONED FLOOR PLAN - BLDG. B
A9 ..... EXTERIOR ELEVATIONS - BLDG. B
C1 ..... CONCEPTUAL UTILITY PLAN
C2 ..... CONCEPTUAL PAVING PLAN
C3 ..... CONCEPTUAL GRADING & DRAINAGE PLAN
LS-01 ..... LANDSCAPE PLAN

PROJECT DATA

TOTAL AREA
TOTAL BLDG "B": 6296 x 10 UNITS =62,960 SF
TOTAL BLDG "A": 5657 x 4 UNITS =22,628 SF
TOTAL SQUARE FOOTAGE 85,588 SF

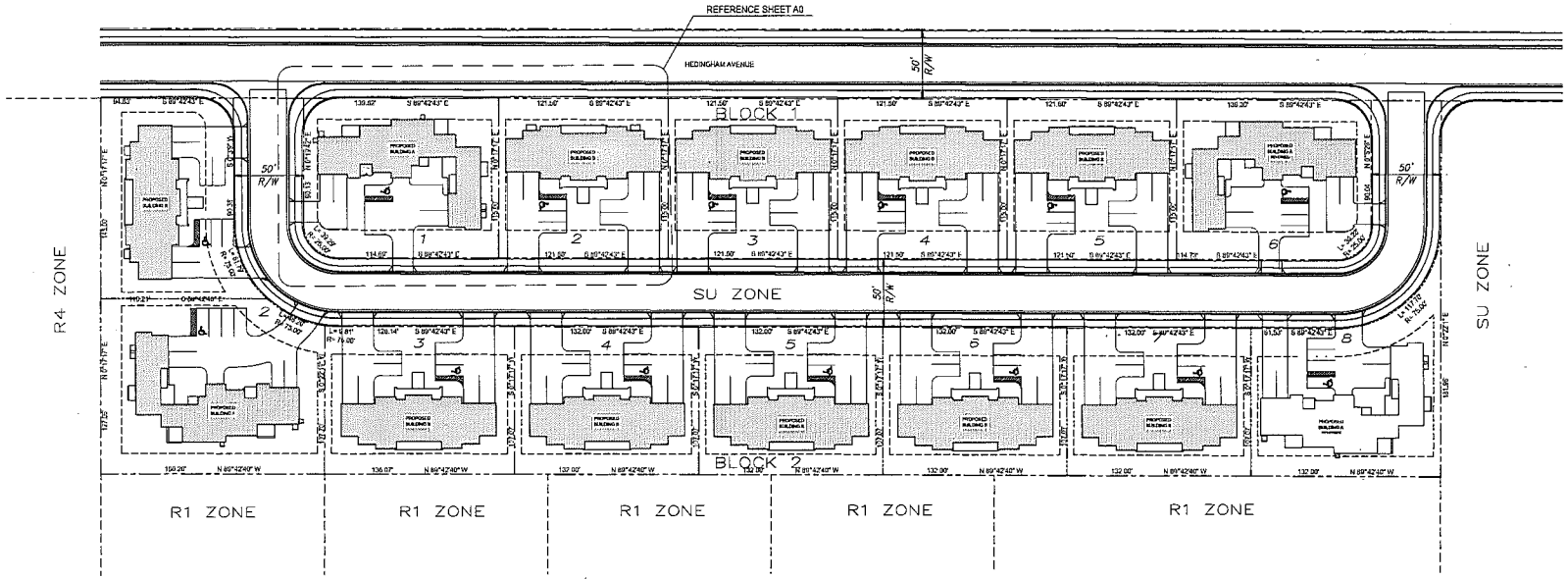
PARKING REQUIREMENTS:
12-6 ZONING: MULTI FAMILY
1.5 SPACES PER DWELLING UNIT
14 4 PLEX APARTMENTS:
1.5 x 14 = 22 SPACES REQ'D
SPACES PROVIDED: 108 - 9 x 20
14 - 9 x 20 ACCESSIBLE
122 SPACES PROVIDED

PROJECT AREAS "BLDG. A"

UNIT A HEATED - LOWER LEVEL	975 SF
UNIT A HEATED - UPPER LEVEL	540 SF
TOTAL UNIT A HEATED	1515 SF
UNIT A GARAGE	570 SF
COVERED PORCHES	158 SF
TOTAL PROJECT UNIT A	2243 SF
TOTAL UNIT B HEATED	944 SF
UNIT B GARAGE	378 SF
COVERED PORCHES	152 SF
TOTAL PROJECT UNIT B	1474 SF
TOTAL UNIT C HEATED	611 SF
UNIT C GARAGE	281 SF
COVERED PORCHES	113 SF
TOTAL PROJECT UNIT C	953 SF
TOTAL UNIT D HEATED	611 SF
UNIT D GARAGE	310 SF
COVERED PORCHES	66 SF
TOTAL PROJECT UNIT D	987 SF

PROJECT AREAS "B"

TOTAL UNIT A HEATED	1095 SF
UNIT A GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT A	1574 SF
TOTAL UNIT B HEATED	1095 SF
UNIT B GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT B	1574 SF
TOTAL UNIT C HEATED	1095 SF
UNIT C GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT C	1574 SF
TOTAL UNIT D HEATED	1095 SF
UNIT D GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT D	1574 SF



OVERALL SITE PLAN
1" = 40'

1" = 40'-0" 40' 20' 0 40' 80'

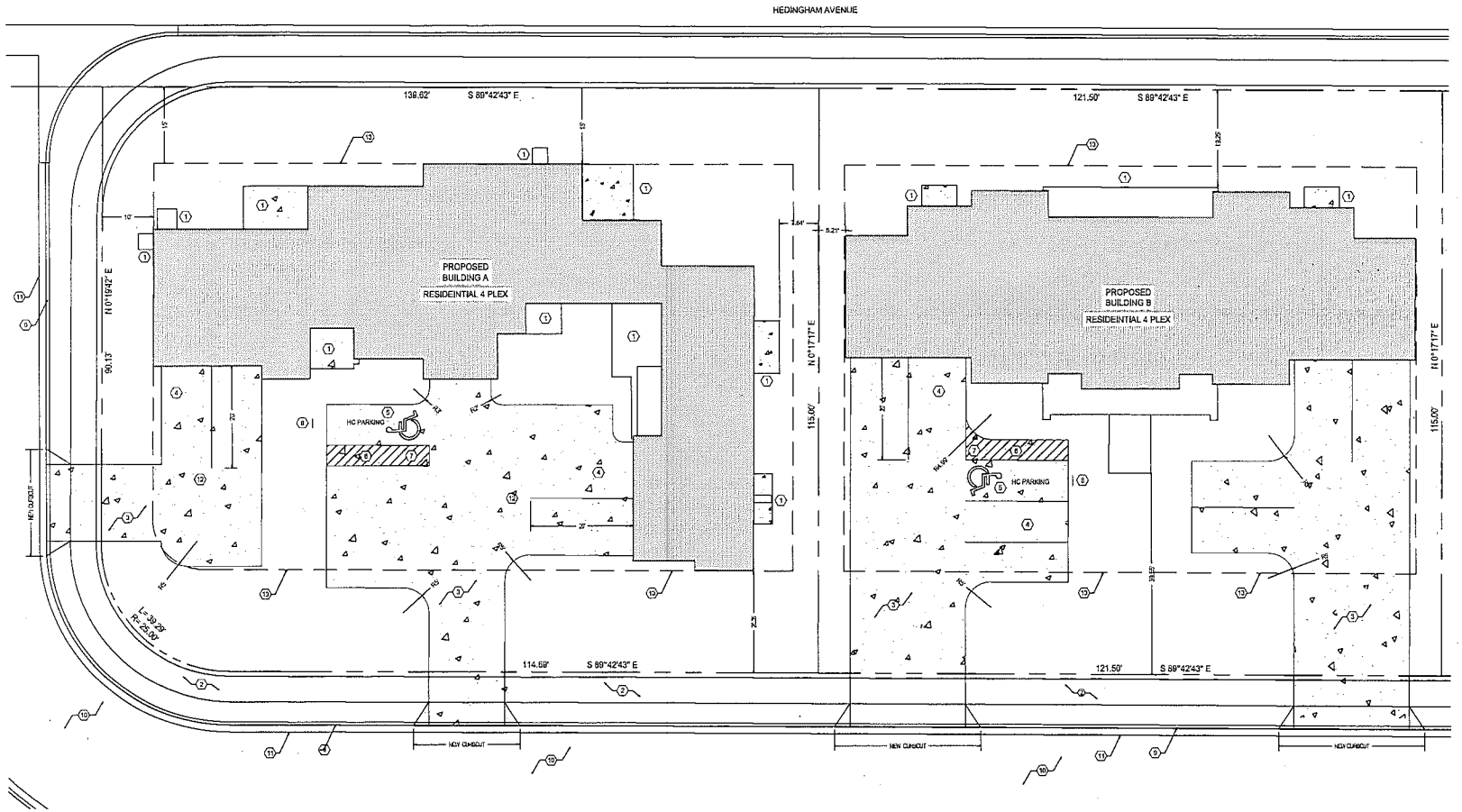
SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

DAVID JESSE PACHECO NO. 1606 STATE OF NEW MEXICO REGISTERED ARCHITECT

DAVID J. PACHECO ARCHITECT

PROJECT OWNER: T.B.D.
T.B.D.
CLIENT: RTR, LLC

SHEET NAME: TITLE SHEET & PROJECT DATA
PROJECT NAME: 4 PLEX BUILDING DEVELOPMENT
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: ccdowling
CHECKED BY: - APPROVED BY: -
DATE: 10.27.22
SCALE: AS NOTED
SHEET: T1
SHEET NUMBER



TYPICAL SITE PLAN BUILDING A & B
1" = 10'-0"

1" = 10'-0" 10' 5' 0 10' 20'

KEY NOTES

1. CONCRETE PAD OR CONCRETE A/C PAD
2. CONCRETE SIDEWALK, REF: SITE DETAIL SHEET
3. CONCRETE DRIVEWAY
4. CONCRETE DRIVE PAD, PER CITY OF RIO RANCHO STANDARDS.
5. HANDICAP SYMBOL PER CITY OF RIO RANCHO STANDARDS, REF: AS-2.0 FOR DETAILS.
6. PAINTED STRIPE HANDICAP ACCESSIBLE AISLE PER CITY OF RIO RANCHO STANDARDS, REF: SITE DETAIL SHEET AS-2.0.
7. PAINTED "NO PARKING" IN CAPITAL LETTERS 12" HIGH x 2" WIDE, LOCATED BACK END IF ACCESSIBLE STRIPE AISLE
8. HANDICAP ACCESSIBLE SIGNAGE PER CITY OF RIO RANCHO STANDARDS, REF: SITE DETAIL SHEET AS-2.0
9. CURB & GUTTER T.B.D.
10. ASPHALT PAVING, REF: GRADING AND DRAINAGE PLAN AND GEOTECHNICAL REPORT.
11. EDGE OF ASPHALT PAVING, REF: GRADING AND DRAINAGE PLAN
12. 2" WIDE PAINTED PARKING STRIPE, TYP.
13. PROPOSED SETBACK LINES. (T.B.D. BY FINAL PLAT)

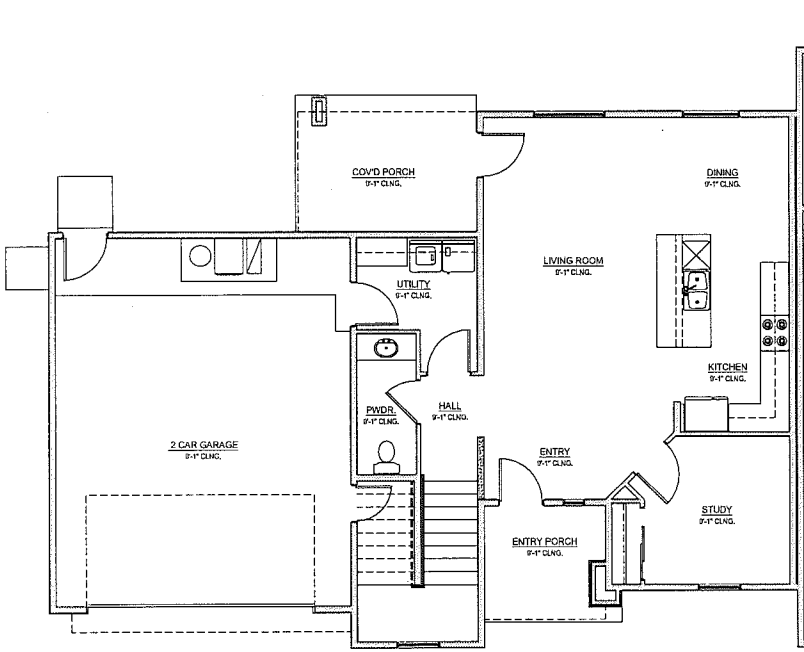
SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

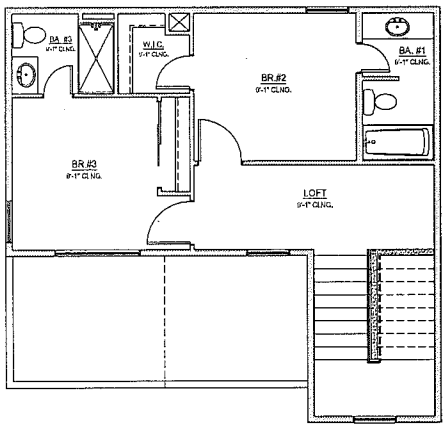
DAVID J. PACHECO ARCHITECT

PROJECT OWNER: T.B.D.
OWNER: RTR, LLC

SURVEYOR: TYPICAL SITE PLAN BUILDING A AND B
PROJECT: 4 PLEX BUILDING DEVELOPMENT
PROJECT NUMBER: 20-093
PROJECT STATUS: SITE PLAN SUB.
DRAWN BY: ddpalling
CHECKED BY: / APPROVED BY:
DATE: 10.27.22
SCALE: AS NOTED
SHEET: A0
12 TOTAL SHEETS



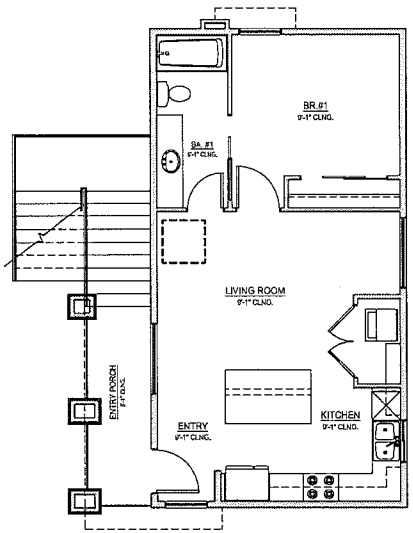
ARCHITECTURAL FLOOR PLAN-UNIT A
1/4" =1'-0"



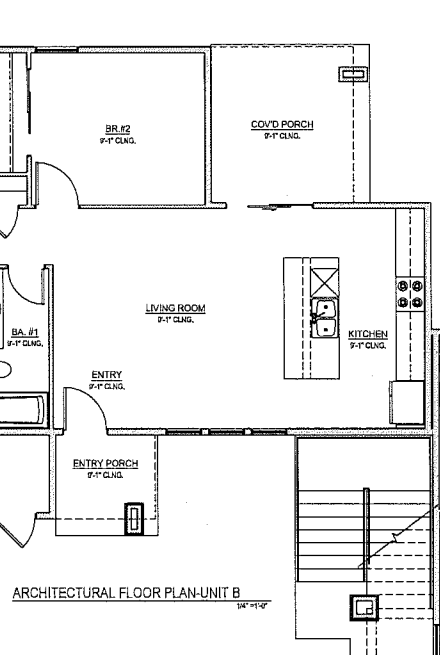
UPPER ARCHITECTURAL FLOOR PLAN-UNIT A
1/4" =1'-0"

AREA CALCULATIONS

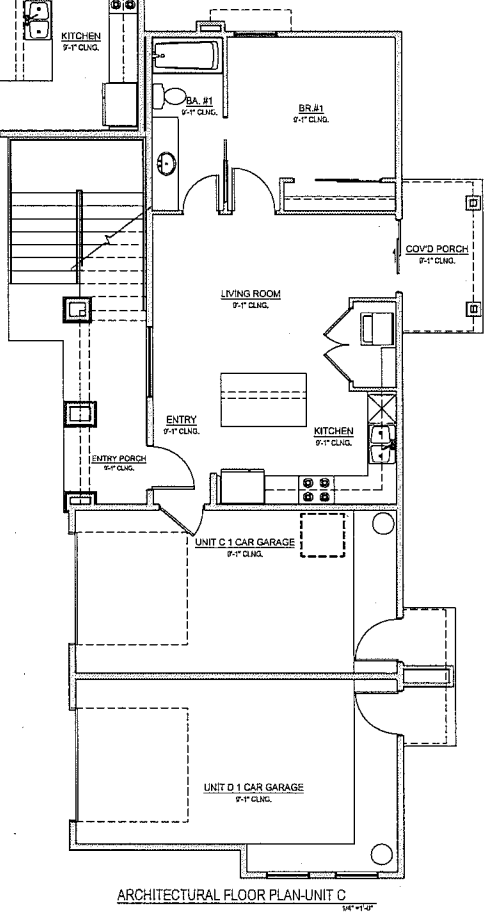
UNIT A HEATED - LOWER LEVEL	975 SF
UNIT A HEATED - UPPER LEVEL	540 SF
TOTAL UNIT A HEATED	1515 SF
UNIT A GARAGE	570 SF
COVERED PORCHES	158 SF
TOTAL PROJECT UNIT A	2243 SF
TOTAL UNIT B HEATED	944 SF
UNIT B GARAGE	378 SF
COVERED PORCHES	152 SF
TOTAL PROJECT UNIT B	1474 SF
TOTAL UNIT C HEATED	611 SF
UNIT C GARAGE	281 SF
COVERED PORCHES	113 SF
TOTAL PROJECT UNIT C	953 SF
TOTAL UNIT D HEATED	611 SF
UNIT D GARAGE	310 SF
COVERED PORCHES	66 SF
TOTAL PROJECT UNIT D	987 SF



UPPER ARCHITECTURAL FLOOR PLAN-UNIT D
1/4" =1'-0"



ARCHITECTURAL FLOOR PLAN-UNIT B
1/4" =1'-0"



ARCHITECTURAL FLOOR PLAN-UNIT C
1/4" =1'-0"

GENERAL NOTES

SEE PAGE A3 FOR GENERAL NOTES AND DETAILS

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

PROFESSIONAL
DAVID J. PACHECO
ARCHITECT

PROJECTED
T.B.D.
T.B.D.

OWNER
RTR, LLC

ARCHITECTURAL FLOOR PLANS

PROJECT
4 PLEX BUILDING A

PROJECT NUMBER
20-083

PROJECT PHASING
SITE PLAN SUB.

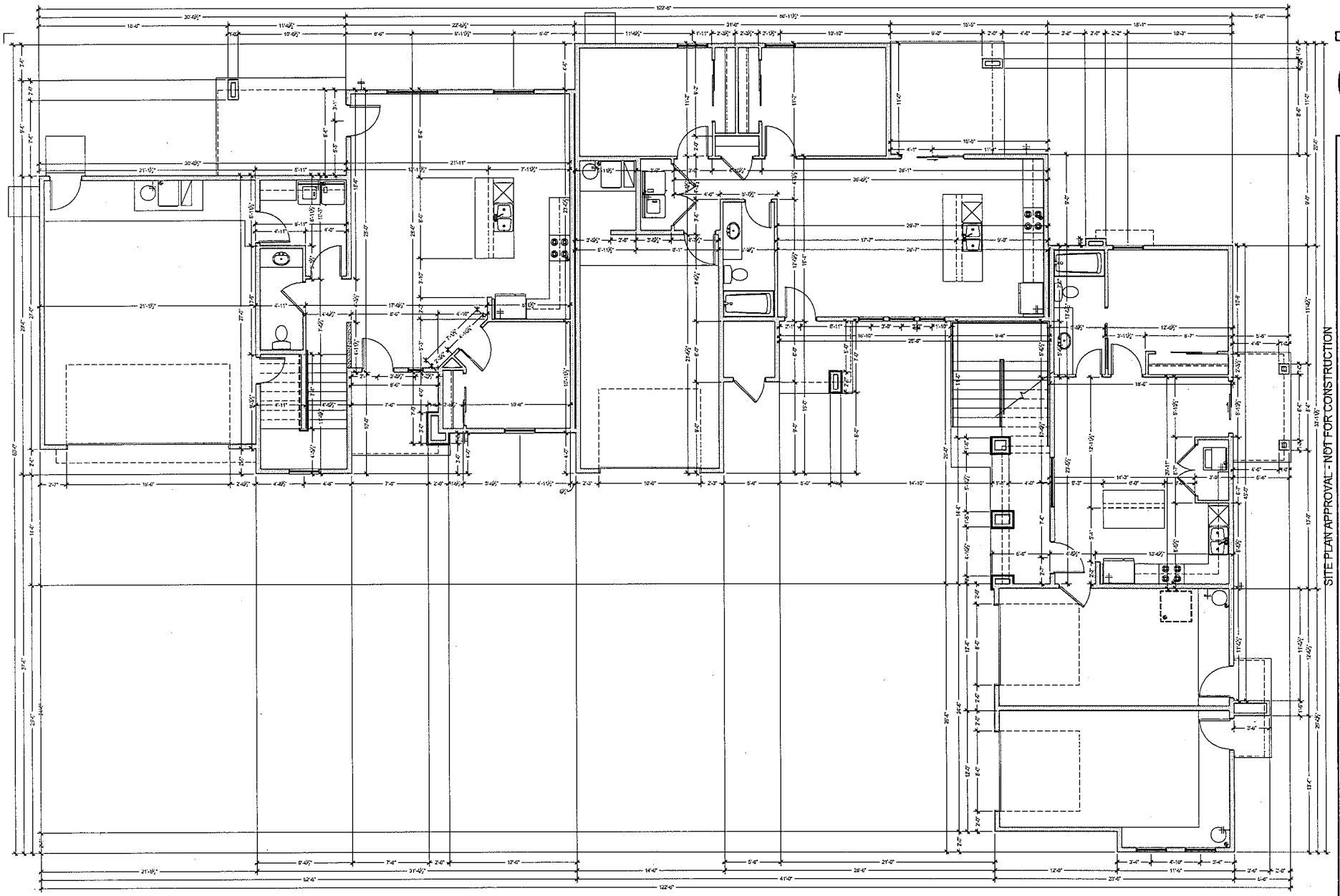
DRAWN BY
adrawing

CHECKED BY / APPROVED BY

DATE
09.08.22

SCALE
AS NOTED

SHEET
A1



LOWER DIMENSIONED FLOOR PLAN-UNIT A,B, & C

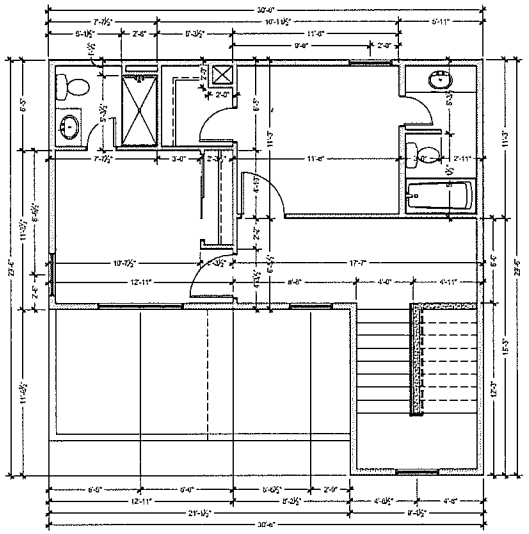
STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1806
ARCHITECT

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

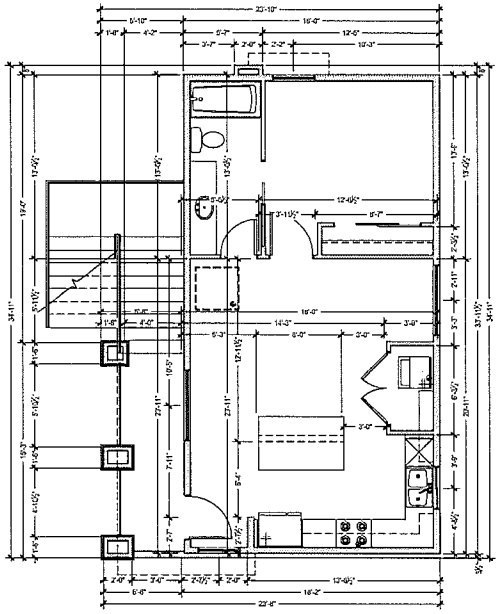
DAVID J. PACHECO
ARCHITECT

PROJECT TITLE: DIMENSIONED FLOOR PLAN
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: cdwelling
CHECKED BY: - / APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A2

PROJECT: 4 PLEX BUILDING A
PREPARED FOR: T.B.D. T.B.D.
OWNER: RTR, LLC



UPPER DIMENSIONED FLOOR PLAN-UNIT A



UPPER DIMENSIONED FLOOR PLAN-UNIT D

GENERAL NOTES

1. ALL EXTERIOR WALLS ARE DRAWN AT 5.5" (UNLESS NOTED OTHERWISE) ALL INTERIOR WALLS ARE DRAWN AT 3.5" (UNLESS NOTED OTHERWISE)
2. EXTERIOR WALLS: 2x6 STUDS AT 16" ON CENTER (UNLESS NOTED OTHERWISE). SEE STRUCTURAL FOR SHEATHING SPECIFICATIONS.
3. INTERIOR WALLS: 2x4 STUDS AT 16" ON CENTER. EXCEPT AS NOTED ON PLAN FOR THICKENED WALLS. ALL PLUMBING WALLS SHALL BE 2x6 AS NOTED. WALL AT AREA SEPARATION BETWEEN GARAGE AND HOUSE TO BE 2x6'S @ 16" O.C. (UNLESS NOTED OTHERWISE).
4. ALL WINDOWS ARE NOTED BY SIZE ONLY, ALL ROUGH OPENINGS TO BE VERIFIED BY FRAMERS PER WINDOW MANUFACTURER SPECS.
5. CLEAR OPENINGS AND SILL HEIGHTS SHALL MEET ANY & ALL LOCAL REQUIREMENTS FOR EGRESS, VENTILATION AND LIGHT.
6. WINDOWS SHALL BE TEMPERED AS REQUIRED BY THE IRC 2015.
7. INSULATION VALUES: ALL VALUES LISTED BELOW ARE CODE MINIMUM VALUES.
   - 7.1. WALLS: R-15 IN 2X6 WALLS (OR AS NOTED ON PLANS) (WALL BETWEEN GARAGE & HOUSE TO BE INSULATED) (FULLY INSULATE ALL KNEE WALLS AT CEILING CHANGES)
   - 7.2. ROOF: R-38 IN ROOF, w/ COMPLETE COVERAGE.
   - 7.3. SLAB: MIN R-10, 2'X24" RIGID INSULATION AT PERIMETER OF HEATED SPACE.
8. PROVIDE BLOCKING IN WALLS AT ALL CABINET LOCATIONS, FIELD VERIFY ALL EXACT LOCATIONS.
9. VERIFY QUANTITY & LOCATION OF ALL ROOF CANALES/ SCUPPERS WITH BUILDER PRIOR TO INSTALLATION.
10. PROVIDE INSULATED ATTIC ACCESS w/ GASKETS TO ALL PITCHED ROOF AREAS, AS REQUIRED PER THE IRC 2015.
11. SEE FOUNDATION PLAN FOR ALL CONCRETE WORK.
12. CONTRACTOR AND HOME OWNER ARE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING A POSITIVE DRAINAGE SLOPE AROUND ENTIRE STRUCTURE AT ALL TIMES.
13. ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ENSURING THAT ALL THEIR RESPECTIVE WORK MEETS OR EXCEEDS ANY & ALL REQUIREMENTS AND/OR APPLICABLE BUILDING CODES. IF PLANS DO NOT MEET THIS REQUIREMENT, NOTIFY THE DESIGNER OF ANY PLAN CORRECTIONS NEEDED.
14. GENERAL CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL WORK MEETS OR EXCEEDS ANY & ALL REQUIREMENTS AND APPLICABLE BUILDING CODES. IF PLANS DO NOT MEET THIS REQUIREMENT, NOTIFY THE DESIGNER OF ANY CORRECTIONS NEEDED.
15. SEE BUILDER FOR PREFERRED METHOD OF SOIL GAS MITIGATION.

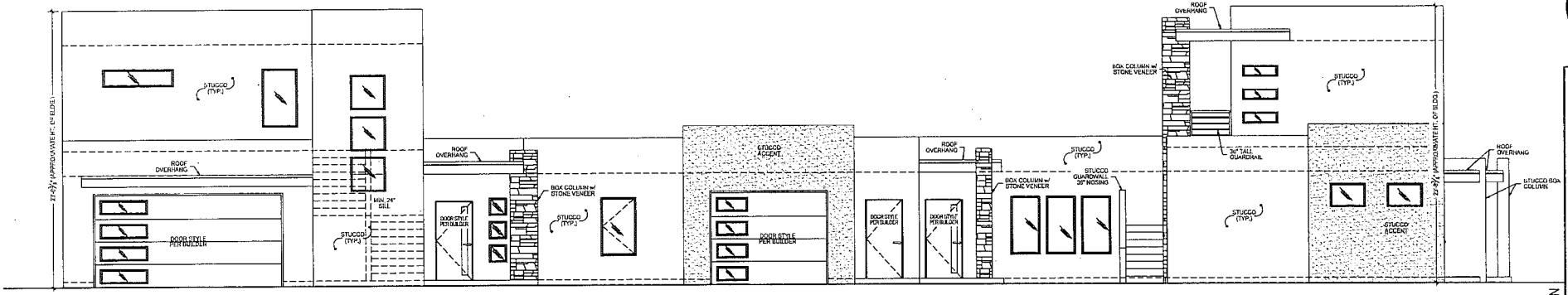
FLOOR PLAN LEGEND

● GAS HOOK-UP ╪ HOSE BIB / WATER HOOK-UP

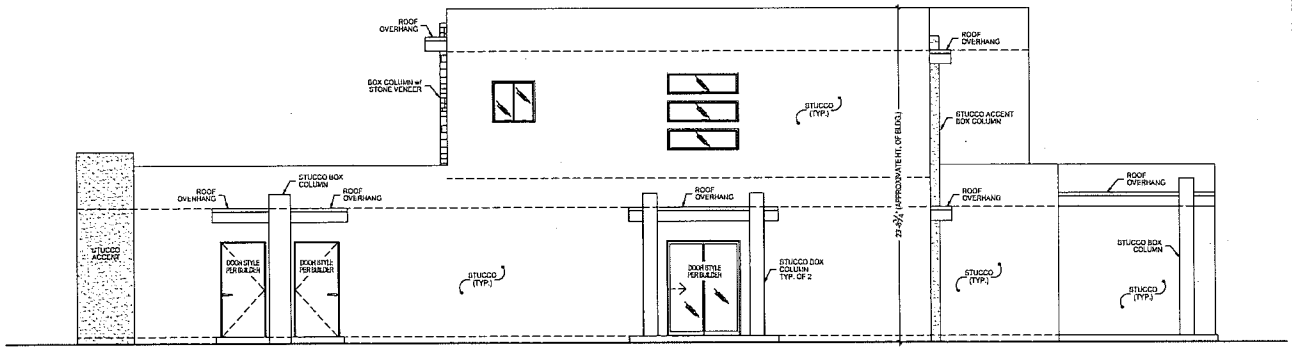
SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

PROJECT ADDRESS	T.B.D. T.B.D.
OWNER	RTR, LLC
DESIGNED BY	DAVID J. PACHECO ARCHITECT
DRAWN BY	DIMENSIONED FLOOR PLANS & DETAILS
PROJECT NAME	4 PLEX BUILDING A
PROJECT NUMBER	20-093
PROJECT PHASE	SITE PLAN SUB.
DRAWN BY	adkpilling
CHECKED BY / APPROVED BY	- / -
DATE	09.08.22
SCALE	AS NOTED
SHEET	A3
TOTAL SHEETS	11



F A4 FRONT ELEVATION
1/4"=1'-0"



R A4 RIGHT ELEVATION
1/4"=1'-0"

GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

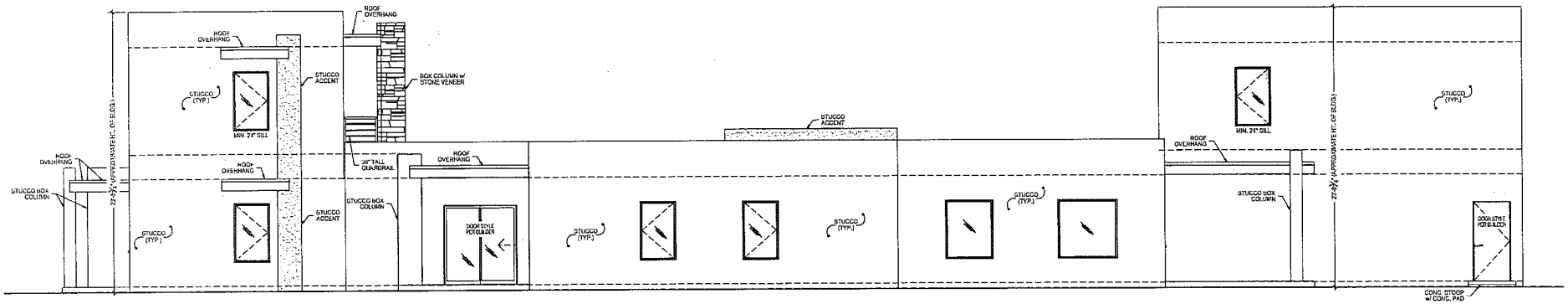
DAVID J. PACHECO ARCHITECT

ARCHITECT: T.B.D.
T.B.D.
OWNER: RTR, LLC

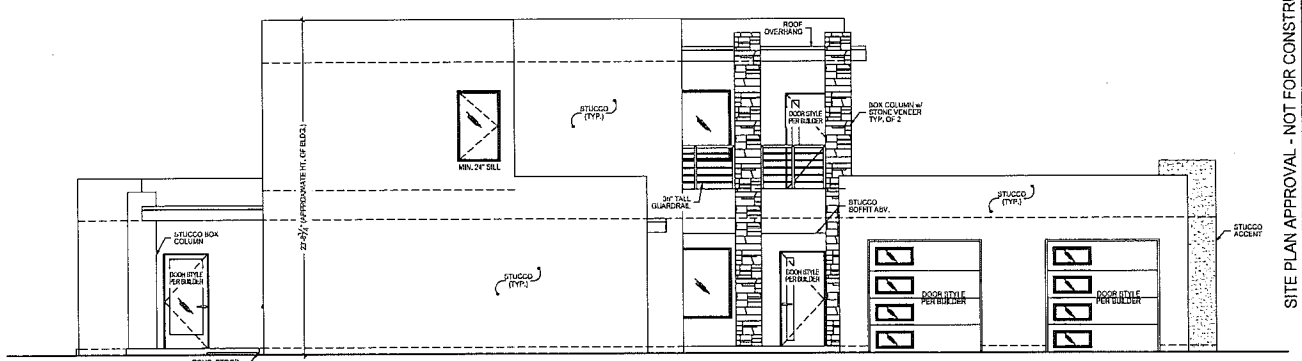
EXTERIOR ELEVATIONS

4 PLEX BUILDING A

PROJECT NUMBER: 20-093
PROJECT PHASING: SITE PLAN SUB.
DRAWN BY: ddp
CHECKED BY: - APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A4



8 / A5 BACK ELEVATION 1/4"=1'-0"



L / A5 LEFT ELEVATION 1/4"=1'-0"

GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.

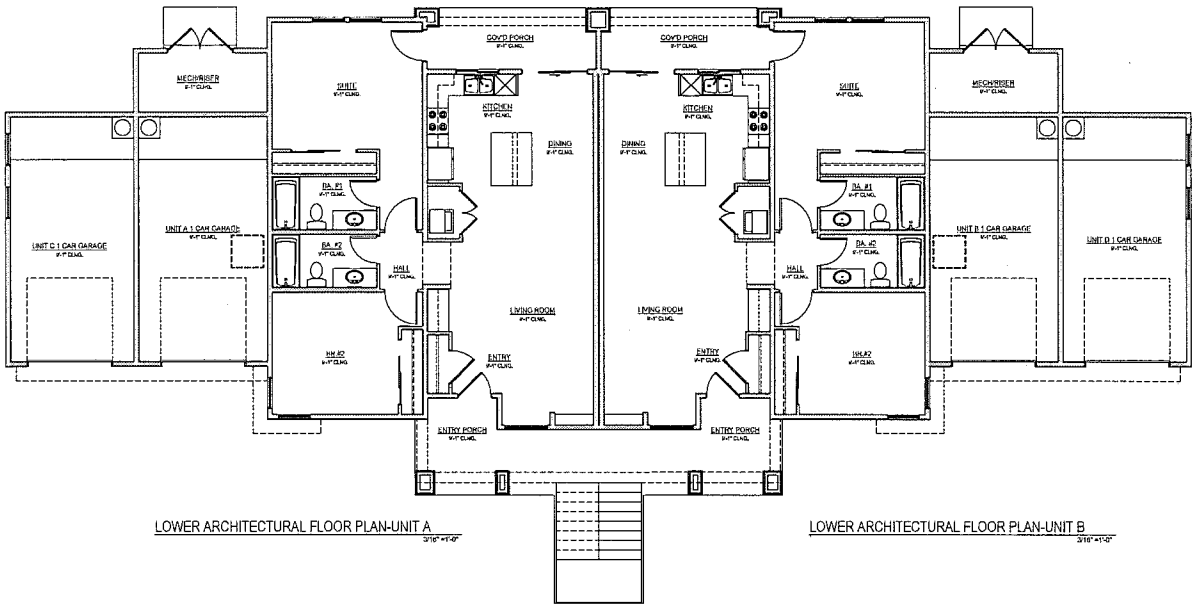
SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

DAVID J. PACHECO ARCHITECT

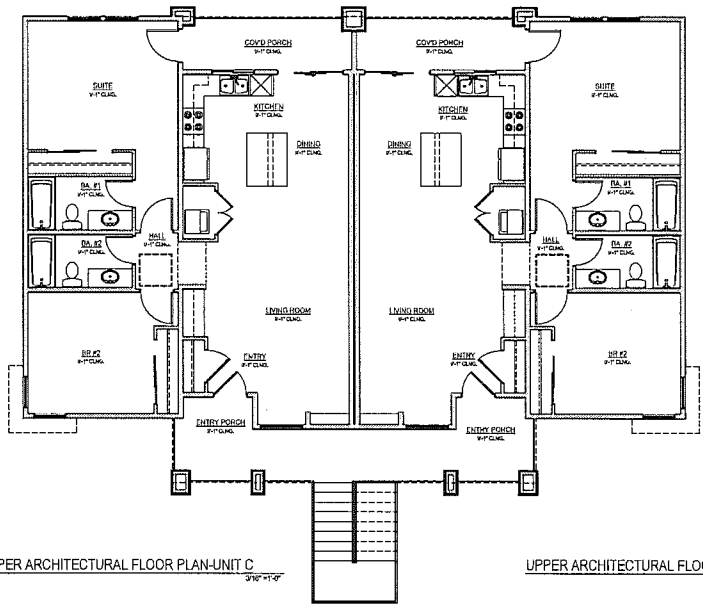
PROJECT ADDRESS: T.B.D. T.B.D.
CLIENT: RTR, LLC

DRAWING NAME: EXTERIOR ELEVATIONS
PROJECT NAME: 4 PLEX BUILDING A
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: cdp
CHECKED BY: - APPROVED BY: -
DATE: 09.09.22
SCALE: AS NOTED
SHEET: A5
11 TOTAL SHEETS



LOWER ARCHITECTURAL FLOOR PLAN-UNIT A

LOWER ARCHITECTURAL FLOOR PLAN-UNIT B



UPPER ARCHITECTURAL FLOOR PLAN-UNIT C

UPPER ARCHITECTURAL FLOOR PLAN-UNIT D

AREA CALCULATIONS

TOTAL UNIT A HEATED	1095 SF
UNIT A GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT A	1574 SF
TOTAL UNIT B HEATED	1095 SF
UNIT B GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT B	1574 SF
TOTAL UNIT C HEATED	1095 SF
UNIT C GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT C	1574 SF
TOTAL UNIT D HEATED	1095 SF
UNIT D GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT D	1574 SF

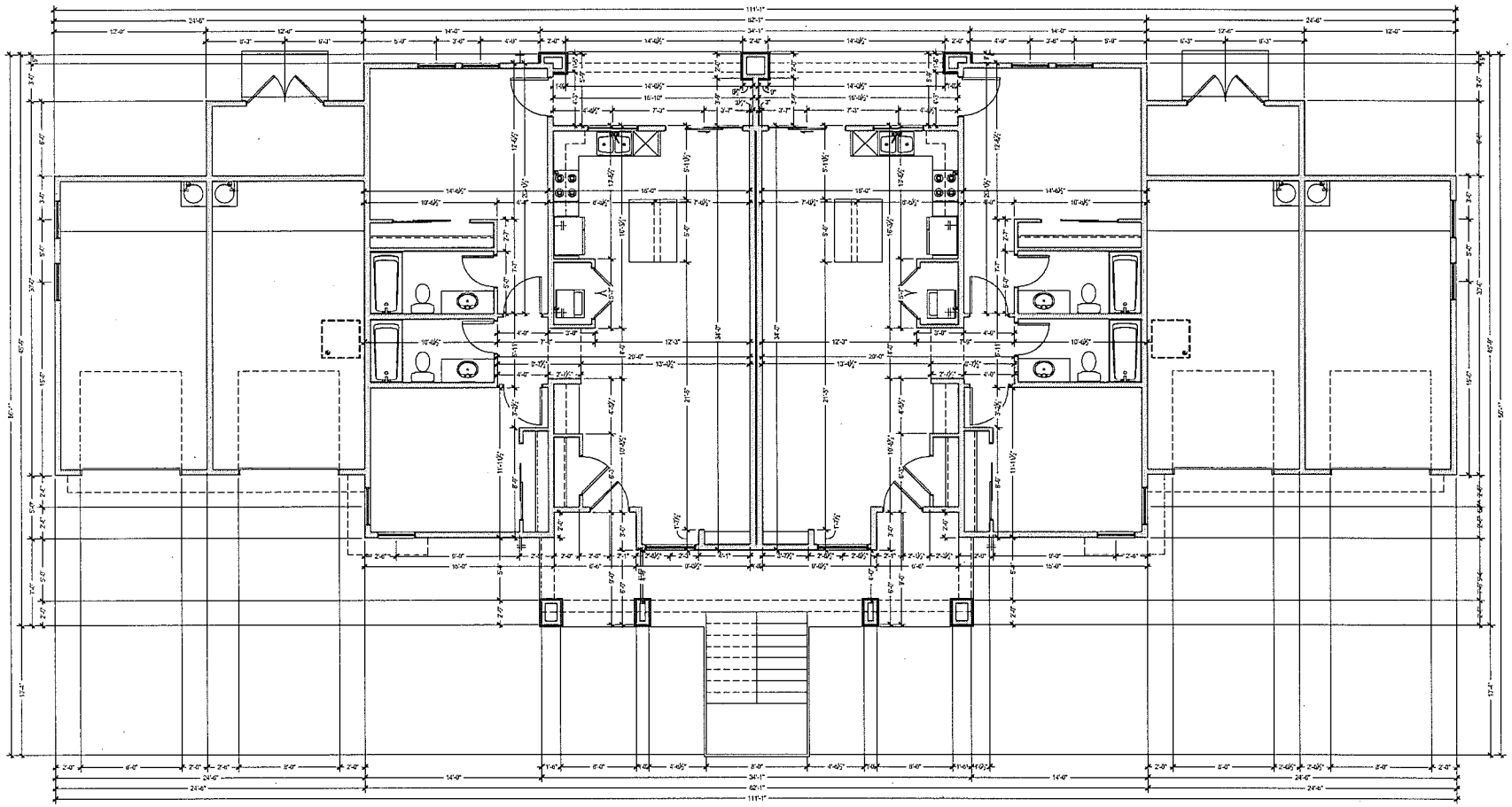
SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1608
REGISTERED ARCHITECT

DAVID J. PACHECO
ARCHITECT

PROJECT NAME: TBD
TBD
OWNER: RTR, LLC

DRAWING NAME: ARCHITECTURAL FLOOR PLANS & DETAILS
PROJECT NAME: 4 PLEX BUILDING B
PROJECT NUMBER: 20-093
ARCHITECT PROJECT NO.: SITE PLAN SUB.
DRAWN BY: cdrawing
CHECKED BY: - / APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A6
- 9 TOTAL SHEETS -



LOWER DIMENSIONED FLOOR PLAN-UNIT A

LOWER DIMENSIONED FLOOR PLAN-UNIT B

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

DAVID J. PACHECO
ARCHITECT

PROJECT NAME: TBD
PROJECT NO.: TBD
CLIENT: RTR, LLC

LOWER DIMENSIONED FLOOR PLANS

PROJECT NAME: 4 PLEX BUILDING B

PROJECT NUMBER: 20-093

PROJECT PHASE: SITE PLAN SUB.

DRAWN BY: drawing

CHECKED BY: - APPROVED BY: -

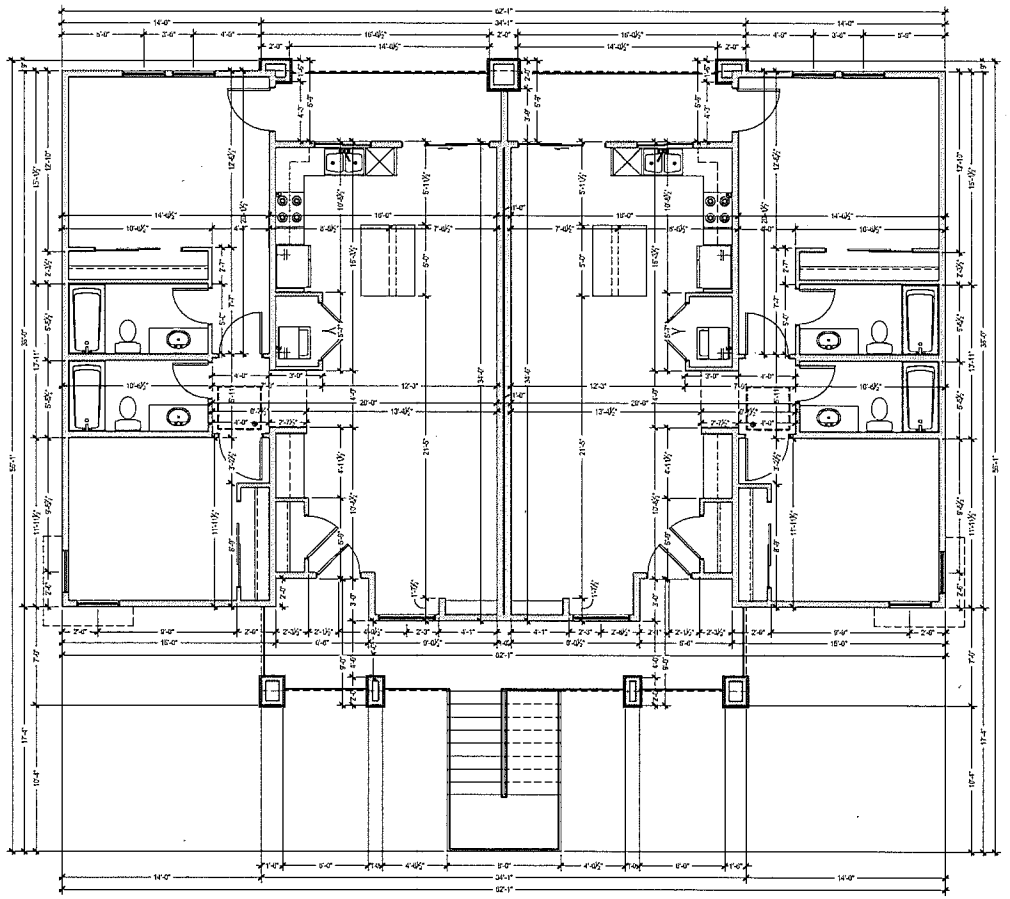
DATE: 09.08.22

SCALE: AS NOTED

SHEET: A7

9 TOTAL SHEETS

AREA CALCULATIONS	
TOTAL UNIT A HEATED	1095 SF
UNIT A GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT A	1574 SF
TOTAL UNIT B HEATED	1095 SF
UNIT B GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT B	1574 SF
TOTAL UNIT C HEATED	1095 SF
UNIT C GARAGE-	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT C	1574 SF
TOTAL UNIT D HEATED	1095 SF
UNIT D GARAGE	294 SF
COVERED PORCHES	186 SF
TOTAL PROJECT UNIT D	1574 SF



UPPER DIMENSIONED FLOOR PLAN-UNIT C
1/4" =1'-0"

UPPER DIMENSIONED FLOOR PLAN-UNIT D
1/4" =1'-0"

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

1. CODES (CONSTRUCTION)
2. SITE DATA
3. SITE PLAN
4. FOUNDATION PLAN
5. FLOOR PLANS
6. ROOF PLAN
7. ELEVATIONS
8. BUILDING SECTIONS
9. DETAILS
10. SCHEDULES
11. MISCELLANEOUS
12. MECHANICAL
13. ELECTRICAL
14. PLUMBING
15. FIRE SPRINKLERS

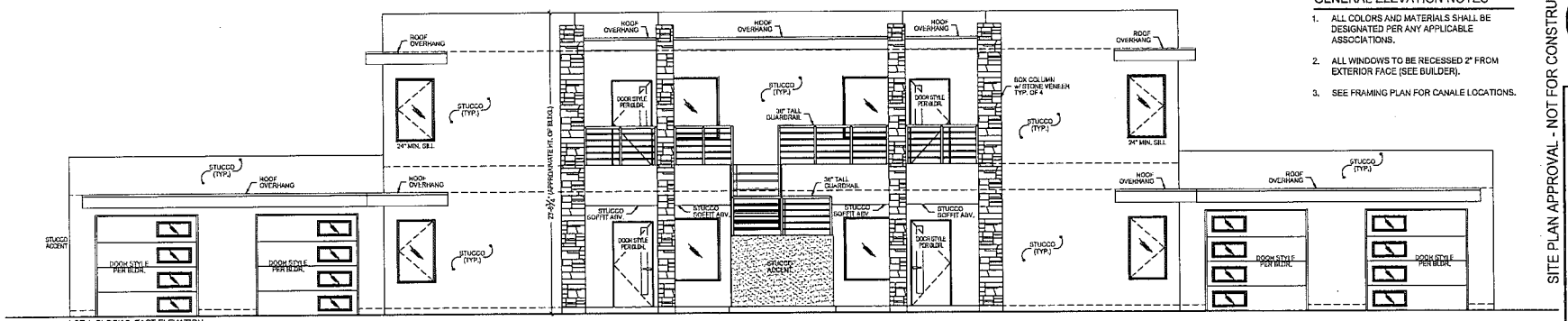
PROJECT NAME: TBD
PROJECT ADDRESS: TBD
OWNER NAME: RTR, LLC

DAVID J. PACHECO
ARCHITECT

DRAWING TITLE: UPPER DIMENSIONED FLOOR PLANS
PROJECT NAME: 4 PLEX BUILDING B
PROJECT NUMBER: 20-093
PROJECT PHASING: SITE PLAN SUB.
DRAWN BY:
CHECKED BY: - / APPROVED BY: -
DATE: 09.06.22
SCALE: AS NOTED
SHEET: A8
- 8 TOTAL SHEETS -

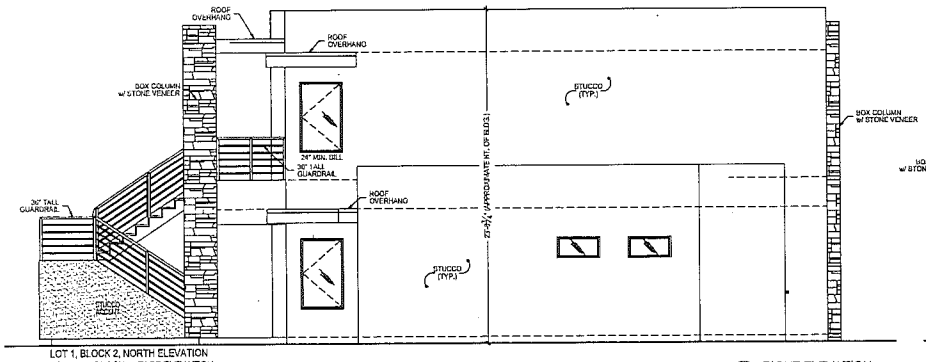
GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.



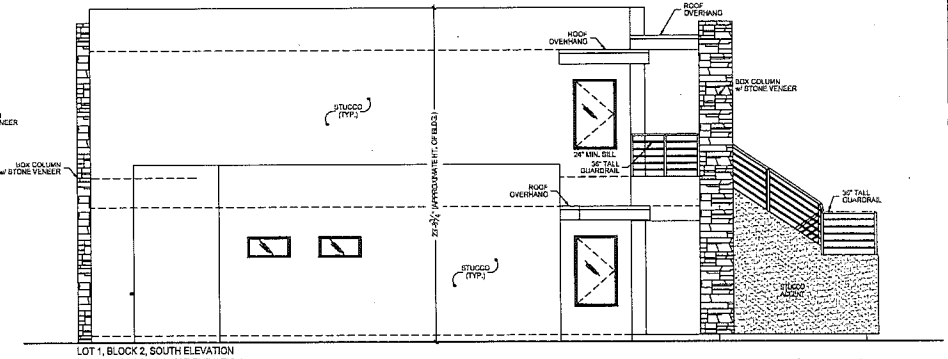
LOT 1, BLOCK 2, EAST ELEVATION
LOTS 2-5, BLOCK 1, SOUTH ELEVATION
LOTS 3-7, BLOCK 2, NORTH ELEVATION

F A4 FRONT ELEVATION 1/4"=1'-0"



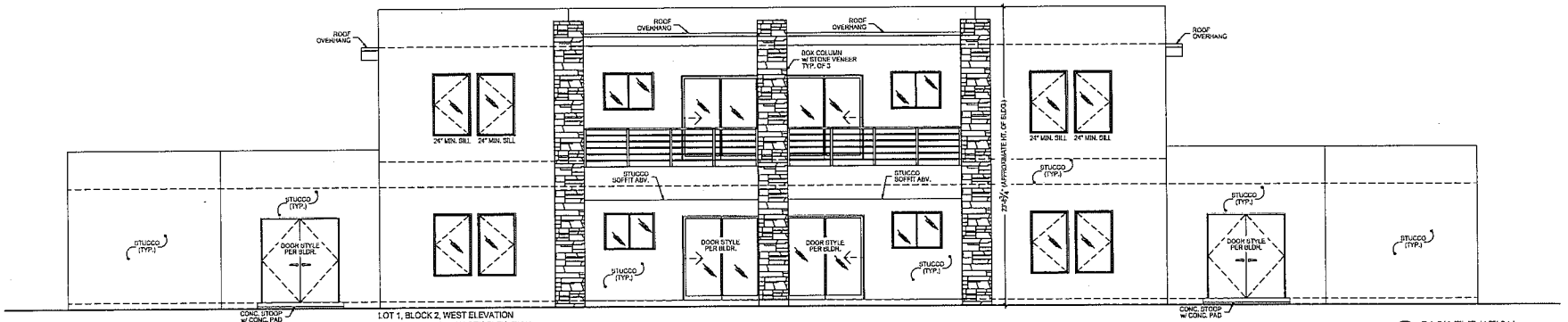
LOT 1, BLOCK 2, NORTH ELEVATION
LOTS 2-5, BLOCK 1, EAST ELEVATION
LOTS 3-7, BLOCK 2, WEST ELEVATION

R A4 RIGHT ELEVATION 1/4"=1'-0"



LOT 1, BLOCK 2, SOUTH ELEVATION
LOTS 2-5, BLOCK 1, WEST ELEVATION
LOTS 3-7, BLOCK 2, EAST ELEVATION

L A4 LEFT ELEVATION 1/4"=1'-0"



LOT 1, BLOCK 2, WEST ELEVATION
LOTS 2-5, BLOCK 1, NORTH ELEVATION
LOTS 3-7, BLOCK 2, SOUTH ELEVATION

B A4 BACK ELEVATION 1/4"=1'-0"

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

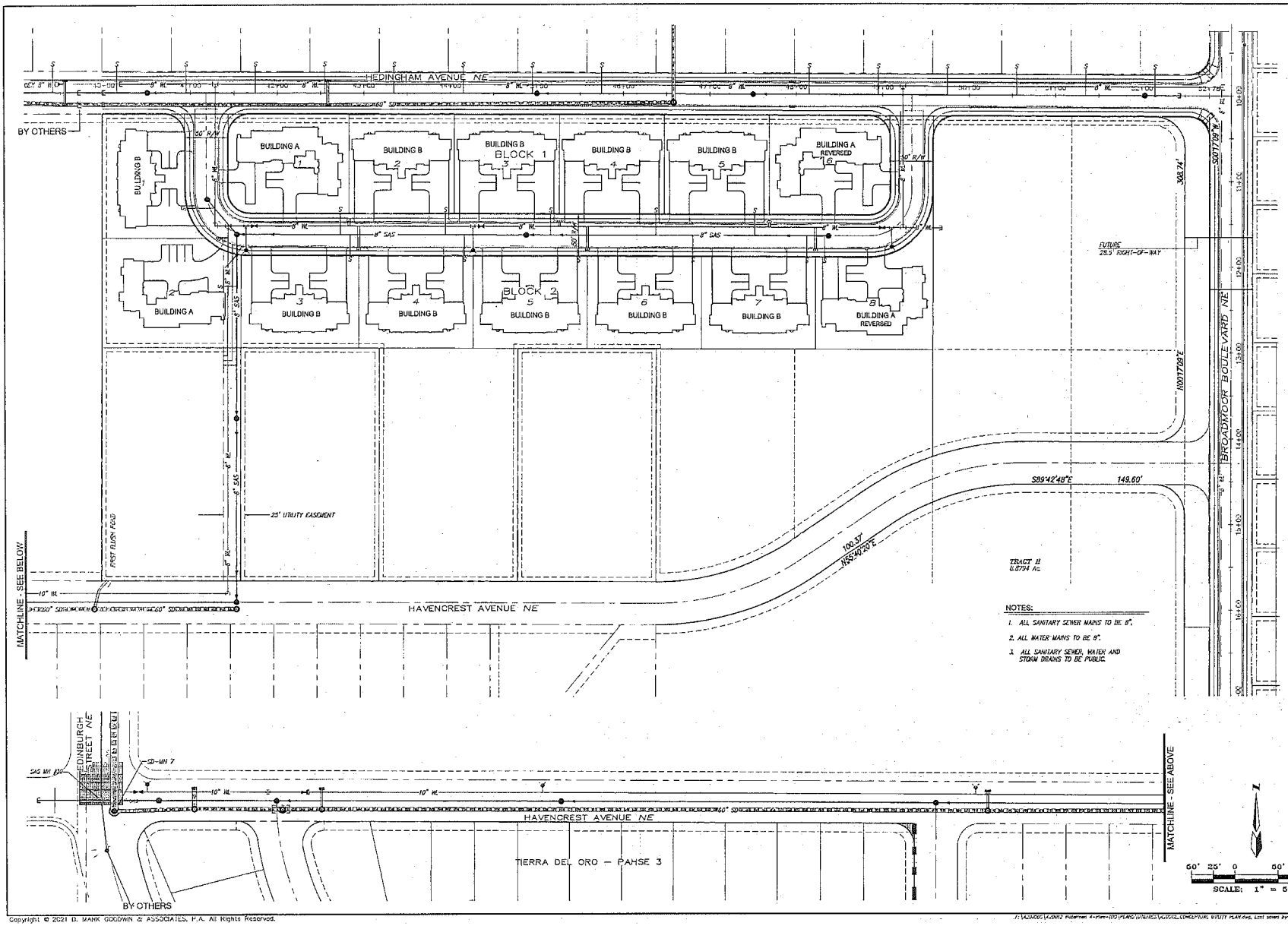
STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1605
REGISTERED ARCHITECT

1. RECEIVED/ENGINEERED
2. DRAWINGS AS INSTRUMENTS OF SERVICE
3. DAVID J. PACHECO ARCHITECT
4. 2-D DATA FILES
5. REPRODUCTION OF PLANS
6. LIMITATIONS OF LIABILITY

PROJECT NAME: TBD
PROJECT ADDRESS: TBD
CLIENT NAME: RTR, LLC

DAVID J. PACHECO ARCHITECT

DRAWING TITLE: EXTERIOR ELEVATIONS
BUILDING TYPE: 4 PLEX BUILDING B
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: cdh
CHECKED BY: - APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A9
9 TOTAL SHEETS



City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
7			
6			
5			
4			
3			
2			
1			

REVISIONS (OR CHANGE NOTICES)

RW INVESTMENTS, LLC

dmg MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
PO BOX 90606, ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200 FAX (505)828-2285

SOL Y SOMBRA

CONCEPTUAL UTILITY PLAN

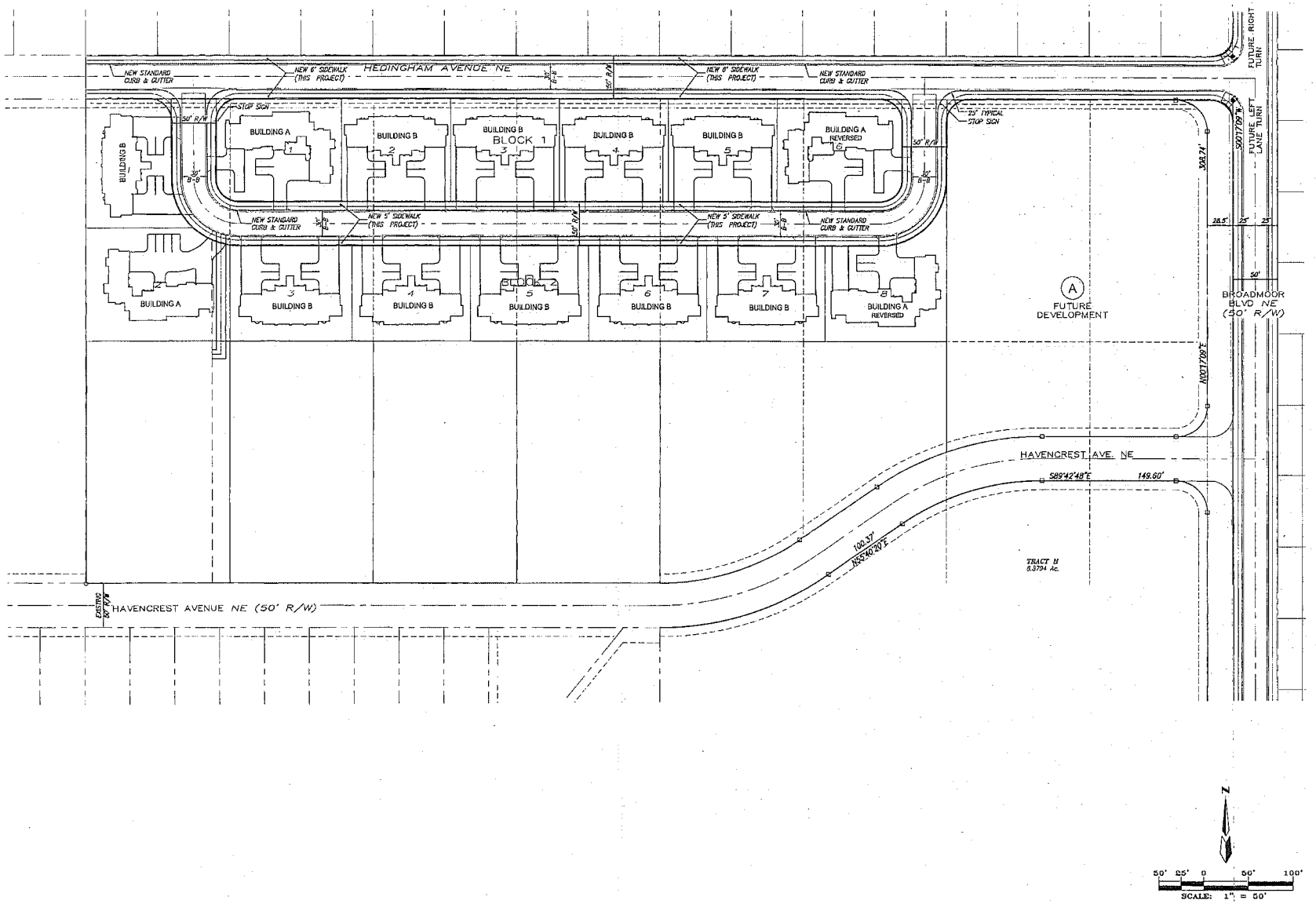
ENGINEER'S SEAL
MARK GOODWIN NEW MEXICO 9046 REGISTERED PROFESSIONAL ENGINEER

PROJECT NO.	A20012
DESIGNED BY:	DMG
DRAWN BY:	DER
CHECKED BY:	DMG
DATE:	2/15/21
DPW CHK.	

SHEET: C-1 of 3

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J:\A20012\A20012 Potential 4-Plex-100\PLANS\UTILITIES\A20012_CONCEPTUAL UTILITY PLAN.dwg, Last saved by Owner, 2/15/21



City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	REVISIONS (OR CHANGE NOTICES)		
2			
3			
4			
5			
6			
7			

RW INVESTMENTS, LLC

dmg D. MARK GOODWIN & ASSOCIATES, P.A. LAND DEVELOPMENT CONSULTANTS P.O. BOX 90606, ALBUQUERQUE, NEW MEXICO 87199 (505) 828-2200 FAX (505) 828-2285

SOL Y SOMBRA

CONCEPTUAL PAVING PLAN

ENGINEER'S SEAL

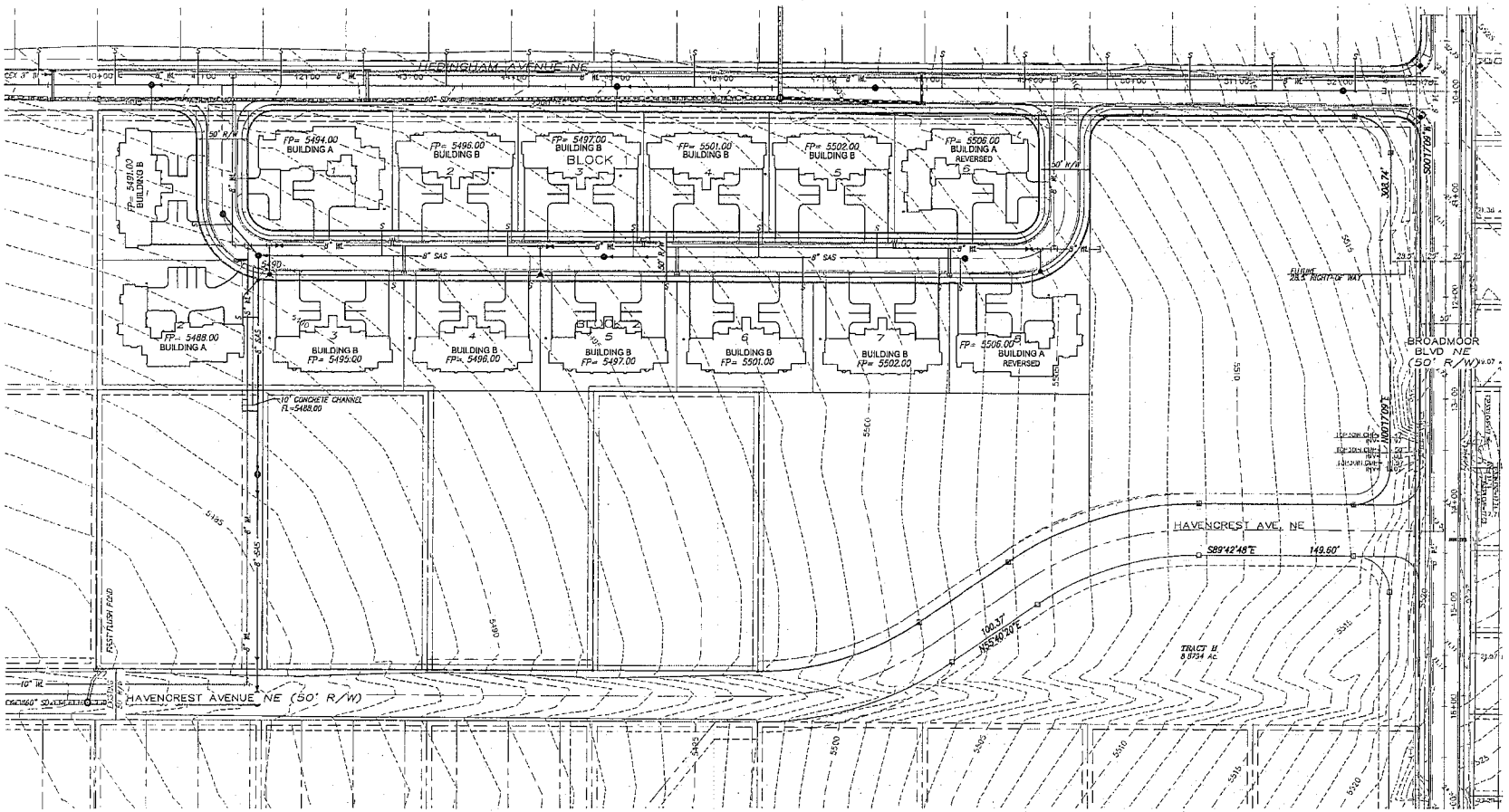
D. MARK GOODWIN NEW MEXICO 9948 LICENSED PROFESSIONAL ENGINEER

PROJECT NO.	A20012
DESIGNED BY:	DMG
DRAWN BY:	DER
CHECKED BY:	DMG
DATE:	2/15/21
UPW CHK:	

SHEET:

C-2 of 3

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NOTES:

1. PROJECT IS ALLOWED FREE DISCHARGE PER STONEDATE DMP.
2. STORM DRAIN IN HEDINGHAM BY OTHERS.

N

SCALE: 1" = 50'

City of Rio Rancho

NO	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			

REVISIONS (OR CHANGE NOTICES)

RW INVESTMENTS, LLC

MARK GOODWIN & ASSOCIATES, P.A.
P.O. BOX 90369
ALBUQUERQUE, NM 87199
(505)828-2200 FAX (505)828-2285

SOL Y SOMBRA

CONCEPTUAL GRADE AND DRAIN PLAN

ENGINEER'S SEAL

D. MARK GOODWIN
NEW MEXICO
9248
LICENSED PROFESSIONAL ENGINEER

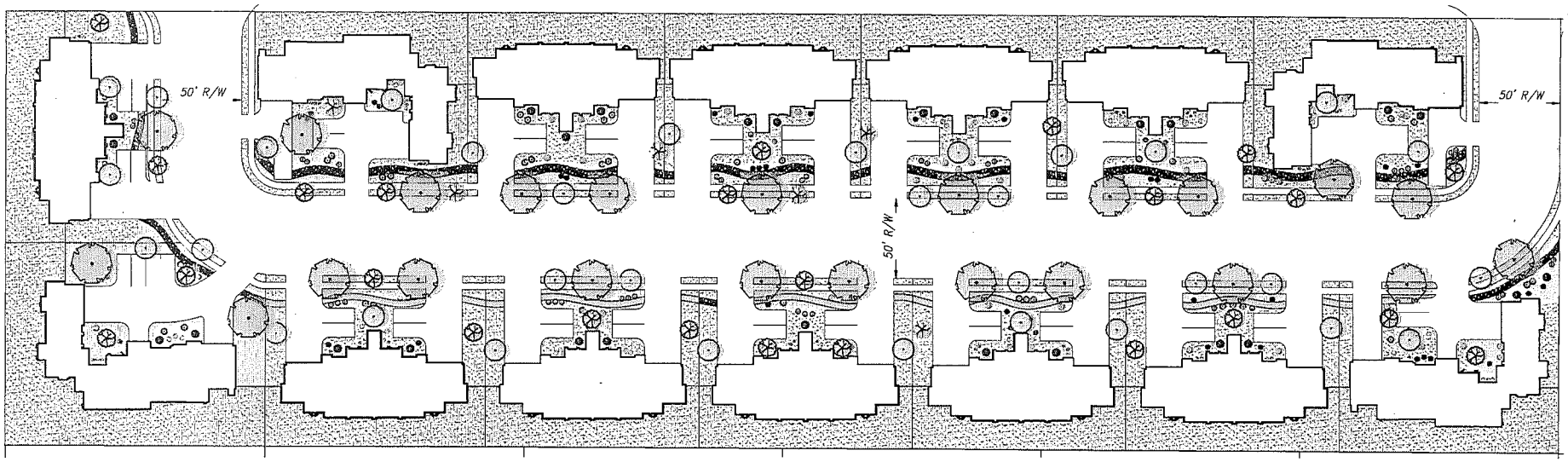
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DESIGNED BY:	DMG
DRAWN BY:	DER
CHECKED BY:	DMG
DATE:	2/15/21
DPW CHK:	

SHEET:

C-3 of 3

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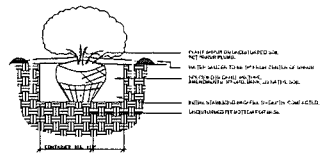
LANDSCAPE PLAN

GENERAL NOTES

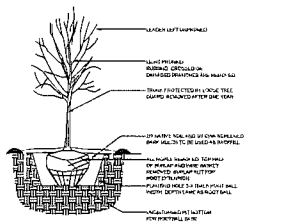
1. IN CASE OF DISCREPANCIES IN PLANT QUANTITIES SHOWN ON THE PLANT SCHEDULE AND THOSE SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL PREVAIL. CONTRACTOR SHALL VERIFY ALL QUANTITIES PRIOR TO BID AND INSTALLATION.
2. POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES IS TO REMAIN AFTER ALL LANDSCAPE WORK IS COMPLETED.
3. ALL MAINTENANCE FOR LANDSCAPE AND IRRIGATION SYSTEMS SHALL BE PROVIDED BY OWNER. MAINTENANCE OF STREET TREES AND SHRUBS SHALL FIND THEM IN HEALTHY, LIVING, AND ATTRACTIVE CONDITION.
4. ALL ON-SITE PLANT MATERIAL, NOW AND EXISTING, SHALL BE IRRIGATED BY COMPLETE, AUTOMATIC DRIP IRRIGATION WITH SUBTERRANEAN LATERALS. EMITTERS SHALL BE PLACED AT EVEN SPACING AT DRIP LINE OF TREES AND SHRUBS AT THE MULCH'S SURFACE AT A RATE OF SIX (6) 2.0 GPH EMITTERS PER TREE AND TWO (2) 2.0 GPH EMITTERS PER SHRUB.
5. WATER MANAGEMENT IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER. APPROPRIATE MEASURES HAVE BEEN TAKEN TO DESIGN AND INSTALL A WATER-CONSERVATIVE, ENVIRONMENTALLY SOUND LANDSCAPE.
6. STREET TREES IN FRONT OF EACH LOT TO BE IRRIGATED WITH LOTS FRONT YARD
7. PLANTING PROVIDED PER RIO RANCHO CITY CODE SECTION(154.60(E)(2))

LANDSCAPE DATA

SITE AREA	209,071 SF
LANDSCAPE AREA PROVIDED	98,857 SF (47%)
NUMBER OF UNITS	56
TREES REQUIRED (2/UNIT)	112 TREES
TREES PROVIDED	112 TREES
SHRUBS REQUIRED (3/UNIT)	168 SHRUBS
SHRUBS PROVIDED	246 SHRUBS



2 SHRUB PLANTING DETAIL



1 TREE PLANTING DETAIL

PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE
	23	ACER NEGUNDO 'SENSATION'	SENSATION BOX ELDER MAPLE	2" B&B
	30	CERCIS RENIFORMIS 'OKLAHOMA'	OKLAHOMA RED BUD	2" B&B
	33	PYRUS CALLERYANA 'CLEVELAND SELECT'	CLEVELAND SELECT PEAR	2" B&B
EVERGREEN TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**
	26	JUNIPERUS CHINENSIS 'SPARTAN'	SPARTAN JUNIPER	2" B&B
GRASSES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**
	54	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL
	51	MUHLENBERGIA CAPILLARIS 'REGAL MIST' TM	MUHLY	1 GAL
DECIDUOUS SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**
	12	BERBERIS THUNBERGII 'ROSE GLOW'	ROSE GLOW JAPANESE BARBERRY	5 GAL
	38	CARYOPTERIS X CLANDONENSIS 'DARK KNIGHT'	BLUE MIST SPIREA	1 GAL
	36	PRUNUS BESSEYI 'PAWNEE BUTTES'	PROSTRATE SAND CHERRY	5 GAL
EVERGREEN SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**
	31	RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL
	21	ROSMARINUS OFFICINALIS 'ARP'	ARP ROSEMARY	5 GAL

MATERIAL SCHEDULE

SYMBOL	DESCRIPTION
	MOUNTAINAIR SUNRISE GOLD 1" GRAVEL
	2"-4" BLUE SAIS COBBLE

YELLOWSTONE
www.yellowstonelandscape.com
PO Box 10597
Albuquerque, NM 87184
505.898.9615
design@yellowstonelandscape.com

Date: 11/1/2021
Revisions:

Drawn by: RC
Reviewed by: CM

Waterman 4-plex

Rio Rancho, New Mexico

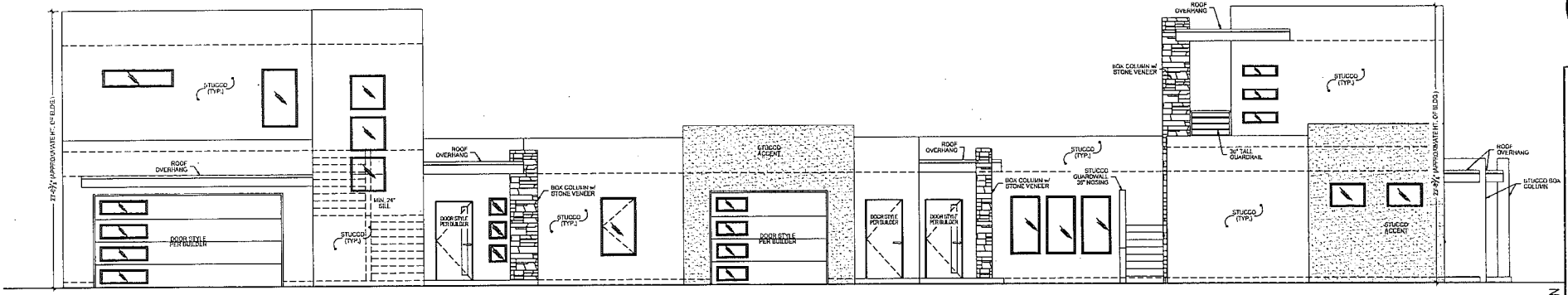
NORTH

Scale: 1" = 30'

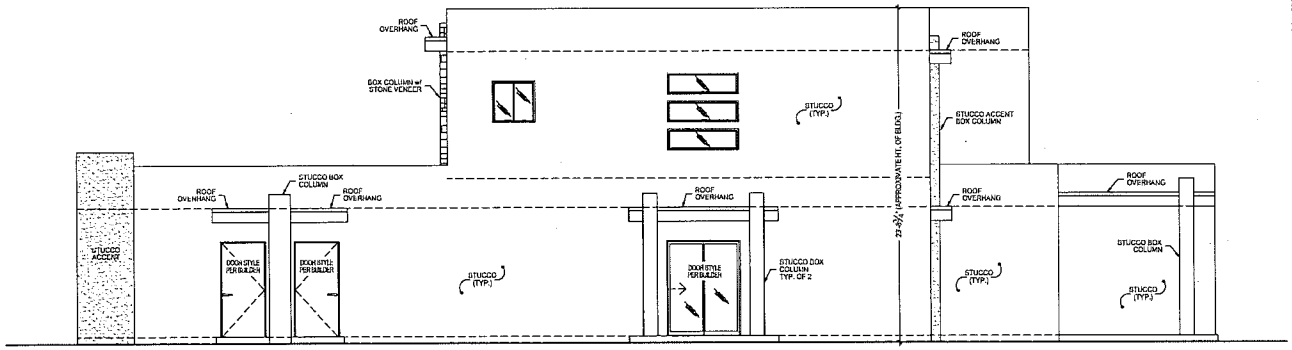
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Sheet Title:
Landscape Plan

Sheet Number:
LS-01



F A4 FRONT ELEVATION
1/4"=1'-0"



R A4 RIGHT ELEVATION
1/4"=1'-0"

GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

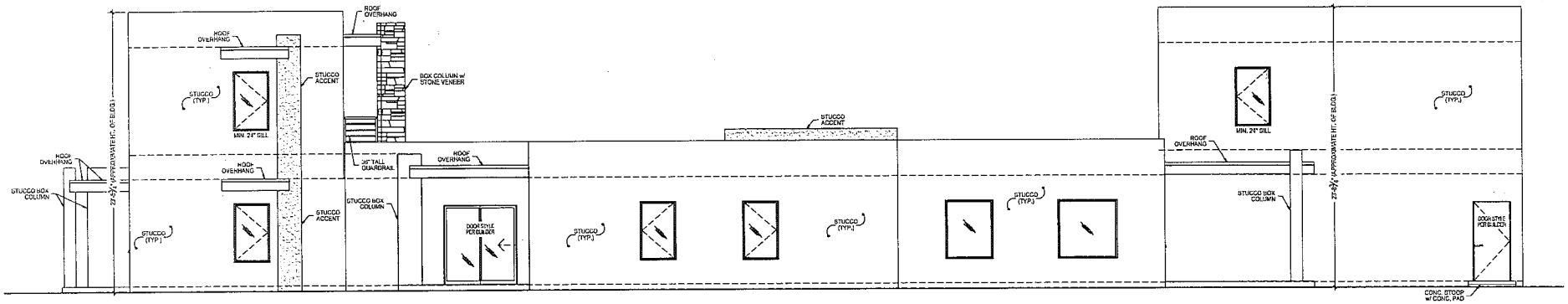
DAVID J. PACHECO ARCHITECT

ARCHITECT: T.B.D.
T.B.D.
OWNER: RTR, LLC

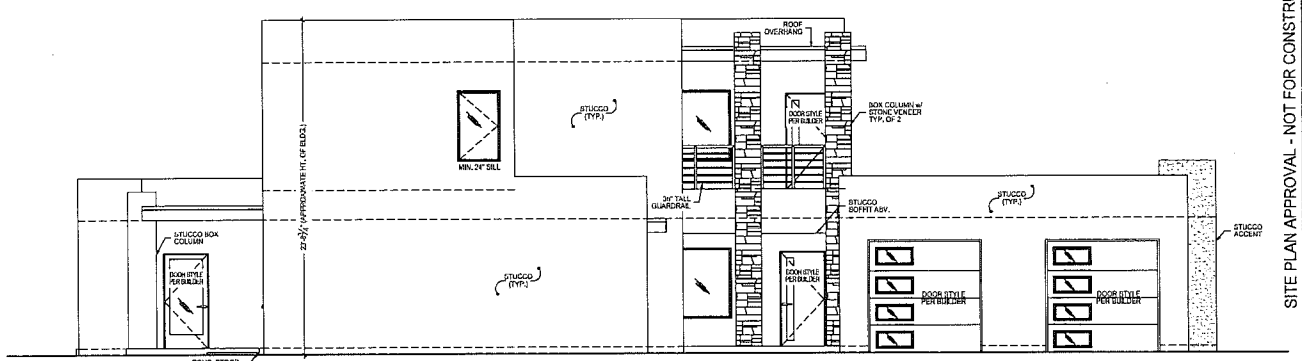
EXTERIOR ELEVATIONS

4 PLEX BUILDING A

PROJECT NUMBER: 20-093
PROJECT PHASING: SITE PLAN SUB.
DRAWN BY: ddp
CHECKED BY: - APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A4



8 / A5 BACK ELEVATION 1/4"=1'-0"



L / A5 LEFT ELEVATION 1/4"=1'-0"

GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1606
REGISTERED ARCHITECT

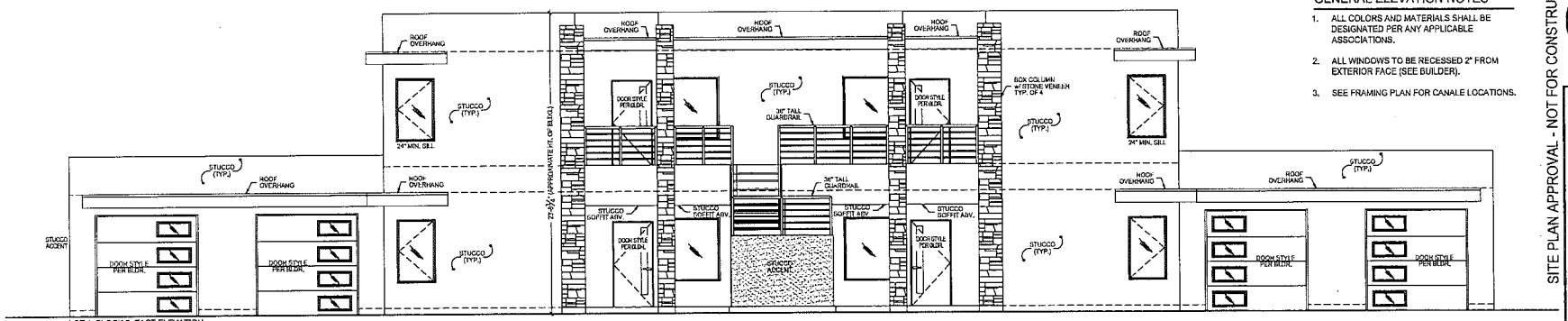
DAVID J. PACHECO ARCHITECT

PROJECT ADDRESS: T.B.D. T.B.D.
CLIENT: RTR, LLC

DRAWING NAME: EXTERIOR ELEVATIONS
PROJECT NAME: 4 PLEX BUILDING A
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: cdp
CHECKED BY: - APPROVED BY: -
DATE: 09.09.22
SCALE: AS NOTED
SHEET: A5
11 TOTAL SHEETS

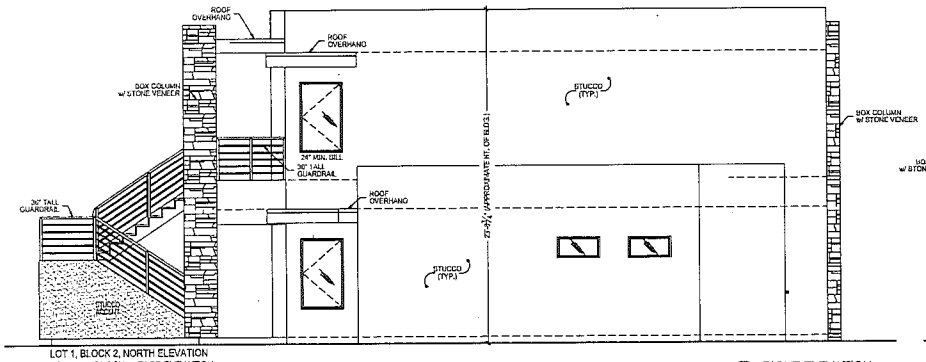
GENERAL ELEVATION NOTES

1. ALL COLORS AND MATERIALS SHALL BE DESIGNATED PER ANY APPLICABLE ASSOCIATIONS.
2. ALL WINDOWS TO BE RECESSED 2" FROM EXTERIOR FACE (SEE BUILDER).
3. SEE FRAMING PLAN FOR CANALE LOCATIONS.



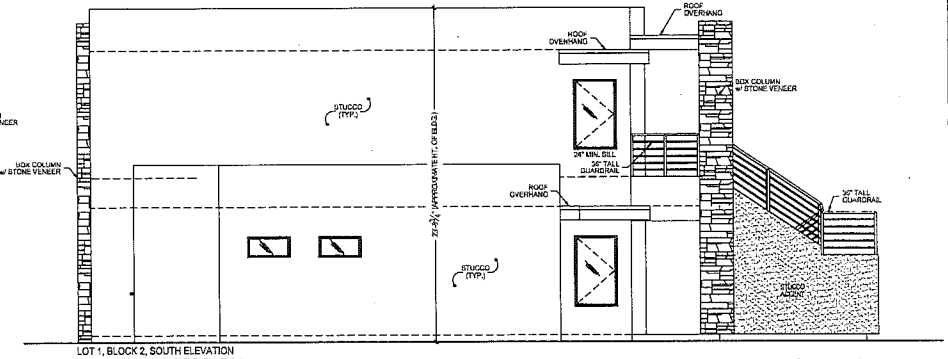
LOT 1, BLOCK 2, EAST ELEVATION
LOTS 2-5, BLOCK 1, SOUTH ELEVATION
LOTS 3-7, BLOCK 2, NORTH ELEVATION

F A4 FRONT ELEVATION 1/4"=1'-0"



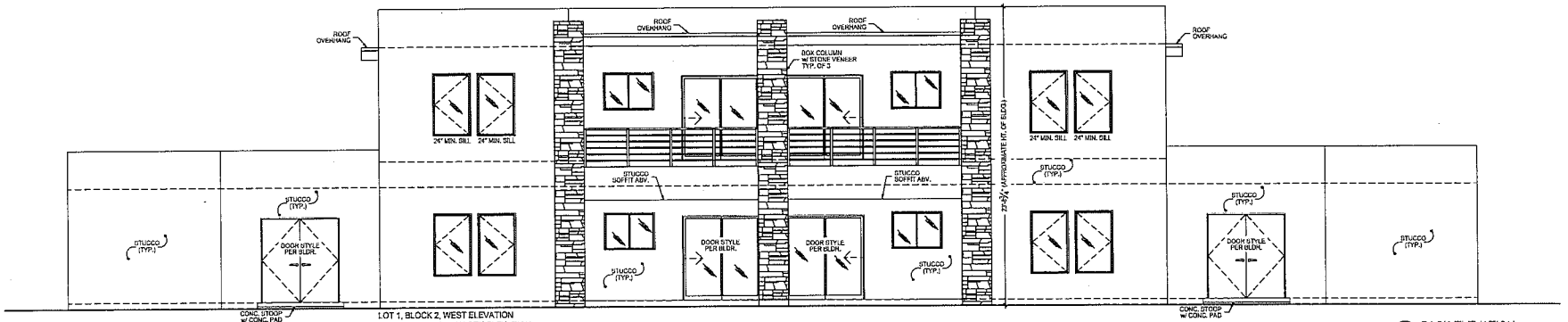
LOT 1, BLOCK 2, NORTH ELEVATION
LOTS 2-5, BLOCK 1, EAST ELEVATION
LOTS 3-7, BLOCK 2, WEST ELEVATION

R A4 RIGHT ELEVATION 1/4"=1'-0"



LOT 1, BLOCK 2, SOUTH ELEVATION
LOTS 2-5, BLOCK 1, WEST ELEVATION
LOTS 3-7, BLOCK 2, EAST ELEVATION

L A4 LEFT ELEVATION 1/4"=1'-0"



LOT 1, BLOCK 2, WEST ELEVATION
LOTS 2-5, BLOCK 1, NORTH ELEVATION
LOTS 3-7, BLOCK 2, SOUTH ELEVATION

B A4 BACK ELEVATION 1/4"=1'-0"

SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

STATE OF NEW MEXICO
DAVID JESSE PACHECO
NO. 1605
REGISTERED ARCHITECT

1. RECEIVED/ENGINEERED
2. DRAWINGS AS INSTRUMENTS OF SERVICE
3. DAVID J. PACHECO ARCHITECT
4. 2-D DATA FILES
5. REPRODUCTION OF PLANS
6. LIMITATIONS OF LIABILITY

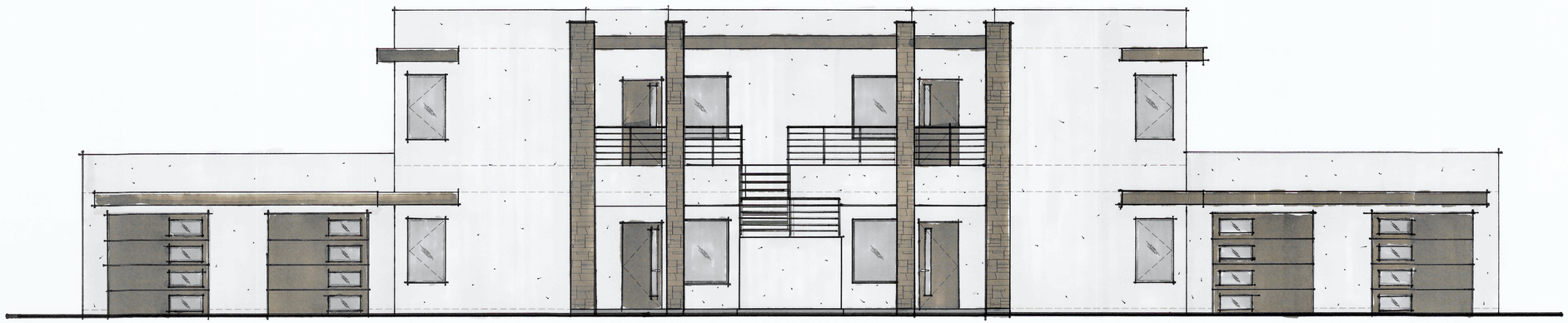
PROJECT NAME: TBD
PROJECT ADDRESS: TBD
CLIENT NAME: RTR, LLC

DAVID J. PACHECO ARCHITECT

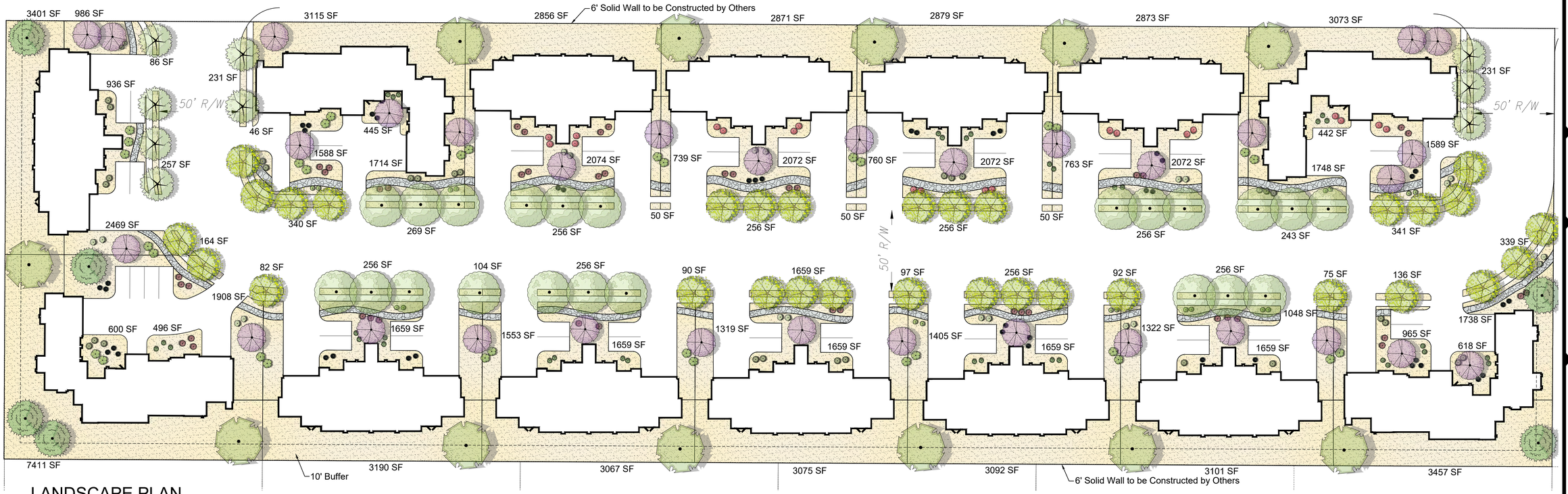
DRAWING TITLE: EXTERIOR ELEVATIONS
BUILDING TYPE: 4 PLEX BUILDING B
PROJECT NUMBER: 20-093
PROJECT PHASE: SITE PLAN SUB.
DRAWN BY: cdh
CHECKED BY: - APPROVED BY: -
DATE: 09.08.22
SCALE: AS NOTED
SHEET: A9
9 TOTAL SHEETS



PROPOSED FRONT ELEVATION BUILDING A
NOT TO SCALE



PROPOSED FRONT ELEVATION BUILDING B
NOT TO SCALE



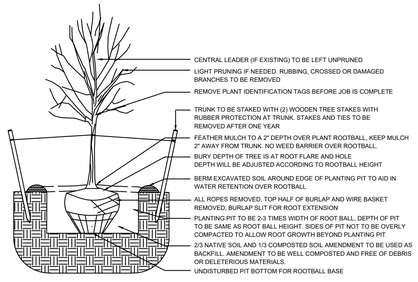
LANDSCAPE PLAN

GENERAL NOTES

1. IN CASE OF DISCREPANCIES IN PLANT QUANTITIES SHOWN ON THE PLANT SCHEDULE AND THOSE SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL PREVAIL. CONTRACTOR SHALL VERIFY ALL QUANTITIES PRIOR TO BID AND INSTALLATION.
2. POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES IS TO REMAIN AFTER ALL LANDSCAPE WORK IS COMPLETED.
3. ALL MAINTENANCE FOR LANDSCAPE AND IRRIGATION SYSTEMS SHALL BE PROVIDED BY OWNER. MAINTENANCE OF STREET TREES AND SHRUBS SHALL FIND THEM IN HEALTHY, LIVING, AND ATTRACTIVE CONDITION.
4. ALL ON-SITE PLANT MATERIAL SHALL BE IRRIGATED BY COMPLETE, AUTOMATIC DRIP IRRIGATION SYSTEM. EACH STRUCTURE WILL HAVE DRIP IRRIGATION VALVE(S) WITH AVB BACKFLOW PREVENTER ON EACH VALVE, SUPPLYING WATER TO ALL PLANTS ASSOCIATED WITH THAT PARTICULAR STRUCTURE. ¾" POLY TUBING TO BE EXTENDED FROM EACH VALVE WITH DRIP EMITTERS PLACED AT EACH PLANT. (2PER SHRUB/6 PER TREE). A DRIP FLUSH CAP WILL BE PLACED IN A 6" ROUND VALVE BOX AT THE END OF EACH POLY TUBING RUN. ONE CONTROLLER WILL BE INSTALLED AT EACH STRUCTURE TO CONTROL THE DRIP IRRIGATION FOR THAT STRUCTURE.
5. WATER MANAGEMENT IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER. APPROPRIATE MEASURES HAVE BEEN TAKEN TO DESIGN AND INSTALL A WATER-CONSERVATIVE, ENVIRONMENTALLY SOUND LANDSCAPE.
6. STREET TREES IN FRONT OF EACH LOT TO BE IRRIGATED WITH LOTS FRONT YARD

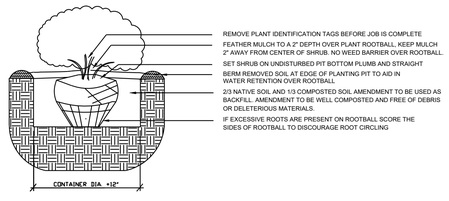
LANDSCAPE DATA

GROSS LOT AREA	261,241	SF
REQUIRED LANDSCAPE		
10% OF GROSS LOT AREA	26,124	SF
PROPOSED LANDSCAPE	96,986	SF
REQUIRED VEGETATION COVERAGE		
75% OF LANDSCAPE AREA	72,740	SF
PROPOSED VEGETATION COVERAGE	156,484	SF
REQUIRED FRONTAGE SHADE TREES		
1 PER 33 LF	64	SF
PROPOSED FRONTAGE SHADE TREES	64	SF



1 TREE PLANTING DETAIL

N.T.S.



2 SHRUB PLANTING DETAIL

N.T.S.

PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	H X W	COVERAGE
	22	CELTIS OCCIDENTALIS	COMMON HACKBERRY	3" B&B	40` X 40`	1256
	32	FRAXINUS VELUTINA `MODESTO`	MODESTO VELVET ASH	3" B&B	40` X 30`	707
	31	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS COMMON HONEYLOCUST	3" B&B	50` X 45`	1590
	12	QUERCUS MACROCARPA	BURR OAK	3" B&B	60` X 70`	3847
	9	ULMUS PROPINQUA `EMERALD SUNSHINE`	EMERALD SUNSHINE ELM	3" B&B	35` X 25`	491
EVERGREEN TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**H X W**	**COVERAGE**
	6	PINUS ELDARICA	AFGHAN PINE	8`	40` X 25`	491
					SUBTOTAL	153,075 SF
DECIDUOUS SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**H X W**	**COVERAGE**
	20	BERBERIS THUNBERGII `ROSE GLOW`	ROSE GLOW JAPANESE BARBERRY	5 GAL	4` X 4`	13
	43	CARYOPTERIS X CLANDONENSIS `DARK KNIGHT`	BLUE MIST SPIREA	5 GAL	3` X 3`	7
	33	CHAMAEBATIARIA MILLEFOLIUM `FERNBUSH`	FERNBUSH	5 GAL	5` X 6`	28
	44	PRUNUS BESSEYI `PAWNEE BUTTES`	PROSTRATE SAND CHERRY	5 GAL	4` X 4`	13
EVERGREEN SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**H X W**	**COVERAGE**
	20	ARTEMISIA FILIFOLIA	SAND SAGEBRUSH	5 GAL	4` X 4`	13
	20	MAHONIA AQUIFOLIUM `COMPACTA`	COMPACT OREGON GRAPE	5 GAL	2` X 4`	13
	35	RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL	3` X 4`	13
	29	ROSMARINUS OFFICINALIS `ARP`	ARP ROSEMARY	5 GAL	6` X 4`	13
					SUBTOTAL	3,409 SF
					TOTAL	156,484 SF

MATERIAL SCHEDULE

SYMBOL	DESCRIPTION
	MOUNTAINAIR SUNRISE GOLD 1" GRAVEL
	2"-4" BLUE SAIS COBBLE

YELLOWSTONE LANDSCAPE
www.yellowstonelandscape.com
P O Box 10597
Albuquerque, NM 87184
505.898.9615
design@yellowstonelandscape. com

STATE OF NEW MEXICO
CODY McMILLEN
650
REGISTERED LANDSCAPE ARCHITECT
2/8/23

Date: 11/1/2021
Revisions:
2/8/2023

Drawn by: PL
Reviewed by: CM

Waterman 4-plex

Rio Rancho, New Mexico

NORTH

Scale: 1" = 30'

15 0 30 60

Sheet Title:
Landscape Plan

Sheet Number:
LS-01

Z:\Dwell\ALL DESIGN - TRANSFER\1 - ACTIVE JOBS\Waterman 4-Plex\CAD\Waterman 4-plex Landscape 2023.02.27.dwg, 2/7/2023 11:52:15 PM, DWG To PDF.pc3

City of Rio Rancho

Development Services
3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

January 26, 2023

Myers, McCready & Myers, P.C
1401 Central Ave. NW
Albuquerque, NM 87104

RE: Waterman 4-plex Site Plan (Case 23-160-00002)
Please review the following staff comments for the Waterman 4-plex Site Plan. Please make any necessary revisions and return to City staff via a PDF file to confirm changes have been made.

Planning:

1. Provide a letter of authorization from TDO Partners for agent to act on their behalf.
2. Landscaping shall comply with the Lomas Negras Specific Area Plan.
    a) Frontage shall be 25% of total landscaping; 10 ft. wide, 50% in R.O.W. Does not appear to comply. Typically, each planting area is identified then square footage calculated individually, then provided in a table showing the total landscaping for the site, so that the distribution of land-scaping throughout the site can be verified. Without this table/landscaping breakout, it is not possible for to determine whether or not all of the landscaping requirements have been met.
    b) Shade Tree 1 every 33 LF. Please demonstrate compliance on Site Plan.
    c) Tree Caliper/ Shrub Size 3 in. or 30 in. boxed, 12 ft. tall / 5 gal. Trees do not comply, tree size on plan reflects 2 in. size.
    d) Coverage 75% live plants. Does not comply, majority of coverage shows gavel on landscape plan.
    e) Bufferyard 10 ft. wide; 6 ft. solid wall; evergreens 1 per 25 ft. Appears to comply in width, demonstrate compliance on plan for either wall or evergreens.
    f) Irrigation system Backflow prevention required.
3. Building standards shall comply with the Lomas Negras Specific Area Plan.
    a) Bike racks shall be 10% of parking spaces. Provide bike racks on site plan.
    b) Perimeter Wall: Landscape area 10 ft. between sidewalk and wall. Not clear if there will be a perimeter wall. Materials shall be stuccoed, non-grey CMU, split block, adobe, brick, tan masonry
4. Per the SU Ordinance, building height shall not exceed 48 ft. Height appears to comply with the 48 ft max height (23 ft on elevation?).
5. Off-street parking per 154.76 Multi-Family Dwelling = 2 spaces per each three-bedroom unit. 8 Handicap spaces required. Provided spaces is adequate but code referenced under Project Data is incorrect.

Fire and Rescue:

Per- International Fire Code 2015

1. Confirm fire hydrants are in approved distances and locations
2. Turning radius shall be 28 feet, IFC Appendix D
3. No crash gates shall be allowed. No dead ends shall be approved.
4. No construction is to begin until fire hydrants are fully operational.
5. IFC Appendix D107- exceeds 30 units shall be provided with two separate and approved fire apparatus access roads.
6. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet
7. Fire Alarm and Fire Sprinkler system required.
8. Additional requirements may be necessary upon plan review and development

ENGINEERING:

1. Conformance with the: Lomas Negras Specific Area Plan//Tierra del Oro Master Plan//Broadmoor Corridor Study//Edinburgh Basin Drainage Management Plan is required.
2. A Trip Generation Report is required and an additional Traffic Study may be required for traffic if thresholds exceed those identified per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.3. Access easements may be required.
3. A Water / Waste Water Availability statement from the Utility Division is required. Contact Robert Lujan (891-5061) or Steve Gallegos (896-8715) for additional information. Waterline easements may be required for public waterlines.
4. Water and Sewer to be extended per water & wastewater availability requirements
5. A grading and drainage plan/ report and an erosion control plan are required with future development, and must conform to any currently approved master drainage plan for this area. Storm water drainage and water quality discharge will need to be addressed per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.2.
6. Engineering drawings are required for development of public and private infrastructure.
7. Work performed in the right-of-way will require a City of Rio Rancho, Right-of-Way Permit and a Traffic Control Plan. Contractors must be licensed and bonded with the City of Rio Rancho for work performed in the City Right-of-Way.

MRCOG:

MRMPO has no adverse comments. For informational purposes:

1. Broadmoor Blvd is functionally located as a Minor Arterial.
2. An existing bike route and proposed bike lane are identified on Broadmoor Blvd in the Long Range Bikeway System (LRBS).
3. Broadmoor Blvd is identified as a Tertiary Transit Route in the Long Range Transit Network with headways of 35-45 minutes. \
4. Broadmoor Blvd is an Intelligent Transportation System (ITS) Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.

Appendix G of the MTP recommends the following as it relates to the subject property:

1. Fill in gaps in the bicycle and pedestrian networks, first targeting improvements near activity centers, schools, and parks.
2. Promote a diverse mix of housing, in cost, unit types, and neighborhood settings.
3. Require coordination of drainage and landscape plans

Parks and Recreation:

1. Most Maples do not do well in Rio Rancho – maybe closer to the river, but most of Rio Rancho is not really suited even to regionally grown maple trees.

SSCAFCA:

1. No water quality is shown for the development. Please show the flow directions and the water quality pond on the Grading and Drainage Plan.

If you have any additional questions or concerns please feel free to contact me at any time.

Respectfully,



Michelle Costilla
Municipal Planner I
Development Services Department
City of Rio Rancho
(505) 896-8362 mcostilla@rrnm.gov

MICHELLE COSTILLA

From: Matt Myers <mmyers@moplaw.com>
Sent: Wednesday, February 22, 2023 3:37 PM
To: MICHELLE COSTILLA
Cc: 'watermanrhett'
Subject: FW: Re: TDO Partners - 4 Plex - Neighbor Questions

****
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****

Michelle,

Will you please include the email communication below in the record of this case. Thank you.

J. Matt Myers, Esq.
Myers, McCready & Myers, P.C.
1401 Central Ave. NW
Albuquerque, New Mexico 87104
Phone: 505-247-9080
Fax: 505-247-9109

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From: Kristelle Siarza [mailto:kristelle@siarza.net]
Sent: Wednesday, February 22, 2023 12:40 AM
To: RHETT WATERMAN <watermanrhett@comcast.net>
Cc: Matt Myers <mmyers@moplaw.com>
Subject: Re: Re: TDO Partners - 4 Plex - Neighbor Questions

Hi Rhett! Thanks again for all of your help. My life got ahead of my planned email responses. I'll be in touch on what the neighbors would like to hear or do.

Also, I envy your time in Arizona - It's always a great place to golf and it has great weather around this time...

Kristelle Siarza (she/her)
Owner and CEO of **Siarza**
Volunteer Executive Director of the **Asian Business Collaborative**

Siarza.com | @SiarzaSD | ABC
505-234-6900 x 701 | kristelle@siarza.net
Like us? Give us five stars!

On Fri, Feb 17, 2023 at 7:58 PM RHETT WATERMAN <watermanrhett@comcast.net> wrote:

> Rhett Waterman
> Icon Development, LLC
>
> On 02/17/2023 12:32 PM Kristelle Siarza <kristelle@siarza.net> wrote:
>
> Hi Mr. Waterman!
>
> My name is Kristelle Siarza, and i'm the CEO of Siarza - a PR, advertising and digital company in New Mexico. I've been coordinating the communications for the Tierra del Oro neighborhood, and I'm working to make sure the neighbors of TDO and the HOA are all in agreement with the Site Plan.
>
> First off, I'd like to apologize about the confusion and the messaging that has gone out to the community about low income housing and hesitation. There was an old plan that was still circulating on the internet (I know Steve Kramer!), and those images sparked angry feelings and sentiment throughout the neighborhood. That's when I stepped in - after all, I'm a communications professional and a person of color who believes in equity! So far I have 40 households interested in your 4plex project.
>
> The neighbors have looked to me as the person to provide insight and *correct* information, and I've shared with them some documentation that helps the community make decisions. I've also been approached by the Solcito neighborhood across the street on Cardiff, and I'm volunteering to share the information and collect feedback. I've shared the photos from Mr. Myers of your Tiburon development.
>
> After gathering a ton of questions, here are the most commonly asked questions our neighborhood still has lingering. I've filtered *a lot* of questions that were erroneous and repetitive to help you answer these questions productively:
>
> Allow me to attempt to provide requested information in sequence below:
>
> - **Apartments vs townhouses:** Could you clarify on what you plan on making them? Will your development be HOA'd or monitored by a housing coalition or a unit management company?

Designed are 14 4plex units. These Buildings are high quality units all with a garage for each unit. When compared to similar 4plex developments in Rio Rancho you will notice the increased level of amenities and cost associated here. The constructed building units will be available for rent. They will be designed, built and managed by me. If individual buildings are sold to investors at a future date a HOA will be formed to manage the subdivision.

- **Previous Developments and Experience:** The neighborhood keeps asking, "what will you be charging? Are you renting these out individually or not? What's your proforma look like?" While, as a business owner myself, I know this is a big ask, I think a better way to demonstrate fiscal responsibility is proof of performance for past developments. Do you have a list of other developments you've done, besided Tiburon, that have challenges and wins, that way I can show the neighborhood that you're a profitable developer through other successful developments? We can then work backwards and look at the public value of the properties.

I am born and raised in Albuquerque. I went to St. Pius X high school. I have a lengthy development history in New Mexico. I have constructed more than 200 houses, more than 500,000 square feet of commercial space and acquired / entitled more than 1,500 lots of residential development. Notable projects include the Tiburon Subdivision you reference together with Broadway Industrial Center in Albuquerque (70 acre industrial development), Rainbow Business Center in Albuquerque (52,000 sq ft), Copper Pointe Redevelopment in Albuquerque (220,000 sq ft - NAIOP Award of Excellence - 2009), Vista De La Luz subdivision in Albuquerque (82 houses), NORC-University of Chicago Improvements (15,500 sq ft) to name a few.

Units here will be rented. Costs/markets fluctuate frequently but if today the individual 4plex buildings will be sold somewhere near $800,000.

Together with a partner I am the original assembler of both Tierra Del Oro and Stonegate Subdivision. We hired Consensus Planning to prepare and file both the Tierra Del Oro and Stonegate Master Plans. This parcel - together with the adjacent commercial parcel - have been planned for higher density / traffic uses since the original inception. Per master plan this parcel is allowed up to 32 DU (density units per acre). Post Master Plan Rio Rancho subsequently changed allowable DU in R6 to up to 50 DU. This 4plex development is well within all parameters at 10.7. This is evidence of great land cost being expended as it relates to capital invested in the end vertical units - these are well planned and quality.

- **Traffic**: With a high-ish density area, what plans or ideas have you passed onto the civil engineers to make sure the traffic impact won't be heavy? If you haven't made plans, would you be open to having our neighborhood make recommendations on how to combat the traffic that will be coming from both the Rio Rancho Events Center AND Broadmoor/Idalia/Northern?

When Tierra Del Oro Subdivision was originally platted we granted Rio Rancho (or NMDOT) right of way sufficient to allow for their expansion of Broadmoor to accommodate future traffic concerns. This is an area wide plan administered for the corridor with multiple studies involved. I defer to their plans and capital budgets as to timing as it relates to this but have faith it is being administered properly and timely.

- **Available for a Q&A Session:** to put my PR hat on, the community really just wants to get to know you. Not only will this benefit the neighborhood, but you may face less resistance in the future when developing in the area. They want to meet you, know you have the neighborhood's best intentions in mind, and you're not just some random developer. Would

you be willing to meet with us in person and get to know the neighborhood? A couple of neighbors have even offered hosting you over food and adult beverages :)

Appreciate the invite. I am currently in Arizona and making another trip prior to 3/9 hearing will be problematic. I will be there on 3/9 for hearing and can try to be there a bit early so we can say hello.

- **Property Value:** How can we work together to make sure your new development increases property value for both you and our neighborhood? Would you consider parks, heavy landscaping, or investments into safety and security? What other ideas may you have?

I will not make an investment that will devalue a project before it starts. I am interested in maximizing my investment which in turn enhances yours. We are on the same team in that sense. This development is designed with massive setbacks (open spaces), garages, comprehensive landscaping etc.
Thanks for your time. Let me know if you'd like to meet in person or over the phone.

Thanks for the inquiry. Let me know if I can answer anything further. Rhett Waterman

Kristelle Siarza (she/her)
Owner and CEO of **Siarza**
Volunteer Executive Director of the **Asian Business Collaborative**

Siarza.com | @SiarzaSD | ABC
505-234-6900 x 701 | kristelle@siarza.net
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MICHELLE COSTILLA

From: Matt Myers <mmyers@moplaw.com>
Sent: Wednesday, February 22, 2023 3:38 PM
To: MICHELLE COSTILLA
Cc: 'watermanrhett'
Subject: FW: TDO Partners - 4-Plex
Attachments: tiburon.jpg; tiburon 2.jpg; 3.jpg; 4.jpg; 5.jpg; 6.jpg; 8.jpg

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CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments.
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Michelle,

One last email for inclusion in the record.

Thanks for all of your help.

J. Matt Myers, Esq.
Myers, McCready & Myers, P.C.
1401 Central Ave. NW
Albuquerque, New Mexico 87104
Phone: 505-247-9080
Fax: 505-247-9109

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From: Matt Myers [mailto:mmyers@moplaw.com]
Sent: Wednesday, February 15, 2023 1:11 PM
To: 'Kristelle Siarza' <kristelle@siarza.net>
Subject: TDO Partners - 4-Plex

Kristelle,

Please see the attached pictures. These are pictures of single family homes that Rhett built in the Tiburon Subdivision in Albuquerque, NM. The 4-plex units will have an exterior appearance similar to what is shown on the attached. There will be some differences because Rhett will have to comply with the specific design standards in the TDO Master Plan but the attached will give you and the other neighbors a general idea of the quality of build. As you can see, this will be a quality project. As soon as I have the renderings for the actual 4-plexes I will send those to you.

I spoke to my client and he reiterated that anybody is welcome to send him an email with specific comments/questions. Rhett will respond to all emails received. Rhett's email address is: watermanrhett@comcast.net. Again, please let the neighbors know that they are welcome to send any written comments/questions directly to Rhett and he will respond, in writing.

Please let me know if you have any comments or questions at this time.

Thanks,

J. Matt Myers, Esq.
Myers, McCready & Myers, P.C.
1401 Central Ave. NW
Albuquerque, New Mexico 87104
Phone: 505-247-9080
Fax: 505-247-9109

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905











The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

February 16, 2023

RE: Site Plan, Case No. 23-160-00002
2828 Hedingham Ave NE (Unit 13, Block 46, Tract A)

Dear Property Owner:

You are receiving this certified notice because your property abuts a site where a land development decision is required by the Governing Body.

The applicant, TDO Partners, through their agent, Myers, McCready & Myers, P.C, requests approval of a 4-plex building development in an SU: Special Use zoned property. The subject property is located at 2828 Hedingham Ave NE, legally described as Unit 13, Block 46, Tract A.

The **Governing Body** will consider the request and have the final approval on **Thursday, March 9, 2023** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

On the back of this letter is a location map of the project, with the subject property identified with a light blue outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Governing Body. This Governing Body meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

For the **Governing Body meeting**, to participate virtually: Join via computer:
https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09
Meeting ID: 853 0235 3741 Passcode: 789419 Join via phone: 1-346-248-7799 US

Please contact me via e-mail me at mcostilla@rrnm.gov or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

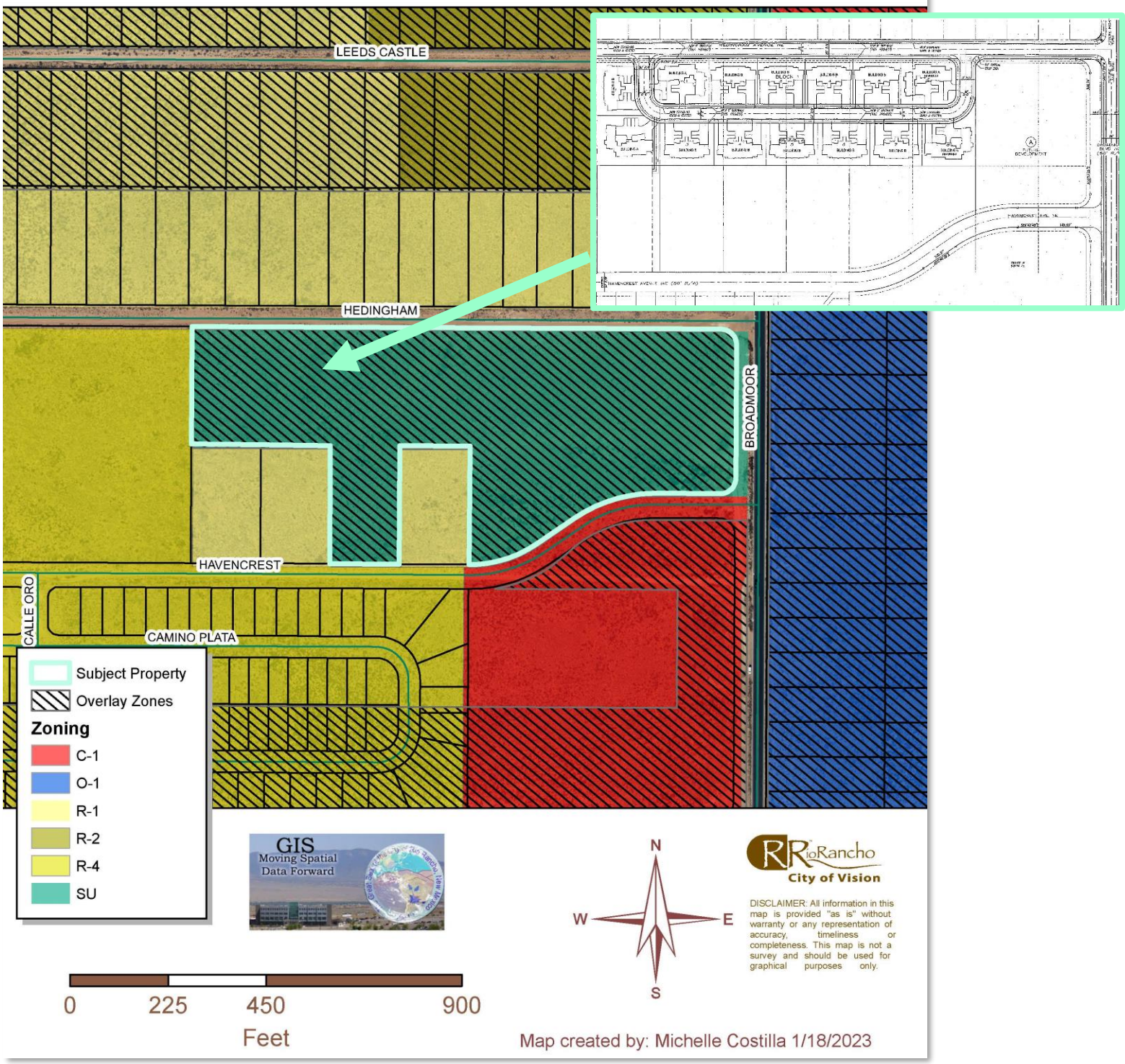
Respectfully,

Michelle Costilla
Municipal Planner I
Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

2828 HEDINGHAM AVE NE



ALBUQUERQUE PUBLISHING COMPANY
7777 Jefferson St. NE, Albuquerque, NM 87109

Ad Proof/Order Confirmation

Account Number
1010956

Ad Order Number
0001565065

CITY OF RIO RANCHO
ATTN: ACCOUNTS PAYABLE
3200 CIVIC CENTER CIR NE
RIO RANCHO, NM 871444501 USA

Ordered By	Sharon Bitah	**Customer Phone**	5058915005	**Joint Ad #**
Customer EMail		**PO Number**	230019	
Ad Cost	$78.92	**Sales Rep**	wschult	
Tax Amount	$6.12	**Order Taker**	wschult	
Total Amount	$85.04	**Payment Method**	Credit Card	
Amount Due	$85.04	**Payment Amount**	$0.00	

Affidavits 0

Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001565065-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEGOVERNINGBODYOFTH ECITYOFRIORANCHONMWILLCONSI DERTHEFOLLOWINGMATTERATITSR EGULARLYSCHEDULEDMEETI
Ad Size	1 X 94 li		
Color			

Run Date
02/22/2023
02/22/2023
02/22/2023

WYSIWYG Content

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY OF RIO RANCHO, NM, will consider the following matter at its regularly scheduled meeting on Thursday, March 9, 2023 at 6:00 pm:

Site Plan
Case #23-160-00002
The applicant, TDO Partners, through their agent, Myers, McCready & Myers, P.C, is requesting approval of a site plan for a 4-plex building development, at the property located at 2828 Hedingham Ave NE, legally described as Unit 13, Block 46, Tract A.

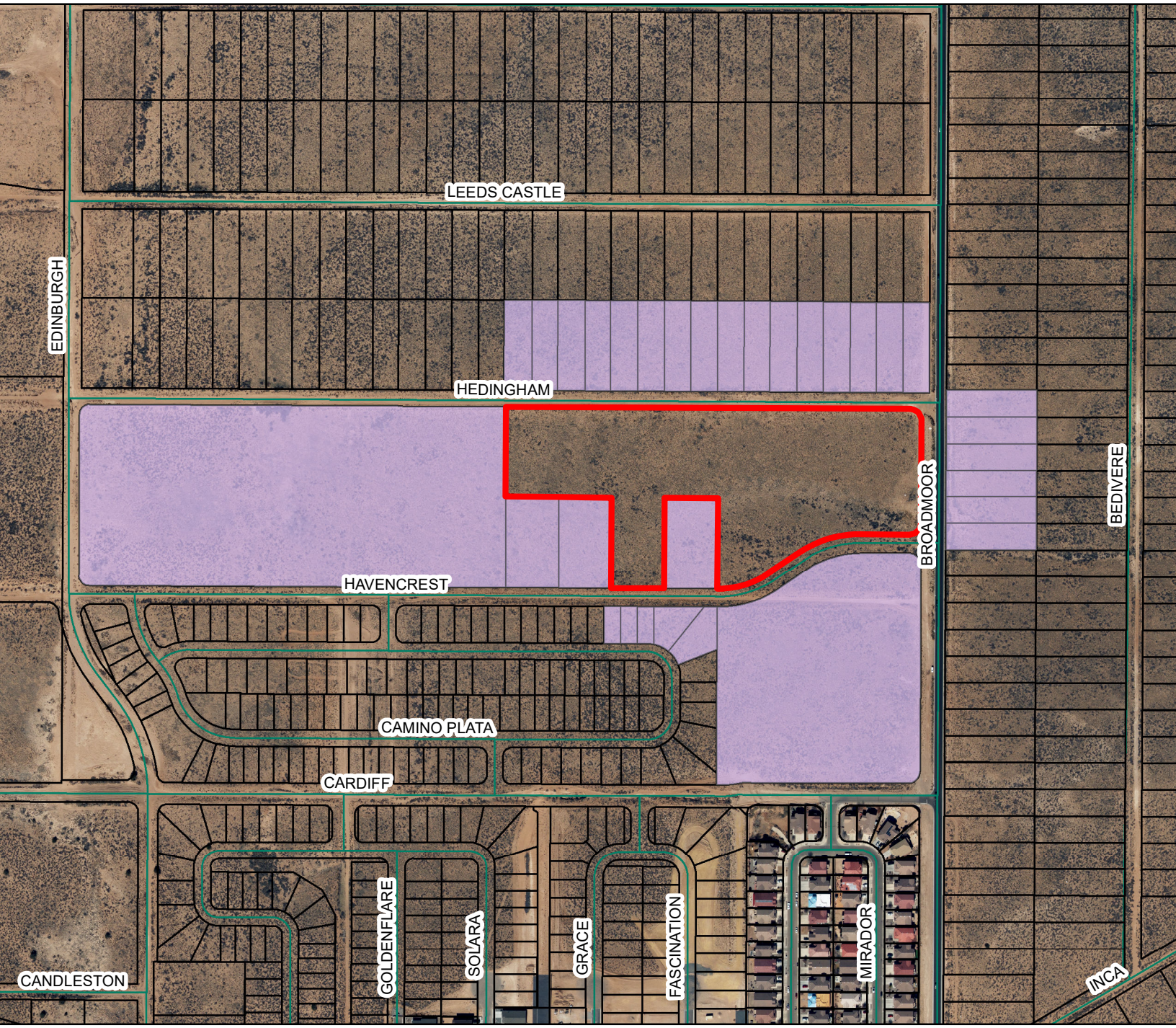
Master Plan Amendment
Case #23-410-00001
The applicant, Petroglyph Real Estate Development, LLC, through their agent, AMC Development, is requesting approval of an amendment to the Petroglyph Medical Plaza Master Plan to raise the height limitation from a maximum of 32 ft. to a maximum of 60 ft. for the property at 1882 Westside Blvd. SE, legally described as PMP, Block A, Lot 6A1A.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning @rrnm.gov Written comments will be inserted into the public record.

Journal: February 22, 2023

2828 HEDINGHAM AVE NE



Subject Property

Adjacent Properties

GIS
Moving Spatial Data Forward

N
W
E
S

Rio Rancho
City of Vision

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

0 370 740 1,480
Feet

Map created by: Michelle Costilla 1/18/2023

MICHELLE COSTILLA

From: Jan Wood <jan.wood3@yahoo.com>
Sent: Sunday, January 29, 2023 10:48 AM
To: MICHELLE COSTILLA
Subject: Site Plan, Case #23-160-00002

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Michelle,

I'm reaching out to you based on the recent letter I received. This new proposed SU development is just unacceptable. My home will be directly behind this project on Camino Plata Lp. This type of 4-plex unit will only bring the kind of trouble this quit, low crime area doesn't need. It will also bring increased unwanted traffic and trash. It will lower our property values greatly. We all paid top dollar to live here based on it's location and potential increasing value. This proposal will take us all backwards.

I'm all for offering this type of building but not this close to a high end development.

Thank you for your time
Jan Paton
2661 Camino Plata Lp

MICHELLE COSTILLA

From: Laura Padilla <laura31407@yahoo.com>
Sent: Monday, January 30, 2023 1:50 PM
To: MICHELLE COSTILLA
Cc: Laura Padilla; Joe P
Subject: Concerns About Case No. 23-160-00002

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Dear Governing Body,

I am writing to you today to voice our concerns about the potential development of a 4-plex apartment community located at 2828 Hedingham Ave NE. As a homeowner in a higher value neighborhood, the thought of a low-rent apartment development behind our community is extremely concerning. We moved to Rio Rancho almost three years ago because we wanted to get away from the high crime in Albuquerque. We take pride in living in Rio Rancho, and we feel safe. Bringing a low rent apartment community to Rio Rancho is going to bring that same trouble to Rio Rancho and its surrounding communities. This 4-plex is going to sit right in the middle of homes that have a value of over 400K and an average household income of $87,289. The average household income for a low-rent apartment is anywhere between $23K to 40K. I managed apartments for many years and worked in A+ properties to D (low rent) properties and there's a huge difference. The low-rent housing brings higher crime rates, higher police call volumes, increased levels of violence, drug, and property crimes. While managing the low-rent apartment community, I had calls from domestic violence, auto theft, break-ins, and even murder. A proposal to have low-rent apartments or any apartment community in general, lowers property values and damages the community's reputation. It's not ok to bring a lower rent apartment community into a new and still developing single family housing of homes over 400K in value. **As a proud homeowner in Rio Rancho, we are asking the Governing Body to please take this request into consideration, and decline the proposal from TDO Partners through their agent Myers, McCready & Meyers P.C.**

MICHELLE COSTILLA

From: Kelly Kemmerer <redboothkelly@gmail.com>
Sent: Monday, January 30, 2023 4:25 PM
To: MICHELLE COSTILLA
Subject: 4-plex building development - 2828 Hedingham Ave. NE

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Good afternoon, Michelle.

I am emailing in reference to the proposed 4-plex development that is planned to go up behind our subdivision. My husband and I are strongly against this building development. Not only will this decrease our property values, it will bring in trash, traffic and possible transients into our neighborhood. Please let us know if there is anything we can do to stop this development from going up.

Thank you for your time and consideration.

Kelly Kemmerer

--
Regards,

Kelly Kemmerer

"Call Collins for All Your Real Estate Needs"

Kelly Kemmerer, Licensed Assistant

Collins & Associates

Coldwell Banker Legacy

10300 Cottonwood Park NW

Albuquerque, NM 87114

Cell: 505.620.7775

Office: 505.898.2700

Direct: 505.848.3164

MICHELLE COSTILLA

From: Deborah Davidson <debdavidson.homesmart@yahoo.com>
Sent: Monday, January 30, 2023 4:45 PM
To: MICHELLE COSTILLA
Subject: TDO Apartments - 2828 Hedinham Avenue NE

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Good Afternoon!

My husband and I own a house in the Twilight Home development Teirra Del Oro (2633 Camino Plata Loop NE). I am also on the Board of Directors for our HOA.

We have been notified that TDO wants to build Low-Rent apartments on the empty lot across from our neighborhood. We are EXTREMELY upset about this. As of now, our neighborhood is safe and quiet. Our home is worth over half a million dollars and our property value will definitely go down. As the HOA representative, I can assure you that every household in this neighborhood is not happy about this. **WE DON'T WANT THIS**.

I plan on being at the approval meeting on February 9th, along with many other owners in our neighborhood. We are concerned about property values, crime, noise and other issues that unfortunately go along with low-income housing. There are plenty of other vacant lots in NM.

I'm imploring you to **PLEASE** do all you can so that this doesn't happen. Please feel free to contact me further if you have any questions or would like to discuss further.

We are prepared to protest and have everyone sign a petition, and maybe file a class action lawsuit.

Thank you in advance for your time.

Sincerely,
Deb Davidson - HomeSmart Realty Pros
debdavidson.homesmart@yahoo.com
505-688-2001

MICHELLE COSTILLA

From: Victoria Hiatt <hiatt.victoria@yahoo.com>
Sent: Monday, January 30, 2023 6:27 PM
To: MICHELLE COSTILLA
Subject: TDO Partners proposed 4-plex development

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Ms. Costilla -

I am writing to express my concern over and disapproval of the low-income housing development proposed by TDO Partners to be located at 2828 Hedinham Ave NE.

We moved to Rio Rancho from Tampa, Florida, in late 2022. We were drawn to Rio Rancho because of the beautiful and affordable new construction homes, the inviting neighborhood atmosphere, and the recurrent reassurances that Rio Rancho was a very safe community. My extensive pre-relocation research on New Mexico produced a comprehensive picture of the crime rate in Albuquerque, and we were determined not to purchase a home in an area that represented demonstrated safety risks.

We love our home in Rio Rancho and highly value the separation that our geographic location provides from the crime in the greater Albuquerque area. Our neighborhood in Tierra del Oro is safe, quiet, and inhabited by hard-working, law-abiding residents with assets and families to protect.

I implore you to deny the development request by TDO Partners. Introducing low-income housing into the Rio Rancho community would disrupt and betray everything that we sought in our relocation and impair the sense of community and peace of mind that we currently cherish.

I would be happy to discuss this issue in more detail at your convenience. I cannot express strongly enough our opposition to this proposed development.

Respectfully,

Victoria Gallivan

2761 Camino Plata Loop NE
Rio Rancho
937.371.8314

MICHELLE COSTILLA

From: Joanna Cordero <joannacordero1@gmail.com>
Sent: Tuesday, January 31, 2023 8:47 AM
To: MICHELLE COSTILLA
Subject: Site Plan, Case No 23-160-00002

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CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments.
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Hello,

This email is in regards to 2828 Hedingham Ave NE for a 4-plex building development.
We as a community feel that this 4-plex will have a **negative** impact on our neighborhood. Low rent housing brings higher crime rates, higher police call volumes, increased noise disturbance, increased level of violence, drug and property crimes.
We want to keep our neighborhood, quiet and beautiful. Please help us keep our neighborhood safe.

STOP the low rent housing development!

Thank you
Jo

Sent from my iPhone

MICHELLE COSTILLA

From: michaelduncana@aol.com
Sent: Thursday, February 2, 2023 5:31 PM
To: MICHELLE COSTILLA
Subject: Low-rent apartments

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Hi Michelle
My name is Michael Duncan I live at 2701 camino plata LP I am very discouraged about the HOA letting them build the apartment
so close to our homes it will bring the value of our homes down and crime will go up so me and eveyone that I have talk to do not
want the apartments build.....

Thank you
Michael Duncan

MICHELLE COSTILLA

From: Sherry Bennett <sherry_bennett@icloud.com>
Sent: Friday, February 3, 2023 3:01 PM
To: MICHELLE COSTILLA
Subject: Site Plan, Case No. 23-160-00002

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Dear Ms. Costiila:

I am a homeowner in Tierra Del Oro, a single-family home development that will be affected by the Governing Body's decision regarding TDO Partners request for approval of a 4-plex development in an SU: Special Use zoned property located at 2828 Hedingham Ave NE, legally described as Unit 13, Block 46, Tract A.

I am writing to request that the Governing Body deny approval of the request.

I am a retired Property Manager, accredited by the Institute of Real Estate Management, who managed low income/low rent housing for a large, well-known private company, for eight years. Despite vigilant management, the property had a negative impact on the surrounding single-family home community.

Experience taught me that certain things are facts of the matter with regard to low rent housing:

- there is a tendency toward over-occupancy (leased tenants invite others to move into their units without the knowledge or consent of management),
- complaints from neighboring homeowners occur with regularity (i.g. increased traffic, noise, vandalism and theft, etc.),
- police presence is necessitated more frequently than at market rate properties,
- at those times when no management is present (e.g. nights and weekends), undesirable activity increases.

Inasmuch as the homeowners of Tierra Del Oro are already burdened by a PID special assessment amounting to $32,400 over the life of a 30 year mortgage, it seems particularly egregious to further adversely effect market value and salability of homes by granting approval of the proposed development.

Sincerely,

Sherry Bennett
2549 Camino Plata Loop NE
Rio Rancho 87144

February 4th, 2023

RE: Site Plan, Case No. 23-160-00002
2828 Hedingham Ave NE (Unit 13, Block 46, Tract A)

Meeting Date: February 9, 2023 - Public Comment

Dear Planning Division:

I am writing this letter on behalf of the residents of 1201 Fascination St NE in Rio Rancho. Similarly to the residents of the Milagro Mesa, the neighboring community to where the 4-plex low income apartments building development is being considered, I want to express in my strong disapproval of the project.

My concerns with the project involves the expected value drop in the surrounding properties, including mine, as well as the likelihood of increase in crime, delinquent activity, and the risk of a unsafe community development which would put my family and neighbors at risk. Recently, there was a police involved shooting which occurred at the Arrowhead Ridge Apartments on Tuesday, January 31, 2023 which are low income apartments. Police were called in response to criminal activity, which led to a shooting soon after. These apartments are known to the Rio Rancho community as a problematic apartment complex known for their criminal activity. My fear is that this development would become the same.

I believe that our community is a safe area for all who live here. I have little fear for children, pets, and the elderly that live here due to the community unity that is strongly present. My biggest fear is that with this development that it would change the area in a negative way, which would create a bigger risk than the little good the project could ever create. I want my family to have a safe place to live and grow in and I don't think that would be possible with this development. I am not against low income housing but I believe it would be beneficial to relocate it to a different area that can better accommodate it. Milagro Mesa has already established itself as a family community which has greatly attracted growing families who want to settle and establish roots.

Finally, I also believe the area is not fit for a apartment complex because there is little resources available to help low income individuals such as public transportation and close access to grocery stores and medical care. Again, a relocation to where these resources can be easily accessed would be far more beneficial for these proposed residents of the development rather than the area it is currently proposed at.

Once again, for my family and my neighbors, I strongly state my disapproval for this low income resident apartments and ask the planning division to stop the project from moving forward.

Sincerely,
Ron and Marie Gauna



YOLANDA LUCERO

To: MICHELLE COSTILLA
Subject: RE: TDO Apartments - 2828 Hedinham Avenue NE

From: Deborah Davidson <debdavidson.homesmart@yahoo.com>
Sent: Thursday, February 23, 2023 10:14 AM
To: MICHELLE COSTILLA <mcostilla@rrnm.gov>
Subject: Re: TDO Apartments - 2828 Hedinham Avenue NE

Hello again Michelle!

I wanted to apologize for my prior email regarding the project stated above. I obviously reacted too quickly and was given false information, which ended up creating a false impression as to what kind of neighborhood we are. I should have done my research prior to sending the email. As a community member, I do support progress. Please let me know if there's anything I can do to help going forward.

Thank you for your time!

Deb Davidson
Elite Realtor - HomeSmart Realty Pros
505-688-2001
debdavidson.homesmart@yahoo.com

Disclaimer:

REALTORS are NOT glorified/flashy or cheap car salespeople (most of us anyway). REALTORS are Members of the National Association of Realtors and are expected to abide by the HIGHEST standards of the Association. We care about our clients and are there to help as well as make sure our clients are protected. We don't work 9-5, we work nights and weekends and vacations, often taking time away from our families. We pay broker fees, office fees, license fees, class fees, taxes, marketing expenses, photography and designer fees, amongst many more. Why? So that we can help people in their buy/sell experience to make it easier for the client. Why? Because we love what we do. If you don't think you need a Realtor to help you in your buy/sell transactions, I would highly recommend that you rethink it. Not only are you risking leaving money on the table, but you are also risking not being protected and could be subject to many issues to follow. We are negotiators on your behalf. Please trust in us and choose US.

On Monday, January 30, 2023 at 04:47:52 PM MST, MICHELLE COSTILLA <mcostilla@rrnm.gov> wrote:

Good afternoon Mrs. Davidson,

Thank you for providing your comment for the Waterman 4-plex Site Plan. I will include your comment in the Agenda Briefing Memorandum for the Councilors to review. The agenda should be available at https://rrnm.gov/2303/Watch-and-Download-City-Meetings by Friday with the Zoom link to the meeting should you want to attend virtually.

Sincerely,

Michelle Costilla
Municipal Planner I

Development Services | Planning and Zoning Division

O: 505.896.8362

mcostilla@RRNM.gov |

From: Deborah Davidson <debdavidson.homesmart@yahoo.com>
Sent: Monday, January 30, 2023 4:45 PM
To: MICHELLE COSTILLA <mcostilla@rrnm.gov>
Subject: TDO Apartments - 2828 Hedinham Avenue NE

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Good Afternoon!

My husband and I own a house in the Twilight Home development Teirra Del Oro (2633 Camino Plata Loop NE). I am also on the Board of Directors for our HOA.

We have been notified that TDO wants to build Low-Rent apartments on the empty lot across from our neighborhood. We are EXTREMELY upset about this. As of now, our neighborhood is safe and quiet. Our home is worth over half a million dollars and our property value will definitely go down. As the HOA representative, I can assure you that every household in this neighborhood is not happy about this. **WE DON'T WANT THIS**.

I plan on being at the approval meeting on February 9th, along with many other owners in our neighborhood. We are concerned about property values, crime, noise and other issues that unfortunately go along with low-income housing. There are plenty of other vacant lots in NM.

I'm imploring you to **PLEASE** do all you can so that this doesn't happen. Please feel free to contact me further if you have any questions or would like to discuss further.

We are prepared to protest and have everyone sign a petition, and maybe file a class action lawsuit.

Thank you in advance for your time.

Sincerely,

Deb Davidson - HomeSmart Realty Pros

debdavidson.homesmart@yahoo.com

505-688-2001

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R42

AGENDA DATE:
March 9, 2023

DEPARTMENT:
Administration

SUBJECT:
R42, Resolution Confirming and Hiring Joshua Rubin to the Position of City Attorney

BACKGROUND AND ANALYSIS:
City Manager Matthew Geisel has nominated Joshua Rubin for the position of City Attorney.

The primary services/functions of the City Attorney include:
-Serve as the chief legal advisor to the Mayor, Governing Body, City Manager, and all City Departments.
-Serve as the Director of the Department of City Attorney.
-Act as a liaison with any counsel providing legal services to the City.
-Review any proposed ordinances or agreements, or assist in drafting any proposed ordinances or agreements.
-Recommend adoption of any necessary rules, regulations, or procedures as appropriate.
-Provide risk management services to City Departments.

Rubin has approximately eight years of relevant experience. He has worked for the City of Rio Rancho since 2018 in several capacities, including Acting City Attorney since September 2022.

Rubin is a licensed attorney in good standing with the State of New Mexico. He holds a Bachelor's Degree and Juris Doctorate from the University of New Mexico.

If the Governing Body confirms the appointment, the effective date of Rubin's new position would be on March 13, 2023.

The City Charter, Article 5.02, provides for the appointment of qualified individuals to serve as Department Directors at the nomination of the City Manager, written approval of the Mayor, and the confirmation, by Resolution, of the Governing Body.

The City Charter, Article 5.05, states that the City Attorney shall be a Department Director appointed by the City Manager in the same manner as other Department Directors. Also, the City Attorney shall be in good standing and licensed to practice law in the State of New Mexico.

Section 31.18 of Municipal Code establishes the Department of City Attorney and that the City Attorney shall serve as the Director of the Department.

IMPACT:

A vacant position will be filled.

ALTERNATIVES:

Approve the appointment and Resolution.

Do not approve the appointment and Resolution.

DEPARTMENT RECOMMENDATION:

City Manager Geisel recommends the appointment of Joshua Rubin as City Attorney. Mayor Hull has concurred with the appointment.

ATTACHMENT: Resolution
ATTACHMENT: J.Rubin-Resume-Redacted
ATTACHMENT: Mayor Approval Letter
ATTACHMENT: City Manager Letter

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION CONFIRMING AND HIRING JOSHUA RUBIN TO THE POSITION OF CITY ATTORNEY

WHEREAS: the City Charter, Article 5.02, provides for the appointment of qualified individuals to serve as Department Directors at the nomination of the City Manager, written approval of the Mayor, and the confirmation, by Resolution, of the Governing Body; and

WHEREAS: the City Charter, Article 5.05, states that the City Attorney shall be a Department Director appointed by the City Manager in the same manner as other Department Directors; and

WHEREAS: Section 31.18 of Municipal Code establishes the Department of City Attorney and that the City Attorney shall serve as the Director of the Department; and

WHEREAS: City Manager Matthew Geisel has nominated Joshua Rubin to fill the position of City Attorney, and Rubin has accepted tentative appointment pending final confirmation by the Governing Body; and

WHEREAS: Mayor Greggory D. Hull has concurred with the nomination of Rubin in writing as required by the City Charter; and

WHEREAS: Rubin, by virtue of his education, experience, and license to practice law in the State of New Mexico, is qualified and desirable to serve as City Attorney.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That the Governing Body does hereby confirm the nomination of Joshua Rubin to the position of City Attorney and approves his hiring in that capacity.

ADOPTED THIS _____ DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

Name: Joshua Rubin
[redacted]
[redacted]

Personal Summary

I am a Returned Peace Corps Volunteer and licensed attorney with extensive litigation experience and broad expertise in a wide range of legal practice areas which include municipal law, criminal law, contracts, administrative law, civil litigation, and international law. I am a quick learner, an excellent communicator, a reliable team member, a creative problem solver, and a self-motivated person with a passion for helping others.

Career History

- Assistant City Attorney/ Deputy City Attorney / "Acting" City Attorney (August 20, 2018 – Present)
  Employer: City of Rio Rancho (3200 Civic Center Circle Rio Rancho NM, 87144)
  I represent the City in legal matters, provide legal opinions to City officials and staff, review and edit contracts for compliance with state and local law, draft City ordinances, prosecute violations of city ordinances, and work collaboratively with internal and external stakeholders to solve a wide variety of issues facing the City.
- Assistant District Attorney (March 28, 2016 – August 17, 2018)
  Employer: Bernalillo County District Attorney's Office (520 Lomas Blvd NW, Albuquerque NM 87102)
  I prosecuted felony crimes on behalf of the State. I made charging decisions, presented evidence to grand juries, and tried many felony cases. My case load consisted of crimes involving narcotics, property crimes, violent crime, domestic violence, child abuse, sexual assault, and homicide.
- Contracts Manager (law degree required) (August 3, 2015 – March 25, 2016)
  Employer: Fidelity Investments LLC (5401 Watson Dr SE, Albuquerque, NM 87106)
  I drafted and negotiated contracts for business to business retirement benefit and stock plan services agreements. The contracts often involved large financial asset transfers and required close coordination between the legal and business teams within the company.
- Law Student Employee (August 1, 2013 – May 8, 2015)
  Employer: UNM Purchasing Department (1700 Lomas Blvd NE, Albuquerque NM 87106)
  I drafted, reviewed, and edited contracts while working in the university's purchasing department to ensure compliance with the State Procurement Code and other New Mexico state laws. The contracts involved a wide range of vendors and service providers who were doing business with the university.
- Legal Officer Intern (June 1, 2014 – August 15, 2014)
  Employer: United Nations Relief and Works Agency (Bayader Wadi Seer, Amman Jordan)
  I drafted and edited Judgments and Orders on behalf of the Tribunal's Judges. I also assisted the Tribunal's Legal Officers and staff with legal research, and contributed legal memoranda to the office brief bank.
- Legal Volunteer (August 20, 2014 – April 25, 2015)
  Employer: The International Detention Coalition (Melbourne, Australia) (Working in Albuquerque New Mexico)
  I worked with a team to draft a practitioner's guide to international detention for publication by the "IDC". The goal of the project was to produce a useful resource centered on regional specific guidance for practitioners and other stakeholders who represent detained migrants around the world.
- United States Peace Corps Volunteer (October 8, 2009 – November 23, 2011)
  Employer: United States Peace Corps (1275 First Street NE Washington, DC 20526 / Serving in Tonga)
  - Teacher at Tonga High School: I taught economics, accounting, and business practices to senior level students. I also established a sustainable and profitable school store/cafeteria to provide hands on learning opportunities for business students.
  - Business Consultant for Palu Aviation Services: I developed strategies for the firm to update and organize their financial data, and implemented a new system for inventory purchases that reduced costs and improved company efficiency.
  - E-Waste Tonga Executive Board Member/Treasurer: I worked with a team to create a UNGEF funded NGO to remove and recycle electronic waste from the Kingdom of Tonga. I also managed a project that removed over 10 tons of e-waste from Tonga.
  - President of the Tonga National Basketball Association: I led the international sports federation in developing its core mission, obtaining funding, and developing youth programs. I also oversaw a complete organizational restructuring and rebuilding effort to create a functional and sustainable national sports federation.

Education

- **Juris Doctorate (**2012-2015)
  University of New Mexico School of Law, Albuquerque, NM
  Honor Roll; Clinical Honors Award; Excellence in Family Law Award

- **Madrid International Law Summer Institute** (Summer 2013)
  Universidad de Rey Juan Carlos, Madrid Spain

- **United States Peace Corps Language and Cross Cultural Training Programs** (2009 -2011)
  US Peace Corps Office and Training Facility, Nuku'alofa Tonga

- **Bachelor of Business Administration** (2004 – 2008)
  University of New Mexico, Albuquerque, NM
  Graduated Cum Laude majoring in finance with a minor in economics; Deans List

Community Service and Professional Organizations

- **Middle School Mock Trial Program,** *Rio Rancho NM (2022)*
  Attorney Coach: I worked with the mock trial team from Lincoln Middle School to educate students on legal theory, arguments, objections, and general trial practice and procedure.

- **New Mexico Municipal Attorney's Association**, *Rio Rancho NM / Albuquerque NM (2021 – 2022)*
  2nd Vice President: I work with other members of the board to establish the agenda for our annual conference, help coordinate statewide discussions on legal issues facing municipalities, and foster a collaborative environment for municipal attorneys to share information and experiences from across the State.

- **Wills for Heroes,** *Rio Rancho NM (2018)*
  Volunteer Attorney: I worked with first responders and their families to draft wills which will protect their personal assets.

- **Homework Dinner,** *Albuquerque NM*
  Volunteer Teacher: I taught an after school "economics for success" curriculum to middle school aged students and their parents at Wilson Middle School. I received the "Outstanding Community Service Award" from the Albuquerque Public Schools for teaching this program.

- **University of New Mexico Law Clinic** *Albuquerque NM*
  Student Attorney: I provided free legal services to low income families in need of legal advice and representation

Rio Rancho
City of Vision

Greggory D. Hull
Mayor

DATE: February 28, 2023

TO: Matthew B. Geisel, City Manager

FROM: Greggory D. Hull, Mayor of Rio Rancho

SUBJECT: Approval of the City Attorney Appointment

During the last 4 ½ years, I have observed Mr. Rubin to be very professional.

As Acting City Attorney, I have seen firsthand Mr. Rubin's management of the City's legal affairs and legal office. I believe his legal counsel has been sound, and he has demonstrated knowledge and expertise regarding complex legal matters.

I concur with your appointment of Mr. Rubin as City Attorney, pending Governing Body approval.

Sincerely,

Greggory D. Hull
Mayor of Rio Rancho

Rio Rancho
City of Vision

Matthew B. Geisel
City Manager

DATE: February 27, 2023

TO: The Honorable Greggory D. Hull, Mayor

FROM: Matthew B. Geisel, City Manager

SUBJECT: Appointment Approval for the City Attorney Position

Per Section 5.02 (A)(1) of the City Charter, I submit to you the nomination of Joshua Rubin for the position of City Attorney. I intend to forward this nomination to the Governing Body for approval at its March 9, 2023, meeting.

Rubin has approximately eight years of relevant experience. He has worked for the City of Rio Rancho since 2018 in several different capacities, including Assistant City Attorney and Deputy City Attorney. Rubin currently serves as Acting City Attorney.

For the past six months, I have worked with Rubin on a daily basis. During this time, I have observed his management approach, leadership skills, communication style, and interaction with other staff members. I have found his legal counsel to be well-researched, thoughtful, and in the best interests of municipal government.

I believe Rubin is the best candidate to fill the City Attorney position vacancy. Furthermore, his appointment will eliminate any transition/adjustment period that is typical when an individual is hired to manage a department from outside the organization.

Sincerely,

Matthew B. Geisel
City Manager