Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
February 13, 2024
6:00 PM
City Hall

Board Members

Scottie Richardson, District 1, Vice-Chair	VACANT, District 5
Kevin Kofchur, District 2	Lisa Hardisty, District 6
Fred Radosevich, District 3, Chair	Sal Tortorici, At Large
Robert Gabaldon, District 4	

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.

Join by Computer:

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09

Meeting ID: 851 8074 1871

Passcode: 026819

Pursuant to the Rules of Procedure, any person wishing to address the Board related to an item listed under Public Hearings or Discussion and Deliberation, shall register in person with the designated City staff person no later than fifteen (15) minutes prior to the scheduled start time of a meeting. No more than two (2) hours in total will be allotted for comments pertaining to a specific agenda item at any meeting. A majority vote of the Board members present may approve to extend the total amount of time allotted for public input related to a specific agenda item at a meeting.

Public input can be submitted in writing to the designated City staff person prior to the date of the meeting in which the item is scheduled to be heard; however, only public input received before 4 p.m. on the day of the meeting will be entered into the record prior to the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

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

1. January 23, 2024 Planning and Zoning Board Meeting Minutes
2024-0123 PZB Minutes.docx

STAFF PRESENTATIONS, REPORTS AND COMMENTS

2. Planning and Zoning Monthly Summary Plat Report - JANUARY 2024
JAN SUMMARY PLAT.pdf

3. Planning and Zoning Monthly Building Activity Report - JANUARY 2024
2024 PZ MONTHLY COMPARISONS-with 2023.pdf

PUBLIC HEARINGS

Pursuant to the Rules of Procedure, all aggrieved persons, and materially relevant witnesses sponsored by such interested persons, wishing to address the Board shall register in person or via specified communications technology/equipment with the City staff person.

4. **Postponement.** Variance. The applicant, Trevor Reed (Casual Cannabis, LLC), through his agent, Corey Rivas, is requesting approval of a variance to the 300-foot distance requirements from residentially zoned property and public facilities for a retail cannabis establishment. Staff Contact is Chris Benson and staff recommends postponement to the date certain of Tuesday, February 27, 2024.

5. **Postponement.** Vacation of Plat. The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of vacation of a portion of right-of-way for Loma Colorado Blvd NE. Staff Contact is Tim Dvorak and staff recommends postponement to the date certain of Tuesday, February 27, 2024.

6. **Variance.** The applicant, Clenera Renewable Energy, through their agent, RES Transmission and Distribution, requests approval of a variance to allow for a 14 ft tall and a 16 ft tall CMU block wall on the property legally described as LQR, Tract 2A-1. Staff contact is Brian Babyak and staff recommends approval with findings and conditions.
LocationMap.png
Atrisco Substation & BESS PLANNING and ZONING LAND USE APPLICATION FORM Wall Variant - updated 1-29-24.pdf
Atrisco Substation & BESS CMU Wall Drawings - 1-29-24.pdf
Site Plan - BESS, Substation, Switchyard.pdf
Reproduction of Notifications.pdf
154.77 Wall Regulations.pdf
Findings_of_Fact_LQR_Fence_Height.docx

7. **Conditional Use Permit.** The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, are requesting approval of a Conditional Use Permit to allow for automotive sales at the subject property legally described as Rio Rancho Estates Unit 16, Block P, Lot 1. Staff contact is Chris Benson and staff recommends denial with findings.
Location/Zone Map
Application
Landowner Authorization
Dealership Scope of Work
Landscape Plan
Site Plan
Notice Letter
Noticed Properties Map
Legal Ad Proof
Findings of Fact

8. **Zone Map Amendment.** The applicant, Michael McDermott, through their agent, McClain & Yu

Architecture and Design, requests approval of a Zone Map Amendment to add Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities as a permissive use to the SU: Special Use for Educational, Recreational, and Cultural Uses Zoning Designation, for the property legally described as Loma Colorado, Tract P-1C-B. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.

Zoning, Location
Application Packet
Exhibit A: Site Plan
Justification Letter
Filed Summary Plat
(Current Ordinance) 06-57 O-63
Loma Colorado Redevelopment Plan
Reproduction of Notices, Legal.pdf
Public Comment_McCabe, Daniel
Public Comment_Joiner,Cody
Draft Ordinance_BMB_.doc
Reviewer Comments

DISCUSSION AND DELIBERATION

COMMENTS BY MEMBERS

PUBLIC FORUM

Any person wishing to address a board, commission, committee, or advisory body related to a non-agenda item shall register in person with the applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of a meeting. No more than two (2) hours in total will be allotted for public forum comments at any meeting. A majority vote of the board, commission, committee, or advisory body members present may approve to extend the total amount of time allotted for public forum at a meeting.

ADJOURNMENT

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
January 23, 2024 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2024-0123 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

JANUARY 23, 2024
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF PRESENT:**
Kevin Kofchur, District 2	Amy Rincon, Development Services Director
Fred Radosevich, District 3, Chair	Brian Babyak, Planning & Zoning Manager
Robert Gabaldon, District 4	Tim Dvorak, Planner II
Lisa Hardisty, District 6	Liz Ruiz Carlos, Planner II
MEMBERS ABSENT:	Michelle Costilla, Planner II
Scottie Richardson, District 1, Vice-Chair	Chris Benson, Planner II
Sal Tortorici, At-Large	Sharon Bitah, Administrative Assistant
VACANT, District 5	

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Radosevich called the meeting to order at 6:00 PM.

STAFF REPORTS

CONSENT CALENDAR

1) January 9, 2024 Planning and Zoning Board Meeting Minutes

Robert Gabaldon moved to approve the Consent Calendar. Seconded by Lisa Hardisty.
The motion carried by a vote of **4 FOR** and **0 AGAINST**
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty
NO: (None)

PUBLIC HEARINGS

2) The applicant, Northern RV LLC, through their agent, Timothy Borror, requested approval of a Conditional Use Permit for an RV Storage Facility at the subject property legally described as Rio Rancho Estates Unit 13, Block 112, Lot 3.

Staff member, Chris Benson presented the item, recommending approval with findings and conditions, and stood for questions.

Agent, Timothy Borror stood for questions, after being administered the oath virtually.

Robert Gabaldon moved to approve Item #2. Seconded by Kevin Kofchur.
The motion carried by a vote of **4 FOR** and **0 AGAINST**
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty
NO: (None)

3) The applicant, Hoech Real Estate Corporation, through their agent, RESPEC, requested approval of a preliminary plat for the Vista Grande Phase 2 subdivision to create 45 residential lots and 4 HOA tracts on approximately 10.4818 acres.

Staff member, Chris Benson presented the item, recommending approval with findings and conditions, and stood for questions.

Agents, Aaron Cooke and Sheldon Greer spoke on the item and stood for questions.

Lisa Hardisty moved to approve Item #3. Seconded by Kevin Kofchur.
The motion carried by a vote of **4 FOR** and **0 AGAINST**
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty
NO: (None)

4) The Applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requested approval of a Final Plat for the Lomas Encantadas 1E Phase 1 Subdivision creating 74 residential lots and 13 tracts zoned R-1: Single Family Residential District on the property legally described as LE, Tract 13.

Staff member, Tim Dvorak presented the item, recommending approval with findings and conditions, and stood for questions.

Applicant, Bryan Aragon agreed with the findings and conditions, and stood for questions.

Robert Gabaldon moved to approve Item #4. Seconded by Kevin Kofchur.
The motion carried by a vote of **4 FOR** and **0 AGAINST**
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty
NO: (None)

5) The applicant, PNM Resources, through their agent, Dashiell Corp., requested approval of a variance allow for a 14' tall CMU block wall to surround the proposed PNM switchyard in LQR, Tract 2-E.

Staff member, Tim Dvorak presented the item, recommending approval with findings and conditions, and stood for questions.

Agent, Ed Self spoke on the item, and stood for questions after being administered the oath virtually.

Kevin Kofchur moved to approve Item #5. Seconded by Lisa Hardisty.
The motion carried by a vote of **4 FOR** and **0 AGAINST**
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

PUBLIC FORUM

ADJOURNMENT

Kevin Kofchur moved to adjourn the meeting. Seconded by Robert Gabaldon.
Chairman Radosevich adjourned the meeting at 6:21 PM.

APPROVED THIS 13RD DAY OF FEBRUARY, 2024.

_____
Fred Radosevich, Chairman

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Summary Plat Report - JANUARY 2024

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: JAN SUMMARY PLAT.pdf

SUMMARY PLAT ACTIVITY
January 2024

CASE #	RECEIVED	LOCATION	COMMENTS	RECORDED
21-200-00011	03/08/21	MOUNTAIN HAWK 27 - VACATION OF EASEMENTS	Under Review	
21-200-00014	03/11/21	UNIT 20-INDUSTRIAL PARK, BLK A, PARCEL	Under Review	
21-200-00016	03/23/21	U16, BLOCK M, LOT 6A GRANTING EASEMENTS	Under Review	
21-200-00017	04/01/21	RIDGELINE ESTATES, BLK A, LOT 20	Under Review	
21-200-00018	04/13/21	EH2 BLOCK 1 PARCEL C - SPLIT INTO PARCEL C-1 & PARCEL C-2	RECORDED	X
21-200-00027	06/04/21	U10 B36 L21 AND 22 COMBINATION	Under Review	
21-200-00033	07/30/21	UNIT 16, BLOCK 18A, LOTS 9 & 10	Awaiting Signatures	
21-200-00035	08/19/21	UNIT 17, BLOCK 104, LOTS 7,8 & 9 COMBO	Awaiting Signatures	
21-200-00037	08/24/21	MOUNTAIN HAWK 38-A & 40-A	Under Review	
21-200-00045	09/01/21	BROADMOOR HEIGHTS 4-A VACATING/GRANTING EASEMENTS	Under Review	
22-200-00007	03/03/22	UNIT 17, BLOCK 113, LOTS 32 AND 33A LOT	Awaiting Signatures	
22-200-00012	04/18/22	UNIT 16, BLOCK F, LOTS 2A, 4, 5 COMBINATION	Under Review	
22-200-00013	04/19/22	UNIT 11, BLK 34, LOTS 23 & 24 COMBO	Awaiting Signatures	
22-200-00016	05/12/22	LA PLAZUELA, TRACTS 2A & 2B	Under Review	
22-200-00024	08/17/22	MARIPOSA TCT 4, 2, 3A, & NW LOOP (TRACT CONSOLIDATION)	RECORDED	
22-200-00027	09/14/22	RIO WEST BUSINESS PARK, BLK A, LOTS 4A-1	RECORDED	
22-200-00029	09/26/22	UNIT 11, BLOCK BB, LOTS 32-37 LOT COMBINATION	RECORDED	X
22-200-00031	10/12/22	LOT COMBO U17, BLK 105, LOT 4A-1 (lot 4A & 5)	Awaiting Signatures	
22-200-00034	10/19/22	Unit 12, Blk C, Lots 67 & 68 - LOT COMBINATION	RECORDED	X
22-200-00035	11/09/22	Unit 20, Block 106, Lot 4 Vacation of Easement	Awaiting Signatures	
22-200-00040	12/08/22	UNIT 11, BLOCK V, LOT 34-A; COMBO OF LOTS 34 & 35	Under Review	
23-200-00005	02/21/23	UNIT 13, BLOCK 143, LOTS 23A & 23B LOT SPLIT	Awaiting Signatures	
23-200-00010	03/13/23	UNIT 17, TRACT U SPLIT	Under Review	
23-200-00012	04/14/23	U10, BLK B, LOTS 20, 21, AND 22 (LOT COMBO)	Under Review	
23-200-00015	5/8/2023	UNIT 17, BLOCK 72, LOTS 16 & 17 COMBO	Under Review	
23-200-00016	6/5/2023	SUMMARY PLAT- LOT COMBO U13, BLK S, LOTS	Under Review	
23-200-00017	6/12/2023	LANDS OF QUAIL RANCH, TRACT 2-E AND 2-A	Under Review	
23-200-00024	8/29/2023	SUMMARY PLAT - CABEZON, LOTS 3 AND 4 (RE	Under Review	
23-200-00026	9/7/2023	SUMMARY PLAT - UNIT 17, TRACTS A-1-A AN	Under Review	
23-200-00028	9/14/2023	CS, BLK A, LOT A-1-A (LOT SPLIT)	Under Review	
23-200-00031	10/4/2023	SUMMARY PLAT - LOT COMBO - U10, BLK A, L	Under Review	
23-200-00034	11/09/23	UNIT 17, BLOCK DD, LOTS 24 AND 25, LOT L	Under Review	
23-200-00036	11/13/23	CS, BLK 1, LOTS 8 AND 2A2A - SUMMARY PLA	Under Review	

SUMMARY PLAT ACTIVITY

January 2024

23-200-00039	11/28/23	UNIT 11, BLOCK 34, LOTS 20-21, LOT COMBI	Under Review	
24-200-00002	**01/04/24**	**SUMMARY PLAT - LOT COMBO - CABE/TRACTS 1**	**Under Review**	
24-200-00003	**01/12/24**	**THE VILLAGE, TRACTS B1-B4, LOT COMBO**	**Under Review**	
24-200-00004	**01/16/24**	**UNIT 10 BLOCK 35 LOT 30-A LOT COMBO.**	**Under Review**	
24-200-00005	**01/17/24**	**SUMMARY PLAT - UNSER PAVILION, LOT 4-A (**	**Under Review**	
24-200-00006	**01/18/24**	**UNIT 11, BOCK V, LOTS 18-19, LOT COMBO**	**Under Review**	
24-200-00007	**01/18/24**	**PROPOSED LOT 16-A, BLK. U, RRE UN. 11 /**	**Under Review**	
24-200-00009	**01/22/24**	**UNIT 11, BLOCK V, LOTS 16-17 TO CREATE 1**	**Under Review**	
TOTAL TO DATE:		**34**		

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Building Activity Report - JANUARY 2024

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: 2024 PZ MONTHLY COMPARISONS-with 2023.pdf

2024 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	JAN #s	JANUARY VALUATION	FEB #s	FEBRUARY VALUATION	MAR #s	MARCH VALUATION	APR #s	MAY	JUNE	JUL	AUG	SEPT	OCT	NOV	DEC	ANNUAL TOTALS		ANNUAL TOTALS (2023)	
Single Family	85	$19,645,086														85	$19,645,086	954	$200,504,741
Additions/Residential	12	$759,511														12	$759,511	178	$8,728,720
New Commercial	1	$2,500,000														1	$2,500,000	9	$28,267,088
New Office/Institution	0	$0														0	$0	7	$12,512,251
New Industrial	0	$0														0	$0	3	$6,131,719
Non-Residential Interior Tenant Improvement	3	$4,810,722														3	$4,810,722	39	$5,655,181
Office/Institution Addition	0	$0														0	$0	1	$160,881
Industrial Addition	0	$0														0	$0	0	$0
New Multi-Family	0	$0														0	$0	6	$12,900,414
Telecommunication Tower	0	$0														0	$0	16	$243,925
Demolition - Non-Residential	0	$0														0	$0	4	$613,073
Demolition - Residential	0	$0														0	$0	0	$0
Fence	5	$10,550														5	$10,550	115	$1,088,018
Garages	2	$96,846														2	$96,846	58	$2,350,380
Pool	7	$550,644														7	$550,644	88	$6,362,621
Reroofs/Windows/ Doors	28	$426,818														28	$426,818	725	$10,358,706
Retaining Wall	34	$3,072,523														34	$3,072,523	218	$43,413,314
Small Shed (120 sq.ft. or less)	11	$33,200														11	$33,200	190	$877,165
Sheds	10	$107,843														10	$107,843	89	$1,743,000
Solar (Rooftop & Ground Mount)	38	$966,461														38	$966,461	1,114	$81,702,232
Business Registrations (Occupancy Inspection)	16	$0														16	$0	155	$0
Building Inspections	3,322	$0														3,322	$0	35,209	$0
Engineering Inspections	255	$0														255	$0	2,116	$0
R.O.W. Permits (Fees)	35	$11,558														35	$11,558	378	$162,595
TOTALS:	**3,864**	**$32,991,762**														**3,864**	**$32,991,762**	**41,672**	**$423,776,024**

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Postponement. Variance. The applicant, Trevor Reed (Casual Cannabis, LLC), through his agent, Corey Rivas, is requesting approval of a variance to the 300-foot distance requirements from residentially zoned property and public facilities for a retail cannabis establishment. Staff Contact is Chris Benson and staff recommends postponement to the date certain of Tuesday, February 27, 2024.

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Staff recommends Case No. 24-110-00002 be postponed and continued to the date certain of Tuesday, February 27, 2024 to meet notification requirements.

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Postponement. Vacation of Plat. The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of vacation of a portion of right-of-way for Loma Colorado Blvd NE. Staff Contact is Tim Dvorak and staff recommends postponement to the date certain of Tuesday, February 27, 2024.

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Staff recommends Case No. 24-230-0001 be postponed and continued to the date certain of Tuesday, February 27, 2024 to meet notification requirements.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 24-110-00003

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicant, Clenera Renewable Energy, through their agent, RES Transmission and Distribution, requests approval of a variance to allow for a 14 ft tall and a 16 ft tall CMU block wall on the property legally described as LQR, Tract 2A-1. Staff contact is Brian Babyak and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Clenera Renewable Energy, through their agent, RES Transmission and Distribution, requests approval of a variance to allow for a 14 ft tall and a 16 ft tall CMU block wall on the property legally described as LQR, Tract 2A-1.The subject property is approximately 3,357.7685 acres and is encumbered by the Lands of Quail Ranch Overlay Zone (Ord. 11, Enact. 22-11), adopted June 9, 2022.

The subject Overlay Zone allows for renewable energy systems, public utilities (substations, switching stations, generation), and incidental buildings and supporting facilities needed for the proper operation and maintenance of said renewable energy systems/utilities. The subject property was recently replatted with a smaller tract (Tract 2-E) subdivided for a PNM substation.

Per R.O. 2003 § 154.77 (D)(3), fences built outside the setback area within the buildable area of a lot, parcel, or tract may reach a maximum height of eight feet. The Applicant is proposing a 16' CMU block wall to surround a substation and a 14 ft wall to surround their Battery Energy Storage System (BESS). The proposed wall is outside of all district setbacks, being within the buildable area of the parcel; Setbacks from property lines will be at a minimum over 200 ft (from the north property line). All other property lines are well over 1,000 ft away from the proposed walls.

CONFORMANCE WITH THE CITY ZONING ORDINANCE: City of Rio Rancho Code of Ordinances (R.O. 2003) § 150.06 (B) requires that an applicant file a request for a variance through the City Planning and Zoning Board when a variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed variance request; Criteria is satisfied.

150.06 VARIANCE.
(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner

of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship.

In their justification letter, the applicant states: "Asking for a variance on the intended wall height. Per the fence and wall regulation, it allows for an 8' wall. I'm asking for a variance to allow for a 14' wall for the first tract, and a 16' wall for the second tract listed below. We are proposing an increased wall height due to the terrain outside of the wall and the height of the critical, long lead equipment, inside of the station. We are attempting to obstruct, easy to achieve, line of site to station equipment to avoid possible ballistic damage. Because the site is remote, the higher walls will help discourage people from scaling them and getting in the proximity of the high voltage and BESS equipment."

Staff recommends the Planning and Zoning Board find that the strict application of fence height setback standards presents a potential hazard/hardship to both the applicant and the public. As the development of the site will house high-voltage equipment, it is imperative that the facility is adequately secured. As the proposed CMU wall is outside of all setback areas, Staff finds that the proposed wall is consistent with the usage of the property. Staff also finds that the material of the wall and the plans submitted may be in conformance with City Zoning and Building Codes and Policies, pending full Building Permit review. Criteria is satisfied.

REVIEWER COMMENTS: Development Services (Planning) has reviewed the plans with comments included herein. Additional review will be conducted during Building Permit review process. Staff did not have adequate time to receive full comments from reviewing agencies prior to agenda posting.

NOTIFICATIONS: Neighboring property owners within 100 feet of the subject property were notified via certified mail of the public hearing. Additionally, neighboring property owners within 100-300 feet of the subject property were notified via first-class postcard. A legal ad was run in the January 29, 2024 version of the Albuquerque Journal. A public notice sign was posted on the property as per Ordinance; Criteria is satisfied.

IMPACT:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to the wall height requirements.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the wall height requirements.
4. Due process was provided to the applicant and adjacent property owners.

Specific Findings and Conditions for Approval:

1. The applicant has adequately addressed the criteria for granting a variance to the wall height requirements as set forth in R.O. 2003 § 150.06.
2. The subject variance will not adversely affect the public or surrounding properties.
3. Approval of the subject variance request does not constitute permission to construct the retaining walls; a retaining wall permit must be applied for in order to construct the proposed walls.
4. Variance is only applicable for the proposed 14 ft and 16 ft walls, surrounding the BESS and Substation on the subject property (LQR, Tract 2A-1).

Specific Findings for Denial:

1. The application has not adequately met the criteria for granting a variance as set forth in R.O. 2003 150.06.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the variance to the wall height regulations under R.O. 2003 § 154.77 (D)(3), with findings and conditions.

ATTACHMENT: LocationMap.png
ATTACHMENT: Atrisco Substation & BESS PLANNING and ZONING LAND USE APPLICATION FORM Wall Variant - updated 1-29-24.pdf
ATTACHMENT: Atrisco Substation & BESS CMU Wall Drawings - 1-29-24.pdf
ATTACHMENT: Site Plan - BESS, Substation, Switchyard.pdf
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: 154.77 Wall Regulations.pdf
ATTACHMENT: Findings_of_Fact_LQR_Fence_Height.docx


50TH ST SW
49TH ST SW
48TH ST SW
47TH ST SW
1ST ST SW
18TH AVE SW
19TH AVE SW
20TH AVE SW
21ST AVE SW
22ND AVE SW
23RD AVE SW
39TH ST SW
37TH ST SW
36TH ST SW
34TH ST SW
Location of
Proposed Walls

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: Clenera Renewable Energy		Phone: +1 208-519-7027
Address: 999 W. Main St., Suite 800		E-Mail: robert.nelms@clenera.com
City: Boise	State: Idaho	Zip: 83702
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: RES Transmission and Distribution		Phone: +1 443-936-5481
Address: 1601 19th Street		E-Mail: khalid.malik@res-group.com
City: Denver	State: Colorado	ZIP Code: 80202

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

Asking for a variance on the intended wall height. Per the fence and wall regulation, it allows for an 8' wall. I'm asking for a variance to allow for a 14' wall for the first tract, and a 16' wall for the second tract listed below. We are proposing an increased wall height due to the terrain outside of the wall and the height of the critical, long lead equipment, inside of the station. We are attempting to obstruct, easy to achieve, line of site to station equipment to avoid possible ballistic damage. Because the site is remote, the higher walls will help discourage people from scaling them and getting in the proximity of the high voltage and BESS equipment.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

A STRIP OF LAND OVER THAT PART OF TRACT 2-A AS SHOWN ON THE BULK LAND SUBDIVISION PLAT OF LANDS OF QUAIL RANCH RECORDED AS DOCUMENT NO. 2019016035 AT BOOK 2019C PAGE 18 OF BERNALILLO COUNTY RECORDS, WITHIN THE TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, BERNALILLO COUNTY, NEW MEXICO, AND THAT PART OF TRACT 2-A AS SHOWN ON THE BULK LAND SUBDIVISION PLAT OF LANDS OF QUAIL RANCH RECORDED AS DOCUMENT NO. 2019016035 AT BOOK 2019C PAGE 18 OF BERNALILLO COUNTY RECORDS, WITHIN THE TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, BERNALILLO COUNTY, NEW MEXICO,

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.

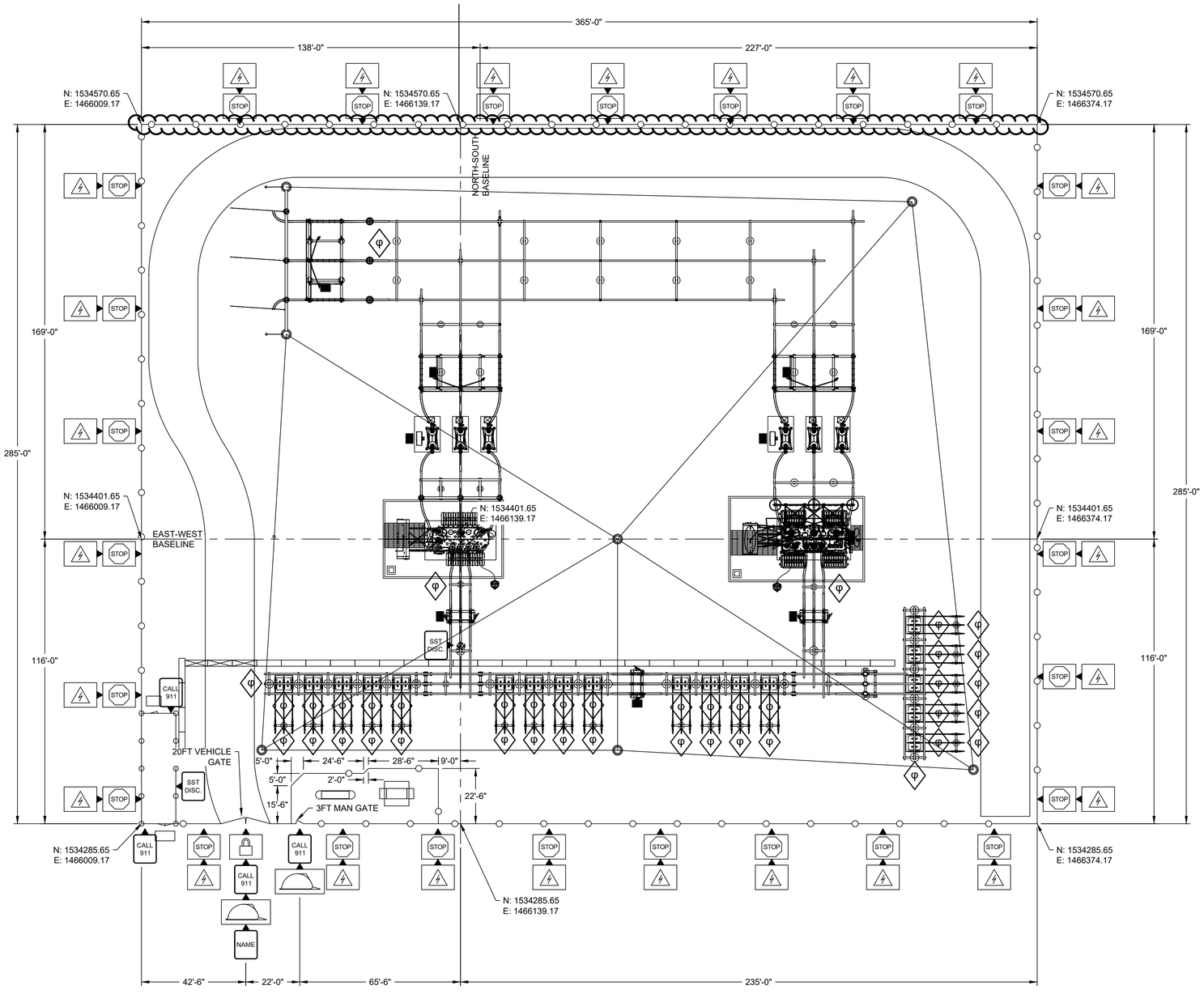
Print Name: Robert Nelms	Applicant: Clenera Renewable Energy	Agent: Robert Nelms
Signature: Robert Nelms		Date: 01/26/2024

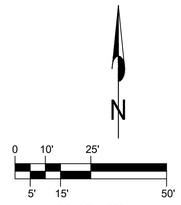
FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:** _____

Chain Link will be removed at the clouded area and replaced with 16' Tall, Fully Grouted CMU Wall. Changes will be reflected in IFC drawing set.





SCALE: 1:300

LEGEND

- NEW FENCE
- 20' SWINGING GATE
- 3' MAN GATE
- "DANGER HIGH VOLTAGE" SIGN SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL
- "SAFETY NOTICE" SIGN SEE SHEETC05-03 - FENCE SIGN DETAILS FOR DETAIL
- "NO TRESPASSING" SIGN SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL
- "EMERGENCY CONTACT" SIGN SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL
- "LOCK GATE" SIGN SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL
- "SST DISCONNECT" SIGN SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL
- PHASE LABELS SEE SHEET C05-03 - FENCE SIGN DETAILS FOR DETAIL

NOTES

1. ALL FENCE LINES SHALL COMPLY WITH ANSI Z-535 GUIDELINES.
2. SAFETY SIGNS SHALL BE SO POSTED TO ALERT AND INFORM THE VIEWER COMING FROM ANY DIRECTION IN SUFFICIENT TIME TO TAKE APPROPRIATE EVASIVE ACTIONS TO AVOID THE POTENTIAL HARM FROM THE HAZARD.
3. SAFETY SIGNS SHALL BE POSTED AT EACH ENTRANCE TO THE SUBSTATION AS WELL AS ONE ON EACH SIDE OF THE FENCE ENCLOSURE AT A MINIMUM..
4. SAFETY SIGNS SHALL BE POSTED AT 5 FEET 6 INCHES AT CENTER FROM THE GROUND.

SIGN LOCATIONS

"DANGER HIGH VOLTAGE" SIGNS	30' FROM CORNERS EVERY 50' ALONG FENCE
"SAFETY NOTICE" SIGNS	LOCATED ON ALL ENTRY GATES
"NO TRESPASSING" SIGNS	LOCATED UNDER ALL "DANGER HIGH VOLTAGE" SIGNS
"EMERGENCY CONTACT" SIGNS	LOC… …ES AND

REFERENCE DI…

FENCE DETAILS..... …C05-0…

FENCE SIGN DETAILS.....C05-0…

ANDREW MERRITT NEW MEXICO 23525 PROFESSIONAL ENGINEER

Stamped 09/01/2023

ISSUED FOR CONSTRUCTION

NO.	DATE	DWN.	CHK.	REVISIONS
0	08/31/23	IM	ELC	ISSUED FOR CONSTRUCTION

ATRISCO SOLAR
BERNALILLO COUNTY, NM

SUBSTATION FENCE PLAN

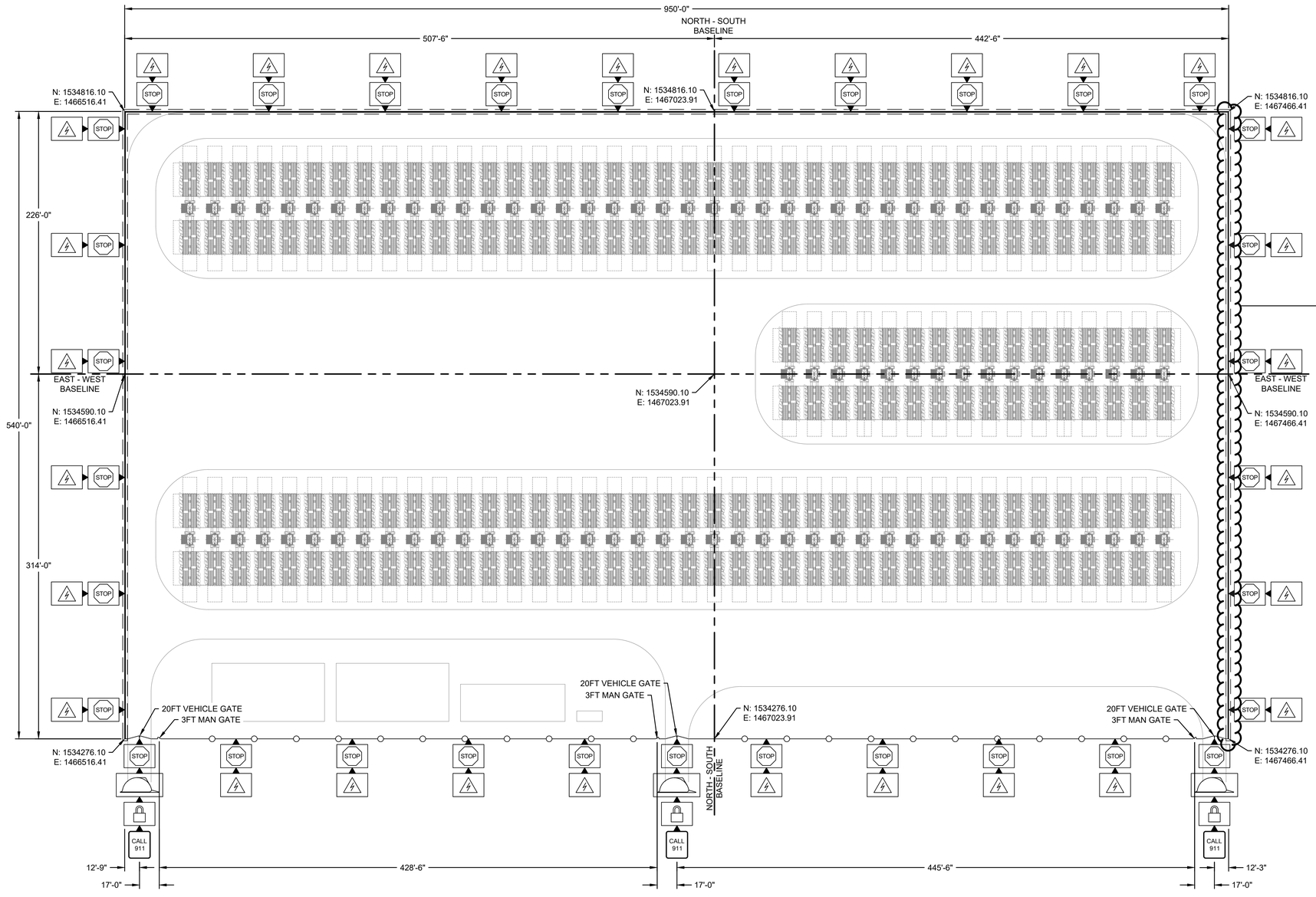
nel
ELECTRIC POWER ENGINEERING, INC.
12600 W. COLFAX AVE., STE. C500
LAKEWOOD, COLORADO 80215
(303) 431-7895
www.nelenrg.com

res

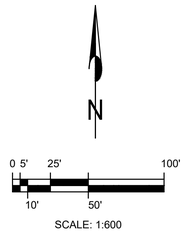
DATE	SCALE
08/30/23	NTS

JOB NO. 4017.001

C05-01



CMU will be removed at the clouded area and replaced with 7' Tall, 1' Barbed Wire, Chain Link Fence. Changes will be reflected in IFC drawing set.



LEGEND

- "SAFETY NOTICE" SIGN — SEE SHEET B-C05-02 - BESS SIGN DETAILS FOR DETAIL
- "NO TRESPASSING" SIGN — SEE SHEET B-C05-02 - BESS SIGN DETAILS FOR DETAIL
- "EMERGENCY CONTACT" SIGN — SEE SHEET B-C05-02 - BESS SIGN DETAILS FOR DETAIL
- "LOCK GATE" SIGN — SEE SHEETB-C05-02 - BESS SIGN DETAILS FOR DETAIL
- "DANGER HIGH VOLTAGE" SIGN — SEE SHEET B-C05-02 - BESS SIGN DETAILS FOR DETAIL
- 12' TALL, FULLY GROUTED CMU WALL
- 7' TALL, 1' BARBED WIRE, CHAIN LINK FENCE
- 20' SWINGING GATE
- 3' MAN GATE

NOTES

1. ALL FENCE LINES SHALL COMPLY WITH ANSI Z-535 GUIDELINES.
2. SAFETY SIGNS SHALL BE SO POSTED TO ALERT AND INFORM THE VIEWER COMING FROM ANY DIRECTION IN SUFFICIENT TIME TO TAKE APPROPRIATE EVASIVE ACTIONS TO AVOID THE POTENTIAL HARM FROM THE HAZARD.
3. SAFETY SIGNS SHALL BE POSTED AT EACH ENTRANCE TO THE SUBSTATION AS WELL AS ONE ON EACH SIDE OF THE FENCE ENCLOSURE AT A MINIMUM..
4. SAFETY SIGNS SHALL BE POSTED AT 5 FEET 6 INCHES AT CENTER FROM THE GROUND.

SIGN LOCATIONS

"SAFETY NOTICE" SIGNS	LOCATED ON ALL ENTRY GATES
"NO TRESPASSING" SIGNS	LOCATED ON ALL ENTRY GATES EVERY 100 FT ALONG FENCE
"DANGER HIGH VOLTAGE" SIGNS	LOCATED EVERY 100 FT ALONG FENCE
"EMERGENCY CONTACT" SIGNS	LOCATED ON ALL ENTRY GATES
"LOCK GATE" SIGNS	LOCATED ON ALL ENTRY GATES

REFERENCE DRAWINGS

BESS FENCE DETAILS	B-C05-01
BESS SIGN DETAILS	B-C05-02 & B-C05-03

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW & APPROVAL ONLY

NO.	DATE	DWN.	CHK.	REVISIONS
A	01/17/23	IM	HAL	ISSUED FOR 60% REVIEW
B	03/03/23	ELC	HAL	RE-SUBMITTAL FOR 60% REVIEW
C	05/26/23	ELC	RAN	ISSUED FOR 90% REVIEW
D	08/17/23	ELC	RAN	ISSUED FOR PERMITTING
E	01/18/24	ELC	AWM	ISSUED FOR 60% REVIEW
-	-	-	-	-

ATRISCO SOLAR
BERNALILLO COUNTY, NM

BATTERY ENERGY STORAGE SYSTEMS
BESS FENCE PLAN

nei
ELECTRIC POWER ENGINEERING, INC.
12600 W. COLFAX AVE., STE. C500
LAKEWOOD, CO 80215
(303) 431-7895
www.neieng.com

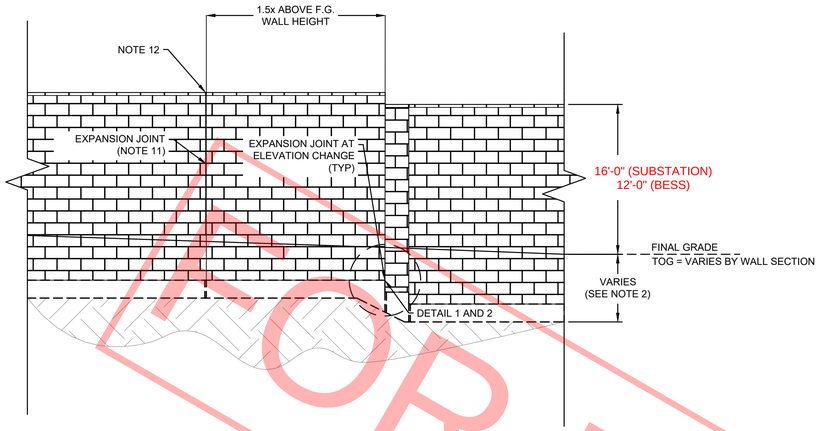
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DATE	SCALE
01/18/24	NTS

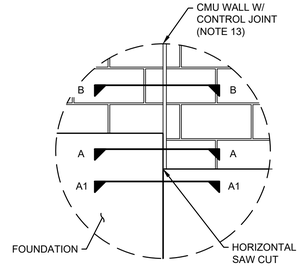
JOB NO. 4017.001

B-C05-00

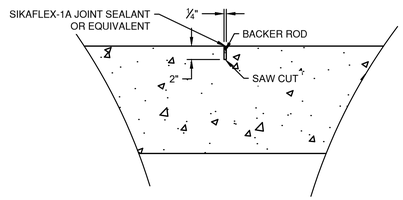
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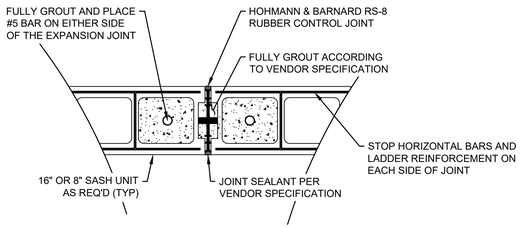
TYPICAL WALL ELEVATION
(NO SCALE)



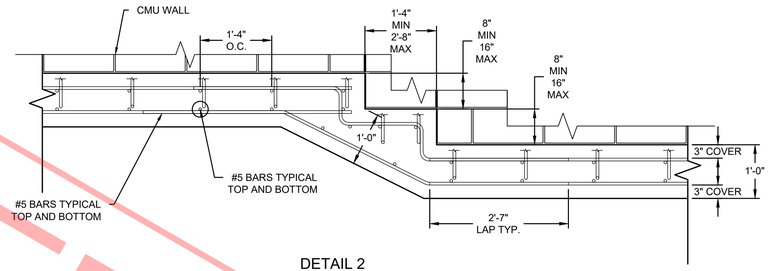
DETAIL 1
TYPICAL WALL JOINT
(NO SCALE)



SECTION A
SAW CUT CONTROL JOINT
(NO SCALE)



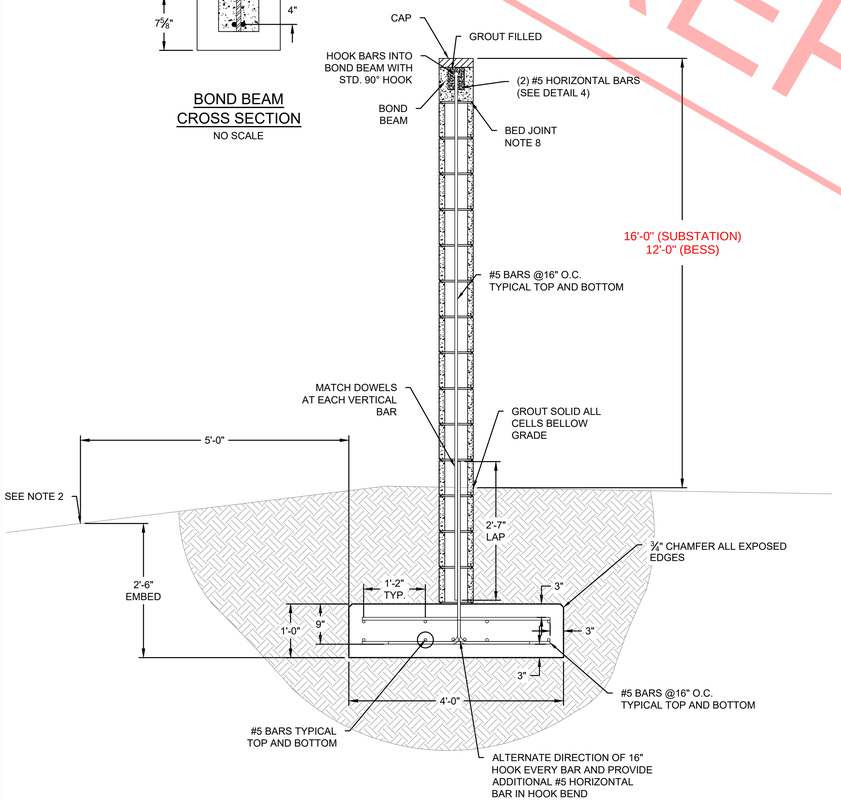
SECTION B
TYPICAL CMU CONTROL JOINT
(NO SCALE)



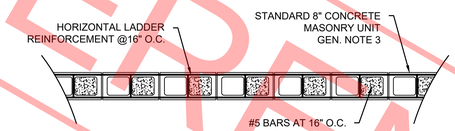
DETAIL 2
CMU WALL FOOTING STEP DOWN
SECTION VIEW
NO SCALE



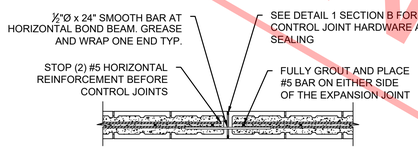
BOND BEAM
CROSS SECTION
NO SCALE



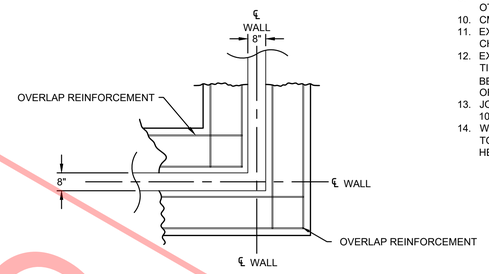
CMU WALL TYPICAL SECTION VIEW
NO SCALE



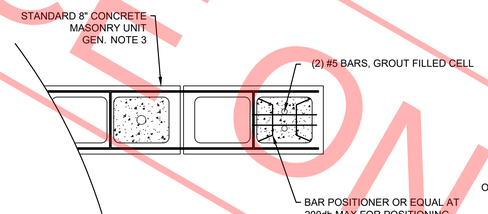
DETAIL 3
TYPICAL CMU WALL PLAN VIEW
NO SCALE



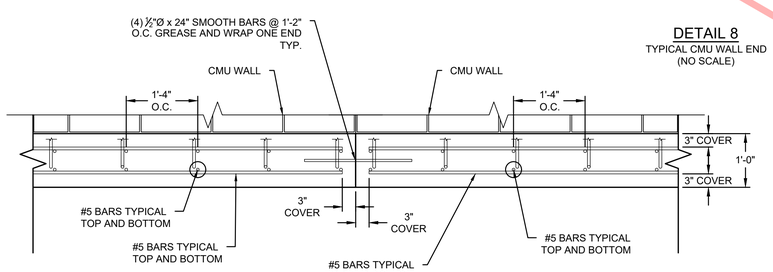
DETAIL 4
BOND BEAM PLAN VIEW
NO SCALE



DETAIL 7
TYPCIAL FOUNATION CORNER DETAIL
NO SCALE



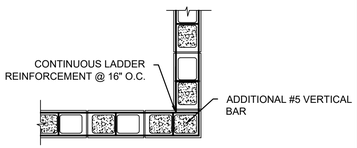
DETAIL 8
TYPICAL CMU WALL END
(NO SCALE)



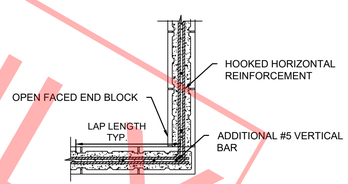
DETAIL 10
CMU WALL CONSTRUCTION JOINT
SECTION VIEW
NO SCALE

GENERAL NOTES:

1. WALL FOUNDATION SHALL BEAR ON NATIVE UNDISTURBED SOIL OR 1' OF "FLOW FILL" CONCRETE SLURRY.
2. WALL FOUNDATION SHALL BE EMBEDDED A MINIMUM OF 2'-6" BELLOW THE LOWEST ADJACENT FINISHED GRADE WITHIN 5' OF THE WALL.
3. CONTRACTOR TO DETERMINE LOCATION OF WALL ELEVATION CHANGES BASED ON FINAL GRADING PLAN.
4. BRICKS SHALL CONFORM TO ASTM C55, ASTM C90, ASTM C73, AND ASTM C744 AS NECESSARY.
5. MORTAR SHALL CONFORM TO ASTM C5, ASTM C91, ASTM C150, ASTM C207, ASTM C270, AND ASTM C595 AS NECESSARY. MORTAR SHALL BE TYPE S OR M.
6. CONSTRUCTION OF CMU WALL SHALL CONFORM TO ACI 530.1
7. CMU DESIGN PARAMETERS
   - 7.1. $f'_M \geq 1500$ PSI
   - 7.2. $f'_G \geq 2000$ PSI OR f'_M WHICHEVER IS GREATER
   - 7.3. WYTH = 8.00 INCH x 16.00 INCH
   - 7.4. $f_Y = 60{,}000$ PSI
8. PLACE STEEL MESH BETWEEN BOND BEAM AND REMAINING BLOCKS TO RETAIN GROUT WITHIN INTENDED CELLS.
9. PLACE VERTICAL REINFORCING AT CENTERLINE OF WALL UNLESS OTHERWISE NOTED.
10. CMU BLOCK SHALL BE A RUNNING BOND PATTERN.
11. EXPANSION JOINTS SHALL BE PLACED AT EACH WALL ELEVATION CHANGE.
12. EXPANSION JOINTS IN MAIN WALL SPANS SHALL NOT EXCEED 1.5 TIMES WALL HEIGHT FROM PRECEDING JOINT, AND JOINTS SHALL BE NO MORE THAN ½ OF REQUIRED SPACING IN EACH DIRECTION OF A CORNER.
13. JOINTS SHALL BE CONSTRUCTED ACCORDING TO TEK 10-02D AND 10-03.
14. WALL MANUFACTURER TO DETERMINE BRICK LAYOUT REQUIRED TO FORM CONTINUOUS EXPANSION JOINT ACROSS FULL WALL HEIGHT.

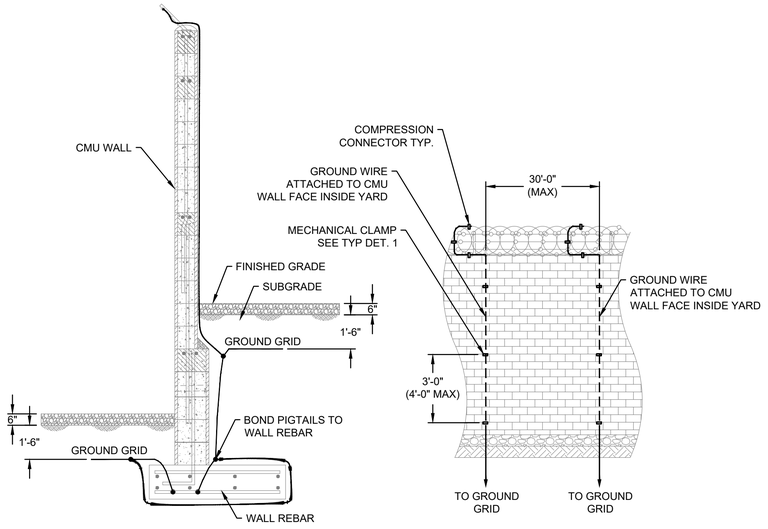


DETAIL 5
CMU WALL CORNER DETAIL PLAN VIEW
NO SCALE

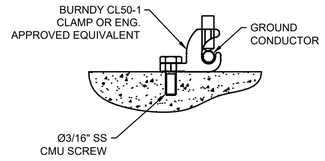


DETAIL 6
BOND BEAM CORNER DETAIL PLAN VIEW
NO SCALE

FOR REFERENCE ONLY



G070 TYP — CMU WALL GROUNDING DETAIL



G071 TYP — CMU WALL GROUND CLAMP GROUNDING DETAIL

GENERAL NOTE:

1. DRAWINGS REPRESENT GENERAL GROUNDING PROCEDURES. REFER TO STEEL AND/OR EQUIPMENT DRAWINGS FOR PROPER LOCATION OF GROUNDING COMPONENTS.
2. SEE GROUNDING PLAN DRAWING FOR SPECIFIC DEPTH AND DIMENSION REQUIREMENTS.

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW & APPROVAL ONLY

NO.	DATE	DWN.	CHK.	REVISIONS
A	01/30/23	HRK	MES	ISSUED FOR 60% REVIEW
B	03/03/23	HRK	MES	REISSUED FOR 60% REVIEW
C	05/26/23	HRK	MES	ISSUED FOR 90% REVIEW
D	06/14/23	HRK	MES	REISSUED FOR 90% REVIEW
E	08/17/23	HRK	DLL	ISSUED FOR PERMITTING
F	01/26/2024	HRK	MES	REISSUED FOR 60% REVIEW

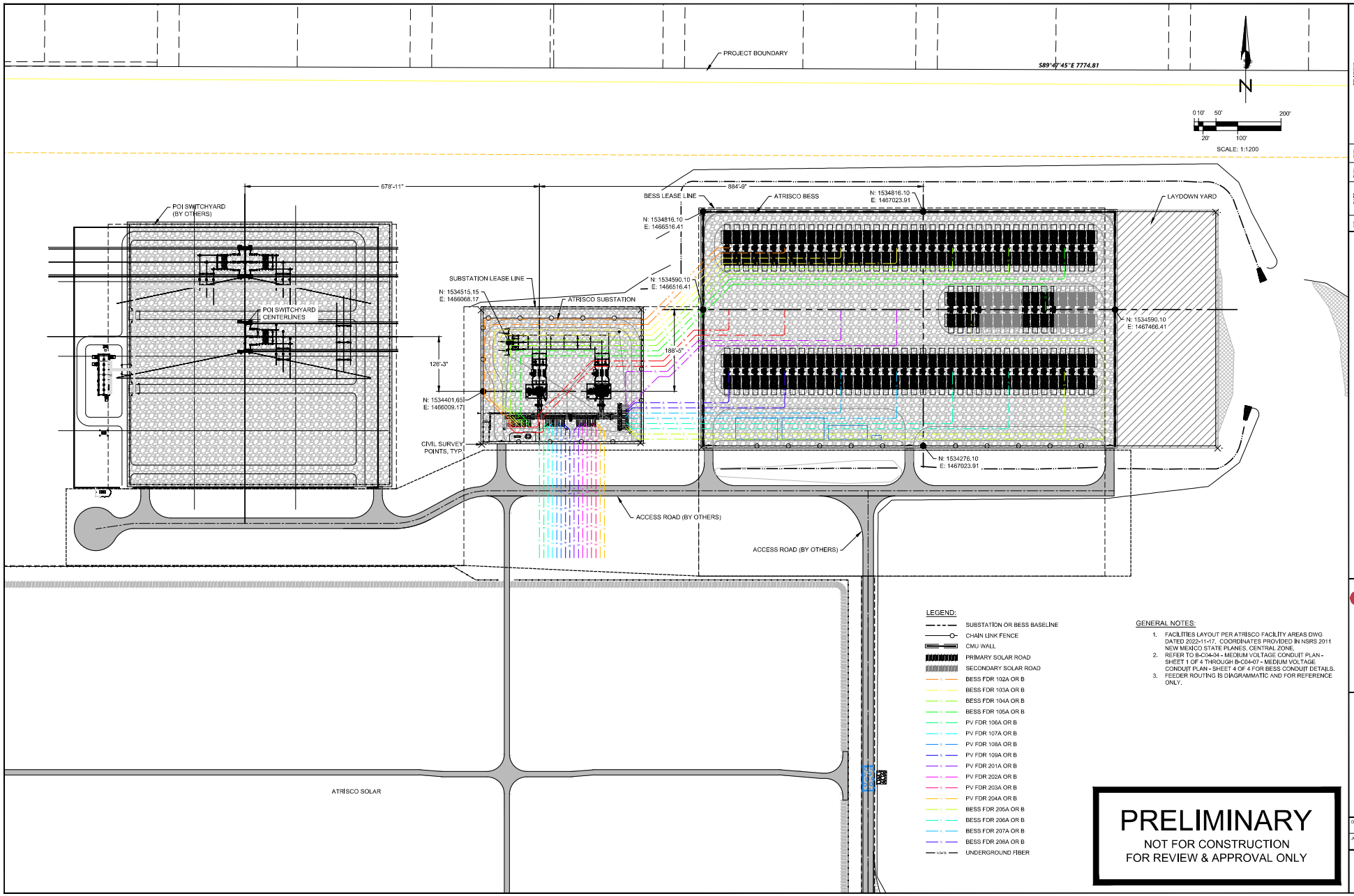
ATRISCO SOLAR
BERNALILLO COUNTY, NM

BATTERY ENERGY STORAGE SYSTEMS
CMU GROUNDING DETAILS

ELECTRIC POWER ENGINEERING, INC.
12600 W. COLFAX AVE., STE. C500
LAKEWOOD, CO 80215
(303) 431-7895
www.nteleng.com

DATE 01/26/24 | SCALE NTS
JOB NO. 4017.001

B-C04-03



NO.	DATE	DWN.	CHK.	REVISIONS
G	01/30/23	ELC	HAL	ISSUED FOR SUB 60% REVIEW
H	03/03/23	ELC	HAL	RE-SUBMITTAL FOR 60% REVIEW
J	05/26/23	ELC	RAN	ISSUED FOR 90% REVIEW
K	06/09/23	ELC	RAN	RE-ISSUED FOR 90% REVIEW
L	08/17/23	ELC	RAA	ISSUED FOR PERMITTING
M	01/18/24	ELC	AWM	ISSUED FOR 60% REVIEW

ATRISCO SOLAR
BERNALILLO COUNTY, NM

BATTERY ENERGY STORAGE SYSTEMS
PROJECT SITE PLAN

nei
ELECTRIC POWER ENGINEERS, INC.
12000 W. CEDAR AVE., SUITE 200
LAKEWOOD, CO 80215
(303) 431-7895
www.neieng.com

res

DATE 01/18/24
SCALE NTS
JOB NO. 4017.001

B-C03-00

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

January 25, 2024

RE: Variance Case #24-110-00003
Atrisco Solar Wall Height Variance – Lands of Quail Ranch, Tract 2A-1

Dear Property Owner:

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

The applicant, Clenera, requests approval of a variance for the wall height for a proposed 12 and 16 ft high CMU wall for a solar energy storage facility, on the property legally described as Lands of Quail Ranch, Tract 2A-1.

The **Planning and Zoning Board** will consider this request at a public hearing on **Tuesday, February 13, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below.**

On the back of this letter is a location map of the project, with the subject property in red.

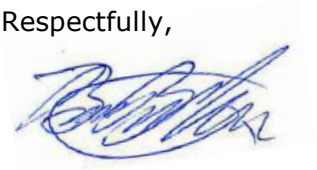
If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board, to my email: bbabyak@rrnm.gov and CC: planning@rrnm.gov. This Planning and Zoning Board meeting will be hybrid with options to participate virtually 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.

If you would like to participate virtually during the meeting please use the following information to join the meeting:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please do not hesitate to contact me via the e-mail above, or call me at 505-896-8756, 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 one week prior to the meeting.

If you are an individual with a disability 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. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk if a summary or other type of accessible format is needed.

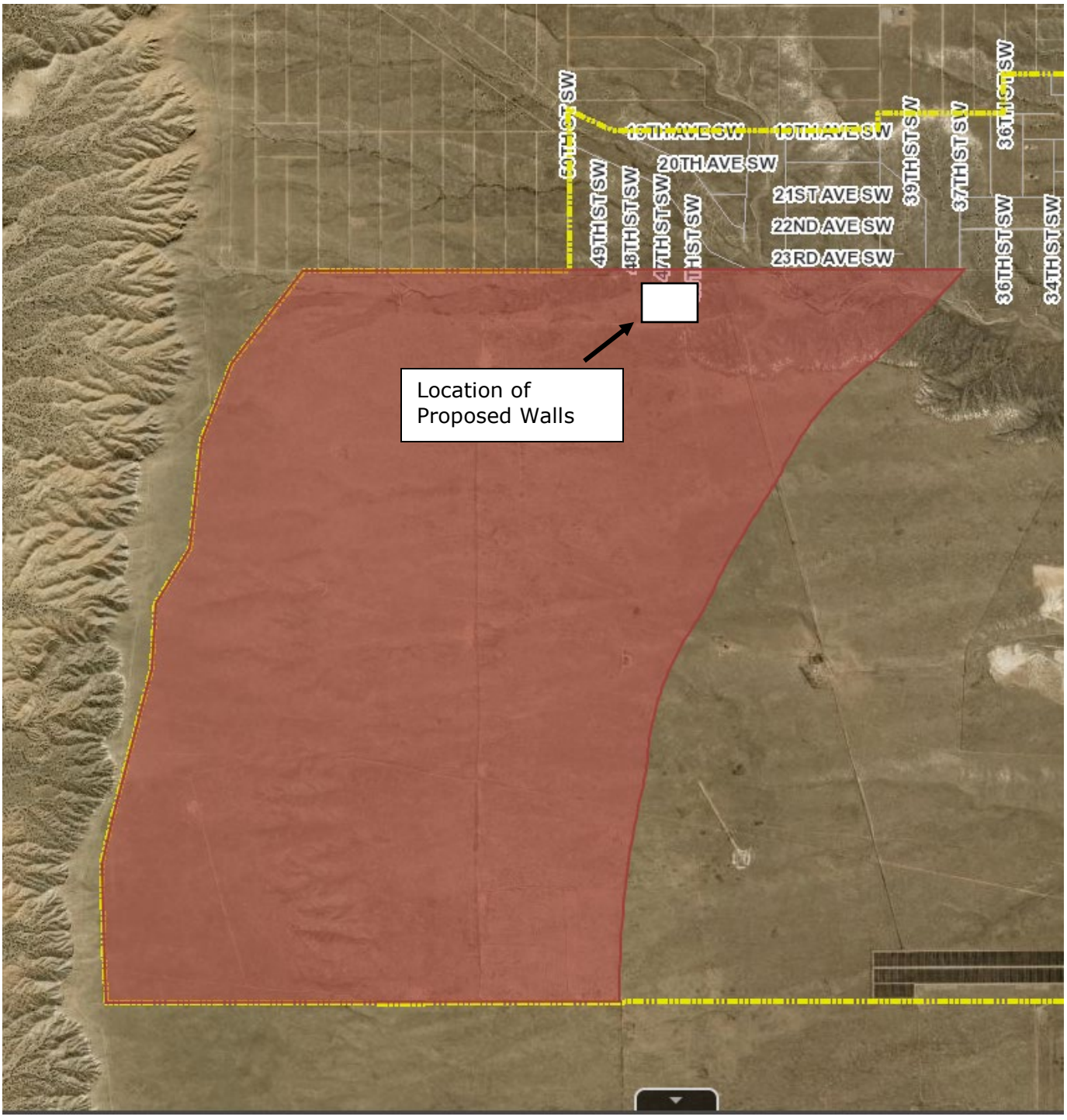
Respectfully,



Brian Babyak, AICP
Planning and Zoning Division Manager
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



Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**February 13, 2024**
Time:	6:00PM
Staff Contact:	Brian Babyak 505-896-8756 bbabyak@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**February 13, 2024**
Time:	6:00PM
Staff Contact:	Brian Babyak 505-896-8756 bbabyak@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 ft of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Clenera, requests approval of a variance for the wall height for a proposed 12 and 16 ft high CMU wall for a solar energy storage facility, on the property legally described as Lands of Quail Ranch, Tract 2A-1.



The Planning and Zoning Board will hear the request on February 13, 2024 at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below.**

If you would like to comment on this application, you are encouraged to send in comments in writing to my email, which will be presented to the Planning and Zoning Board.

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819
Join via phone: 1-253-215-8782 US

Application Information

You are receiving this notice because your property is within 300 ft of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Clenera, requests approval of a variance for the wall height for a proposed 12 and 16 ft high CMU wall for a solar energy storage facility, on the property legally described as Lands of Quail Ranch, Tract 2A-1.



The Planning and Zoning Board will hear the request on February 13, 2024 at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below.**

If you would like to comment on this application, you are encouraged to send in comments in writing to my email, which will be presented to the Planning and Zoning Board.

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, February 13, 2024:

Conditional Use Permit
Case #24-120-00001
The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, is requesting approval of a Conditional Use Permit for Automotive Sales 2700 Southern Blvd SE. The subject property is zoned C-1: Retail Commercial and is approximately .46 acres in size.

Variance
Case #24-110-00002
The applicant, Trevor Reed, through his agent, Corey Rivas, is requesting approval of a variance to the 300-foot distance requirement from public facilities and residentially zoned properties for a retail cannabis establishment. The proposed retail cannabis establishment is physically located at 2220 Grande Blvd SE STE C, Rio Rancho, NM 87124.

Variance
Case #24-110-00003
The applicant, Clenera, requests approval of a variance to allow for a 12 ft and 16 ft tall CMU block wall for a solar energy facility located on the property legally described as in Lands of Quail Ranch, Tract 2A-1.

Zone Map Amendment
Case #24-100-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment from SU: Special Use for Educational, Recreational, and Cultural Uses to SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities for the property of 821 Loma Colorado Blvd NE, legally described as LOMA, Tract P1C-B.

Vacation of Plat
Case #24-230-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Vacation Plat vacating a portion of right-of--way of Loma Colorado Blvd NE.

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

record.

Journal: January 29, 2024

154.77 FENCE/WALL REGULATIONS.

(A) For the purpose of administering and enforcing this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(1) *Fence descriptions.*

FENCE/WALL TYPE	FENCE DESCRIPTION
COMMON FENCE	A fence that straddles a property line. For the purposes of this section, it is assumed that common fences are jointly owned in their entirety by each property owner and that initial construction and any modifications that require city approval beyond typical maintenance require the written permission of each property owner.
ELECTRICAL FENCE	A fence consisting of wires charged with electricity serving to confine domestic animals or livestock.
FENCE	A vertical structure taller than one foot, not more than 20 inches wide, which forms a barrier built for the purpose of protection, decoration, confinement, enhancement of privacy, and in some cases built for safety.
SWIMMING POOL FENCE	A fence that is six feet in height that serves to limit access for safety purposes.
RETAINING WALL	Any structure that is intended to retain more than 18 inches of soil or similar material.

(B) *Acceptable materials.* Construction materials for fences include common construction materials such as wood, masonry, adobe, chain link, wire mesh, or other materials approved by DSD. Barbed wire, concertina wire, or similar material is only appropriate in the E-1/Estate Residential District where it may be used to confine horses or in M-1 and C-2 Districts. Broken glass in/on fences is strictly prohibited.

(C) Fences may be placed anywhere within a lot, parcel, or tract of land within the city as specified herein. Fences may not be placed beyond property lines. Fences in the public right-of-way are strictly prohibited. Placement of a fence within an easement requires written permission of the grantee to which the easement is assigned.

(D) Maximum fence height varies with the location of the fence on the property.

(1) Fences allowed in the front setback area can reach a maximum height of four feet, except that fence height on corner lots must conform to the specifications under clear sight triangle, as defined in Section 154.03.

(2) Fences built within the side yard setback, behind the front setback to the rear setback, can be a maximum of six feet.

(3) Fences built outside the setback area within the buildable area of a lot, parcel, or tract may reach a maximum height of eight feet.

(a) The maximum fence height on nonresidential property is eight feet where it abuts residential property, along the rear or side property line.

(E)(1) Fence height is measured from grade where the fence is located. It is considered a subterfuge of this chapter to pile or berm dirt or other materials and attempt to measure a fence from the top of the berm or from the top of a “pseudo” retaining wall. It is, however, allowed to fill in large areas of a lot, parcel or tract in order to achieve an overall or consistent grade, and then measure fence heights from that grade. A change in grade requires approval by DSD.

(2) Fences may be placed on top of retaining walls and height will be measured from the grade level of the retained material behind the retaining wall or, in other words, from the highest soil or similar material point.

(F) *Special fences.*

(1) *Swimming pool.* Fences are required around any swimming pool which is greater than three feet in depth or which exceeds 5,000 gallons. The pool must be enclosed on all sides by a fence or other barrier that provides an impediment of at least six feet thereby limiting access. In the event of a grade separation or the erection of an above ground swimming pool, the six-foot minimum height is measured from outside the fence, while the pool is on the inside. Gates on pool fences are required to be six feet in height with a self-closing latch at least four and one-half feet (54 inches) off the ground. In the case where a common fence cannot be used for a swimming pool fence, the swimming pool fence must be a minimum of four feet in height with a hard cover which complies with the International Building Code.

(2) *Corner lots.* Fences in the clear sight triangle as defined in Section 154.03 may not be greater than 30% solid when viewed along a line of sight which is parallel to the hypotenuse of the clear sight triangle.

(3) Residential fences that abut high intensity nonresidential or multi-family uses may be erected as follows: where a residential lot, parcel or tract abuts an arterial or collector street as defined in the comprehensive plan, or a multi-family or nonresidential zoned property, a fence may be a maximum of eight feet in height along the abutting side or rear property line, behind the front house line.

(4) *Buffer walls.* Fences that are required with multi-family or nonresidential development must be erected and continuously maintained so that a six-foot opaque fence exists along the property lines that abut the residentially zoned property.

(5) Electrical fencing may be placed only on the inside of a fence so that it is not accessible to adjacent property, and requires a conditional use permit.

(G) *Approval process.* All fences require a zoning plan review. If the fence is a part of a larger submittal, for example new home construction, the fencing plan review will occur at that time and is inclusive in the plan review fee. If the fence is an improvement to a developed site, a fencing plan review is required.

(1) Fencing plan review submittal should include the following:

(a) Application;

(b) Lot dimensions (sketch);

(c) Location of existing structures, including retaining walls;

(d) Location of proposed fence, proposed height, and construction materials (cross-section).

(H) *Exemptions.* This section does not apply to fences in existence before the effective date of the ordinance codified in this chapter, as amended, except when the fence is declared a nuisance or hazard as determined by DSD or the Traffic Safety Advisory Committee, such fence may be made to conform with the requirements of this chapter, or removed within 30 days of the closing or transfer or declaration of the fence as a nuisance or hazard.

(Ord. 18-20)

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 24-110-00003

REQUEST FOR VARIANCE TO ALLOW FOR 14' AND 16' HIGH CMU BLOCK WALLS OUTSIDE OF ALL SETBACKS AT THE SUBJECT PROPERTY OF LANDS OF QUAIL RANCH, TRACT 2A-1

Applicant: Clenera Renewable Energy, through their agent, RES Transmission and Distribution.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of February, 2024, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to the wall height requirements.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the wall height requirements.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has adequately addressed the criteria for granting a variance to the wall height requirements as set forth in R.O. 2003 § 150.06.
2. The subject variance will not adversely affect the public or surrounding properties.
3. Approval of the subject variance request does not constitute permission to construct the retaining walls; a retaining wall permit must be applied for in order to construct the proposed walls.
4. Variance is only applicable for the proposed 14 ft and 16 ft walls, surrounding the BESS and Substation on the subject property (LQR, Tract 2A-1).

THEREFORE, the application for 14' and 16' high CMU block walls outside of all setbacks, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on February 13, 2024, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 24-110-00003

REQUEST FOR VARIANCE TO ALLOW FOR 14' AND 16' HIGH CMU BLOCK WALLS OUTSIDE OF ALL SETBACKS AT THE SUBJECT PROPERTY OF LANDS OF QUAIL RANCH, TRACT 2A-1

Applicant: Clenera Renewable Energy, through their agent, RES Transmission and Distribution.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of February, 2024, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to the fence/wall height requirements.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the fence/wall height requirements.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a variance as set forth in R.O. 2003 § 150.06.

THEREFORE, the application for 14' and 16' high CMU block walls outside of all setbacks, is DENIED by the Planning & Zoning Board of the City of Rio Rancho on February 13, 2024, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 24-120-00001

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Conditional Use Permit. The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, are requesting approval of a Conditional Use Permit to allow for automotive sales at the subject property legally described as Rio Rancho Estates Unit 16, Block P, Lot 1. Staff contact is Chris Benson and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, is requesting approval of a Conditional Use Permit for automotives sales at the property legally described as Rio Rancho Estates Unit 16, Block P, Lot 1, zoned C-1: Retail Commercial District under Ordinance 88-005. The subject property has a street address of 2700 Southern Blvd SE, and is located between Walsh St SE to the west and Rosarito Dr SE to the east.

The applicant states in their justification letter that they are seeking approval of a condition use permit to allow for automotive sales to allow for the expansion of their already existing family business, El Patron Tire Shop. The applicant explains that after being in business for many years in the City of Rio Rancho that they believe there is a strong demand for auto sales in the area.

The applicant asserts they have, "...determined a location for our new auto sales business and have created a site layout depicting the location for the new vehicles on site. There will be 4 parking spaces designated for this business in our North parking lot facing Southern Boulevard. These spaces are the furthest away from the mechanical bays and are underutilized by our customers, making it the best location for the vehicles for sale. With this change, there will still be nine total customer parking spaces and 1 handicap space near the main entrance. Employee parking in the back of the tire shop will not be affected by this expansion of our business. During our hours of operation (Monday through Saturday 9am-6pm), customers remain in either one of the designated customer spaces or in one of our mechanical bays for anywhere between 15 minutes to 1.5 hours depending on the service provided."

The applicant has provided a site plan that clearly displays where the automotive sales dealership parking spaces will be located in relation to the remaining customer parking spaces and the ADA accessible parking space. The existing El Patron Tire Shop has a building space of approximately 3,842 square feet on the total 0.46 acres of the lot (approximately 19% of the total lot area). See attached site plan for details.

Per R.O. 2003 § 154.76 Off-Street Parking (A)(1), a business of this nature would require that there be 1 parking space available per every 300 square feet of floor area. The building on site is approximately 3,842 square feet requiring a minimum of 13 parking spaces available with one

parking space being ADA compliant.

The existing site layout has 14 parking spaces available to the public, with one of these being ADA compliant. On the attached site plan, the applicant is showing 10 paring spaces available to the public, with one being ADA compliant. On the attached site plan, there are four spaces reserved for vehicles for sale or "Dealership Parking".

The proposed off-street parking would be deficient by three off-street parking spaces with the new proposed site layout as per requirements outlined by R.O. 2003 § 154.76 Off-Street Parking (A)(1). Employee parking is located at the south of the lot and is separate from these parking calculations, as this area is not striped or detailed on the plans.

Additionally, the applicant has provided a landscape plan of the existing landscape on the lot. The landscape plan displays the total amount of landscape located on the lot as 3,591 square feet, approximately 18%. 57% of this landscape is located on the frontage of the lot located off of Southern Blvd SE.

As per requirements outlined by the Rio Rancho Municipal Code Chapter 154.61 Nonresidential (B) (3) *Landscaping.* Appropriate landscaping shall be provided for visual relief along the frontage of the parcel; provided that no less than 10% of the lot shall be landscaped, and no less than one-fourth of the 10% shall be located on the front. The landscape plan provided conforms to requirement outlined by R.O. 2003 § 154.61 Nonresidential.

The property is zoned C-1: Retail Commercial District under Ordinance No. 88-005. As per R.O. 2003 § 154.24 (C) *Conditional uses (requiring use permit and site plan)* (2) Automotive dealers, motorcycle dealers are permissive with a conditional use permit.

R.O. 2003 § 150.04 states:
(A) A conditional use permit may be granted for the specific zone in which it is allowed provided it meets any conditions stipulated in this title, and is not detrimental to the public welfare, safety, health, morals, and convenience of the surrounding area.

Staff finds that the proposed conditional use permit for automotive sales may be found to not be detrimental to the public welfare, safety, health, morals, and convenience of the surrounding area, however the proposed parking layout does not meet the conditions stipulated in the Land Use Title XV of City Code. The proposed parking will be deficient three spaces - with 10 provided and 13 required. The proposed parking deficiency may also be detrimental to the public welfare and safety by not providing enough parking on site which may result in nearby on-street parking and other parking challenges.

Staff recommends the Planning and Zoning Board find the proposed site development plan does not meet the conditions stipulated in City Code, Title XV Land Use.

(B) An application for a conditional use permit may be submitted to the Planning and Zoning Board through the City Development Department. The Planning and Zoning Board shall approve or disapprove the application following consideration at its next regular meeting.

Staff recommends the Planning and Zoning Board finds that the applicant has followed the necessary steps for submitting an application and that the proposed action would create a complimentary business use on the existing lot.

Reviewer Comments:

Reviewing Agency	Comments
City of Rio Rancho Engineering	No adverse comments.

City of Rio Rancho Fire & Rescue	Did not receive comments
City of Rio Rancho Parks, Recreation and Community Services	No recommendation for or against approval. No comments.
SSCAFCA	SSCAFCA has no comments.
City of Rio Rancho Police	Did not receive comments
Rio Rancho Public Schools	Did not receive comments
MRCOG - MRMPO	Did not receive comments

SURROUNDING LAND USE AND ZONING:
Properties to the north are zoned R-1: Single-Family Residential District across approximately 90 feet of ROW (Southern Blvd SE, principal arterial). Properties to the east and west are similarly zoned C-1: Retail Commercial District under Ordinance No. 88-005, and properties to the south are zoned R-3: Multi-Family Residential and SU: Special Use for Multi-Family Residential development. Properties to the southeast are developing as new townhomes.

NOTIFICATIONS:
Notice of the conditional use permit application was sent via certified mail to the property owners within 100 ft of the subject property. A legal ad was published in the Albuquerque Journal on January 29, 2024. A notice sign was posted on the subject property on week prior to the hearing, on February 6, 2024.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board deny the conditional use permit request for an automotive dealership, subject to the findings and conditions set forth below:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the approval of a conditional use permit.
2. Following procedures for a conditional use permit, proper notice of hearing was given.
3. The applicant has the authority to apply for a conditional use.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS FOR DENIAL:

1. The applicant has not adequately addressed the criteria for a conditional use permit as set forth in R.O. 2003 § 150.04.
2. Parking on the site would be deficient by 3 Off-Street parking spaces as per R.O. 2003 § 154.76 Off-Street Parking Requirements (A)(1).

If the Planning and Zoning board finds the conditional use permit is justified, an approval may be based on the following findings:

SPECIFIC FINDINGS OF FACT AND CONDITIONS FOR APPROVAL:

1. The applicant has adequately addressed the criteria for granting a Conditional Use permit as set forth in R.O. 2003 § 150.04 Conditional Use Permit.
2. The applicant has adequately addressed the criteria of R.O. 2003 § 154.24 (C)(2) C-1: Conditional Uses in a Retail Commercial District.
3. The applicant will provide a copy of the signed Findings of Fact of Approval to the City Clerk's office, for their records.
4. All parking areas to be properly maintained in all respects and markings kept clearly visible and distinct to conform to all requirements outlined in R.O. 2003 § 154.76 Off-Street Parking Requirements.

5. Landscaping will be perpetually maintained.
6. Any new signage will require a new permit.
7. Maximum of four (4) vehicles to be for sale at any time.

ALTERNATIVES:

The Planning and Zoning Board may:

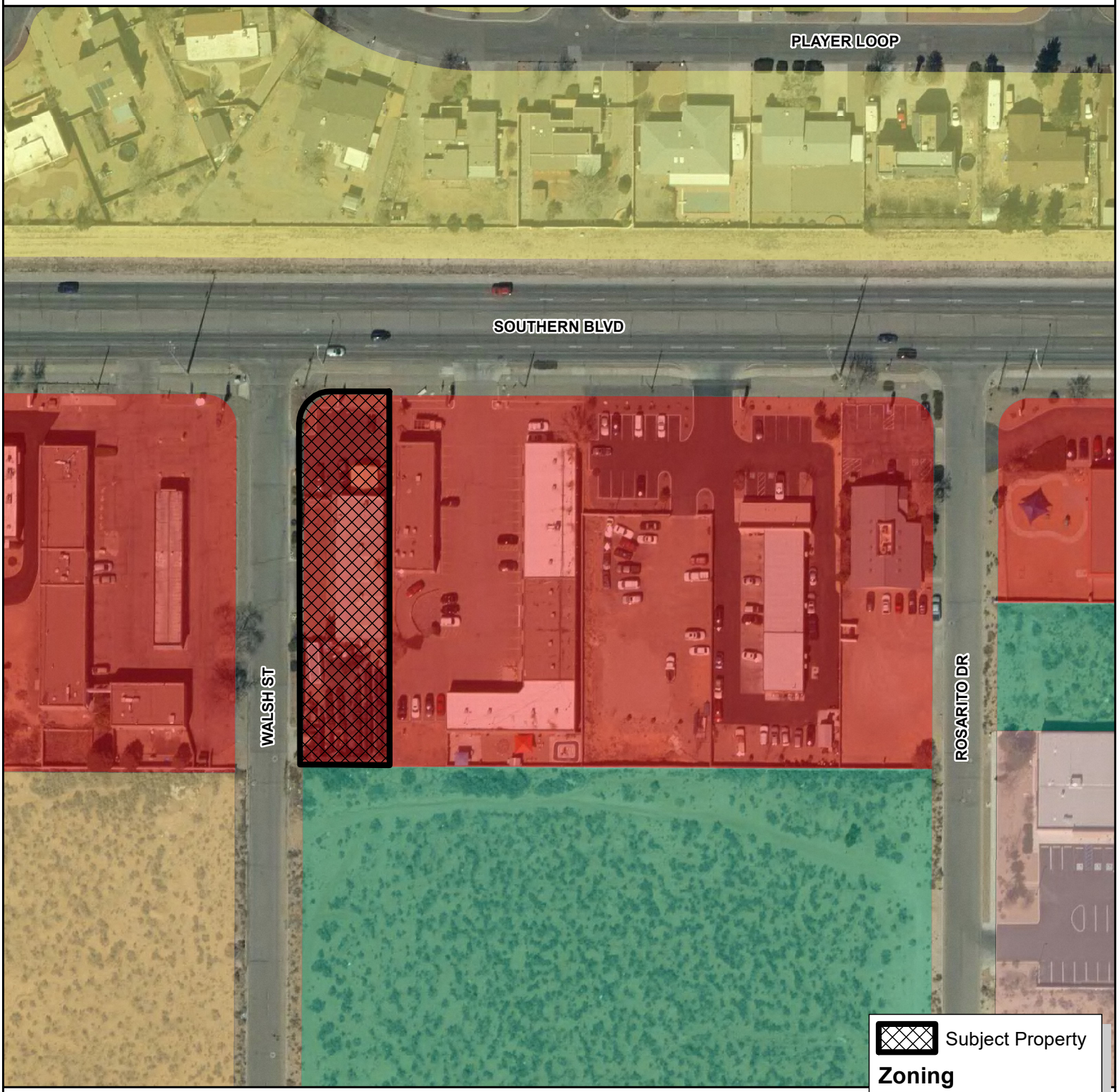
1. Approve the request, in whole or in part;
2. Deny the request, in whole or in part;
3. Modify the request and approve such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board deny the requested conditional use permit subject to findings.

ATTACHMENT: Location/Zone Map
ATTACHMENT: Application
ATTACHMENT: Landowner Authorization
ATTACHMENT: Dealership Scope of Work
ATTACHMENT: Landscape Plan
ATTACHMENT: Site Plan
ATTACHMENT: Notice Letter
ATTACHMENT: Noticed Properties Map
ATTACHMENT: Legal Ad Proof
ATTACHMENT: Findings of Fact

2700 SOUTHERN BLVD SE
CONDITIONAL USE PERMIT - AUTO SALES



RioRancho
City of Vision

0 100 200 400
Feet

N
W E
S

GIS
Moving Spatial Data Forward

Map Created by Chris Benson on 01/10/2024

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.

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

Rio Rancho
City of Vision

PLANNING & ZONING LAND USE APPLICATION

(Fees are listed on the back)

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	☐ 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: Jorge Escobedo		Phone: 505-804-8024
Address: 2700 Southern Blvd. S.E.		E-Mail: elpatrontireshop@gmail.com
City: Rio Rancho	State: N.M.	Zip: 87124
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: Jorge Escobedo		Phone: 505-804-8024
Address: 2700 Southern Blvd. S.E.		E-Mail: elpatrontireshop@gmail.com
City: Rio Rancho	State: N.M.	ZIP Code: 87124

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

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: Rio Rancho Estates/Unit:16	Block(s): P	Lot(s): 1
Existing Zoning:	Proposed Zoning:	
No. of existing lots: 1	No. of proposed lots: 1	Total area of site (acres) 0.46

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: Jorge Escobedo	Applicant: Jorge Escobedo	Agent: Jorge Escobedo
Signature:		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
24-120-00001	$67.00	

APPLICATION ACCEPTED BY: CHRIS BENSON **DATE:** 01/10/2024

Form revised June 2014

2700 Southern Blvd SE

Rio Rancho, New Mexico 87124

Re: Letter of Authorization to Expand Business into Auto Sales

Dear El Patron Tire Shop,

I, Steve Koburi , the property owner of 2700 Southern Blvd SE Rio Rancho, New Mexico, hereby authorize you, El Patron Tire Shop, the tenant of 2700 Southern Blvd SE, to expand your business into auto sales.

This authorization includes the following:

- You may display and sell automobiles on the premises at 2700 Southern Blvd SE.
- You may erect temporary signage to advertise your auto sales business.
- You may conduct test drives of automobiles on and around the premises at 2700 Southern Blvd SE.
- You may store automobiles on the premises at 2700 Southern Blvd SE.

You agree to comply with all applicable laws and regulations in connection with your auto sales business. You also agree to maintain the premises in a clean and orderly condition and to repair any damage to the premises caused by your business operations.

Sincerely,

First and last name

Property Owner Steve Koburi

Dear City of Rio Rancho,

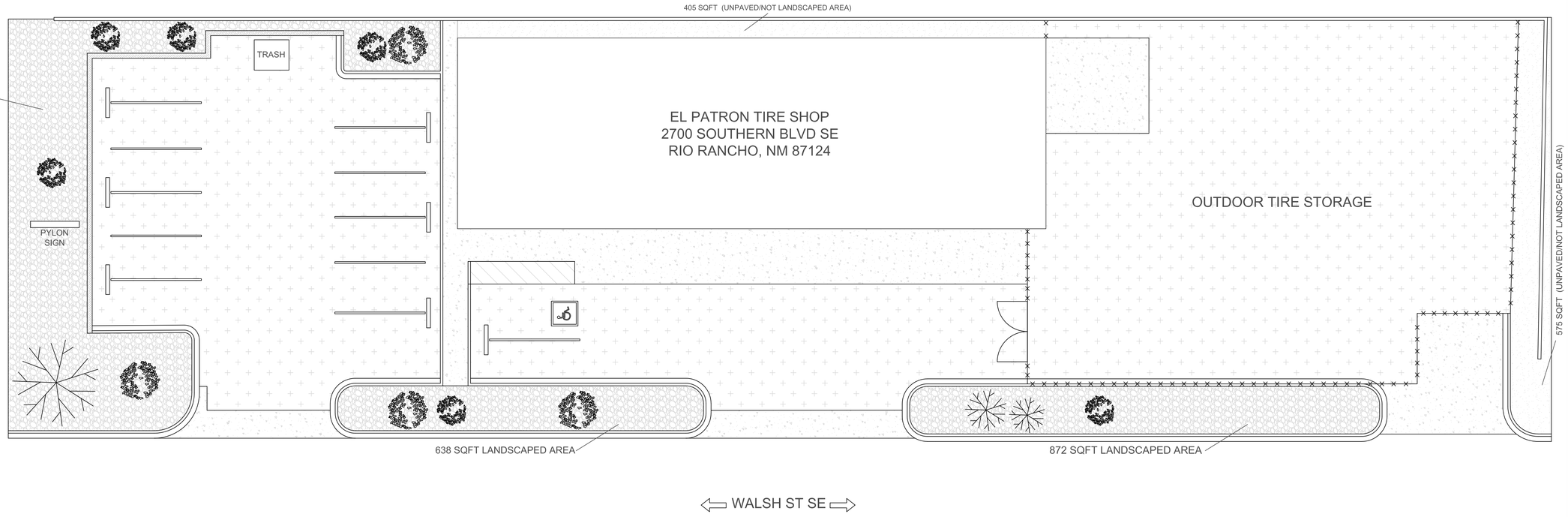
I am writing to request the city's approval for the expansion of my family-owned business, El Patron Tire Shop, into auto sales. We have been operating a successful tire shop in Rio Rancho for many years now, and believe that there is a strong demand for auto sales in this area.

I have determined a location for our new auto sales business and have created a site layout depicting the location for the new vehicles on site. There will be 4 parking spaces designated for this business in our North parking lot facing Southern Boulevard. These spaces are the furthest away from the mechanical bays and are underutilized by our customers, making it the best location for the vehicles for sale. With this change, there will still be nine total customer parking spaces and 1 handicap space near the main entrance. Employee parking in the back of the tire shop will not be affected by this expansion of our business. During our hours of operation (Monday through Saturday 9am-6pm), customers remain in either one of the designated customer spaces or in one of the mechanical bays for anywhere between 15 minutes to 1.5 hours depending on the service provided.

Please refer to the site layout for the full site configuration of our business. Thank you for the opportunity to continue serving our community.

Sincerely,

Jorge Escobedo
El Patron Tire Shop Owner



EL PATRON TIRE SHOP LANDSCAPE PLAN - FOR REFERENCE ONLY

SCALE: 3/32" = 1'-0"

NORTH

2700 SOUTHERN BLVD SE
RIO RANCHO, NEW MEXICO 87124

LEGEND

- GRAVEL
- CONCRETE
- SAND
- ASPHALT
- LOADING ZONE
- METAL FENCE
- BLOCK WALL
- WOOD BARRIER
- EXISTING HEDGE
- EXISTING TREE

DESCRIPTION

THIS LANDSCAPE PLAN IS FOR REFERENCE ONLY AND IS BASED ON GENERAL SITE CONDITIONS AND OBSERVATIONS. DRAWING SHOULD BE VIEWED ON ARCH D (24"X36") SHEET. SQUARE FOOTAGES ARE APPROXIMATE AND CALCULATED BASED ON THIS SCALE DRAWING.

ENLARGED SITE PLAN



EL PATRON TIRE SHOP

2700 SOUTHERN BLVD, SE
RIO RANCHO, NEW MEXICO 87124

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

January 24, 2024

RE: Conditional Use Permit,
Case No. 24-120-00001
Rio Rancho Estates Unit 16, Block P, Lot 1

Dear Property Owner:

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

The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, is requesting approval of a Conditional Use Permit for automotive sales at 2700 Southern Blvd NE. The subject property is legally described as Rio Rancho Estates Unit 16, Block P, Lot 1 and is currently zoned C-1: Retail Commercial under Ordinance No. 88-005. The subject property is located within the Southern Boulevard Specific Area Plan and is approximately 0.46 acres in size.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, February 13, 2024** 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 the black 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. This Planning and Zoning Board 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 **Planning and Zoning Board 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

Please do not hesitate to contact me via e-mail me at cbenson@rrnm.gov or call me at 505-896-8342, 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,

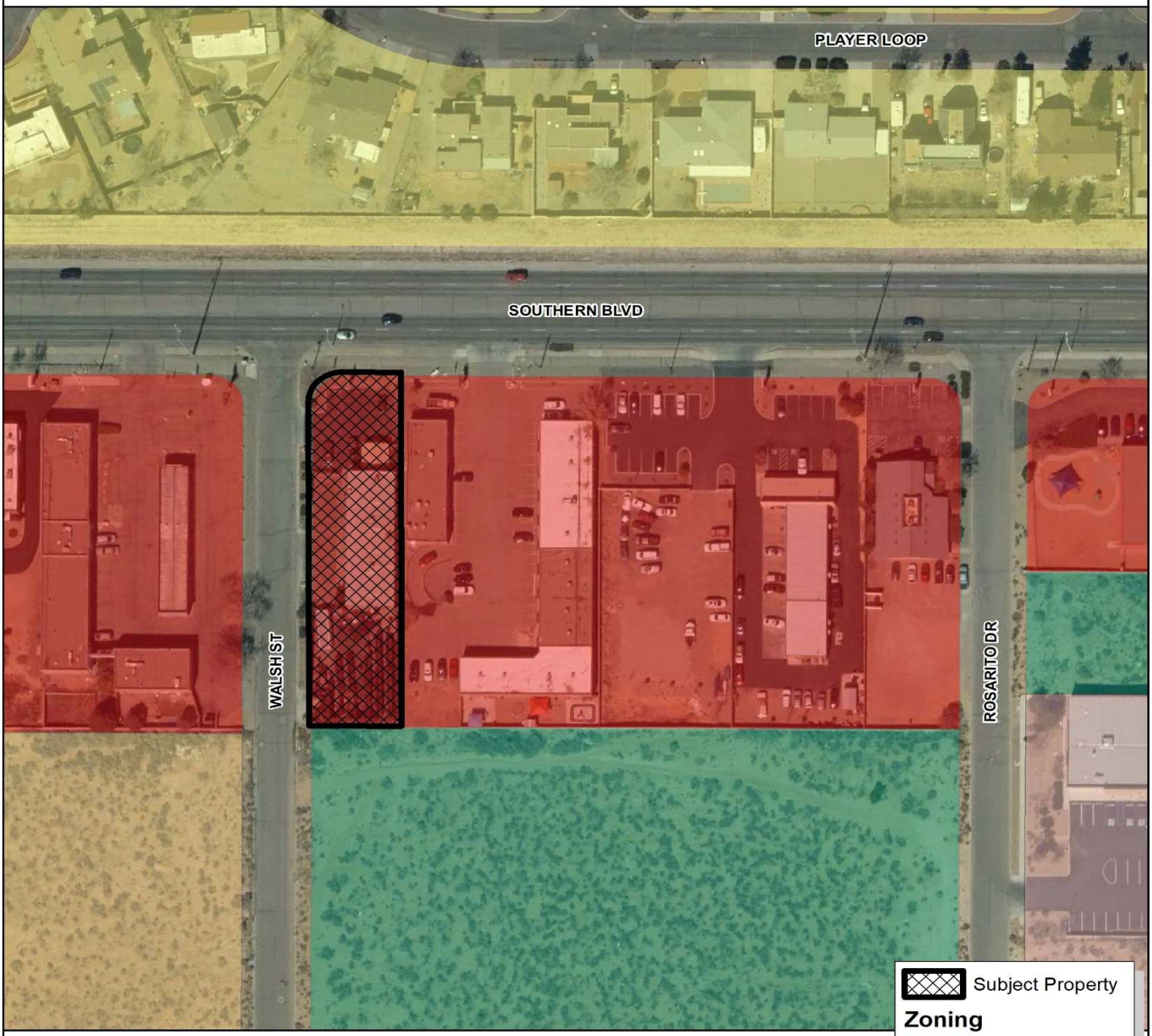
Chris Benson

Chris Benson
Municipal Planner II
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

2700 SOUTHERN BLVD SE
CONDITIONAL USE PERMIT - AUTO SALES



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 01/10/2024

2700 SOUTHERN BLVD SE
CONDITIONAL USE PERMIT - AUTO SALES



RioRancho
City of Vision

0 100 200 400
Feet

GIS
Moving Spatial Data Forward

N
W E
S

Noticed Properties
Subject Property

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 01/10/2024

ALBUQUERQUE PUBLISHING COMPANY
7777 Jefferson St. NE, Albuquerque, NM 87109

Ad Proof/Order Confirmation

Account Number
1010956

Ad Order Number
0001585564

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	sbitah@rrnm.gov		**PO Number**	240051	
Ad Cost		$115.64	**Sales Rep**	dmontoya	
Tax Amount		$8.82	**Order Taker**	dmontoya	
Total Amount		$124.46			
Amount Paid		$0.00			
Amount Due		$124.46			
Affidavits	0				

To pay by Credit Card or ACH: Click on the link below or enter online through your broswer.

https://securepayment.link/abqjournal/

Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001585564-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEPLANNINGANDZONINGB OARDOFTHECITYOFRIORANCHONM WILLCONSIDERTHEFOLLOWINGMAT TERSATITSREGULARLYSCHE
Ad Size	1 X 147 li		
Color			

Run Date
01/29/2024
01/29/2024
01/29/2024

WYSIWYG Content



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, February 13, 2024:

Conditional Use Permit
Case #24-120-00001
The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, is requesting approval of a Conditional Use Permit for Automotive Sales 2700 Southern Blvd SE. The subject property is zoned C-1: Retail Commercial and is approximately .46 acres in size.

Variance
Case #24-110-00002
The applicant, Trevor Reed, through his agent, Corey Rivas, is requesting approval of a variance to the 300-foot distance requirement from public facilities and residentially zoned properties for a retail cannabis establishment. The proposed retail cannabis establishment is physically located at 2220 Grande Blvd SE STE C, Rio Rancho, NM 87124.

Variance
Case #24-110-00003
The applicant, Clenera, requests approval of a variance to allow for a 12 ft and 16 ft tall CMU block wall for a solar energy facility located on the property legally described as in Lands of Quail Ranch, Tract 2A-1.

Zone Map Amendment
Case #24-100-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment from SU: Special Use for Educational, Recreational, and Cultural Uses to SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities for the property of 821 Loma Colorado Blvd NE, legally described as LOMA, Tract P1C-B.

Vacation of Plat
Case #24-230-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Vacation Plat vacating a portion of right-of--way of Loma Colorado Blvd NE.

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

record.

Journal: January 29, 2024

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 24-120-00001

REQUEST FOR CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE DEALERSHIP AT THE PROPERTY LEGALLY DESCRIBED AS UNIT 16, BLOCK P, LOT 1.

Applicant: El Patron Tire Shop LLC, Jorge Escobedo

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of February, 2024, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the approval of a conditional use permit.
2. Following procedures for a conditional use permit, proper notice of hearing was given.
3. The applicant has the authority to apply for a conditional use for an Automotive Dealership.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for a conditional use permit as set forth in R.O. 2003 Section 150.04.
2. Parking on the site would be deficient by 3 Off-Street Parking Requirements (A)(1).

THEREFORE, the application for a conditional use permit for an Automotive Dealership for the property legally described as Unit 16, Block P, Lot 1, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on February 13, 2024, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 24-120-00001

REQUEST FOR CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE AT THE PROPERTY LEGALLY DESCRIBED AS UNIT 16, BLOCK P, LOT 1.

Applicant: El Patron Tire Shop LLC, Jorge Escobedo

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of February, 2024, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the approval of a conditional use permit.
2. Following procedures for a conditional use permit, proper notice of hearing was given.
3. The applicant has the authority to apply for a conditional use for an Automotive Dealership.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITOINS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a Conditional Use permit as set forth in R.O. 2003 Section 150.04 Conditional Use Permit.
2. The applicant has adequately addressed the criteria of R.O. 2003 Section 154.24 (C)(2) C-1: Conditional Uses in Retail Commercial District.
3. The applicant will provide a copy of the signed Findings of Fact of Approval to the City Clerk's office, for their records.
4. All parking areas to be properly maintained in all respects and markings kept clearly visible and distinct to conform to all requirements outlined in R.O. 2003 § 154.76 Off-Street Parking Requirements.
5. Landscaping will be perpetually maintained.
6. Any new signage will require a new permit.
7. Maximum of four (4) vehicles to be sold at any time.

THEREFORE, the application for a conditional use permit for an Automotive Dealership for the property legally described as Unit 13, Block 112, Lot 3, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on February 13, 2024, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 24-100-00001

AGENDA DATE:
February 13, 2024

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment to add Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities as a permissive use to the SU: Special Use for Educational, Recreational, and Cultural Uses Zoning Designation, for the property legally described as Loma Colorado, Tract P-1C-B. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment to add Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities as a permissive use to the SU: Special Use for Educational, Recreational, and Cultural Uses Zoning Designation, for the property legally described as Loma Colorado, Tract P-1C-B. The subject property is located at 821 Loma Colorado Blvd NE and comprises approximately 1.5250 acres.

821 Loma Colorado Blvd NE is currently zoned SU: Special Use for Educational, Recreational, and Cultural Uses, per Ordinance No. 71, Enactment No. 94-069, adopted December 28, 1994 by the Governing Body.

The original site plan for the McDermott Athletic Center expansion was approved by the Governing Body on August 12, 2021 under Resolution D40. Additionally, a summary plat splitting the tract of 801 Loma Colorado Blvd NE into two separate tracts was approved administratively by Development Services under Case# 23-200-00007. The summary plat was recorded at Sandoval County on May 10, 2023.

The subject property is part of the Loma Colorado Redevelopment Plan, most recently amended by Resolution No.14, Enactment No.12-014, on February 22, 2012 by the Governing Body.

The applicant is requesting this zone change to provide updated permissions to allow for a bar and restaurant on the subject property of 821 Loma Colorado Blvd NE. The proposed building would be approximately 6,554 square feet and 32 feet in height. Per R.O 2003 Section 154.76(A)(1), parking requirements for restaurants and bars is 1 space for every 4 seats, or 1 space per 100 square feet, whichever is greater. In this case, the square footage is greater, so 66 parking spaces would be required.

Additionally, the applicant proposes two volleyball courts and three pickleball courts on the subject

parcel. The proposed courts will cover approximately 4,823.25 square feet, requiring 24 parking spaces per R.O. 2003 Section 154.76(A)(1) for dance halls, skating rinks, fitness centers, or health clubs (1 space per 200 square feet of floor area).

The applicant's site plan provides 19 asphalt parking spaces (4 spaces being ADA accessible) on the subject property of 821 Loma Colorado Blvd NE. Additionally, the applicant has provided for 81 additional parking spaces on the property of 801 Loma Colorado Blvd NE, the site of the McDermott Athletic Center. Per site plan notes, 16 of these spaces will be new asphalt, with the remaining 65 spaces being base course. Approximately 22 of these proposed base course parking spaces (all contained within note 21 on the site plan) would currently be within the right-of-way of Loma Colorado Blvd NE. As such, the applicant has submitted a concurrent land use request to vacate a portion of the Loma Colorado Blvd NE right-of-way to allow for these 22 spaces to be re-platted with the subject tract of 801 Loma Colorado Blvd NE (Case No. 24-230-00001). As City water and wastewater utility lines run through this current area of right-of-way, base course was chosen by the applicant in the event any of these utility lines need to be accessed.

As a condition of approval, the applicant will be required to provide a parking agreement to share parking between the 801 Loma Colorado Blvd NE property and the subject property. Once executed, parking requirements would be met.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:
City of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning and Zoning Board when a change in zoning designation is sought.

Staff recommends the Planning and Zoning Board find that the application meets the submittal requirements for the proposed zoning request.

Pursuant to criteria provided by R.O. 2003 § 150.07 (D) (1) through (4) and (E) through (G), a request for a change in zoning designation must address the following policies and criterion for a zone map change:

(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The applicant states that the proposed zoning request to allow for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities "is consistent with the health, safety, morals and general welfare of the City. The proposed change would allow for a restaurant and bar to be established on the property, which aligns with the zoning of adjacent properties designated for SU... The change will also align with having family-friendly valued businesses that do not disturb the nearby residences. By allowing for a restaurant and bar to be established on the property, the area will become a more attractive destination for the community, which will help to further stabilize the land use and zoning in the area."

Staff finds that the proposed zoning aligns the subject property with the immediate properties to the north, currently zoned as SU: Special Use for Mixed Use per Ordinance No. 63, Enactment No. 06-57, approved on October 11, 2006 by the Governing Body. The Mixed-Use zoning allows for most of the uses listed in the C-1 and C-2 commercial districts, including "Restaurants, bars, and lounges".

Staff recommends the Planning and Zoning Board find that the proposed SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities zoning would be consistent with the health, safety, morals, and general welfare of the City, as these land uses are permissive in the immediately adjacent properties to the north, zoned SU: Special

Use for Mixed Use. Given the subject property's immediate proximity to SU: Special Use for Mixed Use zoning and the existing Educational/Cultural use of the McDermott Athletic Center on the property of 801 Loma Colorado Blvd NE, staff finds the applicant's proposal would be in alignment with the uses outlined in the Loma Colorado Redevelopment Plan for the abutting properties to the north.

(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

The applicant states in their justification letter: "This change aims to stabilize the land use and zoning in the area and create a vibrant commercial corridor along Loma Colorado on the North, Westerly side of the street. This is the same zoning designation as the north properties, including permissions for restaurants and other commercial land uses."

Staff recommends the Planning and Zoning Board find that the subject zone map amendment request will further stabilize the zoning in the area, as the proposed usages of a restaurant & bar and sport courts will complement the existing uses of the McDermott Athletic Center, furthering the commercial and community resources in the area.

(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

The applicant states: "This proposed change is in keeping with the adopted elements of the Comprehensive Plan and City master plans, which aim to create a vibrant and sustainable community. The change is also consistent with the neighborhood's purposes, as it will bring unity and clarity to the goals of the Loma Colorado Blvd commercial activities."

Staff recommends the Planning and Zoning Board find that the proposed zone map amendment would be in compliance with both the Comprehensive Plan and the Loma Colorado Redevelopment Plan. As presented, the proposed zone map amendment would further the continuity between the permissive educational and cultural uses allowed on both McDermott Athletic Center parcels and the Mixed Use designation for Tracts 11A, 12, and 13.

Policy L-1 of the Comprehensive Plan states: "Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan. Staff finds the proposed uses of a restaurant & bar and sports courts would further the community character of the area; this will create further accessibility between the established nonresidential uses located on the north side of Loma Colorado Blvd NE.

Staff recommends the Planning and Zoning Board also find that the proposed zone change will facilitate Policy L-2: "Promote and support neighborhood scale retail activities that are consistent with residential development." The proposed zone change and attached site plan will help encourage a community commercial amenity in the restaurant and recreation space, which supports the neighborhood and is consistent with surrounding development.

(4) The applicant must demonstrate that the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the city’s incorporation and adoption of its own zoning code or on land annexed by the City; or
(b) Changed neighborhood or community conditions justify the change; or

(c) A different use category is more advantageous to the community, as articulated in the comprehensive plan or other city master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

The applicant states that the proposed zone map amendment would, "create a vibrant and sustainable community" and "The change will also align with having family-friendly valued businesses that do not disturb the nearby residences. By allowing for a restaurant and bar to be established on the property, the area will become a more attractive destination for the community, which will help to further stabilize the land use and zoning in the area."

Staff recommends the Planning and Zoning Board find that the proposed zone map amendment would be more advantageous to the community, as the proposal furthers complimentary nonresidential uses in the area, which will also enhance the local amenities available to the immediately surrounding community. Staff recommends the Board finds that the proposed zoning promotes policies of the comprehensive plan, while being consistent with the Loma Colorado Redevelopment Plan and that changing the subject property by adding restaurants, bars, and similar type uses will accomplish a community need for these types of spaces and amenities.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Staff recommends the Planning and Zoning Board finds that the cost of the land or other economic considerations is not the determining factor for the proposed zone map amendment.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Staff recommends the Planning and Zoning Board find that the sole justification for this request is not based on the site's location on a major street.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may only be approved when:
(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Staff recommends the Planning and Zoning Board finds that the proposed SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities zoning is not a spot zone, as this proposed zone map amendment provides further continuity to the existent SU: Special Use for Mixed Use zoning directly adjacent to the subject property.

NOTIFICATIONS:
In accordance with State Statute NMSA 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject properties received a certified letter, return receipt requested, containing a notice of action and impending Planning and Zoning Board hearing. A notice sign was placed on the subject properties by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on January 29, 2024.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

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

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, subject to the following findings:

General Findings of Fact:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. Following procedures for a zone map amendment, proper notice of this hearing on this matter was given.
3. The applicant has the authority to make an application to request a zone map amendment.
4. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact:

The applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(D) Amendments, including:

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by being consistent with surrounding permissive commercial uses to the north.
2. The applicant has provided sound justification for the proposed zone change and the zone map amendment would provide for stability of zoning.
3. The proposed zone map amendment would be consistent with the intent of the adopted elements of the Comprehensive Plan and the Loma Colorado Redevelopment Plan.
4. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
5. The applicant has provided sufficient justification that the zone map amendment request is not based on the properties' location.
6. The requested zone map amendment would not create a "spot zone" in that it would be consistent with the permissive commercial uses in the adjacent Special Use: Mixed Use directly to the north of the subject property.
7. The applicant shall address all reviewers comments that are attached, including but not limited to:
    a. A shared parking agreement between Loma Colorado, Tract P-1C-A, and Loma Colorado, Tract P-1C-B shall be submitted prior to the submission of a building permit.

b. Show all distance lengths from the proposed structures on 821 Loma Colorado Blvd NE to each property line.
c. Revise ADA access aisles to comply with minimum widths (8' min. width for van accessible spaces, 5' min width for all other ADA access aisles)
d. Provide square footages for all landscaping areas, including notation of trees and bushes to be planted in these areas.
e. Provide square footages for all volleyball and pickleball courts and label dimensions.
f. Provide heights, elevations, and material type for any proposed fences or walls.

ALTERNATIVES:

1. The Planning and Zoning Board may recommend approval of the request to the Governing Body.
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body.
3. The Planning and Zoning Board may modify the request and recommend approval of such modifications to the Governing Body.
4. The Planning and Zoning Board may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings.

ATTACHMENT: Zoning, Location
ATTACHMENT: Application Packet
ATTACHMENT: Exhibit A: Site Plan
ATTACHMENT: Justification Letter
ATTACHMENT: Filed Summary Plat
ATTACHMENT: (Current Ordinance) 06-57 O-63
ATTACHMENT: Loma Colorado Redevelopment Plan
ATTACHMENT: Reproduction of Notices, Legal.pdf
ATTACHMENT: Public Comment_McCabe, Daniel
ATTACHMENT: Public Comment_Joiner,Cody
ATTACHMENT: Draft Ordinance_BMB_.doc
ATTACHMENT: Reviewer Comments

821 LOMA COLORADO BLVD NE
ZONE MAP AMENDMENT &
RIGHT-OF-WAY VACATION



City of Vision

0 65 130 260 390 520 Feet

Subject Property
Noticed Abutting Properties
Roads
Zoning
R-1
SU

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:Tim Dvorak on 1/26/2024

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: MICHAEL McDERMOTT			Phone: 505 514 9143
Address: 801 Loma Colorado Blvd,			E-Mail: mcdermottbaseball@gmail.com
City: Rio Rancho,	State: NM		Zip: 87124
Proprietary Interest:	List Owners:		
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)	

Agent Name: McCLAIN+YU Architecture & Design (Kristina Yu, or Michael Rospopo)			Phone: 505 266 2142
Address: 2010 RIDGECREST DR. SE			E-Mail: kristina@mcclain-yu.com
City: Albuquerque,	State: NM		ZIP Code: 87108

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

This is an application to establish the known boundaries and responsibilities for the project of the new MAC center project on the site of 801 Loma Colorado Blvd.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : LOMA COLORADO	Block(s):	Lot(s): P1C
Existing Zoning: SU	Proposed Zoning:	
No. of existing lots:	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

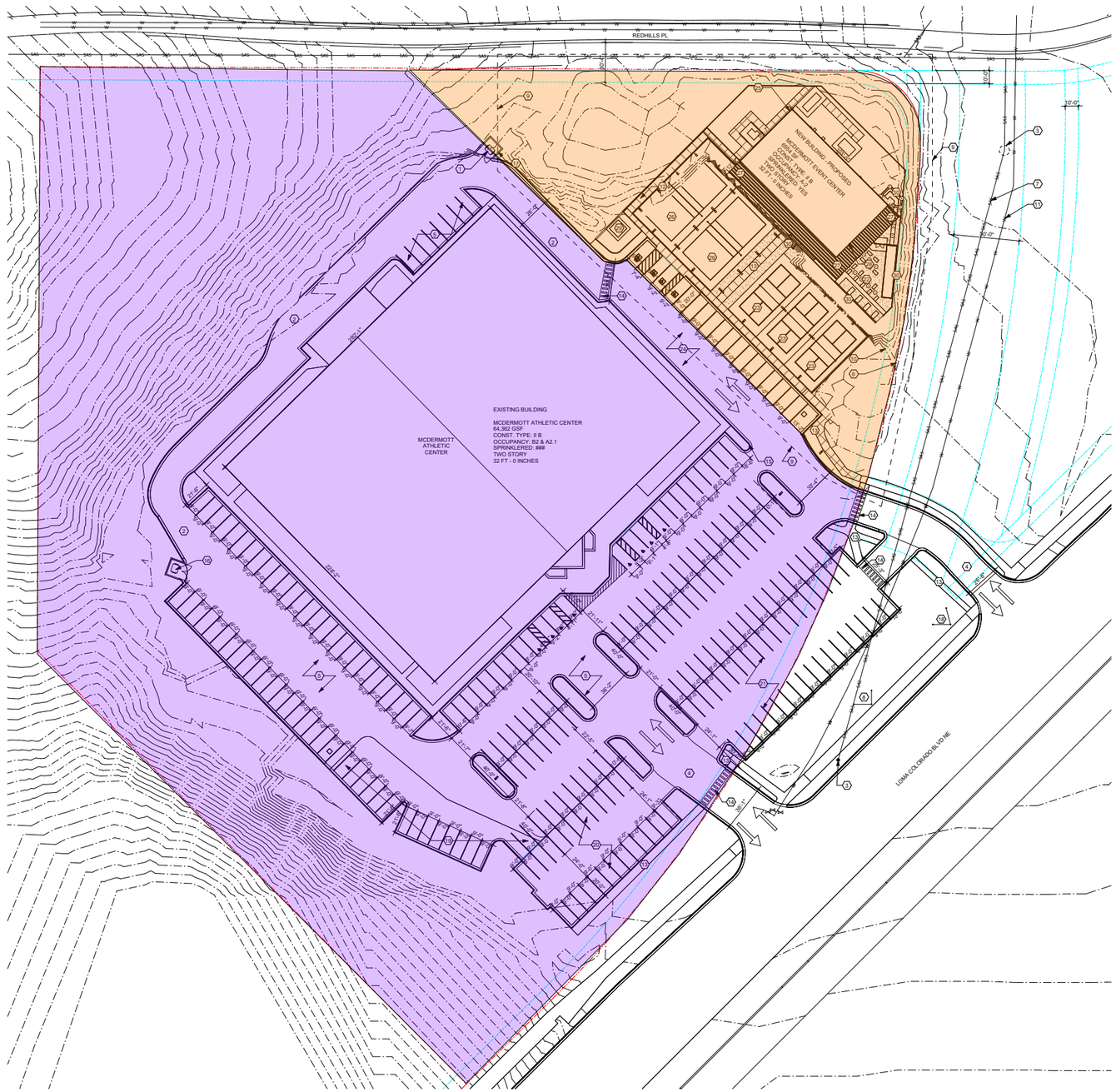
I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: MICHAEL McDERMOTT	Applicant: MICHAEL McDERMOTT	Agent:
Signature:		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:** _____



A1 SITE PLAN
1/32" = 1'-0"

0' 20' 40' 80' 160'

GENERAL SHEET NOTES

PLAT

MAC

EVENT

SHEET KEYNOTES

1 EXISTING DUMPSTER - RELOCATED FROM SOUTH
2 EXISTING FIRE LANE TO REMAIN
3 EXISTING MANHOLE TO REMAIN
4 EXISTING PAVED ENTRY TO REMAIN
5 EXISTING PAVED PARKING TO REMAIN
6 EXISTING PROPERTY LINE
7 EXISTING SAS LINE TO REMAIN
8 EXISTING SEASONAL SIGNAGE - RELOCATED
9 EXISTING TOPOGRAPHY, EASEMENTS & PROPERTY LINES TO BE VERIFIED WITH REQUESTED SURVEY
10 EXISTING UTILITY EASEMENT
11 EXISTING WATER LINE TO REMAIN
12 NEW CONCRETE INCLINED WALK WAY, SLOPE NOT TO EXCEED 1:20
13 NEW CONCRETE SIDEWALK
14 NEW CROSSWALK STRIPING
15 NEW CURB AND LANDSCAPING
16 NEW DUMPSTER & ENCLOSURE
17 NEW ENCLOSURE
18 NEW ENTRY SIGNAGE
19 NEW ASPHALT PARKING LOT - 16 SPACES
20 NEW BASE COURSE PARKING LOT - 26 SPACES
21 NEW BASE COURSE PARKING LOT - 39 SPACES
22 NEW OUTDOOR COURTYARD
23 NEW PICKLEBALL COURT
24 NEW RESTRIPPING OF EXISTING PARKING
25 NEW ROOF BOUNDARY
26 NEW SAND VOLLEYBALL COURT
27 NEW ROOF OVERHANG
28 NEW BUILDING ENCLOSURE
29 NEW PNM TRANSFORMER
30 NEW SHADE STRUCTURE

PARKING CALCULATION
CITY CRD (18-20) 154.76
1 SPACE / 4 SEATS OR 1 SPACE / 100 SF; WHICHEVER IS GREATER

EXISTING - MACDERMOTT ATHLETIC CENTER (MAC)
EXISTING PARKING = 195 SPACES

NEW EVENT CENTER
143 SEATS / 4 SEATS = 35.75 < 6554 GFS / 100 SF = 65.54 = 66

TOTAL PARKING SPACES REQUIRED
MAC = 195 SPACES
EVENT = 66 SPACES
TOTAL = 261 SPACES

TOTAL PARKING SPACES PROVIDED
MAC = 195 SPACES
EVENT = 73 SPACES
TOTAL = 268 SPACES



McCLAIN + YU
ARCHITECTURE & DESIGN

McClain + Yu Architecture & Design
2010 Ridgecrest Dr SE
Albuquerque, NM 87108
505.266.2142
info@mcclain-yu.com
www.mcclain-yu.com

CONSULTANTS

PROJECT
MCDERMOTT EVENT CENTER

OWNER
MCDERMOTT

ADDRESS
801 LOMA COLORADO DR NE, RIO RANCHO, NM 87124

PROJECT STATUS
DRB

DATE	NO.	DESCRIPTION

Date	01/11/2024
Project Number	2019-021
Project File	
Drawn By	MR
Checked By	KY

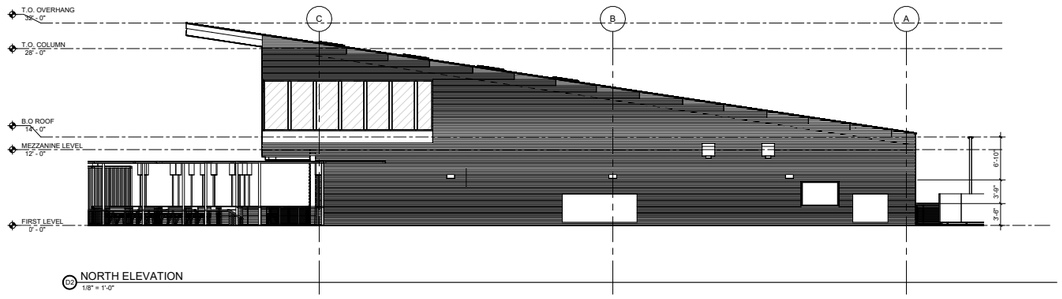
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MCCLAIN + YU ARCHITECTURE AND DESIGN

SHEET TITLE
SITE PLAN

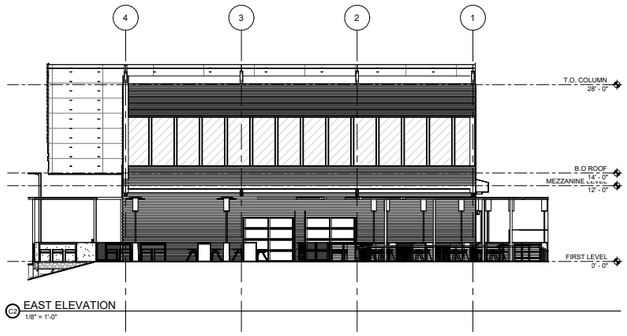
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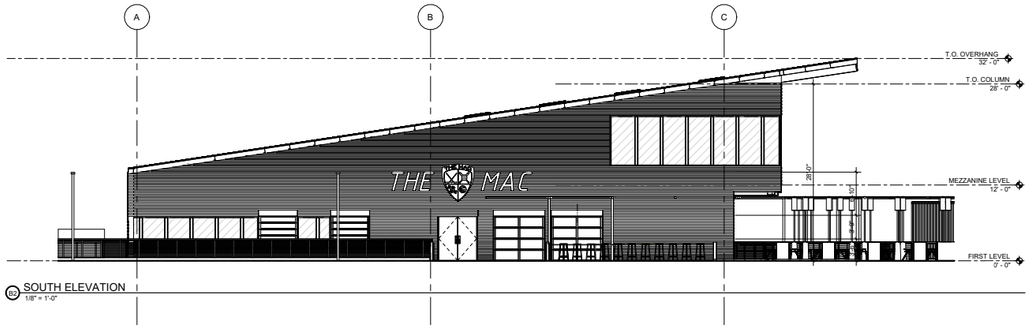
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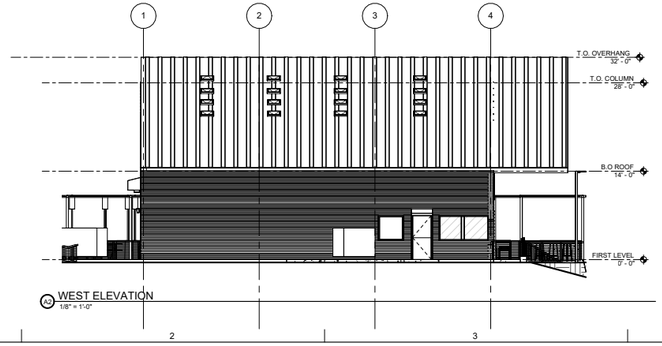
07 NORTH ELEVATION
1/8" = 1'-0"



08 EAST ELEVATION
1/8" = 1'-0"



09 SOUTH ELEVATION
1/8" = 1'-0"



10 WEST ELEVATION
1/8" = 1'-0"

McClain + Yu Architecture & Design
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Albuquerque, NM 87108
505.266.2142
info@mcclain-yu.com
www.mcclain-yu.com

CONSULTANTS

PROJECT

MCDERMOTT EVENT CENTER

OWNER

MCDERMOTT

ADDRESS

801 LOMA COLORADO DR NE, RIO RANCHO, NM 87124

PROJECT STATUS

DRB

DATE	NO.	DESCRIPTION

Date	01/11/2024
Project Number	2019-021
Project File	
Drawn By	MR
Checked By	KY

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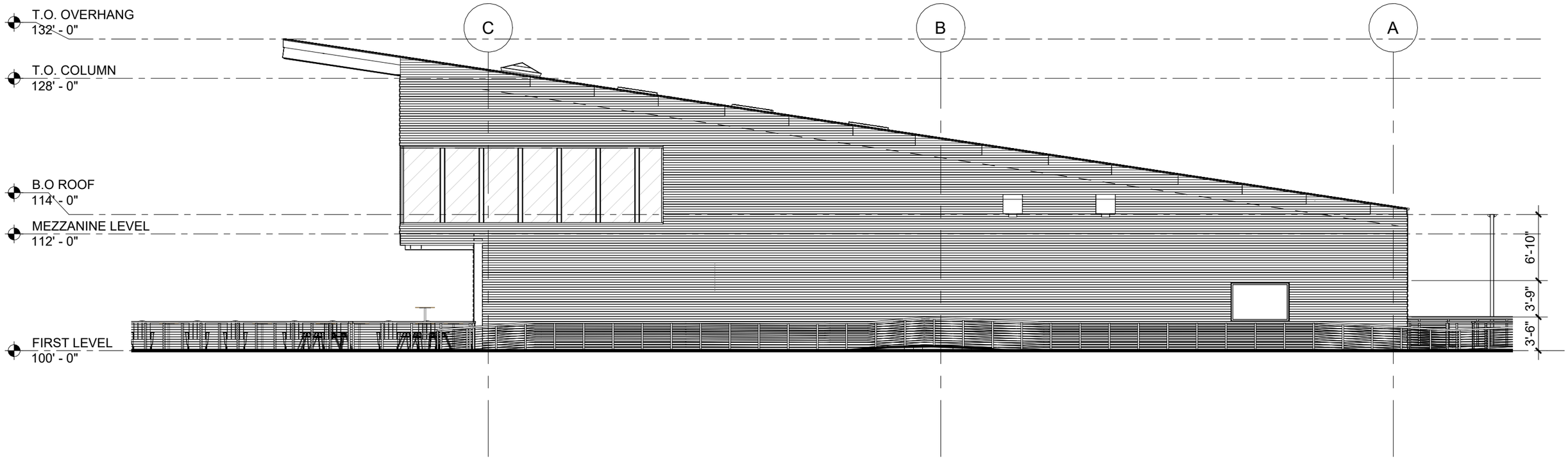
SHEET TITLE

ELEVATIONS - EXTERIOR

SHEET

A-201

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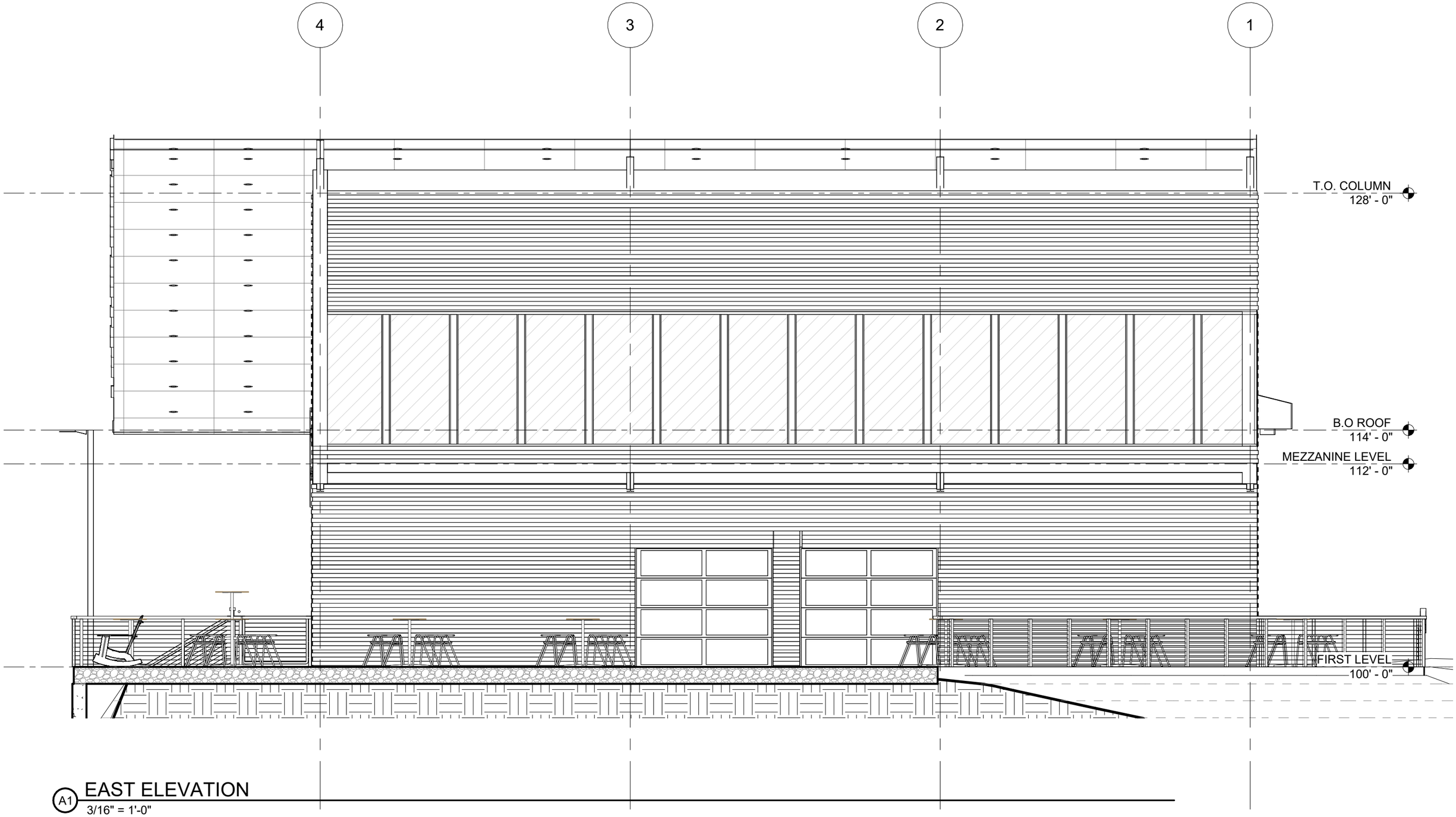
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1" = 10'-0"

11/17/2023 10:45:31 AM

ELEVATIONS - NORTH

MCDERMOTT EVENT CENTER

McCLAIN + YU
ARCHITECTURE & DESIGN



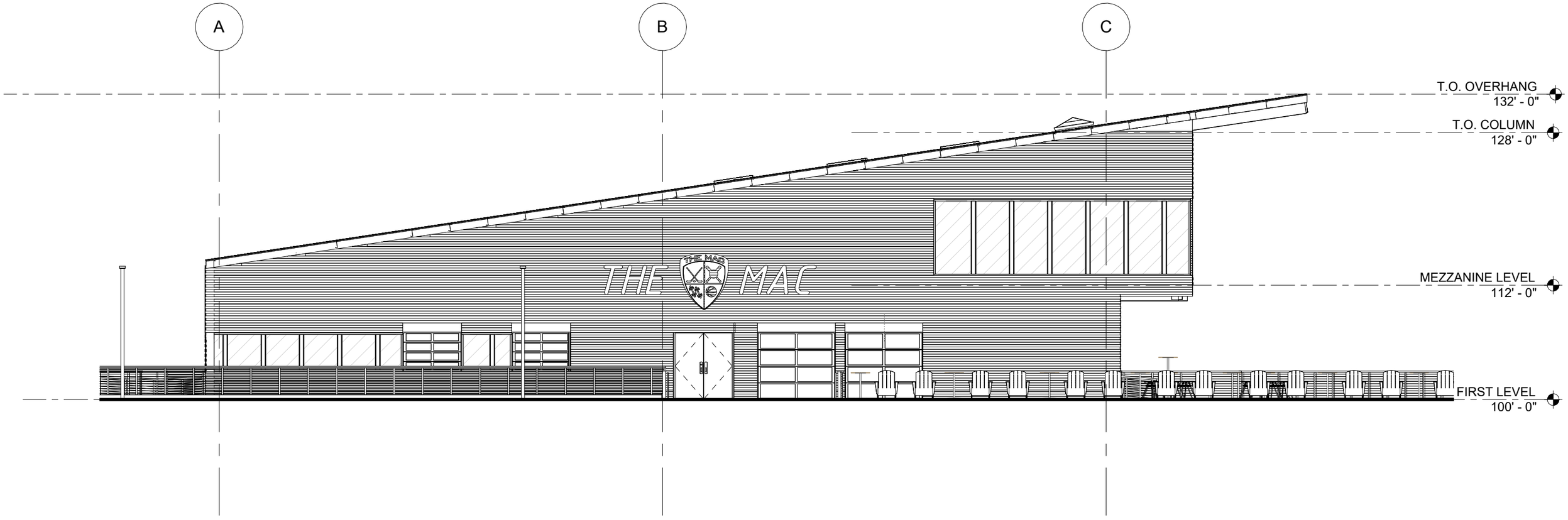
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3/16" = 1'-0"

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ELEVATIONS - EAST

MCDERMOTT EVENT CENTER

McCLAIN + YU
ARCHITECTURE & DESIGN



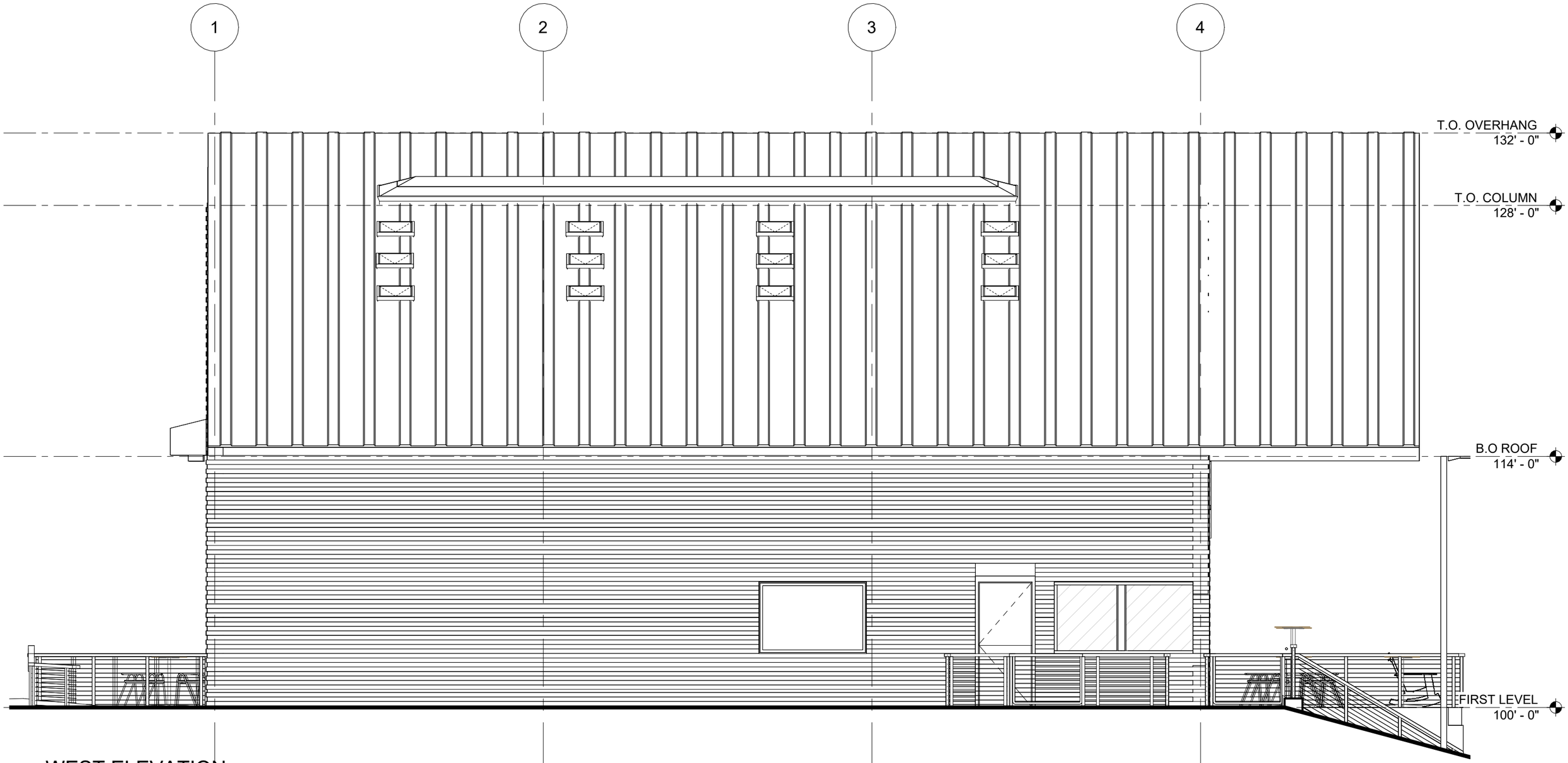
A1 SOUTH ELEVATION
1" = 10'-0"

11/17/2023 10:45:42 AM

ELEVATIONS - SOUTH

MCDERMOTT EVENT CENTER

McCLAIN + YU
ARCHITECTURE & DESIGN



A1 WEST ELEVATION
3/16" = 1'-0"

11/17/2023 10:45:19 AM

ELEVATIONS - WEST

MCDERMOTT EVENT CENTER

McCLAIN + YU
ARCHITECTURE & DESIGN

CITY OF RIO RANCHO

ORDINANCE NO. 71 **ENACTMENT NO. 94-069**

AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP; TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY DESCRIBED AS UNIT 13, TRACT P CONSISTING OF 161.664 ACRES FROM R-1/SINGLE FAMILY RESIDENTIAL TO SU/SPECIAL USE FOR EDUCATIONAL, RECREATIONAL, AND CULTURAL USES.

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

Section 1. PURPOSE: To change the zoning designation for the property described as Unit 13, Tract P consisting of 161.664 acres from R-1/Single Family Residential to SU/Special Use for Educational, Recreational, and Cultural Uses.

Section 2. RESTRICTIONS:

1. Development plan approval shall be given by the Governing Body pursuant to a review by the Planning and Zoning Commission for any and all specific projects.

ADOPTED THIS 28TH DAY OF DECEMBER, 1994.

Thomas E. Swisstack

Thomas E. Swisstack, Mayor

12/30/94

Date

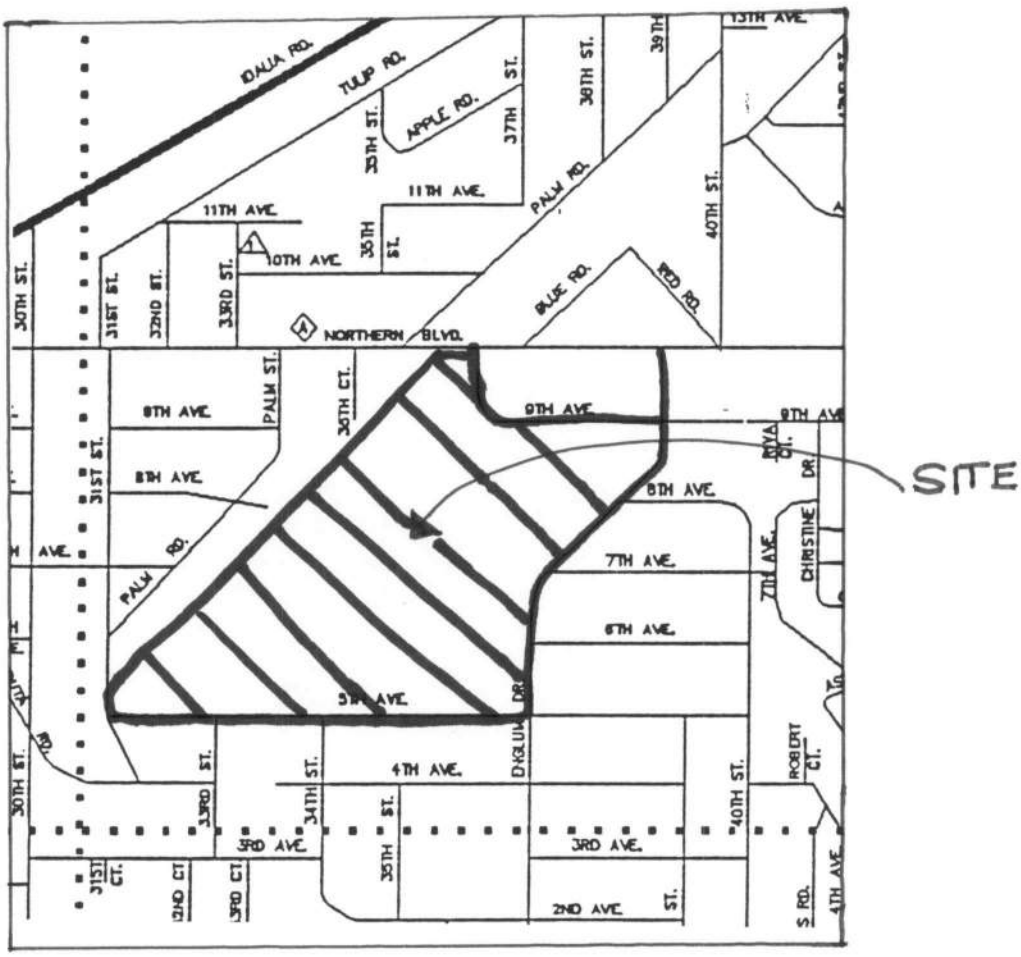
ATTEST:

Tina Gonzales

Tina Gonzales, City Clerk

(SEAL)

CODIFIED
12/94


IDAHO RD.
TULIP RD.
APPLE RD.
35TH ST.
37TH ST.
38TH ST.
39TH
13TH AVE.
11TH AVE.
11TH AVE.
10TH AVE.
35TH ST.
PALM RD.
40TH ST.
BLUE RD.
RED RD.
30TH ST.
31ST ST.
32ND ST.
33RD ST.
NORTHERN BLVD.
8TH AVE.
PALM ST.
36TH CT.
9TH AVE.
9TH AVE
8TH AVE.
31ST ST.
8TH AVE.
SITE
PALM RD.
7TH AVE.
7TH AVE.
CHRISTINE DR.
6TH AVE.
5TH AVE.
30TH ST.
4TH AVE.
34TH ST.
35TH ST.
40TH ST.
ROBERT CT.
3RD AVE.
3RD AVE.
2ND AVE.
S RD.
4TH AVE.
31ST CT.
2ND CT
3RD CT

CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM RE: O-71

DEPARTMENT: City Development **AGENDA DATE:** 12/28/94

SUBJECT: **Zone Map Ordinance**

Purpose:	To change the zoning designation from R-1/Single Family Residential to SU/Special Use for Educational, Recreational, and Cultural Uses **(Attachment I)**.
Property:	Unit 13, Tract P **(Attachment II)**.
Location:	Just south of Northern Boulevard, between 31st Street and Englum Drive NE.
Applicant:	City of Rio Rancho

BACKGROUND AND ANALYSIS:

The applicant, the City of Rio Rancho, is the owner of the property **(Attachment III)**. The subject property is currently zoned R-1/Single Family Residential and was established when the City incorporated in 1981. The zone map amendment request has been prepared pursuant to a request for a performing arts center and other land uses related to education and recreation.

DEPARTMENT AND/OR ADVISORY COMMITTEE RECOMMENDATION:

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

At their meeting of November 29, 1994, the Planning and Zoning Commission voted unanimously to recommend **APPROVAL** of the proposed Zone Map Amendment **(attachment VIII)**.

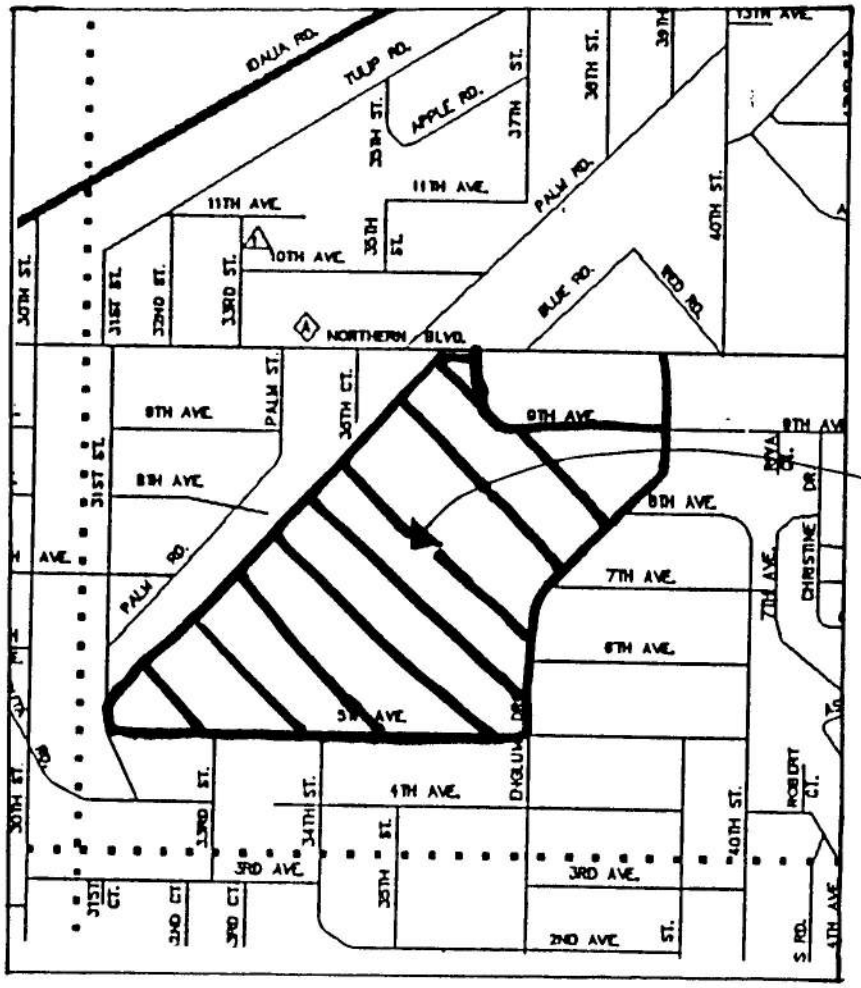
DEPARTMENT DIRECTOR: Art Cousins

CITY ADMINISTRATOR: [signature] 12/16/94

Attachment(s):

Attachment I:	Zone Map Ordinance
Attachment II:	Location Map/Site Map
Attachment III:	Warranty Deed
Attachment IV:	Unit 13 Metropolitan Redevelopment Plan (94-100)
Attachment V:	Unit 13 Study of Blighted Conditions Resolution (94-129)
Attachment VI:	Staff Report
Attachment VII:	Development Order
Attachment VIII:	Minutes; P & ZC meeting of November 29, 1994

RECEIVED
DEC 16 1994
CITY CLERKS OFFICE


DALIA RD.
TULIP RD.
APPLE RD.
35TH ST.
37TH ST.
38TH ST.
39TH
11TH AVE.
10TH AVE.
35TH ST.
PALM RD.
40TH ST.
BLUE RD.
RED RD.
30TH ST.
31ST ST.
32ND ST.
33RD ST.
NORTHERN BLVD.
8TH AVE.
PALM ST.
35TH CT.
9TH AVE.
7TH AVE.
6TH AVE.
5TH AVE.
4TH AVE.
3RD AVE.
2ND AVE.
CHRISTINE DR.
ROBERT CT.
S RD.
SITE

SPECIAL WARRANTY DEED 33515

UNITED NEW MEXICO TRUST COMPANY, a New Mexico corporation, as Trustee under a certain Trust Agreement dated May 2, 1989, as amended for consideration paid, grant s to CITY OF RIO RANCHO, a municipal corporation

whose address is 3900 Southern Blvd., S.E., Rio Rancho, New Mexico 87124

the following described real estate in Sandoval County, New Mexico:

Tract lettered "P" of Unit numbered Thirteen (13), as the same is shown and designated on the plat entitled "TRACT P, BLOCKS 91 THRU 116, UNIT THIRTEEN, RIO RANCHO ESTATES, TOWN OF ALAMEDA GRANT, SANDOVAL COUNTY, NEW MEXICO", filed in the office of the County Clerk of Sandoval County, New Mexico on May 12, 1969, in Rio Rancho Estates Plat Book No. 1, page 87, and containing 161.66 acres more or less.

SUBJECT TO: Taxes for the year 1994 and subsequent years, patent reservations, restrictive covenants, easements and rights-of-way of record, applicable zoning regulations and requirements, mineral reservations, Memorandum of Lease dated December 29, 1993 and all other matters of record.

with special warranty covenants.

WITNESS my hand and seal this 25th day of February, 1994.

(Seal) UNITED NEW MEXICO TRUST COMPANY

(Seal) By: Teresa L. DeMenge (Seal)
Teresa L. DeMenge,
Assistant Trust Officer

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO
COUNTY OF _____ } ss.
This instrument was acknowledged before me on _____, 19____,
by _____
(name(s) of person(s))

My commission expires:
(Seal)

_____
Notary Public

FOR RECORDER'S USE ONLY
STATE OF NEW MEXICO
COUNTY OF SANDOVAL } ss
This instrument was filed for record on
AT: 11:10 FEB 2 8 1994 A.M. P.M.
Recorded in Vol. AR197 of records of said county, folio 62
Sally Padilla, Clerk & Recorder
By: _____ Deputy

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO
COUNTY OF Bernalillo } ss.
SANDOVAL

This instrument was acknowledged before me on February 25, 1994
(date)
by Teresa L. DeMenge
(Name of Officer)
Assistant Trust Officer of United New Mexico Trust Company
(Title of Officer) (Name of Corporation, Association, or Partnership)
a New Mexico corporation, on behalf of said corporation.

My commission expires:
(Seal)

_____
Notary Public

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CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 100 **ENACTMENT NO. 94-100**

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AUTHORIZING AND DIRECTING THE CITY OF RIO RANCHO TO PREPARE A METROPOLITAN REDEVELOPMENT PLAN FOR THE UNIT NO. 13 MULTIPLE USE FACILITY PROJECT METROPOLITAN REDEVELOPMENT AREA, AND REPEALING RESOLUTION NO. 81, ENACTMENT NO. 94-080.

WHEREAS: Section 3-60A-8 of the Metropolitan Redevelopment Code of the State of New Mexico (Sections 3-60A-1 through 3-60A-48 NMSA (the "Code") states:

"A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body has by resolution determined the area to be a slum or a blighted area or a combination thereof and designated the area as appropriate for a metropolitan redevelopment project..."; and

WHEREAS: A study has been conducted for use by the Governing Body of the City of Rio Rancho (the "City") concerning the status of the proposed Unit No. 13 Multiple Use Facility Project metropolitan redevelopment area (the "Redevelopment Area") and the current impediments to development of the Redevelopment Area, and the findings and conclusions of that study are set forth in the report attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS: On June 29, 1994, the Governing Body considered and adopted Resolution No. 81, Enactment No. 94-080, which due to a notice defect is hereby subject to repeal; and

WHEREAS: Pursuant to Section 3-60A-8 of the Code, the City has caused to be published on July 20, and 27, 1994, in The Observer a newspaper of general circulation in the City, the area of operation (as defined in the Code) and the Redevelopment Area, a notice containing a general description of the Redevelopment Area and the date, time and place where the Governing Body will hold a public hearing to consider the adoption of this resolution, and reciting that any interested party may appear and speak to the issue of the adoption of this resolution; and

WHEREAS: The Governing Body met on this August 24, 1994, at the time and place designated in said notice, to hear and consider all comments of all interested parties on the issue of the adoption of this resolution; and

WHEREAS: The Governing Body has considered the findings and conclusions set forth in **Exhibit A**, attached hereto, and all comments made at the public hearing concerning the Redevelopment Area, which are set forth in **Exhibit B**, attached hereto and incorporated herein by this reference.

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

Section 1. The Governing Body hereby finds and determines that there exists in the Redevelopment Area the predominance of a defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, diversity of ownership, an improper subdivision of property and/or obsolete or impractical planning and platting, which conditions substantially impair or arrest the sound growth and economic health and well being of the Redevelopment Area and/or the City, and/or constitute an economic or social burden and are a menace to public health, safety, morals or welfare in the Redevelopment Area's present condition and use; and that the Redevelopment Area is therefore a blighted area within the meaning of the Code and is an appropriate area for one or more metropolitan redevelopment projects.

Section 2. The Governing Body hereby finds that the rehabilitation, conservation, development and/or redevelopment of and in the proposed Redevelopment Area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City and therefore will serve a valid public purpose.

Section 3. The City is hereby authorized and directed to prepare or to cause to be prepared a detailed metropolitan redevelopment plan in accordance with Section 3-60A-9 of the Code for the Redevelopment Area which, without limitation shall seek to eliminate or prevent the problems created by the blighted area, shall conform to any general plan for the City as a whole, and shall be sufficient to indicate the proposed activities to be carried out or encouraged in the blighted area and the plan's relationship to definite local objectives respecting land uses, improved traffic patterns and controls, public transportation, public utilities, recreational and community facilities, housing facilities, commercial activities or enterprises, industrial or manufacturing uses, and other public improvements.

Section 4. This resolution hereby repeals Resolution No. 81, Enactment No. 94-080.

APPROVED AND ADOPTED THIS 24TH DAY OF AUGUST, 1994.

Thomas E. Swisstack

Thomas E. Swisstack, Mayor

8/25/94

Date

ATTEST:

Tina Gonzales

Tina Gonzales, City Clerk

August 26, 1994

Date

(SEAL)

CITY OF RIO RANCHO

RESOLUTION NO. 129 **ENACTMENT NO. 94-129**

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND APPROVING A METROPOLITAN REDEVELOPMENT PLAN FOR THE UNIT NO. 13 MULTIPLE USE FACILITY PROJECT METROPOLITAN REDEVELOPMENT AREA

WHEREAS: The Governing Body of the City of Rio Rancho (the "Governing Body") passed a resolution on June 29, 1994, finding an area within Unit #13 of the City of Rio Rancho (the "City") to be blighted as that term is defined under the Metropolitan Redevelopment Code of the State of New Mexico, Sections 3-60A-1 through 3-60A-48 NMSA 1978, as amended (the "Code"); and

WHEREAS: The Governing Body has directed the City to prepare a Metropolitan Redevelopment Plan (the "Plan") for the redevelopment of the area found to be blighted (the "Plan Area"); and

WHEREAS: Pursuant to Section 3-60A-9 of the Code, the Mayor of Rio Rancho held a public meeting on September 29, 1994, to solicit public comment on the proposed Plan; and

WHEREAS: Section 3-60A-9(C) of the Code states that a local governing body may approve a metropolitan redevelopment plan if it finds that the plan will aid in the elimination or prevention of blight, that adequate provisions have been made for housing of displaced persons, that the Plan conforms to the general plan for the municipality as a whole, and that the plan affords maximum opportunity for redevelopment by private enterprise; and

WHEREAS: The City has, pursuant to Section 3-60A-9(B) of the Code, sent letters to the owners of property within the Plan Area, informing them of the time, date, place and purpose of a hearing to consider approval of the Plan, identifying the Plan Area, outlining the general scope of the metropolitan redevelopment project proposed for the Plan Area under the Plan, and informing the property owners that comments on the Plan could be made in writing or at the hearing; and

WHEREAS: Pursuant to Section 3-60A-9(B) of the Code, the City has caused to be published on October 26, 1994 and November 2, 1994 in The Observer newspaper of general circulation in the City, a notice containing a general description of the Plan Area and the date, time and place where the Governing Body would hold a public meeting to consider the adoption of a resolution approving the Plan, and reciting that any interested party may appear and speak to the issue of the approval of the Plan; and

WHEREAS: The Governing Body met on this November 9, 1994, at the time and place designated in said notice and in the letters sent to property owners, to hear and consider all comments of all interested parties on the issue of the approval of the Plan; and

WHEREAS: The Governing Body has reviewed and considered the Plan as prepared by the City, attached hereto as Exhibit A, and incorporated herein by this reference; and

WHEREAS: The Governing Body has considered all comments made at the public meeting concerning the Plan, which are set forth in Exhibit B, attached hereto and incorporated herein by this reference.

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

1. The Governing Body hereby finds and determines that:
   (a) the proposed activities under the Plan will aid in the elimination or prevention of slum or blight, or the conditions which lead to the development of slum or blight;
   (b) a feasible method is included in the Plan to provide individuals and families who occupy residential dwellings in the Plan Area, and who may be displaced by the proposed activities, with decent, safe and sanitary dwelling accommodations within their means and without due hardship to such individuals and families (be it noted, however, that no persons currently occupy residential dwellings within the Plan Area);
   (c) the Plan conforms to the general plan for the municipality as a whole;
   (d) the Plan offers maximum opportunity consistent with the needs of the community for the rehabilitation or redevelopment of the areas by private enterprise or persons, and the objectives of the Plan justify the proposed activities as public purposes and needs.

2. The Plan, as attached hereto as Exhibit A and incorporated herein by this reference, is hereby approved.

3. The Mayor, City Administrator and other appropriate officers of the City are hereby authorized and directed to develop a Request for Proposals to solicit proposals from private developers for the redevelopment of a part or all of the Plan Area, and to take any other action necessary to carry out the purposes of the Plan as hereby approved by the Governing Body.

ADOPTED THIS 9TH DAY OF NOVEMBER, 1994.

Joseph Córdova

Joseph Cordova, Deputy Mayor

11-14-94

Date

ATTEST:

Tina Gonzales

Tina Gonzales, City Clerk

(SEAL)

November 14, 1994

Date

Attachment VI

RIO RANCHO CITY DEVELOPMENT DEPARTMENT
ZONE MAP AMENDMENT
STAFF REPORT

Date:	November 29, 1994
Property Owner:	City of Rio Rancho
Applicant/Agent:	Same as above
Present Zone:	R-1/Single Family Residential
Proposed Zone:	SU/Special Use for Educational, Recreational, and Cultural Uses
Property:	Unit 13, Tract P

I. STAFF RECOMMENDATION

The applicant, the City of Rio Rancho, is the owner of the property. The site is currently zoned R-1/Single Family Residential and was established when the City incorporated in 1981. This request has been prepared pursuant to a request for a performint arts center and other land uses related to education and recreation.

In order to ensure quality development, staff is requiring a development plan be reviewed and approved for any and all specific projects on the property.

The City Development Department recommends **APPROVAL** of this Zone Map Amendment as per the attached Draft Ordinance and with the following condition:

1. Development plan approval shall be given by the Governing Body pursuant to a review by the Planning and Zoning Commission.

II. FINDINGS OF FACT

A. Application Information:
Site is located on the south of Northern Boulevard, between 31st Street and Englum Drive NE.

B. Access: Access via Northern, 37th, 9th, Englum and or 5th Streets.

C. Utilities/Infrastructure: Are not currently available on site, however are in the area and are planned to be extended.

D. Land Use:

- North: Undeveloped property/ City Well/Landfill site
- South: Undeveloped property
- East: Undeveloped property/Vista Hills West Subdivision
- West: Undeveloped property

E. Zoning:

- North: R-1/Single Family/M-1-Light Industrial/SU-Landfill
- South: R-1/Single Family Residential
- East: R-1/Single Family Residential
- West: R-1/Single Family/AR-Agricultural Residential

F. Slope: Predominately flat.
G. Acreage: 161.664 acres.
H. Drainage: Not unusual.

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

A. Conformance to Comprehensive Plan:

Goal C: states "Provide a wide variety of educational, cultural, and recreational opportunities available to all citizens".

1. Objective (4.3C4) states, "Promote and develop a cultural center of regional significance, providing facilities for activities such as conferences, concerts, theater productions, exhibitions, and recreational uses.
   FINDING: The development proposed includes a cultural center. **CONFORMS**

2. Objective (4.3C7) states, "Seek to develop facilities for regional events such as a Balloon Fiesta, Major sports or athletic activities, fairgrounds, or outdoor amphitheater productions.
   FINDING: The development proposed includes a recreational facility. **CONFORMS**

3. Objective (4.3C8) states, "Encourage the joint use of facilities to expand the availability of education and recreation programs.
   FINDING: The development proposed includes educational and recreational facilities. **CONFORMS**

B. Conformance to Zoning Ordinance: N/A.
C. Conformance to Other Adopted Plans for the Area: Unit 13 Metropolitan Redevelopment Plan (94-100) and Study of Blighting Conditions (94-129). **CONFORMS.**
D. Conformance to Policies and Regulations: N/A

Attachment VII

CITY OF RIO RANCHO
CITY DEVELOPMENT DEPARTMENT
Development Order #__

DATE: November 29, 1994 **APPLICATION No.:**ZMA1129945

APPLICANT: City of Rio Rancho
OWNER: Same as above.

APPLICATION DESCRIPTION: Zone Map Amendment for the purpose of changing the zoning designation of the property legally described as Unit 13, Tract P from R-1/Single Family Residential to SU/Special Use for Educational, Recreational, and Cultural Uses.

KEY ISSUE:

1. Rezoning of property to SU/Special Use for Educational, Recreational, and Cultural Uses.

DATE OF P&Z MEETING(S): November 29, 1994

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL

DATE OF GOVERNING BODY MEETING(S): December 28, 1994

GOVERNING BODY DECISION:

APPROVED THIS _____ DAY OF _____,1994

_____
Harold Donovan, City Administrator

_____
Applicant

u13su.dev

J. **ZONE MAP ORDINANCE.** Applicant requests a zone change from R-1/Single Family Residential to SU/Special Use for Educational, Recreational, and Cultural uses, for the property known by legal description as Unit 13, Block P; Applicant: City of Rio Rancho.

Mr. Corsie, City Development, greeted the Commission and stated the purpose of this change was prepared pursuant to a request for a performing arts center and other land uses related to education and recreation.

PZC112994J: Commissioner Cunningham recommended a zone change from R-1/Single Family Residential to SU/Special Use for Educational, Recreational, and Cultural uses, for the property known by legal description as Unit 13, Block P; Applicant: City of Rio Rancho.
Commissioner Blomberg seconded the recommendation.

PZC112994J: Approved: 6-0

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

SITE PLAN PROCESS and CHECKLIST for Applications requiring a Site Plan

- **A Site Plan must be provided on 11" x 17" paper, and shall include the following information:**
  - Bar scale
  - North arrow
  - Vicinity map
  - Lot boundaries and easements
  - Existing and proposed utilities
  - Existing and proposed rights-or-way
  - Proposed structures with uses, dimensions, and setbacks
  - Proposed ingress, egress, parking, and circulation
  - Landscaping and landscape buffers
  - Elevations
  - Adjacent property characteristics
  - Preliminary drainage plan

CONDITIONAL USE:

- One (1) Copy of completed application form, supporting documentation and applicable fee
- Owner verification letter, if applicable
- Provide a letter detailing the scope of work to include all business activity, hours of operation, number of employees, etc.
- **A Site Plan must be provided on 11" x 17" paper, and shall include the following information:**
  - North arrow
  - Location of building(s) in relation to property lines (provide dimensions)
  - Identify adjoining property and abutting streets
  - Graphic illustration to reflect any dimension restrictions (height & setback)
  - Additional illustrations to detail specifics related to your request

SPECIAL USE:

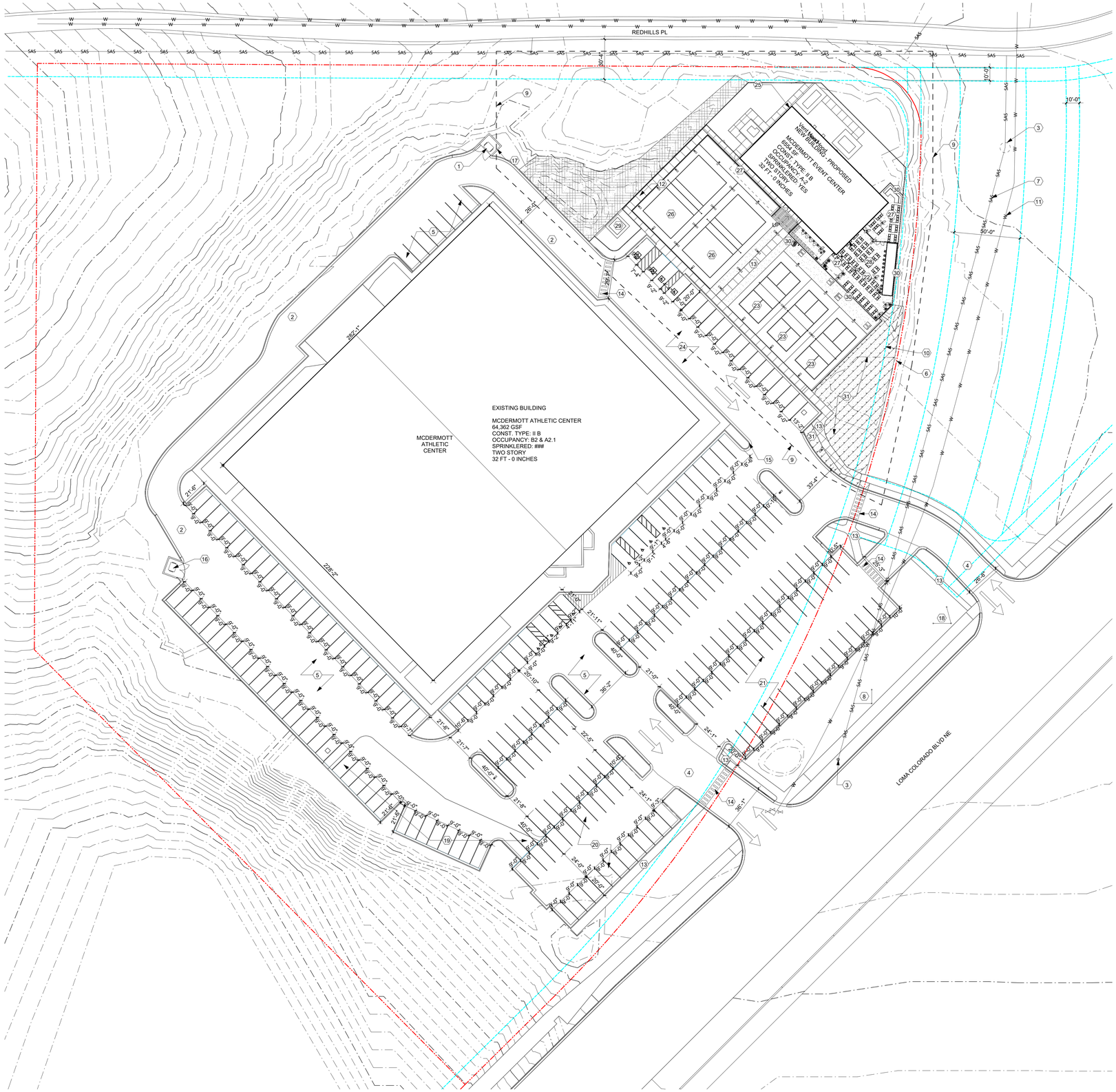
- One (1) Copy of completed application form, supporting documentation and applicable fee
- Owner verification letter, if applicable
- A Water and Wastewater Availability Letter, if applicable
- A written statement of justification [Title XV – Land Usage, Chapter 150 – General Provisions]
  - A rezoning must be consistent with the health, safety, morals, and general welfare of the City
  - The applicant for a rezoning must provide a sound justification for the rezoning, with the burden of proof being on the applicant to show why the rezoning should be made
  - The proposal shall generally be consistent with the City's Comprehensive Plan
  - The applicant must demonstrate that the existing zoning is inappropriate because:
    a. There is an error, mistake, or it is necessary to correct an injustice that occurred when the existing zoning map pattern was created
    b. Changed neighborhood or community conditions justify a rezoning
    c. A different zoning district is more advantageous to the community
  - The cost of land or other economic conditions shall not be a determining factor for approval of a rezoning
  - Location of collector and arterial streets isn't sufficient justification for a rezoning
  - Spot zoning (the rezoning of one parcel) may be approved when:
    d. The rezoning will clearly facilitate the City's Comprehensive Plan
    e. The parcel being rezoned is different from surrounding land because it could function as a transition zone

Rio Rancho
City of Vision

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005 / Fax (505) 896-8994 / rrnm.gov

Schedule of Fees

MASTER PLAN and SUB-PLAN Includes amendments to:	**FEES**
System & Facility Plan (Level 2) & Area Plan (Level 3)	$400
Redevelopment Plan & Specific Area Plan	$400
Comprehensive Plan	$400
SITE DEVELOPMENT PLANS	
Site Development Plan	$266
ZONE MAP AMENDMENT	
Map Amendment < 1 acre	$266
Map Amendment 1 - 4.99 acres	$531
Map Amendment 5 - 9.99 acres	$797
Map Amendment 10 - 49.99 acres	$1,063
Map Amendment 50 - 100 acres	$1,328
Map Amendment > 100 acres	$1,328 + $266 per ea. additional 100 or portion thereof
Special Use (application to amend the site plan or signage)	$266
Zoning Certification Letters	$35
Zoning Interpretations	$67
Zoning Variance	$200
SUBDIVISION	
Summary Plat	$133 + $13 per lot
Preliminary Plat	
Less than 1 acre	$133 + $13 per lot
1 - 4.99 acres	$266 + $ 13 per lot
5 - 9.99 acres	$531 + $13 per lot
10 - 49.99 acres	$1,063 + 13 per lot
50 - 100 acres	$1,328 + 13 per lot
Over 100 acres	$1,328 + $266 per ea. additional 100 or portion + $13/lot thereafter
Final Plat	No Fee Required
Vacation of Plat	$266 + $13 per lot
Subdivision modification's/exceptions/Variance Application	$200
Subdivision Interpretations	$67
Street Name Change	$67 + 100% of mailings total cost & notification to be done by applicant
PLANNING & ZONING	
Annexation	$500
Appeal to Planning and Zoning Board	$67
Community Residential Care Facility	$67
Conditional Use	$67
Development Review Committee [DRC]	No Fee Required
Home Occupation	$67
Non-Conforming Use	$67
Ordinance Amendment	$200
Residential Child Care Facility 6 or <	$67
SIGN PERMIT	
Change of Face	$0
Illegally installed but not conforming to code	$92 or $5 per sf of largest sign face, whichever is greater
Master Sign Plan	$266
New Application	$46 or $2.50 per sf of face, whichever is greater
Off-Premise Advertising (Digital) Sign Use Permit	$300
Off-Premise Advertising (Digital) Sign Annual Review Fee	$200
Off-Premise Advertising (Directional) Sign Annual Review Fee	$100
Special Exception to the Sign Code	$266
Subdivision Directional Signs	$30 + $5 per sign
Temporary Signs in the Right-of-Way	$30 + $1 per sign
SPECIAL EVENTS	
Special Event Permit	$35
Special Event Permit (Youth Groups & City funded, organized or sponsored)	$0
MISCELLANEOUS SERVICES – Research	$67



A1 SITE PLAN
1/32" = 1'-0"

0' 20' 40' 80' 160'

GENERAL SHEET NOTES

LEGEND

- LANDSCAPE AREA
- PAVING
- EXISTING LANDSCAPE
- DRAINAGE POND / SWELL
- UTILITY - UNDERGROUND WATER LINE
- UTILITY - UNDERGROUND SAS LINE
- POTTED PLANTS

SHEET KEYNOTES

1 EXISTING DUMPSTER - RELOCATED FROM SOUTH
2 EXISTING FIRE LANE TO REMAIN
3 EXISTING MANHOLE TO REMAIN
4 EXISTING PAVED ENTRY TO REMAIN
5 EXISTING PAVED PARKING TO REMAIN
6 EXISTING PROPERTY LINE
7 EXISTING SAS LINE TO REMAIN
8 EXISTING SEASONAL SIGNAGE - RELOCATED
9 EXISTING TOPOGRAPHY, EASEMENTS & PROPERTY LINES TO BE VERIFIED WITH REQUESTED SURVEY
10 EXISTING UTILITY EASEMENT
11 EXISTING WATER LINE TO REMAIN
12 NEW CONCRETE INCLINED WALK WAY, SLOPE NOT TO EXCEED 1:20
13 NEW CONCRETE SIDEWALK
14 NEW CROSSWALK STRIPING
15 NEW CURB AND LANDSCAPING
16 NEW DUMPSTER & ENCLOSURE
17 NEW ENCLOSURE
18 NEW ENTRY SIGNAGE
19 NEW ASPHALT PARKING LOT - 16 SPACES
20 NEW BASE COURSE PARKING LOT - 26 SPACES
21 NEW BASE COURSE PARKING LOT - 39 SPACES
22 NEW OUTDOOR COURTYARD
23 NEW PICKLEBALL COURT
24 NEW RESTRIPPING OF EXISTING PARKING
25 NEW ROOF BOUNDARY
26 NEW SAND VOLLEYBALL COURT
27 NEW ROOF OVERHANG
28 NEW BUILDING ENCLOSURE
29 NEW PNM TRANSFORMER
30 NEW SHADE STRUCTURE
31 NEW LANDSCAPING

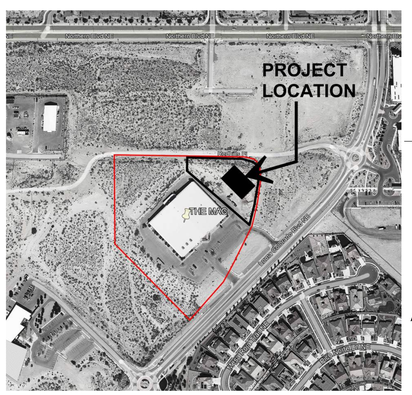
PARKING CALCULATION
CITY ORD (18-20) 154.76
1 SPACE / 4 SEATS OR 1 SPACE / 100 SF; WHICHEVER IS GREATER

EXISTING - MACDERMOTT ATHLETIC CENTER (MAC)
EXISTING PARKING = 195 SPACES

NEW EVENT CENTER
143 SEATS / 4 SEATS = 35.75 < 6554 GFS / 100 SF = 65.54 = 66

TOTAL PARKING SPACES REQUIRED
MAC = 195 SPACES
EVENT = 66 SPACES
TOTAL = 261 SPACES

TOTAL PARKING SPACES PROVIDED
MAC = 195 SPACES
EVENT = 73 SPACES
TOTAL = 268 SPACES



McClain + Yu Architecture & Design
2010 Ridgecrest Dr SE
Albuquerque, NM 87108
505.266.2142
info@mcclain-yu.com
www.mcclain-yu.com

CONSULTANTS

PROJECT
MCDERMOTT EVENT CENTER

OWNER
MCDERMOTT

ADDRESS
801 LOMA COLORADO DR NE, RIO RANCHO, NM 87124

PROJECT STATUS
50% CONSTRUCTION DOCUMENTS

DATE	NO	DESCRIPTION

Date	01/16/2024
Project Number	2019-021
Project File	
Drawn By	MR
Checked By	KY

Copyright ©
MCCLAIN + YU ARCHITECTURE AND DESIGN

SHEET TITLE
SITE PLAN

SHEET
AS-101

1/23/2024 12:08:03 PM C:\Users\Michael\Documents\MCDERMOTT EVENT CENTER_2022_studio042KHP8.rvt

FROM: Michael McDermott
McDermott Athletic Center
801 Loma Colorado Blvd. NE
Rio Rancho, NM
mcdermottbaseball@gmail.com
505 514 9143

Agent: Kristina Yu
McCLAIN+YU Architecture & Design
kristina@mcclain-yu.com
5055 266 2142

TO: Timothy Dvorak
City of Rio Rancho

Date: 01/24/2024

RE: Letter of Justification

The purpose of this letter is to provide a detailed explanation for the Variance requested to address § 150.07 of the Zoning Code for the property located at 821 Loma Colorado Blvd. NE in Rio Rancho, NM, which is owned by the McDermott Family.

The property owner requests a zone change from SU: Special Use for Educational, Recreational, and Cultural Uses to **SU: Special Use for Mixed Use.**

SU (Special Use, Restaurants, and Commercial Land Use), which is consistent with the City's health, safety, morals, and general welfare. The proposed change would allow for a restaurant and bar to be established on the property, which aligns with the zoning of adjacent properties designated for SU. This change aims to stabilize the land use and zoning in the area and create a vibrant commercial corridor along Loma Colorado on the North, Westerly side of the street. This is the same zoning designation as the north properties, including permissions for restaurants and other commercial land uses.

This proposed change is in keeping with the adopted elements of the Comprehensive Plan and City master plans, which aim to create a vibrant and sustainable community. The change is also consistent with the neighborhood's purposes, as it will bring unity and clarity to the goals of the Loma Colorado Blvd commercial activities.

It is important to note that the proposed change will not impinge upon the parking and use within the property and its neighbors. The change will also align with having family-friendly valued businesses that do not disturb the nearby residences. By allowing for a restaurant and bar to be established on the property, the area will become a more attractive destination for the community, which will help to further stabilize the land use and zoning in the area.

In conclusion, the proposed change to SU zoning will benefit the property owner and the community as a whole. It will allow for a restaurant and bar to be established on the property, creating a more family-friendly destination for the community along Loma Colorado Blvd.

Sincerely,

Michael McDermott

Michael McDermott / President
McDermott Athletic Center

2023P02042 05/10/2023 02:46:44 PM
PLAT Pg.1 of 2
Anne Brady-Romero Sandoval Cnty Clerk B: 3 P: 5046

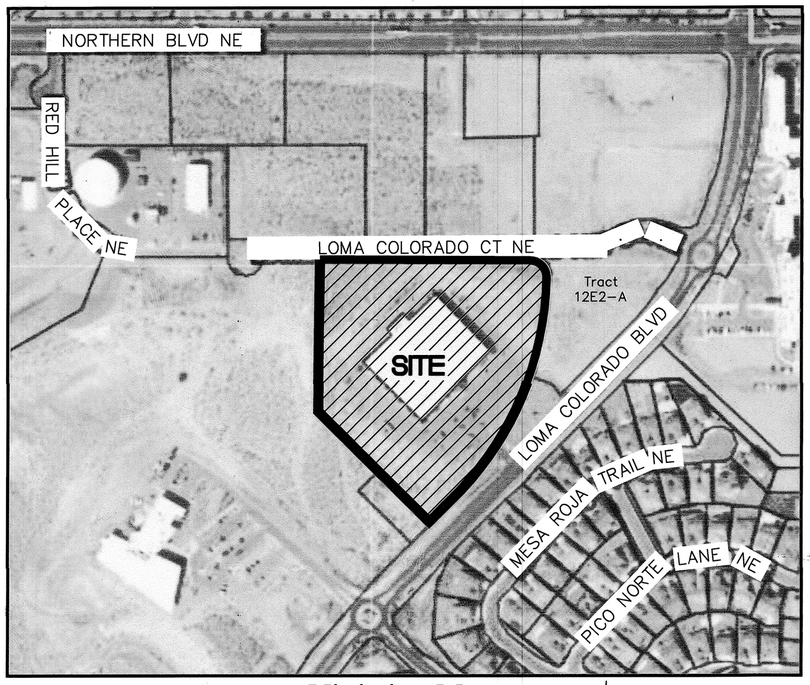
Summary Plat for Tracts P-1C-A and P-1C-B Loma Colorado

Being Comprised of Tract P-1C Loma Colorado

City of Rio Rancho

Sandoval County, New Mexico

March 2023



Vicinity Map

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN AUGUST 2016, JULY 2021, AND SUPPLEMENTAL DATA IN FEBRUARY 2023.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED 18, TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M. AS PROJECTED INTO THE TOWN OF ALAMEDA GRANT.
4. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
5. SUBDIVISION DATA

NUMBER OF LOTS REPLATTED:	1
NUMBER OF LOTS CREATED:	2
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	8.8515 ACRES

6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND-CENTRAL ZONE), USING A GROUND TO GRID FACTOR OF 0.999659795, WITH AN ORIGIN OF (0,0).

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

GREGGORY HULL, MAYOR — DATE: May 2 2023
CITY OF RIO RANCHO

STATE OF NEW MEXICO } SS
COUNTY OF

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON May 2, 2023
BY: GREGGORY HULL, MAYOR, CITY OF RIO RANCHO

By: Timothy S. Dvorak
NOTARY PUBLIC

MY COMMISSION EXPIRES 9/9/2023

OFFICIAL SEAL
Timothy S. Dvorak
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 9/9/2023

Indexing Information

Section 18, Township 12 North, Range 3 East, N.M.P.M.
as Projected into the Town of Alameda Grant
Subdivision: Loma Colorado
Owner: City of Rio Rancho
UPC # 1-013-070-371-399

Documents

1. TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL, HAVING FILE NO. 1602958 AND AN EFFECTIVE DATE OF APRIL 29, 2016.
2. PLAT FOR P-1C, LOMA COLORADO, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON FEBRUARY 27, 1997, IN VOLUME 3, FOLIO 1584B (RRE BK. 9, PG. 114-122A).
3. PLAT FOR 12D-1, 12E1-A AND 12E2-A, LOMA COLORADO, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 21, 2008, IN VOLUME 3, FOLIO 2945-A (RRE BK. 22, PG. 39A AND 39B).
4. QUITCLAIM DEED FOR SUBJECT PROPERTY FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON MARCH 12, 1997, IN VOL. 400, FOL. 23059, DOC. NO. 5067.

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 CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Sparklight 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
In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

Public Approvals

DEVELOPMENT SERVICES DEPARTMENT

APPROVED THE 2nd DAY OF May, 2023.

BY: _____
DIRECTOR

CITY CLERK'S CERTIFICATE:

I, Rebecca A. Martinez, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED ADMINISTRATIVELY BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT ON THE 2nd DAY OF May, 2023

BY: Rebecca A Martinez
CITY CLERK

TREASURER'S CERTIFICATE: R149900

I, Jennifer A. Taylor, TREASURER OF SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PREVIOUS TEN (10) YEARS PROPERTY TAXES HAVE BEEN PAID IN FULL.

Jennifer A. Taylor — 5/9/23
SANDOVAL COUNTY TREASURER — DATE

Filing Information

STATE OF NEW MEXICO } SS
COUNTY OF SANDOVAL }

THIS INSTRUMENT WAS FILED FOR RECORD ON 2:46 AM/PM May 10, 2023
RECORDED IN VOLUME 3, OF RECORDS OF SAID COUNTY, FOLIO 5046

BY: Monica Archibeque
DEPUTY

Plat Approvals

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED COMPANY REPRESENTATIVES.

5/1/2023
CITY OF RIO RANCHO

Natalia Antonio — Apr 10, 2023
Natalia Antonio (Apr 10, 2023 14:39 MDT)
QWEST CORPORATION D/B/A CENTURYLINK QC

Apr 11, 2023
PNM ELECTRIC

Pamela C. Stone — Apr 28, 2023
Pamela C. Stone (Apr 28, 2023 13:43 MDT)
NEW MEXICO GAS COMPANY

Anthony Lovato — Apr 19, 2023
Anthony Lovato (Apr 19, 2023 09:36 MDT)
SPARKLIGHT

Legal Description

TRACT P-1C OF LOMA COLORADO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON FEBRUARY 27, 1997, IN VOLUME 3, FOLIO 1584B.

Jurisdiction Certification

I, BRIAN J. MARTINEZ, A NEW MEXICO REGISTERED, PROFESSIONAL, LAND SURVEYOR DO HEREBY AFFIRM THAT THE PROPERTY DESCRIBED DOES LIE WITHIN THE PLATTING AND SUBDIVISION JURISDICTION OF THE CITY OF RIO RANCHO, NEW MEXICO.

BRIAN J. MARTINEZ — 4/28/23
N.M.R.P.S. No. 18374 — DATE

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS FOR THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER 155, AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRIAN J. MARTINEZ — 4/28/23
N.M.R.P.S. NO. 18374 — DATE

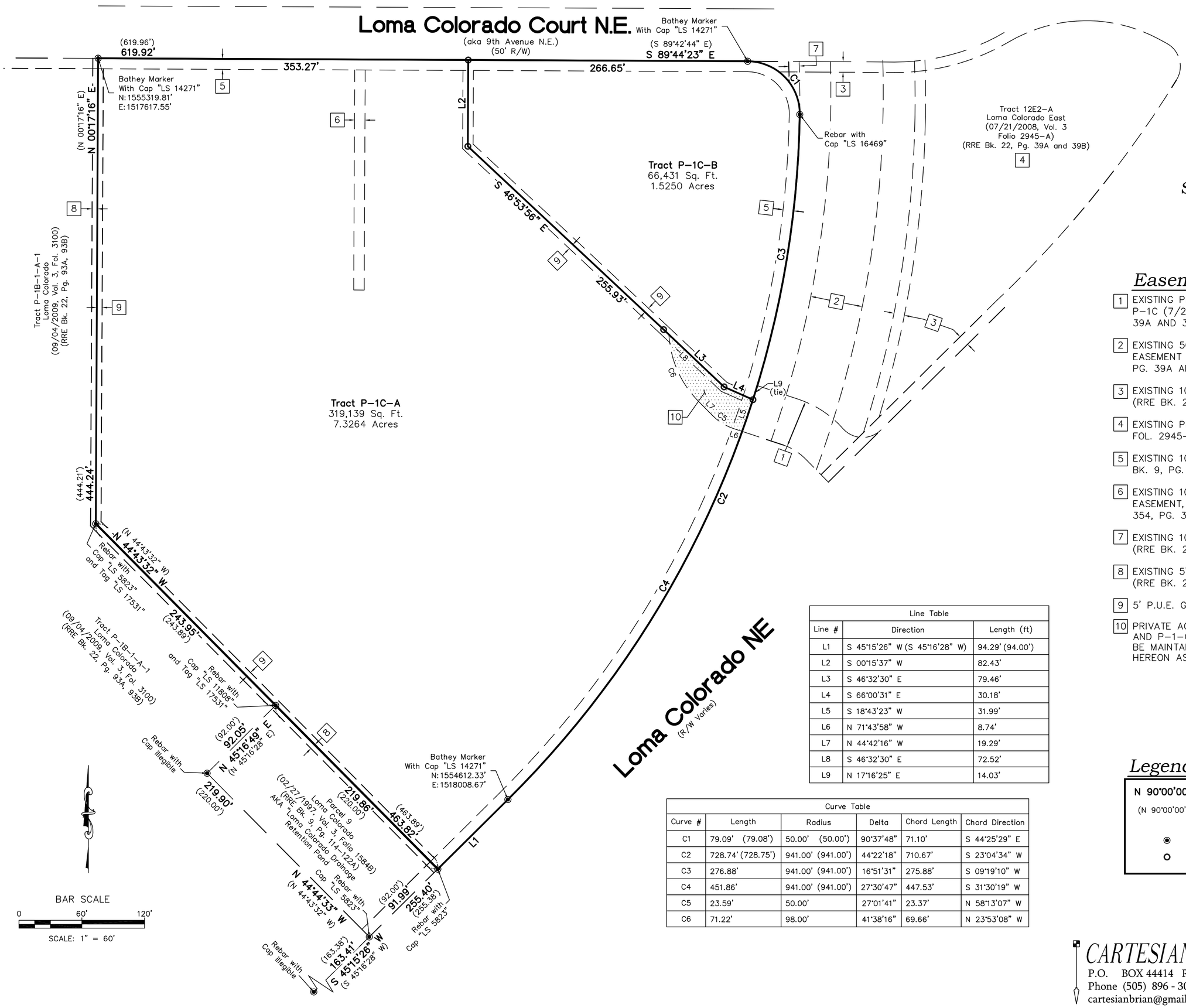
BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

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

Summary Plat for Tracts P-1C-A and P-1C-B Loma Colorado

Being Comprised of Tract P-1C Loma Colorado

City of Rio Rancho
Sandoval County, New Mexico
March 2023



Easement Notes

1. EXISTING PRIVATE ACCESS EASEMENT BENEFITING TRACT P-1C (7/21/2008, VOL. 3, FOL. 2945-A) (RRE BK. 22, PG. 39A AND 39B)
2. EXISTING 50' PUBLIC WATER AND SANITARY SEWER EASEMENT (7/21/2008, VOL. 3, FOL. 2945-A) (RRE BK. 22, PG. 39A AND 39B)
3. EXISTING 10' P.U.E. (7/21/2008, VOL. 3, FOL. 2945-A) (RRE BK. 22, PG. 39A AND 39B)
4. EXISTING PRIVATE DRAINAGE EASEMENT (7/21/2008, VOL. 3, FOL. 2945-A) (RRE BK. 22, PG. 39A AND 39B)
5. EXISTING 10' P.U.E. (2/27/1997, VOL. 3, FOL. 1584B) (RRE BK. 9, PG. 114-122A)
6. EXISTING 10' PNM AND US WEST COMMUNICATIONS, INC. EASEMENT, SCALED FROM DOCUMENT (7/30/1996, BK. MISC. 354, PG. 390-391, DOC. NO. 3827)
7. EXISTING 10' P.U.E. (12/7/2006, VOL. 3, FOL. 2744A) (RRE BK. 20, PG. 22-27)
8. EXISTING 5' P.U.E. (2/13/2009, VOL. 3, FOL. 2995B) (RRE BK. 22, PG. 85A, 85B AND 85C)
9. 5' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
10. PRIVATE ACCESS EASEMENT BENEFITING TRACTS P-1C-A AND P-1-C-B GRANTED WITH THE FILING OF THIS PLAT. TO BE MAINTAINED BY THE OWNERS OF SAID TRACTS. SHOWN HEREON AS [ ]

Line Table		
Line #	Direction	Length (ft)
L1	S 45°15'26" W (S 45°16'28" W)	94.29' (94.00')
L2	S 00°15'37" W	82.43'
L3	S 46°32'30" E	79.46'
L4	S 66°00'31" E	30.18'
L5	S 18°43'23" W	31.99'
L6	N 71°43'58" W	8.74'
L7	N 44°42'16" W	19.29'
L8	S 46°32'30" E	72.52'
L9	N 17°16'25" E	14.03'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	79.09' (79.08')	50.00' (50.00')	90°37'48"	71.10'	S 44°25'29" E
C2	728.74' (728.75')	941.00' (941.00')	44°22'18"	710.67'	S 23°04'34" W
C3	276.88'	941.00' (941.00')	16°51'31"	275.88'	S 09°19'10" W
C4	451.86'	941.00' (941.00')	27°30'47"	447.53'	S 31°30'19" W
C5	23.59'	50.00'	27°01'41"	23.37'	N 58°13'07" W
C6	71.22'	98.00'	41°38'16"	69.66'	N 23°53'08" W

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES (02/27/1997, VOL. 3, FOLIO 1584B) (RRE BK. 9, PG. 114-122A)
◉	FOUND MONUMENT AS INDICATED
o	SET REBAR WITH CAP "LS 18374" UNLESS MARKED OTHERWISE

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

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 63 **ENACTMENT NO. 06-57**

AMENDING THE ZONE MAP

AMENDING THE ZONING DESIGNATION OF THE PROPERTY LEGALLY DESCRIBED AS LOMA COLORADO EAST, TRACTS 1-11, 12A-12E, 13A-13J AND 14-17, GENERALLY LOCATED SOUTH OF PALM RD., NORTH OF HIGH RESORT BLVD., EAST OF 37TH ST. AND LOMA COLORADO DR., AND WEST OF VISTA HILLS WEST, UNITS 1 AND 3.

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

Section 1. PURPOSE. To change the zoning designation of the property legally described as Loma Colorado East, Tracts 1-11, 12A-12E, 13A-13J and 14-17 from an R-1, Single Family Residential, District and C-1, Retail Commercial, District to a Special Use/Low Density, Single Family Residential District (SU-LD); Special Use/Medium Density Single Family Residential District (SU-MD); Special Use/High Density Single Family Residential District (SU-HD); Special Use/Mixed Use District (SU-MU) and Open Space District (OS) per Exhibit A.

Section 2. SPECIAL USE DISTRICT REGULATIONS. The SU-LD, SU-MD, SU-HD and SU-MU districts shall be regulated as set forth in the *Loma Colorado Districts and Standards* handbook (Exhibit B).

Section 3. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

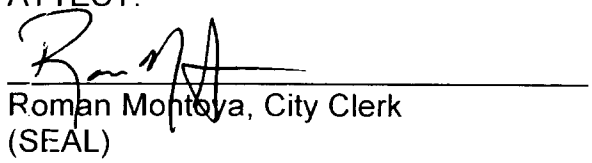
Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS 11TH DAY OF OCTOBER, 2006.

Michael J. Williams, Deputy Mayor

10/11/06
Date

ATTEST:



Roman Montoya, City Clerk

(SEAL)

RECEIVED
SEP 2 9 2006
CITY ADMINISTRATION
CITY OF RIO RANCHO

RioRancho
City of Vision

CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM

O-63

REFERENCE: 06-100-00034

AGENDA DATE: October 11, 2006

DEPARTMENT: Development Services

SUBJECT: Zone Map Amendment (Attachment I including Exhibits A and B)

PURPOSE: The applicant requests approval of a zone map amendment from an R-1, Single Family Residential, District and C-1, Retail Commercial, District to a Special Use/Low Density Single Family Residential District; Special Use/Medium Density Single Family Residential District; Special Use/ High Density Single Family Residential District; Special Use/Mixed Use District, and Open Space District for Loma Colorado East, Tracts 1-11, 12A-12E, 13A-13J, and 14-17, 443.01 acres generally located south of Palm Rd., north of High Resort Blvd., east of 37th St. and Loma Colorado Dr., and west of Vista Hills West, Units 1 and 3.

Applicant: Pulte Homes of New Mexico

Agent: Consensus Planning

BACKGROUND AND ANALYSIS:

The proposed zoning ordinance for Loma Colorado East rezones the 30 tracts created by the Loma Colorado East Final (Bulk) Plat. As outlined in the Loma Colorado Amended Redevelopment Plan, approved May 10th, 2006, four new zoning districts will be established with this zone map amendment: Special Use/Low Density Single Family Residential District; Special Use/Medium Density Single Family Residential District; Special Use/High Density Single Family Residential District; and Special Use/Mixed Use District. These districts will be applied to Tracts 4, 6, 9 and 10, Tracts 1, 5, 8 and 16, Tracts 2, 3, 7, and 15 and Tracts 11, 12A-12E and 13A-13J, respectively. Tracts 14 and 17 will be rezoned OS, Open Space per the City's existing code.

The proposed special use, residential districts permit uses that are similar to those found in the R-1 zone. However, residential care facilities and accessory living quarters are not permitted, and churches are listed as a permitted use, rather than as a conditional use.

The proposed special use, residential districts also modify lot geometry and design. The lot sizes typically will be a minimum of 70 feet wide by 120 feet deep (8,400 square feet) in the low density single family zone and a minimum of 60 feet wide by 110 feet deep (6,600 square feet) in the medium density single family zone. The front setbacks have been relaxed by 5 to10 feet to allow staggered homes along the streetscape with a minimum front setback of 15 feet for the building portion of the residence and a minimum front setback of 20 feet for the garage. The smallest lot area allowed will be 4,725 square feet, as permitted in the Special Use/High Density Residential District. Height and parking requirements generally conform to the City's existing code, and landscaping requirements are addressed by the design guidelines in the *Loma Colorado Amended Redevelopment Plan.*

The special use, mixed use district allows a combination of commercial and residential uses. This district will permit townhomes/condos (capped at a maximum of 24 units per acre) and all permitted and conditional uses allowed in the C-1 Retail Commercial District, with the exception of adults-only bookstores/motion picture theatres, adult entertainment centers, massage parlors and saunas. Gasoline service stations, temporary model homes/sales offices and private schools, which typically require conditional use permits, are listed as permitted uses in this district. In addition to all of the uses allowed in the special use, mixed use zone, industrial, manufacturing and warehousing uses are also permitted on Tracts 13I and 13J, which are located on the west side of 40th Street, about 400 feet south of Palm Road.

The setback requirements of the mixed use district essentially match the C-1 District standards, but also include additional setbacks for parking areas. The maximum permitted height is 55 feet with an additional five feet for non-habitable architectural embellishments. Parking standards generally conform to the City's existing code, and landscaping and signage requirements are addressed by the design guidelines in the *Loma Colorado Amended Redevelopment Plan*. All proposed development in the mixed use district will require site plan review and approval by the Planning and Zoning Board prior to the issuance of construction permits on these sites.

For a complete overview of each proposed zoning district, please see the *Loma Colorado Zone Districts and Standards* (Attachment I, Exhibit B).

In the larger context, the proposed zoning districts respect surrounding land use/zoning patterns. The mixed use tracts front Northern Blvd., 40th St. and Loma Colorado Dr.— three arterial streets best suited to support more intensive uses. The highest residential densities are in the vicinity of Rio Rancho High School and Loma Colorado Dr. Finally, the boundary with Vista Hills West and the Montoyas Arroyo is lined with open space and low-medium density neighborhoods that should be compatible and in character with the surrounding, existing residential development.

Approval of the zone map amendment will also benefit the City in two primary ways. First, it will permit more intensive residential and commercial infill development adjacent to an important civic area. Second, the addition of commercial property at key intersections will promote the generation and retention of gross receipts taxes.

NOTIFICATIONS:

Property owners within 300 feet of the Loma Colorado Redevelopment Area were notified of this hearing by First Class Mail on September 26, 2006. Development Services staff posted a legal in the *Albuquerque Journal* on September 25, 2006. All notification requirements for this hearing have been met.

FINDINGS OF CONFORMANCE WITH CITY PLANS, POLICIES & REGULATIONS:

A. <u>CONFORMANCE WITH THE CITY ZONING ORDINANCE</u>

The City Zoning Ordinance Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning & Zoning Board when a change in zoning designation is sought.

FINDING: This application fulfills this requirement. **CONFORMS**

B. <u>CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN</u>

Vision 2020-ICP implementation considers that all development proposals be evaluated based on its level of conformance with the Vision 2020-ICP's *Principles, Policies and Actions.* The zone map amendment is in conformance with the Loma Colorado Amended Redevelopment Plan and the Principles, Policies and Actions recommended by the Vision 2020-ICP.

Applicable Principles and Policies include:

- The City of Rio Rancho shall develop as an independent, self-sustaining community. Growth nodes are designated to capture a significant share of the City's future jobs and housing. (p. 5.1.4)
- Comprehensive master planning should assure compatible land uses, encourage development guidelines according to predetermined design and amenity standards, coordinate land uses with transportation systems, control development phasing, and assure installation of adequate infrastructure. (p. 5.1.5)
- Encourage infill development of all undeveloped areas within the municipal corporate boundary, particularly where vacant land has immediate access to utilities. (p. 5.1.12)
- Redevelopment and infill development shall be promoted to increase the economic viability of areas where utilities are readily available. (p. 5.8.3).

In addition to land use, the following *Principles and Policies* contained in the City of Rio Rancho's Vision 2020 Integrated Comprehensive Plan are applicable to this application. Conformance with such are reviewed via the zone map amendment process and would be further reviewed via the subdivision and/or building permit process.

i. Urban Design
ii. Transportation and Circulation
iii. Infrastructure and Capital Facilities
iv. Environmental sustainability
v. Housing
vi. Community Services and Public Facilities
vii. Economic Development

FINDING: The Special Use Residential Zones, the Special Use Mixed Use Zone, and the Open Space Zone proposed by the Loma Colorado zone map amendment conform to the Principles, Policies and Actions recommended by the Vision 2020-ICP and the Loma Colorado Amended Redevelopment Plan. **CONFORMS**

ALTERNATIVES:

The Governing Body may:

A. Approve the zone map amendment;
B. Deny the zone map amendment;
C. Postpone its decision to allow for further review and consideration.

DEPARTMENT RECOMMENDATION:

Development Services Department recommends approval of the zone map amendment.

General Findings:

A. The Governing Body has jurisdiction over this matter.
B. Property owners may apply for a zone map amendment.
C. The property owners and applicants received written notice and were allowed comment at public hearing

Specific Findings:

A. The proposed zone map amendment conforms to the *Amended Loma Colorado Redevelopment Plan's* proposed land use and zoning recommendations.
B. The proposed zone map amendment conforms to the surrounding zoning/land use patterns.
C. The proposed zone map amendment will provide residential and commercial infill adjacent to an important civic area of Rio Rancho.
D. The proposed zone map amendment will contribute to the generation and retention of gross receipts tax revenue.

REVIEWED BY:

☐ City Attorney	☒ Cultural Enrichment
☒ Development Services	☐ Fiscal Services
☒ PublicInfrastructure	☒ Public Safety
☒ Rio Rancho Public Schools	☒ SSCAFCA

OTHER DEPARTMENTS/DIVISIONS RECOMMENDATIONS:

Other City departments will review any development via subdivision and/or site plan review phases.

PLANNING AND ZONING BOARD RECOMMENDATION:

At its regularly scheduled meeting held on September 26, 2006, the Planning and Zoning Board recommended approval by a vote of 5-0. Please see the attached minutes for a detailed summary of this recommendation.

PREPARED BY: Grant Brodehl _____ DATE: 9/29/06

DEPARTMENT DIRECTOR: _____ DATE: 9/29/06

CITY MANAGER: _____ DATE: 10-02-06

ATTACHMENT I: Proposed zoning ordinance
Exhibit A: *Loma Colorado East Zoning Table*
Exhibit B: *Loma Colorado Zone Districts and Standards* handbook

ATTACHMENT II: Draft copy of the minutes to the September 26, 2006 Planning and Zoning Board hearing

Exhibit A

Loma Colorado East Zoning Table

Tract	Previous Zoning Designation	New Zoning Designation	Acreage
1	R-1	SU-MD	33.71
2	R-1	SU-HD	5.64
3	R-1	SU-HD	9.59
4	R-1	SU-LD	38.47
5	R-1	SU-MD	35.93
6	R-1	SU-LD	27.24
7	R-1	SU-HD	17.89
8	R-1	SU-MD	42.76
9	R-1	SU-LD	35.05
10	R-1	SU-LD	47.55
11	R-1, C-1	SU-MU	11.88
12A	R-1	SU-MU	1.92
12B	R-1	SU-MU	2.09
12C	R-1, C-1	SU-MU	3.87
12D	R-1, C-1	SU-MU	4.32
12E	R-1, C-1	SU-MU	9.42
13A	R-1, C-1	SU-MU	4.52
13B	R-1	SU-MU	10.45
13C	R-1	SU-MU	1.89
13D	R-1	SU-MU	1.90
13E	R-1	SU-MU	1.90
13F	R-1	SU-MU	1.89
13G	R-1	SU-MU	11.41
13H	R-1	SU-MU	6.89
13I	R-1	SU-MU	3.92
13J	R-1	SU-MU	1.51
14	R-1	OS	20.49
15	R-1	SU-HD	4.23
16	R-1	SU-MD	3.18
17	R-1	OS	26.33

PLANNING & ZONING BOARD
September 26, 2006

DRAFT MINUTES

BOARD MEMBERS

Karl Wiese, At Large
Flint Ogden, District 1
John Paulson, District 4
Pat D'Arco, District 5
Mark Werkmeister, District 2
Todd Rastorfer, District 6
Ed Burkauskas, District 3

ZONE MAP AMENDMENT: The applicant requests a recommendation of approval to the Governing Body for a zone map amendment from an R-1, Single Family Residential, District and C-1, Retail Commercial, District to a Special Use, Low Density Single Family Residential, District; Special Use, Medium Density Single Family Residential, District; Special Use, High Density Single Family Residential, District; Special Use, Mixed Use, District and Open Space District for Loma Colorado East Tracts 1-11, 12A-12E, 13A-13J, and 14-17, 443.01 acres generally located south of Palm Rd., north of High Resort Blvd., east of 37th St. and Loma Colorado Dr., and west of Vista Hills West, Units 1 and 3.

Case #: 06-100-00034
Applicant: Pulte Homes of New Mexico, Inc.
Agent: Consensus Planning, Inc.
Staff Contact: Grant Brodehl
Staff Recommendation: Approval

Grant Brodehl, Staff, stated there are five zones being proposed for Loma Colorado. The most basic zone is open space, which is being applied to Tracts 14 and 17. He stated Tract 17 is the proposed sportsplex dam that SSCAFCA is constructing. He explained that the open space code permits drainage facilities and road rights-of-ways.

He continued by stating that there are three residential zones; Special Use/ Low Density, Special Use/Medium Density and Special Use/ High Density. He outlined that the three zones restrict a few uses permitted in the City's existing residential zones and incorporate lot dimensions that vary from, but are similar to, the R-1, R-2 and R-4 zones.

Mr. Brodehl stated that there will also be front and garage setback variations permitted in these three zones to allow homes to be staggered along the streetscape as described in the *Loma Colorado Amended Redevelopment Plan*.

Mr. Brodehl stated the Special Use/Mixed Lots, specifically Tracts 11, 12A through 12E and Tracts 13A through 13J will be largely committed to retail commercial uses. He added that apartments and rental residential facilities are not a permitted use in the Special Use/Mixed Use zone; rather, town homes and condominiums are the only residential uses permitted. Mr. Brodehl stated that all development in the Special

Use/Mixed Use zone will require site plan review and approval before the Planning and Zoning Board.

He concluded by stating that many of the residential tracts will include an open space component which is a permitted use in the three proposed special use/residential zones.

Karen Marcotte, Consensus Planning, stated the proposed zoning districts were all approved per the *Loma Colorado Amended Redevelopment Plan*.

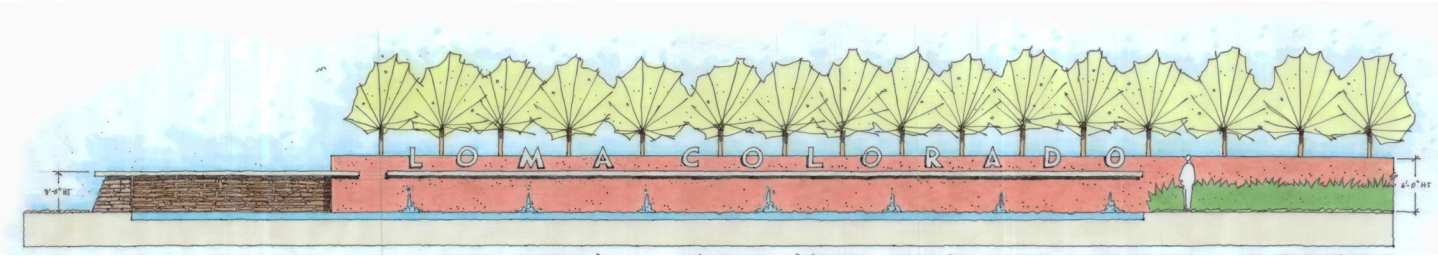
[Note: During a previous action item regarding Loma Colorado, Mr. Sultan Rahime, owner of Unit 13, Block 92, Lots 2, 4 and 8, protested to the Planning and Zoning Board that the City of Rio Rancho/Pulte Homes of New Mexico had no right to enter his property and that he did not receive proper notification. Mr. Brodehl stated that, to the best of his knowledge, the City of Rio Rancho/Pulte Homes of New Mexico had already acquired right-of-entry to his property and that he did not receive notification for this reason. Also, during a previous action item, Mr. Fred Shinoski, residing at 901 Riva Ct., asked if there would be apartments in the mixed use zone on Tract 11 adjacent to the lots on 9th Ave. and Riva Ct. in Vista Hills West Unit 3. During the zoning discussion, Mr. Brodehl stated that apartments were not permitted in the Special Use/Mixed Use zone.]

PUBLIC COMMENT: None

MOTION PZB092606-5A: COMMISSIONER BURKAUSKAS MOVED TO RECOMMEND APPROVAL TO THE GOVERNING BODY A ZONE MAP AMENDMENT FROM AN R-1, SINGLE FAMILY RESIDENTIAL, DISTRICT AND C-1, RETAIL COMMERCIAL, DISTRICT TO A SPECIAL USE, LOW DENSITY SINGLE FAMILY RESIDENTIAL, DISTRICT; SPECIAL USE, MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL, DISTRICT; SPECIAL USE, HIGH DENSITY SINGLE FAMILY RESIDENTIAL, DISTRICT; SPECIAL USE, MIXED USE, DISTRICT AND OPEN SPACE DISTRICT FOR LOMA COLORADO EAST TRACTS 1-11, 12A-12E, 13A-13J, AND 14-17, 443.01 ACRES GENERALLY LOCATED SOUTH OF PALM RD., NORTH OF HIGH RESORT BLVD., EAST OF 37TH ST. AND LOMA COLORADO DR., AND WEST OF VISTA HILLS WEST, UNITS 1 AND 3. SECONDED BY COMMISSIONER WERKMEISTER.

MOTION PZB092606-5A VOTE: MOTION CARRIED BY A VOTE OF 5 – 0 COMMISSIONERS WIESE AND PAULSON WERE ABSENT

LOMA COLORADO REDEVELOPMENT PLAN



Prepared For:
Pulte Homes of New Mexico

Prepared By:
RVi
Consensus Planning, Inc.
Bohannan Huston, Inc.

February 2012, as Amended

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 14 **ENACTMENT NO. 12-014**

APPROVING AN AMENDMENT TO THE LOMA COLORADO REDEVELOPMENT MASTER PLAN AND ZONE DISTRICTS STANDARDS DOCUMENT.

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, and zoning 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 land use in master planned communities via master plans; and

WHEREAS: the Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document was adopted to guide land use in the Loma Colorado Master Planned Community; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendment to the Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document, and recommends its approval as being 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:

That the Governing Body hereby approves the amendment to the Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document attached hereto and hereby adopts the Amended Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document as contained within the attached Exhibit I and Exhibit II.

ADOPTED THIS 22ND DAY OF FEBRUARY, 2012.

Thomas E. Swisstack, Mayor

2/26/12
Date

ATTEST:

Roman Montoya, City Clerk
(SEAL)

BEFORE THE GOVERNING BODY
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
In the Matter of:
Master Plan Amendment # 11-410-00003

APPROVING AN AMENDMENT TO THE LOMA COLORADO REDEVELOPMENT MASTER PLAN AND ZONE DISTRICTS STANDARDS DOCUMENT.

Applicant: Pulte Homes of New Mexico, Inc.

THIS MATTER having come before the Governing Body on this 22th day of February, 2012, the Governing Body having taken evidence and considered the merits;

THE GOVERNING BODY HEREBY FINDS:

GENERAL FINDINGS:

1. The Governing Body has jurisdiction over the applicant's request for a Master Plan Amendment and proper notice of the hearing of this matter was given.
2. The property owner has authority to make application for a Master Plan Amendment.
3. The applicant and adjacent property owners received due process, as proper notice and a full opportunity to present views were given.

SPECIFIC FINDINGS IN SUPPORT OF THE GENERAL FINDINGS INCLUDE:

1. The proposed amendments to the Loma Colorado Redevelopment Master Plan are consistent with *City of Rio Rancho Comprehensive Plan (CCP)* with respect to promoting infill development; gross receipts tax revenue, community health and open space.
2. The amendment to Tract 10 results in a decrease of 2.8 acres of the northern boundary. The 2.8 acre portion will be incorporated into Tract 11 by summary plat.
3. Tract 11 will be replatted into two tracts; Tract 11A (12.1 acre for development of the Continuum of Care facility and Tract 11B (2.5 acre for the drainage pond).
4. The text amendment pertaining to Tract 11 permitting nursing care, assisted living, transitional living facilities and similar institutions, on ±12 acres instead of 6 acres, furthers the *CCP's* Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community.
5. The before-mentioned uses are currently permissive in the SU/MU zone.
6. Expanding the allowable use for lifelong senior care to all of Tract 11 is advantageous to the City as it will facilitate the development of a high quality senior care facility.
7. Construction of the proposed development will generate substantial tax revenue and construction jobs.
8. The proposed facility will employ approximately 100 professional level jobs in the city may boost the development of adjacent retail activity for the service retail needs of the residents; and will provide an attractive neighbor to the adjacent single family area.
9. The proposed use will not increase the demand on the local services such as parks and schools.
10. The westerly 6 acres of Tract 12 will be developed with two additional levels of design standards.
    a) The Plan currently allows one multi-family development on the westerly 6 acres of Tract 12; the amendment being proposed for the site is: The addition of a "Usable Recreation Space" criteria for the development of onsite recreation space, and
    b) The addition of a second set of design standards that apply only to this site.
11. The inclusion of the "Usable Recreation Space" standards will minimize the impacts of any future multi-family development on nearby recreational sites.

Therefore; the Governing Body hereby approves the amendments to the Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document and hereby adopts the Amended Loma Colorado Redevelopment Master Plan and Zone Districts Standards Document, as evidenced by the adoption of Resolution No. 14, Enactment No.12-014 by the Governing Body of the City of Rio Rancho on February 22, 2012, subject to the conditions, restrictions and stipulations therein.

2/26/12

Date

Mayor, Thomas E. Swisstack

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SECTION 1: INTRODUCTION

A. PROJECT SUMMARY

The purpose of this Redevelopment Plan is to provide a land use framework and development guidance for the Loma Colorado area, a growing and dynamic area, located within the City of Rio Rancho. The Loma Colorado area has been approved as a redevelopment area. The Loma Colorado area is located south of Northern Boulevard, and east of Loma Colorado Boulevard. It is a developing activity node adjacent to Rio Rancho High School.

The Loma Colorado Redevelopment Plan boundaries consist of a total of 442 acres. It is anticipated that at full build out, Loma Colorado will contain approximately 1,100 dwelling units with a gross overall density of 4.0 dwelling units/acre. In addition to the residential areas, the Redevelopment Plan will also show areas for mixed use development, which will allow for office, industrial, commercial, and high density residential development.

1. Key Highlights of the Loma Colorado Redevelopment Plan

This Redevelopment Plan provides the overall framework to guide future development. Key highlights and details of the Redevelopment Plan include:

- Loma Colorado is a self-sufficient mixed use development providing commercial development and employment, housing, and local amenities for the residents of the community;
- The Redevelopment Plan contains a designation of land uses, anticipated densities and permissive uses for the land use categories (including community facilities such as parks, schools, and open spaces), and a generalized phasing plan for development;
- Loma Colorado has been designed to work with existing and planned public buildings;
- Open space and pedestrian connectivity are the backbone of Loma Colorado. This is accomplished through a comprehensive network of trails, large open spaces, and arroyo crossings;
- Pedestrian connectivity extends out to meet local points of interests and activities such as Rio Rancho High School, the Rio Rancho Sports Complex, the proposed mixed-use activity center, the new library, the aquatic center, regional trails, and each adjacent residential community;
- There are design guidelines to provide an overview of design elements for Loma Colorado as it develops in the future;
- Loma Colorado has been planned to adhere to the Vision 2020 Integrated Comprehensive Plan by creating a Mixed-Use Activity Center that allows people to live, work, and play all within walking distance;

- Loma Colorado has been planned with an eye to the future. Its infrastructure takes into account the City's projected growth and traffic volumes and will help to improve traffic flow in the adjacent area with the redevelopment of existing roads.

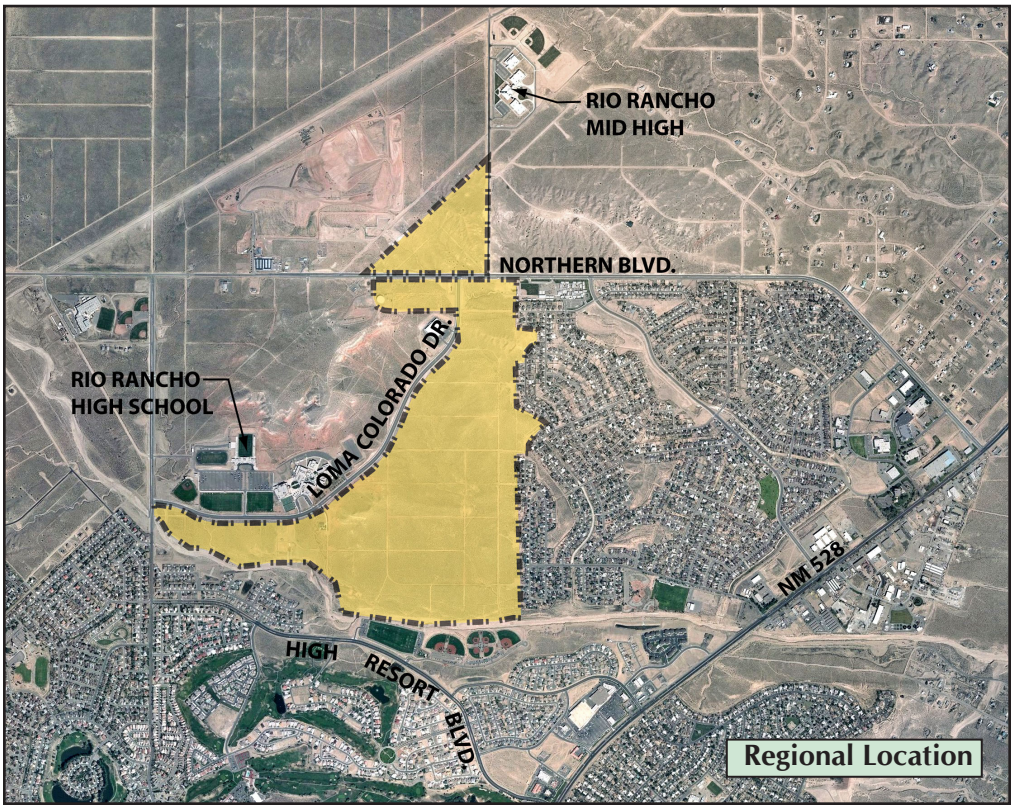
- Pulte will be using a wide mixture of densities and pulling from their 2,500 different floor plans and elevations to create a unique and interesting community where people will want to live.

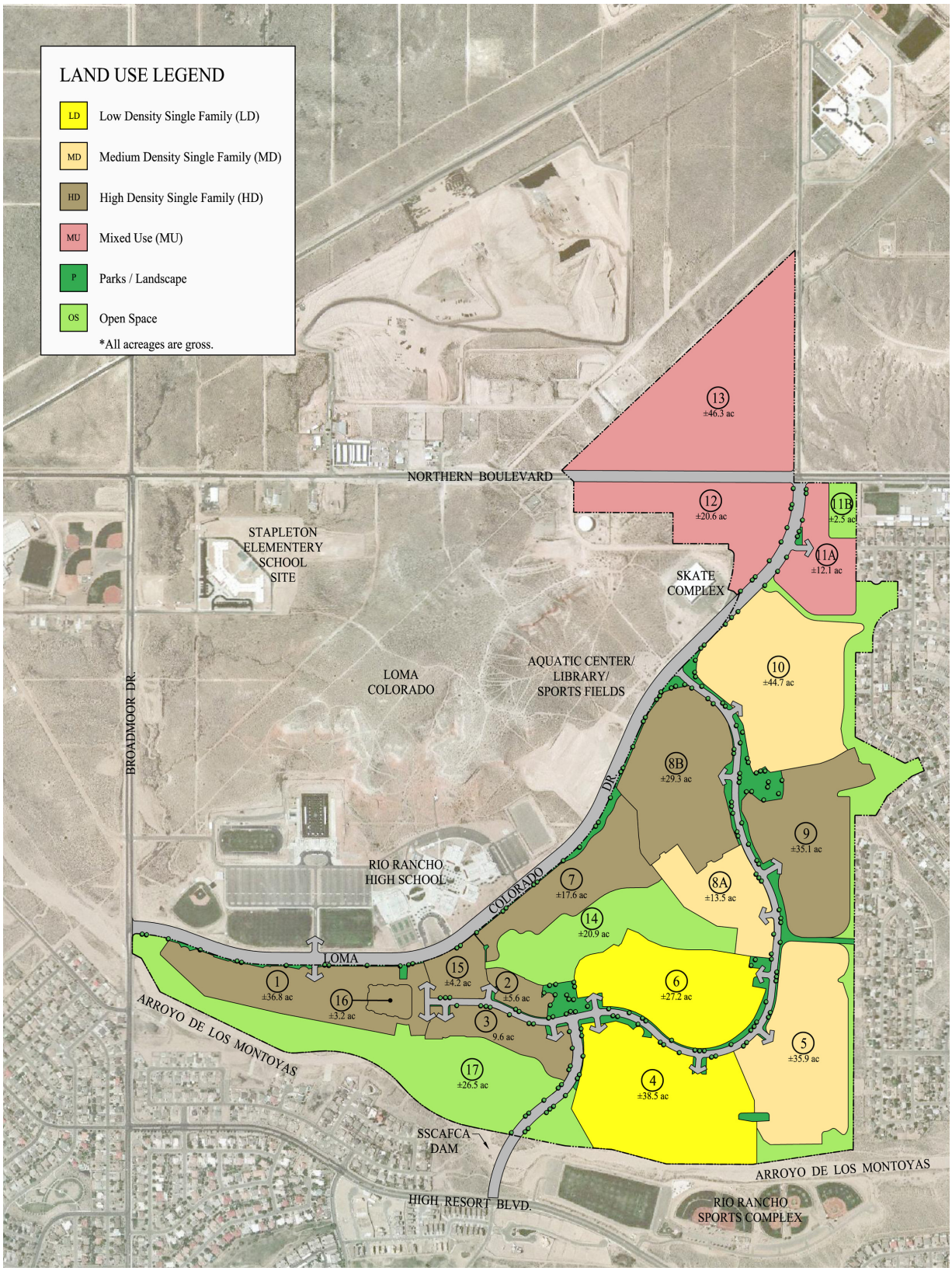
- The Redevelopment Plan contains a water plan for Loma Colorado that addresses both quality and quantity issues;

- Another section in this Redevelopment Plan consists of a wastewater master plan for Loma Colorado;

- The Transportation Plan included as a section within this Redevelopment Plan addresses both internal and external access issues; and

- An overall drainage plan has been prepared that addresses existing and future conditions of the area.





Loma Colorado Land Use Plan

Bohannan ▲ Huston Inc.
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

rvi planning + landscape architecture
712 congress avenue suite 300
austin, texas 78701

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 FAX 842-5495
e-mail: cp@consensusplanning.com

Land Use Mix

The land use for Loma Colorado is a mix containing various residential densities, commercial/retail areas, public uses and open spaces. The following table summarizes the land use mix for Loma Colorado.

Loma Colorado Land Use Table				
Use	**Acreage***	**%**	**Density**	**Approx. # of Units**
Single Family Residential*				
Low Density	55.1	12%	3.2	181
Medium Density	74.3	17%	4.5	352
High Density***	107.0	24%	5.3	567
TOTAL*	***239.2***	***53%***	***4.5***	***1,100***
Non-Residential				
Mixed-Use (Office, Commercial, Industrial, Multi-Family)	79.1	18%	Floor Area Ratio =0.2 32 du/ac	*Multi-Family restricted to maximum of 6 acres in Tract 12
Major Rights-of-Way	15.0	3%	-	-
Parks, Open Space, Trails, Levees, Wells*	107.3	25%	-	-
Seminary**	4.2	.05%	-	-
TOTAL	***202.8***	***47%***	**-**	**-**
GRAND TOTAL	**442**	**-**	**-**	**1,100**

**Residential acreage is net in platted subdivisions, excluding platted tracts for parks, landscape, open space, and major rights-of-way. However, additional open space and landscape tracts remain internal to unplatted parcels. Once platted, this will decrease net residential acreage and increase open space acreage. Senior Continuum of Care Facilities are located on Tract 11A.*

*** Seminary (Tract 15) is part of the redevelopment area, but not part of the area being developed by Pulte Homes.*

**** Tract 16 includes open space and well sites in addition to HD residential lots.*

The total area of land zoned for single-family residential use is 239.2 acres (net) and accounts for 54% of the Redevelopment Plan area. The Land Use Plan on the previous page also shows a network of parks and open space that provides connectivity throughout the community and links residential areas to commercial/retail areas. Mixed use areas that will be a mix of commercial, industrial and/or high density residential uses are shown in the northern area at the intersection of Loma Colorado Drive and Northern Boulevard.

B. EXISTING CONDITIONS AT LOMA COLORADO

1. Transportation System

Loma Colorado is accessed from Northern Boulevard, an existing principal arterial as defined by the Mid-Region Council of Governments Long Range Roadway System Plan. The other two access points include Loma Colorado Drive and High Resort Boulevard, both of which are classified as minor arterials. Both Northern Boulevard and Loma Colorado Drive have existing bike trails within the right-of-way.

2. Rio Rancho High School Activity Center
Rio Rancho High School is located on the west side of Loma Colorado Drive. Stapleton Elementary School is located to the northwest, south of Northern Boulevard. An aquatic center/library/sports complex is located to the northeast of Rio Rancho High School.

3. Natural Features
The Montoyas Arroyo, which is planned as an open space corridor according to the Vision 2020 Integrated Comprehensive Plan, forms the southern boundary of the Redevelopment Plan. The Montoyas Arroyo Open Space Corridor is intended to be a significant corridor that links one part of the City to the other. The arroyo provides trail opportunities for pedestrian, bicycle, and other non-motorized modes of transportation.

C. DESIGNATION OF LOMA COLORADO AS A REDEVELOPMENT AREA

1. Overview of the Loma Colorado Metropolitan Redevelopment Plan
The Loma Colorado Area has been approved for future redevelopment under a Redevelopment Plan. Unit 13 was declared blighted after a Blighted Condition Study was prepared, which then authorized the City to classify the Loma Colorado area as a Redevelopment Area. The Blighted Condition Study reached the following conclusions:

- Unit 13 contains an inadequate street layout which does not meet current right-of-way standards or respect the need to reduce traffic on residential streets;
- Unit 13 contains faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Unit 13's diversity of ownership effectively retards the provision of infrastructure consistent with current City of Rio Rancho ordinances and the orderly development of the Redevelopment Area;
- There is improper subdivision with respect to current development standards; and
- Unit 13 contains obsolete planning and platting, which inadequately provides for cultural, educational, and recreational sites.

In essence, conditions found in Unit 13 and the Loma Colorado area were determined to be detrimental to sound, well planned growth and the economic health of the City of Rio Rancho. As a result, the City declared Unit 13 a Redevelopment Area. The declaration of the Loma Colorado area as blighted led to the City of Rio Rancho adopting the Loma Colorado Redevelopment Plan.

D. CONFORMANCE OF THE LOMA COLORADO REDEVELOPMENT PLAN TO THE VISION 2020 ICP

The Loma Colorado Redevelopment Plan adheres to the City of Rio Rancho's Vision 2020 Integrated Comprehensive Plan (2020 ICP). Within the 2020 ICP, the principles, policies, and action statements for the City of Rio Rancho provide general development guidelines to which all community development must adhere. The 2020 ICP is organized around eight fundamental principles or areas of concern to development in the community. These categories are:

- Land Use-Fiscal Analysis
- Urban Design
- Transportation and Circulation
- Infrastructure and Capital Facilities
- Environmental Sustainability
- Housing
- Community Services and Public Facilities
- Economic Development

Within each of these eight principles, the 2020 ICP lists specific policies and actions that are seen as desired outcomes for future development in the City. The Loma Colorado Redevelopment Plan helps to implement several of these policies. A brief summary of how the Loma Colorado Redevelopment Plan meets the overall principle and intent of these policies and action statements is described below:

1. Land Use-Fiscal Analysis

The mixed-use nature of the Loma Colorado Redevelopment Plan is intended to create a land use pattern that is efficient and fiscally sound for the City of Rio Rancho. The 2020 ICP identifies the Loma Colorado area as a growth node, which is defined as:

> *"master planned development area under single or unified management for phased, self sustaining development that includes an appropriately-scaled Activity Center serving residential development at ICP-indicated average densities"*

The intent of this principle is to ensure a land use pattern that offers a diversity of housing, while maximizing commercial and employment opportunities, and offering open space for the enjoyment of residents. The land use concept for the Loma Colorado Redevelopment Plan accomplishes the intent of the principle and definition by including a variety of residential densities that are served by appropriately scaled mixed-use areas containing commercial and office uses. Specifically, the Redevelopment Plan implements this principle in several ways:

First, it allows for the development of land within the existing Rio Rancho municipal boundaries, thus representing infill, a primary desire of the City. Loma Colorado is already a major activity center, given the fact that Rio Rancho High School is located just outside of the Redevelopment Plan boundaries. The devel-

opment of Loma Colorado reinforces the growth node idea by further diversifying the land use mix.

The location of the school, parks, and open space in relation to the residential and mixed-use components creates a series of vibrant and distinct neighborhoods that implements the City of Rio Rancho's Land Use Principle, as identified in the 2020 ICP. It is conceivable that people living in the neighborhoods created in Loma Colorado could find employment in the mixed-use areas, Rio Rancho High School, or some of the other areas located in close proximity. The trail system and internal road network provides connectivity throughout the Loma Colorado Redevelopment Plan and to Rio Rancho High School and the commercial sites as well.

The Redevelopment Plan also recognizes the importance of land use planning on fiscal policy. The commercial development allowed in the Mixed Use areas will generate significant gross receipts tax revenues to the City. The mid-to-high housing prices will increase the property tax base and help expand the bonding capacity for both the City and the Rio Rancho School District.

2. Urban Design

The Loma Colorado Redevelopment Plan furthers the intent of the City of Rio Rancho by proposing infill development in an identified growth node as designated by The Urban Design Framework in the 2020 ICP. A growth node is defined as a Redevelopment Plan development area under a single or unified management. In addition to promoting infill development, this submittal implements the growth node concept. Another critical component of the Urban Design Framework is to establish guidance as to the nature of development, essentially the "look and feel" of the community. It also shows an open space/multi-use trail along the Arroyo de los Montoyas as well as trails connecting all the neighborhoods with parks and local public facilities. The Loma Colorado Redevelopment Plan is consistent with the intent of the Urban Design Principle by including overall design guidelines for the site, a unified streetscape and signage program, attractive entries, neighborhood amenities such as pocket parks, and the overall connectivity of the community itself.

3. Transportation and Circulation

The intent of the Transportation and Circulation Principle is to establish a long-range transportation network of sufficient capacity to meet local and regional circulation needs while providing a balanced circulation system. The Vision 2020 ICP Existing and Proposed Roadways Plan and the Mid-Region Council of Governments Long Range Roadway System Map shows Loma Colorado Drive as a minor arterial and Northern Boulevard as a Principal Arterial. Both Loma Colorado Drive and Northern Boulevard are designated as such and constructed. A Transportation and Circulation Plan and summary are provided as a section of this Redevelopment Plan.

4. Infrastructure and Capital Facilities

The Infrastructure and Capital Facilities Principle consists of three elements; the drainage system, the wastewater system, and water system. This Redevelopment

Plan also addresses water-reuse and transportation infrastructure. As part of this Loma Colorado Redevelopment Plan, there are sections that are devoted to the Potable Water System, Wastewater System, Transportation System, Water Reuse, and the Drainage System. These sections show conformance with the guiding principles found for each element.

5. Environmental Sustainability

The Environmental Sustainability Principle was created to achieve a balance between the built and natural environment. Loma Colorado has provided this balance through an extensive open space and trail network that follows the hills and arroyos of the site. This mixed-use pedestrian-friendly community is designed to be carefully sited within the natural environment of the area. Landscaping will be designed around xeriscaping principles, and joint use of drainage and recreational facilities is being promoted. Additionally, a water re-use plan has been prepared for Loma Colorado.

6. Housing

A variety of housing types, lot sizes, and price ranges will be included within the Loma Colorado residential areas. Homebuyers will include families, singles, seniors, 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. All of the housing areas will be connected to the rest of the community by a trail network. Pulte Homes has a sophisticated target consumer group research program that clearly identifies what homebuyers are looking for in their homes and neighborhoods. Their market research allows them to build precise products desired by consumers. Since Pulte is both the developer and homebuilder at Loma Colorado, they can ensure that a diversity of products are built that target different groups of homebuyers, while still maintaining the high-level of quality expected in a master planned community.

7. Community Services and Public Facilities

The Loma Colorado Redevelopment Plan recognizes that community services and public facilities are integral to the development of a sustainable community. The Redevelopment Plan shows several parks that are linked by a trail network. Adjacent areas include schools, a library, an aquatic center, City wells, regional park facilities, and other community services.

8. Economic Development

The commercial uses designated by the Loma Colorado Redevelopment Plan will generate substantial revenue for the City of Rio Rancho as well as offer convenient opportunities for future employment and shopping for City residents. By designating mixed-use commercial areas in Loma Colorado, the Redevelopment Plan achieves and implements several policies found within the Vision 2020 ICP. Policies relating to capturing gross receipts taxes, attracting quality jobs, and developing an independent, self sustaining community are met by the commercial and industrial component within the mixed-use areas of the Loma Colorado Redevelopment Plan. In addition, housing has contributed significantly to Rio Rancho's growth and prosperity over the past few years and serves to attract new retailers and employers. New employers want to know that an adequate housing

supply will be available for their employees when they select sites for new office and industrial facilities. The Redevelopment Plan will reassure new employers by allowing the development of a mix of quality housing.

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SECTION 2: LAND USE AND ZONING

A. INTRODUCTION

The intent of the Redevelopment Plan is to provide for a variety of land uses, neighborhood types, and housing choices. Residential uses are supported by mixed-use, commercial, and industrial development and include a network of open space, trails, and a park system.

B. PROPOSED LAND USE

1. Zoning

Zoning for Loma Colorado was adopted by the City of Rio Rancho. The zoning designation of SU (Special Use) was applied to the various land uses to allow the City and Developer to develop the site in accordance with this Redevelopment Plan.

2. Land Uses

The following land uses correspond to those depicted on the Land Use Plan:

a. Low Density Single-Family (LD)

The Low Density Single Family (LD) residential area encumbers 55.1 acres of land within the Loma Colorado Redevelopment area. There are two areas of LD within the Loma Colorado Redevelopment Plan. The LD areas are located on the southern boundary of the Loma Colorado boundaries and the Arroyo de los Montoyas. Approximately 181 units are intended to be developed under the LD designation. The net density for LD areas is 3.2 DU/Acre.

i. Permissive Uses

- One single family dwelling unit per lot;
- Accessory uses and structures such as detached garages, workshops, tool sheds, and greenhouses;
- Noncommercial gardens, swimming pools, tennis courts;
- Parks, open space, public utilities and facilities;
- Home occupations;
- Churches and other religious facilities with a height not to exceed 35 feet, except for steeples that may not exceed 72 feet;
- Construction trailers;
- Temporary, emergency, construction, and repair residences
- Family day care home with capacity of six or less;
- Second kitchen; and
- Single family dwelling unit or manufactured/modular unit may be used as a model home or sales office;

ii. Conditional Uses

- Hospitals and private institutions of an educational nature;
- Recreation parks;

- Family day care home with a capacity of 7 or more; and
- Hobby breeders.

iii. Lot Standards/Setbacks

Front Yard Setback
15′ to the front of the house
20′ to garage

Side Yard Setback
5′ to side

Rear Yard Setback
15′ to rear yard

Lot Size
70′ x 120′ (Lot width measured along the rear of the front yard setback line)

iv. Height Standards

- 32 feet maximum per the provisions of Section 154.05 (F) of the Rio Rancho Zoning Ordinance shall apply. Except churches, which is as provided for in subsection i of this zone.

v. Off-street Parking

- A minimum of two garage parking spaces shall be provided per dwelling.
- All other uses shall comply with Rio Rancho Zoning Ordinance requirements.

vi. Accessory Structures

The Homeowners Association (HOA) will review and approve all accessory structures in Loma Colorado on a case-by-case basis for compliance with the Design Standards. HOA approval on accessory buildings must be received in writing prior to obtaining a City building permit. Copies of the HOA approval letter and approved plans shall accompany any accessory building applications for City zoning and/or building permit review. An approval by the HOA does not guarantee an approval by the City of Rio Rancho.

vii. Design Guidelines

- The design guidelines contained in Appendix A of the Loma Colorado Redevelopment Plan apply to this zone.

b. Medium Density Single-Family (MD)

This land use area (MD) covers approximately 74.3 acres of land within the Loma Colorado Redevelopment Plan. There are three primary

areas where MD occurs within the Loma Colorado Redevelopment Plan. One area is located across from the Aquatic Center/Library/ Sports Fields in Unit 8A. A second area is located at the southeastern corner of the Redevelopment Plan boundary. A third parcel is located at the northeast corner of the Plan area, adjacent to the mixed use area. Approximately 352 dwelling units are planned for the MD designation at a net density of 4.5 DU/Acre.

i. Permissive uses
- One single family dwelling unit per lot;
- Accessory uses and structures such as detached garages, workshops, tool sheds, and greenhouses,
- Noncommercial gardens, swimming pools, tennis courts;
- Parks, open space, public utilities and facilities;
- Home occupations;
- Churches and other religious facilities with a height not to exceed 35 feet, except for steeples that may not exceed 72 feet;
- Construction trailers;
- Temporary, emergency, construction, and repair residences
- Family day care home with capacity of six or less;
- Second kitchen; and
- Single family dwelling unit or manufactured/modular unit may be used as a model home or sales office;

ii. Conditional Uses
- Hospitals and private institutions of an educational nature;
- Recreation parks;
- Family day care home with a capacity of 7 or more; and
- Hobby breeders.

iii. Lot Standards/Setbacks

Front Yard Setback
15′ to the front of the house
20′ to garage

Side Yard Setback
5′ to side

Rear Yard Setback
15′ to rear yard

Lot Size
50′ x 110′ (Lot width measured along the rear of the front yard setback line)

iv. Height Standards

- 32 feet maximum per the provisions of Section 154.05 (F) of the Rio Rancho Zoning Ordinance shall apply. Except churches, which is as provided for in subsection i of this zone.

v. Off-street Parking

- A minimum of two garage parking spaces shall be provided per dwelling.
- All other uses shall comply with Rio Rancho Zoning Ordinance requirements.

vi. Accessory Structures

The Homeowners Association (HOA) will review and approve all accessory structures in Loma Colorado on a case-by-case basis for compliance with the Design Standards. HOA approval on accessory buildings must be received in writing prior to obtaining a City building permit. Copies of the HOA approval letter and approved plans shall accompany any accessory building applications for City zoning and/or building permit review. An approval by the HOA does not guarantee an approval by the City of Rio Rancho.

vii. Design Guidelines

- The design guidelines contained in Appendix A of the Loma Colorado Redevelopment Plan apply to this zone.

c. High Density Single-Family (HD)

The High Density Single-Family designation (HD) consists of 107.0 acres and is appropriate for owner-occupied attached or detached single family homes at higher densities. There are seven areas of HD designated land. Four areas are located across from Rio Rancho High School near Loma Colorado Drive and the seminary. The remaining area is located adjacent to the eastern boundary of the Redevelopment Plan. Approximately 567 units are envisioned to fall under the HD category at a net density of 5.3 DU/Acre.

i. Permissive Uses

Single-family

- One single family dwelling unit per lot;
- Townhomes
- Accessory uses and structures such as detached garages, workshops, tool sheds, and greenhouses;
- Noncommercial gardens, swimming pools, tennis courts;
- Parks, open space, public utilities and facilities;
- Home occupations;
- Churches and other religious facilities with a height not to exceed 35 feet, except for steeples that may not exceed 72 feet;
- Construction trailers;
- Temporary, emergency, construction, and repair residences

- Family day care home with capacity of six or less;
- Second kitchen;
- Single family dwelling unit or manufactured/modular unit may be used as a model home or sales office; and
- Community center and parking as restricted below:
  The sales pavilion in the model home complex and associated parking may revert to a community center with associated parking for Loma Colorado residents. Both the community center and parking uses are permissive in this zone, for the property legally described as Loma Colorado East Unit 2, Block 2, Lot 7, and Loma Colorado Unit 2, Tract D only. A final determination for this conversion will be made by the developer and the HOA at a later date. If the sales pavilion is not converted to a community center, then it would remain as an individual single family residence and the parking lot would be removed.

  Community Center Operations
  - HOA managed security card access for Loma Colorado residents only, prior reservations required
  - HOA ownership and maintenance of facility
  - Maximum occupancy limits per Fire Code
  - Controlled gate parking in existing lot
  - Residents must provide insurance and user fee

  Community Center Uses
  - No outdoor events and no outdoor concerts
  - Family events allowed (birthdays, reunions, etc.) by reservation
  - Block Watch meetings
  - Office space for HOA
  - Rentable office space use by residents
  - Group functions such as scout troup meetings, game nights, book clubs, etc.
  - Parking lot use for Block Watch parties

ii. Conditional Uses
- Hospitals and private institutions of an educational nature;
- Recreation parks;
- Family day care home with a capacity of 7 or more; and
- Hobby breeders.

iii. Lot Standards/Setbacks

Front Yard Setback
10' to the front of the house
20' to garage

Side Yard Setback
5′ to side
Zero lot line products are allowed in the HD zone

Rear Yard Setback
15′ to rear yard
Alleys and rear accessed lots are an option in the HD

Lot Size
45′ x 105′ (Lot width measured along the rear of the front yard setback line)

iv. Height Standards

- 32 feet maximum per the provisions of Section 154.05 (F) of the Rio Rancho Zoning Ordinance shall apply. Except churches, which is as provided for in subsection i of this zone.

v. Off-street Parking

- A minimum of two garage parking spaces shall be provided per dwelling, except attached single-family dwellings (town-homes) which shall have a minimum of a one-car garage.
- All other uses shall comply with Rio Rancho Zoning Ordinance requirements.

vi. Accessory Structures

The Homeowners Association HOA will review and approve all accessory structures in Loma Colorado on a case-by-case basis for compliance with the Design Standards. HOA approval on accessory buildings must be received in writing prior to obtaining a City building permit. Copies of the HOA approval letter and approved plans shall accompany any accessory building applications for City zoning and/or building permit review. An approval by the HOA does not guarantee an approval by the City of Rio Rancho.

vii. Design Guidelines

- The design guidelines contained in Appendix A of the Loma Colorado Redevelopment Plan apply to this zone.

d. Mixed Use Area (MU)

The Mixed-Use (MU) area is intended to be a vibrant activity center offering a mix of commercial, office, and high-density residential uses. The Mixed Use areas will be governed by site plans, that will be submitted prior to development.

Setbacks, design standards, and permissive uses will generally follow those of the City's Zoning Ordinance. Exceptions to these standards will be addressed at the time of site plan approval in order to imple-

ment a mixed use project within the existing regulatory framework of the City.

i. Land Use Mix
- Retail/commercial is 100% of Tract 13 per the GRIP Ordinance previously approved. No other uses are allowed in Tract 13.
- Retail/commercial may also be allowed as 100% of Tracts 11 and 12. There is no maximum limit on retail/commercial.
- Multi-family apartments are restricted to only one location: the westerly 6 acres of Tract 12. There is no minimum for multi-family, only a maximum.
- Senior continuum of care facilities including nursing care, related Senior support uses, and independent living apartments for seniors will comprise all of Tract 11A.
- Light industrial uses are only allowed on the westerly 6 acres of Tract 12, and if developed, would eliminate the multi-family option noted above. There is no minimum requirement for light industrial, only a maximum.

ii. Permissive Uses
- Stores for the sale of retail goods and products;
- Restaurants, bars, and lounges;
- Repair shops – electrical, radio, and television appliances, keys, and similar articles;
- Shops – dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;
- Banks, theaters, and office buildings;
- Churches and other religious facilities with a height not to exceed 35 feet, except for steeples that may not exceed 72 feet;
- Bakeries and confectioneries where goods are sold at retail prices;
- Parks, open space, public utilities and public facilities;
- Nursery schools and daycare facilities;
- Undertaking establishments;
- Club houses, buildings for fraternal organizations, nonprofit public service organizations;
- Medical complexes, professional offices associated with medical complexes, and veterinarians;
- Construction trailers;
- Photocopying and blueprinting;
- Hospitals;
- Temporary model home/sales office
- Private schools
- Nursing homes, assisted living, and transitional care facilities, and similar institutions, not to exceed a density of 32 du/ac;
- Temporary structures and enclosures used in construction of a building and used for storage of equipment and material;

- 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;
- Offset printing;
- Gasoline service stations;
- Attached residential townhomes or condos and apartments (in a restricted area of Tract 12 only), not to exceed a density of 32 dwelling units per acre.
- Light industrial, manufacturing, and warehousing uses, which do not create offensive noise, vibration, smoke, dust, lint, odors, heat, glare or any other noxious element.
    - Laboratories, research, and experimental stations;
    - Office and office buildings;
    - Wholesale merchandising or storage warehouses;
    - Manufacture or assembly of medical and dental equipment, drafting, optical, musical instruments, jewelry, toys, games, and electronic apparatus;
    - Manufacture or assembly of hardware accessories, ornamental iron products, electrical appliances, and sheet metal products;
    - Printing, publishing, lithographic, blueprinting, or photostatting establishment;
    - 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, distilling of beverages, but not packing, processing, or slaughtering of poultry or animals;
    - Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics, and printing and finishing of textiles and fibers into fabric goods;
    - Manufacture of boxes, crates, furniture, baskets, veneer, and other wood products of a similar nature;
    - Public utility including production or supply base;
    - New car lot for automobile sales;
    - Motorcycle sales, parts, and service;
    - 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. If an extension is needed, application to and certification from the administration is necessary and may be granted for up to 121 days.

iii. Conditional Uses

- From Division G of the S.I.C. (Retail Trade) the following major group number: Major Group 55: Automotive dealers
- Recycling collection centers

iv. Lot Standards/Setbacks

- All structures shall comply with the setbacks required in the C-1 zone district of the Rio Rancho Zoning Ordinance.
- All parking areas shall be setback a minimum of 15 feet from all rights-of-way, except adjacent to Northern Boulevard where parking areas shall be setback a minimum of 25 feet.

v. Landscape Standards

- A minimum of 15% of the site, excluding the building square footage, shall be landscaped.
- All landscaped areas shall be a minimum of 36 square feet in area with a minimum width of 6 feet.
- Living, vegetative materials shall cover a minimum of 75% of the landscaped areas. The coverage shall be calculated on the mature canopy size for all plant materials.
- A Interior parking areas shall have one tree for every 10 parking spaces, with no space being more than 100 feet from a tree.
- 75% of the required parking area trees shall be deciduous and have a mature canopy height of at least 25 feet.

vi. Height Standards

- The maximum height of all buildings is 55 feet, including parapets, except architectural features such as towers and other non-habitable features may not exceed a height of 60 feet.

vii. Off-street Parking

- Parking shall comply with Rio Rancho Zoning Ordinance requirements and the Design Guidelines contained in Appendix A.

viii. Signage

- Signage shall comply with Rio Rancho Zoning Ordinance requirements and the Design Guidelines contained in Appendix A of the Loma Colorado Redevelopment Plan.

ix. Usable Recreation Space for Tract 12 Multi- Family

- Usable recreation space shall be provided on-site in an amount equal to 200 square feet for each studio or one-bedroom apartment, 250 square feet for each two-bedroom apartment, and 300 square feet for each three or more-bedroom apartment.

Definition for Usable Recreation Space:
An area on the same lot as the apartments that serves to perma-

nently provide indoor or outdoor open space and/or recreational uses. Usable recreation space may include, but is not limited to: lawns, decorative plantings, and native plants; open balconies, covered patios, walkways, active and passive recreational areas, fountains, swimming pools, water features, and ponds; clubhouse areas for video/technology rooms, exercise or fitness activities, or meeting rooms; barbecue grill, community dining, and snack bar areas; and pocket parks, tot lots, courts or playgrounds. Usable recreation space does not include public right-of-way, parking lots, driveways, or buildings that are not designed for clubhouse, indoor recreation, or commons use or that are restricted to individual tenant use. Usable recreation space shall be available for entry and use by the apartment residents on that site.

x. Design Guidelines - See Appendix A.

xi. Design Standards for Multi-Family Development - See Appendix B.

3. Parks/Open Space

The Loma Colorado Redevelopment Plan recognizes that parks and open space are important community amenities. As a result, the Redevelopment Plan shows several neighborhood scale and pocket parks located throughout the Redevelopment Plan boundaries. The park, landscape, and open space system accounts for 107.3 acres (25% of the Redevelopment Plan area). The Redevelopment Plan shows a network of open space and trails running throughout the property. The trail system provides connectivity throughout the entire Loma Colorado community and links the residential areas to the mixed use areas, parks, and the surrounding community.

a. Park Locations

The Loma Colorado Redevelopment Plan shows parks of various sizes located within the Loma Colorado planning area. There will be many smaller-scale parks that are intended to serve local neighborhoods throughout Loma Colorado. The other parks are community scaled parks that are intended to serve a larger public population. These parks are connected to the natural open space areas within Loma Colorado by trails. The parks will have different amenities in them dependent on the housing product type nearest to them (i.e. a tot lot will be provided in the park nearest housing targeted to families with small children. There are approximately 24.5 acres of parks and landscaping within the Redevelopment Plan.

b. Open Space

A unique feature of the Loma Colorado area are the opportunities provided by the open space network that links the community. The open space follows the natural topography of the site. Approximately 92 acres within Loma Colorado are left in open space/trails/levees/well sites.

c. Trail Network

The open space and residential areas within Loma Colorado are linked by an extensive trail network. The trails are located at the perimeter of the large open space area and link to parks and the bike trails along Loma Colorado. The trails also extend into the residential areas providing access to the open space areas from the individual neighborhoods located in Loma Colorado.

d. Arroyo de los Montoyas

The Arroyo de los Montoyas forms the southern boundary of the Loma Colorado Redevelopment Plan area and is a significant open space corridor for the entire City of Rio Rancho. The Urban Design Framework Plan found in the Vision 2020 ICP shows the Arroyo de los Montoyas corridor linking the Rio Grande to the northern portions of the City of Rio Rancho. The Arroyo de los Montoyas open space corridor helps to implement the City's goals for its urban design framework.

5. Community Facilities

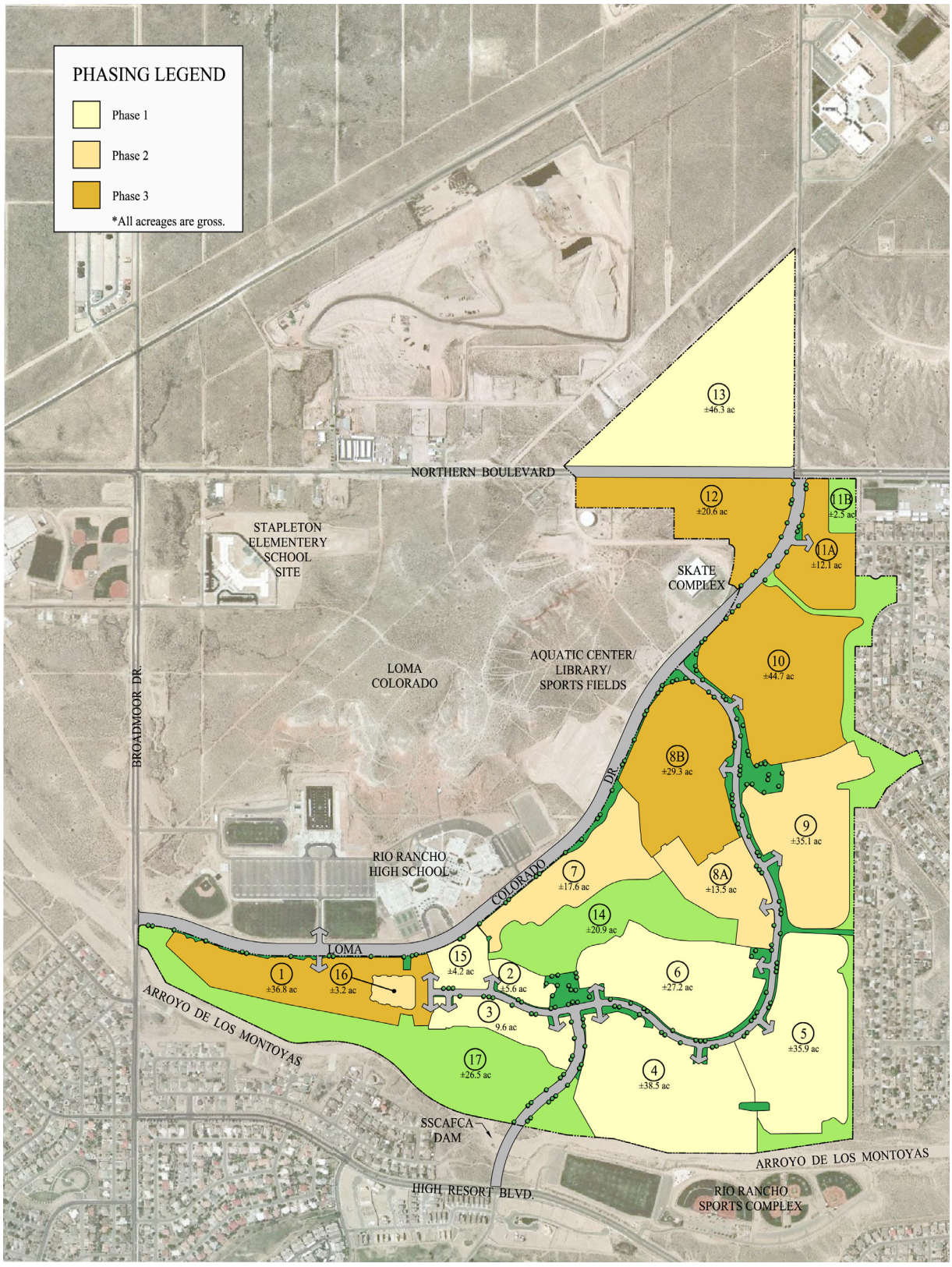
There are several existing or planned community facilities on the west side of Loma Colorado Drive, outside the boundaries of the redevelopment area. These facilities include:

- Aquatic center;
- Library;
- Sports fields/sports complex; and
- Schools and sports recreation facilities.

These existing and proposed community facilities will complement the existing schools in the area and the development that will occur in Loma Colorado. In terms of community facilities located within the redevelopment boundaries, there are two well sites that exist within the community. One well site is located in the northwest area of the Loma Colorado Redevelopment Area, just offset from Northern. The Loma Colorado Redevelopment Plan shows the northern well site adjacent to MU designated land use on one side. The other well site is located in the southwest area of the Loma Colorado Redevelopment area.

C. PHASING PLAN

A generalized Phasing Plan follows this section on page 22. The purpose of the Phasing Plan is to provide an overview of where construction is anticipated to begin, based upon the proximity of existing infrastructure. The Phasing Plan represents a generalized guideline of anticipated development sequencing, and is not a restriction on development within Loma Colorado.



Loma Colorado Phasing Plan

Pulte Homes

Bohannan ▲ Huston Inc.
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

rvi planning + landscape architecture
712 congress avenue suite 300
austin, texas 78701

CONSENSUS PLANNING
CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 FAX 842-5495
e-mail: cp@consensusplanning.com

Phase 1 includes Units 2, 3, 4, 5, 6, 13, and 15. Phase 2 includes Units 7, 8A, 9, and 16. Phase 3 includes Units 1, 10, 11, 12, 14, and 17.

4. Phasing Plan Table

The following table summarizes the phasing for Loma Colorado.

Phase	Use	Acreage**
One	Single Family Residential	121.0
	Mixed-Use	46.3
	Parks, Landscape, & Open Space*	26.5
	TOTAL	**193.8**
Two	Single-Family Residential	100.4
	Parks, Landscape, & Open Space*	27.4
	TOTAL	**127.8**
Three	Single-Family Residential	82.6
	Mixed-Use	32.5
	TOTAL	**115.1**

** Does not include parks, landscape, and open space that is part of the gross residential acreage. This number only includes bulk platted parcels.*

*** Note that the totals for the phases do not add up to 442 acres because they do not include major rights-of-way or the seminary property.*

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SECTION 3: NORTHERN BOULEVARD AREA PLAN

A. OVERVIEW OF NORTHERN BOULEVARD AREA PLAN

The Northern Boulevard Area Plan was prepared to guide future land use and development along Northern Boulevard. It ranks as a Level 2 plan and conforms to the Vision 2020 ICP. The Area Plan covers the area of Northern Boulevard from the Arroyo de los Montoyas to NM 528. The Area Plan proposes several urban design and land use policies, which development is expected to follow. The urban design policies found in this Redevelopment Plan correspond to landscaping, architecture, signage, and transportation.

B. RELATIONSHIP OF NORTHERN BOULEVARD PLAN TO LOMA COLORADO REDEVELOPMENT PLAN

1. Area of Overlap

The Northern Boulevard Area Plan divides Northern Boulevard into two areas; Land Use District Area One and Land Use District Area Two. The Loma Colorado Redevelopment Area is located in Area One, which the Northern Boulevard Plan identifies as an "Activity Center". The Loma Colorado Redevelopment Area that is included within the Northern Boulevard Area Plan is comprised of the two parcels fronting Northern Boulevard on the south (on either side of Loma Colorado Drive) and the property on the north side of Northern Boulevard. The Northern Boulevard Area Plan also covers the parcels directly across from the skate facility.

2. Plan Compliance

The Northern Boulevard Area Plan was adopted in 1996. Since the Plan was adopted, the City has adopted the Loma Colorado Redevelopment Plan to eliminate blight and create a vibrant community. To create an energetic mixed use employment center adjacent to Northern Boulevard, Pulte Homes in consultation with experienced commercial developers, have determined that the standards and guidelines for development must be updated to achieve this common goal. The Loma Colorado Redevelopment Plan supersedes the Northern Boulevard Area Plan for development in the area of overlap by establishing realistic development standards and guidelines to assure the desired, high quality development occurs. The future uses for the parcels that are both within the Northern Boulevard Area Plan and the Loma Colorado Redevelopment Plan are contained in the Land Use subsection of this Redevelopment Plan. The design guidelines for the same area are included in Appendix A.

3. Conclusion

The design guidelines supersede any standards contained in the Northern Boulevard Area Plan. The guidelines are not intended to subvert the intent

of the Northern Boulevard Area Plan, but will strengthen the Loma Colorado area as an activity center by allowing for greater flexibility in building design, something that will benefit the users and provide motivation for them to build in Loma Colorado. Location of new jobs and businesses that generate gross receipts tax revenues within Loma Colorado will benefit the City substantially, and sufficient design control can be exercised without the design restrictions of the Northern Boulevard Area Plan applying to this site.

SECTION 4: POTABLE WATER SYSTEM PLAN

A. INTRODUCTION

The water system plan for Loma Colorado is designed to provide potable water to the entire development. In addition, the system is designed to provide emergency fire flow water to the area. Domestic water service for the Loma Colorado Master Plan area will be provided by the City of Rio Rancho. A water and sanitary sewer availability statement has been issued by the City of Rio Rancho for the residential portions of the project.

B. EXISTING CONDITIONS

Water system infrastructure already in place in the Loma Colorado Redevelopment Area includes the following:

- Existing 14″ transmission line in Loma Colorado Boulevard
- Existing 8″ waterlines in residential subdivision to the east of Loma Colorado Development
- Existing 18″ waterline in Northern Boulevard
- Two existing wells
- Two existing storage tanks

C. PROPOSED CONDITIONS

1. System Needs to Support Loma Colorado Development

An analysis was completed to determine current and future demands and capacities of the water system which includes the Loma Colorado area. Results of the analysis have determined that a future water reservoir and a new transmission line will be required to serve the project. Although subject to further analysis of the current system, it is possible that the first phase or more of Loma Colorado may be supported by the existing system, however, the number of lots possible will not be known until the analysis is complete. The time frame for when the tank is needed has been negotiated with the City and is detailed in the adopted Development Agreement.

2. Recommended Improvements

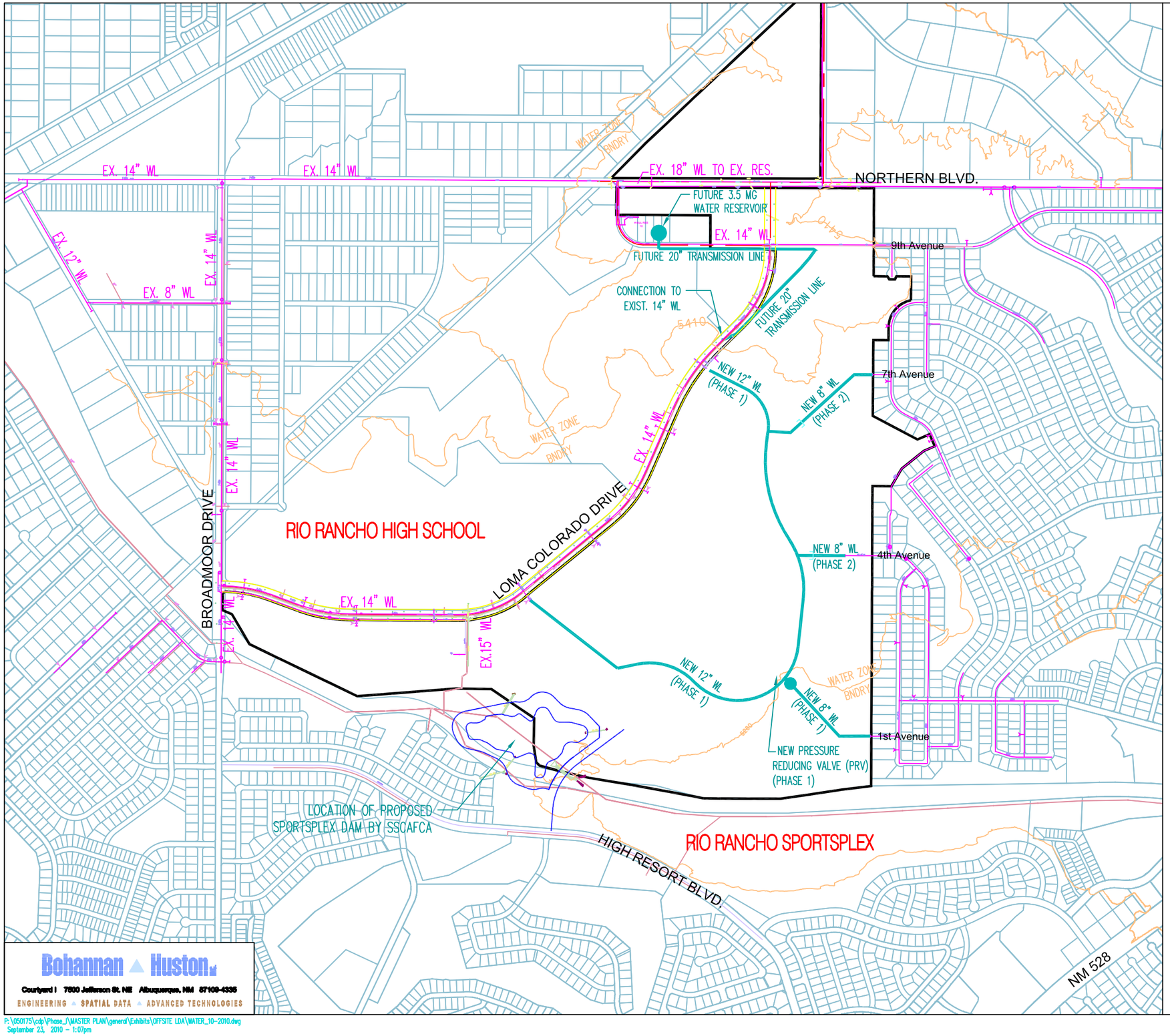
On-site waterline improvements are necessary to support development in Loma Colorado. These include a main distribution line and a pressure reducing valve. Please refer to the water master plan exhibit for locations and sizes. These improvements are mainly for the support of the residential development of Loma Colorado. The commercial area can be served by the existing infrastructure.

D. EXPANSION PHASING PLAN

The Loma Colorado Master Plan area is located within three water pressure zones, which will need to be part of any Phasing Plan.

1. Water Pressure Zones

Service to Zone 1 will be from the new 12″ Zone 2 waterline through a new Pressure Reducing Valve (PRV) with a connection to the existing 6″ waterline located in 1st Street. In order to service the southern two-thirds residential portion of the Loma Colorado Master Plan area within Zone 2, a new 12″ waterline will be looped through the project from the existing 14″ waterline in Loma Colorado Blvd. Connections will be made from the new 12″ waterline to the existing 6″ waterlines in 4th Street and 7th Street. Water service to Zone 3, within the mixed use area, will be from the existing 14″ waterline in Loma Colorado Drive as well as the existing 18″ waterline in Northern Blvd.



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1" = 1000'

LOMA COLORADO

CONCEPTUAL WATER UTILITY MASTER PLAN

OCTOBER 2010

ESTIMATED AVG DAILY WATER USAGE

DEVELOPMENT	USAGE (gal/day)
RESIDENTIAL (1100 DUs)	330,000
COMMERCIAL (79 ac.)	395,000
	TOTAL: 725,000

FIRE FLOW AND STORAGE REQUIRMENTS

DEVELOPMENT	FLOW (gal/min)	STORAGE (gal)
RESIDENTIAL	1700	204,000
COMMERCIAL	3000	540,000

NOTES

1) COMMERCIAL FIRE FLOWS BASED ON A MAXIMUM BUILDING AREA OF 165,000 sq. ft., TYPE II–N CONSTRUCTION WITH FIRE SPRINKLER SYSTEM

2) RESIDENTIAL CLASSIFICATION BASED ON MAXIMUM HOME AREA OF 4000 sq. ft.

Bohannan ▲ Huston
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

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SECTION 5: WASTEWATER SYSTEM MASTER PLAN

A. INTRODUCTION

The wastewater system master plan is designed to provide sanitary sewer service for the entire Loma Colorado development. Once the developer has completed infrastructure for the project, the ownership and maintenance of the infrastructure will be retained by the City of Rio Rancho.

B. EXISTING CONDITIONS

1. Location of Lines

Existing wastewater infrastructure lines in the Loma Colorado area includes the following:

- Existing 8″ sewer line located in 9th Street
- Existing 15″ sewer line located near the Montoyas Arroyo

2. Wastewater Treatment Plant #2

The Arroyos de la Montoyas sewer system transports liquid waste to the Wastewater Treatment Plant #2 for treatment. Sewage generated by Loma Colorado development would be treated at the plant.

B. PROPOSED CONDITIONS

Wilson & Co. completed a study of the Montoyas Arroyo sewer line to determine current and future flowrates and capacities. The Loma Colorado developer will pay for their impacts to the infrastructure attributed to the Loma Colorado project as provided for in the adopted Development Agreement for the project.

The projected wastewater generation for the residential development of Loma Colorado is 0.63 MGD. This is taken from the Wilson study which assumes 1,100 residential lots for the Loma Colorado Development.

C. RECOMMENDED IMPROVEMENTS

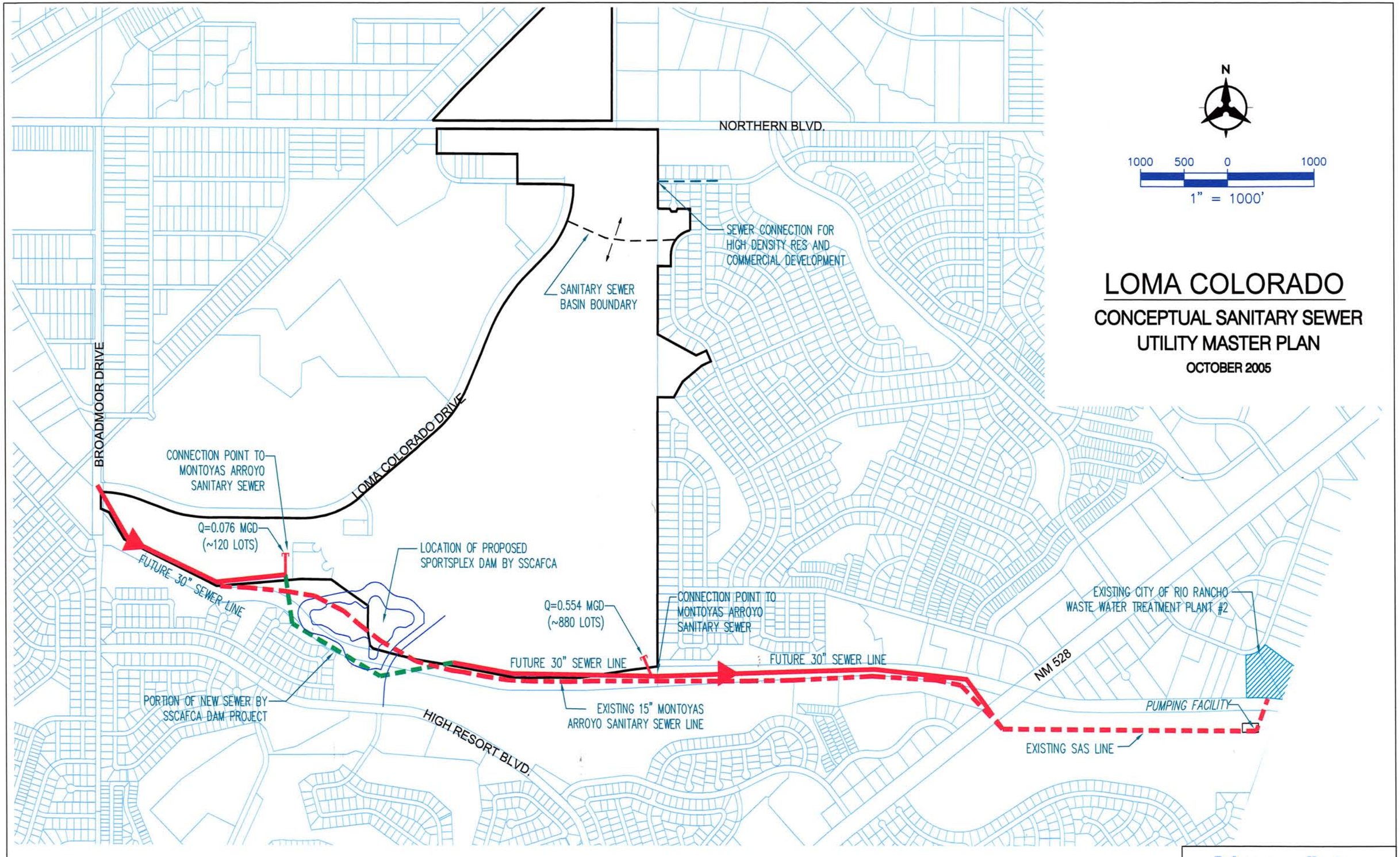
The existing 15″ Montoyas Arroyo sewer line will be upgraded to a 30″ sewer line by the City of Rio Rancho. This upgrade is due to future and existing developments, including Loma Colorado.

D. PHASING PLAN

The southern two-thirds of Loma Colorado will discharge to the new 30″ Montoyas Arroyo Sewer located on the south side of the site.

The northern mixed-use portion of Loma Colorado will discharge to the existing sewer line in 9th Street. According to meetings with the City of Rio Rancho Utilities Department, the existing sewer line can accommodate the proposed flow from the mixed use area.

A water and sewer availability statement has been issued by the City of Rio Rancho for the residential portions of the project.



LOMA COLORADO

CONCEPTUAL SANITARY SEWER UTILITY MASTER PLAN

OCTOBER 2005

Bohannan ▲ Huston Inc.
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

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October 28, 2005 - 10:17am

SECTION 6: WATER RE-USE SYSTEM PLAN

Upon expansion of the existing wastewater re-use system by the City of Rio Rancho, there will be an opportunity to utilize re-use water for landscape and turf irrigation within the adjacent high school and Sports Complex sites. Pulte Group is in support of the wastewater re-use concept and will work with the City in the future to assist in providing corridors within the Loma Colorado project area, which will facilitate the City's expansion of the re-use system to serve these areas.

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SECTION 7: TRANSPORTATION

A traffic study was prepared that studied full development of Loma Colorado. It studied 15 intersections plus all 12 proposed site driveways. In order to be a conservative analysis, and to reduce the need for additional traffic analyses in the future, the number of dwelling units considered in this traffic study exceeds that generally anticipated to be ultimately constructed. In addition, the proposed land uses evaluated includes significant commercial uses, including retail, office and general light industrial uses, again larger than that likely to be constructed in the future to maintain a conservative approach to considering traffic impacts.

The Build analysis showed that most intersections will operate at acceptable levels of service except for NM 528 & High Resort, Broadmoor & High Resort, Broadmoor & Country Club, High Resort & White Resort, and the two (2) full access intersections to the proposed commercial parcels on Northern (north and south of Northern on the west side of Loma Colorado/40th Street). The two (2) full access intersections to the commercial parcel, as well as the High Resort & White Horse and Country Club & Broadmoor intersections were found to warrant traffic signals based on the Peak Hour Volume Traffic Signal Warrant. The entrance to the High School parking lot between the ball fields was also shown to warrant a traffic signal in the Build scenario.

A full copy of the traffic study is on file with the City of Rio Rancho. Specific transportation system improvements that may be required have been negotiated as part of the development agreement.

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SECTION 8: DRAINAGE MASTER PLAN

A. INTRODUCTION

This is a summary of the master drainage study which is submitted as a separate document. The study presents a drainage management plan for the entire Loma Colorado area and is intended to preserve the drainage concepts that were presented in previously approved reports. The majority of the Loma Colorado development drains into the Montoyas Arroyo, therefore, SSCAFCA must review and approve the master drainage study.

B. EXISTING CONDITIONS

1. Soils

The soils onsite consist of mostly silty sands which are favorable for development. Soils near the Montoyas Arroyo are relatively loose and must be densified to be suitable for the structural support of buildings and other infrastructure.

2. Existing Drainage Facilities

The residential area discharges historic flows south into the Montoyas Arroyo. Mixed-use area discharges historic flows south into the storm drain system in Northern Boulevard.

C. PROPOSED CONDITIONS

1. Channel Treatment/Improvement

The Loma Colorado development will be responsible for building or payment of a portion of the proposed Montoyas Arroyo dam and other arroyo improvements. A development agreement with SSCAFCA is being finalized.

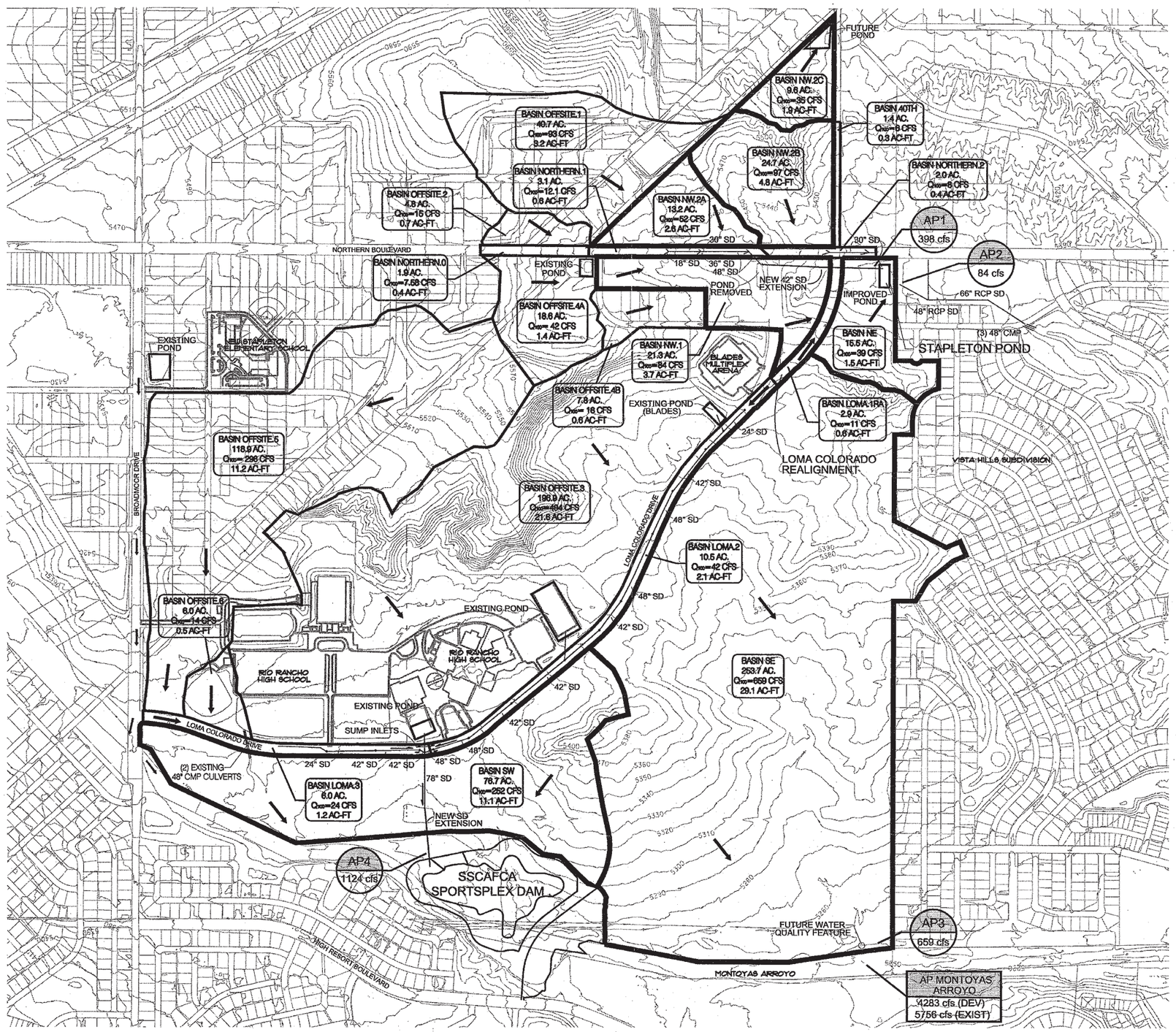
2. Water Quality and Sediment Control

The Loma Colorado development will treat the first quarter-inch of runoff before release into Montoyas Arroyo. One or more water quality manholes and/or ponds will be placed at the southern boundary of the subdivision.

D. PHASING

This section is a brief summary of the Drainage Implementation Plan (DIP) which was submitted as a separate document and previously approved by the City of Rio Rancho and SSCAFCA. The DIP identifies major drainage infrastructure to be developed with specific phases of the project. The development of the mixed-use area in the north part of Loma Colorado will require storm drain improvements in Northern Boulevard and improvements to an existing pond. The development of the residential area of Loma Colorado will require an internal storm drain trunk line, water quality features near the southern boundary, and Montoyas Arroyo improvements.

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1"=500'

LOMA COLORADO

DEVELOPED CONDITIONS BASIN MAP

August 2006

EXHIBIT 3

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APPENDIX A: DESIGN GUIDELINES

A. INTRODUCTION

The Loma Colorado Redevelopment Plan recognizes the importance of creating design guidelines that promote a sense of cohesiveness within the entire community. The purpose of these design guidelines is to provide a flexible framework for community design with specific objectives that encourage innovative and creative solutions, rather than setting a rigid set of requirements that all site development plans must adhere to. The desired character of design features common to the community such as grading, landscape, signage, lighting, walls, and architecture are expressed in these guidelines. These guidelines will be included within the Loma Colorado Redevelopment Plan adopted by the City of Rio Rancho, and will provide a framework for future development. The Owners will form the HOA. The HOA will evaluate how well each site development plan submitted for approval meets these objectives. As Loma Colorado develops, modifications to these design guidelines may become necessary. Such modifications can be considered and approved by the HOA and the City of Rio Rancho Development Review Committee.

A separate Property Owners Association (POA) will be formed for the mixed use properties. The primary responsibility of the HOA and POA will be to maintain all common areas and parks within Loma Colorado in their respective areas of responsibility. The HOA and POA will also be responsible for enforcing the CC&Rs that are developed for the property.

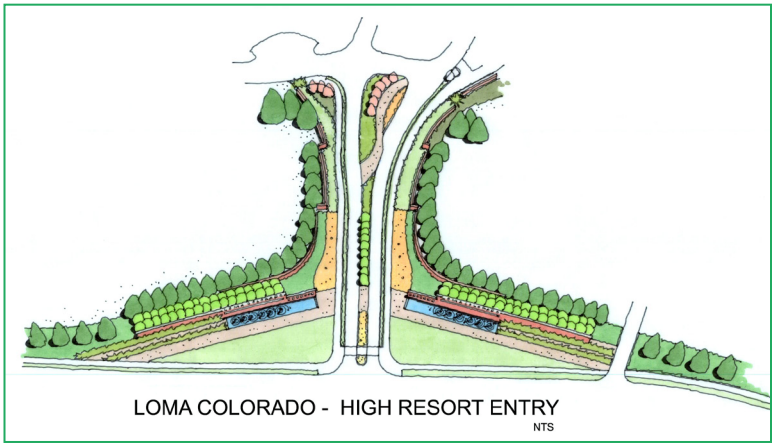
The following section of the guidelines is primarily intended for use by homebuilders who will participate in the development of subdivisions within Loma Colorado. Guidelines as such have a varied degree of enforcement, either advisory or regulatory. Guidelines using the term “may” and “should” are advisory in nature and are suggested; and guidelines using the term “shall” are mandatory. These guidelines do not supersede specific requirements under the Rio Rancho Zoning Code. The HOA is responsible for enforcement of these design guidelines.

Loma Colorado has been planned to adhere to the Vision 2020 Plan by creating a Mixed-Use activity center, that allows people to live, work and play all within walking distance of one another. The layout for Loma Colorado provides excellent potential for creating a coordinated system of bikeways and pedestrian trails to serve the community with alternative modes of transportation. The system is designed to create a cohesive network that links various neighborhoods to community facilities, both active and passive, and enhances the recreational opportunities for residents. Loma Colorado will be designed and oriented with an open space and trail network that encourages active and passive recreation. This open space and trail network is also supplemented with community parks of varying sizes. Recreational opportunities are enhanced by the bicycle and pedestrian orientation of Loma Colorado. Drainage ways will be jointly used as recreational/trail facilities wherever possible.

B. ENTRY WAYS AND LANDMARKS

1. High Resort Entry

Anticipated as the primary community entry throughout all phases of the project, the High Resort Entry plays an integral role in the identity of Loma Colorado and is the central feature of the marketing trail. As such, the entry design must respond to the large-scale context and visibility of the High Resort frontage, be proportionately consistent with the overall size of Loma Colorado, and establish the overall materials and color palette for the community. Generally, the wall design and logotype are Pueblo Deco inspired and integrate historic lines and form. A long horizontal wall form was utilized to maximize presence on High Resort Boulevard and ensure visibility to high-speed traffic. The rich colors and stucco finish establish a unique identity for Loma Colorado unlike other adjacent communities. Ledge stone in rich sandstone colors is used as accent and stainless letters and accents are incorporated to lend a "contemporary" feel to the entry. The landscape has been designed to support the linearity and geometry of the entry and provides a rich diversity of form, seasonal color, texture and contrast, all utilizing xeriscape design principles and native or adaptive plant materials.



LOMA COLORADO - HIGH RESORT ENTRY
NTS

2. Loma Colorado Entry

Though not the primary entry, the Loma Colorado Entry serves as a major community entry nonetheless. To maintain a strong visual relationship to the High Resort Entry, the design for this entry has a similar design vocabulary while recognizing the need to respond to a somewhat smaller scale site. In keeping with the pedestrian linkage concept of Loma Colorado, the design accommodates pedestrian traffic patterns to the nearby school and other adjacent recreational facilities, yet it is scaled to ensure good vis-

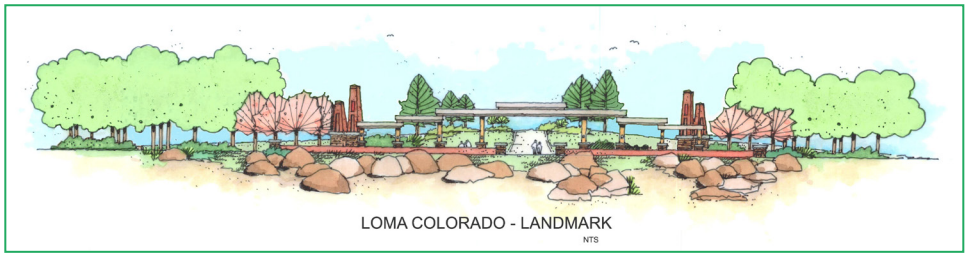


LOMA COLORADO - LOMA COLORADO BOULEVARD ENTRY
NTS

ibility to traffic on Loma Colorado Boulevard. Upgraded perimeter walls and landscaping address rear-yard screening concerns near the entry.

3. Landmark

Recognizing the need for a regional landmark, the Landmark provides a strong visual identity feature for Loma Colorado that can be seen from a distance and widely identified with "Loma Colorado". Though sited at the highest point of Loma Colorado (5400'), the Landmark will be situated in the "brow" of the hill so as not to protrude significantly above the horizon line. It is a community recreation destination offering excellent shaded seating and regional views. Additionally, botanical information about the plant life found along the trail system could be provided at this gathering point and throughout the trail system.



Landmark Concept is Illustrative

C. RESIDENTIAL DESIGN GUIDELINES

Each residential neighborhood may have a unique identity that will be established through tailored development standards, design guidelines, and signage parameters. This approach will enable Loma Colorado to carve out its own identities and niches within the overall context of Rio Rancho thereby avoiding the generic, sterile, repetitive appearance found in subdivisions elsewhere. The HOA will review and approve architectural elements of all development in Loma Colorado.

1. Site Design

A primary focus in specific site design within Loma Colorado will be the creation of a community that is pedestrian and bicycle oriented. All developments shall provide convenient pedestrian circulation through and between parcels, and to parks and open space corridors. Safe, convenient, accessible and pleasant pedestrian circulation may be accomplished with walkways, bike paths, viewpoints, special pavings, shade, rest areas, and other pedestrian amenities. The relationship of building to street contributes to how the environment is perceived and experienced and as such is an important design issue to consider in site planning for all types of land uses. Site plans for residential subdivisions shall provide variety and visual interest in the streetscape. Pedestrian connections between neighborhoods shall be planned for safe and efficient pedestrian movement.

a. All community facilities and trails should be compliant with current ADA requirements.

b. In general, long, straight roads are discouraged. The use of curvilinear streets, knuckles or cul-de-sacs is encouraged to provide variety and visual interest in the streetscape. These concepts also promote the creation of "neighborhoods within neighborhoods."

c. Fronting a single-family unit on collector streets is prohibited.

d. Uniform front yard setbacks in residential areas shall be avoided. Customized setbacks have been created for the Loma Colorado Redevelopment Plan that are based upon land use categories. These land use categories will be applied to the properties after approval of the Loma Colorado Redevelopment Plan. Land Use categories include; Low Density Single-Family (LD), Medium Density Single-Family (MD), High Density Single-Family (HD) for residential uses. Mixed Use (MU) is shown for the mixed-use (commercial, industrial, multiple-family) areas.

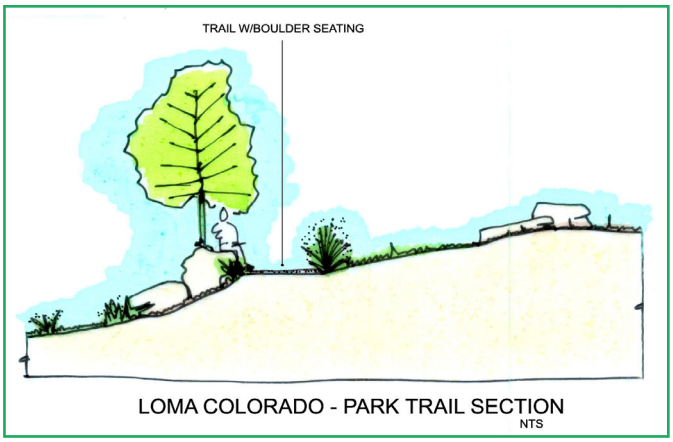
e. Varying the placement and orientation of garages also helps to avoid the creation of a monotonous streetscape visually dominated by garage doors. The visual impact of garage doors may be minimized by placing them even with, or set back from, the house fronts, rather than projecting out from the house. Side-entry garages may be used for wide lots (including corner lots) or on narrow lots if the garage is extended in front of the home creating an L-shape.

f. Open space and pedestrian connectivity are the backbone of Loma Colorado. This is accomplished through a comprehensive network of trails; large open spaces and arroyo crossings. Pedestrian openings at the end of cul-de-sacs or openings in perimeter walls are encouraged to allow pedestrian connections between subdivisions, multi-family areas, commercial areas, and adjacent streets. For these connections, a minimum 14-foot wide access easement with a minimum 6-foot wide walk is required. In some cases, these access points may double as utility easements.

g. 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.

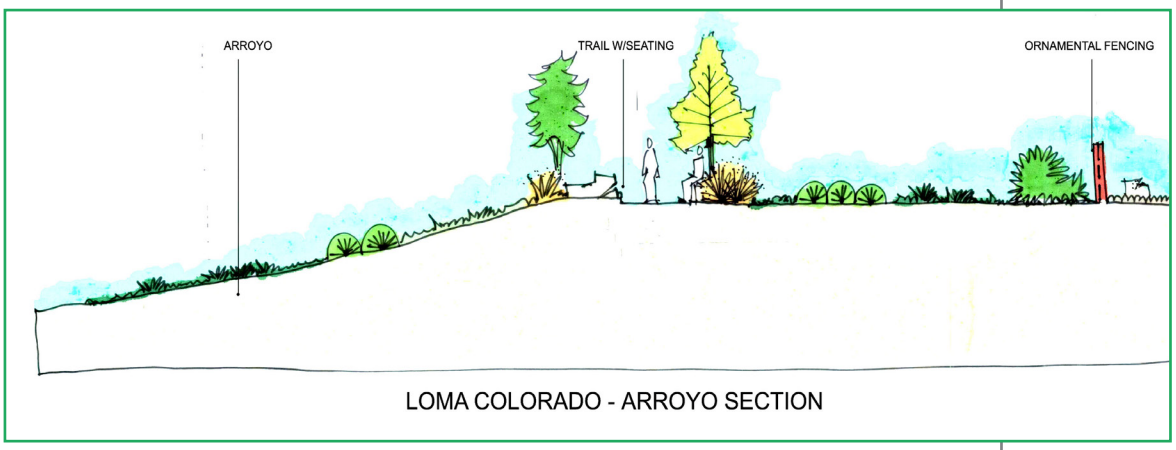
h. In multi-family developments, parking areas shall be screened from public streets by appropriate landscaping techniques, including earthen berming, and/or 2' (min.) masonry walls.

i. Bicycle parking shall be provided in multi-family developments in a manner that provides convenient access to their use by each building.

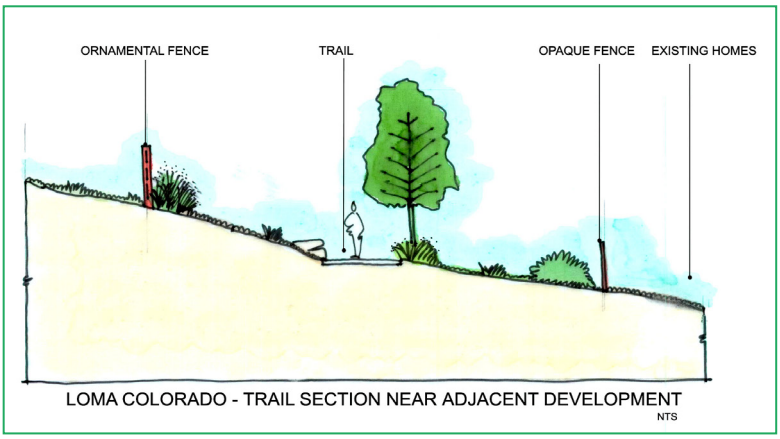


LOMA COLORADO - PARK TRAIL SECTION
NTS

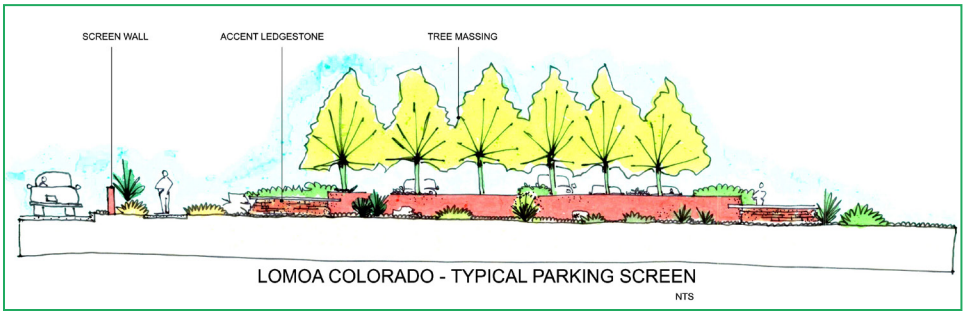
All trail concepts shown in this Plan are illustrative. Irrigated landscape is located at key nodes. Xeric landscape is located between these nodes.



LOMA COLORADO - ARROYO SECTION



LOMA COLORADO - TRAIL SECTION NEAR ADJACENT DEVELOPMENT
NTS



LOMOA COLORADO - TYPICAL PARKING SCREEN
NTS

2. Signage

Signage should enhance the overall attractive character of the community, as well as provide information and direction to residents and visitors. Effective site signage functions not as a separate entity but as a coordinated element of its environment. A common design theme for signage within Loma Colorado will enhance the community image. Size and placement of all signage should be considered an integral part of the site development process. Signs shall be designed, sited, and installed to avoid disruption of vehicular sightlines as well as conform to existing Rio Rancho regulations. All signage shall be further restricted by private covenants and reviewed by the HOA.

3. General Lighting

The objective of the lighting guidelines is to preserve the "dark sky" while providing lighting that enhances the safety, security, and visual aesthetics of the area. Careful attention to lighting detail will contribute to the sense of a cohesive community image. Lighting design and features will differ according to the land use. Lighting design shall support transitions between varying uses. In all cases, light fixtures and standards shall conform to local safety illumination standards and existing City regulations. Additional restrictions on lighting will be imposed through privately enforced covenants, conditions and restrictions (CC&Rs). All lighting will be designed in order to be in compliance with the State of New Mexico Night Sky Regulations.

a. General: Site lighting equipment shall be hooded, shielded, and aimed so as to eliminate glare or light trespass onto adjacent roadways and properties. Lighting layout shall be coordinated with proposed landscaping and trees to maximize light distribution and avoid conflicts.

b. Pole Lighting: For spotlights and floodlights mounted overhead on poles, the axis of illumination (centerline of the beam emitted from the lamp) shall be adjusted to an angle not greater than 20 degrees from the vertical line between the fixture and the ground. No pole-mounted lighting may exceed a mounting height of thirty-two (32) feet above finished grade.

c. Accent Lighting: Accent lighting intended to highlight site features, such as trees and auxiliary structures, shall be metal halide. Fixtures shall be concealed from view or provided with louvers, diffusers, or glare shields as necessary to eliminate glare on adjacent roadways and properties. Lamps shall be limited to 150 watts.

d. Bollards: All bollard lamping shall be metal halide and shall be fitted with louvers, diffusers, or glare shields as necessary to eliminate glare on adjacent roadways and properties.

e. Emergency Services Lighting: Lighting required by Police or Fire departments or other municipal services shall be exempt from the requirements of these guidelines.

f. Seasonal Lighting: Decorative seasonal lighting is permitted October 31 through January 31.

g. ADA Compliance: All lighting shall incorporate barrier-free design and comply with all accessibility criteria of the City of Rio Rancho.

h. Lighting Installation: The Owner/Developer is responsible for obtaining any applicable approvals and permits prior to installation of lighting. Where any provision of federal, state, county, or city statutes, codes, or laws conflicts with any provision of these guidelines, the most restrictive shall govern unless otherwise regulated by law.

4. Street Lighting

a. Lighting shall be located to enhance the safety of pedestrian and vehicular flows at key points along roadways. Light shall be concentrated at intersections and pedestrian crosswalks. The maximum height of street light fixtures shall be as required by the City of Rio Rancho.

b. Light spillage on adjacent properties is prohibited. Light fixtures shall be recessed or shielded.

5. Pedestrian Lighting

a. Lighting shall be pedestrian oriented in districts with high pedestrian traffic, such as the commercial, mixed use, and community center areas. Bollard or other low-level lighting shall be used along community center sidewalks and other public areas. Light fixture heights will be regulated in the CC&Rs.

b. Bollard material and design shall be compatible with the adjacent buildings. Polycarbonate lenses and guards shall be provided for bollards and other types of low-level lighting.

c. Lighting may be used to accent landscape features. This type of lighting shall only illuminate the intended landscape feature. Concealed lighting sources are recommended and shielding is required.

d. Lighting for the trail system shall be provided at an appropriate spacing to create a safe and secure environment.

6. Site Utilities

The purpose of these guidelines is to promote the coordinated development of utilities within Loma Colorado and to minimize utility costs and visual impacts associated with utility structures.

a. Utility easements shall be provided as required.

b. All permanent utilities shall be located underground.

c. Transformers shall be grouped with utility meters and screened from view where possible.

7. Landscape and Streetscape (Residential Streets)

The key to creating a truly livable and high quality environment will be the development of a comprehensive landscape master plan. The environmental, as well as aesthetic, value of landscaping in an arid region cannot be overestimated. Landscaping should be used to frame views, as a noise and view buffer, to break up large expanses of parking, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety.

Recognizing the increased public awareness of water conservation, this Redevelopment Plan promotes the use of native and naturalized plant species that perform well in an arid environment. The Redevelopment Plan further promotes this philosophy forward through use of botanical education. The trail system will be provided with information about the plant materials experienced throughout the community. Major arterials shall be landscaped with native and adaptive species and can serve as a demonstration project to the rest of the community. A Plant Palette and xeriscape principles of design will be included in the CC&Rs.

Special attention should be given to convey the overall landscape concept of a formalized landscape at the entryways that becomes more informal as one approaches the central nature preserve.

a. Residential Landscape
    1. Individual homebuilders shall be required to provide front yard landscaping for each house through the developer's CC&Rs. The landscape plans will require approval by the HOA.

    2. Accent surfacing and mineral mulch materials, such as river cobble and/or boulders are encouraged.

    3. Landscaping in accordance with an approved plan, by development phase for residential subdivision perimeter landscaping, shall be installed in accordance with the CC&Rs.

b. Common Landscaped Areas
    1. Turf use limitations are established within the CC&Rs.

    2. If turf is to be used in non-pedestrian areas, it shall be a drought tolerant grass species.

    3. Undeveloped areas held in reserve for future building or pavement shall be seeded with a mixture of native grasses/wildflowers.

    4. Coverage of the common landscape areas with vegetative plant material will be governed by existing City regulations and the future CC&Rs.

c. Streetscapes

Streetscape design is another key factor in determining neighborhood quality and livability. Providing streetscape amenities such as landscaping and street trees, benches, bus shelters, bike racks, and trash receptacles creates an attractive community for residents and visitors. A consistent landscape theme in residential areas will reinforce community identity. Providing large canopied street trees in residential areas will soften the streetscape and provide the feeling of an established neighborhood as the trees reach maturity.

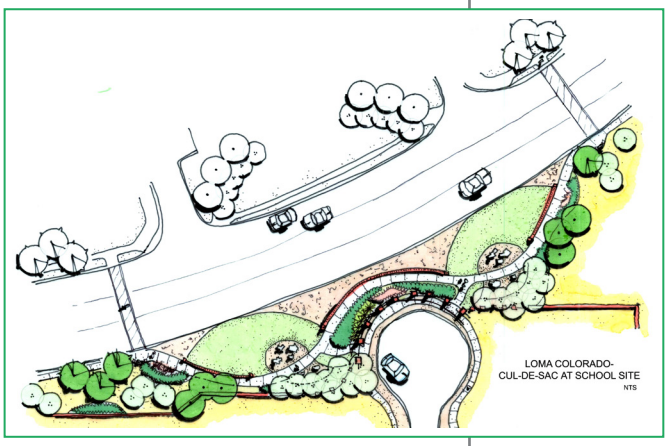
1. Street trees shall be provided along major and minor roads as determined by the CC&Rs. Trees in medians and allowable species of trees will also be regulated through the CC&Rs.

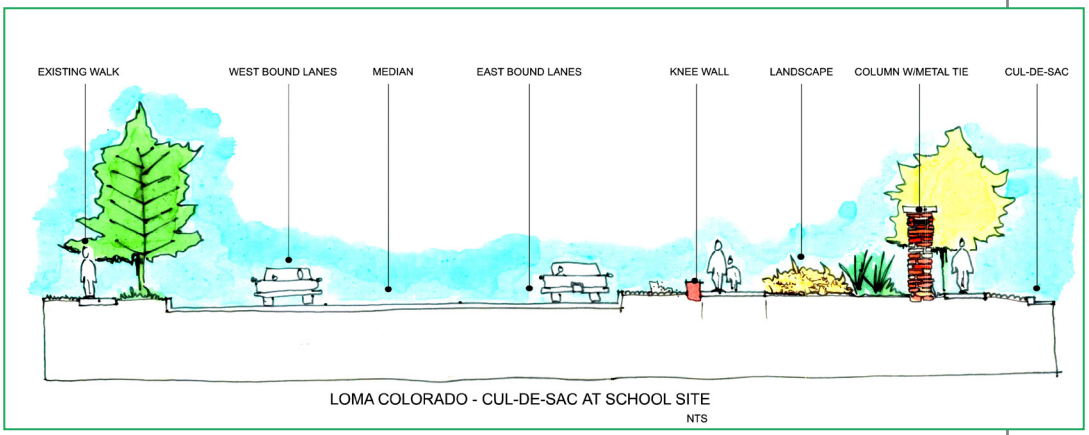
2. In addition to the individual residential landscape requirements in the CC&Rs, a minimum of two trees shall be required per lot, to be provided by the Builder. Maintenance of these trees shall be the responsibility of the individual homeowner.

3. Street trees shall be planted in accordance with requirements of the City of Rio Rancho and with requirements of the CC&R's. If a conflict between these regulations occurs, the most stringent requirement shall apply.

4. High water use turf shall not be used within the street R.O.W. Low water use turf, such as Buffalo Grass or Blue Grama Grass, may be used.

5. Automatic underground irrigation systems shall be provided for all landscaped areas, in accordance with the requirements of the CC&Rs.





6. Architectural Styles

Architectural style is not enforced by the City in current regulations. The goal of having architectural guidelines is not to limit design creativity, but to provide the framework for high quality design. While architectural style should not be restricted, certain common elements should be complimentary to and enhance the community image. The architectural design should respond to climate, views, solar exposure, and aesthetic considerations. Building materials and colors, and other design elements will be included in the private covenants.

7. Walls

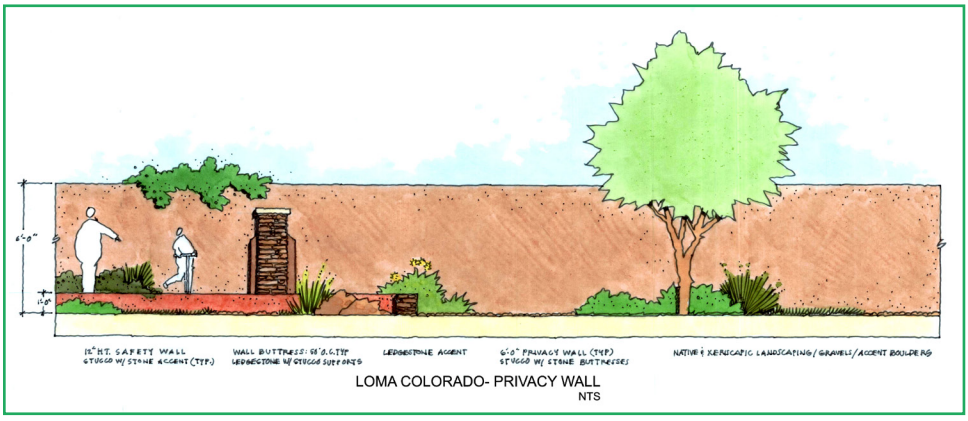
Walls and fences will serve to provide security, screening of unsightly areas, visual relief, and buffering between land uses. A consistent approach to wall design will provide an element of visual continuity in Loma Colorado. Walls within the residential area shall be considered an integral part of the site design. There may be different wall treatment per neighborhood in order to accommodate individual neighborhood identities.

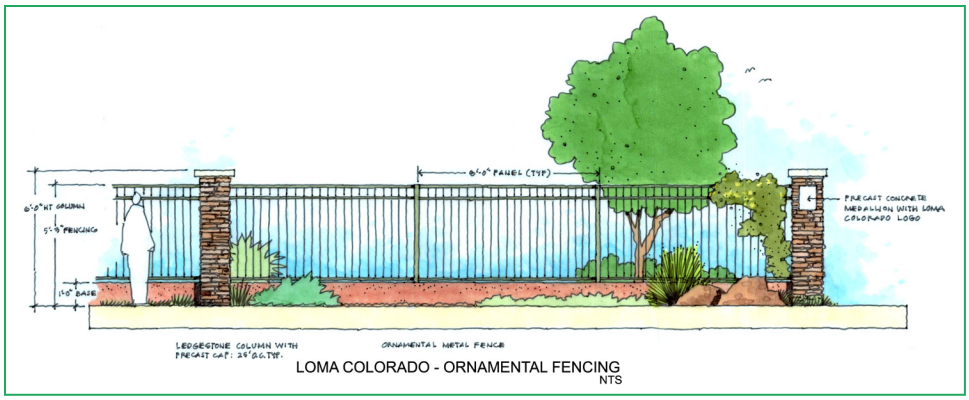
The Developer shall prepare a wall treatment plan that is to be used in all subdivision perimeter walls, however, variations must be approved by the HOA.

a. Wall design issues will not be enforced by the City beyond its standard height and setback regulations. Additional requirements will be enforced through the CC&Rs.

b. To soften the horizontal mass of a continuous wall, the wall may be set back from the adjacent sidewalk with the space left between the wall and sidewalk used for landscaping.

c. Long stretches of wall shall be articulated to provide visual relief. This can be accomplished by staggering the wall, providing a change of materials, providing buttresses, or other techniques to vary the appearance.





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8. Mechanical Equipment
Mechanical equipment screening and siting considerations will be controlled through the subsequent CC&Rs.

D. PUBLIC SPACE, OPEN SPACE AND PARK DESIGN GUIDELINES

1. Streetscape
Loma Colorado is a self-sufficient mixed use development providing employment, housing and local amenities for the residents of the community. The development of a bold and dynamic entry and streetscape is critical in defining a unique image for Loma Colorado. The streetscape will provide a unifying element that weaves its way through, and ties together the vast development potential of the project. Specific streetscape requirements shall meet City of Rio Rancho requirements or standards set forth in the CC&Rs, whichever is more stringent.

2. Bicycle Facilities
Providing convenient bicycle facilities to encourage non-vehicular travel within Loma Colorado will be encouraged in support of the Redevelopment Plan's goal of supporting alternative modes of transportation.

3. Site Landscape
The landscape environment serves to enhance the visual dynamic of the development and aid in reinforcing the street edge and pedestrian environment. Landscape elements, such as street furniture, lighting, bollards, and graphic pylons shall be used to reinforce the street edge. A clear theme and image for Loma Colorado will be established through the use of these materials, as well as consistent paving materials, plantings, signage, etc. These site landscape requirements will meet all the regulations of the City, and will be addressed in additional detail in the CC&Rs. Consideration will be given to spacing and sizing of plant materials, coverage of site area, water conservation, and other site landscape issues.

4. Site Design

The intent of the site design guidelines is to create pedestrian-friendly environments for employees and visitors that are compatible with adjacent existing and proposed facilities.

a. Cross-access easements shall be provided between adjoining parcels.

b. Outdoor patio spaces with shade trees and/or shade structures are encouraged and may be required in the CC&Rs.

c. Sidewalk requirements shall be consistent with those used by the City of Rio Rancho except for Loma Colorado Boulevard when the sidewalk may be replaced by a trail along one side of the street, and when the street section may not be centered in the right-of-way. This is especially true in high slope areas along Loma Colorado. Additional landscape requirements, sidewalk width enhancements, and locations may be defined in the CC&Rs.

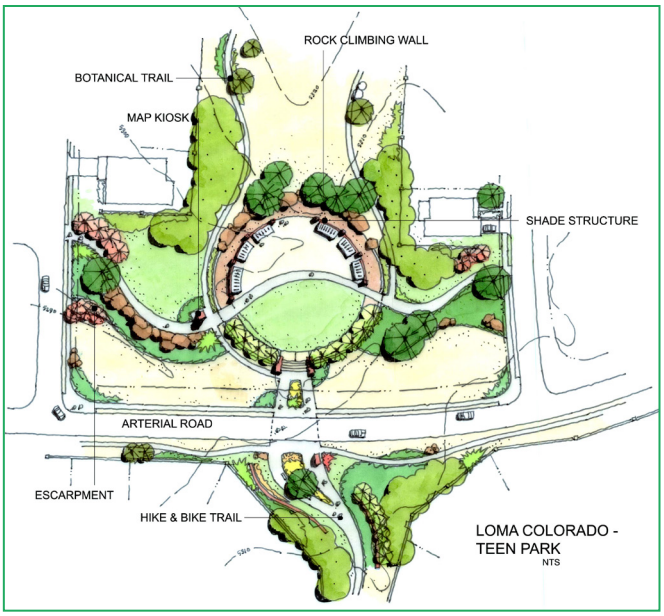
d. Pedestrian connectivity extends out to meet local points of interest such as; Rio Rancho High School, Rio Rancho Sports Complex, the proposed Mixed-Use Activity Center and each adjacent residential community. Pedestrian connections shall be provided from each building to the internal circulation system and to adjacent roadways. Shade trees should be provided along the pedestrian connection.

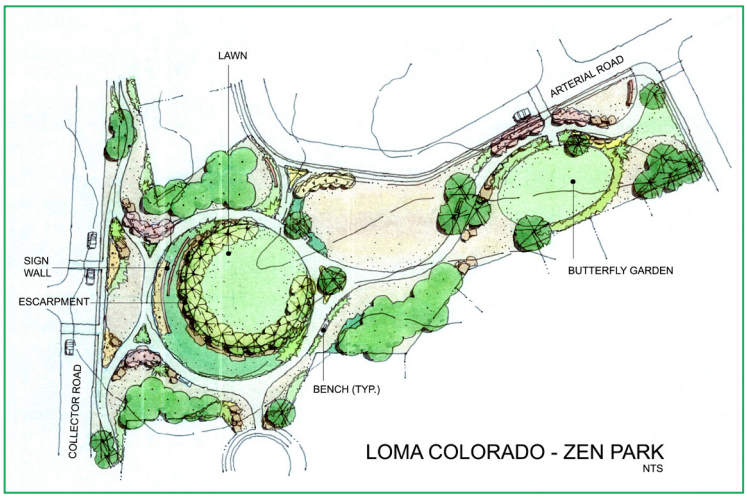
e. Design, paving materials, trail design, and requirements for landscape or shade provision may be required through CC&Rs.

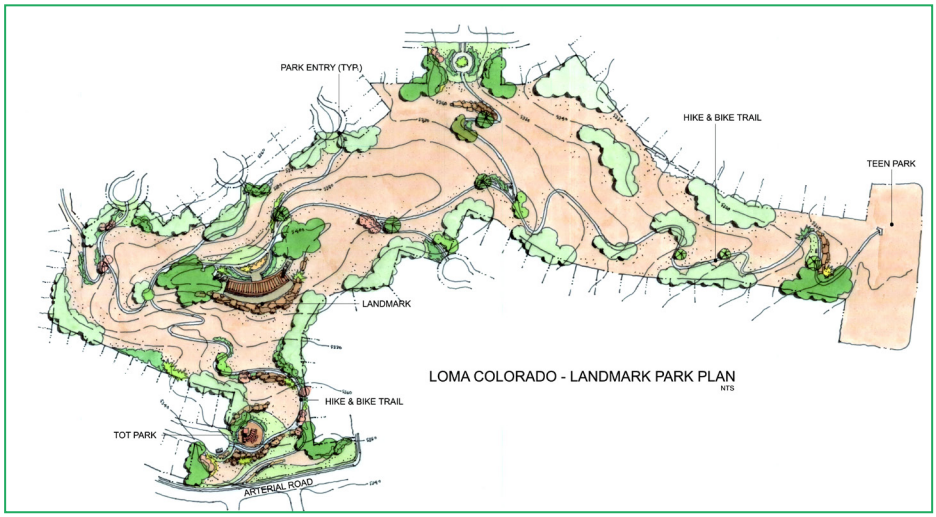
5. Open Space and Parks

The open space and park areas within Loma Colorado are intended for both active and passive recreational uses, such as jogging, bicycling, picnicking, playground and ball field use, etc., while also fulfilling their additional function for water quality and drainage.

All park concepts shown in this Plan are illustrative. Irrigated landscape is located at key nodes. Xeric landscape is located between these nodes.







E. COMMERCIAL DESIGN GUIDELINES

These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for commercial and light industrial development within the Loma Colorado Redevelopment Plan. These standards address commercial and office projects.

1. Pedestrian and Site Amenities

The creation of an attractive and functional commercial environment will depend on creative site design and will be a primary design objective for the commercial areas in Loma Colorado. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing for attractive building design and massing; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a user-friendly commercial center.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans. The following pedestrian features should be integrated into all site designs:

Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.

Pedestrian crossings shall be clearly demarcated with special paving treatment where they cross vehicular entrances and drive aisles and where City trails cross streets.

Freestanding restaurants, if proposed by subsequent Site Plans, shall provide outdoor patios and shall be shaded by trees and/or a shade structure that is architecturally integrated with building architecture.

Bicycle storage racks that are conveniently located near building entrances shall be provided. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

2. Parking

In order to support the goals for the property regarding pedestrian accessibility, careful attention should be paid to the parking design. An effort should be made by site designers to lessen the impact of parking facilities on the land. In order to lessen the visual impact of parking areas, parking facilities should be broken up into a series of smaller areas.

Handicapped parking spaces shall be provided adjacent to building entries.

The total minimum amount of parking provided shall meet parking requirements in the City Zoning Code.

Structures and on-site circulation systems should be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to the public sidewalk.

Parking areas shall be designed to include a pedestrian link to buildings.

In cases where parking is adjacent to roadways, a combination of landscaping and low walls for screening purposes shall be required. All walls shall be architecturally compatible with surrounding buildings.

3. Setbacks

The use of building and parking area setbacks is required to provide space for the creation of visually attractive streetscapes. Required within these setbacks will be pedestrian walkways and screening materials, including landscaping, earthen berms, and walls.

Commercial and office development shall comply with the buildings setback requirements of the C-1 Zone in the City Zoning Code.

Accessory structures shall comply with the City Zoning Code.

To allow for an appropriately sized landscape buffer adjacent to roadways, parking areas shall be setback a minimum of 15 feet from the right of way, except along Northern Boulevard where the setback shall be 25 feet.

4. Landscape

The development of an overall landscape concept will establish a framework that unifies the property. The landscape design should emphasize native and naturalized plant species. All landscaped areas need to be coordinated and responsive to existing environmental conditions and local building policies. These standards are to be used as a supplement to City requirements.

A minimum of 15 percent of the site area for commercial, office, and multi-family projects (minus the building square footage) shall be devoted to landscape materials.

Landscaped areas shall be a minimum of 36 square feet and a minimum width of 6 feet. Living, vegetative materials shall cover a minimum of 75 percent of the landscaped areas. The area and percentage is calculated based on the mature canopy size of all plant materials.

All planting areas not covered with turf shall have a ground topping of river rock, shredded bark, gravel mulch, or similar material which extends completely under the plant material.

Appropriate landscape headers shall be used to separate any turf and groundcover areas.

To shade and mitigate the negative visual impact of large expanses of pavement, interior parking areas shall have one tree for each 10 parking spaces with no space being more than 100 feet from a tree.

75 percent of the required parking area trees shall be deciduous and have a mature height and canopy of at least 25 feet.

An automatic underground irrigation system shall be provided to support all required landscaping. Irrigation components should be checked periodically to ensure maximum efficiency.

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

Trees	1 1/2 inch caliper, or 10 to 12 feet in height
Shrubs & Groundcovers	1 gallon

Turf grasses shall provide complete ground coverage within 1 growing season after installation.

5. Screening/Walls and Fences

The effective use of screening devices for parking lots, loading areas, refuse collection, and delivery/storage areas is essential to limit their adverse visual impact on the property. The site orientation of these elements shall be away from any street or pedestrian area. The standards established in the landscape and setback sections will provide the main objectives to screening unattractive elements and activities.

6. Screening

The following screening is to limit adverse visual impacts caused by various uses and/or equipment that is common to commercial properties. All such screening should be compatible with other structures on the property and should have some common architectural features found within the development, such as: colors, materials, and decorative features.

Parking areas shall be located away from adjacent streets and properties and shall be screened with plant materials, walls, or earthern berming. Such screening shall have a minimum height of 3 feet.

All outdoor refuse containers shall be screened within a minimum 6 foot tall enclosure which is large enough to contain all trash generated between collections. Trash enclosures shall be screened with plant materials.

The design and materials for refuse collection enclosures shall be compatible with the architectural theme and materials of the site and adjacent buildings.

No refuse collection areas shall be allowed between streets and building fronts.

All mechanical equipment shall be screened from adjacent public rights-of-way and properties. All mechanical equipment shall be screened from public view by materials of the same nature as the basic materials of the building.

7. Architecture

The architectural design should demonstrate high quality aesthetic character throughout the property and should respond to climate, views, solar access, and aesthetic considerations.

Commercial buildings will be a hybrid of New Mexico architectural styles, ranging from traditional to contemporary incorporating stucco surfaces, stacked stone wainscot and tower elements, precast concrete posts, lintels, cap stones, and ramadas and clay tile roof elements. Materials will be natural rather than synthetic, in warm colors ranging from light to dark tans, terracotta red to deep browns. Roof mounted mechanical equipment will be screened from view by parapets or mechanical screens. Ground-mounted equipment sill be screened by building elements or landscaping. All sides of all buildings will be architecturally articulated with the elements described and illustrated above.

All commercial buildings shall comply with City Zoning Code, as well as other local building and fire codes.

Finished building materials shall be applied to all exterior sides of buildings and structures and shall be consistent on all sides. Any accessory buildings and enclosures, whether attached or detached from the main building, shall be of similar compatible design and materials.

No plastic or vinyl building panels, awnings, or canopies are allowed. Awnings and canopies, if used, shall be integrated with building architecture.

Building heights should be kept to a minimum. Maximum height shall be limited to 55 feet, including any parapets. Towers and other non-habitable architectural features may be used provided they do not exceed a height of 60 feet and area compatible with the architecture.

Entryways to non-residential and multi-family buildings shall be clearly defined.

8. Lighting

In order to enhance the safety, security, and visual aesthetics, careful consideration must be given to both the daytime and night-time appearance of the lighting design and fixtures. The primary design objective of the site lighting system shall be to maximize public safety while not affecting adjacent properties, buildings, or roadways with unnecessary glare or reflection.

In order to accomplish the lighting goals, the following guidelines shall be required for the design of the lighting system:

All lighting shall comply with the City Zoning Code. Placement of fixtures and standards shall conform to state and local safety and illumination standards.

All lights shall be shielded source with glare cut off angles of a maximum of 75 degrees to prevent spillage onto adjoining properties or light pollution of the existing "dark sky". Cobra and sodium lights are prohibited.

The height of street lighting and parking area lights shall be kept to a minimum necessary to meet safety requirements.

Individual site lighting standards shall blend with the architectural character of the buildings and other site fixtures.

The location of light fixtures shall be identified on subsequent site plans. The maximum mounting height of luminaries for pedestrian scale lights shall be 20 feet in height. The maximum mounting height of luminaries for parking lot lights shall be a maximum of 30 feet in height, except where they are within 70 feet of residential, they shall be 20 feet in height.

Site lighting shall be restricted to a maximum off-site luminance of 1,000 lamberts from any point and 200 foot lamberts from any residential property line.

Accent lighting is permitted, however, surface lighting is limited to an average of 2 foot-candles measured 4 feet from the surface level of any point on the building surface being lighted.

Average light level shall be limited to 2 foot-candles with maximum levels limited to 16 foot-candles as measured from 4 feet above the surface level of any point on the site.

9. Signage

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within Loma Colorado. The goal is to provide a signage program that is of high quality, maintains a consistent style, creates a sense of arrival, and complements the visual character of the property.

All signs, including quantity, shall be in compliance with City Sign Ordinance

Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings.

Free-standing signs shall be designed that do not require any external bracing, angle-iron, guy wires or similar devices.

No signage is allowed that uses moving parts, makes audible sounds, or has blinking or flashing lights.

Signs shall not overhang into the public right-of-way or extend above the building roof line.

Off-premise signs and portable signs are prohibited.

Building mounted signs shall:

Identify the name and business of the occupant or of those offering the premise for sale or lease;
Not have too many different colors;
Have a significant contrast between the background and the text in order to ensure readability; and
Not intrude upon any architectural features, including windows, columns, mouldings, or other decorative features.

No illuminated plastic panel signs are allowed except business logos.

Signs on buildings shall not be illuminated where light from the sign will impact adjacent residential or natural areas.

10. Utilities

To ensure the overall aesthetic quality of the property and the natural environment, the visual impact of utilities and equipment should be minimized by the following:

All new electric distribution lines shall be placed underground.

Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way.

When an above-ground backflow prevention device is required by the City of Rio Rancho, the enclosure shall be constructed of materials compatible with the architectural materials used as the main elements of the building. If pre-fabricated fiberglass enclosures are used, they shall be appropriately screened from view by walls and/or landscaping.

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Appendix B

SECTION 1

1.1 ARCHITECTURAL REVIEW PROCESS

The Architectural Review Committee (ARC) will analyze all potential projects relative to these standards to ensure the realization of the Development Concept. A conceptual site plan, landscaping plan and building elevations along with colors and materials shall be submitted to the ARC by the individual project developers for review and comment. Approval must be obtained prior to proceeding with the construction documents and submittal for building permit. Approval will be granted when the individual project meets the requirements of these standards to the satisfaction of the ARC. Requests for variances shall be submitted in writing along with the design review submittal. Decisions by the ARC are final.

DESIGN STANDARDS

To ensure that the Mixed Use properties are developed in a manner complementary to the rest of Loma Colorado, the development guidelines are organized into improvement categories as follows:

2.1 SITE PLANNING

2.1.1 Building Placement

- Relationship to Street:
  - Buildings may be located to provide gaps through which other buildings may be seen to enhance the visibility of those interior buildings.
  - Buildings placed along Northern Boulevard shall address the street with entrances and signage. Loading/service areas may not be located facing the street.

- Relationship to Parking:
  - Buildings shall be setback from parking to accommodate planting areas plus a minimum 6' clear sidewalk along the entrance façade(s).
  - Parking areas shall be located between buildings.
  - Parking areas are allowed in the gaps between buildings along the street, as mentioned above.

2.1.2 Parking and Vehicular Circulation

- Parking will be 1 space/studio apartment and 1.5 spaces per 1 and 2 bedroom apartments with 6 spaces for staff and visitor parking for each apartment complex.
- Carports and garages are allowed if materials are closely related to building architecture.
- Access to dumpsters, storage yards and loading areas shall be screened from the street.
- Allowable materials for driving surfaces shall include asphalt, concrete (plain, textured, colored), concrete pavers, stone pavers, and brick.
- Allowable materials for parking surfaces shall include all the materials noted allowable for driving surfaces plus pervious paving surfaces such as poured or modular pervious concrete products, pervious asphalt, and gravel/grid systems such as Gravelpave2.

2.1.3 Pedestrian Connections/Amenities

- Pedestrian connections to other areas of Loma Colorado shall be provided with sidewalks, crosswalks and trails.

- Sidewalk design and placement shall be coordinated and designed to function with existing sidewalk improvements in the area.
- Cross slopes on sidewalks and pedestrian corridors shall not exceed 2%.
- Pedestrian circulation shall be separated as much as possible from vehicular circulation corridors through the use of sidewalks, attractive barriers and/or landscaping.
- Sidewalks shall have a minimum clearance of 6' along the entrance façade(s) of the buildings.
- Handicapped Accessible parking shall be located adjacent to main building entries or as required by code.
- All handicapped ramps necessary to serve a particular portion of a development shall be constructed during individual tract development.

2.1.4 Service Areas

- Service areas shall be located away from pedestrian areas and the public right of way.
- Trash receptacles shall be contained within walled enclosures with opaque gates.
- Access points through walls screening service areas shall be constructed of metal gates with decorative patterns based on the Loma Colorado Identity standards. In areas that are unviewable from parking areas, pedestrian walkways or public right-of-way the decorative patterns shall not be required.
- Screening: Walls, matching the adjacent buildings in materials detailing and color, shall be used to screen electrical equipment, and trash collection areas. See Architecture below. In areas that are unviewable from parking areas, pedestrian walkways or public right-of-way the materials detailing and color can be of a less intensive design.

2.2 LANDSCAPE:

Landscape Concept: The landscape at the Loma Colorado Mixed Use Area is integral in establishing the overall framework that unifies individual sites. Landscaping will be used to highlight entrances and circulation corridors, and provide shade, scale, color and texture.

2.2.1 General Landscape Standards

- A 15' landscape setback shall be as required in the Amended Loma Colorado Redevelopment Plan.
- Landscaping along Northern Boulevard and Loma Colorado Boulevard will be more densely planted than along other boundaries of the Mixed-use zone.
- Landscape will provide screening for parking areas and against site walls to soften the edges of these areas.
- Any building landscaping and/or irrigation shall be designed to conform with the Geotechnical Reports specifications and recommendations, which may modify other requirements contained herein.

2.2.2 Treatment of Landscape Areas/Zones:

- Entrance Landscaping:
  - Landscape plantings shall be more intense at vehicular and pedestrian site entrances and adjacent to building entries.
  - Landscaping in these areas will be more dense than other areas and may be differentiated from others areas by species as well as color, texture and/or height.
  - Shade trees along entry drives shall be of the same species (or combination of species).

- Landscape and pots: Landscaping can be in the form of planting beds, raised planters, pots, etc.
- The landscape character shall relate to the residential entries shown in the Amended Loma Colorado Redevelopment Plan.

- Parking Area Landscaping;
  - Parking areas shall be broken up through the use of landscaped planting areas and trees. Planting areas in the form of 6' diamonds, landscape bulb-outs or landscape medians with a minimum width of 8' shall be used where applicable. See also the Parking and Vehicular Circulation section of this document.
  - Landscape plantings along major vehicular and pedestrian corridors will be more densely planted than other landscape areas of the parking lots.
  - Trees shall be provided within parking areas along pedestrian paths and in planting beds.

- Building Landscaping:
  - Landscape plantings shall be more intense at vehicular and pedestrian site entrances and adjacent to building entries. Landscaping in these areas will more be dense than other areas and may be differentiated from others areas by species as well as color, texture and/or height.
  - Landscaping shall be used at building entries in the form of planting beds, raised planters and pots to soften building entries. Space may be provided between plantings for pedestrian access to building entries.

2.2.3 Irrigation

- See requirement in the Amended Loma Colorado Redevelopment Plan.

2.2.4 Plant Palette

The plant palette for the Mixed-use area of Loma Colorado is a reduced version of the Amended Loma Colorado Redevelopment Plan plant list. The design intent is to create an attractive, colorful, comfortable desert landscape that supports the activities in the Mixed-use area and complements the architecture of the site. The reduced palette of plants will help bring a sense of continuity and identity to the area, even if it is developed by multiple parties.

- **Trees**
  - Chilopsis linearis (Desert Willow)
  - Chitalpa tashkentensis (Chitalpa)
  - Forestiera neomexicana (New Mexico Olive)
  - Juniperus virginiana 'Emerald Sentinel' (Eastern Red Cedar)
  - Pinus eldarica (Afghan Pine)
  - Populus fremontii 'Wislizeni' (Rio Grande Cottonwood)
  - Quercus shumardii (Shumard Oak)
  - Quercus texana (Texas Red Oak)

- **Shrubs and Groundcovers**
  - Atriplex canescens (Fourwing Saltbush)
  - Baccharis sarathroides (Desert Broom)
  - Buddlei davidii (Butterfly Bush)
  - Caryopteris clandonensis (Blue Mist Spirea)
  - Chrysothamnus nauseosus (Chamisa)
  - Ephedra spp. (Joint Fir)
  - Ericameria laricifola (Turpentine Bush)

- Fallugia paradoxa (Apache Plume)
- Hesperaloe parviflora (Red Yucca)
- Lavandula spp. (Lavender)
- Rhus spp. (Sumac)
- Rosmarinus officinalis (Rosemary)
- Santolina spp. (Santolina)
- Spartium junceum (Spanish Broom)

- **Vines**
  - Campsis radicans (Trumpet Vine)

- **Flowers**
  - Artemesia ludoviciana (Prairie Sage)
  - Gaillardia grandiflora (Blanketflower)
  - Hymenoxys acaulis (Angelita Daisy)
  - Liatris spp. (Gayfeather)
  - Oenothera berlandieri (Mexican Evening Primrose)
  - Osteospermum baberiae 'Compactum' (Hardy African Daisy)
  - Penstemon barbatus (Beartongue)
  - Rudbeckia spp. (Rudbeckia)
  - Sphaeralcea spp. (Globemallow)

- **Ornamental Grasses**
  - Helictotrichon sempervirons (Blue Avena)
  - Festuca ovina glauca (Blue Fescue)
  - Miscanthus sinensis (Maiden Grass) varieties: 'Gracillimus' (Silver Maiden Grass), 'Morning light' (Morning Light Maiden Grass), 'Nana' (Dwarf Maiden Grass), 'Strictus' (Porcupine Grass), 'Variegatus' (Variegated Maiden Grass), 'Yaku-Jima' (Dwarf Maiden Grass), 'Zebrinus' (Zebra Maiden Grass)
  - Muhlenbergia capillaries 'Regal Mist', (Muhly Grass)
  - Pennisetum alopecuriodes (Fountain Grass) varieties: Moudry (Black), Little Bunny (Dwarf), Hameln, Orientale
  - Sporobolus heterolepis (Prairie Dropseed)

- **Turf Grasses**
  - Warm Season Grass Mix
    - Buchloe dactyloides (Buffalo Grass)
    - Bouteloua gracilis (Blue Grama)

- **Accents**
  - Agave Spp. (Century Plant)
  - Dasylirion wheeleri (Sotol)
  - Opuntia spp. (Prickly Pear Cactus)
  - Yucca baccata (Spanish Dagger)

2.3 ARCHITECTURE

2.3.1 Architecture

- The style of the buildings shall be based on the aesthetic created in the Amended Loma Colorado Redevelopment Plan for entrance features, walls and shade structures.
- Buildings shall be designed to provide human scale, interest and variety.
- Variation in building form, such as recessed or projected bays, expression of architectural or structural modules or detail; diversity of window size, shape or pattern that relates to interior functions; emphasis on building entries through projected or

recessed forms, detail, color or materials; variation of materials, material modules and surface relief, color and texture to break up large building forms and wall surfaces; use of open courtyard designs to form transitions between parking areas and buildings.

- Building entrances shall be architecturally treated to create clear visual cues for patrons through the use of towers, portals, overhangs, towers and fenestration.
- All sides of all buildings shall be architecturally treated with the same level of intensity, except where service areas are concealed by screening elements.
- Accessory buildings shall be similar in design and materials as primary building.
- Large buildings over 30,000 square feet shall be located to minimize the impact of windowless walls and service areas on public streets.

2.3.2 Massing

- All buildings shall have a clearly defined, highly visible entrance that is obvious to visitors. This effect can be achieved through a combination of massing, changes in height, color, lighting, materials changes and use of planters.
- Building massing shall highlight the location of building entries. Primary pedestrian entries shall be clearly expressed.

2.3.3 Building Heights:

- Per Zoning Code and the Amended Loma Colorado Redevelopment Plan.

2.3.4. Permitted Building Materials:

- All primary buildings shall use materials that are durable, and of a quality that will retain their appearance over time. Material quality is most important on building faces facing public streets and spaces and at primary building entries.
- Building materials shall be a combination of stucco, stone veneer, roof tiles at pitch roof areas, and architectural metal trim. Block is allowable in areas that are unviewable from parking areas, padestrian walkways or public right-of-way.
- Materials that are visibly simulated or prefabricated are prohibited. Scored plywood is prohibited.
- Glass shall be transparent, no reflective glazing is allowed.

2.3.5 Colors

- Colors of stucco shall be per the color palette defined in the Amended Loma Colorado Redevelopment Plan.

2.3.6 Screening Equipment/ Fences and Walls

- Walls, matching the adjacent buildings in materials detailing and color, shall be used to screen docks, loading areas, electrical equipment, and trash collection areas.
- Rooftop equipment shall be screened from view of public streets and open space by architecturally integrated screening elements.
- Ground mounted utilities shall be screened from view of public right of way and open space.
- Walls and fences shall comply with the intent of the City's design manual for subdivision access and perimeter walls.
- Chainlink fencing is not permitted.
- Walls and fences exceeding four feet in height that are located within the setback area adjoining a public street shall provide variety and articulation at intervals not exceeding 100 feet through either changes in plane, expression of structure, such as post, column, or pilaster.
- The design and materials for walls and fences shall be coordinated with the design and materials of the principal buildings in terms of color, quality, scale and detail.

2.3 DRAINAGE

2.3.1 Pond Areas

- Pond areas where required shall be incorporated into the landscape setback areas in internal landscape zones away from buildings. The landscape materials used in these areas shall be appropriate for intermittently flooded areas.

2.3.2 Water Harvesting

- Passive water harvesting will occur away from building foundations wherever possible and in compliance with the Geotechnical Report specifications and recommendations.
- Parking areas will be designed to harvest water in landscaped medians in an effort to supplement irrigation and improve surface runoff water quality.

2.3.3 Treatment of Sloped Areas

For areas with slopes 3:1 or less:

- Vegetated, cobbled infiltration trenches should be utilized to stabilize upper, middle and lower sections of slope and decrease flow speeds and quantities.
- Sections of slope between infiltration trenches should be treated with separate applications of revegetation seed mix (drill-seeded) and a soil bonding material such as Soilbond.

2.5 UTILITIES

- Location: Whenever possible, above ground utilities shall be located in service areas. If utilities elements are required in public areas, they shall be screened through the use of walls that utilize the same materials, colors and form as the adjacent buildings.
- All power lines are to be located below grade.
- Utility corridors will be located to reduce potential conflicts with landscaping and tree locations.

2.6 LIGHTING

- Dark skies: Site lighting shall conform to the New Mexico Night Skies law.
- Height: The maximum height of pole mounted lighting shall be 30’ along the public right of way, and 25’ within parking areas.
- Pedestrian scale lighting is encouraged along all pedestrian paths, including the entries of buildings.
- Style consistency: Light fixture design shall be coordinated with the building architecture, and shall be consistent throughout the site.
- Lighting: Service areas shall be lighted to enhance safety and security, but lighting shall not spill out onto the public right-of-way or onto adjacent properties.

2.7 SIGNAGE AND BRANDING

- Consistency: The branding of the Multi-family development shall be coordinated with the identity development for the residential portions of Loma Colorado.
- Color: Colors used in signage and branding shall be as described in the Loma Colorado Identity Development document.
- Type: Typefaces for the development name shall match that described in the Loma Colorado Identity Development document.

APPENDIX C: PLANT PALETTE

A. Trees
Catalpa speciosa (Western Catalpa)
Cercis canadensis (Eastern Redbud)
Chilopsis linearis (Desert Willow)
Chitalpa tashkentensis (Chitalpa)
Crataegus phaenopyrum (Washington Hawthorn)
Forestieri neomexicana (New Mexico Olive)
Fraxinus velutina 'Modesto' (Modesto Ash)
Gleditsia triacanthos inermis (Honey Locust)
Juniperus virginiana 'Emerald Sentinel' (Eastern Red Cedar - female)
Koelreuterria paniculata (Goldenrain Tree)
Pinus eldarica (Afghan Pine)
Pinus leucodermis (Bosnian Pine)
Pinus nigra (Austrian Pine)
Pistachia chinensis (Chinese Pistache)
Platanus acerifolia (London Plane Tree)
Populus fremontii 'Wislizeni' (Rio Grande Cottonwood)
Prunus cerisifera (Purpleleaf Plum)
Pyrus calleryana (Flowering Pear)
Quercua shumardii (Shumard Oak)
Quercus texana (Texas Red Oak)

B. Shrubs and Groundcovers
Atriplex canescens (Fourwing Saltbush)
Baccharis sarathroides (Desert Broom)
Berberis spp. (Barberry)
Buddleia davidii (Butterfly Bush)
Caryopteris clandonensis (Blue Mist)
Chrysothamnus nauseosus (Chamisa)
Cotoneaster spp. (Cotoneaster)
Ephedra spp. (Joint Fir)
Ericameria laricifola (Turpentine Bush)
Euonymus fortunei (Creeping Euonymous)
Fallugia paradoxa (Apache Plume)
Helichrysum augustifolium (Curry Plant)
Hesperaloe parviflora (Red Yucca)
Juniperus spp. (Juniper - female)
Lavandula spp. (Lavender)
Mahonia spp. (Mohonia)
Potentilla fruticosa (Shrubby Cinquefoil)
Rhaphiolepis indica (India Hawthorn)
Rhus spp. (Sumac)
Rosmarinus officianalis (Rosemary)
Santolina spp. (Santolina)
Spartium junceum (Spanish Broom)

C. Vines
Campsis radicans (Trumpet Vine)
Parthenocissus tricuspidata (Boston Ivy)

D. Flowers
Artemesia ludoviciana (Prairie Sage)
Arctostaphylos spp. (Manzanita)
Erysimum linifolium 'Bowles Mauve' (Bowles Mauve Wallflower)
Gaillardia grandiflora (Blanketflower)
Hymenoxys acaulis (Angelita Daisy)
Liatris spp. (Gayfeather)
Oenothera berlandieri (Mexican Evening Primrose)
Osteospermum baberiae 'Compactum' (Hardy African Daisy)
Penstemon barbatus (Beardtongue)
Perovskia atriplicifolia (Russian Sage)
Rudbeckia spp. (Rudbeckia)
Sphaeralcea spp. (Globemallow)

E. Ornamental Grasses
Helictotrichon sempervirons (Blue Avena)
Festuca ovina glauca (Blue Fescue)
Miscanthus sinensis (Maiden Grass) also varieties: 'Gracillimus' (Silver Maiden Grass), 'Morning Light (Morning Light Maiden Grass), 'Nana' (Dwarf Maiden Grass), 'Strictus' (Porcupine Grass), 'Variegatus' (Variegated Maiden Grass), 'Yaku-Jima' (Dwarf Maiden Grass), 'Zebrinus' (Zebra Grass)
Muhlenbergia capillaries 'Regal Mist' (Muhly Grass)
Pennisetum alopecuriodes (Fountain Grass) also varieties: Moudry (Black), Little Bunny (Dwarf), Hameln, Orientale
Sporobolus heterolepis (Prairie Dropseed)

F. Turf Grasses
Cool Season Grasses
Festuca elatior (Tall Fescue)
Poa pratensis (Kentucky Bluegrass)
Warm Season Grass Mix
Buchloe dactyloides (Buffalo Grass)
Bouteloua gracilis (Blue Grama)

G. Accents
Agave spp. (Century Plant)
Dasylirion wheeleri (Sotol)
Opuntia spp. (Prickly Pear Cactus)
Yucca baccata (Spanish Dagger)
Yucca glauca (Soapweed Yucca)

City of Rio Rancho
Development Services Department
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 Fax (505) 896-8994

January 26, 2024

RE: **Zone Map Amendment Request Case No. 24-100-00001; Right-of-Way Vacation Request Case No. 24-230-00001 (821 Loma Colorado Blvd NE, Rio Rancho NM 87124)**

Dear Property Owner:

You are receiving this notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board.

The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment from SU: Special Use for Educational, Recreational, and Cultural Uses to SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities for the property of 821 Loma Colorado Blvd NE, legally described as LOMA, Tract P1C-B. The applicant additionally requests approval of a Vacation Plat vacating a portion of right-of-way of Loma Colorado Blvd NE to accommodate for further parking spaces.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, February 13, 2024** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board 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 **Planning and Zoning Board 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

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

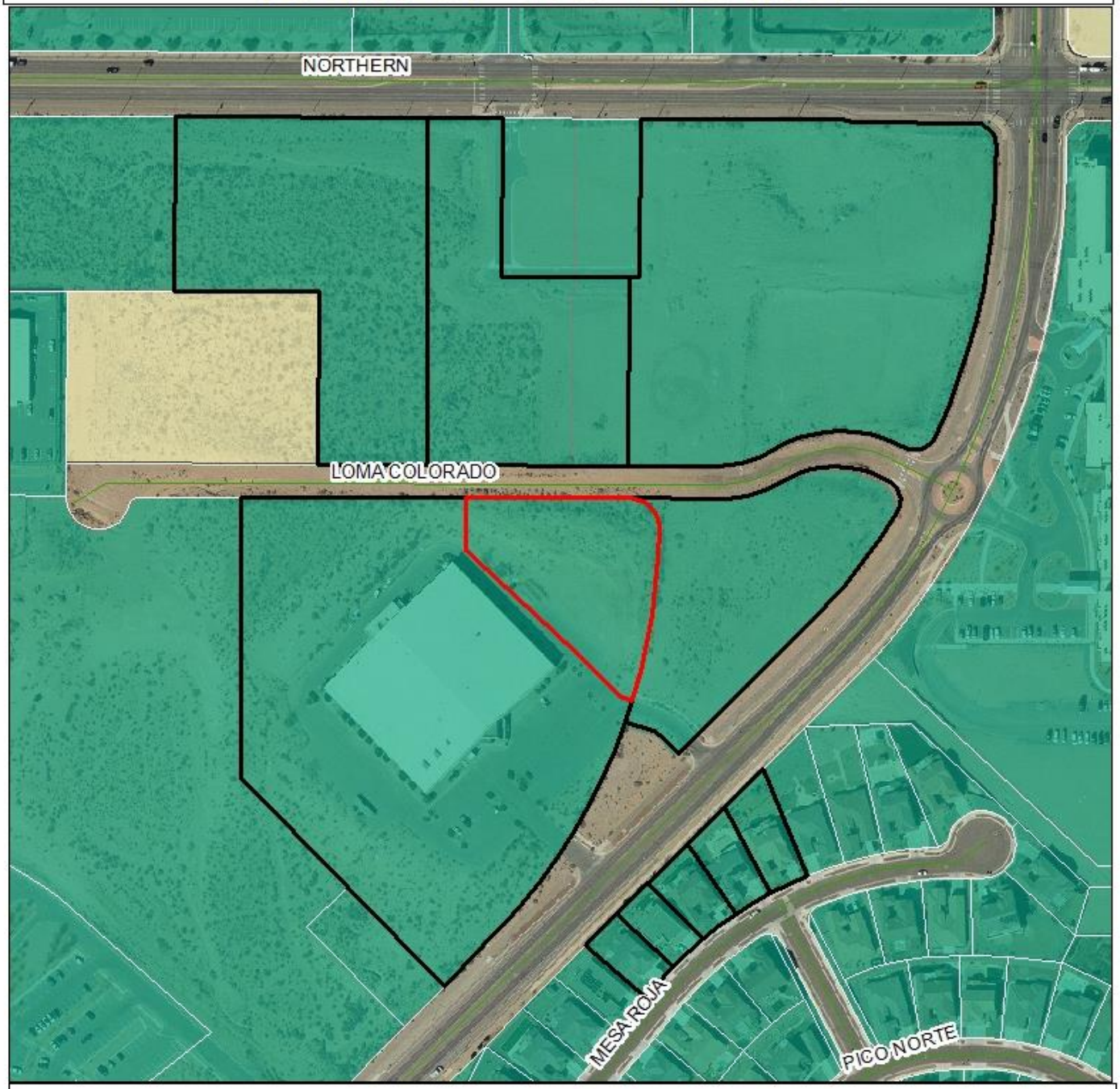
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tim Dvorak

Tim Dvorak
Municipal Planner II
Development Services Department
Planning Division
City of Rio Rancho

821 LOMA COLORADO BLVD NE
ZONE MAP AMENDMENT &
RIGHT-OF-WAY VACATION



Rio Rancho
City of Vision

0 65 130 260 390 520
Feet

Subject Property
Noticed Abutting Properties
Roads
Zoning
R-1
SU

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 Tim Dvorak on 1/26/2024

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, February 13, 2024:

Conditional Use Permit
Case #24-120-00001
The applicant, El Patron Tire Shop LLC, through their agent, Jorge Escobedo, is requesting approval of a Conditional Use Permit for Automotive Sales 2700 Southern Blvd SE. The subject property is zoned C-1: Retail Commercial and is approximately .46 acres in size.

Variance
Case #24-110-00002
The applicant, Trevor Reed, through his agent, Corey Rivas, is requesting approval of a variance to the 300-foot distance requirement from public facilities and residentially zoned properties for a retail cannabis establishment. The proposed retail cannabis establishment is physically located at 2220 Grande Blvd SE STE C, Rio Rancho, NM 87124.

Variance
Case #24-110-00003
The applicant, Clenera, requests approval of a variance to allow for a 12 ft and 16 ft tall CMU block wall for a solar energy facility located on the property legally described as in Lands of Quail Ranch, Tract 2A-1.

Zone Map Amendment
Case #24-100-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Zone Map Amendment from SU: Special Use for Educational, Recreational, and Cultural Uses to SU: Special Use for Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities for the property of 821 Loma Colorado Blvd NE, legally described as LOMA, Tract P1C-B.

Vacation of Plat
Case #24-230-00001
The applicant, Michael McDermott, through their agent, McClain & Yu Architecture and Design, requests approval of a Vacation Plat vacating a portion of right-of--way of Loma Colorado Blvd NE.

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

Timothy Dvorak

From: Daniel McCabe <dmccabe@legacychurchnm.com>
Sent: Thursday, February 1, 2024 12:00 PM
To: Timothy Dvorak
Subject: [CAUTION: SUSPECT SENDER] Zone map Request Case No 24-100-00001 821 Loma Colorado Blvd NE, RR NM 87124

Warning! This message was sent from outside your organization and we were unable to verify the sender.

You don't often get email from dmccabe@legacychurchnm.com. Learn why this is important

Hello Mr. Dvorak,

Thank you for sending us the notification.
Our only concern is that the new SU use is open to alcohol.
I do not see how that would be permissible so close to land owned by a church with plans for a school.

Just wanted that to be on the record.

Daniel McCabe
Legacy Church

Timothy Dvorak

From: Cody Joiner <cjoiner@nmgamingllc.com>
Sent: Friday, February 2, 2024 5:40 PM
To: Timothy Dvorak
Subject: Zone Map Amendment Request

Caution! This message was sent from outside your organization.

You don't often get email from cjoiner@nmgamingllc.com. Learn why this is important

To whom it may concern:

This email is in regards to the Zone Amendment Request Case No. 24-100-00001.

As the owner and resi dent of 903 Mesa Roja Trail, a property described in the map key as a "noticed abutting property", I would like to endorse the zone map amendment. The amenities described would be beneficial to the growth and attraction to current and potential residents of Loma Colorado and surrounding communities.

Thank you for your consideration.

Best,

Cody Joiner
President
New Mexico Gaming, LLC
505-830-3479
cjoiner@nmgamingllc.com

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION FOR THE PROPERTY LEGALLY DESCRIBED AS LOMA COLORADO, TRACT P-1C-B TO ADD RESTAURANTS, BARS, LOUNGES, COFFEE/TEA ROOMS, DELICATESSENS, AND PATIO/AL FRESCO DINING FACILITIES AS A PERMISSIVE USE TO THE SU: SPECIAL USE FOR EDUCATIONAL, RECREATIONAL, AND CULTURAL USES ZONING DESIGNATION, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property was submitted and assigned City Case No. 24-100-00001; and

WHEREAS: the Governing Body adopted the Loma Colorado Redevelopment Plan May 10, 2006, Resolution No. 33, Enactment No 06-035; amended April 23, 2008 by Resolution No. 25, Enactment No. 08-030 and Resolution No. 26, Enactment No. 08-031; amended February 22, 2012 by Resolution No. 14, Enactment No. 12-014; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of Rio Rancho on February 22, 2024 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendment promotes the health, safety, morals, and general welfare of the City;

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

Section 1. Rezoning of Property and Change in Land Use.

The Official Zone Ordinance is hereby amended on approximately 1.5250 acres to add Restaurants, Bars, Lounges, Coffee/Tea Rooms, Delicatessens, & Patio/Al Fresco Dining Facilities as a permissive use to the SU: Special Use for Educational, Recreational, and Cultural Uses Zoning Designation on the lands legally described as:

> Loma Colorado, Tract P-1C-B, as shown on "Summary Plat for Tracts P-1C-A and P-1C-B, Loma Colorado, Being Comprised of Tract P-1C, Loma Colorado, City of Rio Rancho, Sandoval County, New Mexico" filed in the office of the County Clerk of Sandoval County New Mexico on May 10, 2023 in Book 33, Pages 79-80.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of Property:

A. The property identified in Section 1, above, is subject to the requirements herein and all SU: Special Use District zoning requirements as set forth in R.O. 2003 Section 154.43 (as of the effective date of this ordinance or as subsequently amended).

B. The property identified is subject to development standards established per the approved site plan.

C. The approved site plan is included as Exhibit A.

D. Minor Changes to the site plan may be approved by the Director of Development Services as regulated by R.O. 2003 Section 154.43 (as of the effective date of this Ordinance or as subsequently amended).

E. Major Changes to the site plan will be required to have Governing Body review and approval.

Section 3. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2024.

_____

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

City of Rio Rancho
Development Services
3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

February 1, 2024

Kristina Yu
McClain & Yu Architecture & Design
2010 Ridgecrest Dr SE
Albuquerque, NM 87108

RE: Case No. 24-100-00001 (Zone Map Amendment) 821 Loma Colorado Blvd NE, Rio Rancho, NM 87144
Case No. 24-230-00001 (Vacation of Right-of-Way) Vacating a portion of Loma Colorado Blvd NE

Please review the following department comments for these applications and provide applicable revisions as soon as possible:

Planning & Zoning:

1. A shared parking agreement between Loma Colorado, Tract P-1C-A, and Loma Colorado, Tract P-1C-B shall be submitted prior to the submission of a building permit.
2. Show all distance lengths from the proposed structures on 821 Loma Colorado Blvd NE to each property line.
3. Revise ADA access aisles to comply with minimum widths (8' min. width for van accessible spaces, 5' min width for all other ADA access aisles)
4. Provide square footages for all landscaping areas, including notation of trees and bushes to be planted in these areas.
5. Provide square footages for all volleyball and pickleball courts and label dimensions.
6. Provide heights, elevations, and material type for any proposed fences or walls.

Rio Rancho Fire Department:

- IFC 2021 shall be followed.
- Deferred submittals required for Fire Alarm and Sprinkler System
- Plans shall have a NICET III with an FPE stamp and shall have a Certificate of Fitness from the New Mexico State Fire Marshals Office.
- Fire 1 and Fire 2 Plans required.
    - Checklists for all plan submittal found on Fire Marshals page on City's Website.
- Deferred submittals required for Fire Sprinkler, Fire Alarm and Kitchen hood systems.
- Fire Hydrant within 100' of Stand pipes/FDC
    - Remote FDC
    - Fire lane (lose parking spaces.
- Stand pipes designed and installed per 2019 NFPA 14 (buildings over 3 stories)
- Fire Sprinklers:
    - Fire Sprinkler shall be designed and installed per 2019 NFPA 13.
    - Fire Riser room(s) shall be heated.
    - Fire Sprinkler system shall be tied into Fire Alarm system and monitored.
    - Rough in Inspection required for Fire Sprinkler system.
    - Hydrostatic tests shall be witnessed by a member of the Fire Marshals Office.
    - SOW letter with NICET III and FPE for less than 20 sprinkler heads moved.
- Fire Alarm:
    - Fire Alarm shall be designed and installed per 2019 NFPA 72.

    - Fire Alarm shall be addressable and monitored.
    - All Fire Alarm devices shall be tested and approved at final.
    - Record of completion shall be required at Final.
- CO2 Detection shall be required for CO2 tanks over 100lbs.
- Kitchen Hoods shall be designed and installed per 2021 NFPA 17A
- Air Handlers over 2000cfm shall have duct smoke detection.
- Emergency Lighting, Exit signs and Fire extinguishers in approved locations and distances per IFC 2021.
- Further Requirements may be necessary

Gerard Bauer 12/13/23

Engineering:

No adverse comments.

SSCAFCA:

No adverse comments.

Parks and Recreation:

When preparing final site plan and construction plan sets, verify that the appropriate zoning ordinance requirements for C-1 landscaping (% cover, species selection, placement - proposed) and any additional SU zoning requirements are being met. Add information about the location, type, etc. of the irrigation backflow preventer to the irrigation notes. Irrigation backflow preventer will need to be registered and tested per ordinance 54.0. The following is required, but not clear on any of the pages of the attached "site plan" pages and any associated plan notes: Verify that handicap parking spaces are designed and constructed as ADA compliant – with no slope (run, cross slope, etc.) within the handicap parking space and aisle – greater than 2.083% in any given direction. For the accessible aisle between the handicap parking spaces, follow the NM Statute which requires that the striped area meet the requirements set out in NMSA 66-1- 4.1.B] and that 1' high letters that are at least 2" wide stating NO PARKING are stenciled in the aisle. Please reference the Parking Lot Checklist provided by the NM Governor's Commission on Disability for parking space and sign requirements found at: http://gcd.state.nm.us/wp-content/uploads/2018/11/2015-NM-Accessible-Parking-FINAL2.pdf. Page 7 of this checklist also clearly shows the type and color/s of handicap parking signs (New Mexico specific) to be installed, as well as the language required per State Statute.

If you have any additional questions or concerns please feel free to contact me at any time.

Respectfully,

Tim Dvorak

Tim Dvorak
Municipal Planner II
Development Services Department

City of Rio Rancho
(505) 896-8361
tdvorak@rrnm.gov

Attachment I: Ordinance No. 71, Enactment No. 94-069