Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
June 11, 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 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. May 28, 2024 Planning and Zoning Board Meeting Minutes
2024-0528_PZB_Minutes_BMB_AR.docx

STAFF PRESENTATIONS, REPORTS AND COMMENTS

2. Planning and Zoning Monthly Building Activity Report - MAY 2024
2024 PZ MONTHLY COMPARISONS.pdf

3. Planning and Zoning Monthly Summary Plat Report - MAY 2024
May Summary Plat.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. **Variance.** The Applicant, Melvin Munoz Estrada, requests approval of a Variance to the R-1: Single Family Residential District 60' minimum lot width requirement for the property located at 425 Northern Blvd NE. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.
Zoning, Location
Application & Justification
96-020 O-19
Site Plan
(Filed Plat) Book 1, Page 72
Reproduction of Notices, Legal, Noticed Properties
Findings_of_Fact_BMB.docx

5. **Preliminary/Final Plat**. The applicant, TDO Development, LLC., through their agent, Aldrich Land Surveying, requests approval of a Preliminary/Final Plat to create three lots and one tract from the existing property legally described as Tierra Del Oro Phase 2, Tract I. Staff contact is Michelle Costilla and staff recommends approval with findings.
Zoning, Location.pdf
Authorization.pdf
Preliminary, Final Plat.pdf
Lot widths at 15' setback.pdf
Reproduction of Notices.pdf
Staff Comments.pdf
Public Comment, Jason Marra.pdf

DISCUSSION AND DELIBERATION

6. **Preliminary Plat Amendment.** The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a Preliminary Plat Amendment for the Broadmoor Heights Unit 4 subdivision on the land legally described as Broadmoor Heights Tract 4-A. Staff contact is Chris Benson and staff recommends approval with findings and conditions.
Location/Zone Map
Application
Letter
Amended Preliminary Plat
Original Preliminary Plat W_Markups

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 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:
June 11, 2024

DEPARTMENT:
Development Services

SUBJECT:
May 28, 2024 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2024-0528_PZB_Minutes_BMB_AR.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

MAY 28, 2024
6:00 PM
Council Chambers, City Hall

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

1) May 14, 2024 Planning and Zoning Board Meeting Minutes

Lisa Hardisty moved to approve the Consent Calendar. Seconded by Kevin Kofchur.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

2) The applicant, Pulte Group, through their agent, Bohannan Huston, requested approval of an Amended Preliminary Plat Extension for the Rainbow Subdivision.

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

Applicant Kevin Patton, spoke on the item after being administered the oath virtually. He replied to Commissioner Tortorici's question regarding completion timeline.

Robert Gabaldon moved to approve Item #2. Seconded by Scottie Richardson.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

3) The applicant, Clear Channel Outdoor, LLC., requested approval of a Variance to the minimum distance requirement between an Off-Premises Advertising Sign (Billboard) and developed single-family

residential property as set forth in R.O. 2003 154.45(C)(6) at the property legally described as Unit 11, Block O, Tract A.

Items #3, #4 and #5 were requested for indefinite postponement by the applicant.

Sal Tortorici moved to postpone Item #3. Seconded by Scottie Richardson.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

4) The applicant, Clear Channel Outdoor, LLC., requested approval of a Variance request to the minimum distance requirement between two Off-Premises Advertising Signs (Billboards) on the same side of the street as set forth in R.O. 2003 154.45(C)(6) for the property legally described as Unit 11, Block O, Tract A.

Lisa Hardisty moved to postpone Item #4. Seconded by Robert Gabaldon.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

5) The applicants, Clear Channel Outdoor, LLC., requested approval of a Conditional Use Permit for an off-premises advertising sign (digital billboard) at the location of 312 Unser Blvd NE, legally described as Unit 11, Block O, Tract A.

In reply to Commissioner Tortorici's question, staff member Brian Babyak clarified the items were requested to be postponed indefinitely and staff would notice again when it reappears for a hearing.

Kevin Kofchur moved to postpone Item #5. Seconded by Lisa Hardisty.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

6) The applicant, Devon Amos, requested approval of a Conditional Use Permit for a proposed self-storage facility at the property legally described as HGHR4, Blk 74, Tr A.

Staff member, Liz Ruiz Carlos presented the item, recommending approval with findings and conditions and stood for questions.

Applicant, Devon Amos stood for questions.

Various inquiries from Commissioner Gabaldon and Commissioner Hardisty were answered by applicant, Devon Amos and staff member, Liz Ruiz Carlos.

Sal Tortorici moved to approve Item #6. Seconded by Robert Gabaldon.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

7) The applicant, LD Development, LLC., through their agent, Consensus Planning, Inc., requested approval of a Master Plan Amendment to the Los Diamantes Master Plan.

Staff member, Tim Dvorak presented the item, recommending approval to the Governing Body, and stood for questions.

Agent, Jim Strozier briefly presented on the item and stood for questions.

Scottie Richardson moved to approve Item #7. Seconded by Kevin Kofchur.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

8) The applicant, Los Diamantes, LLC, through their agent, Consensus Planning Inc., requested approval of a Zone Map Amendment to change the zoning of BP: Business Park District zoning to C-2: Wholesale and Warehousing Commercial District, for the property legally described as Los Diamantes, Tract 2-A-1.

Staff member, Chris Benson presented the item, recommending approval to the Governing Body, and stood for questions.

Agent, Jim Strozier updated on the item and stood for questions.

Robert Gabaldon moved to approve Item #8. Seconded by Lisa Hardisty.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty, Sal Tortorici
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

PUBLIC FORUM

ADJOURNMENT

Sal Tortorici moved to adjourn the meeting. Seconded by Lisa Hardisty.
Chairman Radosevich adjourned the meeting at 6:33 PM.

APPROVED THIS 11th DAY OF JUNE 2024.

_____
Fred Radosevich, Chairman

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
June 11, 2024

DEPARTMENT:
Development Services

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

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: 2024 PZ MONTHLY COMPARISONS.pdf

2024 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	JAN #s	JANUARY VALUATION	FEB #s	FEBRUARY VALUATION	MAR #s	MARCH VALUATION	APR #s	APRIL VALUATION	MAY	MAY VALUATION	JUNE	JUL	AUG	SEPT	OCT	NOV	DEC	ANNUAL TOTALS		ANNUAL TOTALS (2023)	
Single Family	86	$19,810,691	78	$14,585,918	56	$12,589,605	91	$18,670,952	106	$20,919,179								417	$86,576,345	966	$204,503,567
Additions/Residential	12	$759,511	13	$158,619	16	$664,385	19	$531,464	15	$682,087								75	$2,796,066	165	$5,734,314
New Commercial	1	$2,500,000	4	$20,069,500	2	$11,220,000	1	$2,500,000	0	$0								8	$36,289,500	9	$28,267,088
New Office/Institution	0	$0	0	$0	2	$7,446,651	0	$0	0	$0								2	$7,446,651	7	$12,512,251
New Industrial	0	$0	0	$0	0	$0	0	$0	0	$0								0	$0	3	$6,131,719
Non-Residential Interior Tenant Improvement	3	$4,810,722	0	$0	1	$180,263	1	$53,460	1	$75,000								6	$5,119,445	39	$5,655,181
Office/Institution Addition	0	$0	0	$0	0	$0	0	$0	1	$35,000								1	$35,000	1	$160,881
Industrial Addition	0	$0	0	$0	0	$0	0	$0	0	$0								0	$0	0	$0
New Multi-Family	0	$0	0	$0	0	$0	0	$0	0	$0								0	$0	6	$12,900,414
Telecommunication Tower	0	$0	1	$27,500	0	$0	0	$0	1	$25,000								2	$52,500	16	$243,925
Demolition - Non-Residential	0	$0	0	$0	0	$0	1	$2,000	0	$0								1	$2,000	4	$613,073
Demolition - Residential	0	$0	0	$0	0	$0	0	$0	0	$0								0	$0	0	$0
Fence	5	$10,550	8	$2,779,854	13	$71,023	15	$82,121	10	$23,756								51	$2,967,304	115	$1,088,018
Garages	2	$96,846	4	$102,306	6	$193,811	6	$152,905	10	$349,914								28	$895,782	58	$2,350,380
Pool	7	$550,644	6	$468,660	9	$544,148	8	$518,442	5	$330,641								35	$2,412,535	88	$6,362,621
Reroofs/Windows/ Doors	28	$426,818	43	$614,130	54	$823,711	36	$461,687	62	$1,078,019								223	$3,404,365	725	$10,358,706
Retaining Wall	34	$3,072,523	25	$3,731,671	25	$2,015,150	31	$9,776,800	6	$586,900								121	$19,183,044	218	$43,413,314
Small Shed (120 sq.ft. or less)	11	$33,200	17	$39,699	17	$68,051	21	$82,862	26	$77,774								92	$301,586	190	$877,165
Sheds	10	$107,843	8	$122,417	8	$100,994	125	$280,357	14	$152,178								165	$763,789	89	$1,743,000
Solar (Rooftop & Ground Mount)	38	$966,461	48	$1,322,471	36	$800,435	56	$1,284,064	43	$1,039,381								221	$5,412,812	1,114	$81,702,232
Business Registrations (Occupancy Inspection)	16	$0	10	$0	11	$0	20	$0	20	$0								77	$0	155	$0
Building Inspections	3,322	$0	3,377	$0	3,364	$0	3,178	$0	3,313	$0								16,554	$0	35,209	$0
Engineering Inspections	255	$0	242	$0	189	$0	179	$0	259	$0								1,124	$0	2,116	$0
R.O.W. Permits (Fees)	35	$11,558	50	$26,717	59	$43,550	43	$11,844	37	$17,895								224	$111,564	378	$162,595
TOTALS:	**3,865**	**$33,157,367**	**3,934**	**$44,049,462**	**3,796**	**$23,507,787**	**3,831**	**$34,408,958**	**3,929**	**$25,392,724**								**19,427**	**$173,770,288**	**41,671**	**$424,780,444**

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
June 11, 2024

DEPARTMENT:
Development Services

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

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: May Summary Plat.pdf

SUMMARY PLAT ACTIVITY
May 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

May 2024

24-200-00002	01/04/24	SUMMARY PLAT - LOT COMBO - CABE/TRACTS 1	Under Review	
24-200-00004	01/16/24	UNIT 10 BLOCK 35 LOT 30-A 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	
24-200-00012	2/1/2024	SUMMARY PLAT - U11, BLK 17, LTS 42 & 43	Under Review	
24-200-00014	3/5/2024	SUMMARY PLAT LOT 152-A, BLOCK "VV" RIO R	Under Review	
24-200-00017	4/8/2024	LOT CONSOLIDATION / U21, BLOCK 18, LOTS	Under Review	
24-200-00019	4/29/2024	SUMMARY PLAT - STONEGATE - CREATING 1 HO	Under Review	
24-200-00021	**5/1/2024**	**SUMMARY PLAT LOT 26-A (RR UNIT 13, BLOCK**	**Under Review**	
24-200-00022	**5/1/2024**	**SUMMARY PLAT - UNIT 10, BLOCK 33, LOTS 7**	**Under Review**	
24-200-00024	**05/14/24**	**UNIT 20, BLOCK, 106, LOTS 5-6, LOT LINE**	**Under Review**	
24-200-00025	**05/14/24**	**SUMMARY PLAT - U13, BLK QQ, LOTS 16&17 -**	**Under Review**	
24-200-00026	**05/14/24**	**SUMMARY PLAT - U11, BLK E, LOTS 56 & 57**	**Under Review**	
24-200-00027	**05/17/24**	**SUMMARY PLAT (LOT SPLIT) U13, BLOCK 114,**	**Under Review**	
24-200-00028	**05/30/24**	**24-200-00028 (SUMMARY PLAT) UNIT 11, BLO**	**Under Review**	
TOTAL TO DATE:		**48**		

CITY OF RIO RANCHO
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Legislation Item: 24-110-00007

AGENDA DATE:
June 11, 2024

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Melvin Munoz Estrada, requests approval of a Variance to the R-1: Single Family Residential District 60' minimum lot width requirement for the property located at 425 Northern Blvd NE. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The Applicant, Melvin Munoz Estrada, requests approval of a Variance to the R-1 District 60' minimum lot width requirement, as outlined by Rio Rancho Municipal Code, Section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The subject property is located at 425 Northern Blvd NE, legally described as Rio Rancho Estates Unit 12, Block B, Lot 61.

The subject property is located on the north side of Northern Blvd NE, a minor arterial, approximately 175' west of 5th St NE, a residential road. The property was platted December 6, 1965 in Book 1 Page 67.

The subject property is zoned R-1:Single-Family Residential per Ordinance No. 19, Enactment No. 96-020, adopted July 24, 1996 by the Governing Body. There are no overlay zones associated with this property.

The surrounding properties to the north, south, east, and west are zoned R-1:Single-Family Residential District.

The minimum allowable lot width in the R-1 zoning district is 60' per Rio Rancho Municipal Code (R.O. 2003) Section 154.50. The applicant is requesting this variance to the minimum R-1 zoning district lot width requirement to allow development of their 50' wide lot. The applicant has included a site plan of the property detailing the location of their proposed manufactured home and detached garage. Additionally, as the Applicant only owns the subject Lot 61, there is no opportunity for applying for a Summary Plat to combine two adjacent lots into a larger, conforming lot.

REVIEW CRITERIA
R.O. 2003 Section 150.06 Variance states, "(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."

The applicant states within the included justification letter: "The reason the variance is needed is because the subject lot does not conform to the City's minimum lot width standard for an R-1 residential property in order to be developed... If the variance is approved by the Planning and Zoning Board, the variance will allow for the lot to be developed."

Staff recommends the Planning and Zoning Board find the subject property is an irregular and narrow lot, and a variance shall be allowed. The strict application of the minimum lot width requirement of 60' on this 50' wide lot would result in a hardship that would deprive the owner of the reasonable use of their land.

Reviewed By:

Reviewing Agency	Received Application for Review	Comments
DSD Planning	X	No adverse comments.
DSD Engineering	x	No adverse comments.
Fire and Rescue	x	No adverse comments.
Police	x	No comments received
SSCAFCA	x	No adverse comments.
Parks and Recreation	x	No adverse comments.
Rio Rancho Public Schools		No comments received.
MRCOG/MRMPO	x	No comments received.

NOTIFICATIONS:
Property owners within 100' of the subject property were notified via certified mail 15 days prior to the hearing. Property owners within 100' to 300' of the subject property were notified via informational postcard 15 days prior to the hearing. A legal notice was published in the May 27, 2024 edition of the Albuquerque Journal. A sign was posted to the property as per ordinance.

IMPACT:

DEPARTMENT RECOMMENDATION
The Development Services Department recommends the Planning and Zoning Board approve Variance Request No. 24-110-00007 subject to the following findings and conditions:

General Findings of Fact:
1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request to R-1: Single-Family Residential District lot width requirements.
2. The applicant has the authority to make an application to request a variance to R-1: Single-Family Residential District lot width requirements.
3. 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 as set forth in R.O. 2003 Section 150.06.
2. The subject property, legally described as Unit 12, Block B, Lot 61, is irregular and narrow with a width of 50 ft.
3. The strict application of the minimum lot width requirement would create a hardship that would deprive the applicant of the reasonable use of their property.

If the Planning and Zoning Board finds the Variance Request is not justified, staff recommends the

following findings:

Findings of Fact for Denial:
1. The applicant has not adequately addressed the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.

ALTERNATIVES:

The Planning and Zoning Board may:
1. Approve the variance request with staff recommendations and conditions.
2. Approve the variance request with amendments to recommendations and/or conditions.
3. Deny the variance request.
4. Postpone the item and continue the public hearing for the variance request in order to further review.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board approve the variance request.

ATTACHMENT: Zoning, Location
ATTACHMENT: Application & Justification
ATTACHMENT: 96-020 O-19
ATTACHMENT: Site Plan
ATTACHMENT: (Filed Plat) Book 1, Page 72
ATTACHMENT: Reproduction of Notices, Legal, Noticed Properties
ATTACHMENT: Findings_of_Fact_BMB.docx

425 NORTHERN BLVD NE
UNIT 12, BLOCK B, LOT 61
VARIANCE TO DEVELOP ON 50' R-1 LOT



Rio Rancho
City of Vision

0 40 80 160 240 320
Feet

Subject Lot
Roads
Zoning
E-1
R-1

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 5/6/2024

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: Melvin Munoz Estrada		Phone: or 505 795 4038 505 699-8891
Address: 425 Northen Blvd		E-Mail: NSamudio@live.com
City: Rio Rancho	State: NM	Zip: 87144
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

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

Variance is needed because the land(lot) does not conform to the Citys Minimum lot ~~width~~ width standard R-1 residential Property IN order to develope.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 12	Block(s): B	Lot(s): 61
Existing Zoning:	Proposed Zoning:	
No. of existing lots:	No. of proposed lots:	Total area of site (acres) .34

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: Melvin Munoz Estrada	Applicant: ✓	Agent:
Signature: Melvin Munoz Estrada		Date: 4/25/24

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

To whom it may concern

(Justification)

I am the current owner of 425 northern Blvd Rio Rancho NM 87144. The reason the variance is needed is because the subject lot does not conform to the City's minimum lot width standard for an R-1 residential property in order to be developed. The minimum width for a compliant R-1 residential lot is 60 feet, while mention lot is only 50 feet wide, which makes the lot substandard. If the variance is approved by the Planning and Zoning Board, the variance will allow for the lot to be developed, despite the fact that it does not conform to the required minimum width for an R-1 residential lot.

Thank you

Melvin Munoz Estrada

CITY OF RIO RANCHO

ORDINANCE NO. 19 **ENACTMENT NO. 96-020**

AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP; PROPERTY DESCRIBED AS UNIT 12, BLOCKS B, BB, C, CC, D, AND DD, AND LOTS INCLUDED THEREIN TO BE ZONED R-1/SINGLE FAMILY RESIDENTIAL AND IMPOSING A MORATORIUM ON DESCRIBED PROPERTY FOR A PERIOD OF NO MORE THAN SIX MONTHS.

WHEREAS: The City of Rio Rancho has recently annexed the property described in Section 1 below into the municipal boundaries of the City; and

WHEREAS: Such property is presently unzoned; and

WHEREAS: The uncontrolled growth and development possible on unzoned properties is contrary to the general welfare of the citizens of the City and to the City's Comprehensive Plan; and

WHEREAS: The lots in such property were platted before the incorporation of the City with frontages only fifty feet wide; and

WHEREAS: The City has no desire to deprive the owners of such property of all beneficial use of their lots nor does the City wish to endanger the health, safety and welfare of its citizens while the City seeks to minimize deleterious conditions within such properties, therefore,

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

Section 1

A. The property described as Unit 12, Blocks B, BB, C, CC, D, and DD, and all lots included therein shall be zoned R-1/Single Family Residential District and shall thereby be subject to the land use restrictions set forth in Section 9-1-5, Rio Rancho Ordinances 1987, except that the minimum frontage width of each lot therein shall be no less than fifty feet.

B. In light of the deleterious conditions in this area, there is hereby imposed a moratorium on the described property on all new development of any nature, including, but not limited to, any improvements sought for currently developed properties, for a period of no more than six months from the effective date of this ordinance for the purpose of exploring and implementing curative measures to protect the health, safety and welfare of the owners and residents within and adjacent to the described properties.

Section 2 **Nonconforming Clause.** Some already developed properties within the lands described above may not conform to the R-1/Single Family Residential District requirements, as modified herein. Therefore a nonconforming use certificate shall be granted to property owners upon request and at no cost to the property owner as nonconformities are identified; provided that, the property owner can show the nonconformity existed prior to adoption of this zone map ordinance. This nonconforming clause shall apply to all requirements of Section 9-1-5.

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 unenforceable, 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. **Compiling Clause.** This ordinance shall be incorporated in and compiled as part of the City Code of Rio Rancho, R.O. 1987.

Section 5. **Effective Date.** This ordinance shall become effective ten days after adoption.

ADOPTED THIS 24TH DAY OF JULY, 1996

Thomas E. Swisstack

Thomas E. Swisstack, Mayor

7/25/96

Date

ATTEST:

Tina Gonzales

Tina Gonzales, City Clerk

[S E A L]

CODIFIED 9/96

CITY OF RIO RANCHO
AGENDA BRIEFING MEMORANDUM

REFERENCE #: O-19

DEPARTMENT: City Development **AGENDA DATE:** June 12, 1996

SUBJECT: **Zone Map Ordinance; Amending Appendix G: Zone Map Ordinance and the Zone Map (Attachment I)**
PROPERTY: **Unit 12, Blocks B, BB, C, CC, D, DD; All Lots Inclusive (Attachment II)**
APPLICANT: **Department of City Development**

SYNOPSIS

- Zone Map Amendment application to change the zoning designation of subject properties from "Unzoned" to R-1/Single Family Residential District
- Properties were not included in annexing ordinance due to typographical error
- Zoning vs. Covenants is an issue
- Nonconforming front lot width; 50 feet

BACKGROUND AND ANALYSIS: The subject properties were annexed via ordinance 95-020. It was intended that the subject properties be zoned R-1/Single Family Residential however, due to a typographical error, the properties were not listed in the zoning portion of the ordinance. It is therefore necessary to complete this process to zone the properties. It has been precedent to place the most restrictive zoning designation on newly annexed properties until it may be determined whether or not a different zoning designation is more appropriate.

Letters from affected property owners have been included for your review. These property owners oppose the zoning designation as they feel the subject properties are currently either commercial (single letter blocks) or multifamily (double letter blocks) properties based on restrictive covenants. The Department has interpreted that the subject properties were not zoned as such by the County of Sandoval prior to annexation into our municipal boundary and further, that the City is within its legal rights in zoning the property residential.

The standard front lot width for R-1/Single Family zoned properties is 70'. The front lot width of all the subject properties is 50' consequently, the lots would be legal nonconforming and has been accounted for in the proposed ordinance.

The Planning & Zoning Commission reviewed this item at the February 27, 1996 meeting at which time by majority the Commission voted to recommend approval of the proposed ordinance. This item was heard by the Governing Body at its meeting of March 27, 1996 at which time the Governing Body voted to remand this item back to the Commission to allow for further discussion and public input. The Planning & Zoning Commission reviewed this item again at their regularly scheduled meeting of April 30, 1996 and by a majority vote of 5-2, the Commission voted to recommend approval of the proposed zone map ordinance.

The proposed ordinance includes text to clearly address the issue of 50' front lot widths. The ordinance also includes legislative findings to ensure that the intent of the ordinance is clear.

IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE)
There are no apparent adverse impacts with regard to these issues.

ALTERNATIVES: The Governing Body may vote to approve the proposed zone map ordinance which if approved would change the zoning designation to R-1/Single Family Residential Zoning District with a minimum front lot width of 50' or, the Governing Body may vote to deny the proposed zone map ordinance which would leave the subject properties "unzoned" and subject to development which is unregulated by zoning.

DEPARTMENT RECOMMENDATION:
The City Development Department recommends approval of the proposed zone map ordinance.

REVIEWED BY:

CITY ATTORNEY	_x_	DPS_____	PARKS & REC.	____	SENIOR CTR.	____
CITY CLERK	____	FINANCE_____	PERSONNEL	____	OTHER (SPECIFY)	____
CITY DEV	_x_	LIBRARY_____	PUBLIC WORKS	____		

OTHER DEPARTMENT'S RECOMMENDATIONS:

PREPARED BY: Dolores Wood **DATE:** 6/10/96

DEPARTMENT DIRECTOR: Art Carsel/DW **DATE:** 6/10/96

CITY ADMINISTRATOR: James B. Lewis **DATE:** 6/10/96

Attachment I:	Draft Zone Map Ordinance
Attachment II:	Location Map
Attachment III:	Related Ordinance; 95-020
Attachment IV:	Minutes; PZC; February 27, 1996
Attachment V:	Minutes; GB; March 27, 1996
Attachment VI:	Minutes; PZC; April 30, 1996
Attachment VII:	Letters; Responses to property owner notifications

CITY OF RIO RANCHO

ORDINANCE NO. 22

ENACTMENT NO. 95-020

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF REAL PROPERTY INTO THE CORPORATE BOUNDARIES OF THE CITY OF RIO RANCHO, NEW MEXICO, AND FURTHER PROVIDING FOR AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP, PARTICULARLY AS FOLLOWS:

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

ARTICLE 1. INTENT

It is the intent of this Ordinance to show the approval and acceptance by the Governing Body, of the annexation of real property to the corporate boundaries of the City of Rio Rancho, as requested in Annexation Petition AP95-01, AM95-01.

ARTICLE 2. LEGAL REQUIREMENTS MET

The Annexation Petition for annexation area (AP95-01, AM95-01) having been presented to the Governing Body of the City of Rio Rancho, in full compliance with state law as set forth in 3-7-17 NMSA 1978, and the Governing Body having considered the Petition and presentations of petitioner, the Governing Body finds as follows:

A. The Annexation petition seeks to have annexed to the corporate boundaries of the City of Rio Rancho territory which is contiguous to the municipality.

B. The Annexation petition is signed by the owners of a majority of the property in acres in the contiguous territory sought to be annexed.

C. The Annexation Petition has been presented to the Governing Body by petitioners pursuant to the requirements of state and local law.

ARTICLE 3. CONSENT AND APPROVAL

By passage of the Ordinance, the Governing Body hereby expresses its desire to annex the property described in Annexation Petition AP95-01, AM95-01 and hereby does express its consent to an approval of the annexation of such contiguous territory being more particularly described in metes and bounds attached hereto and incorporated herein by reference in its entirety.

ARTICLE 4. ZONE MAP AMENDMENT

Purpose: That the property described as Sections 27, 28, 29, 33, 34, 35, Township 13 North, Range 2 East, Parcel A, Town of Alameda Grant, Sandoval County, comprising portions of Units 7, 12, 13, 21, and 22 Rio Rancho Estates, consisting of 3,410 acres shall be annexed into the City of Rio Rancho and have the zoning designation of SU/Special Use (Exhibit A) for the following land uses and with the following conditions:

1. A development agreement must be reached prior to any development occurring on site.

LAND USE ("Northern Meadows"):

SU/Special Use for Single Family Residential: (526) acres will accommodate single family detached homes with a maximum density of (7) dwelling units per acre (3,682 dwelling units). The development consists of both one and two-story homes. Lot sizes will vary between 40 and 860 foot widths, with a minimum of 4,000 square feet. The architectural style will vary.

A. Permissive Uses:
   1. Single family detached dwellings;
   2. Parks, open space, and public utilities;
   3. Swimming pools, tennis courts;
   4. Schools;
   5. Accessory buildings or structures, but not to include structures for domestic livestock or fowl.

B. Conditional Uses:
   1. As those provided in the R-1/Single Family Residential District.

C. Area:
   1. Every lot must have an area of not less than 4,000 square feet and a width of not less than 40 feet along the front yard setback line, with a minimum depth of not less than 100 feet;

D. Setbacks:
   1. Front - (25) feet
   2. Side - (5) feet each side, (10) feet between building walls
   3. Rear - (20) feet

E. Density: may not exceed (7) dwelling units per acre.

F. Height: one or two stories, not to exceed (32) feet in total height.

G. Off-Street Parking: As provided in section 9-1-18 of Zoning Ordinance.

SU/Special Use for Townhomes and Apartments: (55) acres will accommodate attached residential units developed as townhomes or apartments. Typical densities for the townhomes will average (10) dwelling units per acre (500 dwelling units). The product envisioned will be attached four-unit townhomes. The proposed apartment developments will have a maximum density of (18) dwelling units per acre.

A. Permissive Uses:
   1. Attached townhomes;
   2. Attached apartments
   3. Parks, open space, and public utilities;
   4. Swimming pools, playgrounds, tennis courts;
   5. Accessory buildings or structures, but not to include structures for domestic livestock or fowl.

B. Conditional Uses:
   1. As those provided in the R-3/Multi Family Residential District.

C. Area: minimum lot area:
   1. Apartments: (6,000) square feet.
      Row Townhomes: (2,200) square feet.
      Clustered Townhomes sharing common area: (1,100) square feet.

D. Setbacks:
   1. Front - (25) feet, except driveways shall not be less than (20) feet long for townhomes.
   2. Side - (5) feet, except:

a. There shall be a (10) feet on the street side of corner lots.
b. There shall be no required side-yard setback from internal lot lines for townhomes.

3. Rear - (15) feet

Setbacks for clustered townhome products which share a common courtyard and parking area are as follows:

1. A front yard setback of (25) feet is required adjacent to public right-of-way.
2. There shall be a minimum of a fifteen foot setback for either the side-or rear-yard (depending on building orientation), with no setback along internal lot lines of attached units.

E. Density: may not exceed (18) dwelling units per acre.
F. Height: three stories, not to exceed (32) feet in total height.
G. Off-Street Parking: As provided in section 9-1-18 of Zoning Ordinance.

The applicant has imposed a maximum total of (4,200) residential units allowed to be developed in the area. This is inclusive of single-family detached and attached housing developments, as well as multifamily units.

C-1/Retail Commercial: (17) acres of commercial development are proposed. The development envisioned includes such neighborhood retail services as a pharmacy, dry cleaners and grocery.

A. All Uses, Area, Setback, Density, Height and Parking requirements:
1. Same as those articulated in the C-1/Retail Commercial District

The applicant proposes additional community services such as police, fire stations and library sites be located in the southern portion of the annexation area in the "Contiguous Lands" area.

The remaining (253) acres includes natural physical land features such as an arroyo (Arroyo de los Montoyas), a drainage easement, and open space, as well as a trail, school, park, and roadways.

School: (10) acres will accommodate the proposed school site to be located on 10th Street, north of King Boulevard.

LAND USE ("Contiguous Lands"):

All land uses and requirements as those provided in the R-1/Single Family Residential District and E-1/Estate District, more specifically:

A. R-1/Single Family Residential (Unit 12):

Block 1A	Block AA	Block H	Blocks 4-28
Block 2A	Block EE	Block J	Blocks 31-39
Block 3A	Block FF	Block K	Block 52
Block 6A	Block GG	Block L	Block 59
Block 21A	Block HH	Block M	Blocks 54-57
			Blocks 60-67
			Blocks 69-71
			Blocks 85-89

B. E-1/Estate Residential Residential (Unit 12):

Block 68	Blocks 72-76	Block 90

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

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

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

ARTICLE 5. SAVING CLAUSE

If any of the sections, sentences, clauses, or phrases of this Ordinance or any exhibit or attachment thereto are for any reason held unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not thereby be affected inasmuch as it is the intent of the Governing Body of the City to pass each phrase, paragraph, and word separately.

ADOPTED THIS 12TH DAY OF JULY, 1995.

Thomas E. Swisstack, Mayor

7-14-95

Date

ATTEST:

Tina Gonzales, City Clerk

(SEAL)

CITY OF RIO RANCHO
PLANNING & ZONING COMMISSION
MINUTES
February 27, 1996

F. **ZONE MAP AMENDMENT: Applicant requests a zone change on the property legally described as Unit 12, Blocks B, BB, C, CC, D, and DD, all lot inclusive from "Unzoned" (no zoning designation) to R-1\Single Family Residential. Applicant: City of Rio Rancho**

Dolores Wood stated Unit 12 was annexed into the City in July 1995 with the intent to zone as R-1 Residential, but these particular lots were left off.

Commissioner Cunningham asked if rezoning would not preclude these lots from becoming commercial and protect the City from unintended development. Mr. Corsie stated that is correct.

Joe Molinary, Resident, stated he purchased E-1 property to keep R-1 out and asked how there can be R-1 zoning on 50 foot lots. Commissioner Ramaeker stated two lots can be purchased.

Tony Madrid stated he is confused about what Amrep promised those who purchased lots and what the Commission is doing about it.

Commissioner Ramaeker stated the Commission has no idea what Amrep promised.

Norma Altman, Resident, stated she bought property from Amrep with the understanding that it was zoned commercial.

Commissioner Ramaeker stated that Amrep had no authority in the past , nor do they have authority to zone property now.

Rudy Casalas, resident, stated he purchased what he understood to be commercial and is recorded as such in Sandoval County Public Records.

Mr. Corsie stated that because the property is zoned R-1 does not mean the zoning will not be changed at a later date.

Commissioner Gahl asked if deed restrictions will be violated if the property is rezoned R-1 and a house is built. Mr. Corsie stated the City does not enforce deed restriction.

Carl Firstenberg, Resident, asked if the rezoning is to allow continuation of modular homes in the area. Mr. Corsie stated modular homes are allowed in all R-1 zoned areas.

PZC0227964F: **COMMISSIONER GAHL MOVED THAT THE REQUEST FOR A ZONE CHANGE ON THE PROPERTY LEGALLY DESCRIBED AS UNIT 12, BLOCKS B, BB, C, CC, D, AND DD, ALL LOT INCLUSIVE FROM "UNZONED" (NO ZONING DESIGNATION) TO R-1\SINGLE FAMILY RESIDENTIAL BE APPROVED WITH STAFF RECOMMENDATIONS AND THAT STAFF MAKE AN EFFORT TO HAVE AMREP REMOVE RESTRICTIONS FROM THESE PROPERTIES. SECONDED BY COMMISSIONER BLOMBERG. MOTION CARRIED BY A VOTE OF 7 FOR AND 0 AGAINST.**

YES: BLOMBERG, CUNNINGHAM, DRAKE, GAHL, HAWLEY, RAMAEKER, SOTO

O-10, Zone Map Amendment, Unit 12, Unzoned to Single Family Residential

Councilor Boniello stated that there are legal questions that must be addressed before consideration by the Governing Body.

CM3: Councilor Boniello moved that **O-10, BE REMANDED TO THE PLANNING AND ZONING COMMISSION.** Seconded by Councilor Cordova. The motion carried by a vote of 6 FOR AND 0 AGAINST.
Yes: Bency, Boniello, Cordova, Hill, Minor, Yestrebi

O-11, Zone Map Amendment, Riverview Village, Lot 6, from Special Use for R-3/ Multi-Family Land Uses to Special Use for Senior Assisted Living Facility, Skilled Nursing Facility and Apartments - Arreellaga Development Group, Applicant

Art Corsie, Director of City Development, explained that there are three projects on the lot; assisted living, nursing care, and apartments. Mr. Jay Bladder of the Arreellaga Group gave a presentation of the project.

Councilor Boniello questioned the traffic study. Mr. Bladder explained that this area is actually down-zoned from an SU/24 for apartment use as none of the residents in the facilities are capable of driving so there will be a minimal number of cars for staffing only.

Councilor Yestrebi questioned emergency vehicles in the area. Mr. Bladder noted that there are two emergency egress connections and two access points to the streets. He added that this has been addressed in an efficient manner without overbuilding roads and parking, but meeting the standards.

Harry DeLapp, resident of Corrales, stated that he expressed concern with the lighting and the drainage of the project and feels that these issues have been addressed. He expressed opposition to any traffic by motorcycles or vehicles on the proposed walking path.

CM4: Councilor Boniello moved that **O-11, BE ADOPTED**. Seconded by Councilor Cordova. The motion carried by a vote of **6 FOR AND 0 AGAINST.**
Yes: Bency, Boniello, Cordova, Hill, Minor, Yestrebi

BOARDS AND COMMISSIONS

D-28, Approval of Boards and Commissions Manual

Councilor Boniello referenced page 4, which states that the commission member may continue to serve until they are replaced or reappointed. He requested that this be amended so that a commission member whose term has expired cannot continue to serve unless reappointed by the Mayor and Governing Body.

CITY OF RIO RANCHO
PLANNING & ZONING COMMISSION
MINUTES

ATTACHMENT VI

APRIL 30, 1996

H. ZONE MAP AMENDMENT: Applicant requests a zone change on the property legally described as Unit 12, Blocks B, BB, C, CC, D, and DD, all lot inclusive from "Unzoned" (no zoning designation) to R-1\Single Family Residential. Applicant: City of Rio Rancho

Art Corsie, City Development, stated that the request for zone change from unzoned to R-1 be approved on the non-conforming lots.

Commissioner Cunningham asked if the Commission can request that there be a 70 foot frontage on the lots. Mr. Corsie stated they cannot.

Commissioner Gahl asked if the City allows 50 foot frontage. Mr. Corsie stated yes, these are non-conforming lots and the City cannot prevent the owners of these lots from building.

Commissioner Gahl asked if C-1 zoning is the best use in the City. Mr. Corsie stated C-1 zoning is best use but R-1 zoning is the safest zoning and that it is ill-advised to leave the property unzoned.

Commissioner Gahl asked Don Young, City Attorney, if he is comfortable with the proposed zoning. Mr. Young stated this is the only zoning he is comfortable with, and requested a closed session to discuss this with the Commission.

Commissioner Drake asked how soon a master plan will be in place for the area. Mr. Corsie stated a recommendation will be presented to the Governing Body in the form of a Resolution to accept a Northern Boulevard Corridor Plan and should be completed in one year.

COMMISSIONER CUNNINGHAM MOVED THAT THE MEETING BE ADJOURNED FOR 15 MINUTES FOR A CLOSED SESSION. SECONDED BY COMMISSIONER DRAKE. MOTION CARRIED BY A VOTE OF 7 FOR AND 0 AGAINST.

YES: BLOMBERG, CUNNINGHAM, DRAKE, GAHL, HAWLEY, HEIL, RAMAEKER

The meeting adjourned at 10:40 p.m. and reconvened at 10:55 p.m.

Usher Bruger, Resident stated the zoning in the area changes like the wind.

Joe Molinary, Resident, stated he opposes the zone change unless it conforms to R-1 zoning.

Commissioner Ramaeker asked if single wide mobile homes are allowed in R-1 zoning. Mr. Corsie stated they are not.

Jack Reynolds, Resident, asked if a moratorium can be put in place. Commissioner Ramaeker stated a moratorium cannot be done.

Commissioner Gahl asked if the Commission is creating a new zoning district. Don Young stated he sees this as an overlay zone.

ATTACHMENT VII

CITY OF RIO RANCHO
OFFICE OF THE CITY ATTORNEY
MEMORANDUM

To: James B. Lewis, City Administrator

CC: Art Corsie
Randall Van Vleck

From: Don Young

Date: April 23, 1996

Re: Zone Map Amendment - Unit 12

In response to your memo of April 22, 1996, I submit the following comments.

The City is at mild risk of a lawsuit but at very low risk of actual liability.

Background: Back in the Sixties, when Amrep laid out Rio Rancho Estates, one of the techniques it used was to create a few areas with a series of lots with 50' wide street frontage. The purpose was to sell them to purchasers who would buy two, three or more, depending on the size of estate they wished to create. Unfortunately, Amrep failed to put a minimum purchase of two lots in the rules, so a number of folks bought just a single half-acre lot. The area described in the Fitzgerald letter is such an area.

Later Rio Rancho became a city. Among the earliest enactments was a zoning code which created the designation "R-1." R-1 requires that the street frontage be no less than *70'* feet. This was not a problem yet in that this area was not incorporated into the municipal boundaries.

FROM THE DESK OF...

DON YOUNG
ASSISTANT CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
POST OFFICE BOX 15550
RIO RANCHO, NEW MEXICO 87174-0550

(505) 891-7239
Fax: (505) 891-7274

In 1995 there was a lawsuit concerning similar property within the city limits. The Planning Department had allowed some mobile homes or modular homes to locate on 50' lots on Tulip Road. This contravened our own ordinance. The neighbors, owners of fairly nice homes on full standard lots, retained Mr. Fitzgerald and the Rodey firm to file suit against the City for denial of due process for allowing

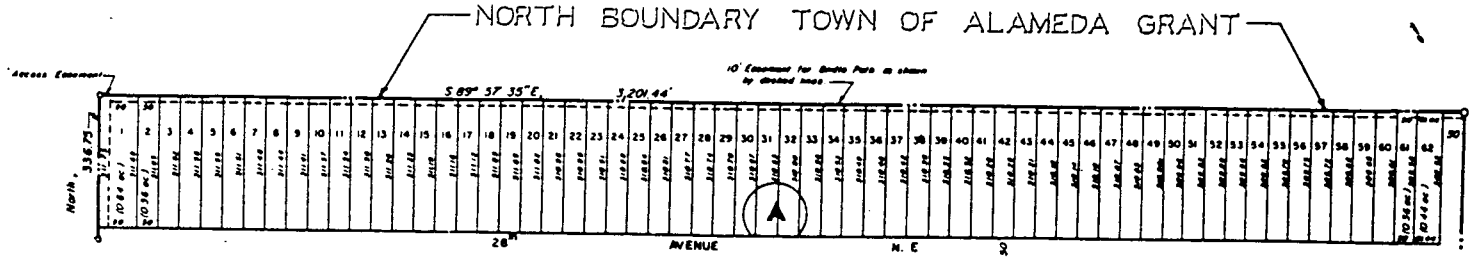
such actions without input from the neighbors. I realized that the neighbors were indeed correct; we settled the suit within two weeks of filing and kept the damages down to a minimum.

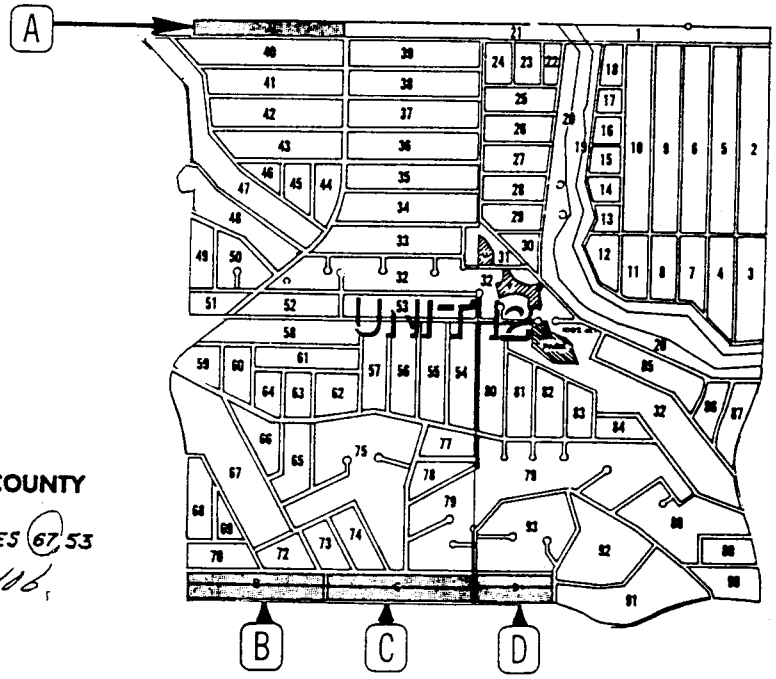
Now we are looking at an area which has been brought into the City by annexation. The annexation process included zoning but omitted these lands with respect to zoning. The original ordinance proposing zoning was scrapped and I wrote a new one. See attached. It creates a special zoning overlay designating these lots to be R-1 in all respects except they may have a minimum frontage of 50'. Because the Governing Body will consider the amendment, the opposing neighbors will have their opportunity to express their opinions and to attempt the sway the Governing Body. That is all the due process to which they are entitled. The attached ordinance also concludes findings of legislative fact which, if the Governing Body accepts such findings, will most likely protect the City from liability.

A major consideration which you should consider is the double dilemma which the City faces. If we do not zone, the owners may place *any* land use on these lots. If we rezone as standard R-1, the lots are substandard and we deny the owners of single lots any beneficial use of their land and we buy their lots through *de facto* condemnation. In this option, the only threat to the City may arise from conflict with restrictive covenants. That is not supposed to be actionable, but is untested in New Mexico.

Another remote option is metropolitan redevelopment. A project such as this is not especially appropriate for this remedy since the area is developing on its own. It does not fit the definition of the statute.

If you have any other questions, please call.





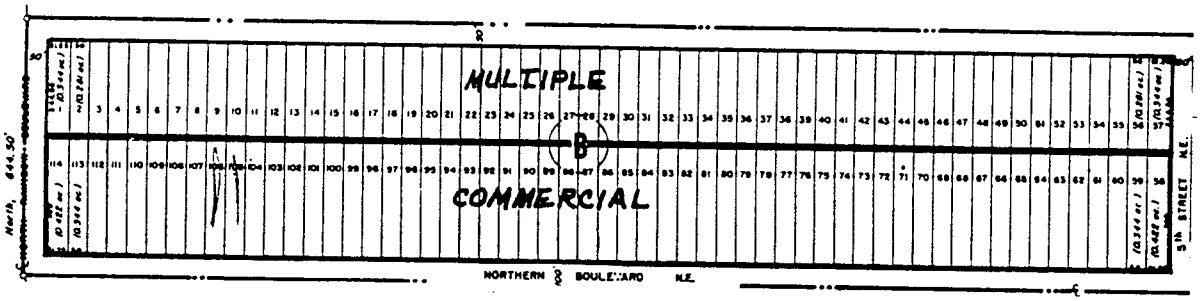
REPLAT OF LOTS WITHIN

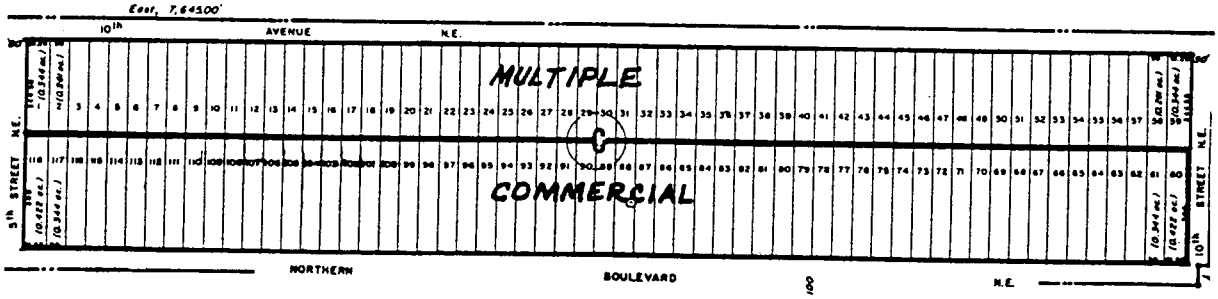
UNIT TWELVE

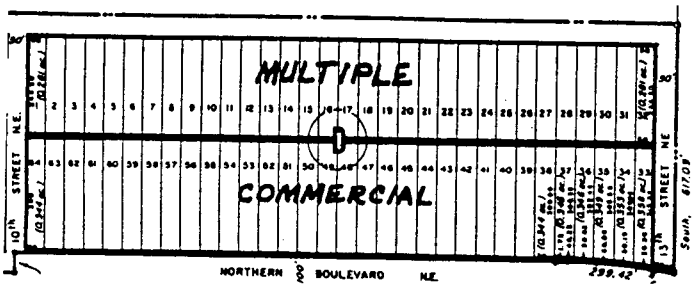
RECORDED in PUBLIC RECORDS of SANDOVAL COUNTY

RIO RANCHO ESTATES PLAT BOOK #1, *PAGES* 67, 53

Block B, Lots 105-106,







UNIT TWELVE - COMMERCIAL PROPERTY PRICE LIST

	BLOCK	LOT	PRICE	MONTHLY
Commercial	A	1 *	$ 3,000.00	$ 50.00
		2 thru 61	1,600.00	27.50
		62 *	4,000.00	70.00
Commercial	B	58 *	3,700.00	65.00
		59 thru 113	1,750.00	30.00
		114 *	4,000.00	70.00
Commercial	C	60 *	3,700.00	65.00
		61 thru 117	1,750.00	30.00
		118 *	3,700.00	65.00
Commercial	D	33 *	3,500.00	60.00
		34 thru 63	1,750.00	30.00
		64 *	3,500.00	60.00
Multiple Dwelling	B	1 *	3,000.00	50.00
		2 thru 56	1,250.00	20.00
		57 *	2,700.00	45.00
Multiple Dwelling	C	1 *	2,700.00	45.00
		2 thru 58	1,250.00	20.00
		59 *	2,700.00	45.00
Multiple Dwelling	D	1 *	2,500.00	40.00
		2 thru 31	1,250.00	20.00
		32 *	2,500.00	40.00

Note: Minimum sale is two (2) contiguous lots except those lots where an asterisk (*) is indicated.

City *of* Rio Rancho

3900 Southern Blvd. SE · PO Box 15550
Rio Rancho, New Mexico 87174-0550
(505) 891-7206 · Fax (505) 891-3888

DEPARTMENT OF
CITY DEVELOPMENT

June 6, 1996

RE: **ZONE MAP AMENDMENT** to change the zoning designation from "Unzoned" to R-1\Single Family Residential on the property legally described as Unit 12, Blocks B, BB, C, CC, D, and DD, all lots inclusive.

Dear Property Owner:

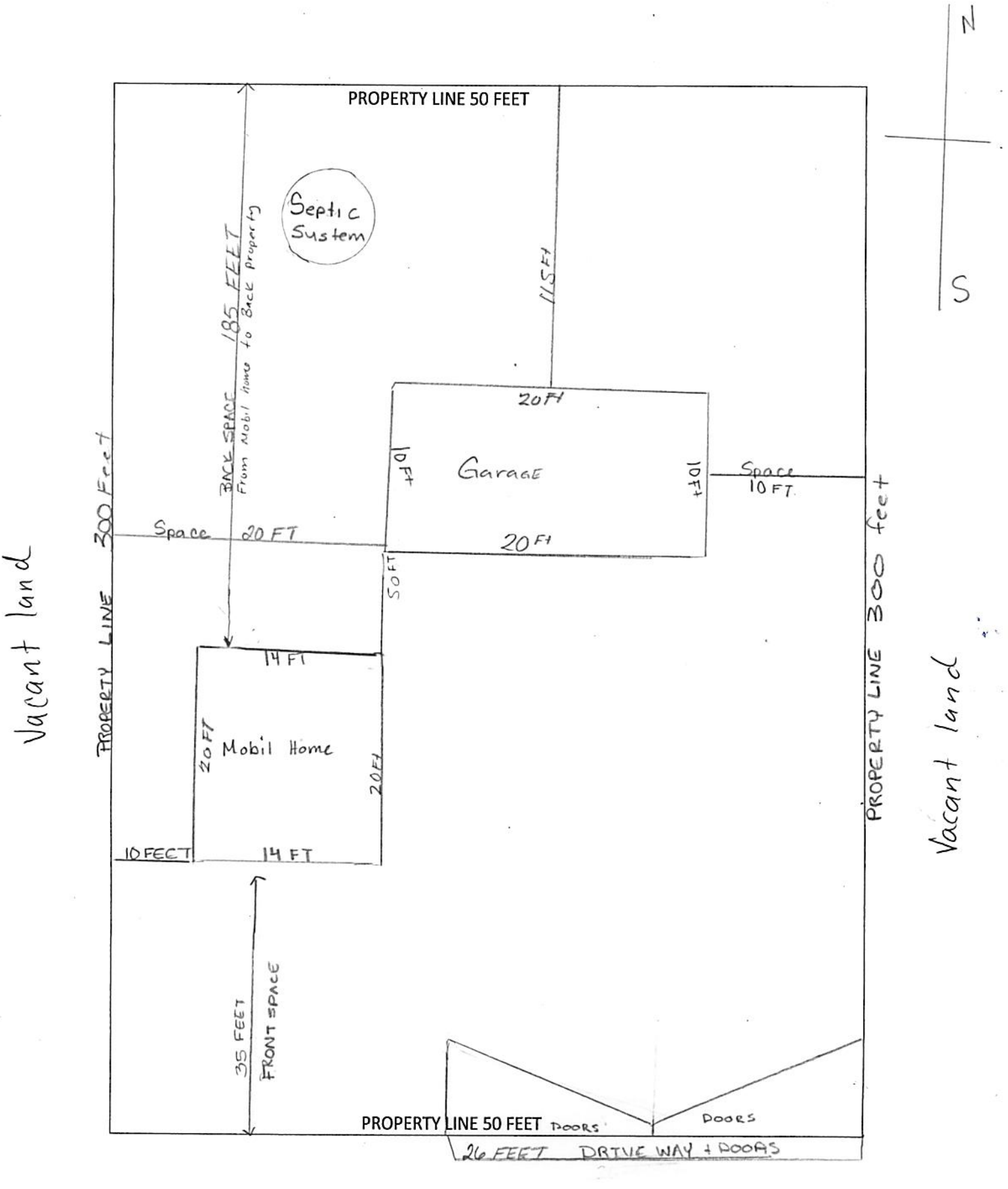
NOTICE IS HEREBY GIVEN that the Governing Body will conduct a public hearing on the above referenced matter on June 26, 1996. The meeting is scheduled at 7:00 PM in the Council Chambers, 3900 Southern Boulevard. Protests will be heard at the meeting or may be submitted in writing to this office.

If you have any questions or require additional information, please contact Susan Rasmussen at 891-7206.

Thank you,

Tina Gonzales

Tina Gonzales, CMC
City Clerk


PROPERTY LINE 50 FEET
Septic System
185 FEET
BACK SPACE
From Mobil Home to Back property
115 FT
20FT
10Ft
Garage
10Ft
Space
10 FT
20FT
Space 20 FT
300 Feet
PROPERTY LINE
50FT
14 FT
20 FT
Mobil Home
20FT
10 FEET
14 FT
35 FEET
FRONT SPACE
PROPERTY LINE 50 FEET
DOORS
DOORS
26 FEET DRIVE WAY + DOORS
PROPERTY LINE 300 feet
Vacant land
Vacant land
N
S
Northern Blvd main street

REPLAT OF LOTS
WITHIN
UNITS ELEVEN, TWELVE & THIRTEEN
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY, NEW MEXICO

Surveyed, re-platted, and subdivided, and comprising Lots numbered Twenty-three (23), thru Forty-four (44), inclusive, of Block lettered J, Lots numbered Eighty-three (83), thru One Hundred Sixty-four (164), inclusive, of Block lettered VV, and Lots numbered Twenty-three (23), thru Forty-four (44), inclusive, of Block lettered WW, and Park and Recreation Area, Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico; Lots numbered One (1) thru Fifty-seven (57), inclusive, of Block lettered BB, Lots numbered One (1) thru Fifty-nine (59), inclusive, of Block lettered CC, Lots numbered One (1) thru Thirty-two (32), inclusive, of Block lettered DD, Unit Twelve, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico; Lots numbered One (1) thru Four (4), and Lots numbered Thirty-one (31) thru Thirty-four (34), inclusive, of Block numbered Twenty-seven (27), Unit Thirteen, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico; Park and Recreation Area, Tract lettered E, and Blocks numbered One (1) and Two (2), Unit Thirteen, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico; with the free consent of, and in accordance with the wishes and desires of, the property owners and proprietors thereof; and that the owners of the property do hereby dedicate all public thoroughfares shown hereon to the County of Sandoval, New Mexico, and do hereby grant easements shown on the plat, including the right of ingress and egress and the right to prune interfering trees.

John S. Sommerhalder
Assistant Vice-President

Dora M. McSam
Assistant Secretary

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss

On this 3rd day of February, 1967, before me, a Notary Public in and for said County and State, personally appeared John S. Sommerhalder and Dora M. McSam, who, being by me duly sworn, did say that they are Assistant Vice-President and Assistant Secretary, respectively, of RIO RANCHO ESTATES, INC., a corporation organized under the laws of the State of New Mexico; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and that said John S. Sommerhalder and Dora M. McSam acknowledged said instrument to be the free act and deed of said corporation.

In Witness Whereof, I have hereunto set my hand and seal on the day and date last above written.

My Commission Expires June 4, 1970.

J. Esther McMillan
NOTARY PUBLIC

I, Robert K. Walsh, New Mexico Registered Land Surveyor No. 2127, do hereby certify that the plat shown hereon was made by me or under my direct supervision, and that the same is true and correct to the best of my belief and knowledge.

NEW MEXICO REGISTERED LAND SURVEYOR NO 2127

I, Jim Applegate, County Clerk of Sandoval County, New Mexico, do hereby certify that the plat shown hereon was approved and the roads shown hereon were accepted for dedication to the County of Sandoval, New Mexico, by the Board of Commissioners at their meeting held on the 6th day of February, 1967.

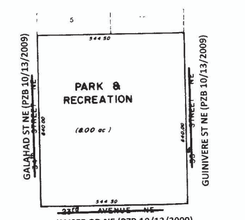
COUNTY CLERK

SANDOVAL BD OF COMMISSIONERS
APPROVED
2-6-67

JOB NO. 2072	RESIDENTIAL LOTS
PAGE NO 72	COMMERCIAL ACREAGE
BOOK NO. 1	MULTIPLE ACREAGE
COMPUTED BY	RESERVED ACREAGE
DRAFTED BY	MILES OF ROAD
COMPUTER NOS.	REPLAT OF [illegible]
PROOFED BY	[illegible]

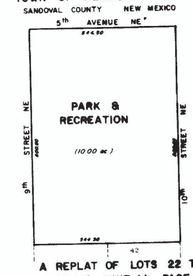
PARK & RECREATION AREA
UNIT 13
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO

A replat of Lots numbered One (1) thru Four (4), inclusive and Lots numbered Thirty-one (31) thru Thirty-four (34), inclusive, of Block numbered Twenty-seven (27), 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, in Rio Rancho Estates Plat Book No. 1, Page 48, on April 22, 1963.



A REPLAT OF LOTS 1 THRU 4 & 31 THRU 34, BLOCK 27, UNIT 13, PAGE 48.

PARK & RECREATION AREA
UNIT 11
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO

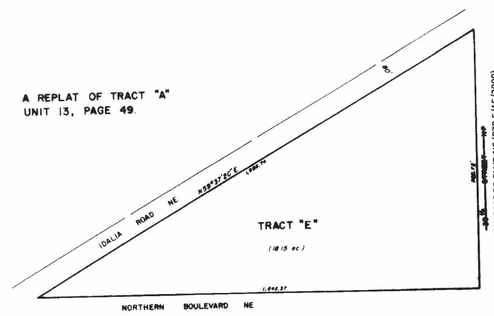


A REPLAT OF LOTS 22 THRU 41, BLOCK 11, UNIT 11, PAGE 36.

A replat of Lots numbered Twenty-two (22), thru Forty-one (41), of Block numbered Eleven (11), Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, filed in the office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 36, on December 11, 1962.

TRACT E, UNIT 13
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO

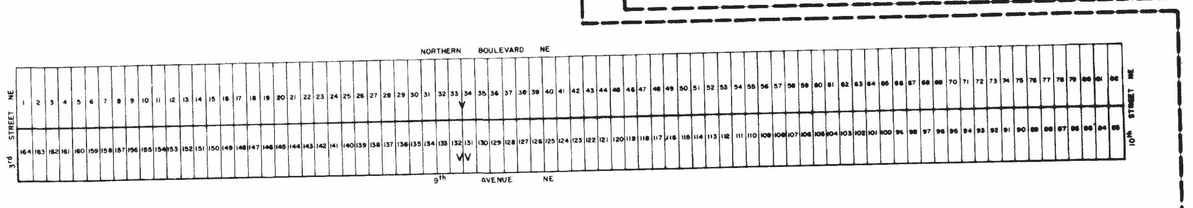
A replat of Tract lettered "A", proposed Commercial Area, of S W Portion of Unit Thirteen, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, filed in the office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 49, on April 22, 1963.



A REPLAT OF TRACT "A" UNIT 13, PAGE 49.

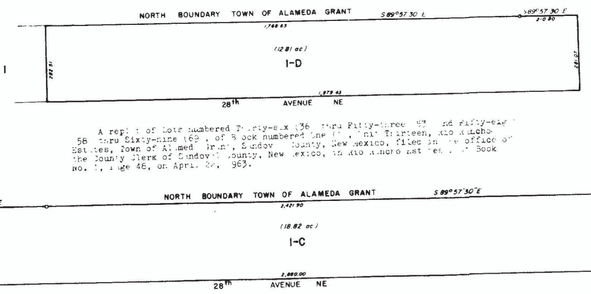
LOTS 23 THRU 44, BLOCK UU, LOTS 83 THRU 164, BLOCK VV
LOTS 23 THRU 44, BLOCK WW, UNIT 11
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO

A replat, for the sole purpose of changing Block designations, of portions of Blocks lettered U, V, W, of Replat of Lots within Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, filed in the office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 66, on December 8, 1965.



A REPLAT OF LOTS 23 THRU 44, BLOCK U, LOTS 83 THRU 164, BLOCK V, LOTS 23 THRU 44, BLOCK W, UNIT 11, PAGE 66.

BLOCKS I-C & I-D, UNIT 13
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO



A replat of Lots numbered Forty-six (36) thru Fifty-three (53), and Fifty-eight (58) thru Sixty-nine (69), of Block numbered One (1), 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, in Rio Rancho Estates Plat Book No. 1, Page 48, on April 22, 1963.

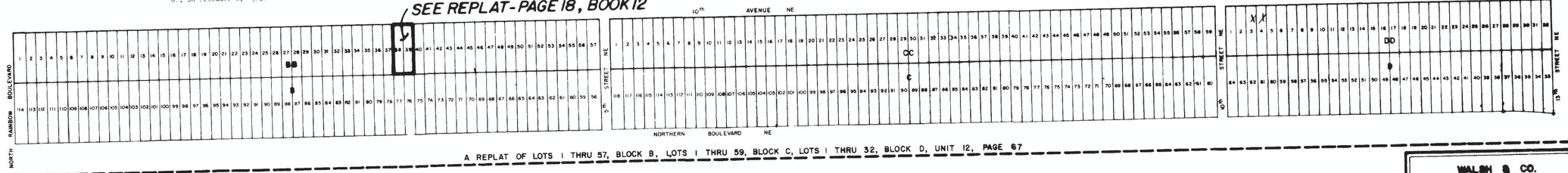
A REPLAT OF LOTS 36 THRU 53 & 58 THRU 69, BLOCK 1, UNIT 13, PAGE 48.

SCALE 1" = 200'

LOTS 1 THRU 57, BLOCK BB, LOTS 1 THRU 59, BLOCK CC,
LOTS 1 THRU 32, BLOCK DD, UNIT 12
RIO RANCHO ESTATES
TOWN OF ALAMEDA GRANT
SANDOVAL COUNTY NEW MEXICO

A replat for the sole purpose of changing Block designations of portions of Blocks B, C, D, of Southerly portion of Unit Twelve, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, filed in the office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 67, on December 6, 1965.

SEE REPLAT-PAGE 18, BOOK 12



A REPLAT OF LOTS 1 THRU 57, BLOCK B, LOTS 1 THRU 59, BLOCK C, LOTS 1 THRU 32, BLOCK D, UNIT 12, PAGE 67

WALSH & CO.
3004 Copper NE 265-4488
Albuquerque New Mexico
DRAWING NO. 72 DATE 1-67
CLIENT RIO RANCHO ESTATES

Book 1 Page 72

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

May 24, 2024

RE: **Variance Request Case No. 24-110-00007 (425 Northern Blvd NE) Variance for Residential Development on a 50' Wide R-1: Single-Family Residential Lot**

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, Melvin Munoz Estrada, requests approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code, Section 154.50 *Zoning Table* in order to build a residential home on a lot which has a width of 50 ft on the subject property legally described as Rio Rancho Estates Unit 12, Block B, Lot 61.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, June 11, 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

425 NORTHERN BLVD NE
UNIT 12, BLOCK B, LOT 61
VARIANCE TO DEVELOP ON 50' R-1 LOT



Rio Rancho
City of Vision

0 40 80 160 240 320
Feet

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 5/6/2024

N
W E
S

Subject Lot
Roads
Zoning
E-1
R-1

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:	**June 11, 2024**
Time:	6:00PM
Staff Contact:	Tim Dvorak (505) 896-8361 tdvorak@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
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Time:	6:00PM
Staff Contact:	Tim Dvorak (505) 896-8361 tdvorak@rrnm.gov

Application Information

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, Melvin Munoz Estrada, requests approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code, Section 154.50 *Zoning Table* in order to build a residential home on a lot which has a width of 50 ft on the subject property legally described as Rio Rancho Estates Unit 12, Block B, Lot 61. The PZB will hear the request on June 11, 2024.

We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:

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



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Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
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NEW MEXICO'S LEADING NEWS SOURCE

ALBUQUERQUE JOURNAL

El Defensor Chieftain | Rio Rancho Observer | Valencia County News-Bulletin

PO Box 880697
Phoenix, AZ 85038-9650 Phone: (505)823-3220

Proof of Ad 05/22/2024

Account:	**1010956**
Name:	**CITY OF RIO RANCHO**
Company:	**CITY OF RIO RANCHO**
	ATTN: ACCOUNTS PAYABLE
Address:	**3200 CIVIC CENTER CIR NE**
	RIO RANCHO, NM 87144
Telephone:	**(505)891-5005**

Ad ID:	**43230**
Description:	
Run Dates:	**05/27/2024 - 05/27/2024**
Class:	**3001**
Orig User:	**dmontoya**
Words:	**239**
Lines:	**61**
Agate Lines:	**87**
Depth:	**6.18**
Blind Box:	

Total Ad Cost $79.51
Amount Paid $0.00

Publication	Start	Stop	Inserts	Cost
Albuquerque Journal	05/27/2024	05/27/2024	1	73.88

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 11, 2024:

Variance
Case #24-110-00007
The Applicant, Melvin Munoz Estrada, requests approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code, Section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft on the subject property legally described as Rio Rancho Estates Unit 12, Block B, Lot 61.

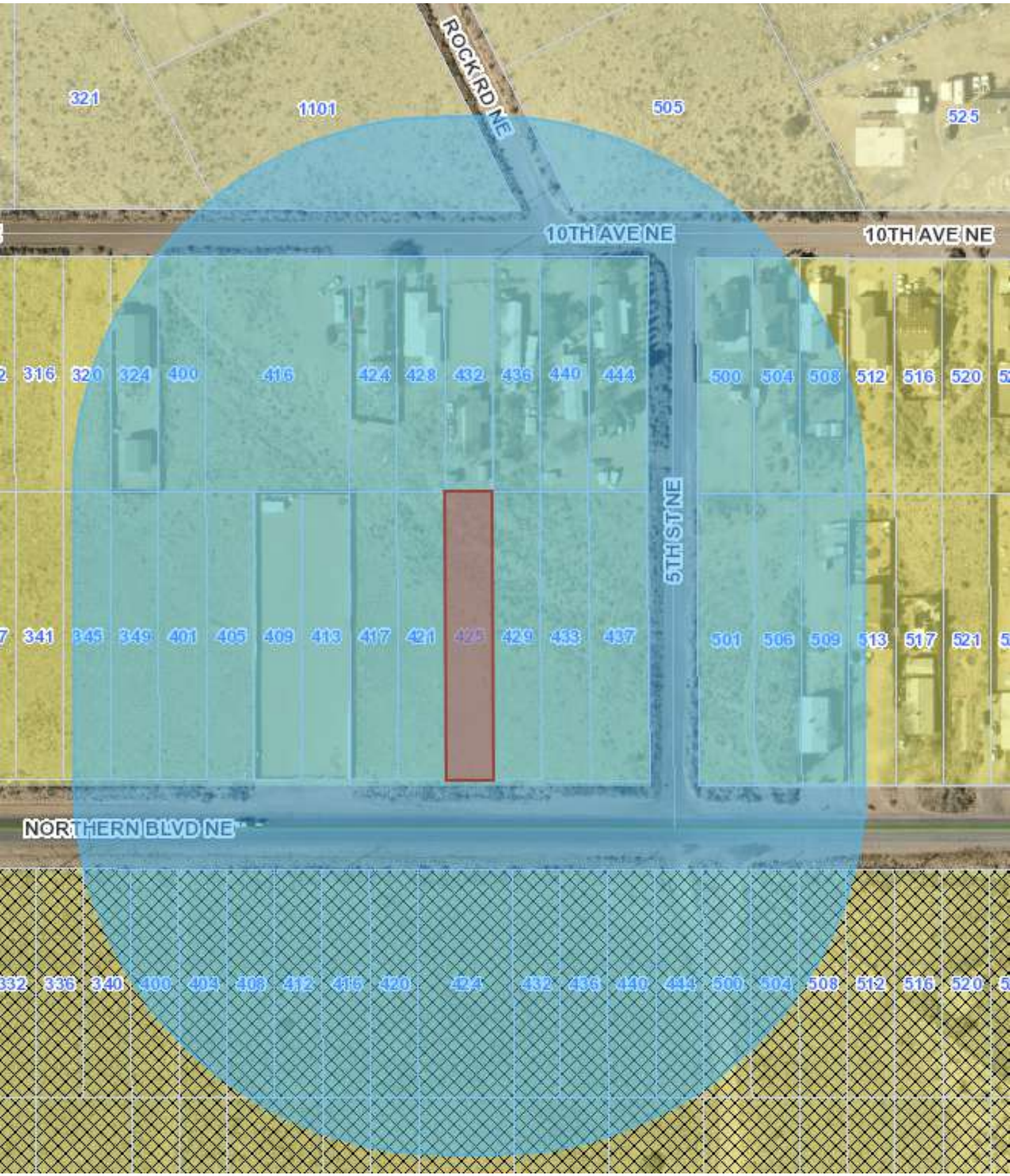
Preliminary, Final Plat
Case #24-210-00002
The applicants, TDO Development, LLC., through their agent, Aldrich Land Surveying, are requesting approval of a Preliminary, Final Plat in order to create three lots and one tract from the existing property of TDO2, Tract I. The subject property is zoned R-4: Single-Family Residential and comprises approximately 0.5898 acres.

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

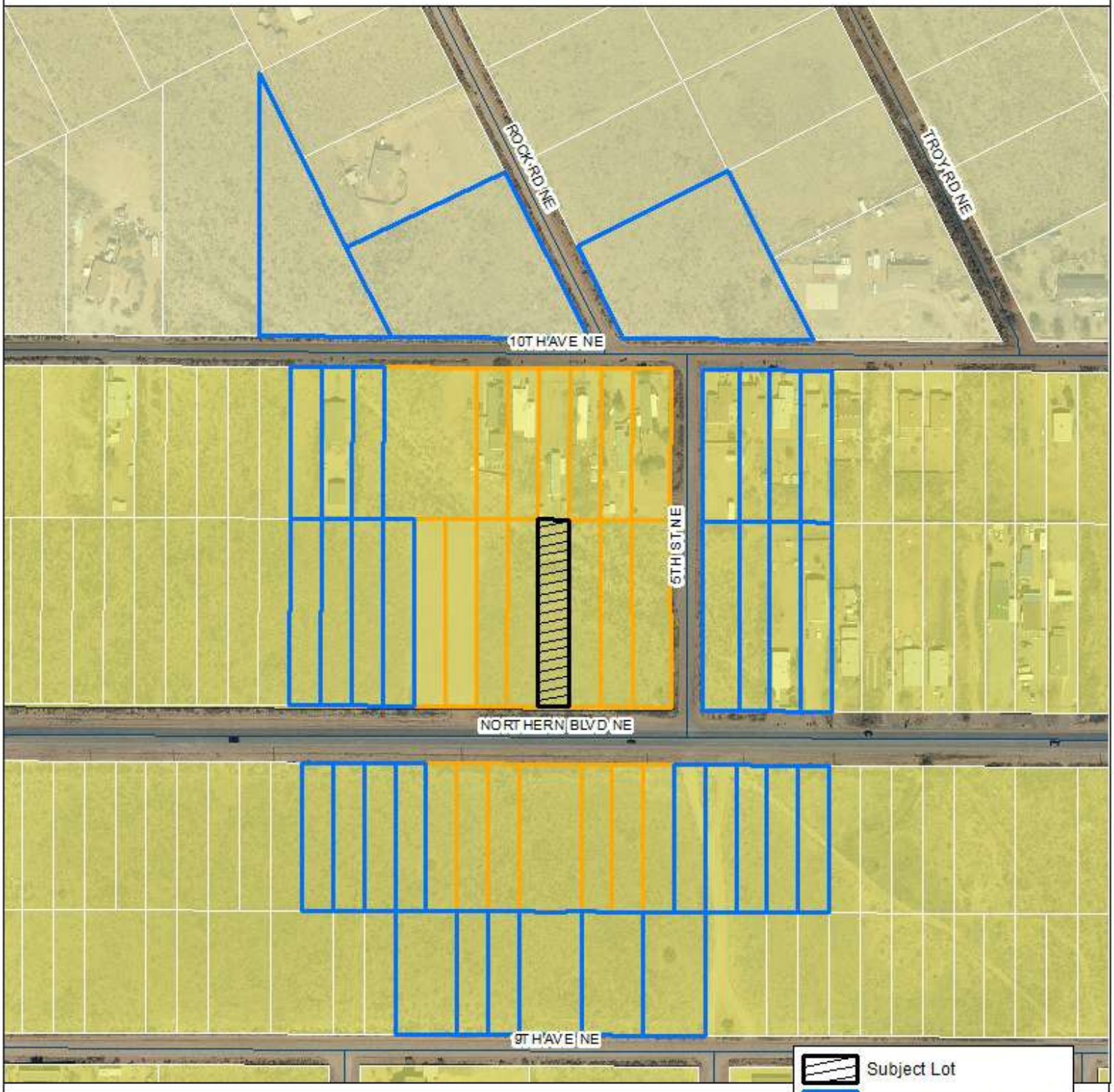
If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: May 27, 2024

300' Notice Buffer (Right-of-Way Excluded)



425 NORTHERN BLVD NE
UNIT 12, BLOCK B, LOT 61
VARIANCE TO DEVELOP ON 50' R-1 LOT



Rio Rancho
City of Vision

0 70 140 280 420 560
Feet

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 5/6/2024

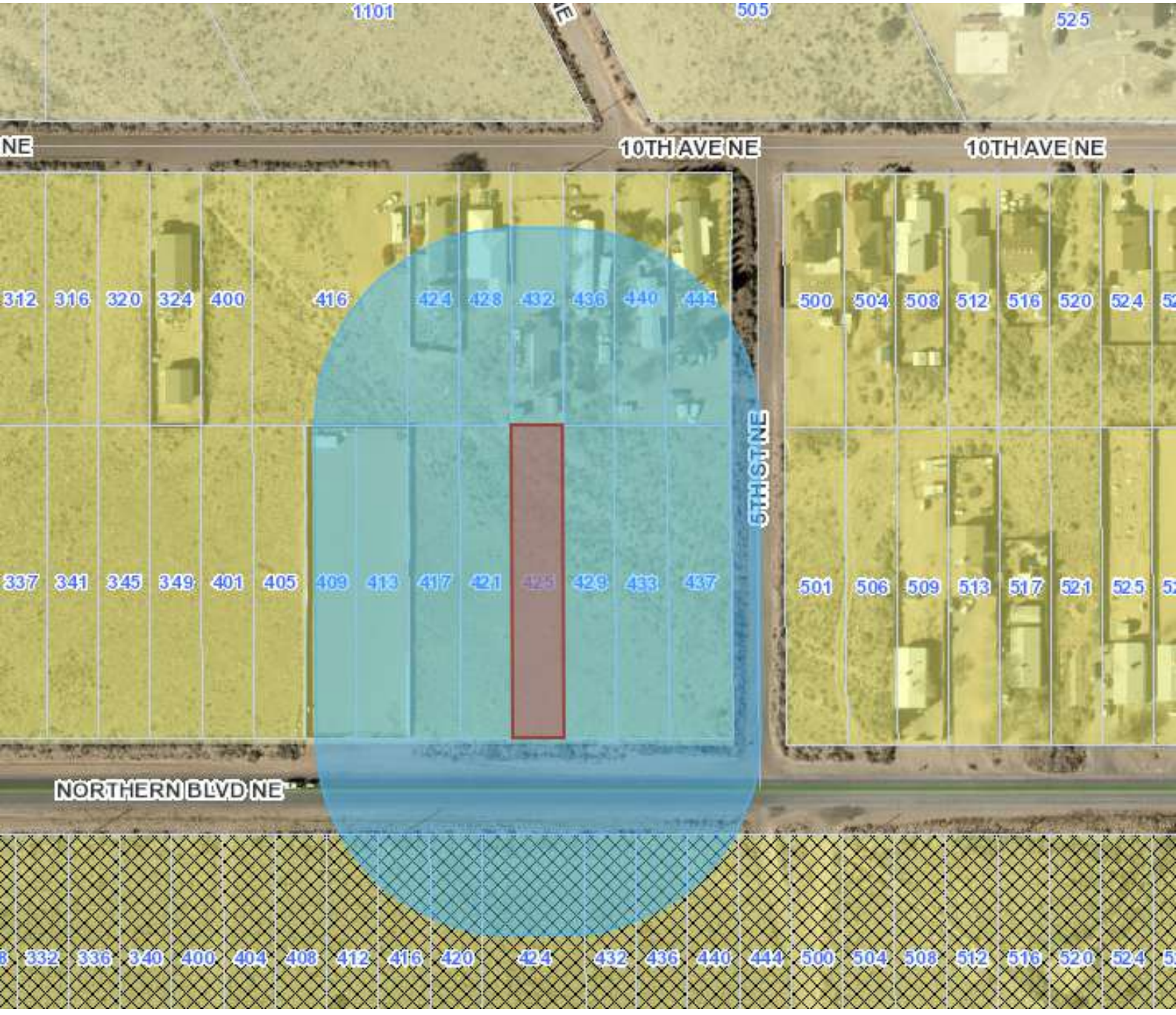
N
W E
S

- Subject Lot
- Noticed Properties - 300'
- Noticed Properties - 100'
- Roads

Zoning

- E-1
- R-1

100' Notice Buffer (Right-of-Way Excluded)



BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 24-110-00007

REQUEST FOR A VARIANCE TO THE R-1 DISTRICT 60' MINIMUM LOT WIDTH REQUIREMENT, AS OUTLINED BY RIO RANCHO MUNICIPAL CODE, SECTION 154.50 ZONING TABLE IN ORDER TO BUILD A RESIDENTIAL HOME ON A LOT WHICH HAS A WIDTH OF 50' ON THE SUBJECT PROPERTY OF RIO RANCHO ESTATES UNIT 12, BLOCK B, LOT 61.

Applicant: Melvin Munoz Estrada

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 28th day of May 2024, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request to R-1: Single-Family Residential District lot width requirements.
2. The applicant has the authority to make an application to request a variance to R-1: Single-Family Residential District lot width requirements.
3. 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 as set forth in R.O. 2003 Section 150.06.
2. The subject property, legally described as Unit 12, Block B, Lot 61, is irregular and narrow with a width of 50 ft.
3. The strict application of the minimum lot width requirement would create a hardship that would deprive the applicant of the reasonable use of their property.

THEREFORE, the application for development of a 50' wide lot zoned R-1: Single-Family Residential District, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on May 28, 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. 24-110-00007

REQUEST FOR A VARIANCE TO THE R-1 DISTRICT 60' MINIMUM LOT WIDTH REQUIREMENT, AS OUTLINED BY RIO RANCHO MUNICIPAL CODE, SECTION 154.50 ZONING TABLE IN ORDER TO BUILD A RESIDENTIAL HOME ON A LOT WHICH HAS A WIDTH OF 50' ON THE SUBJECT PROPERTY OF RIO RANCHO ESTATES UNIT 12, BLOCK B, LOT 61.

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GENERAL FINDINGS OF FACT:

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2. The applicant has the authority to make an application to request a variance to R-1: Single-Family Residential District lot width requirements.
3. 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 granting a variance as set forth in R.O. 2003 Section 150.06.

THEREFORE, the application for development of a 50’ wide lot zoned R-1: Single-Family Residential District, is DENIED by the Planning & Zoning Board of the City of Rio Rancho on May 28, 2024, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 24-210-00002

AGENDA DATE:
June 11, 2024

DEPARTMENT:
Development Services

SUBJECT:
Preliminary/Final Plat. The applicant, TDO Development, LLC., through their agent, Aldrich Land Surveying, requests approval of a Preliminary/Final Plat to create three lots and one tract from the existing property legally described as Tierra Del Oro Phase 2, Tract I. Staff contact is Michelle Costilla and staff recommends approval with findings.

BACKGROUND AND ANALYSIS:
The applicant, TDO Development, LLC., through their agent, Aldrich Land Surveying, is requesting approval of a Preliminary/Final Plat in order to create three lots and one tract from the existing property legally described as Tierra Del Oro Phase 2, Tract I. It is zoned R-4: Single-Family Residential and comprises of approximately 0.5898 acres.

The subject property is located at the northeast corner of Edinburgh St NE and Cardiff Ave NE, both residential roads. It will be accessed off of Camino Plata Loop, also a residential road. The property is zoned R-4: Single-Family Residential per Ordinance No. 12, Enactment No. 18-10. It is also within a Corridor Overlay Zone per Ordinance No. 57, Enactment No. 08-58. It is within the Lomas Negras Specific Area Plan and the Tierra Del Oro Master Plan.

This tract was originally created as a temporary pond with the platting of Tierra Del Norte Phase 2. Per the Grading and Drainage Plan for the project, drainage will be collected by the interior roads and drained into new storm sewer infrastructure west of Edinburgh St NE.

A lot split to create three lots and one tract typically heard by a separate preliminary plat and final plat hearing. This property already has all required improvements in place and therefore, is being heard as a preliminary and final plat combined.

GENERAL INFORMATION:
1. Layout: The subdivision will consist of three lots and one tract.
2. Acreage: 0.5898 acres.
3. Access: The property will be accessed off of Camino Plata Loop, a residential road.
4. Zoning: The subject property is zoned R-4: Single-Family Residential per Ordinance No. 12, Enactment No. 18-10. It is also within a Corridor Overlay Zone per Ordinance No. 57, Enactment No. 08-58.
5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparklight, CenturyLink, Comcast, PNM, and New Mexico Gas Company.
6. Water and Wastewater Availability: Water and Waste Water Availability for Tierra del Oro has been confirmed with the Utilities Department in the letter dated June 8, 2018.
7. Drainage: A Grading and Drainage Plan has been provided with the platting of Tierra Del Oro

Phase 2 and this subdivision conforms.
8. Roads & Sidewalks: No new roads or sidewalks are purposed.
9. Recreation Facilities/Open Space: None.
10. Easements: The plat identifies the existing 10 foot public utility easements along the front of the lots as well as the rear of the lots, adjacent to Edinburgh St. NE. There also a 25 foot public drainage, sanitary sewer and storm utility easement on the newly created HOA Tract G.
11. Public Site Dedications: None.
12. Vacations: None.
13. Variances: A variance to the Public Utility Easements on the sides of the property was approved under case #21-280-03.

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:
Staff recommends the Planning and Zoning Boards finds the proposed preliminary plat conforms to the requirements of R.O. 2003 Chapter 155 Subdivisions; a variance to the required side Public Utility Easements was approved for lots within Tierra Del Oro Phase II under case #21-280-03. Criteria is satisfied.

CONFORMANCE WITH THE ZONING ORDINANCE:
The property is zoned R-4: Single-Family Residential, which allows for a lot minimum of 4,000 square feet and a lot width minimum of 40 feet. Staff finds that the proposed lots meet the R-4, minimum lot size requirements, with the smallest lot measuring approximately 4,996 acres. The lot width is taken from the front setback, which is 15 feet in the R-4 zoning. The proposed lots meet the 40 foot minimum width with the most narrow lot measuring 40.1 foot wide. Criteria is satisfied.

CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN
In Chapter 5, Land Use Element, a policy is to “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”, (5.6.3, Policy L-1).

This application would be an action in meeting the policy of encouraging development, community character, storm drainage, and building location design under the Tierra Del Oro Master Plan. Staff recommends the Planning and Zoning Board find this criteria is satisfied.

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	No adverse comments
Police Department	X	No comments provided
SSCAFCA	X	No adverse comments
MRCOG	X	No adverse comments
Parks, Recreation and Community Services	X	No adverse comments

NOTIFICATIONS:
Notice of pending development application was sent via first class mail to property owners abutting the subject property. A legal notification was posted in the Albuquerque Journal on May 27, 2024. A notification sign was posted to the property one week prior to the hearing on June 4, 2024. All legal notification requirements for this project have been met.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the Preliminary, Final Plat based on the general findings identified below and the following specific findings:

GENERAL FINDINGS:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a Preliminary, Final Plat.
2. Property owners have the authority to apply for a Preliminary, Final Plat.
3. Neighboring property owners and applicant/agent received written notices and were allowed to comment at a public hearing.

SPECIFIC FINDINGS AND CONDITIONS OF APPROVAL:

1. The preliminary, final plat has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary, final plat conforms to the requirements of the Rio Rancho Code of Ordinance (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary, final plat shall conform to the R-4: Single-Family Residential District.
4. The width of the proposed lots shall be provided at the 15 foot setback and must comply with the 40 foot minimum width requirement per the Rio Rancho Code of Ordinance (R.O. 2003) Chapter 154.50.
5. The applicant shall address all of the preliminary, final plat reviewer's staff comments prior to submitting construction plans or the final plat, whichever is applicable.
6. The City Clerk's Certificate signature block shall be updated.
7. In accordance with R.O. 2003 Chapter 155.24(A), the final plat shall be recorded within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
8. The plat will be filed under Book 35, Page 47.

ALTERNATIVES:

The Planning and Zoning Board may:

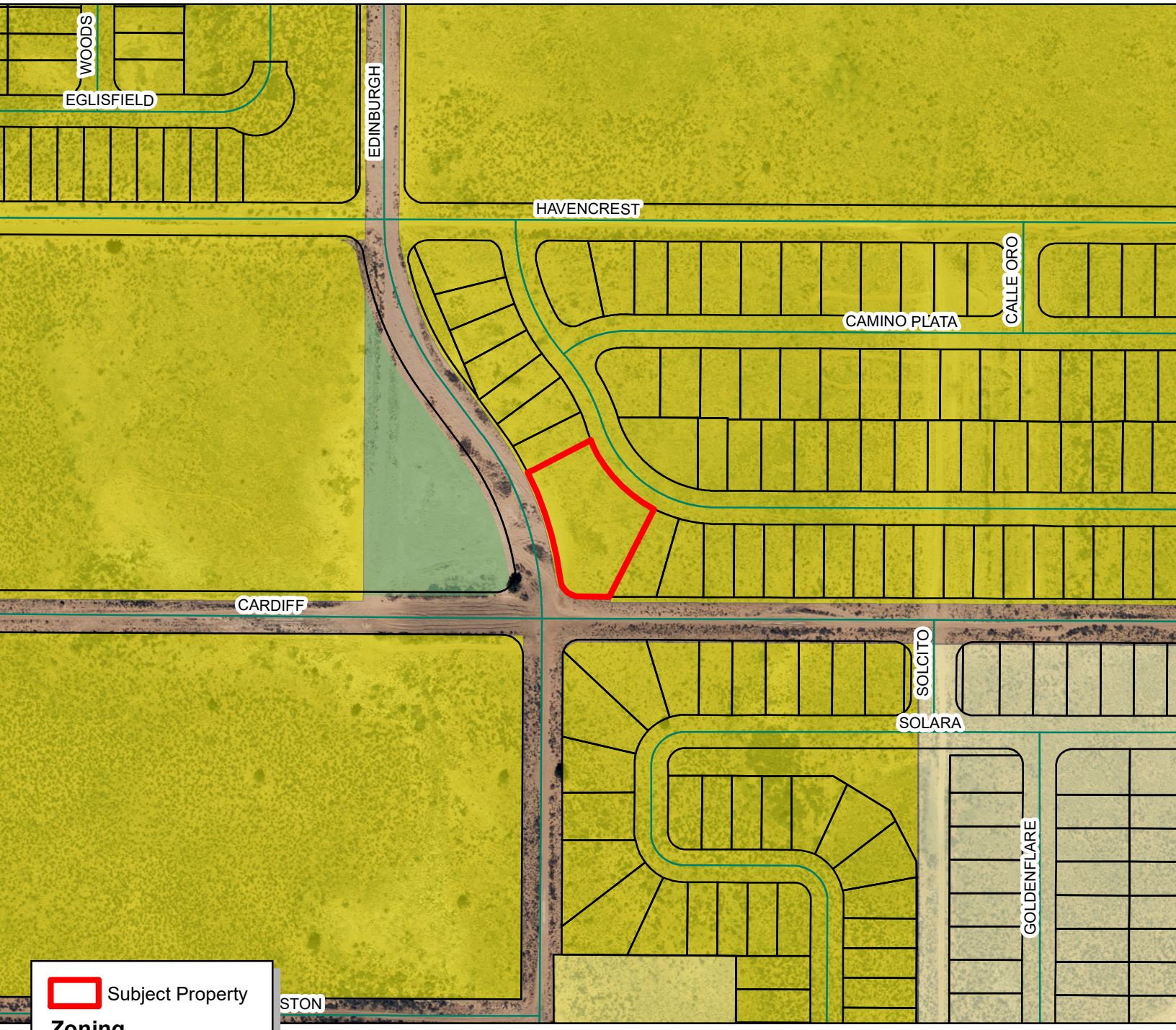
1. Approve the preliminary/final plat with staff findings and conditions.
2. Approve the preliminary/final plat with amendments to findings and conditions.
3. Deny the preliminary/final plat.
4. Postpone the item and continue the public hearing for the preliminary plat in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: Zoning, Location.pdf
ATTACHMENT: Authorization.pdf
ATTACHMENT: Preliminary, Final Plat.pdf
ATTACHMENT: Lot widths at 15' setback.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: Staff Comments.pdf
ATTACHMENT: Public Comment, Jason Marra.pdf

TIERRA DEL ORO PHASE 2, TRACT 1



Subject Property

Zoning

- PR
- R-1
- R-2
- R-4

GIS
Moving Spatial Data Forward

N
W E
S

RioRancho
City of Vision

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

0 190 380 760
Feet

Map created by: Michelle Costilla 5/22/2024

LETTER OF AUTHORIZATION

LOTS 8, 9, 10 & TRACT G, BLOCK 5, TIERRA DEL ORO SUBDIVISION PHASE 2

Summary Plat

Please allow this letter to serve as authorization for Aldrich Land Surveying and Tim Aldrich to serve as agent on our behalf for this project.



05/03/2024

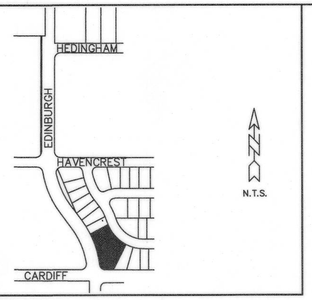
Pierre Amestoy, Managing Member Date

TDO Development, LLC

4461 Irving Blvd. NW

Albuquerque, NM 87114

SUMMARY PLAT FOR
LOTS 8, 9, 10 & TRACT G, BLOCK 5, TIERRA DEL ORO SUBDIVISION, PHASE 2
(BEING A REPLAT OF TRACT I, TIERRA DEL ORO SUBDIVISION, PHASE ONE)
WITHIN THE
TOWN OF ALAMEDA GRANT
PROJECTED SECTION 12
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
APRIL, 2024



LOCATION MAP

DESCRIPTION

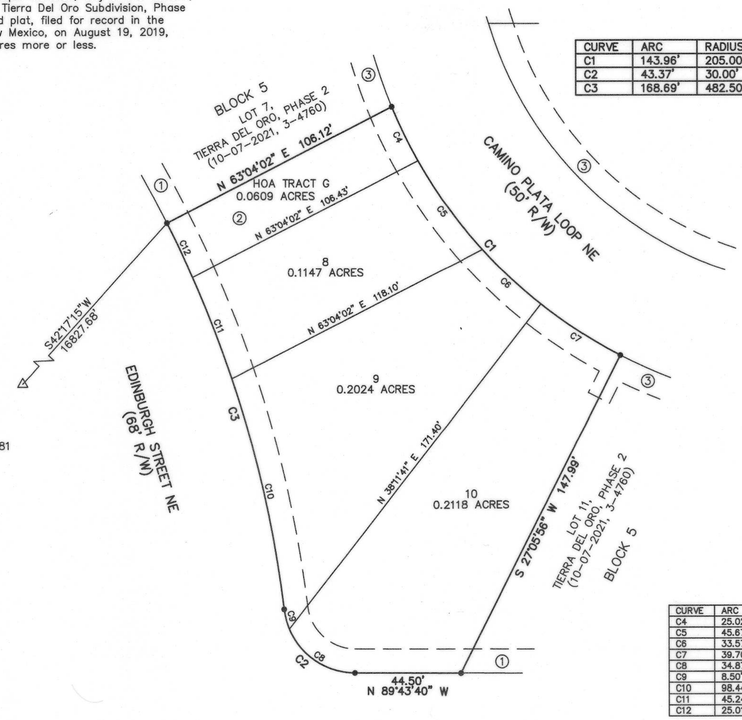
A tract of land situate within the Town of Alameda Grant, projected Section 12, Township 12 North, Range 2 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico, being all of Tract I, Tierra Del Oro Subdivision, Phase One, as the same is shown and designated on said plat, filed for record in the office of the County Clerk of Sandoval County, New Mexico, on August 19, 2019, in Volume 3, Folio 4419, and containing 0.5898 acres more or less.

PURPOSE OF PLAT

1. To create Lots 8, 9 and 10, Block 5 as shown hereon.
2. To create HOA Tract G as shown hereon.
3. To vacate temporary pond easement encumbering Tract I as shown hereon.

SUBDIVISION DATA

1. Total Number of Existing Lots: 0
2. Total Number of Existing Tracts: 1
3. Total Number of Lots Created: 3
4. Total Number of Tracts Created: 1
5. Gross Subdivision Acreage: 0.5898 Acres



CURVE	ARC	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	143.96'	205.00'	40°14'06"	S 42°47'01" E	141.02'
C2	43.37'	30.00'	82°49'33"	N 48°18'54" W	39.69'
C3	168.69'	482.50'	20°01'54"	N 16°55'04" W	167.83'

CURVE	ARC	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C4	25.02'	205.00'	06°59'32"	S 26°09'44" E	25.00'
C5	45.67'	205.00'	12°45'51"	S 36°02'26" E	45.57'
C6	33.57'	205.00'	09°22'58"	S 47°06'50" E	33.53'
C7	39.70'	205.00'	11°05'44"	S 57°21'12" E	39.64'
C8	34.87'	30.00'	66°35'29"	N 56°25'56" W	32.94'
C9	8.50'	30.00'	16°14'05"	N 15°01'09" W	8.47'
C10	98.44'	482.50'	11°41'24"	N 12°44'49" W	98.27'
C11	45.24'	482.50'	05°22'18"	N 21°16'40" W	45.22'
C12	25.01'	482.50'	02°58'12"	N 25°26'55" W	25.01'

EASEMENT VACATED BY THIS PLAT

EXISTING TEMPORARY POND EASEMENT ENCUMBERING TRACT I.
(VACATED BY THIS PLAT)

NOTES

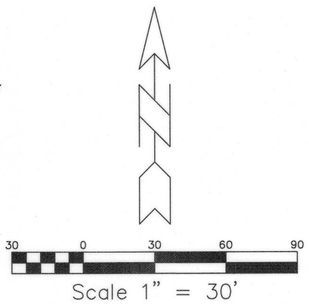
1. Bearings are grid based on the New Mexico State Plane Coordinate System (Central Zone).
2. Distances are ground distances.
3. Bearings and distances in parenthesis are record.
4. Basis of boundary are the following plats of record entitled:
   "TIERRA DEL ORO SUBDIVISION, PHASE 2"
   (10-07-2021, VOLUME 3, FOLIO 4760)
   "TIERRA DEL ORO SUBDIVISION, PHASE ONE"
   (08-19-2019, VOLUME 3, FOLIO 4419)
   all being records of Sandoval County, New Mexico.
5. Field Survey performed in November, 2023.
6. City of Rio Rancho, Sandoval County, New Mexico Zone: R-4
7. 100 Year Flood Zone Designation: Zone X, as shown on Panel 1893 and 1900 of 2225, Flood Insurance Rate Map, City of Rio Rancho, Sandoval County, New Mexico,.dated March 18, 2008.
8. Title Commitment: Fidelity National Title Insurance Company Commitment No. FT000198619, Commitment Date: 03-28-2016
9. All corners shall be set 1/2" rebar with cap or PK nail and washer. Front corners will be set in the gutter pan as witness corners.
10. Dedication of public right-of-way includes the use of the roadways and rights-of-way for all uses typically associated with the use of a right-of-way and purposes appurtenant thereto, including, but not limited to, the passage and accommodation of vehicular and pedestrian traffic, and the construction, operation, use, maintenance, inspection, repair, alteration, and replacement of a paved road within the boundaries of the right-of-way area, and for all other purposes for which a public street and right-of-way is commonly used, including but not limited to installing, repairing, maintaining, altering, replacing, relocating and operating public and private utilities in, into, upon, over, across, and under any such right-of-way.

EASEMENTS

① – EXISTING 10' PUE (08-19-2019, 3-4419)

② – EXISTING 25' PUBLIC DRAINAGE, SANITARY SEWER AND STORM UTILITY EASEMENT (08-19-2019, 3-4419)

③ – EXISTING 10' PUE (10-07-2021, 3-4760)



PUBLIC UTILITY EASEMENTS

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

1. Public Service Company of New Mexico (PNM) for the installation, maintenance and service of overhead and underground electrical lines, transformers, and other equipment, fixtures, structures and related facilities reasonably necessary to provide electrical services.

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

3. Lumen (LUMEN) for installation, maintenance and service of all buried and aerial communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and enclosures.

4. Sparklight (SPARKLIGHT) for the installation, maintenance, and service of such lines, cable and other related equipment and facilities reasonably necessary to provide Cable TV services.

5. 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 service.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said right-of-way and easement, with the right and priviledge 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, and to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (above ground 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.
Easements for electric transformers/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, PNM, NMGCO, LUMEN and SPARKLIGHT did not conduct a title search of the properties shown hereon. Consequently, PNM, NMGCO, LUMEN and SPARKLIGHT 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.

FREE CONSENT AND DEDICATION

The subdivision hereon described is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof. Said owner(s) and/or proprietor(s) do hereby consent to the creation of lots as shown hereon. Said owner(s) and/or proprietor(s) do hereby consent to the vacation of temporary pond easement encumbering Tract I as shown hereon.
Said owner(s) and/or proprietor(s) do hereby consent to the creation of HOA tract as shown hereon. Said owner(s) and/or proprietor(s) do hereby consent to all the foregoing and do hereby certify that this subdivision is their free act and deed. Said owner(s) warrant that they hold among them complete and indefeasable title in fee simple to the property subdivided hereon.

Owner(s): TDO Development, LLC, a New Mexico limited liability company

Pierre Amestoy, Jr., Managing Member — Date 4-29-24

STATE OF NEW MEXICO)
SANDOVAL COUNTY) SS

On this 29 day of April, 2024, this instrument was acknowledged before me by Pierre Amestoy, Jr., Managing Member, TDO Development, LLC on behalf of said limited liability company.

JENNIFER M WESSELL
Notary Public
State of New Mexico
Comm. # 2000819
My Comm. Exp. Sep 27, 2027

Jennifer M. Wessell — 9/27/2027
Notary Public — My Comission Expires

COUNTY CLERKS RECORDING INFORMATION

This instrument was filed for record on the _____th day of _____, 2024 in Rio Rancho, Sandoval County, New Mexico, and was recorded in Volume ___, Folio _____, records of said County.

(Rio Rancho Estates Plat Book _____, Page _____)

Anne Brady-Romero, County Clerk and Recorder

By: _____
Deputy

DSD CASE NO.

UTILITY APPROVALS

City of Rio Rancho — Date 4/18/2024

New Mexico Gas Company — Date 04/19/2024
Abdul A Bhuiyan

Lumen — Date 01/18/2024
Daniel Aragon

Public Service Company of New Mexico — Date 4/24/24
Anthony Lovato

Sparklight — Date

PLANNING AND ZONING BOARD

Approved on the _____ day of _____, 2024.

Fred Radosevich, Chairman — Date

CITY CLERKS CERTIFICATE

I, Rebecca A. Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved at a regular Planning and Zoning Board meeting.
on the _____ day of _____, 2024.

Rebecca A. Martinez, City Clerk, City of Rio Rancho — Date

TREASURER'S CERTIFICATE

I, Jennifer Taylor, Treasurer of Sandoval County, New Mexico do hereby certify that the previous ten (10) years property taxes have been paid in full.

Jennifer Taylor, Sandoval County Treasurer — Date

JURISDICTIONAL AFFIDAVIT

"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby affirm that the property described hereon does lie within the platting and extra-territorial jurisdiction of the City of Rio Rancho, New Mexico.

Timothy Aldrich, P.S. No. 7719 — 04/16/2024 — Date

SURVEYOR'S CERTIFICATION

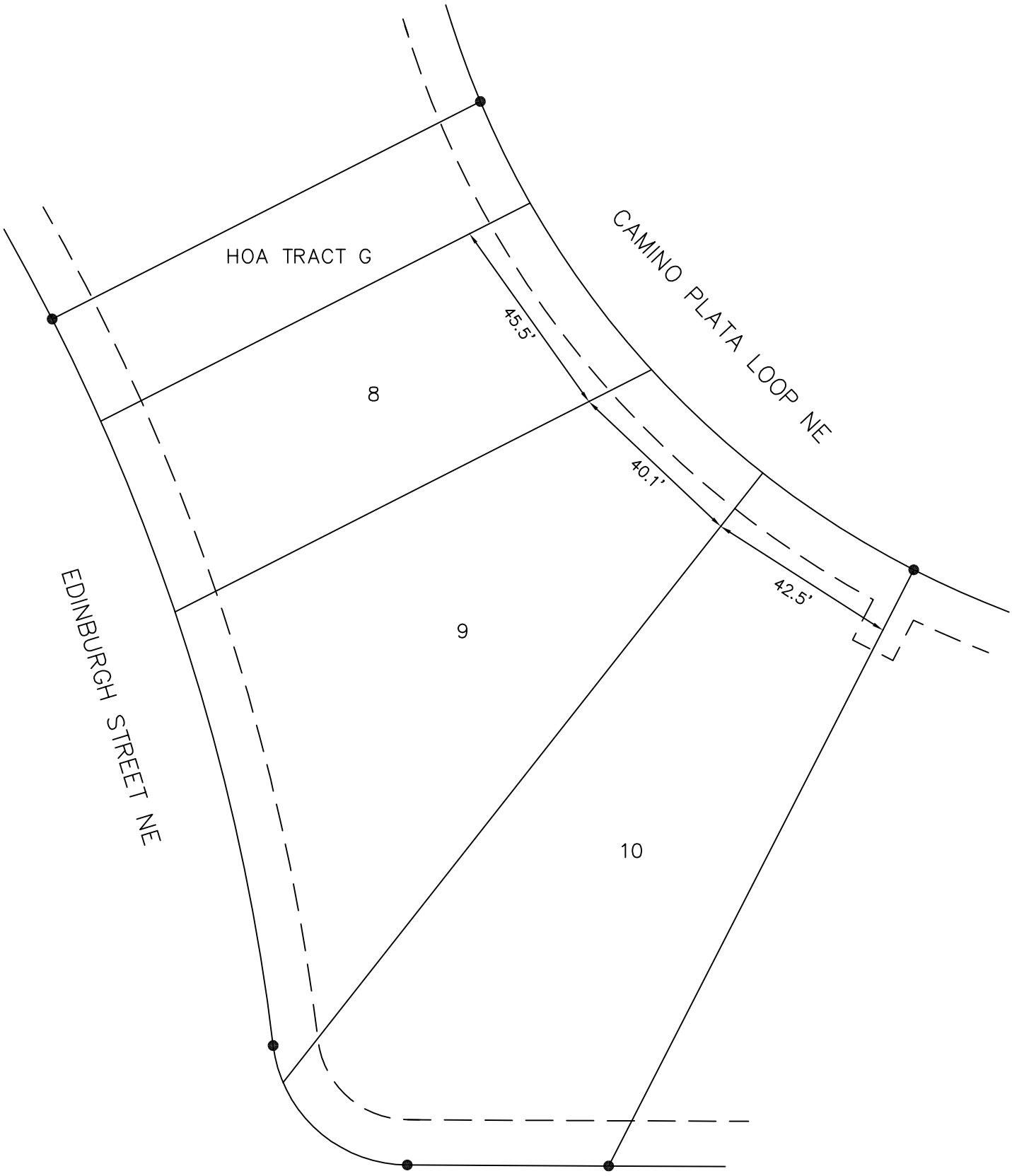
"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat and description were prepared by me or under my supervision, shows all easements as shown on the plat of record or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties expressing an interest and meets the Minimum Standards for Land Surveying in the State of New Mexico and the City of Rio Rancho Subdivision Ordinance and is true and correct to the best of my knowledge and belief."

Timothy Aldrich, P.S. No. 7719 — 04/16/2024 — Date

Drawn By:	TA	Date:	04-16-2024
Checked By:	TA	Drawing Name:	13103PND.DWG
Job No.:	13-103	Sheet:	1 of 1

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

RRE BOOK PAGE


HOA TRACT G
CAMINO PLATA LOOP NE
EDINBURGH STREET NE
45.5'
40.1'
42.5'
8
9
10

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

May 24, 2024

RE: Preliminary, Final Plat, Case No. 23-210-00011
4100 Southern Blvd SE (Rio Rancho Shopping Center, Tract 5A2)

Dear Property Owner:

You are receiving this certified notice because your property abuts a site where a land development decision is required by the Planning & Zoning Board.

The applicant, TDO Development, LLC., through their agent, Aldrich Land Surveying, is requesting approval of a Preliminary, Final Plat in create one tract and three lots from the existing property of Tierra Del Oro Phase 2, Tract 1. The subject property is zoned R-4: Single-Family Residential and comprises approximately 0.5898 acres.

The **Planning & Zoning Board** will consider the request and decide their approval on **Tuesday, June 11, 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 a light blue outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. 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 & Zoning meeting**, to participate virtually: Join via computer: https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09.
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

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

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

Respectfully,

Michelle Costilla
Municipal Planner 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

TIERRA DEL ORO PHASE 2, TRACT 1



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: Michelle Costilla 5/22/2024

NEW MEXICO'S LEADING NEWS SOURCE

ALBUQUERQUE JOURNAL

El Defensor Chieftain | Rio Rancho Observer | Valencia County News-Bulletin

PO Box 880697
Phoenix, AZ 85038-9650 Phone: (505)823-3220

Proof of Ad 05/22/2024

Account:	**1010956**
Name:	**CITY OF RIO RANCHO**
Company:	**CITY OF RIO RANCHO**
	ATTN: ACCOUNTS PAYABLE
Address:	**3200 CIVIC CENTER CIR NE**
	RIO RANCHO, NM 87144
Telephone:	**(505)891-5005**

Ad ID:	**43230**
Description:	
Run Dates:	**05/27/2024 - 05/27/2024**
Class:	**3001**
Orig User:	**dmontoya**
Words:	**239**
Lines:	**61**
Agate Lines:	**87**
Depth:	**6.18**
Blind Box:	

Total Ad Cost **$79.51**

Amount Paid **$0.00**

Publication	Start	Stop	Inserts	Cost
Albuquerque Journal	05/27/2024	05/27/2024	1	73.88

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 11, 2024:

Variance
Case #24-110-00007
The Applicant, Melvin Munoz Estrada, requests approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code, Section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft on the subject property legally described as Rio Rancho Estates Unit 12, Block B, Lot 61.

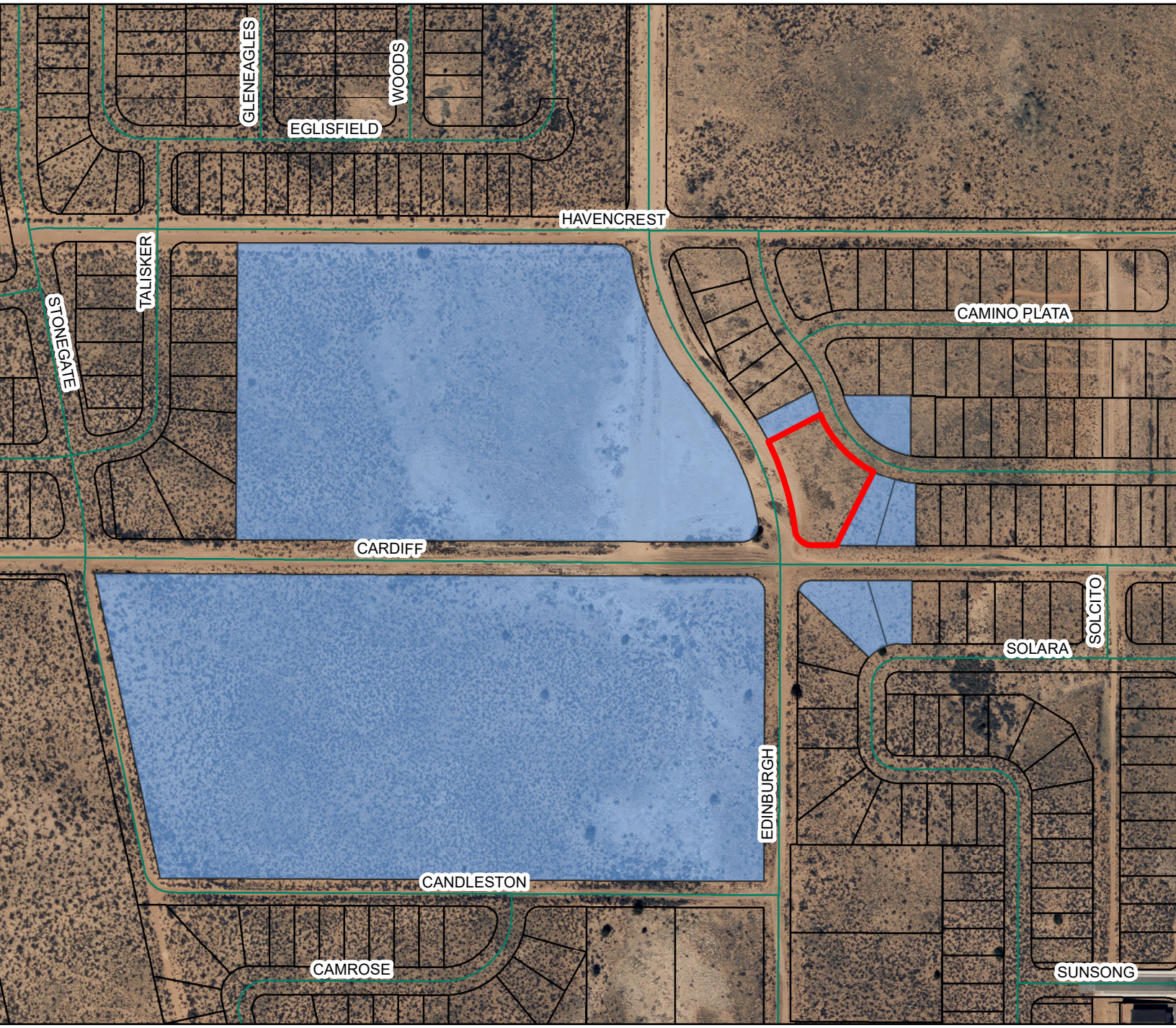
Preliminary, Final Plat
Case #24-210-00002
The applicants, TDO Development, LLC., through their agent, Aldrich Land Surveying, are requesting approval of a Preliminary, Final Plat in order to create three lots and one tract from the existing property of TDO2, Tract I. The subject property is zoned R-4: Single-Family Residential and comprises approximately 0.5898 acres.

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

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

Journal: May 27, 2024

TIERRA DEL ORO PHASE 2, TRACT 1



Subject Property
Ajacent Properties

GIS
Moving Spatial Data Forward

N
W E
S

RioRancho
City of Vision

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

0 225 450 900
Feet

Map created by: Michelle Costilla 5/22/2024

City of Rio Rancho
Development Services
3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

May 29, 2024

TO: Aldrich Land Surveying
PO Box 30701
Albuquerque, NM 87190

RE: Case 24-210-00002

The following are the comments and feedback received in regards to the Preliminary, Final Plat.

Planning & Zoning Division:

1. Replace Rebecca A. Martinez with Noel C. Davis on the City Clerk's Certificate signature block.
2. Provide the width measurements of lots 8-10 at the 15-foot front setback. The minimum lot width is 40 feet in R-4 zoning.

If you have any additional questions or concerns please feel free to contact me at any time.

Respectfully,



Michelle Costilla
Municipal Planner II
Development Services Department
City of Rio Rancho
(505) 896-8362 mcostilla@rrnm.gov

Members of the City of Rio Rancho Planning and Zoning Board,

In regards to your consideration of the application of TDO Development, LLC to create one tract and three lots from the existing property of Tierra Del Oro Phase 2, Tract 1 adjacent to the west of our property, we respectfully request your consideration of our concerns and requests.

We moved to New Mexico and into our newly constructed home in the Tierra Del Oro subdivision of Rio Rancho during the spring of 2022. Prior to moving in to our home it was represented to us that the water on our lot as well as the lots adjacent to ours would drain from the rear of the lots, down along the sides of the homes and towards the street as shown in attachment 1 which is an extract from a page in the Tierra Del Oro subdivision construction plans. The plans are signed by TDO Development, LLC and the City of Rio Rancho and include phase 2 of the subdivision and were presented to us by the city's chief engineer. However, shortly after moving in and the completion of the adjacent home to the east we began experiencing significant water ponding close to the foundation of the east side of our home above and beyond the several inches of gravel laid down in the area as shown in attachment 2 while water on the west side of our home drained into the temporary retention pond that was previously located on the site that is the subject of TDO Development, LLC's application for your consideration. After several subsequent rainfalls and our observations of the drainage of other properties in the subdivision, it became clear and obvious that the significant water ponding issue was unique to our property.

We communicated these issues to all parties that were involved including the city, TDO Development, LLC via our homeowners association as instructed and the builder. However, each party referred us to the others. Ultimately, the builder constructed a short sealed wall along the property line on the east side of our home between our home and our neighbor's to keep each home's water on its respective side of the property line. However, the builder as well as the licensed civil engineer and surveyor they engaged informed us that their ability to enhance the grade along the east side of our home to the 1% minimum required by the city's grading and drainage requirements as shown in blue in attachment 3 without cutting off drainage from the rear of the home in violation of the subdivision's construction plans was limited due to the pad of our home being constructed too low relative to the street with the pad and the street they stated along with the city's chief engineer being the responsibility of TDO Development, LLC. Consequently, the builder refused to do any further work and a significant amount of water has and continues to pond close to the foundation of the east side of our home during and after rainfall as shown in attachment 4. In preparing for this meeting we discovered attachments 5-7 which are plans for our home prior to the footing of construction that reflect the city's approval and corroborate per the calculations in blue that the maximum grade that can be achieved along the east side of our home to the top of the street curb without cutting off drainage from the rear of the home in violation of the subdivision's construction plans is .79% which is less than the minimum 1% grade required per the city's grading and drainage requirements for residential subdivision lots absent a paved swale.

We then began incurring significant damage to the east side of our home including but not limited to the formation of substantial cracks in the soil and concrete around the foundation of our home as shown in attachment 8 and 9; significant cracking of the posts in the roof trusses as shown in attachment 10; significant tilting of the windows in their frames making them difficult to open as shown in attachment 11; and significant cracking in the exterior walls on the east side of our home as shown in attachment 12. Consequently, we engaged a licensed home inspector who identified the grading and drainage as a potential root cause of the damages and recommended subsequently engaging a licensed structural engineer as well to corroborate his assessments as shown in attachment 12. Therefore, we then engaged a New Mexico licensed structural engineer who cited in his stamped report as shown in attachment 13 the critical importance of proper grading and drainage to our home; confirmed the poor grading and drainage along the foundation of the east side of our home and that the root cause of the damages along the east side of our home that were visible to him on that day were due to the more than normal deflection and movement of the concrete foundation of the home resulting from the poor grading and drainage on the east side of the home. The licensed structural engineer also recommended the installation of a paved swale along the east side of our home to correct the grading and drainage issues which would also bring it into conformity with the city's grading and drainage requirements as well as allow water to drain down along the side of our home towards the street per the construction plans for our subdivision. A licensed pest control company also noted the poor grading and drainage as a conducive condition for termite infestation and as a basis for terminating their warranty if not remediated as shown in attachment 14. Additionally, the aforementioned

damages were also included in the basis for a decrease in the assessed value of the home by the Sandoval County Valuation Protests Board comprised of licensed real estate professionals including a certified real estate appraiser as shown in attachment 15. Finally, these damages are specifically excluded from the structural warranty included with the purchase of our home as shown in blue in attachment 16 as they result from prolonged and repeated exposure to water.

During and after the first rainfall after the temporary retention pond located on the site subject to TDO Development, LLC's application for your consideration was filled in we noted the same pattern and significance of water ponding along our property line with proposed lot 10 on the west side of our home that we previously noted on the east side of our home as shown in attachment 17. Per attachment 17, the water ponds along the entire west side of our property line and stops but does not flow past the first few feet of the driveway from the garage. This ponding water was also the cause of an approximately five-foot trench that formed underneath the driveway as shown in attachment 18 causing the driveway to crack, heave and drop and create negative drainage back towards the home as shown in the licensed home inspector's report in attachment 12 ecessitating the replacement of the entire driveway. However, the driveway began to heave again over this past winter as shown in attachment 19. As such, we requested the survey report denoting the elevations of the survey/grading stakes left behind on the site that is the subject of TDO Development, LLC's application for your consideration after the site was filled in and the pads constructed via an IPRA request to the city. The city's initial response stated that the records did not exist. Therefore, a second request was submitted. In lieu of the elevations of the survey/grading stakes left behind requested, we received second copies of the subdivisions phase 2 construction plans as well as the subdivision's grading and drainage plan which combined showed the elevation points at the rear and front of our lot as well as the length of both the east and west sides of our lot thus enabling us to calculate the grade on either side of our lot as shown in attachment 20. Once again, it was noted that the grade on both the east and west side of our lot fall far short of the 1% minimum required by the city's grading and drainage plan absent a paved swale at .40% and .31% respectively, with the west side grade significantly worse than the east.

Additionally, during and after the first rainfall after the temporary retention pond located on the site subject to TDO Development, LLC's application for your consideration was filled in we noted significant water ponding behind our home at the intersection of Cardiff and Edinburg as shown in attachment 21. The ponding water appeared to be more than 2 feet in depth, accumulating across both sides of the street onto the sidewalks and up against the block walls and was outside as well as inside the sediment barriers installed across the entries of two storm drains located on either side of Cardiff indicating that the storm drains had overflowed and not functioning as intended.

Clearly there are substantial drainage issues that are unique to our lot in three different directions. Given the precedent set on the east side of our property and the significant water ponding occurring on the west side now that the temporary retention pond previously located on the site that is the subject of TDO Development, LLC's application for your consideration has been filled in, not to mention the significant water ponding occurring behind our property at the intersection of Cardiff and Edinburg, our lot is currently being surrounded on three sides with significant water ponding as a result during and after rainfall and a substantial amount of that water is ponding alongside the foundation of our home causing significant consequential damage. Therefore, we believe that the plans as they exist in their current form for the development of the site that is the subject of TDO Development, LLC's application for your consideration will further exacerbate these already clear and obvious drainage and ponding issues associated with our lot, much like the development of the lot on the east side of our property, enabling even more water to drain on to our lot thereby causing yet even more consequential damage on top of that resulting from the existing drainage and water ponding issues that have and continue to persistently exist on our lot.

As stated herein, we have attempted to communicate these issues with all parties involved since they began. However, each party has referred us to the others, a solution to the root cause of the problem remains elusive and we continue to incur significant consequential damages to our home which are becoming more and more difficult to keep up with particularly as we age, disrupting our reasonable use of the home and making it less and less affordable as a result with little or no recourse. Writing this letter and compiling its numerous attachments was certainly no easier a task than reading it and certainly not one without opportunity cost in terms of the time and energy needed for work and family not to mention keeping up with the grading, drainage and water ponding issues and resulting maintenance and damages around our home being sacrificed in the process. In any case, regardless of how responsibility may be allocated among the parties involved, through no fault of our own, it is clear and obvious that water does not and has never drained the

way it is represented to drain in our subdivision's construction plans or should drain per commonly accepted standards. These are not just our opinions from having lived in the home over the past two years, but rather based on the attached photographic evidence and reports from the many qualified and licensed professionals that have been involved with the home since we purchased it. Several individuals representing the parties involved including city, the builder and our homeowner's association have also acknowledged these issues as well as well. Therefore, due to the resulting severe practical difficulty and unnecessary hardship we have endured as newly constructed homeowners we are compelled to pursue the only remaining practical avenue of recourse available to us which is to engage qualified and licensed professionals ourselves to finally remediate these issues. However, we cannot do so without your assistance. To that end, we respectfully request your consideration of the following simultaneously along with your consideration of TDO Development, LLC's application:

- Approval of the attached Zoning Variance Application and site plan shown in attachments 22 and 23 which include the installation of a concrete swale on the east side of our home within the five-foot setback from the property line. The swale aligns with the recommendations included in the attached report of the aforementioned New Mexico licensed structural engineer referenced above with the exception of the length of the swale which would be willing to limit to the length of the sealed block wall installed along the property line rather than to the sidewalk in respect of the subdivision's ten-foot public utility easement that extends inward from the street if the board would require it as a condition for approval of our application. Per the Zoning Variance Guidelines, further to the evidence documented herein following is a detailed explanation as to how each of the four criteria to justify this variance are met:
    1. There exist special circumstances applicable to the property in that the grade of the lot combined with the short width of the five foot setback between the home and the property line particularly along the east side of the home are not sufficient enough to enable water to drain from the side of the home to the front of the lot towards the street which is the only location that is a sufficient distance from the home's foundation for water to drain and prevent excessive moisture from accumulating near the foundation of the home for the purposes of avoiding more than normal deflection and movement of the foundation of the home. These conditions which effectively represent a variance from the subdivision's construction plans that is uniquely and adversely applicable to only our property have and continue to cause excessive moisture to accumulate close to the foundation of the home resulting in more than normal deflection and movement of the foundation causing substantial consequential, costly and recurring damages which are becoming increasingly more challenging to repeatedly and sufficiently repair and then maintain particularly as we age thus disrupting our reasonable use of the home in addition to making it less and less financially practical. These conditions are substantiated by the report of a New Mexico licensed structural engineer as well as the photos of the damages attached to and referenced within this letter. In addition to creating a walking hazard when we access the area to maintain it and use the hose bib, the ponding water and resulting moist soil emanate a foul odor and are conducive conditions for pest infestations from termites and mosquitos up the food chain through and including rattlesnakes which have been previously removed from the area and are also a hazard to us and our pets. These conditions also make it prohibitive to open windows on this side of the home. They are substantiated by a report from a licensed pest control company as well photos of the area attached to and referenced within this letter.
    2. As stated herein, the special circumstances noted in 1. above exist due to the construction of the pad at a lower elevation than necessary to enable the sufficient grading of the soil along the east side of the foundation of the home and facilitate the sufficient drainage of water away from the foundation of the home. Approval of these conditions by the city also appear to have occurred. These events took place without our involvement and deviate from the city's standard grading and drainage requirements particularly given the absence of a paved swale which is the subject of this application. Ultimately, water on our lot does not and has never drained in accordance with the representations made in the construction plans for our subdivision or the way that it should per the opinions of several qualified and licensed professionals. This is a condition that could only be identified upon completion of the adjacent home to the east of ours which occurred after our purchase of ours and the first rainfall thereafter. These statements are substantiated by the city's grading and drainage requirements, the construction plans for our subdivision, attachments 5-7

and 20, the reports of the aforementioned qualified and licensed professionals and the photos of the area attached to and referenced within this letter.

3. Contrary to a special privilege and as stated herein, this variance will bring the grading and drainage of our lot into conformity with the construction plans for our subdivision or, in other words, the community-wide standard for our subdivision that other homeowners currently enjoy and should reasonably expect upon the purchase of a newly constructed home. These statements are also substantiated by the construction plans for our subdivision, the reports of the aforementioned qualified and licensed professionals and the photos attached to and referenced within this letter.
4. As this variance is confined to the boundaries of our property, it will not be materially detrimental to any person residing or working in the vicinity, to the neighborhood, or to the public in general. Furthermore, this variance will remediate the ponding water along the east side of our property and the resulting visual and physical nuisances that it causes to the aforementioned parties listed in this criterion including but not limited to its general unsightliness, the offensive odor that it emanates and the pests that it attracts which are a hazard to both humans and pets. Finally, and as stated above, it will bring our home up to the community-wide standard that our neighbors expect thereby preserving the overall market value of the homes in the community rather than act as a detriment to it. These statements are substantiated by the site plan as shown in attachment 23, the reports of the aforementioned qualified and licensed professionals and the photos of the area attached to and referenced within this letter.

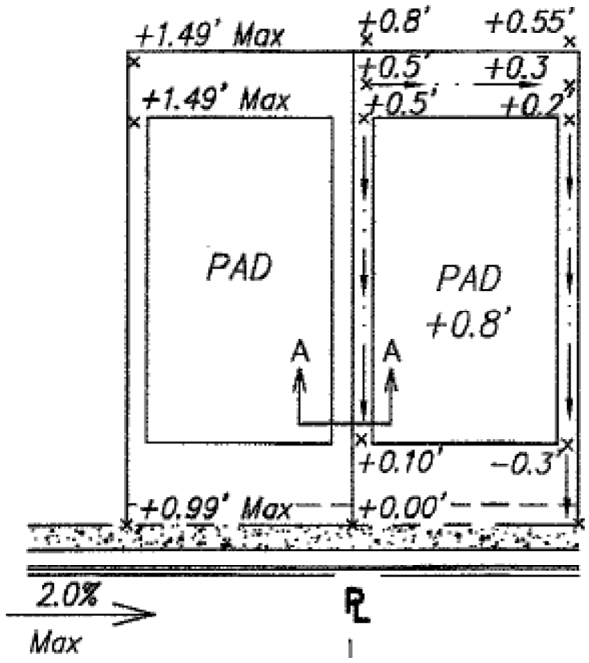
- The inclusion of a sealed wall on the west side of the property line between our lot and proposed lot 10 similar to the wall along the east side property line of our home in the development plans for the site that is the subject of TDO Development, LLC's application for your consideration. Similar to the wall on the east side of our property, a sealed wall on the west side of our property will keep each home's water on its respective side of the property line as well as facilitate good relations among neighbors rather than instigate the same friction that the grading and drainage issues caused with our neighbors on the east side of our property. Lastly, we feel a wall on the west side to be a fair compromise in exchange for bearing the cost and burden of installing a concrete swale on the east side to remediate drainage that should already have been in conformity with the city's grading and drainage requirements as well as the construction plans for our subdivision.

Article II Section IV of the New Mexico State Constitution bestows upon all citizens of New Mexico the inalienable right to protect their property. We hope that in addition to respecting TDO Development LLC's right to develop its property, our right to protect our property will be respected at the same time.

Otherwise, we respectfully request that you do not approve the application of TDO Development, LLC at this time.

Thank you,

Sophan & Jason Marra
Owners
Tierra Del Oro Subdivision
2525 Camino Plata Loop NE
Rio Rancho, NM 87144


+1.49' Max
+0.8'
+0.55'
+0.5'
+0.3
+1.49' Max
+0.5'
+0.2'
PAD
PAD
+0.8'
A
A
+0.10'
-0.3'
+0.99' Max
+0.00'
2.0%
Max
℄



Rio Rancho
City of Vision
Department of Public Infrastructure

NOTICE

TO: Building Permit Applicants:

RE: GRADING AND DRAINAGE REQUIRMENTS

GRADING PERMITS:

Grading permits are required prior to **any** construction or development related to grading. This includes clearing and grubbing.

For residential, commercial and or other structural construction, the permit will be issued and administered concurrently with the building permit.

When grading is the only construction (NO STRUCTURES), an independent grading permit is required.

GRADING A SITE PRIOR TO OBTAINING A PERMIT IS ILEGAL AND IS SUBJECT TO ENFORCEMENT ACTION.

In addition, certain sites are subject to Army Corps of Engineers 404 permit requirements. Attached is a letter from the Corps of Engineers explaining their requirements.

Grading Plans:

An engineered grading and drainage plan, prepared by a New Mexico licensed engineer, is required when any one of the following conditions applies:

1. Grading will disturb an area greater than one acre.
2. Grading will involve the excavation, removal or placement of over 500 cubic yards of material.
3. Grading will modify the public drainage system, defined as " The path the storm run-off or other flow will follow from the furthest upstream parcels of land to city limits."
4. A building pad or first floor elevation (including basements) will be less than one foot above the adjacent to street or road.

Grading plans are required to be submitted with the building (or grading) permit application.

Enforcement:

Grading will be inspected prior to footing construction and again prior to Certificate of Occupancy being issued. A Certificate of Occupancy will not be issued until all requirements of the grading and drainage plan have been implemented.

to maintenance concerns. To restrict flows, apertures in caps placed at the inlet end are suggested.

7. Detention Ponds shall be sized to provide 1 foot of Freeboard and to empty within 24 hours. Retention ponds shall be sized to contain twice the volume of the 100 year 6 hour storm for the area drained plus 1 foot Freeboard. Percolation tests may be required to address design requirements. Ponds designed for water depths of 18 inches or more shall be fenced to acceptable standards.

8. Surface drainage shall not be permitted to flow onto adjacent private property. Where drainage easements exist, underground pipelines may be permitted.

9. In residential subdivisions, on-site detention is not permitted on individual lots. Detention or retention shall be provided in locations otherwise provided for by the developer. Minimum grades for drainage in lots shall be 1 percent unless paved swales are provided. Maximum grades for slopes shall be restricted to 25 percent. Retaining walls should be provided where necessary to accommodate this goal. Retaining walls in excess of 5 feet high (footer to ground surface) should be avoided. Individual certification to the design and construction of retaining walls in excess of this parameter is required. All retaining walls should be designed to relieve potential hydrostatic pressure by providing weepholes where necessary.

10. All embankment in subdivisions shall be placed and compacted in lifts of maximum of 8 inches thick, wetted and compacted for 90% of optimum density per ASTM D1557 and 95% under all structures including driveways and parking lots. Slopes should be graded to a maximum of 4 to 1 when feasible. Access roads for maintenance shall be provided for drainage channels and adequate right-of-way shall be provided for the channels, maintenance roads and room for hiking-bikeway trails.

11. In projects affected by the 100 year flood plain, the proposed 100 year base flood line shall be delineated on the Grading and Drainage Improvement plans. If there is a change to the Flood Insurance Maps as produced by the Federal Emergency Management Agency (FEMA), a Letter of Map Amendment (LOMA) or a Letter of Map Revision (LOMR) and a physical map revision shall be filed with the agency and the City Engineer's office. All new structures and substantial improvements to structures shall have its lowest floor elevation a minimum of 1.0 foot above the basic flood elevation.

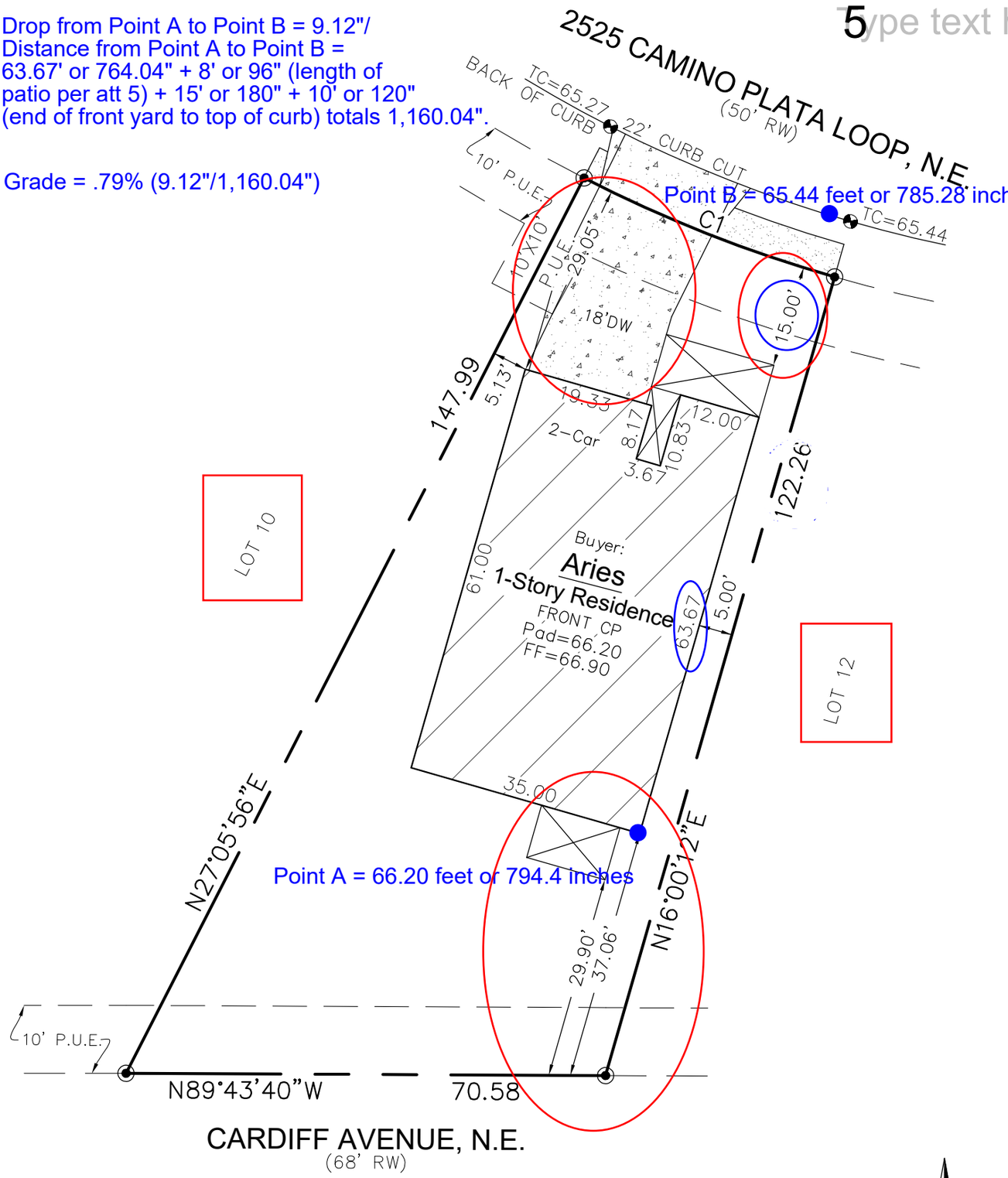
12. All submittal documents, maps, plans, calculations, designs, etc. shall be made in triplicate. Following approvals or for consideration for joint concurrence when required, one set will be forwarded to Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA).



Drop from Point A to Point B = 9.12"/
Distance from Point A to Point B =
63.67' or 764.04" + 8' or 96" (length of patio per att 5) + 15' or 180" + 10' or 120" (end of front yard to top of curb) totals 1,160.04".

Grade = .79% (9.12"/1,160.04")

Type text her



C1
R=205.00
L=39.70
C=39.64
CB=N68°26'56"W
Δ= 11°05'47"

AREA=7,047 SF

APPROVED CITY OF RIO RANCHO
PLANNING & ZONING DEPT.
Date: 10/22/2021
By: nm

PLOT PLAN WAS DRAFTED WITH PRELIMINARY DRAWINGS. CHECK RECORDED PLAT PRIOR TO CONSTRUCTION.

Concrete Table

Driveway	501 sf
Apron	170 sf
Sidewalk	100 sf
Leadwalk	N/A sf

N

SCALE: 1"=20'

PLOT PLAN

LOT 11, BLOCK 5
TIERRA DEL ORO PHASE TWO
2525 CAMINO PLATA LOOP, N.E.

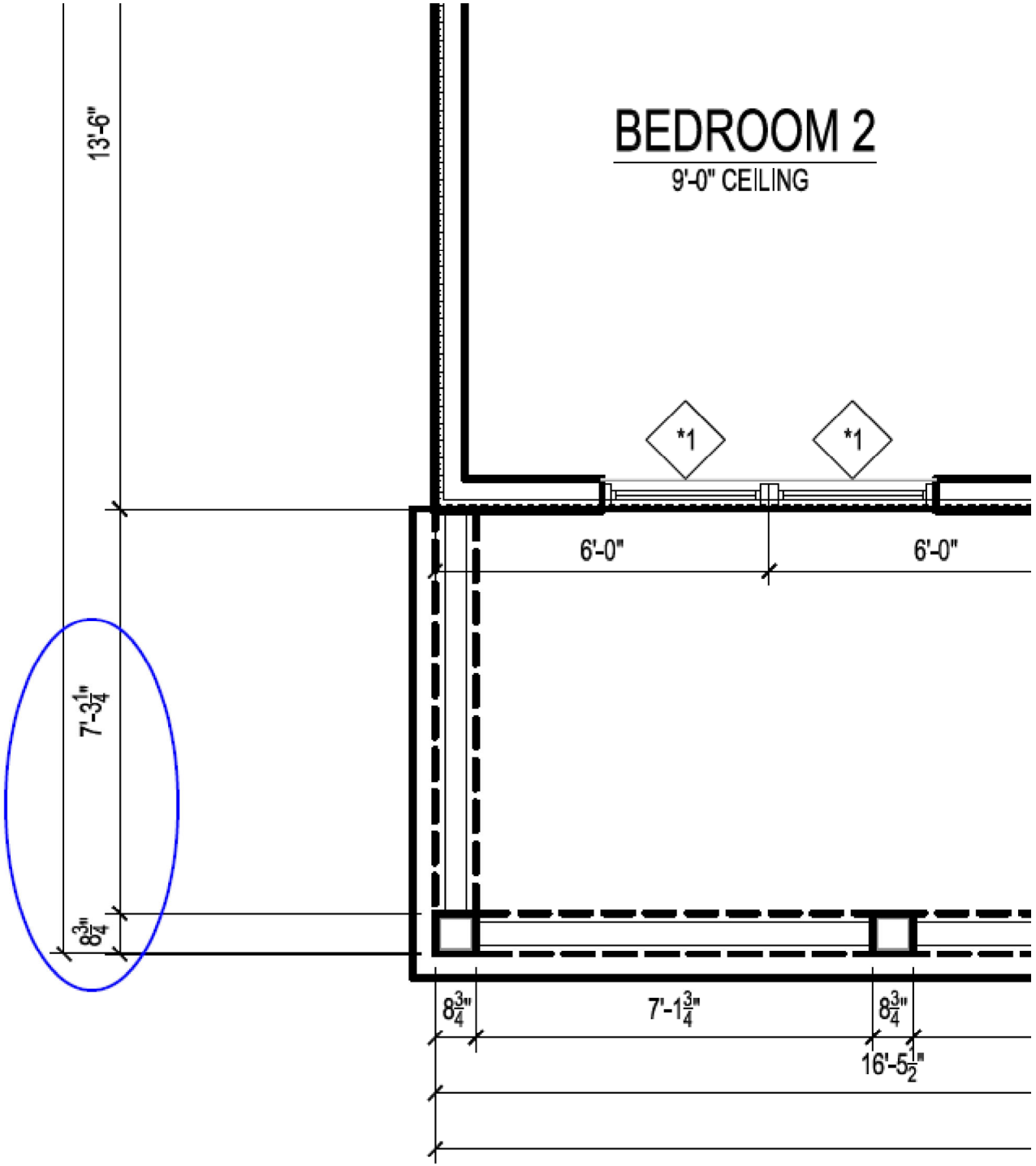
1. THERE SHALL BE A DISTANCE OF NOT LESS THAN TEN (10) FEET BETWEEN RESIDENTIAL BUILDINGS.
2. PROVIDE 18' WIDE DRIVEWAY WITH 20' CURB CUT IN STANDARD CURB & GUTTER.
3. 5' SIDEWALK TO BE CONSTRUCTED WITH THIS PERMIT.
4. COLORS AND LANDSCAPING PER VPO-1
5. NO PART OF THIS STRUCTURE WILL BE CLOSER THAN 15' FROM FRONT OF PROPERTY LINE.

MTV ENTERPRISES, LLC

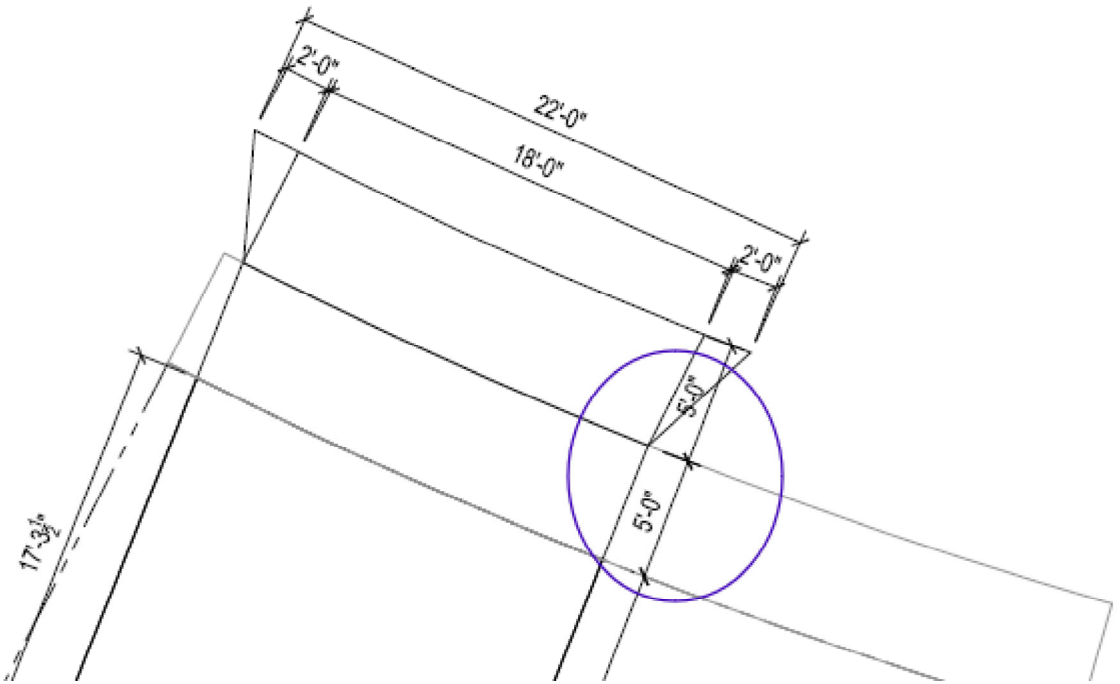
Community Sciences Corporation
Land Surveying
(505) 897.0000

J:\CERTS\SUBD\TIERRA DEL ORO (RR)\PHASE II\Lt 11 Blk 05.dwg

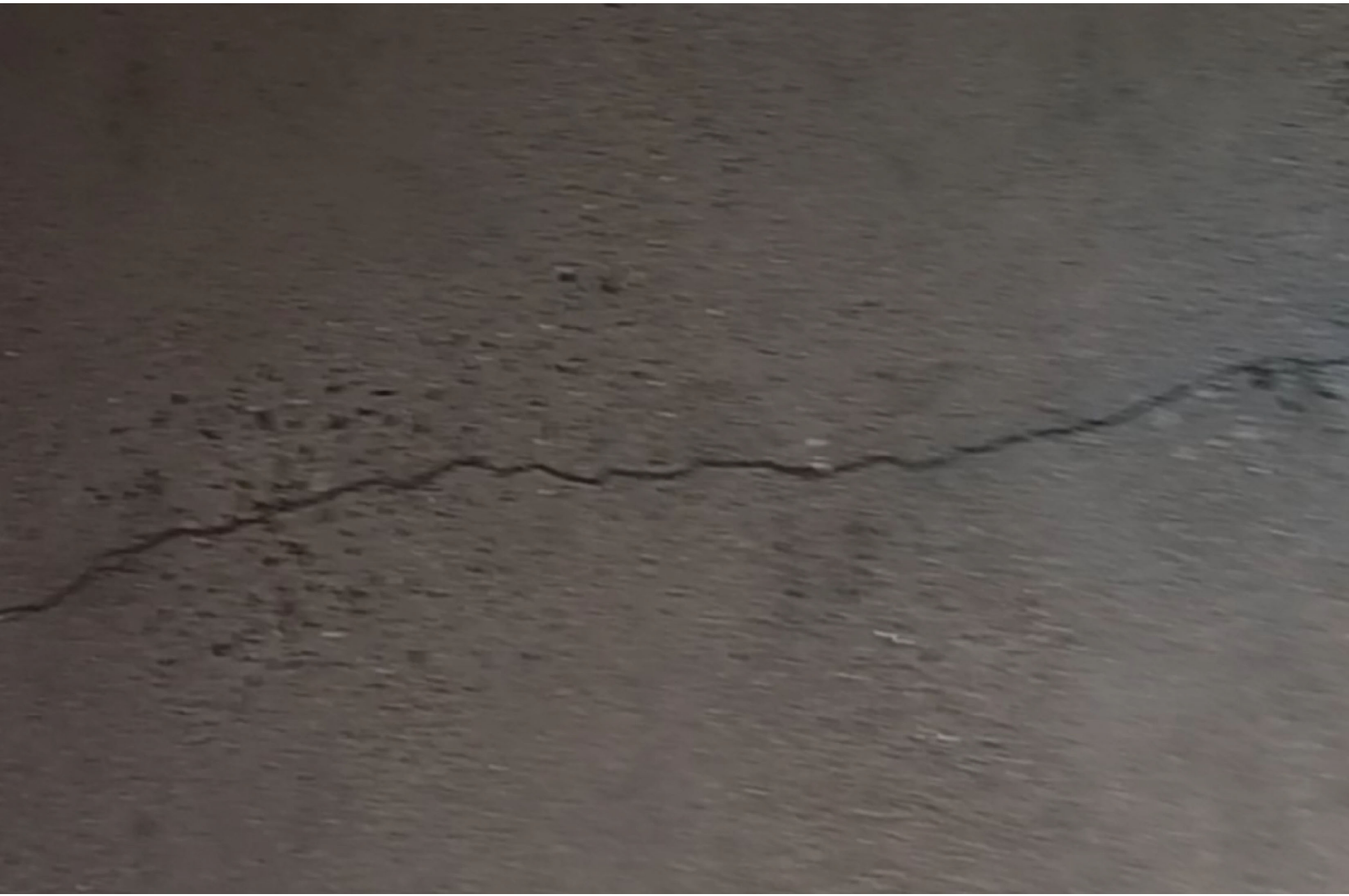
9/24/2021,MCA

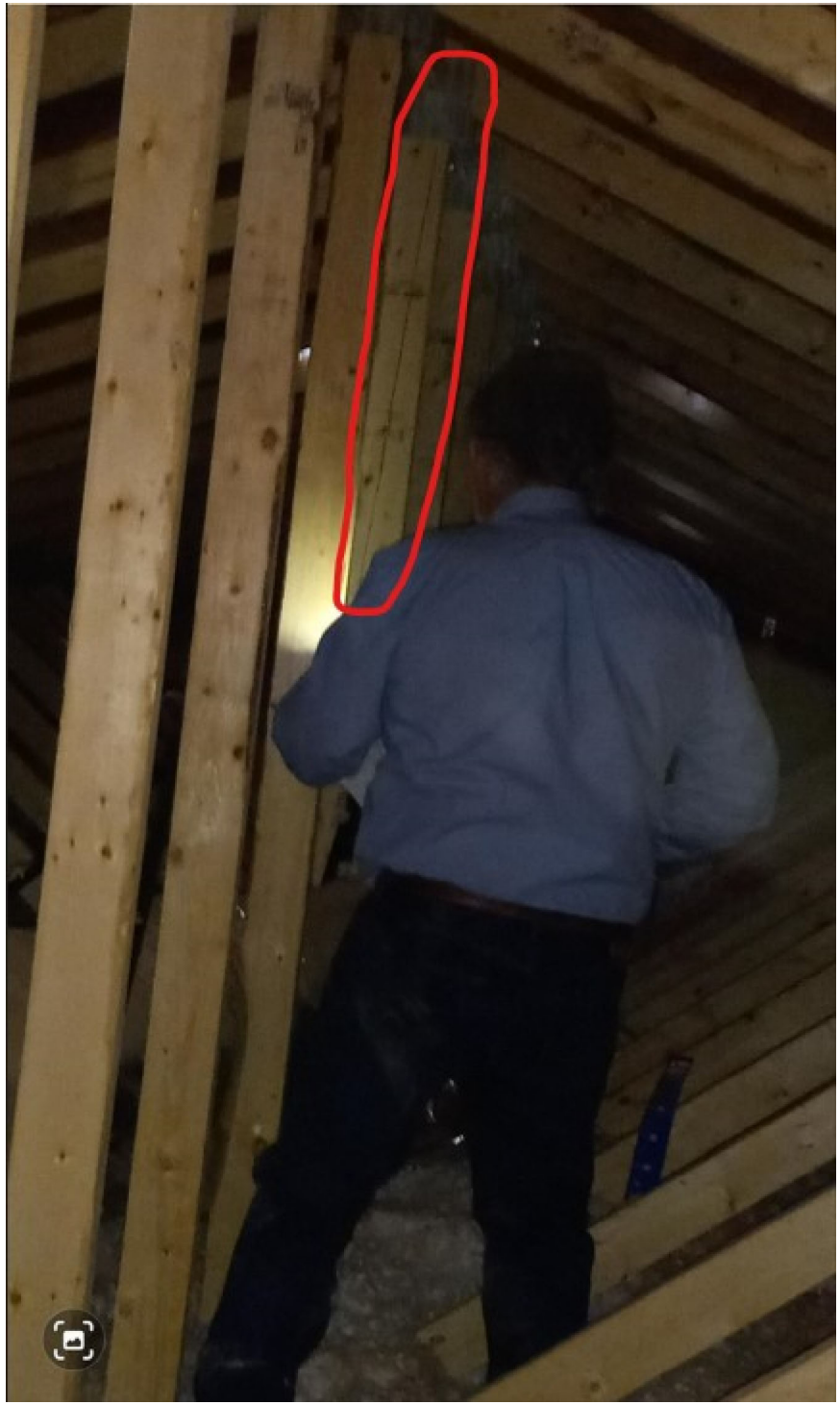


FLOOR PLAN


2'-0"
22'-0"
18'-0"
2'-0"
5'-0"
5'-0"
17-3½"








11

Repair Needed

REPAIR

EAST, NORTH

The exterior grade is not sufficient to direct the flow of water away from the foundation. The grade of the soil should slope away from the home at 1/4 inch per foot for 6 feet from the home.

Recommendation

Contact a qualified professional.





North

Repair Needed

SETTLING TRIP HAZARD

DRIVEWAY

Settling or lifting of the surface was observed. The movement of the surface has created a tripping hazard. Any surfaces that vary 3/8 of an inch or more may cause a person to trip and fall and should be repaired.

Recommendation

Contact a qualified professional.



Northwest



Northwest

Repair Needed

SETTLING CRACK MONITOR

The exterior of the home was observed to be showing signs of past movement at the indicated location(s). It was not possible to determine if the home is continuing to settle during the duration of the inspection. Recommend repairing the cracks and monitoring for further repairs, if necessary.

Recommendation

Contact a qualified professional.



East Front Portal

skill that is ordinarily exercised by members of the profession practicing under similar conditions at the time the services are performed.

As Professional Engineers, it is our responsibility to evaluate available evidence relevant to the purpose of this inspection. We are not, however, responsible for conditions that could not be seen or were not within the scope of our service at the time of the inspection.

PROPERTY DESCRIPTION

The home is a one-story family residence with a concrete slab-on-grade foundation. The exterior and interior walls appear to be conventionally wood framed. The interior walls and ceilings are finished with drywall, texture and paint. The exterior walls are finished with plaster/stucco veneer. The roof framing is supported by interior and exterior bearing walls and beams. This is a typical method of construction for homes in this residential development.

The home generally consists of 3 bedrooms, 2 bathrooms, family room, kitchen, laundry room and an attached 2-car garage.

For our report, all directions (left, right, rear, etc.) are taken from the viewpoint of an observer standing on Camino Plata Loop NE and facing the front of the house.

Observation and Discussion

In designing any structure, there are two primary considerations. The first consideration is the strength of the structure. The primary concern here is to design a structure that can safely bear the loads it is intended to carry. The second consideration is minimizing movement and deflection. While a structure may safely carry its intended loads, it may move excessively. Items that are affected by too much deflection include skewed door and window frames, cracks in finishes (floor tiles, walls, ceiling and siding), and sloping floors.

Proper grading and drainage around your home plays an important role in keeping the structural system of your home solid and sound. One of the most common causes of foundation movement and deflection is due to the accumulation of excessive moisture near the foundation. Moisture near the foundation can also cause spalling problems with stucco as the stucco wicks ground moisture and freezes during the cold cycles.

Based on my general inspection of your home's interior and exterior, your home appears to be generally structurally sound as it pertains to structural strength considerations. With regard to the numerous repairs to the interior finishes (ceramic tile cracks, doors and windows binding, drywall surface cracks, etc.) that you have had to perform along the left side of your home during your two years of ownership, it is my professional opinion that these repairs are due to more than normal movement and deflection in your concrete foundation. It is also my

professional opinion that your foundation movement and deflection were due to the poor grading and drainage that existed along the left side of the home.

To correct your inadequate grading and drainage, the builder has installed a rock-blanketed swale to direct stormwater to the front sidewalk. In my opinion, the swale created by the builder will not provide the **long-term** solution that you need to prevent movement and deflection in the future. The swale will in time fail due to accumulating blowing sand that will cause stormwater along the side of the house to pond and not drain.

It is my professional opinion, the only permanent solution to prevent future foundation movement and deflection along your left side is to install a concrete swale with a slope to the front sidewalk. The slope should be a min. ½% to 1% and it should be 56 inches wide (the space between your home and the existing block property wall) by 81 feet long the distance from your backyard block wall to the sidewalk.

Conclusion

In conclusion, a concrete swale will eliminate the accumulation of moisture along the left side of your home and that is now causing your foundation movement and deflection.

We did not perform any computations or other engineering analysis as part of this evaluation. In addition, my report is my opinion of the conditions observed on the day of my inspection and I reserve the right to add or modify my opinions if additional information should become available.

Our report has been prepared for your benefit and in strict confidence with you as our client. No reproduction or reuse of this report for the benefit of others is permitted without your expressed written consent, except as may be required by New Mexico real estate regulation. Further, except as required by real estate regulation, we will not release this report to anyone without your permission.

If you have any questions about this report or inspection, please feel to call me for clarification

Thank you for the opportunity to be of assistance to you.

Sincerely,

Edward Flores, Jr., P.E., CBIE
Chief Engineer

EDWARD FLORES, JR.
NEW MEXICO
13715
PROFESSIONAL ENGINEER
5/26/2023

Type te

Warranty Renewal Inspection and Treatment

☐**Termite warranty inspection** ☐**Termite warranty inspection - outside only** ☐**Termite treatment**

Location of treatment/inspection notice_____ Minimum of 18-inch crawl space clearance ☐Yes ☐No ☐N/A

Evidence: ☐**No visual evidence of termite activity** ☐Active infestation ☐Potential hidden damage ☐Shelter tubes ☐Wings/ Frass
☐**Visual evidence of termite activity** ☐Exit holes ☐Previous infestation ☐Visible damage ☐Other_____

Conducive conditions: ☐**Yes** ☐**No conducive conditions noted at this time**

☐A/C drip line within 2ft of slab	☐Earth-to-wood contact	☐Insufficient crawl space ventilation	☐Other _____
☐Cellulose debris present	☐Excessive mulch against structure	☐Irrigation system misdirected	
☐Clogged gutters or downspouts	☐Exterior siding below grade	☐Leaking faucet or pipes	☐Other _____
☐Construction form boards present	☐Foam insulation	☐Plumbing access needed	
☐Cracked slab or foundation	☐Grade slopes toward structure	☐Stucco below grade	☐Other

Conducive Conditions

RE

Earth-to-wood contact with soil: Provides termites direct access into the home. Wood can also develop high moisture conditions such as fungus and wood rot. Recommendation: Remove wood in contact with soil and address grade issues.

Exterior siding below grade, Stucco below grade, and Foam insulation: Provides termites direct access into the home. Wood can also develop high moisture conditions such as fungus and wood rot. Recommendation: Remove wood in contact with soil and address grade issues.

Excessive moisture: Can be caused by many different circumstances including leaking windows, leaking roof, poor roof drainage, deteriorating shower pan, leaking air conditioner drain pan, etc. Excessive moisture is often undetectable visually and can allow termites to survive without contact with the soil. Recommendation: If excessive moisture is noted, it is essential that it be corrected, including drying or replacement of the wet wood or sheetrock.

Wood deck or fence attached to structure: Allows termites to avoid treated areas and provides direct access to the home. Recommendation: There should be at least 2 inches of space between the deck or fence and the structure.

Construction form boards present: Wooden boards used to form the slab before concrete is poured are sometimes accidentally left in place by the builder. They serve as a food source and may provide termites with access to your home. Recommendation: Remove form boards.

Reviewing the information submitted, the Board concludes that the property e for the 2023 tax year is best reflected by the protestant's value of:

$245,000

The Board, therefore, orders that the 2023 valuation records of the Sandoval County Assessor be changed with respect to the following described property:

Property Code No. 1-012-071-215-189

The changes in the valuation for property taxation purposes ordered by the Board are as follows:

FROM	TO
$330,714	$245,000

The Board directs the Sandoval County Assessor to take appropriate action to carry out this Order.

DONE THIS 24TH DAY OF AUGUST 2023

Gary H. Jaesin, Chairperson
Sandoval County Valuation Protests Board

I, Gary H. Jaesin, Chairperson, certify that I sent, by certified mail, a copy of this Order to the above-named property owner, the County Assessor and the Director of this Division on this 24th day of August 2023.

Gary H. Jaesin, Chairperson

the loan number when you file a claim with respect to a home with an FHA/VA financed mortgage.

3. Termite damage shall be covered for 1 year from the **effective date of warranty**.
4. The **effective date of warranty** is the date of closing of the original FHA or VA financing used to purchase your home.

E. MULTI-FAMILY BUILDINGS

If your home is located in a **multi-family building**, then these additional provisions apply:

1. The **common elements** of your **multi-family building** will be free from: (a) **defects** in workmanship during the **common elements warranty term** for workmanship; (b) **defects** in the electrical, plumbing and mechanical distribution systems during the **common elements warranty term** for distribution systems; and (c) **structural defects** in **designated load-bearing elements** during the **common elements warranty term** for **structural defects**. Each **warranty term** applicable to the **common elements** begins on the **common element effective date of warranty**. As such, the **warranty term** applicable to **defects** or **structural defects** concerning **common elements** may expire before the **warranty term** applicable to **defects** or **structural defects** concerning your home.
2. Claims for **defects** or **structural defects** concerning **common elements** must be filed by the entity governing the **multi-family building** containing your home. To file a claim, send an email to warrantyadministration@2-10.com or call the **warranty administrator** at 855.429.2109. Under the structural warranty, the maximum claim investigation fee is $250 per unit in the building or $5,000 per building, whichever is less. If the **structural defect** claim is accepted by the **warranty insurer**, the claim investigation fee will be refunded.
3. You agree, upon reasonable notice from the **builder/seller**, **warranty insurer** or their respective representatives, to allow reasonable access to or within your home during normal business hours so repairs can be made to any adjacent space, residence or **common element**. If emergency repairs are necessary and you cannot be reached within a **reasonable time** period, you waive such notice.
4. The aggregate **warranty limit** for all **common elements** in a **multi-family building** is equal to the aggregate remaining **warranty limit** for all dwellings in the **multi-family building** that have a valid **Certificate of Warranty Coverage** with an unexpired **warranty term**. In the event that one or more dwellings in the **multi-family building** do not have a **Certificate of Warranty Coverage** or do not have a **Certificate of Warranty Coverage** with an unexpired **warranty term**, then the aggregate **warranty limit** for all **common elements** shall be reduced pro-rata, based upon the ratio of the aggregate original sale price of all dwellings having a **Certificate of Warranty Coverage** with an unexpired **warranty term**, divided by the total original sales price of all dwellings in the **multi-family building**. All costs incurred by the **builder/seller** and/or the **warranty insurer** to repair or replace any **defect** or **structural defect** concerning a **common element** will be deducted on a pro-rata basis from the remaining **warranty limit** for each dwelling in the **multi-family building** with **Certificate of Warranty Coverage** with an unexpired **warranty term**, based upon the proportion of the original sales price of each such dwelling, divided by the total aggregate original sales price of all such dwellings.
5. If your home is in a **multi-family building** served by a **detached structure**, and if all dwellings within each **multi-family building** served by that **detached structure** was issued a **Certificate of Warranty Coverage**, then your **builder/seller** agrees that each such **detached structure** will be free from: (a) **defects** in workmanship during **warranty term** for workmanship; (b) **defects** in the electrical, plumbing and mechanical distribution systems during **warranty term** for distribution systems; and (c) **structural defects** in **designated load-bearing elements** during the **warranty term** for **structural defects**. The aggregate **warranty limit** for each **detached structure** is equal to the aggregate remaining **warranty limit** for all dwellings that have a valid **Certificate of Warranty Coverage** with an unexpired **warranty term** in each **multi-family building** served by the **detached structure**, divided by the total number of **detached structures** serving each **multi-family building**. The **effective date of warranty** for a **detached structure** is the earliest of the date the **detached structure** was first put into use or the date that the certificate of occupancy was issued. All costs incurred by the **builder/seller** and/or the **warranty insurer** to repair or replace any **defect** or **structural defect** concerning a **detached structure** will be deducted on a pro-rata basis from the remaining **warranty limit** for each dwelling with **Certificate of Warranty Coverage** with an unexpired **warranty term** in the **multi-family buildings** served by the **detached structure**, based upon the proportion of the original sales price of each such dwelling, divided by the total aggregate original sales price of all such dwellings.

F. EXCLUSIONS

Your **builder/seller** and the **warranty insurer** shall have no liability, obligation or responsibility relating to, arising from or in any way concerning any of the following items, each of which are specifically excluded under this booklet:

1. Any damage, loss or costs incurred by you in connection with any of the following:
   a. A **defect** or **structural defect** that first occurs outside of the applicable **warranty term**, including but not limited to "walk-through" or "punch list" items that were identified prior to the **effective date of warranty**.
   b. Any condition that has not resulted in observable or measurable physical damage to your home.
   c. The diminished market value of your home resulting from a **defect**, **structural defect** or the repair of a **defect** or **structural defect**.
   d. Shelter, transportation, food, moving, storage or any other costs due to loss of use, inconvenience or annoyance arising from any **defect**, **structural defect** or the repair of a **defect** or **structural defect**.

e. Land, personal property, additions or alterations to your home not included with the original sale of the home to you by the **builder/seller**, or any real or personal property that you do not own.

f. Removal, repair or replacement of landscaping, including but not limited to grass, sod, shrubs, trees or lawn irrigation systems.

g. Removal, repair or replacement of an improvement, fixture or property not constructed or provided to you by the **builder/seller** that is required to complete the repair of a **defect** or **structural defect**.

h. Except for legitimate emergency repairs, any repair of a **defect** that was not expressly authorized in writing by the **builder/seller** (or if the **builder/seller** is unable or unwilling to repair a **defect** any repair of a **defect** that was not expressly authorized in writing by the **warranty insurer**), or any repair of a **structural defect** that was not expressly authorized in writing by the **warranty insurer**.

i. Bodily injury or personal injury of any kind, including but not limited to physical or mental pain and suffering and emotional distress and any medical or hospital expenses.

j. Attorney fees, cost of investigations, witness fees, testimony or any other related costs or expenses you incur as a result of a **defect**, **structural defect** or the repair of a **defect** or **structural defect**.

2. Any damage, loss or cost that is caused or made worse by any of the following causes (whether acting alone or in sequence or concurrence with any other cause whatsoever):

a. Your failure to give any notice required in this booklet.

b. Your failure to minimize or mitigate any defect, condition, loss or damage.

c. Improper maintenance, abuse or use of your home for non-residential purposes.

d. Any failure of your **builder/seller** to: (i) complete the construction of your home; (ii) construct your home in a manner that is compliant with the plans and specifications for your home; or (iii) comply with all local or national building codes, ordinances or standards applicable to the construction of your home.

e. Negligence, defective material or work supplied by anyone other than your **builder/seller** or its employees, agents or subcontractors.

f. Change of the grading of the ground around or near your home when such change does not comply with the accepted grading practices in your area, or the failure to maintain the original grade around your home.

g. Any peril or occurrence for which compensation is available to you from any local, state or federal governing body or public fund.

h. Earth or **soil movement** caused by earthquake, volcanic eruption, sinkhole, mineshaft, avalanche, landslide, mudflow or other geological phenomena involving subsurface slope instability.

i. Buried debris, underground spring or any other subsurface anomaly in a building site you provided.

j. Changes in the level of the underground water table below or near your home due to aquifer depletion on a region-wide basis.

k. Continuous, prolonged or repeated contact with water, moisture or other liquids resulting in mold, mildew, fungi, rot, decay, corrosion or other gradual deterioration, delamination, adhesive or cohesive failure, weakening or deformation of wood products or any other material.

l. Discharge, dispersal, seepage, migration, release or escape of any solid, liquid, gaseous or thermal pollutant, irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals or waste, including any claim of health risk or inhabitability based on any of the foregoing.

m. War, terrorism, riot or civil commotion, vandalism or governmental action such as the destruction, confiscation or seizure of covered property by any governmental or public authority.

n. A weather event, such as a hurricane, tornado, windstorm, rainstorm, tidal wave, flood, hail, snow, ice storm or lightning.

o. Birds, vermin, rodents, animals, pets, plants or insects, including but not limited to termites.

p. Fire, smoke, explosion or blasting.

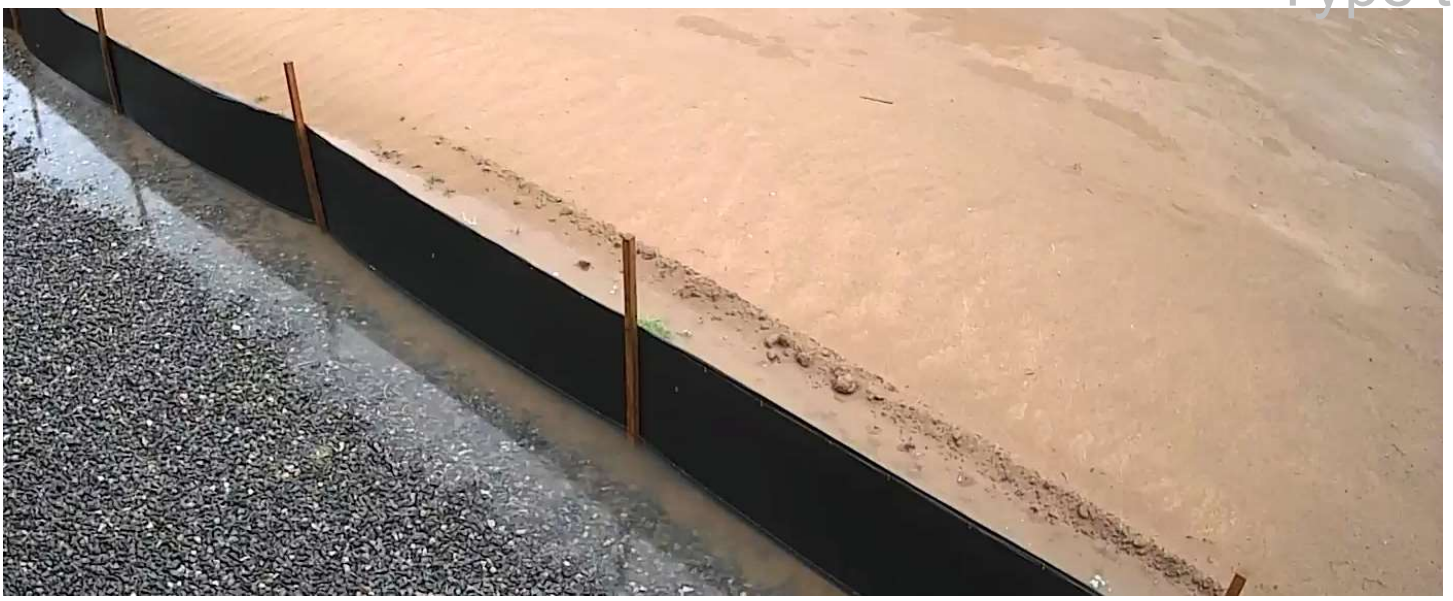
q. Falling trees or other falling or moving objects, including but not limited to aircraft or vehicles.

r. Flooding caused by sudden water escape from pipes, vessels or fixtures.

3. Appliances and manufactured items, including but not limited to, heating, ventilation and mechanical equipment (except to the extent specifically addressed in the **Construction Performance Guidelines**) or any other item covered by a manufacturer's warranty, and a deficiency in any distribution system caused by the failure of any such appliance or manufactured item. Your **builder/seller** hereby assigns to you any rights of the **builder/seller** under the manufacturer's warranties provided to the **builder/seller** (if any), with respect to any of the appliances and items of equipment included in your home.

G. DISPUTE RESOLUTION WITH BINDING ARBITRATION AND CLASS ACTION WAIVER

You, the **builder/seller**, the **warranty insurer** and the **warranty administrator** (each an "Arbitration Party" and collectively the "Arbitration Parties") each hereby agree that every claim, complaint, controversy or dispute among two or more Arbitration Parties that arises out of, relates to or otherwise concerns this booklet or the home (a "Dispute") shall exclusively be resolved by binding arbitration and not by a judge or jury. Each arbitration shall be conducted by DeMars & Associates, Ltd. ("DeMars") or Construction Dispute Resolution Services, LLC ("CDRS"). The choice of DeMars or CDRS shall be made by the Arbitration Party who files the Dispute with DeMars or CDRS. In the event DeMars and CDRS are unavailable or unwilling to conduct the arbitration, then the Arbitration Parties agree that the **warranty administrator** shall select the arbitration service provider. The Arbitration Parties each agree to be bound by any and all rules published by the arbitration service provider conducting the arbitration that apply to the Dispute. If you are involved in the arbitration, then the arbitration hearing shall take

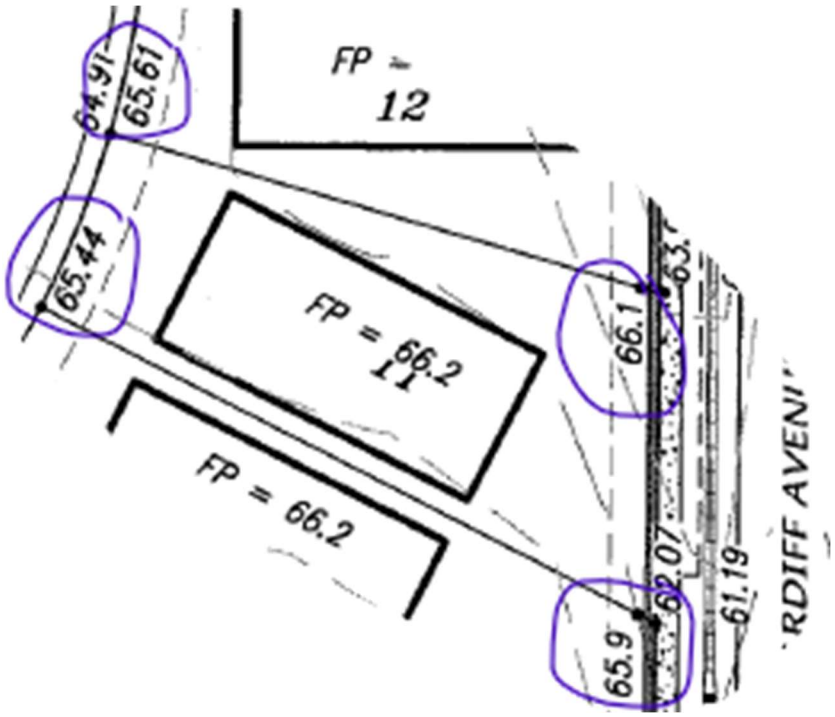



Location where water stops


55
56
57
58
59
60
61



Extract from Page 1 of Tierra Del Oro Grading & Drainage Plan (Elevations)



Extract from Page 6 of the Tierra Del Oro Subdivision Phase 2 Construction Plans (Lengths)



West Lot Grade:

Drop from Rear to Front = 65.9' or 790.8" – 65.44' or 785.28" = 5.52"/

Length of West Property Line = 147.99' or 1,775.88" = .31%

East Lot Grade:

Drop from Rear to Front = 66.1' or 793.2" – 65.61' or 787.32" = 5.88"/

Length of East Property Line = 122.26' or 1,467.12" = .40%



City of Rio Rancho
Development Services
3200 Civic Center Circle NE, 1st Floor
Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

Zoning Variance Application

Fee: $200.00

Type of Variance request: ☐Front ☐Rear ☑Side ☐Height ☐Parking ☐Other

Property Location or Address: 2525 Camino Plata Loop NE, Rio Rancho, NM 87144

Legal Description: S: 12 T: 12N R: 2E

Subdivision: Tierra Del Oro Phase 2 Block: 5 Lot: 11

Parcel Size: Land .162 acres/7,046.455 sq ft Impr 1,673 sq ft Zoning: Residential

Description for request: Installation of paved swale on east side of home per City of Rio Rancho grading & drainage requirements due to grade of residential subdivision lot being less than required minimum of 1%

Attach a statement that justifies the zoning variance requested and addresses the four (4) criteria for the granting of variances.

Property Owner

Name (Print): Jason Marra

Address: 2525 Camino Plata Loop NE, Rio Rancho, NM 87144

Phone: (310) 985-0716 Fax:

***Signature:

****Signature of property owner shall serve as acknowledgement and authorization of this request*

Applicant

Name (Print): Jason Marra

Address: 2525 Camino Plata Loop NE, Rio Rancho, NM 87144

Phone: (310) 985-0716 Fax:

Signature:

Notes

Submitting incomplete applications may result in delay in processing

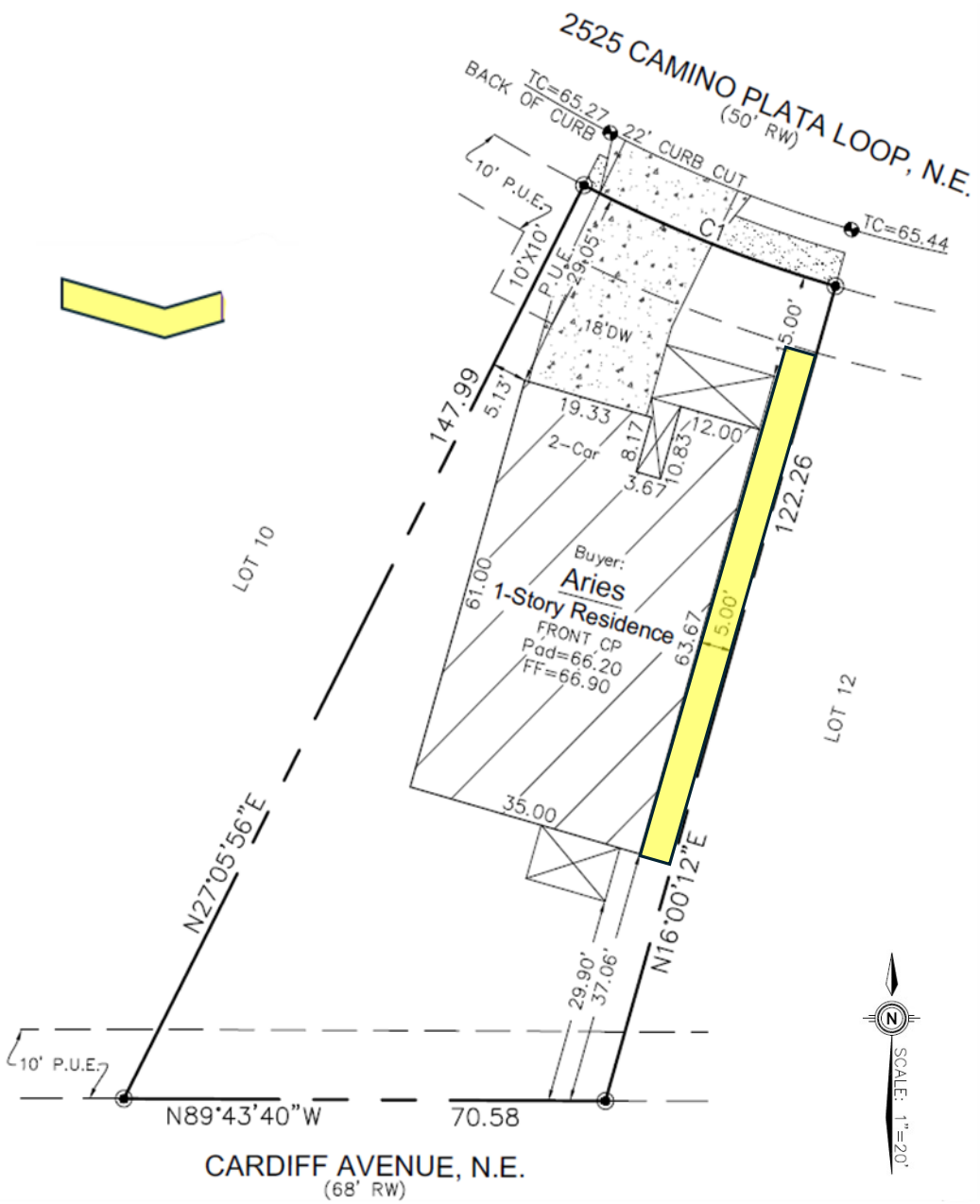
For Office Use Only

File No. Application Date: Receipt:

Staff Signature:

Hearing Date:

SITE PLAN



The yellow shaded area denotes the location of a 3,000 psi air entrained 4" thick inverted concrete swale similar in shape as that shown in the diagram in the upper left of the plan.
The width of the swale will be 56 inches from the home to the existing block property wall buffered on both sides by one inch expansion joint fillers.
The length of the swale will be 71 feet from the back yard block wall to the front end of the block property wall to the start of the 10' public utility easement at the front of the lot.
The slope of the swale will be .75%.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-210-00010

AGENDA DATE:
June 11, 2024

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat Amendment. The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a Preliminary Plat Amendment for the Broadmoor Heights Unit 4 subdivision on the land legally described as Broadmoor Heights Tract 4-A. Staff contact is Chris Benson and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a Preliminary Plat Amendment for the Broadmoor Heights Unit 4 subdivision. The property is legally described as Broadmoor Heights Tract 4-A.

The subdivision is located north of Montezuma Blvd NE, between Bedivere St NE and Amy Rd NE, and bound by Broadmoor Heights Unit 2 to the north and comprises approximately 14.4558 acres.

Broadmoor Heights Unit 4 subdivision is a part of the Broadmoor Heights Master Plan, originally adopted as the Cuesta Al Este Master Plan on July 9, 2009 (R. 59, Enact. 08-054), and amended June 26, 2013 (R. 30, Enact. 13-041) and September 27, 2017 (R. 53, Enact. 17-053).

The original Preliminary Plat for Broadmoor Heights Unit 4 was approved at the October 10, 2023 Planning and Zoning Board with findings and conditions. The original Preliminary Plat created 53 residential lots and 3 tracts all zoned R-4: Single-Family Residential. A subdivision variance to Section 154.43 of the City Code was heard and approved under case number 23-280-00008 on October 10, 2023.

The Preliminary Plat Amendment retains the original lot count of 53 residential lots and 3 tracts zoned R-4: Single-Family Residential. While the configuration of all residential lots remains generally the same, the lot lines for 24-34 have been made longer to extend the depth of the lots to minimize retaining wall heights adjacent to Montezuma Blvd NE. This results in a narrower depth for Tract E abutting Montezuma Blvd NE.

Additionally, the purpose of this Preliminary Plat Amendment is to also clarify and define the easement locations and dimensions in the northern portion of Tract C to include the Fire Access Easement (required at the previous Preliminary Plat hearing), the proposed Sanitary Sewer Easement and the Public Storm Drain Easements (previously recorded as "floating easements to be confined and defined").

Staff recommends the Planning and Zoning Board find the Preliminary Plat Amendment is in conformance with Chapter 154 Planning and Zoning and Chapter 155 Subdivisions.

NOTIFICATIONS:
No notifications are required for this action.

IMPACT:
The Development Services Department recommends the Planning and Zoning Board approve Preliminary Plat Amendment Case no. 23-210-00010 subject to the following findings of fact and conditions of approval.

GENERAL FINDINGS OF FACT:
1. The Planning and Zoning Board has jurisdiction over the subject property and the applicant's request for approval of the preliminary plat amendment.
2. The applicant has the authority to apply for a preliminary plat amendment.
3. Neighboring property owners and the applicant/agent received due process and were allowed to comment at the public hearing.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:
1. The preliminary plat amendment has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary plat amendment conforms to the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary plat amendment conforms to the requirements of the R-4: Single-Family Residential Zoning District.
4. The preliminary plat amendment conforms to the Broadmoor Heights Master Plan, adopted as amended under Resolution No. 53, Enactment No. 17-053.
5. Emergency Access is provided within Tract C from Alicia Loop NE to Amy Road NE.
6. In accordance with R.O. 2003 § 155.24 (A), the final plat shall be recorded within 12 months following approval of the preliminary plat amendment, or the Planning and Zoning Board approval shall be null and void.
7. Impact fee assessment will be based on the date of the original preliminary plat approval and shall be valid for four (4) years from October 10, 2023.
8. The applicant shall address all of the preliminary plat reviewers staff comments prior to submitting construction plans or the final plat, whichever is applicable.

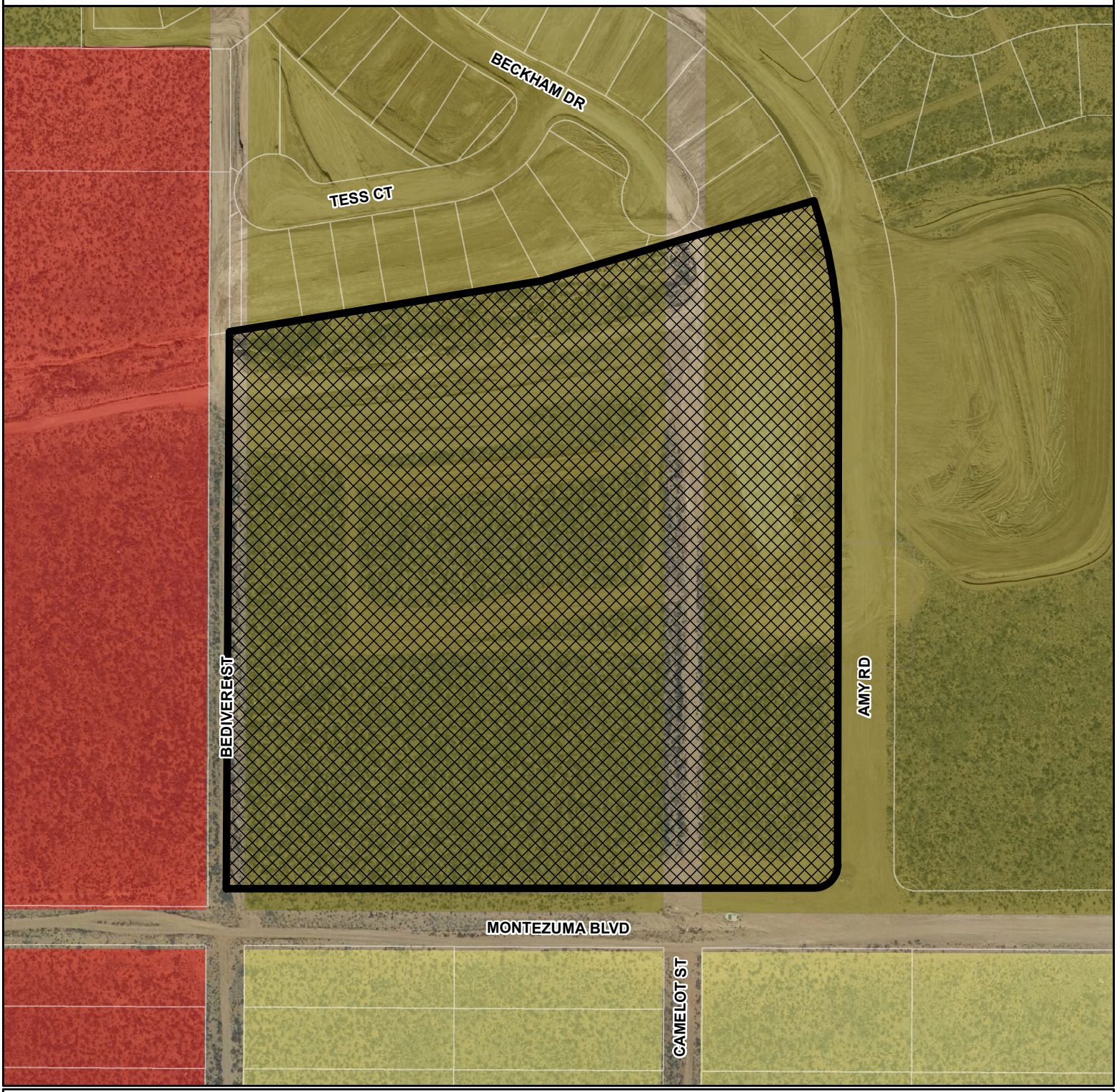
ALTERNATIVES:
The Planning and Zoning Board may:
1. Approve the preliminary plat amendment.
2. Deny the preliminary plat amendment.
3. Modify the preliminary plat and approve such modifications.
4. Postpone the item and continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:
Staff recommends the Planning and Zoning Board approve the Preliminary Plat Amendment with findings and conditions.

ATTACHMENT: Location/Zone Map
ATTACHMENT: Application
ATTACHMENT: Letter
ATTACHMENT: Amended Preliminary Plat

ATTACHMENT: Original Preliminary Plat W_Markups

BROADMOOR HEIGHTS UNIT 4
SUBDIVISION VARIANCE & PRELIMINARY PLAT



Rio Rancho
City of Vision

0 200 400 800
Feet

Subject Property

Zoning

C-1

R-1

R-4

N
W E
S

GIS
Moving Spatial Data Forward

Map Created by Chris Benson on 08/28/2023

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

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 AMENDED	☐ 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: BGV Rio Rancho I, LLC		Phone: 480-751-6290
Address: 10611 N. Havden Road, Suite D-105		E-Mail: dbeckham@bg-ventures.com
City: Scottsdale	State: AZ	Zip: 85260
Proprietary Interest: Owner	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials) kmk
Agent Name: Bohannan Huston Inc. (Kelly Klein, P.E.)		Phone: 505-823-1000
Address: 7500 Jefferson St NE		E-Mail: kklein@bhinc.com
City: Albuquerque	State: NM	ZIP Code: 87109

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

Request for an Preliminary Plat Amendment for Broadmoor Heights Unit 4

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Broadmoor Heights/ Unit 4	Block(s):	Lot(s):
Existing Zoning: R-4	Proposed Zoning: R-4	
No. of existing lots: 1	No. of proposed lots: 53	Total area of site (acres) 14.45

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: Kelly Klein, P.E.	Applicant:	Agent: X
Signature: Kelly M. Klein		Date: 05-14-2024

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Form revised June 2014

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 14, 2024

Mr. Chris Benson
City of Rio Rancho
Department of Development Services
3200 Civic Center Circle, NE
Rio Rancho, NM 87144

Re: Amended Preliminary Plat – Broadmoor Heights Unit 4

Dear Brian,

We are requesting an amendment to the Broadmoor Heights Unit 4 Preliminary Plat. We have provided the following information per your request for review and comment by the necessary City Agencies and the City Planning and Zoning Commission.

- Land Use Application Form
- Original Preliminary Plat
- Amended Preliminary Plat

The purpose of this amendment is to:

- Increase the depth of the lots 24-34 in order to minimize retaining wall heights adjacent to Montezuma Blvd. There is still a 10' buffer between Montezuma ROW and the rear yard of the lots.
- Clarify and define the easement locations and dimensions in the northern portion of the tract to include the Fire Access Easement (requirement at the prior Preliminary Plat hearing), proposed Sanitary Sewer Easement and the Public Storm Drain easements (previously recorded as "floating easements to be confined and defined".)

The number of proposed lots has not changed. There are no changes for the requests for variances that were previously approved with the original preliminary plat Submittal.

Please feel free to give me a call at 505-798-7844 should you have any questions or require any additional information regarding the submittal.

Sincerely,

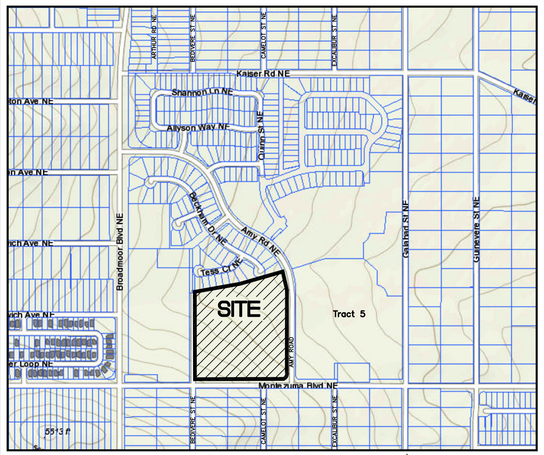
Kelly M. Klein

Kelly Klein, P.E.
Senior Project Manager
Community Development & Planning

Enclosures

AMENDED PRELIMINARY PLAT

Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
May 2024



Vicinity Map

N.T.S.

Indexing Information

Section 1, T.12N., R.2E., and Section 6, T.12N., R.3E., N.M.P.M., as Projected into the Town of Alameda Grant
Subdivision: Broadmoor Heights
UPC #1-012-072-538-055
Owner: BGV Rio Rancho I, LLC

Purpose of Plat

1. GRANT EASEMENTS AS SHOWN HEREON.
2. DEFINE AND CONFINE EASEMENTS AS SHOWN HEREON.
3. SUBDIVIDE AS SHOWN HEREON.

Documents

1. PLAT FOR BROADMOOR HEIGHTS, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON APRIL 13, 2018, IN VOLUME 3, FOLIO 4211 (RRE BOOK 27, PAGE 64–69).

2. PLAT FOR BROADMOOR HEIGHTS, UNIT 2, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON JUNE 30, 2020, IN VOLUME 3, FOLIO 4558 (RRE BOOK 30, PAGE 13–15).

2. PLAT OF RECORD FOR TRACT 4–A, BROADMOOR HEIGHTS, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON AUGUST 19, 2022, IN VOL. 3, FOLIO 4923 (RRE BK 31, PAGES 70–72).

Legal Description

TRACT 4–A, OF BROADMOOR HEIGHTS, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON AUGUST 19, 2022, IN VOL. 3, FOLIO 4923 (RRE BK 31, PAGES 70–72).

Notes

1. FIELD SURVEY PERFORMED IN FEBRUARY 2006 AND NOVEMBER 2012 AND ADDITIONAL SURVEY WORK PERFORMED IN JUNE & JULY 2013 AND APRIL & MAY 2017.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 6, TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M., WITHIN 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 TRACTS REPLATTED:	1
NUMBER OF LOTS CREATED:	53
NUMBER OF TRACTS CREATED:	5
MILES OF ROAD CREATED:	0.3567 MILES
RIGHT OF WAY DEDICATED BY THIS PLAT:	2.4558 ACRES
TOTAL PLATTED ACREAGE:	14.4558 ACRES

6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83–GROUND), USING GROUND TO GRID FACTOR OF 0.999656696 WITH AN ORIGIN OF (0,0).
7. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION EXACTLY AS SHOWN ON THE PLAT OF RECORD (8/19/2022, VOL. 3, FOL. 4923)(RRE BK. 31, PG. 70–72).

Free Consent & Dedication

THE SUBDIVISION HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF DO HEREBY GRANT THE RIGHT TO CONSTRUCT, OPERATE, INSPECT, MAINTAIN FACILITIES THEREIN; AND ALL PUBLIC UTILITIES EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER, COMMUNICATION, WATER AND WASTEWATER SERVICES FOR BURIED DISTRIBUTION LINES, CONDUITS AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THEIR RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

BGV RIO RANCHO I, LLC

_____
DAVID BECKHAM, AUTHORIZED REPRESENTATIVE DATE

STATE OF)
) SS
COUNTY OF)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__
BY: DAVID BECKHAM, AUTHORIZED REPRESENTATIVE, BGV RIO RANCHO I, LLC

BY: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Filing Information

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

THIS INSTRUMENT WAS FILED FOR RECORD ON

___: ___ AM/PM, _____,
20___

RECORDED IN VOLUME _____, OF RECORDS OF SAID

COUNTY, FOLIO _____

BY: _____,
DEPUTY

Public Approvals

CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

APPROVED THE _____ DAY OF _____ , 2019.

BY: _____
CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

CITY CLERK'S CERTIFICATE:

I, REBECCA MARTINEZ, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED AND ALL RIGHTS OF WAY (ROW) WHICH ARE SHOWN HEREON WERE ACCEPTED FOR DEDICATION TO THE CITY OF RIO RANCHO BY THE CITY OF RIO RANCHO PLANNING AND ZONING BOARD AT THEIR MEETING HELD ON THE

_____ DAY OF _____, 2019.

BY: _____
REBECCA MARTINEZ, CITY CLERK

TREASURER'S CERTIFICATE:

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.

_____
SANDOVAL COUNTY TREASURER DATE

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.

D. Cable TV 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.

Utility Approvals

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

_____
CITY OF RIO RANCHO

_____
QWEST CORPORATION D/B/A CENTURYLINK QC

_____
PNM ELECTRIC

_____
NEW MEXICO GAS COMPANY

_____
SPARKLIGHT

_____
COMCAST

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 DATE
N.M.P.S. No. 18374

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 OF THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER 155, AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

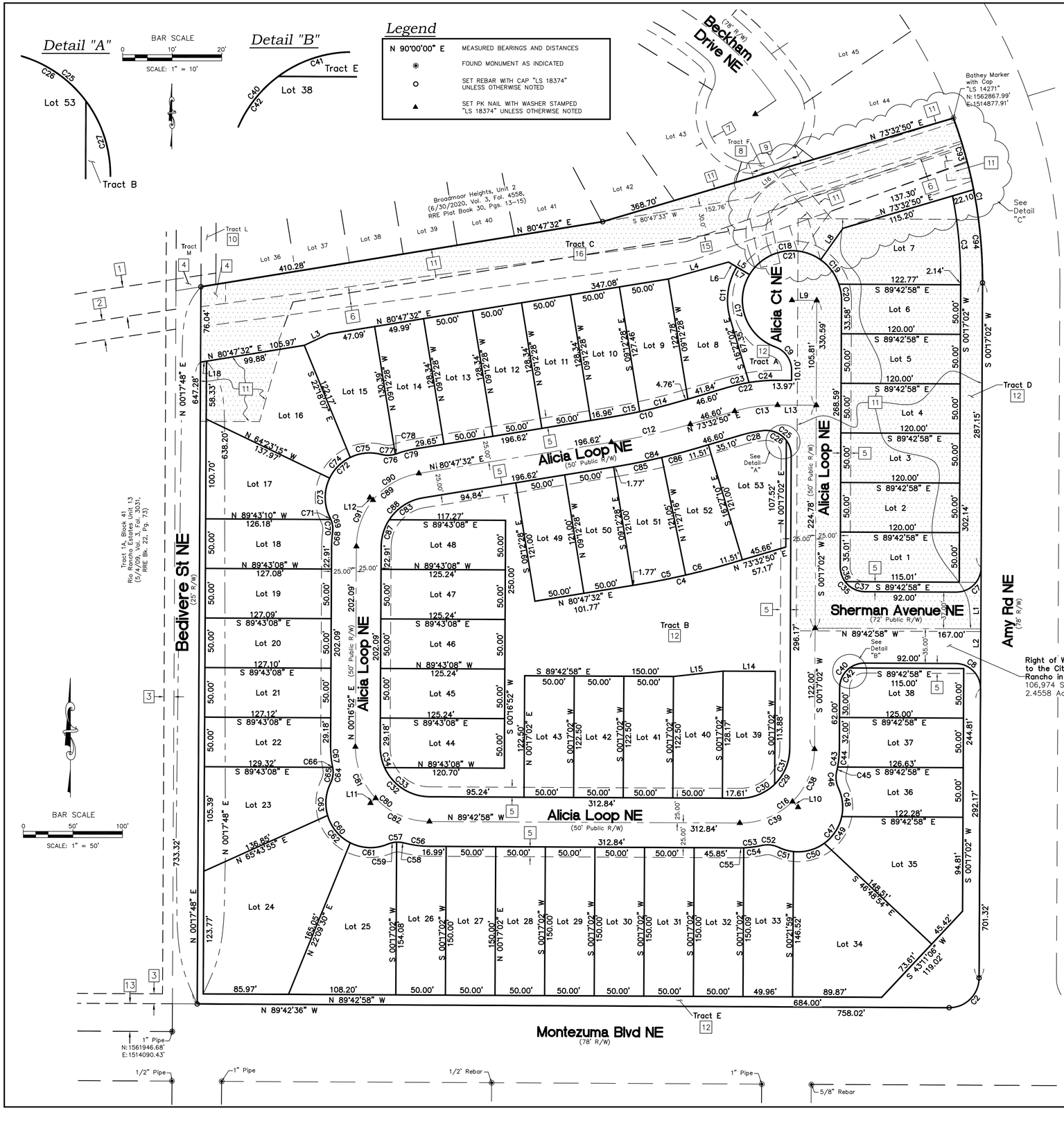
_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. NO. 18374

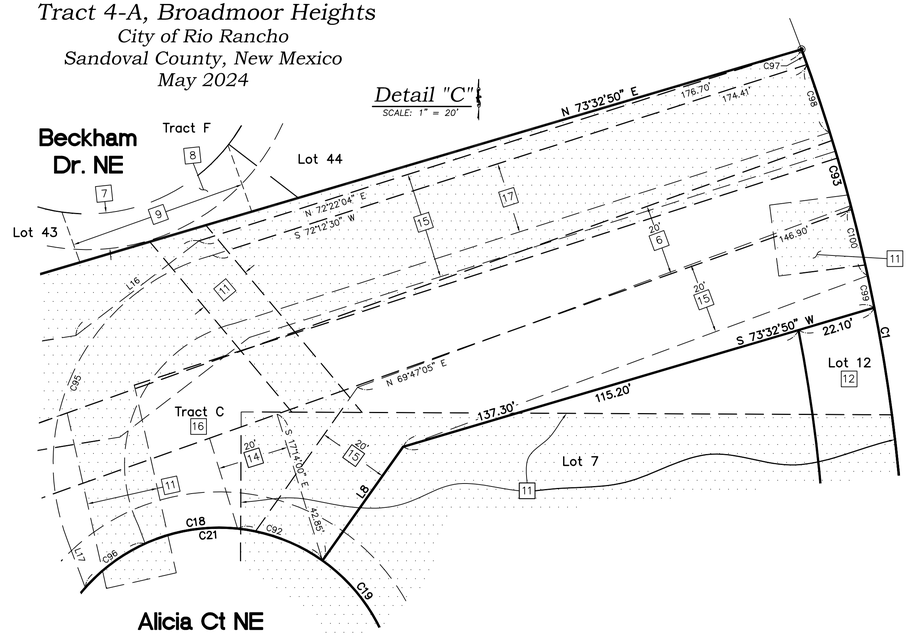
BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

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

AMENDED PRELIMINARY PLAT

Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
May 2024





Easement Notes

1. EXISTING REMAINING PORTION OF 30' DRAINAGE EASEMENT (7/11/2007, VOL. 3, FOL. 2821–B) (RRE BK. 21, PG 2) AND MODIFIED BY PLAT (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
2. EXISTING 20' PUBLIC UTILITY EASEMENT (7/11/2007, VOL. 3, FOL. 2821–B) (RRE BK. 21, PG 2)
3. EXISTING 10' P.U.E. (5/4/2009, VOL. 3, FOL. 3031) (RRE BK. 22, PG. 73)
4. EXISTING DRAINAGE EASEMENT RETAINED IN PLACE OF VACATED FORMER RIGHT OF WAY (4/13/2018, VOL. 3, FOL. 4211) (RRE BK. 27, PG. 64–69)
5. 10' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
6. EXISTING 20' SANITARY SEWER EASEMENT (4/13/2018, VOL. 3, FOL. 4211) (RRE BK. 27, PG. 64–69)
7. EXISTING 10' P.U.E. (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
8. EXISTING PUBLIC DRAINAGE EASEMENT ACROSS TRACT F (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
9. EXISTING PUBLIC WATER & SEWER EASEMENT (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
10. EXISTING PRIVATE BLANKET DRAINAGE EASEMENT ACROSS TRACT L (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
11. EXISTING FLOATING PUBLIC DRAINAGE EASEMENT GRANTED TO THE CITY OF RIO RANCHO (8/19/2022, VOL. 3, FOL. 4923) (RRE BK., PG. 70–72) FORMER LOCATION WITHIN TRACT 4–A, SHOWN HEREON AS [dotted] NOW CONFINED AND DEFINED BY THIS PLAT WITHIN TRACT C ONLY
12. TRACTS A, B, D AND E SHALL BE DESIGNATED AS PRIVATE COMMON AREAS WITH BLANKET LANDSCAPE AND PUBLIC DRAINAGE EASEMENTS. TO BE MAINTAINED BY THE HOA BENEFITING THE RESIDENTS THEREOF. GRANTED WITH THE FILING OF THIS PLAT.
13. EXISTING 28' RIGHT–OF–WAY EASEMENT (5/4/2009, VOL. 3, FOL. 3031) (RRE BK. 22, PG. 73)
14. 20' PUBLIC SANITARY SEWER EASEMENT OPERATED AND MAINTAINED BY THE CITY OF RIO RANCHO GRANTED WITH THE FILING OF THIS PLAT
15. PUBLIC STORM DRAIN EASEMENT TO BE OPERATED AND MAINTAINED BY THE CITY OF RIO RANCHO, GRANTED WITH THE FILING OF THIS PLAT
16. BLANKET PEDESTRIAN AND LANDSCAPE EASEMENT WITHIN TRACT C TO BE MAINTAINED BY THE HOA, GRANTED WITH THE FILING OF THIS PLAT
17. 20' FIRE ACCESS EASEMENT TO BE OPERATED AND MAINTAINED BY THE CITY OF RIO RANCHO, GRANTED WITH THE FILING OF THIS PLAT

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

Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
August 2023

Parcel Table		
Parcel Name	Area (Acres)	Area (Sq. Ft.)
Lot 1	0.1372	5,976
Lot 2	0.1377	6,000
Lot 3	0.1377	6,000
Lot 4	0.1377	6,000
Lot 5	0.1377	6,000
Lot 6	0.1381	6,015
Lot 7	0.2113	9,204
Lot 8	0.1670	7,274
Lot 9	0.1440	6,273
Lot 10	0.1471	6,407
Lot 11	0.1473	6,417
Lot 12	0.1473	6,417
Lot 13	0.1473	6,417
Lot 14	0.1476	6,431
Lot 15	0.1723	7,506
Lot 16	0.2768	12,059
Lot 17	0.2013	8,767
Lot 18	0.1462	6,367
Lot 19	0.1459	6,354
Lot 20	0.1459	6,355
Lot 21	0.1459	6,356
Lot 22	0.1463	6,371
Lot 23	0.2211	9,632
Lot 24	0.4128	17,982
Lot 25	0.2694	11,735
Lot 26	0.1735	7,557
Lot 27	0.1722	7,500
Lot 28	0.1722	7,500
Lot 29	0.1722	7,500
Lot 30	0.1722	7,500
Lot 31	0.1722	7,500
Lot 32	0.1722	7,500
Lot 33	0.1732	7,545
Lot 34	0.3360	14,636
Lot 35	0.2659	11,582
Lot 36	0.1430	6,228
Lot 37	0.1437	6,260
Lot 38	0.1421	6,190
Lot 39	0.1512	6,587
Lot 40	0.1439	6,267
Lot 41	0.1406	6,125
Lot 42	0.1406	6,125
Lot 43	0.1406	6,125
Lot 44	0.1430	6,231
Lot 45	0.1438	6,262
Lot 46	0.1438	6,262
Lot 47	0.1438	6,262
Lot 48	0.1422	6,192
Lot 49	0.1389	6,050
Lot 50	0.1389	6,050
Lot 51	0.1439	6,268
Lot 52	0.1499	6,531
Lot 53	0.1728	7,527
Right of Way Dedicated to the City of Rio Rancho in Fee Simple	2.4558	106,974
Tract A	0.0674	2,935
Tract B	0.9284	40,441
Tract C	1.3325	58,043
Tract D	0.2257	9,831
Tract E	0.4888	21,291

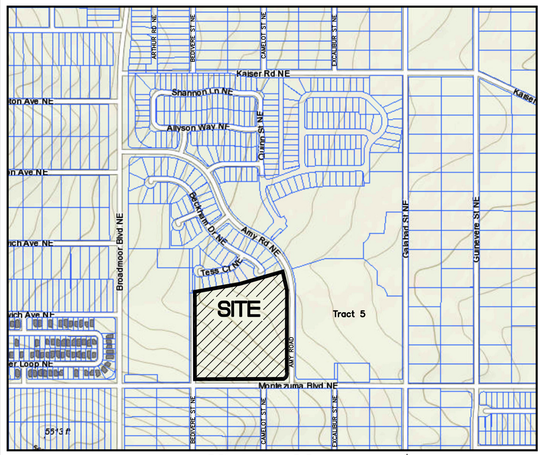
Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	169.54'	472.00'	20°34'50"	168.63'	S 10°00'23" E
C2	47.13'	30.00'	90°00'22"	42.43'	S 45°17'13" W
C3	88.03'	450.00'	11°12'28"	87.88'	N 05°19'12" W
C4	100.15'	792.00'	7°14'42"	100.08'	N 77°10'11" E
C5	52.40'	792.00'	3°47'28"	52.39'	N 78°53'48" E
C6	47.74'	792.00'	3°27'14"	47.74'	N 75°16'27" E
C7	39.27'	25.00'	90°00'00"	35.36'	N 45°17'02" E
C8	39.27'	25.00'	90°00'00"	35.36'	N 44°42'58" W
C9	30.77'	25.00'	70°31'44"	28.87'	N 34°58'50" W
C10	78.52'	621.00'	7°14'42"	78.47'	N 77°10'11" E
C11	53.94'	65.00'	47°32'46"	52.40'	S 07°18'16" W
C12	81.69'	646.00'	7°14'42"	81.63'	N 77°10'11" E
C13	43.82'	150.00'	16°44'12"	43.66'	S 81°54'56" W
C14	45.47'	621.00'	4°11'43"	45.46'	N 75°38'41" E
C15	33.05'	621.00'	3°02'59"	33.05'	N 79°16'02" E
C16	117.81'	75.00'	90°00'00"	106.07'	N 45°17'02" E
C17	88.42'	50.00'	101°19'20"	77.34'	S 19°35'01" E
C18	82.25'	50.00'	94°15'06"	73.28'	S 78°12'12" W
C19	31.23'	50.00'	35°47'04"	30.72'	N 36°46'43" W
C20	16.73'	50.00'	19°10'14"	16.65'	N 09°18'05" W
C21	218.63'	50.00'	250°31'44"	81.65'	S 55°01'10" W
C22	51.12'	175.00'	16°44'12"	50.94'	S 81°54'56" W
C23	22.10'	175.00'	7°14'08"	22.09'	S 77°09'54" W
C24	29.02'	175.00'	9°30'04"	28.99'	S 85°32'00" W
C25	42.03'	25.00'	96°20'00"	37.25'	N 47°52'58" W
C26	25.95'	25.00'	59°27'48"	24.80'	N 66°19'04" W
C27	16.09'	25.00'	36°52'12"	15.81'	N 18°09'04" W
C28	22.70'	125.00'	10°24'12"	22.67'	S 78°44'56" W
C29	78.54'	50.00'	90°00'00"	70.71'	N 45°17'02" E
C30	38.77'	50.00'	44°25'37"	37.81'	N 68°04'14" E
C31	39.77'	50.00'	45°34'23"	38.73'	N 23°04'14" E
C32	78.54'	50.00'	89°59'50"	70.71'	S 44°43'03" E
C33	57.06'	50.00'	65°23'12"	54.01'	S 57°01'22" E
C34	21.48'	50.00'	24°36'38"	21.31'	S 12°01'27" E
C35	39.27'	25.00'	90°00'00"	35.36'	S 44°42'58" E
C36	16.08'	25.00'	36°50'29"	15.80'	S 18°08'12" E
C37	23.19'	25.00'	53°09'31"	22.37'	S 63°08'12" E
C38	58.90'	75.00'	45°00'00"	57.40'	N 22°47'02" E
C39	58.90'	75.00'	45°00'00"	57.40'	N 67°47'02" E
C40	39.27'	25.00'	90°00'00"	35.36'	S 45°17'02" W
C41	16.09'	25.00'	36°52'12"	15.81'	S 71°50'56" W
C42	23.18'	25.00'	53°07'48"	22.36'	S 26°50'56" W
C43	22.84'	100.00'	13°05'19"	22.79'	N 06°49'42" E
C44	18.10'	100.00'	10°22'11"	18.07'	N 05°28'08" E
C45	4.75'	100.00'	2°43'08"	4.75'	N 12°00'47" E
C46	16.94'	25.00'	38°48'45"	16.61'	S 06°02'01" E
C47	111.09'	45.00'	141°26'52"	84.95'	N 45°17'02" E
C48	29.58'	45.00'	37°39'51"	29.05'	N 06°36'28" W
C49	32.84'	45.00'	41°49'09"	32.12'	N 33°08'01" E
C50	32.84'	45.00'	41°49'09"	32.12'	N 74°57'10" E
C51	15.82'	45.00'	20°08'44"	15.74'	S 74°03'54" E
C52	16.94'	25.00'	38°48'45"	16.61'	N 83°23'55" W
C53	22.84'	100.00'	13°05'19"	22.79'	N 83°44'22" E
C54	18.69'	100.00'	10°42'41"	18.67'	N 82°33'03" E
C55	4.15'	100.00'	2°22'38"	4.15'	N 89°05'43" E
C56	25.70'	100.00'	14°43'38"	25.63'	S 82°21'09" E
C57	16.61'	25.00'	38°04'17"	16.31'	S 85°58'32" W
C58	7.66'	25.00'	17°33'09"	7.63'	N 83°45'54" W
C59	8.95'	25.00'	20°31'08"	8.91'	S 77°11'57" W
C60	109.59'	45.00'	139°32'26"	84.45'	S 43°17'23" E
C61	39.28'	45.00'	50°00'47"	38.05'	S 88°03'13" E
C62	36.82'	45.00'	46°53'11"	35.81'	S 39°36'14" E
C63	33.49'	45.00'	42°38'28"	32.72'	S 05°09'36" W
C64	16.61'	25.00'	38°04'17"	16.31'	N 07°26'41" E
C65	16.36'	25.00'	37°29'14"	16.07'	N 07°44'13" E
C66	0.25'	25.00'	0°35'03"	0.25'	N 11°17'56" W
C67	20.72'	100.00'	11°52'19"	20.68'	S 05°39'18" E
C68	13.76'	100.00'	7°53'01"	13.75'	S 04°13'23" W
C69	15.42'	25.00'	35°20'05"	15.17'	N 09°30'10" W
C70	13.67'	25.00'	31°19'36"	13.50'	N 07°29'55" W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C71	1.75'	25.00'	4°00'30"	1.75'	N 25°09'57" W
C72	103.90'	45.00'	132°17'01"	82.31'	S 38°58'18" W
C73	41.56'	45.00'	52°54'35"	40.09'	S 00°42'55" E
C74	30.09'	45.00'	38°18'57"	29.54'	S 44°53'51" W
C75	32.25'	45.00'	41°03'29"	31.56'	S 84°35'04" W
C76	15.42'	25.00'	35°20'05"	15.17'	N 87°26'46" E
C77	14.16'	25.00'	32°27'38"	13.97'	N 88°52'59" E
C78	1.25'	25.00'	2°52'27"	1.25'	N 71°12'57" E
C79	19.22'	100.00'	11°00'48"	19.19'	S 75°17'08" W
C80	117.81'	75.00'	89°59'50"	106.06'	S 44°43'03" E
C81	57.03'	75.00'	43°34'16"	55.67'	S 21°30'16" E
C82	60.77'	75.00'	46°25'34"	59.12'	S 66°30'11" E
C83	41.63'	50.00'	47°42'18"	40.44'	S 56°56'22" W
C84	84.85'	671.00'	7°14'42"	84.79'	N 77°10'11" E
C85	47.66'	671.00'	4°04'10"	47.65'	N 78°45'26" E
C86	37.19'	671.00'	3°10'31"	37.18'	N 75°08'06" E
C87	28.63'	50.00'	32°48'21"	28.24'	S 16°41'03" W
C88	70.26'	50.00'	80°30'40"	64.62'	S 40°32'12" W
C89	105.39'	75.00'	80°30'40"	96.93'	S 40°32'12" W
C90	54.74'	75.00'	41°49'14"	53.54'	S 59°52'55" W
C91	50.65'	75.00'	38°41'26"	49.69'	S 19°37'35" W
C92	25.62'	50.00'	29°21'28"	25.34'	N 69°20'59" W
C93	75.08'	472.00'	9°06'52"	75.01'	N 15°44'22" W
C94	94.46'	472.00'	11°27'58"	94.30'	N 05°26'57" W
C95	100.52'	60.12'	95°47'34"	89.21'	S 27°10'09" W
C96	20.94'	50.00'	24°00'02"	20.79'	S 53°36'36" W
C97	4.51'	472.00'	0°32'52"	4.51'	N 20°01'22" W
C98	20.00'	472.00'	2°25'41"	20.00'	N 18°32'06" W
C99	9.11'	472.00'	1°06'21"	9.11'	N 11°44'07" W
C100	20.14'	472.00'	2°26'41"	20.14'	N 13°30'37" W

Line Table		
Line #	Direction	Length (ft)
L1	N 00°17'02" E	62.00'
L2	N 00°17'02" E	60.00'
L3	S 64°58'31" W	26.94'
L4	S 74°16'43" W	63.02'
L5	N 58°55'21" W	24.63'
L6	S 58°55'21" E	9.63'
L7	S 58°55'21" E	15.00'
L8	N 35°19'45" E	38.98'
L9	N 89°42'58" W	25.00'
L10	N 44°42'58" W	8.00'
L11	N 46°42'37" E	7.15'
L12	S 51°01'42" E	4.05'
L13	N 89°42'58" W	38.97'
L14	S 89°42'58" E	52.61'
L15	N 83°48'43" E	50.32'
L16	S 52°26'45" W	43.41'
L17	S 20°33'45" E	14.49'
L18	N 80°47'32" E	6.08'

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Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
August 2023



Vicinity Map

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN FEBRUARY 2006 AND NOVEMBER 2012 AND ADDITIONAL SURVEY WORK PERFORMED IN JUNE & JULY 2013 AND APRIL & MAY 2017.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 6, TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M., WITHIN 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 TRACTS REPLATTED:	1
NUMBER OF LOTS CREATED:	53
NUMBER OF TRACTS CREATED:	3
MILES OF ROAD CREATED:	0.3567 MILES
RIGHT OF WAY DEDICATED BY THIS PLAT:	2.4558 ACRES
TOTAL PLATTED ACREAGE:	14.4558 ACRES

6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND), USING GROUND TO GRID FACTOR OF 0.999656696 WITH AN ORIGIN OF (0,0).
7. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION EXACTLY AS SHOWN ON THE PLAT OF RECORD (8/19/2022, VOL. 3, FOL. 4923)(RRE BK. 31, PG. 70-72).

Free Consent & Dedication

THE SUBDIVISION HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF DO HEREBY GRANT THE RIGHT TO CONSTRUCT, OPERATE, INSPECT, MAINTAIN FACILITIES THEREIN; AND ALL PUBLIC UTILITIES EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER, COMMUNICATION, WATER AND WASTEWATER SERVICES FOR BURIED DISTRIBUTION LINES, CONDUITS AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THEIR RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

BGV RIO RANCHO I, LLC

_____
DAVID BECKHAM, AUTHORIZED REPRESENTATIVE DATE

STATE OF)
) SS
COUNTY OF)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__
BY: DAVID BECKHAM, AUTHORIZED REPRESENTATIVE, BGV RIO RANCHO I, LLC

BY: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Indexing Information

Section 1, T.12N., R.2E., and Section 6, T.12N., R.3E., N.M.P.M., as Projected into the Town of Alameda Grant
Subdivision: Broadmoor Heights
UPC #1-012-072-538-055
Owner: BGV Rio Rancho I, LLC

Purpose of Plat

1. GRANT EASEMENTS AS SHOWN HEREON.
2. DEFINE AND CONFINE EASEMENTS AS SHOWN HEREON.
3. SUBDIVIDE AS SHOWN HEREON.

Documents

1. PLAT FOR BROADMOOR HEIGHTS, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON APRIL 13, 2018, IN VOLUME 3, FOLIO 4211 (RRE BOOK 27, PAGE 64-69).
2. PLAT FOR BROADMOOR HEIGHTS, UNIT 2, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON JUNE 30, 2020, IN VOLUME 3, FOLIO 4558 (RRE BOOK 30, PAGE 13-15).
2. PLAT OF RECORD FOR TRACT 4-A, BROADMOOR HEIGHTS, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON AUGUST 19, 2022, IN VOL. 3, FOLIO 4923 (RRE BK 31, PAGES 70-72).

Legal Description

TRACT 4-A, OF BROADMOOR HEIGHTS, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL, NEW MEXICO, ON AUGUST 19, 2022 AS VOL. 3, FOLIO 4923 (RRE BK 31, PAGES 70-72).

Filing Information

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

THIS INSTRUMENT WAS FILED FOR RECORD ON

___:___ AM/PM, _____,
20___

RECORDED IN VOLUME _____, OF RECORDS OF SAID

COUNTY, FOLIO _____

BY: _____,
DEPUTY

Public Approvals

CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

APPROVED THE _____ DAY OF _____ , 2019.

BY: _____
CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

CITY CLERK'S CERTIFICATE:

I, REBECCA MARTINEZ, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED AND ALL RIGHTS OF WAY (ROW) WHICH ARE SHOWN HEREON WERE ACCEPTED FOR DEDICATION TO THE CITY OF RIO RANCHO BY THE CITY OF RIO RANCHO PLANNING AND ZONING BOARD AT THEIR MEETING HELD ON THE

_____ DAY OF _____, 2019.

BY: _____
REBECCA MARTINEZ, CITY CLERK

TREASURER'S CERTIFICATE:

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.

_____
SANDOVAL COUNTY TREASURER DATE

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.

D. Cable TV 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.

Utility Approvals

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

_____
CITY OF RIO RANCHO

_____
QWEST CORPORATION D/B/A CENTURYLINK QC

_____
PNM ELECTRIC

_____
NEW MEXICO GAS COMPANY

_____
SPARKLIGHT

_____
COMCAST

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 DATE
N.M.P.S. No. 18374

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

Surveyor's Certificate

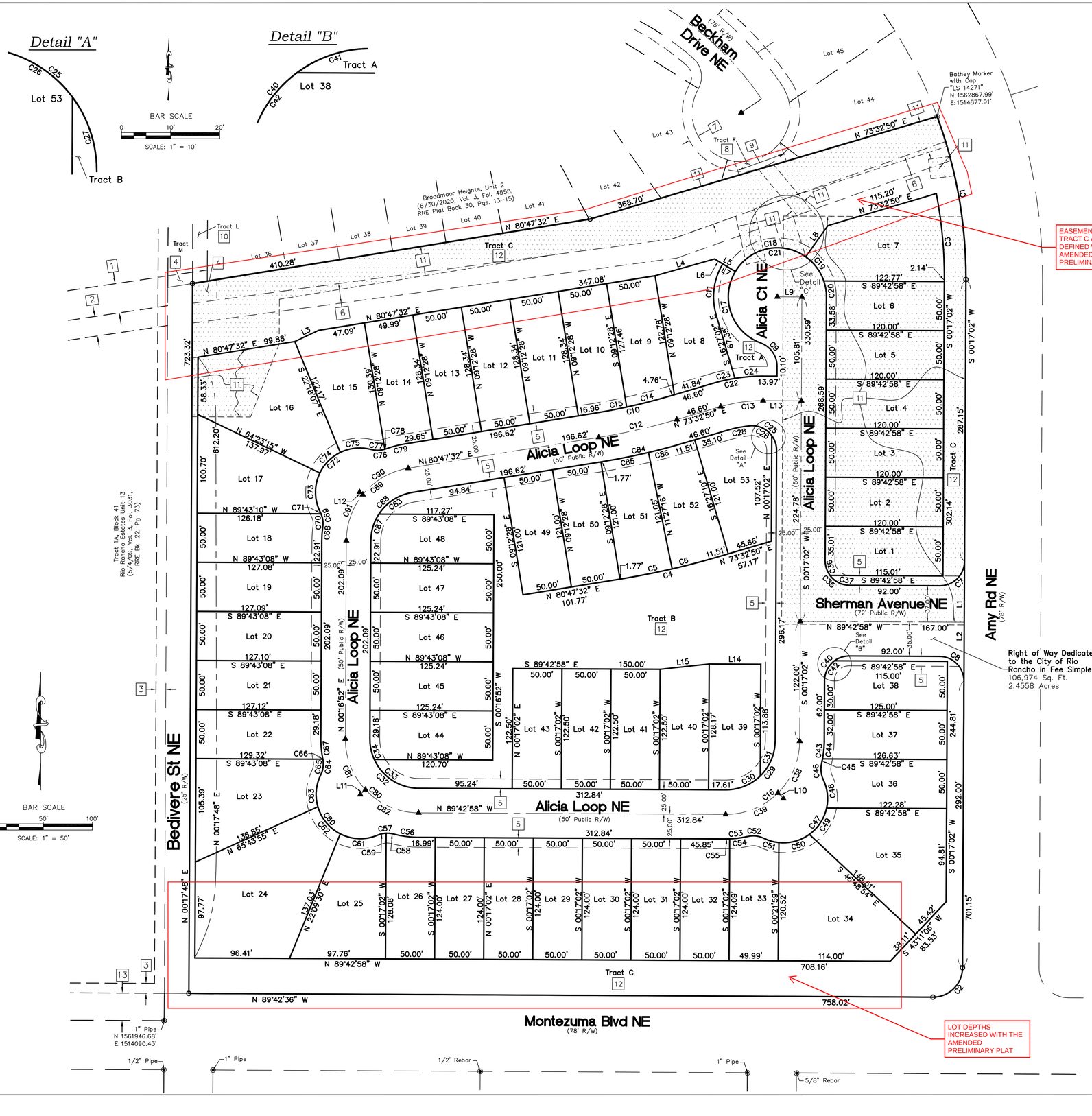
I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS OF THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER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

_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. NO. 18374

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

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
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cartesianbrian@gmail.com

Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
August 2023



Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
◉	FOUND MONUMENT AS INDICATED
○	SET REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED
▲	SET PK NAIL WITH WASHER STAMPED "LS 18374" UNLESS OTHERWISE NOTED

Easement Notes

1. EXISTING REMAINING PORTION OF 30' DRAINAGE EASEMENT (7/11/2007, VOL. 3, FOL. 2821–B) (RRE BK. 21, PG 2) AND MODIFIED BY PLAT (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
2. EXISTING 20' PUBLIC UTILITY EASEMENT (7/11/2007, VOL. 3, FOL. 2821–B) (RRE BK. 21, PG 2)
3. EXISTING 10' P.U.E. (5/4/2009, VOL. 3, FOL. 3031) (RRE BK. 22, PG. 73)
4. EXISTING DRAINAGE EASEMENT RETAINED IN PLACE OF VACATED FORMER RIGHT OF WAY (4/13/2018, VOL. 3, FOL. 4211) (RRE BK. 27, PG. 64–69)
5. 10' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
6. EXISTING 20' SANITARY SEWER EASEMENT (4/13/2018, VOL. 3, FOL. 4211) (RRE BK. 27, PG. 64–69)
7. EXISTING 10' P.U.E. (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
8. EXISTING PUBLIC DRAINAGE EASEMENT ACROSS TRACT F (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
9. EXISTING PUBLIC WATER & SEWER EASEMENT (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
10. EXISTING PRIVATE BLANKET DRAINAGE EASEMENT ACROSS TRACT L (6/30/2020, VOL. 3, FOL. 4558) (RRE BK. 30, PG. 13–15)
11. EXISTING FLOATING PUBLIC DRAINAGE EASEMENT (8/19/2022, VOL. 3, FOL. 4923) (RRE BK., PG. 70–72) FORMER LOCATION WITHIN TRACT 4–A, SHOWN HEREON AS NOW CONFINED AND DEFINED BY THIS PLAT WITHIN TRACT C ONLY
12. TRACTS A, B AND C SHALL BE DESIGNATED AS PRIVATE COMMON AREAS WITH BLANKET LANDSCAPE AND PUBLIC DRAINAGE EASEMENTS. TO BE MAINTAINED BY THE HOA BENEFITING THE RESIDENTS THEREOF. GRANTED WITH THE FILING OF THIS PLAT.
13. EXISTING 28' RIGHT–OF–WAY EASEMENT (5/4/2009, VOL. 3, FOL. 3031) (RRE BK. 22, PG. 73)
14. 20' PUBLIC SANITARY SEWER EASEMENT GRANTED WITH THE FILING OF THIS PLAT

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Plat for
Broadmoor Heights, Unit 4
Being Comprised of
Tract 4-A, Broadmoor Heights
City of Rio Rancho
Sandoval County, New Mexico
August 2023

Parcel Table		
Parcel Name	Area (Acres)	Area (Sq. Ft.)
Lot 1	0.1372	5,976
Lot 2	0.1377	6,000
Lot 3	0.1377	6,000
Lot 4	0.1377	6,000
Lot 5	0.1377	6,000
Lot 6	0.1381	6,015
Lot 7	0.2113	9,204
Lot 8	0.1670	7,274
Lot 9	0.1440	6,273
Lot 10	0.1471	6,407
Lot 11	0.1473	6,417
Lot 12	0.1473	6,417
Lot 13	0.1473	6,417
Lot 14	0.1476	6,431
Lot 15	0.1723	7,506
Lot 16	0.2768	12,059
Lot 17	0.2013	8,767
Lot 18	0.1462	6,367
Lot 19	0.1459	6,354
Lot 20	0.1459	6,355
Lot 21	0.1459	6,356
Lot 22	0.1463	6,371
Lot 23	0.2211	9,632
Lot 24	0.3584	15,611
Lot 25	0.2079	9,058
Lot 26	0.1436	6,257
Lot 27	0.1423	6,200
Lot 28	0.1423	6,200
Lot 29	0.1423	6,200
Lot 30	0.1423	6,200
Lot 31	0.1423	6,200
Lot 32	0.1423	6,200
Lot 33	0.1434	6,246
Lot 34	0.2752	11,986
Lot 35	0.2659	11,582
Lot 36	0.1430	6,228
Lot 37	0.1437	6,260
Lot 38	0.1421	6,190
Lot 39	0.1512	6,587
Lot 40	0.1439	6,267
Lot 41	0.1406	6,125
Lot 42	0.1406	6,125
Lot 43	0.1406	6,125
Lot 44	0.1430	6,231
Lot 45	0.1438	6,262
Lot 46	0.1438	6,262
Lot 47	0.1438	6,262
Lot 48	0.1422	6,192
Lot 49	0.1389	6,050
Lot 50	0.1389	6,050
Lot 51	0.1439	6,268
Lot 52	0.1499	6,531
Lot 53	0.1728	7,527
Right of Way Dedicated to the City of Rio Rancho in Fee Simple	2.4558	106,974
Tract A	0.0674	2,935
Tract B	0.9284	40,441
Tract C	3.1062	135,305

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	169.54'	472.00'	20°34'50"	168.63'	S 10°00'23" E
C2	47.13'	30.00'	90°00'22"	42.43'	S 45°17'13" W
C3	88.03'	450.00'	11°12'28"	87.88'	N 05°19'12" W
C4	100.15'	792.00'	7°14'42"	100.08'	N 77°10'11" E
C5	52.40'	792.00'	3°47'28"	52.39'	N 78°53'48" E
C6	47.74'	792.00'	3°27'14"	47.74'	N 75°16'27" E
C7	39.27'	25.00'	90°00'00"	35.36'	N 45°17'02" E
C8	39.27'	25.00'	90°00'00"	35.36'	N 44°42'58" W
C9	30.77'	25.00'	70°31'44"	28.87'	N 34°58'50" W
C10	78.52'	621.00'	7°14'42"	78.47'	N 77°10'11" E
C11	53.94'	65.00'	47°32'46"	52.40'	S 07°18'16" W
C12	81.69'	646.00'	7°14'42"	81.63'	N 77°10'11" E
C13	43.82'	150.00'	16°44'12"	43.66'	S 81°54'56" W
C14	45.47'	621.00'	4°11'43"	45.46'	N 75°38'41" E
C15	33.05'	621.00'	3°02'59"	33.05'	N 79°16'02" E
C16	117.81'	75.00'	90°00'00"	106.07'	N 45°17'02" E
C17	88.42'	50.00'	101°19'20"	77.34'	S 19°35'01" E
C18	82.25'	50.00'	94°15'06"	73.28'	S 78°12'12" W
C19	31.23'	50.00'	35°47'04"	30.72'	N 36°46'43" W
C20	16.73'	50.00'	19°10'14"	16.65'	N 09°18'05" W
C21	218.63'	50.00'	250°31'44"	81.65'	S 55°01'10" W
C22	51.12'	175.00'	16°44'12"	50.94'	S 81°54'56" W
C23	22.10'	175.00'	7°14'08"	22.09'	S 77°09'54" W
C24	29.02'	175.00'	9°30'04"	28.99'	S 85°32'00" W
C25	42.03'	25.00'	96°20'00"	37.25'	N 47°52'58" W
C26	25.95'	25.00'	59°27'48"	24.80'	N 66°19'04" W
C27	16.09'	25.00'	36°52'12"	15.81'	N 18°09'04" W
C28	22.70'	125.00'	10°24'12"	22.67'	S 78°44'56" W
C29	78.54'	50.00'	90°00'00"	70.71'	N 45°17'02" E
C30	38.77'	50.00'	44°25'37"	37.81'	N 68°04'14" E
C31	39.77'	50.00'	45°34'23"	38.73'	N 23°04'14" E
C32	78.54'	50.00'	89°59'50"	70.71'	S 44°43'03" E
C33	57.06'	50.00'	65°23'12"	54.01'	S 57°01'22" E
C34	21.48'	50.00'	24°36'38"	21.31'	S 12°01'27" E
C35	39.27'	25.00'	90°00'00"	35.36'	S 44°42'58" E
C36	16.08'	25.00'	36°50'29"	15.80'	S 18°08'12" E
C37	23.19'	25.00'	53°09'31"	22.37'	S 63°08'12" E
C38	58.90'	75.00'	45°00'00"	57.40'	N 22°47'02" E
C39	58.90'	75.00'	45°00'00"	57.40'	N 67°47'02" E
C40	39.27'	25.00'	90°00'00"	35.36'	S 45°17'02" W
C41	16.09'	25.00'	36°52'12"	15.81'	S 71°50'56" W
C42	23.18'	25.00'	53°07'48"	22.36'	S 26°50'56" W
C43	22.84'	100.00'	13°05'19"	22.79'	N 06°49'42" E
C44	18.10'	100.00'	10°22'11"	18.07'	N 05°28'08" E
C45	4.75'	100.00'	2°43'08"	4.75'	N 12°00'47" E
C46	16.94'	25.00'	38°48'45"	16.61'	S 06°02'01" E
C47	111.09'	45.00'	141°26'52"	84.95'	N 45°17'02" E
C48	29.58'	45.00'	37°39'51"	29.05'	N 06°36'28" W
C49	32.84'	45.00'	41°49'09"	32.12'	N 33°08'01" E
C50	32.84'	45.00'	41°49'09"	32.12'	N 74°57'10" E
C51	15.82'	45.00'	20°08'44"	15.74'	S 74°03'54" E
C52	16.94'	25.00'	38°48'45"	16.61'	N 83°23'55" W
C53	22.84'	100.00'	13°05'19"	22.79'	N 83°44'22" E
C54	18.69'	100.00'	10°42'41"	18.67'	N 82°33'03" E
C55	4.15'	100.00'	2°22'38"	4.15'	N 89°05'43" E
C56	25.70'	100.00'	14°43'38"	25.63'	S 82°21'09" E
C57	16.61'	25.00'	38°04'17"	16.31'	S 85°58'32" W
C58	7.66'	25.00'	17°33'09"	7.63'	N 83°45'54" W
C59	8.95'	25.00'	20°31'08"	8.91'	S 77°11'57" W
C60	109.59'	45.00'	139°32'26"	84.45'	S 43°17'23" E
C61	39.28'	45.00'	50°00'47"	38.05'	S 88°03'13" E
C62	36.82'	45.00'	46°53'11"	35.81'	S 39°36'14" E
C63	33.49'	45.00'	42°38'28"	32.72'	S 05°09'36" W
C64	16.61'	25.00'	38°04'17"	16.31'	N 07°26'41" E
C65	16.36'	25.00'	37°29'14"	16.07'	N 07°44'13" E
C66	0.25'	25.00'	0°35'03"	0.25'	N 11°17'56" W
C67	20.72'	100.00'	11°52'19"	20.68'	S 05°39'18" E
C68	13.76'	100.00'	7°53'01"	13.75'	S 04°13'23" W
C69	15.42'	25.00'	35°20'05"	15.17'	N 09°30'10" W
C70	13.67'	25.00'	31°19'36"	13.50'	N 07°29'55" W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C71	1.75'	25.00'	4°00'30"	1.75'	N 25°09'57" W
C72	103.90'	45.00'	132°17'01"	82.31'	S 38°58'18" W
C73	41.56'	45.00'	52°54'35"	40.09'	S 00°42'55" E
C74	30.09'	45.00'	38°18'57"	29.54'	S 44°53'51" W
C75	32.25'	45.00'	41°03'29"	31.56'	S 84°35'04" W
C76	15.42'	25.00'	35°20'05"	15.17'	N 87°26'46" E
C77	14.16'	25.00'	32°27'38"	13.97'	N 88°52'59" E
C78	1.25'	25.00'	2°52'27"	1.25'	N 71°12'57" E
C79	19.22'	100.00'	11°00'48"	19.19'	S 75°17'08" W
C80	117.81'	75.00'	89°59'50"	106.06'	S 44°43'03" E
C81	57.03'	75.00'	43°34'16"	55.67'	S 21°30'16" E
C82	60.77'	75.00'	46°25'34"	59.12'	S 66°30'11" E
C83	41.63'	50.00'	47°42'18"	40.44'	S 56°56'22" W
C84	84.85'	671.00'	7°14'42"	84.79'	N 77°10'11" E
C85	47.66'	671.00'	4°04'10"	47.65'	N 78°45'26" E
C86	37.19'	671.00'	3°10'31"	37.18'	N 75°08'06" E
C87	28.63'	50.00'	32°48'21"	28.24'	S 16°41'03" W
C88	70.26'	50.00'	80°30'40"	64.62'	S 40°32'12" W
C89	105.39'	75.00'	80°30'40"	96.93'	S 40°32'12" W
C90	54.74'	75.00'	41°49'14"	53.54'	S 59°52'55" W
C91	50.65'	75.00'	38°41'26"	49.69'	S 19°37'35" W
C92	25.62'	50.00'	29°21'28"	25.34'	N 69°20'59" W

Line Table		
Line #	Direction	Length (ft)
L1	N 00°17'02" E	62.00'
L2	N 00°17'02" E	60.00'
L3	S 64°58'31" W	26.94'
L4	S 74°16'43" W	63.02'
L5	N 58°55'21" W	24.63'
L6	S 58°55'21" E	9.63'
L7	S 58°55'21" E	15.00'
L8	N 35°19'45" E	38.98'
L9	N 89°42'58" W	25.00'
L10	N 44°42'58" W	8.00'
L11	N 46°42'37" E	7.15'
L12	S 51°01'42" E	4.05'
L13	N 89°42'58" W	38.97'
L14	S 89°42'58" E	52.61'
L15	N 83°48'43" E	50.32'

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