



**Planning and Zoning Board  
Meeting  
City of Rio Rancho  
AGENDA  
August 27, 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=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

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.

**ELECTION OF OFFICERS**

Election of Chair and Vice Chair

**STAFF PRESENTATIONS, REPORTS AND COMMENTS**

**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.

- 1. Final Plat.** The Applicant, Mountain Hawk East Development Company, LLC., through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Mountain Hawk 40, Phase 3 Subdivision creating 5 residential lots and 1 tract zoned R-3: Mixed Residential District on the property legally described as MH40A, Block 1, Tract G. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

***Zoning, Location***

***Application***

***Authorization***

***Final Plat***

***Final Plat Checklist***

***Excerpt from Hawksite Development Agreement .png***

***Mountain Hawk Tract 30A Park .png***

- 2. Subdivision Variance.** The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a subdivision variance to the Rio Rancho Municipal Code, Chapter 155.27 Required Improvements, for the installation of sidewalks, and water and sewer mains. The request is for the proposed subdivision of Unit 10, Block 77, Lot 13. Staff contact is Michelle Costilla and staff recommends denial with findings.

***Zoning, Location.pdf***

***Authorization.pdf***

***NMED Letter.pdf***

***Plat.pdf***

***Justification Letter.pdf***

***Reproduction of Notices.pdf***

***Staff Comments.pdf***

***Findings\_of\_Fact.docx***

- 3. Preliminary/Final Plat.** The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a preliminary/final plat, which would create two R-1: Single Family Residential zoned lots from the property legally described as Unit 10, Block 77, Lot 13. Staff contact is Michelle Costilla and staff recommends denial with findings.

***Zoning, Location.pdf***

***Authorization.pdf***

***Plat.pdf***

***Reproduction of Notices.pdf***

***Staff Comments.pdf***

## **DISCUSSION AND DELIBERATION**

### **COMMENTS BY MEMBERS**

### **PUBLIC FORUM**

Any person wishing to address a board, commission, committee, or advisory body related to a non-agenda item shall register in person with the applicable City staff person. No 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 COVER PAGE

**Legislation Item: 24-220-  
00005**

**AGENDA DATE:**  
August 27, 2024

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Final Plat.** The Applicant, Mountain Hawk East Development Company, LLC., through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Mountain Hawk 40, Phase 3 Subdivision creating 5 residential lots and 1 tract zoned R-3: Mixed Residential District on the property legally described as MH40A, Block 1, Tract G. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

### BACKGROUND AND ANALYSIS:

The original Preliminary Plat for Mountain Hawk 40-A was approved by the Planning and Zoning Board on March 9, 2021. The Final Plat for Mountain Hawk 40, Phase 2 was approved by the Planning and Zoning Board on July 26, 2022.

MH40A, Block 1, Tract G was created by the Mountain Hawk 40, Phase 2 Final Plat. Tract G comprises the entirety of the Mountain Hawk 40, Phase 3 Subdivision. Phase 3 is comprised of 5 lots and 1 tract zoned R-3: Mixed Residential District, with approximately 0.9916 lot acres and 0.1190 tract acres.

The Hawksite Development Agreement contains construction start and completion dates for the infrastructure projects that will be come public and are impact fee creditable (except of the Development Agreement is attached). Tract 30A will become a public park and by the timelines agreed to in the Development Agreement construction was to be started at the the time that the Preliminary Plat for Unit 40 was submitted and to be completed when the Final Plat for Unit 40 was complete. Currently the park is under construction and not completed, but staff understands the need for shovel ready lots and is amenable in moving the Mountain Hawk Phase 3 Final Plat forward prior to completion of the construction of the park on Tract 30A. The site plan for the park is attached.

The proposed Final Plat does not dedicate any additional road miles or road acres to the City of Rio Rancho as the roads were dedicated in previous final plats.

The subject property is located within the southeast corner of the Mountain Hawk 40, Phase 2 Subdivision, accessed along Gannett Dr NE, via Talisman Rd NE, both residential roads. The Loma Barbon Master Plan lies immediately to the south of the proposed subdivision.

### I. GENERAL INFORMATION

A. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Centurylink, Sparklight, PNM, and Gas Company of New Mexico.

B. Water and Wastewater Availability: A water and wastewater availability letter was provided for Hawksite Unit 40 on June 7, 2022. Staff has verified with the Utilities Department that this approval covers Mountain Hawk 40, Phase 3.

C. Drainage: The proposed development will comply with the City of Rio Rancho development requirements. Drainage is per the Drainage Plan for Hawksite Units 37, 38, and 40, dated January 2021.

D. Roads & Sidewalks: Proposed internal streets are standard local street sections with sidewalks, previously dedicated to the City of Rio Rancho via Mountain Hawk 40, Phase 2. No new road miles or acreage are being dedicated to the City. The rights-of-way comply with the design standards for streets set out in R.O. 2003 § 155.41.

E. Recreation Facilities/Open Space: None.

F. Easements: There will be 10' Public Utility Easements on the front of all lots, except for corner lots, where the easement adjacent to the street is only 5' wide. There will be 5' Public Utility Easements on all side and rear lot lines.

Existing easements along northeast portion of MH40 Phase 3 are as follows:

- Existing 15' wide communications right-of-way easement (Easement Note 1).
- Existing 20' wide gas right-of-way and easement (Easement Note 2).
- Existing 20' wide utility easement (Easement Note 3)
- Existing 10' wide utility easement (Easement Note 4).

G. Public Site Dedications: None.

H. Vacations: None.

I. Variances: None.

## II. CONFORMANCE WITH RIO RANCHO MUNICIPAL CODE CHAPTER 155 SUBDIVISIONS

The proposed plat would be in conformance with the subdivision design standards in R.O. 2003 Chapter 155. Staff recommends the Planning and Zoning Board find this criteria has been met.

## III. CONFORMANCE WITH THE ZONING ORDINANCE

The proposed lots would comply with the dimensional standards of the R-3: Mixed Residential zoning district (detached) including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed lots would range in size from 0.1192 acres (approximately 5,192 sf) to 0.3378 acres (approximately 14,714 sf), in compliance with the 3,000 sf minimum lot area of the R-3: Mixed Residential District (detached). The proposed lots would also comply with the minimum allowable lot width of 35 ft, with a lot width range of approximately 37.58' to 45'.

Staff recommends the Planning and Zoning Board find the proposed Final Plat conforms to the requirements of R.O. 2003 Chapter 154 Planning and Zoning. Criteria is satisfied.

## IV. CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN & MOUNTAIN HAWK ESTATES MASTER 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).

**FINDING:** Staff finds the proposed Final Plat aligns with Figure 2. *Future Land Use Plan* of the Mountain Hawk Estates Master Plan, which shows an underlying land use of Low/Medium Density Residential (pg. 21 of Master Plan). Circulation on Gannett Dr NE will function as platted by Mountain Hawk 40, Phase 2. This application meets all Policy L-1 requirements, establishing a specific community character, with considerations for storm drainage, landscaping, and circulation within the City of Rio Rancho and is within a master planned area. The plat is in conformance with the Mountain Hawk Estates Master Plan. Criteria is satisfied.

V. CONFORMANCE WITH CITY POLICIES AND REGULATIONS

The Final Plat and all associated application documents were reviewed by the following departments:

Development Services Planning	No adverse comments.
Development Services Engineering	No adverse comments.
Parks, Recreation, and Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
MRMPO	No comments received.

FINDING: Criteria is satisfied.

SURROUNDING LAND USE/ZONING: Surrounding zoning includes R-3: Mixed Residential District to the north and west, M-1: Industrial and Business Park District to the south, and SU: Special Use District for Residential to the east.

NOTIFICATIONS: No legal notification necessary for Final Plat applications.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the Final Plat with the following findings and conditions:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a Final Plat.
2. The applicant has the authority to apply for a Final Plat.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The Final Plat conforms to the requirements of Rio Rancho Municipal Code (R.O. 2003) Chapter 155: Subdivisions.
2. The Final Plat conforms to the R-3: Mixed Residential zoning district requirements.
3. The Final Plat is consistent with the preliminary plat for Mountain Hawk 40 as approved by the Planning and Zoning Board on March 9, 2021.
4. Completion of infrastructure or subdivision bond and subdivision improvement agreement is required prior to recording of Final Plat.
5. Plat will be Book 35, Page 66.
6. Construction of Tract 30A park shall continue and be completed as close to the recording of the plat as feasible.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the final plat with findings and conditions.
2. Approve the final plat with modifications to the findings and conditions.
3. Deny the final plat.

4. Postpone the item and continue the public hearing to further consider testimony presented at the hearing.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: [Zoning, Location](#)

ATTACHMENT: [Application](#)

ATTACHMENT: [Authorization](#)

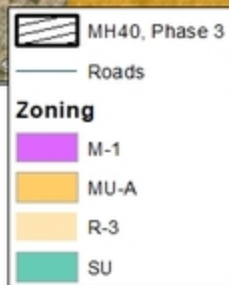
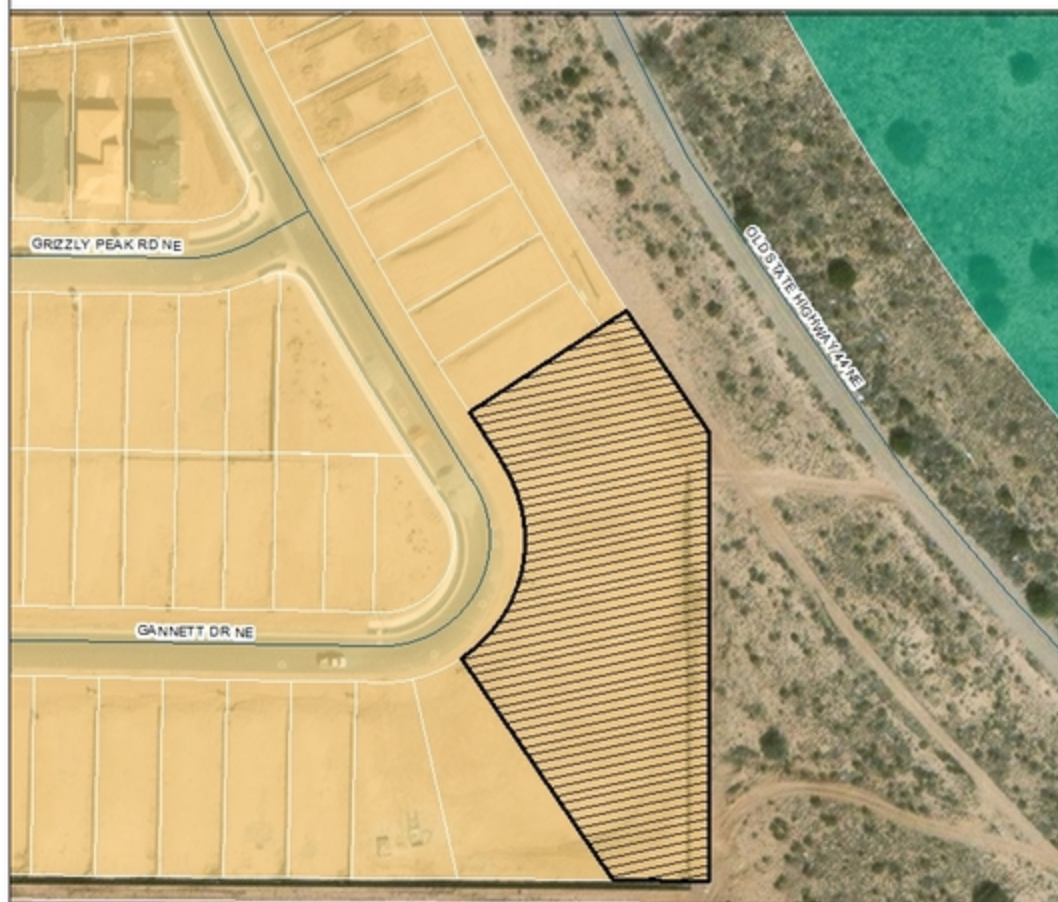
ATTACHMENT: [Final Plat](#)

ATTACHMENT: [Final Plat Checklist](#)

ATTACHMENT: [Excerpt from Hawksite Development Agreement .png](#)

ATTACHMENT: [Mountain Hawk Tract 30A Park .png](#)

# MOUNTAIN HAWK 40, PHASE 3 FINAL PLAT



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 8/2/2024

0 25 50 100 150 200 Feet





## PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
<input type="checkbox"/> Community Residential Care Facility	<input type="checkbox"/> Comprehensive Plan Amendment	<input checked="" type="checkbox"/> Final Plat	<input type="checkbox"/> Annexation
<input type="checkbox"/> Development Review Committee (DRC)	<input type="checkbox"/> Corridor Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Appeal
<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Summary Plat	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Model Home / Sales Office	<input type="checkbox"/> Master Plan Amendment	<input type="checkbox"/> Vacation of Plat	<input type="checkbox"/> Master Sign Plan
<input type="checkbox"/> Residential Child Care Facility 6 or <	<input type="checkbox"/> Specific Area Plan Amendment	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Subdivision Interpretation	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Other		<input type="checkbox"/> Subdivision Variance	<input type="checkbox"/> Variance
			<input type="checkbox"/> Zone Map Amendment
			<input type="checkbox"/> Zoning Certification
			<input type="checkbox"/> 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: MOUNTAIN HAWK EAST DEVELOPMENT COMPANY, LLC		Phone: 505-892-9200
Address: 409 NM HWY 528 NE		E-Mail: BRYANA@ASWINC.COM
City: RIO RANCHO	State: NM	Zip: 87124
Proprietary Interest: OWNER	List Owners: MOUNTAIN HAWK EAST DEVELOPMENT COMPANY LLC	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name: HUITT-ZOLLARS, INC.		Phone: 505-892-5141
Address: 333 RIO RANCHO DRIVE NE, SUITE 101		E-Mail: NVILLA@HUITT-ZOLLARS.COM
City: RIO RANCHO	State: NM	ZIP Code: 87124

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

FINAL PLAT FOR MOUNTAIN HAWK 40 PHASE 3

### SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : RIO RANCHO HAWKSITE	Block(s): TRACT 40	Lot(s):
Existing Zoning: R-3	Proposed Zoning: R-3	
No. of existing lots: 1 TRACT	No. of proposed lots: 5	Total area of site (acres) 1.11

### 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: NINA VILLA	Applicant:	Agent: HUITT-ZOLLARS, INC.
Signature:		Date: 7-19-24

### FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



**MOUNTAIN HAWK EAST DEVELOPMENT COMPANY, LLC**

409 NM Hwy 528 NE, Rio Rancho, NM 87124  
505-892-9200

July 18, 2024

Mr. Brian Babyak  
Planning and Zoning Manager  
Development Services Dept.  
City of Rio Rancho  
3200 Civic Center Circle NE  
Rio Rancho, NM 87144

Dear Brian:

Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following properties:

Mountain Hawk Tract 40

If you have any questions regarding the request please feel free to contact me at 505-389-2191.

Sincerely,

Bryan Aragon, PE  
Land Development Coordinator



## CHECKLIST FOR SUBMITTAL OF FINAL PLATS

### Required Documentation

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The application will not be accepted for review until the documentation listed below is provided and deemed complete. "Yes" indicates that the information is provided and complete. "No" indicates the information was not provided and is not applicable. All "No" responses shall be clarified in writing by the applicant or agent.

### Letter of Authorization – 1 copy

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Yes No

- Letter of authorization from applicant if application is to be managed by another representative. Letter must include name of subdivision, agent and signature of applicant.

### Findings of Fact – 7 copies

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Yes No

- Copy of Findings of Fact noting conditions of preliminary plat approval.

**Final Plat** – 7 paper copies (folded) *NOTE: An additional 15 copies will need to be provided after staff has reviewed and the plat is scheduled for PZ Board hearing.*

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Yes No

#### A. IDENTIFICATION

- Subdivision name
- Date of Plat
- Scale (1 inch to 200 feet, preferably 1 inch to 100 feet), Equivalent and Graphic
- North Arrow
- Location Map, Scale, North Arrow & Reference to Zoning Atlas Page #
- Reference To:
- (A) Federal Section
- (B) Projected Section
- (C) Land Grant
- (D) County and City Control Systems

Yes No

Disclosure Statement

**B. MONUMENTS**

Subdivision Control Monuments

(A) Centerline Monumentation

(B) Block Control with Surveyor's Registration Number

(C) Type of Corners Found or Set

(D) Bond

Permanent Survey Monuments

(A) Type of Monuments

(B) Monuments, Existing or Set

(C) X and Y Coordinates (N.M.S.P.)

(D) Reference Zone

(E) Delta Alpha

(F) Combined Ground to Grid Factor

(G) Bond

Bench Marks

(A) Location Found or Set

(B) Bond

**C. PERIMETER**

Written Description, Metes & Bounds

Bearing in Degrees, Minutes & Seconds

Distances in Feet & Hundredths

Record Distances & Bearings

Yes No

- Measured Distances & Bearings
- Basis for Bearings Shall Be Grid or Rotation Factor to Grid
- Total Gross Acreage of Subdivision
- Property Corners Found or Set
- Property Lines Eliminated Shown as Dashed Line

**D. BLOCK AND LOT**

- Block Identification
- Lot Identification
- Bearing on Non-Radial Lines
- Bearing on Non-Perpendicular Lines
- Distances Lot Perimeter

**E. ADJACENT LAND**

- The Location and Dimension of Streets that Intersect the Boundary or Boundary Streets of the Subject Subdivision
- Reference to Recorded Subdivision Plats or Adjoining Lands by Recorded Name File, Date and City Book and Page Number
- Graphic Presentation, by Dashes, Lines or Lots Contiguous to Boundary of Subdivision

**F. STREET RIGHT-OF-WAY**

- Name of Streets (Ensure No Duplication)
- Right-of-Way Width Noted
- Centerline Data, Tangent Distances & Bearings
- Centerline Data, Curves, Radius, Central Angles, Arc
- Mileage of Streets Created: Total, Full-Width, Half-Width
- Street Vacation Application Number

NA

Yes No

- <sup>NA</sup> Private Streets or Access Easements so Designated
- <sup>NA</sup> Identify Private Way or Street Documentation Addressing Lots Serviced and Maintenance Responsibility

**G. EASEMENTS**

- All Easements of Record or Apparent are Shown
- Location by Distance & Bearing
- Dimension
- Purpose
- Proposed Shown in Dashed Lines and Labeled
- Existing Shown in Dashed Lines and Labeled with Recordation Data
- Vacated Shown in Ghost Lines and Labeled
- Apparent Shown and Labeled
- Limitations

**H. DRAINAGE RIGHT-OF-WAY**

- Location
- Dimension

**I. PUBLIC AREAS**

- Location
- Dimension
- Purpose

**J. FREE CONSENT**

- Statement that the subdivision is with free consent and in accordance with the desires of the subdivider

Yes No

**K. CERTIFICATIONS**

- Jurisdictional Affidavit
- Certification and seal of surveyor that plat was prepared in accordance with the Minimum Standards for Surveying in New Mexico and the City of Rio Rancho subdivision ordinance
- Jurisdictional affidavit by surveyor stating that the subject property is within the platting jurisdiction of the City of Rio Rancho
- Certification by either the Planning and Zoning Board Chairman (if plat approved at a Planning and Zoning Board hearing) or by the Development Services Department Director (if approved administratively as a summary plat)
- Certification of City Clerk noting date plat was approved by the Planning and Zoning Board or by the Development Services Department Director (whichever is applicable)
- Certification of franchised utility companies (Cable One, Qwest, PNM) and Department of Public Works
- Certification of County Treasurer that all current and previous property taxes have been paid in full
- Certification of County Clerk noting date, time and recording information

**L. DEDICATION**

- Signed statement by the subdivider dedicating street and drainage right-of-way and other appropriate lands for public use in fee simple and granting all required easement for public use
- Notary signature

**M. ACKNOWLEDGMENT**

- Acknowledged in the manner required for the acknowledgment of deeds
- Notary signature

**N. SURVEY**

- Certification by land surveyor meeting the minimum requirements for monuments and surveys of Chapter II.6 of the City of Rio Rancho Design Process Manual

Yes No

Digital submittals are required and must contain a minimum of the following:  
Coordinate system

(A) Data shall be ground coordinates tied to the New Mexico State Plane,  
Central Meridian: Datum, NAD83

(B) The submittal shall disclose the coordinate system and datum

Content

(A) A single drawing in model space showing only parcel lines, street center  
lines, and easement lines

(B) Only Final Plat data will be provided

(C) Parcel lines shall be in one separate layer

(D) Street center lines shall be in one separate layer

(D) Access easement lines and all other easements that are 20 feet wide or  
greater shall be in a second separate layer

(E) All other easement lines shall be in a third separate layer

File format

(A) DXF files in ASCII format. Other formats directly compatible with  
Arc/Info GIS may be accepted (i.e. shapefiles, coverage export files)

(B) Files may be transmitted as PDF attachments to e-mail, Flash Drive or  
CD-ROM

(C) One hard copy of the final plat shall accompany the electronic submittal

File names

(A) <DSD Project#>.dxf used as a standard naming convention

Quality assurance

(A) DXF file submitted shall be validated by a Records and GIS Section  
designee as a condition to final sign-off

(B) Validation review will be performed in a timely manner

**Final Construction Plans – 7 copies**

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- Yes No **ON FILE**
- Final construction plans (100% complete) drafted to the standards noted in the Development Process Manual and revised to address any comments from preliminary plat review.

**Drainage Report – 3 copies**

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- Yes No **ON FILE**
- Drainage Report drafted to the standards noted in the Development Process Manual and revised to address any comments from preliminary plat review.

**Soils Analysis – 3 copies**

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- Yes No **ON FILE**
- Soils analysis (geotechnical report) drafted to the standards noted in the Development Process Manual and revised to address any comments from preliminary plat review.

**Traffic Impact Analysis – 3 copies**

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- Yes No **ON FILE**
- Traffic impact analysis drafted to the standards noted in the Development Process Manual and revised to address any comments from the preliminary plat review.
- Documentation of New Mexico Department of Transportation (NMDOT) approval of access to state highway. **NA**

**Infrastructure List – 7 copies**

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- Yes No
- List of all proposed onsite and offsite infrastructure improvements within public right-of-way or publically-held easements, including, but not limited to roads (street name, description of improvement, point of beginning and end), drainage (proposed legal description, description of improvement, location), and water and wastewater lines (line size, point of beginning and end).

**Engineer's Opinion of Probable Cost – 2 copies**

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- Yes No
- List of costs of proposed infrastructure improvements (onsite and offsite) drafted to the standards noted in the Development Process Manual. This cost estimate will form the basis of the financial guarantee (if applicable). **NA**

**Development Agreement – 3 copies**

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Yes No **ON FILE**  
  Development Agreement drafted to the standards noted in the Development Process Manual (if applicable).

**Covenants – 3 copies**

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Yes No **ON FILE**  
  Draft of covenants that notes private improvements to be maintained by association and dues to be paid by association members if proposing privately owned and maintained infrastructure typically dedicated to and maintained by the City (if applicable)

**Signature**

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**I have reviewed the Final Plat Application and find it complete.**

Name (Print): NINA VILLA  Applicant  Agent

Signature:  Date: 7-19-24

**For Office Use Only**

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**I have reviewed the Final Plat Application and find it  complete  incomplete.**

Name (Print): \_\_\_\_\_ Title: \_\_\_\_\_

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

Case No.: \_\_\_\_\_

If incomplete, date that application was brought into compliance: \_\_\_\_\_

\_\_\_\_\_

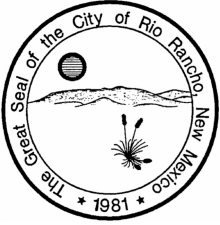
Hawksite  
Preliminary Engineer's Opinion of Probable Costs  
**Exhibit B**  
**Parks**  
7-Jul-15

**\*\* PARK IMPACT FEE CREDITABLE IMPROVEMENTS \*\***

Construction Phase	Acreage	Land Cost/AC	Total Land Coverage to Site Improvement				10% Contingency	Total Park Cost	Construction Completion	
			Total Cost	Improved	Cover/SP	Total Improvement Cost			Start	Finish
Unit 60	8.23	\$ 45,000	\$ 375,950	4.374(3)	\$ 2	\$381,084.82	\$38,108.48	\$799,211.58	Prelim. Plat Unit 60	Final Plat Unit 60
Unit 40	6.94	\$ 45,000	\$ 312,300	4.374(3)	\$ 2	\$381,084.82	\$38,108.48	\$731,471.58	Prelim. Plat Unit 40	Final Plat Unit 40
<b>Total Area</b>	<b>15.2</b>	<b>Subtotal</b>						<b>\$ 1,520,992</b>		

<b>Total Combined - Impact Fee Park Improvements</b>	<b>Total:</b>	<b>\$ 1,520,992</b>
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## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-280-  
00003**

AGENDA DATE:  
August 27, 2024

DEPARTMENT:  
Development Services

SUBJECT:  
**Subdivision Variance.** The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a subdivision variance to the Rio Rancho Municipal Code, Chapter 155.27 Required Improvements, for the installation of sidewalks, and water and sewer mains. The request is for the proposed subdivision of Unit 10, Block 77, Lot 13. Staff contact is Michelle Costilla and staff recommends denial with findings.

### BACKGROUND AND ANALYSIS:

The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., requests approval of a subdivision variance to the Rio Rancho Municipal Code, Chapter 155.27 Required Improvements, for the installation of sidewalks, and water and sewer mains. The request is for the proposed lot split of Unit 12, Block 75, Lot 64, without improvements. The preliminary/final plat for the split of Unit 10, Block 77, Lot 13 into two lots will be heard concurrently under case no. 24-210-00006. All attachments can be found under this case.

The subject property is addressed as 2309 14th St. SE, is located on a residential road and is approximately 530 feet north of the City's southern boundary (see attached location map). The property is zoned R- 1: Single Family Residential per Ordinance No. 83-064 and is within the Unit 10 Overlay Zone and Specific Area Plan. It is also located within Special 17 Assessment District (SAD) 7A, but in an area which was not assessed for installation of central sanitary sewer and water – only for paved roadways and drainage.

The applicant requests a subdivision variance to Rio Rancho Code of Ordinances (R.O. 2003) §155.27, which states:

"(A) Authorization. Receipt of the signed copy of the preliminary plat is authorization for the subdivider to proceed with the minimum improvements required by these regulations. Prior to the construction of any improvements or to the submission of any bond, the subdivider shall furnish the Planning Board with all plans and data necessary for the construction of the improvements. These plans shall be examined by the Planning Board and will be approved if in accordance with the following requirements. Following the approval, construction can be started or the amount of bond determined.

...

(C) Installation of improvements. The subdivider may prepare and secure approval of the preliminary plat and then install improvements in the area covered by the preliminary plat. Improvements must be installed only in that part of the area for which a final plat will be submitted for approval and filing. The improvements to be installed shall include the following"

...

(3) Sidewalks.

(a) Provision. Sidewalks shall be provided by the developer and shall be constructed under the supervision of the City Engineer and subject to his approval in accordance with the design standards of the city.

(b) Warrants. Sidewalks shall be required on both sides of arterial and collector streets when abutting land zoned R-3, C-1, C-2, M-1 or SU, and when abutting church and school grounds. Sidewalks shall be required on both sides of all local streets in a logical manner to facilitate pedestrian access.

(4) Water and sewer mains. The subdivider shall make necessary arrangements to serve each lot from water and sewer mains of the central systems serving the city, where feasible and in conformity to Governing Body policy. Where, for any reason, municipal services cannot be provided, the subdivider shall present evidence that adequate water and sewer service to each lot will be provided in compliance with the requirements of the New Mexico Environmental Improvement Division and in conformity to the standard specifications of the city construction of all water and sewer lines shall be under the supervision and approval of the City Engineer.

...

(6) Street lighting.

(a) Street lighting shall be provided by the developer and shall be constructed under the supervision of the City Engineer and subject to his approval in accordance with the design standards provided herein."

REVIEW CRITERIA:

R.O. 2003 § 155.60 (A) addresses variances, stating "Variance from the strict application of design standards may be allowed in cases where unusual conditions exist, or a variance would provide an improved design. Financial gain, loss or monetary savings cannot be considered solely as a basis for a variance request."

In a justification letter provided by the applicant, it states:

"The subdivision of this lot would bring the property to the same size of the existing half-acre lots in the surrounding area, allowing for the development of two homes instead of just one. This change would be consistent with the neighborhood's current development pattern and would also enhance the community by making better use of the available land. This request is based on our desire to align with the community's character and bring consistency to the overall design of the area."

Staff finds that the surrounding properties do not have improved streets and street lights, and a variance request to these requirements is not unreasonable though there is not a specific hardship described.

Staff finds that although there are similar sized lots to the desired subdivision in the area, there is not an unusual condition of this property that separates it from other properties that must comply with the subdivision ordinance, and the resulting lot configuration would not result in an improved design. The applicant has not provided sufficient justification for the subdivision that meets the requirements of R.O. 2003 § 155.60(A). The subject property is a buildable lot, therefore the applicant is not being denied the reasonable use of their land.

Policy A-2 of the City's Comprehensive Plan (Chapter 3, Annexations, Antiquated Platting & Addressing) is to, "Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots." Creating an additional buildable lot in an area on a "substandard road" that lacks access to potable water and sanitary sewer is not in alignment with the Comprehensive Plan. Allowing for the subdivision of a lot that does not have access to the necessary infrastructure furthers the proliferation of substandard antiquated platted

lots which diminishes the overall aesthetic of the City. The requirements of R.O. 2003 § 155.28(B) (2) read in part "...relief may not be granted if it is detrimental to the public good or impairs the intent and purpose of these regulations or the desirable developments of the community in accordance with plans and policies of the Governing Body."

Staff recommends the Planning and Zoning Board find that the subdivision variance request does not meet the criteria for a variance provided in R.O. 2003 § 155.60(A) as no unusual conditions exist, and a variance would not provide an improved design for the neighborhood and City.

**NOTIFICATIONS:**

Neighboring property owners within 100 feet of the subject property were notified of the Planning and Zoning Board hearing by a certified mailed letter and property owners between 100-300 feet were notified by postcard. A notice sign was erected on the subject property on August 20, 2024 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on August 12, 2024. All notification requirements for this hearing have been met.

**NOTIFICATIONS:**

Neighboring property owners abutting the subject property were notified of the Planning and Zoning Board hearing by first class mail. A notice sign was erected on the subject property on August 20, 2024 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on August 12, 2024. All notification requirements for this hearing have been met.

**INTERDEPARTMENTAL/INTERAGENCY REVIEW:**

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

**IMPACT:**

The Development Services Department recommends denial of the subdivision variance request subject to the findings set forth below:

**GENERAL FINDINGS OF FACT:**

1. In accordance with R.O. 2003 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

**SPECIFIC FINDINGS OF FACT FOR DENIAL:**

1. The applicant has not provided adequate justification for a Subdivision Variance, in accordance

with the criteria set forth in R.O. 2003 § 155.60.

2. The applicant has not provided adequate justification for a modification or exception to the subdivision requirements as required by R.O. 2003 §155.28(B).

3. The land which is proposed to be subdivided is a buildable lot and subdivision is not necessary for its development.

If the Planning & Zoning Board determines that due to practical difficulty or unnecessary hardship beyond financial gain or loss that the applicant adequately meets the criteria for granting a variance, then the following specific findings and conditions are recommended:

**SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:**

1. The applicant has adequately addressed the criteria for granting a subdivision variance as set forth in R.O. 2003 §155.60.

2. A variance to R.O. 2003 §155.27 Required Improvements is approved.

**ALTERNATIVES:**

The Planning and Zoning Board may:

1. Approve the subdivision variance with findings.

2. Approve the subdivision variance with amendments to the findings.

3. Deny the subdivision variance.

4. Postpone action on the subdivision variance to allow for further review and information.

**DEPARTMENT RECOMMENDATION:**

The Development Services Department recommends the Planning and Zoning Board deny the requested subdivision variance.

ATTACHMENT: [Zoning, Location.pdf](#)

ATTACHMENT: [Authorization.pdf](#)

ATTACHMENT: [NMED Letter.pdf](#)

ATTACHMENT: [Plat.pdf](#)

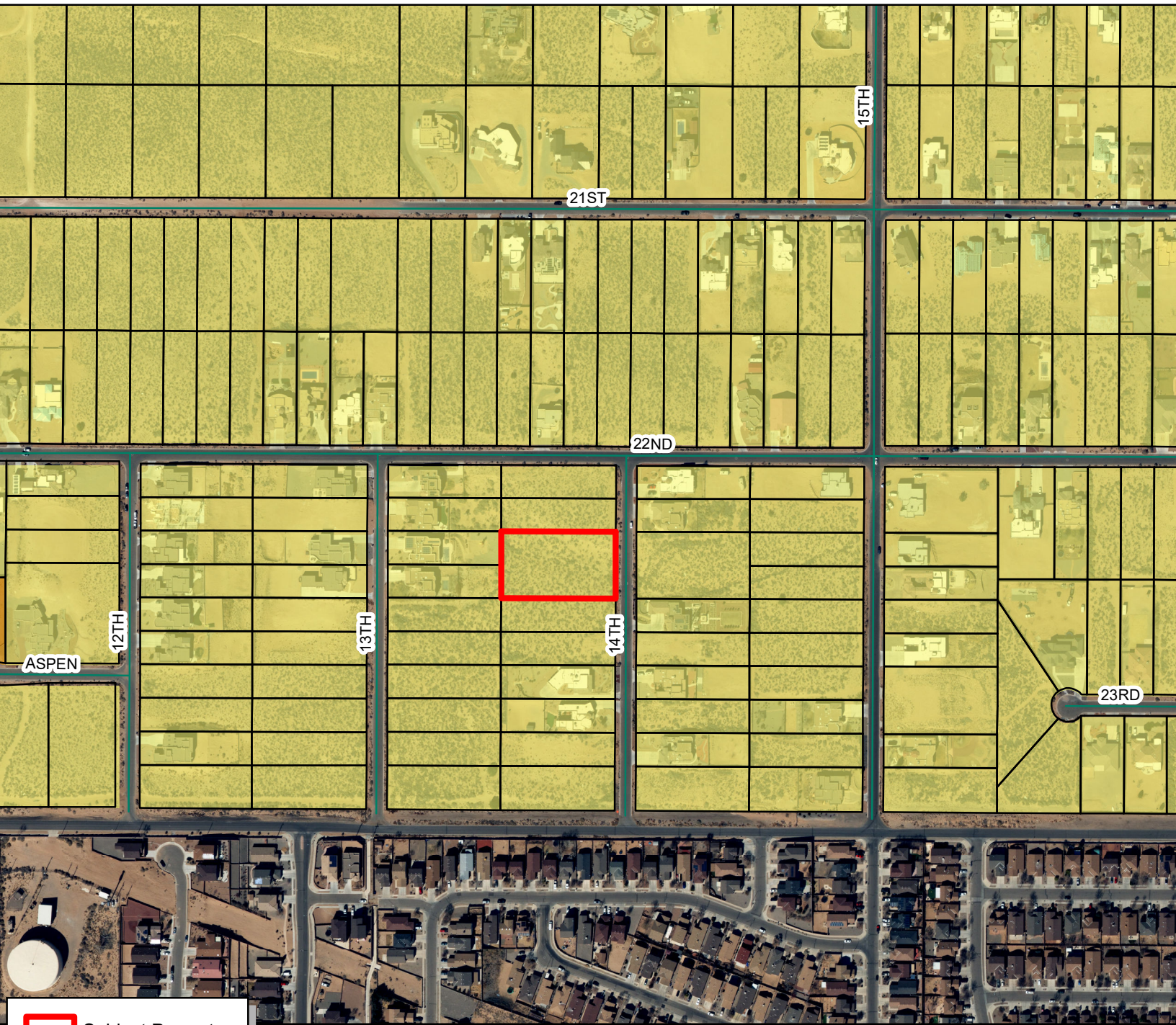
ATTACHMENT: [Justification Letter.pdf](#)

ATTACHMENT: [Reproduction of Notices.pdf](#)

ATTACHMENT: [Staff Comments.pdf](#)



ATTACHMENT: [Findings\\_of\\_Fact.docx](#)

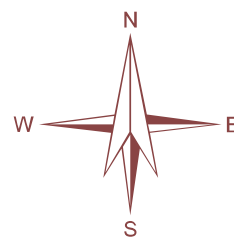
# UNIT 10, BLOCK 77, LOT 13



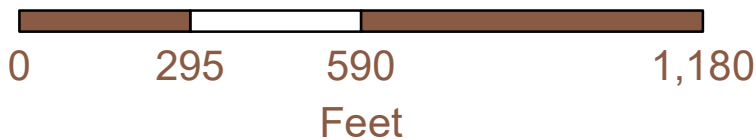
 Subject Property

### Zoning

-  R-1
-  R-4



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.



John R. Marciante and Katie B. Esterly  
2115 Violeta Circle SE  
Rio Rancho, NM 87124

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

**RE: Letter of Authorization**

To Whom it may concern,

We, John R. Marciante and Katie B. Esterly, owners by warranty deed of the below property, do hereby give CSI - Cartesian Surveys, Inc. authorization to represent us as agent for the summary plats and any platting related actions, to subdivide our existing lot into two new lots, granting easements where necessary. These properties are described as:

Lot 13, Block 77 of Rio Rancho Estates Unit 10, vacant land located at 2309 14<sup>th</sup> Street SE near the intersection of 14<sup>th</sup> Street and 22<sup>nd</sup> Ave SE, in the City of Rio Rancho, Sandoval County.

Thank You,

John R. Marciante, Owner

05/15/24

Date

Title is transferred to John R. Marciante alone.  
County has warranty deed on record.



**MICHELLE LUJAN GRISHAM**  
**GOVERNOR**

**JAMES C. KENNEY**  
**CABINET SECRETARY**

August 5, 2024

Mr. Brian Babyak, AICP  
Planning and Zoning Division Manager  
City of Rio Rancho  
Planning and Zoning Division

Mr. Babyak,

As per your request, please see below a brief summary of how the property located at 2309 14th St. SE (Lot 13), Rio Rancho may be appropriate for liquid waste systems given the proposed lot split.

20.7.3.301.C -A conventional treatment system shall not be installed on a lot sized smaller than 0.75 acre, where there is not an established on-site liquid waste system, except as otherwise provided in Subsection G of 20.7.3.301 NMAC.

This means that In order to Install a conventional septic on undeveloped land, the lot size must be at least 0.75 acres.

Wastewater systems for the newly created lots will need to utilize an Advanced Treatment System (ATS) with conventional disposal drain field. The ATS will reduce the Nitrogen levels in the treatment tank prior to further treatment which occurs in the natural soil environment.

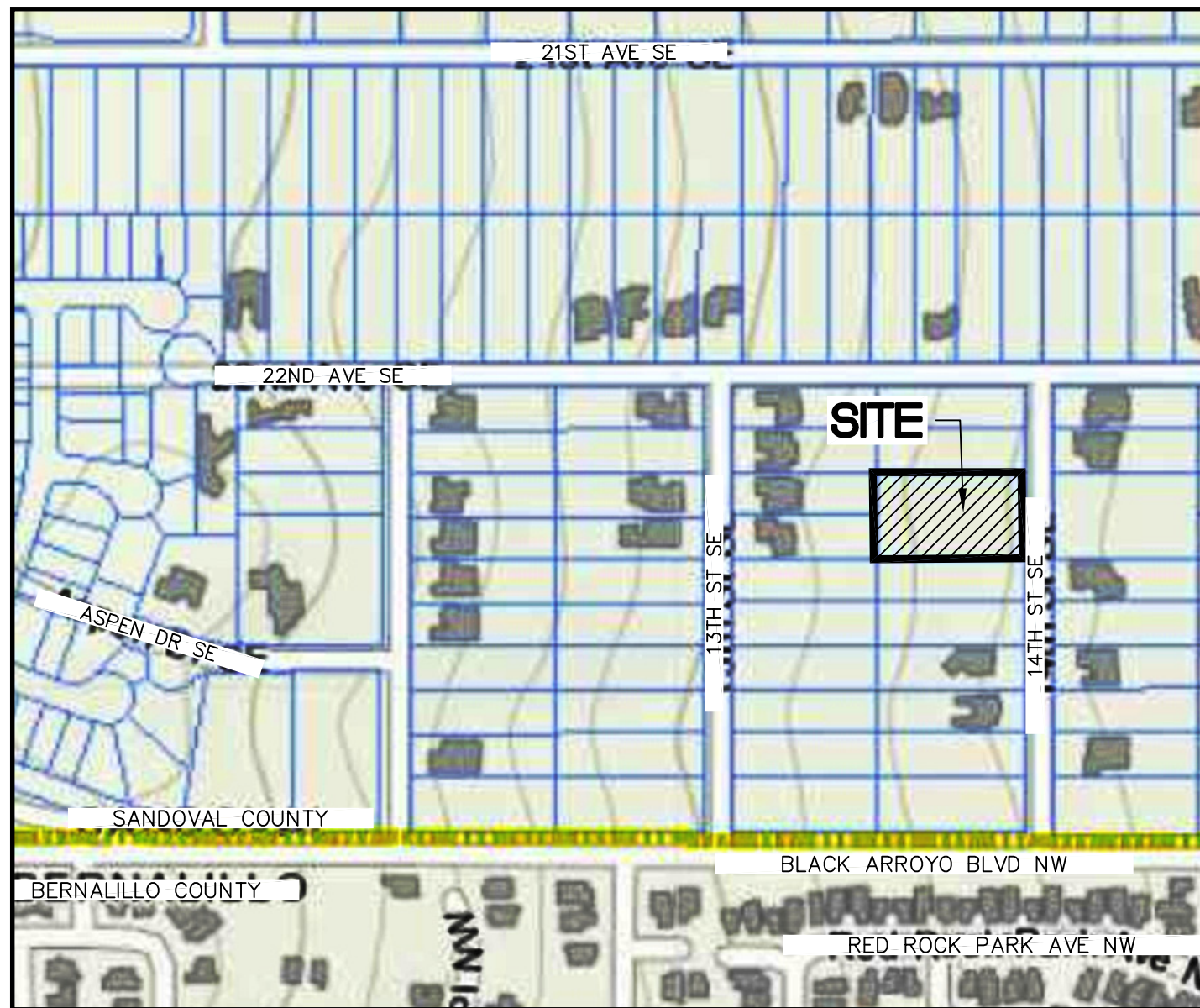
A review of the lot sizes in the area shows that neighboring lots are 0.5 acres and developed with on-site septic systems and on-site wells. A well is proposed to serve both lots (well share) and will be located on the front (NE corner) of Lot 13-B. This will allow for the required 100 ft. set back from well to wastewater system(s).

The Real Estate Broker for the proposed lot being split has employed Atlas Pumping and they have reviewed the proposed lot split and Atlas has affirmed that the split can be accomplished within the required wastewater regulations.

Please contact me if you have any further questions regarding this matter.

Sincerely,

Edward M. Fox  
Staff Manager  
Environmental Health Bureau  
State of New Mexico  
Environment Department  
District 1



Vicinity Map

N.T.S.

**Notes**

- FIELD SURVEY PERFORMED IN APRIL 2024.
- ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
- THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 35, TOWNSHIP 12 NORTH, RANGE 2 EAST, NMPM, WITHIN THE TOWN OF ALAMEDA GRANT.
- THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
- SUBDIVISION DATA
 

NUMBER OF LOTS REPLATTED:	1
NUMBER OF LOTS CREATED:	2
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	0.9999 ACRES
- THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND-CENTRAL ZONE), USING A GROUND TO GRID FACTOR OF 0.9996692457, WITH AN ORIGIN OF (0,0).

**Documents**

- PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON MAY 13, 1968, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 75.
- WARRANTY DEED FOR LOT 13, BLOCK 77, RRE UNIT 10 FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON APRIL 24, 2023, IN BOOK 426, PAGE 7516, DOC. NO. 2023007516.
- REAL ESTATE CONTRACT FOR LOT 13, BLOCK 77, RRE UNIT 10 FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON APRIL 3, 2024, IN BOOK 427, PAGE 6879, DOC. NO. 2024006879.

**Indexing Information**

Section 35, Township 12 North, Range 2 East, N.M.P.M.  
 as Projected into the Town of Alameda Grant  
 Subdivision: Rio Rancho Estates, Unit 10  
 Owner: John R. Marciante and Katie B. Esterly  
 UPC #: 1-011-067-016-090

**Filing Information**

STATE OF NEW MEXICO }  
 COUNTY OF SANDOVAL } SS  
 THIS INSTRUMENT WAS FILED FOR RECORD ON  
 \_\_\_\_: \_\_\_\_ AM/PM, \_\_\_\_\_, 20\_\_\_\_  
 RECORDED IN VOLUME \_\_\_\_\_, OF RECORDS OF SAID  
 COUNTY, FOLIO \_\_\_\_\_  
 BY: \_\_\_\_\_  
 DEPUTY

**Purpose of Plat**

- SUBDIVIDE BY LOT LINE CREATION AS SHOWN HEREON.
- GRANT EASEMENTS AS SHOWN HEREON.

**Legal Description**

LOT NUMBERED THIRTEEN (13) IN BLOCK NUMBERED SEVENTY-SEVEN (77), UNIT 10, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID RIO RANCHO ESTATES, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON MAY 13, 1968, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 75.

**Public Approvals**

DEVELOPMENT SERVICES DEPARTMENT  
 APPROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
 AMY RINCON, DIRECTOR

CITY CLERK'S CERTIFICATE:

I, NOEL DAVIS-WESTLAKE, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED ADMINISTRATIVELY BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
 NOEL DAVIS-WESTLAKE, 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

**Summary Plat for  
 Lots 13-A and 13-B, Block 77  
 Rio Rancho Estates Unit 10  
 Being Comprised of  
 Lot 13, Block 77  
 Rio Rancho Estates Unit 10  
 City of Rio Rancho  
 Sandoval County, New Mexico  
 June 2024**

**Plat 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.R.P.S. No. 18374



**Surveyor's Certificate**

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

\_\_\_\_\_  
 BRIAN J. MARTINEZ DATE  
 N.M.R.P.S. No. 18374



**CSI-CARTESIAN SURVEYS INC.**

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

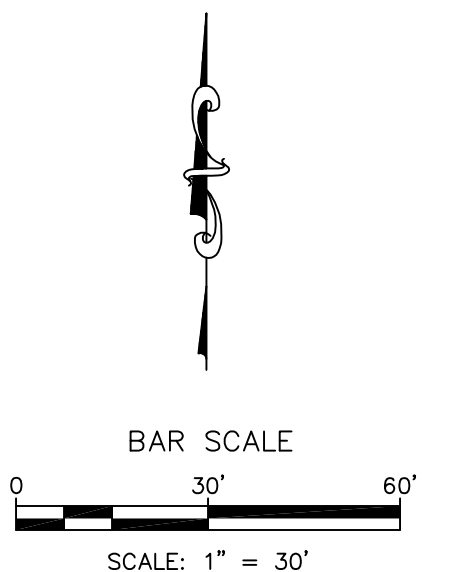
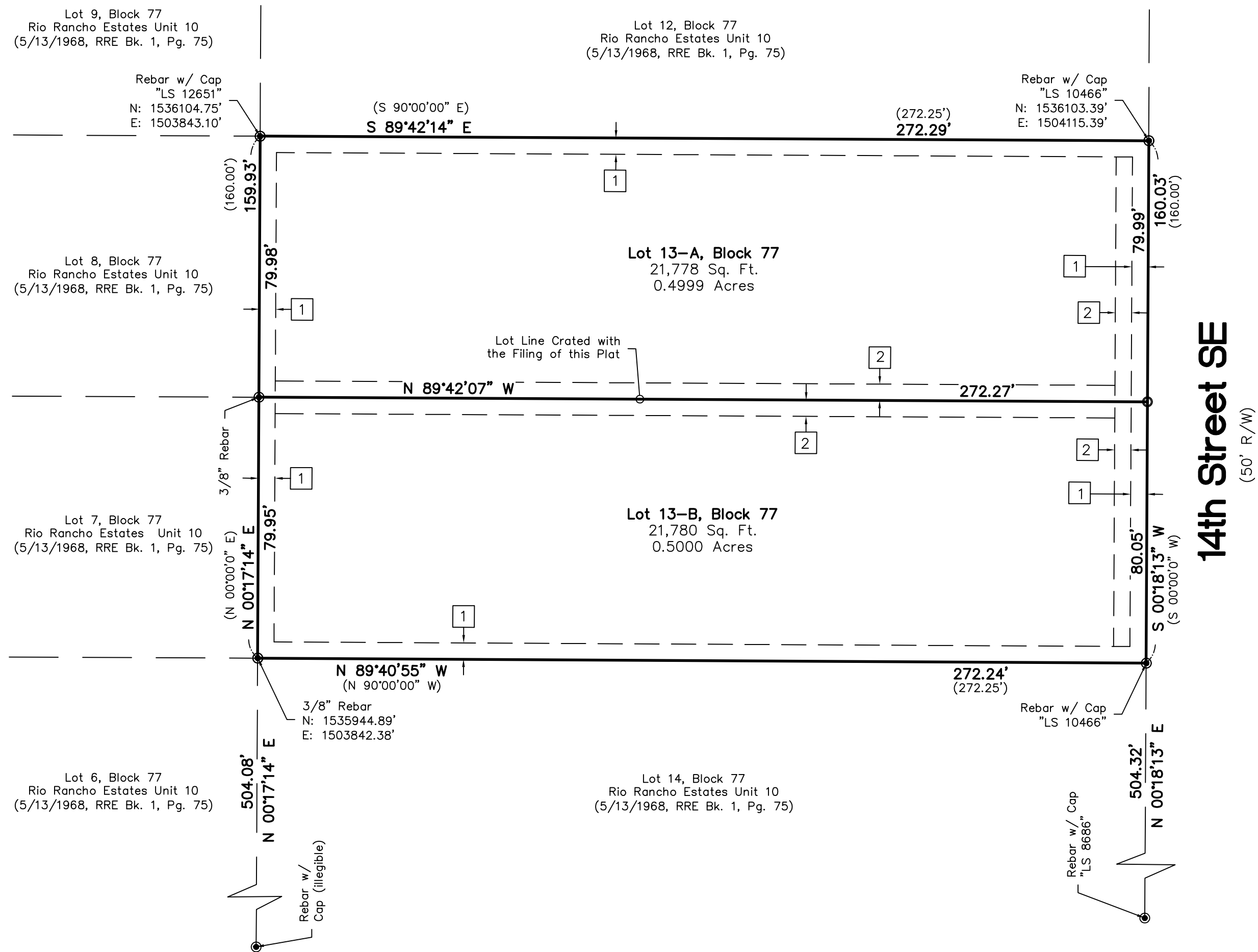
**Easement Notes**

- 1 EXISTING 5' P.U.E. (05/13/1968, RRE BK 1, PG 75)
- 2 5' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT

**Summary Plat for  
Lots 13-A and 13-B, Block 77  
Rio Rancho Estates Unit 10  
Being Comprised of  
Lot 13, Block 77  
Rio Rancho Estates Unit 10  
City of Rio Rancho  
Sandoval County, New Mexico  
June 2024**

**Legend**

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (5/13/1968, RRE BK 1, PG 75)
●	FOUND MONUMENT AS INDICATED
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED



**CSI-CARTESIAN SURVEYS INC.**

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



Dear Members of the Zoning and Planning Department,

We are writing to formally request a variance under Chapter 155.60 of the Rio Rancho Zoning Code, which allows for a variance from the application of design standards in cases where unusual conditions exist or where a variance would result in an improved design. We seek this variance to subdivide our 1-acre lot located at 2309 14th Street SE, Rio Rancho, NM 87124, into two .5 acre lots. The subdivision of this lot would bring the property to the same size of the existing half-acre lots in the surrounding area, allowing for the development of two homes instead of just one. This change would be consistent with the neighborhood's current development pattern and would also enhance the community by making better use of the available land. This request is based on our desire to align with the community's character and bring consistency to the overall design of the area. We kindly request the Department to review this variance application favorably, considering the alignment with surrounding lot sizes and the potential benefits of the proposed subdivision.

Thank you for your time and consideration. We are happy to provide any additional information or meet with you to discuss this request further.

Sincerely,

Tony and Stephanie Leon



# 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

RE: Preliminary/Final Plat & Subdivision Variance, Case No. 24-210-00006, 24-280-00003  
Unit 10, Block 74, Lot 13

Dear Property Owner:

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

The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc. request approval of a preliminary/final plat and a variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2309 14<sup>th</sup> st SE, legally described as Unit 10, Block 74, Lot 13. It is zoned R-1: Estate Residential and is approximately 1.00 acre.

The **Planning and Zoning Board** will consider this request at a public hearing on **Tuesday, August 27, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below**.

On the back of this letter is a location map of the project, with the property identified with a red 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.rnm.gov](http://www.rnm.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=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>  
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

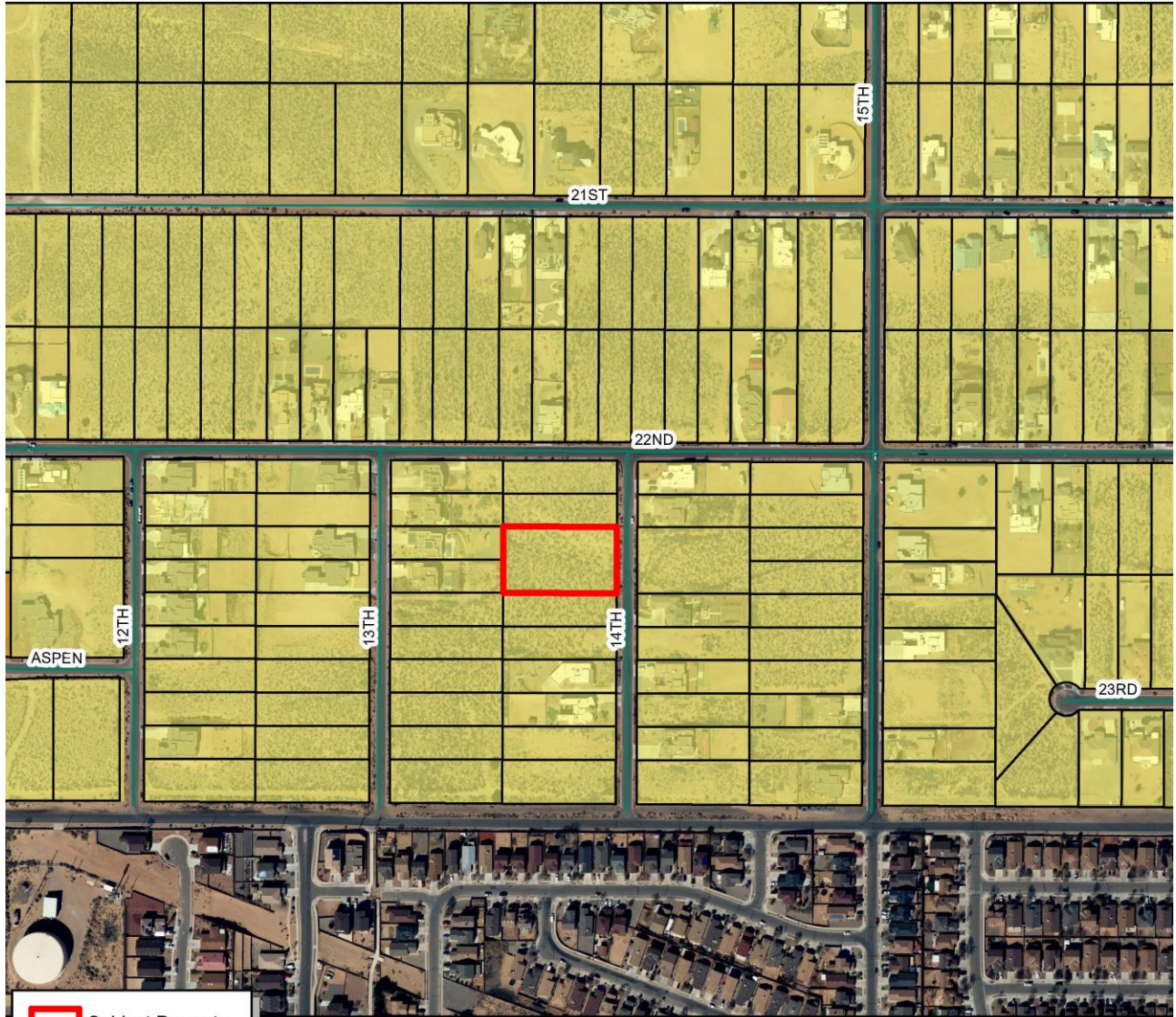
Please contact me via e-mail me at [mcostilla@rnm.gov](mailto:mcostilla@rnm.gov) or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, [www.rnm.gov](http://www.rnm.gov), the Friday before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

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

Respectfully,

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

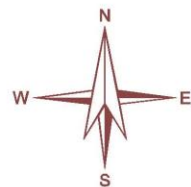
## UNIT 10, BLOCK 77, LOT 13



**Subject Property**

**Zoning**

- R-1
- R-4





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) and In-Person  
at City Hall in Council  
Chambers, 3200 Civic Center  
Circle NE, Rio Rancho, NM  
87144

**Date:** **August 27, 2024**

**Time:** 6:00PM

**Staff Contact:** Michelle Costilla  
(505)896-8362 [mcostilla@rrnm.gov](mailto:mcostilla@rrnm.gov)



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

## NOTICE OF PUBLIC HEARING

**Meeting:** Planning & Zoning Board

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87144

**Date:** **August 27, 2024**

**Time:** 6:00PM

**Staff Contact:** Michelle Costilla  
(505)896-8362 [mcostilla@rrnm.gov](mailto:mcostilla@rrnm.gov)

**Preliminary/Final Plat & Subdivision Variance, Case No. 24-210-00006, 24-280-00003**

You are receiving this notice because your property is near a site where a land development decision is required by the Planning and Zoning Board. The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a preliminary/final plat and a variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2309 14th st SE, legally described as Unit 10, Block 74, Lot 13. It is zoned R-1: Estate Residential and is approximately 1.00 acre

*You may join the meeting from your computer, tablet or smartphone at:*

<https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode:

026819 Join via phone: 1-253-215-8782 US



**Preliminary/Final Plat & Subdivision Variance, Case No. 24-210-00006, 24-280-00003**

You are receiving this notice because your property is near a site where a land development decision is required by the Planning and Zoning Board. The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a preliminary/final plat and a variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2309 14th st SE, legally described as Unit 10, Block 74, Lot 13. It is zoned R-1: Estate Residential and is approximately 1.00 acre.

*You may join the meeting from your computer, tablet or smartphone at:*

<https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode:

026819 Join via phone: 1-253-215-8782 US



NEW MEXICO'S LEADING NEWS SOURCE  
**ALBUQUERQUE JOURNAL**



El Defensor Chieftain **RIO RANCHO OBSERVER** VALENCIA COUNTY **News-Bulletin**

**Dept 880697**  
**PO Box 29650**  
**Phoenix, AZ 85038-9650 Phone: (505)823-3220**

**Proof of Ad 08/08/2024**

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: **86070**  
 Description:  
 Run Dates: **08/12/2024 - 08/12/2024**  
 Class: **3001**  
 Orig User: **master**  
 Words: **261**  
 Lines: **64**  
 Agate Lines: **91**  
 Depth: **6.49**  
 Blind Box:

<b>Total Ad Cost</b>	<b>\$82.62</b>			
<b>Amount Paid</b>	<b>\$0.00</b>			
<b>Publication</b>	<b>Start</b>	<b>Stop</b>	<b>Inserts</b>	<b>Cost</b>
Albuquerque Journal	08/12/2024	08/12/2024	1	76.77

**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, August 27, 2024:

**Subdivision Variance  
 Case #24-280-00004**

The applicants, John R. Marciano and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., is requesting approval of a subdivision variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2308 14th St SE, legally described as Unit 10, Block 78, Lot 7. It is zoned R-1: Single Family Residential and is approximately 1.00 acre.

**Preliminary, Final Plat  
 Case #24-210-00006**

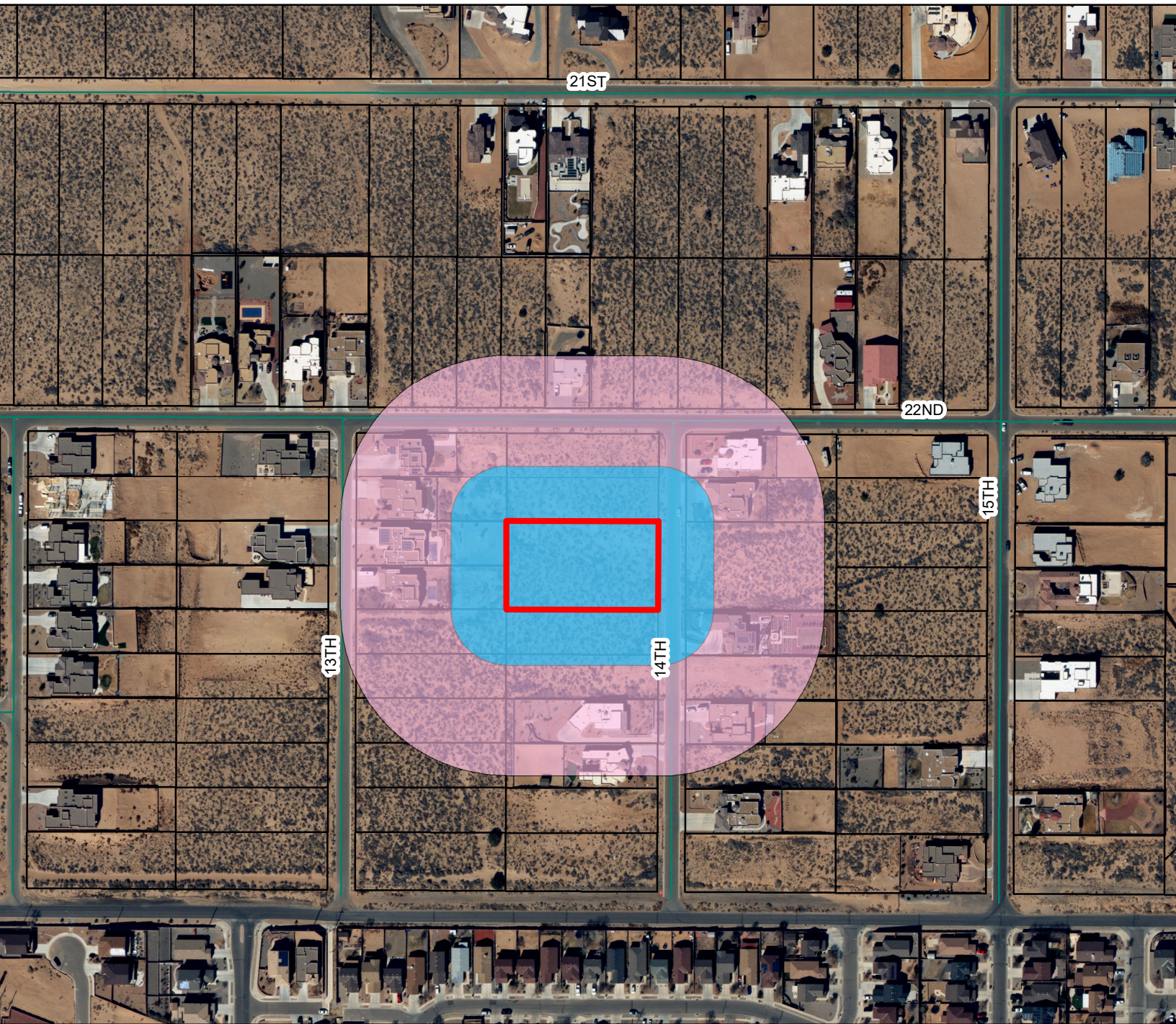
The applicants, John R. Marciano and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot at 2308 14th St SE, legally described as Unit 10, Block 78, Lot 7. It is zoned R-1: Single Family Residential and is approximately 1.00 acre.


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.rnm.gov](http://www.rnm.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](mailto:planning@rrnm.gov). Written comments will be inserted into the public record.


Journal: August 12, 2024.

# UNIT 10, BLOCK 77, LOT 13



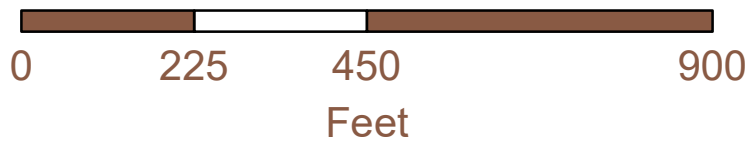
 Subject Property

 100 ft.

 300 ft.



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.





## City of Rio Rancho

### Development Services

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

August 19, 2024

**TO: Cartesian Surveys, Inc.**  
**PO Box 44414**  
**Rio Rancho, NM 87174**

**RE: Case 24-210-00006 and 24-280-00003**

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

#### **Planning & Zoning Division:**

1. " Development Services Department" signature block shall be removed from the plat and replaced with Planning and Zoning Board signature block.
2. Remove "approved administratively by the City of Rio Rancho Development Services Department Director" from City of Rio Rancho Clerk signature block. Replace with "approved by the Planning and Zoning Board".

#### **Engineering:**

1. Engineering does not recommend deviations from the DPM or Subdivision Ordinance. Specific variances will be reviewed by engineering as they are identified specific to each subdivision.

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](mailto:mcostilla@rrnm.gov)



BEFORE THE PLANNING and ZONING BOARD  
OF THE  
CITY OF RIO RANCHO, NEW MEXICO  
FINDINGS OF FACT FOR DENIAL  
Case No. 24-280-00003

---

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER  
155.27 REQUIRED IMPROVEMENTS, FOR THE INSTALLATION OF  
SIDEWALKS, SEWER MAINS, AND STREET LIGHTING.

Applicants: John R. Marciante and Jose and Stephanie Leon

THIS MATTER, having come before the Planning & Zoning Board of the City  
of Rio Rancho, New Mexico on the 27<sup>th</sup> day of August, 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 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has not provided adequate justification for a Subdivision Variance, in accordance with the criteria set forth in R.O. 2003 § 155.60.
2. The applicant has not provided adequate justification for a modification or exception to the subdivision requirements as required by R.O. 2003 §155.28(B).
3. The land which is proposed to be subdivided is a buildable lot and subdivision is not necessary for its development.

THEREFORE, the application for a subdivision variance to the requirement  
improvements of a subdivision, is DENIED by the Planning & Zoning Board of the  
City of Rio Rancho on August 27, 2024, subject to the conditions, restrictions and  
stipulations specified above.

---

Date

---

Planning & Zoning Board Chairman



BEFORE THE PLANNING and ZONING BOARD  
OF THE  
CITY OF RIO RANCHO, NEW MEXICO  
FINDINGS OF FACT FOR APPROVAL  
Case No. 24-280-00003

---

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER 155.27 REQUIRED IMPROVEMENTS, FOR THE INSTALLATION OF SIDEWALKS, SEWER MAINS, AND STREET LIGHTING.

Applicants: John R. Marciante and Jose and Stephanie Leon

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 27<sup>th</sup> day of August, 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 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL :

1. The applicant has adequately addressed the criteria for granting a subdivision variance as set forth in R.O. 2003 §155.60.
2. A variance to R.O. 2003 §155.27 Required Improvements is approved.

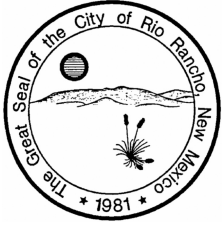
THEREFORE, the application for a subdivision variance to the requirement of requirement improvements of a subdivision, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on August 27, 2024, subject to the conditions, restrictions and stipulations specified above.

---

Date

---

Planning & Zoning Board Chairman



## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-210-  
00006**

**AGENDA DATE:**

August 27, 2024

**DEPARTMENT:**

Development Services

**SUBJECT:**

**Preliminary/Final Plat.** The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a preliminary/final plat, which would create two R-1: Single Family Residential zoned lots from the property legally described as Unit 10, Block 77, Lot 13. Staff contact is Michelle Costilla and staff recommends denial with findings.

**BACKGROUND AND ANALYSIS:**

The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., request approval of a preliminary/final plat, which would create two R-1: Single Family Residential zoned lots from the property legally described as Unit 10, Block 77, Lot 13.

The subject property is addressed as 2309 14th St. SE, is located on a residential road and is approximately 530 feet north of the City's southern boundary (see attached location map). The property is zoned R- 1: Single Family Residential per Ordinance No. 83-064 and is within the Unit 10 Overlay Zone and Specific Area Plan. It is also located within Special 17 Assessment District (SAD) 7A, but in an area which was not assessed for installation of central sanitary sewer and water – only for paved roadways and drainage.

A lot split to create two lots from one lot can typically be administratively approved. The administrative approval pursuant to Rio Rancho Code of Ordinances (R.O. 2003) §155.26, requires that the Development Services director “may approve a subdivision as a combined preliminary and final plat in any case where no public purpose would be served by separate steps”.

New subdivisions (plats) require access to City water, sewer and paved road under City Code Section 155.27 "Required Improvements". This lot does not have access to City water and sewer and therefore the subdivision cannot be administratively approved. This existing lot is a developable and buildable lot. There is a concurrent subdivision variance application for the subdivision improvement requirements under case 24-280-00003.

**GENERAL INFORMATION:**

A. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities and gas.

B. Water and Wastewater Availability: The property owner has provided a letter from NMED, which states that the applicants have employed Atlas Pumping and they have affirmed that the split can be accomplished within the required wastewater regulations. The City cannot guarantee approval and without this approval, development will not be guaranteed.

C. Drainage: Drainage plans will need to be submitted and approved before construction can take place.

D. Roads & Sidewalks: The applicant has submitted a variance request to not be required to put in sidewalks on these lots. The surrounding properties do not have sidewalks.

E. Recreation Facilities/Open Space: No public park space and/or open space is being dedicated by this action.

F. Easements: There is an existing 5 foot public utility easement surrounding the property and there will be an additional 10 foot public utility easement at the center of the lot split (5 ft on each side of the shared property line). A 10 foot public utility easement will be needed along the parcel line that fronts 14th Street.

G. Public Site Dedications: None

H. Vacations: N/A

I. Variances: Case number 24-280-00003 requests a variance to the subdivision code (R.O. 2003 Chapter 155 Subdivisions) requirements: Chapter 155.27 Required Improvements (C) Installation of improvements. The improvements to be installed shall be the following: (3) Sidewalks, (4) Water and sewer mains, and (6) Street lighting. The subdivider shall make necessary arrangements to serve each lot from water and sewer mains of the central systems serving the city, where feasible and in conformity to Governing Body policy. Where, for any reason, municipal services cannot be provided, the subdivider shall present evidence that adequate water and sewer service to each lot will be provided in compliance with the requirements of the New Mexico Environmental Improvement Division and in conformity to the standard specifications of the city construction of all water and sewer lines shall be under the supervision and approval of the City Engineer.

Staff finds that the surrounding properties do not have sidewalks or street lighting and a variance request to the sidewalk and street lighting requirement is not unreasonable though there is not a specific hardship described. The lots are proposed to be smaller than the NMED standards for minimum lot size, however, the applicant has provided a letter from NMED stating that the applicants have employed Atlas Pumping and they have affirmed that the split can be accomplished within the required wastewater regulations. A well is proposed to serve both lots (well share) and will be located on the NE corner of Lot 13-B. This will allow for the required 100 ft. set back from well to wastewater system(s). Staff cannot guarantee septic and well permit and without these permits there cannot be a guarantee that the proposed lots will be buildable.

#### CONFORMANCE WITH THE SUBDIVISION CHAPTER OF THE CITY:

The preliminary/final plat will need to be reviewed under the subdivision chapter of the City (Rio Rancho Code of Ordinances, Chapter 155). Staff finds that this may conform, but only with the variance approval.

#### CONFORMANCE WITH THE ZONING ORDINANCE:

The property is zoned R-1: Single Family Residential which allows for a minimum lot area of 7,000 square feet, and minimum lot width of 60 feet, assuming there is a connection to City water and sewer.

Staff finds that the proposed lots meet the R-1, minimum lot size requirements and may conform if appropriate septic and well permits are obtained.

#### CONFORMANCE WITH UNIT 10 SPECIFIC AREA PLAN

The Unit 10 Specific Area Plan describes in the General Design Guidelines that "Sidewalks shall be a minimum of five feet in width..." Does not conform.

#### 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).

Staff finds that the City's Comprehensive Plan (Section 3.3) notes the problem with antiquated

subdivision of lots, citing inadequacy of improvements being contrary to the proper development of the City. The splitting of the lot without access to City water and wastewater would cause proliferation of the number of lots without appropriate City infrastructure, i.e. “expanding” antiquated platted lots. Does not conform.

**NOTIFICATIONS:**

Neighboring property owners abutting the subject property were notified of the Planning and Zoning Board hearing by first class mail. A notice sign was erected on the subject property on August 20, 2024 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on August 12, 2024. All notification requirements for this hearing have been met.

**INTERDEPARTMENTAL/INTERAGENCY REVIEW:**

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

**IMPACT:**

The Development Services Department recommends that the Planning and Zoning Board deny 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, and subdivision variance.
2. Property owners have the authority to apply for a preliminary/final plat and subdivision variances.
3. Neighboring property owners and applicant/agent received written notices and were allowed to comment at a public hearing.

**SPECIFIC FINDINGS OF DENIAL:**

1. The subdivision of an antiquated subdivision lot is contrary to the R.O. 2003 Chapter 155 Subdivisions, in that the present lot is a buildable lot and that City water and sewer is not available to service the proposed two lots.
2. The subdivision of an antiquated lot not in compliance with R.O. 2003 Chapter 155 Subdivisions, is contrary to and not consistent with the City’s Comprehensive Plan, including but not limited to, Section 3.3 and 5.6.3, Policy L-1.
3. The applicant has failed to adequately address and provide the necessary evidence to justify subdivision variances.

If the Planning and Zoning Board chooses to approve the preliminary/final plat, staff recommends such approval be with the following conditions and findings:

**SPECIFIC FINDINGS AND CONDITIONS OF APPROVAL:**

1. The applicant has met the criteria for a subdivision variance.
2. The plat shall conform to R-1:Single Family Residential District zoning requirements.
3. Prior to issuance of building permits, the New Mexico Environment Department shall approve of advanced septic systems for both created lots.
4. Prior to issuance of building permits, the applicant must receive approval for potable water well installation to serve both newly created lots, and the New Mexico Environment Department shall be added as a signee on the plat.
5. Grading and Drainage plan may be required with future development of each lot.
6. Prior to final approval by the Planning and Zoning Board Chair and recording, the plat shall be reviewed and approved by the Development Services Department Engineering and Planning Divisions to ensure compliance with requirements to include, but not limited to Chapter 155 Subdivisions.
7. "Development Services Department" signature block shall be removed from the plat and replaced with Planning and Zoning Board signature block.
8. Remove "approved administratively by the City of Rio Rancho Development Services Department Director" from City of Rio Rancho Clerk signature block. Replace with "approved by the Planning and Zoning Board".
9. All future Development Services Engineering comments shall be addressed prior to recording of plat.
10. Update name of plat to reflect that it is a final plat and not a summary plat.
11. Notate location of future well and create an access and maintenance easement.

**ALTERNATIVES:**

The Planning and Zoning Board may:

1. Approve the preliminary/final plat with staff findings.
2. Approve the preliminary/final plat with amendments to findings.
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 denial with findings.

ATTACHMENT: [Zoning, Location.pdf](#)

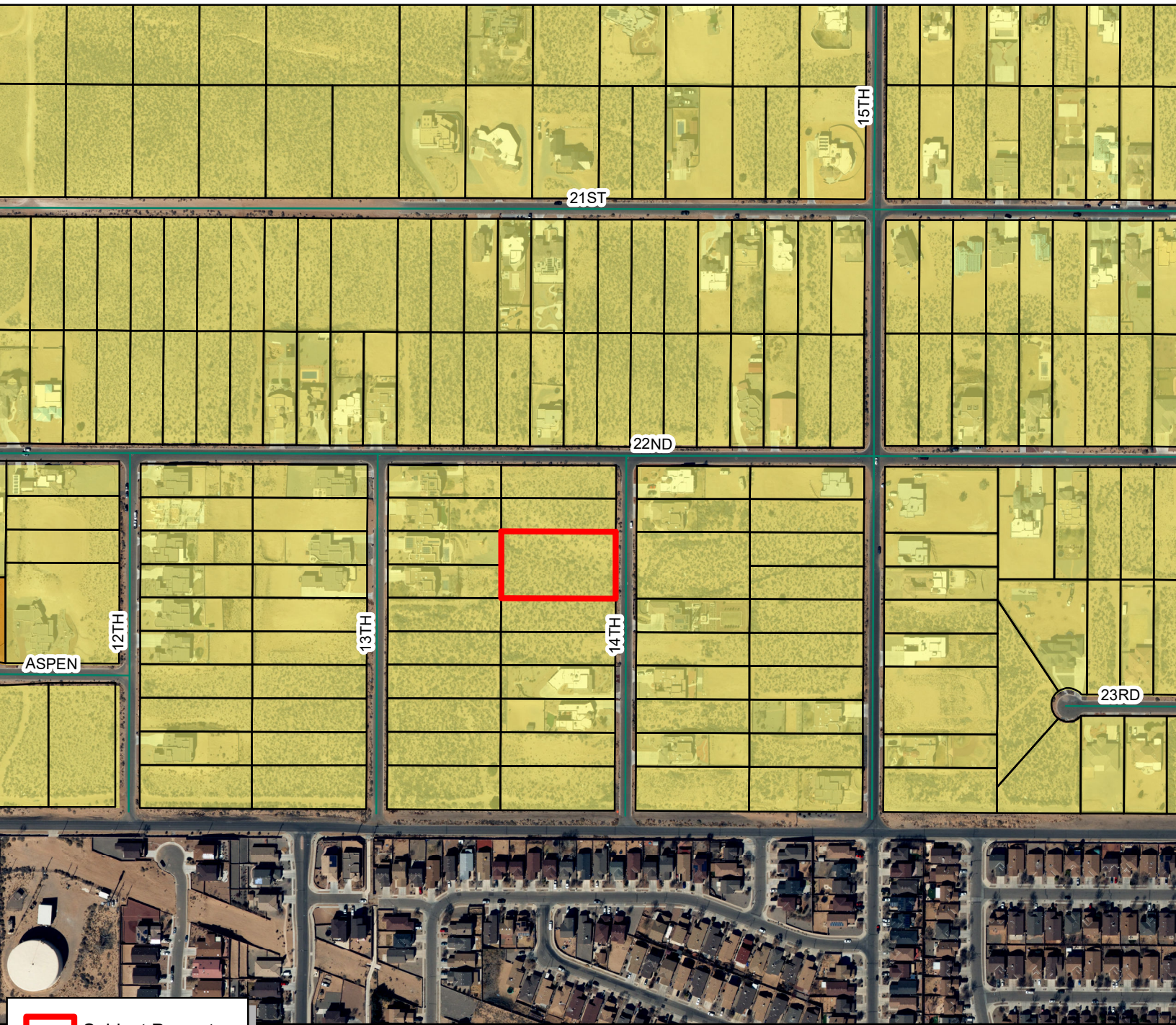
ATTACHMENT: [Authorization.pdf](#)

ATTACHMENT: [Plat.pdf](#)

ATTACHMENT: [Reproduction of Notices.pdf](#)



ATTACHMENT: [Staff Comments.pdf](#)

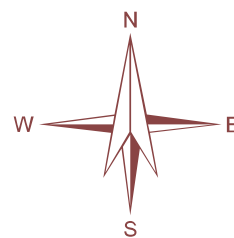
# UNIT 10, BLOCK 77, LOT 13



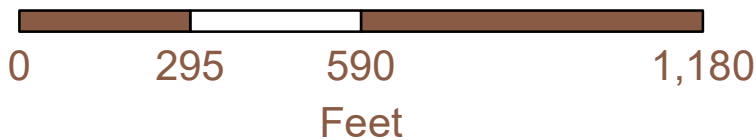
 Subject Property

### Zoning

-  R-1
-  R-4



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.



John R. Marciante and Katie B. Esterly  
2115 Violeta Circle SE  
Rio Rancho, NM 87124

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

**RE: Letter of Authorization**

To Whom it may concern,

We, John R. Marciante and Katie B. Esterly, owners by warranty deed of the below property, do hereby give CSI - Cartesian Surveys, Inc. authorization to represent us as agent for the summary plats and any platting related actions, to subdivide our existing lot into two new lots, granting easements where necessary. These properties are described as:

Lot 13, Block 77 of Rio Rancho Estates Unit 10, vacant land located at 2309 14<sup>th</sup> Street SE near the intersection of 14<sup>th</sup> Street and 22<sup>nd</sup> Ave SE, in the City of Rio Rancho, Sandoval County.

Thank You,

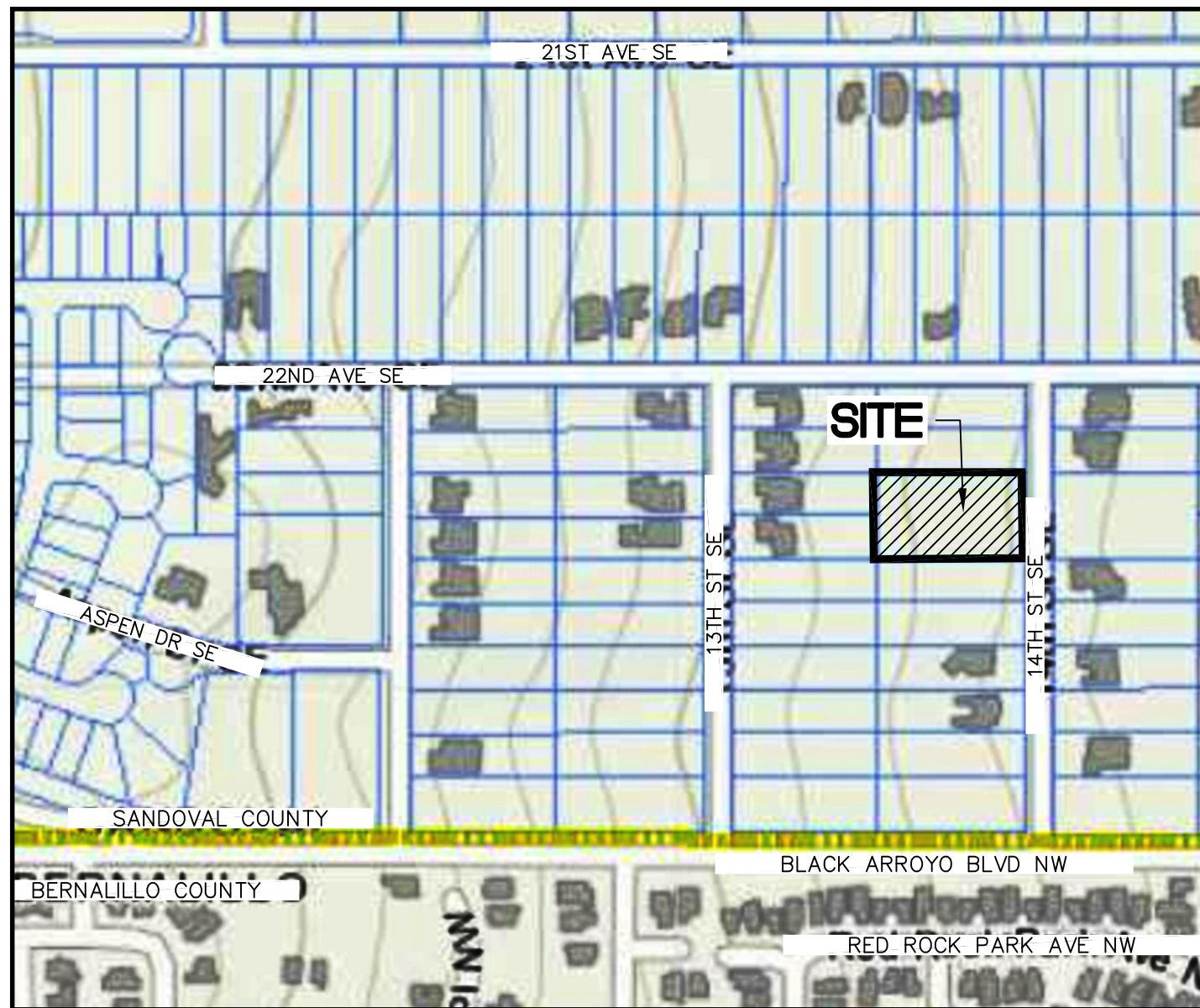
John R. Marciante, Owner

05/15/24

Date

Title is transferred to John R. Marciante alone.  
County has warranty deed on record.



Vicinity Map

N.T.S.

**Notes**

- FIELD SURVEY PERFORMED IN APRIL 2024.
- ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
- THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 35, TOWNSHIP 12 NORTH, RANGE 2 EAST, NMPM, WITHIN THE TOWN OF ALAMEDA GRANT.
- THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
- SUBDIVISION DATA
 

NUMBER OF LOTS REPLATTED:	1
NUMBER OF LOTS CREATED:	2
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	0.9999 ACRES
- THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND-CENTRAL ZONE), USING A GROUND TO GRID FACTOR OF 0.9996692457, WITH AN ORIGIN OF (0,0).

**Documents**

- PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON MAY 13, 1968, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 75.
- WARRANTY DEED FOR LOT 13, BLOCK 77, RRE UNIT 10 FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON APRIL 24, 2023, IN BOOK 426, PAGE 7516, DOC. NO. 2023007516.
- REAL ESTATE CONTRACT FOR LOT 13, BLOCK 77, RRE UNIT 10 FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON APRIL 3, 2024, IN BOOK 427, PAGE 6879, DOC. NO. 2024006879.

**Indexing Information**

Section 35, Township 12 North, Range 2 East, N.M.P.M.  
 as Projected into the Town of Alameda Grant  
 Subdivision: Rio Rancho Estates, Unit 10  
 Owner: John R. Marciante and Katie B. Esterly  
 UPC #: 1-011-067-016-090

**Filing Information**

STATE OF NEW MEXICO }  
 COUNTY OF SANDOVAL } SS  
 THIS INSTRUMENT WAS FILED FOR RECORD ON \_\_\_\_\_: \_\_\_\_ AM/PM, \_\_\_\_\_, 20\_\_\_\_  
 RECORDED IN VOLUME \_\_\_\_\_, OF RECORDS OF SAID COUNTY, FOLIO \_\_\_\_\_  
 BY: \_\_\_\_\_  
 DEPUTY

**Purpose of Plat**

- SUBDIVIDE BY LOT LINE CREATION AS SHOWN HEREON.
- GRANT EASEMENTS AS SHOWN HEREON.

**Legal Description**

LOT NUMBERED THIRTEEN (13) IN BLOCK NUMBERED SEVENTY-SEVEN (77), UNIT 10, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID RIO RANCHO ESTATES, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON MAY 13, 1968, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 75.

**Public Approvals**

DEVELOPMENT SERVICES DEPARTMENT  
 APPROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
 AMY RINCON, DIRECTOR

CITY CLERK'S CERTIFICATE:

I, NOEL DAVIS-WESTLAKE, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED ADMINISTRATIVELY BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
 NOEL DAVIS-WESTLAKE, 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

**Summary Plat for  
 Lots 13-A and 13-B, Block 77  
 Rio Rancho Estates Unit 10  
 Being Comprised of  
 Lot 13, Block 77  
 Rio Rancho Estates Unit 10  
 City of Rio Rancho  
 Sandoval County, New Mexico  
 June 2024**

**Plat 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.R.P.S. No. 18374



**Surveyor's Certificate**

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

\_\_\_\_\_  
 BRIAN J. MARTINEZ DATE  
 N.M.R.P.S. No. 18374



**CSI-CARTESIAN SURVEYS INC.**

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







# 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

RE: Preliminary/Final Plat & Subdivision Variance, Case No. 24-210-00006, 24-280-00003  
Unit 10, Block 74, Lot 13

Dear Property Owner:

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

The applicants, John R. Marciante and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc. request approval of a preliminary/final plat and a variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2309 14<sup>th</sup> st SE, legally described as Unit 10, Block 74, Lot 13. It is zoned R-1: Estate Residential and is approximately 1.00 acre.

The **Planning and Zoning Board** will consider this request at a public hearing on **Tuesday, August 27, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below**.

On the back of this letter is a location map of the project, with the property identified with a red 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.rnm.gov](http://www.rnm.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=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>  
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

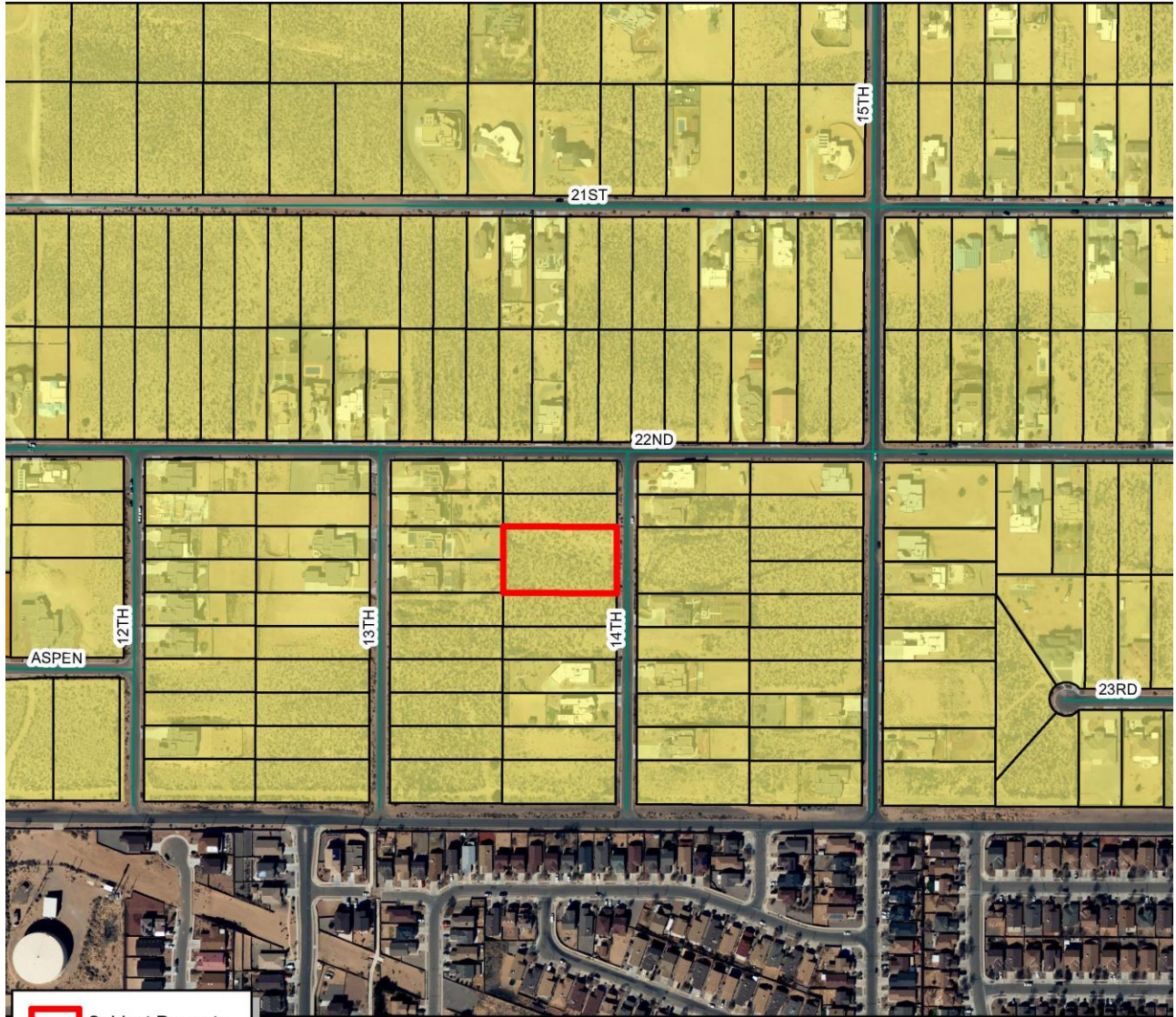
Please contact me via e-mail me at [mcostilla@rnm.gov](mailto:mcostilla@rnm.gov) or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, [www.rnm.gov](http://www.rnm.gov), the Friday before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




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

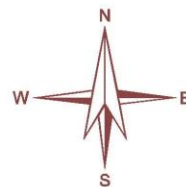
Respectfully,

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

## UNIT 10, BLOCK 77, LOT 13



	Subject Property
<b>Zoning</b>	
	R-1
	R-4



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# ALBUQUERQUE JOURNAL



El Defensor Chieftain

RIO RANCHO OBSERVER

VALENCIA COUNTY News-Bulletin

Dept 880697  
PO Box 29650

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

### Proof of Ad 08/08/2024

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: **86070**  
 Description:  
 Run Dates: **08/12/2024 - 08/12/2024**  
 Class: **3001**  
 Orig User: **master**  
 Words: **261**  
 Lines: **64**  
 Agate Lines: **91**  
 Depth: **6.49**  
 Blind Box:

<b>Total Ad Cost</b>	<b>\$82.62</b>
<b>Amount Paid</b>	<b>\$0.00</b>

Publication	Start	Stop	Inserts	Cost
Albuquerque Journal	08/12/2024	08/12/2024	1	76.77

### 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, August 27, 2024:

Subdivision Variance  
Case #24-280-00004

The applicants, John R. Marciano and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., is requesting approval of a subdivision variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to split a lot. The property is located at 2308 14th St SE, legally described as Unit 10, Block 78, Lot 7. It is zoned R-1: Single Family Residential and is approximately 1.00 acre.

Preliminary, Final Plat  
Case #24-210-00006

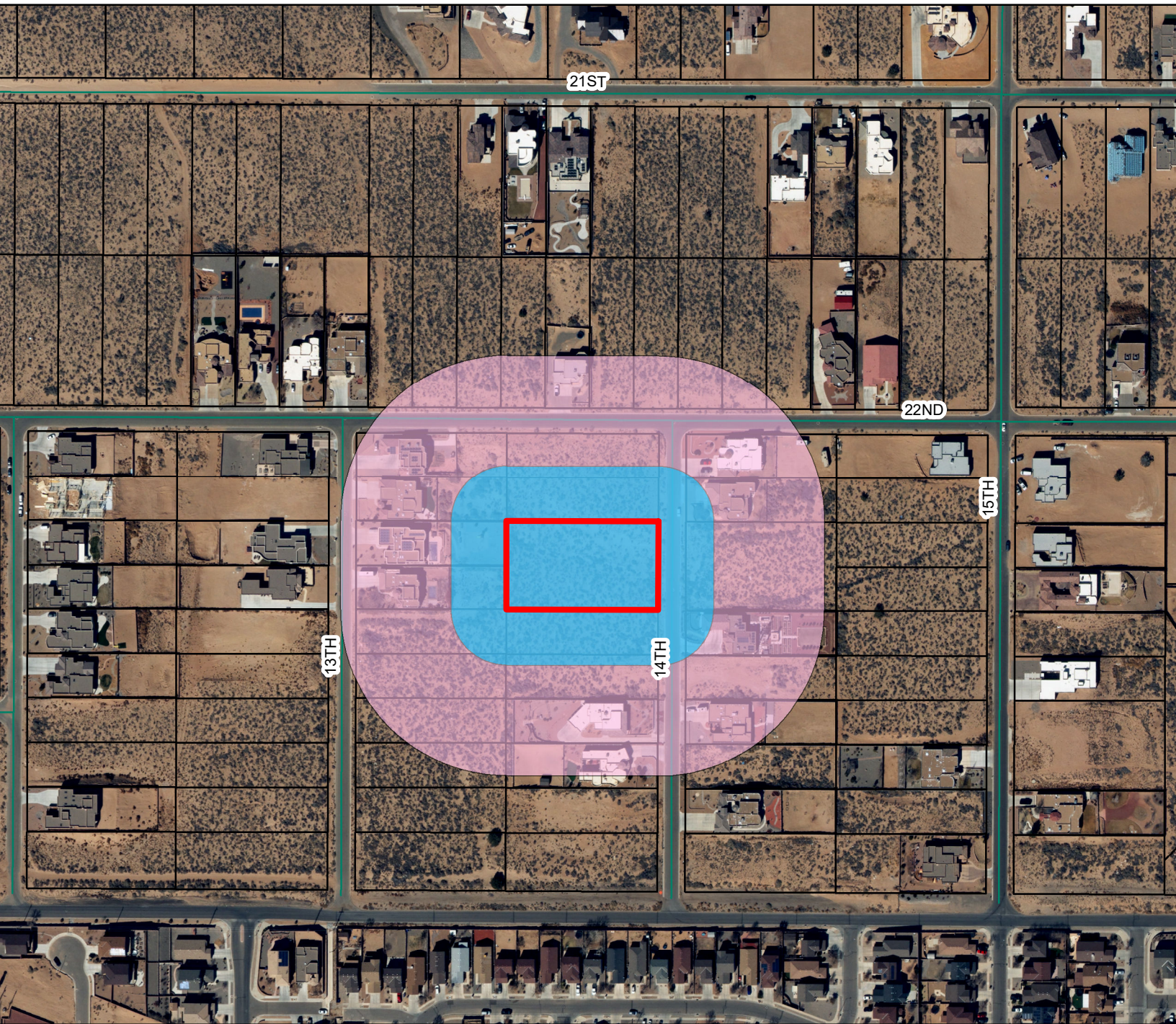
The applicants, John R. Marciano and Jose and Stephanie Leon, through their agent, Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot at 2308 14th St SE, legally described as Unit 10, Block 78, Lot 7. It is zoned R-1: Single Family Residential and is approximately 1.00 acre.




The meeting is scheduled in the Council Chamber at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at [www.rnm.gov](http://www.rnm.gov). Materials related to these items are available for viewing in the Development Services Department at City Hall.

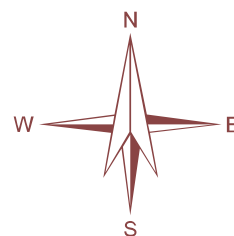
If you would like to comment on any of these applications, you are encouraged to submit a written comment to [planning@rrnm.gov](mailto:planning@rrnm.gov). Written comments will be inserted into the public record.

Journal: August 12, 2024.

# UNIT 10, BLOCK 77, LOT 13



-  Subject Property
-  100 ft.
-  300 ft.



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.





## City of Rio Rancho

### Development Services

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

August 20, 2024

**TO: Cartesian Surveys, Inc.**  
**PO Box 44414**  
**Rio Rancho, NM 87174**

**RE: Case 24-210-00006 and 24-280-00003**

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

#### **Planning & Zoning Division:**

1. Update name of plat to reflect that it is a final plat and not a summary plat.
2. " Development Services Department" signature block shall be removed from the plat and replaced with Planning and Zoning Board signature block.
3. Remove "approved administratively by the City of Rio Rancho Development Services Department Director" from City of Rio Rancho Clerk signature block. Replace with "approved by the Planning and Zoning Board".
4. Notate location of future well and create an access and maintenance easement.

#### **Engineering:**

1. Engineering does not recommend deviations from the DPM or Subdivision Ordinance. Specific variances will be reviewed by engineering as they are identified specific to each subdivision.

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](mailto:mcostilla@rrnm.gov)