



**Planning and Zoning Board  
Meeting  
City of Rio Rancho  
AGENDA  
June 27, 2023  
6:00 PM  
City Hall**

**MEETING INFORMATION**

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

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

Join by Computer:

<https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871

Passcode: 026819

**Board Members**

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

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**PUBLIC FORUM**

**CONSENT CALENDAR**

- 1 [June 13, 2023 Planning and Zoning Board Meeting Minutes](#)  
[2023-0613 PZB Minutes.docx](#)

**PUBLIC HEARINGS**

- 2 **Postponement: Variance.** The applicant, Kirk Moser, is requesting approval of a Variance to the 15' rear setback requirement for a garage, at the subject property legally described as Unit 11, Block 5, Lot 63; located at 617 5th St NE. The garage would encroach 10' into the rear setback and would leave a 5' setback instead of the required 15' setback. The property is currently zoned R-1: Single-Family Residential and is approximately 0.5 acres. Staff contact is Liz Ruiz Carlos and staff recommends the item be postponed and the public hearing continued to the July 11, 2023 Planning and Zoning Meeting, as requested by the applicant.  
[Request for Postponement.jpg](#)
- 3 **Postponement: Variance.** The applicant, Brian Salas, is requesting approval of a variance to the 300 feet distance requirement, for a proposed cannabis establishment, as outlined by the Rio Rancho Municipal Code Section 122.04. The cannabis establishment is proposed to be physically located at 3320 Drover Ave NE. Staff contact is Chris Benson and staff recommends that the item be postponed and the public hearing continued to the July 11, 2023 Planning and Zoning Board

meeting.

- 4 Variance.** The applicant, Jose Solano, requests approval of a Variance to the R-1: Single-Family Residential Zoning District 60 ft. minimum lot width requirement, as outlined in Rio Rancho Municipal Code, Section 154.50, in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.  
***Zoning, Location.pdf***  
***Justification Letter.pdf***  
***Overlay Ordinance 98-023 O-21.pdf***  
***Authorization Lot 10.pdf***  
***Authorization Lot 11.pdf***  
***Site Plan.pdf***  
***Engineering Comments.pdf***  
***Reproduction of Notices.pdf***  
***FindingsofFact.docx***
- 5 Preliminary Plat Extension.** The applicant, Lomas Encantadas Development Co, through their agent, Huitt-Zollars, Inc., requests approval of a preliminary plat extension for the Lomas Encantadas 1E Phase 1 & 2 Preliminary Plat. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.  
***Legal Ad - LE, 1E Phase 1 & 2.pdf***  
***22-210-00010 Notices for 6.27.2023 PZB.pdf***  
***Lomas Encantadas 1-E Phases 1 & 2 Extension.jpg***  
***Preliminary Plat\_ LE 1E COMBINED.pdf***  
***2023-06-05 LE 1E Ph 1&2 Pre Plat Extension Application & Letter.pdf***  
***Sedillo, Gabriel\_Public Comment.pdf***  
***Doak, Monna\_Public Comment.pdf***
- 6 Preliminary Plat Extension.** The applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval of a preliminary plat extension for the Stone Mountain Preliminary Plat. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.  
***Zoning, Location.pdf***  
***Application.pdf***  
***Letter of Authorization.pdf***  
***Justification Letter.pdf***  
***Preliminary Plat.pdf***  
***Reproduction of Notices.pdf***
- 7 Final Plat.** The applicant, Coal Bank Holdings, Ltd., through their agent, Mark Goodwin & Associates, PA, requests approval of a Final Plat for the Stonegate Phase 2 Subdivision, on the property legally described as Stonegate, Tracts 1 and 2A. Staff contact is Liz Ruiz Carlos and staff recommends the item be approved with findings and conditions.  
***Final Plat Application.pdf***  
***Letter of Authorization.pdf***  
***Stonegate Phase 2 Final Plat.pdf***  
***Location\_Zoning Map.jpg***

## **DISCUSSION AND DELIBERATION**

- 8 Zoning Interpretation.** Staff is requesting a Zoning Interpretation authorizing “hotels and motels” as a legitimate and permissive commercial use in a SU: Special Use zone established by Ordinance 89-008 for the property legally at 9999 Irene Rd SE, legally described as Hilltop Plaza, Tract C-1.  
***Zoning, Location.pdf***

*89-008 O.pdf*  
*Draft\_Resolution.docx*

**COMMENTS BY BOARD MEMBERS**

**STAFF REPORTS**

**ADJOURNMENT**



**CITY OF RIO RANCHO  
COVER PAGE**

**Legislation Item:**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
June 13, 2023 Planning and Zoning Board Meeting Minutes

**BACKGROUND AND ANALYSIS:**

**IMPACT:**

**ALTERNATIVES:**

**DEPARTMENT RECOMMENDATION:**  
Approval

**ATTACHMENT:** [2023-0613 PZB Minutes.docx](#)



Planning and Zoning Board  
of the  
City of Rio Rancho

**MINUTES**

JUNE 13, 2023  
6:00 PM  
Council Chambers, City Hall

**MEMBERS PRESENT:**

Kevin Kofchur, District 2  
Fred Radosevich, District 3, Chair  
Robert Gabaldon, District 4 (*Virtual*)  
Scottie Richardson, District 5

**MEMBERS ABSENT:**

VACANT, District 1  
VACANT, District 6  
Sal Tortorici, At-Large

**STAFF PRESENT:**

Amy Rincon, Development Services Director  
Brian Babyak, Planning & Zoning Manager  
Michelle Costilla, Planner I  
Liz Ruiz Carlos, Planner I  
Chris Benson, Planner I  
Sharon Bitah, Administrative Assistant

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chairman Radosevich stated this meeting will convene under the virtual format prescribed by the Attorney General's Office guidance issued for public meetings subject to the Open Meetings Act. This includes virtual or telephonic access via Zoom by members of the public. Instructions on how to access this meeting were made available in advance on the official agenda, as well as on the city's website.

Chairman Radosevich called the meeting to order at 6:00 PM and led those in attendance in the Pledge of Allegiance.

**PUBLIC FORUM**

**CONSENT CALENDAR**

**1) May 23, 2023 Planning and Zoning Board Meeting Minutes**

Scottie Richardson moved to approve the Consent Calendar. Seconded by Kevin Kofchur.

The motion carried by a vote of **4 FOR** and **0 AGAINST**.

**YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson

**NO:** (None)

**ELECTION OF VICE-CHAIRMAN**

Item was deferred to the regular July election date.

**PUBLIC HEARINGS**

**2) The applicant, Coal Bank Holdings, Ltd., through their agent Mark Goodwin & Associates, PA, requested approval of a subdivision variance to Rio Rancho Municipal Code, Chapter 155.43, requiring 5 foot minimum easements on side and rear lot lines; for the Stonegate Phase 1 Subdivision.**

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

Scottie Richardson moved to approve Item #2. Seconded by Robert Gabaldon.

The motion carried by a vote of **4 FOR** and **0 AGAINST**.

**YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson

1           **NO:** (None)

- 2  
3   **3)** The applicant, AMREP Southwest, Inc., requested approval of a Zone Map Amendment from TZ:  
4    Transitional Zoning, to R-4: Single-Family Residential, for the subject properties legally described as  
5    Unit 25, Block 127, Lots 1-24. The lots totaled a combined 19.25 acres.

6  
7    Staff member, Liz Ruiz Carlos presented the item, recommending approval to the Governing Body with  
8    findings and conditions and stood for questions.

9  
10   Agent, Bryan Aragon provided a PowerPoint presentation and stood for questions.

11  
12   Member of the public, Catherine Hopper spoke on the item.

13  
14   Agent, Bryan Aragon clarified questions put forth by Commissioner Gabaldon, Commissioner Kofchur  
15   and Commissioner Richardson.

16  
17           Robert Gabaldon moved to approve Item #3 as presented. Seconded by Kevin Kofchur.

18           The motion carried by a vote of **4 FOR** and **0 AGAINST.**

19           **YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson

20           **NO:** (None)

- 21  
22   **4)** The applicant, AMREP Southwest Inc., through their agent, Tierra West LLC, requested approval of an  
23    amendment to the Mountain Hawk West Master Plan for the addition of five lots to the Master Plan.

24  
25    Staff member, Brian Babyak presented items #4 and #5 together, recommending approval with  
26    findings, and stood for questions.

27  
28    Agent, Ronald Bohannan provided an update on the traffic study and introduced Vincent Perea to  
29    deliver a PowerPoint presentation.

30  
31    Agent, Bryan Aragon answered Chairman Radosevich's question regarding lot sizes in regards to  
32    number of lots.

33  
34           Kevin Kofchur moved to approve Item #4. Seconded by Scottie Richardson.

35           The motion carried by a vote of **4 FOR** and **0 AGAINST.**

36           **YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson

37           **NO:** (None)

- 38  
39   **5)** The applicant, AMREP Southwest Inc., through their agent, Tierra West LLC, requested approval of a  
40    Zone Map Amendment for the property legally described as Unit 25, Block 150, Lots 12-16, to change  
41    the zoning from T-Z: Transitional Zoning to R-3: Mixed Residential.

42  
43           Scottie Richardson moved to approve Item #5. Seconded by Robert Gabaldon.

44           The motion carried by a vote of **4 FOR** and **0 AGAINST.**

45           **YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson

46           **NO:** (None)

47  
48   **DISCUSSION AND DELIBERATION**

- 49  
50   **6)** Staff requested a Zoning Interpretation authorizing "hotels and motels" as a legitimate and permissive  
51    commercial use in a SU: Special Use established by Ordinance 86-002 for the property legally at 360  
52    Ridgeway Dr SE, legally described as High Resort Market Place, Block A, Tract B1.

53  
54    Staff member, Michelle Costilla presented the item recommending that the Planning and Zoning Board  
55    find that hotels and motels are permissive use under ordinance 86-002, and stood for questions.

1 Commissioner Kofchur and Commissioner Gabaldon's questions were answered by staff member,  
2 Michelle Costilla.

3  
4 Kevin Kofchur moved to approve the resolution. Seconded by Scottie Richardson.  
5 The motion carried by a vote of **4 FOR** and **0 AGAINST.**  
6 **YES:** Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson  
7 **NO:** (None)

8  
9 **COMMENTS BY BOARD MEMBERS**

10  
11 Chairman Radosevich offered his thanks to Cheryl Baker for her time on the Planning and Zoning Board  
12 and filling in for him when he was absent. He also congratulated Brian Babyak on his promotion to Planning  
13 and Zoning Manager.

14  
15 **STAFF REPORTS**

16  
17 **7)** Planning and Zoning Monthly Building Activity Report - MAY 2023

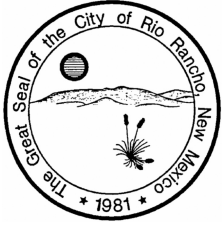
18  
19 **8)** Planning and Zoning Monthly Summary Plat Report - MAY 2023

20  
21 **ADJOURNMENT**

22  
23 Scottie Richardson moved to adjourn the meeting. Seconded by Kevin Kofchur.  
24 Chairman Radosevich adjourned the meeting at 6:42 PM.

25  
26 **APPROVED THIS 27<sup>TH</sup> DAY OF JUNE, 2023**

27  
28  
29 \_\_\_\_\_  
30 **Fred Radosevich, Chairman**



**CITY OF RIO RANCHO  
COVER PAGE**

**Legislation Item:**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Postponement: Variance.** The applicant, Kirk Moser, is requesting approval of a Variance to the 15' rear setback requirement for a garage, at the subject property legally described as Unit 11, Block 5, Lot 63; located at 617 5th St NE. The garage would encroach 10' into the rear setback and would leave a 5' setback instead of the required 15' setback. The property is currently zoned R-1: Single-Family Residential and is approximately 0.5 acres. Staff contact is Liz Ruiz Carlos and staff recommends the item be postponed and the public hearing continued to the July 11, 2023 Planning and Zoning Meeting, as requested by the applicant.

**BACKGROUND AND ANALYSIS:**

**IMPACT:**

**ALTERNATIVES:**

**DEPARTMENT RECOMMENDATION:**

The Development Services Department recommends the Planning and Zoning Board postpone the item to a date certain of July 11, 2023.

**ATTACHMENT:** [Request for Postponement.jpg](#)



kmoser1480@aol.com



To: LIZBETH RUIZ CARLOS, Kirk Moser <kmoser1480@aol.com>

Fri 6/16/2023 10:50 AM

Caution: This message was sent from outside your organization.

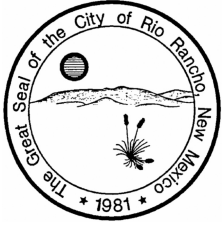
Liz,

What time on Tuesday the 20th, should I be there?

I also have another problem. I will be in Colorado Springs the week of June 26th. I have to meet with an estate attorney for my Mom on the 27th. Then I have to be at my mom's house for her 91st birthday. Can't mess that one. Can I get a different day to meet with the planning and zoning board?

Thanks,

Kirk



**CITY OF RIO RANCHO  
COVER PAGE**

**Legislation Item:**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

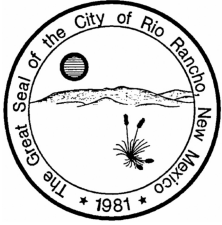
**SUBJECT:**  
**Postponement: Variance.** The applicant, Brian Salas, is requesting approval of a variance to the 300 feet distance requirement, for a proposed cannabis establishment, as outlined by the Rio Rancho Municipal Code Section 122.04. The cannabis establishment is proposed to be physically located at 3320 Drover Ave NE. Staff contact is Chris Benson and staff recommends that the item be postponed and the public hearing continued to the July 11, 2023 Planning and Zoning Board meeting.

**BACKGROUND AND ANALYSIS:**

**IMPACT:**

**ALTERNATIVES:**

**DEPARTMENT RECOMMENDATION:**  
The Development Services Department recommends the Planning and Zoning Board postpone the item to a date certain of July 11, 2023.



## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 23-110-  
00002**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Variance.** The applicant, Jose Solano, requests approval of a Variance to the R-1: Single-Family Residential Zoning District 60 ft. minimum lot width requirement, as outlined in Rio Rancho Municipal Code, Section 154.50, in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

### **BACKGROUND AND ANALYSIS:**

The applicant, Jose Solano, requests approval of a Variance to the R-1: Single-Family Residential Zoning District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code (R.O. 2003), Section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10.

The subject property is located on the south side of Northern Blvd NE, a minor arterial. The property is 50 ft. wide and was platted in November 1965, Book 1 Page 66. The property is zoned R-1: Single Family Residential per Ordinance No. 68, Enactment 94-066. It is also located within an Overlay zone per Ordinance No. 21, Enactment No. 98-023, which was established in 1998.

The Overlay Ordinance states that it serves to prevent the proliferation of substandard 50 foot minimum frontage lots pending the adoption of a lot merger Ordinance addressing such lots and providing for their replatting into lots which conform to minimum lot standards. The Ordinance continues to state in Section 1 that "all contiguous 50 foot minimum frontage lots in the same ownership shall be deemed merged for zoning and building purposes."

The applicant was sold the property in 2022 and was not aware of the substandard lot size prior to designing plans for a residence. The applicant was also able to provide documentation that he is not the owner of two contiguous lots within this Overlay. The documentation has yet to be verified by the County so staff recommends approval of the Variance with the understanding that the applicant cannot develop a separate primary residence on any adjacent lots to this subject property in their ownership in the future.

### **SURROUNDING LAND USE/ZONING:**

The property to the north, across Northern Blvd NE is zoned R-1: Single Family Residential per Ordinance No. 19, Enactment No. 96-020. The surrounding properties to the south, east and west are zoned R-1:Single-Family Residential per the same Ordinance as the subject property and are located with the same Overlay.

**REVIEW CRITERIA:**

The applicant, Jose Solano, submitted a justification narrative in support of the variance application, which is presented as an attachment to this item. The criteria for a variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application.

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: "When I purchased this property, I was not told by the previous owners of the substandard lot size. I want to build a home in this property. I already designed the plans, for it not to effect with Rio Rancho permits. Also observing the area it is the same space for each lot around mine. The house I am building as you can see on the side plan, does not block nor effects other properties around. It is 5 ft from the house to the property line."

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

**NOTIFICATIONS:**

Property owners within 100 ft of the subject property were notified via certified mail 15 days prior to the hearing. Property owners with 100 to 300 ft of the subject property were notified via informational postcard 15 days prior to the hearing. A legal notice was published in the Albuquerque Journal on June 12, 2023. A sign was posted to the property one week before the hearing. All legal notification requirements for this project have been met.

**INTERDEPARTMENTAL/INTERAGENCY REVIEW:**

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Comments provided 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 adverse comments
MRCOG	X	No comments provided
Parks, Recreation and Community Services	X	No comments provided

**IMPACT:**

The Development Services Department recommends the Planning and Zoning Board approve the variance request 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 variance requests.
2. The applicant has the authority to make an application to request a variance to minimum lot width requirement, as outlined by R.O. 2003, Chapter 154 Planning and Zoning, Section 154.50 Zoning Table.
3. Due process was provided to the applicant and adjacent property owners.

Specific Findings of Fact and Conditions of Approval:

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 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.
4. The applicant must not have ownership of two contiguous lots to receive a Variance to the 60 ft. width requirement of the R-1 zone per the Overlay Ordinance No. 21, Enactment 98-023.

If the Planning and Zoning Board finds the variance request is not justified, any denial may be based on 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 with staff recommendations and conditions.
2. Approve the variance with amendments to recommendations and/or conditions.
3. Deny the variance.
4. Postpone the item and continue the public hearing for the variance in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Planning and Zoning Board approve the requested Variance.

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

ATTACHMENT: [Justification Letter.pdf](#)

ATTACHMENT: [Overlay Ordinance 98-023 O-21.pdf](#)

ATTACHMENT: [Authorization Lot 10.pdf](#)

ATTACHMENT: [Authorization Lot 11.pdf](#)

ATTACHMENT: [Site Plan.pdf](#)


ATTACHMENT: [Engineering Comments.pdf](#)

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


ATTACHMENT: [FindingsofFact.docx](#)

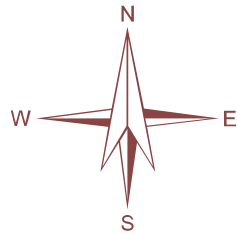
# 336 NORTHERN BLVD NE



 Subject Property

**Zoning**

 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.



I Jose Solano, I am petitioning for 336 Northern BLVD NE Rio Rancho, NM 87124. When I purchased this property, I was not told by the previous owners of the substandard lot size. I want to build a home in this property. I already designed the plans, for it not to effect with Rio Rancho permits. Also observing the area it is the same space for each lot around mine. The house I am building as you can see on the side plan, does not block nor effects other properties around. It is 5ft from the house to the property line.

Thank you,

Jose Solano

ORDINANCE NO. 21ENACTMENT NO. 98-023

**AMENDING CHAPTER 9, PLANNING, ZONING, LAND USE MANAGEMENT, APPENDIX G;  
ZONE MAP AMENDMENTS AND THE ZONE MAP FOR THE PURPOSE OF CREATING A ZONE  
MAP OVERLAY WHICH SERVES TO PREVENT THE PROLIFERATION OF SUBSTANDARD  
50 FOOT MINIMUM FRONTAGE LOTS PENDING THE ADOPTION OF A LOT MERGER  
ORDINANCE ADDRESSING SUCH LOTS AND PROVIDING FOR THEIR REPLATTING INTO  
LOTS WHICH CONFORM TO MINIMUM LOT STANDARDS**

WHEREAS: The State of New Mexico has empowered the City of Rio Rancho to enact zoning regulations for the purpose of promoting the health, safety and general welfare; and

WHEREAS: Chapter 9, Planning, Zoning, Land Use Management, Section A-1-5C(1), Rio Rancho Revised Ordinances 1987, provides that the minimum lot frontage width, in R-1/single Family Residential Districts be no less than 70' feet, with the exception of Unit 12, Blocks B, BB, C, CC, D, and DD, in which R-1 lots may have a minimum frontage width of no less than 50 feet, pursuant to Ordinance No. 19, Enactment No. 96-020; and

WHEREAS: The Governing Body of the City of Rio Rancho's Comprehensive Plan has determined that the general welfare of the City and Goal B, to "Encourage the development of a variety of distinctive neighborhoods, offering a maximum choice of housing, employment, and open space areas," would be served by Objective 4.1B9, to "Promote replatting in areas where subdivision layout is substandard or ill conceived, or where it imposes a hindrance to the continuity of the street network; and

WHEREAS: The Governing Body of the City of Rio Rancho, in Resolution No. 54, Enactment No. 93-057, amended the Comprehensive Plan by adopting a redevelopment policy effecting the replatting and redevelopment of vacant land; and adding new Goal C, to "promote replatting in areas where subdivision layout is substandard and ill conceived, or where it imposes a hindrance to the continuity of the street network," and

WHEREAS: The Governing Body of the City of Rio Rancho added new objectives to Goal C, as follows:  
(4.1C1) Increase replatting opportunities in areas of the City which substantially impair the sound growth and economic health  
(4.1C2) Establish a system and methodology which facilitates the implementation of a replatting process created to achieve the City's development goals; and

WHEREAS: The Governing Body of the City of Rio Rancho also amended the Comprehensive Plan to add a new objective to the former Goal C, now Goal D, to "Maintain and enhance the visual environmental qualities of the community," as follows:  
(4.1D6) Consider replatting of areas which will promote maintaining and enhancing the visual and environmental qualities of the community; and

WHEREAS: On July 23, 1997, the Governing Body of the City of Rio Rancho adopted Resolution No. 45, Enactment No. 97-041, imposing a twelve-month moratorium on the development of 50 foot lots in R-1/Single Family Residential Districts for the purpose of soliciting, hiring and assisting a consultant in the creation of a plan intended to address inconsistencies between the development of 50 foot lots in their R-1/Single Family Residential Districts, which zones require 70 foot minimum lot frontages; and

1 WHEREAS: The Governing Body retained consultants, who studied all 50 foot minimum frontage lots in  
 2 R-1/Single Family Residential Districts and proposed various strategies to address these lots  
 3 in the context of the Comprehensive Plan; and  
 4

5 WHEREAS: On July 22, 1998, the Governing Body of the City of Rio Rancho adopted Resolution No. 49,  
 6 Enactment No. 95-041, imposing a one hundred fifty-day extension on the existing  
 7 moratorium to enable the Governing body to have sufficient time to carefully consider and  
 8 implement the consultant's final recommendations, which recommendations include  
 9 mandatory mergers of contiguous 50 foot minimum frontage lots in single ownership; and  
 10

11 WHEREAS: The properties covered by the extended moratorium are:  
 12 Unit 11, Blocks A, B, C, D, E, S, T, U, UU, V, VV, W & WW  
 13 Unit 12, Blocks AA, B, BB, C, CC, D, DD, EE, FF, GG, H, HH, J, K, L & M  
 14 Unit 13, Blocks DD, E, EE, G, H, HH, J, & JJ, and  
 15 Unit 17, Blocks AA, B, BB, C, CC, DD, M, N, O, P, S, T & TT  
 16

17 WHEREAS: The Governing Body of the City of Rio Rancho has subsequently determined that in  
 18 Ordinance 19, Enactment No. 96-020, it zoned the property in Unit 12, Blocks B, BB, C, CC,  
 19 D and DD as R-1/Single Family Residential, but with a minimum frontage width of no less  
 20 than 50 feet; and  
 21

22 WHEREAS: The extended moratorium provides that 50 foot minimum frontage lots replatted to a frontage  
 23 of 70 feet or larger are excluded from the moratorium; and  
 24

25 WHEREAS: The Governing Body is concerned that development of 50 foot minimum frontage lots which  
 26 are not served by both community water and sewer systems create a threat of contamination  
 27 of Rio Rancho's groundwater; and  
 28

29 WHEREAS: The Governing Body of the City of Rio Rancho has determined that the sale of individual 50  
 30 foot minimum frontage lots which are contiguous to other such lots in the same ownership  
 31 to other parties during the period that the extended moratorium is in effect, creating a 50-foot  
 32 lot in isolated ownership, would create a window of nonconformity, allowing the proliferation  
 33 of such lots, thus thwarting the policies of the Comprehensive Plan as implemented by the  
 34 moratorium, the study of these lots and the City's current development of a Comprehensive  
 35 process to implement a lot merger strategy during the extended moratorium period; and  
 36

37 WHEREAS: Article 2, Subdivision, Chapter 9, Planning, Zoning, Land use Management, Rio Rancho  
 38 Revised Ordinance, 1987, defines "Subdivision" as:  
 39 The division of any tract of land into two or more lots in the purpose, whether immediate, or  
 40 in the future, of sales, lease or development.  
 41  
 42

43 **THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:**  
 44

45  
 46 Section 1. That as of the effective date of this Ordinance, all contiguous 50 foot minimum frontage lots  
 47 in the same ownership shall be deemed merged for zoning and building purposes. These  
 48 properties are:  
 49 Unit 11, Blocks A, B, C, D, E, S, T, U, UU, V, VV, W & WW  
 50 Unit 12, Blocks AA, EE, FF, GG, H, HH, J, K, L & M  
 51 Unit 13, Blocks DD, E, EE, G, H, HH, J, & JJ, and  
 52 Unit 17, Blocks AA, B, BB, C, CC, DD, M, N, O, P, S, T & TT  
 53

54 Section 2. Any division of lots merged by this ordinance shall be reviewed by the City Development  
 55 Department, pursuant to the City of Rio Rancho Subdivision Ordinance.  
 56

57 Section 3. Lots in Unit 12, Blocks B, BB, C, CC, D and DD are excluded from the operation of this  
 58 Ordinance.

- 1 Section 4. Lots which are replatted to a minimum frontage width of 70 feet or larger are excluded from
- 2 the operation of this ordinance.
- 3
- 4 Section 5. Upon adoption of a permanent ordinance containing a procedure for the merger of
- 5 contiguous 50 foot minimum frontage lots in the same ownership and the disposition of
- 6 existing 50 foot minimum frontage lots which are not contiguous to other such lots in the
- 7 same ownership, this Ordinance shall be repealed by the Governing Body.
- 8
- 9 Section 6. **Severability Clause.** If any section, paragraph, clause, or provision of this Ordinance, or
- 10 any section, paragraph, clause, or provision of any regulation promulgated hereunder shall
- 11 for any reason be held to be invalid, unlawful, or unenforceable, the invalidity, illegality, or
- 12 unenforceability of such section, paragraph, clause, or provision shall not affect the validity
- 13 of the remaining portions of this Ordinance or the regulation so challenged.
- 14
- 15 Section 7. **Compiling Clause.** This Ordinance shall be incorporated in and compiled as part of the City
- 16 Code of Rio Rancho, R.O. 1987.
- 17
- 18 Section 8. **Effective Date.** This Ordinance shall become effective ten days after adoption.
- 19

20  
21 **ADOPTED THIS 23RD DAY OF SEPTEMBER, 1998**

22  
23  
24 *John M. Jennings*  
25 **John M. Jennings, Mayor**  
26  
27 9-23-98  
28 **Date**

29  
30  
31 **ATTEST:**

32  
33  
34 *Tina Gonzales*  
35 **Tina Gonzales, City Clerk**  
36 **[S E A L]**  
37

STATE OF NEW MEXICO	} SS
COUNTY OF SANDOVAL	
This instrument was filed for record at	
<u>2:25</u>	A.M. (P.M.) on
<b>JAN 6 1999</b>	
Recorded in Vol. _____	
of records of said county, folio _____	
By: <u><i>Julinda</i></u>	Cik. & Recorder Deputy

CITY OF RIO RANCHO  
AGENDA BRIEFING MEMORANDUM

0-21

REFERENCE #:

AGENDA DATE: September 9, 1998

DEPARTMENT: City Development

**SUBJECT:** Proposed Amending Ordinance, amending Chapter 9, Appendix G and the Zone Map for the purpose of creating a zone map overlay ordinance which serves to prevent the proliferation of substandard 50 foot minimum frontage lots pending the adoption of a lot merger ordinance addressing such lots and providing for their replatting into lots which conform to minimum lot standards.

**SYNOPSIS**

- The proposed ordinance deems lots under same ownership merged for zoning & building purposes.
- To develop, lots must be replatted to a width of 70' or greater
- Lots in Block B, BB, C, CC, D and DD of Unit 12 are excluded as the lots were zoned and excluded from the front lot width requirement of 70'

**BACKGROUND AND ANALYSIS:**

The proposed overlay ordinance stipulates that lots under single ownership are deemed merged for zoning and building purposes. The purpose of this ordinance is to prevent the transfer of 50' lots to single ownership status and to close the window of nonconformity that would occur if property owners are able to sell single 50' lots to other parties during the extended moratorium period. Without this proposed overlay ordinance, there is a possibility that the sale of single 50' lots would create more 50-foot lots in isolated ownership thereby allowing the proliferation of such lots.

This proposed overlay ordinance precedes the City's current development process to implement a lot merger strategy during the extended moratorium period as recommended by the Consultant in the 50' Lot Study Implementation plan.

The proposed overlay ordinance excludes certain blocks in Unit 12 (which are also currently under the moratorium) since the 50' front lot width was approved for those blocks via Ord 96-020. The proposed overlay ordinance includes (in bold text) verbiage stating that the moratorium is lifted from those certain blocks. The Governing Body should include this language if they would like to lift the moratorium without implementing any additional development standards other than what currently exist. The Governing Body may delete the verbiage should they want to impose additional development standards unique to the area such as some minimum/maximum setback requirements. Should additional development standards be warranted, an overlay ordinance specific to those blocks in Unit 12 should be prepared prior to lifting the moratorium.

The proposed zone map overlay ordinance is attached for your review.

**IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE)**

There are no apparent adverse impacts.

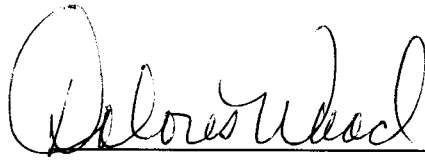
**ALTERNATIVES:** The Governing Body may vote to approve the proposed zone map overlay ordinance with or without amendments or, the Governing Body may vote to deny approval of the proposed zone map overlay ordinance.

**DEPARTMENT RECOMMENDATION:** The Department recommends approval of the proposed zone map overlay ordinance.

**REVIEWED BY:**

CITY ATTORNEY		DPS _____	PARKS & REC. _____	SENIOR CTR. _____
CITY CLERK		FINANCE _____	PERSONNEL _____	OTHER (SPECIFY) _____
CITY DEV	<u>  x  </u>	LIBRARY _____	PUBLIC WORKS _____	

**OTHER DEPARTMENT'S RECOMMENDATIONS:** The Planning & Zoning Commission will review and make a recommendation as to approval or denial of the proposed zone map overlay on September 8, 1998. Their recommendation will be forwarded verbally to the Governing Body's meeting on September 9.

PREPARED BY: 

DATE: 8/31/98

DEPARTMENT DIRECTOR: 

DATE: 8/31/98

CITY ADMINISTRATOR: 

DATE: 8/31/98

Attachment I: Proposed Zone Map Overlay Ordinance

Attachment II: Legal Notice & Property Owner Notice Letter



# City of Rio Rancho

3900 Southern Blvd. SE ● PO Box 15550  
Rio Rancho, NM 87174-0550  
(505) 891-7206 ● Fax (505) 896-8994

DEPARTMENT OF  
CITY DEVELOPMENT

August 21, 1998

**RE: Proposed Ordinance amending Chapter 9, Planning Zoning, Land Use Management, Appendix G; Zone Map Amendments and the Zone Map for the purpose of creating a Zone Map Overlay which serves to prevent the proliferation of substandard 50 Foot minimum frontage lots pending the adoption of a lot merger ordinance addressing such lots and providing for their replatting into lots which conform to minimum lot standards**

Dear Property Owner:

The Governing Body of the City of Rio Rancho will consider adoption of a Zone Map Overlay Ordinance that if adopted will deem all contiguous 50 foot minimum frontage lots in the same ownership merged for zoning and building purposes.

**Properties affected by this ordinance are:**

Unit 11, Blocks A, B, C, D, E, S, T, U, UU, V, VV, W & -WW

Unit 12, Blocks AA, EE, FF, GG, H, HH, J, K, L & M

Unit 13, Blocks DD, E, EE, G, H, HH, J, & JJ, and

Unit 17, Blocks AA, B, BB, C, CC, DD, M, N, O, P, S, T & TT

**Properties excluded from the operation of this Ordinance are:**

Unit 12, Blocks B, BB, C, D, and DD

The meeting is scheduled for **September 9, 1998** at 7:00 p.m., 3900 Southern Boulevard, Council Chambers. You are being notified as our records indicate that you are either a property owner in the affected area(s) or, you are a property owner within one hundred feet of the affected area(s).

If you cannot attend the meeting and would like to comment on this item, you may submit written comments that will be provided to the Governing Body on your behalf. You may also telephone City Staff at (505)891-7206 with any questions, concerns, or comments that you want the Governing Body to consider.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 891-7212 as soon as possible. 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.

Sincerely,

Dolores Wood, CZO

Zoning & Code Enforcement Manager

WARRANTY DEED

Solano Builders and Construction of Jose Solano

for consideration paid, grants to  
Solano Builders and Construction of Jose Solano

whose address is 36 12th Ave NW Rio Rancho NM 87119

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

Lot 10 Block V  
Rio Rancho Estates  
Unit 11  
City of Rio Rancho

WITNESS \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this 14 day of

June 2023 \_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

STATE OF NEW MEXICO

County of Sandoval ss

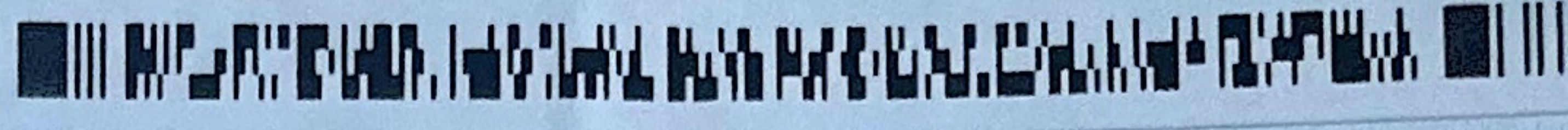
The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June,

20 23 by Jose Solano

My commission expires 9/17 20 25

Monica Archibque  
Notary Public

STATE OF NEW MEXICO  
NOTARY PUBLIC  
MONICA ARCHIBQUE  
COMMISSION # 1135511  
COMMISSION EXPIRES 09/17/2025



WARRANTY DEED

Solano Builders and Construction or Jose Solano

Manuel Alejandro Reyna, for consideration paid, grants to

whose address is 1825 ALPHA CT SE Rio Rancho NM 87124

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

Lot 11 Block V  
Rio Rancho Estates  
Unit 11  
City of Rio Rancho

WITNESS \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this 8 day of

June 20 23

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF NEW MEXICO

County of Sandoval ss.

The foregoing instrument was acknowledged before me this 8th day of June, 20 23 by Jose Solano

My commission expires 9/17 20 25

Monica Archibeque  
Notary Public

STATE OF NEW MEXICO  
NOTARY PUBLIC  
MONICA ARCHIBEQUE  
COMMISSION # 1135511  
COMMISSION EXPIRES 09/17/2025



DATE	
BY	
CHECKED	
SCALE	
PROJECT	
SHEET	
TITLE	
DATE	
BY	
CHECKED	
SCALE	
PROJECT	
SHEET	
TITLE	

Project Number: 2022-48  
 Date: 08/15/2022  
 Scale: 3/32" = 1'-0"

LOCATION:  
 NORTHERN BOULEVARD NE  
 RIO RANCHO NM

PROJECT NAME:  
 SITE PLAN

SHEET NO.  
 A1  
 1 of 9

**INDEX OF CONSTRUCTION DRAWINGS**

- A1- SITE PLAN
- A2- GENERAL NOTES
- A3- FLOOR PLAN
- A4- FOUNDATION PLAN AND FOUNDATION DETAILS
- A5- DIMENSION PLAN
- A6- FL FRAMING AND DETAILS
- A7- ELEVATIONS
- A8- ELEVATIONS
- A9- ELECTRICAL FLOOR PLAN

**PROJECT NARRATIVE**

NEW CONSTRUCTION SINGLE FAMILY RESIDENCE  
 PROJECT CONSISTS OF CUSTOM HOME  
 TOTAL OF NEW HEATED AREA: 2,529 S.F.  
 PLAT SURVEY LOT 10 BLOCK V RIO RANCHO ESTATES UNIT 11  
 CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO

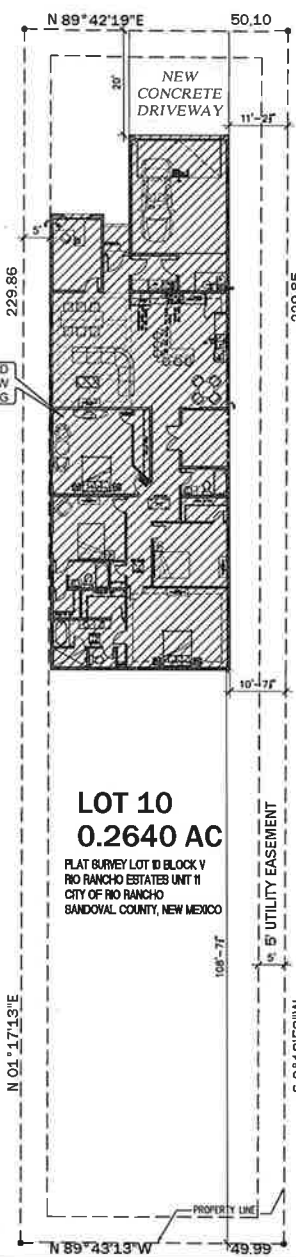
**APPLICABLE CODES CABO U.A.C.-2020**

- INTERNATIONAL RESIDENTIAL CODE 2015 AND UNIFORM ADMINISTRATIVE CODE 2020
- The 2015 New Mexico Mechanical Code
- The 2015 New Mexico Plumbing Code
- The 2015 New Mexico Swimming Pool, Spa, and Hot Tub Code
- The 2012 New Mexico Solar Energy Code
- The 2018 International Energy Conservation Code
- The 2015 New Mexico Residential Building Code including Appendix Chapters H, J, K, M, R, and S, but not including Appendix Chapters A, B, C, D, E, F, G, L, N, O, P, and Q
- The 2015 New Mexico Earthen Building Materials Code
- The New Mexico Historic Earthen Building Code
- The 2015 New Mexico Existing Building Code
- The 2017 New Mexico Electrical Code
- The 2012 New Mexico Electrical Safety Code

**ALBUQUERQUE DESIGN CRITERIA UAC TABLE 301.2 (1)**

- GROUND SNOW LOAD: 20
- WIND SPEED (MPH): 15 AT 3 SECOND GUSTS
- RAINFALL: 2 INCHES PER HOUR
- SEISMIC DESIGN CATEGORY: C
- WEATHERING: MODERATE
- FROST LINE DEPTH: 16 INCHES
- TERMITES: MODERATE TO HEAVY
- WINTER DESIGN TEMPERATURE: 12 DEGREES F
- ICE SHIELD UNDERLAYMENT: NOT REQUIRED
- AIR FREEZING INDEX: 263
- MEAN ANNUAL TEMPERATURE: 54.6

NORTHERN BLV NE (100' RW)



ALL SET BACKS SHALL MEET THE REQUIREMENTS OF THE CITY OF RIO RANCHO INDICATED IN THE CODE CRITERIA



**PROPOSED SITE PLAN**

THIS IS NOT A BOUNDARY SURVEY  
 APPARENT LOT LINES AND PROPERTY CORNERS ARE SHOWN FOR ORIENTATION ONLY

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

JEB Drafting and Design LLC Has no liability for errors associated with the use of these data site plan. Owners are solely responsible for confirming data accuracy and set backs on the field when necessary. CONTRACTOR SHALL NOT PROCEED WITH ANY STRUCTURAL CHANGES UNTIL THEY HAVE BEEN REVIEWED AND APPROVED BY THE BUILDING INSPECTION DEPARTMENT

**SITE GENERAL NOTES**

- NO DIGGING TO BEGIN UNTIL ALL UTILITY COMPANIES HAVE BEEN NOTIFIED, BLUE-STAKING COMPLETE, AND PERMITS OBTAINED.
- PRIOR TO CONSTRUCTION CONTRACTOR SHALL DEFINE CONSTRUCTION "DISTURBED AREA" LOCATIONS. THIS AREA IS TO BE FENCED, OR OTHERWISE DELINEATED, AND ALL CONSTRUCTION, PARKING, LOADING, MATERIAL STORAGE, ETC. SHALL REMAIN WITHIN THIS DEFINED AREA. ABSOLUTELY NO DISRUPTION OF THE REMAINING SITE IS TO OCCUR BEYOND THIS BOUNDARY WITHOUT OWNER CONSENT.
- SITE SHALL BE KEPT CLEAN AND SAFE AT ALL TIMES. TRASH IS TO BE PROPERLY CONTAINED AND REMOVED AS REQUIRED.
- RECYCLE AS MUCH SCRAP MATERIAL AND PACKAGING AS POSSIBLE.
- WHERE APPLICABLE DRIVEWAYS TO BE GRADED TO DIVERT RUNOFF TO BAR (DIVERSION) DITCH OR CHANNELS PER SITE PLAN.
- DRIVEWAY SURFACE (WHERE APPLICABLE) SHALL BE 4" BASE COURSE, ROLLER-COMPACTED, AND CROWNED TO ALLOW POSITIVE DRAINAGE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITY CONNECTIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, WATER, ELECTRICITY, PHONE, (6 PAIR MIN. WHERE AVAILABLE), AND CABLE TV. PROPANE OR NAT. GAS STORAGE TANKS SHALL BE UL-LISTED BURIED TYPE OR PROPERLY SCREENED PER SITE PLAN.
- PUBLIC UTILITY BILLING RESPONSIBILITY TO BE TRANSFERRED TO OWNER AT SUBSTANTIAL COMPLETION OR PER OTHER WRITTEN AGREEMENT.
- EXTERIOR LIGHTING SHOULD BE SCREENED 15' FROM HORIZON TO MINIMIZE NIGHT SKY POLLUTION.



**DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET**

**DATE:** May 1, 2022

- TO:** (X) Development Services – Matt Geisel, Amy Rincon, David Serrano, Cedric Smith, Peter Prukop  
 (X) Fire and Rescue – Jessica Duron-Martinez, Gerard Bauer  
 (X) Police - Justin Garcia, Andrew Rodriguez  
 (X) SSCAFCA – Andy Edmondson  
 (X) Parks and Recreation - Dyane Sonier, Connie Peterson  
 (X) Rio Rancho Public Schools - Michael Baker  
 (X) MRCOG – Peach Anderson-Tauzer

**FROM:** Development Services Department, Planning & Zoning Division

**RE: Variance:** DSD #23-110-00002, 336 Northern Blvd NE

The applicant, Jose Solano, is requesting approval of a variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, May 15, 2023**. If redline comments are made on the application, please also provide me with a copy. Please contact Michelle Costilla at 505-896-8362 or e-mail [mcostilla@rrnm.gov](mailto:mcostilla@rrnm.gov) if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:

- RECOMMENDED FOR APPROVAL
- RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Engineering does not support development of substandard lot size.

Peter Prukop  
Reviewer

5/10/2023  
Date



# 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: Variance  
Case No. 23-110-00002 (Unit 11, Block V, Lot 10)

Dear Property Owner:

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

The applicant, Jose Solano, is requesting approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, June 27, 2023** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below**.

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

# The City of Rio Rancho

Development Services

Planning Division



3200 Civic Center Circle NE

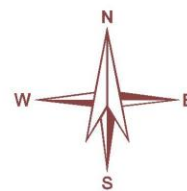
Rio Rancho, NM 87144

Phone (505) 891-5005 • Fax (505) 896-8994

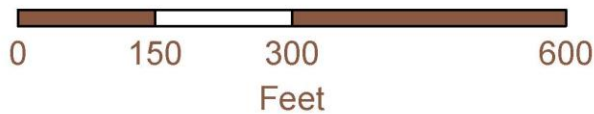
## 336 NORTHERN BLVD NE



	Subject Property
<b>Zoning</b>	
	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.





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:** **June 27, 2023**

**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

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**Location:** Virtual (Zoom) and In-Person  
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Chambers, 3200 Civic Center  
Circle NE, Rio Rancho, NM  
87144

**Date:** **June 27, 2023**

**Time:** 6:00PM

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

## **Application Information**

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, Jose Solano, is requesting approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential.

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

<https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

Via Phone +1(253)-215-8782 Meeting ID: 851 8074 1871 Passcode: 026819



## **Application Information**

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, Jose Solano, is requesting approval of a Variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential.

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Via Phone +1(253)-215-8782 Meeting ID: 851 8074 1871 Passcode: 026819



ALBUQUERQUE PUBLISHING COMPANY

7777 Jefferson St. NE, Albuquerque, NM 87109

**Account Number**  
1010956

**Ad Order Number**  
0001572436

**Ad Proof/Order Confirmation**

CITY OF RIO RANCHO  
ATTN: ACCOUNTS PAYABLE  
3200 CIVIC CENTER CIR NE  
RIO RANCHO, NM 871444501 USA

**Ordered By** Sharon Bitah

**Customer Phone** 5058915005

**Joint Ad #**

**Customer Email** sbitah@rrnm.gov

**PO Number** 230019

**Ad Cost** \$133.32

**Sales Rep** wschult

**Tax Amount** \$10.33

**Order Taker** wschult

**Total Amount** \$143.65

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

**Amount Paid** \$0.00

<https://securepayment.link/abqjournal/>

**Amount Due** \$143.65

**Affidavits** 0

**Pick Up #**

**Product** Albuquerque Journal

**Placement** 0Legal Notices

**Ad Number** 0001572436-01

**Classification** 0Government

**Ad Type** 0 Legal Liner

**Sort Text** CITYOFRIORANCHOPUBLICHEARING  
NOTICETHEPLANNINGANDZONINGB  
OARDOFTHECITYOFRIORANCHONM  
WILLCONSIDERTHEFOLLOWINGMAT  
TERATITSREGULARLYSCHED

**Ad Size** 1 X 174 li

**Color**

**Run Date**

06/12/2023  
06/12/2023  
06/12/2023

**WYSIWYG Content**



**CITY OF RIO RANCHO  
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matter at its regularly scheduled meeting on Tuesday, June 27, 2023 at 6:00 pm:

**Variance**

**Case #23-110-00003**

The applicant, Brian Salas, is requesting approval of a variance to the 300 feet distance requirement, as outlined by the Rio Rancho Municipal Code Chapter 122 Cannabis Establishments section 122.04 Location Restrictions, from a property containing a public facility, Rio Rancho Animal Control, for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 3320 Drover Ave NE, and is approximately 160 feet from property line to property line at the shortest distance possible from Rio Rancho Animal Control, which is located at 3441 Northern Blvd NE.

**Variance**

**Case #23-110-00005**

The applicant, Kirk Moser, is requesting approval of a Variance to the 15' rear setback requirement for a garage, at the subject property legally described as U11, Blk 5, Lot 63; located at 617 5th St NE. The garage would encroach 10' into the rear setback and would leave a 5' setback instead of the required 15' setback. The property is currently zoned R-1: Single-Family Residential and totals .5 acres.

**Preliminary Plat Extension**

**Case #22-210-00010**

The applicant, Lomas Encantadas Development Co., through their agent, Huit-Zollars, Inc., requests approval of a Preliminary Plat Extension for Lomas Encantadas Unit 1-E Phases 1 & 2 for the property legally described as LE, Tract 13 within the Lomas Encantadas Master Plan.

**Preliminary Plat Extension**

**Case #20-210-00008**

Applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval for a Preliminary Plat Extension for Stone Mountain to create 106 single-family residential lots on the property legally described as Unit 13 Block 63.

**Variance**

**Request #23-110-00002**

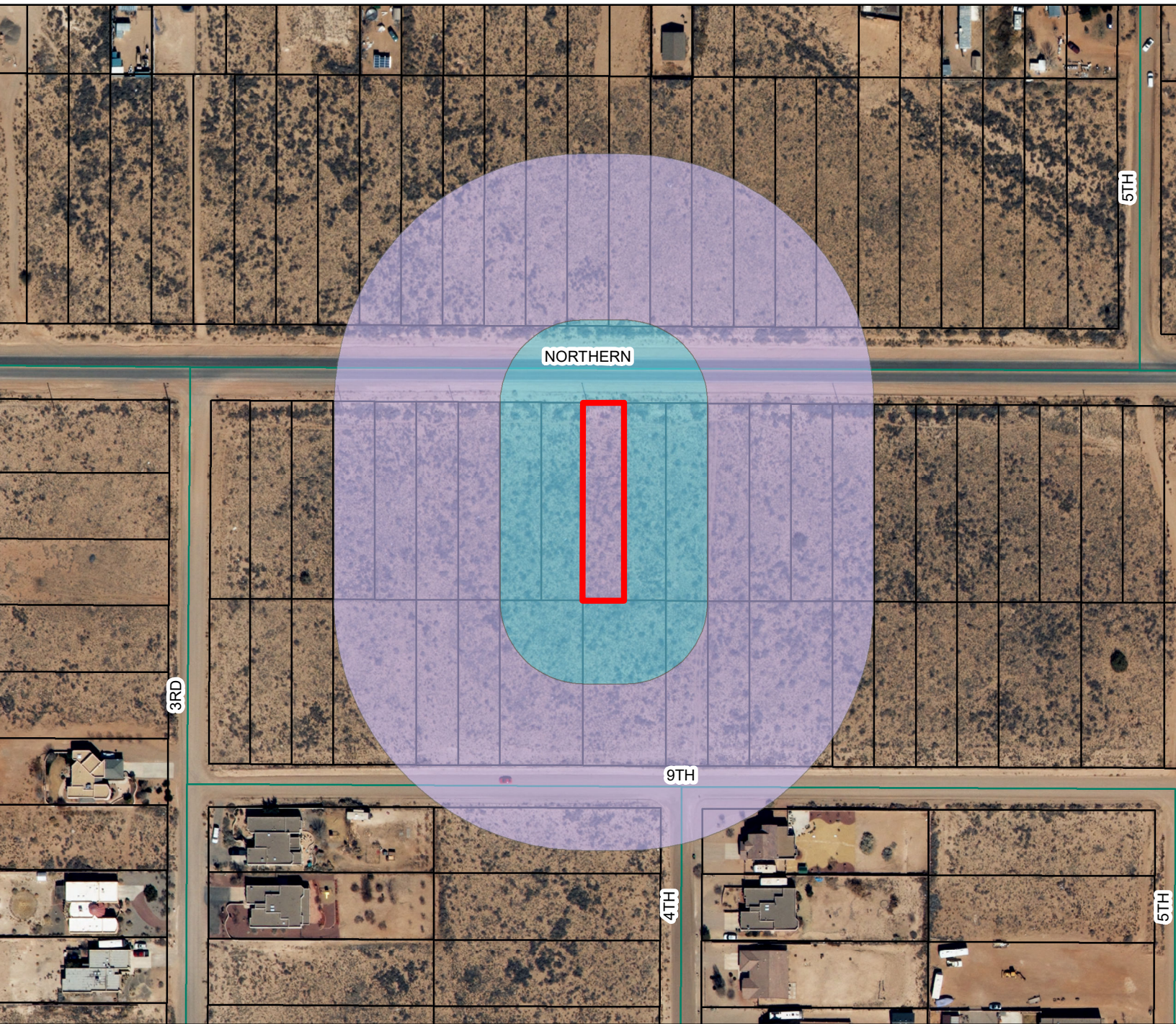
The applicant, Jose Solano, is requesting approval of a variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential


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


Journal: June 12, 2023

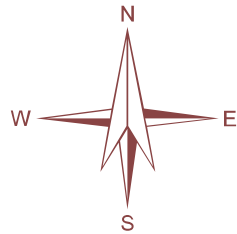
# 336 NORTHERN BLVD NE



 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.





PLANNING & ZONING BOARD OF THE  
CITY OF RIO RANCHO, NEW MEXICO  
FINDINGS OF FACT  
Case No. 23-110-00002

---

APPROVAL OF A REQUEST FOR A VARIANCE TO THE MINIMUM LOT WIDTH REQUIREMENTS OF THE R-1: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT AS DESCRIBED IN THE RIO RANCHO MUNICIPAL CODE SECTION 154.50 ON THE PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 11 BLOCK V LOT 10.

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Applicant: Jose Solano

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 June, 2023, 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 variance requests.
2. The applicant has the authority to make an application to request a variance to lot width requirements.
3. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

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 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.
4. The applicant must not have ownership of two contiguous lots to receive a Variance to the 60 ft. width requirement of the R-1 zone per the Overlay Ordinance No. 21, Enactment 98-023.

THEREFORE, the application for the variance is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on June 27, 2023, subject to the conditions, restrictions and stipulations specified above.

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Date

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Planning & Zoning Chairman



PLANNING & ZONING BOARD OF THE  
CITY OF RIO RANCHO, NEW MEXICO  
FINDINGS OF FACT  
Case No. 23-110-00002

---

APPROVAL OF A REQUEST FOR A VARIANCE TO THE MINIMUM LOT WIDTH REQUIREMENTS OF THE R-1: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT AS DESCRIBED IN THE RIO RANCHO MUNICIPAL CODE SECTION 154.50 ON THE PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 11 BLOCK V LOT 10.

---

Applicant: Jose Solano

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 June, 2023, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

4. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of variance requests.
5. The applicant has the authority to make an application to request a variance to lot width requirements.
6. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for a variance permit as set forth in R.O. 2003 Section 150.06.

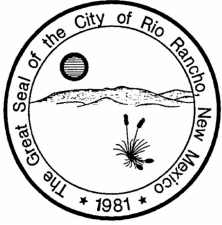
THEREFORE, the application for the variance is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on June 27, 2023, subject to the conditions, restrictions and stipulations specified above.

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Date

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Planning & Zoning Chairman



## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 22-210-  
00010**

AGENDA DATE:  
June 27, 2023

DEPARTMENT:  
Development Services

SUBJECT:  
**Preliminary Plat Extension.** The applicant, Lomas Encantadas Development Co, through their agent, Huitt-Zollars, Inc., requests approval of a preliminary plat extension for the Lomas Encantadas 1E Phase 1 & 2 Preliminary Plat. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

### BACKGROUND AND ANALYSIS:

The applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of a preliminary plat extension for the Lomas Encantadas 1E, Phase 1 & 2 Preliminary Plat.

The applicant states in their justification letter, "The engineering plans for Phase 1 were approved by Development Services Engineering December 7, 2022. This project is currently under construction and is scheduled to be completed in December 2023. The engineering plans for Phase 2 have been started by the engineer, but have not been submitted for review."

Lomas Encantadas 1E, Phase 1 and 2 is comprised of 123 lots and 21 tracts zoned R-1: Single-Family Residential District, with approximately 21.3270 lot acres and 4.0792 tract acres. The subject property is located on the north side of Paseo del Volcan, a principal arterial, and west of Camino Encantadas NE, a future minor arterial. Adjacent zoning includes R-4: Single-Family Residential to the south, and R-1: Single-Family Residential to the east, west, and north.

The City Subdivision Ordinance R.O. 2003 Chapter 155.22 (F) Longevity states: "Approval of a preliminary plat is effective for one year unless extended by the Planning Board, based on a finding that the delay has been unavoidable and the extension is in the public interest." The preliminary plat for Lomas Encantadas 1E, Phase 1 & 2 was approved with conditions by the Planning and Zoning Board on July 26, 2022 under Case No. 22-210-00010.

Staff recommends the Planning and Zoning Board finds it is in the public interest to grant the preliminary plat extension. The extension would provide the applicant with additional time to address any issues or outstanding items for subdivision construction. One of the primary purposes of the longevity clause is to prevent development of a subdivision, approved under previous iterations of the subdivision and zoning codes, that no longer meets the City's standards. There have been no significant revisions to the subdivision code, zoning code, or infrastructure design standards since the plat's approval date that would necessitate a second plat review and re-approval for the Lomas Encantadas 1E, Phase 1 & 2 Preliminary Plat.

NOTIFICATIONS. Notice of the preliminary plat extension request and hearing date was sent via first class mail to abutting property owners. A legal notice was published in the June 12, 2023 edition of the Albuquerque Journal. A notice sign was posted to the property per Ordinance. 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 plat extension 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 preliminary plat extension.
2. The applicant has the authority to apply for a preliminary plat extension.

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

1. The preliminary plat has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary plat conforms to the requirements of the Subdivision Code, Code of Ordinances, Chapter 155.22 (F).
3. The preliminary plat extension provides the applicant with additional time to comply with the conditions of preliminary plat approval.
4. The City has made no significant revisions to the Code of Ordinance or infrastructure design standards since the approval of the Lomas Encantadas 1E Phase 1 & 2 Preliminary Plat that would create inconsistent standards for the development given the preliminary plat extension.
5. All the conditions of the July 26, 2022 Preliminary Plat Approval shall apply to this extension, with those conditions being:
  - a. Under Dedication on sheet 1, line 5, remove language "to hereon and" and on line 9 add "and" to reflect, "owned and maintained."
  - b. Under Purpose of Plat numbers 3 and 4, identify what entity will be maintaining the specified tracts.
  - c. Ensure drainage calculations and drawings match for Pond 1E-1 D. Include grading details for proposed ponds.
  - e. Show where drainage exiting Parker Road will flow.
  - f. Provide updated signal analysis for Lincoln Ave. and Camino Encantadas NE, Lincoln Ave and Paseo del Volcan, and applicable adjoining subdivisions.
  - g. Provide an overlay showing proposed roads and access that meets the State Access Management Manual (SAMM) for Camino Encantadas for surrounding and adjoining developments.
  - h. Under Subdivision Data, change "Unit 1-F" to "Unit 1-E."
  - i. Identify total lot acreage, total tract acreage, and total right-of-way acreage specific to LE 1E Phases 1& 2 on the plat.
  - j. Impact Fee assessment will be based on the date of this preliminary plat approval and valid for four (4) years from the date of the original approval. A specific accounting of Impact Fees triggered by this project, and in accordance with the Development Agreement, shall be submitted prior to submitting the final plat.
  - k. The preliminary plat extension is effective until June 27, 2024.

**ALTERNATIVES:**

The Planning and Zoning Board may:

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

**DEPARTMENT RECOMMENDATION:**

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: [Legal Ad - LE, 1E Phase 1 & 2.pdf](#)

ATTACHMENT: [22-210-00010 Notices for 6.27.2023 PZB.pdf](#)

ATTACHMENT: [Lomas Encantadas 1-E Phases 1 & 2 Extension.jpg](#)

ATTACHMENT: [Preliminary Plat\\_ LE 1E COMBINED.pdf](#)

ATTACHMENT: [2023-06-05 LE 1E Ph 1&2 Pre Plat Extension Application & Letter.pdf](#)

ATTACHMENT: [Sedillo, Gabriel\\_Public Comment.pdf](#)

ATTACHMENT: [Doak, Monna\\_Public Comment.pdf](#)

ALBUQUERQUE PUBLISHING COMPANY

7777 Jefferson St. NE, Albuquerque, NM 87109

**Account Number**  
1010956

**Ad Order Number**  
0001572436

**Ad Proof/Order Confirmation**

CITY OF RIO RANCHO  
ATTN: ACCOUNTS PAYABLE  
3200 CIVIC CENTER CIR NE  
RIO RANCHO, NM 871444501 USA

**Ordered By** Sharon Bitah

**Customer Phone** 5058915005

**Joint Ad #**

**Customer Email** sbitah@rrnm.gov

**PO Number** 230019

**Ad Cost** \$133.32

**Sales Rep** wschult

**Tax Amount** \$10.33

**Order Taker** wschult

**Total Amount** \$143.65

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

**Amount Paid** \$0.00

<https://securepayment.link/abqjournal/>

**Amount Due** \$143.65

**Affidavits** 0

**Pick Up #**

**Product** Albuquerque Journal

**Placement** 0Legal Notices

**Ad Number** 0001572436-01

**Classification** 0Government

**Ad Type** 0 Legal Liner

**Sort Text** CITYOFRIORANCHOPUBLICHEARING  
NOTICETHEPLANNINGANDZONINGB  
OARDOFTHECITYOFRIORANCHONM  
WILLCONSIDERTHEFOLLOWINGMAT  
TERATITSREGULARLYSCHED

**Ad Size** 1 X 174 li

**Color**

**Run Date**

06/12/2023  
06/12/2023  
06/12/2023

**WYSIWYG Content**



**CITY OF RIO RANCHO  
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matter at its regularly scheduled meeting on Tuesday, June 27, 2023 at 6:00 pm:

**Variance**

**Case #23-110-00003**

The applicant, Brian Salas, is requesting approval of a variance to the 300 feet distance requirement, as outlined by the Rio Rancho Municipal Code Chapter 122 Cannabis Establishments section 122.04 Location Restrictions, from a property containing a public facility, Rio Rancho Animal Control, for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 3320 Drover Ave NE, and is approximately 160 feet from property line to property line at the shortest distance possible from Rio Rancho Animal Control, which is located at 3441 Northern Blvd NE.

**Variance**

**Case #23-110-00005**

The applicant, Kirk Moser, is requesting approval of a Variance to the 15' rear setback requirement for a garage, at the subject property legally described as U11, Blk 5, Lot 63; located at 617 5th St NE. The garage would encroach 10' into the rear setback and would leave a 5' setback instead of the required 15' setback. The property is currently zoned R-1: Single-Family Residential and totals .5 acres.

**Preliminary Plat Extension**

**Case #22-210-00010**

The applicant, Lomas Encantadas Development Co., through their agent, Huit-Zollars, Inc., requests approval of a Preliminary Plat Extension for Lomas Encantadas Unit 1-E Phases 1 & 2 for the property legally described as LE, Tract 13 within the Lomas Encantadas Master Plan.

**Preliminary Plat Extension**

**Case #20-210-00008**

Applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval for a Preliminary Plat Extension for Stone Mountain to create 106 single-family residential lots on the property legally described as Unit 13 Block 63.

**Variance**

**Request #23-110-00002**

The applicant, Jose Solano, is requesting approval of a variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential

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

Journal: June 12, 2023



**RE: Preliminary Plat Extension #22-210-00010 Lomas Encantadas 1E, Phases 1 & 2  
Lomas Encantadas Tract 13.**

**June 9, 2022**

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, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of a preliminary plat extension for Lomas Encantadas 1E, Phases 1 & 2. This preliminary plat proposal will create 123 single-family residential lots, currently zoned as R-1: Single Family Residential. The property is legally described as LE, Tract 13.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, June 27, 2022** 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](mailto: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](http://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=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>  
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](mailto: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](http://www.rrnm.gov), approximately one week before the hearing.

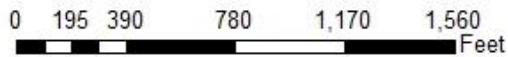
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

# LOMAS ENCANTADAS IE PHASES 1 & 2 PRELIMINARY PLAT EXTENSION



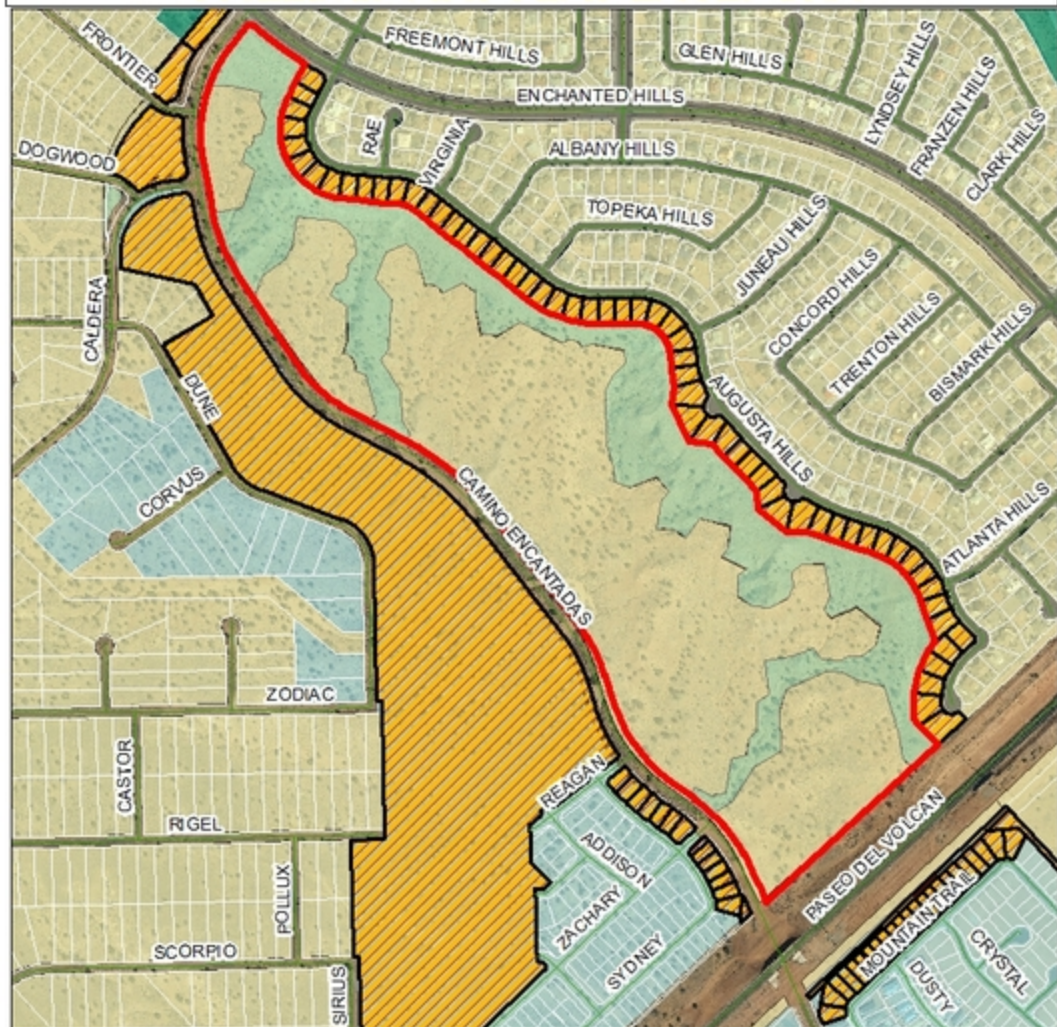
Map Created by Tim Dvorak on 6/8/2023



	Roads
	Subject Property
	Noticed Abutting Properties
<b>Zoning</b>	
	OS
	R-1
	R-4
	SU

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

# LOMAS ENCANTADAS IE PHASES 1 & 2 PRELIMINARY PLAT EXTENSION



0 195 390 780 1,170 1,560 Feet

	Roads
	Subject Property
	Noticed Abutting Properties
	Zoning
	OG
	R-1
	R-4
	SU

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



Map Created by Tim Dvorak on 8/8/2023



**PRELIMINARY PLAT  
OF  
LOMAS ENCANTADAS UNIT 1-E,  
PHASE 1 & 2  
A SUBDIVISION OF TRACT 13-A  
LOMAS ENCANTADAS  
WITHIN SECTIONS 22, 23, & 26, T. 13 N., R. 3 E., N.M.P.M.  
CITY OF RIO RANCHO  
SANDOVAL COUNTY, NEW MEXICO**

SHEET 1 OF 4  
NOVEMBER 2022

**LEGAL DESCRIPTION:**

A Tract of land being all of Tract 13-A, Lomas Encantadas, recorded on November 10, 2005 in Book 408, Page 46844, as Document Number 200546844, RRE Plat Book 18, Pg. 73-78, being located within Sections 22, 23, and 26, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 90.4427 acres, (123) Lots, (21) Tracts.

**SUBDIVIDER:**

LOMAS ENCANTADAS DEVELOPMENT COMPANY, INC.  
409 NM-528 NE,  
RIO RANCHO, NM 87124  
JARROD LIKAR, PHONE NO. (505) 896-9037

**AGENT/ENGINEER:**

HUITT-ZOLLARS, INC.  
333 RIO RANCHO DRIVE NE, SUITE 101  
RIO RANCHO, NM 87124  
DONALD DUNEMAN, PHONE NO. (505) 892-5141

**CITY CLERKS CERTIFICATE**

I, Rebecca Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved by the Rio Rancho Planning and Zoning Board Chairman on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Rebecca Martinez, City Clerk

**RIO RANCHO PLANNING AND ZONING BOARD**

Approved at their meeting on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Fred Radosevich, Chairman

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY**

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Dave Gatterman, Executive Engineer

**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.

Jennifer A. Taylor, Sandoval County Treasurer Date

**COUNTY FILING CERTIFICATION**

STATE OF NEW MEXICO)  
SS.  
COUNTY OF SANDOVAL)  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS

DOCUMENT NO. \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_  
O'CLOCK \_\_ M. AND DULY RECORDED IN PLAT BOOK \_\_\_\_\_, PAGES \_\_\_\_\_  
\_\_\_\_\_ OF THE RECORDS OF SAID COUNTY.  
(RIO RANCHO ESTATES BOOK \_\_\_\_\_, PAGES \_\_\_\_\_)

COUNTY CLERK DATE

**DEDICATION**

THE SUBDIVISION PLAT 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 VACATION OF THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) AND 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENT AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT '13-A' INTO 123 R-1 SINGLE FAMILY RESIDENTIAL LOTS AND 21 TRACTS, ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS' AS NOTED HEREON AND TO THE GRANTING OF 1' WIDE 'NO VEHICULAR ACCESS EASEMENTS AS SHOWN AND NOTED HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT '13-A-1' AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'A', 'B', 'D' THRU 'M' AND 'O' THRU 'R' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPING EASEMENTS, TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'C', 'S' AND 'T' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PUBLIC DRAINAGE EASEMENTS, TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'N' AS SHOWN HEREON, SAID TRACT IS HEREBY RESERVED AS PRIVATE LANDSCAPING/WATER QUALITY EASEMENT TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A. SAID OWNER(S) OF SUCH REAL ESTATE DO HEREBY GRANT ANY AND ALL EASEMENTS SHOWN OR NOTED ON THE PLAT INCLUDING THE RIGHT OF INGRESS AND EGRESS. 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) AND/OR PROPRIETOR(S) WARRANT THAT THEY HAD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

LOMAS ENCANTADAS DEVELOPMENT COMPANY, INC.

Jarrod D. Likar, Vice President

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )SS

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me the undersigned Notary Public in and for said County and State, personally appeared Jarrod D. Likar, who being by me duly sworn, did say that he is the Vice President of Lomas Encantadas Development Company, Inc., a New Mexico Corporation organized under the laws of the State of New Mexico and that he signed this instrument on behalf of said corporation as the free act and deed of said corporation.

Notary Public

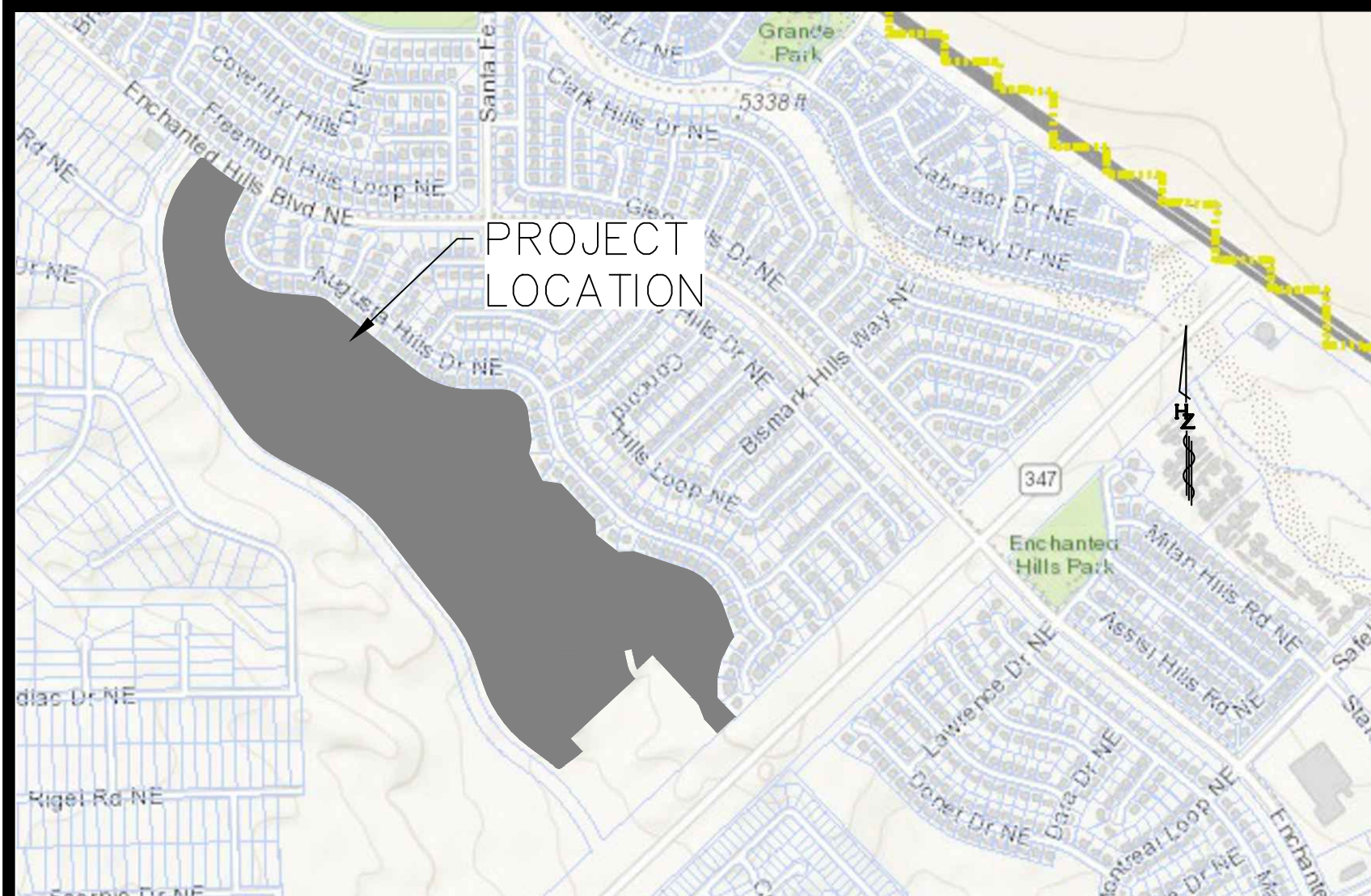
My Commission Expires \_\_\_\_\_

**SUBDIVISION DATA**

SUBDIVISION: LOMAS ENCANTADAS UNIT 1-E	PLAT ACRES	90.4427
NO. OF LOTS: 123	LOT ACRES:	21.3270
NO. OF PARCELS: 0	PARCEL ACRES:	0
NO. OF TRACTS: 21	TRACT ACRES:	61.8263
NO. OF EXIST. TRACTS: 1	SUBDIVISION TRACT ACRES:	4.0792
	TOTAL 1E SUBDIVISION ACRES:	32.6956
	TRACT 13-A-1 ACRES:	57.7471

ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO: 1.2577

NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO: 7.2913



**VICINITY MAP**  
NOT TO SCALE

**NOTES: UNLESS OTHERWISE INDICATED:**

Existing ten (10) foot wide public utility easement along Camino Encantadas Right-of-Way and Enchanted Hills Boulevard Right-of-Way within this Subdivision (Unit 1-E), as shown on Vacation and Replat of Lomas Encantadas, is being vacated by this plat. Said easement to remain inside new Tract 13-A-1 as shown hereon and being vacated within the subdivision boundaries.

There are two twenty (20) foot wide public drainage easements (all of Tracts 'S' & 'T'), and a single fourteen (14) foot wide public drainage easement (Tract 'C'), all being granted by this plat.

All of Tracts 'A', 'B', 'D', thru 'M', 'O' thru 'R' to be dedicated as private landscaping easements, owned and maintained by the Lomas Encantadas H.O.A. as shown hereon.

Tract 'N' to be dedicated as private landscaping / water quality easement, owned and maintained by the Lomas Encantadas H.O.A. as noted and shown hereon.

There is a ten (10) foot wide public utility easement within all new lots adjacent to all road rights-of-way being granted hereon except for corner lots where the easement width adjacent to the side street is only five (5) feet wide (lot frontage hereon designated by letter "F"). There is also a five (5) foot wide public utility easement within all lots and tracts on all other side and rear property lines.

There is a one (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Archer Road NE from Block 1, Lot 15 and Block 2, Lot 1. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Ava Road NE from Block 2, Lot 14. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to George Loop NE from Block 2, Lot 26.

All property corners are set with a 5/8" x 24" rebar with red or yellow plastic cap stamped LS 25115, or nail with shiner stamped LS25115 (unless otherwise indicated).

Basis of Bearings: the line between found brass cap monuments NM44-R1A and NM44-R1B being N. 52 35'48" w. on former New Mexico State Road No. 44 (N.M.S.R. 550).

Bearings are NM State Plane Grid Bearings (Central Zone)

Distances shown are ground distances (U.S. survey ft.)

Elevations are NAVD88.

Combined Scale Factor = 0.9996612633

No buildings are existing on the surveyed property.

Information in parenthesis ( ) are record where different from actual field survey.

P.L.W.Q. - Private Landscaping / Water Quality Easement

P.L.E. - Private Landscaping Easement

D.E. - Public Drainage Easement

N.V.A.E. - No Vehicle Access Easement

P.U.E. - Public Utility Easement

RAD - Radial bearing

AC - Acres

R/W - Right-of-Way

"F" - Lot Frontage

**SURVEYOR'S CERTIFICATE**

I, Jason D. Smith, New Mexico Registered Land Surveyor No. 17122, do hereby certify that the plat shown hereon was prepared under my supervision, and that the same is true and correct to the best of my knowledge and belief. This survey conforms to the Land Surveying Standards as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors and the City of Rio Rancho Subdivision Ordinance.

Jason D. Smith, NMPS No. 17122 Date

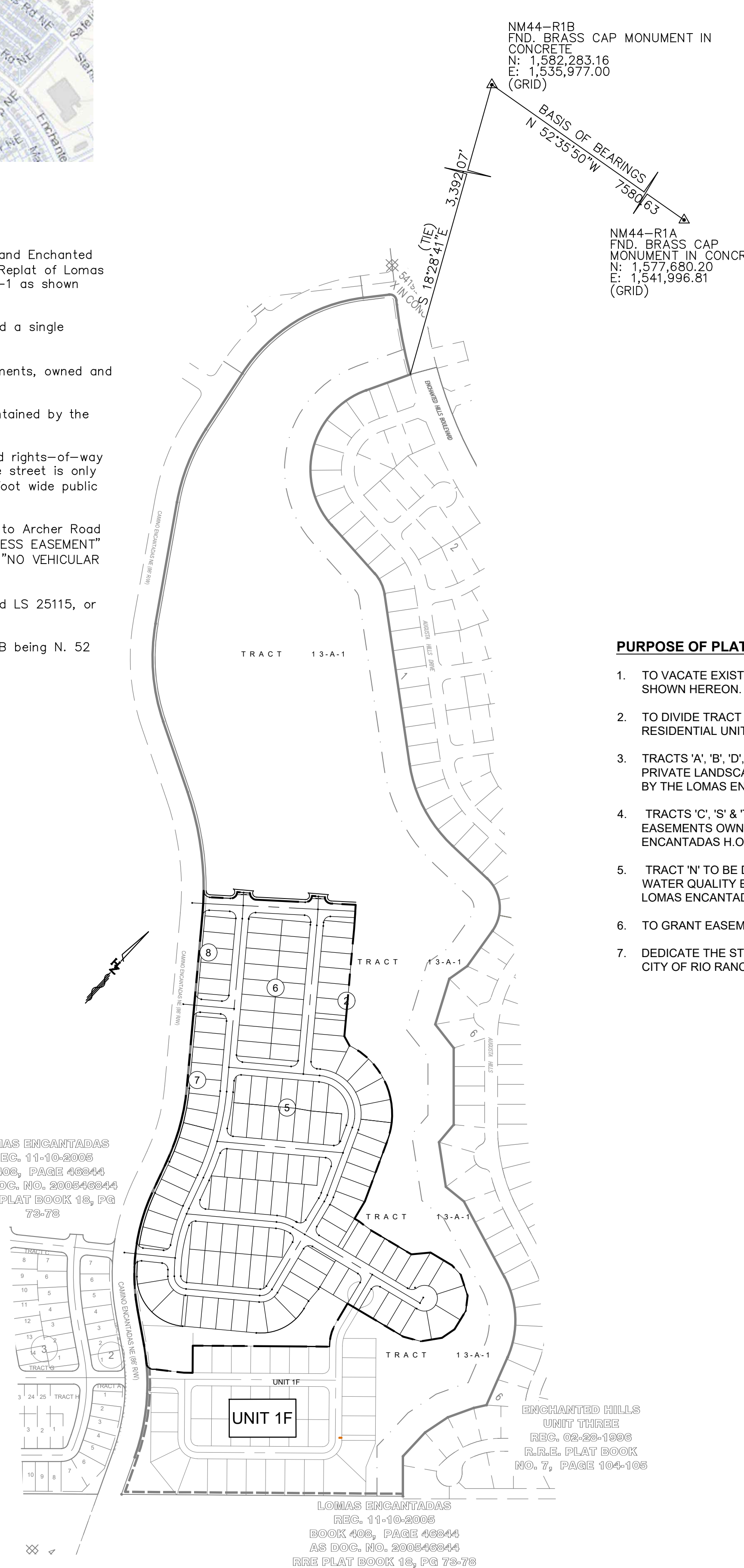
**JURISDICTIONAL AFFIDAVIT**

I, Jason D. Smith, New Mexico Registered Land Surveyor No. 17122, do hereby affirm that the property described does lie within the platting and extra-territorial subdivision jurisdiction of the City of Rio Rancho.

Jason D. Smith, NMPS No. 17122 Date

**HUITT-ZOLLARS**  
333 RIO RANCHO DR. N.E., STE. 101  
RIO RANCHO, N.M., 87124  
(505) 892-5141

LOMAS ENCANTADAS  
REG. 11-10-2005  
BOOK 408, PAGE 46844  
AS DOC. NO. 200546844  
RRE PLAT BOOK 18, PG  
73-78



NM44-R1B  
FND. BRASS CAP MONUMENT IN CONCRETE  
N: 1,582,283.16  
E: 1,535,977.00  
(GRID)

NM44-R1A  
FND. BRASS CAP MONUMENT IN CONCRETE  
N: 1,577,680.20  
E: 1,541,996.81  
(GRID)

**PURPOSE OF PLAT**

- TO VACATE EXISTING 10' WIDE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.
- TO DIVIDE TRACT '13-A' INTO 123 R-1 SINGLE FAMILY RESIDENTIAL UNITS AND 21 TRACTS.
- TRACTS 'A', 'B', 'D', THRU 'M', 'O' THRU 'R' TO BE DEDICATED AS PRIVATE LANDSCAPING EASEMENTS OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A.
- TRACTS 'C', 'S' & 'T' TO BE DEDICATED AS PUBLIC DRAINAGE EASEMENTS OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A.
- TRACT 'N' TO BE DEDICATED AS PRIVATE LANDSCAPING / WATER QUALITY EASEMENT. OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A. AS NOTED AND SHOWN HEREON.
- TO GRANT EASEMENTS AS NOTED AND SHOWN HEREON.
- DEDICATE THE STREET RIGHTS OF WAY AS SHOWN TO THE CITY OF RIO RANCHO FOR PUBLIC USE

**PUBLIC UTILITY EASEMENTS**

Public Utility Easements shown on this plat are granted for the common and joint use of:

- City of Rio Rancho for installation, maintenance, and service of storm drain lines, manholes and inlets; sanitary sewer lines, manholes and service lines; water lines, valves and other equipment and facilities reasonably necessary to provide storm, sanitary sewer and water services.
- 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.
- 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.
- Qwest Corporation d/b/a Century Link for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide communication services.
- Sparklight for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide cable 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 the 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 the 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/switch gears, as installed, shall extend ten (10) feet in front of transformer/switch gear doors and five (5) feet on each side.

Disclaimer  
In approving this plat, Public Service Company of New Mexico (PNM), New Mexico Gas Company (NMGC) and Qwest Corporation d/b/a CenturyLink (QWEST) did not conduct a Title Search of the properties shown hereon. Consequently, PNM, NMGC and QWEST 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.

The Utility Company signatures shown hereon are by authorized Utility Company Representatives

City of Rio Rancho Date  
PNM Electric Services Date  
NM Gas Company Date  
Qwest d/b/a/CenturyLink QC Date  
Sparklight Date

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**PRELIMINARY PLAT  
OF  
LOMAS ENCANTADAS UNIT 1-E,  
PHASE 1 & 2**  
A SUBDIVISION OF TRACT 13-A  
LOMAS ENCANTADAS  
WITHIN SECTIONS 22, 23, & 26, T. 13 N., R. 3 E., N.M.P.M.  
CITY OF RIO RANCHO  
SANDOVAL COUNTY, NEW MEXICO

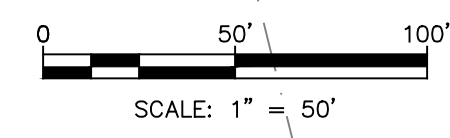
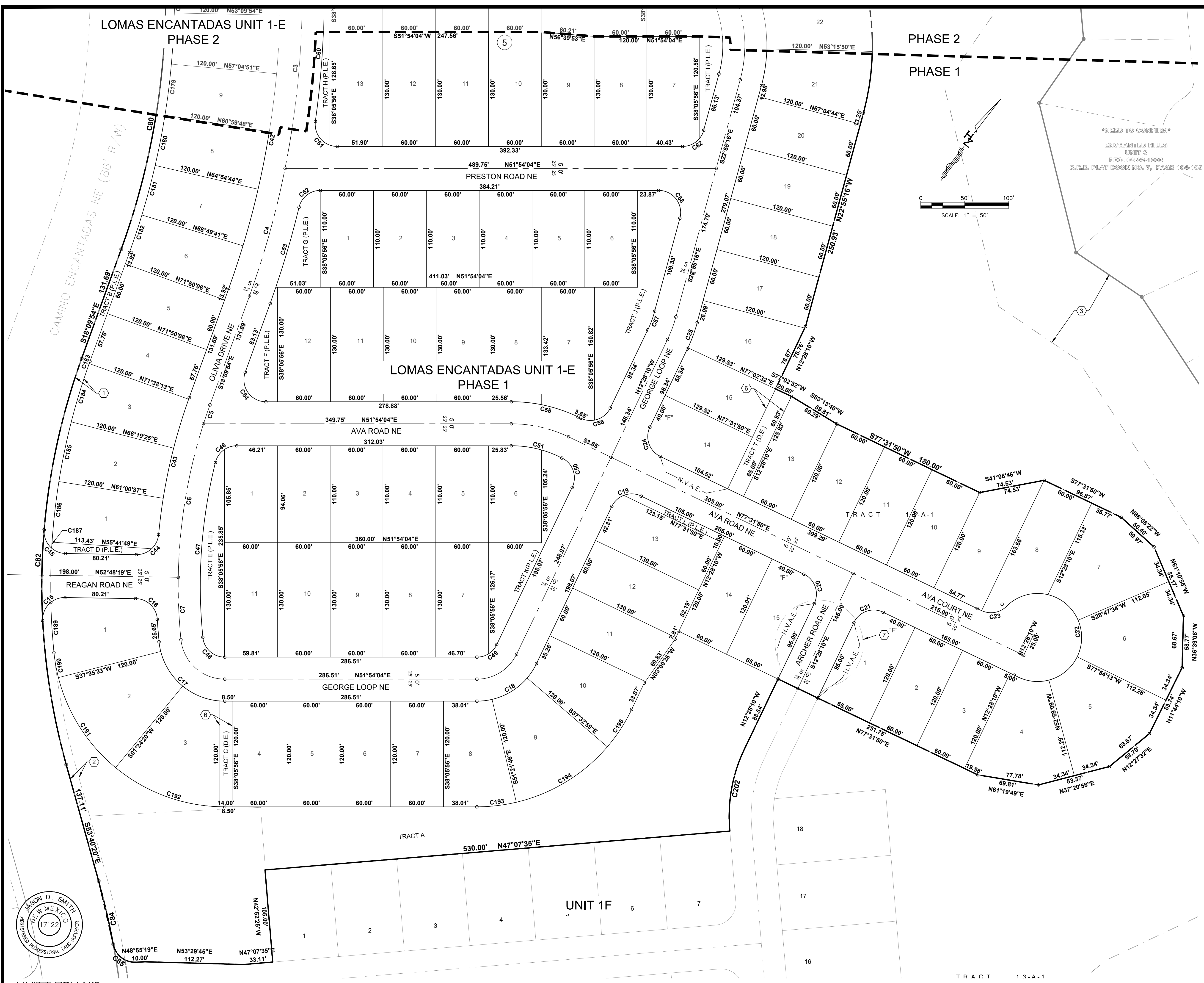
SHEET 2 OF 4  
NOVEMBER 2022

**EASEMENTS**

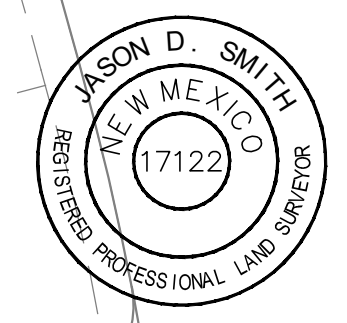
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- 4 10' WIDE (P.U.E.) ADJACENT TO PARKER ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 13-A-1 (GRANTED BY THIS PLAT).
- 5 TRACT 'S' IS ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
- 6 TRACTS 'C', 'T' & 'U' ARE ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
- 7 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENT TO BE VACATED WITH THIS PLAT.

**ABBREVIATIONS**

- P.L.W.Q. - Private Landscaping / Water Quality Easement
- P.L.E. - Private Landscaping Easement
- D.E. - Public Drainage Easement
- N.V.A.E. - No Vehicle Access Easement
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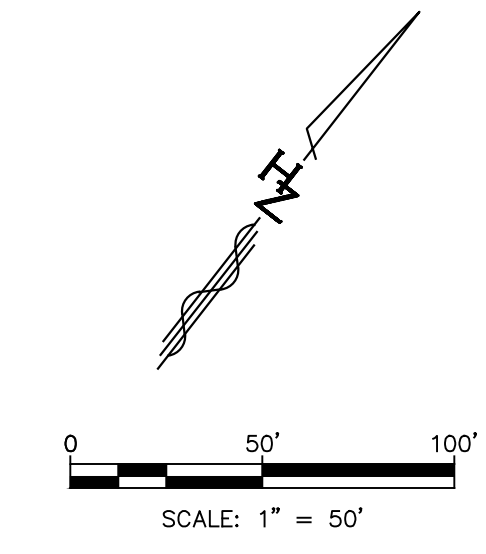
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**HUITT-ZOLIARS**  
 333 RIO RANCHO DR. N.E., STE. 101  
 RIO RANCHO, N.M., 87124  
 (505) 892-5141

**PRELIMINARY PLAT  
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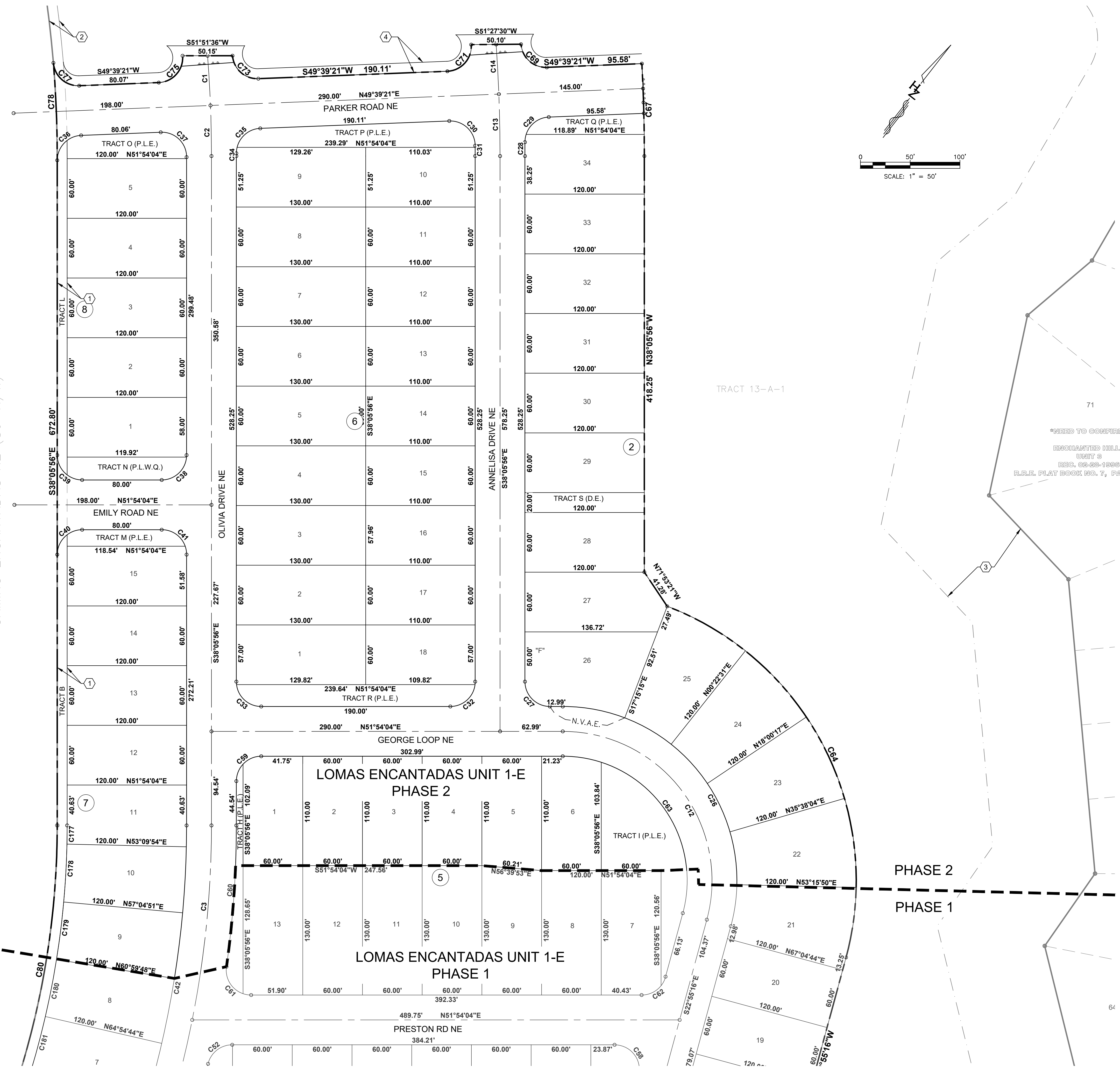
SHEET 3 OF 4  
NOVEMBER 2022



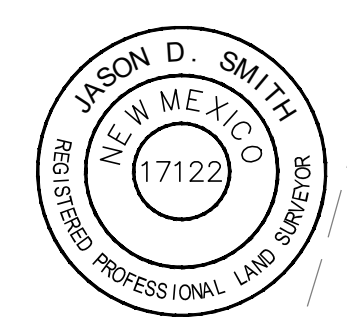
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  - R/W - Right-of-Way
  - "F" - Lot Frontage

CAMINO ENCANTADAS NE (86' R/W)



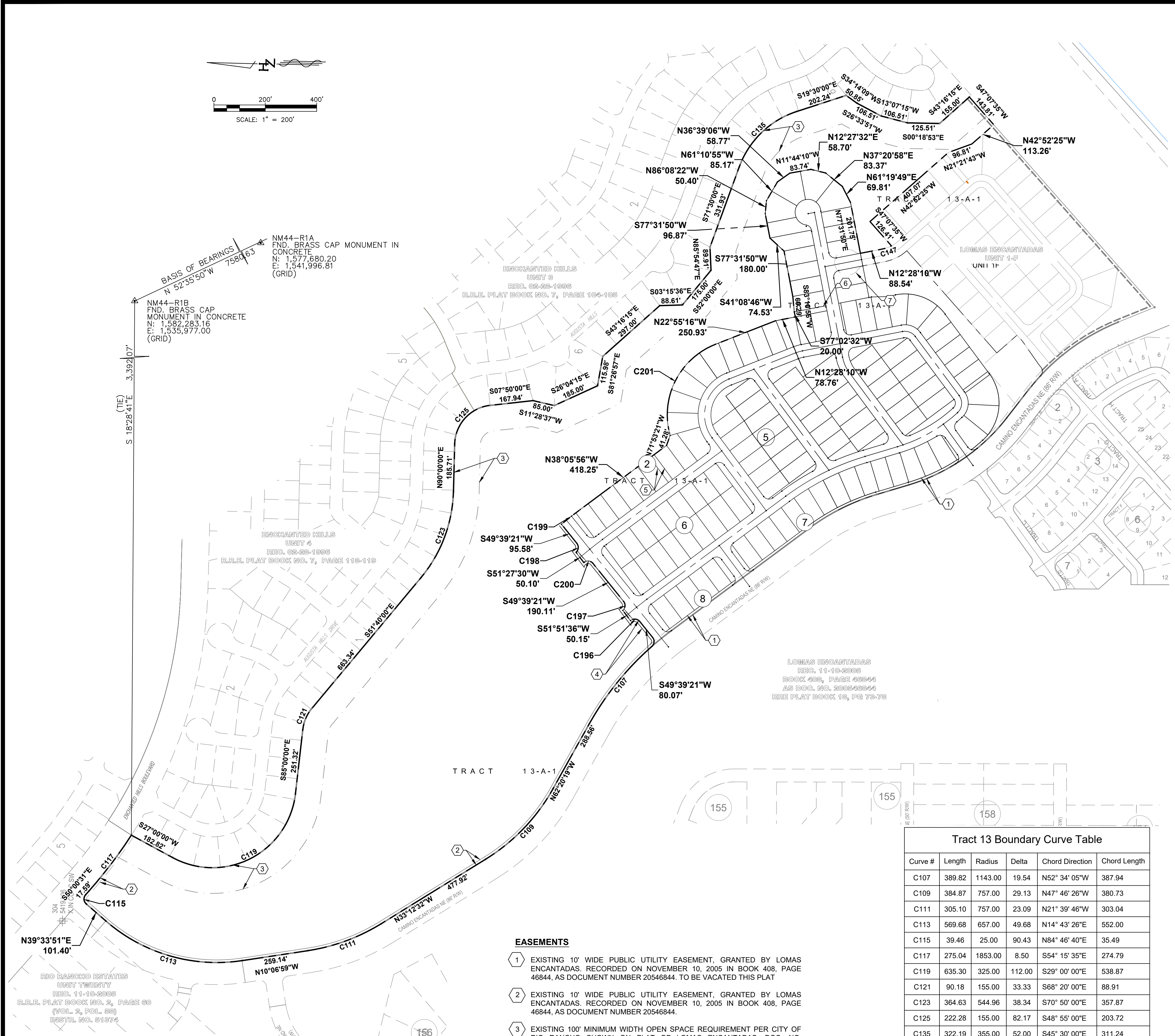
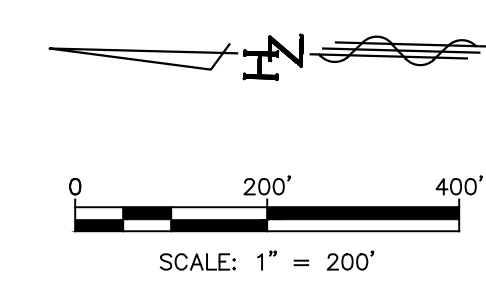
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**HUITT-ZOLIARS**  
333 RIO RANCHO DR. N.E., STE. 101  
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**PRELIMINARY PLAT  
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CITY OF RIO RANCHO  
SANDOVAL COUNTY, NEW MEXICO

SHEET 4 OF 4  
NOVEMBER 2022



**ROW / PROPERTY Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C15	40.98	25.00	93.92	S5° 07' 47"W	36.54
C16	37.35	25.00	85.60	N84° 23' 40"W	33.97
C17	110.17	75.00	84.16	S86° 01' 07"E	100.53
C18	84.26	75.00	64.37	N19° 42' 57"E	79.90
C19	39.27	25.00	90.00	S32° 31' 50"W	35.36
C20	39.27	25.00	90.00	N57° 28' 10"W	35.36
C21	39.27	25.00	90.00	S32° 31' 50"W	35.36
C22	218.63	50.00	250.53	N47° 44' 02"W	81.65
C23	30.77	25.00	70.53	N42° 15' 58"E	28.87
C24	39.27	25.00	90.00	S57° 28' 10"E	35.36
C25	31.92	175.00	10.45	N17° 41' 43"W	31.88
C26	321.25	175.00	105.18	N75° 30' 36"W	278.00
C27	39.27	25.00	90.00	S83° 05' 56"E	35.36
C28	13.97	1613.00	0.50	N38° 20' 49"W	13.97
C29	38.51	25.00	88.25	S5° 31' 49"W	34.81
C30	40.08	25.00	91.86	N84° 24' 46"W	35.93
C31	10.43	1563.00	0.38	N38° 17' 24"W	10.43
C32	39.27	25.00	90.00	N6° 54' 04"E	35.36
C33	39.27	25.00	90.00	S83° 05' 56"E	35.36
C34	2.76	1323.00	0.12	N38° 09' 31"W	2.76
C35	38.34	25.00	87.87	S5° 43' 07"W	34.69
C36	38.29	25.00	87.75	S5° 46' 42"W	34.66
C37	40.25	25.00	92.25	N84° 13' 18"W	36.04
C38	39.27	25.00	90.00	N6° 54' 04"E	35.36
C39	39.27	25.00	90.00	S83° 05' 56"E	35.36
C40	39.27	25.00	90.00	S6° 54' 04"W	35.36
C41	39.27	25.00	90.00	N83° 05' 56"W	35.36
C42	338.52	973.00	19.93	N28° 07' 55"W	336.82
C43	160.13	627.00	14.63	S25° 28' 53"E	159.70
C44	37.35	25.00	85.60	N10° 00' 14"E	33.97
C45	40.98	25.00	93.92	S80° 14' 13"E	36.54
C46	33.15	25.00	75.97	S13° 55' 02"W	30.77
C47	200.12	577.00	19.87	S34° 00' 09"E	199.11
C48	36.72	25.00	84.16	S86° 01' 07"E	33.51
C49	28.09	25.00	64.37	N19° 42' 57"E	26.63
C50	39.27	25.00	90.00	N57° 28' 10"W	35.36
C51	55.91	125.00	25.63	S64° 42' 57"W	55.45
C52	33.36	25.00	76.45	S13° 40' 26"W	30.94
C53	114.07	1023.00	6.39	N21° 21' 33"W	114.01
C54	47.97	25.00	109.93	S73° 07' 55"E	40.94
C55	78.28	175.00	25.63	S64° 42' 57"W	77.63
C56	39.27	25.00	90.00	N32° 31' 50"E	35.36
C57	22.80	125.00	10.45	N17° 41' 43"W	22.77
C58	45.89	25.00	105.18	N75° 30' 36"W	39.71
C59	39.27	25.00	90.00	S6° 54' 04"W	35.36

**ROW / PROPERTY Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C60	142.45	1023.00	7.98	N34° 06' 35"W	142.33
C61	42.75	25.00	97.98	S79° 06' 35"E	37.73
C62	32.65	25.00	74.82	N14° 29' 24"E	30.38
C63	229.46	125.00	105.18	N75° 30' 36"W	198.57
C177	18.82	853.00	1.26	N37° 28' 01"W	18.82
C178	58.30	853.00	3.92	N34° 52' 37"W	58.28
C179	58.30	853.00	3.92	N30° 57' 41"W	58.28
C180	58.30	853.00	3.92	N27° 02' 44"W	58.28
C181	58.30	853.00	3.92	N23° 07' 47"W	58.28
C182	44.77	853.00	3.01	N19° 40' 06"W	44.76
C183	2.58	747.00	0.20	S18° 15' 50"E	2.58
C184	69.27	747.00	5.31	S21° 01' 11"E	69.25
C185	69.20	747.00	5.31	S26° 19' 49"E	69.17
C186	69.27	747.00	5.31	S31° 38' 47"E	69.25
C187	6.96	747.00	0.53	S34° 33' 42"E	6.96
C189	57.05	747.12	4.38	S41° 45' 02"E	57.04
C190	28.82	195.00	8.47	S48° 10' 22"E	28.80
C191	123.16	195.00	36.19	S70° 30' 03"E	121.12
C192	134.45	195.00	39.50	N71° 39' 12"E	131.80
C193	45.14	195.00	13.26	N45° 16' 09"E	45.04
C194	123.16	195.00	36.19	N20° 32' 38"E	121.12
C195	50.78	195.00	14.92	N5° 00' 34"W	50.63

**CL Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	50.05	1298.00	2.21	N41° 26' 56"W	50.05
C2	50.87	1298.00	2.25	N39° 13' 18"W	50.86
C4	150.49	998.00	8.64	N22° 29' 05"W	150.35
C5	22.62	602.00	2.15	S19° 14' 29"E	22.62
C6	177.34	602.00	16.88	S28° 45' 25"E	176.70
C7	70.84	602.00	6.74	S40° 34' 01"E	70.80
C12	275.35	150.00	105.18	N75° 30' 36"W	238.29
C13	62.23	1588.00	2.25	N39° 13' 18"W	62.23
C14	50.03	1588.00	1.81	N41° 14' 49"W	50.03

**Boundary Curve Table**

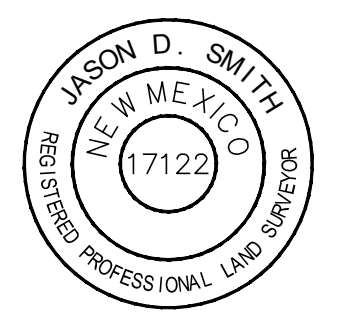
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C64	434.12	295.27	84.24	N65° 05' 15"W	396.06
C67	92.92	1733.00	3.07	N39° 38' 05"W	92.90
C69	38.51	25.00	88.25	N86° 13' 08"W	34.81
C71	40.08	25.00	91.86	S3° 43' 27"W	35.93
C73	38.34	25.00	87.87	N86° 24' 25"W	34.69
C75	40.27	25.00	92.30	S3° 30' 28"W	36.06
C77	38.20	25.00	87.55	N86° 34' 15"W	34.59
C78	93.74	1143.00	4.70	S40° 26' 54"E	93.71
C80	293.29	843.00	19.93	S28° 07' 55"E	291.81
C82	469.13	757.00	35.51	S35° 55' 07"E	461.66
C84	73.85	843.00	5.02	S51° 09' 45"E	73.83
C85	35.96	25.00	82.43	S89° 51' 56"E	32.94

**Tract 13 Boundary Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C107	389.82	1143.00	19.54	N52° 34' 05"W	387.94
C109	384.87	757.00	29.13	N47° 46' 26"W	380.73
C111	305.10	757.00	23.09	N21° 39' 46"W	303.04
C113	569.68	657.00	49.68	N14° 43' 26"E	552.00
C115	39.46	25.00	90.43	N84° 46' 40"E	35.49
C117	275.04	1853.00	8.50	S54° 15' 35"E	274.79
C119	635.30	325.00	112.00	S29° 00' 00"E	538.87
C121	90.18	155.00	33.33	S68° 20' 00"E	88.91
C123	364.63	544.96	38.34	S70° 50' 00"E	357.87
C125	222.28	155.00	82.17	S48° 55' 00"E	203.72
C135	322.19	355.00	52.00	S45° 30' 00"E	311.24
C147	36.30	125.00	16.64	N20° 47' 22"W	36.18
C196	40.27	25.00	92.30	S3° 30' 28"W	36.06
C197	38.34	25.00	87.87	N86° 24' 25"W	34.69
C198	38.51	25.00	88.25	N86° 13' 08"W	34.81
C199	92.92	1733.00	3.07	N39° 38' 05"W	92.90
C200	40.08	25.00	91.86	S3° 43' 27"W	35.93
C201	434.12	295.27	84.24	N65° 05' 15"W	396.06

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  - TRACT 'S' IS ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
  - TRACTS 'C', 'T' & 'U' ARE ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
  - 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENT TO BE VACATED WITH THIS PLAT.

Plotted: 11/14/2022 8:38:50 AM, By: Ricketts, Mark  
H:\proj\1307760.01 - LE 1E Phase 1 Eng and Survey Svcs\05 Design\05.11 Survey\PLAT\PRE-PLAT - LE - 1E - PH 1-2.dwg  
Last Saved: 11/14/2022 8:38:58 AM, mtricketts



**HUITT-ZOLIARS**  
333 RIO RANCHO DR. N.E., STE. 101  
RIO RANCHO, N.M., 87124  
(505) 892-5141

## PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
<input type="checkbox"/> Community Residential Care Facility	<input type="checkbox"/> Comprehensive Plan Amendment	<input 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/Street	<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"/> Preliminary Plat Extension	<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: Lomas Encantadas Development Company LLC		Phone: 505-389-2191
Address: 409 NM Hwy 528 NE		E-Mail: BryanA@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: Owner	List Owners: Lomas Encantadas Development Company LLC	
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)


Preliminary Plat Extension for Lomas Encantadas Unit 1E Phases 1 and 2 subdivision.

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

Subdivision/Unit : Lomas Encantadas	Block(s): Tract 13	Lot(s):
Existing Zoning: R-1	Proposed Zoning:	
No. of existing lots: 1	No. of proposed lots: 123	Total area of site (acres) 32.67 acres

### ACKNOWLEDGEMENT

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

Print Name: Bryan Aragon	Applicant:	Agent:
Signature: 		Date: June 5, 2023

### FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

# LOMAS ENCANTADAS DEVELOPMENT COMPANY

409 NM Hwy 528  
Rio Rancho, NM 87124

June 5, 2023

Mr. Tim Dvorak  
Municipal Planner II  
Development Services Dept.  
City of Rio Rancho  
3200 Civic Center Circle NE  
Rio Rancho, NM 87144

Dear Mr. Dvorak,

Please accept this letter as a request for an extension on the Lomas Encantadas 1E Phases 1 and 2 Preliminary Plat. The original preliminary plat was approved at the July 26, 2022 Planning and Zoning board meeting. The engineering plans for Phase 1 were approved by Development Services Engineer, December 7, 2022. This project is currently under construction and is scheduled to be completed in December 2023. The engineering plans for Phase 2 have been started by the engineer, but have not been submitted for review.

The extension is necessary to keep the project active within the City process. A final plat for Phase 1 will be presented to the Planning and Zoning board later this year.

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

DECLARATION BY THE RESIDENTS OF AUGUSTA HILLS DR. TO THE GOVERNING  
 BODY OF THE CITY OF RIO RANCHO NEW MEXICO

Name	Augusta Hills Address #
Sheila Wilson	6808 Augusta Hills Dr.
Keena Sedillo	6888 Augusta Hills Dr.
Colleen Arzaga	6869 Augusta Hills Dr.
Lee E. Gonzalez	6869 Augusta Hills Dr.
Marie J. D. Crowl	6849 Augusta Hills Dr.
Shari Axtell	6841 Augusta Hills Dr.
Richard Dale	6871 Augusta Hills Dr. RR
Booth Darnell	6844 Augusta Hills Dr. RR, Va
Antonio Wilson	6840 Augusta Hills Dr.
Camryn Allyn	6840 Augusta Hills Dr.
Nancy E. Welch	6813 Augusta Hills Dr.
Nancy R. Welch	6813 Augusta Hills Dr.
Robert Johnston	6836 Augusta Hills Dr. NE
Donna Skye	6852 Augusta Hills Dr. NE
Dan Wright	6852 Augusta Hills Dr. NE
Michael D. Smith	6856 Augusta Hills Dr. NE
Supriya Perichson	6856 Augusta Hills Dr. NE
James Grunwell	6840 Augusta Hills Dr. NE
Jan Darnell	6844 Augusta Hills Dr. NE
Juanita Zayas	6833 AUGUSTA HILLS DR. NE
Sheldon Zayas	6833 AUGUSTA HILLS DR. NE

~~NOTHING FOLLOWS~~

# PETITION BY THE RESIDENTS OF AUGUSTA HILLS DR. TO THE GOVERNING BODY OF THE CITY OF RIO RANCHO NEW MEXICO

We the following, as stated by the names on this petition, oppose any changes to the current open space zoning along the Southern border of Enchanted Hills to the arroyo named on maps as the Camino Encantadas.

As owners of houses on the South side of Augusta Hills Dr. we paid a premium at the time of purchase to AMREP to have the open space behind our house. We bought our home from AMREP with the understanding that this zoning would remain the same and that this was a commitment the City of Rio Rancho made to us at the time.

Parties buy homes based on zoning in existence at the time of purchase and are entitled to rely on the zoning remaining as is. We consider it fraudulent that the same organization we purchased our home from, and paid extra money to, is now working to change the zoning for it's own profit, which does not outweigh existing homeowners rights and reasonable reliance on the City's zoning code.

Increased density and the type of houses proposed to be built, directly impacts our home value and quality of life.

It was brought up that the land has not been developed for 14 years. The reality is, the land can stay as currently zoned forever, absent some overwhelming reason why change is justified. **We support that the current open space remains unchanged.**



Total Signatures: 68

1 Enclosure: map

Name	Augusta Hills Address #
<i>Robert V. Craven</i>	6880
<i>Cyril Craven</i>	6880
<i>Martha Sullivan</i>	6877
<i>Bob P. Smith</i>	6877
<i>Phyllis</i>	6873

5

RE: Preliminary Plat Extension #22-210-00010 Lomas Encantadas 1E, Phases 1&2

Track 13

Planning and Zoning Board

Here we are once again disputing this track of land, Tract 13. The last time we met you the Mayor and Counselors ASSURED us that the only thing you would see is the roof top from our back yards on Augusta Hills. Well, now we all received a letter from the Planning Division that AMREP SW wants to change that amendment to put 123 homes and add 246 more cars to a already congested area and but this home right behind us. We have had this open space for the last 25 years and now AMPEP SW has taken it away from us piece by piece with the one they are working on today, that they can find no approval for it, with the help of the Planning Division Tim Dvorak Planner II, again be advised we paid a premium for the lot times 30 years. We have a petition of home owners of Augusta Hills that oppose th change. I feel that we were misled fraudulently Swindle by AMERP SW. Please Mr Mayor, counselors and planning board don't let this happen, we are home owners been here since 1997 please don't change our life style we love it here it would be hard to see a house right behind you after having that open space, This is our quality of life, has been for the last 26 years.

Thank You

Gabriel Sedillo

[Gsedillo1@gmail.com](mailto:Gsedillo1@gmail.com)

505-410-4284

PETITION BY THE RESIDENTS OF AUGUSTA HILLS DR. TO THE GOVERNING  
 BODY OF THE CITY OF RIO RANCHO NEW MEXICO

Name	Augusta Hills Address #
Robert Taylor	6876 Augusta Hills
Ronald Burtis	6881 " "
Lynne Awarig	6873
Kathy Jones	6885
Sharon Nixon & adriana C. Rivera	6865
Shelia Starns	6861
Jugan Delacruz	6845 "
Chip Hale	6848 " "
Melina Deak	6848 " "
[Signature]	6825 Augusta Hills.
Jolanda [Signature]	6876 Augusta Hills Dr.

NOTHING FOLLOWS

PETITION BY THE RESIDENTS OF AUGUSTA HILLS DR. TO THE GOVERNING  
 BODY OF THE CITY OF RIO RANCHO NEW MEXICO

Name	Augusta Hills Address #
Robin Dodelle	6888 Augusta Hills
Amy Walsh	6908 Augusta Hills Dr NE
<del>Anthony Barro</del>	6916 Augusta Hills Dr NE
Norman Kromer	6916 Augusta Hills Dr NE
Jennifer Smith	6909 Augusta Hills Dr NE
W. Smith	6909 Augusta Hills Dr NE
Mary Wiese Mary Thine	6901 Augusta Hills Dr NE
Steve Williams	6677 Augusta Hills Dr NE
Chivalo Barillo	6950 Augusta Hills Dr NE
Clarence Peckham	6700 Augusta Hills Dr NE
Thomas Mayberris	6712 Augusta Hills Dr NE
Chad Miller	6728 Augusta Hills Dr NE
Katie P... ..	6720 Augusta Hills Dr NE
Frank Butler	6889 Augusta Hills Dr
Ron ... ..	6085 AUGUSTA HILLS DR NE
Arthur ... ..	6085 Augusta Hills Dr NE
Romolo & Regina ... ..	6681 August Hills Dr NE
Mike ... ..	6988 Augusta Hills Dr
G.P. Paszkiewicz	6740 Augusta
Steve Roman	6748 " " "
Paul ... ..	" " " "
<del>...</del>	6756 Augusta Hills Dr
Marlene Montoya	6760 Augusta Hills Dr NE
Dominic Montoya	6760 Augusta Hills Dr NE
RICHARD W. SMITH	6760 AUGUSTA HILLS DR NE
LINDA SMITH	6780 AUGUSTA HILLS DR NE
W. S.	6794 AUGUSTA HILLS DR NE
John HEINARD	6824 Augusta Hills Dr NE
Alexis Davis	6800 Augusta Hills Dr NE



Dear Tim Dvorak,

06/23/23

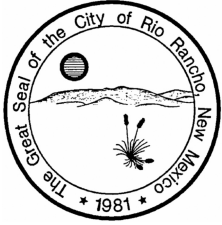
I am writing to object to the request for a preliminary plat extension for Lomas Encantadas. My neighbors and I were led to believe that there would be a different plan for the area south of our houses. Someone from AmRep came out and measured and took us out to see where the boundary would be. The fences up now are not the boundaries for the open space we agreed on. In the plan we had agreed upon there was a significant increase in the open space. In areas the open space would go from 94' to 198', 340' to 787', 89' to 211', 113' to 154' and 66' to 180'. The plan that we had agreed upon also relocated open space to provide better drainage and flood prevention. The proposal was tabled because of the pandemic, then brought back before City Council. But we thought it was the one we had made compromises on and agreed upon, not the original one we rejected. We feel we fell victim to a Bait and Switch. We paid extra for our "Special Lots" so there would be one acre lots with custom homes on the 25 acres behind us and have a great view of the Sandias, as well as a large open space. This same company is now changing it to 123 single-family residential lots.

We have also had a tremendous amount of red dirt in our yards and houses since the dirt work started. We can clean our pool in the morning and by the afternoon we have over an inch of red dirt in it. We are also having to purchase and install new windows because powder fine red dirt is in our houses daily. Plants are coated with red dirt. We re-stuccoed our house last year and it is stained with red dirt.

I ask for an outright rejection of the preliminary plat extension for Lomas Encantadas.

Respectfully,

Monna Doak  
6848 Augusta Hills Dr. NE  
Rio Rancho, NM  
87144  
505-771-1675



## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 20-210-  
00008**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Preliminary Plat Extension.** The applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval of a preliminary plat extension for the Stone Mountain Preliminary Plat. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

**BACKGROUND AND ANALYSIS:**

The applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval of a preliminary plat extension for the Stone Mountain Preliminary Plat. The Stone Mountain subdivision would create 86 R-4: Single-Family Residential lots and 1 tract on approximately 14.41 acres. The preliminary plat for the Stone Mountain Subdivision was approved by the Planning and Zoning Board on November 2, 2020. The preliminary plat was later amended and approved by the Planning and Zoning Board on June 8, 2021. The approved amendment to the preliminary plat increased the lot width of the majority of lots from 40' to 50', which decreased the overall lot count from 106 to 86, and 1 tract.

The plat received its first extension on June 28, 2022. This second extension is to allow for additional time for construction. The applicant has stated in their justification letter that they are currently working with Development Services to receive approval of the construction plans and the developer anticipates starting construction later this year.

The City Subdivision Ordinance [Code of Ordinances, Chapter 155.22(F), Longevity], states, "Approval of a preliminary plat is effective for one year unless extended by the Planning Board, based on a finding that the delay has been unavoidable and the extension is in the public interest."

The Development Services Department finds it is in the public interest to grant the preliminary plat extension. The extension provides the applicant with additional time to address any issues or outstanding items for subdivision construction. One of the primary purposes of the longevity clause is to prevent development of a subdivision, approved under previous iterations of the subdivision and zoning codes, that no longer meets the City's standards. There have been no significant revisions to the subdivision code, zoning code, or infrastructure design standards since the plat's approval date that would necessitate a second review and re-approval for the Stone Mountain Subdivision. Staff recommends the Planning and Zoning Board find that the Preliminary Plat extension will allow the applicant additional time to finalize construction plans and that this would serve a compelling public interest.

**NOTIFICATIONS:** Notice of the Preliminary Plat Extension request and hearing date was sent via first class mail to abutting property owners. A legal notice was published in the June 12, 2023

edition of the Albuquerque Journal. A notice sign was posted to the property on June 20, 2023. All legal notification requirements for this project have been met.

#### IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approves of preliminary plat extension 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 preliminary plat extension.
2. The applicant has the authority to apply for a preliminary plat extension.

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

1. The preliminary plat extension has been prepared, reviewed and conforms to the City of Rancho plans and policies.
2. The preliminary plat conforms to the requirements of the Subdivision Code, Code of Ordinances, Chapter 155.22 (F).
3. The preliminary plat extension provides the applicant with additional time to comply with the conditions of preliminary plat approval.
4. The City has made no significant revisions to the Code of Ordinance or infrastructure design standards since the preliminary plat approval of the Stone Mountain Subdivision preliminary plat that would create inconsistent standards for the development given the preliminary plat extension.
5. All the conditions of the June 8, 2021 Preliminary Plat Approval shall apply to this extension, with those conditions being updated to:
  - a. In accordance with R.O. 2003 § 155.24(A), the final plat shall be recorded within 12 months following this extension of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
  - b. Infrastructure shall be installed and accepted prior to the recording of the final plat or the applicant shall submit for staff review and approval of a subdivision improvement agreement and financial guarantee prior to the final plat hearing.
  - c. Impact fee assessment will be based on the date of the original preliminary plat approval and valid for four (4) years from the date of that approval.
  - d. The applicant shall address the reviewers' comments prior to submitting construction plans or the final plat, whichever is applicable, including:
    - i. Identify ownership and maintenance of Tract SWQ. Change 'Cable One' to 'Sparklight' under Utility Approvals.
    - ii. Add 'City of Rio Rancho (water and sanitary sewer) for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services' under the Public Utility Easements (PUE) statement block.
    - iii. Remove 'Development Services Department Director' signature block. Change 'Michael Schlichte, Chairman' to 'Fred Radosevich', Chairman'.
    - iv. Change 'Stephen Ruger, City Clerk' to 'Rebecca Martinez, City Clerk'.
    - v. City Clerk's Certificate shall read 'I, Rebecca A. Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved by the Planning and Zoning Board at their meeting on..'
    - vi. Provide an updated Water and Wastewater Availability letter.
    - vii. Provide updated drainage reports.
    - viii. Provide a new trip generation report, and provide a Traffic Impact Analysis (TIA) if the trip generation report is over the thresholds.
    - ix. Show all temporary ponds / piles on the final plat. These are to be dedicated to and maintained by the developer or homeowners association and are to be shown on the final plat.
    - x. Temporary turnaround easements are to be dedicated to and maintained by the developer or homeowners associated, and are to be shown on the final plat.

xi. Provide or expand the easement for the stormwater pipe in the PUE outside of Tract SWQ.

xii. An enhanced front yard landscaping plan. A 5' landscaping buffer be implemented as a means to create a planting area, beginning from back of curb to the sidewalk along all internal roads, per Section 8.3.4.4 of the Development Process Manual, which allows for 1 canopy tree and 3 shrubs and groundcover, every 33 ft.

xiii. Identify location of 'NO VEHICULAR ACCESS' easements.

6. The Preliminary Plat Extension is effective until June 27, 2024.

#### ALTERNATIVES:

The Planning and Zoning Board may:

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

#### DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

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

ATTACHMENT: [Application.pdf](#)

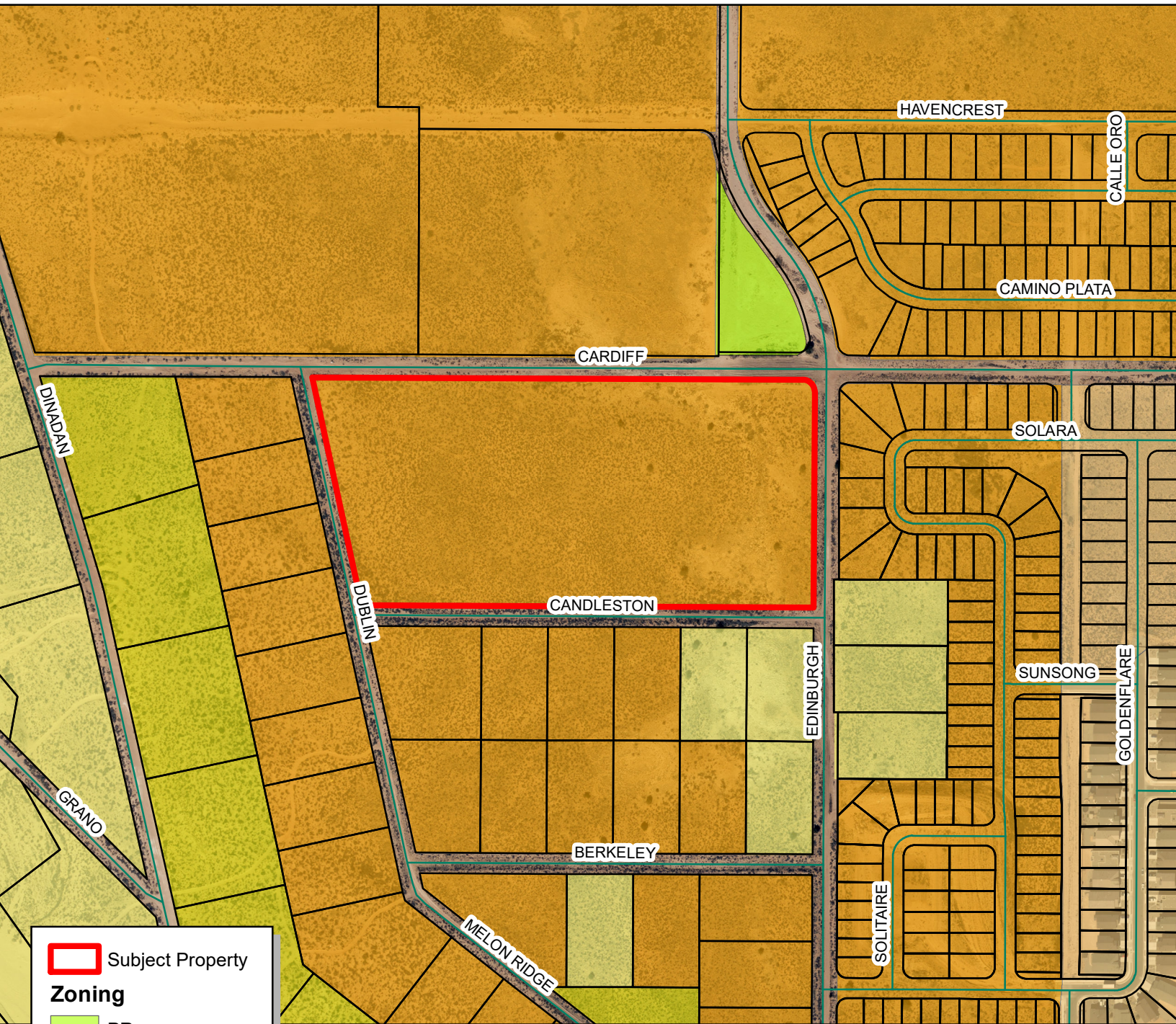
ATTACHMENT: [Letter of Authorization.pdf](#)

ATTACHMENT: [Justification Letter.pdf](#)

ATTACHMENT: [Preliminary Plat.pdf](#)

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

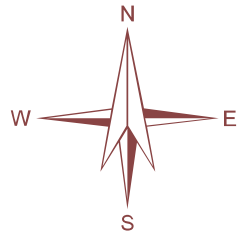
# STONE MOUNTAIN



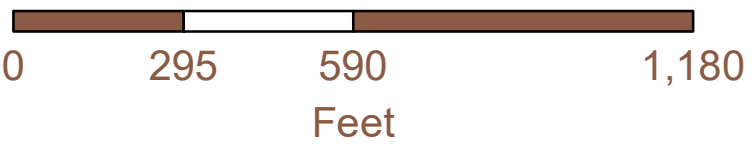
**Subject Property**

**Zoning**

- PR
- R-1
- R-2
- R-3
- 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.



## 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 type="checkbox"/> Final Plat	<input type="checkbox"/> Annexation
<input type="checkbox"/> Development Review Committee (DRC)	<input type="checkbox"/> Corridor Plan Amendment	<input checked="" 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
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<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: Youngburg, LLLP		Phone: 505.263.3627
Address: PO BOX 7775		E-Mail: tfamilyman@gmail.com
City: Albuquerque	State: NM	Zip: 87194
Proprietary Interest: Acting on Behalf of Owner		List Owners: Vasa Ranch, Ltd.
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials) <b>MG</b>
Agent Name: Mark Goodwin & Associates, PA		Phone: 505.828.2200
Address: PO BOX 90606		E-Mail: diane@goodwinengineers.com
City: Albuquerque	State: NM	ZIP Code: 87199

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

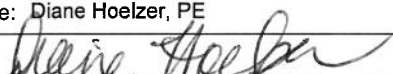
2nd Preliminary Plat Extension for Stone Mountain Subdivision

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

Subdivision/Unit : Unit 13	Block(s): 63	Lot(s):
Existing Zoning: R-4	Proposed Zoning: R-4	
No. of existing lots: 1 Tract	No. of proposed lots: 55 Lots	Total area of site (acres) 14.41 AC

### 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: Diane Hoelzer, PE	Applicant:	Agent: <b>X</b>
Signature: 		Date: June 1, 2023

### FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: Michelle Costilla

DATE: 6/1/23

**Younberg, LLP**  
(Address)  
Albuquerque, NM 87194

August 12, 2019

Mr. David Serrano  
City of Rio Rancho  
3200 Civic Center Circle NE  
Rio Rancho, NM 87144

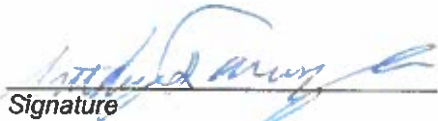
**Re: Stone Mountain Subdivision**

Dear Mr. Serrano:

Please be advised that Mark Goodwin & Associates, P.A., is hereby authorized to act on behalf of Younberg, LLP for the above referenced project.

Please contact our office if you have any questions.

Sincerely,

  
Signature

Anthony Farrington  
Printed Name

Manager  
Title



D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

June 1, 2022

Ms. Amy Rincon  
City of Rio Rancho  
3100 Civic Center Circle  
Rio Rancho, NM 87144

**Re: Stone Mountain Preliminary Plat**

Dear Ms. Rincon,

On behalf of our client, Youngberg, LLLP, we would like to request Preliminary Plat Extension for the above referenced project.

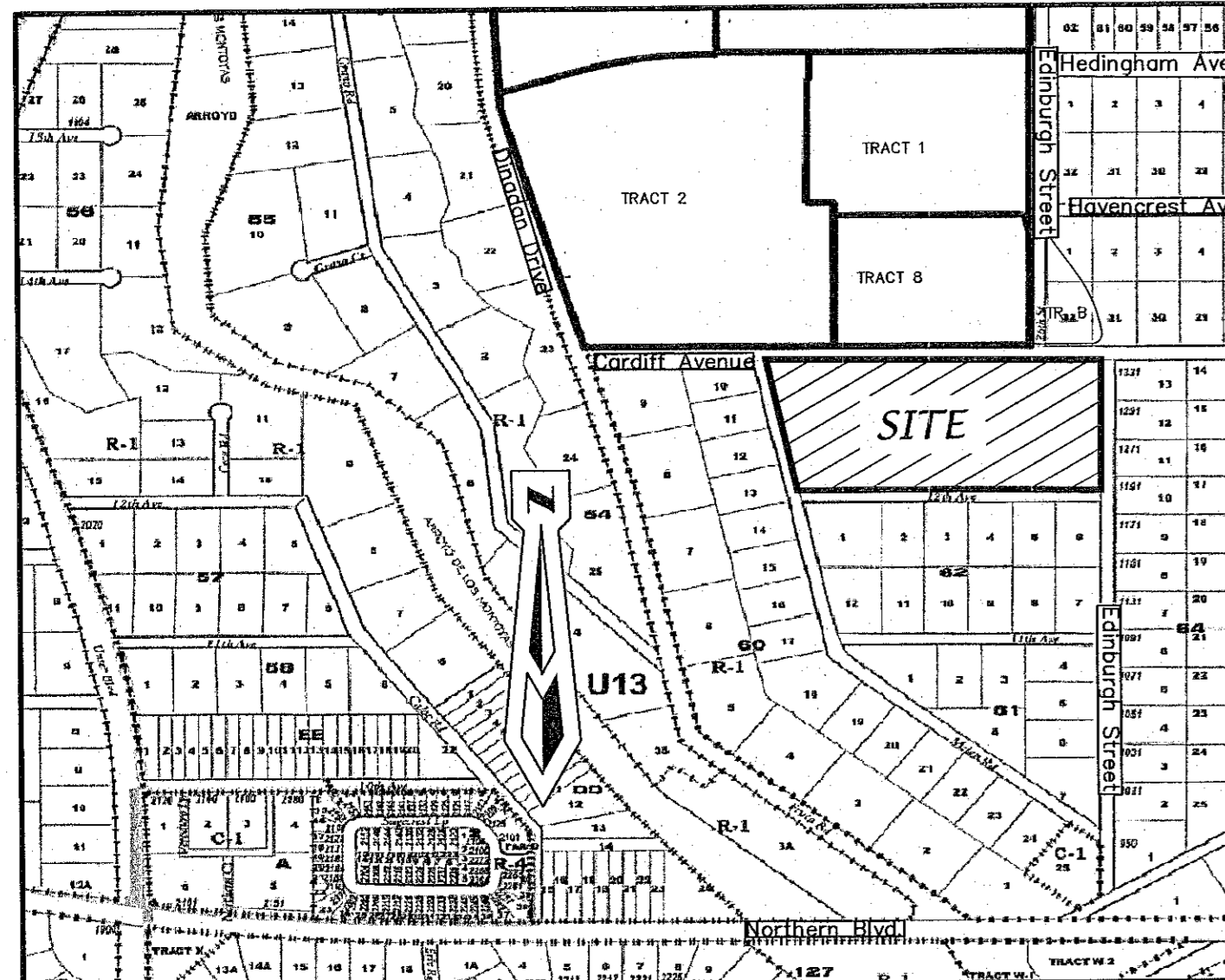
We are currently working with Development Services to receive approval on the construction plans. The developer anticipates starting construction later this year.

Please feel free to contact our office with any questions.

Sincerely,

Diane Hoelzer, PE  
Senior Engineer

DLH/kb



VICINITY MAP

**SUBDIVISION DATA**

Gross Acreage:	14.4102 Ac.
No. of Existing Lots/Tracts:	1 Tracts
No. of Lots/Tracts created:	86 Lots
No. of Tracts eliminated:	1 Tract
Public Right of way created:	3,1641 Ac.
Date of Survey:	December, 8 2014

**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 AND TRACTS AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HERBY CONSENT TO THE GRANTING OF PUBLIC, PRIVATE AND TEMPORARY EASEMENTS AS SHOWN HEREON, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN FACILITIES THEREIN. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HERBY GRANT ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRIC, WATER, SEWER AND COMMUNICATION SERVICES, WHERE SHOWN OR INDICATED, INCLUDING THE 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 THE DEDICATION OF PUBLIC STREET RIGHT-OF-WAY SHOWN HEREON TO THE CITY OF RIO RANCHO IN FEE SIMPLE WITH WARRANTY COVENANTS. 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 INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

OWNER(S): YOUNGBERG LLP, A NEW MEXICO LIMITED LIABILITY PARTNERSHIP

Anthony Farrington, Member Date

**ACKNOWLEDGEMENT**

STATE OF NEW MEXICO )  
 BERNALILLO COUNTY ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY ANTHONY FARRINGTON, MEMBER, YOUNGBERG LLP, A NEW MEXICO LIMITED LIABILITY PARTNERSHIP ON BEHALF OF SAID LIMITED LIABILITY PARTNERSHIP.

Notary Public My Commission Expires \_\_\_\_\_

**DEDICATION OF PUBLIC RIGHT-OF-WAY**

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.

**LEGAL 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 PARK & RECREATION AREA, BLOCK 63, RIO RANCHO ESTATES, UNIT 13, 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 July 3, 1967, in Rio Rancho Estates Plat Book 1, Page 71, and containing 14.4102 acres more or less.

- PURPOSE OF PLAT**
- To Subdivide PARK & RECREATION AREA into 86 residential lots and dedicate public street Right-of-way and grant easements as shown hereon.
  - To Vacate all existing public utility easements as shown hereon.

- SUBDIVISION NOTES**
- BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARING (CENTRAL ZONE)
  - ALL DISTANCES ARE GROUND DISTANCES
  - BEARINGS AND DISTANCES IN PARENTHESIS RECORD.
  - BASIS OF BOUNDARY IS FROM THE PLAT OF RECORD ENTITLED:  
 "REPLAT OF BLOCK 63, UNIT THIRTEEN, RIO RANCHO ESTATES",  
 (07-03-1967, RRE BOOK 1, PAGE 71)
  - FIELD SURVEY PERFORMED IN DECEMBER 8, 2014.
  - CITY OF RIO RANCHO, NEW MEXICO ZONE: R-4
  - 100 YEAR FLOOD ZONE DESIGNATION: ZONE X, PANEL 1889 AND 1893 OF 2225, FLOOD INSURANCE RATE MAP, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, DATED MARCH 18, 2008. THIS PROPERTY DOES NOT LIE IN THE 100 YEAR FLOOD PLAIN.
  - TITLE REPORT: OLD REPUBLIC TITLE INSURANCE COMPANY,  
 FILE NO. 1500369 (EFFECTIVE DATE: 1-14-2015)

**COUNTY CLERKS RECORDING INFORMATION**

THIS INSTRUMENT WAS FILED FOR RECORD ON THE \_\_\_\_\_ TH DAY OF \_\_\_\_\_, 2021 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

**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 administratively by the Rio Rancho Development Services Department Director on the day of \_\_\_\_\_, 2021.

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

**PRELIMINARY PLAT  
 FOR  
 STONE MOUNTAIN SUBDIVISION**

(BEING A REPLAT OF PARKS AND RECREATION AREA, BLOCK 63  
 RIO RANCHO ESTATES UNIT 13)  
 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  
 MARCH, 2021

DSD CASE NO. \_\_\_\_\_

RIO RANCHO PLANNING AND ZONING BOARD

Approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Michael Schlichte, Co-Chairman Date

**UTILITY APPROVALS:**

City of Rio Rancho Date

New Mexico Gas Company Date

Qwest Communications d/b/a CenturyLink QC Date

Public Service Company of New Mexico Date

Cable One d/b/a Sparklite Date

**JURISDICTIONAL AFFIDAVIT**

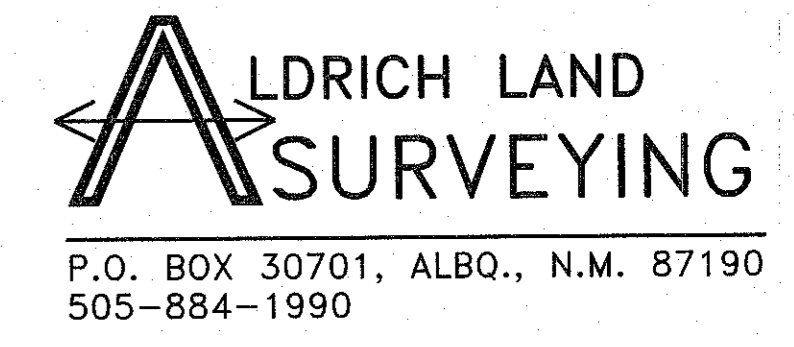
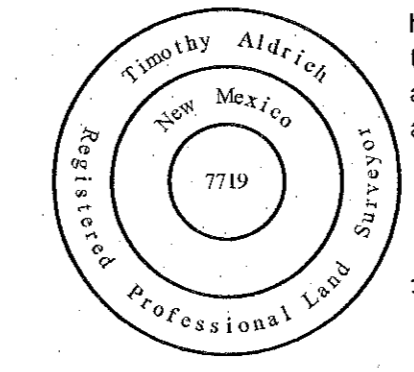
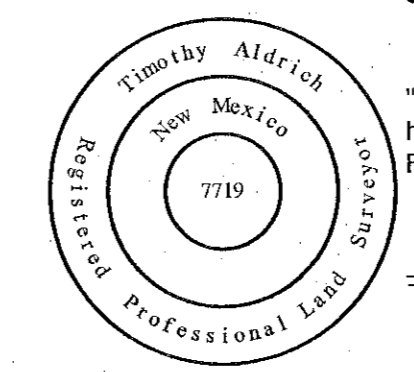
"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby affirm that the property described hereon does lie within the platting and extra-territorial jurisdiction of the City of Rio Rancho, New Mexico.

*Timothy Aldrich* 03/31/2021  
 Timothy Aldrich, P.S. No. 7719 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* 03/31/2021  
 Timothy Aldrich, P.S. No. 7719 Date



Designed: JDH	Drawn: SPS	Checked: DMG	Sheet 1 of 3
Scale: AS SHOWN	Date: 3/31/2021	Job: A14007	

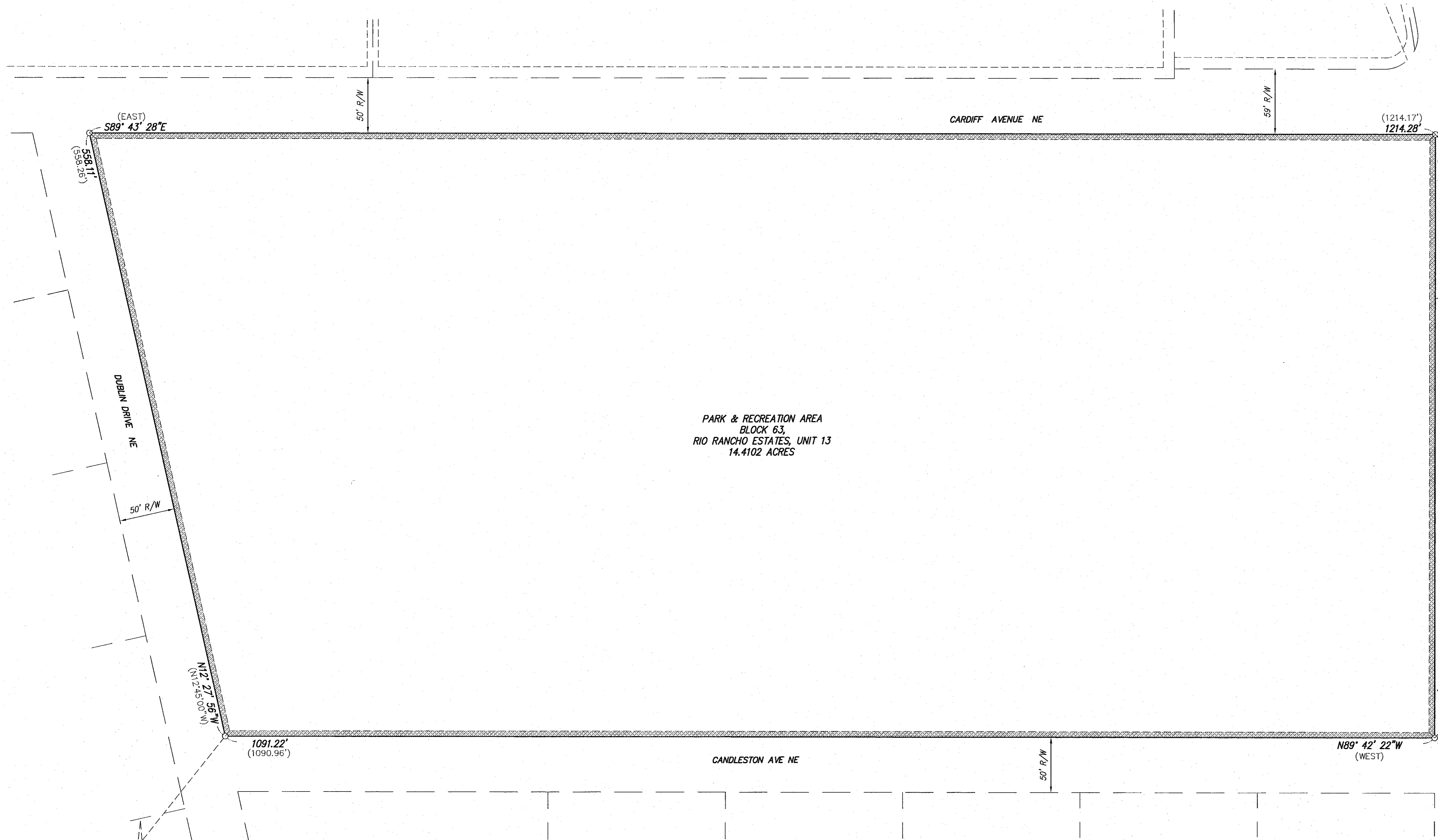
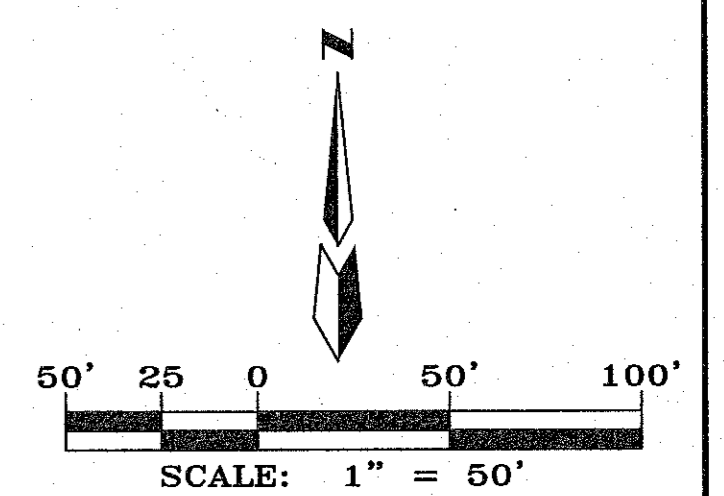
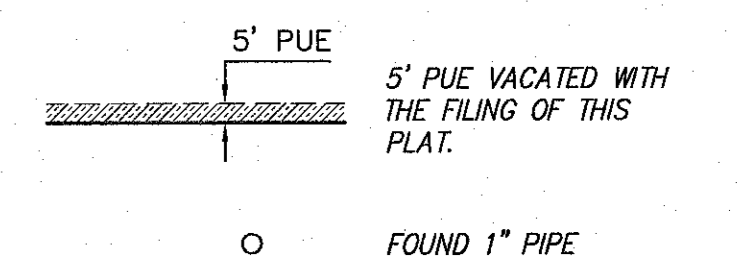
F:\A14\OBS\A14007 - Stone Mountain\PLATS\PRELIMINARY PLATS\A14007 prelm plat COVER\_r4.dwg, 3/31/2021 1:28:48 PM, dmsyne

**PRELIMINARY PLAT  
FOR  
STONE MOUNTAIN SUBDIVISION**

(BEING A REPLAT OF PARKS AND RECREATION AREA, BLOCK 63  
RIO RANCHO ESTATES UNIT 13)  
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  
MARCH, 2021

PARK & RECREATION AREA  
BLOCK 63,  
RIO RANCHO ESTATES, UNIT 13  
14.4102 ACRES

**LEGEND**



NGS Monument "SAGE"  
NAD 1983 CENTRAL ZONE  
X=1,545,611.58  
Y=1,499,264.76  
Z=5,676.00 (NAVD 1988)  
G-C=0.99965467  
Delta Alpha=-00°16'22.2"

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

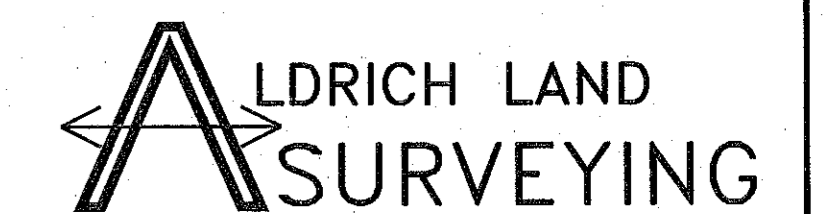
**Public Service Company of New Mexico ("PNM")**, a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.  
**New Mexico Gas Company** for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.  
**Qwest Communications dba CenturyLink (QWEST)** for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.  
**Cable One dba Sparklight** for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable 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.

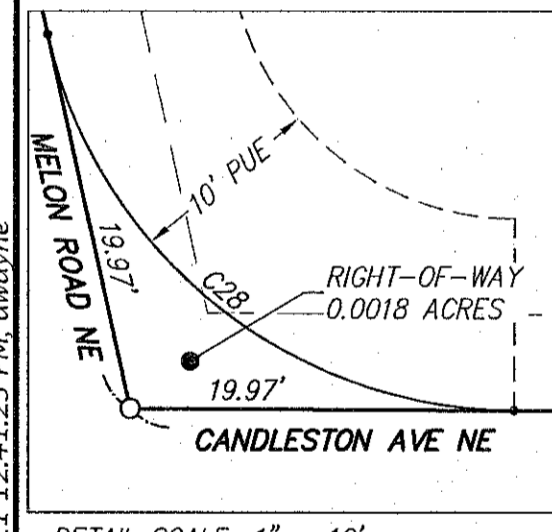
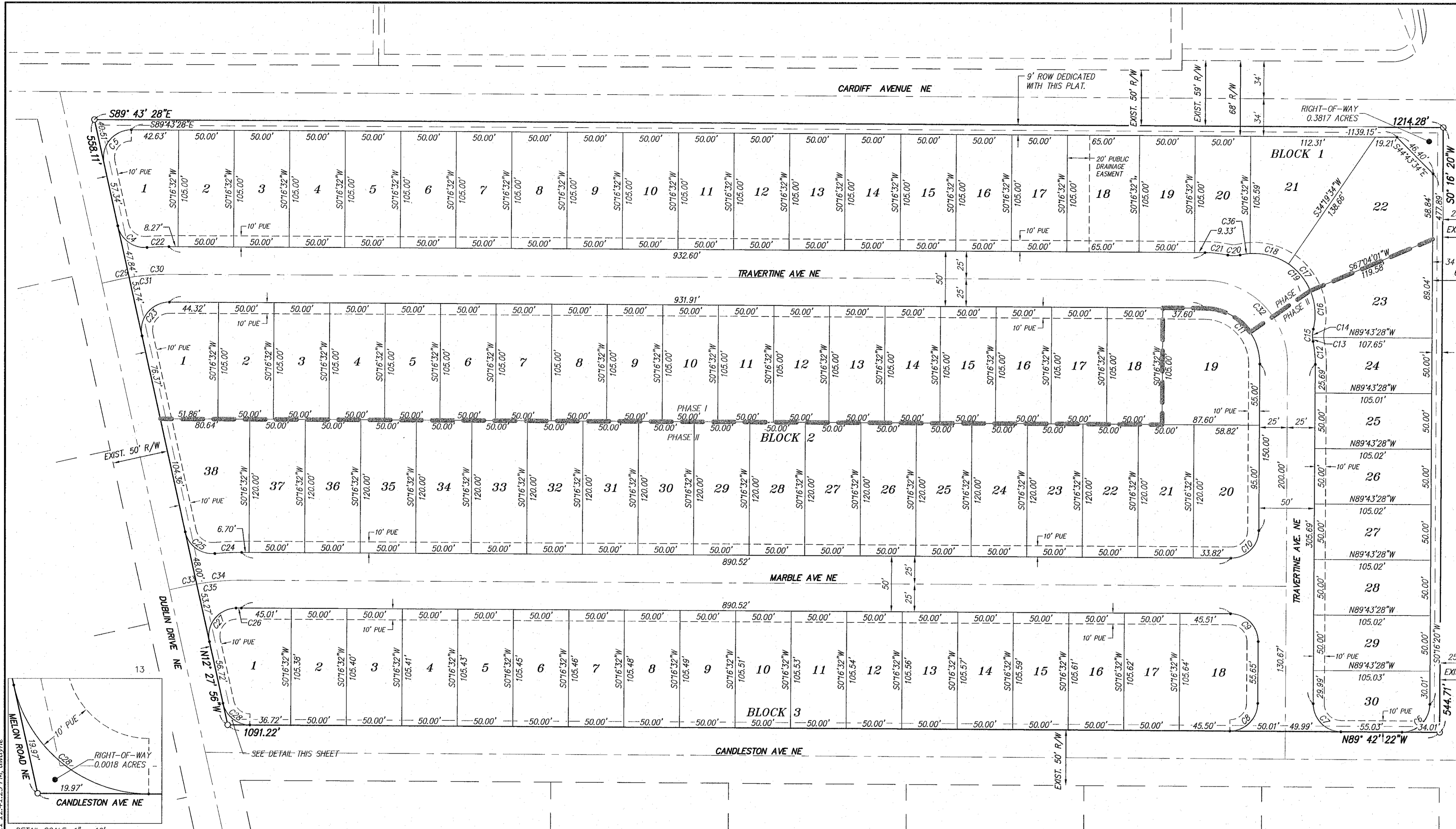


ALDRICH LAND  
SURVEYING  
P.O. BOX 30701, ALBQ., N.M. 87190  
505-884-1990

Designed: JDH	Drawn: SPS	Checked: DMG	Sheet 2 of 3
Scale: AS SHOWN	Date: 3/31/2021	Job: A14007	

**PRELIMINARY PLAT  
FOR  
STONE MOUNTAIN SUBDIVISION**

(BEING A REPLAT OF PARKS AND RECREATION AREA, BLOCK 63  
RIO RANCHO ESTATES UNIT 13)  
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  
MARCH, 2021

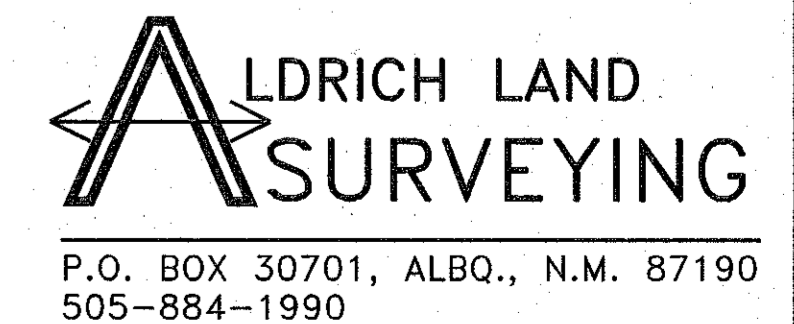


Curve Table					Curve Table						
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length	Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C3	20.77'	100.00'	11°53'58"	N83°46'29"W	20.73'	C20	11.11'	25.00'	25°28'17"	S89°26'22"W	11.02'
C4	35.84'	25.00'	82°07'56"	N53°31'54"W	32.85'	C21	20.77'	103.00'	11°33'07"	S83°46'29"E	20.73'
C5	44.83'	25.00'	102°44'28"	N38°54'18"E	39.06'	C22	19.62'	230.68'	4°52'24"	N87°50'20"E	19.61'
C6	39.28'	25.00'	90°01'19"	S45°16'59"W	35.36'	C23	44.83'	25.00'	102°44'28"	N38°54'18"E	39.06'
C7	39.26'	25.00'	89°58'54"	N44°42'55"W	35.35'	C24	24.18'	252.40'	5°29'24"	N87°31'50"E	24.17'
C8	39.28'	25.00'	90°01'06"	S45°17'05"W	35.36'	C25	36.11'	25.00'	82°44'56"	N53°50'24"W	33.05'
C9	39.27'	25.00'	90°00'00"	S44°43'28"E	35.36'	C26	4.80'	202.39'	1°21'29"	N89°35'48"E	4.80'
C10	39.27'	25.00'	90°00'00"	S45°16'32"W	35.36'	C27	44.24'	25.00'	101°22'59"	N38°13'34"E	38.69'
C11	78.54'	50.00'	90°00'00"	S44°43'28"E	70.71'	C28	33.70'	25.00'	77°14'26"	N51°05'09"W	31.21'
C12	20.77'	100.00'	11°53'58"	N54°40'27"W	20.73'	C29	10.00'	205.68'	2°47'12"	S78°55'40"W	10.00'
C13	11.12'	24.49'	26°00'21"	N1°06'42"E	11.02'	C30	35.73'	205.68'	9°57'16"	S85°17'54"W	35.69'
C14	7.39'	25.00'	16°56'25"	N5°22'38"E	7.36'	C31	45.74'	205.68'	12°44'28"	S83°54'18"W	45.64'
C15	11.12'	24.49'	26°00'21"	S1°06'42"W	11.02'	C32	117.81'	75.00'	90°00'00"	N44°43'28"W	106.07'
C16	35.31'	55.00'	36°46'50"	N4°32'34"W	34.70'	C33	10.02'	227.39'	2°31'25"	S78°47'47"W	10.01'
C17	31.43'	55.00'	32°44'27"	N39°18'13"W	31.00'	C34	40.55'	227.40'	10°13'03"	S85°10'00"W	40.50'
C18	36.57'	55.00'	38°05'34"	N74°43'13"W	35.90'	C35	50.57'	227.39'	12°44'28"	S83°54'18"W	50.46'
C19	112.45'	55.00'	117°08'37"	S44°43'28"E	93.86'	C36	9.15'	55.00'	9°31'47"	S81°28'07"W	9.14'

Lot Area Table			Lot Area Table		
LOT #	BLOCK #	AREA ACRES	LOT #	BLOCK #	AREA ACRES
1	BLOCK 1	0.1433	16	BLOCK 1	0.1205
2	BLOCK 1	0.1205	17	BLOCK 1	0.1205
3	BLOCK 1	0.1205	18	BLOCK 1	0.1567
4	BLOCK 1	0.1205	19	BLOCK 1	0.1205
5	BLOCK 1	0.1205	20	BLOCK 1	0.1217
6	BLOCK 1	0.1205	21	BLOCK 1	0.1885
7	BLOCK 1	0.1205	22	BLOCK 1	0.2324
8	BLOCK 1	0.1205	23	BLOCK 1	0.1622
9	BLOCK 1	0.1205	24	BLOCK 1	0.1211
10	BLOCK 1	0.1205	25	BLOCK 1	0.1205
11	BLOCK 1	0.1205	26	BLOCK 1	0.1205
12	BLOCK 1	0.1205	27	BLOCK 1	0.1205
13	BLOCK 1	0.1205	28	BLOCK 1	0.1205
14	BLOCK 1	0.1205	29	BLOCK 1	0.1206
15	BLOCK 1	0.1205	30	BLOCK 1	0.1265

Lot Area Table			Lot Area Table		
LOT #	BLOCK #	AREA ACRES	LOT #	BLOCK #	AREA ACRES
1	BLOCK 2	0.1485	20	BLOCK 2	0.1590
2	BLOCK 2	0.1205	21	BLOCK 2	0.1377
3	BLOCK 2	0.1205	22	BLOCK 2	0.1377
4	BLOCK 2	0.1205	23	BLOCK 2	0.1377
5	BLOCK 2	0.1205	24	BLOCK 2	0.1377
6	BLOCK 2	0.1205	25	BLOCK 2	0.1377
7	BLOCK 2	0.1205	26	BLOCK 2	0.1377
8	BLOCK 2	0.1205	27	BLOCK 2	0.1377
9	BLOCK 2	0.1205	28	BLOCK 2	0.1377
10	BLOCK 2	0.1205	29	BLOCK 2	0.1377
11	BLOCK 2	0.1205	30	BLOCK 2	0.1377
12	BLOCK 2	0.1205	31	BLOCK 2	0.1377
13	BLOCK 2	0.1205	32	BLOCK 2	0.1377
14	BLOCK 2	0.1205	33	BLOCK 2	0.1377
15	BLOCK 2	0.1205	34	BLOCK 2	0.1377
16	BLOCK 2	0.1205	35	BLOCK 2	0.1377
17	BLOCK 2	0.1205	36	BLOCK 2	0.1377
18	BLOCK 2	0.1205	37	BLOCK 2	0.1377
19	BLOCK 2	0.1988	38	BLOCK 2	0.1838

Lot Area Table		
LOT #	BLOCK #	AREA ACRES
1	BLOCK 3	0.1590
2	BLOCK 3	0.1210
3	BLOCK 3	0.1210
4	BLOCK 3	0.1210
5	BLOCK 3	0.1210
6	BLOCK 3	0.1210
7	BLOCK 3	0.1211
8	BLOCK 3	0.1211
9	BLOCK 3	0.1211
10	BLOCK 3	0.1211
11	BLOCK 3	0.1211
12	BLOCK 3	0.1212
13	BLOCK 3	0.1212
14	BLOCK 3	0.1212
15	BLOCK 3	0.1212
16	BLOCK 3	0.1212
17	BLOCK 3	0.1212
18	BLOCK 3	0.1648



P.O. BOX 30701, ALBUQ., N.M. 87190  
505-884-1990

Designed: JDH Drawn: SPS Checked: DMG  
Scale: AS SHOWN Date: 3/31/2021 Job: A14007 Sheet 3 of 3

F:\A14\JOBS\A14007 - Stone Mountain\PLATS\PRELIMINARY PLATS\A14007 prelim plat\_R2.dwg, 3/31/2021, 12:41:23 PM, dwayne



# 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 Plat Extension, Case No. 20-210-00008  
Stone Mountain Subdivision

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 and Zoning Board.

The applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval of a preliminary plat extension to the longevity of approval to create 106 single-family residential lots on the property legally described as Unit 13 Block 63.

The **Planning and Zoning Board** will consider this request at a public hearing on **Tuesday, June 27, 2023** 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.rrnm.gov](http://www.rrnm.gov) or on Sparklight cable channel 56.

If you would like to participate virtually during the meeting please use the following information to join the meeting: <https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09> or call +1(253)215-8782 (US) Meeting ID: 851 8074 1871 Passcode: 026819

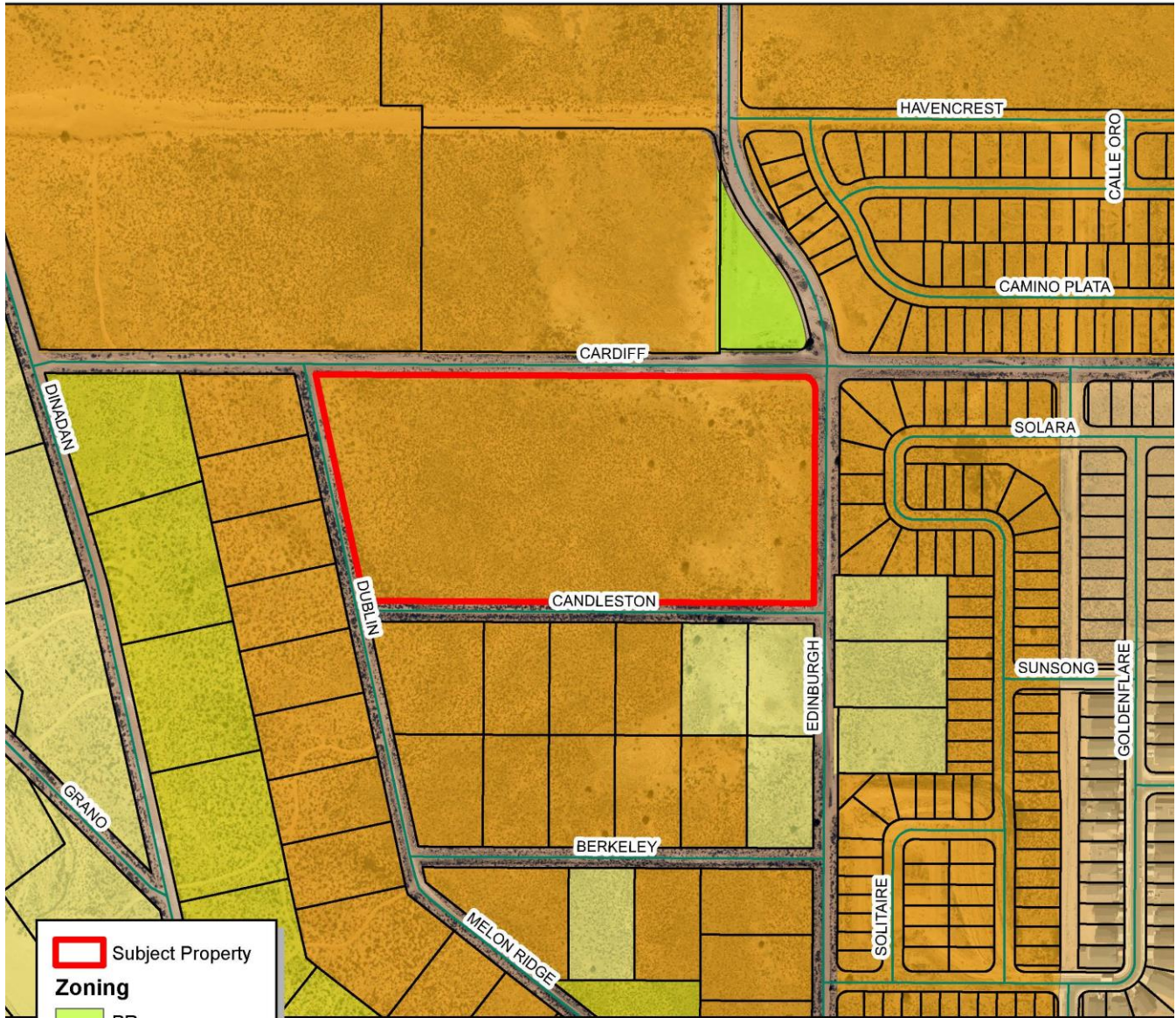
Please contact me via e-mail me at [mcostilla@rrnm.gov](mailto:mcostilla@rrnm.gov) or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, [www.rrnm.gov](http://www.rrnm.gov), approximately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


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,






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

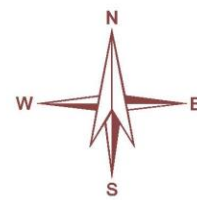
## STONE MOUNTAIN



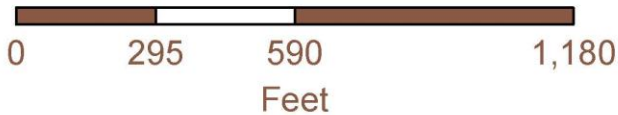
 Subject Property

**Zoning**

-  PR
-  R-1
-  R-2
-  R-3
-  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.



ALBUQUERQUE PUBLISHING COMPANY

7777 Jefferson St. NE, Albuquerque, NM 87109

**Account Number**  
1010956

**Ad Order Number**  
0001572436

**Ad Proof/Order Confirmation**

CITY OF RIO RANCHO  
ATTN: ACCOUNTS PAYABLE  
3200 CIVIC CENTER CIR NE  
RIO RANCHO, NM 871444501 USA

**Ordered By** Sharon Bitah

**Customer Phone** 5058915005

**Joint Ad #**

**Customer Email** sbitah@rrnm.gov

**PO Number** 230019

**Ad Cost** \$133.32

**Sales Rep** wschult

**Tax Amount** \$10.33

**Order Taker** wschult

**Total Amount** \$143.65

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

**Amount Paid** \$0.00

<https://securepayment.link/abqjournal/>

**Amount Due** \$143.65

**Affidavits** 0

**Pick Up #**

**Product** Albuquerque Journal

**Placement** 0Legal Notices

**Ad Number** 0001572436-01

**Classification** 0Government

**Ad Type** 0 Legal Liner

**Sort Text** CITYOFRIORANCHOPUBLICHEARING  
NOTICETHEPLANNINGANDZONINGB  
OARDOFTHECITYOFRIORANCHONM  
WILLCONSIDERTHEFOLLOWINGMAT  
TERATITSREGULARLYSCHED

**Ad Size** 1 X 174 li

**Color**

**Run Date**

06/12/2023  
06/12/2023  
06/12/2023

**WYSIWYG Content**



**CITY OF RIO RANCHO  
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matter at its regularly scheduled meeting on Tuesday, June 27, 2023 at 6:00 pm:

**Variance**

**Case #23-110-00003**

The applicant, Brian Salas, is requesting approval of a variance to the 300 feet distance requirement, as outlined by the Rio Rancho Municipal Code Chapter 122 Cannabis Establishments section 122.04 Location Restrictions, from a property containing a public facility, Rio Rancho Animal Control, for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 3320 Drower Ave NE, and is approximately 160 feet from property line to property line at the shortest distance possible from Rio Rancho Animal Control, which is located at 3441 Northern Blvd NE.

**Variance**

**Case #23-110-00005**

The applicant, Kirk Moser, is requesting approval of a Variance to the 15' rear setback requirement for a garage, at the subject property legally described as U11, Blk 5, Lot 63; located at 617 5th St NE. The garage would encroach 10' into the rear setback and would leave a 5' setback instead of the required 15' setback. The property is currently zoned R-1: Single-Family Residential and totals .5 acres.

**Preliminary Plat Extension**

**Case #22-210-00010**

The applicant, Lomas Encantadas Development Co., through their agent, Huit-Zollars, Inc., requests approval of a Preliminary Plat Extension for Lomas Encantadas Unit 1-E Phases 1 & 2 for the property legally described as LE, Tract 13 within the Lomas Encantadas Master Plan.

**Preliminary Plat Extension**

**Case #20-210-00008**

Applicant, Stone Mountain LLC, through their agent, Mark Goodwin & Associates PA, requests approval for a Preliminary Plat Extension for Stone Mountain to create 106 single-family residential lots on the property legally described as Unit 13 Block 63.

**Variance**

**Request #23-110-00002**

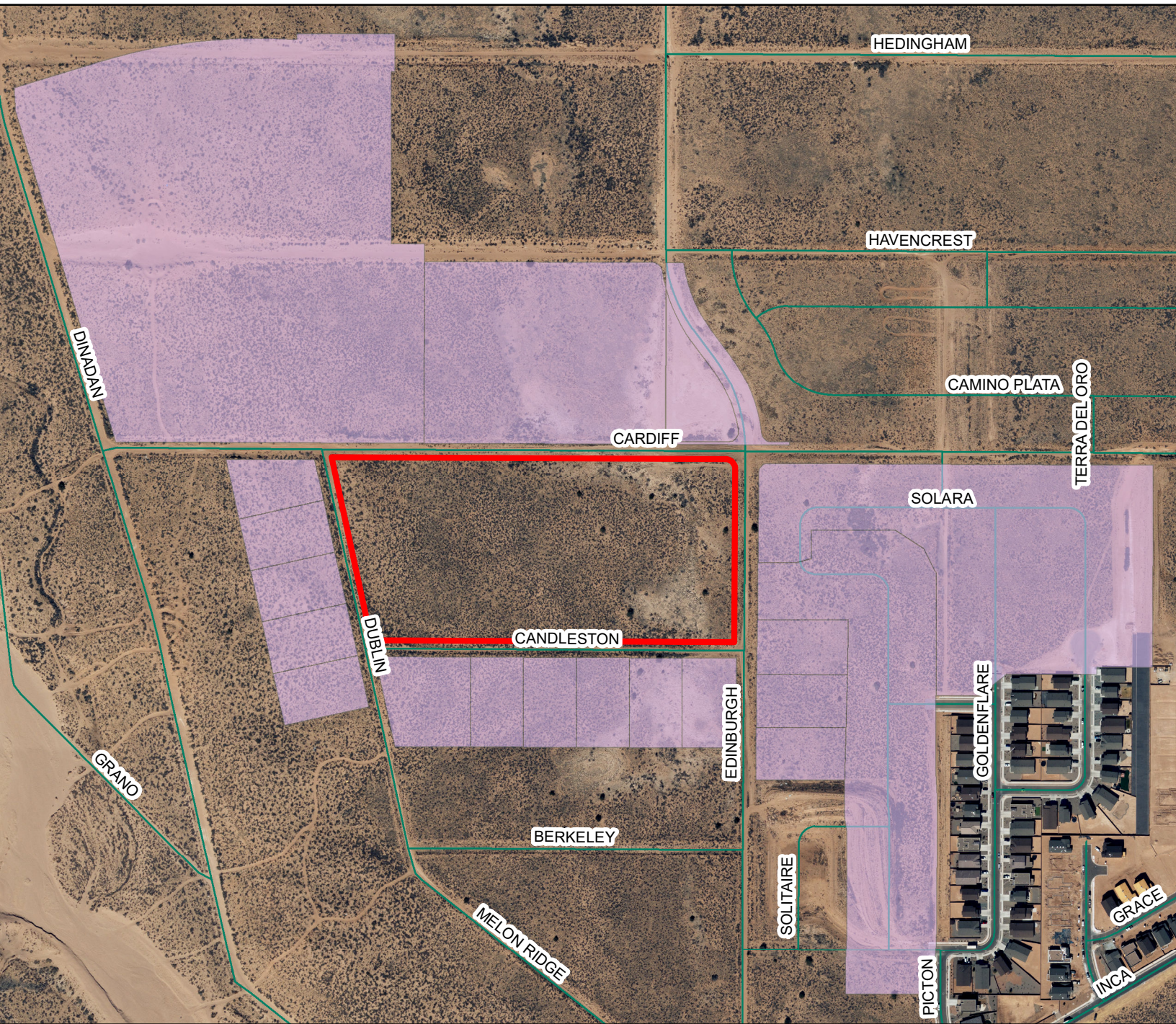
The applicant, Jose Solano, is requesting approval of a variance to the R-1 District 60 ft. minimum lot width requirement, as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build a residential home on a lot which has a width of 50 ft. The property is located at 336 Northern Blvd NE, is legally described as Unit 11, Block V, Lot 10, and is zoned R-1: Single Family Residential

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.

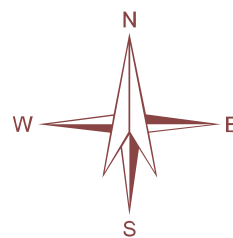
If you would like to comment on any of these applications, you are encouraged to submit a written comment to [planning@rnm.gov](mailto:planning@rnm.gov). Written comments will be inserted into the public record.

Journal: June 12, 2023

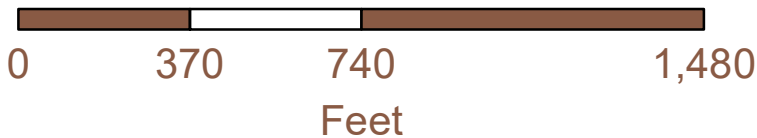
# STONE MOUNTAIN



Subject Property  
 Abutting Properties



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 COVER PAGE

**Legislation Item: 23-220-  
00007**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Final Plat.** The applicant, Coal Bank Holdings, Ltd., through their agent, Mark Goodwin & Associates, PA, requests approval of a Final Plat for the Stonegate Phase 2 Subdivision, on the property legally described as Stonegate, Tracts 1 and 2A. Staff contact is Liz Ruiz Carlos and staff recommends the item be approved with findings and conditions.

### **BACKGROUND AND ANALYSIS:**

A preliminary plat for the Stonegate Phase 2 Subdivision was approved by the Planning and Zoning Board on December 14, 2021, under case no. 21-210-00019. The subject property is legally described as Stonegate Tracts 1 and 2A, and is located north of Northern Boulevard NE, near the intersection of Edinburgh Street NE and Cardiff Street NE. The subject property consists of 25.8269 acres, is zoned R-4: Single-Family Residential, and falls within both the Lomas Negras Specific Area Plan and Stonegate Master Plan. Stonegate Phase 2 would create 126 lots, 6 HOA tracts, and 2 remnant tracts, as well as dedicate 5.5433 acres of ROW to the City of Rio Rancho.

**SURROUNDING LAND USE/ZONING:** The property surrounding the site to the north consists of vacant land, zoned as R-2 and R-3 Single Family Residential; to the east is vacant property zoned R-4 Single Family Residential; to the west lies vacant land zoned R-1 Single Family Residential as well as the Montoyas Arroyo; land to the south is vacant and zoned R-3 and R-4. Southeast of the site is zoned PR: Parks and Recreation. A Corridor Overlay Zone covers the subject property, as well as all parcels to the north, east and south of the site.

### **GENERAL INFORMATION:**

- A. Layout: Stonegate Phase 2 would be 126 R-4: Single-Family Residential lots in an area with Medium Density Residential Land Use per the Stonegate Master Plan.
- B. Acreage: Phase 2 is approximately 25.8269 acres in size.
- C. Access: The proposed development would be accessed via Stonegate Drive NE, a proposed local street with 68' of ROW. The entire development is accessed from Cardiff Avenue NE, which is a residential road.
- D. Zoning: The subject property is zoned R-4: Single-Family Residential per Ordinance No. 5, Enactment No. 11-06. The site is also covered by a Corridor Overlay Zone, under Ordinance No. 57, Enactment No. 08-58.
- E. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Cable One/Sparklight, Centurylink, PNM, and Gas Company of New Mexico.
- F. Water and Wastewater Availability: A site specific availability request has been included as part of the application.
- G. Drainage: According to the Stonegate Master Plan, developed flow from Phase 2 will trend to the southeast.

H. Roads and Sidewalks: The proposed internal streets Eglisfield Loop, Havencrest Avenue NE, Talisker St NE, would be standard local street sections with sidewalks, dedicated to the City of Rio Rancho. The proposed right-of-ways would comply with the design standards for streets found within R.O. 2003 § 155.41. Nine feet of right-of-way will also be dedicated along Cardiff Avenue NE.  
I. Recreational Facilities/Open Space: None.

J. Easements: There would be a ten foot wide public utility easements within all new lots adjacent to road right-of-way. There also will be four temporary turnaround easements dedicated to and maintained by the H.O.A.

K. Public Site Dedications: None.

L. Vacations: None

M. Variances: A request for a variance to §155.43, which requires 5' PUEs on all side and rear lot lines, was submitted and approved in conjunction with the preliminary plat application.

**CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:** With the approval of the subdivision variance to §155.43, which requires 5' PUEs on all side and rear lot lines, the proposed plat conforms with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions.

Staff recommends the Planning and Zoning Board find the proposed final plat conforms to the requirements of R.O. 2003 Chapter 155 Subdivisions. Criteria is satisfied.

**CONFORMANCE WITH THE ZONING ORDINANCE:** The proposed lots would comply with the dimensional standards of the R-4: Single-Family Residential zoning district including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed final plat contains lots which would measure approximately 4,184 sf to 19,717 sf in compliance with the 4,000 sf minimum lot area of the R-4: Single-Family Residential zoning district (see attached lot summary). The proposed lots would also comply with the minimum allowable lot width of 40 ft. In addition, the proposed lots appear to conform to the Overlay District, as well as the PR zoning district, which allows drainage facilities as a conditional use.

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.

**CONFORMANCE WITH 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). Also in Chapter 5 (5.6.3), Policy L-3 and L-4 contain the following stated goals: “Promote and support development that incorporates walkability” and “Encourage adequate pedestrian connections to future transit facilities in all residential site development.”

This application would be an action in meeting the policy of encouraging planned development. Staff recommends the Planning and Zoning Board find this criteria is satisfied.

**CONFORMANCE WITH THE LOMAS NEGRAS SPECIFIC AREA PLAN:** Objective 3.1 - Land Use within the Lomas Negras SAP states that development in the area should "Promote a variety of housing choices including low and medium density single family residential uses and high density multi-family residential uses." The first Goal under Objective 3.6 - Community Facilities, states that the plan seeks to "Create open space, parkland, trails and other recreation amenities to serve the Plan area." This application appears to meet both stated goals, as Stonegate's phases consist of R-4 development interspersed with lower density developments at later stages. In addition, Tract B (Block 7) is designated as an HOA owned and maintained park.

Staff recommends the Planning and Zoning Board find the proposed final plat conforms to the requirements of the Lomas Negras Specific Area Plan.

CONFORMANCE WITH THE STONEGATE MASTER PLAN: The Stonegate Master Plan designates Tracts 1 and 2A as Medium Density Residential (R-4). The proposed R-4: Single-Family Residential density and location meets the requirements of the master plan.

Staff recommends the Planning and Zoning Board find the proposed final plat conforms to the requirements of the Stonegate Master Plan.

CONFORMANCE WITH THE APPROVED PRELIMINARY PLAT: The Planning and Zoning Board approved the Preliminary Plat for Stonegate Phase 2 on December 14, 2021. Staff recommends the Planning and Zoning Board find this criteria has been met.

**IMPACT:**

Staff recommends the Planning and Zoning Board approve the Final Plat subject to the following findings of fact and conditions of approval:

**GENERAL FINDINGS OF FACT:**

1. The Planning and Zoning Board has jurisdiction to approve the applicant's request for Final Plat.
2. The applicant has the authority to make an application to request Final Plat approval.
3. Due process was provided to the applicant.

**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-4: Single-Family Residential Zoning District.
3. Completion of infrastructure or subdivision bond and subdivision improvement agreement is required prior to recording of Final Plat if the infrastructure is not complete and accepted prior to recording.
4. The applicant shall address comments from DSD Engineering prior to recording.
6. The applicant may need to update the Stonegate Development Agreement to reflect new timelines for construction of infrastructure or updated phasing plans before recording.
7. Plat will be Book 34, Pgs. 10-14

**ALTERNATIVES:**

The Planning and Zoning Board may:

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

**DEPARTMENT RECOMMENDATION:**

Staff recommends the Planning and Zoning Board approve the Final Plat with findings and conditions.

ATTACHMENT: [Final Plat Application.pdf](#)

ATTACHMENT: [Letter of Authorization.pdf](#)

ATTACHMENT: [Stonegate Phase 2 Final Plat.pdf](#)

ATTACHMENT: [Location\\_Zoning Map.jpg](#)

## 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: Coal Bank Holdings, Ltd.		Phone: 505-338-1438	
Address: PO Box 1443		E-Mail: athornton@rayleehomes.com	
City: Corrales	State: NM	Zip: 87048	
Proprietary Interest: Owner	List Owners: Coal Bank Holdings, Ltd.		
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials) DH	

Agent Name: Mark Goodwin & Associates, PA		Phone: 828-2200	
Address: PO BOX 90606		E-Mail: diane@goodwinengineers.com	
City: Albuquerque	State: NM	ZIP Code: 87199	

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

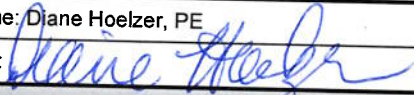
Final Plat Approval for Stonegate Unit 2.

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

Subdivision/Unit: Unit 13	Block(s): See Attached	Lot(s): See Attached
Existing Zoning: R-4	Proposed Zoning: R-4	
No. of existing lots: 2 Tracts	No. of proposed lots: Lots 126 / 8 Tracts	Total area of site (acres) 25.8269 AC

### 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: Diane Hoelzer, PE	Applicant:	Agent: X
Signature: 		Date: 05/25/2023

### FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

## **Stonegate Subdivision Unit 2**

### **Legal Description**

Block 8	Lots 1-20 & 38-51
Block 9	Lots 1-10
Block 10	Lots 1-14
Block 11	Lots 1-14
Block 12	Lots 1-7
Block 13	Lots 1-5
Block 14	Lots 1-8

**Coal Bank Holdings, Ltd.  
PO BOX 1443  
Corrales, NM 87048**

March 4, 2021

Ms. Amy Rincon  
City of Rio Rancho  
3200 Civic Center Circle NE  
Rio Rancho, NM 87144

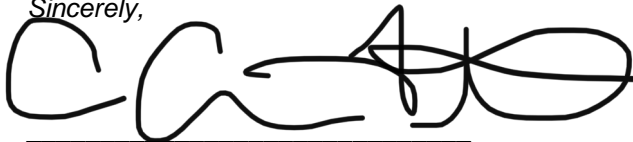
**Re: Stonegate Subdivision**

Dear Ms. Rincon:

Please be advised that Mark Goodwin & Associates is hereby authorized to act on behalf of Coal Bank Holdings, Ltd, for all applications required for the Stonegate Subdivision.

Please contact our office if you have any questions.

Sincerely,



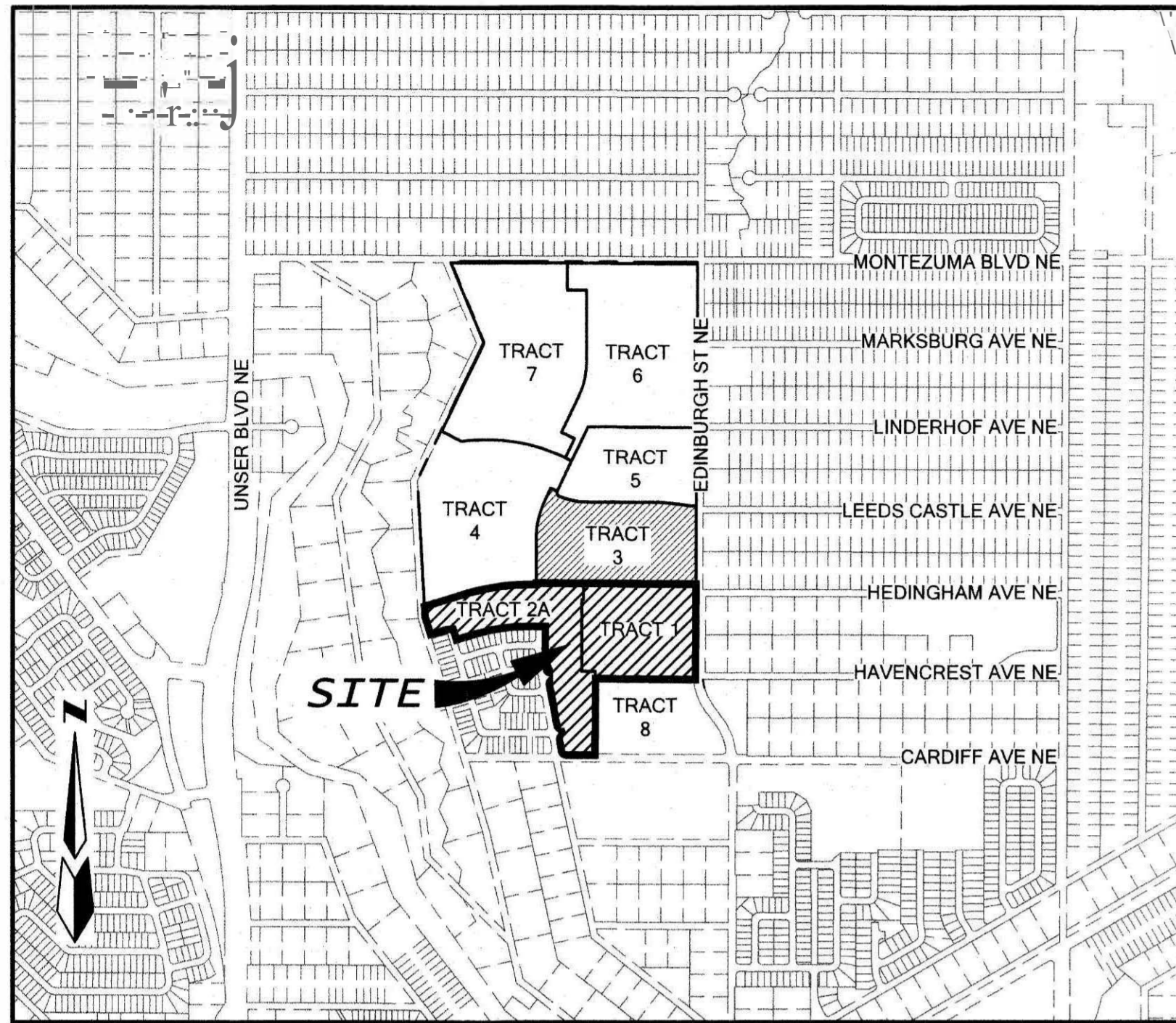
Signature

C. Adam Thoratton

Printed Name

Officer

Title



LOCATION MAP

SCALE: NTS

**SUBDIVISION DATA**

GROSS ACREAGE: 25.8269 AC  
 NO. OF EXISTING LOTS: 0 LOTS  
 NO. OF EXISTING TRACTS: 2 TRACTS  
 NO. OF LOTS CREATED: 126 LOTS  
 NO. OF TRACTS CREATED: 8 TRACTS  
 PUBLIC RIGHT OF WAY CREATED: 5.5433 AC  
 DATE OF SURVEY: DECEMBER 8th, 2014

**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 AND TRACTS AS SHOWN HEREON. THE TRACTS LABELED "H.O.A." WILL BE DEEDED IN FEE SIMPLE TO THE STONEGATE HOME OWNERS ASSOCIATION AND WILL BE MAINTAINED BY SAME. THEY WILL BE FOR THE BENEFIT OF THE HOME OWNERS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HERBY CONSENT TO THE GRANTING OF PUBLIC, PRIVATE AND TEMPORARY EASEMENTS AS SHOWN HEREON, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN FACILITIES THEREIN. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY GRANT ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRIC, WATER, SEWER AND COMMUNICATION SERVICES, WHERE SHOWN OR INDICATED, INCLUDING THE 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 THE DEDICATION OF PUBLIC STREET RIGHT-OF-WAY SHOWN HEREON TO THE CITY OF RIO RANCHO IN FEE SIMPLE WITH WARRANTY COVENANTS. 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): COAL BANK HOLDINGS, LTD

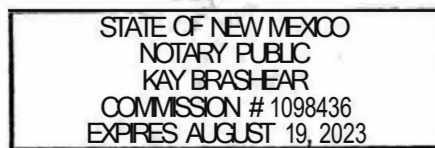
*[Signature]*  
 ADAM THORNTON, Managing Member  
 5-25-2023  
 Date

**ACKNOWLEDGEMENT**

STATE OF NEW MEXICO )  
 BERNALILLO COUNTY ) SS

On this 05 day of \_\_\_\_\_, 2023, this instrument was acknowledged before me by Adam Thornton, Managing Member, for Coal Bank Holdings, L.T.D. on behalf of said Coal Bank Holdings, L.T.D.

*[Signature]*  
 Notary Public  
 8-19-2023  
 My Commission Expires



**LEGAL DESCRIPTION**

All of Tract numbered One (1) as the same is shown and designated on the Plat entitled, "PLAT OF TRACT 1 THRU 8, STONEGATE SUBDIVISION", filed in the office of the County Clerk of Sandoval County, New Mexico on June 15, 2011, in Volume 3, Folio 3338 (RRE Plat Book No. 23, pages 90-92), together with all of Tract numbered Two A (2A) as the same is shown and designated on the Plat entitled, "PLAT OF STONEGATE SUBDIVISION PHASE 1", filed in the office of the County Clerk of Sandoval County, New Mexico on May 11, 2023, in Volume 3, Folio 5048 (RRE Plat Book No. 33, pages 86-91) and containing 25.8269 acres more or less.

**PURPOSE OF PLAT**

- To Subdivide Tract 1 and Tract 2A STONEGATE SUBDIVISION into 126 residential lots, 6 H.O.A. Tracts, and 2 remnant Tracts.
- To dedicate public street Right-of-way to the City of Rio Rancho as shown hereon.
- To grant all easements as shown hereon
- To eliminate any existing property/tract lines as shown.
- To Vacate public utility easements as shown hereon.

**SUBDIVISION NOTES**

- BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARING (CENTRAL ZONE)
- ALL DISTANCES ARE GROUND DISTANCES
- BEARINGS AND DISTANCES IN PARENTHESIS RECORD.
- BASIS OF BOUNDARY IS FROM THE PLAT OF RECORD ENTITLED:
  - "PLAT OF TRACT 1 THRU 8, STONEGATE SUBDIVISION" (06-15-2011 VOLUME 3, FOLIO 3338)
  - "PLAT OF TRACTS A AND B, BLOCK 47, RIO RANCHO ESTATES (04-15-2014, VOLUME 3, FOLIO 3699)
  - "PLAT OF STONEGATE SUBDIVISION, PHASE 1" (05-11-2023, VOLUME 3, FOLIO 5048)
- FIELD SURVEY PERFORMED IN DECEMBER 8, 2014.
- CITY OF RIO RANCHO, NEW MEXICO ZONE: R-4
- 100 YEAR FLOOD ZONE DESIGNATION: ZONE X, PANEL 1889 AND 1893 OF 2225, FLOOD INSURANCE RATE MAP, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, DATED MARCH 18, 2008. THIS PROPERTY DOES NOT LIE IN THE 100 YEAR FLOOD PLAIN.
- TITLE REPORT OLD REPUBLIC TITLE INSURANCE COMPANY, FILE NO. 1500369 (EFFECTIVE DATE: 1-14-2015)

**PUBLIC UTILITY EASEMENTS**

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- 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.
- 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.
- 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.
- SPARKLIGHT FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICES.
- 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, 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 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, 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 ERRECTED 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, SPARKLIGHT AND LUMEN 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.

**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 administratively by the Rio Rancho Development Services Department Director on the day of \_\_\_\_\_, 2023.

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

**PLAT FOR STONEGATE SUBDIVISION PHASE 2**

(BEING A REPLAT OF TRACT 1, STONEGATE SUBDIVISION AND TRACT 2A, STONEGATE PHASE 1 SUBDIVISION)

WITHIN THE TOWN OF ALAMEDA GRANT PROJECTED SECTIONS 11 & 12 TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M. CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO APRIL, 2023

DSD CASE NO. \_\_\_\_\_

RIO RANCHO PLANNING AND ZONING BOARD

Approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Fred Radosovich, Chairman  
 Date

**UTILITY APPROVALS:**

City of Rio Rancho  
 Date

New Mexico Gas Company  
 Date

Lumen  
 Date

Public Service Company of New Mexico  
 Date

Sparklight  
 Date

**COUNTY CLERKS RECORDING INFORMATION**

THIS INSTRUMENT WAS FILED FOR RECORD ON THE \_\_\_\_\_ TH DAY OF \_\_\_\_\_, 2023

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: *[Signature]*  
 Date

**JURISDICTIONAL AFFIDAVIT**

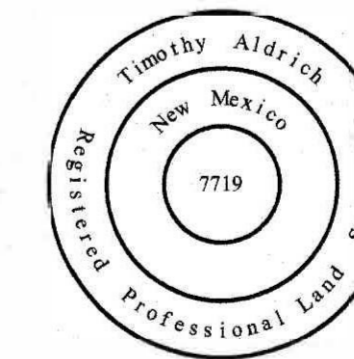
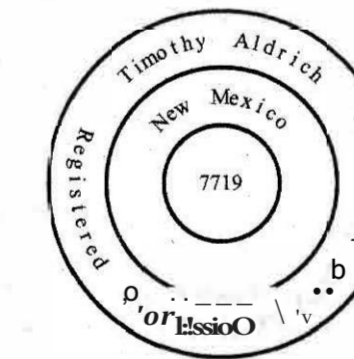
I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby affirm that the property described hereon does lie within the platting and extra-territorial jurisdiction of the City of Rio Rancho, New Mexico.

*[Signature]* 4/4/23  
 Timothy Aldrich, P.S. No. 7719  
 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.

*[Signature]*  
 Timothy Aldrich, P.S. No. 7719  
 Date



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

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 1 of 5
Scale: as shown	Date: 4/20/23	Job: A21028	

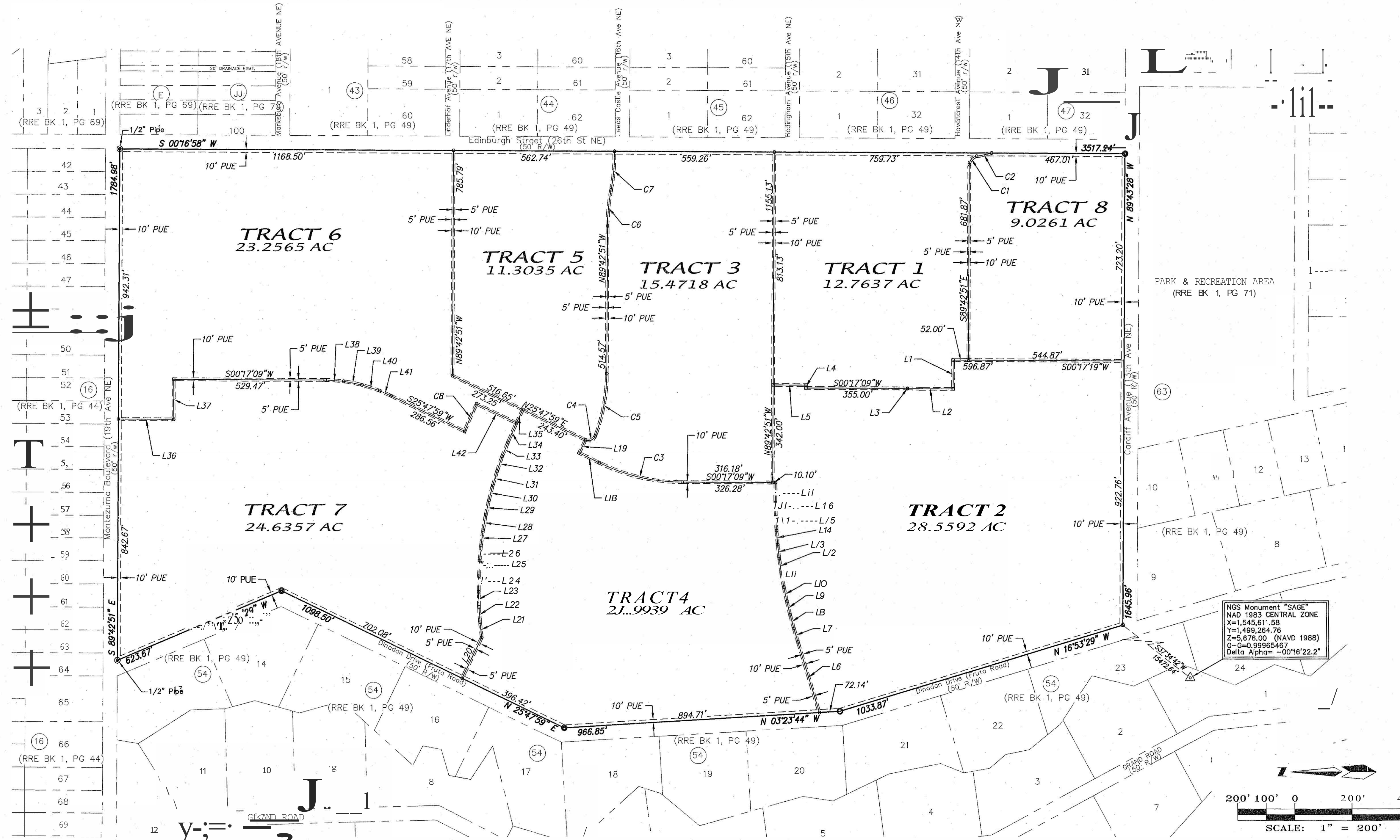
# EXISTING CONDITIONS

## PLAT FOR STONEGATE SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1, STONEGATE SUBDIVISION AND TRACT 2A, STONEGATE PHASE 1 SUBDIVISION)

WITHIN:

THE TOWN OF ALAMEDA GRANT  
PROJECTED SECTIONS 11 & 12  
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF RIO RANCHO  
SANDOVAL COUNTY, NEW MEXICO  
APRIL, 2023



LINE	LENGTH	BEARING
L1	100.86'	S89°42'51"W
L2	160.00'	S00°17'09"W
L3	0.86'	N89°42'51"W
L4	10.00'	N90°00'00"W
L5	114.95'	S00°17'09"W
L6	257.30'	S71°06'11"W
L7	49.38'	S73°04'48"W
L8	49.38'	S74°30'42"W
L9	49.38'	S76°17'28"W
L10	49.38'	S78°04'13"W
L11	49.38'	S79°50'59"W
L12	49.38'	S81°37'45"W
L13	49.38'	S83°24'31"W
L14	49.38'	S85°11'17"W
L15	49.38'	S86°58'03"W
L16	49.38'	S88°44'49"W
L17	69.77'	N89°42'51"W
L18	78.90'	S25°47'59"W
L19	52.00'	N64°22'01"W
L20	198.77'	N64°22'01"W
L21	53.41'	S83°49'21"W
L22	53.41'	S86°07'24"W
L23	53.41'	S88°25'27"W
L24	53.41'	S89°76'30"W
L25	53.41'	S86°58'27"W
L26	53.41'	N84°40'25"W
L27	53.41'	N82°22'22"W
L28	53.41'	N80°04'19"W
L29	53.41'	N77°46'16"W
L30	53.41'	N75°28'11"W
L31	53.41'	N73°10'10"W
L32	53.41'	N70°52'07"W
L33	53.41'	N68°34'04"W
L34	74.69'	N66°16'01"W
L35	52.00'	N64°22'01"W
L36	193.00'	S00°17'09"W
L37	139.31'	S89°42'51"E
L38	65.09'	S03°52'27"W
L39	65.09'	S11°03'04"W
L40	64.83'	S18°12'49"W
L41	43.59'	S24°07'29"W
L42	194.33'	S25°47'59"W

NGS Monument "SAGE"  
NAD 1983 CENTRAL ZONE  
X=1,545,611.58  
Y=1,499,264.76  
Z=5,676.00 (NAVD 1988)  
G=0.99996467  
Delta Alpha=-0016'22.2"

### Public Utility Easements:

PUBLIC UTILITY EASEMENTS (PUE) shown on this plot are granted for the common and joint use of:

- 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.
- 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.
- Qwest** for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- Cable TV** for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable 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/switchgear, 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.

CURVE	LENGTH	RADIUS	oaTA	TANGENT	CH-BEARING	CHORD
C1	42.22'	30.00'	80°38'19"	25.46'	N49°23'41"W	38.82'
C2	53.92'	385.50'	62°14'8"	26.99'	S12°5'26"W	53.89'
C3	300.58'	675.00'	25°30'49"	152.82'	S13°02'34"W	298.10'
C4	41.45'	25.00'	94°59'19"	27.28'	S21°41'4"E	36.86'
C5	223.78'	623.00'	20°31'30"	112.80'	S79°27'05"E	221.99'
C6	127.54'	677.00'	10°47'37"	63.96'	N84°9'02"W	127.35'
C7	135.46'	623.00'	12°27'30"	68.00'	S85°08'58"E	135.20'
C8	105.09'	1485.00'	4°03'17"	52.57'	N66°3'40"W	105.07'



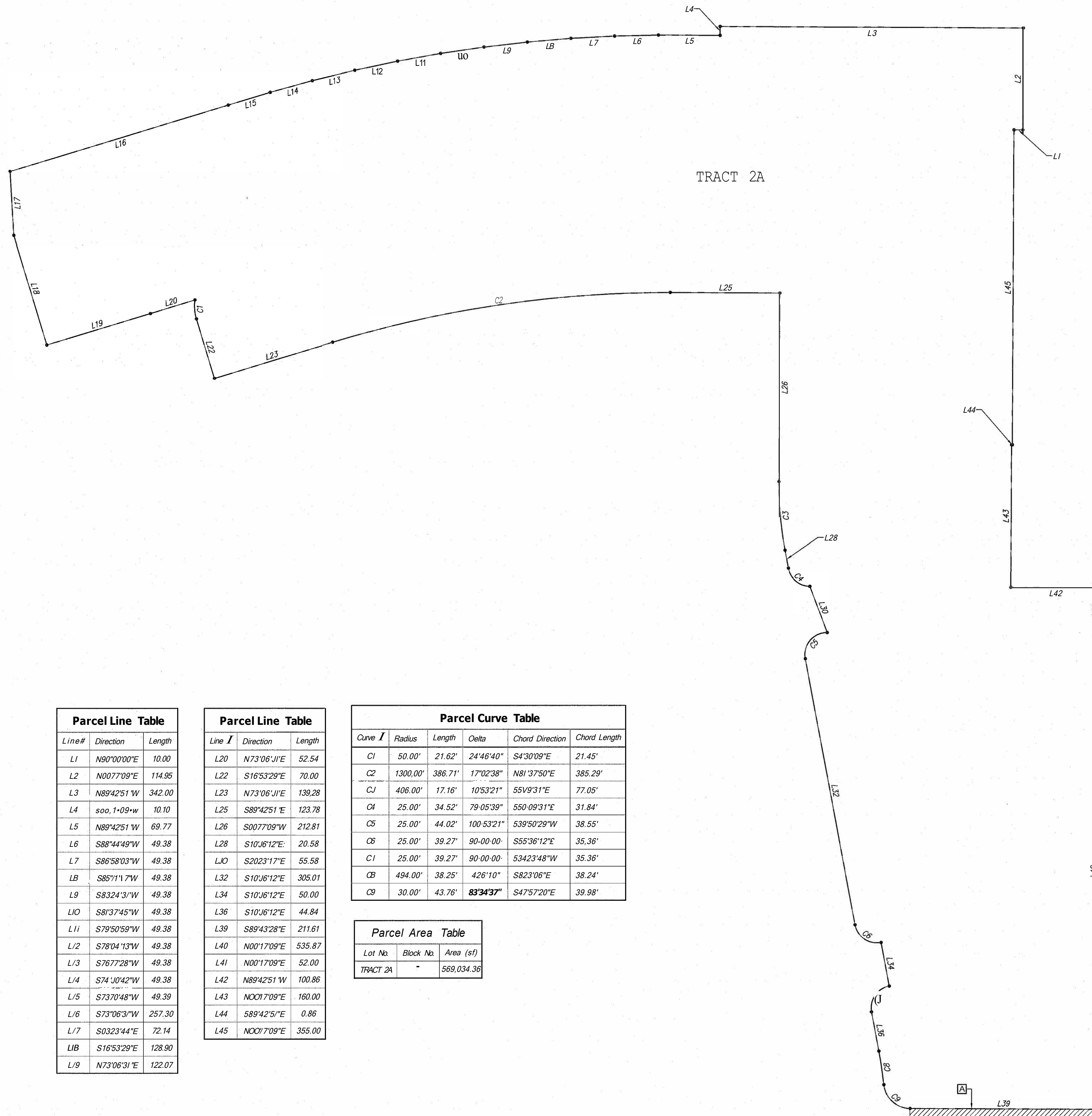
P.O. BOX 30701, ALBQ., N.M. 87190  
505-884-1990

Designed: JH	Drawn: SPS	Checked: DMG	2 of 5
Scale: 1" = 200'	Date: 4/20/2023	Job: A10003	

# EXISTING CONDITIONS

## PLAT FOR STONEGATE SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1, STONEGATE SUBDIVISION AND TRACT 2A, STONEGATE PHASE 1 SUBDIVISION) WITHIN THE TOWN OF ALAMEDA GRANT PROJECTED SECTIONS 11 & 12 TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M. CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO APRIL, 2023



### ABBREVIATIONS

- 10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
- ROW = RIGHT-OF-WAY
- H.O.A. = HOMEOWNERS ASSOCIATION

### CORNERS

- o SET 1/2" REBAR WITH CAP "ALS LS 7719"
- e SET PK NAIL WITH TAG "ALS LS 7719"

### NEW EASEMENTS

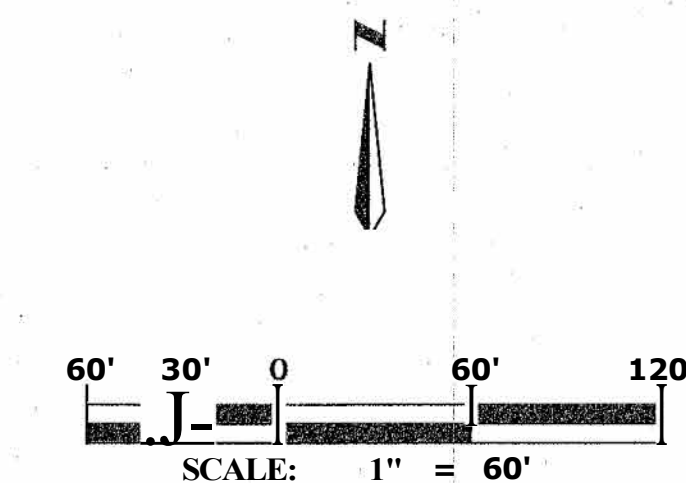
- 9' ROW DEDICATED WITH THIS PLAT.

Line#	Direction	Length
L1	N90°00'00"E	10.00
L2	N007°09'E	114.95
L3	N89°42'51"W	342.00
L4	soo.1+09+w	10.10
L5	N89°42'51"W	69.77
L6	S88°44'49"W	49.38
L7	S86°58'03"W	49.38
LB	S85°11'17"W	49.38
L9	S83°24'37"W	49.38
L10	S81°37'45"W	49.38
L11	S79°50'59"W	49.38
L12	S78°04'13"W	49.38
L13	S76°77'28"W	49.38
L14	S74°10'42"W	49.38
L15	S73°70'48"W	49.39
L16	S73°06'37"W	257.30
L17	S0323'44"E	72.14
L1B	S16°53'29"E	128.90
L19	N73°06'31"E	122.07

Line #	Direction	Length
L20	N73°06'11"E	52.54
L22	S16°53'29"E	70.00
L23	N73°06'11"E	139.28
L25	S89°42'51"E	123.78
L26	S007°09"W	212.81
L28	S10°06'12"E	20.58
LJO	S2023'17"E	55.58
L32	S10°06'12"E	305.01
L34	S10°06'12"E	50.00
L36	S10°06'12"E	44.84
L39	S89°43'28"E	211.61
L40	N00°17'09"E	535.87
L41	N00°17'09"E	52.00
L42	N89°42'51"W	100.86
L43	N00°17'09"E	160.00
L44	S89°42'51"E	0.86
L45	N00°17'09"E	355.00

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	50.00'	21.62'	24°46'40"	S4°30'09"E	21.45'
C2	1300.00'	386.71'	17°02'38"	N81°37'50"E	385.29'
CJ	406.00'	17.16'	10°53'21"	S59°31'E	77.05'
CA	25.00'	34.52'	79°05'39"	S50°09'31"E	31.84'
C5	25.00'	44.02'	100°53'21"	S39°50'29"W	38.55'
C6	25.00'	39.27'	90°00'00"	S55°36'12"E	35.36'
C1	25.00'	39.27'	90°00'00"	S34°23'48"W	35.36'
CB	494.00'	38.25'	426°1'0"	S82°3'06"E	38.24'
C9	30.00'	43.76'	83°34'37"	S47°57'20"E	39.98'

Lot No.	Block No.	Area (sf)
TRACT 2A	-	569,034.36



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

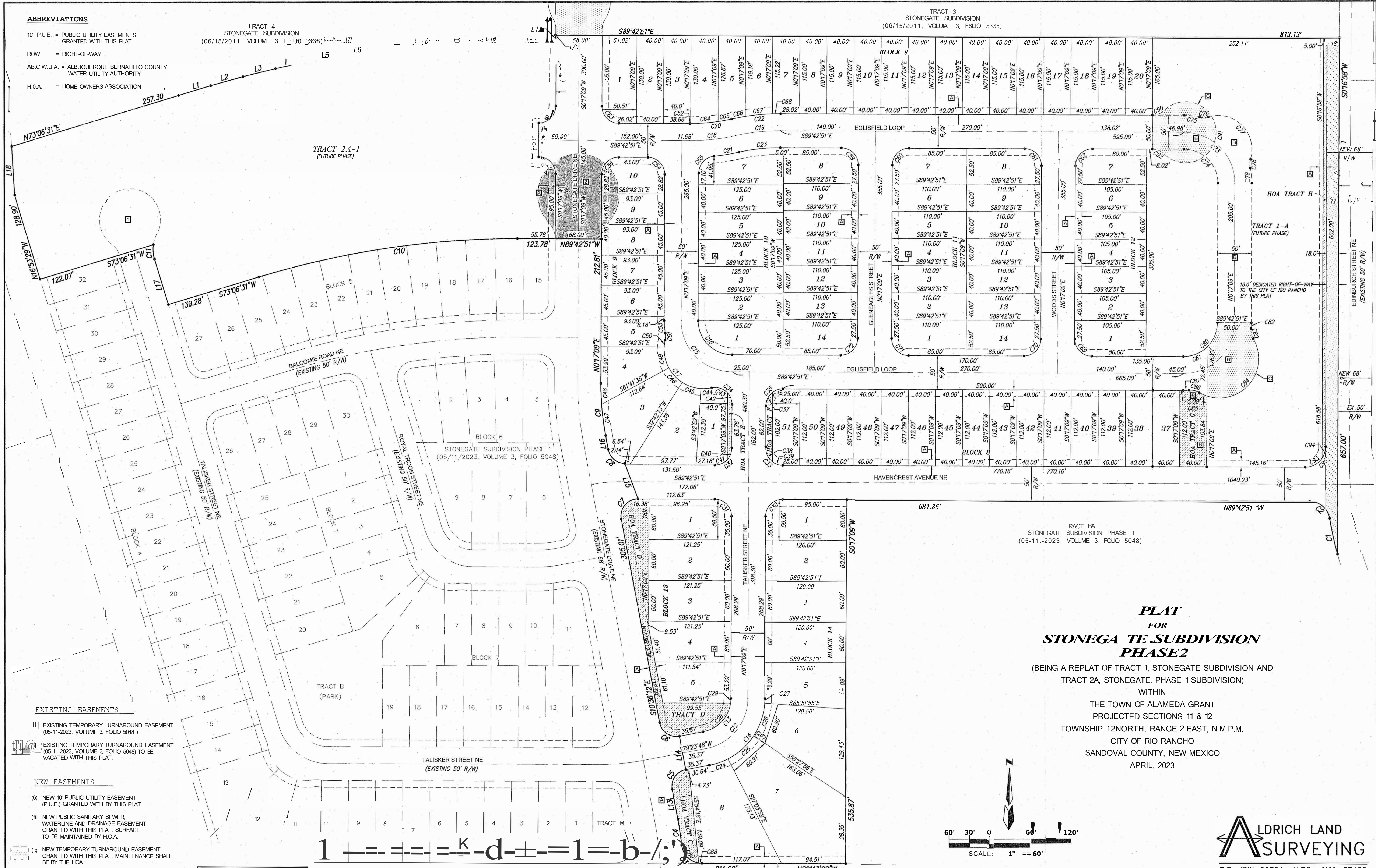
Designed: DMG	Drawn: DER	Checked: ALS	Sheet 3 of 5
Scale: as shown	Date: 4/20/23	Job: A21028	

**ABBREVIATIONS**

- 10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
- ROW = RIGHT-OF-WAY
- AB.C.W.U.A. = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY
- H.O.A. = HOME OWNERS ASSOCIATION

TRACT 4  
STONEGATE SUBDIVISION  
(06/15/2011, VOLUME 3, FOLIO 3338)

TRACT 3  
STONEGATE SUBDIVISION  
(06/15/2011, VOLUME 3, FOLIO 3338)



**EXISTING EASEMENTS**

- (i) EXISTING TEMPORARY TURNAROUND EASEMENT (05-11-2023, VOLUME 3, FOLIO 5048)
- (ii) EXISTING TEMPORARY TURNAROUND EASEMENT (05-11-2023, VOLUME 3, FOLIO 5048) TO BE VACATED WITH THIS PLAT.

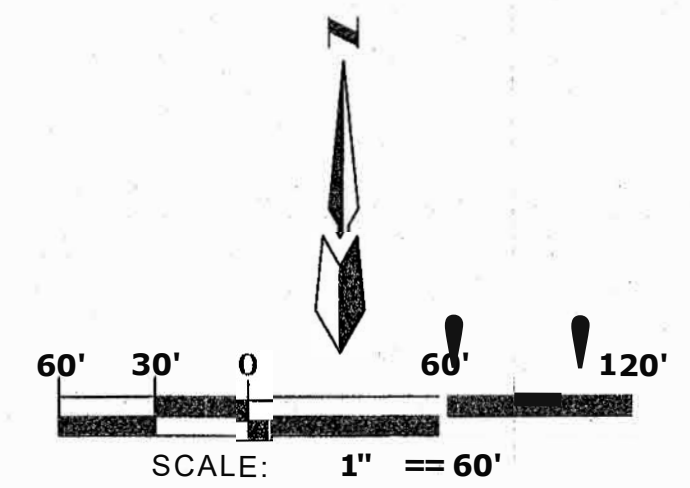
**NEW EASEMENTS**

- (a) NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED WITH THIS PLAT.
- (b) NEW PUBLIC SANITARY SEWER, WATERLINE AND DRAINAGE EASEMENT GRANTED WITH THIS PLAT. SURFACE TO BE MAINTAINED BY H.O.A.
- (c) NEW TEMPORARY TURNAROUND EASEMENT GRANTED WITH THIS PLAT. MAINTENANCE SHALL BE BY THE HOA.
- (d) NEW PUBLIC ACCESS, SANITARY SEWER, WATERLINE, AND DRAINAGE EASEMENT GRANTED WITH THIS PLAT. SURFACE MAINTENANCE SHALL BE BY THE HOA

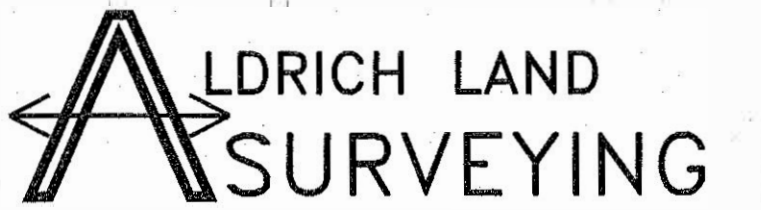
ALL STREETS AND ROADS SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF RIO RANCHO IN FEE SIMPLE WITH WARRANTY COVENANTS AS PUBLIC RIGHT-OF-WAY

**PLAT FOR STONEGATE SUBDIVISION PHASE 2**

(BEING A REPLAT OF TRACT 1, STONEGATE SUBDIVISION AND TRACT 2A, STONEGATE, PHASE 1 SUBDIVISION) WITHIN THE TOWN OF ALAMEDA GRANT PROJECTED SECTIONS 11 & 12 TOWNSHIP 12NORTH, RANGE 2 EAST, N.M.P.M. CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO APRIL, 2023



\*SEE SHEET 5 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.



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

Designed: DMG	Drawn: DER	Checked: ALS
Scale: as shown	Date: 4/20/23	Job: A21028

F:\A21028\A21028.STONEGATE SUBDIVISION PHASE 2\FINAL PLAT\A21028.SG PHASE 2 FINAL PLAT.dwg, 5/25/2023 10:25:33 AM, dwgname

**PLAT**  
FOR  
**STONEGATE SUBDIVISION**  
**PHASE 2**

(BEING A REPLAT OF TRACT 1, STONEGATE SUBDIVISION AND TRACT 2A, STONEGATE PHASE 1 SUBDIVISION)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
PROJECTED SECTIONS 11 & 12  
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF RIO RANCHO  
SANDOVAL COUNTY, NEW MEXICO  
APRIL, 2023

Parcel Curve Table					
Curve#	Radius	Length	Delta	Chord Direction	Chord Length
C7	477.03'	53.92'	6°28'35"	N1275°34'W	53.89'
C2	30.00'	42.22'	80°38'39"	N49°23'24"W	38.82'
CJ	30.00'	43.75'	83°33'27"	N47°56'45"W	39.98'
C4	494.00'	38.25'	4°26'10"	N82°30'6"W	38.24'
C5	25.00'	39.27'	90°00'00"	N34°23'48"E	35.36'
C6	25.00'	39.27'	90°00'00"	S55°36'12"E	35.36'
C1	25.00'	44.02'	100°53'21"	N39°50'29"E	38.55'
CB	25.00'	34.52'	79°05'39"	N50°09'3"W	37.84'
C9	406.00'	77.76'	10°53'21"	S5°09'3"E	17.05'
CO	1300.00'	386.71'	17°02'38"	S81°37'50"W	385.29'
CI	50.00'	21.62'	24°45'40"	N4°30'09"W	21.45'
C2	74.99'	103.55'	79°01'05"	NJ9°50'42"E	95.52'
C1J	50.00'	69.04'	79°06'39"	NJ9°50'29"E	63.68'
C4	100.00'	138.07'	79°06'39"	NJ9°50'29"E	127.36'
C5	15.00'	117.81'	90°00'00"	S44°42'51"E	106.07'
C6	50.00'	18.54'	90°00'00"	S44°42'51"E	70.71'
C7	58.00'	116.35'	114°56'06"	S44V3°56'E	97.80'
C8	300.00'	67.22'	12°50'19"	NBJ°52'00"E	67.08'
C9	300.00'	67.22'	12°50'19"	N83°52'00"E	67.08'
C20	275.00'	61.62'	12°50'19"	N83°52'00"E	61.49'
C21	325.00'	37.17'	6°33'09"	S80°42'25"W	37.15'
C22	325.00'	72.82'	12°50'19"	S8J°52'00"W	72.67'
C23	275.00'	61.62'	12°50'19"	S8J°52'00"W	61.49'
C24	100.00'	28.73'	16°27'46"	S71°09'55"W	28.63'
C25	100.00'	51.31'	29°23'58"	S48°74'03"W	50.75'
C26	100.00'	51.31'	29°23'58"	S18°50'05"W	50.75'
C27	100.00'	6.72'	3°50'56"	S27°23'7"W	6.72'
C28	50.00'	62.30'	71°23'44"	N43°4'56"E	58.35'
C29	50.00'	6.73'	74°2'55"	N4VBJ°7"E	6.73'
CD	25.00'	39.27'	90°00'00"	N45°70'9"W	35.36'
CI	25.00'	39.27'	90°00'00"	N44°42'51"W	35.36'
C12	25.00'	39.27'	90°00'00"	N4577°09"E	35.36'
C1J	25.00'	39.27'	90°00'00"	S44°42'51"E	35.36'
C34	25.00'	44.43'	101°49'08"	N50°37'25"W	38.81'
C35	25.00'	39.27'	90°00'00"	S45°70'9"W	35.36'
C16	25.00'	16.09'	35°52'12"	S71°51'04"W	15.81'
C17	25.00'	23.18'	53°07'48"	S26°5'04"W	22.36'
CB	25.00'	23.18'	53°07'48"	S26°76'45"E	22.36'
C39	25.00'	16.09'	36°52'12"	S71°16'45"E	15.81'
CO	25.00'	18.69'	42°49'32"	N2°41'53"E	18.25'
C41	25.00'	20.58'	47°0'32"	N66°4'53"E	20.01'
CO2	25.00'	18.69'	42°49'28"	N21°07'35"W	18.25'
C43	25.00'	25.74'	58°59'40"	N72°02'09"W	24.62'
CO4	58.00'	15.43'	157451."	S86°05'27"W	15.39'
CO5	58.00'	29.35'	28°59'21"	N71°47'27"W	29.0J'
CO6	58.00'	29.35'	28°59'21"	S42°48'06"E	29.0J'
C47	384.90'	50.27'	729°01"	N74°06'W	50.24'
CO8	406.00'	JO.BB'	421°29'	S1°53'35"E	JO.BI'

Parcel Curve Table					
Curve#	Radius	Length	Delta	Chord Direction	Chord Length
CO9	58.00'	32.13'	31°44'09"	N12°26'27"W	31.72'
CO0	58.00'	10.10'	9°58'23"	N8°24'56"E	10.08'
CO51	25.00'	10.38'	23°47'46"	N/30°14"E	10.31'
CO52	275.00'	1.34'	076°47"	S89°51'4"E	1.34'
CO53	100.00'	18.64'	10°40'48"	S5°03'5"E	18.61'
CO54	25.00'	39.27'	90°00'00"	N44°42'51"W	35.36'
CO55	25.00'	36.53'	83°42'50"	S42°08'34"W	33.36'
CO56	25.00'	39.27'	90°00'00"	S4577°09"W	35.36'
CO57	25.00'	39.27'	90°00'00"	N4577°09"E	35.36'
CO58	25.00'	39.27'	90°00'00"	N44°42'51"W	35.36'
CO59	25.00'	39.27'	90°00'00"	N44°42'51"W	35.36'
CO00	25.00'	39.27'	90°00'00"	S4577°09"W	35.36'
CO61	25.00'	39.27'	90°00'00"	N44°42'51"W	35.36'
CO62	25.00'	39.27'	90°00'00"	S4517°09"W	35.36'
CO63	25.00'	39.27'	90°00'00"	S44°42'51"E	35.36'
CO64	275.00'	40.16'	8°22'00"	N85°49'22"E	40.12'
CO65	275.00'	20.12'	471°37'	N79°32'36"E	20.12'
CO66	325.00'	20.62'	3°38'07"	N79°15'54"E	20.62'
CO67	325.00'	40.22'	7°05'27"	N84°37'41"E	40.20'
CO68	325.00'	11.98'	2°05'45"	N89°73'47"E	11.98'
CO69	25.00'	39.27'	90°00'00"	S44°42'51"E	35.36'
CO0	25.00'	39.27'	90°00'00"	N4517°09"E	35.36'
CI1	25.00'	39.27'	90°00'00"	S44°42'51"E	35.36'
C72	25.00'	39.27'	89°59'59"	N4577°09"E	35.36'
C73	15.00'	117.81'	90°00'00"	N44°42'51"W	106.07'
C74	50.00'	18.54'	90°00'00"	N44°42'51"W	70.71'
C75	100.00'	22.78'	11°0'07"	NBJ°11'7"W	22.73'
C76	25.00'	13.06'	29°55'35"	N88°22'29"E	12.91'
CI11	50.00'	107.99'	123°44'56"	N44°42'51"W	88.19'
CI18	25.00'	13.06'	29°55'35"	s2-11°50"W	12.91'
C79	100.00'	22.78'	13°03'07"	N61°42'4"W	22.73'
CO0	50.00'	78.54'	90°00'00"	N4577°09"E	70.71'
CO7	50.00'	JB.77'	44°25'37"	N68°04'2"E	37.87'
CO2	100.00'	8.11'	4°59'20"	N2°46'49"E	8.70'
COJ	25.00'	15.50'	35°31'07"	S12°29'04"E	15.25'
CO4	58.00'	152.92'	151°03'33"	N4517°09"E	112.32'
CO5	58.00'	12.57'	12°24'55"	S65°2J'2"E	12.54'
CO6	25.00'	15.50'	35°3'07"	S76°56'37"E	15.25'
CO7	100.00'	8.71'	4°59'20"	N87°47'29"E	8.70'
CO8	30.00'	4.64'	8°51'58"	S85°22'22"E	4.64'
CO9	30.00'	38.15'	74°46'22"	S43°33'12"E	36.43'
CO0	25.00'	19.38'	44°24'55"	N68°04'42"E	18.90'
CO1	45.00'	211.14'	268°49'50"	S077°10'W	64.29'
CO2	25.00'	19.38'	44°24'55"	N67°30'2J"W	18.90'
COJ	30.00'	47.1J'	90°00'12"	N4517°04"E	42.43'
CO4	30.00'	17.57'	33°33'26"	S17°03'4"W	17.32'
CO5	30.00'	47.1J'	90°00'12"	N4517°04"E	42.43'

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 8	6498.4490 sf
2	BLOCK 8	5200.0059 sf
3	BLOCK 8	5200.0073 sf
4	BLOCK 8	5157.0388 sf
5	BLOCK 8	4922.4056 sf
6	BLOCK 8	4671.4370 sf
7	BLOCK 8	4600.9021 sf
8	BLOCK 8	4600.0231 sf
9	BLOCK 8	4600.0260 sf
10	BLOCK 8	4600.0289 sf
11	BLOCK 8	4600.0317 sf
12	BLOCK 8	4600.0346 sf
13	BLOCK 8	4600.0375 sf
14	BLOCK 8	4600.0403 sf
15	BLOCK 8	4600.0432 sf
16	BLOCK 8	4600.0460 sf
17	BLOCK 8	4600.0489 sf
18	BLOCK 8	4600.0518 sf
19	BLOCK 8	4600.0546 sf
20	BLOCK 8	4600.0575 sf
37	BLOCK 8	4480.0000 sf
38	BLOCK 8	4480.0000 sf
39	BLOCK 8	4480.0000 sf
40	BLOCK 8	4480.0000 sf
41	BLOCK 8	4480.0000 sf
42	BLOCK 8	4480.0000 sf
43	BLOCK 8	4480.0000 sf
44	BLOCK 8	4480.0000 sf
45	BLOCK 8	4480.0000 sf
46	BLOCK 8	4480.0000 sf
47	BLOCK 8	4480.0000 sf
48	BLOCK 8	4480.0000 sf
49	BLOCK 8	4480.0000 sf
50	BLOCK 8	4480.0000 sf
51	BLOCK 8	4432.1882 sf
TRACT 1-A	BLOCK 8	148253.2568 sf
TRACT F	BLOCK 8	899.5595 sf
TRACT G	BLOCK 8	4407.2629 sf
TRACT H	BLOCK 8	3066.2609 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 9	4677.3155 sf
2	BLOCK 9	7459.8144 sf
4	BLOCK 9	5657.8993 sf
5	BLOCK 9	4222.5776 sf
6	BLOCK 9	4184.9812 sf
7	BLOCK 9	4184.9812 sf
8	BLOCK 9	4184.9812 sf
9	BLOCK 9	4184.9812 sf
10	BLOCK 9	4736.9883 sf
TRACT E	BLOCK 9	580.4388 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 10	5713.4951 sf
2	BLOCK 10	5000.0000 sf
3	BLOCK 10	5000.0000 sf
4	BLOCK 10	5000.0000 sf
5	BLOCK 10	5000.0000 sf
6	BLOCK 10	5000.0000 sf
7	BLOCK 10	5936.5755 sf
8	BLOCK 10	5640.8741 sf
9	BLOCK 10	4400.0000 sf
10	BLOCK 10	4400.0000 sf
11	BLOCK 10	4400.0000 sf
13	BLOCK 10	4400.0000 sf
14	BLOCK 10	5640.8732 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 11	5640.8739 sf
2	BLOCK 11	4400.0000 sf
3	BLOCK 11	4400.0000 sf
4	BLOCK 11	4400.0000 sf
5	BLOCK 11	4400.0000 sf
6	BLOCK 11	4400.0000 sf
7	BLOCK 11	5640.8739 sf
8	BLOCK 11	5640.8739 sf
9	BLOCK 11	4400.0000 sf
10	BLOCK 11	4400.0000 sf
11	BLOCK 11	4400.0000 sf
12	BLOCK 11	4400.0000 sf
13	BLOCK 11	4400.0000 sf
14	BLOCK 11	5640.8739 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 12	5378.3739 sf
2	BLOCK 12	4200.0000 sf
3	BLOCK 12	4200.0000 sf
4	BLOCK 12	4200.0000 sf
5	BLOCK 12	4200.0000 sf
6	BLOCK 12	4200.0000 sf
7	BLOCK 12	5378.3739 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 13	7141.0816 sf
2	BLOCK 13	7275.2077 sf
3	BLOCK 13	7275.2077 sf
4	BLOCK 13	7030.1563 sf
5	BLOCK 13	5345.3279 sf
TRACT D	BLOCK 13	10521.4578 sf

Parcel Area Table		
Lot No.	Block No.	Area (sf)
1	BLOCK 14	7065.8739 sf
2	BLOCK 14	7200.0000 sf
3	BLOCK 14	7200.0000 sf
4	BLOCK 14	7200.0000 sf
5	BLOCK 14	7686.7224 sf
6	BLOCK 14	11671.5713 sf
7	BLOCK 14	19717.5181 sf
8	BLOCK 14	13346.4260 sf
TRACT C	BLOCK 14	3111.5146 sf

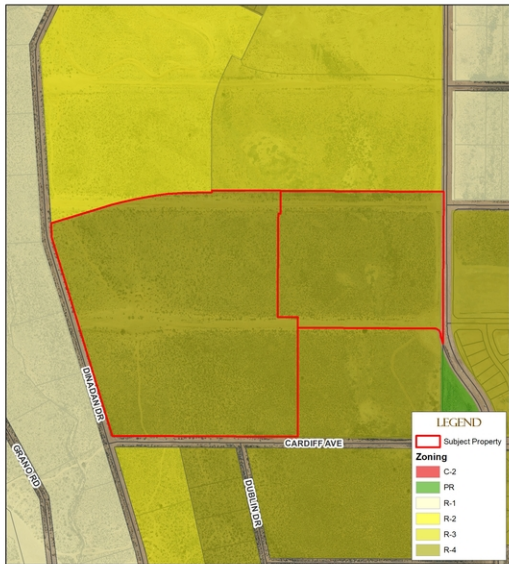
Parcel Area Table		
Lot No.	Block No.	Area (sf)
TRACT 2A-1	TRACT 2A-1	212964.5309 sf

Parcel Line Table		
Line#	Direction	Length
L1	N73°10'48"E	49.39
L2	N74°30'42"E	49.38
LJ	N76°17'28"E	49.38
L4	N78°04'11"E	49.38
LS	N79°50'59"E	49.38
L6	N81°37'15"E	49.38
L1	N83°24'11"E	49.38
LB	N85°7'17"E	49.38
L9	N86°58'03"E	49.38
L10	N88°44'49"E	49.38
L11	S89°42'51"E	69.77
L12	N00°7'09"E	10.10
UJ	N10°36'12"W	44.84
L14	N10°36'12"W	50.00
L15	N20°2J'17"W	55.58
L16	N107°40'7"W	16.59
L11	N165°32'9"W	70.00
LIB	N03°23'44"W	72.14
L19	S89°42'51"E	1.00

**BIRDICH LAND**  
**71 SURVEYING**  
P.O. BOX 30701, ALBUQUERQUE, N.M. 87190  
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 5 of 5
Scale: as shown	Date: 4/20/23	Job: A21028	

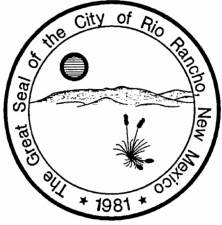
# STONEGATE PHASE 2 PRELIMINARY PLAT



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



Map Created by Thomas Lampo October 21, 2021



## CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 23-150-  
00002**

**AGENDA DATE:**  
June 27, 2023

**DEPARTMENT:**  
Development Services

**SUBJECT:**  
**Zoning Interpretation.** Staff is requesting a Zoning Interpretation authorizing “hotels and motels” as a legitimate and permissive commercial use in a SU: Special Use zone established by Ordinance 89-008 for the property legally at 9999 Irene Rd SE, legally described as Hilltop Plaza, Tract C-1.

**BACKGROUND AND ANALYSIS:**

Staff is requesting a Zoning Interpretation authorizing “hotels and motels” as a legitimate and permissive commercial use in an SU: Special Use District. The subject property is legally described as Hilltop Plaza, Tract C-1 and is zoned SU: Special Use per Ordinance 89-008. This Ordinance lists permissive land uses. Included in the list is "all C-1 Retail Commercial permissive uses as designated in Ordinance 87-1".

Ordinance 87-1 revised, amended and enacted the general Ordinances of Rio Rancho, which included listing the permissive uses in a C-1 zone. The permissive uses of C-1 did not include hotels and motels with this Ordinance. Hotels and motels were eventually added to the permissive uses of C-1 with the adoption of Ordinance 18-20.

Ordinance 89-008 also states that "uses not included in this list will be reviewed for final approval or denial by the Planning and Zoning Commission." Therefore, staff recommends the Planning and Zoning Board find that hotels and motels are a permissive use within the SU zone under Ordinance 89-008, as it is a permissive use under the current C-1 zoning and we believe that the use is compatible with the allowable land uses of the original Ordinance.

**IMPACT:**

The Development Services Department recommends that the Planning and Zoning Board authorize that hotels and motels are permitted uses on land subject to SU: Special Use regulations established by Ordinance 87-1, subject to the findings set forth below:

**GENERAL FINDINGS OF FACT:**

1. The Planning and Zoning Board has jurisdiction over the authorization of a zoning interpretation.
2. The Development Services Department has the authority to request a zoning interpretation.

**SPECIFIC FINDINGS OF FACT FOR APPROVAL:**

1. Staff has adequately addressed the reasoning for authorizing hotels and motels as a legitimate and permissive commercial use in an SU: Special Use District, established by Ordinance 89-008.

2. The proposed use of hotels and motels is not likely to be detrimental to the public welfare, safety, health, morals, and convenience of the surrounding area of the subject property.

**SPECIFIC FINDINGS OF FACT FOR DENIAL:**

1. Staff has not adequately addressed the reasoning for authorizing hotels and motels as a legitimate and permissive commercial use in an SU: Special Use District, established by Ordinance 89-008.

**ALTERNATIVES:**

The Planning and Zoning Board may:

1. Authorize the request, in whole or in part;
2. Deny the request, in whole or in part;
3. Modify the request and approve such modifications;
4. Continue the zoning interpretation to request additional information.

**DEPARTMENT RECOMMENDATION:**

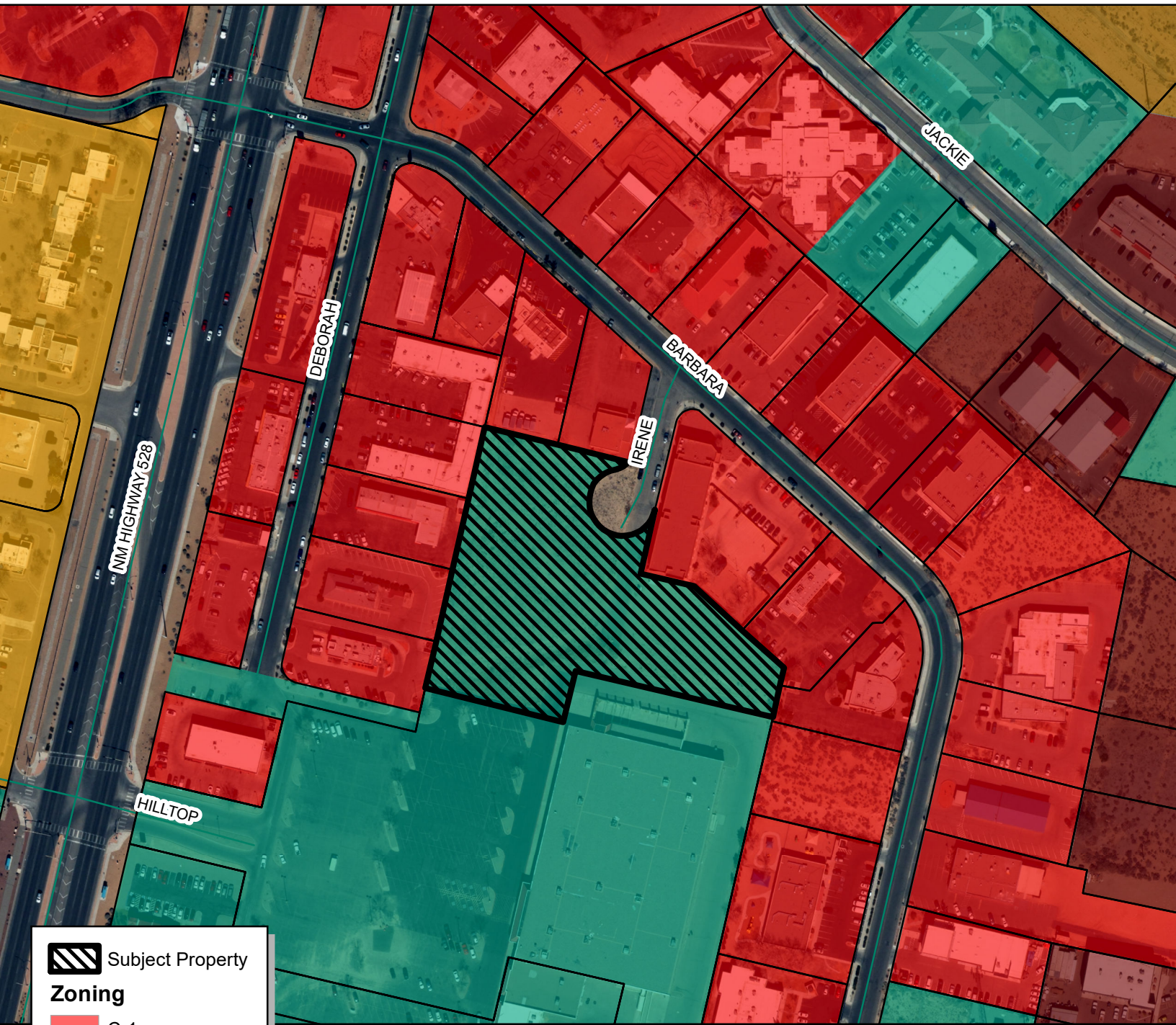
Development Services Department recommends that the Planning and Zoning Board authorize that hotels and motels are permitted uses on land subject to SU: Special Use regulations established by Ordinance 89-008.


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

ATTACHMENT: [89-008 O.pdf](#)






ATTACHMENT: [Draft\\_Resolution.docx](#)

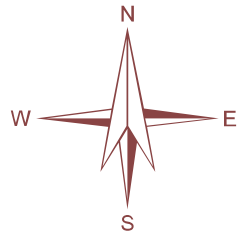
# HILLTOP PLAZA, TRACT C1



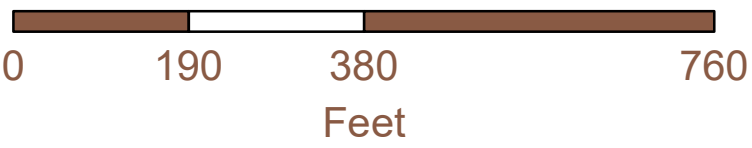
 Subject Property

**Zoning**

-  C-1
-  C-2
-  R-3
-  R-6
-  SU



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5. Library
6. Musuem
7. Dwelling unit for a caretaker
8. Paved parking lot
9. Printing or publishing
10. Public utility
11. Facility for sales displayed for wholesaling and distributing
12. Indoor pool facility
13. Health club
14. Theaters

Uses not included in this list will be reviewed for final approval or denial by the Planning and Zoning Commission.

RESTRICTION:

1. Access onto NMSR 528 shall be right in/right out only, with the exception of the center access point to NMSR 528 between Pad "D" & Pad "E" in which left in/left out will be allowed. On site improvements constructed by the applicant shall reinforce this type of access as per the attached development plan.
2. The applicant shall widen Sara Road on the north from NMSR 528 to the west property line to the maximum allowed by the existing utility poles on Sara Road.
3. Intersection improvements to the intersection of Sara Road and NMSR 528 shall be provided jointly by the

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applicant and the City of Rio Rancho. A development agreement will be reached with the start of the development Phase II.

4. Deceleration lanes, including curb and gutter, shall be provided by the applicant along Sara Road from the east property line to NMSR 528, and along NMSR 528 from Sara Road to the north property line.

5. Medians on NMSR 528 shall be rebuilt as needed by the applicant to reinforce traffic patterns as per City Engineer Standards.

6. A signal to be located South of Pad E on NMSR 528 shall be provided by the developer upon buildout of Phase I of the development or upon warrants by the State of New Mexico Highway.

7. The following landscape standards shall be met with the development of each phase:

TOTAL LANDSCAPING REQUIRED:	10% of Gross acreage
FRONT LANDSCAPING	25% of total landscaping. The clear site triangle shall be maintained.
LIVE PLANT MATERIAL	80% or more of total landscaping
NON-PLANT MATERIAL	20% or less of total landscaping requirement

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RIGHT-OF-WAY AND  
RIGHT-OF-WAY EASEMENT

Up to 50% credit on  
total landscaping  
requirement

TREES

One per 500 square  
feet of required  
landscaping  
30" boxed or 3"  
caliper in size  
12' in height with  
full crown

SHRUBS

5 gallon minimum  
size

SOD

50% of total  
landscaping

PARKING LOT LANDSCAPING

1-3 acres / 2%  
Greater than 3 acres  
to 5 acres / 3%  
Greater than 5 acres  
to 10 acres / 4%

8. A six (6) foot sidewalk shall be provided along the  
entire length of the project on NMSR 528 and Sara Road  
by the applicant. Handicap ramps are required at all  
ingress/egress points. Location shall be determined by  
the City Development Department. Phasing may be  
arranged with the City Development Department.

9. Signage at the development shall be limited to the following:

a. Two freestanding signs, one 100 square feet sign to be located on NMSR 528 and 60 square feet sign to be located on Sara Road. Maximum height of the signs shall be 15' 6". The clear sight triangle shall be maintained.

b. One wall sign per business of 40 square feet or 3% of the facade. Wall signage may not be cumulative.

c. Private traffic directional signs of 4 square feet will be allowed on private property.

10. The applicant must receive written approval from the State of New Mexico Highway Department in respect to access, signalization, acceleration/deceleration lanes, etc. prior to any City Development Department plan approval. Approval is subject to New Mexico Department approval, and City Engineer approval.

11. The above requirements (except for #6) shall be met in compliance with the following schedule:

With the buildout of Phase I, K-Mart development:

- NMSR 528 frontage improvements

With the buildout of Phase II, the rest of the development:

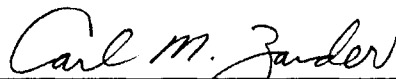
-Sara Road improvements

-The remainder of NMSR 528 Improvements

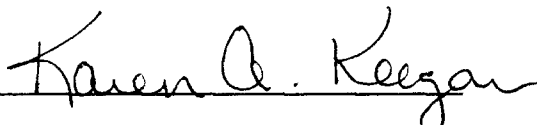
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12. The zoning designation on this property shall revert to the original zoning of C-1 (Retail Commercial) if no development has occurred within 36 months.

APPROVED THIS 8TH DAY OF FEBRUARY, 1989

  
\_\_\_\_\_  
Carl M. Zander, Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Karen A. Keegan, Acting Municipal Clerk

( S E A L )



**CITY OF RIO RANCHO  
ORDINANCE**

**RESOLUTION NO. PZB-15**

**ENACTMENT NO. 23-02 PZB**

**A RESOLUTION OF THE PLANNING AND ZONING BOARD ACCEPTING AND  
APPROVING THE STAFF INTERPRETATION THAT “HOTELS AND MOTELS” BE  
CONSIDERED A PERMISSIVE USE ON THE LAND SUBJECT TO SU: SPECIAL  
USE REGULATIONS ESTABLISHED BY ORDINANCE 89-008, AND PROVIDING  
FOR AN EFFECTIVE DATE**

**WHEREAS:** the Rio Rancho Code of Ordinances (R.O. 2003) Section 154.02 establishes an Official Zoning Map and provides for application of the Zoning Chapter 154; and,

**WHEREAS:** R.O. 2003, Section 154.02(G) states that “Any legitimate commercial use not prohibited in the established commercial zoning districts of this code, but not falling within the specific permitted or conditional uses and which is shown to be compatible with listed permitted and/or conditional uses and furthers the interests of the citizens of Rio Rancho in order to secure the advantages of local self-government with paramount consideration given to the health, comfort, wellbeing, and quality of life for the citizens, may be authorized as a permitted or conditional use by the Director of the City Development Department or his/her designee following notification and approval by the Planning and Zoning Board as an agenda item at a regular or special meeting”; and

**WHEREAS:** the Special Use Ordinance 89-008 states that “uses not included in this list will be reviewed for final approval or denial by the Planning and Zoning Commission”; and

**WHEREAS:** the Development Services Department has determined that hotels and motels to be considered a permissive use on the land subject to SU: Special Use regulations established by Ordinance No. 89-008; and

**WHEREAS:** at a regular meeting held on June 27, 2023, the Planning and Zoning Board was notified of the interpretation and authorization; and

**WHEREAS:** the Planning and Zoning Board, having considered this authorization, has determined that this determination and authorization is in accordance with the requirements of R.O. 2003, and furthers the interests of the citizens of Rio Rancho in order to secure the advantages of local self-government and also promotes the health, safety, and general welfare of those citizens.

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

1 **Section 1.** In accordance with Rio Rancho Code of Ordinances (R.O. 2003)  
2 Section 154.02(G), and in support of the Director of Development Services  
3 determination and authorization, the following permissive use is approved:  
4

5 Hotels and motels are permitted uses on lands subject to SU: Special Use  
6 District regulations established by Ordinance No.89-008. Applicants shall  
7 provide a site plan which includes all requirements set forth in R.O. 2003  
8 Section 154.43. All access and design guidelines from Ordinance 89-008  
9 shall be followed.

10  
11 **Section 4. Effective Date.** This Ordinance shall become effective ten days after  
12 adoption.  
13

14 ADOPTED THIS 27<sup>th</sup> DAY OF JUNE, 2023.  
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17 \_\_\_\_\_  
18 Fred Radosevich, Chairman  
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21 ATTEST:  
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23 \_\_\_\_\_  
24 Amy Rincon, Director of Development Services  
25