Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
August 8, 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=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871
Passcode: 026819

Board Members

VACANT, District 1	Scottie Richardson, District 5, Vice-Chair
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. July 25, 2023 Planning and Zoning Board Meeting Minutes
2023-0725 PZB Minutes.docx

PUBLIC HEARINGS

2. **Conditional Use Permit.** The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a conditional use permit for an off-premises advertising sign (digital billboard) at the location of 9999 NM Highway 528 NE, legally described as Unit 20 Industrial Park, Block A, Parcel A-1. Staff contact is Tim Dvorak and staff recommends approval.
Rio Rancho Conditional Use Permit Application 8-1-23.pdf
Engineering Drawings
Sign Calculations
Stamped Survey_9999 NM Highway 528 NE
Rio Rancho Digital Sign Mockup 7-13-23.jpg
Rio Rancho Sign Spacing.pdf
Legal Ad.pdf
Reproduction of Notices_22-120-00004.pdf
DSD Engineering & SSCAFCA Comments.pdf
Findings_of_Fact

3. **Variance.** The applicant, Angenica Lucero, 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 residential zoning designation, for a proposed retail cannabis establishment. The proposed cannabis establishment will be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from residentially zoned properties. Staff contact is Chris Benson and staff recommends denial with findings.
23-110-0004 - Location Map.pdf
Application.pdf
Property Owner Authorization.pdf
Variance Justification Letter.pdf
2501 Southern Blvd SE - Cannabis Location Map.pdf
23-110-00004 - Notice Map.pdf
23-110-00004 - Notice Sign.jpg
23-110-00004 (Variance) NOTICE-signed.pdf
23-110-00004 - Postcard.docx
Legal_Ad_Proof.pdf
23-110-00004 - Findings of Fact.pdf
23-110-00004 - CommentsMemo.pdf
Public Comment - Wilkinson.docx

4. **Variance.** The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the maximum fence height allowance for a proposed fence to be located in the rear setback at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.
Application Packet.pdf
Location and Zoning Map.pdf
NeighboringPropertyOwnerLetter.pdf
Postcards.pdf
Notice Map.pdf
Legal Ad.pdf
Findings_of_Fact.docx
Public Comment .jpg

5. **Preliminary/Final Plat.** The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the dedication of Lazo Road SE and the creation of two lots and one parcel, on the property legally described as Unit 16, Block 88, Lots 7 and 34. Staff contact is Liz Ruiz Carlos and staff recommends approval with findings and conditions.
Application Package
Location and Zoning Map.pdf
NeighboringPropertyOwnerLetter.pdf
Notice Map.pdf
Legal Ad.pdf
Public Comment.jpg

6. **Final Plat.** The applicant, Butterfly Holdings, LLC, through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Baltic Park subdivision creating eight R-1: Single Family Residential lots on the property legally described as Siesta Hills II, Lot Park. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.
Zoning and Location.pdf
Authorization Letter.pdf
Final Plat - Baltic Park.pdf
Water, Waste Water Approval.pdf
Engineering Comments.pdf

7. **Final Plat.** The applicant, AMREP Southwest, Inc., through their agent, Huitt-Zollars Inc., requests approval of a Final Plat for the Cedar Hills 4 subdivision creating four R-1: Single Family Residential zoned lots on the property legally described as Cedar Hills 4, Tract A-1. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.
Location and Zoning.pdf
Authorization.pdf
Cedar Hills 4 Final Plat.pdf
Engineering Comments.pdf

8. **Final Plat.** The applicant, AMREP Southwest, Inc., through their agent Huitt-Zollars., Inc, requests approval of a Final Plat for the Siesta Hills II Subdivision, on the property legally described as Siesta Hills II, Block 4, Lot 21A. Staff contact is Liz Ruiz Carlos and staff recommends the item be approved with findings and conditions.
LocationZoneMap.pdf
Application.pdf
AMREP Auth Letter.pdf
Plat.pdf
4.11.23 Preliminary Plat ABM.pdf

9. **Specific Area Plan Amendment**. The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan to update the Future Land Use Map. Staff contact is Chris Benson and staff recommends approval with findings and conditions.
Application_1.pdf
Northern_Industrial_Justification_Letter__BT_clean_2023-06-15_1.pdf
Northern_Industrial_Justification_Letter__BT_redline_2023-06-14_ (2).pdf
Proposed_update_to_Broadmoor_Drive_SAP_-_TH_Revised_53023 (2).docx
Request Update.pdf
Comments Memo.pdf
Notice Sign.pdf
Notice Letter.pdf
Legal Ad.pdf
Public Comment 1.pdf
Public Comment 2.pdf
DRAFT_Resolution_23-410-00004_BMB (1).docx

10. **Zone Map Amendment.** The applicant, David Torres, requests approval a zone map amendment for the land legally described as Unit 13, Block 112, Lots 1, 4-7 to amend the zoning from C-1: Retail Commercial to C-2: Wholesale and Warehousing Commercial District. Staff contact is Chris Benson and staff recommends the Planning and Zoning Board recommend approval with findings and conditions.
Application.pdf
Justification Letter.pdf
Public Comments 1.pdf
Public Comments 2.pdf
Proposed_update_to_Broadmoor_Drive_SAP_-_TH_Revised_53023 (1).pdf
Location Map and Noticed Properties.pdf
Legal.pdf
DRAFT_Ordinance_23-100-00004_BMB (2).docx
23-100-00004_-_Notice_Sign.pdf
23-100-00004 - Comments Memo.pdf
Notice Letter.pdf

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

STAFF REPORTS

11. Planning and Zoning Monthly Building Activity Report- JULY 2023
2023 PZ MONTHLY COMPARISONS JULY.pdf

12. Planning and Zoning Monthly Summary Plat Report - JULY 2023
July Summary Plat Activity.pdf

ADJOURNMENT

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
July 25, 2023 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2023-0725 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

JULY 25, 2023
6:00 PM
Council Chambers, City Hall

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

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) July 11, 2023 Planning and Zoning Board Meeting Minutes

Chairman Radosevich separated the minutes from the Consent Calendar to make the following corrections:

- Item #4 Move all the YES votes to NO votes, since the motion failed.

Robert Gabaldon moved to approve the minutes with changes. 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)

PUBLIC HEARINGS

2) The applicant, Kirk Moser, requested 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.

Staff member, Liz Ruiz Carlos presented the item, recommending denial subject to findings and stood for questions.

Commissioner Gabaldon had questions regarding the support letters from neighbors, which was answered by Kirk Moser, after being given the oath virtually.
Chairman Radosevich acknowledged Commissioner Tortorici's entry into the meeting.

Scottie Richardson moved to approve Item #2. Seconded by Kevin Kofchur.
The motion carried by a vote of **5 FOR** and **0 AGAINST**.
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson, Sal Tortorici
NO: (None)

3) The applicant, RTR, LLC, through their agent, Mark Goodwin & Associates PA, requested approval of a Subdivision Variance to Rio Rancho Code of Ordinances Chapter 155.43 requiring 5 foot minimum easements on side and rear lot lines. The proposed request for the Cielo Azul subdivision, on the property legally described as Unit 21 Block 22 Lots 51-57, would not include side or rear easements.

Staff member, Michelle Costilla presented the item, recommending approval with findings and stood for questions.

Robert Gabaldon moved to approve Item #3. Seconded by Kevin Kofchur.
The motion carried by a vote of **5 FOR** and **0 AGAINST**.
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson, Sal Tortorici
NO: (None)

4) The applicant, RTR, LLC, through their agent, Mark Goodwin & Associates PA, requested approval of a Final Plat for the Cielo Azul subdivision creating 41 R-3: Mixed-Residential lots on the property legally described as Unit 21 Block 22 Lots 51-57. S

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

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

5) The applicant, Koda Thomas, requested approval of a variance to the E-1 District 10 ft. side setback 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. The property is located at 3073 Oculus Loop NE, is legally described as Unit 17, Block 60, Lot 21, and is zoned E-1: Estate Residential.

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

Questions raised by Commissioner Tortorici and Commissioner Kofchur were answered by staff member, Michelle Costilla.

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

6) The applicant, Koda Thomas, requested approval of a variance to the E-1 District 35 ft. front setback 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. The property is located at 3073 Oculus Loop NE, is legally described as Unit 17, Block 60, Lot 21, and is zoned E-1: Estate Residential. S

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

Commissioner Gabaldon's questions were answered by staff member, Michelle Costilla.

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

7) The applicant, David Torres, had requested approval of an amendment to the Broadmoor Drive Specific Area Plan to change the Future Land Use Exhibit.

Staff member, Chris Benson explained the circumstances regarding withdrawing the application to amend the applicant's request versus postponing it.

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8) The applicant, David Torres, had requested approval of a Zone Map Amendment for the properties legally described as Unit 13, Block 112, Tracts A & B, Lots 1 & 4-7, to change the zoning from C-1: Retail Commercial and C-2: Wholesale and Warehousing Commercial District to M-1: Industrial and Business Park District.

Staff member, Chris Benson reiterated the application withdrawal, which is a concurrent item with #7.

9) The applicant, AMREP Southwest, through their agent, Huitt-Zollars, Inc., requested approval of an amended Preliminary Plat for Northern Meadows Tract J-1 on the property legally described as NMED, Tract J-1. S-26, Block 36, Lots 1-29, Block 37, Lots 4-27.

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

Agent, Bryan Aragon agreed with staff's recommendations and stood for questions.

Kevin Kofchur moved to approve Item #9. Seconded by Scottie Richardson.
The motion carried by a vote of **5 FOR** and **0 AGAINST**.
YES: Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Scottie Richardson, Sal Tortorici
NO: (None)

COMMENTS BY BOARD MEMBERS

STAFF REPORTS

10) Planning and Zoning Monthly Building Activity Report – JUNE 2023

11) Planning and Zoning Monthly Summary Plat Report – JUNE 2023

ADJOURNMENT

Kevin Kofchur moved to adjourn the meeting. Seconded by Scottie Richardson.
Chairman Radosevich adjourned the meeting at 6:34 PM.

APPROVED THIS 8TH DAY OF AUGUST, 2023

_____

Fred Radosevich, Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-120-00004

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Conditional Use Permit. The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a conditional use permit for an off-premises advertising sign (digital billboard) at the location of 9999 NM Highway 528 NE, legally described as Unit 20 Industrial Park, Block A, Parcel A-1. Staff contact is Tim Dvorak and staff recommends approval.

BACKGROUND AND ANALYSIS:
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a conditional use permit for a new off-premises advertising sign located at 9999 NM Highway 528, legally described as Unit 20 Industrial Park, Block A, Parcel A-1. The subject parcel is approximately 5.69 acres and is owned by the City of Rio Rancho. The Applicant has received authorization from the City to proceed with their Conditional Use Permit request. Conditional Use Permits are required for digital off-premises signs, and are valid for 10 years after which a new application is required.

According to Rio Rancho Code of Ordinances (R.O. 2003) §156.33 (B)(5), off-premises digital advertising signs are permitted on non-residential, private property and public property, excluding right-of-way areas, within the Off-Premises Advertising Overlay Zone (OAOZ), which includes the area: "Within 75 feet of the east or west right-of-way lines of NM 528/Pat D'Arco Highway from the southern city limit to US HWY 550."

The criteria to deny approval of a conditional use permit, according to §156.33 (A)(2), includes, but is not limited to:

a. The conditional use permit for the sign is in conflict with the safety and general welfare of the city.
b. The conditional use is not in conformance with the comprehensive plan or other approved master plans.
c. A change in community conditions directly related to off-premises advertising

Staff recommends the Planning and Zoning Board find the request to renew the permit is not in conflict with the safety and general welfare of the city. The subject parcel is vacant and serves as a drainage and utility easement. There has not been a major change in community conditions related to off-premises advertising. Criteria is satisfied.

Additional requirements found within §156.33 (C) are as follows:

(1) Signs shall be in accordance with the following:

(a) A maximum of 11x22: 242 square feet.

Both faces of the proposed off-premises digital billboard measure 11' x 22' (242 square feet). Staff recommends the Planning and Zoning Board find that the proposed sign conforms to the maximum dimension standards for off-premises signage. Criteria is satisfied.

(b) Twenty-four-foot maximum height.

The proposed sign measures 24' in height. Staff recommends the Planning and Zoning Board find that the proposed sign conforms to the maximum allowable height for off-premises signage. Criteria is satisfied.

(2) Both sides of a sign shall have copy. Embellishments and animation are prohibited.

The Applicant has provided a plan detail for the proposed off-premises sign, which includes two sign faces. Staff recommends the Planning and Zoning Board find the proposed off-premises sign conforms to this provision. Criteria is satisfied.

(3) When within 100 feet of an elevated roadway, the height measured from the bottom of the sign may be a maximum of 10 feet above the elevated roadway.

This provision does not apply to the subject proposal. Staff recommends the Planning and Zoning Board find this provision not applicable. Criteria is satisfied.

(4) Electronic video display signs shall have an automated dimming feature (photocell) to adjust for lower light and night conditions.

The proposed off-premises sign will feature an automated dimming photocell. Staff recommends the Planning and Zoning Board find this criteria is satisfied.

(5) Signs shall be located in a nonvehicular area or within a landscape planter.

The proposed off-premises sign will be located in a nonvehicular area, as the subject property serves as a drainage and utility easement. Staff recommends the Planning and Zoning Board find that criteria is satisfied.

(6) A minimum separation of 10,560 feet is required between off-premises signs located on the same side of a street and a separation of 5,280 feet is required from another off-premises sign located on the opposite side of a street. A minimum separation of 300 feet (including rights-of-way) from single-family residential development shall be maintained. No off-premises advertising sign shall be located within 100 feet of an on-premises sign located on another parcel. The off-premises advertising company shall provide a survey stamped by a registered surveyor or engineer verifying the aforementioned distance separations.

Per the Applicant's exhibit, the nearest off-premises advertising sign is 23,900 feet away from the proposed billboard. This nearest sign is located at the property of 5400 Obregon Rd NE (RRE Unit 17, Block 143, Tract B1), which is on the west side of NM Highway 528. Please see the attached exhibit, "Rio Rancho Sign Spacing." This exhibit additionally references two off-premises signs nearer to the proposed billboard than the above sign; however, these two off-premises signs are within Town of Bernalillo city limits and would not apply to the distance criteria as outlined in R.O. 2003 Section 156.33(C)(6).

The nearest single-family residential zone is approximately 2,772 feet away from the proposed off-premises sign (Intersection of Enchanted Hills Blvd NE and Fulcrum Way NE). Per the stamped

survey exhibit provided by the Applicant, the nearest on-premises sign is approximately 105.81' away from the proposed off-premises sign, belonging to Coronado Pet Hospital located at 4192 NM Highway 528.

Staff recommends the Planning and Zoning Board find that spacing criteria is satisfied.

(7) Off-premises advertising signs shall be maintained and shall be administratively reviewed on an annual basis to ensure sign maintenance.

The Applicant shall comply with all maintenance requirements per city code for the proposed off-premises sign. Criteria is satisfied.

(8) Failure to maintain signs shall result in a public hearing if applicable before the Planning and Zoning Board to determine the appropriateness of continuing the use.

The Applicant shall comply with all maintenance requirements per city code for the proposed off-premises sign. Criteria is satisfied.

(9) The support structure shall be skirted with a decorative base.

The proposed off-premises sign is planned to have a base comprised of decorative rock in natural earth tones. Please see attached graphic, "Rio Rancho Digital Sign Mockup 7-13-2023." Criteria is satisfied.

NOTIFICATIONS:
Notice of pending development application was sent via certified mail to property owners within 100 feet of the subject property. A legal notice was published in the Albuquerque Journal on July 24, 2023. A notice sign was posted to the property as per Ordinance. All notification requirements for this hearing have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Comments listed in this document.
DSD Engineering	X	Parcel A1 has a blank Drainage Easement, as well as a SSCAFCA easement. Verify with City and SSCAFCA that no surface or subsurface drainage will be impeded and that maintenance can be achieved. (Also attached).
Rio Rancho Public Schools	X	No comments provided.
Fire and Rescue	X	No adverse comments.
Police Department	X	No comments provided.
SSCAFCA	X	Comments attached.
MRCOG	X	No adverse comments.
Parks, Recreation and Community Services	X	No adverse comments.

IMPACT:

Staff recommends the Planning and Zoning Board approve the conditional use permit, subject to the findings and conditions listed below:

General Findings of Fact:

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

Specific Findings of Fact:

1. The applicant has adequately addressed the criteria for granting a Conditional Use Permit as set forth in R.O. 2003 Section 156.33 Off-Premises Advertising Signs.
2. Off-premises signage within the M-1: Industrial and Business Park District is permissive, subject to the approval of a Conditional Use Permit.
3. The Conditional Use Permit shall be effective for ten (10) years from the approval date of August 8, 2023.
4. Per R.O. 2003 Section 156.33(C)(7), Off-premises advertising signs shall be maintained and shall be administratively reviewed on an annual basis to ensure sign maintenance.
5. Applicant shall satisfy the DSD Engineering requirement of verifying with the City and SSCAFCA that no surface or subsurface drainage will be impeded and that maintenance can be achieved.

Specific Findings of Fact for Denial:

1. The applicant has not adequately addressed the criteria for granting a Conditional Use Permit as set forth in R.O. 2003 Section 156.33 Off-Premises Advertising Signs.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the conditional use permit.
2. Approve the conditional use permit with added conditions of approval.
3. Deny the conditional use permit.
4. Postpone the item and continue the public hearing to allow time for further review and consideration of testimony presented at the hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board approve the conditional use permit with findings and conditions.

ATTACHMENT: Rio Rancho Conditional Use Permit Application 8-1-23.pdf
ATTACHMENT: Engineering Drawings
ATTACHMENT: Sign Calculations
ATTACHMENT: Stamped Survey_9999 NM Highway 528 NE
ATTACHMENT: Rio Rancho Digital Sign Mockup 7-13-23.jpg
ATTACHMENT: Rio Rancho Sign Spacing.pdf
ATTACHMENT: Legal Ad.pdf
ATTACHMENT: Reproduction of Notices_22-120-00004.pdf
ATTACHMENT: DSD Engineering & SSCAFCA Comments.pdf
ATTACHMENT: Findings_of_Fact

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

Conditional Use Application

Applicant

Fee $67.00

Name (Print): LAMAR ADVERTISING SOUTHWEST LLC
Address: 1600 AIRTECH CT. SE
City: ALBUQUERQUE **State:** NM **Zip:** 87106
Phone: 505-255-4460 **Alt phone:** 505-437-5138
Email: MYODER@LAMAR.COM

Agent

Name: MATT YODER - REAL ESTATE MANAGER FOR LAMAR
Address: 1600 AIRTECH CT. SE
City: ALBUQUERQUE **State:** NM **Zip:** 87106
Phone (W): 505-437-5138 **Phone (Other):** 505-255-4460
Email: MYODER@LAMAR.COM

Property Owner

Name: CITY OF RIO RANCHO
Address: 3200 CIVIC CENTER CIRCLE NE
City: RIO RANCHO **State:** NM **Zip:** 87144-4503
Phone (W): **Phone (Other):**
Email:

Legal Description

Subdivision/Unit: INDUSTRIAL PARK **Block:** A **Lot:** PAR A1
Tract/Parcel: 1-018-074-444-212 **Zoning:** M-1

Location of Property

Address: NONE
City: RIO RANCHO **State:** NM **Zip:** 87144

Reason for Request (use additional sheets if necessary)

Applicant is applying for a conditional use permit to erect and operate a digital off-premise sign on the property given above. The proposed location is 23,900 feet from the nearest billboard in Rio Rancho, see illustration page.

Diane Aragon-Jaramillo VP/GM — 7-18-23

Applicant Signature — *Date*

For Office Use Only

Received by: _____ **Date:** _____

Application No: _____ **Receipt No:** _____

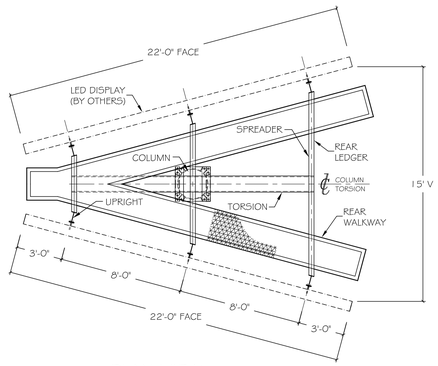
Scheduled Planning and Zoning Meeting Date: _____

Action taken by Planning and Zoning Committee: ☐Approved ☐Disapproved ☐Other

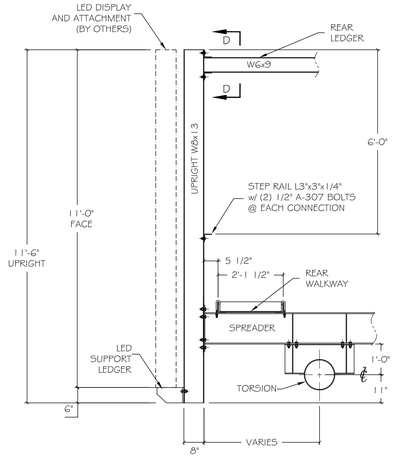
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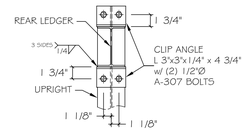
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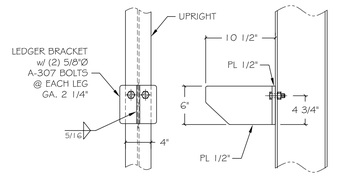
PLAN VIEW



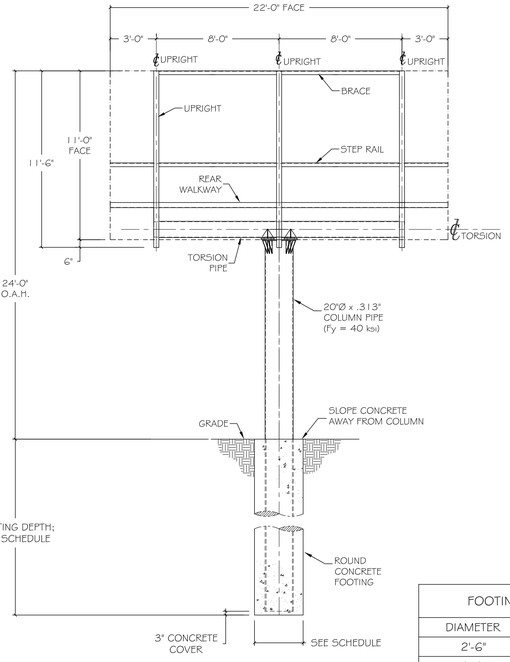
TYPICAL SECTION THRU SIGN



SECTION D-D

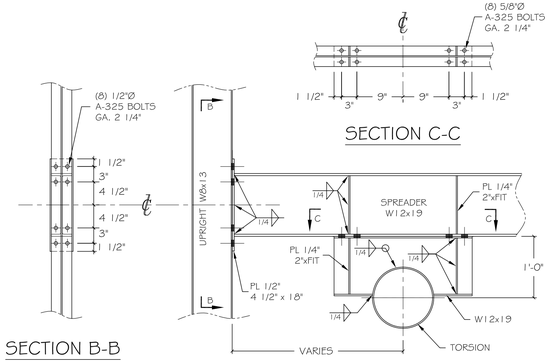


SUPPORT LEDGER DETAIL



ELEVATION

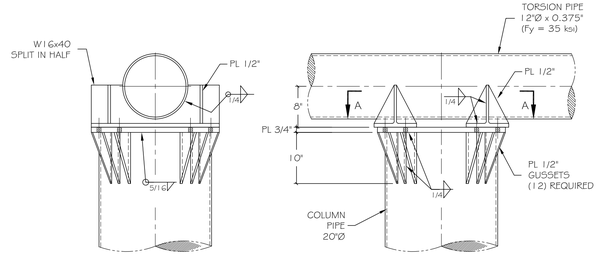
FOOTING SCHEDULE	
DIAMETER	DEPTH
2'-6"	13'-0"
3'-0"	11'-6"



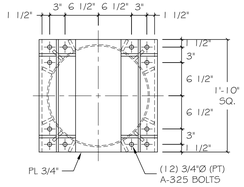
SECTION C-C

SECTION B-B

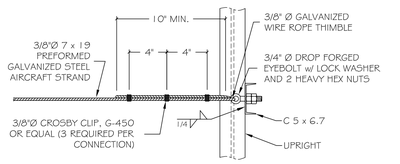
UPRIGHT-SPREADER-TORSION CONNECTION



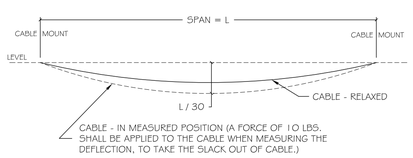
COLUMN-TORSION CONNECTION



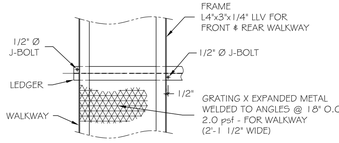
SECTION A-A



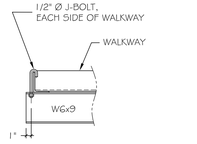
SAFETY CABLE MOUNTING



SAFETY CABLE TENSION



TYPICAL WALKWAY DETAIL



WALKWAY MOUNTING DETAIL

SITE / SIGN NOTES AND SPECIFICATIONS

(APPLY UNLESS OTHERWISE NOTED)

CODE - 2015 INTERNATIONAL BUILDING CODE

WIND DESIGN - SIGN STRUCTURE WIND LOADS ARE DETERMINED IN ACCORDANCE WITH ASCE 7-10 SECTION 29.4.1.
BASIC WIND SPEED: 115 MPH (3 SECOND GUST)
RISK CATEGORY: II
EXPOSURE: C
DESIGN WIND PRESSURE (ULTIMATE LEVEL): 41.0 PSF (MAXIMUM)
REFER TO ASCE 7-10 FIGURE 29.4-1.
ANY SIGN COMPONENTS NOT SPECIFICALLY DETAILED ON THESE DRAWINGS BUT ATTACHED TO THE STRUCTURE SHALL BE DESIGNED IN ACCORDANCE WITH THE INFORMATION ABOVE.

DESIGN LIVE LOAD - MAINTENANCE PLATFORMS: 40 PSF OR 300 LBS. CONC. LOAD

DESIGN DEAD LOAD - LED DISPLAYS; 3,500 LBS EACH
OTHER STRUCTURAL MEMBERS: AS NOTED IN CALCULATIONS.

ROUND FOOTING - EMBEDMENT DEPTH FOR FOOTING DOES NOT APPLY TO LOCATIONS WHERE WALLS OF THE HOLE WILL NOT STAND WITHOUT SUPPLEMENTAL SUPPORT, OR WHERE UNCOMPACTED FILL OR ORGANIC FILL EXISTS. FOUNDATION IS DESIGNED UTILIZING LATERAL BEARING PER IBC SECTION 1807.3.2.1. ALLOWABLE LATERAL SOIL PRESSURE PER IBC TABLE 1806.2 IS 150 PSF/FT (SOIL CLASS 4 - TYPE: SAND, SILTY SAND, CLAYEY SAND, SILTY GRAVEL AND CLAYEY GRAVEL), DESIGNED LATERAL SOIL PRESSURE HAS BEEN MULTIPLIED BY 2 PER SECTION 1806.3.4. VERIFY SOIL TYPE DURING EXCAVATION. NOTIFY ENGINEER OF ANY DISCREPANCY.

EXTEND COLUMN PIPE TO BOTTOM OF FOOTING (3" CONCRETE COVER REQUIRED)

GENERAL NOTES AND SPECIFICATIONS

(APPLY UNLESS OTHERWISE NOTED)

STEEL - WIDE FLANGES - ASTM A-992, OTHER SHAPES & PLATES - ASTM A-36.

PIPE SECTIONS - ASTM A53 GR B OR A252 GR 2, OR API 5L (WITH MINIMUM YIELD STRENGTH AS INDICATED ON DRAWINGS).

EXPANDED METAL GRATING - EXPANDED METAL GRATING SHALL BE MANUFACTURED FROM CARBON STEEL IN CONFORMANCE WITH THE EXPANDED METAL MANUFACTURERS ASSOCIATION (EMMA) STANDARD NO. 557-99, 'STANDARDS FOR EXPANDED METAL.' EMMA IS A DIVISION OF THE NATIONAL ASSOCIATION OF ARCHITECTURAL METAL MANUFACTURERS (NAAMM).

ALL STRUCTURAL STEEL SHALL BE FABRICATED AND ERECTED ACCORDING TO LATEST AISC SPECIFICATIONS AND STANDARD PRACTICE.

PAINTING - ALL STRUCTURAL STEEL, EXPOSED TO WEATHER, SHALL BE SHOP PRIMED AND PAINTED IN ACCORDANCE WITH AISC 335 (SPECIFICATION) AND AISC 303 (STANDARD PRACTICE).

CONCRETE - CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS AND BE PLACED IN ACCORDANCE WITH ACI 318. CONCRETE MIX SHALL BE PROPORTIONED WITH A MAXIMUM WATER CEMENT RATIO OF 0.50.

WELDING - ALL WELDING MATERIALS AND COMPONENTS SHALL BE IN COMPLIANCE WITH AWS D1.1 USING E70XX ELECTRODES.

BOLTS - ALL REGULAR SHALL CONFORM TO ASTM A-307. HIGH STRENGTH BOLTS SHALL CONFORM TO ASTM A-325N. ALL BOLTS SHALL BE INSTALLED TO A SNUG TIGHT CONDITION UNLESS NOTED TO BE PRE-TENSIONED (PT), PT BOLTS SHALL BE FULLY TENSIONED PER AISC TURN OF THE NUT METHOD (1/3 OF A TURN PAST A SNUG TIGHT CONDITION) OR OTHER AISC APPROVED TENSIONING METHOD.

SPECIAL INSPECTIONS - SPECIAL INSPECTIONS ARE REQUIRED PER CHAPTER 17 FOR THE FOLLOWING ITEMS:
- -- STEEL CONSTRUCTION: MATERIAL VERIFICATION OF STRUCTURAL STEEL
  PERIODIC INSPECTION OF JOINT DETAILS
- -- HIGH STRENGTH BOLTS: PERIODIC INSPECTION TO REVIEW FASTENER COMPONENTS AND TENSIONING.
- -- DRILLED FOUNDATION: PERIODIC INSPECTION TO VERIFY EXCAVATION DIMENSIONS

STEEL FABRICATOR - ALL STRUCTURAL STEEL SHALL BE SHOP FABRICATED BY THE FOLLOWING CITY OF PHOENIX APPROVED FABRICATOR:
PAGE STEEL
2040 INDUSTRIAL DRIVE
PAGE, AZ 85040

UNLESS SPECIFICALLY INDICATED AS FIELD WORK, NO FIELD WELDING IS ALLOWED WITHOUT THE APPROVAL OF THE ENGINEER OF RECORD. SPECIAL INSPECTIONS IS REQUIRED FOR ALL FIELD WELDING.

THE ERECTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE ERECTION AND NOTIFY ENGINEER OF ANY DISCREPANCIES. ERECTORS SHALL NOTIFY ENGINEER IF STRUCTURE IS LOCATED NEAR ANY BUILDINGS.

THE UNDERSIGNED ENGINEER WILL NOT SUPERVISE THE FABRICATION OR ERECTION OF THIS STRUCTURE.

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JOHN E. SKWIOT
NEW MEXICO
19502
PROFESSIONAL ENGINEER
SIGNED 07/10/2023

CUSTOMER
LAMAR ADVERTISING

SIGN LOCATION
RIO RANCHO, NM

11' x 22'
SINGLE POST
CENTER MOUNT
DOUBLE FACE
15' V-BUILD
LED READY

FJS ENGINEERING LLC
FJS Engineering, LLC
Tucson, AZ
T: 520.490.3311
contact@fjsengineering.com
PROJ. NO. RMGO-23-165

RMG Outdoor Inc.
4425 North 24th Street, Suite 200
Phoenix, Arizona 85016
Phn: (602) 230-8634 Fax: (602) 230-9071

ENG. NO.	DR.	CH.
G-12374	DBM	JS
	DATE	
	07/10/2023	
JOB NO.	SHEET NO.	
	51 of 1	

W:\RMG OUTDOOR - RMGO\RMGO-23-165_LAMAR - RIO RANCHO NM - G-12374 - 1123CM15V3\4_DRAWINGS\1122CM15V - LED -24 OAH - G-12374 - LAMAR - RIO RANCHO NM 2.001

FJS ENGINEERING	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM PROJ. NO.: RMGO-23-165 DATE: Jul-23	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	COVER SHEET PAGE NO.: 1

SIGN INFORMATION

OWNER/APPLICANT: LAMAR ADVERTISING
FACE SIZE (FT): 11 x 22
LOCATION: RIO RANCHO, NM

OVERALL HEIGHT (FT): 24
H.A.G.L. (FT): 13
APRON HEIGHT (FT): N/A
SIGN TYPE:

- [X] CENTER MOUNT
- [ ] PARTIAL FLAG
- [ ] FULL FLAG
- [ ] COLUMN OFFSET
- [X] V-BUILD
- [ ] BACK TO BACK
- [ ] SINGLE FACE
- [ ] MULTI-POST

FOOTING TYPE:

- [X] ROUND
- [ ] CUBE
- [ ] SPREAD

SPECIAL CONDITIONS:

1. LED READY

DESIGN CRITERIA

CODE: 2015 IBC

DESIGN LOADS:

DEAD:
- STATIC FACE: N/A PSF
- LED PANEL: 3500 LBS
- PIGEON PAN: N/A PSF
- OTHER MEMBERS AS NOTED IN CALCULATIONS

LIVE:
- ON WALKWAYS: 40 PSF
- 300 LBS CONCENTRATED

WIND:
- DESIGN WIND SPEED 115 MPH
- RISK CATEGORY II
- EXPOSURE CATEGORY C

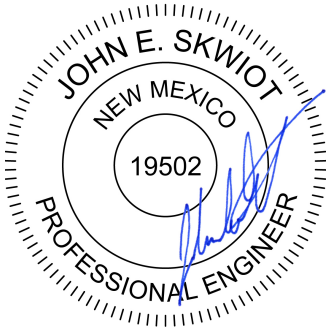
SOIL:
- IBC SOIL CLASS: 4
- LAT. BEARING PRESS.: 300 PSF/FT

MATERIAL SPECIFICATIONS

STEEL:

W-SHAPES AND WT-SHAPES:	ASTM A992, F_y = 50 KSI
ANGLES AND CHANNELS:	ASTM A36, F_y = 36 KSI
RECT. AND SQUARE HSS:	ASTM A500 GRADE B, F_y = 46 KSI
ROUND HSS:	ASTM A500 GRADE B, F_y = 42 KSI
PLATES:	ASTM A36, F_y = 36 KSI
PIPE:	ASTM A53B, A252 OR API 5LX, F_y AS NOTED
BOLTS:	ASTM A307, A325N AND/OR A490N AS NOTED
WELDING:	SHALL CONFORM TO AWS D1.1, WELD FILLER METAL = E70XX
CONCRETE:	f'_c = 2500 psi AT 28 DAYS
REINFORCING STEEL:	ASTM A706, GRADE 60 (Fy = 60 ksi)

REVISIONS



SIGNED 07/10/2023

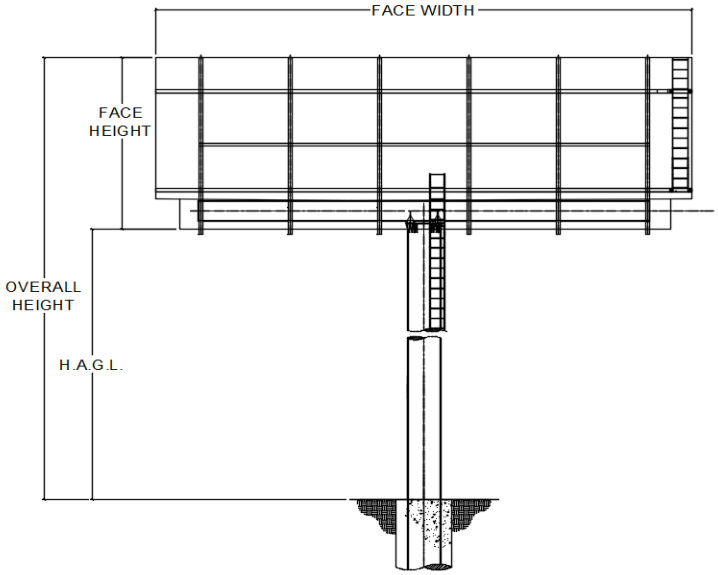
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	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	WIND DESIGN
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 3

SIGN INFORMATION

FACE WIDTH (B):	22	FT
OVERALL HEIGHT OF SIGN (h):	24	FT
HAGL:	13	FT
FACE HEIGHT:	11	FT
CLEARANCE RATIO (s/h):	0.4583	
ASPECT RATIO (B/s):	2.000	



FORCE COEFFICIENT DETERMINATION

Case A and Case B

c_f = 1.8

Case C

Region	c_f
0 to s	N/A
s to 2s	N/A
Balance	N/A

K_{zt}	=	1.00	Topographic factor
K_d	=	0.85	Wind directionality factor
G	=	0.85	Gust effect factor
V	=	115	Basic wind speed
K_z	=	0.93	Velocity pressure coefficient at height h

VELOCITY PRESSURE DETERMINATION

$q_z = 0.00256(K_z)(K_{zt})(K_d)(V^2)$ = 26.763 PSF Velocity pressure at height z

DESIGN WIND PRESSURE DETERMINATION

p_w (Case A and B) = $q_z G c_f$ = **40.95 psf** Maximum wind pressure

p_w (Case C) = $q_z G c_f$ = **N/A psf**

(Case C is not applicable when aspect ratio is 2 or less)

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	REAR WALKWAY STRINGERS
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 4

WALKWAY INFORMATION

WALKWAY WIDTH:	2	FT
MAXIMUM SIMPLE SPAN:	8.0	FT
MAXIMUM CANTILEVERED SPAN:	3.0	FT
STRINGER WEIGHT:	5.8	PLF
GRATING WEIGHT:	2.00	PSF

ANGLE INFORMATION

L4x3x1/4

E:	29000	KSI	F_y	36 KSI
b:	3	IN		
C_b:	1			
t:	1/4	IN		
M_y:	35.57	K-IN		

WALKWAY STRINGER LOADING

DEAD LOADING

STRINGER WEIGHT:	5.8	x	2	QTY.	=	11.6	PLF
GRATING WEIGHT:	2.00	x	2	FT	=	4	PLF
MISC. (10% OF LOAD):	15.6	PLF x	0.1		=	1.6	PLF
						17.2	PLF

LIVE LOADING

UNIFORM LOAD:	40.0	PSF	x	2 FT	=	80 PLF
POINT LOAD:	300	LBS				

SIMPLE SPAN CHECKS

WITH UNIFORM LIVE LOAD: $\frac{(1.2 \times 17.2 + 1.6 \times 80) \times (8)^2}{8}$ = 1188.7 LB-FT

WITH CONCENTRATED LIVE LOAD:

$\frac{(1.2 \times 17.2) \times (8)^2}{8} + \frac{1.6 \times 300 \times 8}{4}$ = 1124.7 LB-FT

CANTILEVERED SPAN CHECKS

WITH UNIFORM LIVE LOAD: $\frac{(1.2 \times 17.2 + 1.6 \times 80) \times (3)^2}{2}$ = 668.66 LB-FT

WITH CONCENTRATED LIVE LOAD:

$\frac{(1.2 \times 17.2) \times (3)^2}{2} + \frac{1.6 \times 300 \times 3}{1}$ = 1532.7 LB-FT

ANGLE CAPACITY

$$M_e = \frac{0.66Eb^4tC_b}{L^2}\left(\sqrt{1+0.78\left(\frac{Lt}{b^2}\right)^2}-1\right)$$ M_e = 65.5 k-in

$$M_n = 0.9\left(1.92-1.17\sqrt{\frac{M_y}{M_e}}\right)M_y \leq 1.5M_y$$ M_n = 37.64 k-in = **3123.8 LB-FT**

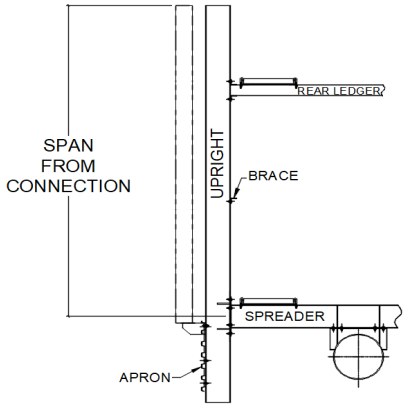
Max. load: $\frac{1532.7}{2.00}$ = 766.33 lb-ft

Max. load: 766.33 lb-ft / Capacity: 3123.8 lb-ft **OK** **Unity = 0.245**

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	UPRIGHT DESIGN
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 5

UPRIGHT INFORMATION

DIST. BETWEEN UPRIGHTS:	8.00	FT
MAX. SPAN FROM CONNECTION:	9.00	FT
ECCENTRICITY OF DEAD LOAD:	2	FT
UPRIGHT SIZE:	W8X13	
UNBRACED LENGTH:	6.00	FT



LOADING INFORMATION

DESIGN WIND PRESSURE: 40.9 PSF

UNIT LOAD ON UPRIGHT: 40.9 X 8.00 = 327.58 PLF

DEAD LOAD ON UPRIGHT

LED PANEL:	3500	LBS	/	3.00	UPRIGHTS	=	1166.67	LBS
BRACE	4.9	PLF	X	8.00	X 1	=	39.2	LBS
REAR WALKWAY	5.8	PLF	X	8.00	X 2	=	92.8	LBS
GRATING	4.00	PLF	X	8.00	X 1	=	32	LBS
UPRIGHT	13	PLF	X	11.50		=	149.5	LBS
REAR LEDGER	9	PLF	X	6.00		=	54	LBS
MISC.	1534.17	X	0.1			=	153.417	LBS
							1687.58	**LBS**

UPRIGHT CAPACITY CHECKS

Yield Strength

$M_n = M_p = F_y Z_x$ = 50 ksi x 11.40 in3 = 570 k-in = 47.5 k-ft

Lateral-Torsional Buckling Strength

$$F_{cr} = \frac{C_b \pi^2 E}{\left(\frac{L_b}{r_{ts}}\right)^2} \sqrt{1 + 0.078 \frac{Jc}{S_x h_o} \left(\frac{L_b}{r_{ts}}\right)^2}$$ = N/A ksi

If Lp <= Lb <= Lr YES

$$M_n = C_b \left[M_p - \left(M_p - 0.7 F_y S_x\right)\left(\frac{L_b - L_p}{L_r - L_p}\right)\right] \leq M_p$$ = 462.9 k-in = 38.57 k-ft

If Lb > Lr NO

$$M_n = F_{cr} S_x \leq M_p$$ = N/A k-in = N/A k-ft

Wind Loading

M_{wind}: $\frac{327.58 \times (9.00)^2}{2000 \times 2}$ = 6.6335 k-ft

(Note: wind moment is shared with opposing upright)

Dead Loading

M_d: 1.69 x 2.0 = 3.3752 k-ft

Ultimate Loading on Vertical Beam

M_u: 1.2 x 3.38 + 1.0 x 6.63 = 10.68 k-ft

Beam Check

M_n: 0.9 x 38.57 = 34.71 k-ft **OK** **Unity:** **0.3078**

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	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 6

CONNECTION DESIGN

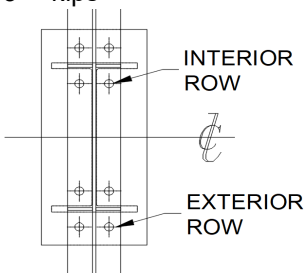
Total number of bolts: 8 qty. Bolt size: 1/2 inch dia. Bolt cross-sectional area: 0.196 in2

Distance from plate centerline to interior bolt row: 4.5 in Design moment: 10.68 k-ft

Distance from plate centerline to exterior bolt row: 7.5 in Design shear: 2.03 kips

Bolt group centroidal moment of inertia

I: 4 bolts x (4.5)^2 + 4 bolts x (7.5)^2 = 306 in^4



Maximum tension on bolts: $\frac{10.68}{306.0} \times 12\ \frac{in}{ft} \times 7.5 = 3.14$ kips/bolt

Maximum shear on bolts: $\frac{2.03}{8.0} = 0.2531$ kips/bolt

Allowable tension stress (F_T): 67.5 ksi (A325)

Applied tension on bolts (f_T): $\frac{3.14}{0.196} = 16$ ksi

OK

FLANGE BENDING CHECK - Per AISC Page 9-12

Required flange thickness (tmin): $t_{min} = \sqrt{\frac{4.44Tb'}{pF_u(1+\delta\alpha')}}$

$\beta = \frac{1}{\rho}\left(\frac{B}{T} - 1\right)$ $\rho = \frac{b'}{a'}$

α' = 1 if β ≥ 1

α' = the lesser of 1 and $\frac{1}{\delta}\left(\frac{\beta}{1-\beta}\right)$ if $\beta < 1$

$\delta = 1 - \frac{d'}{p}$ ratio of the net area at bolt line to gross area oat face of the stem or leg of angle

$a' = \left(a + \frac{d_b}{2}\right) \le \left(1.25b + \frac{d_b}{2}\right)$ $b' = \left(b - \frac{d_b}{2}\right)$

b:	1.01	in	(bolt center to face of stem)
b':	0.76	in	
a:	0.875	in	
a':	1.125	in	
δ =	0.78	in	
ρ =	0.676		
β =	4.738		
α'=	1.00		

t_{min}: 0.202 in

t_f: 0.255 in

OK

T:	3.14	kips	(tension on bolt)
Bolt gauge:	2.25	inches	
t_f:	0.255	inches	(flange thickness)
b_f:	4	inches	(flange width)
t_w:	0.230	inches	(web thickness)
d_{bolt}:	0.50	inches	(bolt diameter)
d'_{bolt}:	0.563	inches	(hole diameter)
B:	13.2	kips	(available tension per bolt)
F_u:	65	ksi	(strength of conn. element)
p:	2.25	inches	(trib. length)

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	SPREADER
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 7

LOAD AND CONFIGURATION INFORMATION

DEAD LOAD ECCENTRICITY: 2.00 FT
MAX. SPREADER CANTILEVER: 6.00 FT
SPREADER SIZE: W12X19
SPREADER SELF-WEIGHT: 19 PLF

DEAD LOAD FROM UPRIGHT: 1.69 KIPS
WIND LOAD FROM UPRIGHT: 6.6 K-FT
L_p: 2.9 FT Z_x: 24.70 IN^3 S_x: 21.3 IN^3
L_r: 5.61 FT C_b: 1.00

CAPACITY CHECKS

$$M_{dead} = \frac{0.019 \times (6.0)^2}{2} + 1.69 \times (6.00 + 2.00) = 13.84 \text{ K-FT}$$

$$M_u = 1.2 \times 13.84 + 1.0 \times 6.6 = 23.2 \text{ K-FT}$$

1. YIELDING $\varphi M_n = M_p = 0.9F_yZ =$ **92.6** K-FT

2. LATERAL-TORSIONAL BUCKLING (DOES NOT APPLY IF UNBRACED LENGTH IS LESS THAN L_p)

$$\varphi M_n = 0.9C_b\left[M_p - (M_p - 0.7F_yS_x)\left(\frac{L_b - L_p}{L_r - L_p}\right)\right] \le 0.9M_p$$ **50.6292** K-FT

$\varphi M_n =$ **50.63** **K-FT** Unity: $\frac{23.2}{50.6292} =$ **0.46** **OK**

CONNECTION DESIGN

Total number of bolts: 8 qty. Bolt size: 5/8 inch dia.
V_{wind}: 0.0409 KSF x 11.00 FT x 22 FT = 9.91 KIPS

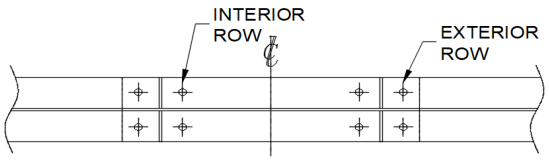
Bolt cross-sectional area: 0.307 in2
Avail. Tensile Stress: 67.5 ksi
Avail. Shear Stress: 40.5 ksi

Distance from torsion centerline to interior bolt row: 9.0 in
Distance from torsion centerline to exterior bolt row: 12 in
Design moment: 23.24 k-ft
Design shear: 9.91 kips

Bolt group centroidal moment of inertia

I: 4 bolts x (9.0)^2 + 4 bolts x (12.0)^2 = 900 in^4

Tension per bolt: $\frac{23.24}{900} \times 12\ \frac{in}{ft} \times 12 =$ 3.7192 kips



Shear per bolt: $\frac{9.91}{8} =$ 1.24 kips

Tensile stress check: $f_T = \frac{3.7192}{0.307} =$ 12.1 ksi < 67.5 ksi **OK**

Shear stress check: $f_V = \frac{1.24}{0.307} =$ 4.0 ksi < 40.5 ksi **OK**

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	TORSION
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 8

LOAD AND CONFIGURATION INFORMATION

PIPE SIZE: 12.00 x 0.375 Fy = 35 ksi

UNIT WEIGHT OF TORSION PIPE:	0.047	KLF	DEAD LOAD FROM UPRIGHT:	1.69	KIPS
MAX. SPREADER CANTILEVER:	6.00	FT	SIGN HEIGHT:	11.0	FT
WEIGHT OF SPREADER:	19.00	PLF	SIGN LENGTH:	22	FT
DESIGN WIND PRESSURE:	40.95	PSF	DIST. TO FIRST UPRIGHT:	8	FT
LENGTH OF TORSION PIPE:	8.00	FT	UPRIGHT SPACING:	8.00	FT
BOT. OF UPRIGHT TO CENTER OF TORSION PIPE:	0.75	FT			

DEAD LOAD CALCULATIONS

POINT LOADS AT SPREADER LOCATIONS: 2 x 1.7 + (12.0 x 0.019) = 3.60 KIPS

DEAD LOAD SHEAR ON PIPE: 1.5 x 3.60 + (8.0 x 0.047)= 5.78 KIPS

MOMENT: $3.60 \times (8.0) + 0.05 \times \left(\frac{8.00}{2} \right)^2 = 30.3$ K-FT

WIND LOAD CALCULATIONS

RESULTANT AT CENTER OF SIGN FACE: 0.0409 x 11.0 x 22 = 9.9 KIPS

WIND SHEAR: 0.0409 x 11.0 x 11 x 1.67 = 8.3 KIPS

MOMENT FROM OFF-CENTER LOADING: 9.9 x (0.2 x 22)) = 43.6011 K-FT

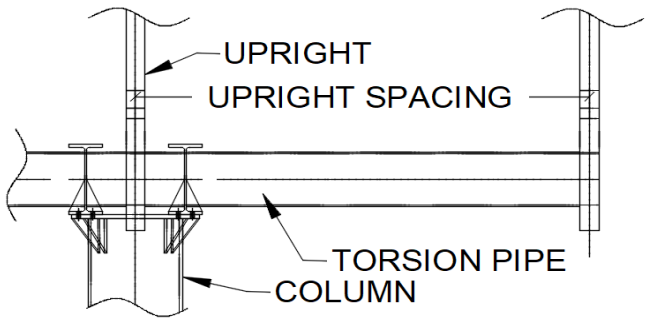
TORSION FROM POINT LOADING: $8.3 \times (\frac{11.0}{2.0} - 0.75) = 39.3$ K-FT

COMBINED LOADING

$$V = \sqrt{(1.2V_{DL})^2 + (1.0V_{wind})^2}$$ **V: 12.09 KIPS SHEAR**

$$M = \sqrt{(1.2M_{DL})^2 + (1.0M_{wind})^2}$$ **M: 56.78 K-FT MOMENT**

T: 39.30 K-FT TORSION



	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR	TORSION CHECKS 1
	PROJ. NO.: RMGO-23-165 DATE: Jul-23	4425 N 25TH ST, STE 200 PHOENIX, AZ	PAGE NO.: 9

PIPE PROPERTIES

PIPE DIAMETER (D):	12.0	IN	ELASTIC SECTION MODULUS (S):	38.6	IN^3
DESIGN YIELD STRENGTH (F_y):	35	KSI	MOMENT OF INERTIA (I):	231.6	IN^4
PIPE LENGTH (L):	8.00	FT	PLASTIC SECTION MODULUS (Z):	50.7	IN^3
PIPE WALL THICKNESS (t):	0.375	IN	AREA OF SECTION (A):	13.7	IN^2
D/t:	32.0		GROSS AREA OF SECTION (A_g):	12.8	IN^2

SECTION IS COMPACT

FLEXURAL STRENGTH CALCULATIONS

1. YIELDING $M_n = M_p = F_y Z =$ 147.9 K-FT

2. LOCAL BUCKLING (DOES NOT APPLY TO COMPACT SECTIONS)

NONCOMPACT SECTIONS

$$M_n = \left(\frac{0.021E}{\frac{D}{t}} + F_y\right) S =$$ N/A K-FT

SLENDER SECTIONS

$$M_n = \left(\frac{0.33E}{\frac{D}{t}}\right) S =$$ N/A K-FT

M_n= 147.9 K-FT

SHEAR STRENGTH CALCULATIONS

$$F_{cr} = Greater\ of\ \frac{1.6E}{\sqrt{\frac{L}{D}}\left(\frac{D}{t}\right)^{\frac{5}{4}}}\ \ or\ \ \frac{0.78E}{\left(\frac{D}{t}\right)^{\frac{3}{2}}} =$$ 215.5 KSI

$F_{cr} \leq 0.6F_Y =$ 21 KSI

$$V_n = \frac{F_{cr} A_g}{2} =$$ **V_n= 134.04 KIPS**

TORSION STRENGTH CALCULATIONS

$$F_{cr} = Greater\ of\ \frac{1.23E}{\sqrt{\frac{L}{D}}\left(\frac{D}{t}\right)^{\frac{5}{4}}}\ \ or\ \ \frac{0.60E}{\left(\frac{D}{t}\right)^{\frac{3}{2}}} =$$ 165.7 KSI

$F_{cr} \leq 0.6F_Y =$ 21 KSI

$$C = \frac{\pi(D-t)^2 t}{2} =$$ 79.604 IN^3

$T_n = F_{cr} C =$ **T_n= 139.31 K-FT**

COMPRESSIVE STRENGTH

COMPRESSION LOADS ARE NEGLIGIBLE; ASSUME THAT P_r/P_c = 0.05 (CONSERVATIVE)

LOAD SUMMARY

M_c=	0.9	x	147.9	=	133.1	K-FT	M_r=	56.78	K-FT
V_c=	0.9	x	134.0	=	120.6	KIPS	V_r=	12.09	KIPS
T_c=	0.9	x	139.3	=	125.4	KIPS	T_r=	39.30	KIPS

$$\left(\frac{P_r}{P_c}+\frac{M_r}{M_c}\right)+\left(\frac{V_r}{V_c}+\frac{T_r}{T_c}\right)^2 = \quad \textbf{0.648} \quad \textbf{<= 1.0 OK}$$

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR	HEAD PLATE CHECKS
	PROJ. NO.: RMGO-23-165 DATE: Jul-23	4425 N 25TH ST, STE 200 PHOENIX, AZ	PAGE NO.: 11

HEAD PLATE CHECKS

WEIGHT OF HEAD (FROM TORSION DESIGN): 5.78 x 2 = 11.6 KIPS

DIST. FROM BOTTOM OF SIGN FACE TO TOP OF HEAD PLATE: 0.00 FT

MOMENT FROM ECCENTRICITY OF HEAD LOAD: 11.6 KIPS x 0.05 x 48 = 27.73 K-FT

MOMENT FROM WIND SHEAR: 9.91 x (11.0 / 2 - 0.00) = 54.50 K-FT

TORSION ON HEAD FROM WIND FORCE: 43.60 K-FT (SEE TORSION DESIGN)

BOLT INFORMATION

DISTANCE TO Y1:	3.00 IN	BOLTS IN ROW:	4	BOLT DIA. =	3/4 IN		
DISTANCE TO Y2:	6.50 IN	BOLTS IN ROW:	2	BOLT AREA =	0.44 IN^2		
				BOLT TYPE =	A325		
DISTANCE TO X1:	3.00 IN	BOLTS IN ROW:	4	AVAILABLE SHEAR STRESS:		40.5	KSI
DISTANCE TO X2:	6.50 IN	BOLTS IN ROW:	2	AVAILABLE TENSILE STRESS:		67.5	KSI

CALCULATIONS

CENTROIDAL MOMENT OF INERTIA ABOUT Y-AXIS (I_{yy})

4	x (3	+ 6.50	)^2 x 2	=	722	IN^4
2	x (6.5	)^2 x 2		=	169	IN^4
				I_{yy} =	**891.0**	IN^4

CENTROIDAL MOMENT OF INERTIA ABOUT X-AXIS (I_{xx})

4	x (3.00	+ 6.50	)^2 x 2	=	722	IN^4
2	x (6.50	)^2 x 2		=	169	IN^4
				I_{yy} =	**891.0**	IN^4

c = 3.00 + 6.50 = 9.50 IN

r_x = 3.00 + 6.50 = 9.50 IN

r_y = 3.00 + 6.50 = 9.50 IN

$r = \sqrt{r^2_x + r^2_y}$ = 13.44 IN

I_{TOTAL} = 891.0 + 891.0 = **1782.0** **IN^4**

MAXIMUM TENSION ON BOLTS (T) = ((54.50132 + 27.73 x 1.2) / 891.0) x 12 IN/FT x 9.50 = 11.2 KIPS

MAXIMUM SHEAR ON BOLTS (V) = (43.60 / 1782.0) x 12 IN/FT x 13.4 + 9.91/12 = 4.8 KIPS

STRESS CHECKS

TENSILE STRESS (f_T) = 11.2 / 0.44 = 25.43 KSI

SHEAR STRESS (f_V) = 4.8 / 0.44 = 10.80 KSI **OK**

NOMINAL AVAIL. TENSILE STRESS (F_{nt}): 90.0 KSI

NOMINAL AVAIL. SHEAR STRESS (F_{nv}): 54.0 KSI

AVAILABLE TENSILE STRENGTH (ADJUSTED)

$$F'_T = 1.3\,F_{nt} - \frac{F_{nt}}{\varphi F_{nv}} f_v$$

= 1.3 x 90.0 - (90.0 / (0.75 x 54.0) x 10.80) = 90 KSI

ALLOWABLE TENSION ON BOLT: 0.75 x 39.74 = 29.81 KIPS

INDUCED TENSION ON BOLT: 11.23 KIPS

OK

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	SADDLE PRYING CHECK
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 12

TORSION SADDLE PRYING CHECKS

SIZE OF SADDLE: **W16X40** BOLT TYPE: A325

Required flange thickness (tmin): $t_{min} = \sqrt{\frac{4.44Tb'}{pF_u(1+\delta\alpha')}}$

$\beta = \frac{1}{\rho}\left(\frac{B}{T} - 1\right)$ $\rho = \frac{b'}{a'}$

α' = 1 if β ≥ 1

α' = the lesser of 1 and $\frac{1}{\delta}\left(\frac{\beta}{1-\beta}\right)$ if $\beta < 1$

$\delta = 1 - \frac{d'}{p}$ ratio of the net area at bolt line to gross area oat face of the stem or leg of angle

$a' = \left(a + \frac{d_b}{2}\right) \le \left(1.25b + \frac{d_b}{2}\right)$ $b' = \left(b - \frac{d_b}{2}\right)$

b:	1.3475	in	(bolt center to face of stem)
b':	0.9725	in	
a:	1.684	in	
a':	2.05938	in	
δ =	0.75	in	
ρ =	0.472		
β =	3.502		
α'=	1.00		

t_{min}:	0.377	in	OK
t_f:	0.505	in	

T:	11.23	kips	(tension on bolt)
Bolt gauge:	3	inches	
t_f:	0.505	inches	(flange thickness)
b_f:	7	inches	(flange width)
t_w:	0.305	inches	(web thickness)
d_{bolt}:	0.75	inches	(bolt diameter)
d'_{bolt}:	0.813	inches	(hole diameter)
B:	29.8	kips	(available tension per bolt)
F_u:	65	ksi	(strength of conn. element)
p:	3	inches	(trib. length)

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	CALCULATIONS CREATED FOR: RMG OUTDOOR 4425 N 25TH ST, STE 200 PHOENIX, AZ	COLUMN CHECKS
	PROJ. NO.: RMGO-23-165 DATE: Jul-23		PAGE NO.: 13

COLUMN CHECKS

PIPE SIZE: 20.00 x 0.3125 Fy = 40 ksi

DESIGN WIND PRESSURE:	40.95	PSF	DEAD MOMENT (FROM HEAD PLATE CHECK):	27.73	K-FT
TOTAL HEIGHT OF FACE:	11.0	FT	**TORSION (T, RESULTING FROM WIND):**	**43.60**	**K-FT**
TOTAL LENGTH OF FACE:	22.0	FT			
OVERALL HEIGHT OF SIGN:	24.0	FT			
HAGL:	13.0	FT			

SHEAR CALCULATIONS

WIND RESULTANT ON FACE:	0.0409	x	11.0	**x**	22.0	=	9.91	KIPS
WIND RESULTANT ON COLUMN:	0.0409	x	1.7	**x**	13.0	=	0.89	KIPS
				TOTAL WIND SHEAR (V) =			**10.8**	**KIPS**

MOMENT CALCULATIONS

DEAD LOAD MOMENT (FROM ABOVE): 27.7 K-FT

MOMENT FROM WIND: $9.91 \times \left(\frac{11.0}{2} + 13.0 \right) + 0.9 \times \left(\frac{13.0}{2} \right) = 189.09$ K-FT

TOTAL MOMENT, M_u = $\sqrt{(1.2M_{DL})^2 + M_{wind}{}^2}$ = **192.0 K-FT (ULTIMATE LEVEL)**

TOTAL MOMENT, M_a = $\sqrt{M_{DL}{}^2 + (0.6M_{wind})^2}$ = **116.8 K-FT (SERVICE LEVEL, FOR FOUNDATION DESIGN)**

	FJS ENGINEERING LLC TUCSON, AZ 520-490-3311 CONTACT@FJSENGINEERING.COM	**CALCULATIONS CREATED FOR:** RMG OUTDOOR	COLUMN CHECKS 1
	PROJ. NO.: RMGO-23-165 DATE: Jul-23	4425 N 25TH ST, STE 200 PHOENIX, AZ	PAGE NO.: 14

PIPE PROPERTIES

PIPE DIAMETER (D):	20.0	IN	ELASTIC SECTION MODULUS (S):	93.7	IN^3
DESIGN YIELD STRENGTH (F_y):	40	KSI	MOMENT OF INERTIA (I):	936.7	IN^4
PIPE LENGTH (L):	13.00	FT	PLASTIC SECTION MODULUS (Z):	121.1	IN^3
PIPE WALL THICKNESS (t):	0.313	IN	AREA OF SECTION (A):	19.3	IN^2
D/t:	64.0		GROSS AREA OF SECTION (A_g):	18.0	IN^2

SECTION IS NONCOMPACT

FLEXURAL STRENGTH CALCULATIONS

1. YIELDING $M_n = M_p = F_y Z =$ 403.8 K-FT

2. LOCAL BUCKLING (DOES NOT APPLY TO COMPACT SECTIONS)

NONCOMPACT SECTIONS

$$M_n = \left(\frac{0.021E}{\frac{D}{t}} + F_y\right) S =$$ 386.5 K-FT

SLENDER SECTIONS

$$M_n = \left(\frac{0.33E}{\frac{D}{t}}\right) S =$$ **N/A** K-FT

M_n= 386.5 K-FT

SHEAR STRENGTH CALCULATIONS

$$F_{cr} = Greater\ of\ \frac{1.6E}{\sqrt{\frac{L}{D}}\left(\frac{D}{t}\right)^{\frac{5}{4}}}\ \ or\ \ \frac{0.78E}{\left(\frac{D}{t}\right)^{\frac{3}{2}}} =$$ 91.8 KSI

$F_{cr} \leq 0.6F_Y =$ 24 KSI

$$V_n = \frac{F_{cr} A_g}{2} =$$ **V_n= 215.94 KIPS**

TORSION STRENGTH CALCULATIONS

$$F_{cr} = Greater\ of\ \frac{1.23E}{\sqrt{\frac{L}{D}}\left(\frac{D}{t}\right)^{\frac{5}{4}}}\ \ or\ \ \frac{0.60E}{\left(\frac{D}{t}\right)^{\frac{3}{2}}} =$$ 70.6 KSI

$F_{cr} \leq 0.6F_Y =$ 24 KSI

$$C = \frac{\pi(D-t)^2 t}{2} =$$ 190.26 IN^3

$T_n = F_{cr} C =$ **T_n= 380.52 K-FT**

COMPRESSIVE STRENGTH

COMPRESSION LOADS ARE NEGLIGIBLE; ASSUME THAT P_r/P_c = 0.05 (CONSERVATIVE)

LOAD SUMMARY

M_c=	0.9	x	386.5	=	347.9	K-FT	M_r=	192.00	K-FT
V_c=	0.9	x	215.9	=	194.3	KIPS	V_r=	10.80	KIPS
T_c=	0.9	x	380.5	=	342.5	KIPS	T_r=	43.60	KIPS

$$\left(\frac{P_r}{P_c}+\frac{M_r}{M_c}\right)+\left(\frac{V_r}{V_c}+\frac{T_r}{T_c}\right)^2 = \quad \textbf{0.635} \quad \textbf{<= 1.0 OK}$$

NON-CONSTRAINED POLE FOOTING DESIGN FOR DRILLED FOOTING

PER IBC SECTION 1807.3.2.1

MOMENT (FROM COLUMN DESIGN, ASD): = 116.79 K-FT

LATERAL FORCE (FROM COL. DESIGN): 10.8 x 0.6 = 6.48 KIPS (CONVERT TO ASD)

EQUIV. HEIGHT OF LATERAL LOAD ABOVE GROUND SURFACE (h): 116.8 / 6.5 = 18.0 FT

DIAMETER OF FOOTING: 2.5 FT

ALLOWABLE LATERAL BEARING PRESSURE: 0.3 KSF/FT

DESIGN LATERAL BEARING PRESSURE AT 1/3 EMBEDMENT DEPTH: 1.2 KSF/FT
(12 FT MAXIMUM DEPTH FOR PURPOSES OF CALCULATIONS)

CALCULATED "A" VALUE: $\frac{2.34 \times 6.5}{1.2 \times 2.5} = 5.05$

REQUIRED MIN. EMBEDMENT DEPTH: $d = 0.5A\left\{1 + \left[1 + \left(\frac{4.36h}{A}\right)\right]^{\frac{1}{2}}\right\} =$ 12.8 FT

USE 13 FT FOR DESIGN PURPOSES

NON-CONSTRAINED POLE FOOTING DESIGN FOR DRILLED FOOTING

PER IBC SECTION 1807.3.2.1

MOMENT (FROM COLUMN DESIGN, ASD): = 116.79 K-FT

LATERAL FORCE (FROM COL. DESIGN): 10.8 x 0.6 = 6.48 KIPS (CONVERT TO ASD)

EQUIV. HEIGHT OF LATERAL LOAD ABOVE GROUND SURFACE (h): 116.8 / 6.5 = 18.0 FT

DIAMETER OF FOOTING: 3 FT

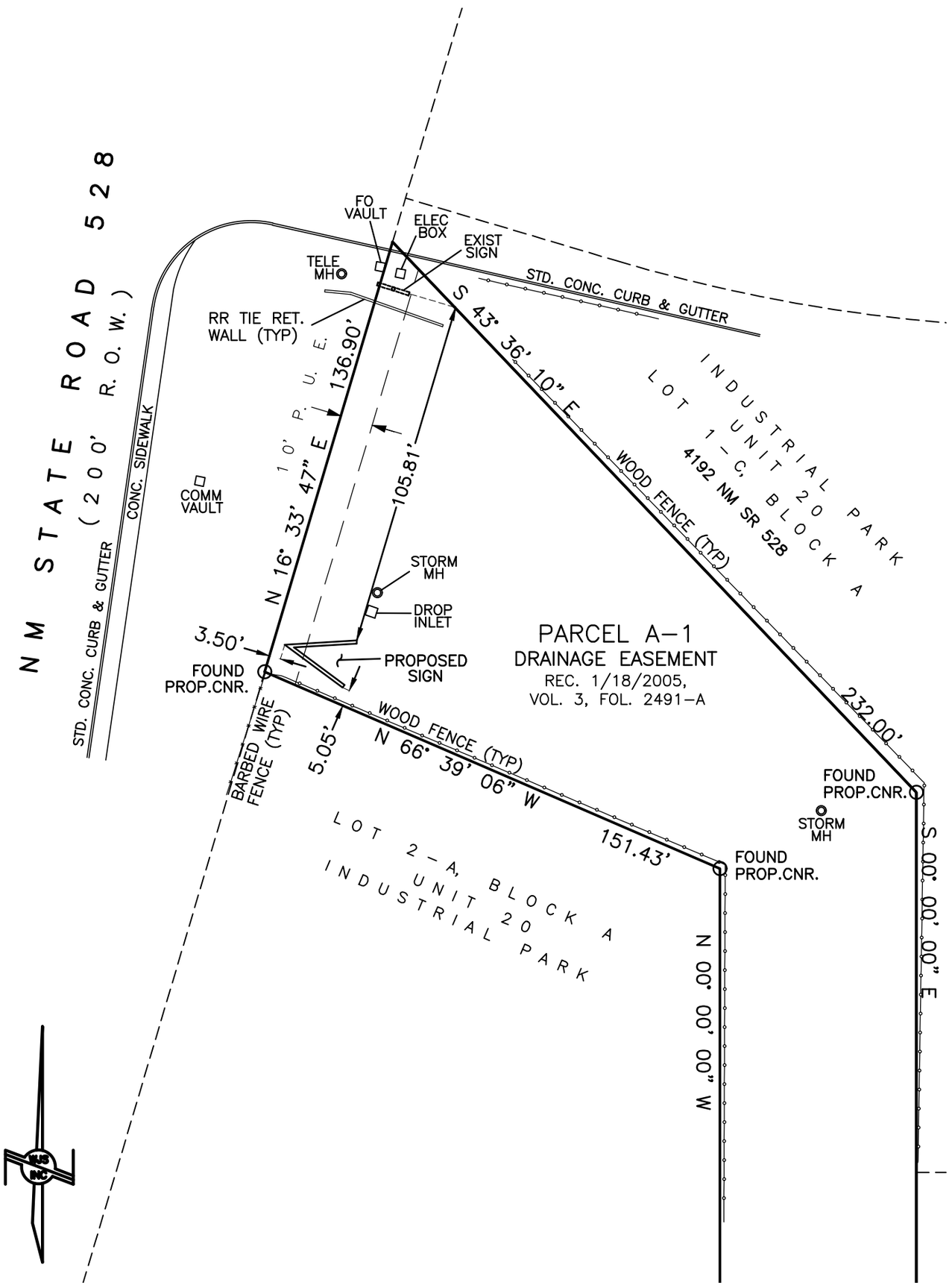
ALLOWABLE LATERAL BEARING PRESSURE: 0.3 KSF/FT

DESIGN LATERAL BEARING PRESSURE AT 1/3 EMBEDMENT DEPTH: 1.2 KSF/FT
(12 FT MAXIMUM DEPTH FOR PURPOSES OF CALCULATIONS)

CALCULATED "A" VALUE: $\frac{2.34 \times 6.5}{1.2 \times 3} = 4.21$

REQUIRED MIN. EMBEDMENT DEPTH: $d = 0.5A\left\{1 + \left[1 + \left(\frac{4.36h}{A}\right)\right]^{\frac{1}{2}}\right\} =$ 11.4 FT

USE 11.5 FT FOR DESIGN PURPOSES



BOUNDARY EXHIBIT

JOB NO.:	SC-6-01-2023	CLIENT:	LAMAR	SCALE:	1" = 40'

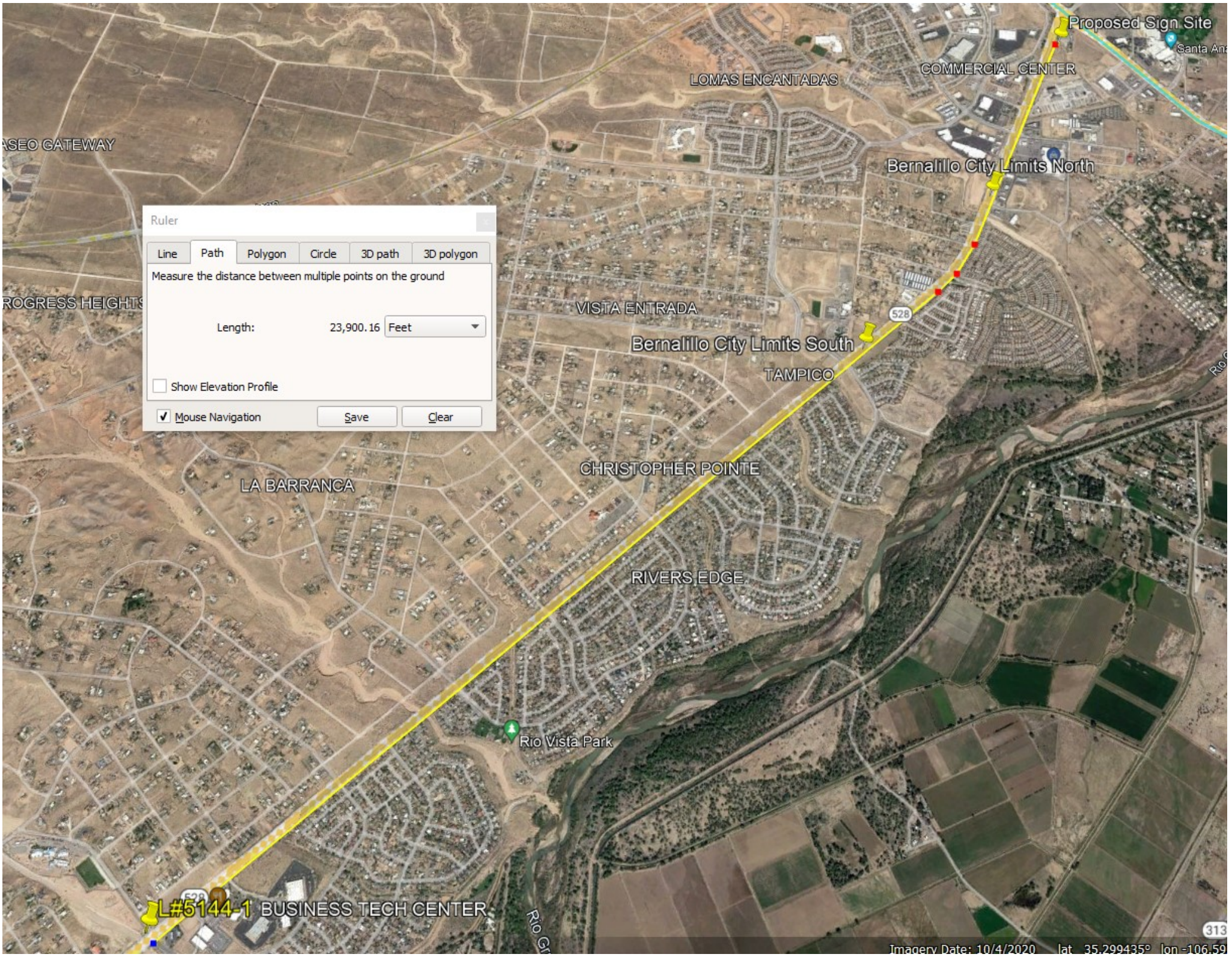
LOT:	PARCEL A-1
BLOCK:	A
SUBDIVISION:	INDUSTRIAL PARK
	UNIT 20
DATE:	6/13/2023
DRAWN BY:	TRJ
PAGE NO.:	1 OF 1

WAYJOHN SURVEYING INC
1609 2nd Street, NW Albuquerque, NM 87102
Phone: (505) 255-2052 Fax: (505) 255-2887

THOMAS D. JOHNSTON
NEW MEXICO
14269
REGISTERED LAND SURVEYOR

THIS REPORT IS NOT FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE. THIS IS NOT A BOUNDARY SURVEY AND MAY NOT BE SUFFICIENT FOR THE REMOVAL OF THE SURVEY EXCEPTION FROM AN OWNER'S TITLE POLICY. IT MAY OR MAY NOT REVEAL ENCROACHMENTS, OVERLAPS, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE BOUNDARY SURVEY.


RR Rancho
City of Vision
LAMAR
This depiction is for illustrative purposes only and the final structure and placement may vary.


Proposed Sign Site
Santa Ana
COMMERCIAL CENTER
LOMAS ENCANTADAS
ASEO GATEWAY
Bernalillo City Limits North
Ruler
Line
Path
Polygon
Circle
3D path
3D polygon
Measure the distance between multiple points on the ground
Length:
23,900.16
Feet
Show Elevation Profile
Mouse Navigation
Save
Clear
ROGRESS HEIGHTS
VISTA ENTRADA
528
Bernalillo City Limits South
TAMPICO
CHRISTOPHER POINTE
LA BARRANCA
RIVERS EDGE
Rio Vista Park
L#5144-1 BUSINESS TECH CENTER
313
Imagery Date: 10/4/2020
lat 35.299435°
lon -106.59

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Ad Proof/Order Confirmation

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

Ordered By	Sharon Bitah		**Customer Phone**	5058915005	**Joint Ad #**
Customer EMail	sbitah@rrnm.gov		**PO Number**	240051	
Ad Cost		$129.24	**Sales Rep**	wschult	
Tax Amount		$9.85	**Order Taker**	wschult	
Total Amount		$139.09			
Amount Paid		$0.00			
Amount Due		$139.09			
Affidavits	0				

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Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001574824-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEPLANNINGANDZONINGB OARDOFTHECITYOFRIORANCHONM WILLCONSIDERTHEFOLLOWINGMAT TERSATITSREGULARLYSCHE
Ad Size	1 X 167 li		
Color			

Run Date
07/24/2023
07/24/2023
07/24/2023

WYSIWYG Content

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at 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. Written comments will be inserted into the public record.

Journal: July 24, 2023

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

RE: Conditional Use Permit for Off-Premises Sign (Billboard) #23-120-00004 (U20IP, Block A, Par A1) July 21, 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, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an off-premises sign (Billboard) on the property legally described as U20IP, Block A, Par A1. The subject parcel is zoned M-1: Industrial and Business Park District and comprises approximately 5.69 acres.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, August 8, 2023** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

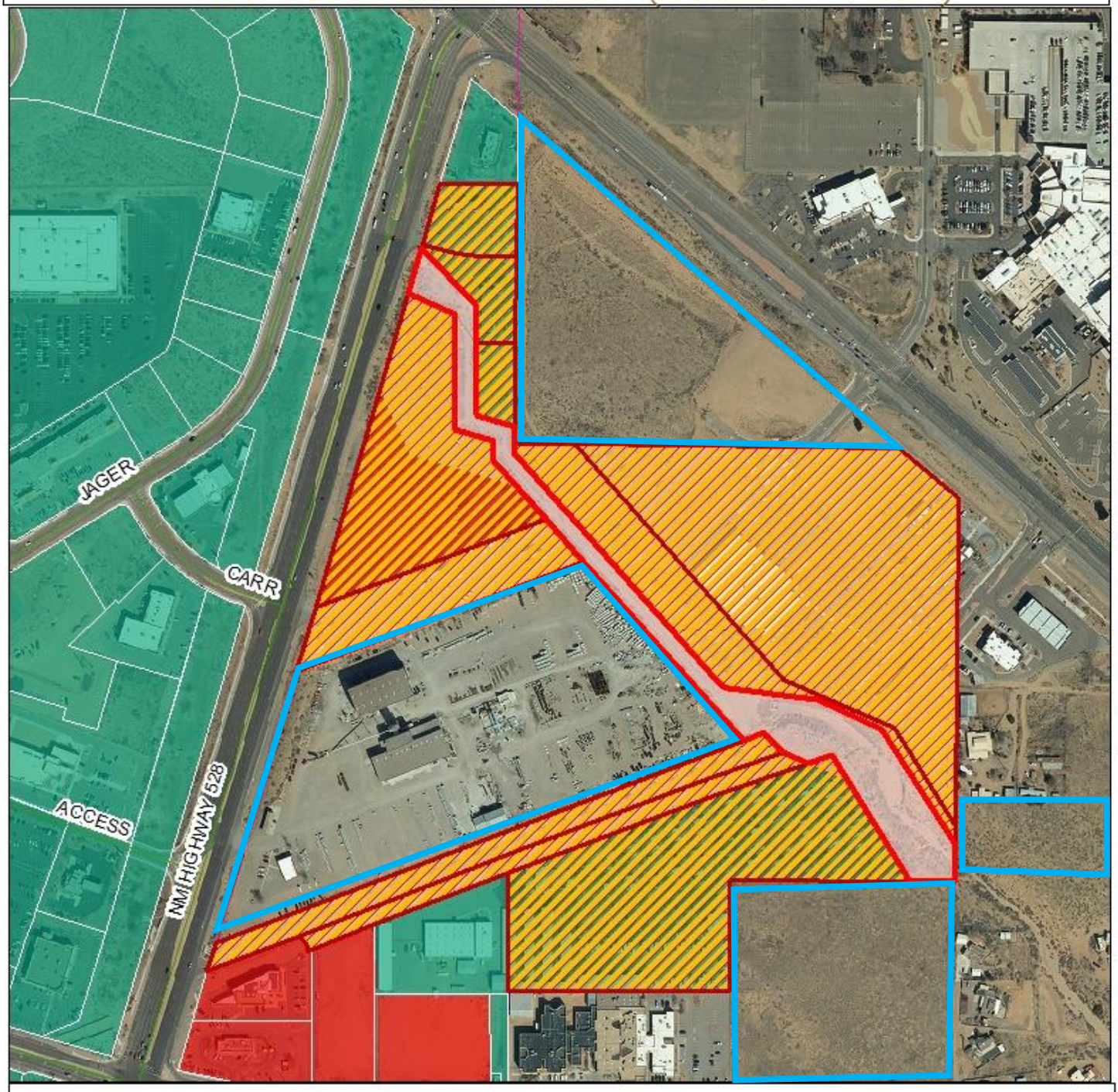
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tim Dvorak

Tim Dvorak
Municipal Planner II
Development Services Department
Planning Division
City of Rio Rancho

U20IP, BLOCK A, PAR A1
CONDITIONAL USE PERMIT
OFF-PREMISES SIGN (BILLBOARD)



Rio Rancho
City of Vision

0 130 260 520 780 1,040
Feet

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

Map Created by Tim Dvorak on 7/21/2023

N
W E
S

- Subject Parcel
- Noticed Abutting Properties (Within City Limits)
- Roads

Zoning
- C-1
- M-1
- SU

Noticed Abutting Properties (Sandoval County)

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 19, 2023

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, 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: Conditional Use Permit: DSD #23-120-00004 (Billboard Proposal for U20IP, Block A, Par A1)

The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a conditional use permit for an off-premises sign (digital billboard) on the property legally described as U20IP, Block A, Par A1. The subject property comprises approximately 5.69 acres and is owned by the City of Rio Rancho.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Wednesday, August 2nd, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@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:
- (X) RECOMMENDED FOR APPROVAL
- (_) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- (_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

From DRC
Parcel A1 Has blank Drainage Easement and SSCAFFCA has easement as well. Verify with City and SSCAFFCA that no surface or subsurface drainage will be impeded and that maintenance can be achieved.

Get SSCAFFCA approval.

Peter Prukop — Reviewer

7/28/2023 — Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 19, 2023

TO:
(X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Cedric Smith, Peter Prukop
(X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
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(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: Conditional Use Permit: DSD #23-120-00004 (Billboard Proposal for U20IP, Block A, Par A1)

The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a conditional use permit for an off-premises sign (digital billboard) on the property legally described as U20IP, Block A, Par A1. The subject property comprises approximately 5.69 acres and is owned by the City of Rio Rancho.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Wednesday, August 2nd, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@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

SSCAFCA has some concerns about the location. The post for the sign appears to be approximately 12 feet deep. An existing storm drain, and manhole exist approximately 15- 20 feet away with a depth of approximately 10 feet.

If the manhole or storm drain needs repair which requires excavation the sign post may need to be supported. This is a cost that SSCAFCA would not want to incur.

Andy Edmondson
Digitally signed by Andy Edmondson
DN: C=US, E=aedmondson@sscafca.com, O=SSCAFCA, OU="Facilities Operations Director ", CN=Andy Edmondson

Reviewer _____ Date _____

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 23-120-00004

REQUEST FOR CONDITIONAL USE PERMIT FOR AN OFF-PREMISES DIGITAL SIGN (BILLBOARD) FOR THE PROPERTY LOCATED AT 9999 NM HIGHWAY 528 NE (U20IP, BLOCK A, PAR A1).

Applicant: Lamar Advertising Southwest, LLC., through their agent, Matt Yoder.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 8th day of August, 2023, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

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

SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for granting a Conditional Use Permit as set forth in R.O. 2003 Section 156.33 Off-Premises Advertising Signs.

THEREFORE, the application for a conditional use permit for an off-premises digital sign (billboard) for the property located at 9999 NM Highway 528 NE, is DENIED by the Planning & Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 23-120-00004

REQUEST FOR CONDITIONAL USE PERMIT FOR AN OFF-PREMISES DIGITAL SIGN (BILLBOARD) FOR THE PROPERTY LOCATED AT 9999 NM HIGHWAY 528 NE (U20IP, BLOCK A, PAR A1).

Applicant: Lamar Advertising Southwest, LLC., through their agent, Matt Yoder.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 8th day of August, 2023, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

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

SPECIFIC FINDINGS OF FACT:

1. The applicant has adequately addressed the criteria for granting a Conditional Use Permit as set forth in R.O. 2003 Section 156.33 Off-Premises Advertising Signs.
2. Off-premises signage within the M-1: Industrial and Business Park District is permissive, subject to the approval of a Conditional Use Permit.
3. The Conditional Use Permit shall be effective for ten (10) years from the approval date of August 8, 2023.
4. Per R.O. 2003 Section 156.33(C)(7), Off-premises advertising signs shall be maintained and shall be administratively reviewed on an annual basis to ensure sign maintenance.
5. Applicant shall satisfy the DSD Engineering requirement of verifying with the City and SSCAFCA that no surface or subsurface drainage will be impeded and that maintenance can be achieved.

THEREFORE, the application for a conditional use permit for an off-premises digital sign (billboard) for the property located at 9999 NM Highway 528 NE, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-110-00004

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicant, Angenica Lucero, 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 residential zoning designation, for a proposed retail cannabis establishment. The proposed cannabis establishment will be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from residentially zoned properties. Staff contact is Chris Benson and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The applicant, Angenica Lucero, is requesting approval of a variance to the 300 feet distance requirement from residentially zoned properties for a cannabis establishment as detailed within §122.04 Location Restrictions, for the subject property located at 2501 Southern Blvd SE Suite 1; legally described as Sun Villa East, Tract B1. The subject property is zoned C-1: Retail Commercial District under Ordinance No. 81-15.

Per §122.04 (A)(1) No cannabis establishments shall be located within 300 feet from of the following uses: (d) Any residentially zoned district (including E-1, R-1, R-2, R-3, R-4, R-5, R-6, A-R, M-H, T-Z, and all special use districts with any underlying residential use).

Additionally, §122.04 Location Restrictions asserts (2) All measurements for the purpose of determining the location of a licensed premises in relation to the land uses detailed in subsection (A)(1) of this section shall be the shortest direct line measurement between the actual limits of the real property, meaning property line to property line, including right-of-way as defined in Chapter 96, of the childcare facility, public or private educational facility, religious institution, public facilities or any residentially zoned property, and the licensed premises where cannabis or cannabis products are proposed to be sold, grown for profit, tested, stored, distributed, packaged or manufactured.

The requested variance is to reduce the 300 feet distance requirement between 2501 Southern Blvd SE STE and the closest residentially zoned properties to allow for a cannabis establishment. The variance would allow for a distance of approximately 51 feet from the closest residentially zoned property to the proposed cannabis establishment, measured from property line to property line at the shortest distance possible. There are 26 residentially zoned properties within 300 feet from the proposed cannabis establishment.

The subject property is currently zoned C-1: Retail Commercial District under Ordinance No. 81-015. Retail cannabis establishments are a permissive use in C-1: Retail Commercial Districts as per the Rio Rancho Municipal Code Chapter 122.04 (C). Additionally, the subject property is

located in an overlay zone as per Ordinance No. 28 Enactment No. 12-28, an ordinance amending Chapter 156 Sign Regulations, establishing an "Off-Premises Advertising Overlay Zone".

The subject property is not located within any specific area plans or planned areas.

REVIEW CRITERIA:

The applicant, Angenica Lucero, 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 (Variances) reads in part 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 is the basis for the claim of hardship."

The applicant states within the included justification narrative that they are justified in this variance request under the basis that "...2501 Southern is not within the residential zoning criteria from property line to property line of 300 feet. From the front door of Suite 1 to the residential zoning criteria it is over 300 feet. 2501 Southern Suite 1 is closer to the commercial business on Southern.". The applicant explains that the objective of applying for this variance is, "...to be a small, local, women minority owned business to follow the laws and regulations which pertain to display, packaging, and labeling." The applicant continues to assert, "With a scarce amount of cannabis operations my goal is to bring more economic growth to the City of Rio Rancho along with potential employment opportunities.".

Staff has identified that there is approximately 51 feet from the closest residentially zoned property to the proposed cannabis establishment, measured from property line to property line at the shortest distance possible which does not meet the minimum required distance from a residentially zoned property and a retail cannabis establishment. Additionally, staff has identified twenty-six residentially zoned properties to be within at least 300 feet of the proposed retail cannabis establishment (see attachment).

The properties surrounding the subject property 2501 Southern Blvd SE Ave that do not have have a residential zoning designation are all zoned C-1: Retail Commercial District.

Staff recommends the Planning and Zoning Board find that the lot is not particularly narrow, shallow, or steep, and that there doesn't exist other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land or building.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were notified of the Planning and Zoning Board hearing by certified mail and property owners between 100-300 feet were notified by postcard. A notice sign was erected on the subject property on August 1, 2023 by the applicant and a legal notice was published in the Albuquerque Journal on July 24, 2023.

REVIEWER COMMENTS:
A transmittal was distributed to interdepartmental/interagency reviewers. Review comments are included as an attachment titled Comments Memo.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board deny the variance request with the following findings of fact 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. Following procedures for a variance, proper notice of this hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the 300 feet distance requirement from residentially zoned properties for a cannabis establishment.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF DENIAL:

1. The applicant has not adequately met the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
2. The lot is not irregular in shape, narrow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.
3. There does not exist a special circumstance applicable to the property.
4. There are no other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land or building.

If the Planning and Zoning Board determines that the applicant does not adequately meet the criteria for granting a variance, then the following specific findings and conditions are recommended:

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
2. A variance to allow the applicant to encroach approximately 250' into the distance requirements as set forth in R.O. §122.04 Location Restrictions (A)(1) No cannabis establishments shall be located within 300 feet of the following uses: (d) Any residentially zoned district (including E-1, R-1, R-2, R-3, R-4, R-5, R-6, A-R, M-H, T-Z, and all special use districts with any underlying residential use) is approved.
3. The applicant must adhere to all other requirements found in R.O. 2003 §122.04 Location Restrictions.

ALTERNATIVES:

The Planning and Zoning Board may:

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

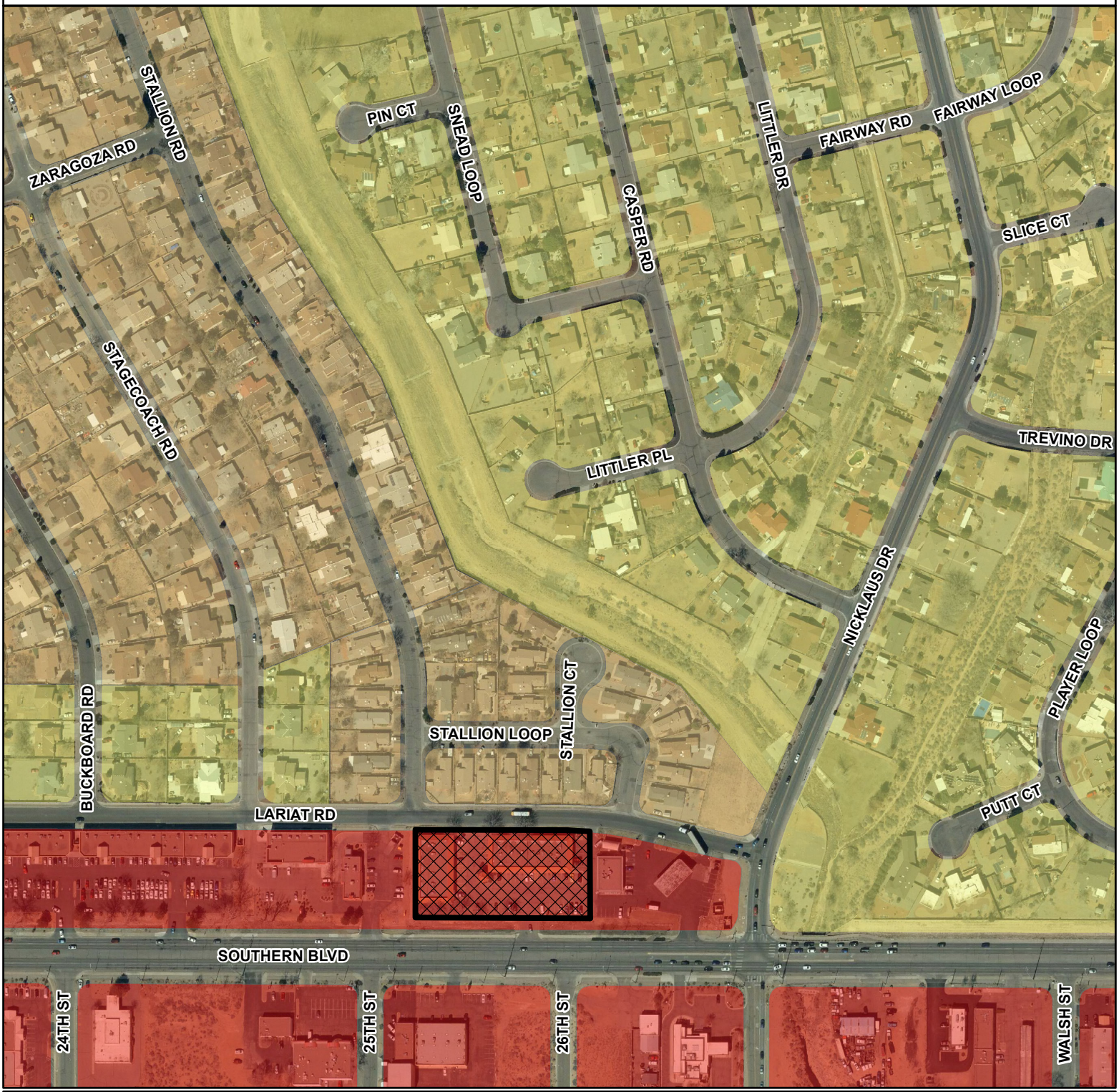
DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board deny the requested variance, subject to findings.

ATTACHMENT: 23-110-0004 - Location Map.pdf

ATTACHMENT: Application.pdf
ATTACHMENT: Property Owner Authorization.pdf
ATTACHMENT: Variance Justification Letter.pdf
ATTACHMENT: 2501 Southern Blvd SE - Cannabis Location Map.pdf
ATTACHMENT: 23-110-00004 - Notice Map.pdf
ATTACHMENT: 23-110-00004 - Notice Sign.jpg
ATTACHMENT: 23-110-00004 (Variance) NOTICE-signed.pdf
ATTACHMENT: 23-110-00004 - Postcard.docx
ATTACHMENT: Legal_Ad_Proof.pdf
ATTACHMENT: 23-110-00004 - Findings of Fact.pdf
ATTACHMENT: 23-110-00004 - CommentsMemo.pdf
ATTACHMENT: Public Comment - Wilkinson.docx

2501 SOUTHERN BLVD SE STE 1
STAR VILLA EAST, TRACT B1



RioRancho City of Vision

0 250 500 1,000
Feet

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

GIS Moving Spatial Data Forward

Map Created by Chris Benson on 05/22/2023

N W E S

Subject Property

Zoning

- C-1
- R-1
- R-3

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Argenica Lucero		Phone: 5056153822
Address: 2501 Southern SE Suite 1		E-Mail: Allaroundidispensary@gmail.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

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

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

Requesting to open a Canabis Dispensary
VARIANCE TO 300 FEET DISTANCE REQUIREMENT FROM RESIDENTIALLY ZONED PROPERTY

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION) TRACT

Subdivision/Unit : Star Villa East	Block(s):	~~Lot(s):~~ B1
Existing Zoning:	Proposed Zoning:	
No. of existing lots:	No. of proposed lots:	Total area of site (acres) 1.3269

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: Argenica Lucero	Applicant:	Agent:
Signature:		Date: 2-27-23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
23-110-00004	$200	

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

Form revised June 2014

Frank Kapuranis
K & M Properties
303-770-7221

All Around Dispensary
2501 Southern SE Suite 1
Rio Rancho, NM 87124

This letter is to confirm that I, Frank Kapuranis with K & M Properties is aware of the request for the address variance reflecting All Around Dispensary which would be located at 2501 Southern SE Suite 1, Rio Rancho, NM 87124 if approved.

If you have any questions, please contact me at 303-770-7221

Thank you,

Frank K

Frank Kapuranis.

All Around Dispensary

2501 Southern Se Suite 1

Rio Rancho, NM 87124

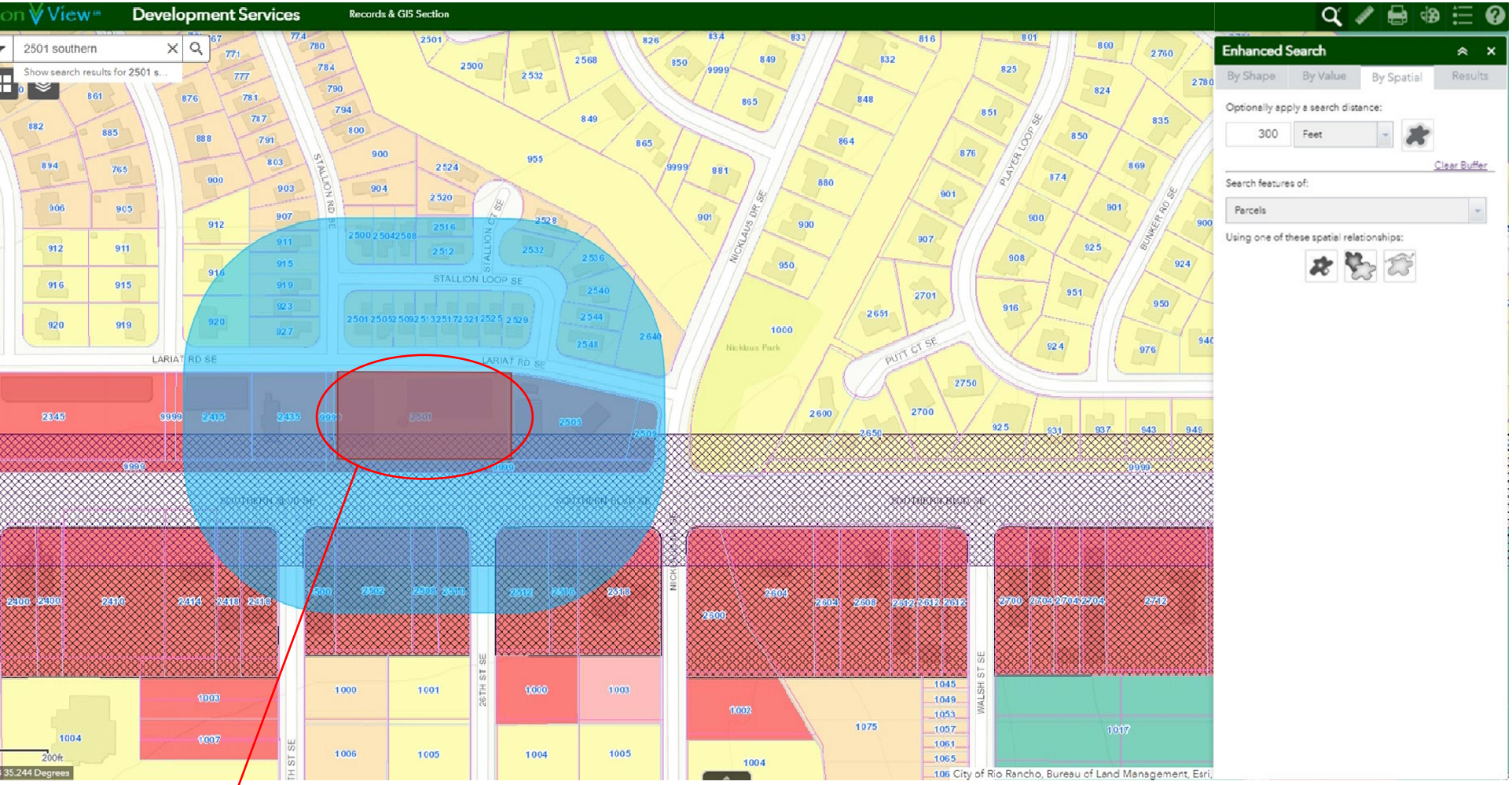
To whom it may concern.

All Around Dispensary would like to open a cannabis dispensary at 2501 Southern SE Suite 1 to sell both recreational and medical cannabis. Requesting a variance would reduce the minimum required distance from residentially zoned properties to the requested operational business at 2501 Southern SE, Rio Rancho, NM 87124 Suite 1. Although 2501 Southern is not within the residential zoning criteria from property line to property line of 300 feet. From the front door of suite 1 to the residential zoning criteria it is over 300 feet. 2501 Southern suite 1 is closer to the commercial businesses on Southern.

My objective with applying for a variance is to be a small, local, women minority owned business to follow the laws and regulations which pertain to display, packaging, and labeling. This is to include advertising and marketing, recording sales, fire safety, security and occupations health and safety standards. With a scarce amount of cannabis operations My goal is to bring more economic growth to the city of Rio Rancho along with potential employment opportunities.

I thank you for your time in reviewing my request in applying for a zoning variance.

SUBJECT PROPERTY LOCATED AT 2501 SOUTHERN BLVD SE - APPROXIMANTELY 51 FEET FROM RESIDENTIALLY ZONED PROPERTIES IN CONFLICT WITH 25 RESIDENTIALLY ZONED LOTS NORTH OF THE PROPOSED CANNABIS ESTABLISHMENT



PROPOSED CANNABIS ESTABLISHMENT

2501 SOUTHERN BLVD SE STE 1
CANNABIS VARIANCE NOTICE MAP



Rio Rancho City of Vision

0 250 500 1,000
Feet

N
W E
S

Notice Postcard
Notice Letter

GIS Moving Spatial Data Forward

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

Map Created by Chris Benson on 07/21/2023


2501
City of Rio Rancho
NOTICE

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

July 20, 2023

RE: Variance,
Case No. 23-110-00004
Star Villa East, Tract B1 (2501 Southern Blvd SE STE 1)

Dear Property Owner:

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

The applicant, Angenica Lucero, is requesting approval of a variance to the 300 feet distance requirement, as outlined by Rio Rancho Municipal Code Chapter 122 Cannabis Establishments section 122.04 Location Restrictions, from properties containing residential zoning designations for a proposed cannabis establishment. The cannabis establishment is proposed to by physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from residentially zoned properties. 2501 Southern Blvd SE STE 1 is currently zoned C-1: Retail Commercial District and the proposed cannabis establishment would be retail in nature.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, August 8, 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 black outline.

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

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

Please do not hesitate to contact me via e-mail me at cbenson@rrnm.gov or call me at 505-896-8342, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

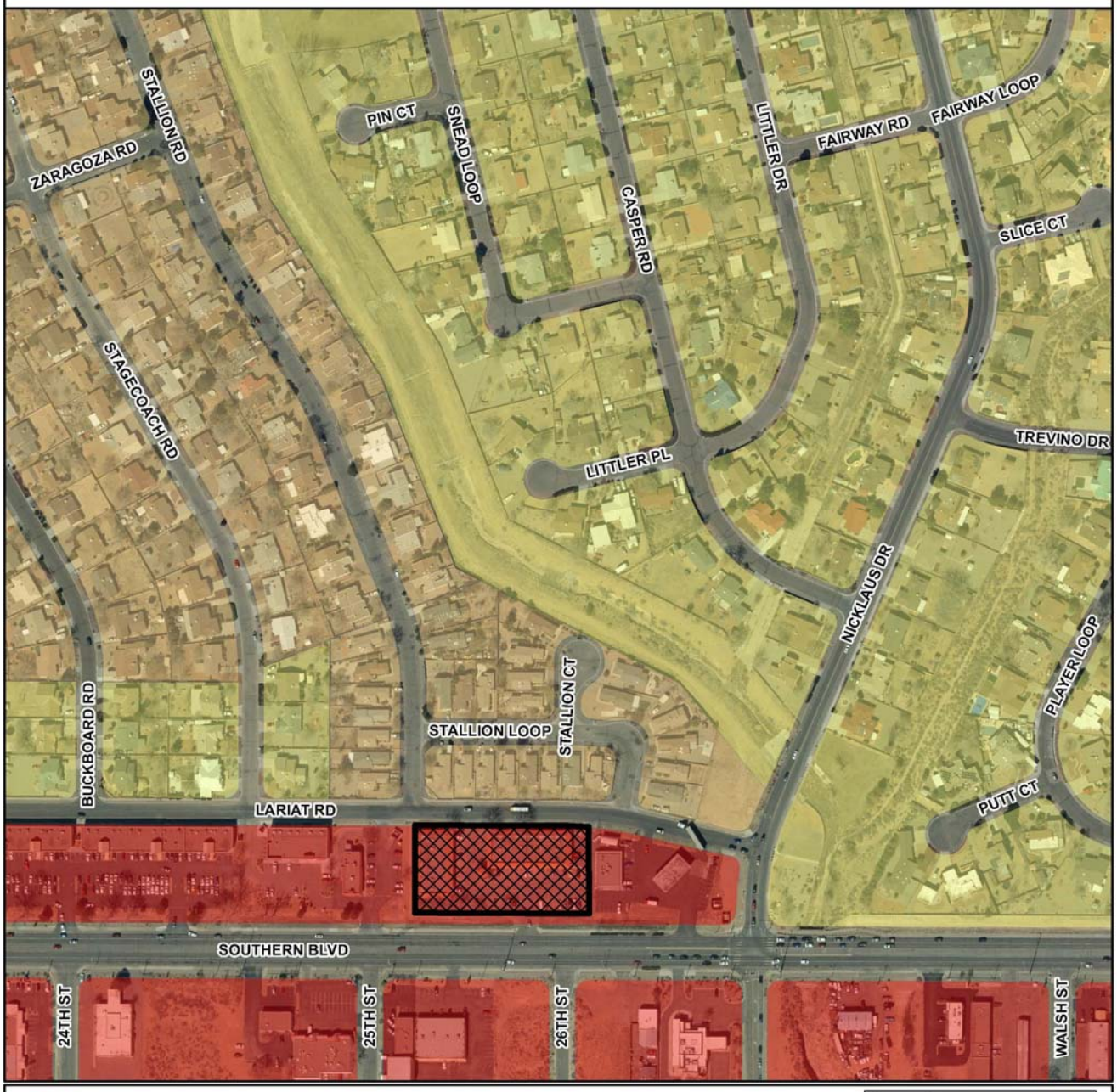
Christopher Benson

Chris Benson
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

2501 SOUTHERN BLVD SE STE 1
STAR VILLA EAST, TRACT B1



RioRancho City of Vision

0 250 500 1,000
Feet

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GIS Moving Spatial Data Forward

N W E S

Map Created by Chris Benson on 05/22/2023

Subject Property

Zoning

- C-1
- R-1
- R-3

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 and Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	August 8, 2023
Time:	6:00PM
Staff Contact:	Chris Benson (505) 896-8342 cbenson@rrnm.gov

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

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Staff Contact:	Chris Benson (505) 896-8342 cbenson@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet a site where a land development decision is required by the Planning and Zoning Board. The applicant, Angenica Lucero, is requesting approval of a variance to the 300-foot distance requirement from properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1 (outlined in black), and is approximately 51 feet from property line to property line at the shortest possible distance from the closest residentially zoned property. The PZB will hear the request on August 8, 2023.

We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:
https://us06web.zoom.us/j/85180741871?pw



Application Information

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https://us06web.zoom.us/j/85180741871?pw



Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: July 24, 2023

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 23-110-00004

REQUEST FOR VARIANCE TO THE 300-FOOT DISTANCE REQUIREMENT FROM RESIDENTIALLY ZONED PROPERTIES FOR A PROPOSED CANNABIS ESTABLISHMENT LOCATED AT 2501 SOUTHERN BLVD SE SUITE 1 (STAR VILLA EAST, TRACT B1).

Applicant: Angenica Lucero

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 8th day of August, 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 a variance request.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make an application to request a variance to the 300-foot distance requirement from residentially zoned properties for a cannabis establishment.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. A variance to allow the applicant to encroach approximately 250' into the distance requirements as set forth in R.O. § 122.04 Location Restrictions (A)(1) No cannabis establishment shall be located within 300 feet of the following uses: (d) Any residentially zoned district (including E-1, R-1, R-2, R-3, R-4, R-5, R-6, A-R, M-H, T-Z, and all special use districts with any underlying residential use) is approved .
3. The applicant must adhere to all other requirements found within R.O. 2003 § 122.04 Location Restrictions.

THEREFORE, the application for variance to the 300-foot distance requirement from residentially zoned properties for a cannabis establishment located at 2501 Southern Blvd SE Suite 1, **is APPROVED** by the Planning and Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning and Zoning Board Chair

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 23-110-00004

REQUEST FOR VARIANCE TO THE 300-FOOT DISTANCE REQUIREMENT FROM RESIDENTIALLY ZONED PROPERTIES FOR A PROPOSED CANNABIS ESTABLISHMENT LOCATED AT 2501 SOUTHERN BLVD SE SUITE 1 (STAR VILLA EAST, TRACT B1).

Applicant: Angenica Lucero

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 8th day of August, 2023, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

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2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make an application to request a variance to the 300-foot distance requirement from residentially zoned properties for a cannabis establishment.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code.

THEREFORE, the application for variance to the 300-foot distance requirement from residentially zoned properties for a cannabis establishment at 2501 Southern Blvd SE Suite 1, **is DENIED** by the Planning and Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions specified above.

Date

Planning and Zoning Board Chair

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

July 28, 2023

TO: Planning and Zoning Board

RE: 23-110-00011 – Variance to reduce minimum required distance from residentially zoned property for a proposed cannabis establishment. 2501 Southern Blvd SE STE 1 (Star Villa East, Tract B1)

The following are the comments and feedback received in regards to the variance application.

Planning & Zoning Division:

- Applicant has not adequately met the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
- The lot is not irregular in shape, narrow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.
- There does not exist a special circumstance applicable to the property.
- There are no other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land.
- Cannabis establishment is not permissive as per criteria set forth in R.O. 2003 Section 122.04.

Engineering Division:

- No adverse comments.

Fire & Rescue: Fire does not recommend approval based on the City's Municipal Code.

Parks and Recreation:

- PRCS does not recommend approval of a variance for the purpose of a dispensary at this location with such close proximity to residences.

MRMPO:

- MRMPO has no adverse comments.

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

Respectfully,

Christopher Benson

Chris Benson
Municipal Planner I
Development Services Department
City of Rio Rancho
(505) 896-8342 cbenson@rrnm.gov

To Planning and Zoning Board,

My name is Linda Wilkinson. I have resided at 907 Stallion Rd. SE for the past 19 years and have been a resident of Rio Rancho since 1987. I received a notice of a public meeting on a proposed cannabis establishment to be physically located at 2501 Southern SE STE 1.

I am adamantly opposed to this proposal because of the following reasons:

1) the proposed site is not the required distance from the closest residentially zoned properties

2) there is a public school bus stop located at the corner of Stallion Rd. and Lariat directly across the street from the proposed establishment

3) the neighborhood, especially Stallion Loop, has had many young families recently move in,and I watch my 2 young grandsons, age 4 and 7, frequently and we walk down Lariat to the gas station on the corner to get snacks right past where the proposed establishment would be

It is my understanding that they will be selling recreational cannabis which brings in a different clientele than medicinal. There are many empty retail sites right now in Rio Rancho. I am sure one of them would be more suitable and would meet the required distance away from residential properties. I propose they use a more suitable location.

Thank you for reading this before you make your decision.

Sincerely,

Linda Wilkinson

P.S. As I am writing this letter there is a person with their bedding sleeping on the sidewalk on Lariat in front of this strip mall!

(RECEIVED VIA EMAIL: 08/07/2023 12:01 PM, peanutlover913@aol.com)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-110-00009

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the maximum fence height allowance for a proposed fence to be located in the rear setback at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the maximum fence height allowance for a fence located in the rear setback, as detailed within 154.77(D) of the Rio Rancho Code of Ordinances (R.O. 2003). The requested variance would allow for a fence located on the rear property line to measure eight feet high, exceeding the max height of six feet; as shown on the included site plan. The subject property, legally described as Unit 20, Block 99, Lot 19, is located at 6236 Obeah Ct NE, and totals 0.87 acres.

REVIEW CRITERIA: The applicant 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.

Rio Rancho Code of Ordinances (R.O. 2003), Section 150.06 (Variances) reads: "(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 is the basis for the claim of hardship."

The applicant states within the included justification narrative that they are justified in this variance request for several reasons, including the "unique shape" and location of their lot. They maintain that whereas a typical lot in Vista Entrada generally is "adjacent to other back yards", their lot abuts a road, Kalgan Rd. Per the applicant's justification letter, which states: "...we are now subject to traffic and traffic noise from two directions. On Kalgan, vehicles from both residents and contractors routinely exceed the speed limit by as much as 20-25 mph. This circulates excess dust as well as excess noise. Since we are only 95 feet from Kalgan, this is an undue irritant for us and several neighbors." The applicant adds: "Because our rear property line is an exceptional 253 feet in length, we are unduly exposed to the circumstances described above."

The applicant's justification letter details that there is generally a combined 400ft from property line to property line, but in their case, their is only 95ft from the back of their house to the end of their

property; and as small a distance as 165 ft from their home to the incoming homes being built off of Kalgan. The applicant states that "The developer of the properties on Kalgan is building homes that are uncharacteristic of our community, and several of them face our property directly. In addition, most Vista Entrada homes are built with a 50 foot front setback. The developer has chosen to use the minimum required setback at 20 feet. As a result, the Kalgan houses not only faces us, but actually look into our property. This is a drastic change in privacy."

Lastly, the applicant's letter adds: "We are convinced that the addition of an eight foot block wall at the rear of their property would present no safety issue, impediment, or inconvenience to any property in our neighborhood. There are no driveways entering Kalgan from the north side. Our adjacent neighbors have provided their consent." The applicant has attached consent letters provided from property owners residing directly to the west, northeast, and two properties over to the east.

Staff have evaluated this application based on the criteria outlined in Section 150.06 of the City Code for granting a variance, and find no irregularities with the lot meeting the necessary criteria. The lot is not particularly irregular in shape, narrow, shallow, or steep, and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code. Staff recommends that the board find that it is not irregular or uncommon for lots on cul-de-sacs similar to the subject property and the abutting property to the east, to have a longer rear lot line. Additionally, staff finds that there are properties throughout the City which abut right-of-way to the rear of the property.

The abutting right-of-way, Kalgan Road NE, is classified as a "residential street", and does not satisfy the "Special Fences" exception (154.77 (F)(3)) to allow eight foot tall fences on residential property lines abutting "an arterial or collector street as defined in the comprehensive plan, or a multi-family or nonresidential zoned property". The code states that difficulty caused to one’s personal comfort cannot be the basis for the claim of hardship.

NOTIFICATIONS: Neighboring property owners within 100ft of the subject property were notified of the Planning and Zoning Board hearing by certified mail and property owners between 100-300ft were notified by postcard. A notice sign was erected on the subject property by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on July 24, 2023. All notification requirements for this hearing have been met.

REVIEWER COMMENTS:
CoRR Engineering - No adverse comments.
CoRR Fire & Rescue - No adverse comments.
CoRR Parks, Recreation, and Community Services - No comments provided.
CoRR Police - No comments provided.
MRCG MRMPO - No adverse comments.
Rio Rancho Public Schools - No comments provided.
SSCAFCA - No adverse comments.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board deny the variance request to the rear setback requirements, based upon the lack of exceptionally irregular, narrow, shallow, steep or any other exceptional physical condition of the lot that would keep the applicant from adhering to the setback requirements; subject to findings set forth below:

GENERAL FINDINGS OF FACT:
1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request.

2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make application to request a variance to the maximum fence height allowed in the rear setback.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:
1. The applicant has not adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code.

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

SPECIFIC FINDINGS OF FACT:
1. The applicant has adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. A variance to R.O. 2003 §154.77(D)(2) allowing for a maximum height of 6 ft for a fence located in the rear setback, to allow for a fence measuring 8 ft tall, as shown on the included site plan, is approved.
3. The applicant must adhere to all other requirements found within R.O. 2003 §154.77.
4. The applicant must apply for and obtain a building permit within 12 months or the variance is null and void.

ALTERNATIVES:

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

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board deny the requested variance, subject to findings.

ATTACHMENT: Application Packet.pdf
ATTACHMENT: Location and Zoning Map.pdf
ATTACHMENT: NeighboringPropertyOwnerLetter.pdf
ATTACHMENT: Postcards.pdf
ATTACHMENT: Notice Map.pdf
ATTACHMENT: Legal Ad.pdf
ATTACHMENT: Findings_of_Fact.docx
ATTACHMENT: Public Comment .jpg

Rio Rancho
City of Vision

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Ron Falkner + Yaoying He		Phone: (530) 400-1932
Address: 6236 Obeah Court NE		E-Mail: yyh@comcast.net
City: Rio Rancho	State: NM	Zip: 87144
Proprietary Interest:	List Owners: Same as applicants	
Deed or Ownership Verification Provided: (Initials) RF YH	Letter of Authorization Provided: (Initials)	

Agent Name: none		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

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

We are requesting a zoning variance to install an eight(8) foot fence/block wall at the rear of our property. (see attached)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: Vista Entrada / 20	Block(s): 99	Lot(s): 19
Existing Zoning: R-1	Proposed Zoning:	
No. of existing lots:	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

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

Print Name: Ron Falkner	Applicant: Yaoying He	Agent: none
Signature:	YH	Date: 7/12/23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

SCOPE OF REQUEST AND JUSTIFICATION

SCOPE: We are requesting a zoning variance to install an eight (8) foot high fence/block wall at the rear boundary of our property which is adjacent to a dirt portion of Kalgan Road NE (see site map).

JUSTIFICATION SUMMARY: We are making this request because of the following special hardships and circumstances.

- Daily road dust from the dirt road (Kalgan) causing hardship and damage to our property.
- The unique shape and configuration of our property, putting us only 95 feet from the dirt road.
- A drastic reduction of privacy and quality of life due to the placement of new homes on Kalgan.
- Undue traffic noise and traffic dust.
- Our rear property line is an exceptional 253 feet long, which increases our exposure to the above hardships.
- An eight foot block wall will present no problems to our neighbors, and will alleviate most of the described hardships.

JUSTIFICATION DETAILS:

1. The back of our property is adjacent to the only unpaved public road in the Vista Entrada community. A city engineer informed us that the road will not be paved, and that the city is not responsible for maintaining it as it exists. In May, contractors "grated" the entire length of the developing stretch of Kalgan. The grating loosened up soil that had been packed down for years. Since that grating, all adjacent properties to the north of Kalgan have been inundated almost daily with windblown dust that overrides silt barriers and six foot block walls. The developer has not watered down the road or taken any measure to reduce this new influx of dust. (We are referring to road dust, not dust from construction sites.)

   We have consulted with Code Enforcement as well as a city engineer, both of whom are very familiar with the development site. They were very supportive, but could offer no solutions to our situation. We have invested many thousands of dollars and four years of labor installing large trees, native plants, decorative rocks, and several vegetable gardens (see photos). The new influx of dust enters our property almost daily covering plants and rocks, and over time will cause undue hardship and damage.

2. Our lot has a unique shape and lies between Obeah Court and Kalgan Road. As a result, our residence, (along with our neighbors on lot 18) sits very close to Kalgan Road (see site plan and maps). The typical residence in our community is

rectangular, sits about 200 feet from the rear boundary, and is adjacent to other back yards, creating 400 feet of "privacy". In our case we have only 95 feet from our house to our rear property line, and just another 70 feet to the Kalgan properties. This means that we are as close as 165 feet to the front of those houses (see photos).

3. The developer of the properties on Kalgan is building homes that are uncharacteristic of our community, and several of them face our property directly. In addition, most Vista Entrada homes are built with a 50 foot front setback. The developer has chosen to use the minimum required setback at 20 feet. As a result, the Kalgan houses not only face us, but actually look into our property. This is a drastic change in privacy (see photos).

   We have developed a tool to simulate a six foot and eight foot block wall comparison. A six foot wall would leave windows, doors, garages, and vehicles on Kalgan exposed to our view. An eight foot wall would "block out" most windows and doors as well as parked vehicles from our view. Since we spend most days gardening or relaxing on the patio, privacy is of great importance to our quality of life.

4. Since our property is adjacent to two public roads (Obeah Court in front, Kalgan Road in back), we are now subject to traffic and traffic noise from two directions. On Kalgan, vehicles from both residents and contractors routinely exceed the speed limit by as much as 20-25 mph. This circulates excess dust as well as excess noise. Since we are only 95 feet from Kalgan, this is an undue irritant for us and several neighbors.

5. We are convinced that an eight foot block wall at the rear of our property would present no safety issue, impediment, or inconvenience to any property in our neighborhood. There are no driveways entering Kalgan from the north side. Our adjacent neighbors have already given their consent (see attached letters).

6. Because our rear property line is an exceptional 253 feet in length, we are unduly exposed to the circumstances described above.

Ron Falkner _____ Date 7/12/23

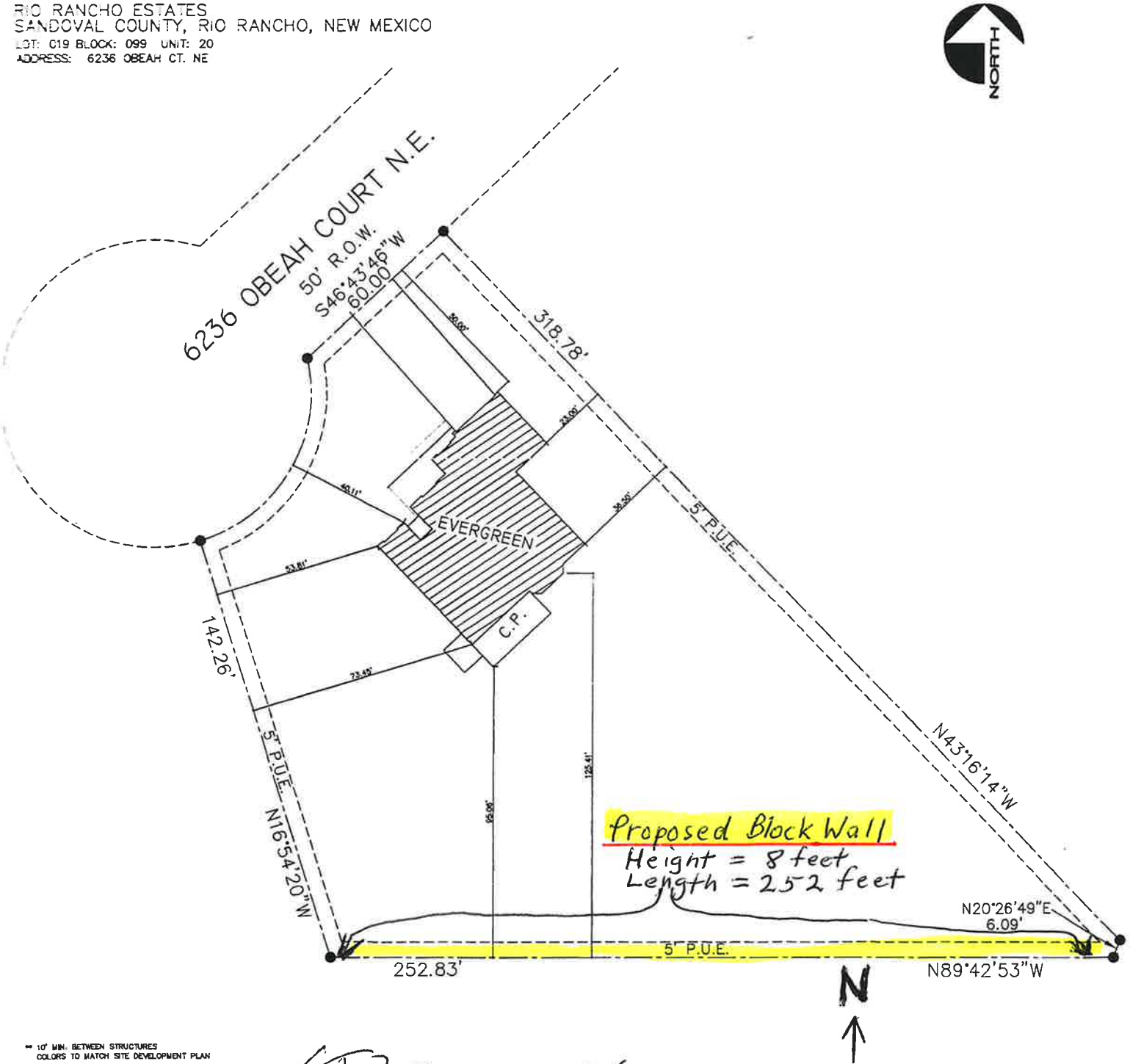
Yaoying He _____ Date 7/12/23

SITE PLAN

SCALE 1"=40'

LEGAL DESCRIPTION:

RIO RANCHO ESTATES
SANDOVAL COUNTY, RIO RANCHO, NEW MEXICO
LOT: 019 BLOCK: 099 UNIT: 20
ADDRESS: 6236 OBEAH CT. NE



= 10' MIN. BETWEEN STRUCTURES
COLORS TO MATCH SITE DEVELOPMENT PLAN

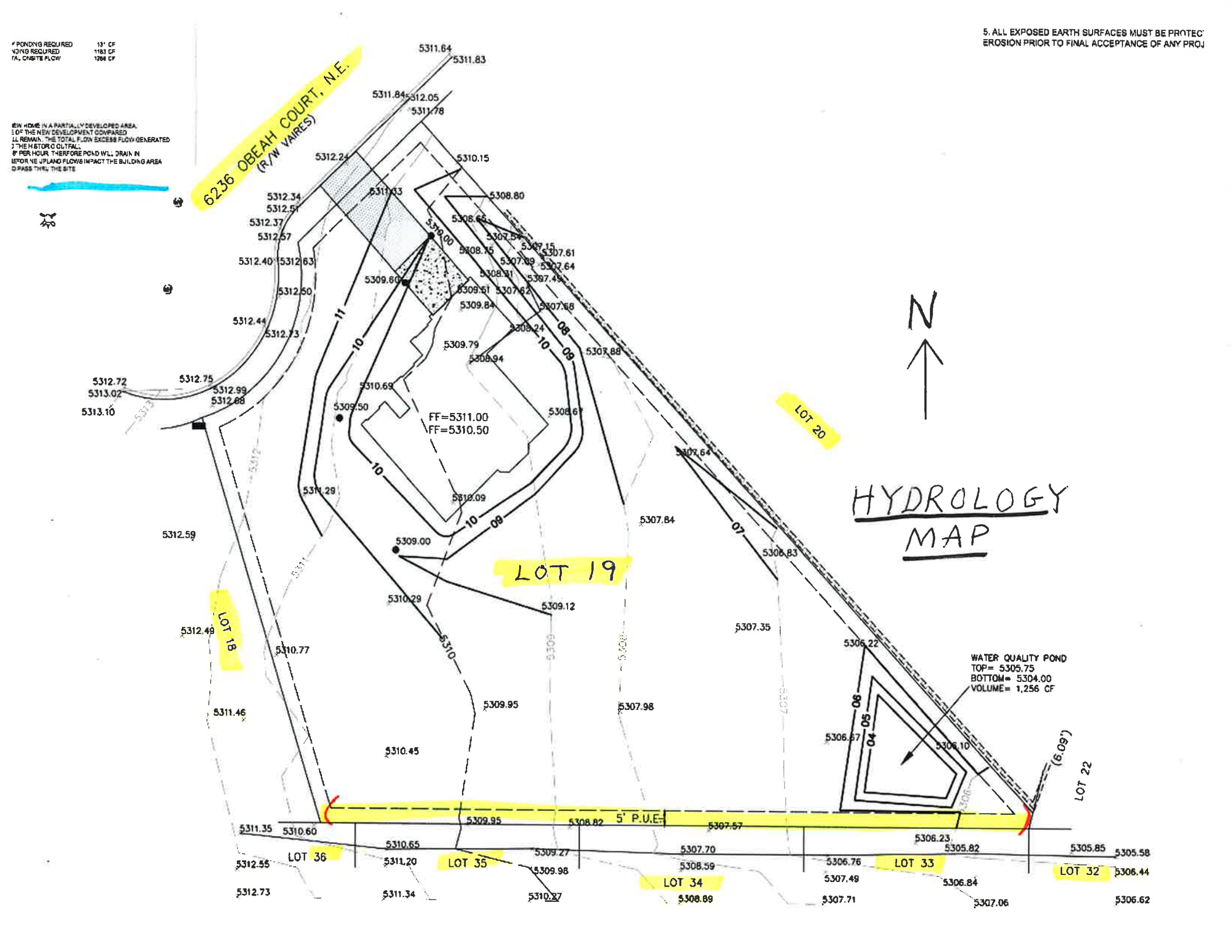
AREA: 3/4 ACRE (38,128.00)
LDING AREA: 2667
RCH: 29
ERED PATIO: 254
N PATIO: 80
EWALK: 136
EWAY: 858

5/16/18

5/16/18

SITE PLAN

SUMMERTREE HOMES


5. ALL EXPOSED EARTH SURFACES MUST BE PROTEC
EROSION PRIOR TO FINAL ACCEPTANCE OF ANY PROJ
PONDING REQUIRED 13' CF
VOING REQUIRED 1183 CF
TAL ONSITE FLOW 1766 CF
EW HOME IN A PARTIALLY DEVELOPED AREA
E OF THE NEW DEVELOPMENT COMPARED
LL REMAIN. THE TOTAL FLOW EXCESS FLOW GENERATED
2 THE HISTORIC OUTFALL
8' PER HOUR. THERFORE POND WILL DRAIN IN
EFORE NE UPLAND FLOWS IMPACT THE BUILDING AREA
D PASS THRU THE SITE
6236 OBEAH COURT, N.E.
(R/W VAIRES)
N
HYDROLOGY
MAP
LOT 19
LOT 20
LOT 18
LOT 22
LOT 36
LOT 35
LOT 34
LOT 33
LOT 32
FF=5311.00
FF=5310.50
WATER QUALITY POND
TOP= 5305.75
BOTTOM= 5304.00
VOLUME= 1,256 CF
5' P.U.E.
(6.09')

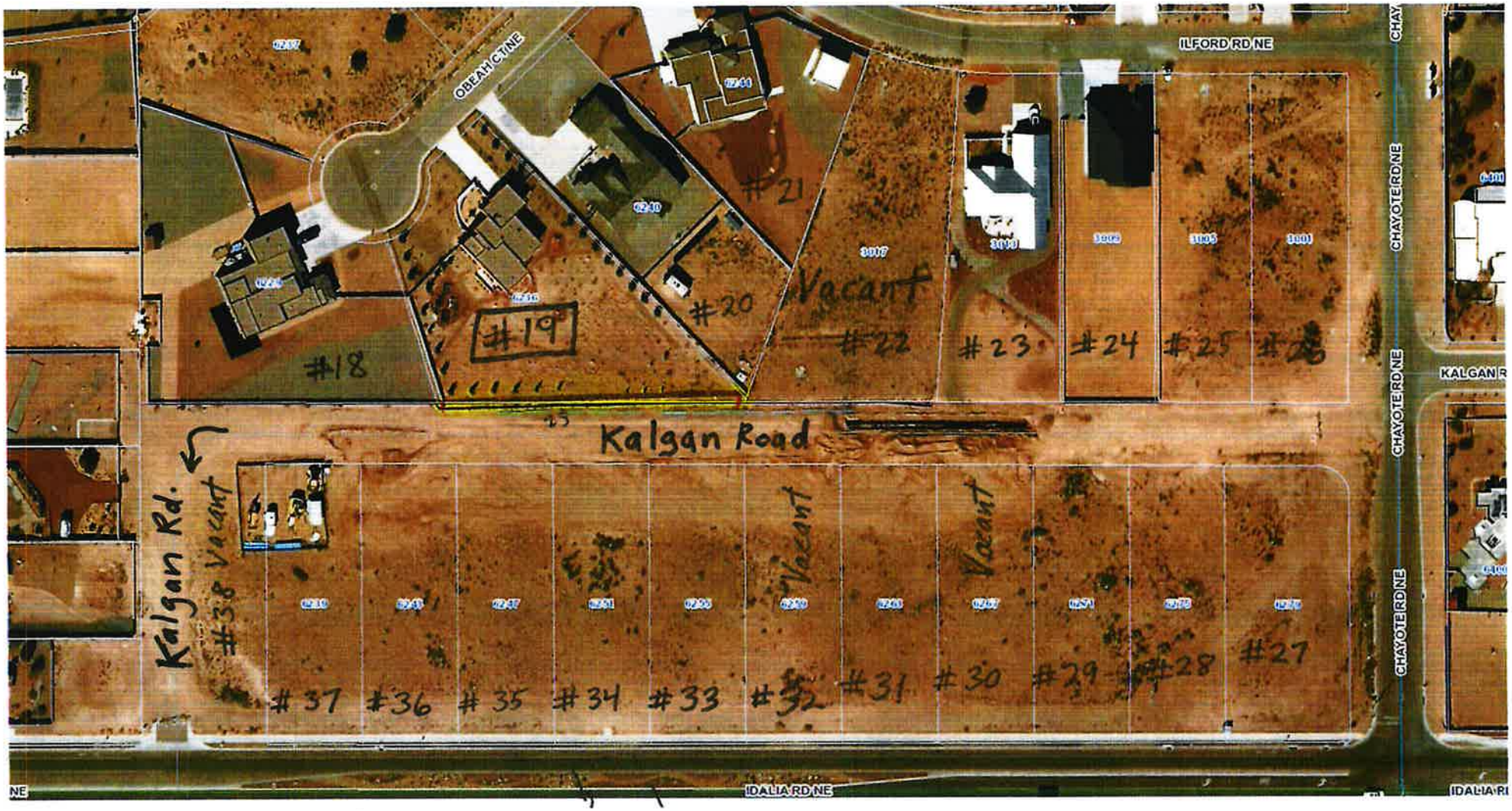
Google Maps



Imagery ©2023 Airbus, CNES / Airbus, Maxar Technologies, NMRGIS, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 100 ft

N

GOOGLE MAP

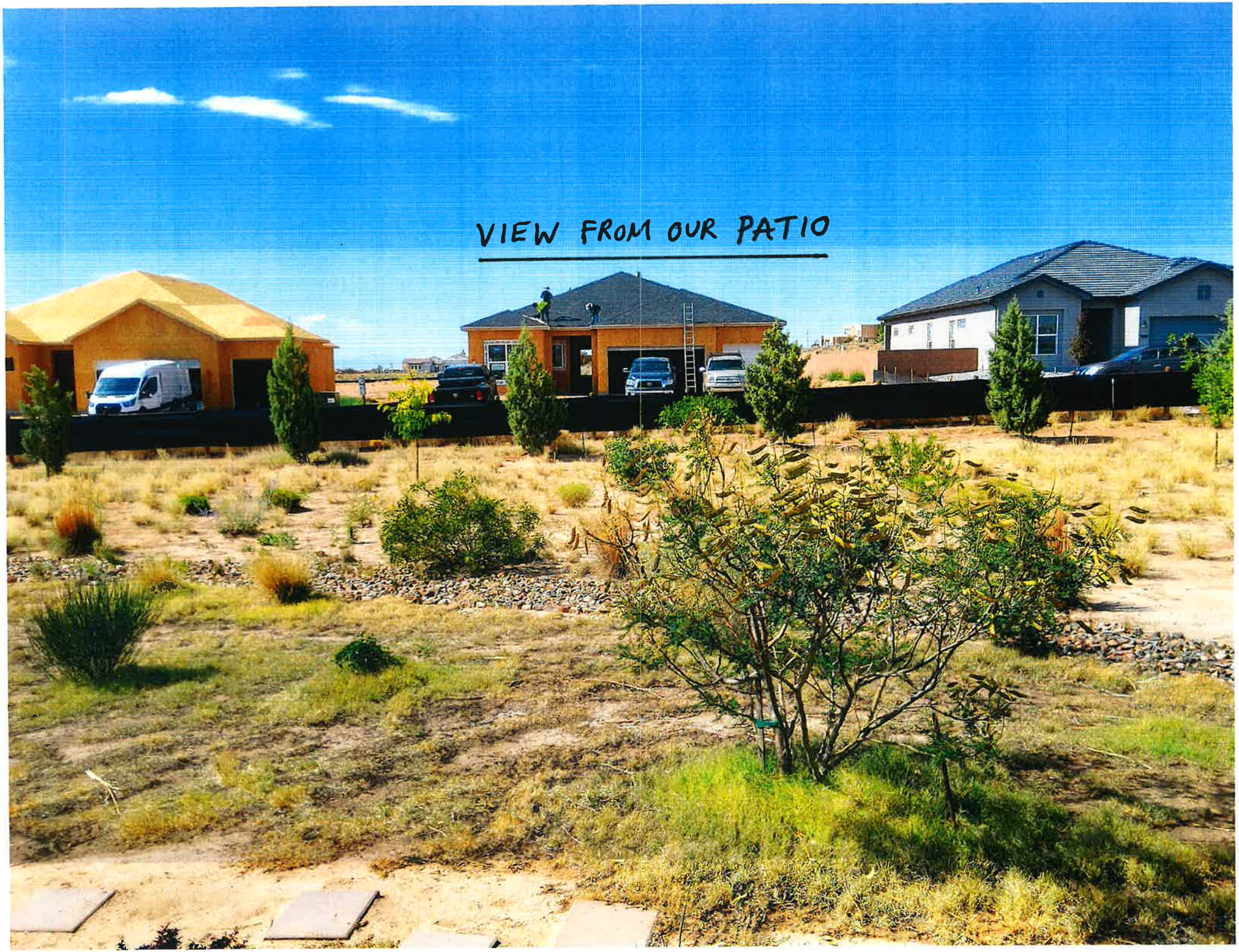


GOOGLE MAP (Lot numbers + addresses)

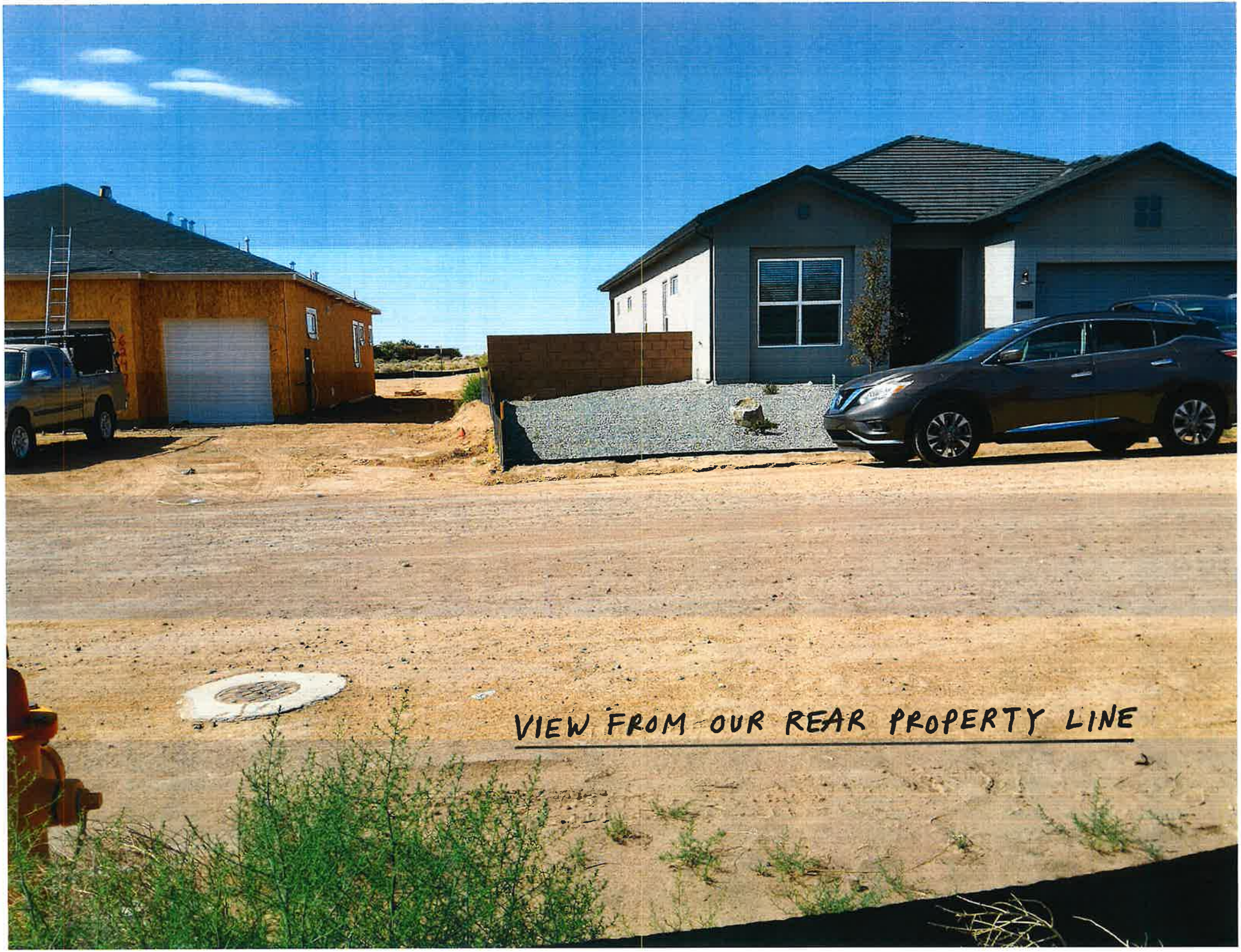

GARDENS

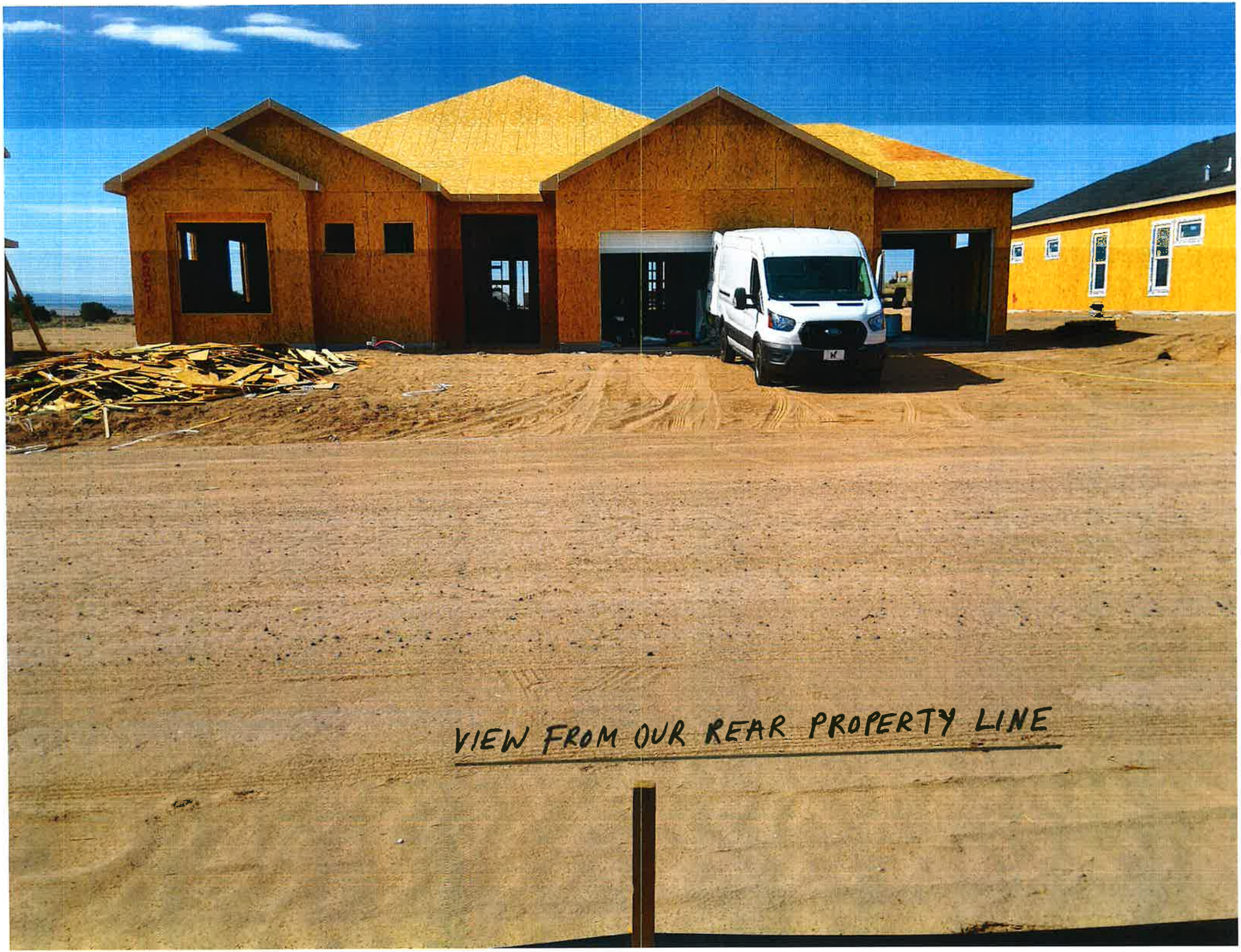

GARDENS

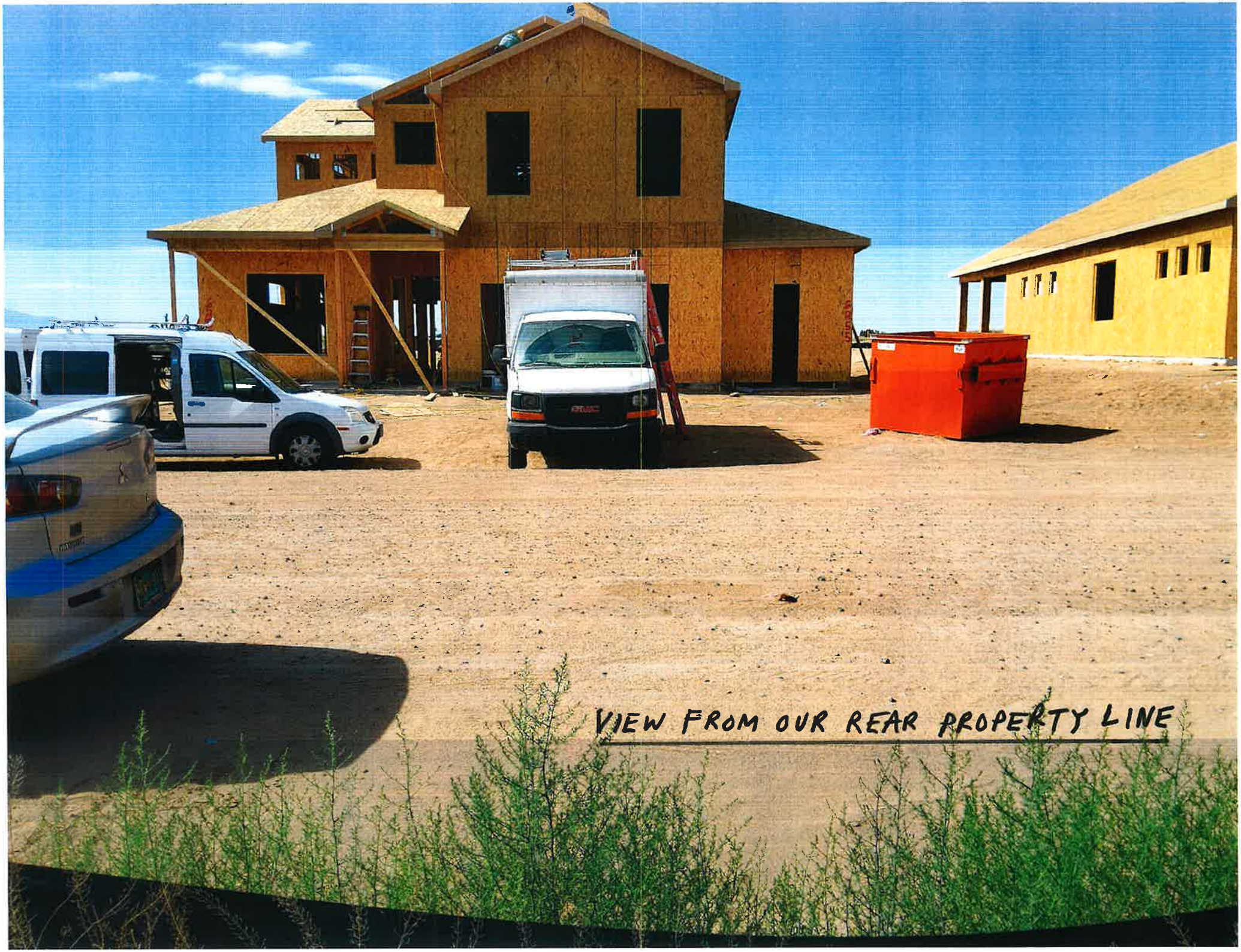
GARDENS


VIEW FROM OUR PATIO


VIEW FROM OUR PATIO


VIEW FROM OUR REAR PROPERTY LINE


VIEW FROM OUR REAR PROPERTY LINE


VIEW FROM OUR REAR PROPERTY LINE

Letter of Consent

Date: July 9, 2023

I am the property owner of record for **6229 Obeah Court NE, Rio Rancho, NM**. Legal Description: Subdivision **Rio Rancho Estates Unit 20 (Vista Entrada)**, Block **99**, Lot **18**.

With my signature below, I hereby grant written permission to the adjoining property owners, **Ron Falkner and Yaoying He** of **6236 Obeah Court NE, Rio Rancho, NM** for the sole purpose of installing a retaining (block) wall that is eight (8) feet high along the rear boundary of their property which abuts the dirt portion of Kalgan Road.

Print Name: KEVIN GRANNAN

Signature: Kevin Grannan

Print Name: Candi Grannan

Signature: Candi Grannan

Letter of Consent

Date: 07/10/2023

I am the property owner of record for **6240 Obeah Court NE, Rio Rancho, NM**. Legal Description: Subdivision **Rio Rancho Estates Unit 20 (Vista Entrada)**, Block **99**, Lot **20**.

With my signature below, I hereby grant written permission to the adjoining property owners, **Ron Falkner and Yaoying He** of **6236 Obeah Court NE, Rio Rancho, NM** for the sole purpose of installing a retaining (block) wall that is eight (8) feet high along the rear boundary of their property which abuts the dirt portion of Kalgan Road.

Print Name: Cheryl Frost

Signature: Cheryl Frost

Print Name: Lyle Frost

Signature: Lyle Frost

Letter of Consent

Date: 7/9/2023

I am the property owner of record for **3013 Ilford Road NE, Rio Rancho, NM**. Legal Description: Subdivision **Rio Rancho Estates Unit 20 (Vista Entrada)**, Block **99**, Lot **23**.

With my signature below, I hereby grant written permission to the adjoining property owners, **Ron Falkner and Yaoying He** of **6236 Obeah Court NE, Rio Rancho, NM** for the sole purpose of installing a retaining (block) wall that is eight (8) feet high along the rear boundary of their property which abuts the dirt portion of Kalgan Road.

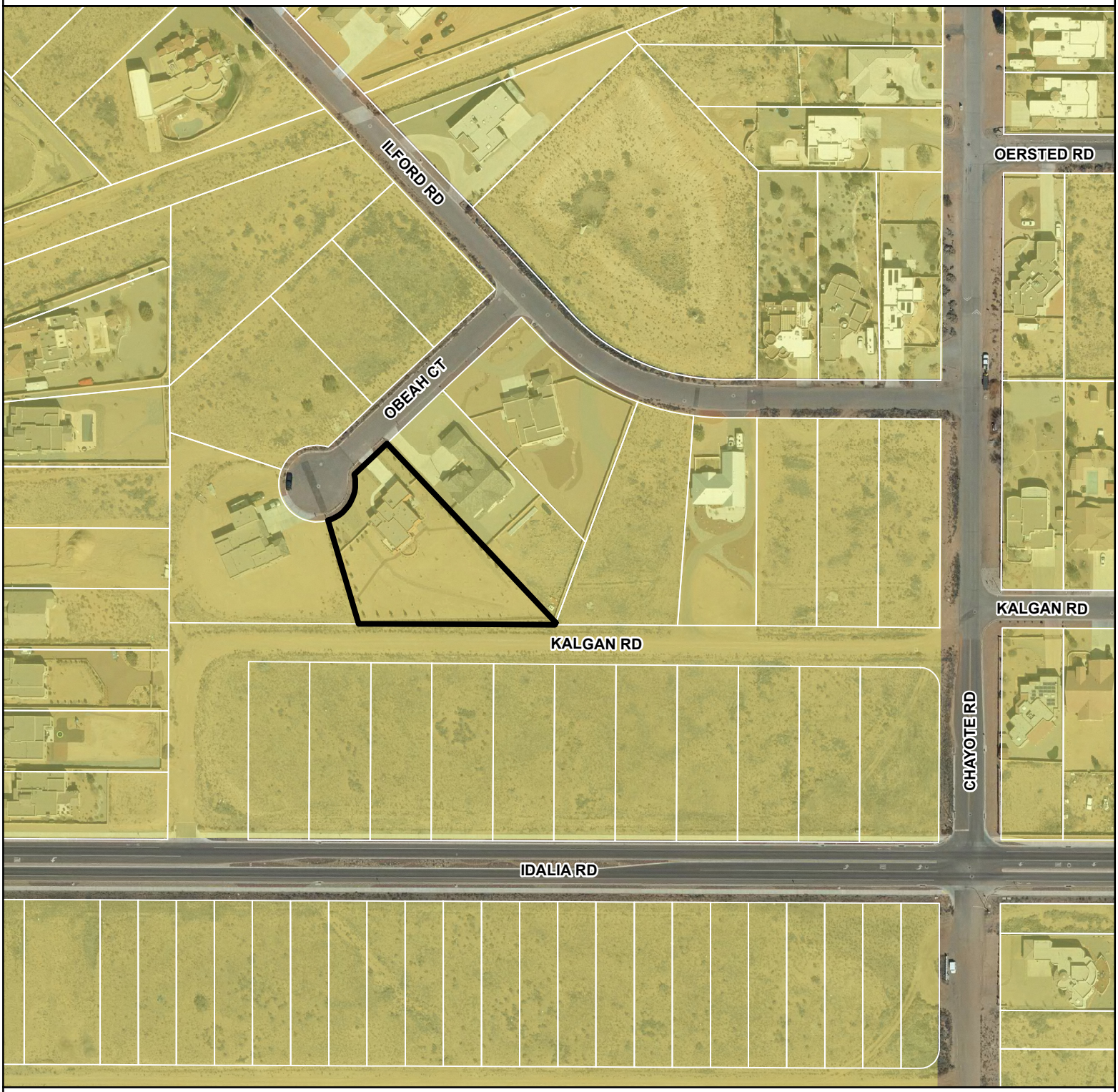
Print Name: JEFF NEWMANN

Signature: _____

Print Name: _____

Signature: _____

6236 OBEAH CT NE- VARIANCE



RioRancho City of Vision

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Feet

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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.

GIS Moving Spatial Data Forward

Map Created by Liz Ruiz Carlos on 7/21/2023

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

July 21, 2023

RE: Variance,
Case No. 23-110-00009
6236 Obeah Ct NE (U20, Blk 99, Lot 19)

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 applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single-Family Residential and totals .87 acres.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, August 8, 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 black outline.

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

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

Please do not hesitate to contact me via e-mail me at lruizcarlos@rrnm.gov or call me at 505-896-8785, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

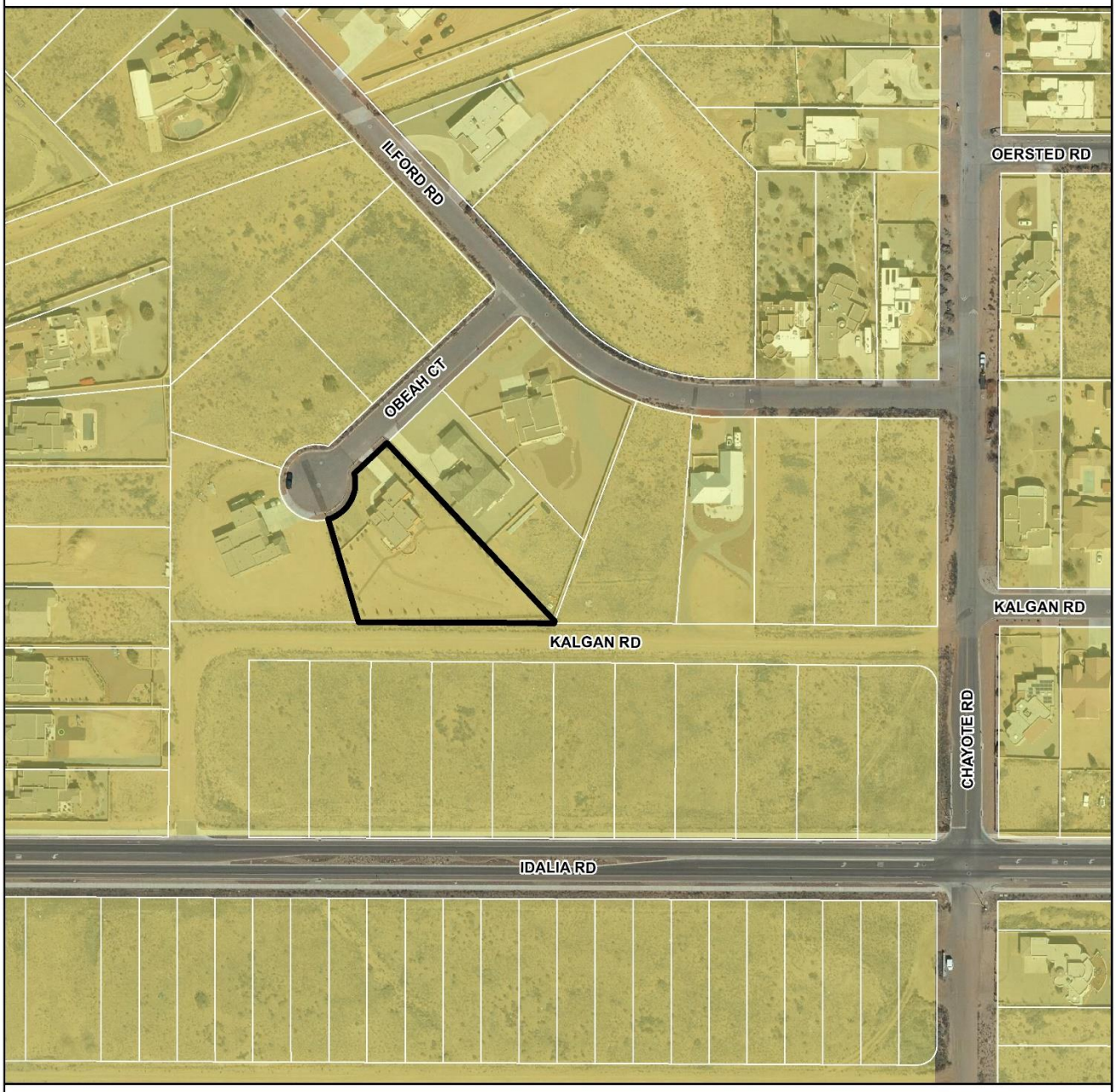
Liz Ruiz Carlos

Liz Ruiz Carlos
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

6236 OBEAH CT NE- VARIANCE



RioRancho City of Vision

0 50 100 200
Feet

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Subject Property
Zoning
R-1

GIS Moving Spatial Data Forward

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

Map Created by Liz Ruiz Carlos on 7/21/2023

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

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**July 8, 2023**
Time:	6:00PM
Staff Contact:	Liz Ruiz Carlos (505) 896-8785 lruizcarlos@rrnm.gov

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Location:	Virtual (Zoom)/City Hall
Date:	**July 8, 2023**
Time:	6:00PM
Staff Contact:	Liz Ruiz Carlos (505) 896-8785 lruizcarlos@rrnm.gov

Application Information

You are receiving this notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board. The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The PZB will hear the request on August 8, 2023.

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

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

Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



Application Information

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Development Services Department
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Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**July 8, 2023**
Time:	6:00PM
Staff Contact:	Liz Ruiz Carlos (505) 896-8785 lruizcarlos@rrnm.gov

Application Information

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Application Information

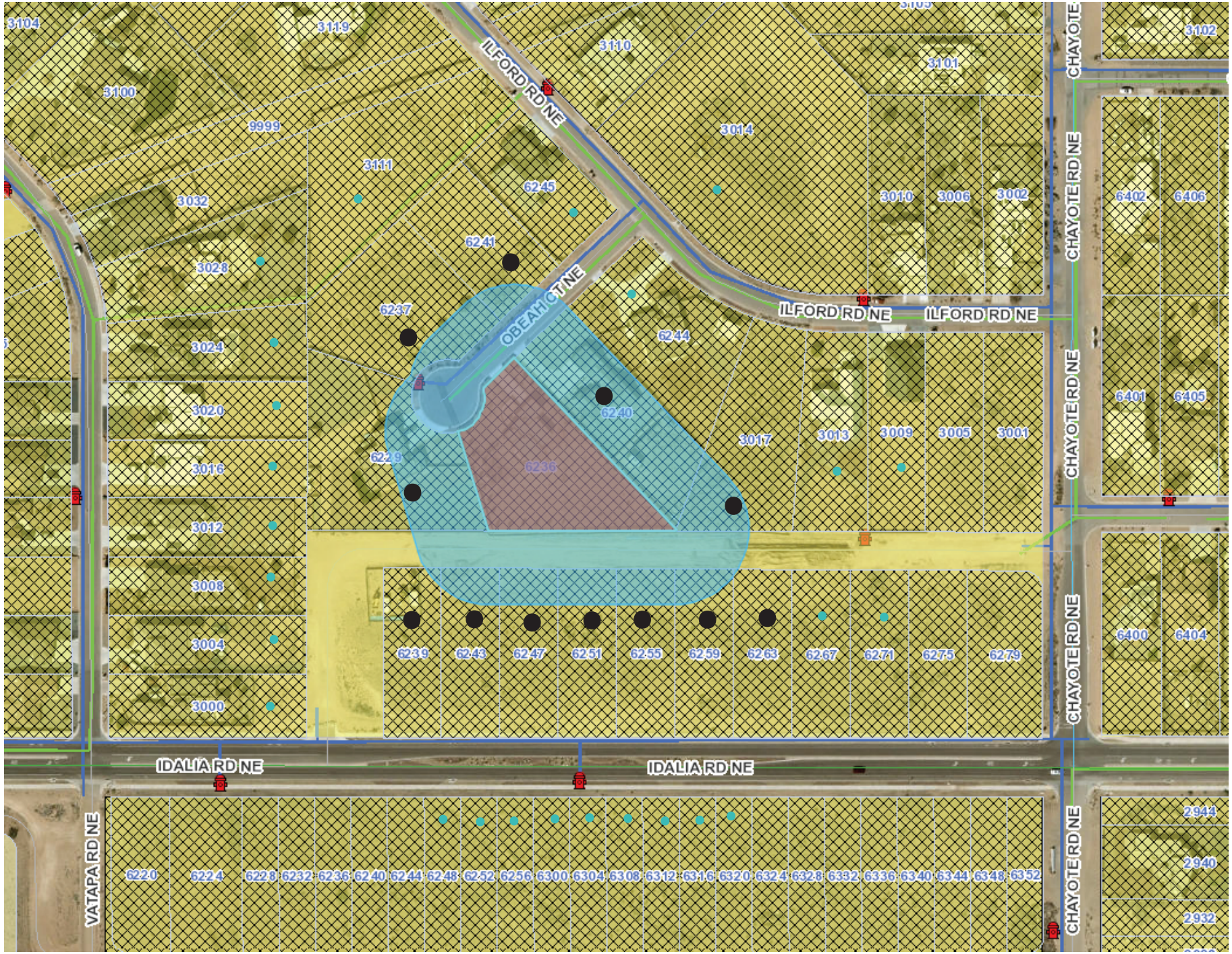
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Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US





Notice Map:

- ● - 100ft f/subject property, certified letter
- ● - 300ft f/subject property, informational postcard

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: July 24, 2023

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 23-110-00009

REQUEST FOR VARIANCE TO THE MAXIMUM FENCE HEIGHT ALLOWANCE FOR A FENCE LOCATED IN THE REAR SETBACK, TO ALLOW FOR A 8' TALL FENCE, FOR THE PROPERTY LOCATED AT 6236 OBEAH CT NE (U20, BLK 99, LOT 19).

Applicant: Ron Falkner and Yaoying He

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 8th day of August, 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 a variance request.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make application to request a variance to the maximum fence height allowance in the rear setback.
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT:

1. The applicant has adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. A variance to R.O. 2003 §154.77(D)(2) allowing for a maximum height of 6ft for a fence located in the rear setback, to allow for a fence measuring 8ft tall, as shown on the included site plan, is approved.
3. The applicant must adhere to all other requirements found within R.O. 2003 §154.77.
4. The applicant must apply for and obtain a building permit within 12 months or the variance is null and void.

THEREFORE, the application for a variance to the maximum fence height allowance for a fence located in the rear setback, to allow for a 8' tall fence, for the property located at 6236 Obeah Ct NE, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning and Zoning Board Chair

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 23-110-00009

REQUEST FOR VARIANCE TO THE MAXIMUM FENCE HEIGHT ALLOWANCE FOR A FENCE LOCATED IN THE REAR SETBACK, TO ALLOW FOR A 8' TALL FENCE, FOR THE PROPERTY LOCATED AT 6236 OBEAH CT NE (U20, BLOCK 99, LOT 19).

Applicant: Ron Falkner and Yaoying He

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GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make application to request a variance to the maximum fence height allowance in the rear setback.
4. Due process was provided to the applicant and adjacent property owners.

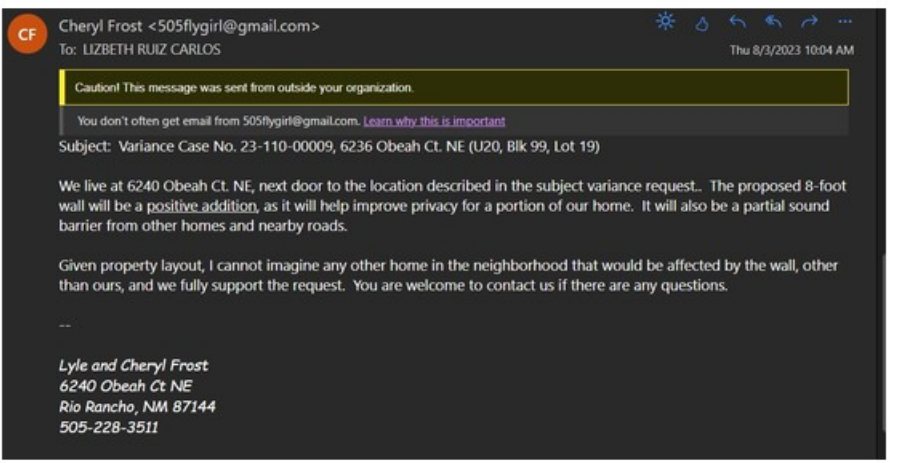
SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code.

THEREFORE, the application for a variance to the maximum fence height allowance for a fence located in the rear setback, to allow for a 8' tall fence, for the property located at 6236 Obeah Ct NE, is DENIED by the Planning & Zoning Board of the City of Rio Rancho on August 8, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning and Zoning Board Chair



CF

Cheryl Frost <505flygirl@gmail.com>

To: LIZBETH RUIZ CARLOS

Thu 8/3/2023 10:04 AM

Caution! This message was sent from outside your organization.

You don't often get email from 505flygirl@gmail.com. Learn why this is important

Subject: Variance Case No. 23-110-00009, 6236 Obeah Ct. NE (U20, Blk 99, Lot 19)

We live at 6240 Obeah Ct. NE, next door to the location described in the subject variance request.. The proposed 8-foot wall will be a positive addition, as it will help improve privacy for a portion of our home. It will also be a partial sound barrier from other homes and nearby roads.

Given property layout, I cannot imagine any other home in the neighborhood that would be affected by the wall, other than ours, and we fully support the request. You are welcome to contact us if there are any questions.

--

Lyle and Cheryl Frost
6240 Obeah Ct NE
Rio Rancho, NM 87144
505-228-3511

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-220-00010

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Preliminary/Final Plat. The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the dedication of Lazo Road SE and the creation of two lots and one parcel, on the property legally described as Unit 16, Block 88, Lots 7 and 34. Staff contact is Liz Ruiz Carlos and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for Lazo Road SE. The plat depicts the resulting configuration of right-of-way (ROW) obtained by deed, extending from 26th St to Nicklaus Dr NE. 26th St and Nicklaus Dr NE, are both existing, paved, residential roads, measuring 50' wide. The plat reflects the intended 50' wide future ROW (to be named Lazo Road SE) that will connect 26th St and Nicklaus Dr NE. The subject property is currently legally described as Unit 16, Block 88, Lots 7 and 34.

The subject properties are zoned C-1: Retail-Commercial District (Lot 34) and NC: Neighborhood-Commercial District (Lot 7) under Ordinance No. 1, Enactment 15-01 and Ordinance No. 9, Enactment No. 05-09. The subject property is within the Southern Boulevard Specific Area Plan (R. 82, Enact. 04-081) which identifies land uses for the subject property.

I. GENERAL INFORMATION
1. Layout: The proposed subdivision is dedicating ROW for Lazo Rd SE and creating two lots and one parcel.
2. Acreage: 0.9999 acres.
3. Access: The proposed lots would be accessed off of Nicklaus Dr SE and 26th St SE.
4. Zoning: The subject property is zoned C-1: Retail-Commercial District and NC: Neighborhood-Commercial District under Ordinance No. 1, Enactment 15-01 and Ordinance No. 9, Enactment No. 05-09.
5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Cable One, Centurylink, PNM and Gas Company of New Mexico.
6. Water and Wastewater Availability: The new lots to the north of the ROW may be serviced by City water and wastewater. The property owners will need to confirm availability upon development.
7. Drainage: Drainage and infrastructure plans will be reviewed upon development and installation of improvements.
8. Roads & Sidewalks: There are 0.38314 acres of ROW being dedicated with this plat.
9. Recreation Facilities/Open Space: None
10. Easements: The plat is granting 5 ft PUEs adjacent to the proposed right-of-way on Lots 34-A and 7-A and on Parcel A. Existing PUEs on lots and Parcel A shall remain. 5 ft PUEs to be vacated where proposed right-of-way is located.

11. Public Site Dedications: None
12. Vacations: None
13. Variances: None

II. CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:
Staff recommends the Planning and Zoning Board find the proposed preliminary/final plat conforms to the requirements of R.O. 2003 Chapter 155 Subdivisions. The infrastructure and improvement plans shall be provided and approved pending plat approval. Criteria is satisfied.

III. CONFORMANCE WITH THE ZONING ORDINANCE:
The proposed lots would not comply with the dimensional standards of the C-1: Retail Commercial zoning district and NC: Neighborhood Commercial zoning district including lot area as laid out in R.O. 2003 § 154.51. The proposed preliminary plat contains two lots which would both measure approximately 0.23578 acres, below the half acre minimum lot area of the C-1: Retail Commercial Zoning District and quarter acre minimum of the NC: Neighborhood Commercial Zoning District. The properties comply with City Zoning Ordinance under City Code Section 154.80 "Nonconforming Uses ... (G) Public acquisition of right-of-way that makes a property fall below the required acreage of the zoning district does not make the lot nonconforming if all other standards in this title can be met."

Staff recommends the Planning and Zoning Board find the proposed preliminary/final plat conforms to the requirements of R.O. 2003 Chapter 154 Planning and Zoning, as the public acquisition of right-of-way allows the properties to fall under the acreage requirements of the zoning district if the other standards can be met for development [154.80(G)].

IV. CONFORMANCE WITH CITY COMPREHENSIVE PLAN:
In Chapter 7, Transportation Element, Policy TR-9 seeks to "Plan rights-of-way prior to development review and, where appropriate, officially secure them by dedication or reservation of property." This application would be an action in meeting this policy.

Staff recommends the Planning and Zoning Board find this criteria is satisfied.

V. CONFORMANCE WITH CITY POLICIES AND REGULATIONS
The following departments reviewed the application:
DSD Planning and Zoning - No adverse comments
DSD Engineering - No comments provided
Rio Rancho Public Schools - No comments provided
Fire and Rescue - No adverse comments
Police Department - No comments provided
SSCAFCA - No adverse comments
MRCOG - No adverse comments
Parks, Recreation and Community Services - No adverse comments.

NOTIFICATIONS: Notice of a pending preliminary/final plat application was sent via first class mail to property owners adjacent to the subject property. A legal notice was published in the Albuquerque Journal on July 24, 2023. A notice sign was posted to the property on July 31, 2022. All legal notification requirements have been met.

IMPACT:
The Development Services Department recommends the Planning and Zoning Board approve preliminary/final plat subject to the following findings of fact and conditions of approval.

FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of the preliminary/final plat and the subject property.
2. The applicant has the authority to apply for a preliminary/final plat.
3. Neighboring property owners and the applicant/agent received written notices and were allowed to comment at a public hearing.

SPECIFIC FINDINGS OF FACT FOR APPROVAL:
1. The preliminary/final plat has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary/final plat conforms to the requirements of the Rio Rancho Code of Ordinance (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary/final plat conforms to the requirements of the C-1: Retail-Commercial District under Section 154.80 (G).
4. The preliminary/final plat conforms to the requirements of the NC: Neighborhood-Commercial District under 154.80 (G).
5. A Water/Waste Water Availability statement from the Utility Division is required prior to future commercial site development.
6. All future development shall conform to all applicable city codes and ordinances.

ALTERNATIVES:

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

DEPARTMENT RECOMMENDATION:

Staff recommends approval with findings.

ATTACHMENT: Application Package
ATTACHMENT: Location and Zoning Map.pdf
ATTACHMENT: NeighboringPropertyOwnerLetter.pdf
ATTACHMENT: Notice Map.pdf
ATTACHMENT: Legal Ad.pdf
ATTACHMENT: Public Comment.jpg

Rio Rancho
City of Vision

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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: CITY OF RIO RANCHO		Phone: 505-891-5000
Address: 3200 CIVIC CENTER NE		E-Mail: planning@rrnm.gov
City: RIO RANCHO	State: NM	Zip: 87144
Proprietary Interest: OWNER	List Owners: CITY OF RIO RANCHO	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: HUITT-ZOLLARS, INC.		Phone: 505-235-5185
Address: 333 RIO RANCHO DRIVE NE, SUITE 101		E-Mail: jsmith@huitt-zollars.com
City: RIO RANCHO	State: NM	ZIP Code: 87124

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

Reconfigure property lines as shown on sketch.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Rio Rancho Estates	Block(s): 88	Lot(s): 7 and 34
Existing Zoning: Retail Commercial District, Neighborhood Commercial	Proposed Zoning: NA	
No. of existing lots: 2	No. of proposed lots: 3	Total area of site (acres) 1.00

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: JASON SMITH	Applicant:	Agent: HUITT-ZOLLARS, INC.
Signature:		Date: 6/29/2023

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Form revised January 26, 2017

CITY OF RIO RANCHO
SUMMARY PLAT CHECKLIST

The following elements constitute a complete application and are to be submitted to the City Development Department.

	SUBMITTAL ITEMS
X	Completed Summary Plat Application Form
NA	1 PDF CD disk copy of proposed plat
NA	**Two (2) copies each of:** 24"x36" paper copies of the proposed plat (folded to approximately 9"x12") and supporting plat
NA	Letters of Authorization from property owner or agent
X	**Each Summary Plat will have:** Survey tied-in property corners (2 minimum) with references to the New Mexico State Plane Central Meridian Datum '83, or a monument that references the New Mexico State Plane Central Meridian Datum '83. (Reference City of Rio Rancho Code Chapter 155.24 (D), (3), (a), and 155.25,(C), (5)).
X	Engineering Scale and North Arrow
X	A Notice of Free Consent with signature line(s) for Property Owner(s)
X	A Purpose of Plat Statement
X	The Legal Description
X	A Plat title
NA	A City Book and Page Plat Number (as assigned)
X	A Jurisdictional Affidavit
X	The Surveyor of Record affidavit and signature
X	Surveyor of record Stamp and Date
X	Plat boundary lines. Bearing in degrees, minutes and seconds, with basis or functional reference system; both the record and measured bearings and distances.
X	Numbers or letters to identify each parcel, tract, lot and block within and abutting the platted area.
X	Certification of the Sandoval County Treasurer or by any duly qualified abstract company that the previous 10 years property taxes due and payable have been paid in full.
X	Subdivision data for the plat containing the gross plat acreage to the nearest thousandths of an acre, the total number of lots, parcels and tracts, and the acreage of street ROW or easements if any created or deleted by this plat.
X	Lot lines, easement lines and public ROW lines proposed to be eliminated shown as dashed lines. Vacated easements and ROWs are to be shown as hatched areas.
X	Lot lines and public ROW lines, street names, ROW and street widths, public and proposed; indicate roadways intended to be private; ROWs for public service utilities and any limitations thereof.
X	Perimeter Public Utility Easements to be dedicated with summary plats unless

	otherwise approved by the Development Services Director or other City approved document. These easements are 10 feet wide adjacent to all Right-of-ways and 5 feet wide adjacent to all other properties. These easements coincide with minimum building setbacks.
X	Legal descriptions of adjacent land in each direction from the site.
NA	Notes describing any special conditions or characteristics of the plat, including any PZ or GB actions and property owner agreements referenced in the plats.
X	**Utility Approval Signatures:** (currently) Cable One Century Link New Mexico Gas Company Public Service Company of New Mexico City of Rio Rancho (currently) David Serrano
X	**Administrative Approval Signatures**: Development Services Director (currently) Anthony Caravella City Clerk's Signature (currently) Stephen Ruger Sandoval County Treasurer Signature (currently) Laura Montoya (All Affidavits and Notarizations as necessary)
X	City Rio Rancho Mayor's Signature (only as necessary)* Greggory D. Hull
X	Southern Sandoval County Arroyo and Flood Control Authority (SSCAFCA) (only as necessary)*
X	New Mexico Department of Transportation (NMDOT) (only as necessary)*
X	Payment of Summary Plat Application Fee (See City of Rio Rancho Fee Schedule #)

I have submitted this application for Summary Plat and believe it to be complete to the best of my ability.

Jason D. Smith — Applicant

6/29/2023 — Date

***The summary plat process will not begin until the application is considered complete.**

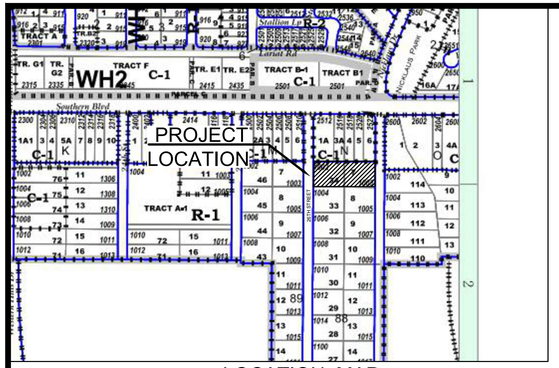
I have reviewed the application for Summary Plat and believe it to be complete.

_____ — Staff Member

_____ — Date

SUMMARY PLAT
OF
LOTS 7-A, , 34-A, 34-B AND PARCEL A
BLOCK 88, UNIT 16
RIO RANCHO ESTATES
BEING A REPLAT OF LOTS 7 AND 34, BLOCK 88, UNIT 16
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2
JUNE 2022



LOCATION MAP
ZONE ATLAS SHEET NO. 046

REFERENCE DOCUMENTS:

1. PLAT OF RIO RANCHO ESTATES, UNIT 16, FILED 8/24/1964 IN BOOK 1, PAGE 62, SANDOVAL COUNTY , NEW MEXICO.
2. PLAT OF LOT 1A AND LOT 3A RIO RANCHO ESTATES , UNIT 16, FILED 9/18/1990, IN VOLUME 3, FOLIO 868-B, SANDOVAL COUNTY , NEW MEXICO.
3. PLAT OF LOT 4-A, BLOCK N, UNIT 16, RIO RANCHO ESTATES, FILED 2/20/2007 IN BOOK 410, PAGE 7493.
4. LOT 7A IS SUBJECT TO A DECLARATION OF RECIPROCAL PARKING, SEPTIC TANK, TRASH ENCLOSURE AND ACCESS EASEMENT, RECORDS OF SANDOVAL COUNTY, NEW MEXICO IN BOOK 410, PAGE 6126, FILED 2/9/2007.
5. PRIVATE SEWER EASEMENT RECORDS OF SANDOVAL COUNTY, NEW MEXICO IN BOOK410, PAGE 20769, FILED 5/17/2007.
6. TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL INSURANCE COMPANY, FILE # 2202931 COMPLETED ON 4/19/2022.
6. TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL INSURANCE COMPANY, FILE # 2202933 COMPLETED ON 4/21/2022.
7. ADDITIONAL ROADWAY RIGHT OF WAY FOR LAZO ROAD SE DEDICATED TO THE CITY OF RIO RANCHO IN FEE SIMPLE BY THE FILING OF THIS PLAT.

GENERAL NOTES

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS (NAD 83 CENTRAL ZONE)
2. DISTANCES SHOWN ARE GROUND DISTANCES.
3. BEARINGS AND DISTANCES WITHIN PARENTHESES () ARE PER THE RECORDED PLAT OF RIO RANCHO ESTATES UNIT 16, RECORDED IN SANDOVAL COUNTY, NM , BK. 1, PG. 62, 8/24/1964.
4. ALL CORNERS SET ARE A 5/8" REBAR WITH CAP STAMPED 17122, UNLESS OTHERWISE NOTED HERON.

SUBDIVISION DATA

SUBDIVISION: SUMMARY SUBDIVISION PLAT

NO. OF EXISTING LOTS: 2

NO. OF NEW LOTS CREATED: 3

TOTAL PLAT ACREAGE: 0.9999 ACRES

NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO: 0.38314 ACRES

PURPOSE OF PLAT

1. TO RECONFIGURE LOT 7 AND LOT 34, BLOCK 88 AND CREATE A TOTAL OF 2 NEW LOTS AND ONE PARCEL (LOT 34-A, 34-B, PARCEL A).
2. DEDICATION OF LAZO ROAD S.E. TO CITY OF RIO RANCHO IN FEE SIMPLE AS SHOWN HEREON.
3. TO CREATE NEW A 5' PUBLIC UTILITY EASEMENT P.U.E. ON LOTS 34-A, 7-A, PARCEL A AS SHOWN HEREON.
4. TO VACATE A 5' AND A 10' PUBLIC UTILITY EASEMENT P.U.E. ON ON LAZO RAOD S.E. AS SHOWN HEREON .

JASON D. SMITH NEW MEXICO 17122 REGISTERED PROFESSIONAL LAND SURVEYOR

JASON D. SMITH NEW MEXICO 17122 REGISTERED PROFESSIONAL LAND SURVEYOR

LEGAL DESCRIPTION:

LOTS NUMBERED SEVEN (7) AND LOT NUMBERED THIRTY FOUR (34) , IN BLOCK NUMBERED EIGHTY-EIGHT (88) OF RIO RANCHO ESTATES, UNIT 16, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON AUGUST 25, 1964, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, AT, PAGE 62.

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

FREE CONSENT AND DEDICATION

SURVEYED AND REPLATTED AND NOW COMPRISING " SUMMARY PLAT, LOTS 34-A, LOT 7-A AND PARCEL A, BLOCK 88 OF RIO RANCHO ESTATES UNIT 16, TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO", WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE WISHES AND 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 THE EXISTING 5' WIDE (P.U.E.) AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE GRANTING OF A 5' WIDE P.U.E AS SHOWN HEREON. 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.

OWNER(S)

LOTS 7 AND 34, BLOCK 88

_____
CITY OF RIO RANCHO DATE

ACKNOWLEDGMENT

STATE OF _____)
)SS
COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20___, BY

CITY OF RIO RANCHO

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES_____

PUBLIC UTILITY EASEMENTS

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

A. 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.
B. PUBLIC SERVICE COMPANY OF NEW MEXICO ("PNM"), A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND NECESSARY TO PROVIDE COMMUNICATION SERVICES.
C. 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.
D. 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.
E. SPARKLIGHT FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLES, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

DISCLAIMER
IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), NEW MEXICO GAS COMPANY (NMGC), SPARKLIGHT AND QWEST CORPORATION D/B/A CENTURYLINK (QWEST) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, NMGC , SPARKLIGHT 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

_____
COMCAST DATE

RIO RANCHO PLANNING AND ZONING BOARD

Approved at their meeting on this _____ day of _____ 20____.

_____
Chairman

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

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 ADMINISTRATIVELY BY THE RIO RANCHO PLANNING AND ZONING BOARD CHAIRMAN ON THE _____ DAY OF _____ 20__.

_____
Rebecca Martinez, City Clerk

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 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 Date

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

Book Page

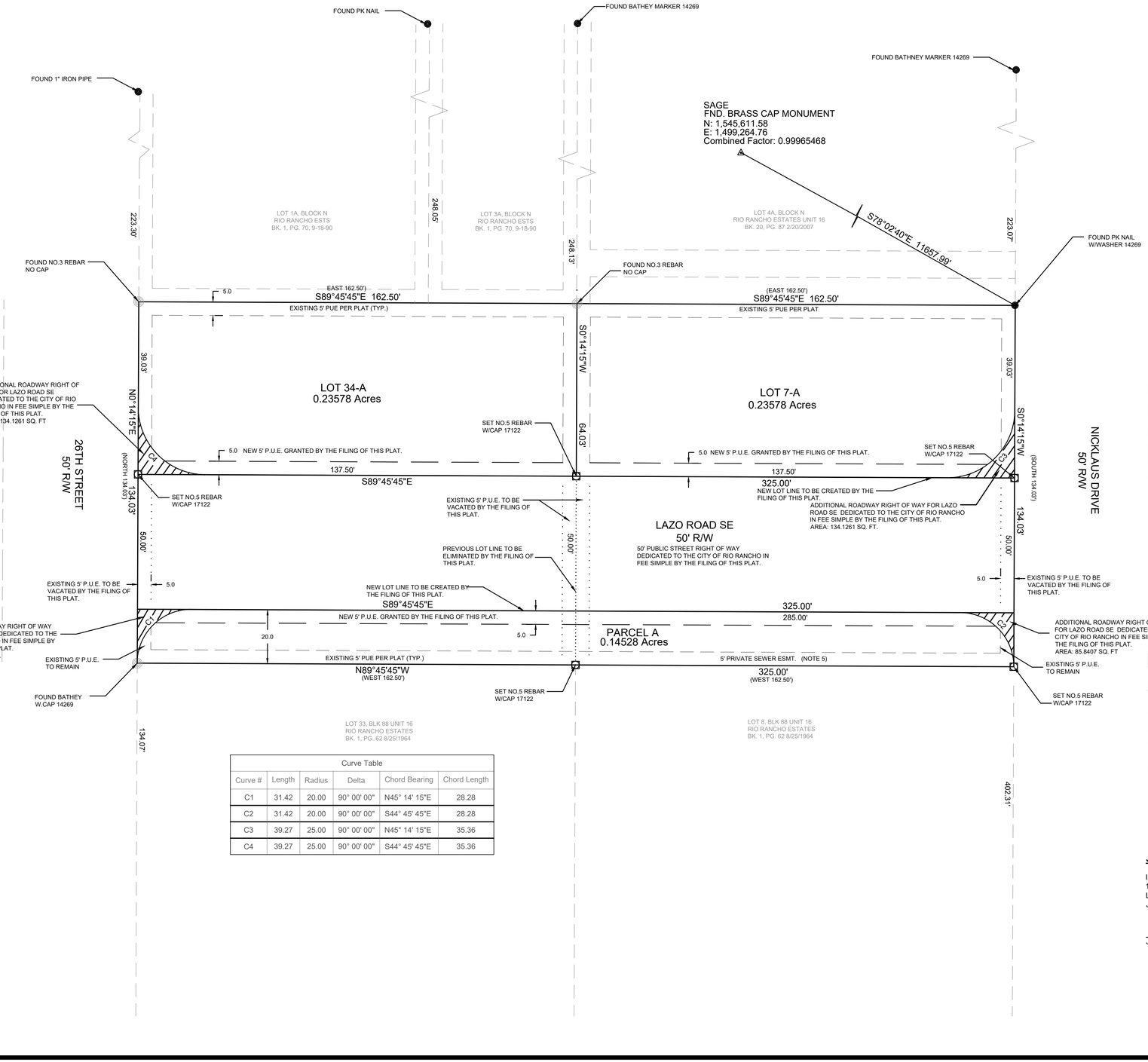
J:\Projects\R315479.01 - CORR Survey Svcs Lots 34 and 7 Unit 16\05 Design\05.11 Survey\01-DWG\X_SURV_REPLAT_R315479.01.dwg
Last Saved 6/29/2022 10:54:31 AM andrew

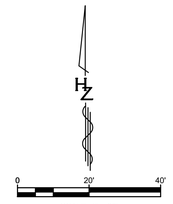
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6. TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL INSURANCE COMPANY, FILE # 2202931 COMPLETED ON 4/19/2022.
6. TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL INSURANCE COMPANY, FILE # 2202933 COMPLETED ON 4/21/2022.

SUMMARY PLAT
OF
LOTS 7-A, , 34-A, 34-B AND PARCEL A BLOCK 88, UNIT 16 RIO RANCHO ESTATES
BEING A REPLAT OF LOTS 7 AND 34, BLOCK 88, UNIT 16
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 2 OF 2
JUNE 2022





Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	31.42	20.00	90° 00' 00"	N45° 14' 15"E	28.28
C2	31.42	20.00	90° 00' 00"	S44° 45' 45"E	28.28
C3	39.27	25.00	90° 00' 00"	N45° 14' 15"E	35.36
C4	39.27	25.00	90° 00' 00"	S44° 45' 45"E	35.36

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, 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 Date

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

Book Page

RioRancho
City of Vision
Department of Public Works
Engineering Division

Legal Address: Parcel: R062140, Unit: 16
Block: 88, Lot: 34

2023010814 B: 426 P: 10814 EAS
06/06/2023 11:35:56 AM Page 1 of 4
Anne Brady-Romero, County Clerk-Sandoval County, NM

GRANT OF PUBLIC UTILITY EASEMENT

CHARLOTTE A. HARPER, Personal Representative of the Estate of Brian C. Harper ("Grantor"), for valuable consideration given, do(es) hereby give, bargain, sell, grant and convey unto City of Rio Rancho, a New Mexico municipal corporation, and other public utilities under the jurisdiction of the New Mexico Public Regulation Commission that provide public utilities within the municipal boundaries of the City of Rio Rancho (individually and collectively referred to as "Grantee") a perpetual public utility easement in and to the lands described in Exhibits A hereto, to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate, and maintain facilities for the provision, transmission, and distribution of public utilities, including but not limited to electric power, water, wastewater, natural gas, and telecommunications (including telephone and cable television services) within, on, over, beneath, across, and through said easement, which may include (but is not limited to) lines, cables, pipes, conduits and other equipment, fixtures, appurtenances, and structures necessary to maintain such facilities within the easement described above, together with free access to, from, and over said 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 easement to extend services to customers of Grantee, and to trim and remove any trees, shrubs, bushes, or vegetation and remove any structures which interfere with the purposes set forth herein, with warranty covenants.

Grantees' use of said easement shall be limited to all conditions designated on any plat of the lands through which the easement runs, as well as any recorded covenants, conditions, and restrictions applicable to said lands.

Grantor retains all rights to use the above-described property within which the easement is located for any and all purposes not inconsistent with the easement hereby granted, provided that Grantor shall not erect nor construct any building, pool, or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code or other applicable building code, or which interferes with Grantee's exercise of the rights granted herein. The provisions hereof shall be binding upon and shall inure to the benefit of the parties' respective successors and assigns.

The individual executing this document represents and warrants: (i) that he or she is authorized to do so on behalf of Grantor; (ii) that he or she has full legal power and authority to bind Grantor in accordance with the terms herein and, if necessary, has obtained all required consents or delegations of such power and authority (whether from any partner, owner, spouse, shareholder, director, member, manager, creditor, investor, developer, governmental authority, judicial or administrative body, association, or other person or entity); and (iii) that the execution, delivery, and performance by Grantor of this document and all others relating to the easement will not constitute a default under any agreement to which Grantor is a party.

Rio Rancho
City of Vision
Department of Public Works
Engineering Division

Legal Address: Parcel: R062140, Unit: 16
Block: 88, Lot: 34

IN WITNESS WHEREOF CHARLOTTE A. HARPER, Personal Representative of the Estate of Brian C. Harper has executed this instrument this 2 day of November, 2022.

grantor(s):

By: Charlotte A. Harper, PR. By: _____
Date: 11/2/2022 Date: _____

STATE OF New Mexico }
COUNTY OF Bernalillo } ss.

This instrument was acknowledged before me on November 2nd, 2022,

by Charlotte A. Harper, Personal Representative of the Estate of Brian C. Harper.

Notary Public: Cody Ellis Heindselman
My commission expires: Mar. 7, 2026

When recorded, please mail original to:
City of Rio Rancho
Public Works Department
3200 Civic Center Cir. NE
Rio Rancho, NM 87144

CODY ELLIS HEINDSELMAN
Notary Public - State of New Mexico
Commission # 1137554
My Comm. Expires Mar 7, 2026

Exhibit A

LEGAL DESCRIPTION
5.0' PUBLIC UTILITY EASMENT

A CERTAIN PARCEL OF LAND SITUATE WITHIN PROJECTED SECTION 25, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, BEING ITDENTIFIED AS A 5.0 FOOT PUBLIC UTILITY EASMENT WITHIN LOT 34, BLOCK 88 OF RIO RANCHO ESTATES, UNIT 16, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT OF RIO RANCHO ESTATES, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON 8/24/1964, IN BOOK 1, PAGE 62, BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE BEARINGS (CENTRAL ZONE) AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF 26TH STREET, WHENCE NGS CONTROL STATION MONUMENT "SAGE" BEARS N 77°25'11" W, A DISTANCE OF 11352.36 FEET;

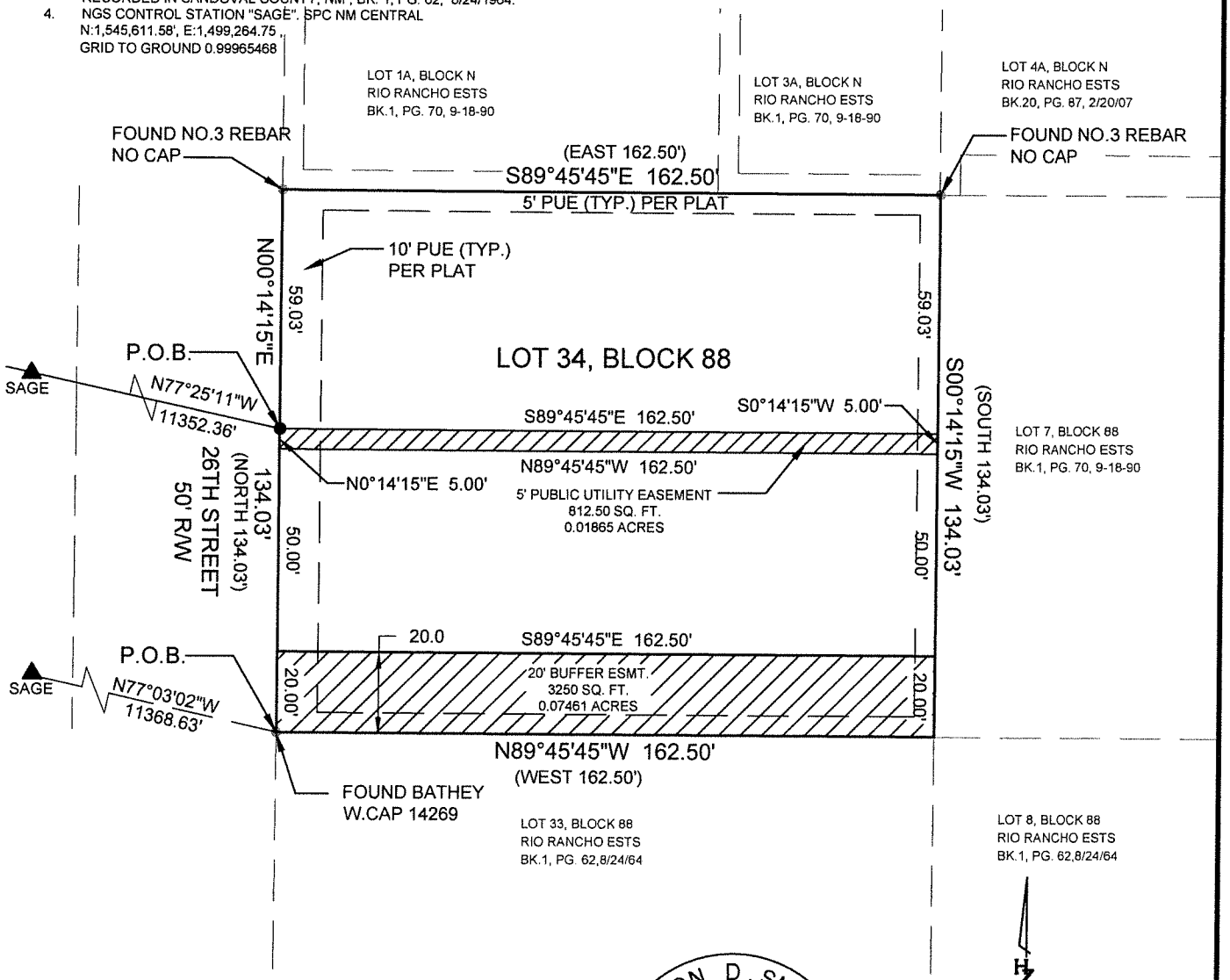
THENCE FROM SAID POINT OF BEGINNING, S 89°45'45" E, A DISTANCE OF 162.50 FEET, TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE S 00°14'15" W, A DISTANCE OF 5.00 FEET, TO THE SOUTHEAST CORNER OF THE OF THE PARCEL HEREIN DESCRIBED;
THENCE N 89°45'45" W, A DISTANCE OF 162.50 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED;

THENCE N 00°14'15" E, A DISTANCE OF 5.00 FEET, TO THE NORTHWEST CORNER OF THE OF THE PARCEL HEREIN DESCRIBED AND THE POINT OF BEGINNING, CONTAINING 0.01865 ACRES MORE OR LESS.

5' PUE & 20' BUFFER EASEMENT EXHIBIT

GENERAL NOTES

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS. (NAD 83 CENTRAL ZONE)
2. DISTANCES SHOWN ARE GROUND DISTANCES.
3. BEARINGS AND DISTANCES WITHIN PARENTHESES () ARE PER THE RECORDED PLAT OF RIO RANCHO ESTATES UNIT 16, RECORDED IN SANDOVAL COUNTY, NM , BK. 1, PG. 62, 8/24/1964.
4. NGS CONTROL STATION "SAGE", SPC NM CENTRAL N:1,545,611.58', E:1,499,264.75 , GRID TO GROUND 0.99965468



SCALE: 1" = 50'

JASON D. SMITH
NEW MEXICO
17122
PROFESSIONAL SURVEYOR

SURVEYOR'S CERTIFICATION

I, JASON D. SMITH, NEW MEXICO PROFESSIONAL SURVEYOR NO. 17122, DO HEREBY CERTIFY THAT THIS PROPERTY DESCRIPTION WAS PREPARED BY ME OR UNDER MY SUPERVISION, MEETS THE MINIMUM REQUIREMENTS FOR SURVEYS IN NEW MEXICO, AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

8/29/2022

JASON D. SMITH , PS 17122

HUITT - ZOLLARS INC.
333 RIO RANCHO DRIVE NE
RIO RANCHO, NM 87124
PH. 505-892-5141
www.huitt-zollars.com

PROJECT:	LEGAL EXHIBIT
JOB #: R315479.01	PORTION OF LOT 34, BLOCK 88
DATE: 7/11/2022	RIO RANCHO ESTATES. UNIT 16
SCALE: 1"=50'	WITHIN PROJECTED SECTION 25, T.12N., R2E.,
DRAWN: JS	TOWN OF ALAMEDA GRANT
CHECKED: SG	CITY OF RIO RANCHO
PATH:	SANDOVAL COUNTY, NEW MEXICO

ORT 2301923 KKW

Rio Rancho
City of Vision
Department of Public Works
Engineering Division

Legal Address: Parcel: R095548, Unit: 16

Block: 88, Lot: 7

2023011558 B: 426 P: 11558 EAS
06/16/2023 01:11:43 PM Page 1 of 4
Anne Brady-Romero, County Clerk-Sandoval County, NM

GRANT OF PUBLIC UTILITY EASEMENT

Washington Federal Bank, a Washington state-chartered corporation, f/k/a Washington Federal, a federal savings association ("Grantor"), for valuable consideration given, does hereby give, bargain, sell, grant, and convey unto the City of Rio Rancho, a New Mexico municipal corporation, and other public utilities under the jurisdiction of the New Mexico Public Regulation Commission that provide public utilities within the municipal boundaries of the City of Rio Rancho (individually and collectively referred to as "Grantee") a perpetual public utility easement in and to the lands described in Exhibits A hereto, to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate, and maintain facilities for the provision, transmission and distribution of public utilities, including but not limited to electric power, water, wastewater, natural gas, and telecommunications (including telephone and cable television services) within, on, over, beneath, across, and through said easement, which may include (but is not limited to) lines, cables, pipes, conduits and other equipment, fixtures, appurtenances, and structures necessary to maintain such facilities within the easement described above, together with free access to, from, and over said 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 easement to extend services to customers of Grantee, and to trim and remove any trees, shrubs, bushes, or vegetation and remove any structures which interfere with the purposes set forth herein, with warranty covenants.

Grantees' use of said easement shall be limited to all conditions designated on any plat of the lands through which the easement runs, as well as any recorded covenants, conditions, and restrictions applicable to said lands.

Grantor retains all rights to use the above-described property within which the easement is located for any and all purposes not inconsistent with the easement hereby granted, provided that Grantor shall not erect nor construct any building, pool, or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code or other applicable building code, or which interferes with Grantee's exercise of the rights granted herein. The provisions hereof shall be binding upon and shall inure to the benefit of the parties' respective successors and assigns.

The individual executing this document represents and warrants: (i) that he or she is authorized to do so on behalf of Grantor; (ii) that he or she has full legal power and authority to bind Grantor in accordance with the terms herein and, if necessary, has obtained all required consents or delegations of such power and authority (whether from any partner, owner, spouse, shareholder, director, member, manager, creditor, investor, developer, governmental authority, judicial or administrative body, association, or other person or entity); and (iii) that the execution, delivery, and performance by Grantor of this document and all others relating to the easement will not constitute a default under any agreement to which Grantor is a party.

Rio Rancho
City of Vision

Department of Public Works
Engineering Division

Legal Address: Parcel: R095548, Unit: 16
Block: 88, Lot: 7

IN WITNESS WHEREOF Washington Federal Bank, a Washington state-chartered corporation, f/k/a Washington Federal, a federal savings association has executed this instrument this 14 day of June, 2023.

Washington Federal Bank, a Washington state-chartered corporation, f/k/a Washington Federal, a federal savings association:

By: _____ By: _____

Its: VP, Corporate Real Estate Manager Its: _____

STATE OF Idaho }
COUNTY OF Ada } ss.

This instrument was acknowledged before me on 14 day of June, 2023,

by Dylan Cooper (Representative Name), as VP, Corporate Real Estate Manager (Name of Office or Capacity) for

Washington Federal Bank (Name of Grantor/Company), a corporation (Corporation/partnership/limited liability company/trust, etc.), on behalf of said

Washington Federal Bank, a Washington state-chartered corporation, f/k/a Washington Federal, a federal savings association (Corporation/partnership/limited liability company/trust, etc.),

is/are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signature(s) on the instrument the person(s), or entity upon behalf of which the persons acted, executed the instrument.

Notary Public: _____

My commission expires: 4/14/2029

When recorded, please mail original to:
City of Rio Rancho
Public Works Department
3200 Civic Center Cir. NE
Rio Rancho, NM 87144

CASSIE J CORMIER
COMM NO. 69753
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES: APR. 14, 2029

Exhibit A

LEGAL DESCRIPTION
5.0' PUBLIC UTILITY EASMENT

A CERTAIN PARCEL OF LAND SITUATE WITHIN PROJECTED SECTION 25, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, BEING IDENTIFIED AS A 5.0 FOOT PUBLIC UTILITY EASEMENT WITHIN LOT 7, BLOCK 88 OF RIO RANCHO ESTATES, UNIT 16, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT OF RIO RANCHO ESTATES, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON 8/24/1964, IN BOOK 1, PAGE 62, BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE BEARINGS (CENTRAL ZONE) AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, WHENCE NGS CONTROL STATION MONUMENT "SAGE" BEARS N 77°34'06" W, A DISTANCE OF 11512.22 FEET;

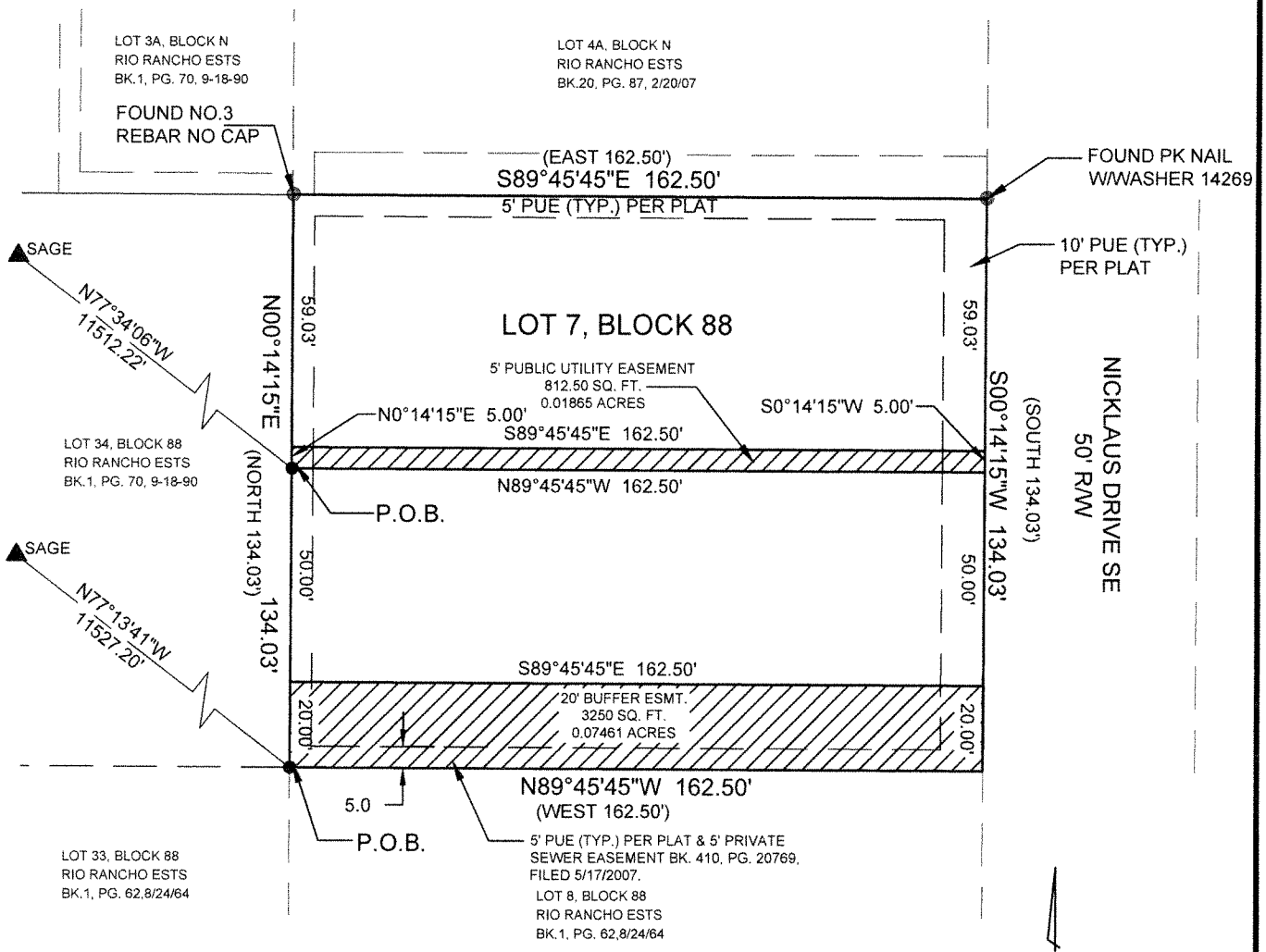
THENCE FROM SAID POINT OF BEGINNING, N 00°14'15" E, A DISTANCE OF 5.00 FEET, TO THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED;

THENCE S 89°45'45" E, A DISTANCE OF 162.50 FEET, TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE S 00°14'15" W, A DISTANCE OF 5.00 FEET, TO THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE N 89°45'45" W, A DISTANCE OF 162.50 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED AND THE POINT OF BEGINNING, CONTAINING 0.01865 ACRES MORE OR LESS.

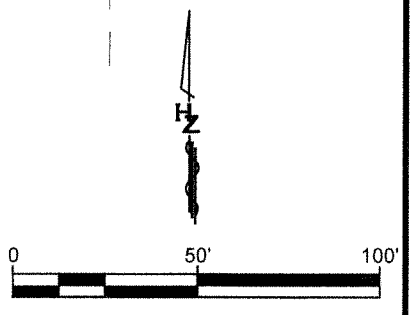
5' PUE & 20' BUFFER EASEMENT EXHIBIT

GENERAL NOTES

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS (NAD 83 CENTRAL ZONE).
2. DISTANCES SHOWN ARE GROUND DISTANCES.
3. BEARINGS AND DISTANCES WITHIN PARENTHESES () ARE PER THE RECORDED PLAT OF RIO RANCHO ESTATES UNIT 16, RECORDED IN SANDOVAL COUNTY, NM , BK. 1, PG. 62, 8/24/1964.
4. NGS CONTROL STATION "SAGE". SPC NM CENTRAL N:1,545,611.58', E:1,499,264.75 , GRID TO GROUND 0.99965468







SCALE: 1" = 50'

SURVEYOR'S CERTIFICATION

I, JASON D. SMITH, NEW MEXICO PROFESSIONAL SURVEYOR NO. 17122, DO HEREBY CERTIFY THAT THIS PROPERTY DESCRIPTION WAS PREPARED BY ME OR UNDER MY SUPERVISION, MEETS THE MINIMUM REQUIREMENTS FOR SURVEYS IN NEW MEXICO, AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

8/29/2022

JASON D. SMITH , PS 17122

HUITT - ZOLLARS INC.
333 RIO RANCHO DRIVE NE
RIO RANCHO, NM 87124
PH. 505-892-5141
www.huitt-zollars.com

PROJECT:
JOB #: R315479.01
DATE: 7/11/2022
SCALE: 1"=50'
DRAWN: JS
CHECKED: SG
PATH:

LEGAL EXHIBIT
PORTION OF LOT 7, BLOCK 88
RIO RANCHO ESTATES. UNIT 16
WITHIN PROJECTED SECTION 25, T.12N., R2E.
TOWN OF ALAMEDA GRANT
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

Old Republic National Title Insurance Company
Order Number: 2301923 KJW

WARRANTY DEED

Washington Federal Bank who acquired title as Washington Federal, a federal savings association for consideration paid, grant(s) to City of Rio Rancho, a municipal corporation, whose address is: 3200 Civic Center Circle N.E., Rio Rancho, NM 87174, the following described real estate in Sandoval County, New Mexico,

A CERTAIN PARCEL OF LAND SITUATE WITHIN PROJECTED SECTION 25. TOWNSHIP 12 NORTH. RANGE 2 EAST. NEW MEXICO PRINCIPAL MERIDIAN. TOWN OF ALAMEDA GRANT. CITY OF RIO RANCHO. SANDOVAL COUNTY. NEW MEXICO AND BEING THE SOUTHERLY 70.00 FEET OF LOT 7, BLOCK 88 OF RIO RANCHO ESTATES, UNIT 16, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT OF RIO RANCHO ESTATES. FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON 8/24/1964, IN BOOK 1. PAGE 62, BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE BEARINGS (CENTRAL ZONE) AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED. WHENCE NGS CONTROL STATION MONUMENT "SAGE" BEARS N 77°34'06" W, A DISTANCE OF 11512.22 FEET;

THENCE FROM SAID POINT OF BEGINNING. S 89°45'45" E. A DISTANCE OF 162.50 FEET. TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED AND A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NICKLAUS DRIVE;

THENCE S 00°14'15" W. A DISTANCE OF 70.00 FEET. TO THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;

THENCE N 89°45'45" W. A DISTANCE OF 162.50 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED;

THENCE N 00°14'15" E. A DISTANCE OF 70.00 FEET. TO THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED AND THE POINT OF BEGINNING, CONTAINING 0.26114 ACRES MORE OR LESS.

SUBJECT TO all patent and mineral reservations, restrictive covenants, restrictions and reservations of easements and rights-of-way of record, and all applicable zoning regulations, restrictions and requirements and all other matters of record and to taxes for the year 2023 and subsequent years;

with warranty covenants.

Dated: June 12, 2023

SIGNATURE AND ACKNOWLEDGMENT FOLLOWS

Washington Federal Bank

Dylan Cooper

Dylan Cooper, Authorized Signer

ACKNOWLEDGMENT

STATE OF IDAHO

COUNTY OF ADA

This instrument was acknowledged before me on JUNE 12, 2023 by Dylan Cooper, Authorized Signer for **Washington Federal** Bank

Notary Public,
My Commission Expires: 4/14/29

CASSIE J CORMIER
COMM NO. 69753
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES: APR. 14, 2029

2023010815 B: 426 P: 10815 WD
06/06/2023 11:35:56 AM Page 1 of 2
Anne Brady-Romero, County Clerk-Sandoval County, NM

Old Republic National Title Insurance Company
Order Number: 2207561 KJW

WARRANTY DEED

Charlotte A. Harper, Personal Representative of the Estate of Brian C. Harper, deceased, for consideration paid, grant(s) to CITY OF RIO RANCHO, a New Mexico municipal corporation, whose address is: 3200 Civic Center Circle, Rio Rancho, NM 87144, the following described real estate in Sandoval County, New Mexico,

A CERTAIN PARCEL OF LAND SITUATE WITHIN PROJECTED SECTION 25, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO AND BEING THE SOUTHERLY 70.00 FEET OF **LOT 34, BLOCK 88 OF RIO RANCHO ESTATES, UNIT 16**, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT OF RIO RANCHO ESTATES, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON 8/24/1964, IN BOOK 1, PAGE 62, BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE BEARINGS (CENTRAL ZONE) AND GROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF 26TH STREET, BEING MONUMENTED WITH A BATHEY MARKER WITH STAMP "14269", WHENCE NGS CONTROL STATION MONUMENT "SAGE" BEARS N 77°03'02" W, A DISTANCE OF 11368.63 FEET;

THENCE FROM SAID POINT OF BEGINNING, N 00°14'15" E, A DISTANCE OF 70.00 FEET, TO THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE S 89°45'45" E, A DISTANCE OF 162.50 FEET, TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE S 00°14'15" W, A DISTANCE OF 70.00 FEET, TO THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED;
THENCE N 89°45'45" W, A DISTANCE OF 162.50 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED AND THE POINT OF BEGINNING

SUBJECT TO all patent and mineral reservations, restrictive covenants, restrictions and reservations of easements and rights-of-way of record, and all applicable zoning regulations, restrictions and requirements and all other matters of record and to taxes for the year 2023 and subsequent years;

with warranty covenants.

Dated: June 6, 2023

SIGNATURE AND ACKNOWLEDGMENT FOLLOWS

The Estate of Brian C. Harper

Charlotte A. Harper

Charlotte A. Harper, Personal Representative

ACKNOWLEDGMENT

STATE OF New Mexico

COUNTY OF Sandoval

This instrument was acknowledged before me on June 6, 2023 by **Charlotte A. Harper, as Personal Representative of the Estate of Brian C. Harper**

Notary Public,
My Commission Expires: 07/09/25

STATE OF NEW MEXICO
NOTARY PUBLIC
KARLA J. WALKER
COMMISSION # 1102280
COMMISSION EXPIRES 07/09/2025

American Land Title Association | ALTA Settlement Statement - Cash
Adopted 05-01-2015

File No./Escrow No.: 2207561
Print Date & Time: 06/06/23 11:39 AM
Officer/Escrow Officer: Karla J. Walker
Settlement Location:
Old Republic National Title Insurance Company
2600 The American Road SE, Ste 101
Rio Rancho, NM 87124

Old Republic National Title Insurance Company
2600 The American Road SE, Ste 101
Rio Rancho, NM 87124

FINAL

Property Address:	Portion of Lot 34 in Block 88, Unit 16 of , in Sandoval County NM Portion of Lot 34, Block 88, Unit 16 Rio Rancho, NM
Borrower:	CITY OF RIO RANCHO 3200 Civic Center Circle Rio Rancho, NM 87144
Seller:	The Estate of Brian C. Harper 2300 Escudo Rd SE Rio Rancho, NM 87124
Loan Number:	
Settlement Date:	06/06/2023
Disbursement Date:	

Seller		Description	Borrower/Buyer	
Debit	**Credit**		**Debit**	**Credit**
		Financial		
	$104,450.00	Sale Price of Property	$104,450.00	
		Prorations/Adjustments		
	$185.15	County Property Taxes from 06/07/2023 thru 12/31/2023	$185.15	
		Title Charges & Escrow / Settlement Charges		
		Title - Closing Fee to Old Republic National Title	$325.00	
		Title - Commitment Fee to Old Republic National Title	$100.00	
		Title - Electronic Filing Fee to Old Republic National Title	$10.80	
		Title - Gross Receipts Tax on Closing Fee to Old Republic National Title	$24.58	
		Title - Owner's Title Insurance to Old Republic National Title	$728.00	
		Title - Mech Lien- w/ evidence priorit to Old Republic National Title	$50.00	
		Government Recording and Transfer Charges		
		Recording Fee (Deed) to Old Republic National Title	$25.00	

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Seller		Description	Borrower/Buyer	
Debit	**Credit**		**Debit**	**Credit**
		Record PUE to Old Republic National Title	$25.00	
		Miscellaneous		
$1,080.75		Pay taxes due to Sandoval County Treasurer		
Seller			**Borrower/Buyer**	
Debit	**Credit**		**Debit**	**Credit**
$1,080.75	$104,635.15	**Subtotals**	$105,923.53	
		Due **From** Borrower		**$105,923.53**
$103,554.40		Due **To** Seller		
$104,635.15	$104,635.15	**Totals**	$105,923.53	$105,923.53

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Old Republic National Title Insurance Company to cause the funds to be disbursed in accordance with this statement.

City of Rio Rancho

by_____

Matt Geisel, City Manager

The Estate of Brian C. Harper

Charlotte A. Harper, Personal Representative

Karla J. Walker

5/31/23

Date

American Land Title Association | ALTA Settlement Statement - Cash
Adopted 05-01-2015

File No./Escrow No.: 2207561
Print Date & Time: 06/06/23 11:39 AM
Officer/Escrow Officer: Karla J. Walker
Settlement Location:
Old Republic National Title Insurance Company
2600 The American Road SE, Ste 101
Rio Rancho, NM 87124

Old Republic National Title Insurance Company
2600 The American Road SE, Ste 101
Rio Rancho, NM 87124

FINAL

Property Address:	Portion of Lot 34 in Block 88, Unit 16 of , in Sandoval County NM Portion of Lot 34, Block 88, Unit 16 Rio Rancho, NM
Borrower:	CITY OF RIO RANCHO 3200 Civic Center Circle Rio Rancho, NM 87144
Seller:	The Estate of Brian C. Harper 2300 Escudo Rd SE Rio Rancho, NM 87124
Loan Number:	
Settlement Date:	06/06/2023
Disbursement Date:	

Seller		Description	Borrower/Buyer	
Debit	**Credit**		**Debit**	**Credit**
		Financial		
	$104,450.00	Sale Price of Property	$104,450.00	
		Prorations/Adjustments		
	$185.15	County Property Taxes from 06/07/2023 thru 12/31/2023	$185.15	
		Title Charges & Escrow / Settlement Charges		
		Title - Closing Fee to Old Republic National Title	$325.00	
		Title - Commitment Fee to Old Republic National Title	$100.00	
		Title - Electronic Filing Fee to Old Republic National Title	$10.80	
		Title - Gross Receipts Tax on Closing Fee to Old Republic National Title	$24.58	
		Title - Owner's Title Insurance to Old Republic National Title	$728.00	
		Title - Mech Lien- w/ evidence priorit to Old Republic National Title	$50.00	
		Government Recording and Transfer Charges		
		Recording Fee (Deed) to Old Republic National Title	$25.00	

Copyright 2015 American Land Title Association.
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Seller		Description	Borrower/Buyer	
Debit	**Credit**		**Debit**	**Credit**
		Record PUE to Old Republic National Title	$25.00	
		Miscellaneous		
$1,080.75		Pay taxes due to Sandoval County Treasurer		
Seller			**Borrower/Buyer**	
Debit	**Credit**		**Debit**	**Credit**
$1,080.75	$104,635.15	**Subtotals**	$105,923.53	
		Due **From** Borrower		**$105,923.53**
$103,554.40		Due **To** Seller		
$104,635.15	$104,635.15	**Totals**	$105,923.53	$105,923.53

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Old Republic National Title Insurance Company to cause the funds to be disbursed in accordance with this statement.

City of Rio Rancho

by_____

Matt Geisel, City Manager

The Estate of Brian C. Harper

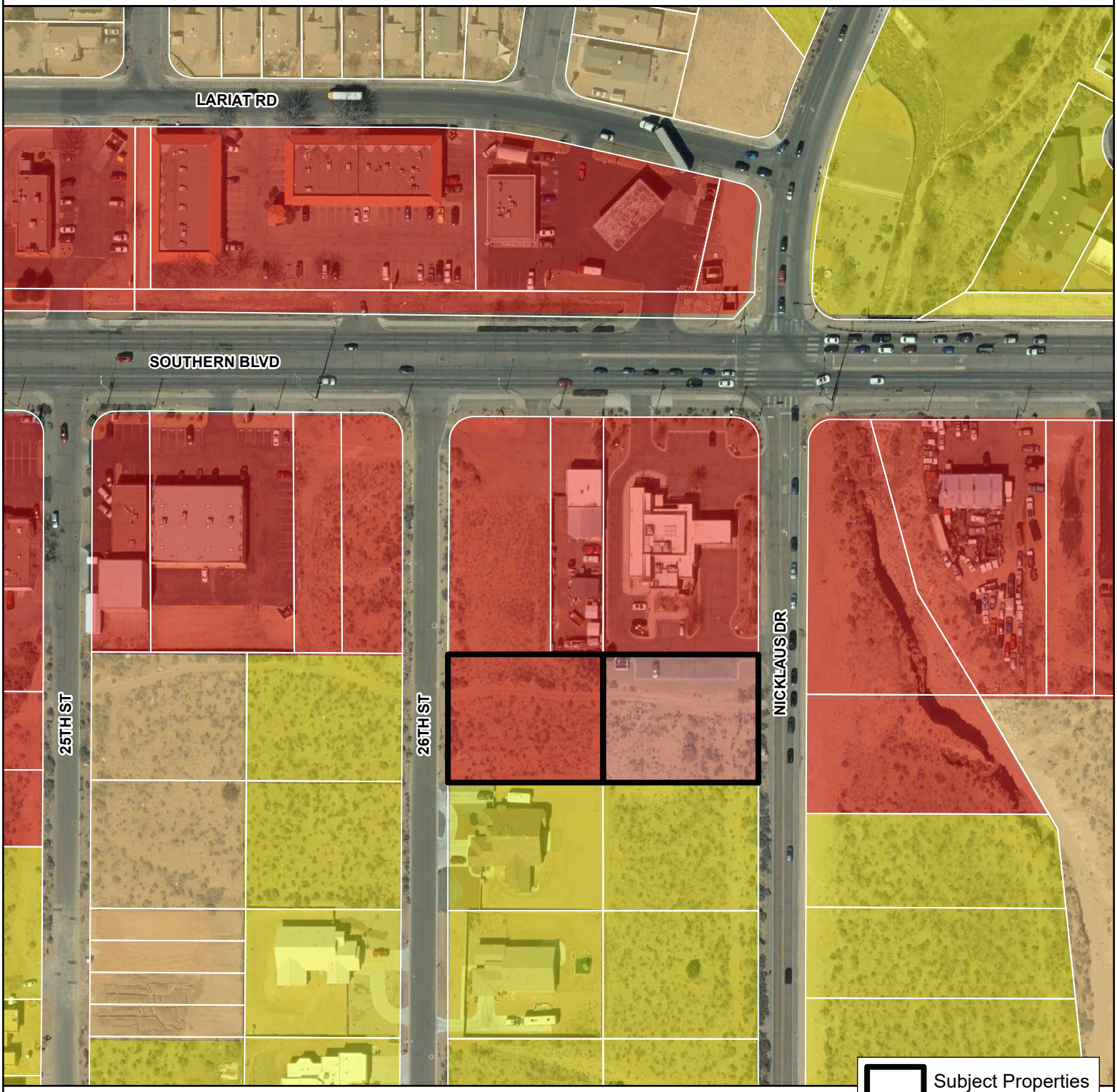
Charlotte A. Harper, Personal Representative

Karla J. Walker

5/31/23

Date

26TH ST - ROW RECONFIGURATION PRELIMINARY/FINAL PLAT



Subject Properties

Zoning

- C-1
- NC
- R-1
- R-3

N
W
E
S

0 75 150 300
Feet

Rio Rancho
City of Vision

GIS
Moving Spatial Data Forward

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

Map Created by Liz Ruiz Carlos on 7/21/2023

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

July 21, 2023

RE: Preliminary/Final Plat,
Case No. 23-220-00010
26th St (U16, Blk 88, Lots 7 and 34)

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, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project, which depicts the resulting configuration of right of way obtained by deed.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, August 8, 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 black outline.

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

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

Please do not hesitate to contact me via e-mail me at lruizcarlos@rrnm.gov or call me at 505-896-8785, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

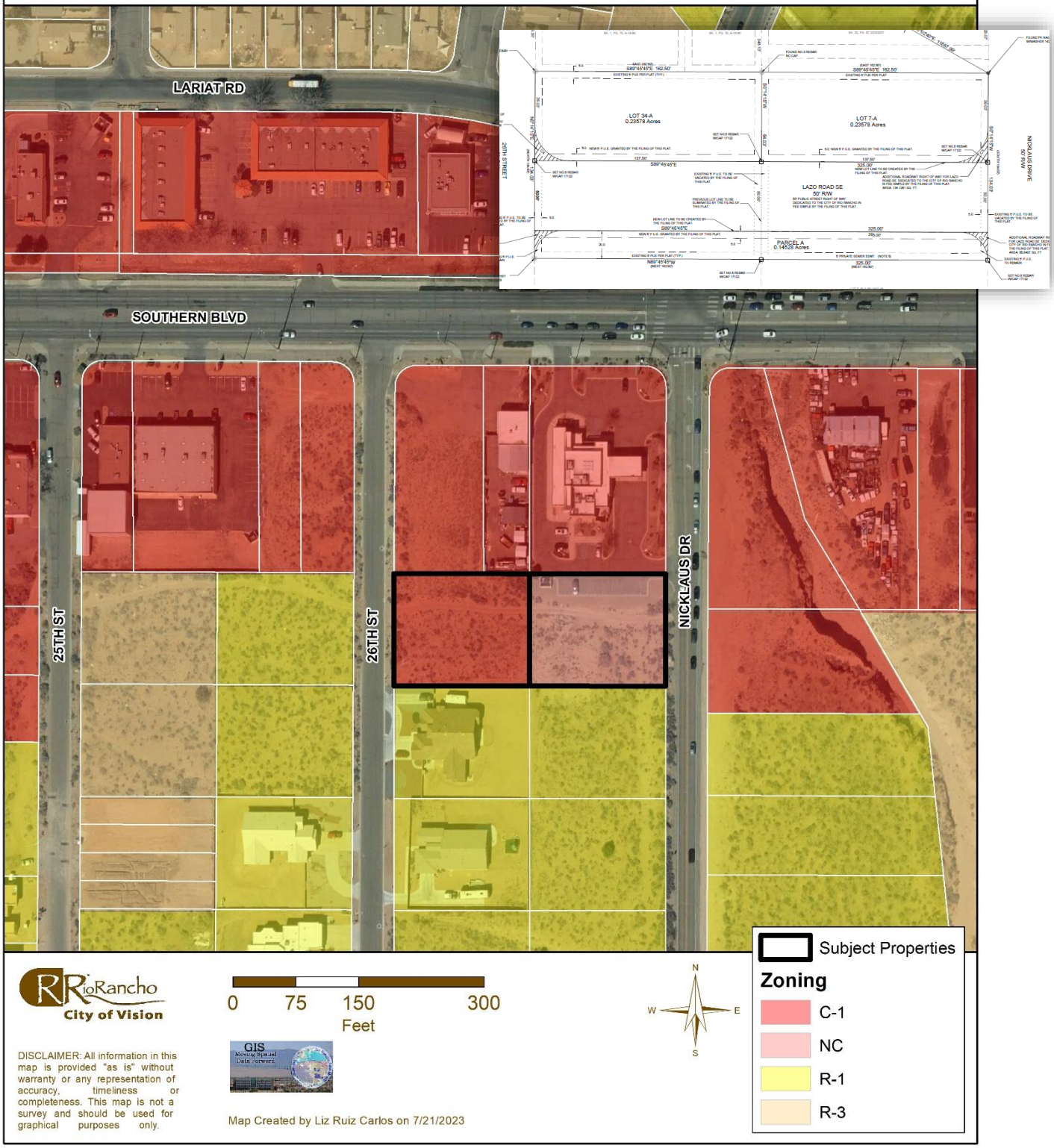
Liz Ruiz Carlos

Liz Ruiz Carlos
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

26TH ST - ROW RECONFIGURATION PRELIMINARY/FINAL PLAT





NOTICE MAP:

• - FIRST CLASS MAIL TO ABUTTING PROPERTIES

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: July 24, 2023

preliminary/final plat letter dated July 21, 2023, case # 23-220-00010

Hello Liz,

First: A correction - I do not own lot 7, block 88, unit 16 - but I do own lots 8, 9 and 10, block 88, unit 16.

I feel I was not properly notified of RR's plan- to originate a street [Lazo Road], which in many ways, will affect my lot[s] [lots 8, blk 88, unit 16].

As my email sent to your office on August 1, 2023 states, I was not aware of the City of Rio Rancho's intent to create a new street as shown and designated on the "Preliminary/Final Plat" sent me.

The letter notifying me of the action is dated July 21, 2023, which I received on July 26, 2023, which I feel, does not allow sufficient time to properly know of - and intelligently access - the ramifications of such a change in the character and physical nature of my lot, i.e., creating a new street - which I consider drastic, and not beneficial to my lot, bringing into question noise and air pollution - even before safety considerations - which necessarily affect my lot.

By sending me a plat arbitrarily named "Preliminary/Final Plat" [which seems a contradiction in terms, for how can something of this or any nature be considered both "preliminary" and "final"?] - it implies a decision has been made without any inclusion of concerns or objections which the adjacent [affected] property owner[s] may have – some of which I have stated in this letter [email].

In your letter, there is no clear justification [reason] for such a radical change to my lot - as to be fronted by a street the entire length of my lot as shown on the "plat". I can determine no benefit for my lot, but an obvious benefit to the adjacent lot [C-1] owner - quite possibly to my detriment.

Seemingly, it will improve the adjacent [C-1] owner's property, evidently giving that owner[s] paved street access to their lots and business's. Accordingly, I have not been furnished, if existing, traffic studies, curb-cut requirements, sidewalk requirements, walls, survey requirements; or how such a street would benefit my lot.

I can only assume lot number 34 on 26th street is informed; what response, if any, of that owner? If so, please inform me.

There is also an issue of taxes and property values.

We reside north of Edgewood - to attend a meeting 60-70 miles away on a particular night at a time and place [of which we are not familiar] is an imposition; given the shortness of notice and relative facts , I [we] can not attend the meeting scheduled for 6 pm on August 8, [today], 2023.

If possible, I would like information regarding future development by RR or the [benefitted] property owners that may affect my property. I feel I should be more informed

Due to t he haste of the August 8, 2023 meeting [only a few days since I received your letter on July 26], which I do not consider sufficient notice, obviously a sense of [lack of] fair play comes to mind.

Does the owner of the C-1 properties [benefited, in my opinion] have any plan or plans for future development? If so, that would affect my property – possibly, quite adversely, and should be factored into whatever proceedings may be required, or requested, asap.

Also, such future plans or improvements should be made known before seeking approval of affected property owners.

Are you, or your office[s] at Rio Rancho, at any time, perhaps be required to install improvements such as sidewalks, curb-cuts, walls, fences, etc., all of which are costly [surveys, engineering, utilities, etc.], which may be imposed as a result of what the plat sent me implies? And, to whom such costs are charged - or responsible [for], or under threat of lien.

I have 3 preliminary site plats, already drawn by J & K builders, to build house's on lots 8, 9 and 10. I am unsure as to how the planned street "Lazo" might affect my plans, which is/are not imminent, but planned for the near future.

As a consequence of some of the matters stated herein, I can not agree to the "Preliminary/Finale Plat", therefore, I object that it [the "Plat"] be implemented.

Liz, due to circumstance, and this entirely unexpected [August 8, 2023] meeting and procedure, I ask for a meeting with you in the near future so that I can be more fully informed; perhaps you can answer some of my concerns in such a meeting - I need a few days to plan ahead. Please let me know by email – I can't hear too well over the phone, so an email is best for me. But if you choose, you may call me anytime at 505 250 7496.

Sincerely,

Bill Anglin,

President, Accord Inc.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-220-00009

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Final Plat. The applicant, Butterfly Holdings, LLC, through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Baltic Park subdivision creating eight R-1: Single Family Residential lots on the property legally described as Siesta Hills II, Lot Park. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Butterfly Holdings, LLC, through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Baltic Park subdivision on the property legally described as Siesta Hills II, Lot Park. The Preliminary Plat for Baltic Park, under case 21-210-00023, was approved by the Planning and Zoning Board December 14, 2021 and received an extension on January 10, 2023. The subject property is located off of Baltic Ave SE and bound by Arizona St SE to the west and Mindoro Dr SE to the east. The subject property is zoned R-1: Single Family Residential per Ordinance No. 81-15.

GENERAL INFORMATION:
1. Layout: The Baltic Park subdivision will consist of eight R-1 Single Family Residential lots.
2. Acreage: 1.90 acres.
3. Access: The properties front Arizona Ave and Mindoro Dr., both residential roads. Two of the eight lots are corner lots, additionally abutting Baltic Rd SE, a minor collector road, on one side.
4. Zoning: The subject property is zoned R-1: Single Family Residential per Ordinance No. 81-15.
5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparkight, Centurylink, PNM, and Gas Company of New Mexico.
6. Water and Wastewater Availability: The applicant has received an approved water/wastewater availability statement from the Utilities Department dated December 13, 2021.
7. Drainage: According to the drainage report, there is no offsite flow that reaches the site due to the adjacent existing terrain. Lots 2, 3, 4 will drain south to Baltic Ave. Lots 1, 6, 7, 8 will drain south onto Mindoro Dr. Runoff from site ultimately drains towards the Lisbon Channel. The site is encumbered by a flood zone of minimal hazard.
8. Roads and Sidewalks: There are no new roads proposed for this subdivision. There will be sidewalks.
9. Recreation Facilities/ Open Space: No recreation facilities or open space is proposed.
10. Easements: There is a five foot wide public utility easement within all lots and tracts along all side and rear property lines.
11. Public Site Dedications: None.
12. Vacations: Existing 5 foot wide drainage and utility easements around the Baltic Park tract.
13. Variances: None.

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:

The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions. Staff recommends the Planning and Zoning Board find the 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-1: Single Family Residential zoning district including the area and lot width as laid out in R.O. 2003 Chapter 154.50. The proposed final plat contains lots which would have a minimum size of 8,167 sf, in compliance with the 7,000 sf minimum lot area of the R-1: Single Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 60ft. Staff recommends the Planning and Zoning Board find the proposed final plat conforms to the requirements of R.O. Chapter 154 Planning and Zoning. Criteria is satisfied.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:
In Chapter 5, Land Use Element, a policy is to "encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan", (5.6.3, Policy L-1). Staff recommends the Planning and Zoning Board find this criteria is satisfied.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

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

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 over the subject property and the applicant's request for approval of the 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-1: Single Family Residential zoning district requirements.
3. Completion of infrastructure or subdivision bond and subdivision improvement agreement is required prior to recording of Final Plat.
4. Show 5 foot wide public utility easement within all lots and tracts on all sides and rear property

lines on second page as indicated in the Notes section.
5. In the Clerk's signature block, remove language that plat was approved administratively.
6. Remove Development Services signature block.
7. Dedication of drainage easement shall be private, not dedicated to the city.
8. The Final Plat will be filed under Book 34, Pages 29-30.

ALTERNATIVES:

The Planning and Zoning Board may:
1. Approve the Final Plat with findings and conditions.
2. Approve the Final Plat with modifications to the findings and conditions.
3. Deny the Final Plat.
4. Postpone the item and continue the public hearing to further consider testimony presented at the hearing.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Zoning and Location.pdf
ATTACHMENT: Authorization Letter.pdf
ATTACHMENT: Final Plat - Baltic Park.pdf
ATTACHMENT: Water, Waste Water Approval.pdf
ATTACHMENT: Engineering Comments.pdf

BALTIC PARK ZONING



Zoning

- R-1
- R-3
- Subject Property

GIS
Moving Spatial Data Forward

0 137.5 275 550 Feet

N
W E
S

RioRancho
City of Vision

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

Map Created by Michelle Costilla DATE 11/19/2021

Butterfly Holdings, LLC
505-892-9200

409 NM Highway 528 NE Rio Rancho, NM 87124

June 30, 2023

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

Dear Mr. Babyak,

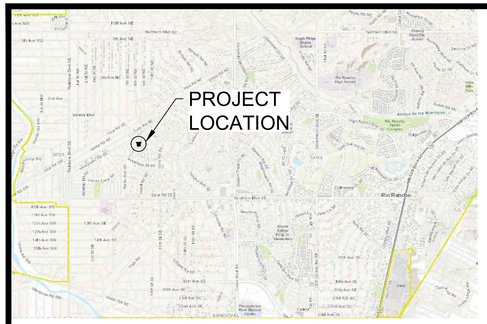
Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following property:

Baltic Park Subdivision, Siesta Hills II

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

Sincerely,

Bryan Aragon, P.E.
Land Development Coordinator



LOCATION MAP

ZONE ATLAS SHEET NO. 53

PLAT OF
BALTIC PARK SUBDIVISION
BEING THE BALTIC PARK TRACT
SIESTA HILLS II - REPLAT NO. 2

FILED 11-06-1984, IN VOLUME UNDESIGNATED, FOLIO 498-A (RRE PLAT BOOK 3, PAGE 134), AS DOCUMENT NUMBER 56587, WITHIN PROJECTED SECTION 22, T. 12 N., R. 2 E., N.M.P.M., TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2

JUNE 2023

SUBDIVIDER:

BUTTERFLY HOLDINGS, LLC
409 NM HWY 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

LEGAL DESCRIPTION:

A Tract of land being all of The Baltic Park Tract, Siesta Hills II, Replat No. 2, recorded on November 06, 1984 in Volume Undesignated, Folio 498-A (R.R.E. Plat Book 3, Page 134, as Document Number 56587), located within Projected Section 22, Township 12 North, Range 2 East, New Mexico Principal Meridian, Town of Alameda Grant, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 1.9054 acres.

SUBDIVISION DATA

SUBDIVISION: BALTIC PARK SUBDIVISION		PLAT ACRES	1.9054
NO. OF LOTS:	8	LOT ACRES:	1.9054
NO. OF PARCELS:	0	PARCEL ACRES:	0
NO. OF TRACTS:	0	TRACT ACRES:	0
NO. OF EXIST. TRACTS: 1			
ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO:			0
NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO:			0

NOTES: UNLESS OTHERWISE INDICATED:

Existing five (5) foot wide drainage and utility easement all around The Baltic Park Tract (to be vacated by this plat)

There is a ten (10) foot wide p.u.e granted adjacent to all road R/W's.

There is a five (5) foot wide public public utility easement within all lots and tracts on all sides and rear property lines.

There is a ten (10) foot wide drainage easement along the northern property lines of lots 1 & 8 to be dedicated to the City of Rio Rancho.

There is a one (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Baltic Avenue SE from Lots 4 & 5.

All property corners are set with a 5/8" x 24" rebar with yellow plastic cap stamped LS 7482, or nail with shinner stamped LS7482 (unless otherwise indicated).

Distances are horizontal ground distances in feet. Information in parenthesis ( ) are record where different from actual field survey.

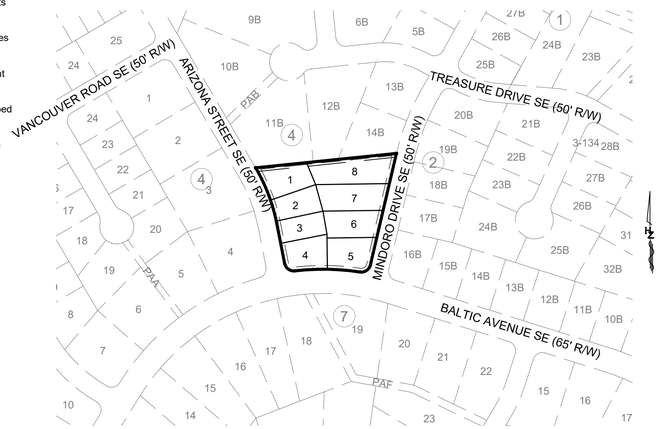
Lot lines are radial or perpendicular to street lines (unless otherwise indicated).

P.U.E. - Public Utility Easement

RAD - Radial bearing

AC - Acres

R/W - Right-of-Way



VICINITY MAP

NOT TO SCALE

PURPOSE OF PLAT

1. TO DIVIDE THE BALTIC PARK TRACT INTO 8 R-1 SINGLE FAMILY RESIDENTIAL UNITS.
2. TO CREATE NEW P.U.E.'S AS NOTED HEREON. (GRANTED BY THIS PLAT).
3. TO VACATE EXISTING 5 FOOT WIDE DRAINAGE AND UTILITY EASEMENTS ALL AROUND THE BALTIC PARK TRACT BY THIS PLAT.
4. TO DEDICATE A TEN FOOT WIDE DRAINAGE EASEMENT ALONG THE NORTHERN PROPERTY LINES OF LOTS 1 & 8 TO THE CITY OF RIO RANCHO.

PUBLIC UTILITY EASEMENTS

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

A. 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.
B. 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.
C. 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.
D. 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.
E. 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

Comcast Date

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 NEW MEXICO 17122 REGISTERED PROFESSIONAL LAND SURVEYOR

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 NEW MEXICO 17122 REGISTERED PROFESSIONAL LAND SURVEYOR

Jason D. Smith, NMPS No. 17122 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 5' WIDE DRAINAGE AND UTILITY EASEMENT ALL AROUND THE BALTIC PARK TRACT. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE SAID BALTIC PARK TRACT INTO 8 R-1 SINGLE FAMILY RESIDENTIAL LOTS, ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS' AS NOTED HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF THE 10' WIDE DRAINAGE EASEMENT ALONG THE NORTHERN PROPERTY LINE OF LOTS 1 & 8 AS SHOWN HEREON, TO BE DEDICATED TO AND TO BE MAINTAINED BY THE CITY OF RIO RNACHO. 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.

Jarrod D. Likar, Vice President Land Development

STATE OF _____)
)SS
COUNTY OF _____)

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 Butterfly Holdings, LLC., a New Mexico limited liability company organized under the laws of the State of New Mexico and that he signed this instrument on behalf of said company as the free act and deed of said company.

Notary Public

My Commission Expires_____

NOTES

1. Bearings are New Mexico State Plane Grid Bearings (NAD 83 Central Zone)
2. Distances shown are ground distances.
3. The combined ground to grid factor is: 0.99965472.
4. Elevations are NAVD88.
5. No buildings existing on the surveyed property.

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 administratively 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____.

Chairman

RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT

Approved this _____ day of _____ 20____.

Amy Rincon, Director

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

Book Page

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

Plotted: 6/26/2023 1:34:02 PM, By:Huerta, Dominic
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Last Saved:6/26/2023 1:32:54 PM, dhuerta

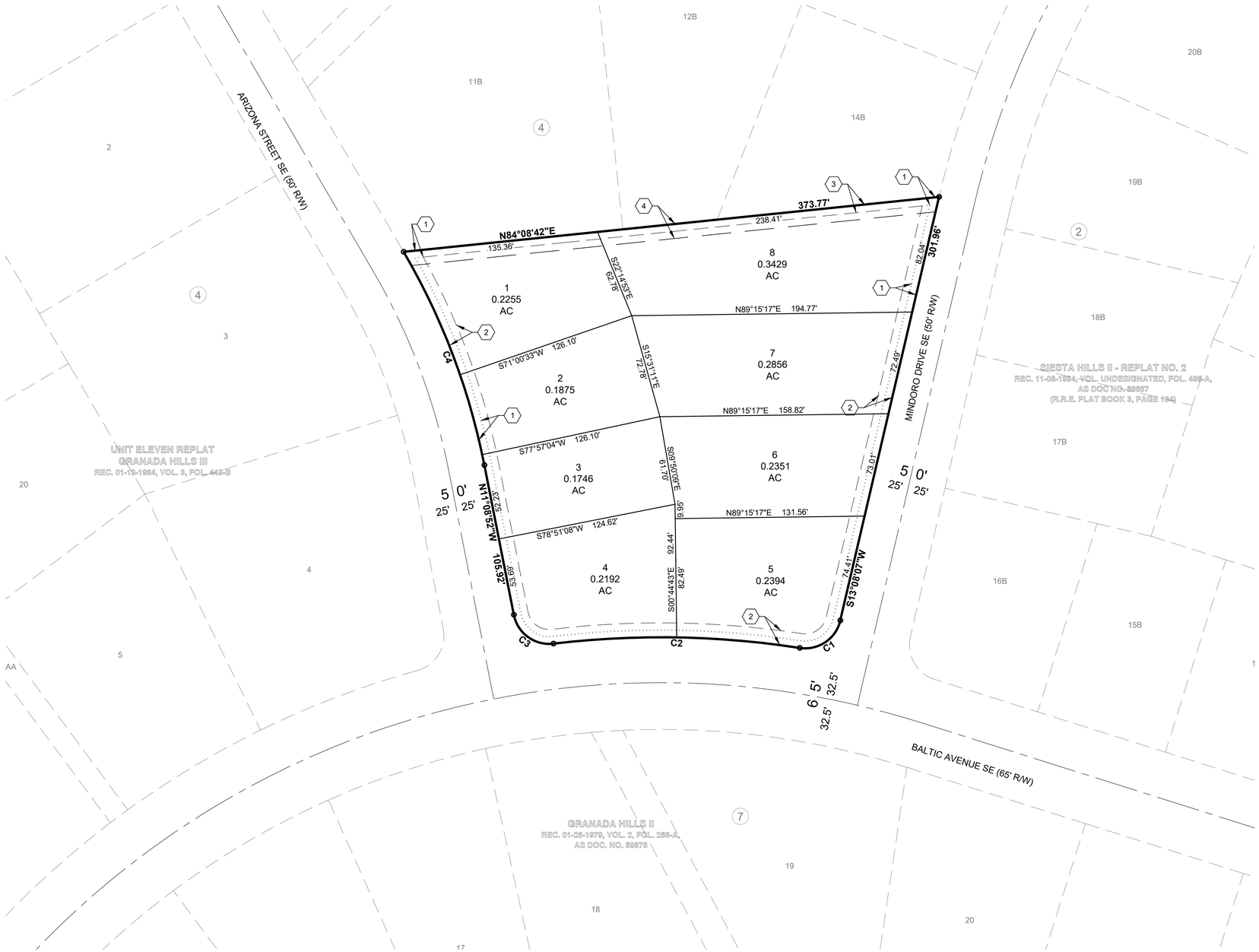
PLAT OF
BALTIC PARK SUBDIVISION
BEING THE BALTIC PARK TRACT
SIESTA HILLS II - REPLAT NO. 2

FILED 11-06-1984, IN VOLUME UNDESIGNATED, FOLIO 498-A (RRE PLAT BOOK 3, PAGE 134), AS DOCUMENT NUMBER 56587, WITHIN PROJECTED SECTION 22, T. 12 N., R. 2 E., N.M.P.M., TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO

SHEET 2 OF 2

JUNE 2023

SCALE: 1" = 40'



CURVE TABLE					
CURVE NO.	Δ	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	85°38'06"	25.00'	S55°57'10"W	33.98'	37.37'
C2	15°33'12"	632.00'	N89°00'23"W	171.04'	171.56'
C3	85°38'07"	25.00'	N53°57'55"W	33.98'	37.37'
C4	19°11'18"	475.00'	N20°44'31"W	158.33'	159.08'
C5	11°20'43"	475.00'	N24°39'48"W	93.90'	94.06'
C6	6°56'27"	475.07'	N15°31'11"W	57.51'	57.55'
C7	0°53'40"	478.55'	N11°35'54"W	7.47'	7.47'
C8	7°46'36"	632.00'	S87°06'19"W	85.72'	85.78'
C9	7°46'36"	632.00'	N85°07'05"W	85.71'	85.78'

EASEMENTS

1. EXISTING 5 FOOT WIDE DRAINAGE AND UTILITY EASEMENT ALL AROUND THE BALTIC PARK TRACT (GRANTED BY PLAT OF SIESTA HILLS II - REPLAT NO. 2, FILED ON 11-06-1984 IN VOLUME UNDESIGNATED, FOLIO 498-A, AS DOC. NO. 6587) (VACATED BY THIS PLAT)
2. 10 FOOT P.U.E ADJACENT TO ALL ROAD R/W'S GRANTED BY THIS PLAT
3. 5 FOOT P.U.E. GRANTED BY THIS PLAT
4. 10 FOOT DRAINAGE EASEMENT GRANTED BY THIS PLAT TO THE CITY OF RIO RANCHO.

BOUNDARY EVIDENCE:
UNLESS OTHERWISE INDICATED:

1. Found 5/8" x 24" rebar with red or red or yellow cap stamped LS 7482

All interior property corners are set with 5/8" x 24" rebar with yellow cap stamped LS 7482

JASON D. SMITH
NEW MEXICO
17122
REGISTERED PROFESSIONAL LAND SURVEYOR

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

Book Page

Plotted: 6/26/2023 1:34:39 PM, By:Huerta, Dominic
H:\proj\R314580.01 - Siesta Hills II Baltic Park\05 Design\05.11 Survey\PLAT\1_P2-FINAL plat.dwg
Last Saved:6/26/2023 1:32:54 PM, dhuerta

December 13, 2021

Mr. Donnie Duneman
Huitt-Zollars
333 Rio Rancho Dr NE, Suite 101
Rio Rancho, NM 87124-1450

Re: Water & Wastewater Availability Approval for SH 2 Baltic Park Subdivision. 8 dwelling units. Location: Corner of Bali Rd and Arizona St

Dear Mr. Duneman:

The Utilities Department approves the Water and Wastewater Availability for SH2 Baltic Park Subdivision as described above. A fire hydrant may need to be added during design review. Any existing or new fire hydrant shall not interfere with the Sidewalk ADA requirements and is the responsibility of the developer to ensure ADA compliance.

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

If a fire flow test is performed for the site, results are to be turned into the Utilities Administration Attn: Steve Gallegos and Fire Marshall or designee. The test is to be coordinated with the System Maintenance Crews at 896-8287. The System Maintenance Crews are the only personnel authorized to operate valves in the City of Rio Rancho. The developer is responsible for paying for a fire flow test from a certified tester.

Please refer to the City of Rio Rancho Web Site for additional water and sewer information. Design Criteria and Standard Details are located on the following web address: http://ci.rio-rancho.nm.us/index.asp?NID=482 Departments, Public Works, Design Criteria and Standards Details, Water and Wastewater.

Contacts for additional information and guidance: Development Services: 505-891-5005 Engineering Division: 505-891-5016 Environmental: **Backflow Prevention 505-896-8816 and Industrial Pollution Pretreatment Program (Commercial Wastewater Survey and Grease Interceptors) 505-891-5017.** Water pressure will need to verified by the developer. If water pressure exceeds 80 psi, individual pressure reducing valves will be needed on the homes or business at the cost and responsibility of the customers.

This Availability Statement will expire unless construction starts within 18 months of approval by the Utilities Department and is complete within 3 years of approval. If you have questions regarding this Availability Statement, please contact me at 891-5046.

Sincerely,

Steve Gallegos

Steve Gallegos,
Deputy Director
Utilities Department



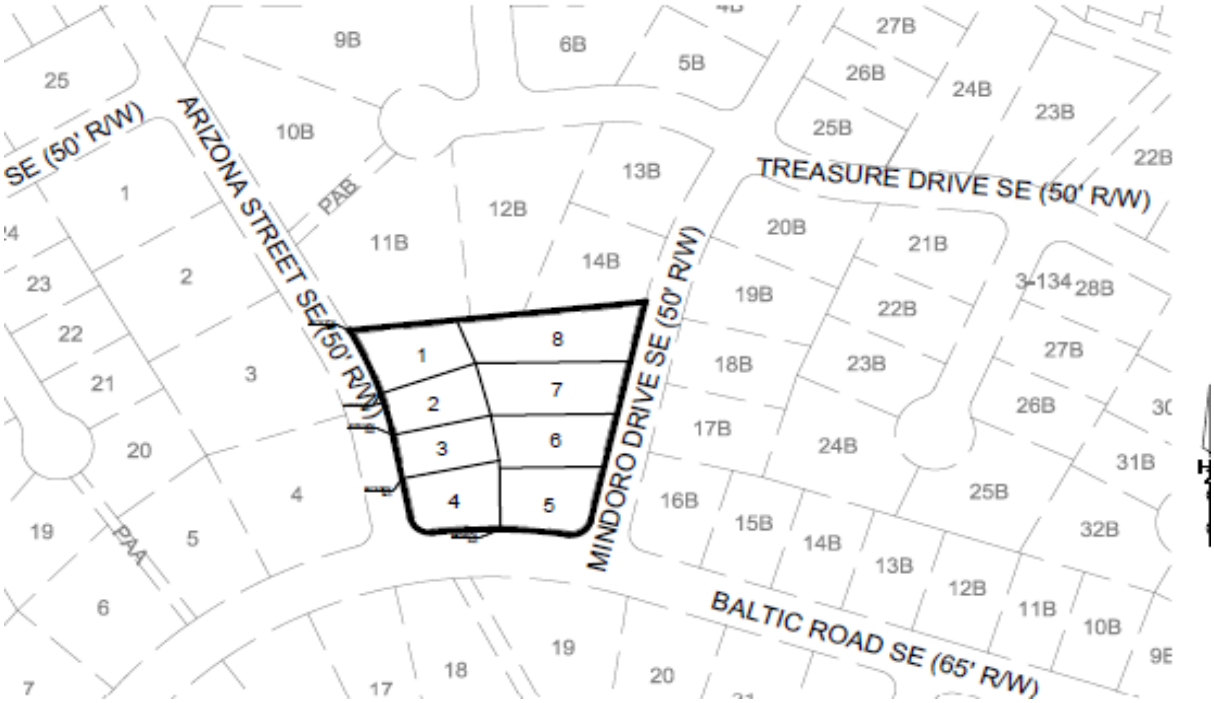
PLAT OF

BALTIC PARK SUBDIVISION
BEING THE BALTIC PARK TRACT
SIESTA HILLS II - REPLAT NO. 2

FILED 11-06-1984, IN VOLUME UNDESIGNATED, FOLIO 498-A
(RRE PLAT BOOK 3, PAGE 134), AS DOCUMENT NUMBER 56587
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2

NOVEMBER 2021



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

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 3, 2023

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
(X) Rio Rancho Public Schools – Michael Baker
(X) MRCOG – Peach Anderson-Tauzer

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

RE: **Final Plat**: DSD #23-220-00009 (please reference this # with any correspondence)

This is a transmittal for a Final Plat for Baltic Park. The proposed plat is for 8 lots on approximately 1.90 acres.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by Monday, **July 17, 2023**. If redline comments are made on the plat, please also provide me with a copy. Please contact Michelle Costilla at 505-896-8362 or e-mail 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
(X) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
(_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Dedication of drainage easement shall be private, not dedicated to the city.

Peter Prukop — Reviewer

7/17/2023 — Date

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-220-00013

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Final Plat. The applicant, AMREP Southwest, Inc., through their agent, Huitt-Zollars Inc., requests approval of a Final Plat for the Cedar Hills 4 subdivision creating four R-1: Single Family Residential zoned lots on the property legally described as Cedar Hills 4, Tract A-1. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, AMREP Southwest, Inc., through their agent, Huitt-Zollars, Inc., requests approval of a Final Plat for the Cedar Hills 4 subdivision creating four R-1: Single Family Residential zoned lots on the property legally described as Cedar Hills 4, Tract A-1. The property is located on Pecos Loop SE, a minor collector, about a quarter mile north of Southern Blvd SE and less than half a mile east of Rainbow Blvd SE. The property is currently zoned R-1: Single Family Residential per the original City of Rio Rancho Zoning Ordinance 81-15.

This Preliminary Plat was originally heard by the Planning and Zoning Board on October 12, 2021 under case #21-210-00016, and approved by a vote of 5 for and 0 against. The plat had then expired as it had been over a year since the plat's approval and an extension or Final Plat has not been filed. The Preliminary Plat was therefore reheard under case #23-210-00003 and received approval from the Planning and Zoning Board on April 11, 2023. The plat had not been modified since the first Preliminary Plat submittal.

GENERAL INFORMATION:
1. Layout: Cedar Hills 4 would be four R-1: Single-Family Residential lots.
2. Acreage: 0.8019 acres
3. Access: The proposed development would be accessed off of Pecos Lp SE, a minor collector road via either Atlantic Rd SE, a minor collector, or Nyasa Rd SE, a residential road. Both roads are off of Southern Blvd SE (see attached location map). Pecos Lp SE can also be accessed to the west via Rainbow Blvd SE.
4. Zoning: The subject property is zoned R-1: Single-Family Residential per Ordinance 81-15
5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparklight, Centurylink, PNM, and Gas Company of New Mexico.
6. Water and Wastewater Availability: The applicant has reached out to utilities requesting a water and wastewater availability statement. Staff has not received an availability statement and this will be a condition of approval prior to the recording of the final plat.
7. Drainage: Cedar Hills will drain towards Pecos Loop and into Rainbow Tributary. Rainbow Tributary drains into the Calabacillas Arroyo Watershed.
8. Roads and Sidewalks: There are no new proposed streets for this subdivision. The existing street will be standard local street sections including sidewalks.

9. Recreation Facilities/Open Space: None
10. Easements: There will be a ten foot wide public utility easement within all new lots adjacent to road right-of-way and a five foot wide public utility easement within all new lots on all side and rear property lines. There is an existing 20 ft wide Public Access Easement and Public Utility Easement on the east side of lot 4.
11. Public Site Dedications: None
12. Vacations: None
13. Variances: None

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:
The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions. Staff recommends the Planning and Zoning Board find the 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-1: Single-Family Residential zoning district including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed lots would range in size from 0.1854 acres (approximately 8,077.6 sf) to 0.2159 acres (approximately 10,166 sf) in compliance with the 7,000 sf minimum lot area of the R-1: Single Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 60 ft, as the smallest lot frontage in this subdivision is 60 ft. 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 THE CITY COMPREHENSIVE PLAN:
In Chapter 5, Land Use Element, a policy is to “encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan”, (5.6.3, Policy L-1). Staff finds that this application would be an action in meeting the policy of encouraging development, however it is not in a master planned area. The development improves upon storm drainage, landscape, and utilities within the City of Rio Rancho, and is an example of an infill project. Criteria is satisfied.

SURROUNDING LAND USE/ZONING:
Surrounding properties are all zoned R-1: Single Family Residential.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Comments within 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 adverse comments

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 over the subject property and the applicant's request for approval of the 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 preliminary plat conforms to the requirements of the R-1: Single-Family Residential Zoning District.
3. Completion of infrastructure or subdivision bond and subdivision improvement agreement is required prior to recording of Final Plat.
4. Water and wastewater availability approval needed prior to recording of final plat.
5. Legal descriptions already exist for the purposed lot and block numbers in this subdivision. Change block number to 5.
6. Show flood plain zone A and X as shown on summary plat.
7. Add the City Clerk’s Certificate block.
8. The Final Plat will be filed under Book 34, Pages 31-32.

ALTERNATIVES:

The Planning and Zoning Board may:

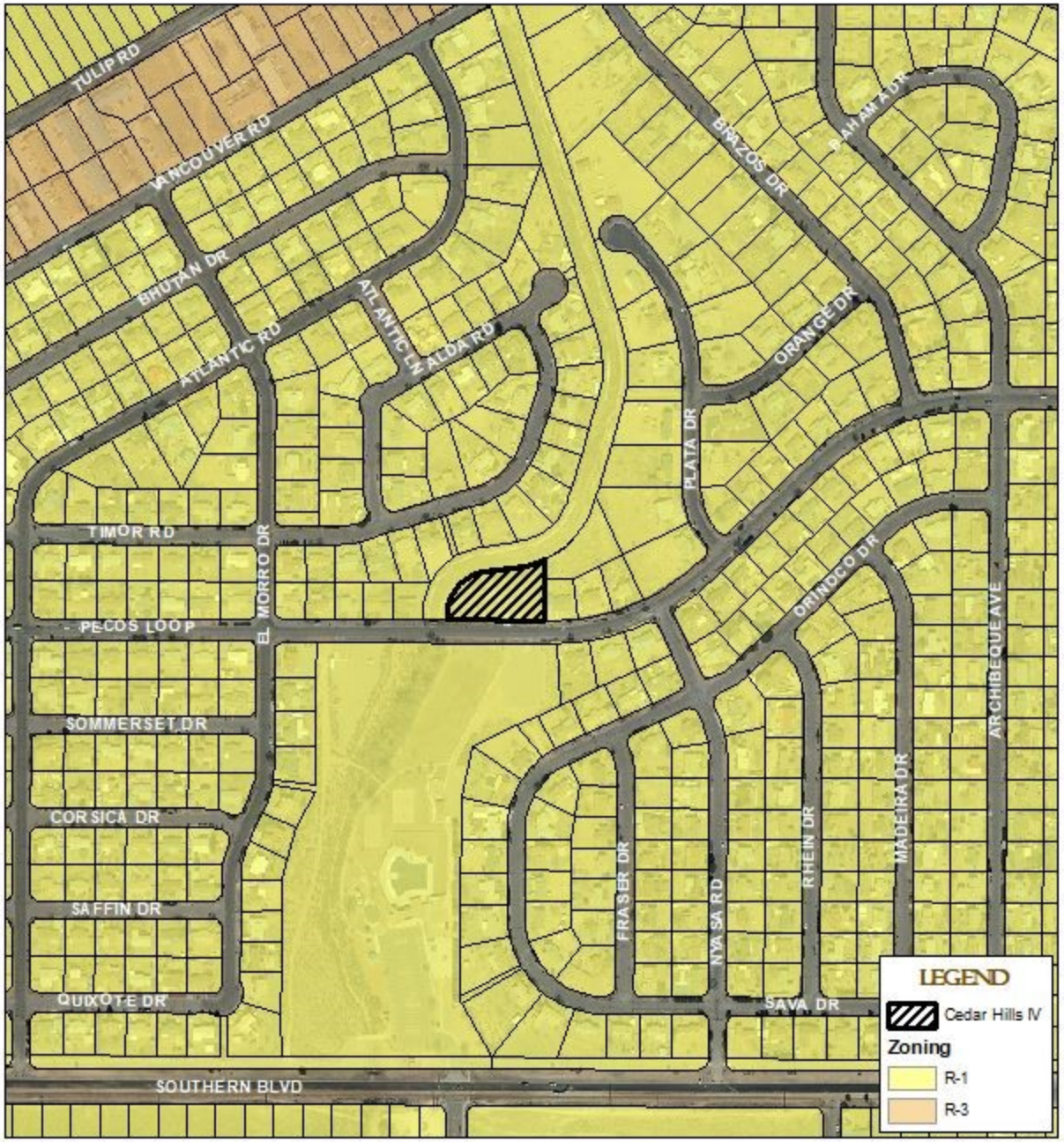
1. Approve the Final Plat with findings and conditions.
2. Approve the Final Plat with modifications to the findings and conditions.
3. Deny the Final Plat.
4. Postpone the item and continue the public hearing to further consider testimony presented at the hearing.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Location and Zoning.pdf
ATTACHMENT: Authorization.pdf
ATTACHMENT: Cedar Hills 4 Final Plat.pdf
ATTACHMENT: Engineering Comments.pdf

CEDAR HILLS IV



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 Vision

Map Created by Brian Babyak on September 24, 2021

0 0.05 0.1 0.2
Miles

N W E S

AMREP SOUTHWEST INC. 409 Rio Rancho Blvd. NE, Rio Rancho, NM 87124 505-892-9200

September 7, 2021

Ms. Maida Rubin
Planning and Zoning Manager
Development Services Dept.
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Maida:

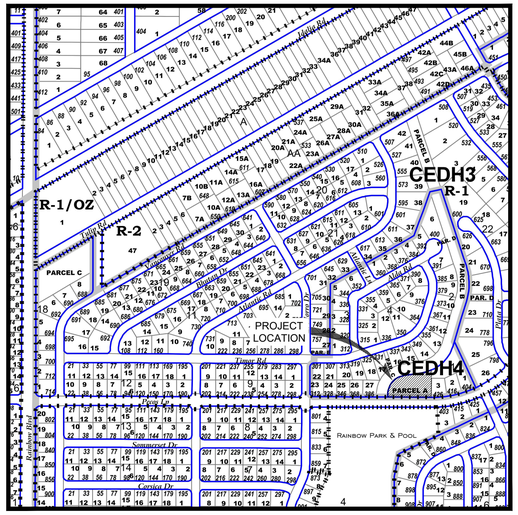
Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following property:

Cedar Hills IV; Tract A-1

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



VICINITY MAP

NOT TO SCALE

Zone Atlas Page 52

NOTES: UNLESS OTHERWISE INDICATED:

EXISTING TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) ALONG RIGHT-OF-WAY FRONTAGE, FIVE (5) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) ALONG THE EXISTING LOTS LINES, AND TWENTY (20) FOOT WIDE PUBLIC ACCESS EASEMENT AND PUBLIC UTILITY EASEMENT TO REMAIN AS SHOWN ON SUMMARY PLAT OF TRACTS A-1 AND A-2 CEDAR HILLS IV.

THERE ARE FIVE (5) FOOT WIDE PUBLIC UTILITY EASEMENTS FOR ALL NEW LOTS BEING GRANTED HEREON.

ALL PROPERTY CORNERS ARE FOUND OR SET WITH A 5/8" X 24" REBAR WITH RED OR YELLOW PLASTIC CAP STAMPED LS 7482, OR NAIL WITH SHINER STAMPED LS7482 (UNLESS OTHERWISE INDICATED).

DISTANCES ARE HORIZONTAL GROUND DISTANCES IN FEET. INFORMATION IN PARENTHESIS ( ) ARE RECORD WHERE DIFFERENT FROM ACTUAL FIELD SURVEY.

LOT LINES ARE RADIAL OR PERPENDICULAR TO STREET LINES (UNLESS OTHERWISE INDICATED).

P.U.E. - PUBLIC UTILITY EASEMENT

RAD - RADIAL BEARING

AC - ACRES

R/W - RIGHT-OF-WAY

SURVEYOR'S CERTIFICATE

I, KIM C. STELZER, NEW MEXICO REGISTERED LAND SURVEYOR NO. 7482, 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.

KIM C. STELZER, NMPS NO. 7482 DATE

JURISDICTIONAL AFFIDAVIT

I, KIM C. STELZER, NEW MEXICO REGISTERED LAND SURVEYOR NO. 7482, DO HEREBY AFFIRM THAT THE PROPERTY DESCRIBED DOES LIE WITHIN THE PLATTING AND EXTRA-TERRITORIAL SUBDIVISION JURISDICTION OF THE CITY OF RIO RANCHO.

KIM C. STELZER, NMPS NO. 7482 DATE

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

KIM C. STELZER NEW MEXICO 7482 REGISTERED PROFESSIONAL LAND SURVEYOR

KIM C. STELZER NEW MEXICO 7482 REGISTERED PROFESSIONAL LAND SURVEYOR

SUBDIVISION DATA

SUBDIVISION: CEDAR HILLS 4

NO. OF LOTS: 4

NO. OF PARCELS: 0

NO. OF TRACTS: 0

NO. OF EXIST. TRACTS: 1

PLAT ACRES 0.8019

LOT ACRES: 0.8019

PARCEL ACRES: 0

TRACT ACRES: 0

N.T.S.

SCALE: 1" = 60'

PUBLIC UTILITY EASEMENTS

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

A. 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.

B. 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.

C. 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.

D. 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.

E. 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

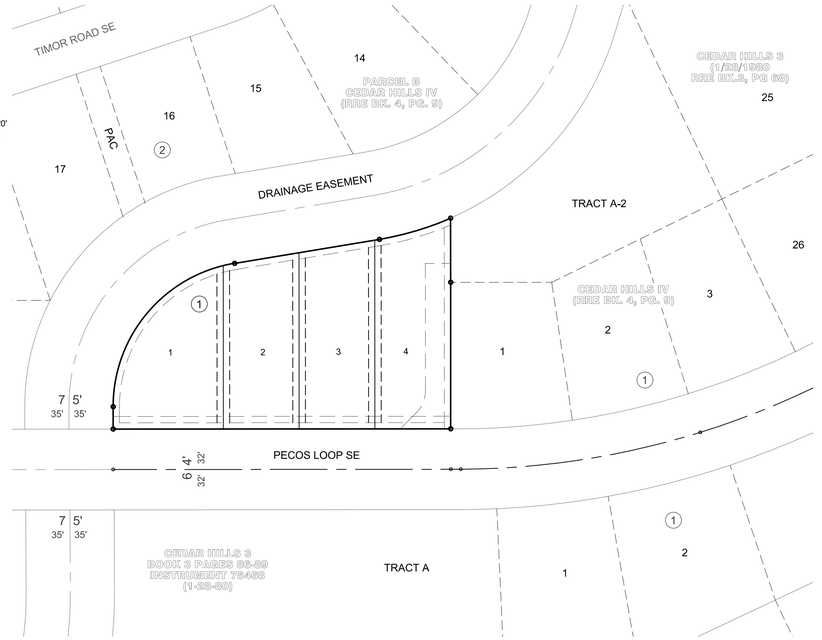
SPARKLIGHT DATE

PURPOSE OF PLAT

1. TO DIVIDE TRACT A-1 INTO 4 SINGLE FAMILY RESIDENTIAL UNITS.
2. NO ACREAGE DEDICATED TO RIGHT-OF-WAY.

NOTES

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS (NAD 83 CENTRAL ZONE)
2. DISTANCES SHOWN ARE GROUND DISTANCES.
3. THE COMBINED GROUND TO GRID FACTOR IS: 0.99965468.
4. ELEVATIONS ARE NAVD88.
5. NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.



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 SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT A-1 INTO (4) R-1 SINGLE FAMILY RESIDENTIAL LOTS, ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS'. 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.

OWNER: AMREP SOUTHWEST INC.

JARROD LIKAR, VICE PRESIDENT; LAND DEVELOPMENT DATE

STATE OF _____)
)SS
COUNTY OF _____)

ON THIS____DAY OF _____, 20___, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, JARROD LIKAR, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE VICE PRESIDENT OF AMREP SOUTHWEST 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_____

PLAT OF

CEDAR HILLS 4 SUBDIVISON TRACT A-1

WITHIN SECTION 28, T. 12 N., R. 2 E., N.M.P.M.
TOWN OF ALAMEDA GRANT
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JUNE 2023

SHEET 1 OF 2

LEGAL DESCRIPTION

A TRACT OF LAND BEING ALL OF TRACT A-1, CEDAR HILLS IV, RECORDED ON SEPTEMBER 19, 2017 IN VOLUME 3, FOLIO 4135, RRE BK. 27, PG. 44, AS DOCUMENT NUMBER 2017P01132, BEING LOCATED WITHIN PROJECTED SECTION 28, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO.

SAID TRACT CONTAINS .8019 ACRES, MORE OR LESS, AND (4) LOTS.

SUBDIVIDER:

AMREP SOUTHWEST INC.
409 NM HWY 528 NE
RIO RANCHO, NM 87124
JARROD LIKAR, PHONE NO. (505) 892-9200

AGENT/ENGINEER:

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

RIO RANCHO PLANNING AND ZONING BOARD

Approved at their meeting on this _____ day of _____ 20____.

_____
Chairman

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

Book xx Page xx

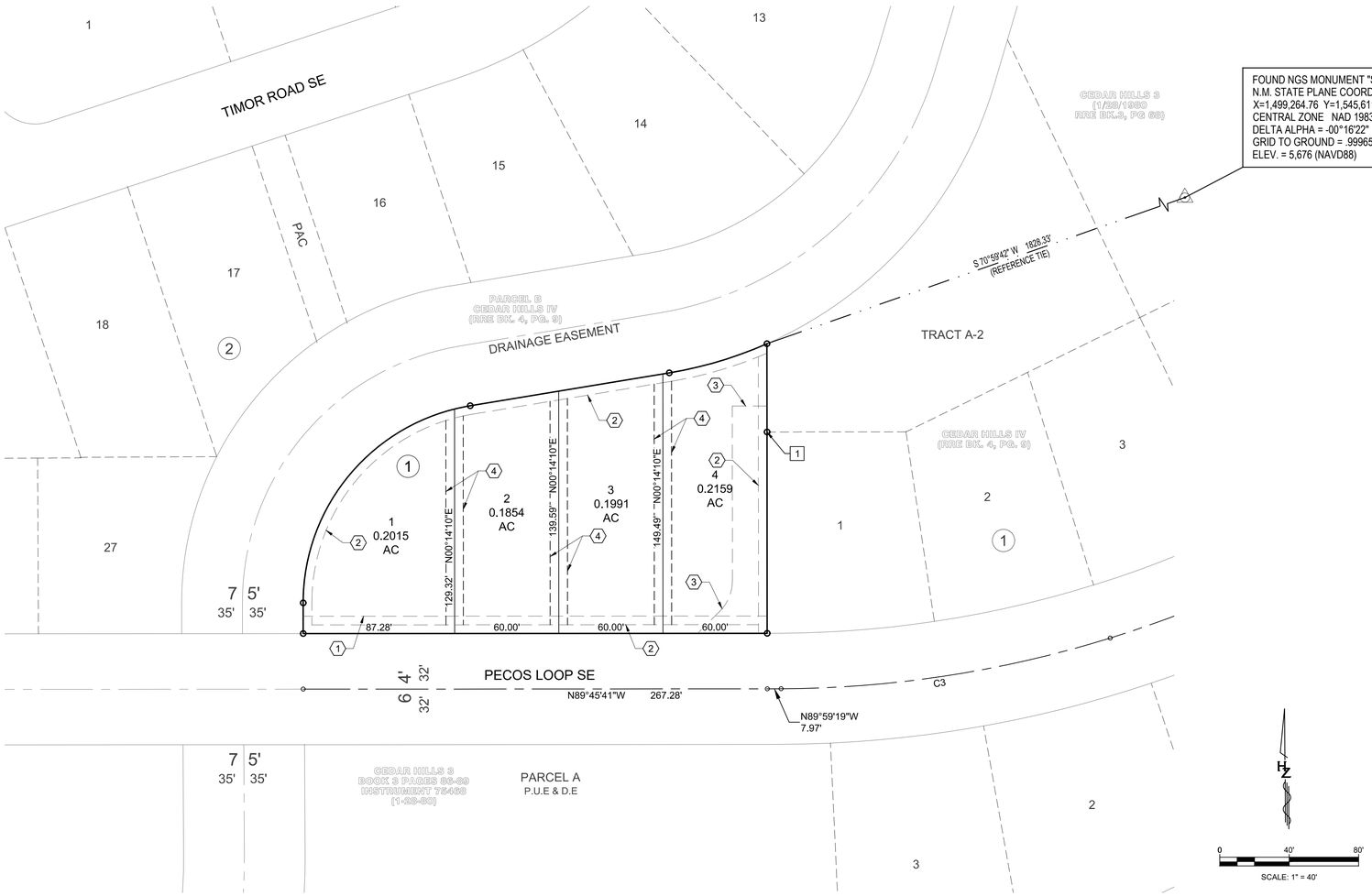
Plotted: 7/3/2023 9:46:27 AM, By:Villa, Nina
H:\Transfer\Nina\CedarHills4\05 Design\05.11 Survey\05.11.1 Plat\CedarHills4 Plat.dwg
Last Saved:7/3/2023 9:44:25 AM, nvilla

PLAT OF

CEDAR HILLS 4 SUBDIVISON
TRACT A-1

WITHIN SECTION 28, T. 12 N., R. 2 E., N.M.P.M.
TOWN OF ALAMEDA GRANT
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JUNE 2023

SHEET 2 OF 2



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	80°38'11"	115.02'	N40°33'16"E	148.84'	161.88'
C2	14°21'04"	235.04'	N73°41'49"E	58.72'	58.87'
C3	8°14'00"	650.00'	S85°53'02"W	93.32'	93.40'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N00°14'10"E	17.69'

EASEMENTS

(1) EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) ALONG RIGHT-OF-WAY FRONTAGE GRANTED BY SUMMARY PLAT OF TRACTS A-1 AND A-2 CEDAR HILLS IV TO REMAIN.

(2) EXISTING 5' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) ALONG THE EXISTING LOTS LINES GRANTED BY SUMMARY PLAT OF TRACTS A-1 AND A-2 CEDAR HILLS IV TO REMAIN.

(3) EXISTING 20' WIDE PUBLIC ACCESS EASEMENT AND PUBLIC UTILITY EASEMENT GRANTED BY SUMMARY PLAT OF TRACTS A-1 AND A-2 CEDAR HILLS IV TO REMAIN.

(4) 5' WIDE PUBLIC UTILITY EASEMENTS (P.U.E) GRANTED BY THIS PLAT.

BOUNDARY EVIDENCE: UNLESS OTHERWISE INDICATED:

[1] FOUND NO. 5 REBAR W/CAP; LS 7482

KIM C. STELZER
NEW MEXICO
7482
REGISTERED PROFESSIONAL LAND SURVEYOR

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

Plotted: 6/30/2023 11:20:09 AM, By: Villa, Nina
H:\Transfer\Nina\CedarHills4\05 Design\05.11 Survey\05.11.1 Plat\CedarHills4 Plat.dwg
Last Saved:6/30/2023 11:19:37 AM, nvilla

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 6, 2023

TO:
(X) Development Services – Matt Geisel, Amy Rincon, Brian Babyak, 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
(X) Rio Rancho Public Schools – Michael Baker
(X) MRCOG – Peach Anderson-Tauzer

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

RE: **Final Plat**: DSD #23-220-00013 (please reference this # with any correspondence)

This is a transmittal for a Final Plat for Cedar Hills 4. The proposed plat is for 4 lots on approximately 0.8 acres.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by Thursday, **July 20, 2023**. If redline comments are made on the plat, please also provide me with a copy. Please contact Michelle Costilla at 505-896-8362 or e-mail 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
(X) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
(_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Note 3 does correlate with previous plat.

Peter Prukop — Reviewer

7/21/23 — Date

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-220-00011

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Final Plat. The applicant, AMREP Southwest, Inc., through their agent Huitt-Zollars., Inc, requests approval of a Final Plat for the Siesta Hills II Subdivision, on the property legally described as Siesta Hills II, Block 4, Lot 21A. Staff contact is Liz Ruiz Carlos and staff recommends the item be approved with findings and conditions.

BACKGROUND AND ANALYSIS:
This Preliminary Plat was originally heard and approved by the Planning and Zoning Board on June 8, 2021 under case #21-210-00009 The plat had then expired as it had been over a year since the plat's approval and an extension or Final Plat has not been filed. The Preliminary Plat was therefore reheard under case #23-210-00002 and received approval from the Planning and Zoning Board on April 11, 2023. The plat had not been modified since the first Preliminary Plat submittal.

The subject property is legally described as Siesta Hills II, Block 4, Lot 21A, and is located on the southwest corner of Bali Road SE and Ivory Road SE (one mile west of Unser Blvd SE and about a quarter mile south of Tulip Road SE). The subject property consists of 0.72 acres and is zoned R-1: Single-Family Residential. Siesta Hills II would create four lots.

SURROUNDING LAND USE/ZONING: Surrounding properties are all zoned R-1: Single Family Residential.

GENERAL INFORMATION:
A. Layout: Siesta Hills would consist of four, R-1: Single-Family Residential lots.
B. Acreage: 0.72 Acres
C. Access: The proposed development would be accessed off of Bali Road SE, a residential road, via Ivory Road SE, a minor collector or from Tulip Road SE, a minor collector.
D. Zoning: The subject property is zoned R-1: Single-Family Residential per Ordinance 81-15, the original City of Rio Rancho Zone Map.
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 water and wastewater availability approval letter was issued by the City of Rio Rancho Utilities Department for the Siesta Hills Subdivision on May 20, 2017.
G. Drainage: Storm runoff will drain southeast toward Bali Road and into Ivory Road. The internal drainage of Ivory Road drains into an existing arroyo known as the Sugar Channel. The applicant and developer must work with SSCAFCA to provide design for floodwall, bank protection, and review SSCAFCA's Star Heights Drainage Assessment.
H. Roads and Sidewalks: The existing street will be standard local street sections with sidewalk.

The right- of-way would comply with the design standards for streets set out in R.O. 2003 § 155.41.
I. Recreation Facilities/Open Space: None
J. Easements: There will be a ten foot wide public utility easement within all new lots adjacent to road right-of-way and five foot wide public utility easement within all new lots on all side and rear property lines.
K. Public Site Dedications: None
L. Vacations: None
M. Variances: None

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:
The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions.

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

CONFORMANCE WITH ZONING ORDINANCE:
The proposed lots would comply with the dimensional standards of the R-1: Single-Family Residential zoning district including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed lots would range in size from 0.1612 acres (approximately 7,021 sf) to 0.2334 acres (approximately 10,166 sf) in compliance with the 7,000 sf minimum lot area of the R-1: Single Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 60 ft, as the smallest lot frontage in this subdivision is 78 ft.

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

CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN:
In Chapter 5, Land Use Element, a policy is to “encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan”, (5.6.3, Policy L-1).

FINDING: This application would be an action in meeting the policy of encouraging development, however it is not in a master planned area. The development improves upon storm drainage, utilities, and accessibility with additional sidewalks, within the City of Rio Rancho. Criteria is satisfied.

CONFORMANCE WITH THE APPROVED PRELIMINARY PLAT: The Planning and Zoning Board approved the Preliminary Plat for Siesta Hills II on April 11, 2023. 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-1: 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 all staff comments prior to recording.
5. Final Plat to include 10 ft. easement adjacent to all public right-of-way and 5 ft. easements on all side and rear property lines prior to recording.
6. Plat will be Book 34, Pg. 33

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: LocationZoneMap.pdf
ATTACHMENT: Application.pdf
ATTACHMENT: AMREP Auth Letter.pdf
ATTACHMENT: Plat.pdf
ATTACHMENT: 4.11.23 Preliminary Plat ABM.pdf

SIESTA HILLS II, BLOCK 4, LOT 21A



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.

ReRancho City of Vision

Map Created by Brian Babyak on May 17, 2021

0 0.05 0.1 0.2

Miles

N W E S

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name:	AMREP SOUTHWEST, INC.			Phone:	505-389-2191
Address:	409 NM HWY 528 NE			E-Mail:	BryanA@aswinc.com
City:	RIO RANCHO	State:	NM	Zip:	87124
Proprietary Interest:	100%	List Owners:	AMREP SOUTHWEST, INC.		
Deed or Ownership Verification Provided: (Initials)			Letter of Authorization Provided: (Initials)		
Agent Name:	HUITT-ZOLLARS, INC.			Phone:	505-892-5141
Address:	333 RIO RANCHO DRIVE NE, SUITE 101			E-Mail:	nvilla@huitt-zollars.com
City:	RIO RANCHO	State:	NM	ZIP Code:	87124

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

Final Plat for Siesta Hills

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit :	Rio Rancho Estates Unit 11	Block(s):	4	Lot(s):	21A
Existing Zoning:	R-1	Proposed Zoning:	R-1		
No. of existing lots:	1	No. of proposed lots:	4	Total area of site (acres)	0.72

ACKNOWLEDGEMENT

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

Print Name:	Nina Villa	Applicant:	Agent: HUITT-ZOLLARS, INC.
Signature:			Date: 7-3-23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Form revised June 2014

AMREP SOUTHWEST INC.

333 Rio Rancho Dr. NE, Suite 202 Rio Rancho, NM 87124 505-892-9200

April 30, 2021

Ms. Amy Rincon
Planning and Zoning Manager
Development Services Dept.
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Amy Rincon:

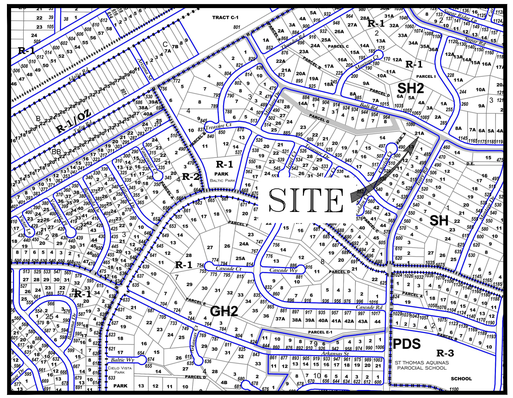
Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following properties.

Unit 11, Siesta Hills II, Block 4, Lot 21A

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
AMREP Southwest, Inc.


SITE
SH2
SH
GH2
PDS
R-1
R-2
R-3
R-1/DZ
TRACT C-1
PARCEL C-1
PARCEL C-2
PARCEL D-1
PARCEL D-2
PARCEL E
PARCEL F
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CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-210-00002

AGENDA DATE:
April 11, 2023

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat. The applicant, AMREP Southwest, Inc., through their agent, Huitt-Zollars, Inc., is requesting approval for a preliminary plat to create four R-1: Single Family Residential zoned lots from the property legally described as Siesta Hills II, Block 4, Lot 21A. Staff contact is Brian Babyak and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, AMREP Southwest, Inc., through their agent, Huitt-Zollars, Inc., is requesting approval for a preliminary plat for Siesta Hills to create four R-1: Single Family Residential zoned lots from the property legally described as Siesta Hills II, Block 4, Lot 21A. The property is 0.72 acres, located on the southwest corner of Bali Road SE and Ivory Road SE, one mile west of Unser Blvd SE and about a quarter mile south of Tulip Road SE.

This Preliminary Plat was originally heard by the Planning and Zoning Board on June 8, 2021 under case #21-210-00009, and approved by a vote of 5 for and 0 against. The plat has since expired as it has been over a year since the plat's approval and an extension or Final Plat has not been filed. The plat has not been modified since the first Preliminary Plat submittal. Per Condition #4 of the approved Preliminary Plat case #21-210-00009: "In accordance with R.O. 2003 § 155.24(A), the final plat shall be recorded within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void."

The property owner has begun initial improvement and construction work on the property, however has since paused work with the plat expiration.

I. General Information
1. Layout: Siesta Hills would be 4 R-1: Single-Family Residential lots.
2. Acreage: 0.7179 Acres
3. Access: The proposed development would be accessed off of Bali Road SE, a residential road, via Ivory Road SE, a minor collector or from Tulip Road SE, a minor collector.
4. Zoning: The subject property is zoned R-1: Single-Family Residential per Ordinance 81-15, the original City of Rio Rancho Zone Map.
5. 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.
6. Water and Wastewater Availability: A water and wastewater availability approval letter was issued by the City of Rio Rancho Utilities Department for the Siesta Hills Subdivision on May 20, 2021
7. Drainage: Storm runoff will drain southeast toward Bali Road and into Ivory Road. The internal drainage of Ivory Road drains into an existing arroyo known as the Sugar Channel. The applicant

and developer must work with SSCAFCA to provide design for floodwall, bank protection, and review SSCAFCA's Star Heights Drainage Assessment.
8. Roads and Sidewalks: The existing street will be standard local street sections with sidewalk. The right- of-way would comply with the design standards for streets set out in R.O. 2003 § 155.41.
9. Recreation Facilities/Open Space: None
10. Easements: There will be a ten foot wide public utility easement within all new lots adjacent to road right-of-way and five foot wide public utility easement within all new lots on all side and rear property lines.
11. Public Site Dedications: None
12. Vacations: None
13. Variances: None

II. Conformance with the Subdivision Requirements

The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions.

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

III. Conformance with the Zoning Ordinance

The proposed lots would comply with the dimensional standards of the R-1: Single-Family Residential zoning district including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed lots would range in size from 0.1612 acres (approximately 7,021 sf) to 0.2334 acres (approximately 10,166 sf) in compliance with the 7,000 sf minimum lot area of the R-1: Single Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 60 ft, as the smallest lot frontage in this subdivision is 78 ft.

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

IV. CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN

In Chapter 5, Land Use Element, a policy is to “encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan”, (5.6.3, Policy L-1). FINDING: This application would be an action in meeting the policy of encouraging development, however it is not in a master planned area. The development improves upon storm drainage, utilities, and accessibility with additional sidewalks, within the City of Rio Rancho. Criteria is satisfied.

V. CONFORMANCE WITH CITY POLICIES AND REGULATIONS

The Departments of Development Services (Planning and Engineering), Parks, Recreation and Communication Services, Fire and Rescue, SSCAFCA, and Rio Rancho Public Schools reviewed this application and related infrastructure plans. Their comments are presented as attachment III. The plat and related infrastructure plans were also sent to Police and the Mid-Region Council of Governments but staff did not receive any comments. FINDING: Criteria is satisfied.

SURROUNDING LAND USE/ZONING:
Surrounding properties are all zoned R-1: Single Family Residential.

NOTIFICATIONS:

Notice of pending development application was sent via certified mail to the abutting property owners of the subject property 15 days in advance of the hearing. A legal notice was published in the Rio Rancho Observer on March 27, 2023. A notice sign was posted to the property on April 4, 2023.

REVIEWER COMMENTS:

Agency/Department	Comments
City of Rio Rancho Engineering	See Attachment III
City of Rio Rancho Fire and Rescue	See Attachment III
SSCAFCA	See Attachment III
City of Rio Rancho Parks, Recreation, and Community Services	Park & Trail Impact Fees to be paid, no further comment
Rio Rancho Public Schools	No adverse comment
City of Rio Rancho Police	Did not receive comment
MRCOG - MRMPO	Did not receive comment

IMPACT:

The Development Services Department recommends the Planning and Zoning Board approve preliminary plat case no. 23-210-00002 subject to the following findings of fact and conditions of approval:

General Findings of Fact:
1. The Planning and Zoning Board has jurisdiction over the subject property and the applicant's request for approval of the preliminary plat.
2. The applicant has the authority to apply for a preliminary plat.
3. Neighboring property owners and the applicant/agent received written notices and were allowed to comment at a public hearing.

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 Rio Rancho Code of Ordinance (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary plat conforms to the requirements of the R-1: Single-Family Residential Zoning District.
4. In accordance with R.O. 2003 § 155.24(A), the final plat shall be recorded within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
5. 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
6. Impact fee assessment will be based on the date of this preliminary plat approval and valid for four (4) years from the date of this approval.
7. Final Plat to include 10 ft. easement adjacent to all public right-of-way and 5 ft. easements on all side and rear property lines.
8. Prior to submission of final plat, applicant may need to address and coordinate with SSCAFCA on drainage and bank protection.

ALTERNATIVES:

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

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: Location & Zoning Map
ATTACHMENT: Original Reviewer Comments
ATTACHMENT: SIESTA HILLS_PLAT.pdf
ATTACHMENT: PLANNING-and-ZONING-LAND-USE-APPLICATION-FORM-Siesta Hills.pdf
ATTACHMENT: ReproductionofNotifications.pdf
ATTACHMENT: 6.8.21 PZB Minutes.pdf

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-410-00004

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Specific Area Plan Amendment. The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan to update the Future Land Use Map. Staff contact is Chris Benson and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan to update the Future Land Use Map on five lots legally described as Unit 13, Block 112, Lots 1, and 4-7. The Specific Area Plan (SAP) Future Land Use Map designates the subject area as "Northern Blvd Neighborhood Center" and shows a C-1 zoning designation. The applicant is requesting the Future Land Use be amended to "Northern Blvd Wholesale & Warehouse" area, similar to the Land Use directly adjacent to the west.

Concurrent with this request is a Zone Map Amendment request to a change the zoning on the subject property from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District, being heard under case #23-100-00003.

The Broadmoor Drive SAP was originally adopted on August 22, 2007 with Resolution No. 79 Enactment No. 07-078. The Broadmoor Drive SAP was most recently amended on July 22, 2021 by Resolution No. 68 Enactment No. 21-067 with the zone map amendment for this area under case 21-100-00009.

This amendment would update the total percentage of land used within the SAP boundary for Wholesale and Warehouse as increasing from 4.7% to 5.7%. In addition, the Future Land Use Map (Exhibit 12) would be updated to show the Northern Blvd Wholesale and Warehouse use expanding across the five subject lots. No other amendments to the SAP are listed.

This amendment was initially scheduled to be heard on 07/11/2023, postponed on a request from the applicant, and later the item was withdrawn from the 07/25/2023 Planning and Zoning Board agenda. The applicant wanted to amend the request for this Specific Area Plan Amendment from an M-1: Industrial and Business Park zoning designation and Manufacturing and Industrial Land Use to a C-2: Wholesale and Warehousing Commercial zoning designation and Land Use, following discussion with City staff. The amended request has been included as an attachment.

REVIEW CRITERIA:
The City's Comprehensive Plan states that "the City will rely on the development of Specific Area Plans and Master Plans for identifying a specific land use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to

guide land-use decision making by the Governing Body." The City's Comprehensive Plan further outlines the type of material expected to be included in a Specific Area Plan. Staff has used the list as the guiding policy on whether the amendments fit with Specific Area Plans in general. The amendment is also compared to the original intent of the adopted Specific Area Plan.

The subject property is located within the Broadmoor Drive Specific Area Plan adopted by the City of Rio Rancho in 2007. The purpose of the plan is to guide and manage future development along, and in the vicinity of, major arterial streets within the City of Rio Rancho. The Broadmoor Drive Specific Area Plan currently envisions the Land Use of this area to be a Neighborhood Center (C-1: Retail Commercial District). The Generalized Land Use Map (GLUM), Chapter 5, Map L-2 of the City's Comprehensive Plan envisions this area Commercial (Neighborhood, Community), Mixed-Use, and Office, which the Broadmoor Drive Specific Area Plan is currently aligned with. The requested amendment to the Future Land Use Map of the Broadmoor Drive SAP would conform to the Comprehensive Plan GLUM, Map L-2.

The request will conform to the Goals and Objectives of the Broadmoor Drive SAP by encouraging and promoting development along the Northern Blvd corridor and allowing for the potential of a larger wholesale and warehousing development. The change in Land Use to extend the "Wholesale and Warehouse" corridor may also improve access and circulation through a similar and consistent Land Use along Northern Blvd.

SITE ANALYSIS:
No proposed changes.

LAND USE:
The land use of the site will change from Commercial to Warehouse. This will raise the total percentage of land used for Warehousing in the SAP boundary from 4.7% 5.7%.

GRADING AND DRAINAGE:
No proposed changes.

CIRCULATION:
No proposed changes.

PHASING AND FINANCING:
No proposed changes.

DESIGN STANDARDS:
No proposed changes.

NOTIFICATIONS:
All neighboring owners within 100' of the subject property were notified by mail. A legal advertisement was placed in the July 24, 2023 edition of the Albuquerque Journal. A notice sign was erected on the subject property on August 1, 2023. All legal notification requirements have been met.

INTERDEPARTMENT/INTERAGENCY REVIEW:
See comments listed for Zone Map Amendment Case 23-100-00004.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the request for an amendment to the Broadmoor Drive Specific Area Plan subject to the findings and conditions below:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for an amendment to the Broadmoor Drive Specific Area Plan.
2. The applicant has the authority to make an application to request an amendment to the Broadmoor Drive Specific Area Plan.
3. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present view was given.

SPECIFIC FINDINGS OF FACT AND CONDITONS FOR APPROVAL:

1. The change of Land Use from Northern Blvd Neighborhood Center to Northern Blvd Wholesale and Warehouse does not adversely affect the goals and objectives of the Broadmoor Drive Specific Area Plan.
2. The change of Land Use to Northern Blvd Wholesale and Warehouse will be consistent with the goals and policies from the Land Use Element of the Comprehensive Plan.

ALTERNATIVES:

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

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval of the Specific Area Plan Amendment request to the Governing Body.

ATTACHMENT: Application_1.pdf
ATTACHMENT: Northern_Industrial_Justification_Letter__BT_clean_2023-06-15_1.pdf
ATTACHMENT: Northern_Industrial_Justification_Letter__BT_redline_2023-06-14_ (2).pdf
ATTACHMENT: Proposed_update_to_Broadmoor_Drive_SAP_-_TH_Revised_53023 (2).docx
ATTACHMENT: Request Update.pdf
ATTACHMENT: Comments Memo.pdf
ATTACHMENT: Notice Sign.pdf
ATTACHMENT: Notice Letter.pdf
ATTACHMENT: Legal Ad.pdf
ATTACHMENT: Public Comment 1.pdf
ATTACHMENT: Public Comment 2.pdf
ATTACHMENT: DRAFT_Resolution_23-410-00004_BMB (1).docx

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: David Torres		Phone: 505-659-7086
Address:		E-Mail: dt@osonegrocapital.com
City:	State:	Zip:
Proprietary Interest:	List Owners: Northern Industrial Investments, MAM Partners LLC, David Torres	
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)

Zone Map Amendment from C-2 and C-1 to M-1 to allow for warehousing and manufacturing uses.
And a complementary variance request to the Broadmoor Drive SAP requirement to allow metal buildings.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Unit 13	Block(s): 112	Lot(s): Tract A & B, 1, 4-7
Existing Zoning (C2 Tract A and B) (C1Lot 1, 4-7)	Proposed Zoning: M1	
No. of existing lots: 7	No. of proposed lots:	Total area of site (acres) 6

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: David Torres	Applicant:	Agent:
Signature: D.T.		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

June 15, 2023

Amy Rincon
Planning and Zoning Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho

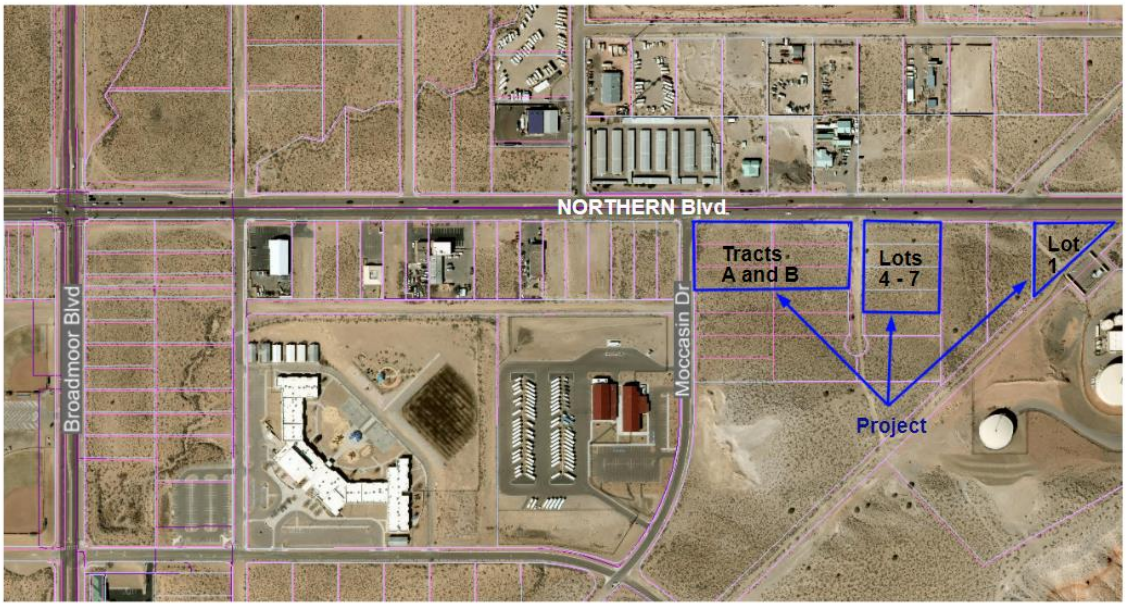
Re: Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment for Northern Industrial Investments & MAM Partners LLC

Dear Ms. Rincon

The purpose of this letter is to request approval of a Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment on behalf of Northern Industrial Investments and MAM Partners LLC. The request is for approximately 5 acres of land located south of Northern Boulevard between Moccasin Drive and Walpi Court to allow for a zone change to M-1: Industrial and Business Park. The legal description for the properties pertaining to this request are as follows:

Rio Rancho Estates Unit 13, Block 112, Tract A&B, Lots 1 & 4-7.

Figure 1 Location



PROJECT REQUEST

This request is for a Zone Map Amendment from C-1: Retail Commercial and C-2: Wholesale and Warehousing to M-1: Industrial and Business Park along with a. The plan amendment will allow for warehousing and manufacturing as a permissive land use.

The requested change will allow for the construction of 3 additional high quality indoor industrial and business park spaces with backyard outdoor storage. The proposed office/warehousing buildings are each approximately 15,000 square feet with finished metal panels.

The proposed industrial and business park use compliments the existing surrounding uses of the area and furthers the Broadmoor Drive Specific Area Plan's desire to have a range of economically viable and appropriate land uses. The industrial and business park buildings are designed to be aesthetically pleasing and further the commercial character of this portion of Northern Boulevard, with backyard storage, east and west facing roll-up doors, and front office space.

OWNERSHIP

Tracts A and B consisting of approximately 3 acres are owned by Northern Industrial Investments, LLC

Lot 1 consisting of approximately 1 acre is owned by David Torres

Lots 4 - 6 consisting of approximatley 1.5 acres are owned by MAM Partners

Lot 7 consisting of approximately .5 acres is owned by Red Roan Enterprises, LLC

David Torres has a controlling interest in all of the above mentioned lots.

EXISTING ZONING AND LAND USE

Tract A has a newly constructed 15,700 square foot building.

Tract B, Lot 1 and Lots 4-7 are currently vacant.

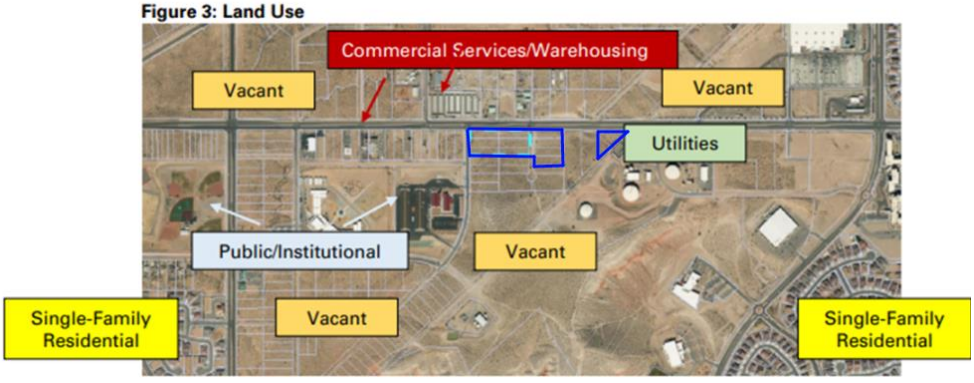
The subject site is surrounded by a combination of vacant land, industrial, warehousing, community facilities, commercial uses, and utilities. The site is directly south of Northern Boulevard and accessible by Moccasin Drive and/or Walpi Court.

TABLE 1. SURROUNDING ZONING & LAND USE		
	ZONING	LAND USE
NORTH	M-1: Industrial and Business Park; C-1: Retail Commercial; C-2: Wholesale and Warehousing Commercial	Storage and warehousing; Rio Rancho Animal Resource Center; Casa di Ferro Ironworks; L&C Automotive; J&E Towing
EAST	C-1: Retail Commercial R-1: Single-Family Residential SU: Special Use for Public Utilities	Vacant; County Trail; and Public Water Utilities
SOUTH	C-1: Retail Commercial R-6: Multi-Family Residential	Vacant C-1. The currently vacant R-6 is proposing to develop as single-family housing.
WEST	C-2: Wholesale and Warehousing Commercial; R-1: Single-Family Residential	Vacant; Euro-Spec Performance Specialists; Affordable Service Plumbing, Hearing, Airconditioning and Electric; Universal Transmission, Inc; Rio Rancho Public Schools Bus Depot; and Ernest Stapleton Elementary

Figure 2: Zoning



Figure 3: Land Use

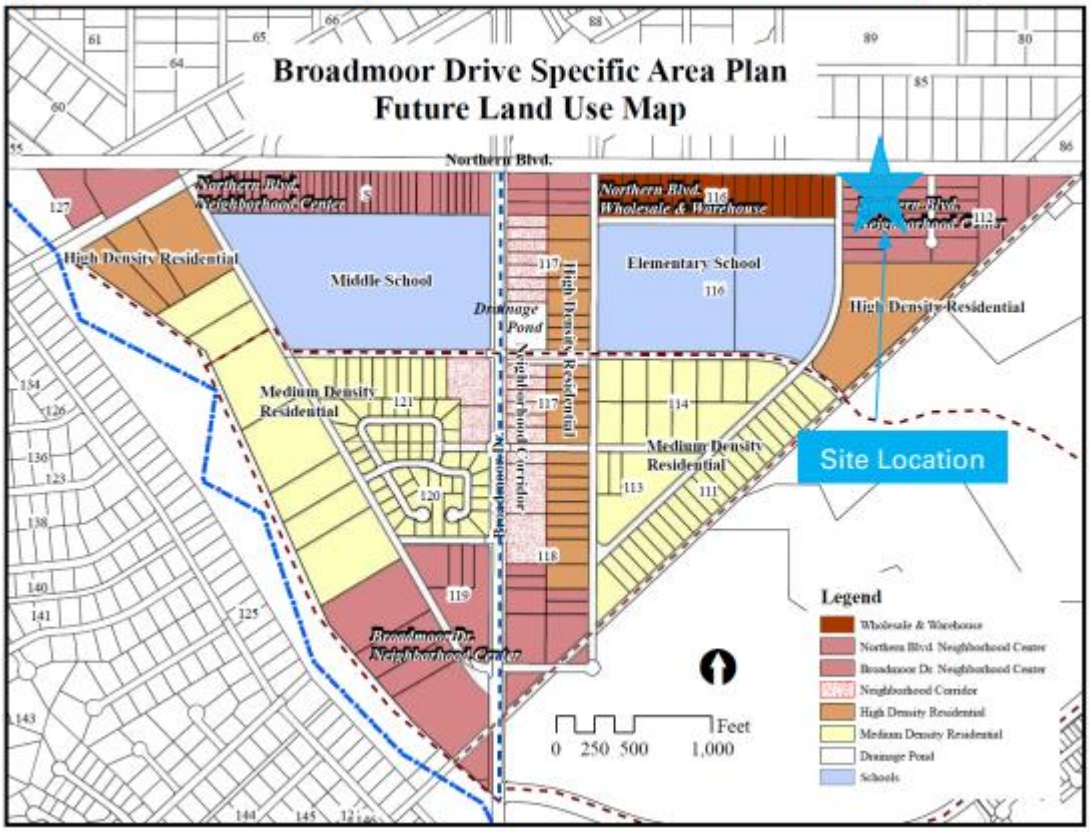


PLANNING CONTEXT

The site is located within the Broadmoor Drive Specific Area Plan (SAP), which was adopted by the City of Rio Rancho Governing Body in August 2007. The purpose of the plan is to "help guide and manage future development along, and in the vicinity of, a major arterial street." The SAP envisions the land uses in the area to allow for a variety of zoning districts and uses while mitigating impacts with the help of design standards.

The SAP distributes land uses between Medium-Density Residential (24.1%), High Density Residential (18.6%), Neighborhood Corridor (24.5%), denter (24.5%), and Wholesale and Warehouse (3.7%).

Figure 4: Broadmoor Drive Specific Area Plan Future Land Use Exhibit 12, Page 28



SITE HISTORY

The properties that are the subject of this Zone Map Amendment are approximately 0.5-acre lots, which were annexed by the City of Rio Rancho in the 1980's. This antiquated platting has been an ongoing challenge faced by the City of Rio Rancho because of the inadequacies in the street right-of-way, impractical block lengths, poor lot configuration, and checkerboard ownership. The site has remained vacant since its annexation.

This area is experiencing moderate growth with some single-family residential and commercial development along Broadmoor Boulevard, and commercial and warehousing/wholesale development along Northern Boulevard.

ZONE MAP AMENDMENT AND BROADMOOR BOULEVARD SPECIFIC AREA PLAN POLICY COMPLIANCE

The following policies for deciding Zone Map Amendments pursuant to the City Zoning Code are as follows:

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

Applicant Response: The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow industrial and business park development is consistent with the health, safety, morals, and general welfare of the City. The proposed use furthers multiple Land Use, Transportation, and Economic Development goals and policies in the Comprehensive Plan and the Broadmoor Drive Specific Area Plan. The change in zoning will allow for an attractive industrial and business park development to occur, complementing existing land use and business mix of this part of Northern Boulevard. In addition, the development of the site will bring necessary infrastructure and utility improvements necessary for future development to occur.

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

Applicant Response: The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow industrial and business park development is the highest and best use for this 5-acre site. The viability precedent is taken from adjacent development just north of Northern Blvd. This Northern Boulevard frontage is stabilizing as a mixture of M-1 uses and the Applicant seeks to continue stabilizing the area with a similar M-1 use.

The Applicant has assembled 7 parcels and will reorient the parcels for development to face Northern Boulevard in similar fashion as adjacent development. The development will not disrupt the flow of traffic on Northern Boulevard since access will be taken from Moccasin Drive and Walpi Court.

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

Applicant Response: The Zone Map Amendment and amendment to the Broadmoor Boulevard Specific Area Plan further multiple goals and policies as contained in the City of Rio Rancho Comprehensive Plan and Broadmoor Boulevard Specific Area Plan as follows:

CITY OF RIO RANCHO COMPREHENSIVE PLAN

Annexations, Antiquated Platting and Addressing Goal A-1: Eliminate antiquated platting within the City of Rio Rancho where desirable.

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Applicant Response: The Applicant furthers the City's goals to remedy antiquated platting and create more efficient lot configurations for infrastructure and utility improvements. The applicant has already consolidated 6 lots and is now going to consolidate an additional 4 lots (approximately 0.5-acres each) to create one 5-acre lot. This consolidation of land creates a more suitable parcel for development with a north facing orientation, creating the necessary depth to the south for storage and loading access. The conceptual site plan orients the building front Northern Boulevard, in similar fashion as the existing commercial development surrounding the site. In addition, the consolidation allows for more efficiency in vehicular circulation as now only two ingress and egress points are proposed for this 5-acre site—one on Moccasin Drive and the second on Walpi Court. In contrast, the current parcel configuration requires access to each individual parcel totaling 3 breaks in the curb on both roads for vehicular access. This could create unsafe conditions for pedestrians and an inefficient flow of traffic.

Land Use Goal L-2: Encourage consolidation of lots to promote a variety of land uses in a planned manner.

Action L-1: Identify areas within the City where location large-scale light industrial businesses such a light manufacturing, warehousing and research

facilities are appropriate.

Applicant Response: The Applicant is proposing an industrial and business park use along Northern Boulevard which is classified as a Community Principal Arterial. The proposed M-1 use complements the existing C-2 use and zoning across Northern Blvd to the north and develops a complementary land use as presented in the Broadmoor Drive Area Specific Plan (SAP). The SAP designated M-1 land uses west of Moccasin Drive and east of Broadmoor Boulevard and the Applicant is proposing to extend the M-1 uses to the 5-acre directly east of Moccasin Drive. The development would create that commercial use buffer between Northern Boulevard and the residential uses to the south as called for in the plan. The Applicant is furthering the goal to consolidate lots for viable development which would not drastically alter the mix of land uses within the SAP Boundaries. The land use change is minimal and continues to preserve the desired land use mix and location of uses adopted in the SAP.

The site is appropriate for industrial and business park uses because of the surrounding context and location along Northern Boulevard. The Applicant seeks to complement the existing uses in the area and elevate the look and feel of the Northern Boulevard corridor by constructing a modern building with a finished metal exterior. This Zone Map Amendment request extends the existing M-1 uses north of Northern Blvd.

Transportation Goal TR-1: Encourage development that effectively mixes land uses to create an efficient transportation system that reduces congestion, improves air quality, and creates opportunities to build Rio Rancho's economy.

Applicant Response: The proposed Zone Map Amendment and SAP Amendment facilitates the development of a viable industrial and business park use and effectively preserves the mix of land use called out in the SAP by increasing the M-1 land use by approximately 1% and preserving the remaining land set aside for commercial development. The proposed development will bring utilities, improve the drainage, and improve the condition of Walpi Court. These infrastructure improvements will make the vacant surrounding commercial land more attractive and suitable for development.

In addition, the site plan will create an efficient transportation system with individual access points on Moccasin Drive and Walpi Court that will not disrupt the flow of traffic on Northern Boulevard since there will not be any direct driveway access. Also, the Applicant is responsible for improving their portion of Walpi Court by paving and installing curb and gutter.

Goal UD-4: Create safe developments that discourage crime.

Applicant Response: The proposed Zone Map Amendment and SAP Amendment will bring attractive development to Northern Boulevard corridor. The proposed development will discourage crime by elevating the look and feel of the area and portray a good image of a well maintained and secure property. In addition, the development will create a buffer for future residential development to the south of the site and will shield the visibility of the residential housing from Northern Boulevard.

Economic Development Goal EDP-1: Create jobs.
Goal EDP-3: Enhance the tax base.
Goal EDR-1: Expand the economic base of Rio Rancho.

Applicant Response: The proposed M-1 use will bring viable industrial and business park space for new businesses to locate to. The Applicant is proposing to develop an additional three ~15,000 square feet buildings for individual businesses. New businesses create more jobs, increase property taxes, and expand the City's economic and gross receipts tax base. This area of the City will become more desirable for other commercial retailers/servicers or office/warehousing uses to locate to. The Applicant has chosen this area because of the surrounding uses and believes the proposed development fit the context. Just as the Applicant was attracted to the area because of its context, future developments will follow.

BROADMOOR BOULEVARD SPECIFIC AREA PLAN

Land use Goal 2: Encourage mixed uses, retail, office, residential, and community uses, pedestrian-oriented and clustered around corridors and activity centers.

Applicant Response: The proposed Zone Map and SAP Amendment to M-1 furthers the mix of land uses in the area and locates the development adjacent to and facing the Northern Boulevard Corridor. The Applicant is proposing an industrial and business park use along Northern Boulevard which is classified as a Community Principal Arterial. The proposed M-1 use complements the existing M-1 uses and zoning across Northern Blvd and develops a complementary land use as the one presented in the Broadmoor Drive Area Specific Plan (SAP). The development will expand that commercial use buffer between Northern Boulevard and the residential development to the south called for in the plan.

The proposed Zone Map Amendment and SAP Amendment effectively preserves the mix of land use called out in the SAP by increasing the M-1 land use by only 1% and increasing the viability of the surrounding vacant commercially zoned land by bringing drainage, transportation (roadway and sidewalks), and utility improvements.

Land Use Objective: Develop Plan land use categories which allow for choice of a variety of zoning districts, and which mitigate impacts on surrounding uses through design standards.

Applicant Response: The Applicant is proposed to amend the Broadmoor Drive Specific Area Plan land uses by increasing the Industrial and Business Park District by approximately 1% and locating development directly south of the existing M-1 designated uses. The Applicant is proposing to develop the adjacent 6-acres to Northern Boulevard and will improve the site with necessary adjacent transportation improvements, drainage improvements, and will act as a buffer between Northern Boulevard and future residential uses to the south.

Because of the future residential uses, the Applicant is proposing to screen the proposed M-1 use with a wall. The proposed development will follow all applicable City of Rio Rancho design standards and SAP standards.

Accessibility Goal: Consolidate and limit access to improve circulation and visually organize the roadway edge.

Applicant Response: The Applicant furthers the goal by consolidating lots and creating a site plan with better configuration for infrastructure, circulation, and visually organizes the Northern Boulevard roadway edge. The Applicant is consolidating 4 lots (approximately .5 acres each) to create one additional 2-acre lot. This consolidation of land creates a more suitable parcel for development with access off of the side streets, a north facing orientation, and creating adequate depth to the south. The site plan orients the building to face in a way that will help to visually organize the roadway edge. In addition, the consolidation allows for more efficiency in vehicular circulation as now only two ingress and egress points are proposed for this 5-acre site—one on Moccasin Drive and the second on Walpi Court.

The Applicant must demonstrate the existing zoning is inappropriate because:

A) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City or
B) changed neighborhood or community conditions justify the change, or
C) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing

the classification of the particular piece of property in question as compared with other available property.

Applicant Response: In this case both B and C apply. A changed neighborhood condition justifying the change has been the construction of surrounding development between Broadmoor Boulevard and Walpi Court. This development is mostly M-1— warehousing/commercial service type uses with side yard or back yard storage spaces. The Applicant is proposing to develop this site with industrial and business park uses. The proposed M-1 use would facilitate the development of three 15,000 square foot industrial and business park buildings with outdoor storage space in the back. In addition, the proposed finished metal facades with stone accents will complement the existing building materials and colors of surrounding development. The development will also act as a buffer for future residential development to the south and bring necessary improvements to utilities, drainage, and transportation infrastructure that will make the remaining commercially zoned vacant land more viable for development. The area improvements serve a public need to further the economic viability of the City and attract more commercial retail/service/warehouse/office development that will serve City of Rio Rancho residents.

The proposed Zone Map and Broadmoor Drive Specific Area Plan Amendments are more advantageous to the community because they further multiple goals of the City's Comprehensive Plan and the goals and policies of the Broadmoor Drive Specific Area Plan. The proposed use assembles 4 additional parcels that are inefficiently platted and will re-orient the parcels to have a north facing frontage with Northern Boulevard. The proposed circulation will preserve the flow of traffic on Northern Boulevard by not creating more ingress/and egress points and utilize the existing land use pattern created by Moccasin Drive and Walpi Court for ingress and egress points.

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

Applicant Response: The cost of land and other economic considerations are not the determining factor for the change. The Applicant selected this site because of the complementary surrounding land uses, business mix, and architecture. The area's M-1 land uses are developing at a quicker rate than other commercially zoned parcels and the Applicant feels that the M-1 use has proven to be the highest and best use for the area.

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

Applicant Response: The proposed M-1 use is for industrial and business

park buildings. The surrounding land use and business mix are the determining factor for locating this use along Northern Boulevard.

(G) A zone change request which will give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. *the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan;*

OR

2. *the area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the subject property is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the subject property unsuitable for the uses allowed in any adjacent zone.*

Applicant Response: The Applicant's proposed M-1 zoning will not create a spot zone. The project will encompass 7 existing lots. The area already includes a mixture of M-1 zoned land and the proposed site is directly adjacent (across the road from Northern Blvd) from existing M-1 zoning and land uses.

Existing surrounding parcels do not offer the ability for the Applicant to assemble the necessary 5-acre site for the proposed development and site plan configuration. In addition, the proposed development will act as a buffer for future residential uses south of Northern Boulevard.

4. The applicant must demonstrate that the existing zoning is inappropriate because a different use category is more advantageous to the community.

Although the property owner recently changed the zoning of the subject property from C-1 to C-2, since such time, the market has shifted significantly and now a subsequent change to M-1 is necessary. While marketing the subject property for commercial purposes as zoned for C-2, the owner received overwhelming requests for various M-1 uses. Currently, the only M-1 zoned property with access to public utilities is located in the Rio Rancho Industrial Park, east of Frontage Road, parallel to Hwy 528. There is no longer any undeveloped M-1 zoned land within Industrial Park. As such, there remains an unfilled need for developable M-1 zoned land with access to public utilities including water, sewer, natural gas, electricity, telephone, and improved streets. The subject property has access to all these public utilities and amenities and can meet this need if re-zoned to M-1. If the subject property is developed for M-1 uses, such

development will attract significant economic growth, contribute to the City's economic base, and increase job opportunity and tax revenue for the City of Rio Rancho.

CONCLUSION

We respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment request for M-1: Industrial and Business Park because we believe this amendment further stabilizes the character of the Northern Boulevard area, brings forth quality and economically viable commercial uses, furthers the goals of the City's Comprehensive Plan and Broadmoor Drive Specific Area Plan, and makes necessary drainage, transportation, and utility improvements. Please feel free to contact me at (505) 659-7086 if you have any questions or need any additional information.

Sincerely,

David Torres

May 30, 2023

Amy Rincon
Planning and Zoning Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho

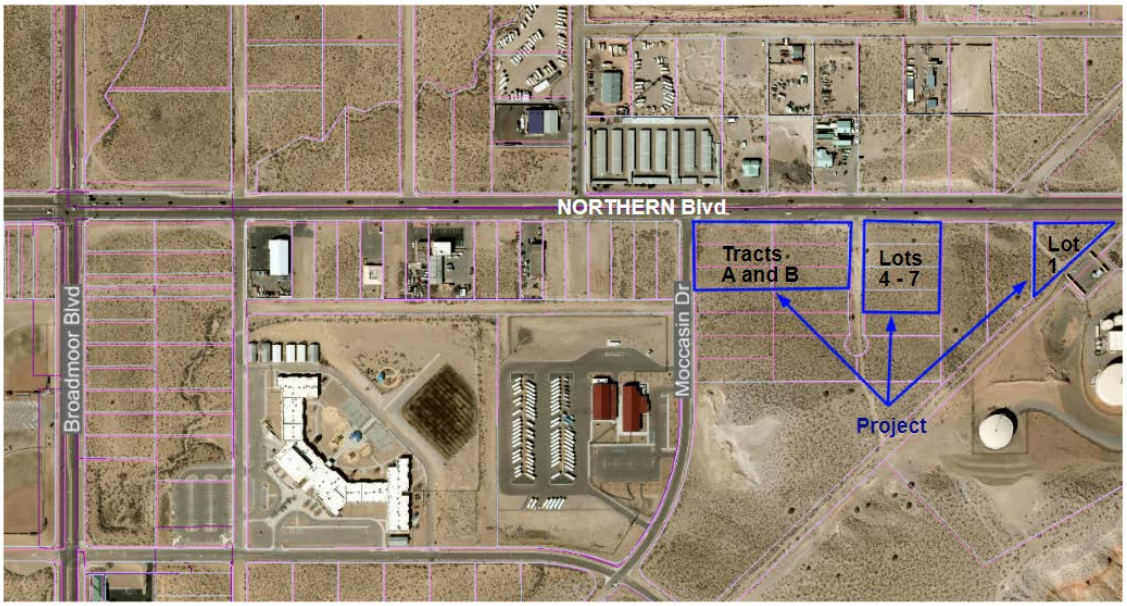
Re: Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment for Northern Industrial Investments & MAM Partners LLC

Dear Ms. Rincon

The purpose of this letter is to request approval of a Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment on behalf of Northern Industrial Investments and MAM Partners LLC. The request is for approximately 5 acres of land located south of Northern Boulevard between Moccasin Drive and Walpi Court to allow for a zone change to M-1: Industrial and Business Park ~~and a complementary variance request to the requirements to allow metal buildings~~. The legal description for the properties pertaining to this request are as follows:

Rio Rancho Estates Unit 13, Block 112, Tract A&B, Lots 1 & 4-7.

Figure 1 Location



PROJECT REQUEST

This request is for a Zone Map Amendment from C-1: Retail Commercial and C-2: Wholesale and Warehousing to M-1: Industrial and Business Park along with a ~~complementary variance to the Broadmoor Drive Specific Area Plan requirement to allow metal buildings~~. The plan amendment will allow for warehousing and manufacturing as a permissive land use.

The requested change will allow for the construction of 3 additional high quality indoor industrial and business park spaces with backyard outdoor storage. The proposed office/warehousing buildings are each approximately 15,000 square feet with finished metal panels.

The proposed industrial and business park use compliments the existing surrounding uses of the area and furthers the Broadmoor Drive Specific Area Plan's desire to have a range of economically viable and appropriate land uses. The industrial and business park buildings are designed to be aesthetically pleasing and further the commercial character of this portion of Northern Boulevard, with backyard storage, east and west facing roll-up doors, and front office space.

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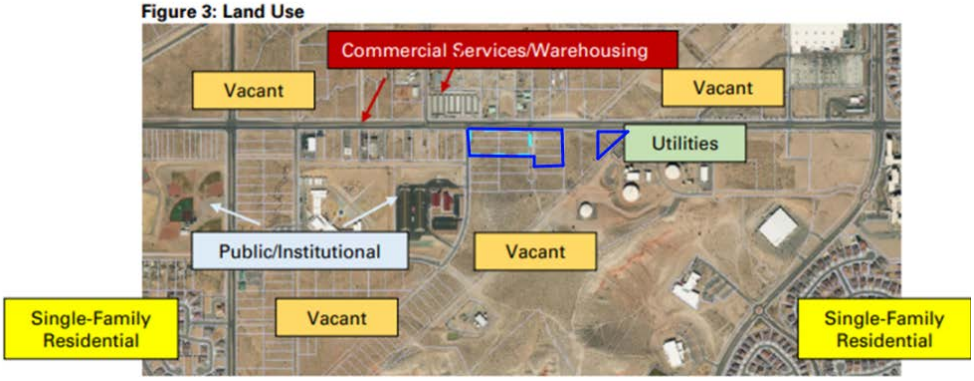
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Figure 2: Zoning



Figure 3: Land Use

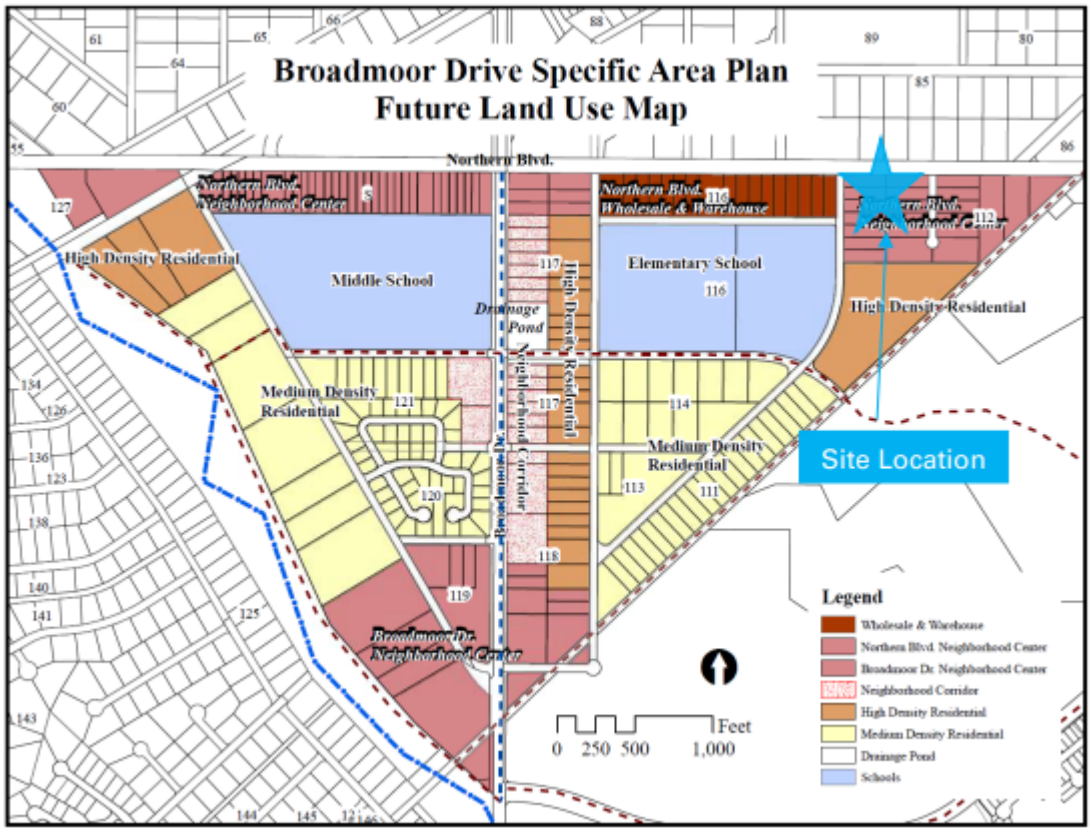


PLANNING CONTEXT

The site is located within the Broadmoor Drive Specific Area Plan (SAP), which was adopted by the City of Rio Rancho Governing Body in August 2007. The purpose of the plan is to "help guide and manage future development along, and in the vicinity of, a major arterial street." The SAP envisions the land uses in the area to allow for a variety of zoning districts and uses while mitigating impacts with the help of design standards.

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SITE HISTORY

The properties that are the subject of this Zone Map Amendment are approximately 0.5-acre lots, which were annexed by the City of Rio Rancho in the 1980's. This antiquated platting has been an ongoing challenge faced by the City of Rio Rancho because of the inadequacies in the street right-of-way, impractical block lengths, poor lot configuration, and checkerboard ownership. The site has remained vacant since its annexation.

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Goal EDP-3: Enhance the tax base.
Goal EDR-1: Expand the economic base of Rio Rancho.

Applicant Response: The proposed M-1 use will bring viable industrial and business park space for new businesses to locate to. The Applicant is proposing to develop an additional three ~15,000 square feet buildings for individual businesses. New businesses create more jobs, increase property taxes, and expand the City's economic and gross receipts tax base. This area of the City will become more desirable for other commercial retailers/servicers or office/warehousing uses to locate to. The Applicant has chosen this area because of the surrounding uses and believes the proposed development fit the context. Just as the Applicant was attracted to the area because of its context, future developments will follow.

BROADMOOR BOULEVARD SPECIFIC AREA PLAN

Land use Goal 2: Encourage mixed uses, retail, office, residential, and community uses, pedestrian-oriented and clustered around corridors and activity centers.

Applicant Response: The proposed Zone Map and SAP Amendment to M-1 furthers the mix of land uses in the area and locates the development adjacent to and facing the Northern Boulevard Corridor. The Applicant is proposing an industrial and business park use along Northern Boulevard which is classified as a Community Principal Arterial. The proposed M-1 use complements the existing M-1 uses and zoning across Northern Blvd and develops a complementary land use as the one presented in the Broadmoor Drive Area Specific Plan (SAP). The development will expand that commercial use buffer between Northern Boulevard and the residential development to the south called for in the plan.

The proposed Zone Map Amendment and SAP Amendment effectively preserves the mix of land use called out in the SAP by increasing the M-1 land use by only 1% and increasing the viability of the surrounding vacant commercially zoned land by bringing drainage, transportation (roadway and sidewalks), and utility improvements.

Land Use Objective: Develop Plan land use categories which allow for choice of a variety of zoning districts, and which mitigate impacts on surrounding uses through design standards.

Applicant Response: The Applicant is proposed to amend the Broadmoor Drive Specific Area Plan land uses by increasing the Industrial and Business Park District by approximately 1% and locating development directly south of the existing M-1 designated uses. The Applicant is proposing to develop the adjacent 6-acres to Northern Boulevard and will improve the site with necessary adjacent transportation improvements, drainage improvements, and will act as a buffer between Northern Boulevard and future residential uses to the south.

Because of the future residential uses, the Applicant is proposing to screen the proposed M-1 use with a wall. The proposed development will follow all applicable City of Rio Rancho design standards and SAP standards.

Accessibility Goal: Consolidate and limit access to improve circulation and visually organize the roadway edge.

Applicant Response: The Applicant furthers the goal by consolidating lots and creating a site plan with better configuration for infrastructure, circulation, and visually organizes the Northern Boulevard roadway edge. The Applicant is consolidating 4 lots (approximately .5 acres each) to create one additional 2-acre lot. This consolidation of land creates a more suitable parcel for development with access off of the side streets, a north facing orientation, and creating adequate depth to the south. The site plan orients the building to face in a way that will help to visually organize the roadway edge. In addition, the consolidation allows for more efficiency in vehicular circulation as now only two ingress and egress points are proposed for this 5-acre site—one on Moccasin Drive and the second on Walpi Court.

The Applicant must demonstrate the existing zoning is inappropriate because:

A) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City or
B) changed neighborhood or community conditions justify the change, or
C) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing

the classification of the particular piece of property in question as compared with other available property.

Applicant Response: In this case both B and C apply. A changed neighborhood condition justifying the change has been the construction of surrounding development between Broadmoor Boulevard and Walpi Court. This development is mostly M-1— warehousing/commercial service type uses with side yard or back yard storage spaces. The Applicant is proposing to develop this site with industrial and business park uses. The proposed M-1 use would facilitate the development of three 15,000 square foot industrial and business park buildings with outdoor storage space in the back. In addition, the proposed finished metal facades with stone accents will complement the existing building materials and colors of surrounding development. The development will also act as a buffer for future residential development to the south and bring necessary improvements to utilities, drainage, and transportation infrastructure that will make the remaining commercially zoned vacant land more viable for development. The area improvements serve a public need to further the economic viability of the City and attract more commercial retail/service/warehouse/office development that will serve City of Rio Rancho residents.

The proposed Zone Map and Broadmoor Drive Specific Area Plan Amendments are more advantageous to the community because they further multiple goals of the City's Comprehensive Plan and the goals and policies of the Broadmoor Drive Specific Area Plan. The proposed use assembles 4 additional parcels that are inefficiently platted and will re-orient the parcels to have a north facing frontage with Northern Boulevard. The proposed circulation will preserve the flow of traffic on Northern Boulevard by not creating more ingress/and egress points and utilize the existing land use pattern created by Moccasin Drive and Walpi Court for ingress and egress points.

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

Applicant Response: The cost of land and other economic considerations are not the determining factor for the change. The Applicant selected this site because of the complementary surrounding land uses, business mix, and architecture. The area's M-1 land uses are developing at a quicker rate than other commercially zoned parcels and the Applicant feels that the M-1 use has proven to be the highest and best use for the area.

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

Applicant Response: The proposed M-1 use is for industrial and business

park buildings. The surrounding land use and business mix are the determining factor for locating this use along Northern Boulevard.

(G) A zone change request which will give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. *the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan;*

OR

2. *the area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the subject property is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the subject property unsuitable for the uses allowed in any adjacent zone.*

Applicant Response: The Applicant's proposed M-1 zoning will not create a spot zone. The project will encompass 7 existing lots. The area already includes a mixture of M-1 zoned land and the proposed site is directly adjacent (across the road from Northern Blvd) from existing M-1 zoning and land uses.

Existing surrounding parcels do not offer the ability for the Applicant to assemble the necessary 5-acre site for the proposed development and site plan configuration. In addition, the proposed development will act as a buffer for future residential uses south of Northern Boulevard.

4. The applicant must demonstrate that the existing zoning is inappropriate because a different use category is more advantageous to the community.

Although the property owner recently changed the zoning of the subject property from C-1 to C-2, since such time, the market has shifted significantly and now a subsequent change to M-1 is necessary. While marketing the subject property for commercial purposes as zoned for C-2, the owner received overwhelming requests for various M-1 uses. Currently, the only M-1 zoned property with access to public utilities is located in the Rio Rancho Industrial Park, east of Frontage Road, parallel to Hwy 528. There is no longer any undeveloped M-1 zoned land within Industrial Park. As such, there remains an unfilled need for developable M-1 zoned land with access to public utilities including water, sewer, natural gas, electricity, telephone, and improved streets. The subject property has access to all these public utilities and amenities and can meet this need if re-zoned to M-1. If the subject property is developed for M-1 uses, such

development will attract significant economic growth, contribute to the City's economic base, and increase job opportunity and tax revenue for the City of Rio Rancho.

CONCLUSION

We respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment request for M-1: Industrial and Business Park because we believe this amendment further stabilizes the character of the Northern Boulevard area, brings forth quality and economically viable commercial uses, furthers the goals of the City's Comprehensive Plan and Broadmoor Drive Specific Area Plan, and makes necessary drainage, transportation, and utility improvements. Please feel free to contact me at (505) 659-7086 if you have any questions or need any additional information.

Sincerely,

David Torres



Broadmoor Drive Specific Area Plan

August 2007

Mayor Michael Williams

Governing Body:

District 1: vacant
District 2: Patricia A. Thomas
District 3: Delma Petrullo
District 4: Howard W. Balmer
District 5: Larry Naranjo
District 6: Marilyn Salzman

Planning and Zoning Board:

Karl Wiese, At Large
District 1: David Heil
District 2: Mark Werkmeister
District 3: P.J. Perry
District 4: John Paulson
District 5: Pat D'Arco, Chairman
District 6: Todd Rastorfer, Vice Chair

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1.0 Introduction

1.1 Purpose

The purpose of the *Broadmoor Drive Specific Area Plan* is to help guide and manage future development along, and in the vicinity of, a major arterial street within the City of Rio Rancho. In response to several recent applications for new commercial development in this area, the City has initiated this planning process. This plan provides information about current conditions in the corridor area, identifies goals and objectives, proposes land uses and zoning, identifies access points, creates design standards, and lists methods of implementation.

1.2 Plan Area

The *Broadmoor Drive Specific Area Plan* encompasses an area that forms a 315 acre triangle located in the south central part of the city south of Northern Blvd. and along both sides of Broadmoor Dr. as shown in Exhibit 1. The longest side of the triangle is on the north and formed by Northern Blvd. The west side of the triangle is formed by the Montoyas Arroyo between Northern Blvd. and Broadmoor Dr. The east side of the triangle is formed by an R.E.A. easement, just east of Palm Rd., from Northern Blvd. to Broadmoor Dr. Broadmoor Dr. runs north and south through the center of the triangle. The lots along the south side of Northern Blvd. are also located in the *Northern Blvd. Specific Area Plan*. These lots are outlined in blue in Exhibit 1.

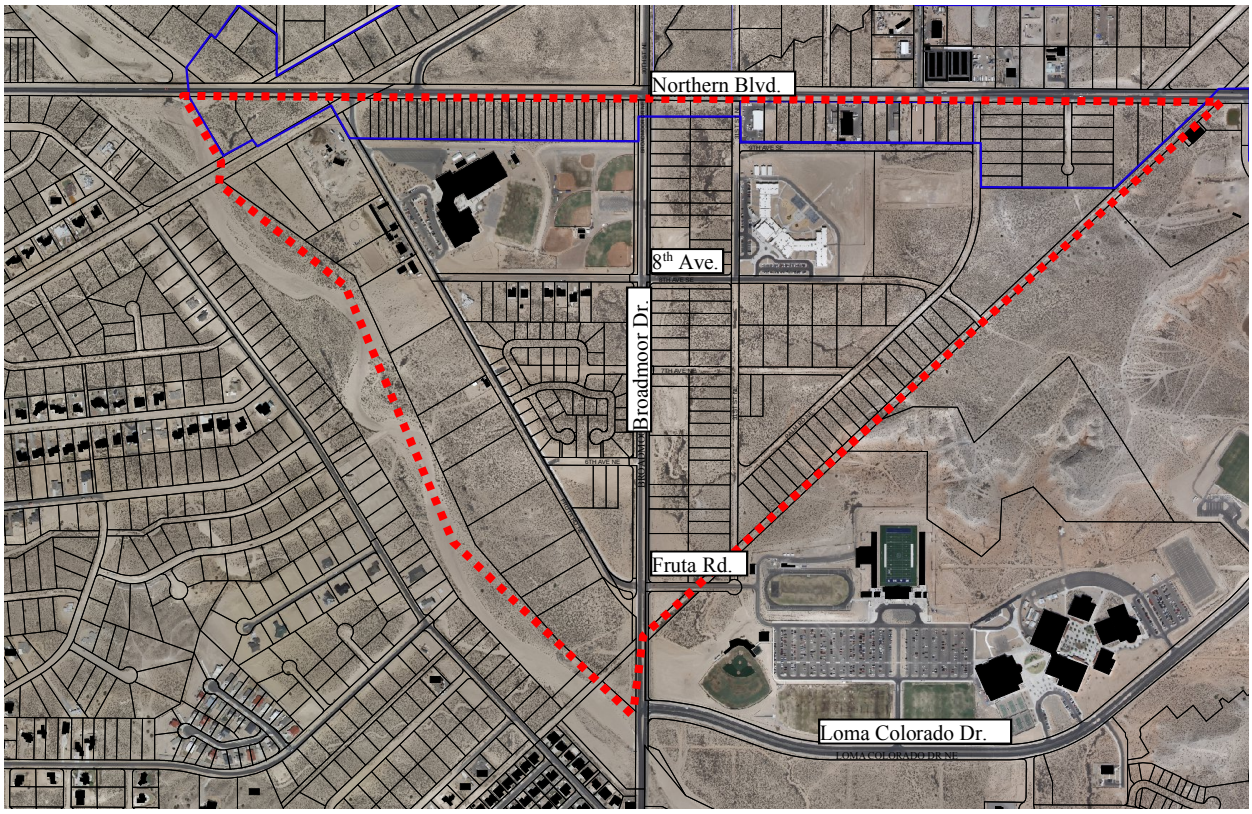


Exhibit 1: Plan Area Map

1.3 Plan Hierarchy



- Comprehensive Plan

The *Vision 2020 Integrated Comprehensive Plan*, adopted June, 2001, is a Level 1 general policy plan to direct current and future growth and physical development of the entire city. The Plan emphasizes patterns of development with mixed land uses and densities. The concept is characterized by Growth Nodes for new development, but also includes infill opportunities.

- Specific Area Plans

A specific area plan is a Level 5 plan that addresses uses, access, parking, streetscape, and other issues along a major thoroughfare or a specific geographic area. It may also address mixed uses, connectivity, character, community services, and other issues for a neighborhood or activity center in the city. Examples of corridor and specific area plans in the city are: Southern Blvd., Northern Blvd., Unser Blvd. North, and Golf Course Rd. Adoption of a specific area plan is an amendment to the ICP.

1.4 Plan Process

The Plan was routed to City departments for review and comment. The Plan was presented to the public at the following meetings:

- Planning and Zoning Board Public Meeting

Public meetings were held on July 10 and July 31, 2007.
The public meeting was advertised by sending out letters to all property owners in the Plan area. Notices were also posted in the neighborhood schools, nearby public library, and in City Hall. The eastern half of the Plan area falls within the Vista Hills Neighborhood Association boundaries so the neighborhood was also notified. The PZB makes a recommendation to the Governing Body. In addition, four meetings were held with property owners along Northern Blvd. and Broadmoor Dr. to determine an access management plan.

- Governing Body Public Hearing

A public hearing date is scheduled for August 22, 2007.
The public hearing has been advertised by sending out certified letters to all property owners in the Plan area. Notices will be posted in the neighborhood schools, nearby public library, and in City Hall. The Governing Body will adopt the specific area plan and any amendments.

1.5 Plan Implementation

A specific area plan is typically implemented through one or more zone map amendments that may be initiated by the City of Rio Rancho or private landowners. Development standards may be established through the adoption of an overlay zone for all or part of the plan area. Recommended capital improvements will be implemented through the City's ICIP or as private development occurs.

2.0 Existing Conditions

Existing conditions for Rio Rancho and the Plan Area described in this section include:

- Demographics
- Natural Environment
- Land Use
- Zoning
- Transportation
- Utilities
- Drainage

2.1 Demographics

Rio Rancho is the fastest growing municipality in New Mexico with an 18.5% growth rate in 2005. The City is expected to more than double in population over the next 20 years. Currently, only a small fraction of the city's population lives in the Plan area. However, if the area builds out in the next 20 years under its current platting, the population could reach over 2,500 people at current household size.

Exhibit 2: Plan Area Population and Housing

	2000	2007/08	2015**	2025***
City of Rio Rancho				
Housing	20,209	27,778	41,403	61,410
Population	51,765	75,000	111,787	165,806
Broadmoor Area %	.0	.3	1.1	1.5
Housing Units	12	44*	470	940
Population	33	119	1,269	2,538

*Includes Ocotillo Hills at build-out
**Assumes 50% build-out at current platting
***Assumes full build-out at current platting Avg. household size of 2.7
Source: US Census, 2000; Projections: NCAP Draft, 2006

The median age for residents of Rio Rancho was 35.1 years, slightly higher than the statewide figure of 34.6 years; however, the City has a higher percentage of residents under 18 than the state average. City residents 18 years or older accounted for 70.8 percent of the total population, compared with 72.0 percent for the state as a whole. Residents 62 years and older comprised 13.4 percent of the total population, compared with 14.0 percent statewide.

The average City of Rio Rancho household had 2.70 persons and the average family household had 3.14 persons, which is very similar to the statewide figures of 2.63 persons and 3.18 persons, respectively. Rio Rancho had a total of 18,995 households in 2000. Of these, 74.3 percent were family households (the members are related by blood or marriage) and 25.7 percent are non-family households. This ratio is fairly similar to that of the state as a whole, where 68.8 percent of households are family households and the remaining 31.2 percent are non-family households.

In 2000, 40.3 percent of all families had children under 18 years of age living in the house, which is somewhat higher than the statewide figure of 34.7 percent.

91% of the Rio Rancho population has a high school diploma. Of these, 29% have some college education, 5% an associate degree, 17% a bachelor degree, and 8% a graduate degree.

Rio Rancho is less ethnically diverse than the rest of the state. 78% of the population is white (28% of which is Hispanic); 4% multi-racial; 2% Native American; 3% Black; 1% Asian; and 11% unclassified.

Comparison of Race and Ethnicity by Percentage of Population

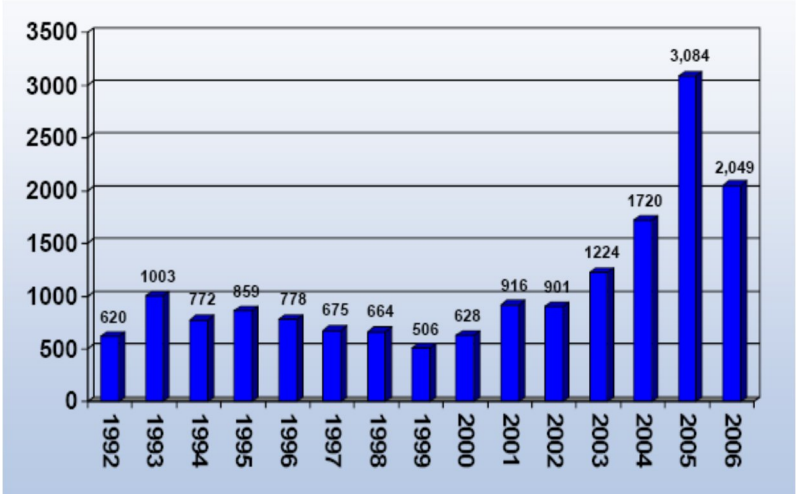
Location	% White	% Hispanic	% Native American	% African American	% Asian	% Other
United States	75.1	12.5	0.9	12.3	3.6	0.1
New Mexico	66.8	42.1	9.5	1.9	1.1	0.1
Sandoval county	65.1	29.4	16.3	1.7	1	0.1
Rio Rancho	78.4	27.7	2.4	2.7	1.5	0.2

Source: http://Quickfacts.census.gov

Exhibit 3: Ethnicity

The Rio Rancho labor force was comprised of 33,100 workers in 2006. The unemployment rate for the city is 3.5% which is lower than for Sandoval County (4.1%) and the Albuquerque metropolitan area (3.9%) as a whole. The City's jobs-to-population ratio of .22 in 2005 will need to increase to .50 jobs-to-population to match the metro area over the next 20 years.

Over half of Rio Rancho's households earned between $40,000 and $100,000 in 1999. The community is predominately middle class, unlike most of the state. The current average household income for the City is $61,747 (Rio Rancho Economic Development Corp., 2007). At the same time, Rio Rancho is less expensive city to live in than its neighbors. The ACCRA Cost of Living Index for Rio Rancho is 97.6 (US = 100%, 4th Quarter 2006).



ng Permits

Building permits for single family homes slowed in 2006 to 2,049 after exceeding 3,000 in 2005 and 2007 is on pace for about 1,500 permits. The long-term average number of building permits issued has been about 1,000 annually.

Housing is still more affordable in Rio Rancho than for the metropolitan area as a whole. The average sales price of an existing home in Rio Rancho was $204,680 in 2006. The median price was $177,000

New homes are averaging $212,000 (Rio Rancho Economic Development Corp., 2006). Most new single family homes are currently being built in the Cabezon community and Northern Meadows subdivision.

2.2 Natural Environment

In general, planning area soils are sandy, with only 8-10 inches of rain a year that support mainly native grasses and shrubs. The Sheppard-Grieta soils are representative of most of the soils in the plan area and are appropriate for urban development. Other major soil types in the area include:

- Clovis Fine Sandy Loam
- Sheppard Loamy Fine Sand
- Zia-Clovis Association.

The natural habitat of the planning area is marked by riparian conditions with many indigenous types of brush and grasses. Common plants include "chamisa, sand sagebrush, winterfat, mormon tea, broom snakewood, cholla cacti, prickly pear cacti, fourwing saltbrush, yucca, buchwheat, tansy mustard, tumbleweed, fiddleneck, western ragweed, verbena, fleabane, desert senna, kochia, piñon, and oneseed juniper." Local wildlife includes mammals, reptiles, and birds that are known to live in natural arroyo areas, including coyote, badger, kit fox, prairie dog, jackrabbit, Prairie rattlesnake, round-tailed horned lizard, lesser earless lizard, and New Mexico whiptail.

- Lomas



The Plan area is characterized by hilly terrain. Some hills or *lomas* are steep and standout as major features in the landscape such as Loma Colorado del Abajo located just east of the Plan area. The land in the Plan area generally slopes from northeast to southwest from 5,550 feet above mean sea level (MSL) to 5,330 ft., a drop of 220 ft. Steep slopes also exist west of Fruta Rd. down to the Montoyas Arroyo.

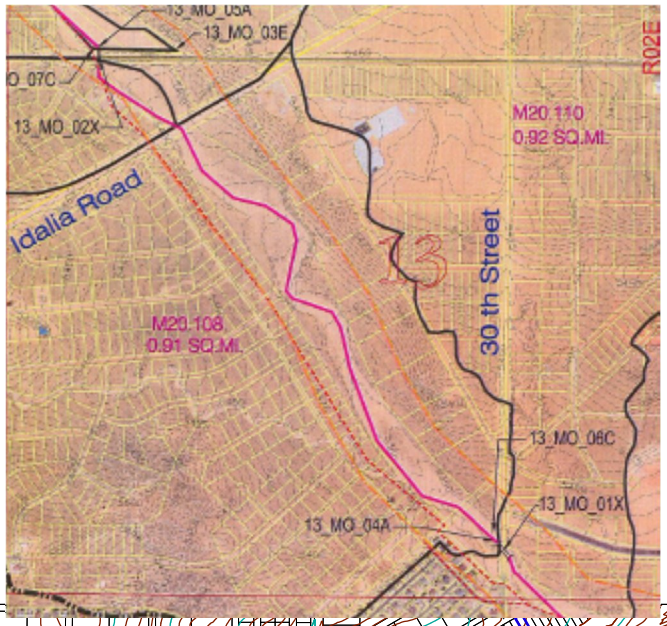
- Los Montoyas Arroyo

The Montoyas Arroyo borders the Plan area on the west side. The arroyo is 17 miles long and its watershed encompasses approximately 60 square miles. The 100 year flow rates within the planning area are provided below with existing and future conditions based on current platting.

	1999	Built Out
Northern Blvd.	5,731 cfs	9,781 cfs
Idalia Rd.	5,735 cfs	9,799 cfs
Broadmoor Dr.	5,739 cfs	9,852 cfs

The Montoyas Arroyo floodplain ranges from approximately 200 feet wide to 400 feet wide at Rio Rancho Blvd. 100-year flow depths range from 5.5 feet at its upper limit to 3 feet near the sedimentation pond at Harvey Jones channel in Corrales.

A small arroyo drains Loma Colorado into the Montoyas Arroya and runs along the east side of Broadmoor Dr.



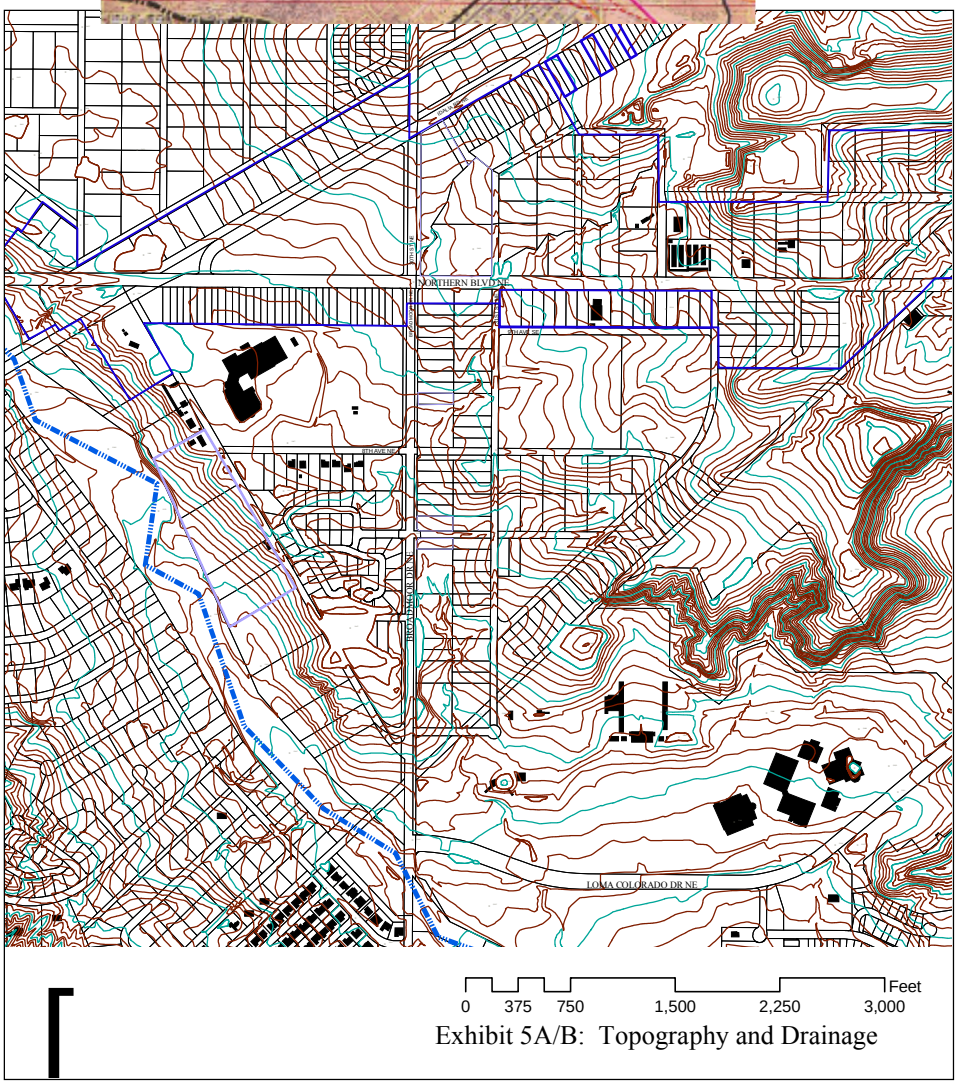


Exhibit 5A/B: Topography and Drainage

2.3 Land Ownership

There are approximately 235 lots in the planning area. 68% of the lots are under 0.5 acre in area. 62% of the properties are zoned R-1 Single Family Residential District. The distribution of lot sizes is as follows:

Acreage	Lots
.25 to .5 acre	89
.5 acre	72
.5 to 1 acre	16
1 acre	11
1 – 2 acres	23
2 – 5 acres	9
5 – 10 acres	10
10 - 34 acres	5
Total	*235*

Obsolete Platting

Premature subdivisions have been platted and sold into multiple, private ownership prior to installation of appropriate infrastructure for land development. Such subdivisions contain one or more developmental inadequacies under current local government standards and requirements, such as, but not limited to:

- Inadequate street right of way or access controls
- A lack of drainage easements or right of way
- A lack of adequate park, recreation, or open space area
- A lack of an overall grading and drainage plan
- A lack of adequate subdivision grading both on and off the public right of way.

Ocotillo Hills Subdivision

Ocotillo Hills is a 44-lot residential subdivision on 14.8 acres, more or less, located west of Broadmoor Drive, between 6th and 8th Avenues, south of Eagle Ridge Middle School. The project will be a gated community with a private street system and two drainage ponds/parcels that will be dedicated to the City. SSCAFCA will be granted an easement over these drainage ponds. The two residential streets inside the subdivision terminate in cul-de sacs at the drainage ponds. The property is zoned R-1/single family residential, with an average lot size of about 0.25 acres. There are no on-site amenities in terms of parks or trails inside the subdivision due to its small size.

2.4 Land Use

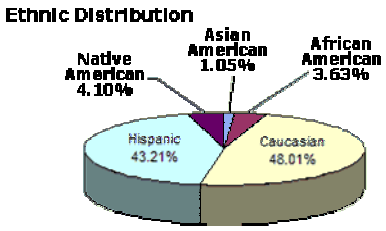
The majority (~63%) of the property in the Plan area is vacant. Single family homes on large lots comprise 26.4 acres or 10.6% of the property. Along Northern Blvd., 7.5 acres are developed as commercial within the planning area. Other land uses include a 1.75-acre drainage pond and 58.4 acres in school properties (23% of the total land in the Plan area).

Exhibit 6: Plan Area Land Use		
Existing Land Use	**Acreage**	**% of Total**
Vacant	160.9	63.4
Drainage	1.75	0.7
Residential	25.4	10.0
Schools	58.4	23.0
Commercial	7.5	3.0
Total	***253.9***	***100.0***
Note: Does not include roads and utility easements		

2.5 Community Facilities

- ***Schools***

Rio Rancho Public Schools had 15,500 students in 2006. Schools located in or near the planning area are described below:



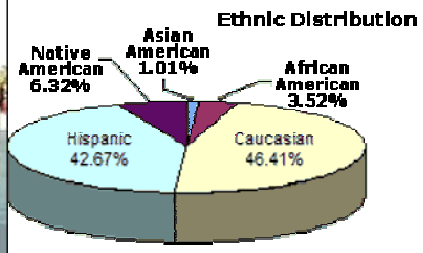
Ernest Stapleton Elementary School
Founded: new facility opened August 2005
Enrollment: 890 (September 2006)
Percent Special Ed students: 15.9% (May 2006)
Percent Free/reduced meal students: 62.5% (August 2006)
Grade levels served: K-5 with special programs
Primary areas served: Vista Hills, Rockaway Heights, Rolling Hills, Southern Park West, and portions of Star Heights and North Hills

Staff: 104, including:

- 61 teachers
- 36 instructional support staff
- 7 non-instructional support staff







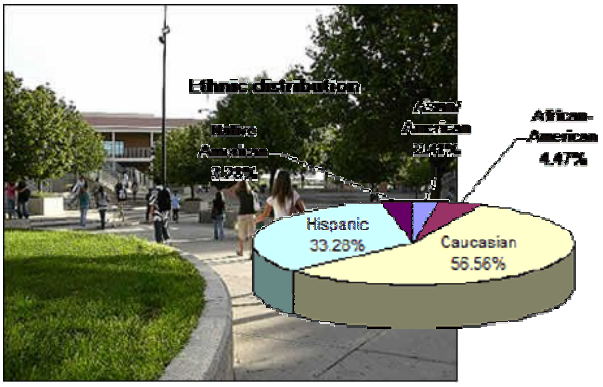
- *Eagle Ridge Middle School*
  Founded: 1995 by Rio Rancho Public Schools
  Enrollment: 684 (September 2006)
  Grade levels served: 6-7
  Special Ed students: 23.4% (May 2006)
  Free/reduced meal students: 60.2% (August 2006)

Primary areas served: Southern Park West, Vista Hills, Rockaway Heights, Cedar Hills, Granada Heights, Bali Heights, Siesta Hills, North Hills, Units 8, 9, and 11, and portions of High Resort and Star Heights.

Staff: 82, including:
- 45 teachers
- 29 instructional support staff
- 8 non-instructional support staff

- *Rio Rancho High School*

Rio Rancho High School is not in the Plan area but is nearby.
Founded: 1997, constructed through a community partnership with Intel Corporation and through voter-approved property tax levies.
Enrollment: 2,988 (September 2006)
Percent Special Ed students: 15.9% (May 2006)
Percent Free/reduced meal students: 26.7% (August 2006)
Grade levels served: 10-12



Academies:

- Engineering & Design Academy
- Entrepreneurship Academy
- Fine Arts Academy
- Humanities Academy
- SciMatics Academy



Staff: 278, including:

- 177 teachers
- 59 instructional support staff
- 42 non-instructional support staff

- ***City Facilities (not in the Plan area but nearby)***

Aquatic Center (under construction):

- Total cost of project, approximately $10.5 million
- Groundbreaking took place on 2/13/07. The facility is located on Loma Colorado Dr. and is anticipated to be completed by March 2008.
- Once facility is completed it will include: 8-lane, 25-yard competition pool, zero depth 3-lane 25-yard warm up pool recreation pool with play features, double flume slide, 2 multi-purpose rooms for party/conferences and spectator seating
- This facility will hold swimming competitions and be used by swimmers from Rio Rancho High School.

Loma Colorado Library:

The City's new 32,000 square foot library branch has been recognized by the Associated General Contractors (AGC) at their prestigious Best Buildings 2007 Award Ceremony for its LEED certification, as defined by the US Green Building Council's leadership in energy and environmental design guidelines. The new library is located near the Plan area on Loma Colorado Dr. and is accessible by pedestrian and bike trails.

2.6 Zoning

Most of the Plan area (~ 58%) is zoned R-1 Single Family Residential District. This zoning was established when the City was incorporated in 1981. The initial zoning established for this area also included a C-1 designation for a strip of lots along the south side of Northern Blvd. between Fruta Rd. and Broadmoor Dr. (~13%). A large proportion of acreage (~18%) is zoned A-R Agricultural Residential District for lots between Fruta Rd. and the Montoyas Arroyo in 1982. Exhibit 7 summarizes existing zoning. Recent zone map amendments have included rezonings to the R-2, R-4, C-1, SU/C-1 and CMU districts as noted in Exhibit 8. The fact that there are currently eight zone map amendments pending further suggests the need for a plan.

Exhibit 9 shows existing zoning. The density of each zoning district is as follows:

- Rural density districts include A-1 (1 DU/A) and E-1 (2 DU/A) districts
- The low density district is R-1 (6 DU/A)
- Medium density districts include R-2 (8 DU/A), R-4 (10 DU/A) and R-5 (17 DU/A) districts
- High density districts include R-3 Multi-family (26 – 36 DU/A) and R-6
- Multi-family (32 DU/A) districts.

Exhibit 7: Existing Zoning	**Density/ Intensity**	**Acreage**	**% of Total**
A-R Agricultural	1.0	45.6	17.9
R-1 Single Family Residential (incl. schools)	6.2	148.0	58.3
R-2 Single Family Residential	8.0	14.5	5.7
R-4 Single Family Residential	10.9	5.6	2.2
CMU Mixed Use Commercial	low	2.8	1.1
C-1 Retail Commercial	med	32.0	12.6
C-2 Wholesale Commercial	high	5.5	2.2
Total		**253.9**	**100.0**
Note: As of April 2007. Doesn't include roads and utility easements			

Exhibit 8: Zone Map Amendments				
Enactment No.	**Unit**	**Block**	**Lot**	**Zoning**
95-010	13	116	5-9A	C-2
96-022	13	123	W-1, W-2	C-1
04-22	13	119	4A-1	SU/C
05-05	13	112	8-12;19-22 & School Parcel	R-4
06-15	13	112	1-7; 13-18	C-1
06-33	13	118	1-10	R-2
06-34	13	118	13-A	C-1
06-35	13	121	11A – 12A	CMU
06-36	13	123	10-A	C-1
06-45	13	113	Tr. X	R-4
07-12	13	116	13-14	CMU
07-27	13	117	17A	CMU
07-29	13	118	20A	CMU

Exhibit 9: Existing Zoning Map

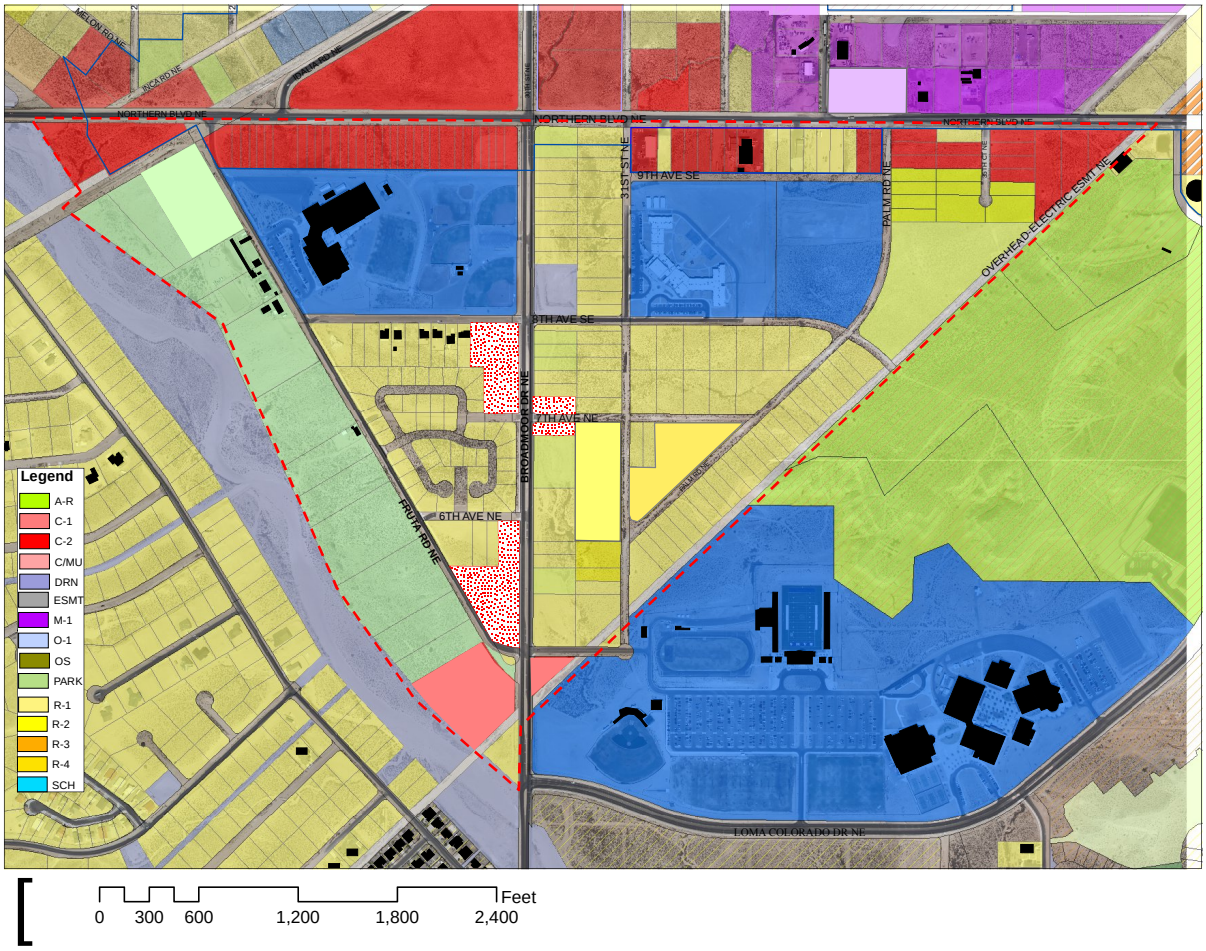


Exhibit 9: Existing Zoning Map

2.7 Transportation

Transportation for the Plan area described in this subsection includes the street system, both existing and planned; traffic conditions, access, transit, and trails and bike paths.

Street System

The Plan area street system includes local, collector, and minor and principal arterial streets as indicated on the Roadway Classification Map in the City's Transportation Policy adopted in 2004 and listed below. See also Exhibit 15 showing street sections.

- Local streets (50 ft. wide, 30 ft. wide pavement)
  - Running east to west: 6th St., 7th St., 8th St., and 9th St.
  - Running north to south: 31st St., and Palm Rd.
  - Ocotillo Hills: 5 streets
- Collector streets (68 ft. wide, 48 ft. wide pavement, 3 lanes)
  - Fruta Rd. – only 50 ft. wide in the Plan area.
  - Chessman Dr. (near Plan area) – May be extended to connect to Broadmoor Drive at intersection with Loma Colorado Drive.
- Arterial streets (Principal arterials – 156 ft. wide; Minor arterials – 106 ft. wide, 4 lanes with 18 ft. median)
  - Idalia Rd. (minor near Plan area)
  - Loma Colorado Dr. (minor near Plan area)
  - Northern Blvd. (principal) is only 100 ft. wide in the Plan area.
  - **Broadmoor Dr.** (minor) is 100 ft. wide in the Plan area.





Long Range Transportation Plan

All municipalities prepare an Infrastructure Capital Improvements Plan (ICIP) and submit it to the state annually. The ICIP is a plan that establishes planning priorities for all anticipated capital projects and identifies funding sources for a period of 5 years. The ICIP may be used to procure state appropriations and to seek other funding sources such as bonds, loans, and grants. The 2007-11 ICIP lists $372.4 million in capital projects for parks, public safety, drainage, transportation, utilities, equipment, and vehicles. Transportation projects total $70.2 million city-wide over the 5 year period and include the following project within the Plan area:

- Northern Blvd. widening from 2 lanes to 4 lanes from Acorn Loop to 34th St. - $5.25 million in FY 2008-09 – A consulting engineering contract was awarded by the Governing Body on July 25, 2007.

The 2030 Metropolitan Transportation Plan (MTP) prepared by the Mid-Region Council of Governments (MRCOG) identifies projects that will be programmed in the 5 year State Transportation Improvement Plan (STIP) if federal funding becomes available. Projects identified in the MTP and STIP in the Plan area include:

- 30th St. (Broadmoor Dr.) Extension from Idalia Rd. to Paseo del Volcan; construct 2 lane roadway - $5.7 million
- Broadmoor Dr. and 8th Ave. Safety Project, left turn southbound at 8th Ave.(in city's ICIP); curb, gutter, and sidewalk improvements with pedestrian crossing near Stapleton Elementary School - $293,000
- Montoyas Arroyo Trail from Unser Blvd. to NM 528 - $3.6 million.

An additional recommended improvement that has not yet been programmed is the extension of Chessman Dr. to connect to Broadmoor Drive at its intersection with Loma Colorado Dr. via a bridge over the Montoyas Arroyo. Although most of the property served by this project is outside of the Plan area, the intersection Broadmoor Drive and Loma Colorado Drive is located within the Plan area and should be acknowledged.

Traffic

Traffic counts done in 2006 by the Mid-Region Council of Governments (MRCOG) for Broadmoor Dr. report the following:

- Broadmoor Dr. at Northern Blvd. - 3,200 average daily trips (ADTs)
- Broadmoor Dr. at Loma Colorado Dr. - 10,000 average daily trips (ADTs)

Exhibit 10A provides traffic generation data for various land use types. For example, single family residential development creates about 10 vehicle trips per day per home. A small office building or retail center (13,000 square feet) may generate 400 to 500 vehicle trips per day. A restaurant (5,000 square feet) may generate over 600 vehicle trips and a convenience store with a gas station as many as 2,000 vehicle trips per day.

Exhibit 10B shows that, at full development under the current zoning for the area, traffic on Broadmoor Drive and Northern Boulevard is projected to increase by 8,200 vehicles to over 21,000 ADT's. At full development of the lands uses recommended by the Plan, traffic on Broadmoor Drive is projected to increase by 15,900 vehicles to 29,000 ADT's. Of this increase, it is projected that half will be added to both Northern Boulevard and Broadmoor Drive.

Access

The City of Rio Rancho follows the NMDOT's State Access Management Manual. Access to properties may be permitted every 275 ft. on Broadmoor Dr., a minor arterial street, and 325 ft. on Northern Blvd, a primary arterial street. The type of access, whether partial or full, is

Exhibit 10A: Plan Area Traffic Generation					
Land Use	**District / Lot Area/ Floor Area**	**Unit**	**Total**	**ADT**	**Daily**
Single Family Residence	R-4 (4,000 SF lot)	Dwelling unit	10	9.55	96
Apartments/ Four-plexes	R-3 (10,000 SF lot) (6 units/ lot)	Dwelling unit	26	6.63	172
Apartment Complex	R-6 (10,000 SF lot) (32 DU/A)	Dwelling unit	32	6.63	212
Retail Center	CMU (13,000 SF)	Per 1000 GLA	13	42.92	557
General Office Building	CMU/O-1 (13,000 SF)	Per Employee	65	3.32	215
Medical Offices	CMU/O-1 (13,000 SF)	Per 1000 GFA	13	36.13	469
High Turnover Restaurant	C-1 (1 - 5,000 SF)	Per 1000 GLA	5	130.34	652
Convenience Store	C-1 (1 - 5,000 SF)	Per Pump	12	168.56	2,023
Warehouse	C-2 (20,000 SF)	Per 1000 GFA	20	3.89	79
Source: Institute of Traffic Engineers (ITE) *Trip Generation Handbook* *Total reflects potential replatting					

determined by the City's Department of Public Infrastructure at the time of development. However, properties have been platted with lots that are only 80 ft. wide. This situation could create "land-locked" properties if the access spacing standards are followed. See Section 5.0.

Exhibit 10B (ADTs)	**Existing**		**Projected**	
	Northern	**Broadmoor**	**Current Zoning**	**Prop. Land Use**
Northern Blvd. C-1	10,000		981	1,160
Northern Blvd. C-2			9	9
Broadmoor SF			5	7,404
Broadmoor Dr. CMU		3,200	7,162	143
Broadmoor Dr. C-1			30	1,251
Broadmoor MF			-	5,910
Sub-Total		13,200	8,188	15,877
Total Traffic			***21,388***	***29,077***
Note: Assumes highest land use for each planning area at full build-out at .25 FAR				

Transit
Rio Transit operates a paratransit system serving seniors and eligible disabled adults. Funding is provided through FTA 5310 and the city of Rio Rancho general fund. Riders must be residents of the City of Rio Rancho. Trips are available for any purpose in Rio Rancho and are limited to medical, educational, or work purposes in Albuquerque, Placitas, Bernalillo, and Corrales. ABQ Ride is studying regional high capacity transit corridors for possible service to Rio Rancho in the future, including Unser Blvd. and NM 528. No local City bus service is yet planned. Eventually, local bus service should be provided along Northern Blvd., Broadmoor Dr., and Loma Colorado Dr. to serve the plan area.

Trails and Bike Paths
A major trail is proposed to follow the R.E.A. (now PNM) transmission line corridor parallel to Palm Rd. A trail is also proposed along Montoyas Arroyo. In addition, bike paths are proposed to follow Loma Colorado Dr. and Broadmoor Dr.

2.8 Utilities

Wet Utilities:
The City of Rio Rancho serves the planning area with water and sewer utilities. Approximately 20% of the City utility water customers use individual on-site septic systems for sewer. Additionally, a small percentage of households rely on individual on-site wells.

Major water lines (14-inch) run along Broadmoor Dr., Northern Blvd., and Loma Colorado Dr. A 12-inch water line runs along Fruta Rd. and 8-inch along 8th Avenue. Major sewer lines (30-inch) run along Montoyas Arroyo to Wastewater Treatment Plant No. 2 in the Industrial Park East area (see Exhibit 11). There is a new 30" sanitary sewer line under construction in the Montoyas Arroyo to upgrade capacity for this area. There are existing sewer lines in Northern Boulevard from the City's animal control facility to Broadmoor Drive and in Broadmoor Drive from Northern Boulevard to the Montoyas Arroyo.

The area is served from Well No. 10 and Tank 10A on 9th Avenue, south of Northern Boulevard. A second 3.5 million gallon water tank is being constructed at this location (Tank 10B) by Pulte. This area is also served by Tank 6A and 6B at Well No. 6 located near the intersection of Tulip Road and Abrazo Road. The bid is being awarded for a new booster station at Well No. 10 and a transmission line that will connect to the tanks at Well No. 6. This improvement is being done to address existing pressure and supply issues in this area. The booster line will be installed in the right-of-way for 9th Avenue, north of Stapleton Elementary School and continue west along the south line of the first three lots south of Northern Boulevard between 31st Street and Broadmoor Drive. The line then will continue west along the north property line of the Eagle Ridge Middle School property between Broadmoor Drive and Fruta Road.

Water and sewer projects identified in the City's five-year capital improvement list for the Plan area include the following:

- Booster station at Well No. 10 and transmission line from Well No. 10 to Well No. 6.
- 3.5 million gallon water storage tank (Tank 10B) at Well No. 10 on 9th south of Northern Blvd.

- Sewer line (new 30" line) upgrade along Montoyas Arroyo – presently under construction.
- New water storage tank at Well No. 6 (Tank 6C) – planned but not currently funded.

Dry Utilities:
Public Service Company of New Mexico (PNM) is the primary provider of electric and gas services to Rio Rancho. Overhead electric distribution lines run along Broadmoor Dr., Northern Blvd., Loma Colorado Dr., and Fruta Rd. Gas lines distribution lines run along Northern Blvd., Loma Colorado Blvd. and Fruta Rd. An electric sub-station is located at the south side of Palm Rd. and Northern Blvd. (see Exhibit 11).

A major overhead transmission line runs in a northeast diagonal along Palm Rd. There are also three existing or proposed electric distribution substations associated with the transmission lines. PNM estimates it will need to develop one new substation to serve each 3-5 square mile area at a cost of $1.2 to $1.4 million per substation. Rio Rancho requires PNM to bury electric utilities that serve residential development. The City allows PNM to maintain major overhead transmission lines along the right of way of arterial streets.

PNM gas service has a gas distribution system serving most development. In terms of costs, PNM installs pipeline at a cost of about $8.00 a linear foot while a new border station costs approximately $40,000. There is a gas transmission line running parallel to Idalia Blvd. that may limit access across its easement. Adjacent owners will need permission from PNM to cross. It only affects the northwest corner of the Plan area.

Telecommunications:

Qwest and Sprint are the two telecommunications providers in Rio Rancho. There is also a fiber optics cable loop providing video, voice, and data transmission that connects NM 528 to Northern Boulevard, and extends along Idalia Rd. to US 550.

2.9 Drainage

The Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) has jurisdiction over all drainage channels in the Sandoval County portion of Rio Rancho. The City acts as SSCAFCA's designee for minor facilities, including conveyances less than 500 cubic feet per second (CFS). Regional improvements are typically constructed by SSCAFCA and local improvements are typically constructed by the City. Proposed channel improvements to Montoyas Arroyo between 30th St. and Northern Blvd. are estimated to cost $1.4 million and between the Sportsplex and 30th St. are estimated at $3.2 million. Roadway crossing improvements are proposed at Northern to cost $750,000. None of the amenities proposed for the Montoyas fall within the planning area.

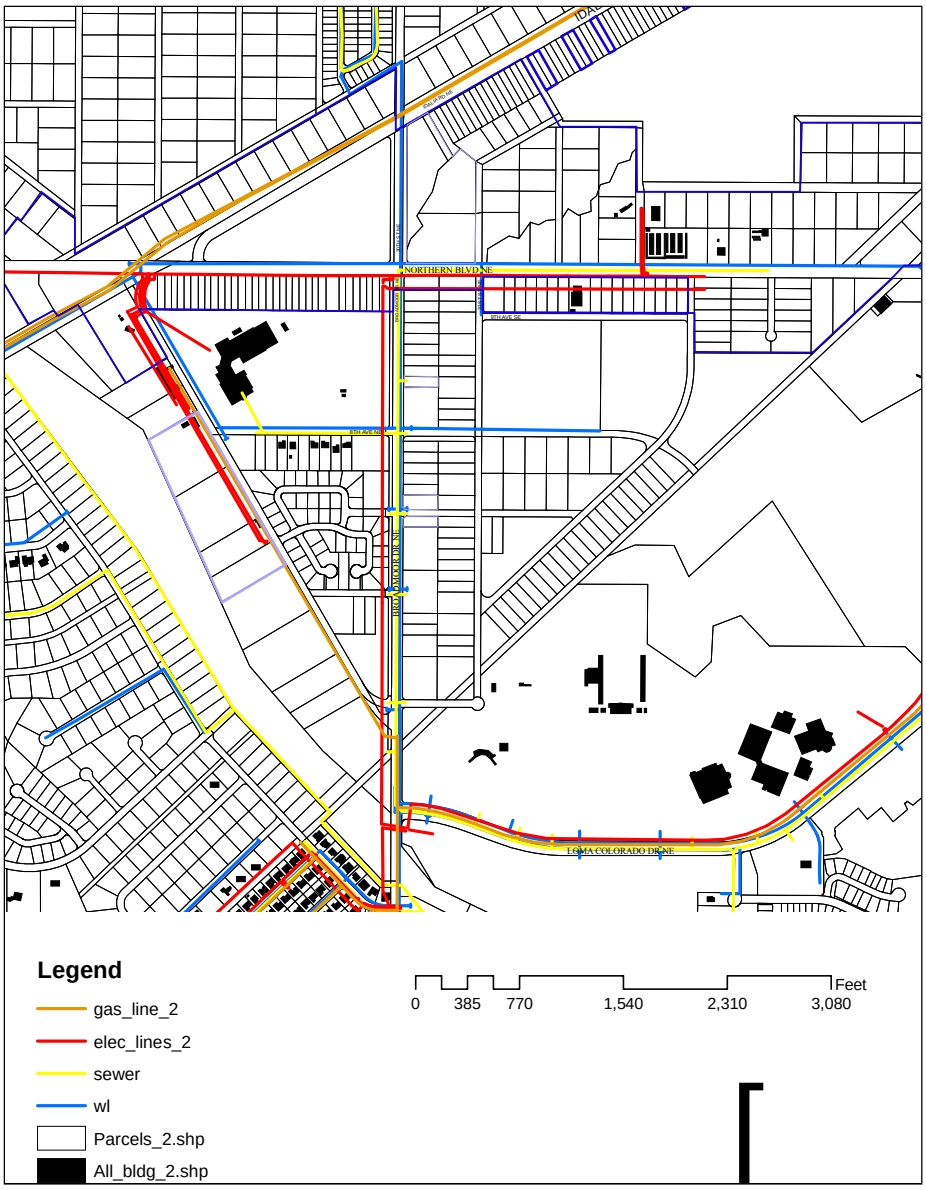


Exhibit 11:

Utilities Map

3.0 Goals and Objectives

3.1 Land Use

Goal 1:
Promote a variety of housing choices including low- and medium- density single family residential uses and high- density multi-family residential uses.

Goal 2:
Encourage mixed uses, retail, office, residential, and community uses, pedestrian-oriented and clustered around corridors and activity centers.

Goal 3:
Discourage strip commercial development and single use development oriented exclusively around automobile access.

Objective:
Develop Plan land use categories which allow for choice of a variety of zoning districts and which mitigate impacts on surrounding uses through design standards.

Policy 1: The City will actively initiate zoning changes to implement the Plan by adopting a Broadmoor Drive Corridor Overlay Zone with design and access standards.

Policy 2: Building permits and rezoning cases within the Plan area (approved by Governing Body and/or Development Services Department) are subject to the design criteria provided in Section 6.0.

3.2 Accessibility

Goal: Consolidate and limit access to improve circulation and visually organize the roadway edge.

Objective: Develop an access plan for Broadmoor Dr. identifying properties where access is allowed by right and where access will be needed via an easement agreement with surrounding properties.

Policy: Before a zone map amendment and a building permit (approved by Governing Body and/or Development Services Department) for properties along Broadmoor Dr. (between Fruta Rd. and Northern Blvd.), the applicant must demonstrate compliance with the Plan's access management requirements by providing an access easement agreement with surrounding property owners.

3.3 Transportation

Goal: Assure a safe and convenient multi-modal corridor to well-connected to residences, businesses, offices, schools, and other facilities.

Objective: Improvements in connectivity to Plan roadways, bike paths, and pedestrian trails are to be made in conformance to City street and trail construction standards and funded through the City's ICIP process.

Policy: Department of Public Infrastructure will program roadway, bikeway, and pedestrian trail projects in the ICIP to be built to City standards. Development Services staff will evaluate new development projects in terms of their connectivity to roads, bikeways, sidewalks and trails.

3.4 Urban Design

Goal: Create neighborhood character by developing attractive businesses, offices, and apartments along the Broadmoor corridor.

Objective: Develop streetscape and parking standards for new development such as signs, landscaping, lighting, fencing, etc. (see Section 6.0).

Policy: New construction permits and site plan approvals by Development Services Department will be subject to the design standards required in this Plan.

3.5 Utilities

Goal: Assure that urban uses have urban utilities, both community water and sewer provided to all new development in the Broadmoor corridor area.

Objective: Identify Plan areas that are currently served and those areas that will need to be served by community water and sewer through ICIP funding.

Policy: No building permits will be issued for residential or commercial development in the Plan area by Development Services Department if the owner cannot provide community water and sewer to the property.

3.6 Community Facilities

Goal: Create a complete neighborhood with convenient access to schools, parks, library, recreational, and senior center, and other City programs and services.

Objective: Identify future locations for community facilities in or near the Broadmoor Plan area.

Policy: The City will program and fund future community facilities to serve the Plan area in its ICIP process.

4.0 Proposed Land Use

4.1 Comprehensive Plan

Policies:

Promote development of high-density, mixed activity centers within master planned growth nodes to curb low density, single use, and strip commercial sprawl development. Growth nodes should be designed to capture a significant share of the City's future jobs and housing.

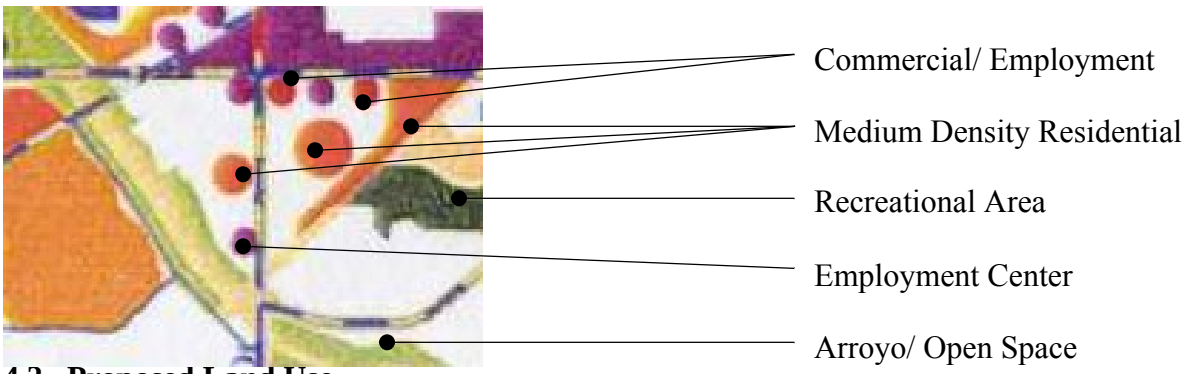
Mitigate the negative impacts of sprawl by limiting the development of nonresidential uses outside of Growth Nodes and Gateway Vicinity Plans. Promote infill and limit strip commercial and sprawling, disjointed development by the implementation of land use planning practices found in the City's Vision 2020 Integrated Comprehensive Plan.

- *Promote the development of high-density, mixed use activity centers within master planned growth nodes.*
- *Encourage infill development of all undeveloped areas within the municipal boundary.*
- *Encourage development of a variety of distinctive neighborhoods offering a maximum choice of housing, employment, and open space is recognized as a City priority.*
- *Encourage the creation and maintenance of quality residential and neighborhood environments while ensuring the availability of necessary service and quality of life amenities.*
- *Ensure that residential areas are appropriately sited and protected from incompatible land uses.*

ICP Actions include:

- Encourage a variety of housing types and densities including multi-family housing.
- Preserve, promote, and protect the quality and character of residential neighborhoods.
- Evaluate future development based on the ability to integrate dissimilar uses by utilizing buffering, scale, and design elements.
- Expand the City's gross receipts tax base by recruiting additional local retail and office uses.
- Make Rio Rancho a place where one can live, work, shop, and play without leaving the city.

The Comprehensive Plan identifies an employment center at Broadmoor Dr. and Fruta Rd. and commercial and office uses at Broadmoor Dr. and Northern Blvd. South of Northern Blvd. and along Palm Rd, it shows medium density residential uses. It also shows open space along the Montoyas Arroyo and in the Loma Colorado recreational area.



4.2 Proposed Land Use

The Broadmoor Drive Specific Area Plan contains proposed land use categories that are consistent with and promote the goals and policies of the Vision 2020 – Integrated Comprehensive Plans. The purpose of creating these land use categories, or sectors, is to identify a range of land use options that would be considered as appropriate within these sectors. The five land use sectors identified in this plan are:

- Neighborhood Center Sector
- Neighborhood Corridor Sector
- High Density Residential Sector
- Medium Density Residential Sector
- Wholesale and Warehousing Sector

As noted in the Existing Zoning section of this plan, the Broadmoor area is predominantly zoned for R-1 single family residential uses. The number of zone map amendments approved previously, as well as the number of zone map amendments currently pending, suggests that the existing zoning may no longer be appropriate in certain locations within the plan area. For this reason, the Broadmoor Drive Specific Area Plan is being pursued to identify appropriate land uses within this area to guide future decisions regarding proposed zone map amendments and to promote orderly development and access management along the corridors within the plan area.

4.2.1 Neighborhood Center Sector

Purpose: The Neighborhood Center is intended to provide multiple opportunities to neighborhood residents for housing, shopping, employment, and recreation with providing higher density and intensity than found along the corridor. The neighborhood center includes one- to two-story, non-residential and multi-family residential buildings. Neighborhood centers are generally 1 to 2 miles apart and potentially serve as grocery-anchored retail centers. Multi-family homes are permitted at the perimeter of the district. Parking accommodations are made with on-street parking and landscaped, shared surface parking lots located behind buildings.

Allowable Uses in the following zoning districts:

- C-1 Retail Commercial District; Min. Lot Size: 21,780 SF, 35 ft. setback, 32 ft. height
- CMU Mixed Use (Neighborhood) Commercial District; Min. Lot Size: 10,890 SF, 35 ft. setback, 32 ft. height
- O-1 Office/ Institutional District; Min. Lot Size: 10,890 SF, 25 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 20 ft. height, 15% lot landscaped, 50% in front
- O-2 Office/ Institutional District; Min. Lot Size: 21,780 SF, 35 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 32 ft. height, 15% lot landscaped, 50% in front
- MU/A Mixed Use Activity Center District, 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master plan approval is required.
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.
- R-3 Multi-Family Residential District; Min. Lot Size; 1,200 SF (Townhouses) to 10,000 SF (Apartments), 32 ft. height; High Density: 29.0 DU/A
- R-6 Multi-Family Residential District; Min. Lot Size: 10,000 SF, Density: 32.0 DU/A; 72 ft. height.

Community Uses:

- Public Safety substations
- Senior and Community Center branches
- Parks and recreational facilities (PR and OS zone districts)
- Schools and churches.

4.2.2 Neighborhood Corridor Sector

Purpose: The Neighborhood Corridor is intended to also provide multiple opportunities for neighborhood residents for housing, shopping, employment, and recreation but with less density and intensity of uses. The corridor includes one- and two-story, non-residential buildings. Clusters of single-family homes are permitted at the perimeter of the corridor. Parking accommodations are made with on-street parking and landscaped, shared surface parking lots located behind buildings.

Allowable Uses in the following zoning districts:

- CMU Commercial Mixed Use District; Min. Lot Size: 10,890 SF, 35 ft. setback, 32 ft. height
- O-1 Office/ Institutional District; Min. Lot Size: 10,890 SF, 25 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 20 ft. height, 15% lot landscaped, 50% in front
- O-2 Office/ Institutional District; Min. Lot Size: 21,780 SF, 35 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 32 ft. height, 15% lot landscaped, 50% in front
- MU/A Mixed Use Activity Center District; 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master plan approval is required.
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.
- R-3 Multi-Family Residential District; Min. Lot Size; 1,200 SF (Townhouses) to 10,000 SF (Apartments); 32 ft. height, High Density: 29.0 DU/A

Community Uses:

- Public Safety substations
- Senior and Community Center branches
- Parks and recreational facilities (PR and OS zone districts)
- Schools and churches.

4.2.3 High Density Residential Sector

Purpose: To provide an area set aside for multi-family housing near the neighborhood's activity centers with convenient access to shopping and employment. Community uses, e.g., parks, schools, and churches are also to be located in this area.

Allowable Uses in the following zoning districts:

- R-3 Multi-Family Residential District; Min. Lot Size: 1,200 SF (Townhouses) to 10,000 SF (Apartments), High Density: 29.0 DU/A
- R-6 Multi-Family Residential District
  Min. Lot Size: 10,000 SF, High Density: 35.6 DU/A, 72 ft. height.
- MU/A Mixed Use Activity Center: 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master Plan approval is required.

- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.

Community uses are allowed with a conditional use permit:
- Parks (PR and OS zone districts)
- Schools
- Churches.

4.2.4 Medium Density Residential Sector

Purpose: To provide a range of low to medium density single family residential uses and associated community uses, e.g. schools, parks, and churches, integral to a complete neighborhood. Low density residential is generally more suitable on the west side of the corridor and medium density residential is more appropriate on the east side of the corridor.

Allowable Uses in the following zoning districts:
- R-1 Single Family Residential District
  Min. Lot Size: 7,000 SF, Density: 6.22 DU/A
- R-2 Single Family Residential District
  Min. Lot Size: 5,000 SF, Density: 8.71 DU/A
- R-4 Single Family Residential District
  Min. Lot Size: 4,000 SF, Density: 10.89 DU/A
- R-5 Single Family Residential District
  Min. Lot Size: 2,500 SF, Density: 17.42 DU/A.

Community uses are allowed with a conditional use permit:
- Parks (PR and OS zone districts)
- Schools
- Churches.

4.2.5 Wholesale and Warehousing Sector

Purpose: To provide an economically viable area for heavy commercial uses as outlined in the Northern Blvd. Wholesale and Warehouse Commercial Specific Area Plan.

Allowable Uses in the following zoning districts:
- C-2 Wholesale and Warehouse Commercial District; Min. Area: 10,890 SF, 35 ft. setback, 32 ft. height
- C-1 Retail Commercial District; Min. Lot Size: 21,780 SF, 35 ft. setback, 32 ft. height
- MU/A Mixed Use Activity Center District, Master Plan Area: 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.

Conditional Uses

- Light manufacturing, research and development, salvage yards, and amusement enterprises.

4.3 Future Land Use Map

Future land use planned for the Plan area is shown in Exhibit 12 below and acreages in Exhibit 13. Land uses are distributed between Medium Density Residential (24.1%), High Density Residential (18.6%), Neighborhood Corridor (24.6%), Neighborhood Center (24.5%), and Wholesale and Warehouse (~~3.7%~~ 2.7%), and Industrial and Business Park (1%).

Exhibit 12: ~~Future Land Use Map~~

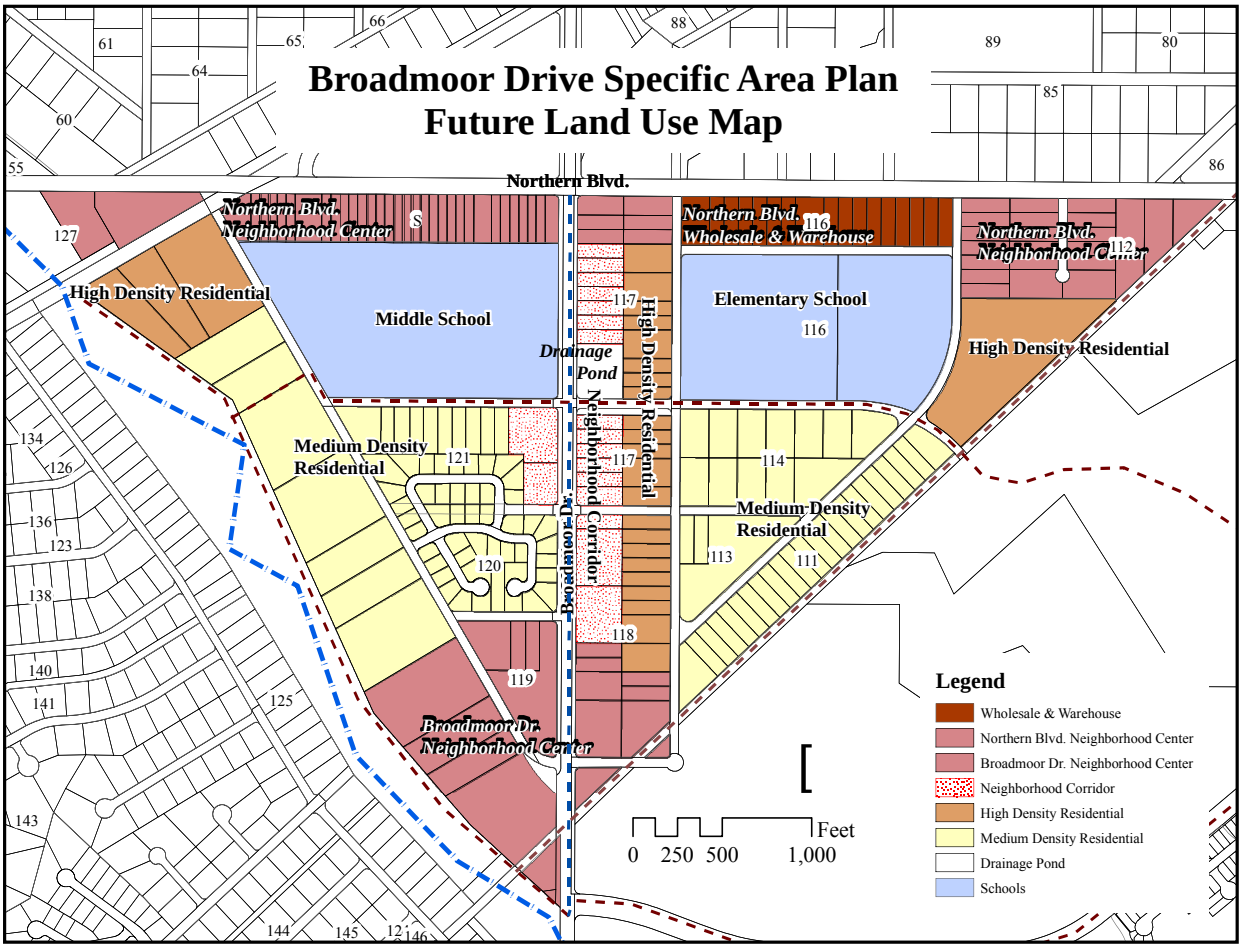


Exhibit 12: Future Land Use Map (proposed)

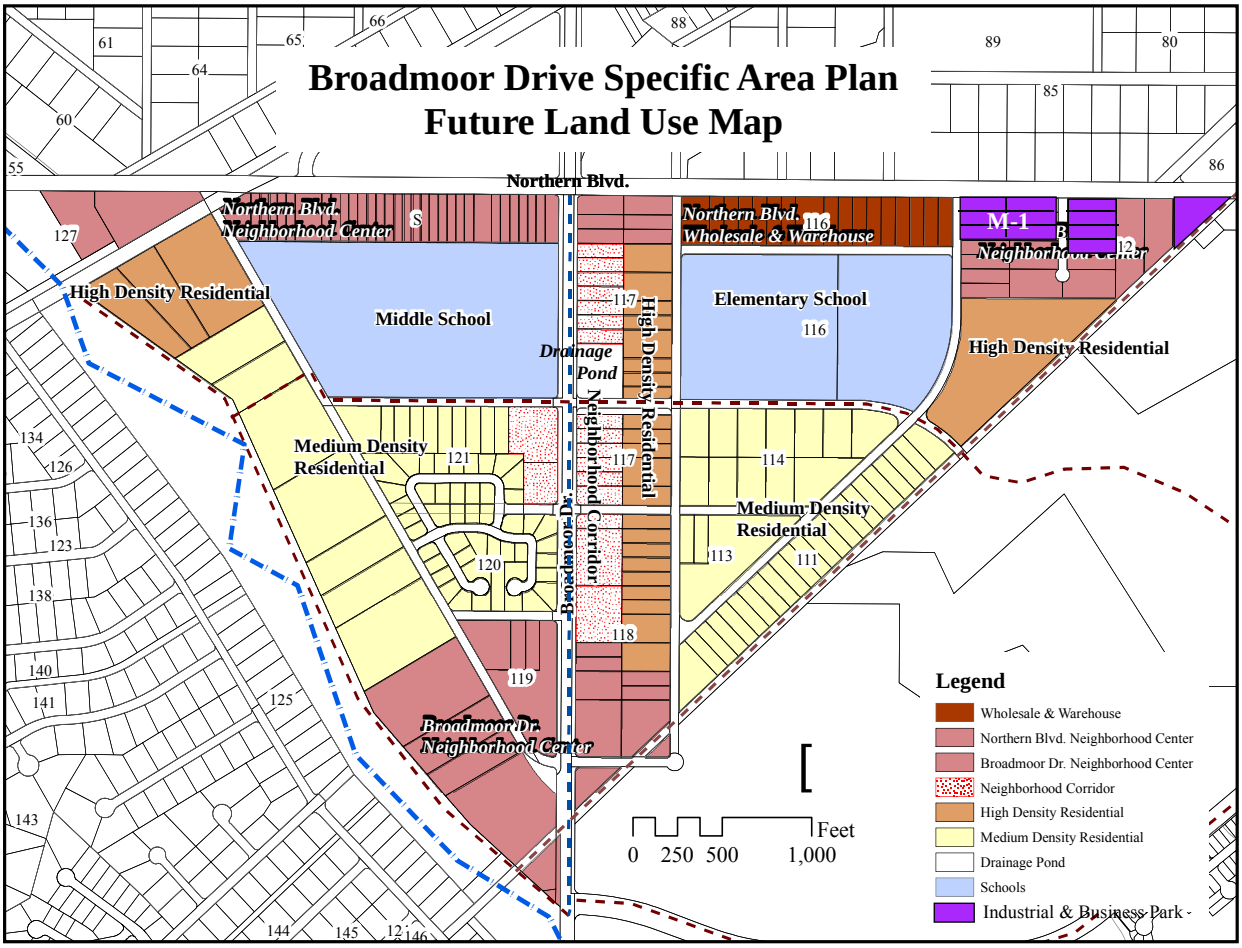


Exhibit 13: Plan Area Alternatives - Land Use and Population				
	2007	**2015**	**2025**	**%**
Rural Residential	Density	3.6		0.0%
acreage	12.5	0	0	
population	45	0	0	
Medium Density Residential	Density	11.8		24.1%
acreage	12.8	30.6	61.2	
population	151	1,051	1,950	
High Density Residential	Density	31.5		18.6%
acreage	0	23.7	47.3	
population	0	2,012	4,023	
Neighborhood Corridor				24.6%
acreage	0	6.7	13.3	
population	-	-	-	
Broadmoor Dr. Neighborhood Center				11.3%
acreage	0	14.5	28.9	
population	-	-	-	
Northern Blvd. Neighborhood Center				13.2%
acreage	0	16.8	33.6	
population	-	-	-	
Northern Blvd. Wholesale & Warehouse				~~3.7%~~ 2.7%
acreage	7.5	4.8	9.5	
population	-	-	-	
Northern Blvd. Industrial & Business Park				1%
acreage	0	0	5	
population	-	-	-	
Vacant	160.9	96.7	0	0.0%
Drainage	1.75	1.75	1.75	0.7%
Schools	58.4	58.4	58.4	23.0%
Total Acreage	253.9	253.9	253.9	100.0%
Total Population	151	3,062	5,973	
Note: Acreage does not include public rights-of-way. Assumes full build-out by 2025 *Population estimates administratively revised, 12/08*				

5.0 Proposed Access

Obsolete platting along Broadmoor Drive and Northern Blvd. has created narrow lots 50 feet in width along Northern Blvd. and 80 feet wide and Broadmoor Dr. that are difficult to develop individually and present major access issues. Allowing every lot to have its own individual access off of arterial streets creates major traffic hazards. Vehicles turning in and out of businesses, and across lanes from the opposite direction, is unsafe and impedes traffic flow.

Additionally, lots with individual driveways force traffic movement to use the arterial street which adds more local traffic to the roadway and takes away capacity that could be used by through traffic.

The City follows New Mexico Department of Transportation (NMDOT) access spacing standards. The standards (see table below) are based on the size of the roadway and its speed. Broadmoor Drive is classified as an urban minor arterial (UMA), non-traversable (divided) median with partial access (median turn outs at street intersections), and speeds of 35 to 40 miles per hour (mph). The recommended access standard for an UMA is no closer than 275 feet for partial access (right-in, right-out) and 660 for full access.

Northern Blvd. is an urban principal arterial (UPA) with partial access allowed no closer than 325 feet and full access at 1,320 feet. Access points meeting these standards are shown in Exhibit 15a and 15b below.

A 24 ft. wide north-south easement is proposed along the front or rear of properties on Broadmoor Dr. The access easement will be required at the front of the properties, unless the property owners within each block coordinate placing the access easement at the back of the lot, and must provide a 24 ft. wide connecting easement where adjoining properties have access on opposite sides of the lot. Alternate location of the access easement may be authorized, provided the goal of the access management plan for coordinated access is met.

A 24 ft. wide east-west easement is proposed along the front or rear of properties on Northern Blvd. The access easement will be required at the front of the properties, unless the property owners within each block coordinate placing the access easement at the back of the lot, and must provide a 24 ft. wide connecting easement where adjoining properties have access on opposite sides of the lot. Alternate location of the access easement may be authorized, provided the goal of the access management plan for coordinated access is met.

Access easements should be designed to work with area topography. Easements may be located within the building setbacks. Easements located on cross streets should be located a minimum of 92 ft. back from Broadmoor Drive (from centerline to centerline) to allow for vehicle stacking.

In addition, the City is proposing a new access policy as part of this Plan. Before an applicant may rezone property or receive a building permit, he/she must meet the following access requirements:

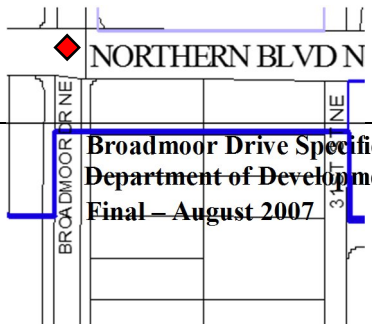
1. Replat multiple narrow lots into a single piece of property,
2. Plat property showing access easement and reciprocal agreements regarding improvement and notice, or otherwise provide such easements or agreements; and,
3. Provide shared access driveways.

Exhibit 14

Access Spacing Standards for Intersections and Driveways
(centerline to centerline spacing in feet)

Access Category	Posted Speed (mph)	Intersection Spacing (feet) [1]		Driveway Spacing (feet) [2]		
				Non-Traversable Median		Traversable Median[4]
		Signalized	Unsignalized[3]	Full Access	Partial Access	
Controlled-Access, Non-Interstate Highways	All Speeds	5,280	2,640	2,640	2,640	-NA-
UPA	≤ 30 mph	2,640	1,320	1,320	200	200
	35 to 40 mph	2,640	1,320	1,320	325	325
	45 to 50 mph	2,640	1,320	1,320	450	450
	≥ 55 mph	5,280	1,320	1,320	625	625
UMA	≤ 30 mph	1,760	660	660	175	175
	35 to 40 mph	1,760	660	660	275	275
	45 to 50 mph	2,640	660	660	400	400
	≥ 55 mph	5,280	1,320	1,320	600	600
UCOL	≤ 30 mph	1,100	330	330	150	150
	35 to 40 mph	1,320	330	330	225	225
	45 to 55 mph	1,760	660	660	350	350
RPA	≤ 30 mph	2,640	1,320	1,320	225	225
	35 to 40 mph	2,640	1,320	1,320	350	350
	45 to 50 mph	5,280	2,640	2,640	500	500
	≥ 55 mph	5,280	2,640	2,640	775	775
RMA	≤ 30 mph	1,760	660	660	200	200
	35 to 40 mph	2,640	660	660	325	325
	45 to 50 mph	2,640	1,320	1,320	450	450
	≥ 55 mph	5,280	2,640	2,640	725	725
RCOL	≤ 30 mph	1,320	330	330	200	200
	35 to 40 mph	1,760	660	660	300	300
	45 to 50 mph	2,640	1,320	1,320	425	425
	≥ 55 mph	2,640	1,320	1,320	550	550

Notes:
1. Intersection - Public street or other access serving a large area or a major traffic generator(s) where full access is typically provided.
2. Driveway - Public or private access serving a limited area where traffic signal control is not required.
3. In urban areas, spacing should be consistent with the established street spacing along the state highway facility.
4. Includes highways with no median or a painted median. The type of access, full or partial, is determined at the discretion of the Department. See Sub-Sections 7.AO and 7.BP.



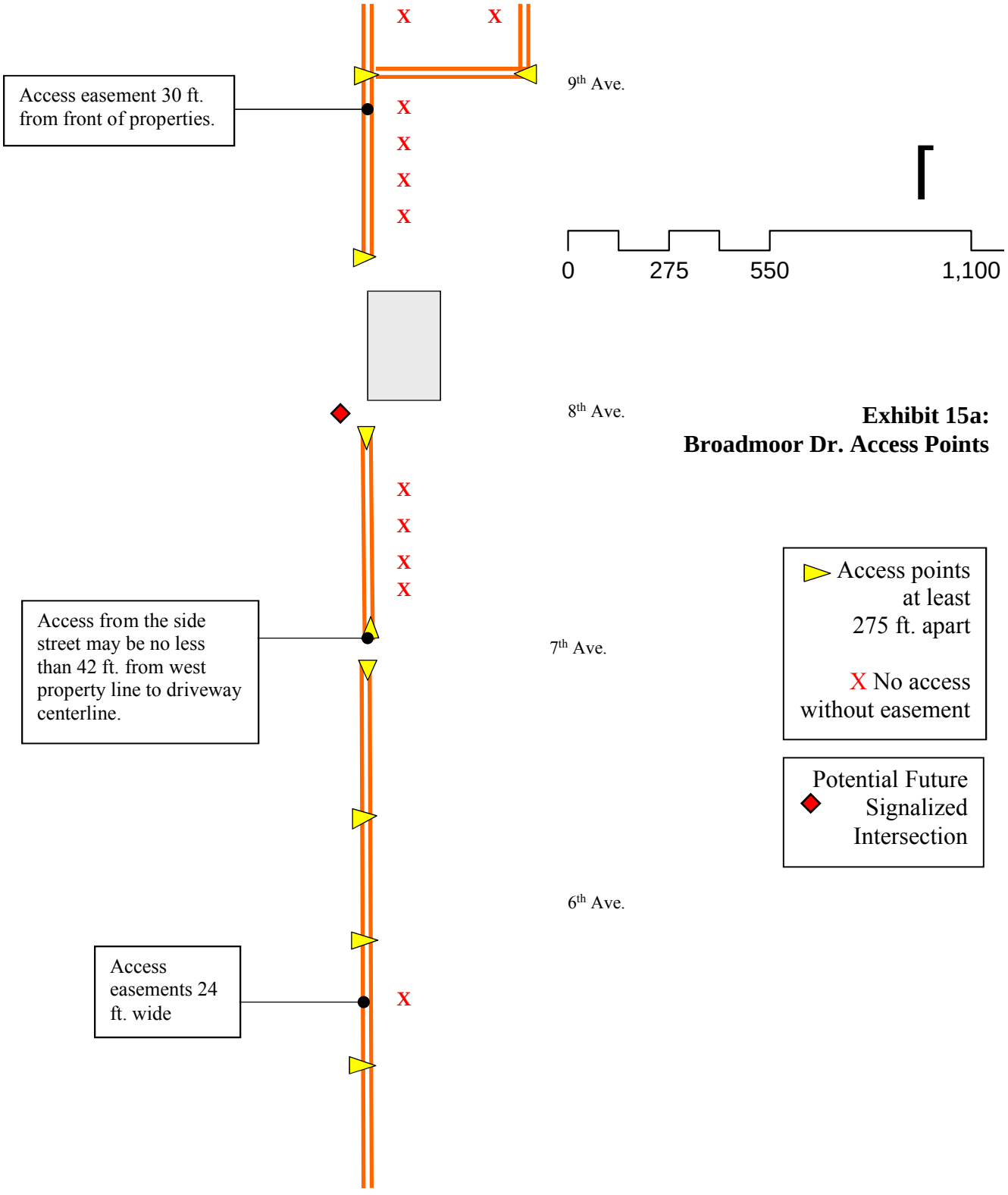


Exhibit 15a:
Broadmoor Dr. Access Points

Access points at least 325 ft. apart

X No access without easement

Potential Future Signalized Intersection

Exhibit 15b:
Northern Blvd. Access Points



6.0 Proposed Design Standards

This section identifies design standards for all new commercial development within the Plan area, including along Broadmoor Drive. Standards for landscaping, signs, materials and architecture, parking, fences and walls, transportation and infrastructure, and lighting are described.

Neighborhood Center and Corridor:

- Center Size and Land Use: Typically 10 to 20 acres serving neighborhood scale mixed uses; retail, office, commercial and public
- Residential Areas: Multi-family residential development on perimeter
- Scale and design: Consists of one- to two-story buildings with variable heights and façades
- Parking: Landscaped shared parking lots preferably at the side or rear of buildings
- Pedestrian Orientation: Pedestrian scale façades with wide sidewalks, no steep berms, or grades, well lit public areas, landscaping, and no blank walls
- Signage: Encourage small distinctive signs, avoid glaring, excessive or roof mounted signs.

6.1 Landscaping/ Buffer

- Gross total – 10%
- Frontage – 25%
- Frontage Planter Strip – 10 ft. wide, 5 ft. may be in the public right-of-way
- Shade tree spacing – 1 every 33 ft. along street frontage
- Parking Spaces – 1 shade tree per 10 spaces
- Parking Island – 6 ft. wide along length of aisle ends and between rows
- Tree caliper –-Commercial: 3" or 30" boxed and 12 ft. high
- Shrubs – 5 gallons
- Live plants – 75% of landscaped area at maturity
- Refer to City's xeric plant list
- Irrigation system required with backflow prevention device
- Bufferyard –10 ft. wide
- Screening Wall –6 ft. masonry minimum
- Screen outdoor storage horizontally and vertically with wall or hedge
- Screen mechanical equipment from view to the maximum extent possible.

6.2 Signs

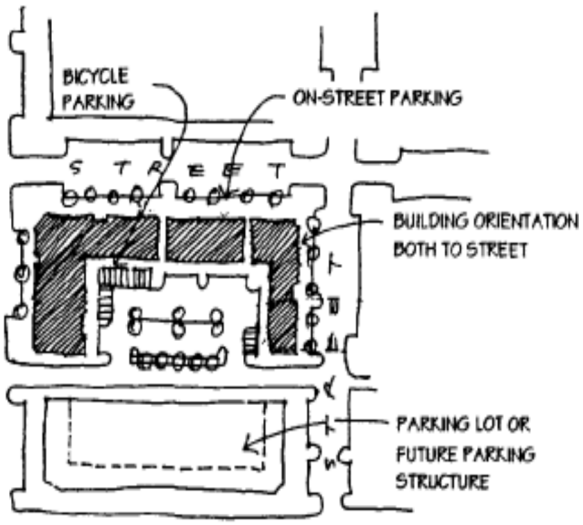
- Freestanding – monument signs (Max. 2, 3 if intersection, 75 ft. apart)
- Maximum Size –7 ft. x 8 ft. x 24 in.
- Building – 1 sign facing each street; 12% building face.

6.3 Materials/ Architecture

- No metal buildings (except for metal roofs), wood siding, or prefabricated panels, unless treated no to appear as these materials
- Use elements of Southwestern architecture (Pueblo-Spanish Revival, Territorial, Northern New Mexico, etc.) such as: materials (stucco, stone, brick, and tile), color and texture, shade (portales, overhangs, and recesses), outdoor spaces and courtyards, and solar orientation.

6.4 Parking

- Parking shall be provided as per the Zoning Ordinance requirements for the planned use of the property
- Place behind building or on side unless accessed by shared easement at the front of the property; landscaping should be located within the front setback area.
- Break parking up into smaller areas – 30 spaces or less
- Bike racks required for all multi-family, office, and commercial development (10% of total parking requirement).



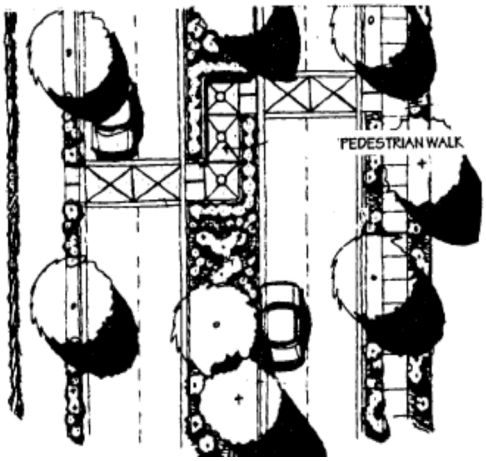
6.5 Fences/ Walls

- More than 10 ft. long, broken up by trees and shrubs; or indented, or offset, or serpentine
- Low wall or hedge (3 ft min. – 4ft. max.) in front setback area to screen parking
- Wall materials:
  - Textured, ribbed or concrete stucco over CMU
  - Interlock block or split block
  - Adobe, brick or tan masonry
  - No grey CMU.

6.6 Transportation and Infrastructure

- Street medians shall be planted as follows:

- 1 canopy tree, 2 ornamental trees, and 3 shrubs every 1000 square ft. located in the 18 ft. wide median

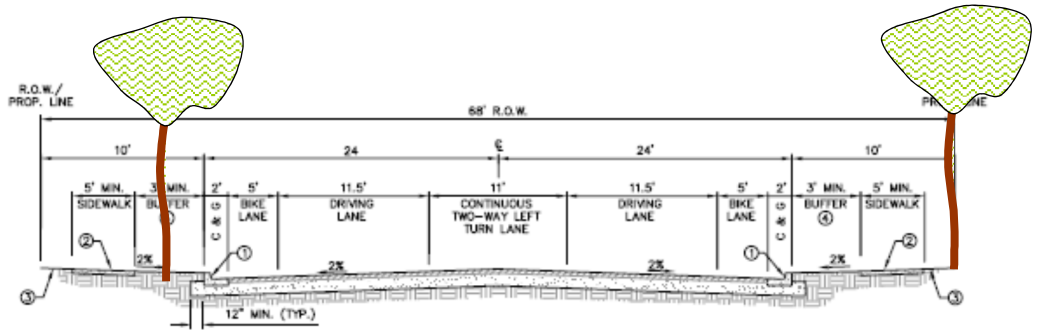


- Traffic signals shall be installed where warranted
- Bus shelters shall be placed at the signalized intersections (when transit service is established)
- All underground utilities

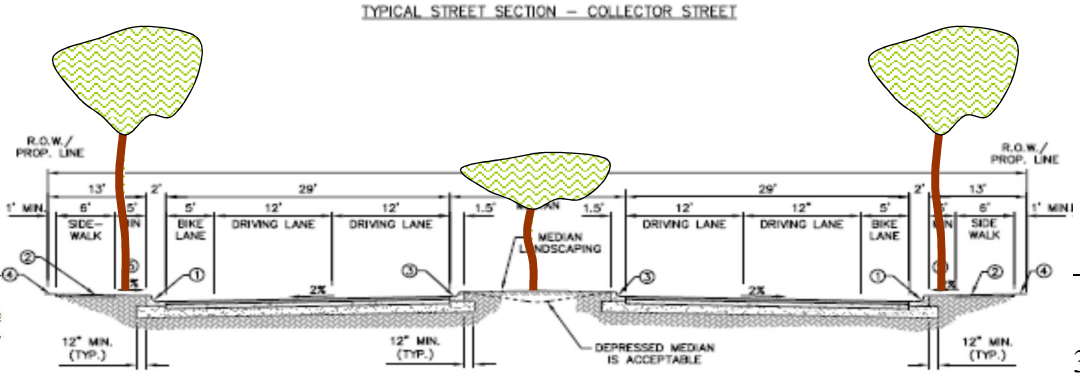
- Community water and sewer system (no well or septic, except on a temporary basis)
- 6 ft. wide sidewalks and 8 ft. wide bike paths along arterial streets where there is sufficient right-of-way.

6.6 Lighting

- Low level, hooded or shielded
- Shine away from residences
- 20 ft. high maximum
- Meet Night Sky Protection Act.



TYPICAL STREET SECTION – COLLECTOR STREET



TYPICAL STREET SECTION – 4 LANE ARTERIAL

Exhibit 16: Street Sections

7.0 Implementation Actions

This section presents those actions that can be taken by departmental staff, Planning and Zoning Board, and the Governing Body to implement the recommendations in this Plan. Actions include those involving zone map amendments, development review process, capital improvements program, and special assessment districts.

7.1 Zoning

- Adopt an Overlay Zone for commercial districts within the Plan area with design and access standards specified in Section 5.0 and 6.0.
- Commercial Bonuses:
  - Provide: parking behind building; Receive: reduced front setback by 10 ft. in C-1 and CMU districts
  - Provide: parking broken into smaller areas; Receive: reduced front setback by 10 ft. in C-1 and CMU districts
  - Provide: courtyards, plazas, and public spaces count towards landscaping requirement
- Development Services Department shall initiate strategic zone map amendments to follow the Plan.

7.2 Development Review Process

- Development Services staff will evaluate new development projects in the Plan area in terms of their connectivity to roads, bikeways, sidewalks and trails.
  - New cul-de-sac streets must provide pedestrian easements.
  - New blocks shall not be longer than 600 ft.

- Before a building permit is approved by Development Services Department the applicant must demonstrate compliance with access management plan by providing an access easement agreement with adjacent property owners as provided in Section 5.0
- New construction permits and site plan approvals by Development Services Department will be subject to the design standards required in Section 6.0:

    - Landscaping/ Buffers
    - Signs
    - Materials/ Architecture
    - Parking
    - Fences/ Walls
    - Transportation
    - Infrastructure
    - Lighting
    - Bikeways/ Sidewalks

7.3 ICIP

- Department of Public Infrastructure will program roadway, bikeway, and pedestrian trail projects in the ICIP to be built to City standards as funds become available
- Departments of Cultural Enrichment and Public Infrastructure will program a Broadmoor Dr. and Northern Blvd. median landscaping projects as funds become available
- The City will program and fund future recreational and other community facilities to serve the Plan area through its ICIP process.
- The City will program and fund utility infrastructure improvements to serve the Plan area.

7.4 Special Assessment Districts

- The City may initiate redevelopment of obsolete or premature platting in the Plan area through formation of Special Assessment Districts (SADs).

References:

A. *Montoyas Arroyo Watershed Management Plan*, Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), 2002
B. *Rio Rancho Parks and Recreation Master Plan*, City of Rio Rancho Cultural Enrichment, 2004
C. *2020 Integrated Comprehensive Plan,* City of Rio Rancho Development Services, 2001
D. *Northern Boulevard Area Plan,* City of Rio Rancho Development Services, 1996
E. *School Profiles*, Rio Rancho Public Schools Website, www.rrps.net
F. *State Highway Access Manual*, New Mexico Department of Transportation (NMDOT), 2002
G. *North Central Area Plan (Draft),* City of Rio Rancho Development Services, 2006
H. *Community Profile,* Rio Rancho Economic Development Corporation, 2007
I. *Standard Street Profiles*, City of Rio Rancho Public Infrastructure, 2006
J. *2030 Metropolitan Transportation Plan,* Mid Region Council of Governments, 2007

July 18th, 2023

Amy Rincon
Planning and Zoning Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho

Re: Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment for Red Roan Enterprises, LLC and MAM Partners LLC

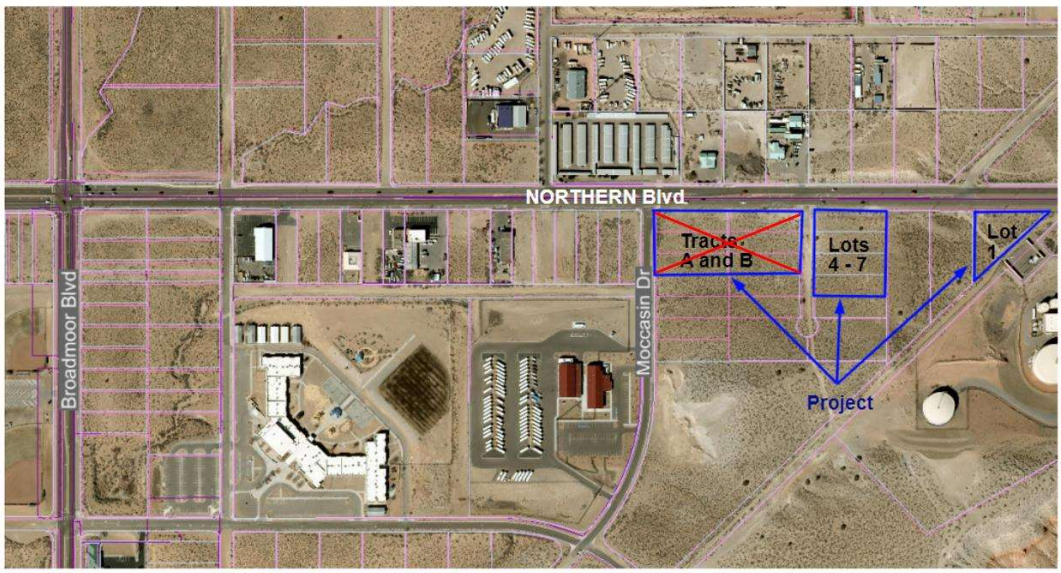
Ms Rincon,

After consulting with staff, I would like to ament my original application. I would propose 2 changes:

1. Amending the request of zone change from M1 instead to C2.
2. The new application will be removing Tract A and B, since they are currently zoned C2

Rio Rancho Estates Unit 13, Block 112, ~~Tract A&B~~, Lots 1 & 4-7.

Figure 1 Location



Please Let me know if you have any questions

Sincerely,

/S/David Torres/S/

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

July 28, 2023

TO: Planning and Zoning Board

RE: 23-100-00004, 23-410-00004 – Zone Map Amendment from C-1 to C-2 on the land legally described as Unit 13, Block 112, Lots 1, 4-7 and a concurrent amendment to the Broadmoor Drive Specific Area Plan to reflect the zone change.

The following are the comments and feedback received in regards to the zone map amendment and specific area plan amendment application.

Planning & Zoning Division:

- Applicant has not adequately met the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
- The lot is not irregular in shape, narrow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.
- There does not exist a special circumstance applicable to the property.
- There are no other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land.
- Cannabis establishment is not permissive as per criteria set forth in R.O. 2003 Section 122.04.

Engineering Division:

- No adverse comments.

Fire & Rescue:

- No adverse comments at this time.
- Requirements will be necessary upon development.

Parks and Recreation:

- No comments (and no negative impact on area function of City Animal Resource Center).

MRMPO: MRMPO has no adverse comments. For informational purposes:

- Northern Blvd is functionally classified as a Principal Arterial.
- An existing Paved Trail is identified on Northern Blvd in the Long Range Bikeway System (LRBS).
- Northern Blvd is identified as a Tertiary Transit Route in the Long Range Transit Network (LRTN) with headways of 35-45 minutes.
- Northern Blvd is an Intelligent Transportation System (ITS) Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.
- Appendix G of the MTP supports the following as it relates to the subject property:
- Encourage a mix of land uses (retail, housing, entertainment, etc.) and multimodal facilities in appropriate locations to encourage shorter and more active trips.
- Promote a healthy job housing balance west of the river through preserving commercially zoned land, site-readiness programs, etc.

SSCAFCA:

- No comments.

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

Respectfully,

Christopher Benson

Chris Benson
Municipal Planner I
Development Services Department
City of Rio Rancho
(505) 896-8342 cbenson@rrnm.gov


City of Rio Rancho
NOTICE

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

July 18, 2023

RE: Zone Map Amendment and Specific Area Plan Amendment,
Case No. 23-100-00004, 23-410-00004
Unit 13, Block 112, Lots 1, 4-7

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, David Torres, requests approval of a Zone Map Amendment from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District for the properties legally described as Unit 13, Block 112, Lots 1, 4-7. The subject properties are physically located at 914, 918, 922,926 Walpi Ct NE, and the 3524 Northern Blvd NE and comprise approximately 2.84 acres. These properties are located in the Broadmoor Drive Specific Area Plan and concurrently there will be an amendment to the Broadmoor Drive Specific Area Plan to reflect the increase in Wholesale and Warehousing land use within the specific area plan.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, August 08, 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 black outline.

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

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

Please do not hesitate to contact me via e-mail me at cbenson@rrnm.gov or call me at 505-896-8342, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

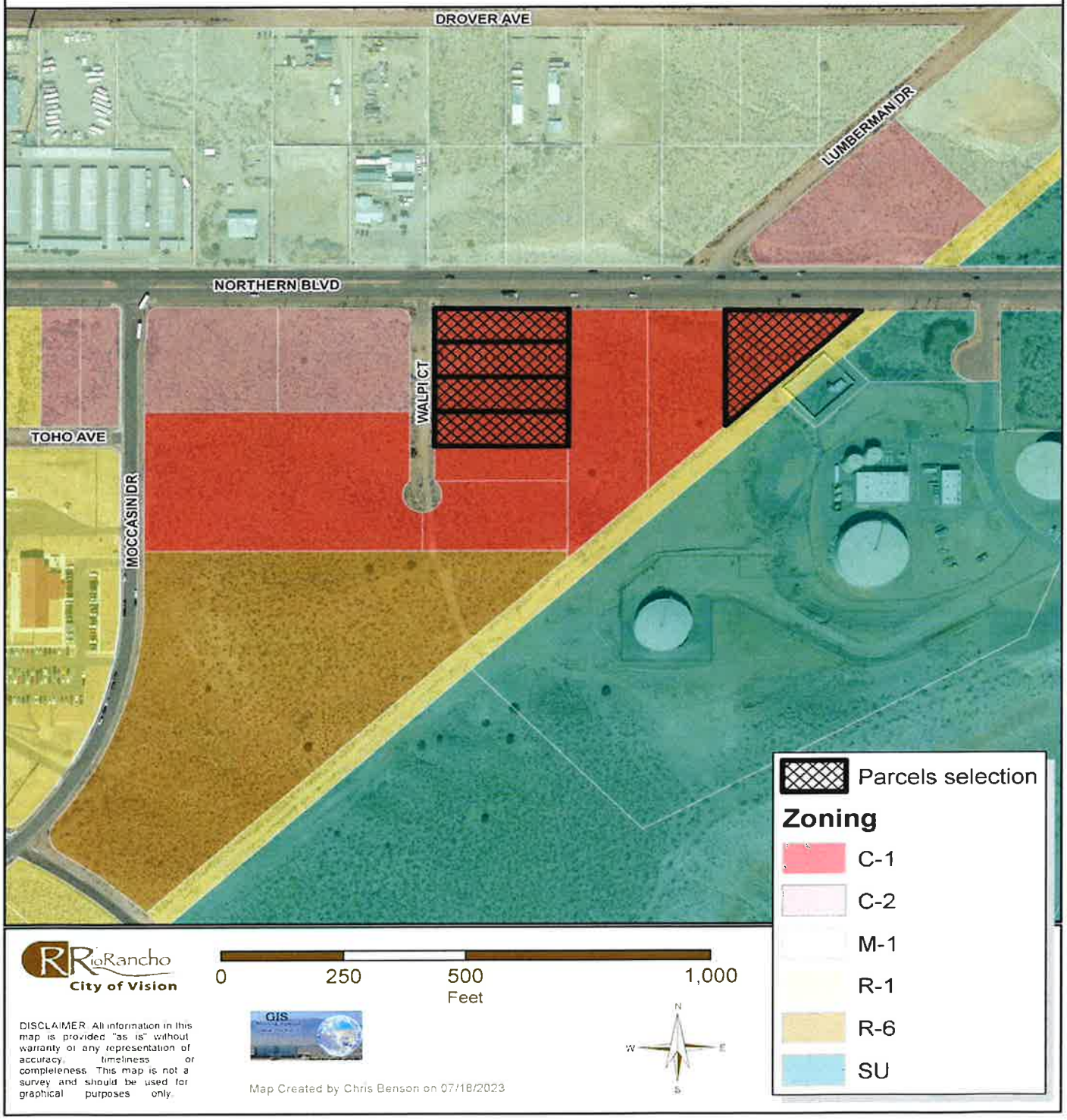
Christopher Benson

Chris Benson
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

UNIT 13, BLOCK 112, LOTS 1, 4-7
ZONE MAP AMENDMENT AND SPECIFIC AREA PLAN AMENDMENT



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

Map Created by Chris Benson on 07/18/2023

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: July 24, 2023

7/3/2023

Amy Rincon
Planning and zoning Manager
Development Services Department
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM, 87144

RE: Rezoning Properties Unit 13 Block 112 Lots Tract A & B, 1, 4-7

Ms Rincon,

We own the property at 3391 Northern Blvd NE Rio Rancho, NM 87124 and is located across from the proposed properties to be rezoned. I am a local business owner of SRFS in Rio Rancho.

We are writing this letter in support of the proposed rezone of lots Tract A & B, 1, 4-7 to M-1 light industrial.

I welcome and support the continued development, growth, and attraction of more local Rio Rancho Businesses.

Thank you for your consideration.

Sincerely,

Charlotte Garcia
SRFS (& Rio Rancho Mailing)
3391 Northern Blvd NE Rio Rancho, NM 87124

July 5, 2023

Dear Mayor Hull,

As the property owner of the adjacent parcels to the property being rezoned to M1 in block 112 off of Northern Blvd. I am writing to express my support for the rezone.

The development would fit well with the neighborhood offering a modern, flexible building. The current development on the corner of Northern and Moccasin is an example of the unique design and architectural features. This project will greatly assist with the continued development of the industrial corridor in Rio Rancho.

I hope this letter conveys to you my support of this project and my wishes to see it completed. I believe in the neighborhood and know that it is capable of helping grow Rio Rancho. I urge you to vote in favor of approving this development.

Sincerely

Julie Villegas, Manager - Roadrunner Storage Properties, LLC

Roadrunner Storage Properties, LLC rrselfstorageinfo@gmail.com

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AMENDING THE BROADMOOR DRIVE SPECIFIC AREA PLAN

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

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

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

WHEREAS: the Governing Body of the City of Rio Rancho approved the Broadmoor Drive Specific Area Plan on August 22, 2007 with Resolution No. 79, Enactment No. 07-078 and the Governing of Rio Rancho approved an amendment to the Broadmoor Drive Specific Plan on July 22, 2021 with Resolution No. 68, Enactment No. 21-067 and on September 14, 2023 with Resolution No.__, Enactment No. 23-__; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Broadmoor Drive Specific Area Plan at their meeting held on August 8, 2023, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: The Governing Body of the City of Rio Rancho has reviewed the proposed amendments (Case No. 23-410-00004) to the Broadmoor Drive Specific Area Plan at their meeting held on August 8, 2023, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts the amendments and modifications to the Broadmoor Drive Specific Area Plan as shown as Exhibit A to this resolution.

Section 2. Designs, layouts, and engineering requirements or details are subject to compliance with City engineering and/or subdivision requirements prior to development.

Section 3. Effective Date:
This Resolution shall take effect immediately upon adoption.

ADOPTED THIS _____DAY OF _____, 2023.

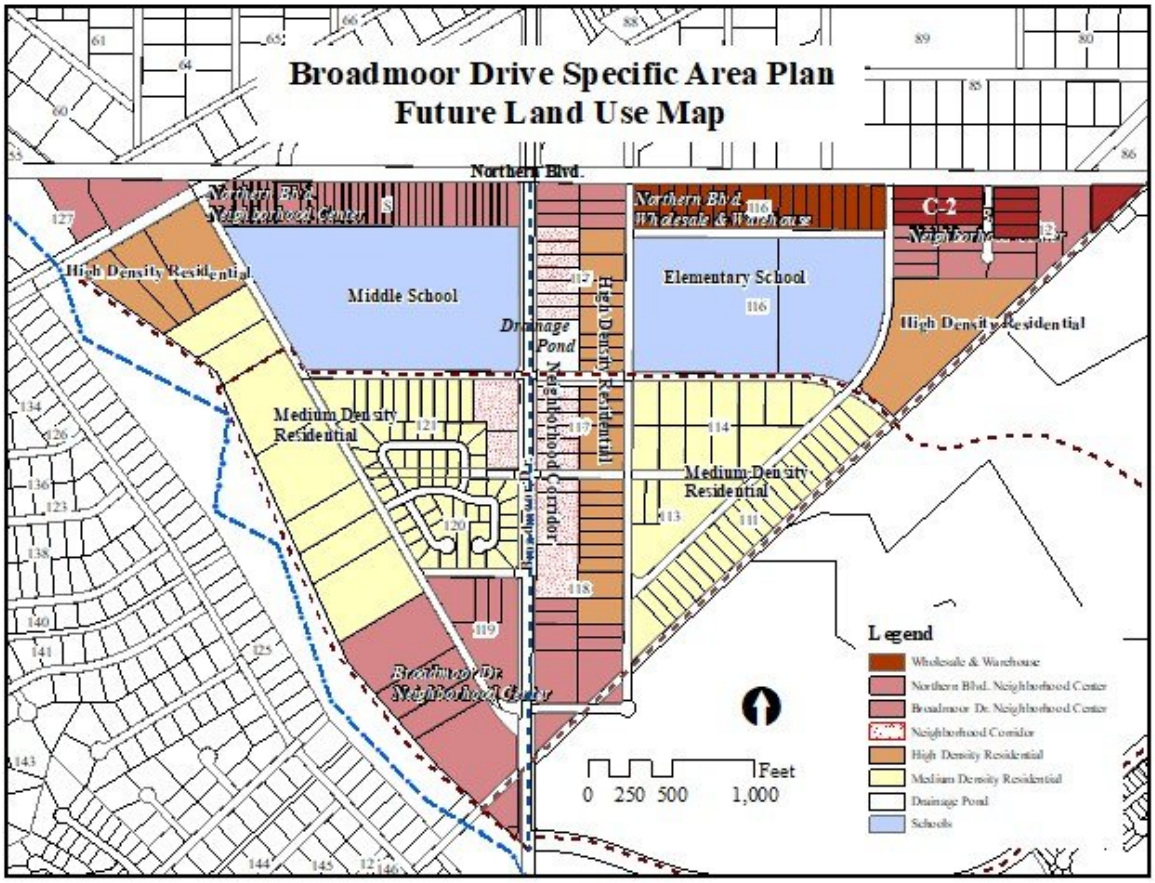
_____
Greggory D. Hull, Mayor

ATTEST:

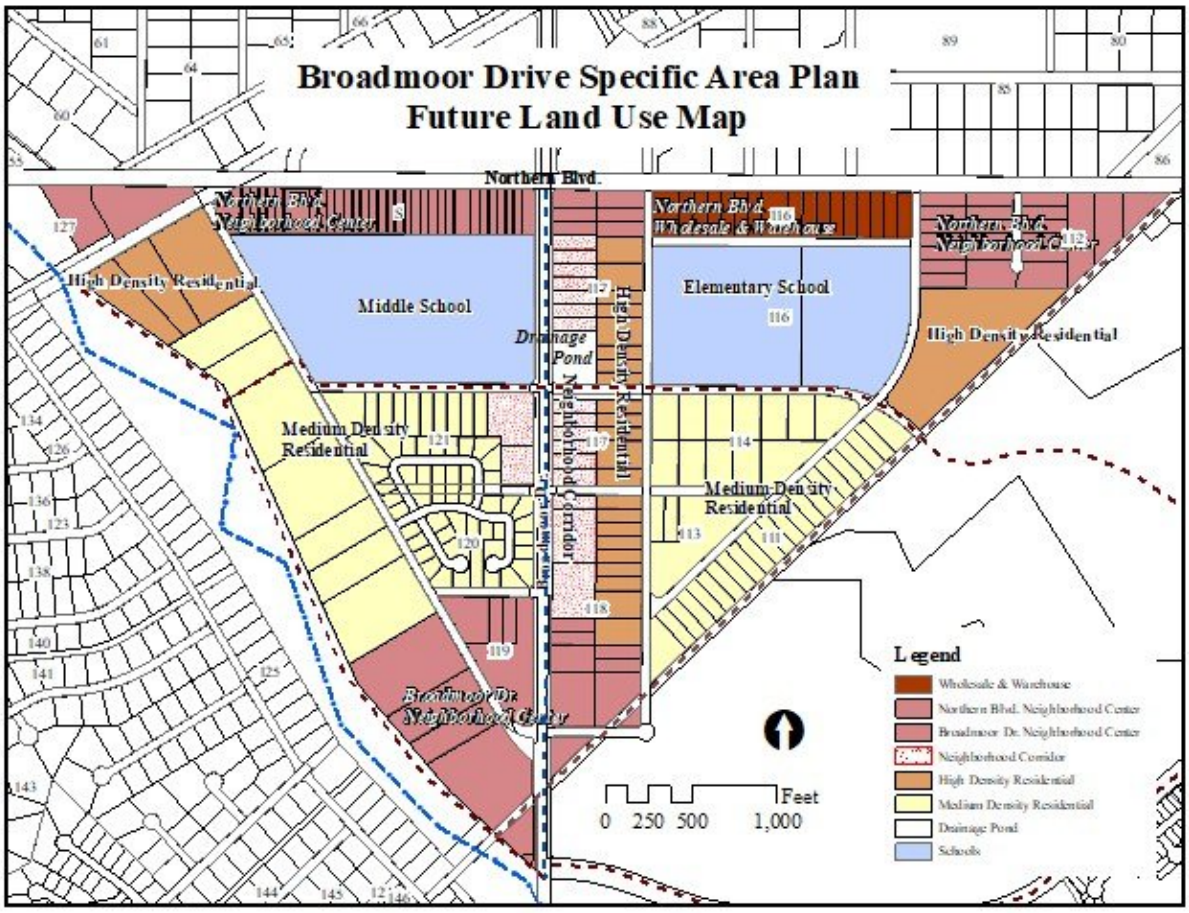
_____
Rebecca A. Martinez, City Clerk
(SEAL)

EXHIBIT A:

Updated Exhibit (to reflect change in zoning):



Existing Exhibit:


Broadmoor Drive Specific Area Plan
Future Land Use Map
Northern Blvd.
Northern Blvd. Neighborhood Center
Northern Blvd. Wholesale & Warehouse
Northern Blvd. Neighborhood Center
High Density Residential
Middle School
Drainage Pond
High Density Residential
Elementary School
High Density Residential
Medium Density Residential
Neighborhood Corridor
Medium Density Residential
Broadmoor Dr. Neighborhood Center
Legend
Wholesale & Warehouse
Northern Blvd. Neighborhood Center
Broadmoor Dr. Neighborhood Center
Neighborhood Corridor
High Density Residential
Medium Density Residential
Drainage Pond
Schools
Feet
0 250 500 1,000

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-100-00004

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, David Torres, requests approval a zone map amendment for the land legally described as Unit 13, Block 112, Lots 1, 4-7 to amend the zoning from C-1: Retail Commercial to C-2: Wholesale and Warehousing Commercial District. Staff contact is Chris Benson and staff recommends the Planning and Zoning Board recommend approval with findings and conditions.

BACKGROUND AND ANALYSIS:

The applicant, David Torres, requests approval of a zone map amendment for the properties legally described as Unit 13, Block 112, Lots 1, 4-7, to amend the zoning from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District. The subject property consists of five lots covering approximately 2.84 acres of land near the intersection of Northern Blvd. NE and Walpi Ct NE, which is currently zoned C-1: Retail Commercial (established by Ordinance No. 16, Enactment No. 06-15), and which is also within a Corridor Overlay Zone (Ordinance No. 63, Enactment No. 07-75).

The site is within the Broadmoor Drive Specific Area Plan, which currently designates the five lots as "Northern Blvd. Neighborhood Center" within the future land use mappings. Adjacent properties to the west of the site are designated as being "Northern Blvd. Wholesale & Warehouse" within the future land use mappings. Concurrent with this case is an amendment to the Broadmoor Drive Specific Area Plan (case 23-410-0004) to amend the land use of the area from Northern Blvd Neighborhood Center to Northern Blvd Wholesale and Warehouse.

This amendment was initially scheduled to be heard at the Planning and Zoning Board on 07/11/2023, postponed on a request from the applicant, and later the item was withdrawn from the 07/25/2023 Planning and Zoning Board agenda. The applicant wanted to amend the request for the Zone Map Amendment. Following discussion with staff, the applicant amended the request from a zone change to M-1: Industrial and Business Park to C-2: Warehousing and Wholesale Commercial, and reduced the total acreage of the request. The requested change to the zone map amendment has been included as an attachment.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:

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

Finding; The application, presented as an attachment, meets the minimum submittal requirements for the proposed zoning request.

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

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

The applicant states: "The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow office/warehouse development is consistent with the health, safety, morals, and general welfare of the City. The proposed use furthers multiple Land Use, Transportation, and Economic Development goals and policies in the Comprehensive Plan and the Broadmoor Drive Specific Area Plan. The change in zoning will allow for an attractive office/warehouse development to occur, complementing existing land use and business mix of this part of Northern Boulevard. In addition, the development of the site will bring necessary infrastructure and utility improvements necessary for future developments to occur."

Staff recommends the Planning and Zoning Board finds the proposed C-2: Wholesale and Warehousing District zoning would be consistent with the health, safety, morals, and general welfare of the City as there are similar zoning districts to the west and north of the subject property. The C-2: Wholesale and Warehousing District zoning allows for more intensive commercial uses which have developed similarly along the corridor.

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

The applicant states: "The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow office/warehouse development is the highest and best use for this 2.84 acre site. The viability precedent is taken from adjacent development just west of Walpi Ct NE. This Northern Boulevard frontage is stabilizing the area with a similar C-2 use."

Staff recommend the Planning and Zoning Board finds that the applicant has provided sound justification as there is limited quantity of C-2 zoned property with access to utilities and infrastructure, and the request may further development of a growing warehousing and wholesale corridor in the City. The expansion of C-2 properties along this corridor have extended access to utilities and the zone map amendment will further the extension of utility access to the area to promote greater development.

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

The applicant states: "The Zone Map Amendment and amendment to the Broadmoor Specific Area Plan further multiple goals and policies as contained in the City of Rio Rancho Comprehensive Plan and Broadmoor Boulevard Specific Area Plan as follows:"

The applicant in their justification, included as an attachment, outlines that the proposed zone map amendment accomplishes these policies, goals, and sections of the Comprehensive Plan:

- Policies A-1 and A-3
- Conforms to section 5.3.2.6 Office, Commercial and 5.3.2.7 Warehousing, Industrial

- Land Use Goal L-2
- Action L-1
- Transportation Goal TR-1
- Goal UD-4
- Economic Goal EDP-1, EDP-3, and EDR-1

Staff recommends the Planning and Zoning Board finds the proposed zone map amendment would meet the intent of the Comprehensive Plan by identifying an area for Wholesale and Warehousing development opportunities and by accomplishing the outlined Actions and Goals of the Comprehensive Plan such as economic goals, land use goals, transportation goals, and the potential for the elimination of antiquated platting.

Concurrent to this action is an action to amend the Broadmoor Drive Specific Area Plan to reflect this change in zoning. The goals of the Broadmoor Drive Specific Area Plan accomplished by this zone map amendment have been identified by the applicant in their attached justification letter:

- 3.1 Land use Goal 2
- 3.1 Land use Objective

Staff recommends the Planning and Zoning Board finds that the proposed zone map amendment conforms with the Broadmoor Drive Specific Area Plan pending approval of the concurrent Broadmoor Drive Specific Area Plan amendment (case #23-410-00004). The proposed zone map amendment identifies land use goals and objectives of the Broadmoor Drive Specific Area plan such as encouraging further development of a commercial corridor and promoting a mixture of commercial land uses.

(4) The applicant must demonstrate that the existing zoning is inappropriate because:

(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of R-1 or transitional zoning on an antiquated plat filed before the city's incorporation and adoption of its own zoning code or on land annexed by the City; or

(b) Changed neighborhood or community conditions justify the change; or

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

The applicant states: "In this case both B and C apply. A changed neighborhood condition justifying the change has been the construction of surrounding development between Broadmoor Boulevard and Walpi Court. This development is mostly C-2---warehousing, warehousing/commercial service type uses with side yard or back yard storage spaces. The Applicant is proposing to develop this site with office/warehouse uses.

The proposed C-2 use would facilitate the development of four ~10,200 square foot office/warehouse buildings with outdoor storage space in the back. In addition, the proposed finished metal facades with stone accents will complement the existing building materials and colors of surrounding development. The development will also act as a buffer for future residential development to the south and bring necessary improvements to utilities, drainage, and transportation infrastructure that will make the remaining commercially zoned vacant land more viable for development. The area improvements serve a public need to further the economic viability of the City and attract more commercial retail/service/warehouse/office development that

will serve the City of Rio Rancho residents."

Staff recommends the Planning and Zoning Board finds the criterion has been met, as the applicant has provided a justification letter providing sound reasoning for the change in zoning since the change in zoning would allow for the development of a use that is desirable to the growth of additional businesses in the City and a higher intensity of commercial zoning allows for a larger range of development options.

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

The applicant states: "The cost of land and other economic considerations are not the determining factor for the change. The Applicant selected this site because of the complementary surrounding land uses, business mix, and architecture. The area's C-2 land uses are developing at a quicker rate than other commercially zoned parcels and the Applicant feels that the C-2 use has proven to be the highest and best use of the area."

Staff recommends the Planning and Zoning Board finds that the cost of the land or other economic considerations do not appear to be a justification for the proposed zone map amendment.

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

The applicant states: "The proposed C-2 use is for office/warehouse buildings. The surrounding land use and business mix are the determining factors for locating this use along Northern Boulevard."

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

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone". Such a change of zone may be approved when:

(1) The change will clearly facilitate the realization of the comprehensive plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone changes is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The applicant states: "The Applicant's proposed C-2 zoning will not create a spot zone. The project will encompass 5 existing lots. The area already includes a mixture of C-2 zoned land and the proposed site is directly adjacent (across the road from Moccasin Drive and Walpi Ct) from existing C-2 zoning and land uses. Existing surrounding parcels do no offer the ability for the Applicant to assemble the necessary 2.84 acre site for the proposed development and site plan configuration. In addition, the proposed development will act as a buffer for future residential uses south of Northern Boulevard."

Staff recommends the Planning and Zoning Boards finds that the subject properties are not a spot zone. The proposed zone map amendment includes approximately 2.84 acres. The properties north of the site are zoned M-1, properties to the east are zoned C-2, properties to the west and

south are zoned C-1. This application should not be considered a "spot zone" because the surrounding land uses are similar or identical in form and function to the zoning requirements found in C-2: Wholesale and Warehousing District.

Finding: Staff recommends the Planning and Zoning Board finds that the proposed amendment conforms to the requirements promulgated within R.O. 2003 Section 150.07 (D) (1) through (4), and (E) through (G).

SURROUNDING LAND USE/ZONING:

NORTH	M-1: Industrial and Business Park Zoning (Ordinance No. 72, Enactment No. 94-070) and COZ (Ordinance No. 94, Enactment No. 07-92)
SOUTH	C-1: Retail Commercial Zoning (Ordinance No. 78, Enactment No. 07-76), COZ (Ordinance No. 63, Enactment No. 07-75), and SU (Ordinance No. 50, Enactment No. 08-50)
EAST	C-1: Retail Commercial Zoning (Ordinance No. 16, Enactment No. 06-15) and COZ (Ordinance No. 63, Enactment No. 07-75)
WEST	C-2: Wholesale and Warehousing Commercial Zoning (Ordinance No. 26, Enactment No. 21-27) and COZ (Ordinance No. 63, Enactment No. 07-75)

NOTIFICATIONS:

In accordance with State Statute NMSA § 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject property received a certified letter containing a notice of action and impending Planning and Zoning Board hearing, with a return service requested. A legal advertisement was also placed in the Albuquerque Journal on July 24, 2023. A notice sign was erected on the subject property on August 1, 2023.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

REVIEWING AGENCY	RECEIVED APPLICATION FOR REVIEW	COMMENTS
DSD Planning and Zoning	X	Comments listed in this document
DSD Engineering	X	Comments provided in attached document
RRPS	X	No comments provided
Fire and Rescue	X	Comments provided in attached document
Police Department	X	No comments provided
SSCAFCA	X	No adverse comments
MRMPO	X	Comments provided in attached document
Parks, Recreation, and Community Services	X	Comments provided in attached document

IMPACT:

The Development Services Department recommends the Planning and Zoning Board approve the Zone Map Amendment request subject to findings and conditions set forth below:

General Findings of Fact:

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

Specific Findings of Fact:

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

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by allowing for similar warehousing and wholesale commercial development to those along the Northern Boulevard corridor.
2. The applicant has provided sound justification, in a narrative dated May 30, 2023, for the proposed zone change and the zone map amendment would provide stability of zoning and future uses.
3. The proposed zone map amendment would be consistent with the adopted elements of the Comprehensive Plan and the concurrent application to amend the Broadmoor Drive Specific Area Plan, given the subject property is located adjacent to similar uses within the future land use map of the Broadmoor Drive Specific Area Plan.
4. The applicant has demonstrated that the existing zoning is inappropriate and the C-2: Wholesale and Warehousing zoning designation would be an appropriate zoning for the site.
5. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
6. The applicant has provided sufficient justification that the zone map amendment request is not based solely on the location of the subject property.
7. The requested zone map amendment would not create a "spot zone."

ALTERNATIVES:

1. The Planning and Zoning Board may recommend approval of the requested zone map amendment;
2. The Planning and Zoning Board may recommend denial of the requested zone map amendment;
3. The Planning and Zoning Board may modify the request and recommend approval of such modifications;
4. The Planning and Zoning Board may continue the public hearing to request additional information and/or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment request to the Governing Body.

ATTACHMENT: Application.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Public Comments 1.pdf
ATTACHMENT: Public Comments 2.pdf
ATTACHMENT: Proposed_update_to_Broadmoor_Drive_SAP_-_TH_Revised_53023 (1).pdf
ATTACHMENT: Location Map and Noticed Properties.pdf
ATTACHMENT: Legal.pdf
ATTACHMENT: DRAFT_Ordinance_23-100-00004_BMB (2).docx
ATTACHMENT: 23-100-00004_-_Notice_Sign.pdf
ATTACHMENT: 23-100-00004 - Comments Memo.pdf
ATTACHMENT: Notice Letter.pdf

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: David Torres		Phone: 505-659-7086
Address:		E-Mail: dt@osonegrocapital.com
City:	State:	Zip:
Proprietary Interest:	List Owners: Northern Industrial Investments, MAM Partners LLC, David Torres	
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)

Zone Map Amendment from C-2 and C-1 to M-1 to allow for warehousing and manufacturing uses.
And a complementary variance request to the Broadmoor Drive SAP requirement to allow metal buildings.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Unit 13	Block(s): 112	Lot(s): Tract A & B, 1, 4-7
Existing Zoning (C2 Tract A and B) (C1Lot 1, 4-7)	Proposed Zoning: M1	
No. of existing lots: 7	No. of proposed lots:	Total area of site (acres) 6

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: David Torres	Applicant:	Agent:
Signature: DJTs		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

July 18th, 2023

Amy Rincon
Planning and Zoning Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho

Re: Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment for Red Roan Enterprises, LLC and MAM Partners LLC

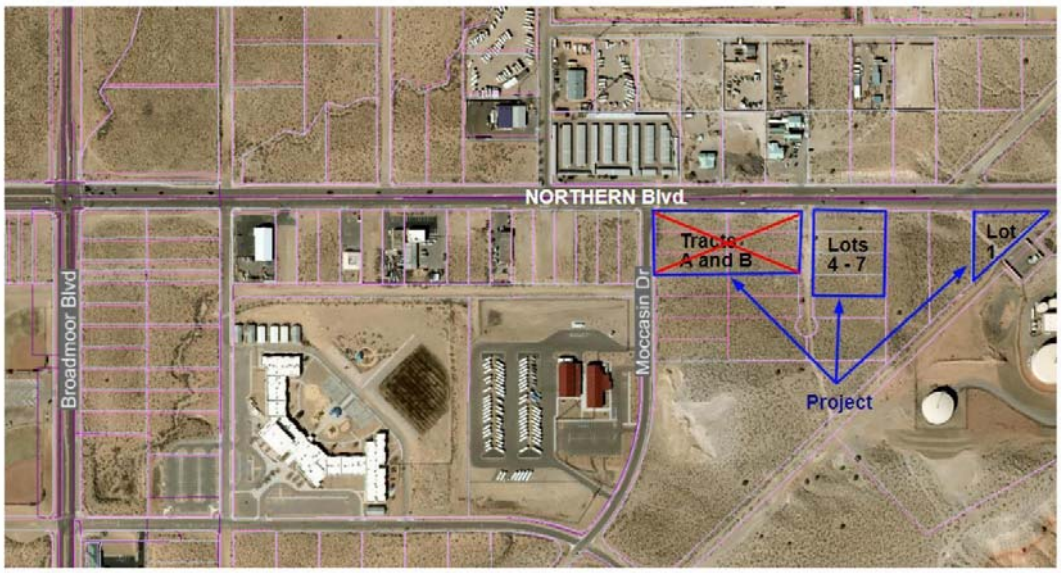
Ms Rincon,

After consulting with staff, I would like to ament my original application. I would propose 2 changes:

1. Amending the request of zone change from M1 instead to C2.
2. The new application will be removing Tract A and B, since they are currently zoned C2

Rio Rancho Estates Unit 13, Block 112, ~~Tract A&B~~, Lots 1 & 4-7.

Figure 1 Location



Please Let me know if you have any questions

Sincerely,

/S/David Torres/S/

June 15, 2023

Amy Rincon
Planning and Zoning Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho

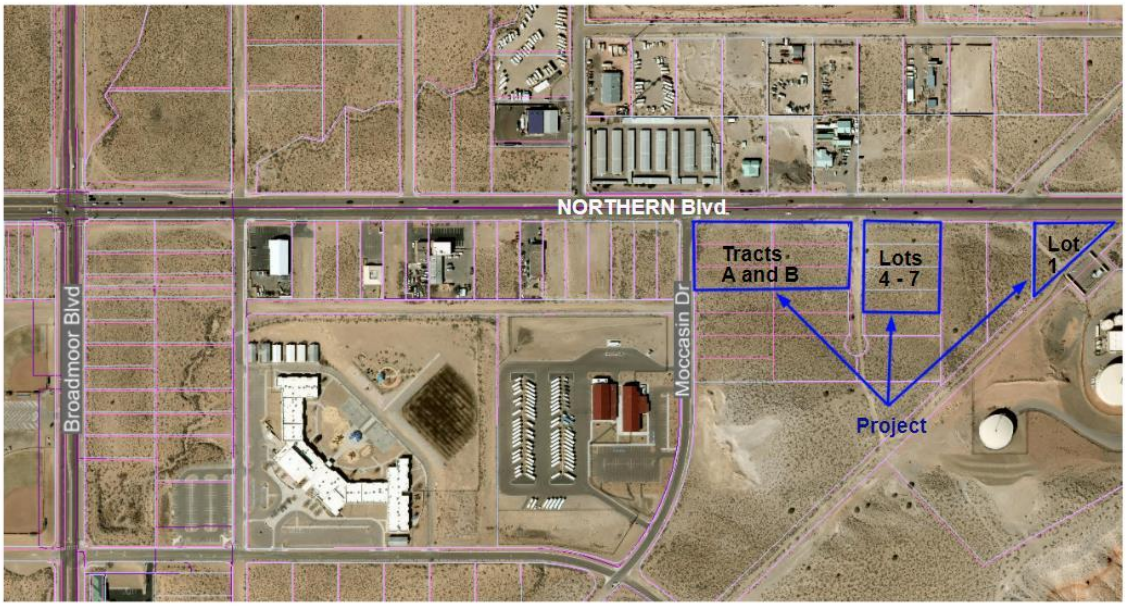
Re: Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment for Northern Industrial Investments & MAM Partners LLC

Dear Ms. Rincon

The purpose of this letter is to request approval of a Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment on behalf of Northern Industrial Investments and MAM Partners LLC. The request is for approximately 5 acres of land located south of Northern Boulevard between Moccasin Drive and Walpi Court to allow for a zone change to M-1: Industrial and Business Park. The legal description for the properties pertaining to this request are as follows:

Rio Rancho Estates Unit 13, Block 112, Tract A&B, Lots 1 & 4-7.

Figure 1 Location



PROJECT REQUEST

This request is for a Zone Map Amendment from C-1: Retail Commercial and C-2: Wholesale and Warehousing to M-1: Industrial and Business Park along with a. The plan amendment will allow for warehousing and manufacturing as a permissive land use.

The requested change will allow for the construction of 3 additional high quality indoor industrial and business park spaces with backyard outdoor storage. The proposed office/warehousing buildings are each approximately 15,000 square feet with finished metal panels.

The proposed industrial and business park use compliments the existing surrounding uses of the area and furthers the Broadmoor Drive Specific Area Plan's desire to have a range of economically viable and appropriate land uses. The industrial and business park buildings are designed to be aesthetically pleasing and further the commercial character of this portion of Northern Boulevard, with backyard storage, east and west facing roll-up doors, and front office space.

OWNERSHIP

Tracts A and B consisting of approximately 3 acres are owned by Northern Industrial Investments, LLC

Lot 1 consisting of approximately 1 acre is owned by David Torres

Lots 4 - 6 consisting of approximatley 1.5 acres are owned by MAM Partners

Lot 7 consisting of approximately .5 acres is owned by Red Roan Enterprises, LLC

David Torres has a controlling interest in all of the above mentioned lots.

EXISTING ZONING AND LAND USE

Tract A has a newly constructed 15,700 square foot building.

Tract B, Lot 1 and Lots 4-7 are currently vacant.

The subject site is surrounded by a combination of vacant land, industrial, warehousing, community facilities, commercial uses, and utilities. The site is directly south of Northern Boulevard and accessible by Moccasin Drive and/or Walpi Court.

TABLE 1. SURROUNDING ZONING & LAND USE		
	ZONING	LAND USE
NORTH	M-1: Industrial and Business Park; C-1: Retail Commercial; C-2: Wholesale and Warehousing Commercial	Storage and warehousing; Rio Rancho Animal Resource Center; Casa di Ferro Ironworks; L&C Automotive; J&E Towing
EAST	C-1: Retail Commercial R-1: Single-Family Residential SU: Special Use for Public Utilities	Vacant; County Trail; and Public Water Utilities
SOUTH	C-1: Retail Commercial R-6: Multi-Family Residential	Vacant C-1. The currently vacant R-6 is proposing to develop as single-family housing.
WEST	C-2: Wholesale and Warehousing Commercial; R-1: Single-Family Residential	Vacant; Euro-Spec Performance Specialists; Affordable Service Plumbing, Hearing, Airconditioning and Electric; Universal Transmission, Inc; Rio Rancho Public Schools Bus Depot; and Ernest Stapleton Elementary

Figure 2: Zoning

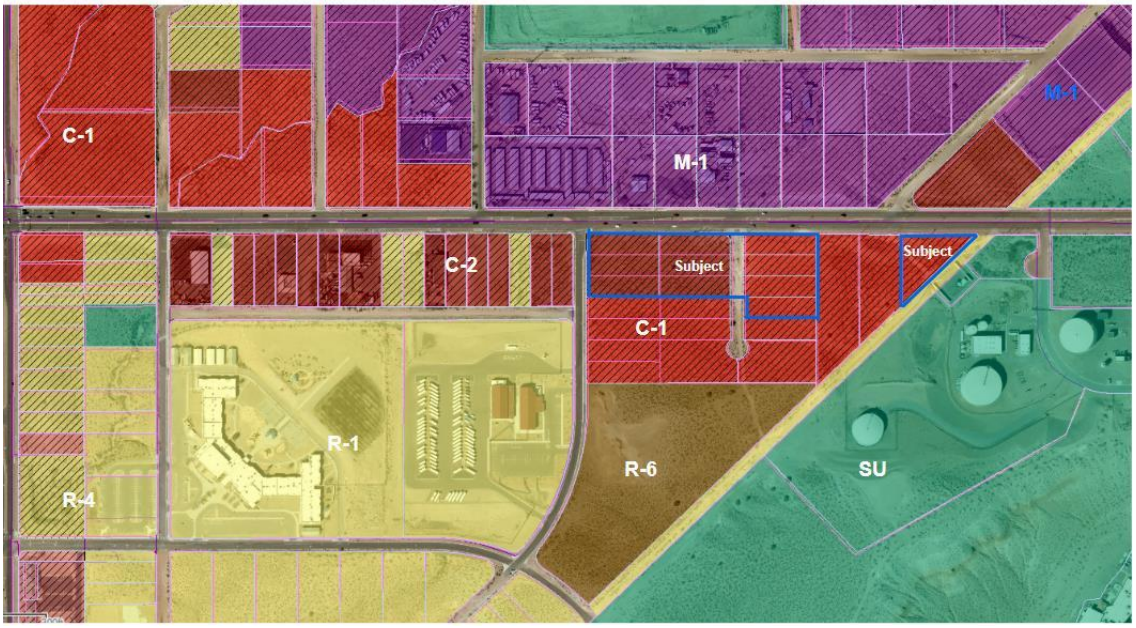
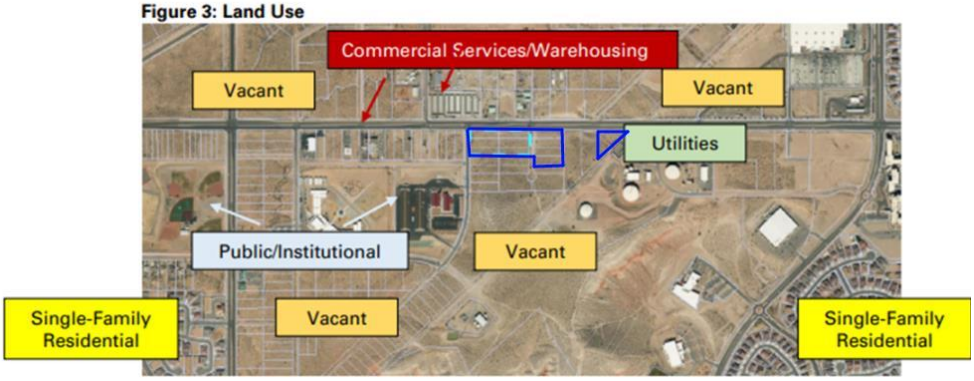


Figure 3: Land Use

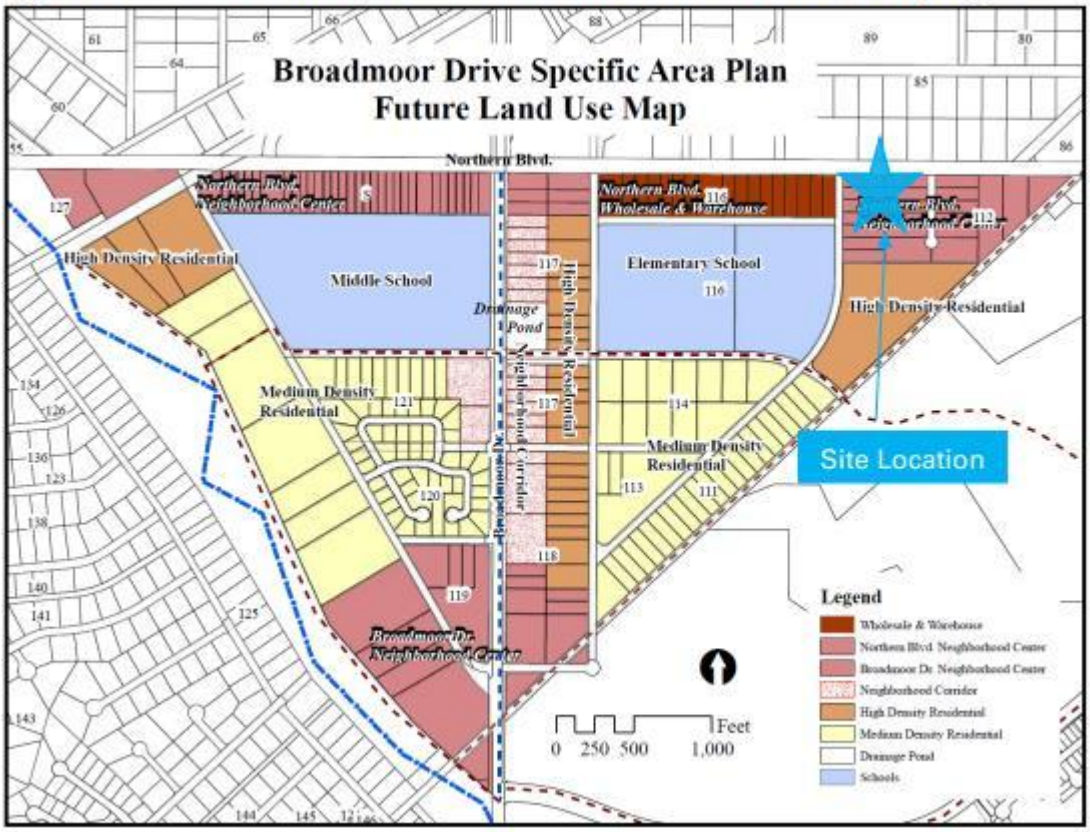


PLANNING CONTEXT

The site is located within the Broadmoor Drive Specific Area Plan (SAP), which was adopted by the City of Rio Rancho Governing Body in August 2007. The purpose of the plan is to "help guide and manage future development along, and in the vicinity of, a major arterial street." The SAP envisions the land uses in the area to allow for a variety of zoning districts and uses while mitigating impacts with the help of design standards.

The SAP distributes land uses between Medium-Density Residential (24.1%), High Density Residential (18.6%), Neighborhood Corridor (24.5%), denter (24.5%), and Wholesale and Warehouse (3.7%).

Figure 4: Broadmoor Drive Specific Area Plan Future Land Use Exhibit 12, Page 28



SITE HISTORY

The properties that are the subject of this Zone Map Amendment are approximately 0.5-acre lots, which were annexed by the City of Rio Rancho in the 1980's. This antiquated platting has been an ongoing challenge faced by the City of Rio Rancho because of the inadequacies in the street right-of-way, impractical block lengths, poor lot configuration, and checkerboard ownership. The site has remained vacant since its annexation.

This area is experiencing moderate growth with some single-family residential and commercial development along Broadmoor Boulevard, and commercial and warehousing/wholesale development along Northern Boulevard.

ZONE MAP AMENDMENT AND BROADMOOR BOULEVARD SPECIFIC AREA PLAN POLICY COMPLIANCE

The following policies for deciding Zone Map Amendments pursuant to the City Zoning Code are as follows:

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

Applicant Response: The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow industrial and business park development is consistent with the health, safety, morals, and general welfare of the City. The proposed use furthers multiple Land Use, Transportation, and Economic Development goals and policies in the Comprehensive Plan and the Broadmoor Drive Specific Area Plan. The change in zoning will allow for an attractive industrial and business park development to occur, complementing existing land use and business mix of this part of Northern Boulevard. In addition, the development of the site will bring necessary infrastructure and utility improvements necessary for future development to occur.

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

Applicant Response: The proposed Zone Map Amendment and Broadmoor Drive Specific Area Plan amendment to allow industrial and business park development is the highest and best use for this 5-acre site. The viability precedent is taken from adjacent development just north of Northern Blvd. This Northern Boulevard frontage is stabilizing as a mixture of M-1 uses and the Applicant seeks to continue stabilizing the area with a similar M-1 use.

The Applicant has assembled 7 parcels and will reorient the parcels for development to face Northern Boulevard in similar fashion as adjacent development. The development will not disrupt the flow of traffic on Northern Boulevard since access will be taken from Moccasin Drive and Walpi Court.

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

Applicant Response: The Zone Map Amendment and amendment to the Broadmoor Boulevard Specific Area Plan further multiple goals and policies as contained in the City of Rio Rancho Comprehensive Plan and Broadmoor Boulevard Specific Area Plan as follows:

CITY OF RIO RANCHO COMPREHENSIVE PLAN

Annexations, Antiquated Platting and Addressing Goal A-1: Eliminate antiquated platting within the City of Rio Rancho where desirable.

Annexations, Antiquated Platting and Addressing Policy A-1: Identify alternative mechanisms to aide and encourage the consolidation of prematurely platted land.

Annexations, Antiquated Platting and Addressing Policy A-3: Ensure that the City's land use and development regulations provide the specific and detailed provisions necessary to eliminate prematurely platted land when feasible.

Applicant Response: The Applicant furthers the City's goals to remedy antiquated platting and create more efficient lot configurations for infrastructure and utility improvements. The applicant has already consolidated 6 lots and is now going to consolidate an additional 4 lots (approximately 0.5-acres each) to create one 5-acre lot. This consolidation of land creates a more suitable parcel for development with a north facing orientation, creating the necessary depth to the south for storage and loading access. The conceptual site plan orients the building front Northern Boulevard, in similar fashion as the existing commercial development surrounding the site. In addition, the consolidation allows for more efficiency in vehicular circulation as now only two ingress and egress points are proposed for this 5-acre site—one on Moccasin Drive and the second on Walpi Court. In contrast, the current parcel configuration requires access to each individual parcel totaling 3 breaks in the curb on both roads for vehicular access. This could create unsafe conditions for pedestrians and an inefficient flow of traffic.

Land Use Goal L-2: Encourage consolidation of lots to promote a variety of land uses in a planned manner.

Action L-1: Identify areas within the City where location large-scale light industrial businesses such a light manufacturing, warehousing and research

facilities are appropriate.

Applicant Response: The Applicant is proposing an industrial and business park use along Northern Boulevard which is classified as a Community Principal Arterial. The proposed M-1 use complements the existing C-2 use and zoning across Northern Blvd to the north and develops a complementary land use as presented in the Broadmoor Drive Area Specific Plan (SAP). The SAP designated M-1 land uses west of Moccasin Drive and east of Broadmoor Boulevard and the Applicant is proposing to extend the M-1 uses to the 5-acre directly east of Moccasin Drive. The development would create that commercial use buffer between Northern Boulevard and the residential uses to the south as called for in the plan. The Applicant is furthering the goal to consolidate lots for viable development which would not drastically alter the mix of land uses within the SAP Boundaries. The land use change is minimal and continues to preserve the desired land use mix and location of uses adopted in the SAP.

The site is appropriate for industrial and business park uses because of the surrounding context and location along Northern Boulevard. The Applicant seeks to complement the existing uses in the area and elevate the look and feel of the Northern Boulevard corridor by constructing a modern building with a finished metal exterior. This Zone Map Amendment request extends the existing M-1 uses north of Northern Blvd.

Transportation Goal TR-1: Encourage development that effectively mixes land uses to create an efficient transportation system that reduces congestion, improves air quality, and creates opportunities to build Rio Rancho's economy.

Applicant Response: The proposed Zone Map Amendment and SAP Amendment facilitates the development of a viable industrial and business park use and effectively preserves the mix of land use called out in the SAP by increasing the M-1 land use by approximately 1% and preserving the remaining land set aside for commercial development. The proposed development will bring utilities, improve the drainage, and improve the condition of Walpi Court. These infrastructure improvements will make the vacant surrounding commercial land more attractive and suitable for development.

In addition, the site plan will create an efficient transportation system with individual access points on Moccasin Drive and Walpi Court that will not disrupt the flow of traffic on Northern Boulevard since there will not be any direct driveway access. Also, the Applicant is responsible for improving their portion of Walpi Court by paving and installing curb and gutter.

Goal UD-4: Create safe developments that discourage crime.

Applicant Response: The proposed Zone Map Amendment and SAP Amendment will bring attractive development to Northern Boulevard corridor. The proposed development will discourage crime by elevating the look and feel of the area and portray a good image of a well maintained and secure property. In addition, the development will create a buffer for future residential development to the south of the site and will shield the visibility of the residential housing from Northern Boulevard.

Economic Development Goal EDP-1: Create jobs.
Goal EDP-3: Enhance the tax base.
Goal EDR-1: Expand the economic base of Rio Rancho.

Applicant Response: The proposed M-1 use will bring viable industrial and business park space for new businesses to locate to. The Applicant is proposing to develop an additional three ~15,000 square feet buildings for individual businesses. New businesses create more jobs, increase property taxes, and expand the City's economic and gross receipts tax base. This area of the City will become more desirable for other commercial retailers/servicers or office/warehousing uses to locate to. The Applicant has chosen this area because of the surrounding uses and believes the proposed development fit the context. Just as the Applicant was attracted to the area because of its context, future developments will follow.

BROADMOOR BOULEVARD SPECIFIC AREA PLAN

Land use Goal 2: Encourage mixed uses, retail, office, residential, and community uses, pedestrian-oriented and clustered around corridors and activity centers.

Applicant Response: The proposed Zone Map and SAP Amendment to M-1 furthers the mix of land uses in the area and locates the development adjacent to and facing the Northern Boulevard Corridor. The Applicant is proposing an industrial and business park use along Northern Boulevard which is classified as a Community Principal Arterial. The proposed M-1 use complements the existing M-1 uses and zoning across Northern Blvd and develops a complementary land use as the one presented in the Broadmoor Drive Area Specific Plan (SAP). The development will expand that commercial use buffer between Northern Boulevard and the residential development to the south called for in the plan.

The proposed Zone Map Amendment and SAP Amendment effectively preserves the mix of land use called out in the SAP by increasing the M-1 land use by only 1% and increasing the viability of the surrounding vacant commercially zoned land by bringing drainage, transportation (roadway and sidewalks), and utility improvements.

Land Use Objective: Develop Plan land use categories which allow for choice of a variety of zoning districts, and which mitigate impacts on surrounding uses through design standards.

Applicant Response: The Applicant is proposed to amend the Broadmoor Drive Specific Area Plan land uses by increasing the Industrial and Business Park District by approximately 1% and locating development directly south of the existing M-1 designated uses. The Applicant is proposing to develop the adjacent 6-acres to Northern Boulevard and will improve the site with necessary adjacent transportation improvements, drainage improvements, and will act as a buffer between Northern Boulevard and future residential uses to the south.

Because of the future residential uses, the Applicant is proposing to screen the proposed M-1 use with a wall. The proposed development will follow all applicable City of Rio Rancho design standards and SAP standards.

Accessibility Goal: Consolidate and limit access to improve circulation and visually organize the roadway edge.

Applicant Response: The Applicant furthers the goal by consolidating lots and creating a site plan with better configuration for infrastructure, circulation, and visually organizes the Northern Boulevard roadway edge. The Applicant is consolidating 4 lots (approximately .5 acres each) to create one additional 2-acre lot. This consolidation of land creates a more suitable parcel for development with access off of the side streets, a north facing orientation, and creating adequate depth to the south. The site plan orients the building to face in a way that will help to visually organize the roadway edge. In addition, the consolidation allows for more efficiency in vehicular circulation as now only two ingress and egress points are proposed for this 5-acre site—one on Moccasin Drive and the second on Walpi Court.

The Applicant must demonstrate the existing zoning is inappropriate because:

A) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City or
B) changed neighborhood or community conditions justify the change, or
C) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing

the classification of the particular piece of property in question as compared with other available property.

Applicant Response: In this case both B and C apply. A changed neighborhood condition justifying the change has been the construction of surrounding development between Broadmoor Boulevard and Walpi Court. This development is mostly M-1— warehousing/commercial service type uses with side yard or back yard storage spaces. The Applicant is proposing to develop this site with industrial and business park uses. The proposed M-1 use would facilitate the development of three 15,000 square foot industrial and business park buildings with outdoor storage space in the back. In addition, the proposed finished metal facades with stone accents will complement the existing building materials and colors of surrounding development. The development will also act as a buffer for future residential development to the south and bring necessary improvements to utilities, drainage, and transportation infrastructure that will make the remaining commercially zoned vacant land more viable for development. The area improvements serve a public need to further the economic viability of the City and attract more commercial retail/service/warehouse/office development that will serve City of Rio Rancho residents.

The proposed Zone Map and Broadmoor Drive Specific Area Plan Amendments are more advantageous to the community because they further multiple goals of the City's Comprehensive Plan and the goals and policies of the Broadmoor Drive Specific Area Plan. The proposed use assembles 4 additional parcels that are inefficiently platted and will re-orient the parcels to have a north facing frontage with Northern Boulevard. The proposed circulation will preserve the flow of traffic on Northern Boulevard by not creating more ingress/and egress points and utilize the existing land use pattern created by Moccasin Drive and Walpi Court for ingress and egress points.

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

Applicant Response: The cost of land and other economic considerations are not the determining factor for the change. The Applicant selected this site because of the complementary surrounding land uses, business mix, and architecture. The area's M-1 land uses are developing at a quicker rate than other commercially zoned parcels and the Applicant feels that the M-1 use has proven to be the highest and best use for the area.

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

Applicant Response: The proposed M-1 use is for industrial and business

park buildings. The surrounding land use and business mix are the determining factor for locating this use along Northern Boulevard.

(G) A zone change request which will give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. *the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan;*

OR

2. *the area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the subject property is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the subject property unsuitable for the uses allowed in any adjacent zone.*

Applicant Response: The Applicant's proposed M-1 zoning will not create a spot zone. The project will encompass 7 existing lots. The area already includes a mixture of M-1 zoned land and the proposed site is directly adjacent (across the road from Northern Blvd) from existing M-1 zoning and land uses.

Existing surrounding parcels do not offer the ability for the Applicant to assemble the necessary 5-acre site for the proposed development and site plan configuration. In addition, the proposed development will act as a buffer for future residential uses south of Northern Boulevard.

4. The applicant must demonstrate that the existing zoning is inappropriate because a different use category is more advantageous to the community.

Although the property owner recently changed the zoning of the subject property from C-1 to C-2, since such time, the market has shifted significantly and now a subsequent change to M-1 is necessary. While marketing the subject property for commercial purposes as zoned for C-2, the owner received overwhelming requests for various M-1 uses. Currently, the only M-1 zoned property with access to public utilities is located in the Rio Rancho Industrial Park, east of Frontage Road, parallel to Hwy 528. There is no longer any undeveloped M-1 zoned land within Industrial Park. As such, there remains an unfilled need for developable M-1 zoned land with access to public utilities including water, sewer, natural gas, electricity, telephone, and improved streets. The subject property has access to all these public utilities and amenities and can meet this need if re-zoned to M-1. If the subject property is developed for M-1 uses, such

development will attract significant economic growth, contribute to the City's economic base, and increase job opportunity and tax revenue for the City of Rio Rancho.

CONCLUSION

We respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this Zone Map Amendment and Broadmoor Drive Specific Area Plan Amendment request for M-1: Industrial and Business Park because we believe this amendment further stabilizes the character of the Northern Boulevard area, brings forth quality and economically viable commercial uses, furthers the goals of the City's Comprehensive Plan and Broadmoor Drive Specific Area Plan, and makes necessary drainage, transportation, and utility improvements. Please feel free to contact me at (505) 659-7086 if you have any questions or need any additional information.

Sincerely,

David Torres

7/3/2023

Amy Rincon
Planning and zoning Manager
Development Services Department
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM, 87144

RE: Rezoning Properties Unit 13 Block 112 Lots Tract A & B, 1, 4-7

Ms Rincon,

We own the property at 3391 Northern Blvd NE Rio Rancho, NM 87124 and is located across from the proposed properties to be rezoned. I am a local business owner of SRFS in Rio Rancho.

We are writing this letter in support of the proposed rezone of lots Tract A & B, 1, 4-7 to M-1 light industrial.

I welcome and support the continued development, growth, and attraction of more local Rio Rancho Businesses.

Thank you for your consideration.

Sincerely,

Charlotte Garcia
SRFS (& Rio Rancho Mailing)
3391 Northern Blvd NE Rio Rancho, NM 87124

July 5, 2023

Dear Mayor Hull,

As the property owner of the adjacent parcels to the property being rezoned to M1 in block 112 off of Northern Blvd. I am writing to express my support for the rezone.

The development would fit well with the neighborhood offering a modern, flexible building. The current development on the corner of Northern and Moccasin is an example of the unique design and architectural features. This project will greatly assist with the continued development of the industrial corridor in Rio Rancho.

I hope this letter conveys to you my support of this project and my wishes to see it completed. I believe in the neighborhood and know that it is capable of helping grow Rio Rancho. I urge you to vote in favor of approving this development.

Sincerely

Julie Villegas, Manager - Roadrunner Storage Properties, LLC

Roadrunner Storage Properties, LLC rrselfstorageinfo@gmail.com



Broadmoor Drive Specific Area Plan

August 2007

Rio Rancho
City of Vision

Mayor Michael Williams

Governing Body:

District 1: vacant
District 2: Patricia A. Thomas
District 3: Delma Petrullo
District 4: Howard W. Balmer
District 5: Larry Naranjo
District 6: Marilyn Salzman

Planning and Zoning Board:

Karl Wiese, At Large
District 1: David Heil
District 2: Mark Werkmeister
District 3: P.J. Perry
District 4: John Paulson
District 5: Pat D'Arco, Chairman
District 6: Todd Rastorfer, Vice Chair

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1.0 Introduction

1.1 Purpose

The purpose of the *Broadmoor Drive Specific Area Plan* is to help guide and manage future development along, and in the vicinity of, a major arterial street within the City of Rio Rancho. In response to several recent applications for new commercial development in this area, the City has initiated this planning process. This plan provides information about current conditions in the corridor area, identifies goals and objectives, proposes land uses and zoning, identifies access points, creates design standards, and lists methods of implementation.

1.2 Plan Area

The *Broadmoor Drive Specific Area Plan* encompasses an area that forms a 315 acre triangle located in the south central part of the city south of Northern Blvd. and along both sides of Broadmoor Dr. as shown in Exhibit 1. The longest side of the triangle is on the north and formed by Northern Blvd. The west side of the triangle is formed by the Montoyas Arroyo between Northern Blvd. and Broadmoor Dr. The east side of the triangle is formed by an R.E.A. easement, just east of Palm Rd., from Northern Blvd. to Broadmoor Dr. Broadmoor Dr. runs north and south through the center of the triangle. The lots along the south side of Northern Blvd. are also located in the *Northern Blvd. Specific Area Plan*. These lots are outlined in blue in Exhibit 1.

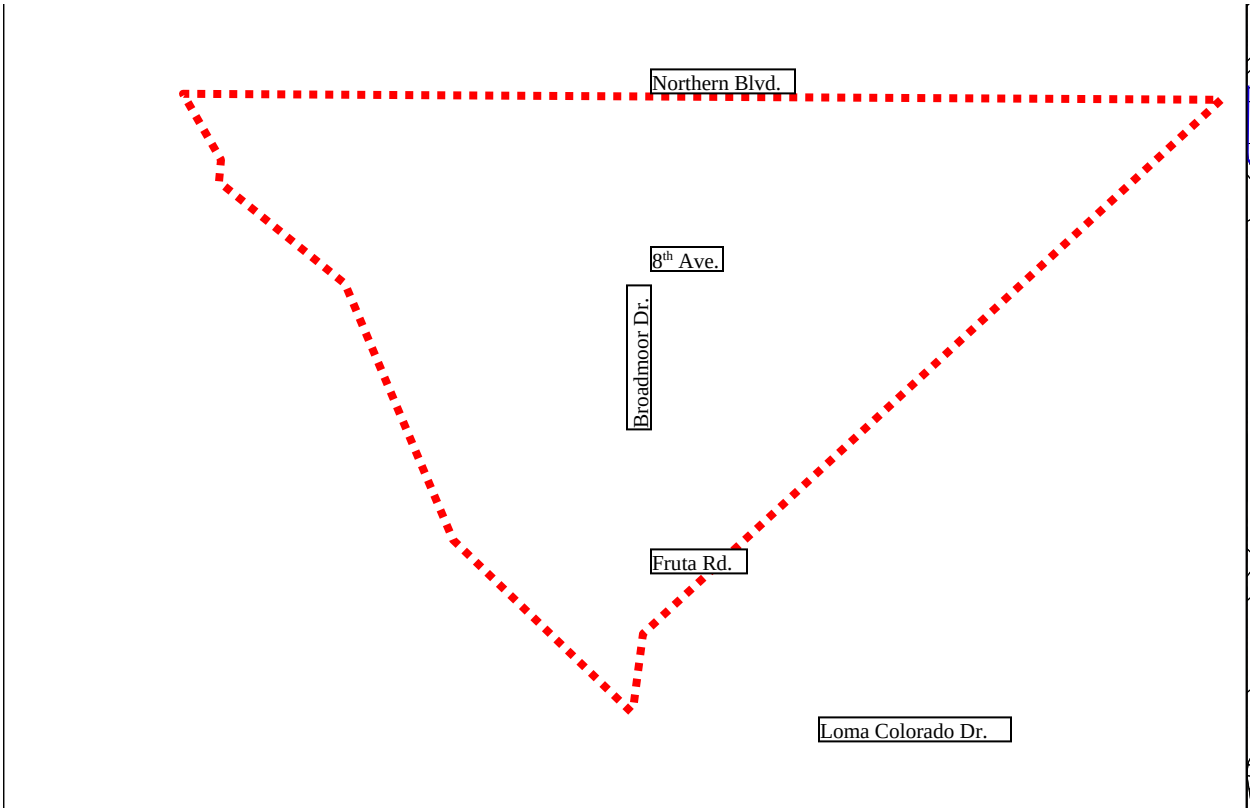


Exhibit 1: Plan Area Map

1.3 Plan Hierarchy



- Comprehensive Plan

The *Vision 2020 Integrated Comprehensive Plan*, adopted June, 2001, is a Level 1 general policy plan to direct current and future growth and physical development of the entire city. The Plan emphasizes patterns of development with mixed land uses and densities. The concept is characterized by Growth Nodes for new development, but also includes infill opportunities.

- Specific Area Plans

A specific area plan is a Level 5 plan that addresses uses, access, parking, streetscape, and other issues along a major thoroughfare or a specific geographic area. It may also address mixed uses, connectivity, character, community services, and other issues for a neighborhood or activity center in the city. Examples of corridor and specific area plans in the city are: Southern Blvd., Northern Blvd., Unser Blvd. North, and Golf Course Rd. Adoption of a specific area plan is an amendment to the ICP.

1.4 Plan Process

The Plan was routed to City departments for review and comment. The Plan was presented to the public at the following meetings:

- Planning and Zoning Board Public Meeting

Public meetings were held on July 10 and July 31, 2007.
The public meeting was advertised by sending out letters to all property owners in the Plan area. Notices were also posted in the neighborhood schools, nearby public library, and in City Hall. The eastern half of the Plan area falls within the Vista Hills Neighborhood Association boundaries so the neighborhood was also notified. The PZB makes a recommendation to the Governing Body. In addition, four meetings were held with property owners along Northern Blvd. and Broadmoor Dr. to determine an access management plan.

- Governing Body Public Hearing

A public hearing date is scheduled for August 22, 2007.
The public hearing has been advertised by sending out certified letters to all property owners in the Plan area. Notices will be posted in the neighborhood schools, nearby public library, and in City Hall. The Governing Body will adopt the specific area plan and any amendments.

1.5 Plan Implementation

A specific area plan is typically implemented through one or more zone map amendments that may be initiated by the City of Rio Rancho or private landowners. Development standards may be established through the adoption of an overlay zone for all or part of the plan area. Recommended capital improvements will be implemented through the City's ICIP or as private development occurs.

2.0 Existing Conditions

Existing conditions for Rio Rancho and the Plan Area described in this section include:

- Demographics
- Natural Environment
- Land Use
- Zoning
- Transportation
- Utilities
- Drainage

2.1 Demographics

Rio Rancho is the fastest growing municipality in New Mexico with an 18.5% growth rate in 2005. The City is expected to more than double in population over the next 20 years. Currently, only a small fraction of the city's population lives in the Plan area. However, if the area builds out in the next 20 years under its current platting, the population could reach over 2,500 people at current household size.

Exhibit 2: Plan Area Population and Housing

	2000	2007/08	2015**	2025***
City of Rio Rancho				
Housing	20,209	27,778	41,403	61,410
Population	51,765	75,000	111,787	165,806
Broadmoor Area %	.0	.3	1.1	1.5
Housing Units	12	44*	470	940
Population	33	119	1,269	2,538

*Includes Ocotillo Hills at build-out
**Assumes 50% build-out at current platting
***Assumes full build-out at current platting Avg. household size of 2.7
Source: US Census, 2000; Projections: NCAP Draft, 2006

The median age for residents of Rio Rancho was 35.1 years, slightly higher than the statewide figure of 34.6 years; however, the City has a higher percentage of residents under 18 than the state average. City residents 18 years or older accounted for 70.8 percent of the total population, compared with 72.0 percent for the state as a whole. Residents 62 years and older comprised 13.4 percent of the total population, compared with 14.0 percent statewide.

The average City of Rio Rancho household had 2.70 persons and the average family household had 3.14 persons, which is very similar to the statewide figures of 2.63 persons and 3.18 persons, respectively. Rio Rancho had a total of 18,995 households in 2000. Of these, 74.3 percent were family households (the members are related by blood or marriage) and 25.7 percent are non-family households. This ratio is fairly similar to that of the state as a whole, where 68.8 percent of households are family households and the remaining 31.2 percent are non-family households.

In 2000, 40.3 percent of all families had children under 18 years of age living in the house, which is somewhat higher than the statewide figure of 34.7 percent.

91% of the Rio Rancho population has a high school diploma. Of these, 29% have some college education, 5% an associate degree, 17% a bachelor degree, and 8% a graduate degree.

Rio Rancho is less ethnically diverse than the rest of the state. 78% of the population is white (28% of which is Hispanic); 4% multi-racial; 2% Native American; 3% Black; 1% Asian; and 11% unclassified.

Comparison of Race and Ethnicity by Percentage of Population

Location	% White	% Hispanic	% Native American	% African American	% Asian	% Other
United States	75.1	12.5	0.9	12.3	3.6	0.1
New Mexico	66.8	42.1	9.5	1.9	1.1	0.1
Sandoval county	65.1	29.4	16.3	1.7	1	0.1
Rio Rancho	78.4	27.7	2.4	2.7	1.5	0.2

Source: http://Quickfacts.census.gov

Exhibit 3: Ethnicity

The Rio Rancho labor force was comprised of 33,100 workers in 2006. The unemployment rate for the city is 3.5% which is lower than for Sandoval County (4.1%) and the Albuquerque metropolitan area (3.9%) as a whole. The City's jobs-to-population ratio of .22 in 2005 will need to increase to .50 jobs-to-population to match the metro area over the next 20 years.

Over half of Rio Rancho's households earned between $40,000 and $100,000 in 1999. The community is predominately middle class, unlike most of the state. The current average household income for the City is $61,747 (Rio Rancho Economic Development Corp., 2007). At the same time, Rio Rancho is less expensive city to live in than its neighbors. The ACCRA Cost of Living Index for Rio Rancho is 97.6 (US = 100%, 4th Quarter 2006).

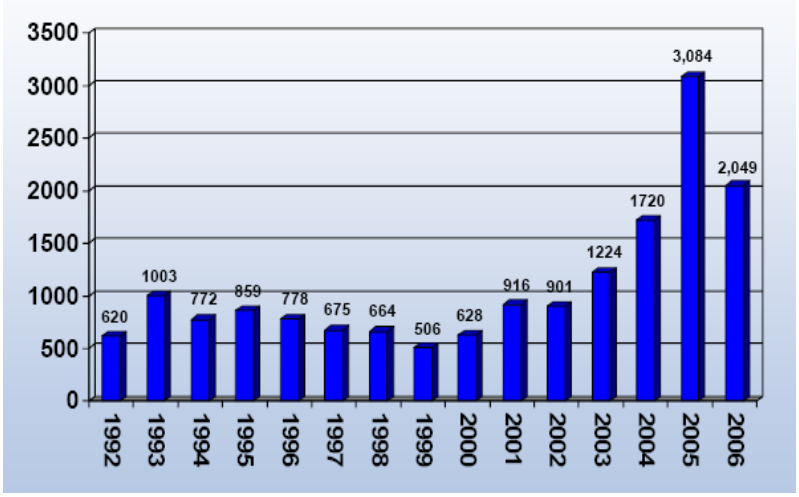


Exhibit 4: Building Permits

Building permits for single family homes slowed in 2006 to 2,049 after exceeding 3,000 in 2005 and 2007 is on pace for about 1,500 permits. The long-term average number of building permits issued has been about 1,000 annually.

Housing is still more affordable in Rio Rancho than for the metropolitan area as a whole. The average sales price of an existing home in Rio Rancho was $204,680 in 2006. The median price was $177,000

New homes are averaging $212,000 (Rio Rancho Economic Development Corp., 2006). Most new single family homes are currently being built in the Cabezon community and Northern Meadows subdivision.

2.2 Natural Environment

In general, planning area soils are sandy, with only 8-10 inches of rain a year that support mainly native grasses and shrubs. The Sheppard-Grieta soils are representative of most of the soils in the plan area and are appropriate for urban development. Other major soil types in the area include:

- Clovis Fine Sandy Loam
- Sheppard Loamy Fine Sand
- Zia-Clovis Association.

The natural habitat of the planning area is marked by riparian conditions with many indigenous types of brush and grasses. Common plants include "chamisa, sand sagebrush, winterfat, mormon tea, broom snakewood, cholla cacti, prickly pear cacti, fourwing saltbrush, yucca, buchwheat, tansy mustard, tumbleweed, fiddleneck, western ragweed, verbena, fleabane, desert senna, kochia, piñon, and oneseed juniper." Local wildlife includes mammals, reptiles, and birds that are known to live in natural arroyo areas, including coyote, badger, kit fox, prairie dog, jackrabbit, Prairie rattlesnake, round-tailed horned lizard, lesser earless lizard, and New Mexico whiptail.



- Lomas

The Plan area is characterized by hilly terrain. Some hills or *lomas* are steep and standout as major features in the landscape such as Loma Colorado del Abajo located just east of the Plan area. The land in the Plan area generally slopes from northeast to southwest from 5,550 feet above mean sea level (MSL) to 5,330 ft., a drop of 220 ft. Steep slopes also exist west of Fruta Rd. down to the Montoyas Arroyo.

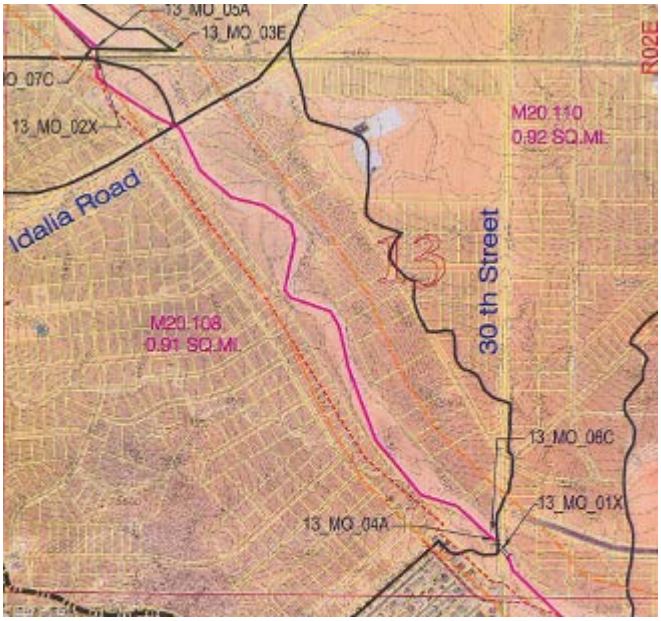
- Los Montoyas Arroyo

The Montoyas Arroyo borders the Plan area on the west side. The arroyo is 17 miles long and its watershed encompasses approximately 60 square miles. The 100 year flow rates within the planning area are provided below with existing and future conditions based on current platting.

	1999	Built Out
Northern Blvd.	5,731 cfs	9,781 cfs
Idalia Rd.	5,735 cfs	9,799 cfs
Broadmoor Dr.	5,739 cfs	9,852 cfs

The Montoyas Arroyo floodplain ranges from approximately 200 feet wide to 400 feet wide at Rio Rancho Blvd. 100-year flow depths range from 5.5 feet at its upper limit to 3 feet near the sedimentation pond at Harvey Jones channel in Corrales.

A small arroyo drains Loma Colorado into the Montoyas Arroya and runs along the east side of Broadmoor Dr.



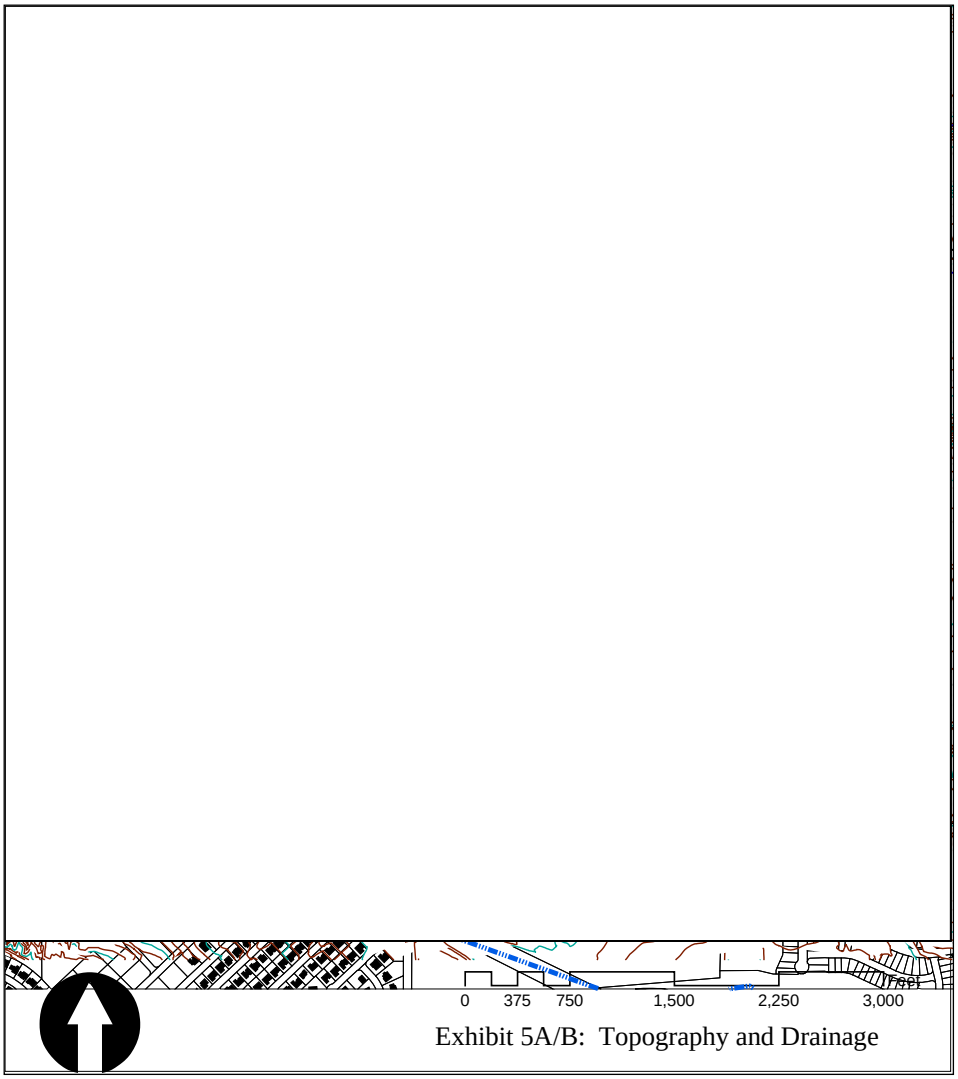


Exhibit 5A/B: Topography and Drainage

2.3 Land Ownership

There are approximately 235 lots in the planning area. 68% of the lots are under 0.5 acre in area. 62% of the properties are zoned R-1 Single Family Residential District. The distribution of lot sizes is as follows:

Acreage	Lots
.25 to .5 acre	89
.5 acre	72
.5 to 1 acre	16
1 acre	11
1 – 2 acres	23
2 – 5 acres	9
5 – 10 acres	10
10 - 34 acres	5
Total	*235*

Obsolete Platting

Premature subdivisions have been platted and sold into multiple, private ownership prior to installation of appropriate infrastructure for land development. Such subdivisions contain one or more developmental inadequacies under current local government standards and requirements, such as, but not limited to:

- Inadequate street right of way or access controls
- A lack of drainage easements or right of way
- A lack of adequate park, recreation, or open space area
- A lack of an overall grading and drainage plan
- A lack of adequate subdivision grading both on and off the public right of way.

Ocotillo Hills Subdivision

Ocotillo Hills is a 44-lot residential subdivision on 14.8 acres, more or less, located west of Broadmoor Drive, between 6th and 8th Avenues, south of Eagle Ridge Middle School. The project will be a gated community with a private street system and two drainage ponds/parcels that will be dedicated to the City. SSCAFCA will be granted an easement over these drainage ponds. The two residential streets inside the subdivision terminate in cul-de sacs at the drainage ponds. The property is zoned R-1/single family residential, with an average lot size of about 0.25 acres. There are no on-site amenities in terms of parks or trails inside the subdivision due to its small size.

2.4 Land Use

The majority (~63%) of the property in the Plan area is vacant. Single family homes on large lots comprise 26.4 acres or 10.6% of the property. Along Northern Blvd., 7.5 acres are developed as commercial within the planning area. Other land uses include a 1.75-acre drainage pond and 58.4 acres in school properties (23% of the total land in the Plan area).

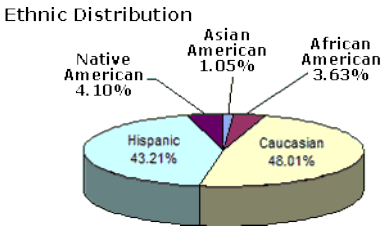
Exhibit 6: Plan Area Land Use

Existing Land Use	Acreage	% of Total
Vacant	160.9	63.4
Drainage	1.75	0.7
Residential	25.4	10.0
Schools	58.4	23.0
Commercial	7.5	3.0
Total	***253.9***	***100.0***
Note: Does not include roads and utility easements		

2.5 Community Facilities

- ***Schools***

Rio Rancho Public Schools had 15,500 students in 2006. Schools located in or near the planning area are described below:



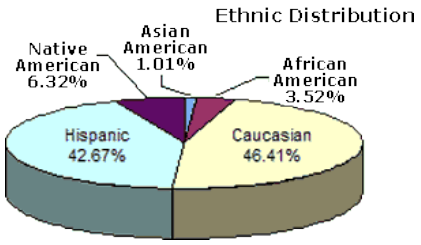
Ernest Stapleton Elementary School
Founded: new facility opened August 2005
Enrollment: 890 (September 2006)
Percent Special Ed students: 15.9% (May 2006)
Percent Free/reduced meal students: 62.5% (August 2006)
Grade levels served: K-5 with special programs
Primary areas served: Vista Hills, Rockaway Heights, Rolling Hills, Southern Park West, and portions of Star Heights and North Hills

Staff: 104, including:

- 61 teachers
- 36 instructional support staff
- 7 non-instructional support staff







- *Eagle Ridge Middle School*
  Founded: 1995 by Rio Rancho Public Schools
  Enrollment: 684 (September 2006)
  Grade levels served: 6-7
  Special Ed students: 23.4% (May 2006)
  Free/reduced meal students: 60.2% (August 2006)

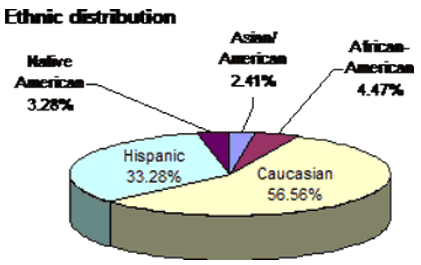
Primary areas served: Southern Park West, Vista Hills, Rockaway Heights, Cedar Hills, Granada Heights, Bali Heights, Siesta Hills, North Hills, Units 8, 9, and 11, and portions of High Resort and Star Heights.

Staff: 82, including:
- 45 teachers
- 29 instructional support staff
- 8 non-instructional support staff

- *Rio Rancho High School*

Rio Rancho High School is not in the Plan area but is nearby.
Founded: 1997, constructed through a community partnership with Intel Corporation and through voter-approved property tax levies.
Enrollment: 2,988 (September 2006)
Percent Special Ed students: 15.9% (May 2006)
Percent Free/reduced meal students: 26.7% (August 2006)
Grade levels served: 10-12





Academies:

- Engineering & Design Academy
- Entrepreneurship Academy
- Fine Arts Academy
- Humanities Academy
- SciMatics Academy



Staff: 278, including:

- 177 teachers
- 59 instructional support staff
- 42 non-instructional support staff

- ***City Facilities (not in the Plan area but nearby)***

Aquatic Center (under construction):

- Total cost of project, approximately $10.5 million
- Groundbreaking took place on 2/13/07. The facility is located on Loma Colorado Dr. and is anticipated to be completed by March 2008.
- Once facility is completed it will include: 8-lane, 25-yard competition pool, zero depth 3-lane 25-yard warm up pool recreation pool with play features, double flume slide, 2 multi-purpose rooms for party/conferences and spectator seating
- This facility will hold swimming competitions and be used by swimmers from Rio Rancho High School.

Loma Colorado Library:

The City's new 32,000 square foot library branch has been recognized by the Associated General Contractors (AGC) at their prestigious Best Buildings 2007 Award Ceremony for its LEED certification, as defined by the US Green Building Council's leadership in energy and environmental design guidelines. The new library is located near the Plan area on Loma Colorado Dr. and is accessible by pedestrian and bike trails.

2.6 Zoning

Most of the Plan area (~ 58%) is zoned R-1 Single Family Residential District. This zoning was established when the City was incorporated in 1981. The initial zoning established for this area also included a C-1 designation for a strip of lots along the south side of Northern Blvd. between Fruta Rd. and Broadmoor Dr. (~13%). A large proportion of acreage (~18%) is zoned A-R Agricultural Residential District for lots between Fruta Rd. and the Montoyas Arroyo in 1982. Exhibit 7 summarizes existing zoning. Recent zone map amendments have included rezonings to the R-2, R-4, C-1, SU/C-1 and CMU districts as noted in Exhibit 8. The fact that there are currently eight zone map amendments pending further suggests the need for a plan.

Exhibit 9 shows existing zoning. The density of each zoning district is as follows:

- Rural density districts include A-1 (1 DU/A) and E-1 (2 DU/A) districts
- The low density district is R-1 (6 DU/A)
- Medium density districts include R-2 (8 DU/A), R-4 (10 DU/A) and R-5 (17 DU/A) districts
- High density districts include R-3 Multi-family (26 – 36 DU/A) and R-6
- Multi-family (32 DU/A) districts.

Exhibit 7: Existing Zoning	**Density/ Intensity**	**Acreage**	**% of Total**
A-R Agricultural	1.0	45.6	17.9
R-1 Single Family Residential (incl. schools)	6.2	148.0	58.3
R-2 Single Family Residential	8.0	14.5	5.7
R-4 Single Family Residential	10.9	5.6	2.2
CMU Mixed Use Commercial	low	2.8	1.1
C-1 Retail Commercial	med	32.0	12.6
C-2 Wholesale Commercial	high	5.5	2.2
Total		**253.9**	**100.0**
Note: As of April 2007. Doesn't include roads and utility easements			

Exhibit 8: Zone Map Amendments				
Enactment No.	**Unit**	**Block**	**Lot**	**Zoning**
95-010	13	116	5-9A	C-2
96-022	13	123	W-1, W-2	C-1
04-22	13	119	4A-1	SU/C
05-05	13	112	8-12;19-22 & School Parcel	R-4
06-15	13	112	1-7; 13-18	C-1
06-33	13	118	1-10	R-2
06-34	13	118	13-A	C-1
06-35	13	121	11A – 12A	CMU
06-36	13	123	10-A	C-1
06-45	13	113	Tr. X	R-4
07-12	13	116	13-14	CMU
07-27	13	117	17A	CMU
07-29	13	118	20A	CMU

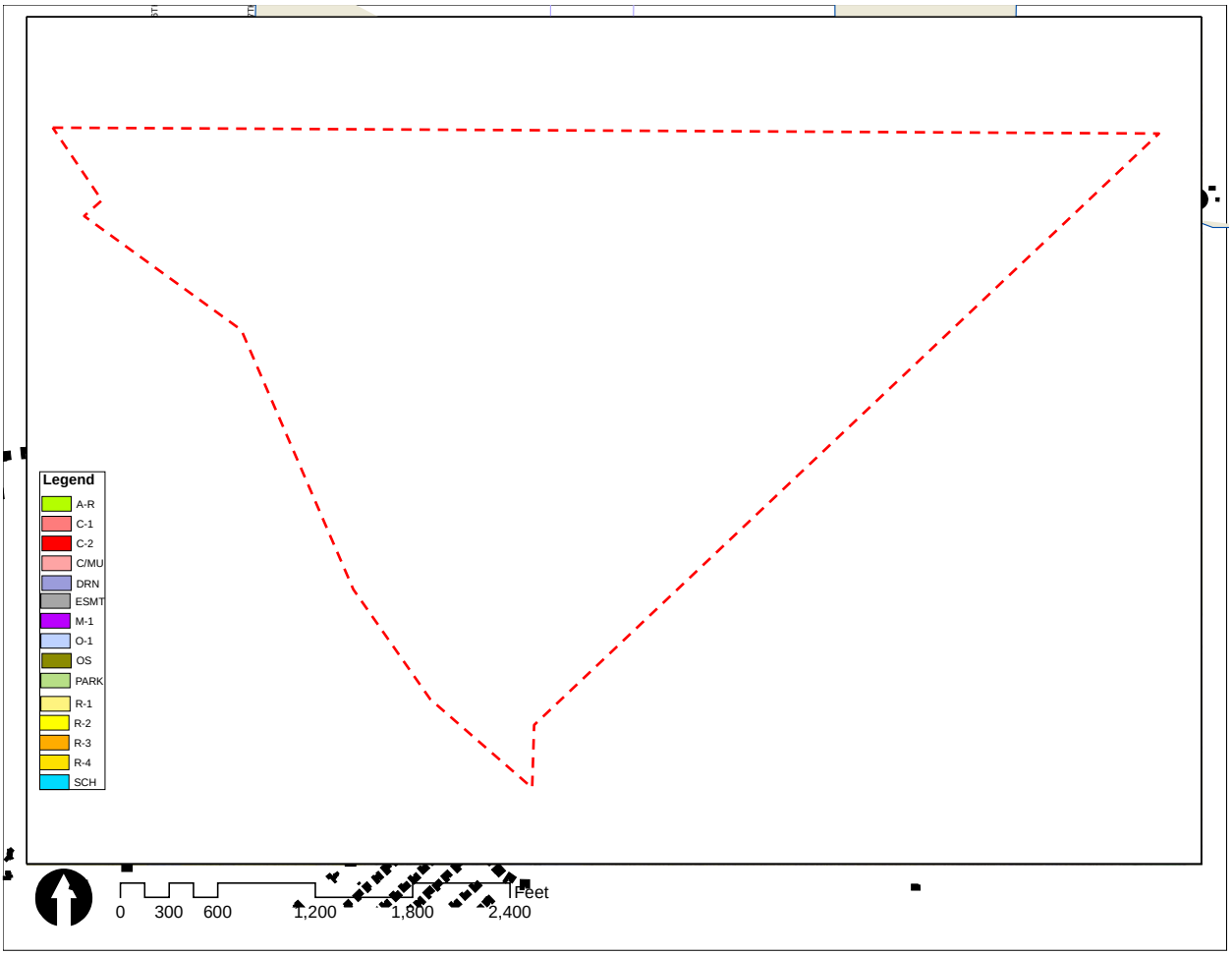


Exhibit 9: Existing Zoning Map

2.7 Transportation

Transportation for the Plan area described in this subsection includes the street system, both existing and planned; traffic conditions, access, transit, and trails and bike paths.

Street System

The Plan area street system includes local, collector, and minor and principal arterial streets as indicated on the Roadway Classification Map in the City's Transportation Policy adopted in 2004 and listed below. See also Exhibit 15 showing street sections.

- Local streets (50 ft. wide, 30 ft. wide pavement)
  - Running east to west: 6th St., 7th St., 8th St., and 9th St.
  - Running north to south: 31st St., and Palm Rd.
  - Ocotillo Hills: 5 streets
- Collector streets (68 ft. wide, 48 ft. wide pavement, 3 lanes)
  - Fruta Rd. – only 50 ft. wide in the Plan area.
  - Chessman Dr. (near Plan area) – May be extended to connect to Broadmoor Drive at intersection with Loma Colorado Drive.
- Arterial streets (Principal arterials – 156 ft. wide; Minor arterials – 106 ft. wide, 4 lanes with 18 ft. median)
  - Idalia Rd. (minor near Plan area)
  - Loma Colorado Dr. (minor near Plan area)
  - Northern Blvd. (principal) is only 100 ft. wide in the Plan area.
  - **Broadmoor Dr.** (minor) is 100 ft. wide in the Plan area.





Long Range Transportation Plan

All municipalities prepare an Infrastructure Capital Improvements Plan (ICIP) and submit it to the state annually. The ICIP is a plan that establishes planning priorities for all anticipated capital projects and identifies funding sources for a period of 5 years. The ICIP may be used to procure state appropriations and to seek other funding sources such as bonds, loans, and grants. The 2007-11 ICIP lists $372.4 million in capital projects for parks, public safety, drainage, transportation, utilities, equipment, and vehicles. Transportation projects total $70.2 million city-wide over the 5 year period and include the following project within the Plan area:

- Northern Blvd. widening from 2 lanes to 4 lanes from Acorn Loop to 34th St. - $5.25 million in FY 2008-09 – A consulting engineering contract was awarded by the Governing Body on July 25, 2007.

The 2030 Metropolitan Transportation Plan (MTP) prepared by the Mid-Region Council of Governments (MRCOG) identifies projects that will be programmed in the 5 year State Transportation Improvement Plan (STIP) if federal funding becomes available. Projects identified in the MTP and STIP in the Plan area include:

- 30th St. (Broadmoor Dr.) Extension from Idalia Rd. to Paseo del Volcan; construct 2 lane roadway - $5.7 million
- Broadmoor Dr. and 8th Ave. Safety Project, left turn southbound at 8th Ave.(in city's ICIP); curb, gutter, and sidewalk improvements with pedestrian crossing near Stapleton Elementary School - $293,000
- Montoyas Arroyo Trail from Unser Blvd. to NM 528 - $3.6 million.

An additional recommended improvement that has not yet been programmed is the extension of Chessman Dr. to connect to Broadmoor Drive at its intersection with Loma Colorado Dr. via a bridge over the Montoyas Arroyo. Although most of the property served by this project is outside of the Plan area, the intersection Broadmoor Drive and Loma Colorado Drive is located within the Plan area and should be acknowledged.

Traffic

Traffic counts done in 2006 by the Mid-Region Council of Governments (MRCOG) for Broadmoor Dr. report the following:

- Broadmoor Dr. at Northern Blvd. - 3,200 average daily trips (ADTs)
- Broadmoor Dr. at Loma Colorado Dr. - 10,000 average daily trips (ADTs)

Exhibit 10A provides traffic generation data for various land use types. For example, single family residential development creates about 10 vehicle trips per day per home. A small office building or retail center (13,000 square feet) may generate 400 to 500 vehicle trips per day. A restaurant (5,000 square feet) may generate over 600 vehicle trips and a convenience store with a gas station as many as 2,000 vehicle trips per day.

Exhibit 10B shows that, at full development under the current zoning for the area, traffic on Broadmoor Drive and Northern Boulevard is projected to increase by 8,200 vehicles to over 21,000 ADT's. At full development of the lands uses recommended by the Plan, traffic on Broadmoor Drive is projected to increase by 15,900 vehicles to 29,000 ADT's. Of this increase, it is projected that half will be added to both Northern Boulevard and Broadmoor Drive.

Access

The City of Rio Rancho follows the NMDOT's State Access Management Manual. Access to properties may be permitted every 275 ft. on Broadmoor Dr., a minor arterial street, and 325 ft. on Northern Blvd, a primary arterial street. The type of access, whether partial or full, is

Exhibit 10A: Plan Area Traffic Generation					
Land Use	**District / Lot Area/ Floor Area**	**Unit**	**Total**	**ADT**	**Daily**
Single Family Residence	R-4 (4,000 SF lot)	Dwelling unit	10	9.55	96
Apartments/ Four-plexes	R-3 (10,000 SF lot) (6 units/ lot)	Dwelling unit	26	6.63	172
Apartment Complex	R-6 (10,000 SF lot) (32 DU/A)	Dwelling unit	32	6.63	212
Retail Center	CMU (13,000 SF)	Per 1000 GLA	13	42.92	557
General Office Building	CMU/O-1 (13,000 SF)	Per Employee	65	3.32	215
Medical Offices	CMU/O-1 (13,000 SF)	Per 1000 GFA	13	36.13	469
High Turnover Restaurant	C-1 (1 - 5,000 SF)	Per 1000 GLA	5	130.34	652
Convenience Store	C-1 (1 - 5,000 SF)	Per Pump	12	168.56	2,023
Warehouse	C-2 (20,000 SF)	Per 1000 GFA	20	3.89	79
Source: Institute of Traffic Engineers (ITE) *Trip Generation Handbook* *Total reflects potential replatting					

determined by the City's Department of Public Infrastructure at the time of development. However, properties have been platted with lots that are only 80 ft. wide. This situation could create "land-locked" properties if the access spacing standards are followed. See Section 5.0.

Exhibit 10B	**Existing**		**Projected**	
(ADTs)	**Northern**	**Broadmoor**	**Current Zoning**	**Prop. Land Use**
Northern Blvd. C-1	10,000		981	1,160
Northern Blvd. C-2			9	9
Broadmoor SF			5	7,404
Broadmoor Dr. CMU		3,200	7,162	143
Broadmoor Dr. C-1			30	1,251
Broadmoor MF			-	5,910
Sub-Total		13,200	8,188	15,877
Total Traffic			***21,388***	***29,077***
Note: Assumes highest land use for each planning area at full build-out at .25 FAR				

Transit
Rio Transit operates a paratransit system serving seniors and eligible disabled adults. Funding is provided through FTA 5310 and the city of Rio Rancho general fund. Riders must be residents of the City of Rio Rancho. Trips are available for any purpose in Rio Rancho and are limited to medical, educational, or work purposes in Albuquerque, Placitas, Bernalillo, and Corrales. ABQ Ride is studying regional high capacity transit corridors for possible service to Rio Rancho in the future, including Unser Blvd. and NM 528. No local City bus service is yet planned. Eventually, local bus service should be provided along Northern Blvd., Broadmoor Dr., and Loma Colorado Dr. to serve the plan area.

Trails and Bike Paths
A major trail is proposed to follow the R.E.A. (now PNM) transmission line corridor parallel to Palm Rd. A trail is also proposed along Montoyas Arroyo. In addition, bike paths are proposed to follow Loma Colorado Dr. and Broadmoor Dr.

2.8 Utilities
Wet Utilities:
The City of Rio Rancho serves the planning area with water and sewer utilities. Approximately 20% of the City utility water customers use individual on-site septic systems for sewer. Additionally, a small percentage of households rely on individual on-site wells.

Major water lines (14-inch) run along Broadmoor Dr., Northern Blvd., and Loma Colorado Dr. A 12-inch water line runs along Fruta Rd. and 8-inch along 8th Avenue. Major sewer lines (30-inch) run along Montoyas Arroyo to Wastewater Treatment Plant No. 2 in the Industrial Park East area (see Exhibit 11). There is a new 30" sanitary sewer line under construction in the Montoyas Arroyo to upgrade capacity for this area. There are existing sewer lines in Northern Boulevard from the City's animal control facility to Broadmoor Drive and in Broadmoor Drive from Northern Boulevard to the Montoyas Arroyo.

The area is served from Well No. 10 and Tank 10A on 9th Avenue, south of Northern Boulevard. A second 3.5 million gallon water tank is being constructed at this location (Tank 10B) by Pulte. This area is also served by Tank 6A and 6B at Well No. 6 located near the intersection of Tulip Road and Abrazo Road. The bid is being awarded for a new booster station at Well No. 10 and a transmission line that will connect to the tanks at Well No. 6. This improvement is being done to address existing pressure and supply issues in this area. The booster line will be installed in the right-of-way for 9th Avenue, north of Stapleton Elementary School and continue west along the south line of the first three lots south of Northern Boulevard between 31st Street and Broadmoor Drive. The line then will continue west along the north property line of the Eagle Ridge Middle School property between Broadmoor Drive and Fruta Road.

Water and sewer projects identified in the City's five-year capital improvement list for the Plan area include the following:

- Booster station at Well No. 10 and transmission line from Well No. 10 to Well No. 6.
- 3.5 million gallon water storage tank (Tank 10B) at Well No. 10 on 9th south of Northern Blvd.
- Sewer line (new 30" line) upgrade along Montoyas Arroyo – presently under construction.

- New water storage tank at Well No. 6 (Tank 6C) – planned but not currently funded.

Dry Utilities:
Public Service Company of New Mexico (PNM) is the primary provider of electric and gas services to Rio Rancho. Overhead electric distribution lines run along Broadmoor Dr., Northern Blvd., Loma Colorado Dr., and Fruta Rd. Gas lines distribution lines run along Northern Blvd., Loma Colorado Blvd. and Fruta Rd. An electric sub-station is located at the south side of Palm Rd. and Northern Blvd. (see Exhibit 11).

A major overhead transmission line runs in a northeast diagonal along Palm Rd. There are also three existing or proposed electric distribution substations associated with the transmission lines. PNM estimates it will need to develop one new substation to serve each 3-5 square mile area at a cost of $1.2 to $1.4 million per substation. Rio Rancho requires PNM to bury electric utilities that serve residential development. The City allows PNM to maintain major overhead transmission lines along the right of way of arterial streets.

PNM gas service has a gas distribution system serving most development. In terms of costs, PNM installs pipeline at a cost of about $8.00 a linear foot while a new border station costs approximately $40,000. There is a gas transmission line running parallel to Idalia Blvd. that may limit access across its easement. Adjacent owners will need permission from PNM to cross. It only affects the northwest corner of the Plan area.

Telecommunications:

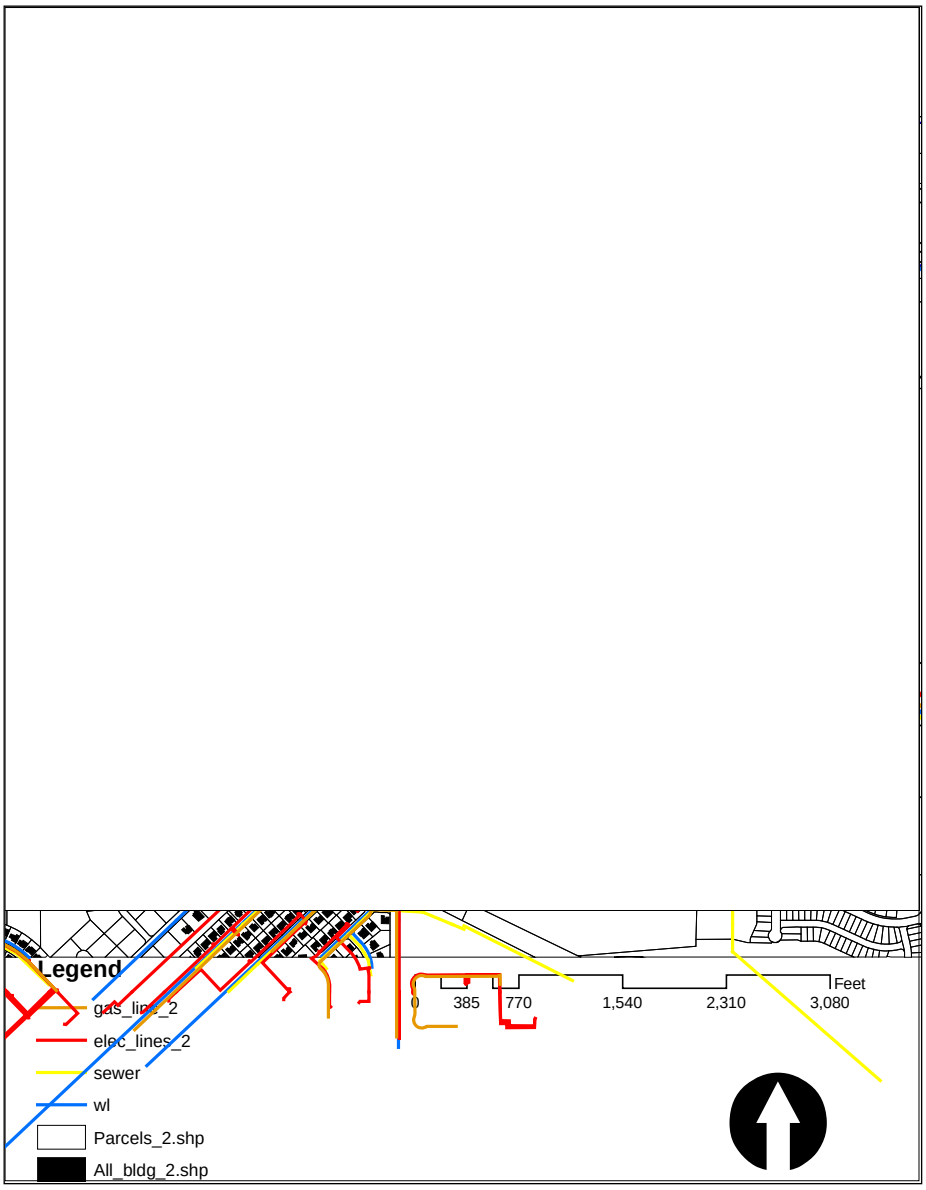
Qwest and Sprint are the two telecommunications providers in Rio Rancho. There is also a fiber optics cable loop providing video, voice, and data transmission that connects NM 528 to Northern Boulevard, and extends along Idalia Rd. to US 550.

2.9 Drainage

The Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) has jurisdiction over all drainage channels in the Sandoval County portion of Rio Rancho. The City acts as SSCAFCA's designee for minor facilities, including conveyances less than 500 cubic feet per second (CFS). Regional improvements are typically constructed by SSCAFCA and local improvements are typically constructed by the City. Proposed channel improvements to Montoyas Arroyo between 30th St. and Northern Blvd. are estimated to cost $1.4 million and between the Sportsplex and 30th St. are estimated at $3.2 million. Roadway crossing improvements are proposed at Northern to cost $750,000. None of the amenities proposed for the Montoyas fall within the planning area.

Exhibit 11:

Utilities Map



3.0 Goals and Objectives

3.1 Land Use

Goal 1:
Promote a variety of housing choices including low- and medium- density single family residential uses and high- density multi-family residential uses.

Goal 2:
Encourage mixed uses, retail, office, residential, and community uses, pedestrian-oriented and clustered around corridors and activity centers.

Goal 3:
Discourage strip commercial development and single use development oriented exclusively around automobile access.

Objective:
Develop Plan land use categories which allow for choice of a variety of zoning districts and which mitigate impacts on surrounding uses through design standards.

Policy 1: The City will actively initiate zoning changes to implement the Plan by adopting a Broadmoor Drive Corridor Overlay Zone with design and access standards.

Policy 2: Building permits and rezoning cases within the Plan area (approved by Governing Body and/or Development Services Department) are subject to the design criteria provided in Section 6.0.

3.2 Accessibility

Goal: Consolidate and limit access to improve circulation and visually organize the roadway edge.

Objective: Develop an access plan for Broadmoor Dr. identifying properties where access is allowed by right and where access will be needed via an easement agreement with surrounding properties.

Policy: Before a zone map amendment and a building permit (approved by Governing Body and/or Development Services Department) for properties along Broadmoor Dr. (between Fruta Rd. and Northern Blvd.), the applicant must demonstrate compliance with the Plan's access management requirements by providing an access easement agreement with surrounding property owners.

3.3 Transportation

Goal: Assure a safe and convenient multi-modal corridor to well-connected to residences, businesses, offices, schools, and other facilities.

Objective: Improvements in connectivity to Plan roadways, bike paths, and pedestrian trails are to be made in conformance to City street and trail construction standards and funded through the City's ICIP process.

Policy: Department of Public Infrastructure will program roadway, bikeway, and pedestrian trail projects in the ICIP to be built to City standards. Development Services staff will evaluate new development projects in terms of their connectivity to roads, bikeways, sidewalks and trails.

3.4 Urban Design

Goal: Create neighborhood character by developing attractive businesses, offices, and apartments along the Broadmoor corridor.

Objective: Develop streetscape and parking standards for new development such as signs, landscaping, lighting, fencing, etc. (see Section 6.0).

Policy: New construction permits and site plan approvals by Development Services Department will be subject to the design standards required in this Plan.

3.5 Utilities

Goal: Assure that urban uses have urban utilities, both community water and sewer provided to all new development in the Broadmoor corridor area.

Objective: Identify Plan areas that are currently served and those areas that will need to be served by community water and sewer through ICIP funding.

Policy: No building permits will be issued for residential or commercial development in the Plan area by Development Services Department if the owner cannot provide community water and sewer to the property.

3.6 Community Facilities

Goal: Create a complete neighborhood with convenient access to schools, parks, library, recreational, and senior center, and other City programs and services.

Objective: Identify future locations for community facilities in or near the Broadmoor Plan area.

Policy: The City will program and fund future community facilities to serve the Plan area in its ICIP process.

4.0 Proposed Land Use

4.1 Comprehensive Plan

Policies:

Promote development of high-density, mixed activity centers within master planned growth nodes to curb low density, single use, and strip commercial sprawl development. Growth nodes should be designed to capture a significant share of the City's future jobs and housing.

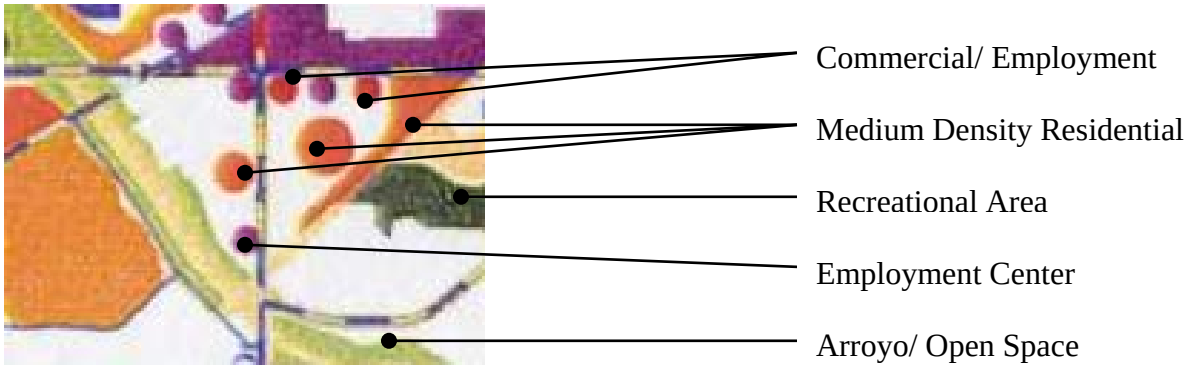
Mitigate the negative impacts of sprawl by limiting the development of nonresidential uses outside of Growth Nodes and Gateway Vicinity Plans. Promote infill and limit strip commercial and sprawling, disjointed development by the implementation of land use planning practices found in the City's Vision 2020 Integrated Comprehensive Plan.

- *Promote the development of high-density, mixed use activity centers within master planned growth nodes.*
- *Encourage infill development of all undeveloped areas within the municipal boundary.*
- *Encourage development of a variety of distinctive neighborhoods offering a maximum choice of housing, employment, and open space is recognized as a City priority.*
- *Encourage the creation and maintenance of quality residential and neighborhood environments while ensuring the availability of necessary service and quality of life amenities.*
- *Ensure that residential areas are appropriately sited and protected from incompatible land uses.*

ICP Actions include:

- Encourage a variety of housing types and densities including multi-family housing.
- Preserve, promote, and protect the quality and character of residential neighborhoods.
- Evaluate future development based on the ability to integrate dissimilar uses by utilizing buffering, scale, and design elements.
- Expand the City's gross receipts tax base by recruiting additional local retail and office uses.
- Make Rio Rancho a place where one can live, work, shop, and play without leaving the city.

The Comprehensive Plan identifies an employment center at Broadmoor Dr. and Fruta Rd. and commercial and office uses at Broadmoor Dr. and Northern Blvd. South of Northern Blvd. and along Palm Rd, it shows medium density residential uses. It also shows open space along the Montoyas Arroyo and in the Loma Colorado recreational area.



4.2 Proposed Land Use

The Broadmoor Drive Specific Area Plan contains proposed land use categories that are consistent with and promote the goals and policies of the Vision 2020 – Integrated Comprehensive Plans. The purpose of creating these land use categories, or sectors, is to identify a range of land use options that would be considered as appropriate within these sectors. The five land use sectors identified in this plan are:

- Neighborhood Center Sector
- Neighborhood Corridor Sector
- High Density Residential Sector
- Medium Density Residential Sector
- Wholesale and Warehousing Sector

As noted in the Existing Zoning section of this plan, the Broadmoor area is predominantly zoned for R-1 single family residential uses. The number of zone map amendments approved previously, as well as the number of zone map amendments currently pending, suggests that the existing zoning may no longer be appropriate in certain locations within the plan area. For this reason, the Broadmoor Drive Specific Area Plan is being pursued to identify appropriate land uses within this area to guide future decisions regarding proposed zone map amendments and to promote orderly development and access management along the corridors within the plan area.

4.2.1 Neighborhood Center Sector

Purpose: The Neighborhood Center is intended to provide multiple opportunities to neighborhood residents for housing, shopping, employment, and recreation with providing higher density and intensity than found along the corridor. The neighborhood center includes one- to two-story, non-residential and multi-family residential buildings. Neighborhood centers are generally 1 to 2 miles apart and potentially serve as grocery-anchored retail centers. Multi-family homes are permitted at the perimeter of the district. Parking accommodations are made with on-street parking and landscaped, shared surface parking lots located behind buildings.

Allowable Uses in the following zoning districts:

- C-1 Retail Commercial District; Min. Lot Size: 21,780 SF, 35 ft. setback, 32 ft. height
- CMU Mixed Use (Neighborhood) Commercial District; Min. Lot Size: 10,890 SF, 35 ft. setback, 32 ft. height
- O-1 Office/ Institutional District; Min. Lot Size: 10,890 SF, 25 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 20 ft. height, 15% lot landscaped, 50% in front
- O-2 Office/ Institutional District; Min. Lot Size: 21,780 SF, 35 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 32 ft. height, 15% lot landscaped, 50% in front
- MU/A Mixed Use Activity Center District, 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master plan approval is required.
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.
- R-3 Multi-Family Residential District; Min. Lot Size; 1,200 SF (Townhouses) to 10,000 SF (Apartments), 32 ft. height; High Density: 29.0 DU/A

- R-6 Multi-Family Residential District; Min. Lot Size: 10,000 SF, Density: 32.0 DU/A; 72 ft. height.

Community Uses:
- Public Safety substations
- Senior and Community Center branches
- Parks and recreational facilities (PR and OS zone districts)
- Schools and churches.

4.2.2 Neighborhood Corridor Sector

Purpose: The Neighborhood Corridor is intended to also provide multiple opportunities for neighborhood residents for housing, shopping, employment, and recreation but with less density and intensity of uses. The corridor includes one- and two-story, non-residential buildings. Clusters of single-family homes are permitted at the perimeter of the corridor. Parking accommodations are made with on-street parking and landscaped, shared surface parking lots located behind buildings.

Allowable Uses in the following zoning districts:
- CMU Commercial Mixed Use District; Min. Lot Size: 10,890 SF, 35 ft. setback, 32 ft. height
- O-1 Office/ Institutional District; Min. Lot Size: 10,890 SF, 25 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 20 ft. height, 15% lot landscaped, 50% in front
- O-2 Office/ Institutional District; Min. Lot Size: 21,780 SF, 35 ft. front setback, 1 ft. setback per 1 ft. height side and rear, 32 ft. height, 15% lot landscaped, 50% in front
- MU/A Mixed Use Activity Center District; 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master plan approval is required.
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.
- R-3 Multi-Family Residential District; Min. Lot Size; 1,200 SF (Townhouses) to 10,000 SF (Apartments); 32 ft. height, High Density: 29.0 DU/A

Community Uses:
- Public Safety substations
- Senior and Community Center branches
- Parks and recreational facilities (PR and OS zone districts)
- Schools and churches.

4.2.3 High Density Residential Sector

Purpose: To provide an area set aside for multi-family housing near the neighborhood's activity centers with convenient access to shopping and employment. Community uses, e.g., parks, schools, and churches are also to be located in this area.

Allowable Uses in the following zoning districts:
- R-3 Multi-Family Residential District; Min. Lot Size: 1,200 SF (Townhouses) to 10,000 SF (Apartments), High Density: 29.0 DU/A
- R-6 Multi-Family Residential District

Min. Lot Size: 10,000 SF, High Density: 35.6 DU/A, 72 ft. height.
- MU/A Mixed Use Activity Center: 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback. Master Plan approval is required.
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.

Community uses are allowed with a conditional use permit:
- Parks (PR and OS zone districts)
- Schools
- Churches.

4.2.4 Medium Density Residential Sector

Purpose: To provide a range of low to medium density single family residential uses and associated community uses, e.g. schools, parks, and churches, integral to a complete neighborhood. Low density residential is generally more suitable on the west side of the corridor and medium density residential is more appropriate on the east side of the corridor.

Allowable Uses in the following zoning districts:
- R-1 Single Family Residential District
  Min. Lot Size: 7,000 SF, Density: 6.22 DU/A
- R-2 Single Family Residential District
  Min. Lot Size: 5,000 SF, Density: 8.71 DU/A
- R-4 Single Family Residential District
  Min. Lot Size: 4,000 SF, Density: 10.89 DU/A
- R-5 Single Family Residential District
  Min. Lot Size: 2,500 SF, Density: 17.42 DU/A.

Community uses are allowed with a conditional use permit:
- Parks (PR and OS zone districts)
- Schools
- Churches.

4.2.5 Wholesale and Warehousing Sector

Purpose: To provide an economically viable area for heavy commercial uses as outlined in the Northern Blvd. Wholesale and Warehouse Commercial Specific Area Plan.

Allowable Uses in the following zoning districts:
- C-2 Wholesale and Warehouse Commercial District; Min. Area: 10,890 SF, 35 ft. setback, 32 ft. height
- C-1 Retail Commercial District; Min. Lot Size: 21,780 SF, 35 ft. setback, 32 ft. height
- MU/A Mixed Use Activity Center District, Master Plan Area: 10-20 acres, 26 ft. height, Max. footprint: 6,000 SF, 15 ft. front, 10 ft. rear setback
- SU/ MU Special Use District for Mixed Uses: May be a combination of 2 or more land uses to include multi-family, office, and retail commercial either side by side or within the same building. Site plan approval by the Planning and Zoning Board is required.

Conditional Uses

- Light manufacturing, research and development, salvage yards, and amusement enterprises.

4.3 Future Land Use Map

Future land use planned for the Plan area is shown in Exhibit 12 below and acreages in Exhibit 13. Land uses are distributed between Medium Density Residential (24.1%), High Density Residential (18.6%), Neighborhood Corridor (24.6%), Neighborhood Center (24.5%), and Wholesale and Warehouse (~~3.7%~~ 2.7%), and Industrial and Business Park (1%).

Exhibit 12: ~~Future Land Use Map~~



Exhibit 12: Future Land Use Map (proposed)

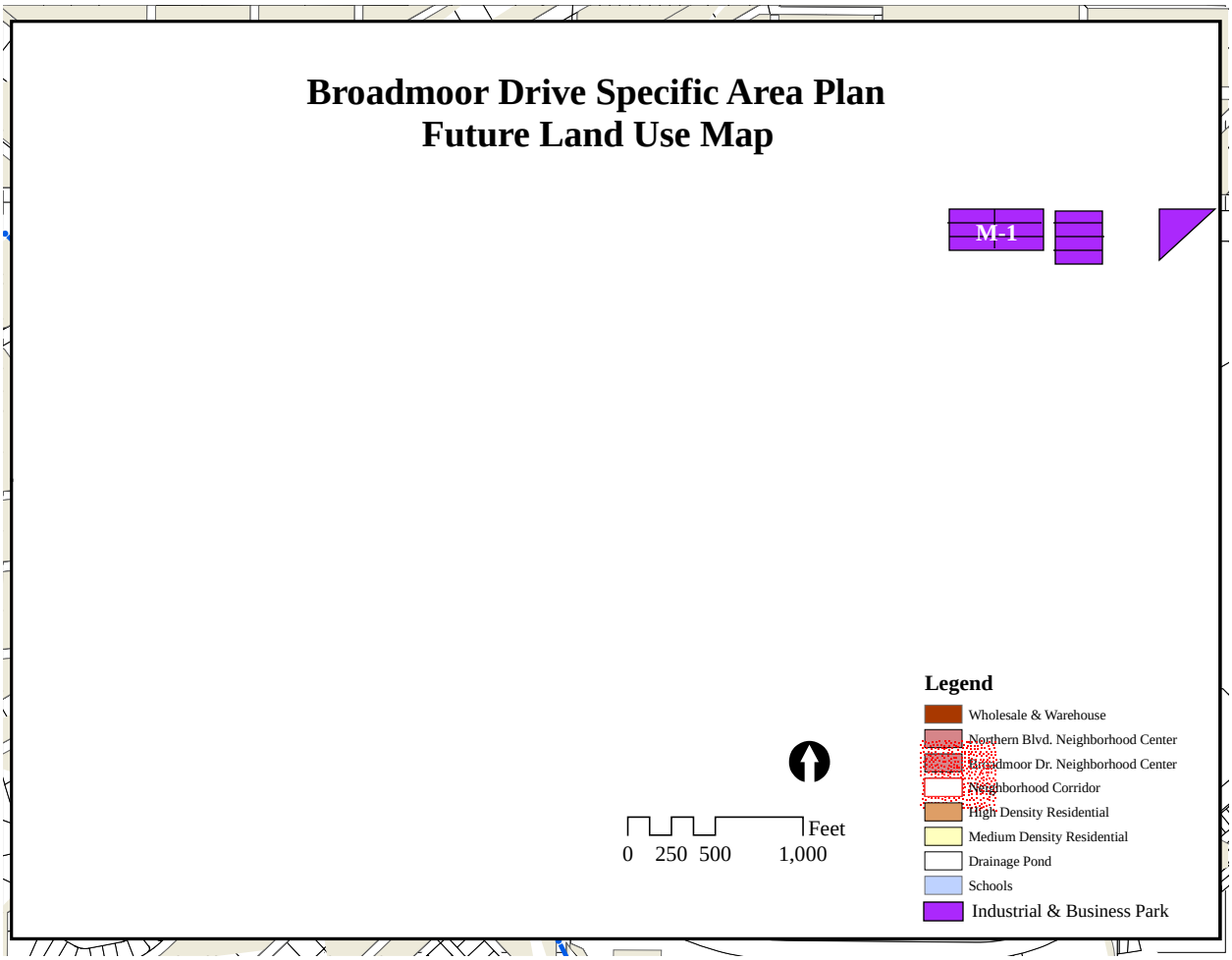


Exhibit 13: Plan Area Alternatives - Land Use and Population				
	2007	**2015**	**2025**	**%**
Rural Residential	Density	3.6		0.0%
acreage	12.5	0	0	
population	45	0	0	
Medium Density Residential	Density	11.8		24.1%
acreage	12.8	30.6	61.2	
population	151	1,051	1,950	
High Density Residential	Density	31.5		18.6%
acreage	0	23.7	47.3	
population	0	2,012	4,023	
Neighborhood Corridor				24.6%
acreage	0	6.7	13.3	
population	-	-	-	
Broadmoor Dr. Neighborhood Center				11.3%
acreage	0	14.5	28.9	
population	-	-	-	
Northern Blvd. Neighborhood Center				13.2%
acreage	0	16.8	33.6	
population	-	-	-	
Northern Blvd. Wholesale & Warehouse				~~3.7%~~ 2.7%
acreage	7.5	4.8	9.5	
population	-	-	-	
Northern Blvd. Industrial & Business Park				1%
acreage	0	0	5	
population	-	-	-	
Vacant	160.9	96.7	0	0.0%
Drainage	1.75	1.75	1.75	0.7%
Schools	58.4	58.4	58.4	23.0%
Total Acreage	253.9	253.9	253.9	100.0%
Total Population	151	3,062	5,973	
Note: Acreage does not include public rights-of-way. Assumes full build-out by 2025 *Population estimates administratively revised, 12/08*				

5.0 Proposed Access

Obsolete platting along Broadmoor Drive and Northern Blvd. has created narrow lots 50 feet in width along Northern Blvd. and 80 feet wide and Broadmoor Dr. that are difficult to develop individually and present major access issues. Allowing every lot to have its own individual access off of arterial streets creates major traffic hazards. Vehicles turning in and out of businesses, and across lanes from the opposite direction, is unsafe and impedes traffic flow.

Additionally, lots with individual driveways force traffic movement to use the arterial street which adds more local traffic to the roadway and takes away capacity that could be used by through traffic.

The City follows New Mexico Department of Transportation (NMDOT) access spacing standards. The standards (see table below) are based on the size of the roadway and its speed. Broadmoor Drive is classified as an urban minor arterial (UMA), non-traversable (divided) median with partial access (median turn outs at street intersections), and speeds of 35 to 40 miles per hour (mph). The recommended access standard for an UMA is no closer than 275 feet for partial access (right-in, right-out) and 660 for full access.

Northern Blvd. is an urban principal arterial (UPA) with partial access allowed no closer than 325 feet and full access at 1,320 feet. Access points meeting these standards are shown in Exhibit 15a and 15b below.

A 24 ft. wide north-south easement is proposed along the front or rear of properties on Broadmoor Dr. The access easement will be required at the front of the properties, unless the property owners within each block coordinate placing the access easement at the back of the lot, and must provide a 24 ft. wide connecting easement where adjoining properties have access on opposite sides of the lot. Alternate location of the access easement may be authorized, provided the goal of the access management plan for coordinated access is met.

A 24 ft. wide east-west easement is proposed along the front or rear of properties on Northern Blvd. The access easement will be required at the front of the properties, unless the property owners within each block coordinate placing the access easement at the back of the lot, and must provide a 24 ft. wide connecting easement where adjoining properties have access on opposite sides of the lot. Alternate location of the access easement may be authorized, provided the goal of the access management plan for coordinated access is met.

Access easements should be designed to work with area topography. Easements may be located within the building setbacks. Easements located on cross streets should be located a minimum of 92 ft. back from Broadmoor Drive (from centerline to centerline) to allow for vehicle stacking.

In addition, the City is proposing a new access policy as part of this Plan. Before an applicant may rezone property or receive a building permit, he/she must meet the following access requirements:

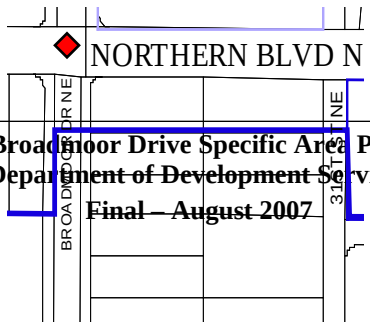
1. Replat multiple narrow lots into a single piece of property,
2. Plat property showing access easement and reciprocal agreements regarding improvement and notice, or otherwise provide such easements or agreements; and,
3. Provide shared access driveways.

Exhibit 14:

Access Spacing Standards for Intersections and Driveways
(centerline to centerline spacing in feet)

Access Category	Posted Speed (mph)	Intersection Spacing (feet) [1]		Driveway Spacing (feet) [2]		
				Non-Traversable Median		Traversable Median[4]
		Signalized	Unsignalized[3]	Full Access	Partial Access	
Controlled-Access, Non-Interstate Highways	All Speeds	5,280	2,640	2,640	2,640	-NA-
UPA	≤ 30 mph	2,640	1,320	1,320	200	200
	35 to 40 mph	2,640	1,320	1,320	325	325
	45 to 50 mph	2,640	1,320	1,320	450	450
	≥ 55 mph	5,280	1,320	1,320	625	625
UMA	≤ 30 mph	1,760	660	660	175	175
	35 to 40 mph	1,760	660	660	275	275
	45 to 50 mph	2,640	660	660	400	400
	≥ 55 mph	5,280	1,320	1,320	600	600
UCOL	≤ 30 mph	1,100	330	330	150	150
	35 to 40 mph	1,320	330	330	225	225
	45 to 55 mph	1,760	660	660	350	350
RPA	≤ 30 mph	2,640	1,320	1,320	225	225
	35 to 40 mph	2,640	1,320	1,320	350	350
	45 to 50 mph	5,280	2,640	2,640	500	500
	≥ 55 mph	5,280	2,640	2,640	775	775
RMA	≤ 30 mph	1,760	660	660	200	200
	35 to 40 mph	2,640	660	660	325	325
	45 to 50 mph	2,640	1,320	1,320	450	450
	≥ 55 mph	5,280	2,640	2,640	725	725
RCOL	≤ 30 mph	1,320	330	330	200	200
	35 to 40 mph	1,760	660	660	300	300
	45 to 50 mph	2,640	1,320	1,320	425	425
	≥ 55 mph	2,640	1,320	1,320	550	550

Notes:
1. Intersection - Public street or other access serving a large area or a major traffic generator(s) where full access is typically provided.
2. Driveway - Public or private access serving a limited area where traffic signal control is not required.
3. In urban areas, spacing should be consistent with the established street spacing along the state highway facility.
4. Includes highways with no median or a painted median. The type of access, full or partial, is determined at the discretion of the Department. See Sub-Sections 7.AO and 7.BP.



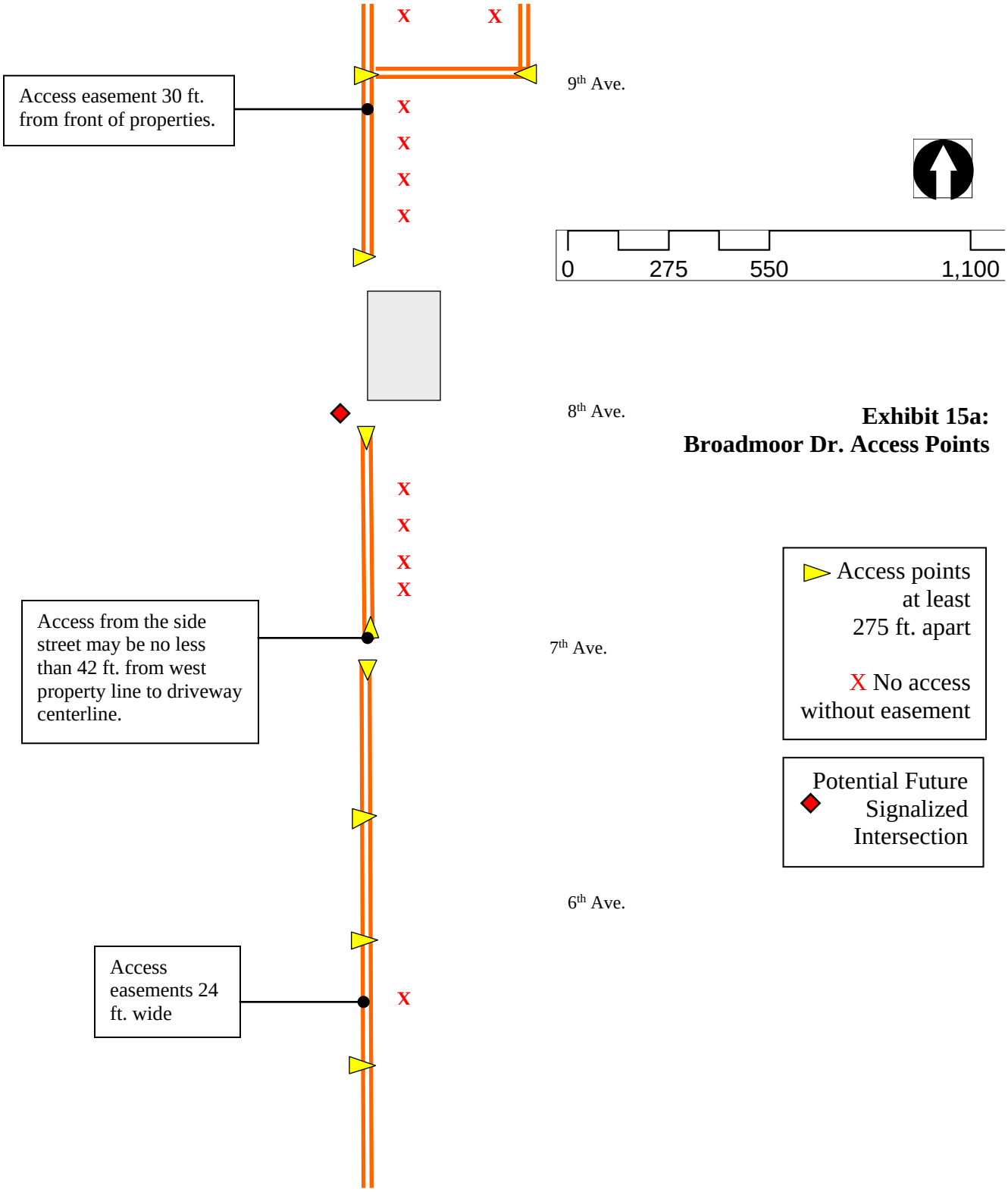
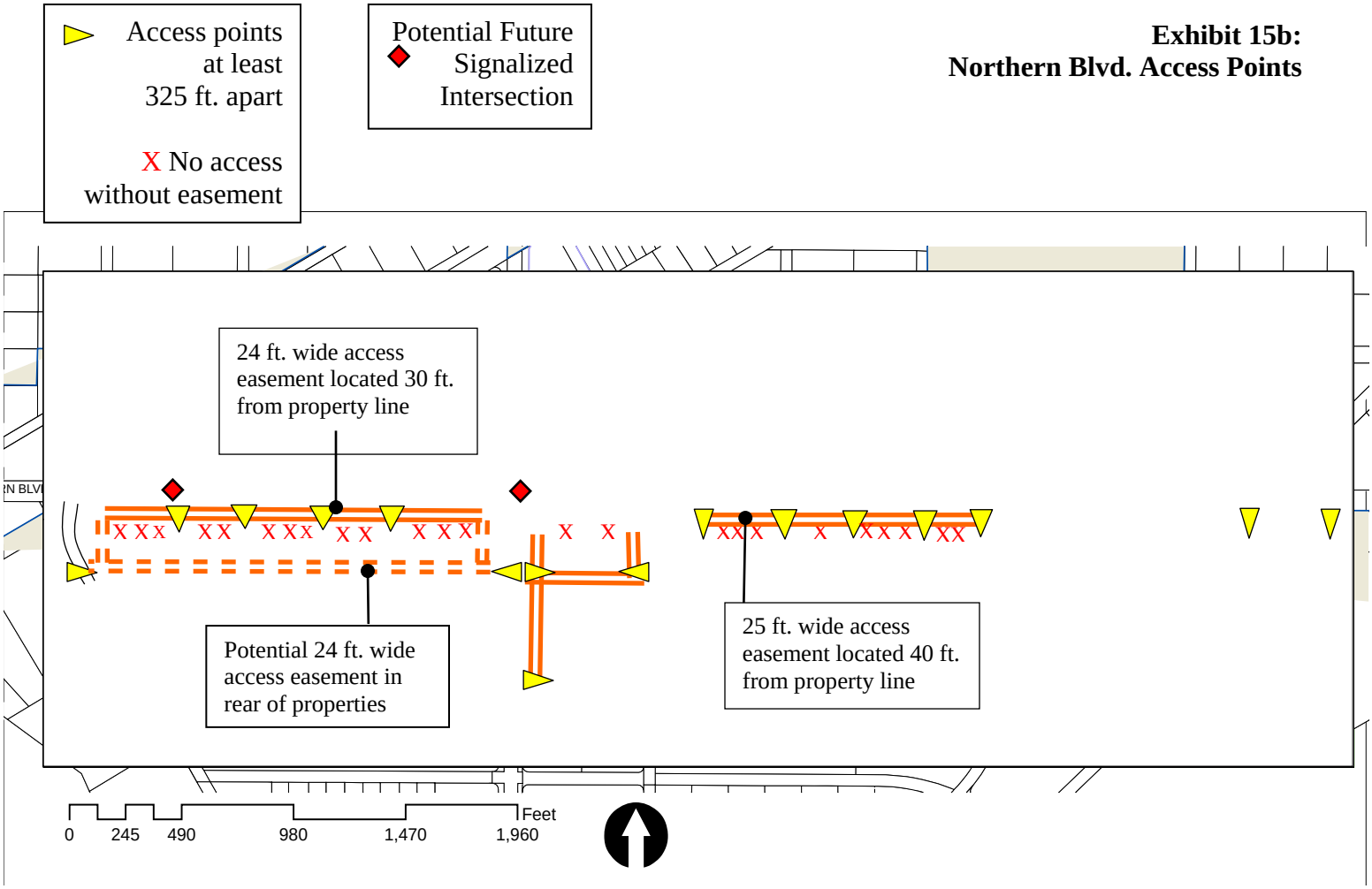


Exhibit 15a:
Broadmoor Dr. Access Points

Exhibit 15b:
Northern Blvd. Access Points



6.0 Proposed Design Standards

This section identifies design standards for all new commercial development within the Plan area, including along Broadmoor Drive. Standards for landscaping, signs, materials and architecture, parking, fences and walls, transportation and infrastructure, and lighting are described.

Neighborhood Center and Corridor:

- Center Size and Land Use: Typically 10 to 20 acres serving neighborhood scale mixed uses; retail, office, commercial and public
- Residential Areas: Multi-family residential development on perimeter
- Scale and design: Consists of one- to two-story buildings with variable heights and façades
- Parking: Landscaped shared parking lots preferably at the side or rear of buildings
- Pedestrian Orientation: Pedestrian scale façades with wide sidewalks, no steep berms, or grades, well lit public areas, landscaping, and no blank walls
- Signage: Encourage small distinctive signs, avoid glaring, excessive or roof mounted signs.

6.1 Landscaping/ Buffer

- Gross total – 10%
- Frontage – 25%
- Frontage Planter Strip – 10 ft. wide, 5 ft. may be in the public right-of-way
- Shade tree spacing – 1 every 33 ft. along street frontage
- Parking Spaces – 1 shade tree per 10 spaces
- Parking Island – 6 ft. wide along length of aisle ends and between rows
- Tree caliper –-Commercial: 3" or 30" boxed and 12 ft. high
- Shrubs – 5 gallons
- Live plants – 75% of landscaped area at maturity
- Refer to City's xeric plant list
- Irrigation system required with backflow prevention device
- Bufferyard –10 ft. wide
- Screening Wall –6 ft. masonry minimum
- Screen outdoor storage horizontally and vertically with wall or hedge
- Screen mechanical equipment from view to the maximum extent possible.

6.2 Signs

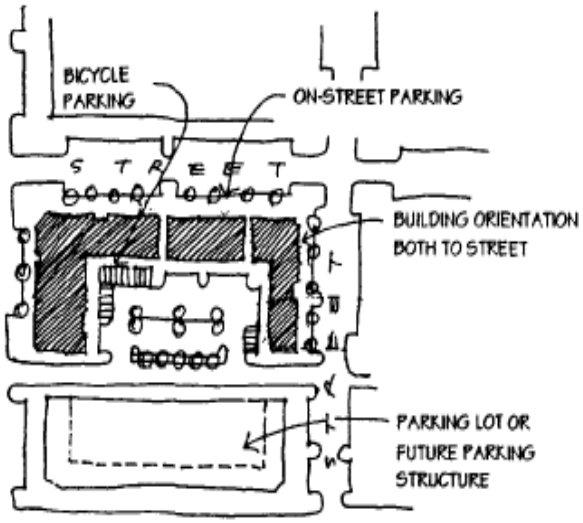
- Freestanding – monument signs (Max. 2, 3 if intersection, 75 ft. apart)
- Maximum Size –7 ft. x 8 ft. x 24 in.
- Building – 1 sign facing each street; 12% building face.

6.3 Materials/ Architecture

- No metal buildings (except for metal roofs), wood siding, or prefabricated panels, unless treated no to appear as these materials
- Use elements of Southwestern architecture (Pueblo-Spanish Revival, Territorial, Northern New Mexico, etc.) such as: materials (stucco, stone, brick, and tile), color and texture, shade (portales, overhangs, and recesses), outdoor spaces and courtyards, and solar orientation.

6.4 Parking

- Parking shall be provided as per the Zoning Ordinance requirements for the planned use of the property
- Place behind building or on side unless accessed by shared easement at the front of the property; landscaping should be located within the front setback area.
- Break parking up into smaller areas – 30 spaces or less
- Bike racks required for all multi-family, office, and commercial development (10% of total parking requirement).

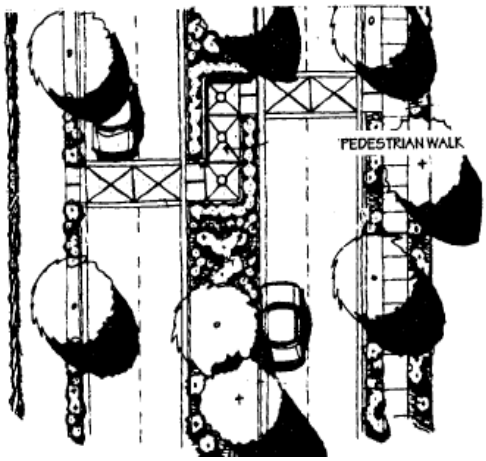


6.5 Fences/ Walls

- More than 10 ft. long, broken up by trees and shrubs; or indented, or offset, or serpentine
- Low wall or hedge (3 ft min. – 4ft. max.) in front setback area to screen parking
- Wall materials:
  - Textured, ribbed or concrete stucco over CMU
  - Interlock block or split block
  - Adobe, brick or tan masonry
  - No grey CMU.

6.6 Transportation and Infrastructure

- Street medians shall be planted as follows:
  - 1 canopy tree, 2 ornamental trees, and 3 shrubs every 1000 square ft. located in the 18 ft. wide median

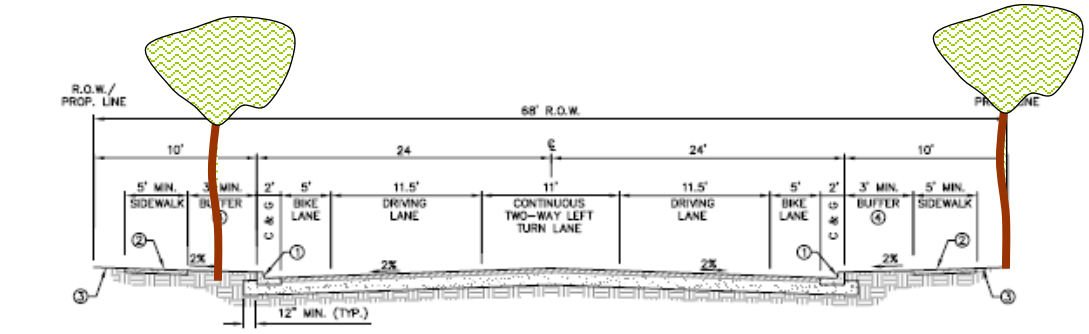


- Traffic signals shall be installed where warranted
- Bus shelters shall be placed at the signalized intersections (when transit service is established)
- All underground utilities
- Community water and sewer system (no well or septic, except on a temporary basis)
- 6 ft. wide sidewalks and 8 ft. wide bike paths along arterial streets where there is sufficient right-of-way.

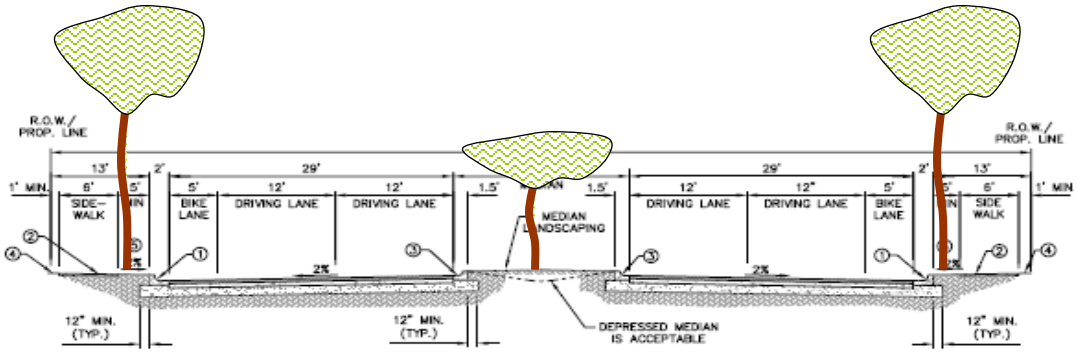
6.6 Lighting

- Low level, hooded or shielded

- Shine away from residences
- 20 ft. high maximum
- Meet Night Sky Protection Act.



TYPICAL STREET SECTION – COLLECTOR STREET



TYPICAL STREET SECTION – 4 LANE ARTERIAL

Exhibit 16: Street Sections

7.0 Implementation Actions

This section presents those actions that can be taken by departmental staff, Planning and Zoning Board, and the Governing Body to implement the recommendations in this Plan. Actions include those involving zone map amendments, development review process, capital improvements program, and special assessment districts.

7.1 Zoning

- Adopt an Overlay Zone for commercial districts within the Plan area with design and access standards specified in Section 5.0 and 6.0.
- Commercial Bonuses:
  - Provide: parking behind building; Receive: reduced front setback by 10 ft. in C-1 and CMU districts
  - Provide: parking broken into smaller areas; Receive: reduced front setback by 10 ft. in C-1 and CMU districts
  - Provide: courtyards, plazas, and public spaces count towards landscaping requirement
- Development Services Department shall initiate strategic zone map amendments to follow the Plan.

7.2 Development Review Process

- Development Services staff will evaluate new development projects in the Plan area in terms of their connectivity to roads, bikeways, sidewalks and trails.
  - New cul-de-sac streets must provide pedestrian easements.
  - New blocks shall not be longer than 600 ft.
- Before a building permit is approved by Development Services Department the applicant must demonstrate compliance with access management plan by providing an access easement agreement with adjacent property owners as provided in Section 5.0
- New construction permits and site plan approvals by Development Services Department will be subject to the design standards required in Section 6.0:
  - Landscaping/ Buffers
  - Signs
  - Materials/ Architecture
  - Parking
  - Fences/ Walls
  - Transportation
  - Infrastructure
  - Lighting
  - Bikeways/ Sidewalks

7.3 ICIP

- Department of Public Infrastructure will program roadway, bikeway, and pedestrian trail projects in the ICIP to be built to City standards as funds become available

- Departments of Cultural Enrichment and Public Infrastructure will program a Broadmoor Dr. and Northern Blvd. median landscaping projects as funds become available
- The City will program and fund future recreational and other community facilities to serve the Plan area through its ICIP process.
- The City will program and fund utility infrastructure improvements to serve the Plan area.

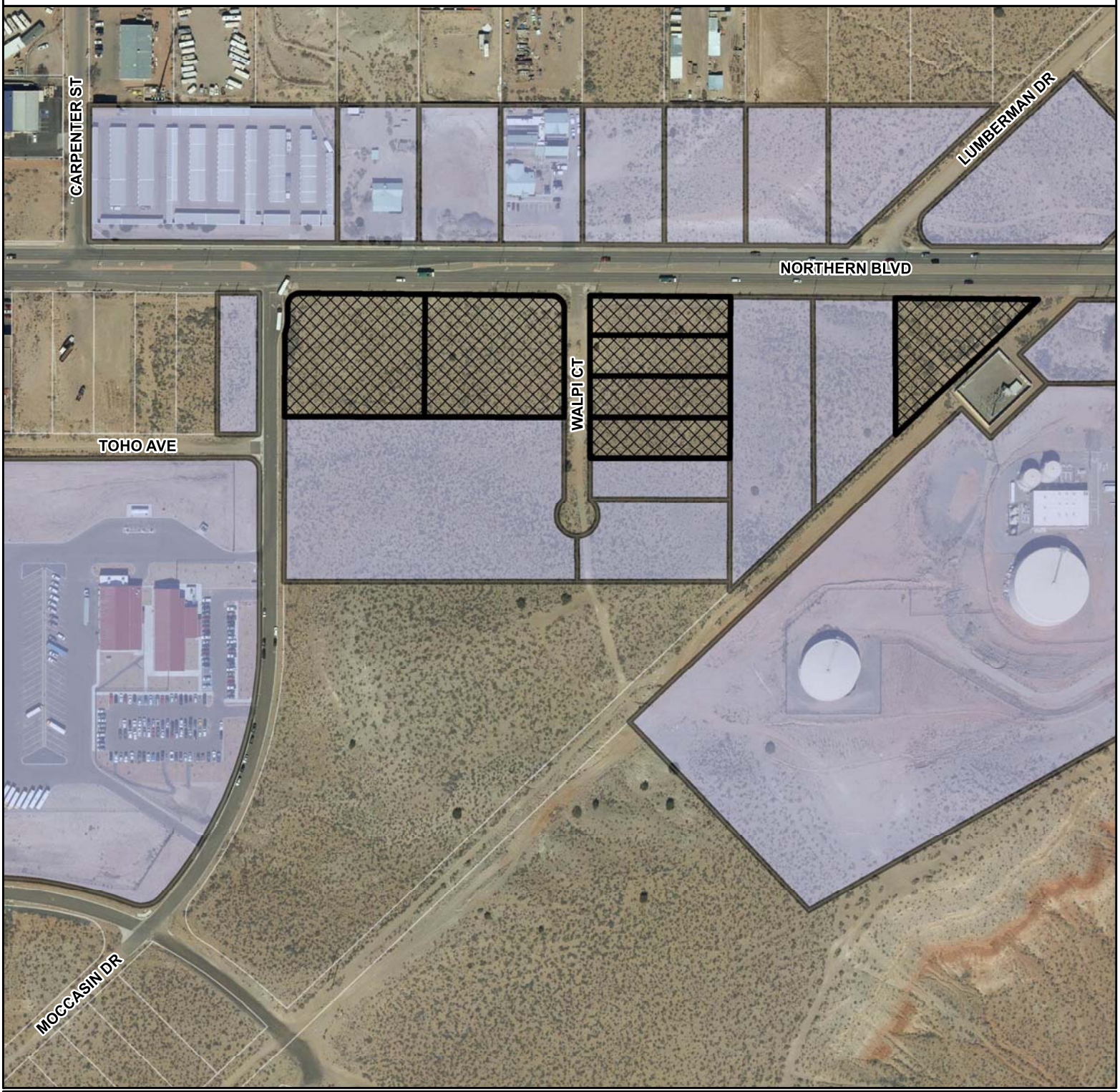
7.4 Special Assessment Districts

- The City may initiate redevelopment of obsolete or premature platting in the Plan area through formation of Special Assessment Districts (SADs).

References:

A. *Montoyas Arroyo Watershed Management Plan*, Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), 2002
B. *Rio Rancho Parks and Recreation Master Plan*, City of Rio Rancho Cultural Enrichment, 2004
C. *2020 Integrated Comprehensive Plan*, City of Rio Rancho Development Services, 2001
D. *Northern Boulevard Area Plan*, City of Rio Rancho Development Services, 1996
E. *School Profiles*, Rio Rancho Public Schools Website, www.rrps.net
F. *State Highway Access Manual*, New Mexico Department of Transportation (NMDOT), 2002
G. *North Central Area Plan (Draft)*, City of Rio Rancho Development Services, 2006
H. *Community Profile*, Rio Rancho Economic Development Corporation, 2007
I. *Standard Street Profiles*, City of Rio Rancho Public Infrastructure, 2006
J. *2030 Metropolitan Transportation Plan*, Mid Region Council of Governments, 2007

UNIT 13, BLOCK 112, TRACT A & B, LOTS 1, 4-7
ZONE MAP AMENDMENT AND SPECIFIC AREA PLAN AMENDMENT
NOTICED PROPERTIES



RioRancho
City of Vision

0 250 500 1,000
Feet

GIS
Moving Spatial Data Forward

N
W E
S

Noticed Properties
Subject Property

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

Map Created by Chris Benson on 07/12/2023

Rio Rancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, August 8, 2023 at 6:00 pm:

Variance
Case #23-110-00009
The applicants, Ron Falkner and Yaoying He, are requesting approval of a Variance to the max fence height requirement for a fence located in the rear setback, at the subject property legally described as U20, Blk 99, Lot 19; located at 6236 Obeah Ct NE. The fence would be located on the rear property line and would measure 8' high, instead of the max height of 6'. The property is currently zoned R-1: Single--Family Residential and totals .87 acres.

Preliminary/Final Plat
Case #23-110-00009
The applicant, City of Rio Rancho, is requesting approval of a Preliminary/Final Plat for the 26th St ROW Reconfiguration project which depicts the resulting configuration of right of way obtained by deed.

Zone Map Amendment
Case #23-100-00004
The applicant, David Torres, requests approval of a Zone Map Amendment for Unit 13, Lots 1, 4-7 from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District.

Specific Area Plan Amendment
Case #23-410-00004
The applicant, David Torres, requests approval of an amendment to the Broadmoor Drive Specific Area Plan.

Variance
Case #23-110-00004
The applicant, Angenica Lucero, 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 properties containing a residential zoning designation for a proposed cannabis establishment. The cannabis establishment is proposed to be physically located at 2501 Southern Blvd SE STE 1, and is approximately 51 feet from property line to property line at the shortest distance possible from the closest residentially zoned properties.

Conditional Use Permit
Case #23-120-00004
The applicant, Lamar Advertising Southwest, LLC., through their agent, Matt Yoder, requests approval of a Conditional Use Permit for an Off-Premises Sign (Billboard) on the property legally described as Rio Rancho Estates Unit 20IP, Block A, Par A1.

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

public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: July 24, 2023

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY LEGALLY DESCRIBED AS UNIT 13, BLOCK 112, LOTS 1, 4-7, FROM C-1: RETAIL COMMERCIAL DISTRICT TO C-2: WHOLESALE AND WAREHOUSING COMMERCIAL DISTRICT, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21: and,

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning designation on the subject property has been submitted by David Torres, and assigned City Case No. 23-100-00004; and,

WHEREAS: the Governing Body of the City of Rio Rancho adopted the Broadmoor Drive Specific Area Plan August 2007, with Resolution No. 79, Enactment No.07-78, an amendment to the Broadmoor Drive Specific Area Plan on July 22, 2021, with Resolution No. 68 Enactment No. 21-067, and an amendment to the Broadmoor Drive Specific Area Plan on August 24, 2023, with Resolution No.__, Enactment No. 23-__; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on August 8, 2023, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and,

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and,

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on August 24, 2023 and the Governing Body heard interested parties and citizens for an against the proposed amendments; and,

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments propose the health, safety, morals, and general welfare of the city.

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

Section 1. Rezoning of Property and Change in Land Use

The Official Zone Map is hereby amended by assigning a zoning designation on approximately 2.87 acres of property from C-1 Retail Commercial to C-2: Wholesale and Warehousing on land legally described as:

> Unit 13, Block 112, Lot(s) 1, 4-7, Unit Thirteen, Rio Rancho Estates, as shown on the plat "Tract P, Blocks 91 Thru 116, Unit Thirteen, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico" filed in the office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 87 on May 5, 1969.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of Property: The property identified in Section 1, above is subject to all requirements of the C-2: Wholesale and Warehousing Commercial District set forth in R.O. 2003 Section 154.25 (as of the effective date of this ordinance or as subsequently amended).

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

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

ADOPTED THIS _____DAY OF _____, 2023.

_____

Greggory D. Hull, Mayor

ATTEST:

_____

Rebecca A. Martinez, City Clerk
(SEAL)

Subject Property


City of Rio Rancho
NOTICE

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

July 28, 2023

TO: Planning and Zoning Board

RE: 23-100-00004, 23-410-00004 – Zone Map Amendment from C-1 to C-2 on the land legally described as Unit 13, Block 112, Lots 1, 4-7 and a concurrent amendment to the Broadmoor Drive Specific Area Plan to reflect the zone change.

The following are the comments and feedback received in regards to the zone map amendment and specific area plan amendment application.

Planning & Zoning Division:

- Applicant has not adequately met the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
- The lot is not irregular in shape, narrow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.
- There does not exist a special circumstance applicable to the property.
- There are no other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land.
- Cannabis establishment is not permissive as per criteria set forth in R.O. 2003 Section 122.04.

Engineering Division:

- No adverse comments.

Fire & Rescue:

- No adverse comments at this time.
- Requirements will be necessary upon development.

Parks and Recreation:

- No comments (and no negative impact on area function of City Animal Resource Center).

MRMPO: MRMPO has no adverse comments. For informational purposes:

- Northern Blvd is functionally classified as a Principal Arterial.
- An existing Paved Trail is identified on Northern Blvd in the Long Range Bikeway System (LRBS).
- Northern Blvd is identified as a Tertiary Transit Route in the Long Range Transit Network (LRTN) with headways of 35-45 minutes.
- Northern Blvd is an Intelligent Transportation System (ITS) Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.
- Appendix G of the MTP supports the following as it relates to the subject property:
- Encourage a mix of land uses (retail, housing, entertainment, etc.) and multimodal facilities in appropriate locations to encourage shorter and more active trips.
- Promote a healthy job housing balance west of the river through preserving commercially zoned land, site-readiness programs, etc.

SSCAFCA:

- No comments.

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

Respectfully,

Christopher Benson

Chris Benson
Municipal Planner I
Development Services Department
City of Rio Rancho
(505) 896-8342 cbenson@rrnm.gov

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

July 18, 2023

RE: Zone Map Amendment and Specific Area Plan Amendment,
Case No. 23-100-00004, 23-410-00004
Unit 13, Block 112, Lots 1, 4-7

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, David Torres, requests approval of a Zone Map Amendment from C-1: Retail Commercial District to C-2: Wholesale and Warehousing Commercial District for the properties legally described as Unit 13, Block 112, Lots 1, 4-7. The subject properties are physically located at 914, 918, 922,926 Walpi Ct NE, and the 3524 Northern Blvd NE and comprise approximately 2.84 acres. These properties are located in the Broadmoor Drive Specific Area Plan and concurrently there will be an amendment to the Broadmoor Drive Specific Area Plan to reflect the increase in Wholesale and Warehousing land use within the specific area plan.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, August 08, 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 black outline.

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

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

Please do not hesitate to contact me via e-mail me at cbenson@rrnm.gov or call me at 505-896-8342, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

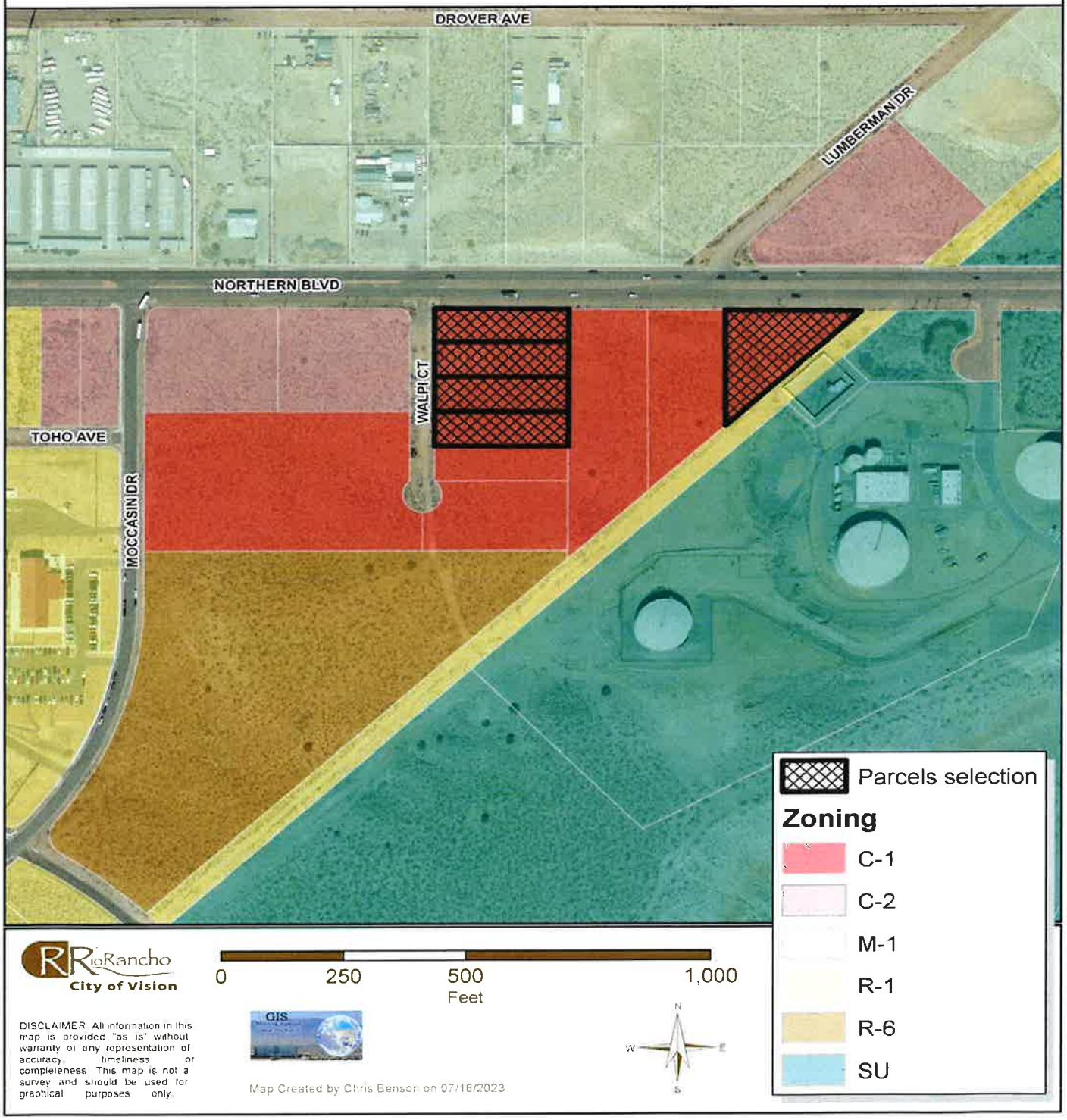
Christopher Benson

Chris Benson
Municipal Planner I
Development Services Department
City of Rio Rancho

The City of Rio Rancho

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3200 Civic Center Circle NE
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UNIT 13, BLOCK 112, LOTS 1, 4-7
ZONE MAP AMENDMENT AND SPECIFIC AREA PLAN AMENDMENT



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

Map Created by Chris Benson on 07/18/2023

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Building Activity Report- JULY 2023

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: 2023 PZ MONTHLY COMPARISONS JULY.pdf

2023 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	JAN #s	FEB #s	MAR #s	APR #s	MAY	MAY VALUATION	JUNE	JUNE VALUATION	JUL	JULY VALUATION	ANNUAL TOTALS	
Single Family	43	46	94	79	50	$11,907,856	80	$17,412,620	92	$21,209,979	**484**	**$101,981,862**
Additions/Residential	12	11	17	16	11	$245,100	11	$279,341	12	$1,101,521	**90**	**$3,027,794**
New Commercial	1	2	0	0	0	$0	3	$4,050,000	0	$0	**6**	**$16,046,598**
New Office/Institution	0	0	0	0	2	$907,251	2	$1,410,000	2	$195,000	**6**	**$2,512,251**
New Industrial	0	0	0	0	0	$0	0	$0	1	$4,522,039	**1**	**$4,522,039**
Non-Residential Interior Tenant Improvement	5	7	5	4	3	$574,451	4	$205,808	1	$50,000	**29**	**$4,573,719**
Office/Institution Addition	0	0	0	0	0	$0	1	$160,881	0	$0	**1**	**$160,881**
Industrial Addition	0	0	0	0	0	$0	0	$0	0	$0	**0**	**$0**
New Multi-Family	0	0	3	1	0	$0	2	$7,086,294	0	$0	**6**	**$12,900,414**
Telecommunication Tower	1	1	2	2	1	$25	1	$1,200	0	$0	**8**	**$128,725**
Demolition - Non-Residential	0	0	0	1	0	$0	0	$0	0	$0	**1**	**$20,000**
Demolition - Residential	0	0	0	0	0	$0	0	$0	0	$0	**0**	**$0**
Fence	11	6	11	7	14	$69,805	17	$238,332	7	$41,150	**73**	**$790,667**
Garages	3	6	7	7	3	$105,034	3	$77,822	3	$82,460	**32**	**$1,233,672**
Pool	9	6	5	13	6	$505,284	5	$269,946	9	$571,098	**53**	**$3,645,288**
Reroofs/Windows/ Doors	41	44	77	96	86	$914,383	66	$1,033,421	38	$462,156	**448**	**$6,086,720**
Retaining Wall	11	9	17	4	12	$801,303	20	$1,765,507	3	$14,002	**76**	**$14,452,664**
Small Shed (120 sq.ft. or less)	11	20	16	20	16	$55,685	16	$78,511	10	$43,850	**109**	**$465,212**
Sheds	3	3	8	8	7	$132,789	13	$206,922	11	$73,390	**53**	**$1,078,881**
Solar (Rooftop & Ground Mount)	60	57	75	81	147	$1,926,052	99	$1,521,373	125	$1,924,366	**644**	**$41,425,895**
Business Registrations (Occupancy Inspection)	13	9	15	14	16		8		12		**87**	**$0**
Building Inspections	2,781	2,080	2,716	2,559	2,807		3,022		2,755		**18,720**	**$0**
Engineering Inspections	143	136	142	138	165		151		166		**1,041**	**$0**
R.O.W. Permits (Fees)	21	25	25	36	37	$12,765	17	$10,005	20	$8,682	**181**	**$56,012**
TOTALS:	**3,169**	**2,468**	**3,235**	**3,086**	**3,383**	**$18,157,783**	**3,541**	**$35,807,983**	**3,267**	**$30,299,693**	**22,149**	**$215,109,294**

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
August 8, 2023

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Summary Plat Report - JULY 2023

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: July Summary Plat Activity.pdf

SUMMARY PLAT ACTIVITY

JULY 2023

CASE #	RECEIVED	LOCATION	COMMENTS	RECORDED
20-200-00010	03/23/20	12A, 16A, 16B, BLOCK 22, U10	Under Review	
21-200-00003	01/27/21	UNIT 16 BLOCK 91 TRACT A SPLIT	RECORDING	
21-200-00004	02/01/21	LOT COMBO U10, BLK 25, LOTS 57 & 58	Awaiting Signatures	
21-200-00010	03/03/21	UNIT 20 BLOCK 142 LOTS 14 AND 15	Under Review	
21-200-00011	03/08/21	MOUNTAIN HAWK 27 - VACATION OF EASEMENTS	Under Review	
21-200-00014	03/11/21	UNIT 20-INDUSTRIAL PARK, BLK A, PARCEL	Under Review	
21-200-00016	03/23/21	U16, BLOCK M, LOT 6A GRANTING EASEMENTS	Under Review	
21-200-00017	04/01/21	RIDGELINE ESTATES, BLK A, LOT 20	Under Review	
21-200-00018	04/13/21	EH2 BLOCK 1 PARCEL C - SPLIT INTO PARCEL C-1 & PARCEL C-2	RECORDED	X
21-200-00027	06/04/21	U10 B36 L21 AND 22 COMBINATION	Under Review	
21-200-00033	07/30/21	UNIT 16, BLOCK 18A, LOTS 9 & 10	Awaiting Signatures	
21-200-00035	08/19/21	UNIT 17, BLOCK 104, LOTS 7,8 & 9 COMBO	Awaiting Signatures	
21-200-00037	08/24/21	MOUNTAIN HAWK 38-A & 40-A	Under Review	
21-200-00045	09/01/21	BROADMOOR HEIGHTS 4-A VACATING/GRANTING EASEMENTS	Under Review	
22-200-00007	03/03/22	UNIT 17, BLOCK 113, LOTS 32 AND 33A LOT	Awaiting Signatures	
22-200-00008	03/17/22	UNIT 16, BLOCK F, LOTS 6 & 7 COMBO	Awaiting Signatures	
22-200-00012	04/18/22	UNIT 16, BLOCK F, LOTS 2A, 4, 5 COMBINATION	Under Review	
22-200-00013	04/19/22	UNIT 11, BLK 34, LOTS 23 & 24 COMBO	Awaiting Signatures	
22-200-00016	05/12/22	LA PLAZUELA, TRACTS 2A & 2B	Under Review	
22-200-00024	08/17/22	MARIPOSA TCT 4, 2, 3A, & NW LOOP (TRACT CONSOLIDATION)	RECORDED	
22-200-00027	09/14/22	RIO WEST BUSINESS PARK, BLK A, LOTS 4A-1	RECORDED	
22-200-00029	09/26/22	UNIT 11, BLOCK BB, LOTS 32-37 LOT COMBINATION	RECORDED	X
22-200-00031	10/12/22	LOT COMBO U17, BLK 105, LOT 4A-1 (lot 4A & 5)	Awaiting Signatures	
22-200-00033	10/19/22	RR Estates Unit 16, Blk J, Lot 1	Under Review	
22-200-00034	10/19/22	Unit 12, Blk C, Lots 67 & 68 - LOT COMBINATION	RECORDED	X
22-200-00035	11/09/22	Unit 20, Block 106, Lot 4 Vacation of Easement	Awaiting Signatures	
22-200-00040	12/08/22	UNIT 11, BLOCK V, LOT 34-A; COMBO OF LOTS 34 & 35	Under Review	
23-200-00001	01/10/23	UNIT 11, BLOCK P, LOTS 15 AND 16 COMBO, SUMMARY PLAT	Under Review	
23-200-00004	02/14/23	PETROGLYPH MEDICAL PLAZA, BLOCK A, LOTS 6A1A AND 7A1 COMBINATION SUMMARY PLAT	Under Review	
23-200-00005	02/21/23	UNIT 13, BLOCK 143, LOTS 23A & 23B LOT SPLIT	Awaiting Signatures	

SUMMARY PLAT ACTIVITY

JULY 2023

23-200-00007	03/03/23	SUMMARY PLAT, LOT SPLIT (TRACT P-1C), CARTESIAN SURVEYS, INC.	Under Review	
23-200-00008	03/08/23	U11, BLK10, LOTS 66 & 67 (LOT COMBO)	Awaiting Signatures	
23-200-00010	03/13/23	UNIT 17, TRACT U SPLIT	Under Review	
23-200-00011	03/28/23	MELON RIDGE, BLK 2, TRACT B AND LOTS 2, 3 LOT LINE ADJUSTMENT	Under Review	
23-200-00012	04/14/23	U10, BLK B, LOTS 20, 21, AND 22 (LOT COMBO)	Under Review	
23-200-00013	04/17/23	UNIT 17, BLOCK 148, LOTS 10-11, LOT COMBINATION	Under Review	
23-200-00014	45040	SUMMARY PLAT - RRE UNIT 11, BLOCK 9, LOTS 9+10 (512-508 8TH ST NE) LOT COMBO	Under Review	
23-200-00015	45054	UNIT 17, BLOCK 72, LOTS 16 & 17 COMBO	Under Review	
23-200-00016	06/0523	SUMMARY PLAT- LOT COMBO U13, BLK S, LOTS	Under Review	
23-200-00017	45089	LANDS OF QUAIL RANCH, TRACT 2-E AND 2-A	Under Review	
23-200-00018	45097	UNIT 11, BLOCK E, LOTS 60 AND 61 LOT COMBINATION	Under Review	
23-200-00019	45100	EH2, BLOCK 1, PARCELS C1 AND C2 LOT LINE ADJUSTMENT	Under Review	
23-200-00020	45107	BLK 95, LOTS 1 & 34; LOT LINE ADJUSTMENT; CARTESIAN S	Under Review	
TOTAL TO DATE: 43				
23-200-00021	**07/06/23**	**THE VILLAGE, TRACT E2 LOT SPLIT**	Under Review	
23-200-00022	**07/10/23**	**CORRALES SOUTH, BLOCK H, LOT 16B1B1, LOT SPLIT**		
23-200-00023	**07/18/23**	**LD2, BLOCK 10, TRACT 63A / SUMMARY PLAT**		