Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
October 10, 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	Lisa Hardisty, 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. September 26, 2023 Planning and Zoning Board Meeting Minutes
2023-0926_PZB_Minutes_BMB.docx

PUBLIC HEARINGS

2. **Subdivision Variance.** The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests 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 is for the Broadmoor Heights Unit 4 subdivision, on the property legally described as Broadmoor Heights Tract 4-A. Staff contact is Chris Benson and staff recommends approval with findings.
Location Map
Application
Authorization Letter
Cover/Justification Letter
Notice Letter
Notice Postcard
Noticed Properties Map
Legal Ad Proof.pdf

Fire & Rescue Comments.pdf
Findings of Fact.pdf

3. **Preliminary Plat.** The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., is requesting approval to create 53 residential lots and 3 tracts, all zoned R-4: Single-Family Residential, from the property legally described as Broadmoor Heights Tract 4-A. Staff contact is Chris Benson and staff recommends approval with findings and conditions.
Location Map
BHU4 Preliminary Plat
Application
Authorization Letter
Cover Letter
Notice Letter
Notice Postcard
Noticed Properties
Fire & Rescue Comments.pdf
Secondary Emergency Access Exhibit.pdf

4. **Final Plat.** The applicant, Amestoy Construction and Development II, LLC, through their agent, Aldrich Land Surveying, requests approval of a final plat for Tierra Del Norte creating 115 lots and 4 tracts on a subject property legally described as Unit 13, Block 43, Lots 20- 28 and 31-39, Block 44, Lots 22-42, Block 45, Lots 22-31 and 39-40. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.
Zoning, Location.pdf
Authorization.pdf
Tierra Del Norte Final Plat.pdf
Staff Comments.pdf

5. **Site Plan.** The Applicant, Matthew Herrera X2D, LLC., requests site plan approval for a townhouse development on the properties legally described as Rio Rancho Estates Unit 10, Block 7, Lots 1-3. Staff contact is Tim Dvorak, and staff recommends the Planning and Zoning Board recommend approval of the site plan to the Governing Body.
Zoning, Location
Site Plan
Application
Justification
Authorization, Lot 1
Authorization, Lots 2 & 3
Vesting Deed
Water/Wastewater Availability Letter
O-43, 07-42
O-20, 18-24 (Unit 10 Overlay)
Letter to Property Owners
Legal Ad
Reviewer Comments
Public Comment - Romero, Angela
Public Comment - Babcock, Sue
Public Comment - Abramson, Codie
Public Comment - Ferryman, Patricia
Public Comment - Henderson, Perry & Carolyn
Public Comment - Hedin, Sonia and Greg
Public Comment Map

6. **Text Amendment.** The applicant, City of Rio Rancho, seeks to amend R.O. 2003 Chapter 154 Planning and Zoning for the addition of Off-Premises Advertising Signs to Section 154.45, being moved from its existent location in R.O. 2003 Chapter 156.33. Staff contact is Tim Dvorak, and staff

recommends approval of the text amendment.
154.45 Off-Premises Advertising Signs
Legal Ad
Draft_Ordinance_R.O._154.45_Off-Premises_Advertising_Signs_BMB.docx

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

STAFF REPORTS

7. Planning and Zoning Monthly Building Activity Report- SEPTEMBER 2023
2023 PZ MONTHLY COMPARISONS.pdf

8. Planning and Zoning Monthly Summary Plat Report - SEPTEMBER 2023
Sept Plat Activity.pdf

ADJOURNMENT

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
September 26, 2023 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2023-0926_PZB_Minutes_BMB.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

SEPTEMBER 26, 2023
6:00 PM
Council Chambers, City Hall

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Vice-Chair Richardson called the meeting to order at 6:00 PM and led those in attendance in the Pledge of Allegiance.

Vice-Chair Richardson 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 access via Zoom meeting software by members of the public who choose to participate in this fashion.

PUBLIC FORUM

CONSENT CALENDAR

1) September 12, 2023 Planning and Zoning Board Meeting Minutes

Kevin Kofchur moved to approve the Consent Calendar. Seconded by Robert Gabaldon.
The motion carried by a vote of **3 FOR, 0 AGAINST** and **1 ABSTENTION**.
YES: Kevin Kofchur, Robert Gabaldon, Scottie Richardson
NO: (None)
ABSTAIN: Lisa Hardisty

PUBLIC HEARINGS

2) The applicants, Bob and Reola Arellano, requested approval of a Preliminary/Final Plat to adjust the building envelope for 5616 Barranca Overlook Pl NE, legally described as HLMM2, Blk A, Lot 45.

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

Applicant, Bob Arellano stood for questions.

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

3) The applicant, J Jacob Enterprises, Inc. requested approval of an amendment to the Lomas Negras Specific Area Plan.

Staff member, Liz Ruiz Carlos presented items #3 and #4 concurrently, recommending approval to the Governing Body with findings and conditions and stood for questions.

Agent, Angela Williamson provided a presentation on the items and stood for questions.

The following members of the public spoke on the item:

- Terri Rees
- Amy Johnson

Development Services Director. Amy Rincon, staff member, Liz Ruiz Carlos, and Agent, Angela Williamson answered numerous questions from Commissioner Kofchur, Commissioner Hardisty, and Commissioner Gabaldon.

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

4) The applicant, J Jacob Enterprises, Inc., through their agent, Modulus Architects & Land Use Planning, Inc., requested approval of a Zone Map Amendment from SU/C-1 and O-1 to SU: Special Use for Multi-Family Residential Uses, for the subject property legally described as Unit 13, Block 68, Lots 5-8.

Staff member, Liz Ruiz Carlos had no further comments.

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

5) The applicant, the City of Rio Rancho requested approval of a text amendment to the Rio Rancho Municipal Code of Ordinances repealing and replacing Title XV Land Usage, Chapter 156, Sign Regulations.

Staff member, Tim Dvorak and Development Services Director, Amy Rincon presented the item, recommending approval to the Governing Body with findings and stood for questions.

Development Services Director. Amy Rincon clarified questions from Commissioner Kofchur, Commissioner Hardisty, and Commissioner Gabaldon.

Commissioner Kofchur commended the team on creating a thorough and thoughtful document, which was supported by Vice-Chair Richardson with further appreciative comments from Commissioner Gabaldon.

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

DISCUSSION AND DELIBERATION

6) The applicant, Amestoy Construction and Development II, LLC, through their agent, Aldrich Land Surveying, requested approval of an amended Preliminary Plat for Tierra Del Norte on the property

legally described as Unit 13, Block 43, Lots 20-28 and 31-39, Block 44, Lots 22-42, Block 45, Lots 22-31 and 39-40.

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

Agent, Tim Aldrich spoke on the item and answered Commissioner Gabaldon's inquiry.

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

COMMENTS BY BOARD MEMBERS

Vice-Chair Richardson, Commissioner Kofchur and Commissioner Gabaldon welcomed Commissioner Hardisty to the Planning and Zoning Board.

STAFF REPORTS

7) Planning and Zoning Monthly Building Activity Report- AUGUST 2023

8) Planning and Zoning Monthly Summary Plat Report - AUGUST

ADJOURNMENT

Lisa Hardisty moved to adjourn the meeting. Seconded by Kevin Kofchur.
Vice-Chair Richardson adjourned the meeting at 7:43 PM.

APPROVED THIS 12TH DAY OF OCTOBER, 2023

_____

Fred Radosevich, Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-280-00008

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

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

BACKGROUND AND ANALYSIS:
The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a Subdivision Variance to the Rio Rancho Code of Ordinances Chapter 155.43 requiring 5 foot minimum easements on the side and rear lot lines for the Broadmoor Heights Unit 4 Subdivision, on the property legally described as Broadmoor Heights Tract 4-A. A preliminary plat application for Broadmoor Heights Unit 4 is being heard concurrently under case no. 23-210-00010. The proposed plat would create 53 residential lots and 3 tracts on approximately 14.4558 acres.

The applicant requests a Subdivision Variance to Rio Rancho Code of Ordinances (R.O. 2003) §155.43 which states, "Easements of at least five feet in width shall be provided and dedicated on each side of all rear lot lines (except where there are alleys) and along side lot lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water, and other mains." The applicant is requesting a variance to this requirement as all lots will be serviced by 10 ft. Public Utility Easements across the front of all lots.

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

Staff finds that the utility easements in the Broadmoor Heights Unit 4 subdivision, in the front of all lots, provide an improved design for this subdivision. The side and rear easements are not needed for this subdivision due to the provision of a 10' PUE in the front easement.

SURROUNDING LAND USE/ZONING:
Adjacent properties to the north are zoned R-4: Single-Family Residential. The vacant properties to the east are also zoned R-4: Single-Family Residential. The vacant properties to the south are zoned R-1: Single-Family Residential, and vacant properties to the west are zoned C-1: Retail Commercial.

NOTIFICATIONS:
Notice of pending Subdivision Variance hearing was sent via certified mail to the abutting property owners of the subject property 15 days in advance of the hearing. Informational postcards were sent to property owners between 100 ft. and 300 ft. from the subject property 15 days in advance of the hearing. A legal notice was published in the Albuquerque Journal on September 25, 2023. A notice sign was posted to the property on October
3, 2023. All legal notification requirements for this project have been met.

INTERDEPARMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided within this document.
DSD Engineering	X	No adverse comments at this time.
Rio Rancho Public Schools	X	No comments received.
Fire and Rescue	X	Included as an attachment.
Police Department	X	No comments received.
SSCAFCA	X	SSCFAC has no comments.
MRCOG/MRMPO	X	Included as an attachment.
Parks, Recreation and Community Services	X	No comments

IMPACT:
The Development Services Department recommends approval of the Subdivision Variance request subject to the findings set forth below:

General Findings of Fact:
1. In accordance with R.O. § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a Subdivision Variance to the required side and rear five foot easements.
2. Following procedures for approval of a Subdivision Variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a Subdivision Variance.
4. Due process was provided to the applicant and surrounding property owners.

Specific Findings of Fact:
1. A variance to R.O. 2003 § 155.43 requiring "Easements of at least five feet in width shall be provided and dedicated on each side of all rear lot lines (except where there are alleys) and along side lot lines where necessary." is hereby granted.
2. The proposed 10' public utility easements on the front of all lots in the Broadmoor Heights Unit 4 Subdivision provide an improved design for this subdivision.

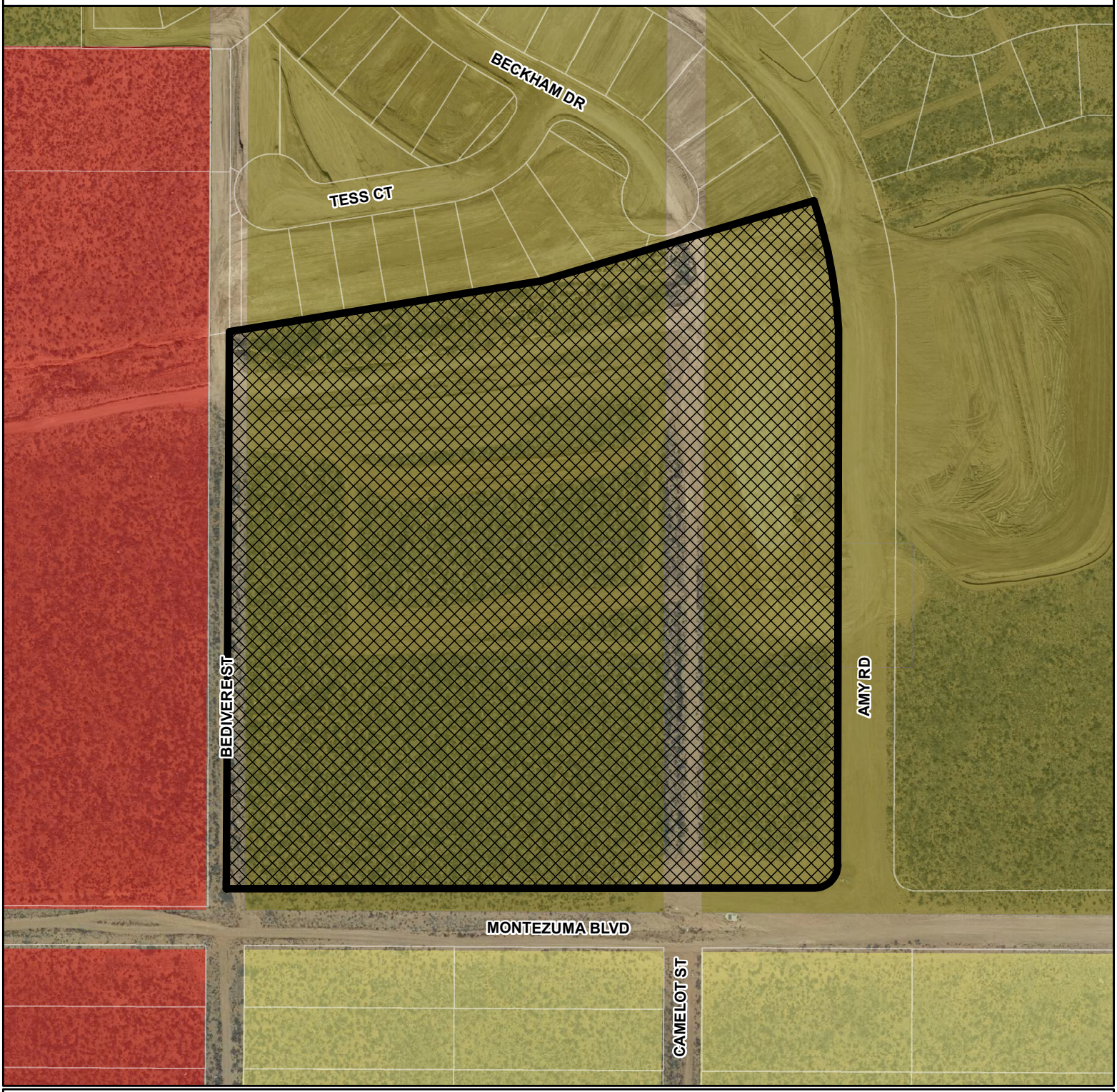
ALTERNATIVES:
The Planning and Zoning Board may:
1. Approve the Subdivision Variance with findings.
2. Approved the Subdivision Variance with amendments to the findings.
3. Deny the Subdivision Variance.
4. Postpone action on the Subdivision Variance to allow for further review and information.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization Letter
ATTACHMENT: Cover/Justification Letter
ATTACHMENT: Notice Letter
ATTACHMENT: Notice Postcard
ATTACHMENT: Noticed Properties Map
ATTACHMENT: Legal Ad Proof.pdf
ATTACHMENT: Fire & Rescue Comments.pdf
ATTACHMENT: Findings of Fact.pdf

BROADMOOR HEIGHTS UNIT 4
SUBDIVISION VARIANCE & PRELIMINARY PLAT



Rio Rancho
City of Vision

0 200 400 800
Feet

Subject Property

Zoning

C-1

R-1

R-4

N
W E
S

GIS
Moving Spatial Data Forward

Map Created by Chris Benson on 08/28/2023

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

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

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

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

Request for preliminary plat approval and subdivision variance.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

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

ACKNOWLEDGEMENT

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

Print Name: Kelly Klein, P.E.	Applicant:	Agent: X
Signature:		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
23-210-00010	$	

APPLICATION ACCEPTED BY: Christopher Benson **DATE:** 08/28/2023

Form revised June 2014

October 6, 2017

Mr. David Serrano
City of Rio Rancho
Development Services
3200 Civic Center Circle ME
Rio Rancho, NM 87144

RE: Agent Authorization for Broadmoor Heights Subdivision

Dear Mr. Serrano,

BGV Rio Rancho I, LLC authorizes Bohannan Huston Inc. and Cartesian Surveys to act as its agents in all matters associated with platting and construction plans for the above referenced project. Please call me with any questions or concerns.

Thank you,

David Beckham
BGV Rio Rancho I, LLC

Bohannan Huston

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

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

August 16, 2023

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

Re: Preliminary Plat Submittal – Broadmoor Heights Unit 4 (Tract 4 Broadmoor Heights)

Dear Brian,

This letter is provided as a supplement to the Preliminary Plat Submittal and is intended to provide the written explanation of the requirements outlined in the City's Preliminary Plat Checklist as well as to variance request as listed below. As part of the checklist submittal, the following information is attached for review and comment by the necessary City Agencies and the City Planning and Zoning Commission:

- A digital copy Draft Final Plat
- A digital copy of the Subdivision Data Sheet
- A digital copy of the Preliminary Construction Plans (including Grading Plans)
- A digital copy of the Drainage Report
- A digital copy of the Letter of Water and Sewer Availability
- Financial Guarantee (not included at this time)
- A digital copy of Preliminary Engineer's Opinion of Probable Cost
- A digital copy of the Subdivision Infrastructure List
- A digital copy of the Application
- A digital copy of the Preliminary Plat Requirement Checklist
- A digital copy of the Authorization Letter

This preliminary plat request is made for the purpose of creating 53 residential lots and 3 tracts where 1 tract previously existed.

PRELIMINARY PLAT CHECKLIST

The following items are additional written explanations for items noted as N/A or "No" on the City's Preliminary Plat Checklist:

Draft Final Plat – Draft Final Plat shows Lot line, easement line and Public ROW are labeled but not hatched as it gets to messy and difficult to read.

Construction Plans – Landscape plans will be provided with the final construction plan review.

Grading Plans – They have not been reviewed and comments will most likely be provided and need to be addressed before they are finalized and stamped.

Traffic Impact Analysis – This has been previously submitted and approved as part of the Broadmoor Master Plan efforts.

Soils Analysis Report - This has been previously submitted with Broadmoor Heights Unit 3.

Special Problem Analysis- There are no Special Analysis with this site.

Proposed Financial Guaranty – Not provided at this time. It will be provided prior to final plat.

Proposed Development Agreement – This has been previously submitted with Broadmoor Heights Unit 3 and approved by CoRR

DESIGN VARIANCES

1. We are requesting a variance to 155.43 regarding 5' minimum width easements on all rear and side lot lines. Because this is a master planned community, all the utilities will be designed to serve the entire development as a whole and all necessary utility easement corridors have been determined as shown on the preliminary plat including a Public Utility Easement along the front of all lots. Therefore, we are requesting a variance to waive the requirement for easements along the sides and back of each lot.

Please feel free to give me a call at 823-1000 if you should have any questions or required any additional information regarding the submittal.

Sincerely,

Kelly Klein, P.E.
Engineer
Community Development & Planning

Enclosures
cc: David Beckham, BGV Rio Rancho I, LLC (w/encl)
Jeff Jesionowski, (w/encl)

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

September 6, 2023

RE: Preliminary Plat & Subdivision Variance
Case No. 23-210-00010 & 23-280-00008
Broadmoor Heights Unit 4 Subdivision

Dear Property Owner:

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

The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a preliminary plat creating Broadmoor Heights Unit 4 Subdivision: 53 Single-Family Lots and 3 tracts on 14.4558 acres, zoned R-4: Single-Family Residential

Concurrent with this preliminary plat is a request for a subdivision variance to R.O. 2003 §155.43 requiring 5' minimum width public-utility-easements on all rear and side lot lines for the Broadmoor Heights Unit 4 Subdivision.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, September 26, 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,

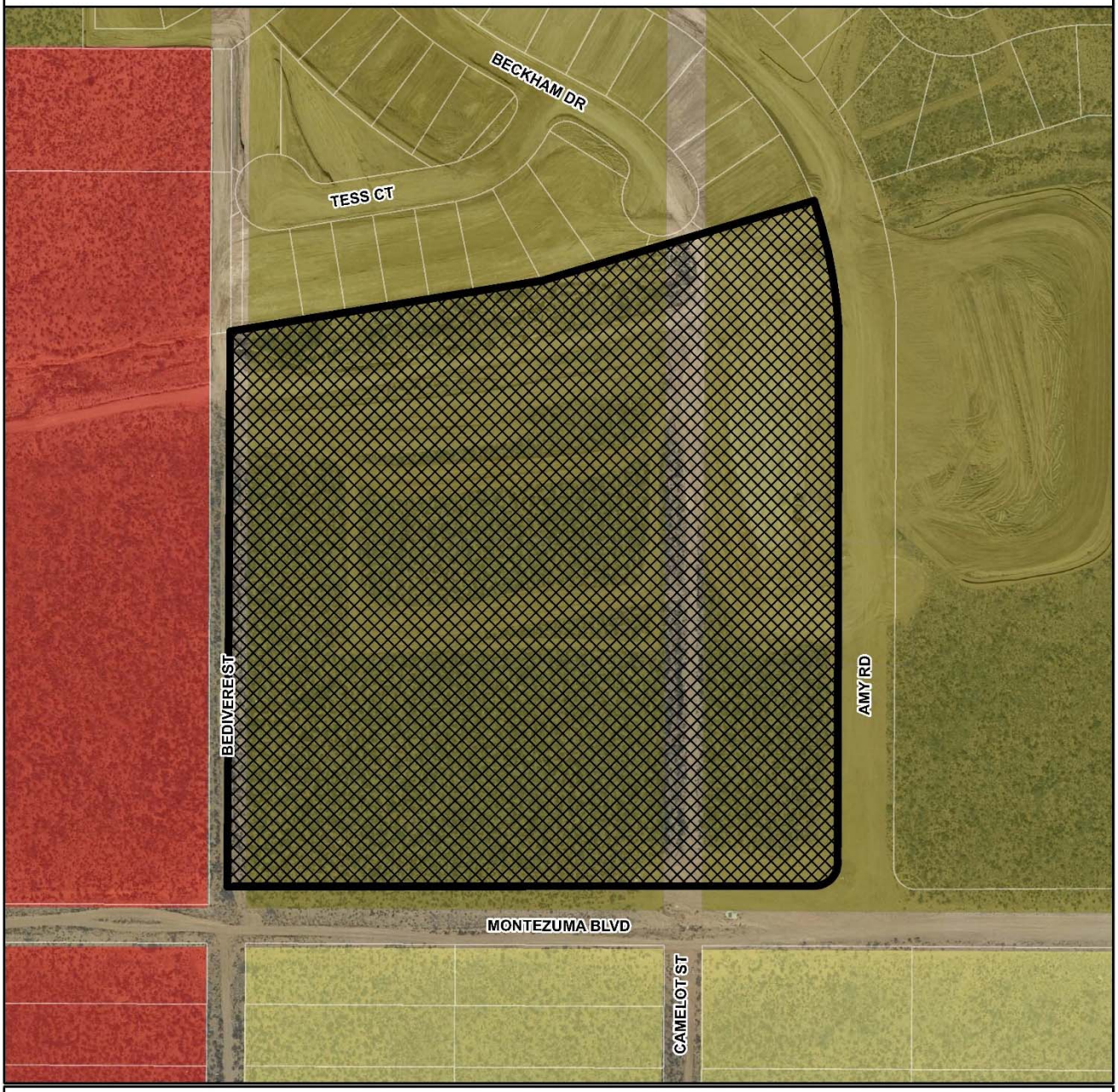
Christopher Benson

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

BROADMOOR HEIGHTS UNIT 4
SUBDIVISION VARIANCE & PRELIMINARY PLAT



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

Map Created by Chris Benson on 08/28/2023

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 and Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**September 26, 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

NOTICE OF PUBLIC HEARING

Meeting:	Planning and Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**September 26, 2023**
Time:	6:00PM
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, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a subdivision variance to §155.43 requiring 5' minimum width public-utility-easements on all read and side lot lines for the Broadmoor Heights Unit 4 Subdivision. The PZB will hear the request on September 26, 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

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, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a subdivision variance to §155.43 requiring 5' minimum width public-utility-easements on all read and side lot lines for the Broadmoor Heights Unit 4 Subdivision. The PZB will hear the request on September 26, 2023.

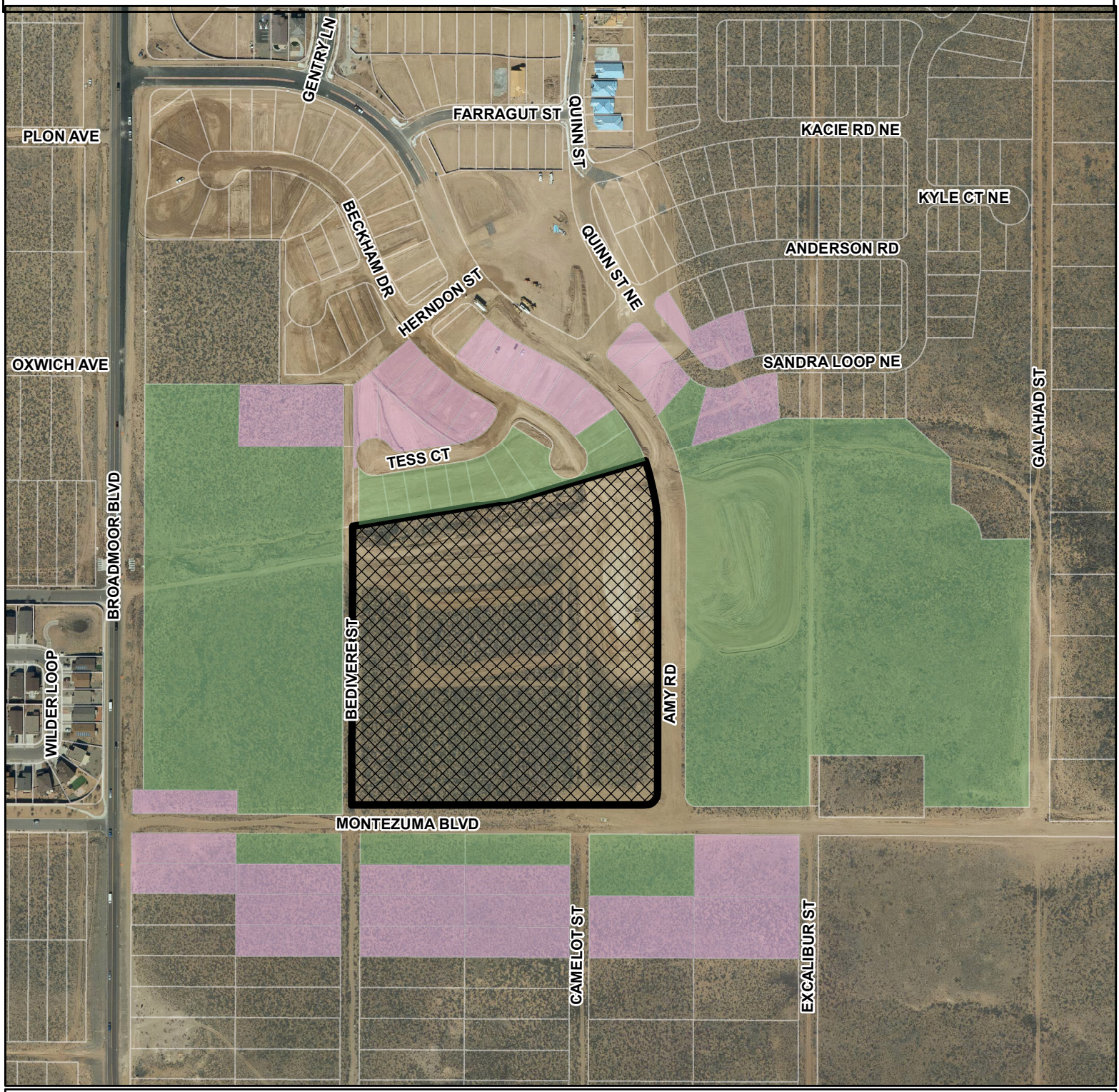
We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:

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

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



BROADMOOR HEIGHTS UNIT 4
NOTICED PROPERTIES



City of Vision

0 400 800 1,600
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 08/29/2023

N W E S

- Notice Postcard
- Notice Letter
- Subject Property

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

Ad Proof/Order Confirmation

Account Number
1010956

Ad Order Number
0001578682

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		$93.20	**Sales Rep**	wschult	
Tax Amount		$7.11	**Order Taker**	wschult	
Total Amount		$100.31			
Amount Paid		$0.00			
Amount Due		$100.31			
Affidavits	0				

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

https://securepayment.link/abqjournal/

Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001578682-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEPLANNINGANDZONINGB OARDOFTHECITYOFRIORANCHONM WILLCONSIDERTHEFOLLOWINGMAT TERSATITSREGULARLYSCHE
Ad Size	1 X 115 li		
Color			

Run Date
09/25/2023
09/25/2023
09/25/2023

WYSIWYG Content

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, October 10, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00003
The applicant, City of Rio Rancho, requests to amend City of Rio Rancho Code of Ordinances (R.O. 2003) Chapter 154 Planning and Zoning for the addition of Section 154.45 Off-Premises Advertising Signs.

Site Plan
Case #23-160-00007
The applicant, Matthew Herrera X2D, LLC., requests site plan approval for the properties of 700, 704, and 708 Southern Blvd SE, legally described as Rio Rancho Estates Unit 10, Block 7, Lot 1-3.

Preliminary Plat
Case #23-210-00010
The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a preliminary plat creating Broadmoor Heights Unit 4 Subdivision.

Subdivision Variance
Case #23-210-00010
The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a subdivision variance to §155.43 requiring 5' minimum width public-utility-easements on all rear and side lot lines for the Broadmoor Heights Unit 4 Subdivision.

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

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

Journal: September 25, 2023

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: August 28, 2023

TO: (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, 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: **Preliminary Plat**: DSD #23-210-00010 (Broadmoor Heights Unit 4) #23-280-00008 (Subdivision Variance)

The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a preliminary plat creating Broadmoor Heights Unit 4 Subdivision: 53 Single-Family Lots and 3 tracts on 14.4558 acres, zoned R-4: Single-Family Residential.

Concurrent with this preliminary plat is a request for a subdivision variance to 155.43 regarding 5' minimum width easements on all rear and side lot lines.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, September 11, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Chris Benson at 505-896-8342 or e-mail cbenson@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

RRFR Comments: International Fire Code 2021 shall be followed.

1. **IFC Appendix D107- exceeds 30 units shall be provided with two separate and approved fire apparatus access roads.**
    a. **Where there are more than 30 dwelling units accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.**
2. **Turning radius shall be 28', curb to curb distance shall be 31'11" and cul-de-sacs shall be 96' in diameter per IFC Appendix D**
3. Confirm fire hydrants are in approved distances and locations
4. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
5. Hydrant distances shall 500' for residential.
6. No construction is to begin until fire hydrants are fully operational.
7. No crash gates shall be allowed. No dead ends shall be approved.
8. Gated subdivision shall require Knox box at entries.
9. Further requirements may be necessary upon development.

Gerard Bauer _____ 9/5/23
Reviewer Date

David,

Rio Rancho Fire Marshal's Office approves both Broadmoor Heights Phase 4 and 5 additional access points.

Thank you,

Jessica Duron-Martinez
Fire Marshal/Battalion Chief

Rio Rancho Fire Rescue / Fire Marshal's Office

O: 505.891.5924 **C:** 505.917.6552

RRNM.gov |jamartinez@rrnm.gov

Plan Review Submittals or Fire Finals please contact Lt. Gerard Bauer gbauer@rrnm.gov
https://rrnm.gov/690/Fire-Inspections

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 23-280-00008

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER 155.43, REQUIRING 5 FOOT MINIMUM EASEMENTS ON THE SIDE AND REAR LOT LINES FOR THE BROADMOOR HEIGHTS UNIT 4 SUBDIVISION LEGALLY DESCRIBED AS BROADMOOR HEIGHTS TRACT 4-A.

Applicant: BGV Rio Rancho I, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 10th day of October, 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 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to easement requirements.
2. Following procedures for approval of a Subdivision Variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a Subdivision Variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a subdivision variance as set forth in R.O. 2003 §155.60.
2. A variance to R.O. § 155.43 requiring "Easements of at least five feet in width shall be provided and dedicated

THEREFORE, the application for a subdivision variance to the requirement of requirement improvements of a subdivision, is **APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 10, 2023, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Board Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 23-280-00008

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER 155.43, REQUIRING 5 FOOT MINIMUM EASEMENTS ON THE SIDE AND REAR LOT LINES FOR THE BROADMOOR HEIGHTS UNIT 4 SUBDIVISION LEGALLY DESCRIBED AS BROADMOOR HEIGHTS TRACT 4-A.

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GENERAL FINDINGS OF FACT:

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

SPECIFIC FINDINGS OF FACT:

1. The applicant has not provided adequate justification for a Subdivision Variance, in accordance with the criteria set forth in R.O. 2003 § 155.60.
2. The applicant has not provided adequate justification for a modification or exception to the subdivision requirements as required by R.O. 2003 §155.43.

THEREFORE, the application for a subdivision variance to the requirement improvements of a subdivision, is **DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 10, 2023, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Board Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-210-00010

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat. The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., is requesting approval to create 53 residential lots and 3 tracts, all zoned R-4: Single-Family Residential, from the property legally described as Broadmoor Heights Tract 4-A. Staff contact is Chris Benson and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., is requesting approval for a preliminary plat for Broadmoor Heights Unit 4 Subdivision, creating 53 residential lots and 3 tracts all zoned R-4: Single-Family Residential. The property is legally described as Broadmoor Heights Tract 4-A.

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

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

A Subdivision Variance request to Section 154.43 of the City Code is being heard concurrently under case #23-280-00008.

GENERAL INFORMATION:
1. Layout: Broadmoor Heights Unit 4 would contain 53 residential lots and 3 HOA tracts.
2. Acreage: 14.4558 Acres
3. Access: The proposed development would be accessed off of Amy Rd NE, a residential road, via Montezuma Blvd NE, a residential road. A private emergency access point for emergency response vehicles is located at the end of Alicia Ct NE. This access has been approved by Rio Rancho Fire and Rescue (see attachment and exhibit).
4. Zoning: The subject property is zoned R-4: Single-Family Residential per Ordinance No. 20, Enactment No. 17-22, enacted September 27, 2017.
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 letter was issued by the City of Rio Rancho Utilities Department for the Broadmoor Heights/Cuesta al Este Subdivision on February 20, 2017.
7. Drainage: Storm runoff will drain southwest to northeast. Storm runoff will be conveyed by the internal street network and collected by an internal storm drain network, which will

connect to the Backbone storm drain and discharge to the Broadmoor Heights Community Pond at the southeast corner of Unit 3.

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 set our 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 the road right-of-way. There is an existing remaining portion of a 30' drainage easement modified by this plat, and a 20' public sanitary sewer easement granted by this plat. Tract C includes an existing drainage easement retained in place of vacated former right of way, an existing 20' sanitary sewer easement, and an existing floating public drainage easement, former location within Tract 4-A, now confined and defined by this plat within Tract C only. Tracts A, B, and C shall be designated as private common areas with blanket landscape and public drainage easements.
11. Public Site Dedications: None.
12. Vacations: None.
13. Variances: The applicant is requesting a variance to 155.43 of the City Code, regarding required 5 foot minimum easements on all side and rear lot lines. The variance is being heard concurrently under case #23-280-00008.

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:

Staff recommends the Planning and Zoning Board find the proposed preliminary plat may conform to the requirements of R.O. 2003 Chapter 155 Subdivisions, should variance request #23-280-00008 be approved. Criteria may be satisfied.

CONFORMANCE WITH THE ZONING ORDINANCE:

The proposed lots would comply with the dimensional standards of the R-4: Single-Family Residential zoning district including lot area and lot width as laid out in R.O. 2003 § 154.50. The proposed preliminary plat contains lots which would measure approximately 5,976 sf to 15,611 sf in compliance with the 4,000 sf minimum lot area of the R-4: Single-Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 40ft, with lot widths ranging from 45 ft to 63.94 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 CITY COMPREHENSIVE PLAN:
In Chapter 5, Land Use Element, a policy is to "encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan", (5.6.3, Policy L-1).

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

CONFORMANCE WITH THE BROADMOOR HEIGHTS MASTER PLAN:

The proposed R-4: Single-Family Residential density and lot layout meets the requirements of the master plan. The layout is similar to the layout on Page 9 of the Master Plan.

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

CONFORMANCE WITH CITY POLICIES AND REGULATIONS:

The Departments of Development Services, Fire & Rescue, MRMPO, and SSCAFCA received this application and associated plans. Comments are attached to this document. The application materials were also sent to Parks, Recreation, and Community Services, Police, and RRPS. No comments have been received.

SURROUNDING LAND USE/ZONING:
Properties to the north and east are zoned R-4: Single-Family Residential and are also within the Broadmoor Heights Master Plan. Properties to the west are zoned C-1: Retail Commercial. Properties to the south are zoned R-1: Single-Family Residential.

NOTIFICATIONS:

Notice of the pending development application was sent via first class mail to property owners 100 ft from the subject property and via information postcard to property owners 100-300 ft from the subject property 15 days prior to the hearing. A legal notification was published in the Albuquerque Journal on September 25, 2023. A notification was posted on the property one week prior to the hearing on October 3, 2023.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided within this document.
DSD Engineering	X	No adverse comments at this time.
Rio Rancho Public Schools	X	No comments received.
Fire and Rescue	X	Included as an attachment.
Police Department	X	No comments received.
SSCAFCA	X	SSCAFCA has no comments.
MRCOG/MRMPO	X	Included as an attachment.
Parks, Recreation, and Community Services	X	No comments.

IMPACT:

The Development Services Department recommends the Planning and Zoning Board approve preliminary plat case no. 23-210-00010 subject to the following findings of fact and conditions of approval:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over the subject property and the applicant's request for approval of the preliminary plat.
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 Ordinances (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary plat conforms to the requirements of the R-4: Single-Family Residential Zoning District.

4. The preliminary plat conforms to the Broadmoor Heights Master Plan, adopted as amended under Resolution No. 53, Enactment. No. 17-053.
5. Emergency Access shall be provided within Tract C from Alicia Loop NE to Amy Road NE.
6. In accordance with R.O. § 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.
7. 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.
8. Impact fee assessment will be based on the date of the preliminary plat approval and valid for four (4) years from the date of this approval.

ALTERNATIVES:

The Planning and Zoning Board may:

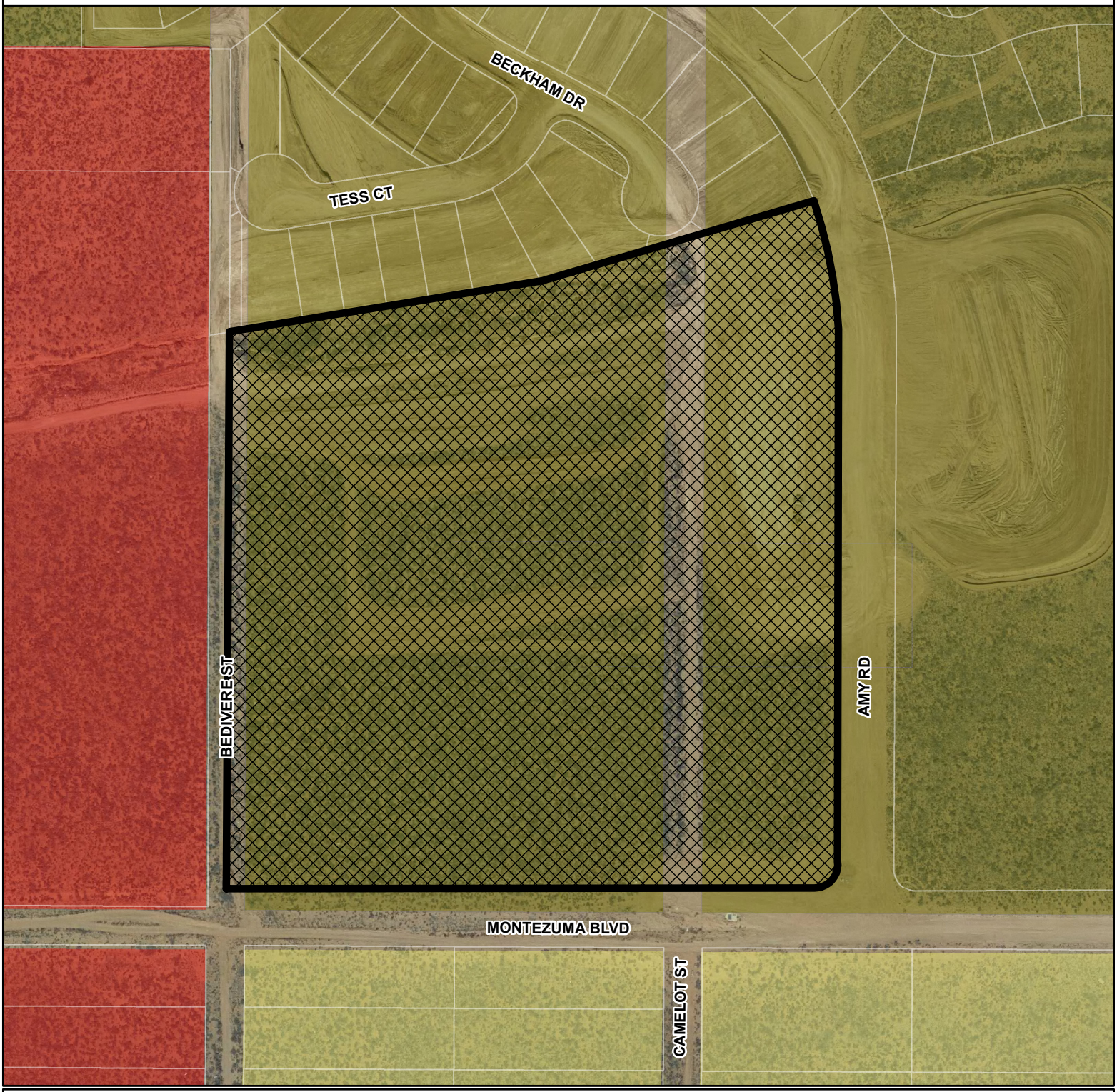
1. Approve the preliminary plat with staff recommendations and conditions.
2. Approve the preliminary plat with amendments to recommendations and/or conditions.
3. Deny the preliminary plat.
4. Postpone the item and continue the public hearing for the preliminary plat in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: Location Map
ATTACHMENT: BHU4 Preliminary Plat
ATTACHMENT: Application
ATTACHMENT: Authorization Letter
ATTACHMENT: Cover Letter
ATTACHMENT: Notice Letter
ATTACHMENT: Notice Postcard
ATTACHMENT: Noticed Properties
ATTACHMENT: Fire & Rescue Comments.pdf
ATTACHMENT: Secondary Emergency Access Exhibit.pdf

BROADMOOR HEIGHTS UNIT 4
SUBDIVISION VARIANCE & PRELIMINARY PLAT



Rio Rancho
City of Vision

0 200 400 800
Feet

Subject Property

Zoning

C-1

R-1

R-4

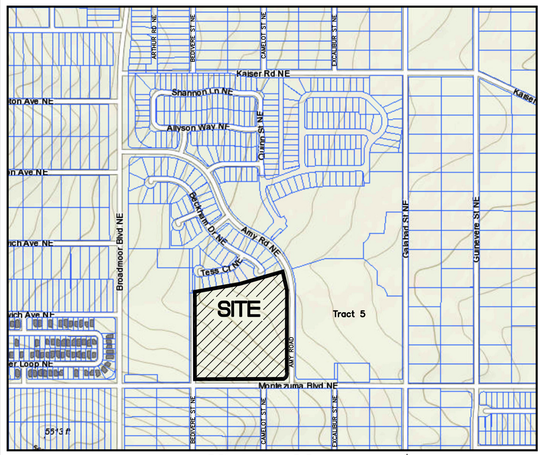
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GIS
Moving Spatial Data Forward

Map Created by Chris Benson on 08/28/2023

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

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



Vicinity Map

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN FEBRUARY 2006 AND NOVEMBER 2012 AND ADDITIONAL SURVEY WORK PERFORMED IN JUNE & JULY 2013 AND APRIL & MAY 2017.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 6, TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M., WITHIN THE TOWN OF ALAMEDA GRANT.
4. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
5. SUBDIVISION DATA

NUMBER OF TRACTS REPLATTED:	1
NUMBER OF LOTS CREATED:	53
NUMBER OF TRACTS CREATED:	3
MILES OF ROAD CREATED:	0.3567 MILES
RIGHT OF WAY DEDICATED BY THIS PLAT:	2.4558 ACRES
TOTAL PLATTED ACREAGE:	14.4558 ACRES

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

Free Consent & Dedication

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

BGV RIO RANCHO I, LLC

_____
DAVID BECKHAM, AUTHORIZED REPRESENTATIVE DATE

STATE OF)
) SS
COUNTY OF)

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

BY: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Indexing Information

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

Purpose of Plat

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

Documents

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

Legal Description

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

Filing Information

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

THIS INSTRUMENT WAS FILED FOR RECORD ON

___:___ AM/PM, _____,
20___

RECORDED IN VOLUME _____, OF RECORDS OF SAID

COUNTY, FOLIO _____

BY: _____,
DEPUTY

Public Approvals

CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

APPROVED THE _____ DAY OF _____ , 2019.

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

CITY CLERK'S CERTIFICATE:

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

_____ DAY OF _____, 2019.

BY: _____
REBECCA MARTINEZ, CITY CLERK

TREASURER'S CERTIFICATE:

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

_____
SANDOVAL COUNTY TREASURER DATE

Public Utility Easements

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

A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.

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

C. Qwest Corporation d/b/a CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Sparklight for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

E. City of Rio Rancho Utilities (water and sanitary sewer) for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.
Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

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

Utility Approvals

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

_____
CITY OF RIO RANCHO

_____
QWEST CORPORATION D/B/A CENTURYLINK QC

_____
PNM ELECTRIC

_____
NEW MEXICO GAS COMPANY

_____
SPARKLIGHT

_____
COMCAST

Jurisdiction Certification

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

_____
BRIAN J. MARTINEZ DATE
N.M.P.S. No. 18374

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

Surveyor's Certificate

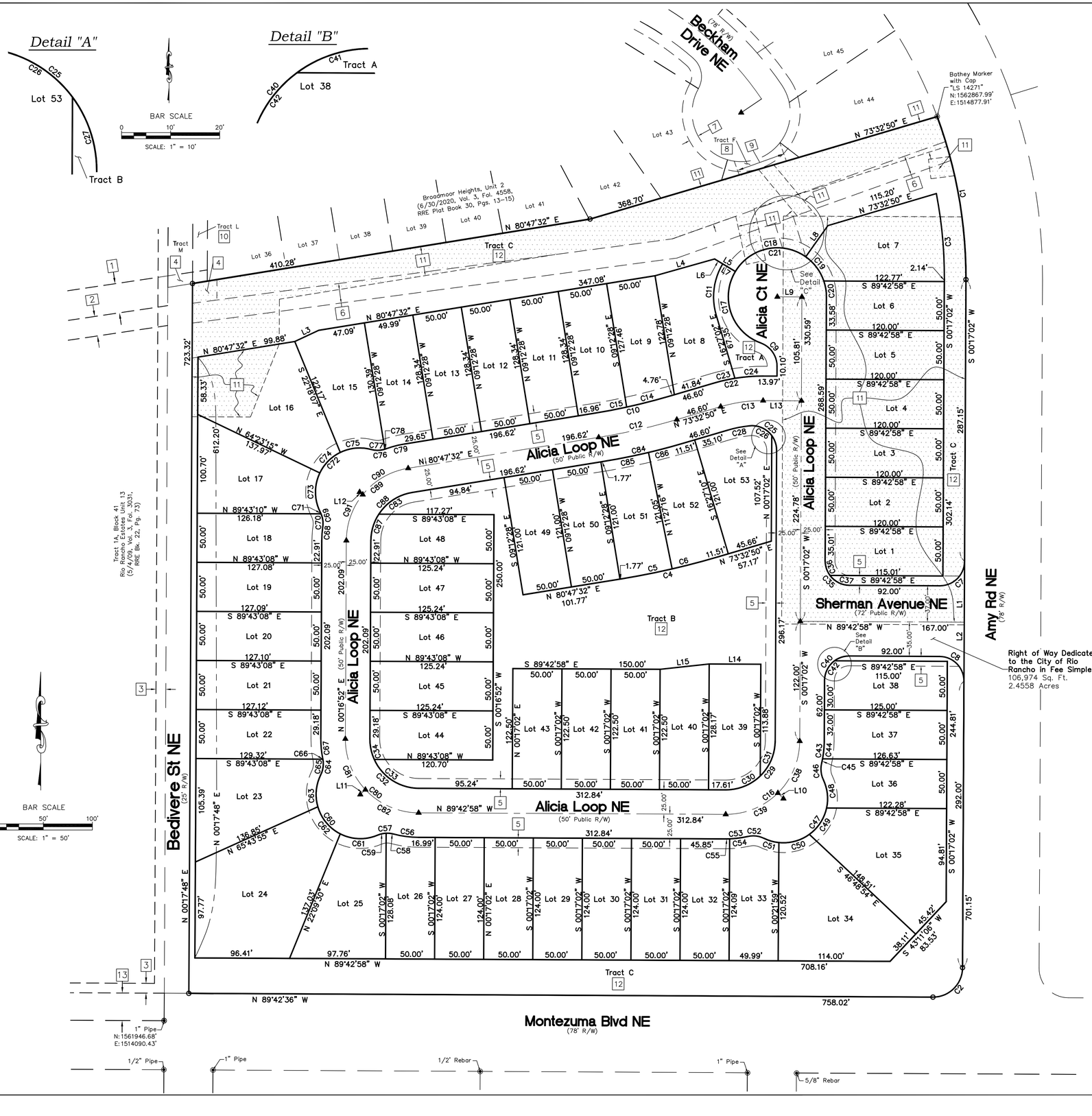
I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS OF THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER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

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

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

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

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



Legend

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

Easement Notes

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

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

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

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

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

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

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

RRE Plat Book ___, Page ___

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

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

Request for preliminary plat approval and subdivision variance.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

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

ACKNOWLEDGEMENT

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

Print Name: Kelly Klein, P.E.	Applicant:	Agent: X
Signature:		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
23-210-00010	$	

APPLICATION ACCEPTED BY: Christopher Benson **DATE:** 08/28/2023

Form revised June 2014

October 6, 2017

Mr. David Serrano
City of Rio Rancho
Development Services
3200 Civic Center Circle ME
Rio Rancho, NM 87144

RE: Agent Authorization for Broadmoor Heights Subdivision

Dear Mr. Serrano,

BGV Rio Rancho I, LLC authorizes Bohannan Huston Inc. and Cartesian Surveys to act as its agents in all matters associated with platting and construction plans for the above referenced project. Please call me with any questions or concerns.

Thank you,

David Beckham
BGV Rio Rancho I, LLC

Bohannan Huston

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

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

August 16, 2023

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

Re: Preliminary Plat Submittal – Broadmoor Heights Unit 4 (Tract 4 Broadmoor Heights)

Dear Brian,

This letter is provided as a supplement to the Preliminary Plat Submittal and is intended to provide the written explanation of the requirements outlined in the City's Preliminary Plat Checklist as well as to variance request as listed below. As part of the checklist submittal, the following information is attached for review and comment by the necessary City Agencies and the City Planning and Zoning Commission:

- A digital copy Draft Final Plat
- A digital copy of the Subdivision Data Sheet
- A digital copy of the Preliminary Construction Plans (including Grading Plans)
- A digital copy of the Drainage Report
- A digital copy of the Letter of Water and Sewer Availability
- Financial Guarantee (not included at this time)
- A digital copy of Preliminary Engineer's Opinion of Probable Cost
- A digital copy of the Subdivision Infrastructure List
- A digital copy of the Application
- A digital copy of the Preliminary Plat Requirement Checklist
- A digital copy of the Authorization Letter

This preliminary plat request is made for the purpose of creating 53 residential lots and 3 tracts where 1 tract previously existed.

PRELIMINARY PLAT CHECKLIST

The following items are additional written explanations for items noted as N/A or "No" on the City's Preliminary Plat Checklist:

Draft Final Plat – Draft Final Plat shows Lot line, easement line and Public ROW are labeled but not hatched as it gets to messy and difficult to read.

Construction Plans – Landscape plans will be provided with the final construction plan review.

Grading Plans – They have not been reviewed and comments will most likely be provided and need to be addressed before they are finalized and stamped.

Traffic Impact Analysis – This has been previously submitted and approved as part of the Broadmoor Master Plan efforts.

Soils Analysis Report - This has been previously submitted with Broadmoor Heights Unit 3.

Special Problem Analysis- There are no Special Analysis with this site.

Proposed Financial Guaranty – Not provided at this time. It will be provided prior to final plat.

Proposed Development Agreement – This has been previously submitted with Broadmoor Heights Unit 3 and approved by CoRR

DESIGN VARIANCES

1. We are requesting a variance to 155.43 regarding 5' minimum width easements on all rear and side lot lines. Because this is a master planned community, all the utilities will be designed to serve the entire development as a whole and all necessary utility easement corridors have been determined as shown on the preliminary plat including a Public Utility Easement along the front of all lots. Therefore, we are requesting a variance to waive the requirement for easements along the sides and back of each lot.

Please feel free to give me a call at 823-1000 if you should have any questions or required any additional information regarding the submittal.

Sincerely,

Kelly Klein, P.E.
Engineer
Community Development & Planning

Enclosures
cc: David Beckham, BGV Rio Rancho I, LLC (w/encl)
Jeff Jesionowski, (w/encl)

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

September 6, 2023

RE: Preliminary Plat & Subdivision Variance
Case No. 23-210-00010 & 23-280-00008
Broadmoor Heights Unit 4 Subdivision

Dear Property Owner:

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

The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a preliminary plat creating Broadmoor Heights Unit 4 Subdivision: 53 Single-Family Lots and 3 tracts on 14.4558 acres, zoned R-4: Single-Family Residential

Concurrent with this preliminary plat is a request for a subdivision variance to R.O. 2003 §155.43 requiring 5' minimum width public-utility-easements on all rear and side lot lines for the Broadmoor Heights Unit 4 Subdivision.

The **Planning and Zoning Board** will consider the request and have the final approval on **Tuesday, September 26, 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,

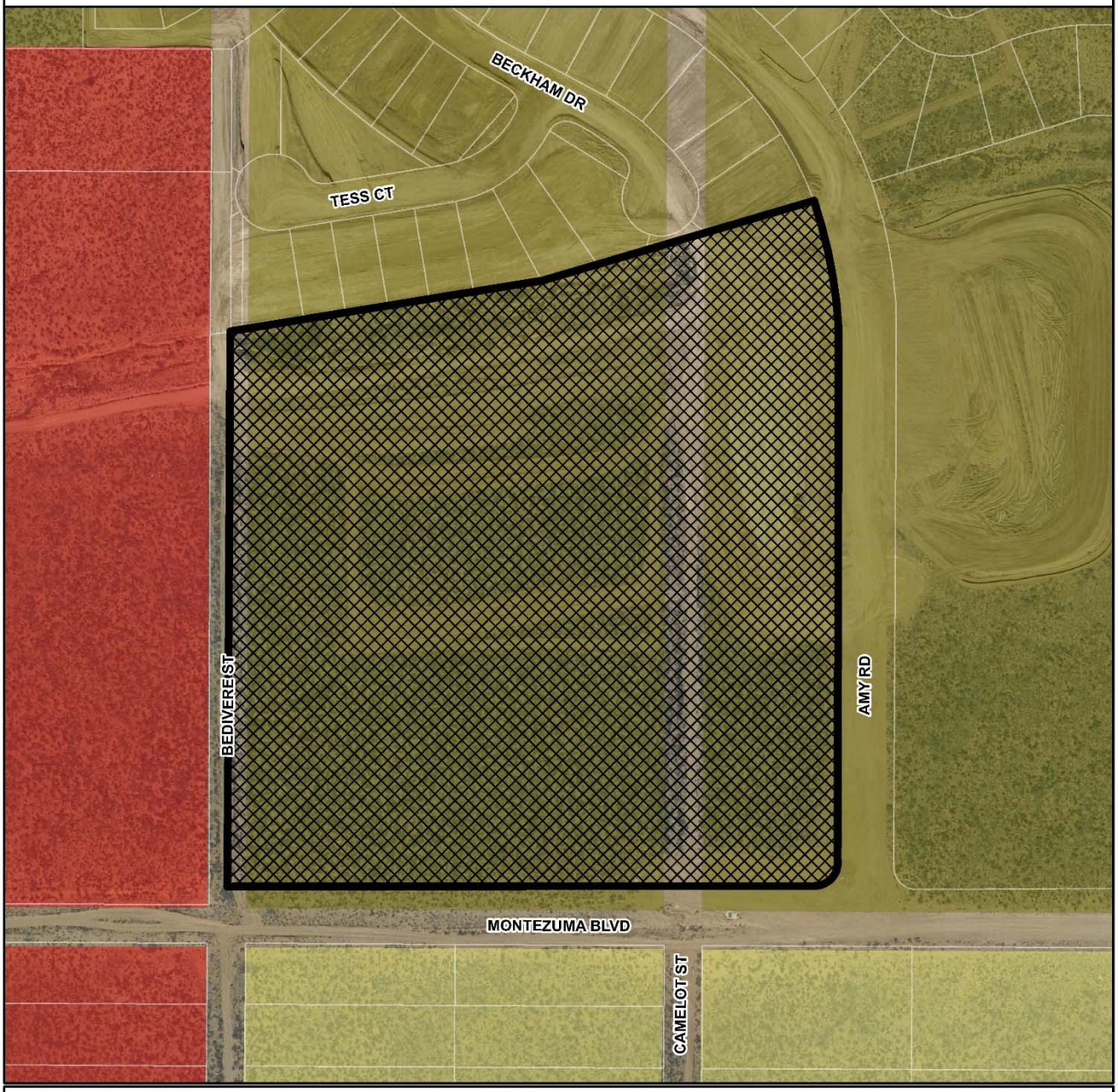
Christopher Benson

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

BROADMOOR HEIGHTS UNIT 4
SUBDIVISION VARIANCE & PRELIMINARY PLAT



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

Map Created by Chris Benson on 08/28/2023

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 and Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**September 26, 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

NOTICE OF PUBLIC HEARING

Meeting:	Planning and Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**September 26, 2023**
Time:	6:00PM
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, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a subdivision variance to §155.43 requiring 5' minimum width public-utility-easements on all read and side lot lines for the Broadmoor Heights Unit 4 Subdivision. The PZB will hear the request on September 26, 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

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, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a subdivision variance to §155.43 requiring 5' minimum width public-utility-easements on all read and side lot lines for the Broadmoor Heights Unit 4 Subdivision. The PZB will hear the request on September 26, 2023.

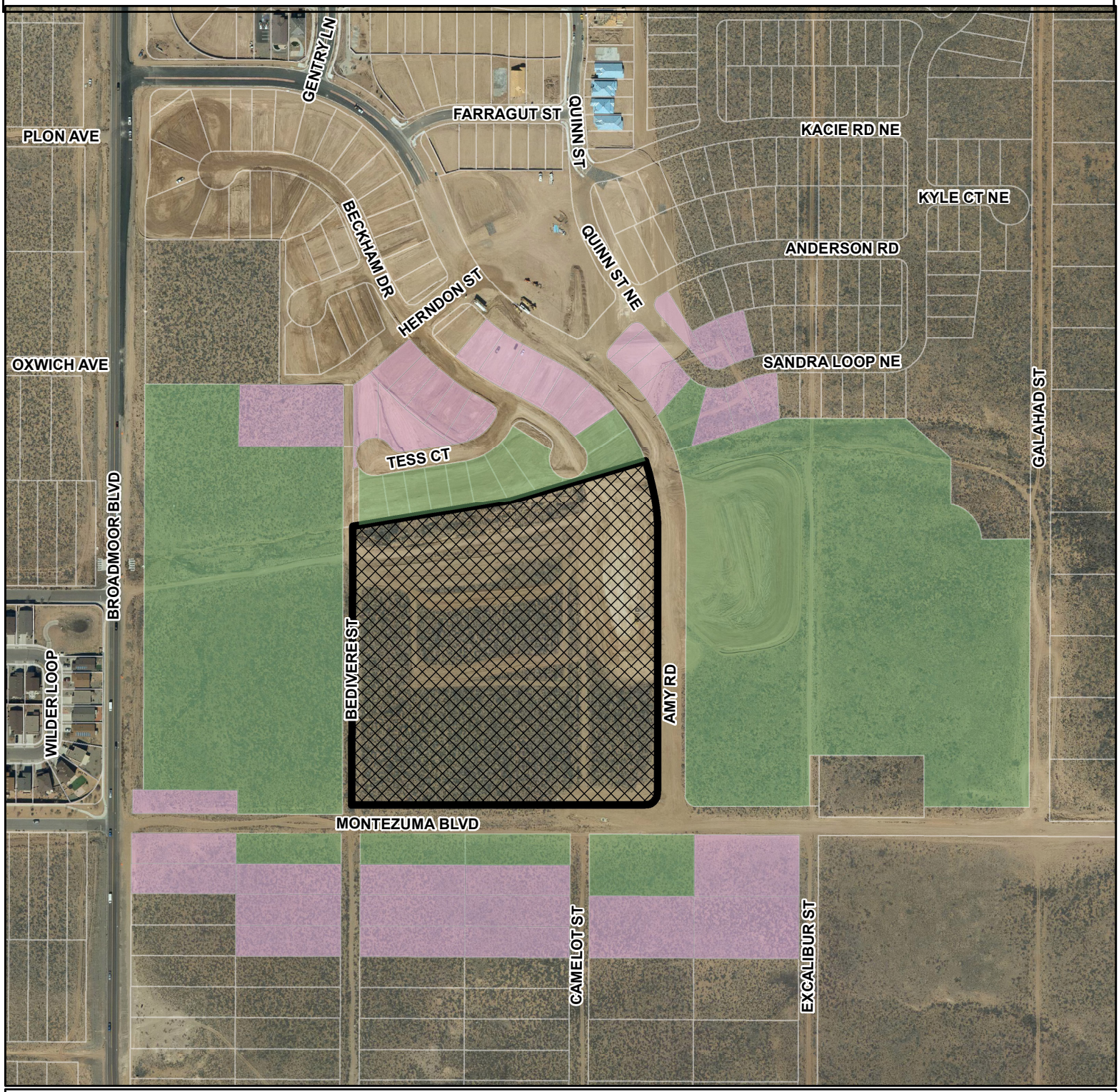
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Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



BROADMOOR HEIGHTS UNIT 4
NOTICED PROPERTIES



City of Vision

0 400 800 1,600
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 08/29/2023

N W E S

- Notice Postcard
- Notice Letter
- Subject Property

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: August 28, 2023

TO: (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, 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: **Preliminary Plat**: DSD #23-210-00010 (Broadmoor Heights Unit 4) #23-280-00008 (Subdivision Variance)

The applicant, BGV Rio Rancho I, LLC, through their agent, Bohannan Huston Inc., requests approval of a preliminary plat creating Broadmoor Heights Unit 4 Subdivision: 53 Single-Family Lots and 3 tracts on 14.4558 acres, zoned R-4: Single-Family Residential.

Concurrent with this preliminary plat is a request for a subdivision variance to 155.43 regarding 5' minimum width easements on all rear and side lot lines.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, September 11, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Chris Benson at 505-896-8342 or e-mail cbenson@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

RRFR Comments: International Fire Code 2021 shall be followed.

1. **IFC Appendix D107- exceeds 30 units shall be provided with two separate and approved fire apparatus access roads.**
    a. **Where there are more than 30 dwelling units accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.**
2. **Turning radius shall be 28', curb to curb distance shall be 31'11" and cul-de-sacs shall be 96' in diameter per IFC Appendix D**
3. Confirm fire hydrants are in approved distances and locations
4. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
5. Hydrant distances shall 500' for residential.
6. No construction is to begin until fire hydrants are fully operational.
7. No crash gates shall be allowed. No dead ends shall be approved.
8. Gated subdivision shall require Knox box at entries.
9. Further requirements may be necessary upon development.

Gerard Bauer _____ 9/5/23
Reviewer Date

David,

Rio Rancho Fire Marshal's Office approves both Broadmoor Heights Phase 4 and 5 additional access points.

Thank you,

Jessica Duron-Martinez
Fire Marshal/Battalion Chief

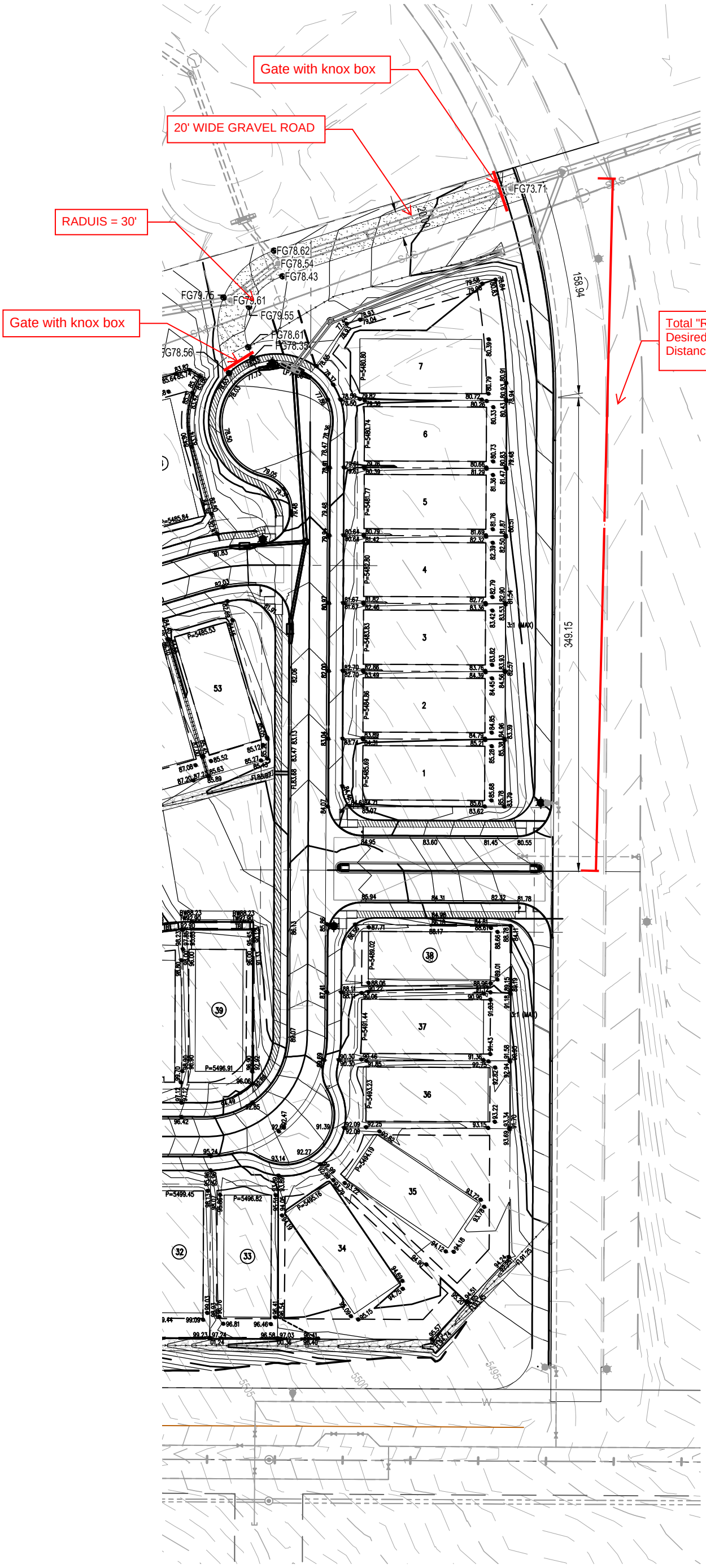
Rio Rancho Fire Rescue / Fire Marshal's Office

O: 505.891.5924 **C:** 505.917.6552

RRNM.gov |jamartinez@rrnm.gov

Plan Review Submittals or Fire Finals please contact Lt. Gerard Bauer gbauer@rrnm.gov
https://rrnm.gov/690/Fire-Inspections

BROADMOOR HEIGHTS UNIT 4
FIRE ACCESS - REMOTENESS
EXHIBIT ONTO AMY
SCALE 1"=80'
09-25-2023



CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-220-00016

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Final Plat. The applicant, Amestoy Construction and Development II, LLC, through their agent, Aldrich Land Surveying, requests approval of a final plat for Tierra Del Norte creating 115 lots and 4 tracts on a subject property legally described as Unit 13, Block 43, Lots 20- 28 and 31-39, Block 44, Lots 22-42, Block 45, Lots 22-31 and 39-40. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Amestoy Construction and Development II, LLC, through their agent, Aldrich Land Surveying, requests approval of a final plat for Tierra Del Norte creating 115 lots and 4 tracts on a subject property legally described as Unit 13, Block 43, Lots 20- 28 and 31-39, Block 44, Lots 22-42, Block 45, Lots 22-31 and 39-40.

The Tierra Del Norte Preliminary Plat was originally approved by the Planning and Zoning Board on November 9, 2021 with findings and conditions and received an extension on December 13, 2022. A subdivision variance to the Rio Rancho Code of Ordinances Chapter 155.43 requiring 5 foot minimum easements on side and rear lot lines was also approved the same day as the original approval under case 21-280-00007. An amended preliminary plat was approved by the Planning and Zoning Board on September 26, 2023, which added Unit 13, Block 45, Lot 40 to the plat, which is included in Tract C, a drainage tract at the south end of the plat.

GENERAL INFORMATION:
1. Layout: The subdivision at Tierra Del Norte will consist of 115 R-2 Single Family Residential lots.
2. Acreage: 27.3425 acres.
3. Access: The main access points to the site will be provided via Broadmoor Blvd NE, a minor arterial road, and Leeds Castle Ave, which bisects the property traveling east and west. Leeds Castle Ave is designed to complement the roadway section as proposed in the adjacent Stonegate Master Plan.
4. Zoning: The subject property is zoned R-2 and R-1: Single Family Residential per Ordinance No. 23, Enactment No. 21-25 and Ordinance No. 57, Enactment No. 08-58. A portion of the property is also located within a Corridor Overlay Zone per Ordinance No. 08-58, which provides standards for access, floodplain, and design standards for commercial and multi-family.
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 submitted a site-specific water/wastewater availability statement and has received approval from the Utilities Department.
7. Drainage: As stated in the Drainage Report, when developed, the site will drain along Tierra Del Estrella Drive and south along Tierra Del Norte Loop. Two separate drain inlets north of Leeds

Castle Ave will gather any volumetric flow. Another drain inlet along Tierra Del Norte Loop South will gather any overflow into a storm water quality pond located at the southeast end of the project.
8. Roads and Sidewalks: The proposed Leeds Castle Ave will be a standard local street section. There are 5 new roads proposed for this subdivision with 5 ft. sidewalks, totaling to 6.3537 acres of public right of way created.
9. Recreation Facilities/ Open Space: The Tierra Del Norte Master Plan states that proposed Tracts A and B will serve as private pocket parks that will be maintained by the Homeowner's Association.
10. Easements: There will be 10' wide public utility easements within the front of all proposed lots and Tracts A and B. A 30'-35' public sanitary sewage and drainage easement is included on Tract C.
12. Vacations: All existing 5' public utility easements.
13. Variances: A subdivision variance to R.O. 2003 Chapter 155.43, requiring 5' public utility easements on side and rear lot lines was approved in conjunction with the preliminary plat (21-280-00007).

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:
The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions with the previous approval of variance case #21-280-00007.

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

CONFORMANCE WITH THE ZONING ORDINANCE:
The proposed lots would comply with the dimensional standards of the R-2: 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 5,318 sf, in compliance with the 5,000 sf minimum lot area of the R- 2: Single Family Residential zoning district. The proposed lots would also comply with the minimum allowable lot width of 50ft.

Staff recommends the Planning and Zoning Board find the proposed final plat conforms to the requirements of R.O. Chapter 154 Planning and Zoning.

CONFORMANCE WITH THE COMPREHENSIVE PLAN AND TIERRA DEL NORTE MASTER PLAN:
In Chapter 5, Land Use Element, a policy is to "encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan", (5.6.3, Policy L-1).

This application would be an action in meeting with the policy of encouraging development and improves upon storm drainage, landscape, and utilities within the City of Rio Rancho as part of the Tierra Del Norte Master Plan. Staff recommends the Planning and Zoning Board find this criteria is satisfied.

SURROUNDING LAND USE/ZONING:
Adjacent properties to the east of the site are zoned R-1: Single Family Residential and C-1: Retail Commercial. Properties to the north of the site are zoned R-1 and NC: Neighborhood Commercial. Properties to the west and south of the site are zoned R-1.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

DSD Planning and Zoning	X	Comments within this document
DSD Engineering	X	No adverse comments
Rio Rancho Public Schools	X	No comments provided

Fire and Rescue	X	Comments attached
Police Department	X	No comments provided
SSCAFCA	X	Comments attached
MRCOG	X	No adverse comments
Parks, Recreation and Community Services	X	No comments provided

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 has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The Final Plat conforms to the requirements of the Rio Rancho Code of Ordinance (R.O. 2003) Chapter 155 Subdivisions.
3. The Final Plat conforms to the requirements of the R-2: Single Family Residential Zoning District.
4. Completion of infrastructure or subdivision bond and subdivision improvement agreement is required prior to recording of Final Plat.
5. The applicant shall address all of the staff comments prior to submitting construction plans or the final plat, whichever is applicable.
6. The applicant shall provide staff with a copy of the HOA formation documents.
7. The Final Plat will be filed under Book 34, Pages 57-60.

ALTERNATIVES:

The Planning and Zoning Board may:

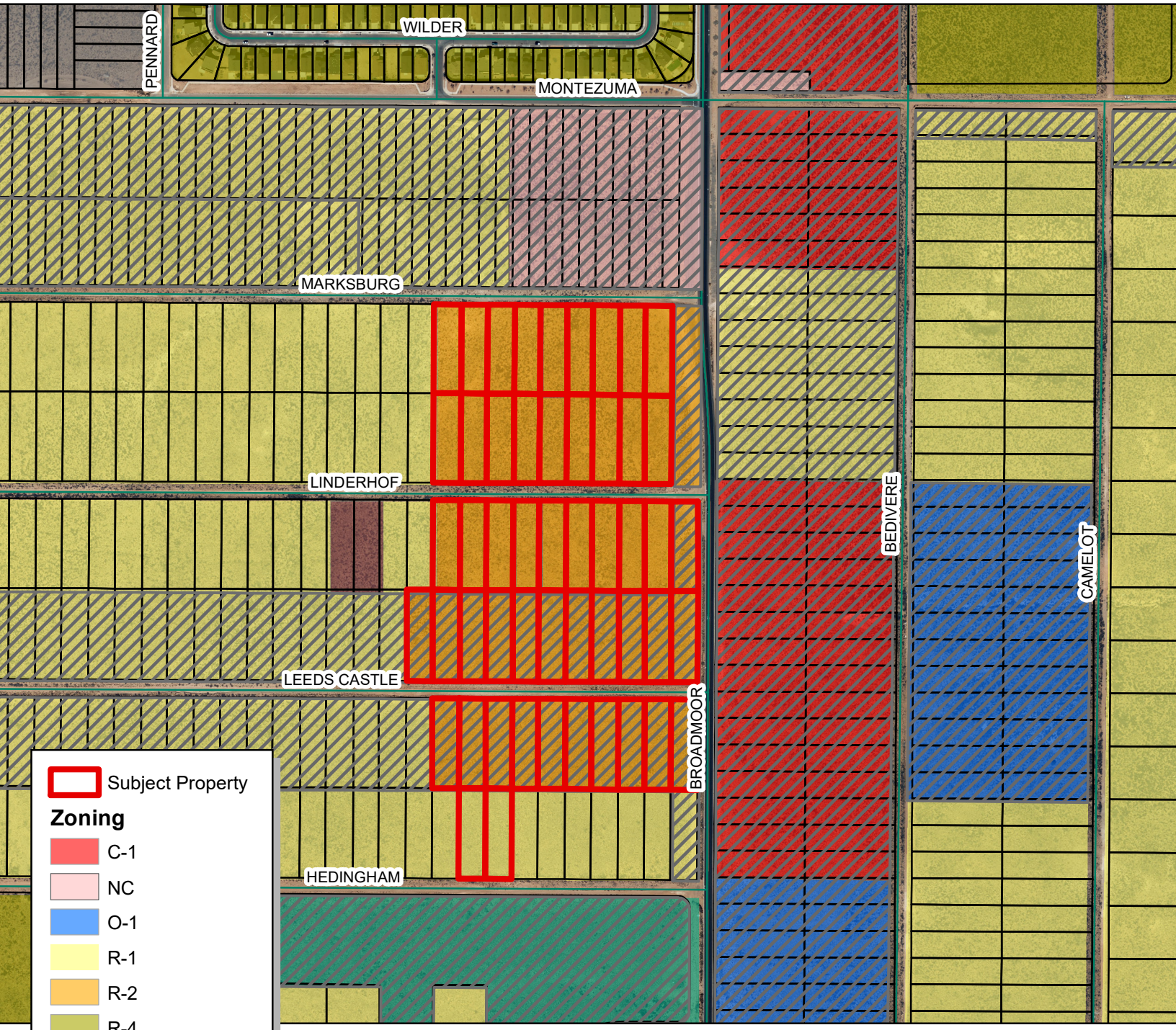
1. Approve the Final Plat with findings and conditions.
2. Approve the Final Plat with modifications to the findings and conditions.
3. Deny the Final Plat.
4. Postpone the item and continue the public hearing to further consider testimony presented at the hearing.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Zoning, Location.pdf
ATTACHMENT: Authorization.pdf
ATTACHMENT: Tierra Del Norte Final Plat.pdf
ATTACHMENT: Staff Comments.pdf

TIERRA DEL NORTE



GIS
Moving Spatial Data Forward

N
W
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S

Rio Rancho
City of Vision

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

0 370 740 1,480
Feet

Map created by: Michelle Costilla 10/3/2023

Amestoy Construction & Development II, LLC
4461 Irving Blvd. NE
Albuquerque, NM 87114

September 6, 2023

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

Re: Tierra del Norte

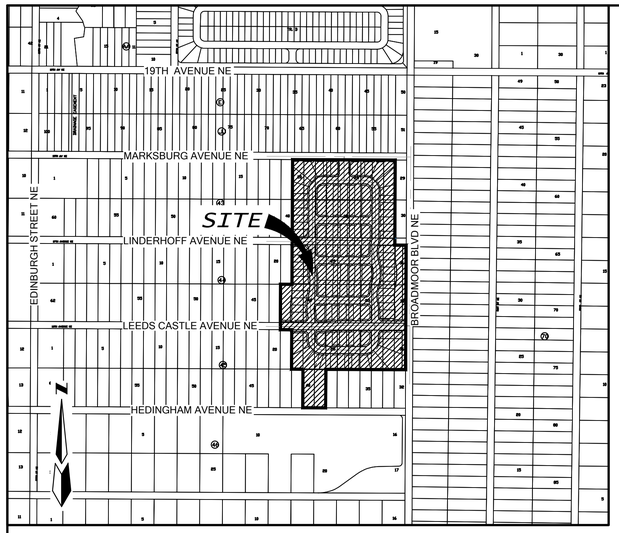
Dear Ms. Rincon:

I hereby authorize Aldrich Land Surveying., to act on my behalf for the above referenced project. The legal description pertaining to this project is Lots 20-28 and 31-39, Block 43; Lots 22-42, Block 44; and Lots 22-31 and 39-40, Block 45; Unit 13, Rio Rancho Estates.

Please contact our office if you have any questions.

Sincerely,

Pierre Amestov. Managing Member



LOCATION MAP SCALE:NTS

SUBDIVISION DATA

GROSS ACREAGE:..... 27.3425 AC.
NO. OF EXISTING LOTS..... 51 LOTS
NO. OF EXISTING TRACTS..... 0 TRACTS
NO. OF LOTS CREATED: ..... 115 LOTS
NO. OF TRACTS CREATED:..... 4 TRACTS
PUBLIC RIGHT OF WAY CREATED:. ..... 6.3537 AC.
DATE OF SURVEY: ..... DECEMBER, 2020

FREE CONSENT AND DEDICATION

THE SUBDIVISION HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF LOTS AND TRACTS AS SHOWN HEREON. THE TRACTS LABELED "H.O.A." WILL BE DEEDED IN FEE SIMPLE TO THE TIERRA DEL NORTE HOME OWNERS ASSOCIATION AND WILL BE MAINTAINED BY SAME. THEY WILL BE FOR THE BENEFIT OF THE HOME OWNERS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HERBY CONSENT TO THE GRANTING OF PUBLIC, PRIVATE AND TEMPORARY EASEMENTS AS SHOWN HEREON, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN FACILITIES THEREIN. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY GRANT ALL PUBLC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRIC, WATER, SEWER AND COMMUNICATION SERVICES, WHERE SHOWN OR INDICATED, INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE DEDICATION OF PUBLIC STREET RIGHT-OF-WAY SHOWN HEREON TO THE CITY OF RIO RANCHO IN FEE SIMPLE WITH WARRANTY COVENANTS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASABLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

OWNER(S): AMESTOY CONSTRUCTION & DEVELOPEMENT II, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

Pierre Amestoy, Managing Member Date

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
BERNALILLO COUNTY) SS

On this _____ day of _____, 2023, this instrument was acknowledged before me by Pierre Amestoy, Managing Member, for Amestoy Construction & Development II, LLC, a New Mexico Limited Liability Company on behalf of said Limited Liability Company.

Notary Public My Comission Expires

LEGAL DESCRIPTION

A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALAMEDA GRANT, PROJECTED SECTION 12, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO BEING ALL OF LOTS 20 THRU 28 AND 31 THRU 39, BLOCK 43; LOTS 22 THRU 42, BLOCK 44; AND LOTS 22 THRU 31 AND LOTS 39 AND 40, BLOCK 45, TOGETHER WITH VACATED PORTIONS OF LINDERHOFF AVENUE AND LEEDS CASTLE AVENUE S.W. PORTION OF UNIT 13, RIO RANCHO ESTATES, AS THE SAME IS SHOWN SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON APRIL 22, 1963 IN RIO RANCHO ESTATES PLAT BOOK 1, PAGE 49, AND CONTAINING 27.3425 ACRES MORE OR LESS.

PURPOSE OF PLAT

1. TO SUBDIVIDE 51 EXISTING LOTS INTO 115 NEW LOTS AND 3 TRACTS AS SHOWN HEREON.
2. TO DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY OF RIO RANCHO AS SHOWN HEREON.
3. TO GRANT ALL EASEMENTS AS SHOWN HEREON.
4. TO ELIMINATE EXISTING LOT LINES AS SHOWN.
5. TO VACATE ALL EXISTING 5' P.U.E.

SUBDIVISION NOTES

1. ALL BEARINGS ARE GRID BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE).
2. ALL DISTANCES ARE GROUND DISTANCES (U.S. SURVEY FOOT) ARE FIELD AND RECORD.
3. ALL BEARINGS AND DISTANCES ARE FIELD AND RECORD.
4. BASIS OF BOUNDARY IS THE FOLLOWING PLATS OF RECORD ENTITLED:

   "S.W. PORTION OF UNIT THIRTEEN, RIO RANCHO ESTATES" (04-22-1963, RRE PLAT BOOK 1, PAGE 49) "REPLAT S.W. PORTION OF UNIT THIRTEEN, RIO RANCHO ESTATES" (06-13-1966, RRE PLAT BOOK 1, PAGE 69) "REPLAT S.W. PORTION OF UNIT THIRTEEN, RIO RANCHO ESTATES" (08-08-1966, RRE PLAT BOOK 1, PAGE 70) "S.E. PORTION OF UNIT THIRTEEN, RIO RANCHO ESTATES" (06-02-1968, RRE PLAT BOOK 1, PAGE 77) "TRACTS A AND B, BLOCK 46, RIO RANCHO ESTATES, UNIT 13" (02-05-2009, VOLUME 3, FOLIO 2996-A) "BROADMOOR BOULEVARD, PHASE 1 ROADWAY WIDENING PROJECT" (02-02-2017, VOLUME 3, FOLIO 4055) "TIERRA DEL ORO PHASE ONE" (08-19-2019, VOLUME 3, FOLIO 4419) all being records of Sandoval County, New Mexico.

   ALL BEING RECORDS OF SANDOVAL COUNTY, NEW MEXICO.
5. FIELD SURVEY PERFORMED IN DECEMBER 2020.
6. CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO ZONE: R-1 AND R-2.
7. 100 YEAR FLOOD ZONE DESIGNATION:ZONE X, AS SHOWN ON PANEL 1900 OF 2225, FLOOD INSURANCE RATE MAP, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, DATED MARCH 18, 2008.
8. TITLE COMMITMENT: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

   COMMITMENT NO. 2010534; COMMITMENT DATE; NOVEMBER 19, 2020,
   COMMITMENT NO. 2000243; COMMITMENT DATE; JANUARY 16, 2020,
   COMMITMENT NO. 2103005; COMMITMENT DATE; MARCH 30, 2021,
   COMMITMENT NO. 2103671; COMMITMENT DATE; APRIL 21, 2021,
   COMMITMENT NO. 2104321; COMMITMENT DATE ;MAY 4, 2021,
   COMMITMENT NO. 2105081; COMMITMENT DATE; MAY 28, 2021,
   COMMITMENT NO. 2203645; COMMITMENT DATE; MAY 10, 2022.

   ALL OTHER LOTS SURVEYED.
9. DEDICATION OF PUBLIC RIGHT-OF-WAY INCLUDES THE USE OF THE ROADWAYS AND RIGHTS-OF-WAY FOR ALL USES TYPICALLY ASSOCIATED WITH THE USE OF A RIGHT-OF-WAY AND PURPOSES APPURTENANT THERETO, INCLUDING, BUT NOT LIMITED TO, THE PASSAGE AND ACCOMMODATION OF VEHICULAR AND PEDESTRIAN TRAFFIC, AND THE CONSTRUCTION, OPERATION, USE, MAINTENANCE, INSPECTION, REPAIR, ALTERATION, AND REPLACEMENT OF A PAVED ROAD WITHIN THE BOUNDARIES OF THE RIGHT-OF-WAY AREA, AND FOR ALL OTHER PURPOSES FOR WHICH A PUBLIC STREET AND RIGHT-OF-WAY IS COMMONLY USED, INCLUDING BUT NOT LIMITED TO INSTALLING, REPAIRING, MAINTAINING, ALTERING, REPLACING, RELOCATING AND OPERATING PUBLIC AND PRIVATE UTILITIES IN, INTO, UPON, OVER, ACROSS, AND UNDER ANY SUCH RIGHT-OF-WAY.
10. NO DIRECT VEHICULAR ACCESS SHALL BE ALLOWED TO BROADMOOR BOULEVARD N.E.
11. H.O.A. TRACTS AS SHOWN HERE ON ARE FOR THE BENEFIT OF THE HOME OWNERS AND ARE TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.

PUBLIC UTILITY EASEMENTS

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

1. PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
2. NEW MEXICO GAS COMPANY (NMGCO) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
3. LUMEN (LUMEN) FOR INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND ENCLOSURES.
4. SPARKLIGHT (SPARKLIGHT) FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICES.
5. CITY OF RIO RANCHO UTILITIES (WATER AND SANITARY SEWER) FOR INSTALLATION, MAINTENANCE AND SERVICES OF LINES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE SERVICES.

INCLUDED, IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID RIGHT-OF-WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT-OF-WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

DISCLAIMER IN APPROVING THIS PLAT, PNM, NMGCO, LUMEN AND SPARKLIGHT DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, NMGCO, LUMEN AND SPARKLIGHT DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.

CITY CLERKS CERTIFICATE

I, Rebecca A. Martinez, CIty Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved administratively by the Rio Rancho Development Services Department Director on the day of _____, 2023.

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

TREASURER'S CERTIFICATE

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

Jennifer Taylor, Sandoval County Treasurer Date

PLAT
FOR
TIERRA DEL NORTE SUBDIVISION

(BEING A REPLAT OF LOTS 20 THRU 28 AND 31 THRU 39, BLOCK 43, LOTS 22 THRU 42, BLOCK 44, AND LOTS 22 THRU 31 AND LOTS 39 AND 40, BLOCK 45, TOGETHER WITH VACATED PORTIONS OF LINDERHOFF AVENUE AND LEEDS CASTLE AVENUE S.W. PORTION OF UNIT 13, RIO RANCHO ESTATES)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 12
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
AUGUST, 2023

DSD CASE NO. _____

RIO RANCHO PLANNING AND ZONING BOARD

Approved on the _____ day of _____, 2023.

Fred Radosevich, Chairman Date

UTILITY APPROVALS:

City of Rio Rancho Date

New Mexico Gas Company Date
8/9/2023

Lumen Date
Abdul A Bhuiyan
08/09/2023

Public Service Company of New Mexico Date
08/09/2023

Sparklight Date
Anthony Lovato
8/10/23

COUNTY CLERKS RECORDING INFORMATION

THIS INSTRUMENT WAS FILED FOR RECORD ON THE _____TH DAY OF _____, 2023 IN RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, AND WAS RECORDED IN VOLUME_____, FOLIO_____, RECORDS OF SAID COUNTY.

(RIO RANCHO ESTATES PLAT BOOK _____, PAGE _____)

ANNE BRADY-ROMERO, COUNTY CLERK AND RECORDER

BY: _____
DEPUTY

JURISDICTIONAL AFFIDAVIT

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

Timothy Aldrich, P.S. No. 7719 Date
08/08/2023

SURVEYOR'S CERTIFICATION

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

Timothy Aldrich, P.S. No. 7719 Date
08/08/2023

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

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 1 of 4
Scale: as shown	Date: 8/8/23	Job: A19035	

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Book ____, Page ____

PLAT
FOR
TIERRA DEL NORTE SUBDIVISION

(BEING A REPLAT OF LOTS 20 THRU 28 AND 31 THRU 39, BLOCK 43, LOTS 22 THRU 42, BLOCK 44, AND LOTS 22 THRU 31 AND LOTS 39 AND 40, BLOCK 45, TOGETHER WITH VACATED PORTIONS OF LINDERHOFF AVENUE AND LEEDS CASTLE AVENUE S.W. PORTION OF UNIT 13, RIO RANCHO ESTATES)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 12
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
AUGUST, 2023

PROPERTY CORNERS

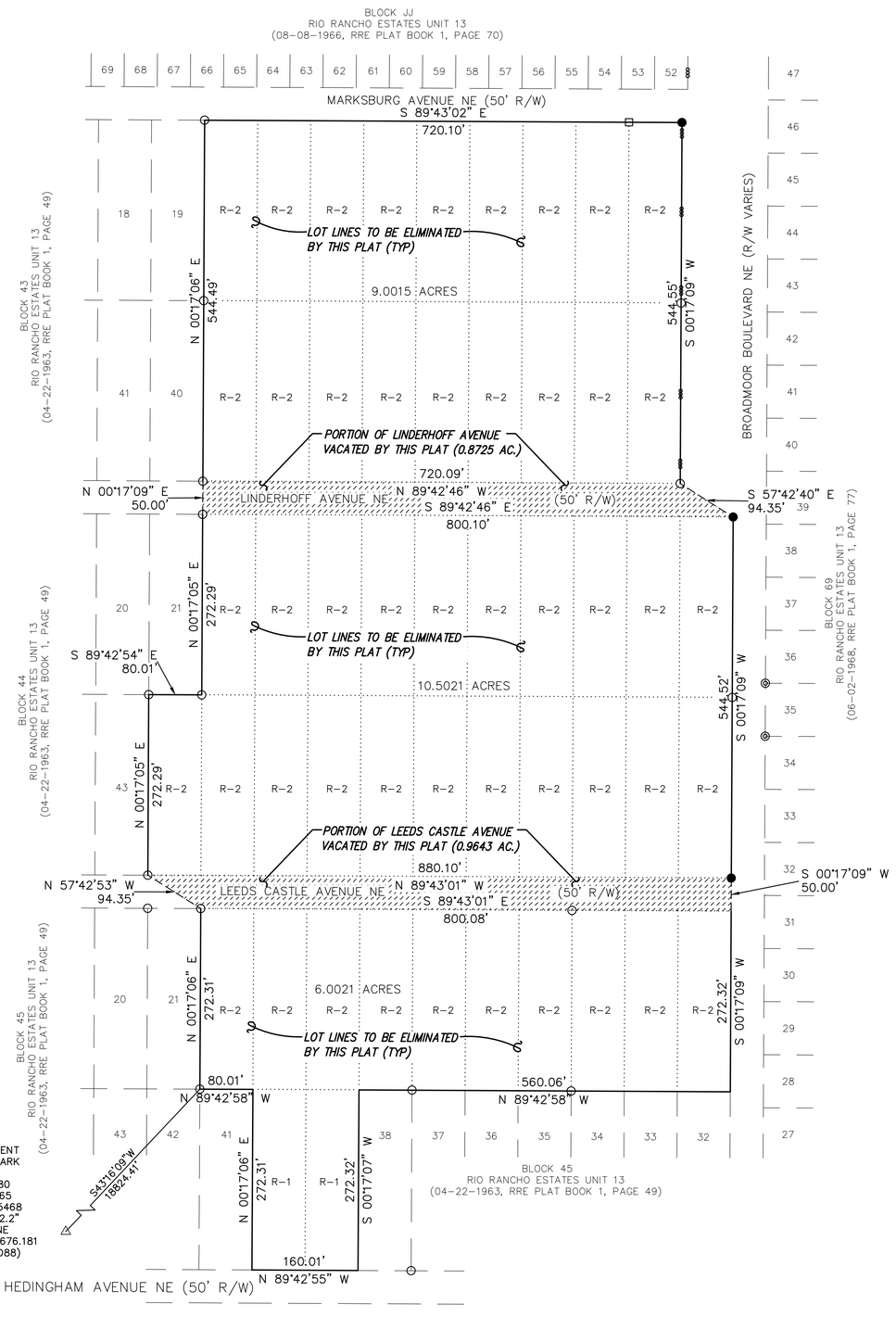
□ – FOUND 5/8" REBAR

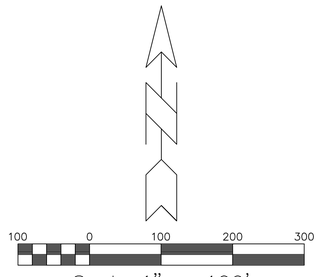
○ – FOUND 1/2" REBAR

◎ – FOUND BATHEY MARKER WITH CAP "LS 14271"

● – SET 1/2" REBAR WITH CAP "LS 7719"

ACCESS CONTROL





LEGEND

▨ *PORTION OF EXISTNG RIGHT-OF-WAY VACATED BY THIS PLAT*

..... *EXISTING LOT LINES VACATED BY THIS PLAT*

EXISTING EASEMENTS

① EXISTING 5' PUE (ALL SIDES OF ALL LOTS) (04-22-1963, RRE PLAT BOOK 1, PAGE 49) ***VACATED BY THIS PLAT***

06-09-22 rev

Drawn By:	TA	Date:	12-31-20
Checked By:	TA	Drawing Name:	20140PLT.DWG
Job No.:	20-140	Sheet:	2 of 4

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

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PLAT
FOR
TIERRA DEL NORTE SUBDIVISION

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TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
AUGUST, 2023

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"

○ – FOUND 1/2" REBAR

● – FOUND 1" PIPE

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT

ROW = RIGHT-OF-WAY

H.O.A. = HOME OWNERS ASSOCIATION

NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED WITH THIS PLAT.

[B] NEW PUBLIC SANITARY SEWER AND PUBLIC DRAINAGE EASEMENT GRANTED WITH THIS PLAT.

NOTES:

1. TRACTS A & B ARE TO BE HOA MAINTAINED PARKS FOR THE USE OF THE TIERRA DEL NORTE HOMEOWNERS.
2. TRACT C IS AN HOA MAINTAINED FIRST FLUSH POND AND A PUBLIC SANITARY SEWER, WATER AND DRAINAGE EASEMENT FOR THE USE & BENEFIT OF ALL LOT OWNERS.
3. TRACT D IS AN HOA MAINTAINED PNM SWITCH GEAR EASEMENT/TRACT FOR THE USE & BENEFIT OF ALL LOT OWNERS.
4. Lots 2, 3 and 4, Block 8 are encumbered by a private cross-lot drainage easement for the purpose of surface storm drainage to Tract C. The maintenance shall be the responsibility of the owner of each lot to ensure the storm water is not impeded. Granted by this plat.

BLOCK 69
RIO RANCHO ESTATES UNIT 13
(06-02-1968, RRE PLAT BOOK 1, PAGE 77)

BROADMOOR BOULEVARD NE

HOA TRACT A

HOA TRACT B

HOA TRACT C

HOA TRACT D

TIERRA DEL NORTE LOOP

TIERRA DEL ESTRELLA DRIVE

TIERRA DEL LUNA AVENUE

TIERRA DEL MAR AVENUE

TIERRA DEL SOL AVENUE

LINDERHOFF AVENUE NE

LEEDS CASTLE AVENUE NE

MARKSBURG AVENUE NE

HEDINGHAM AVENUE NE

RIGHT-OF-WAY DEDICATED WITH THIS PLAT

SCCS MONUMENT AND BENCHMARK "SAGE"
N=1545611.580
E=1499264.765
G-G=0.99965468
=-00°16'22.2"
CENTRAL ZONE
ELEVATION=5676.181
(NADB3/NAVD88)

BLOCK 43
RIO RANCHO ESTATES UNIT 13
(04-22-1963, RRE PLAT BOOK 1, PAGE 49)

BLOCK 44
RIO RANCHO ESTATES UNIT 13
(04-22-1963, RRE PLAT BOOK 1, PAGE 49)

BLOCK 45
RIO RANCHO ESTATES UNIT 13
(04-22-1963, RRE PLAT BOOK 1, PAGE 49)

BLOCK JJ
RIO RANCHO ESTATES UNIT 13
(08-08-1966, RRE PLAT BOOK 1, PAGE 70)

BLOCK 46,
TATES, UNIT 13"

*SEE SHEET 4 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.

ALL STREETS AND ROADS SHOWN HEREON ARE HEREBY DEDICATED TO THE C.O.R.R. IN FEE SIMPLE WITH WARRANTY COVENANTS AS PUBLIC RIGHT-OF-WAY

60' 30' 0 60' 120'
SCALE: 1" = 60'

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

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 3 of 4
Scale: as shown	Date: 8/8/23	Job: A18026	

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Book ____, Page ____

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FOR
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CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
AUGUST, 2023

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	75.00'	117.81'	90°00'00"	N44°43'02"W	106.07'
C2	200.00'	46.71'	13°22'52"	N6°58'24"E	46.60'
C3	200.00'	85.40'	24°27'58"	S1°25'51"W	84.76'
C4	280.00'	132.52'	27°07'04"	N2°45'25"E	131.29'
C5	280.00'	135.45'	27°43'00"	S22°27'27"W	134.13'
C6	280.00'	108.15'	22°07'52"	S5°15'01"W	107.48'
C7	280.00'	27.30'	5°35'07"	S8°36'29"E	27.28'
C8	280.00'	57.10'	11°41'01"	N5°33'32"W	57.00'
C9	75.00'	117.81'	90°00'03"	N45°17'00"E	106.07'
C10	75.00'	117.81'	89°59'57"	S44°43'00"E	106.07'
C11	280.00'	53.81'	11°00'42"	N5°13'22"W	53.73'
C12	280.00'	117.29'	24°00'02"	S1°16'17"W	116.43'
C13	475.00'	173.26'	20°53'58"	N2°49'19"E	172.30'
C14	475.00'	65.58'	7°54'38"	S3°40'21"E	65.53'
C15	75.00'	117.81'	90°00'00"	S45°16'58"W	106.07'
C16	280.00'	112.80'	23°04'59"	S0°48'46"W	112.04'
C17	280.00'	4.48'	0°55'03"	S12°48'47"W	4.48'
C18	75.00'	14.51'	11°05'06"	N84°44'25"E	14.49'
C19	75.00'	15.80'	12°04'17"	S83°40'53"E	15.77'
C20	150.00'	15.97'	6°05'54"	N87°14'01"E	15.96'
C21	1000.00'	94.90'	5°26'15"	N87°33'51"E	94.87'
C22	1000.00'	94.90'	5°26'15"	S87°33'51"W	94.87'
C23	25.00'	39.27'	90°00'00"	N44°43'02"W	35.36'
C24	25.00'	39.27'	90°00'00"	S45°16'58"W	35.36'
C25	25.00'	39.27'	90°00'00"	N45°16'58"E	35.36'
C26	25.00'	39.27'	90°00'00"	S44°43'02"E	35.36'
C27	100.00'	157.08'	90°00'00"	N44°43'02"W	141.42'
C28	50.00'	78.54'	90°00'00"	S44°43'02"E	70.71'
C29	25.00'	39.27'	90°00'00"	S45°16'58"W	35.36'
C30	25.00'	39.27'	90°00'00"	S44°43'02"E	35.36'
C31	175.00'	40.87'	13°22'52"	N6°58'24"E	40.78'
C32	225.00'	50.79'	12°56'02"	N6°44'59"E	50.68'
C33	175.00'	74.73'	24°27'58"	S1°25'51"W	74.16'
C34	225.00'	64.50'	16°25'30"	S5°27'05"W	64.28'
C35	25.00'	40.60'	93°02'38"	S43°45'39"W	36.28'
C36	25.00'	38.12'	87°21'56"	S53°46'25"E	34.53'
C37	305.00'	144.36'	27°07'04"	N2°45'25"E	143.01'
C38	255.00'	117.52'	26°24'24"	N3°06'45"E	116.49'
C39	255.00'	123.36'	27°43'00"	S22°27'27"W	122.16'
C40	305.00'	71.34'	13°24'04"	S9°36'55"W	71.18'
C41	25.00'	36.50'	83°39'29"	S44°44'37"W	33.35'
C42	25.00'	38.10'	87°19'09"	S50°36'55"E	34.52'
C43	305.00'	62.20'	11°41'01"	N5°33'32"W	62.09'
C44	255.00'	32.22'	7°14'19"	S3°20'11"E	32.19'
C45	25.00'	39.27'	90°00'00"	S45°16'59"W	35.36'
C46	25.00'	39.27'	90°00'00"	S44°43'01"E	35.36'
C47	25.00'	39.27'	90°00'00"	S44°43'01"E	35.36'
C48	25.00'	39.27'	90°00'00"	N45°16'59"E	35.36'
C49	25.00'	39.27'	89°59'49"	S45°17'04"W	35.35'
C50	25.00'	39.27'	90°00'10"	S44°42'56"E	35.36'
C51	100.00'	157.08'	90°00'03"	N45°17'00"E	141.42'
C52	50.00'	78.54'	90°00'03"	N45°17'00"E	70.71'
C53	100.00'	157.08'	89°59'57"	S44°43'00"E	141.42'
C54	50.00'	78.54'	89°59'57"	S44°43'00"E	70.71'
C55	25.00'	39.05'	89°29'05"	N45°01'31"E	35.20'
C56	25.00'	39.27'	90°00'00"	N44°43'01"W	35.36'
C57	25.00'	42.54'	97°29'41"	N41°32'08"E	37.59'
C58	25.00'	37.21'	85°16'28"	N47°34'35"W	33.87'
C59	305.00'	30.82'	5°47'23"	N7°50'02"W	30.81'
C60	255.00'	47.65'	10°42'27"	N5°22'30"W	47.59'
C61	25.00'	42.01'	96°16'46"	N48°07'07"E	37.24'
C62	305.00'	127.76'	24°00'02"	S1°16'17"W	126.83'
C63	450.00'	164.14'	20°53'58"	N2°49'19"E	163.23'
C64	25.00'	42.69'	97°50'17"	N40°47'53"W	37.69'
C65	500.00'	86.81'	9°56'51"	N3°08'50"E	86.70'
C66	450.00'	38.46'	4°53'51"	N5°10'44"W	38.45'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C67	25.00'	40.58'	93°00'47"	N43°46'35"E	36.27'
C68	500.00'	69.03'	7°54'38"	S3°40'21"E	68.98'
C69	25.00'	39.27'	90°00'00"	N44°43'02"W	35.36'
C70	25.00'	39.27'	89°59'45"	N44°42'54"W	35.35'
C71	25.00'	39.27'	90°00'15"	N45°17'06"E	35.36'
C72	25.00'	39.27'	90°00'00"	N45°16'58"E	35.36'
C73	25.00'	39.27'	90°00'00"	N44°43'02"W	35.36'
C74	50.00'	78.54'	90°00'00"	N45°16'58"E	70.71'
C75	100.00'	157.08'	90°00'00"	S45°16'58"W	141.42'
C76	100.00'	29.04'	16°38'24"	N8°36'10"E	28.94'
C77	100.00'	38.13'	21°50'58"	N27°50'51"E	37.90'
C78	100.00'	49.31'	28°15'11"	N52°53'56"E	48.81'
C79	100.00'	40.59'	23°15'27"	N78°39'15"E	40.31'
C80	100.00'	40.54'	23°13'30"	S78°06'17"E	40.26'
C81	100.00'	45.55'	26°06'01"	S53°26'32"E	45.16'
C82	100.00'	48.98'	28°03'44"	S26°21'39"E	48.49'
C83	100.00'	22.01'	12°36'45"	S6°01'24"E	21.97'
C84	225.00'	50.43'	12°50'31"	S6°47'45"W	50.32'
C85	225.00'	1.76'	0°26'50"	N13°26'25"E	1.76'
C86	175.00'	48.66'	15°55'58"	N5°41'51"E	48.51'
C87	175.00'	26.06'	8°32'00"	S6°32'08"E	26.04'
C88	305.00'	13.07'	2°27'21"	S9°34'27"E	13.07'
C89	305.00'	50.17'	9°25'31"	S3°38'01"E	50.12'
C90	305.00'	50.29'	9°26'50"	S5°48'10"W	50.23'
C91	305.00'	30.82'	5°47'22"	S13°25'16"W	30.81'
C92	255.00'	20.59'	4°37'38"	S14°00'08"W	20.59'
C93	255.00'	50.33'	11°18'35"	S6°02'02"W	50.25'
C94	255.00'	50.32'	11°18'21"	S5°16'26"E	50.24'
C95	255.00'	2.11'	0°28'26"	S11°09'50"E	2.11'
C96	305.00'	48.36'	9°05'04"	S6°51'31"E	48.31'
C97	305.00'	13.84'	2°35'58"	S1°01'00"E	13.84'
C98	25.00'	8.62'	19°45'16"	S9°35'39"E	8.58'
C100	420.00'	7.11'	0°58'13"	N6°27'27"W	7.11'
C101	420.00'	50.09'	6°50'00"	N2°33'20"W	50.06'
C102	420.00'	50.15'	6°50'30"	N4°16'55"E	50.12'
C103	420.00'	14.34'	1°57'22"	N8°40'51"E	14.34'
C104	650.00'	36.15'	3°11'12"	N8°03'56"E	36.15'
C105	650.00'	50.13'	4°25'09"	N4°15'45"E	50.12'
C106	650.00'	50.01'	4°24'31"	N0°09'05"W	50.00'
C107	650.00'	27.09'	2°23'18"	N3°32'59"W	27.09'
C108	420.00'	23.01'	3°08'22"	N3°10'27"W	23.01'
C109	420.00'	13.84'	1°53'15"	N0°39'39"W	13.83'
C110	420.00'	121.70'	16°36'06"	N1°21'29"E	121.27'
C111	650.00'	163.39'	14°24'10"	S2°27'27"W	162.96'
C112	420.00'	36.85'	5°01'36"	N2°13'50"W	36.84'
C113	175.00'	15.87'	5°11'43"	N2°52'50"E	15.86'
C114	175.00'	25.00'	8°11'09"	N9°34'15"E	24.98'
C115	100.00'	13.51'	7°44'21"	S86°24'48"W	13.50'
C116	255.00'	96.21'	21°37'05"	N0°43'06"E	95.64'
C117	255.00'	21.31'	4°47'19"	N13°55'17"E	21.31'
C118	500.00'	50.62'	5°48'04"	S4°43'38"E	50.60'
C119	500.00'	86.81'	9°56'51"	S3°08'50"W	86.70'
C120	100.00'	10.43'	5°58'31"	N86°43'46"W	10.42'
C121	175.00'	13.92'	4°33'28"	S88°00'14"W	13.92'
C122	1034.00'	39.88'	2°12'34"	N89°10'41"E	39.87'
C123	1034.00'	50.10'	2°46'35"	N86°41'07"E	50.10'
C124	1034.00'	58.26'	3°13'41"	S86°27'34"W	58.25'
C125	966.00'	83.30'	4°56'28"	S87°18'57"W	83.28'
C126	1034.00'	8.15'	0°27'06"	N85°04'16"E	8.15'
C127	966.00'	42.00'	2°29'28"	N86°05'27"E	41.99'
C128	966.00'	41.31'	2°27'00"	N88°33'41"E	41.30'
C129	1034.00'	88.83'	4°55'20"	N87°18'23"E	88.80'
C130	966.00'	91.68'	5°26'15"	N87°33'51"E	91.64'
C131	1034.00'	43.71'	2°25'19"	S88°33'24"W	43.70'
C132	1034.00'	45.12'	2°30'01"	S86°05'44"W	45.12'
C133	966.00'	5.02'	0°17'52"	S84°59'39"W	5.02'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C134	966.00'	50.11'	2°58'19"	S86°37'45"W	50.10'
C135	966.00'	36.55'	2°10'04"	S89°11'57"W	36.55'
C136	100.00'	36.68'	21°00'56"	S10°47'27"W	36.47'
C137	100.00'	49.24'	28°12'44"	S35°24'17"W	48.74'
C138	100.00'	48.50'	27°47'21"	S63°24'19"W	48.03'
C139	100.00'	22.66'	12°59'02"	S83°47'31"W	22.61'
C140	101.71'	21.36'	12°02'05"	N83°35'43"W	21.33'
C141	100.00'	43.01'	24°38'30"	N40°00'37"W	42.68'
C142	100.00'	43.01'	24°38'30"	N15°22'07"W	42.68'
C143	100.00'	5.81'	3°19'50"	N1°22'56"W	5.81'
C144	255.00'	15.65'	3°31'01"	N8°58'13"W	15.65'
C145	305.00'	23.32'	4°22'51"	N8°32'18"W	23.31'
C146	305.00'	50.08'	9°24'31"	N1°38'37"W	50.03'
C147	305.00'	50.49'	9°29'06"	N7°48'12"E	50.43'
C148	305.00'	3.86'	0°43'34"	N12°54'32"E	3.86'
C149	450.00'	46.96'	5°58'46"	N10°16'55"E	46.94'
C150	450.00'	50.14'	6°23'01"	N4°06'02"E	50.11'
C151	450.00'	50.08'	6°22'33"	N2°16'46"W	50.05'
C152	450.00'	16.97'	2°09'37"	N6°32'51"W	16.97'
C153	500.00'	33.34'	3°49'15"	N5°43'02"W	33.34'
C154	500.00'	35.69'	4°05'23"	N1°45'43"W	35.68'
C155	420.00'	16.12'	2°11'56"	S1°22'56"W	16.12'
C156	420.00'	49.60'	6°45'57"	S5°51'53"W	49.57'
C157	420.00'	0.68'	0°05'32"	S9°12'06"W	0.68'
C158	420.00'	50.26'	6°51'21"	S5°43'40"W	50.23'
C159	420.00'	14.78'	2°01'00"	S1°17'29"W	14.78'
C160	420.00'	65.72'	8°57'54"	N4°45'55"E	65.65'
C161	420.00'	65.72'	8°57'53"	S4°45'55"W	65.65'
C162	99.20'	43.89'	25°21'01"	N64°54'09"W	43.53'

Parcel Line Table

Line #	Direction	Length
L2	S10°48'08"E	15.50
L3	S10°48'08"E	46.93
L4	N00°16'59"E	116.32
L5	N00°16'59"E	29.00
L6	N00°16'59"E	87.32
L7	S79°11'52"W	42.72
L8	S77°38'45"E	42.07
L9	N84°11'05"E	42.01
L10	S06°56'34"E	54.05
L11	N00°16'59"E	25.00
L12	N89°42'51"W	25.00

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	1	6766.3761 sf
2	1	5750.0726 sf
3	1	5749.9824 sf
4	1	5749.8922 sf
5	1	5749.8020 sf
6	1	5749.7117 sf
7	1	7696.7064 sf
8	1	9561.9020 sf
9	1	15447.7832 sf
10	1	8020.7942 sf
11	1	5750.0000 sf
12	1	6631.7477 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	2	6631.7477 sf
2	2	5750.0000 sf
3	2	8016.8318 sf
4	2	13821.8403 sf
5	2	10906.4768 sf
6	2	6699.4291 sf
7	2	5249.4120 sf
8	2	5249.2578 sf
9	2	5249.1304 sf
10	2	5249.0030 sf
11	2	5248.8756 sf
12	2	5248.7555 sf
13	2	5343.9587 sf
14	2	6118.4259 sf
15	2	6126.5762 sf
16	2	5873.8737 sf
17	2	5764.4600 sf
18	2	5774.1212 sf
19	2	5923.0083 sf
20	2	6126.3869 sf
21	2	6053.2464 sf
22	2	5802.1747 sf
23	2	6896.3024 sf
HOA TRACT A	2	27869.7651 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	3	7513.4954 sf
2	3	5750.0000 sf
3	3	5750.0000 sf
4	3	5750.0000 sf
5	3	5750.0000 sf
6	3	5750.0000 sf
7	3	7526.0407 sf
8	3	7928.4192 sf
9	3	5750.0000 sf
10	3	5750.0000 sf
11	3	5750.0000 sf
12	3	5750.0000 sf
13	3	5750.0000 sf
14	3	7915.8739 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	4	7915.8739 sf
2	4	5750.0000 sf
3	4	5750.0000 sf
4	4	5750.0000 sf
5	4	5750.0000 sf
6	4	5750.0000 sf
7	4	7924.6250 sf
8	4	7003.3307 sf
9	4	5750.0000 sf
10	4	5750.0000 sf
11	4	5750.0000 sf
12	4	5750.0000 sf
13	4	5750.0000 sf
14	4	7915.8739 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	5	7889.7748 sf
2	5	5750.0000 sf
3	5	5750.0000 sf
4	5	5750.0000 sf
5	5	5750.0000 sf
6	5	5750.0000 sf
7	5	8487.8631 sf
8	5	7244.6762 sf
9	5	5750.0000 sf
10	5	5750.0000 sf
11	5	5750.0000 sf
12	5	5750.0000 sf
13	5	5750.0000 sf
14	5	7096.2274 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	6	8668.5832 sf
2	6	6103.5230 sf
3	6	5910.1476 sf
4	6	5813.4680 sf
5	6	5803.2566 sf
6	6	5803.2598 sf
7	6	8380.0895 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	7	6426.9836 sf
2	7	5318.1206 sf
3	7	5512.3408 sf
4	7	5607.4970 sf
5	7	5615.9558 sf
6	7	5615.9956 sf
7	7	7364.7217 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	8	7055.5126 sf
2	8	8785.6919 sf
3	8	13881.1186 sf
4	8	9616.6914 sf
5	8	7225.7896 sf
6	8	5500.1461 sf
7	8	5500.1461 sf
8	8	5500.1461 sf
9	8	5500.1461 sf
10	8	7079.5067 sf
11	8	11597.9371 sf
12	8	19585.5729 sf
13	8	11616.3715 sf
14	8	7944.8537 sf
HOA TRACT C	8	46999.0822 sf
HOA TRACT D	8	490.8898 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	9	7781.0078 sf
2	9	5750.5182 sf
3	9	5765.7294 sf
4	9	5942.5398 sf
5	9	6168.7318 sf
6	9	6143.0523 sf
7	9	5946.5347 sf
8	9	5790.8265 sf
9	9	5774.4035 sf
10	9	7969.4122 sf
HOA TRACT B	9	19348.5125 sf

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

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 4 of 4
Scale: as shown	Date: 8/8/23	Job: A18026	

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Book ____, Page ____

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

September 21, 2023

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

RE: Tierra Del Norte Final Plat (23-220-00016)

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

Fire and Rescue:
IFC 2021 and its appendices shall be followed.

1. Turning radius shall be 28', curb to curb distance shall be 31'11" and cul-de-sacs shall be 96' in diameter per IFC Appendix D.
2. Confirm fire hydrants are in approved distances and locations.
3. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
4. Hydrant distances shall be 500' for residential.
5. No construction is to begin until fire hydrants are fully operational.
6. No crash gates shall be allowed. No dead ends shall be approved.
7. Gated subdivision shall require Knox box at entries.
8. Further requirements may be necessary upon development.
9. Contact:
   Gerard Bauer
   Lieutenant | Fire Prevention Officer
   O: 505.896.8357
   gbauer@rrnm.gov

SSCAFCA:

1. Until Tierra Del Oro Phase 3 constructs storm drain infrastructure down stream of Tierra Del Norte – the subdivision cannot be drained according to the final drainage plan.

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

Respectfully,

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

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-160-00007

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Site Plan. The Applicant, Matthew Herrera X2D, LLC., requests site plan approval for a townhouse development on the properties legally described as Rio Rancho Estates Unit 10, Block 7, Lots 1-3. Staff contact is Tim Dvorak, and staff recommends the Planning and Zoning Board recommend approval of the site plan to the Governing Body.

BACKGROUND AND ANALYSIS:
The subject properties are located at 700, 704, and 708 Southern Blvd SE and consist of approximately 3 acres. The subject properties are zoned SU: Special Use Multi-Family Residential District for Townhouses per Ordinance No. 43, Enactment No. 07-42, and are within the Unit 10 Specific Area Plan. Per Section 1(F) of the subject ordinance, a site development plan for the proposed development must be approved by the Planning and Zoning Board.

REVIEW CRITERIA:

CONFORMITY WITH SUBJECT PROPERTY ORDINANCE (O. 43, Enact. No. 07-42):

Section 1 of the Ordinance outlines various subsections of required criteria for the subject property.

Subsection 1(A) Land Use lists Townhouses as a permissive use and Apartments as a restricted use. Staff finds the proposed development to be a townhouse use.

Subsection 1(B) Design Standards identifies the design standards to be those of the R-3 Mixed-Residential District except lot widths to be determined at site plan approval. Staff finds the properties in the proposed lot layout of the development to conform to the R-3 requirements for an R-3 "attached" development per Section 154.50 "Zoning Table/Residential" of City Code of Ordinances.

The properties have a minimum front and garage setback of 20 ft (20 ft required), and a minimum rear setback of 10 ft (0 ft required). Corner lots have a setback of 10 ft meeting the required 10 ft corner setback. The proposed building height is 32 ft, meeting the maximum building height requirement of 32 ft. Staff finds the lot layout and design standards conform to Chapter 154 of the City Code of Ordinances.

Subsection 1(C) Density, lists a maximum density of 15 dwelling units per acre. Staff finds the development of 42 dwelling units on 3 acres equates to 14 DUs/Acre. Conforms.

Subsection 1(D) Access, requires access off of 7th Ave and Southern Blvd. Staff finds both access

points have been provided, with two access roads off of 7th Ave SE. Access will be confirmed and reviewed at building permit. All roads in the proposed development will be private. Conforms.

Subsection 1(E) Summary Plat, requires the subject property to be re-platted in conformance with the approved site plan, prior to issuance of any building permits. Staff finds that the applicant will plat the development into multiple parcels consistent with the proposed site plan, prior to building permit. Future platting action will be required as a condition of approval. Conforms.

Subsection 1(F) Site Plan Review, requires the site plan to be approved by the Planning and Zoning Board. Staff finds the item is scheduled to be heard at the October 10 Planning and Zoning Board meeting. Conforms.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:

The Rio Rancho Code of Ordinances (R.O. 2003) 154.43 (3) requires "All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property." Pursuant to the criteria provided by R.O. 2003 § 154.43 (3)(a) through (3)(j), the site plan at a minimum shall contain the following:

a. Scale and north arrow; Criteria is satisfied.
b. Lot boundaries and easements; Criteria is satisfied.
c. Existing and proposed utilities; Criteria is satisfied.
d. Existing and proposed rights-of-way; Criteria is satisfied.
e. Proposed structures with uses, dimension, and setbacks; The Applicant is proposing 42 townhouses across the 3 acre site. Per the Special Use Ordinance, density is limited to 15 dwelling units per acre, for a maximum density of 45 dwelling units. All townhouses will have a 2 car garage and a driveway sufficient to accommodate off-street parking requirements. The applicant has provided all dimensions and setbacks in conformance with the design standards of the Zoning Ordinance, as reviewed above.

The subject property's Ordinance allows for flexibility of lot width (lot widths established with site plan). While some of these lot widths do not meet the minimum lot width standard for R-3 attached, staff finds that that these lot widths do not pose a problem to the health, safety, and welfare of the city and allow for sufficient off-street parking. Criteria is satisfied.

f. Proposed ingress, egress, parking and circulation; There will be two ingress and egress points for the subject properties located off of 7th St SE, a residential road, along with one ingress and egress point off of Southern Blvd SE, a principal arterial. Internal roads are proposed to be private, residential roads to be maintained by a Homeowner's Association. A Homeowner's Association will need to be established prior to any further platting actions. Staff finds that the private maintenance of the internal roads provides further justification for the nonconforming lot widths. Criteria is satisfied.
g. Landscaping and landscape buffers; The site plan shows landscaping buffers along Southern Blvd (25'), the rear property line (10') and along 7th St SE (15'), in conformance with the Unit 10 Specific Area Plan, which requires a minimum 5' buffer for high density residential zones abutting low density residential zones. Landscaping on individual lots will be in conformance with R.O. 2003 Section 154.60(E).; Criteria is satisfied.
h. Elevations; The applicant has provided elevations meeting the maximum building height in the R-3 zoning district and the building design conforms to the regulations of Chapter 154. Criteria is satisfied.
i. Adjacent property characteristics; Properties to the east, west, north, and south are all zoned R-1: Single-Family Residential.

j. Preliminary drainage plan; Water and Wastewater approval has been granted by the Utilities Department in a letter dated September 28, 2023. A conceptual grading and drainage plan has been provided, though a full grading and drainage plan and erosion plan will be required prior to any future development. The applicant has provided an area for ponding on the eastern end of the property. Criteria is satisfied.

Department Comments:

Development Services (Planning and Engineering)	No adverse comments. Conditions for development in findings and conditions.
Rio Rancho Fire and Rescue	Comments attached.
SSCAFCA	Comments attached.
MRMPO	Comments attached.
Parks, Recreation, and Community Services	Comments attached.
Rio Rancho Police Department	No comments received.
Rio Rancho Public Schools	No comments received.

NOTIFICATIONS: Adjacent property owners were notified of this hearing by mail. A notice sign was posted on the property as required by Ordinance. A legal notice was published in the September 25, 2023 edition of the Albuquerque Journal. All legal notification requirements for this property have been met.

IMPACT:

The Development Services Department recommends that the Planning and Zoning recommend approval of the site plan to the Governing Body subject to the findings and conditions set forth below:

General Findings of Fact:

1. R.O. 2003 154.43 (3) requires site plan approval by the Governing Body.
2. The applicant has the authority to make an application to request approval of a site plan.
3. The applicant and affected property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact and Conditions of Approval:

1. Per Ordinance No. 43, Enactment No. 07-42, Section 1(F) A site development plan must be reviewed and approved by the Planning and Zoning Commission prior to the issuance of any and all building permits for new construction.
2. The subject property is zoned SU: Special Use Zoning for Multi-Family Residential District for Townhouses by Ordinance No. 43, Enactment No. 07-42.
3. The site plan conforms to the Rio Rancho Code of Ordinances (R.O. 2003) Section 154.43.
4. The site plan conforms to Ordinance No. 43, Enactment No. 07-42.
5. Development of the site will conform to all City ordinances, standards, and specifications.
6. The review and subsequent building permit applications will ensure conformance to the approved site plan, City ordinances, and standards and specifications.
7. The Director of the Development Services Department may approve minor changes to this site plan if the changes are consistent with the use and other written requirements and/or conditions or approval, if the buildings are the same general configuration, if the total square footage is not greater than 10% of the approved site plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the City nor any person will be substantially aggrieved by the altered site plan.

8. The approval is valid for a period of three years from date of approval, in which time a building permit for the proposed structures must be applied for and issued, remain active, and the authorized construction shall be started and diligently pursued to completion without cessation of 30 days.
9. Site plan approval does not guarantee the proposed access points; access points are subject to change due to property and surrounding conditions.
10. Applicant shall address all reviewer comments prior to building permit approval.
11. Applicant is responsible for provision of proper infrastructure improvements along property line limits adjacent to 7th Ave SE.

ALTERNATIVES:

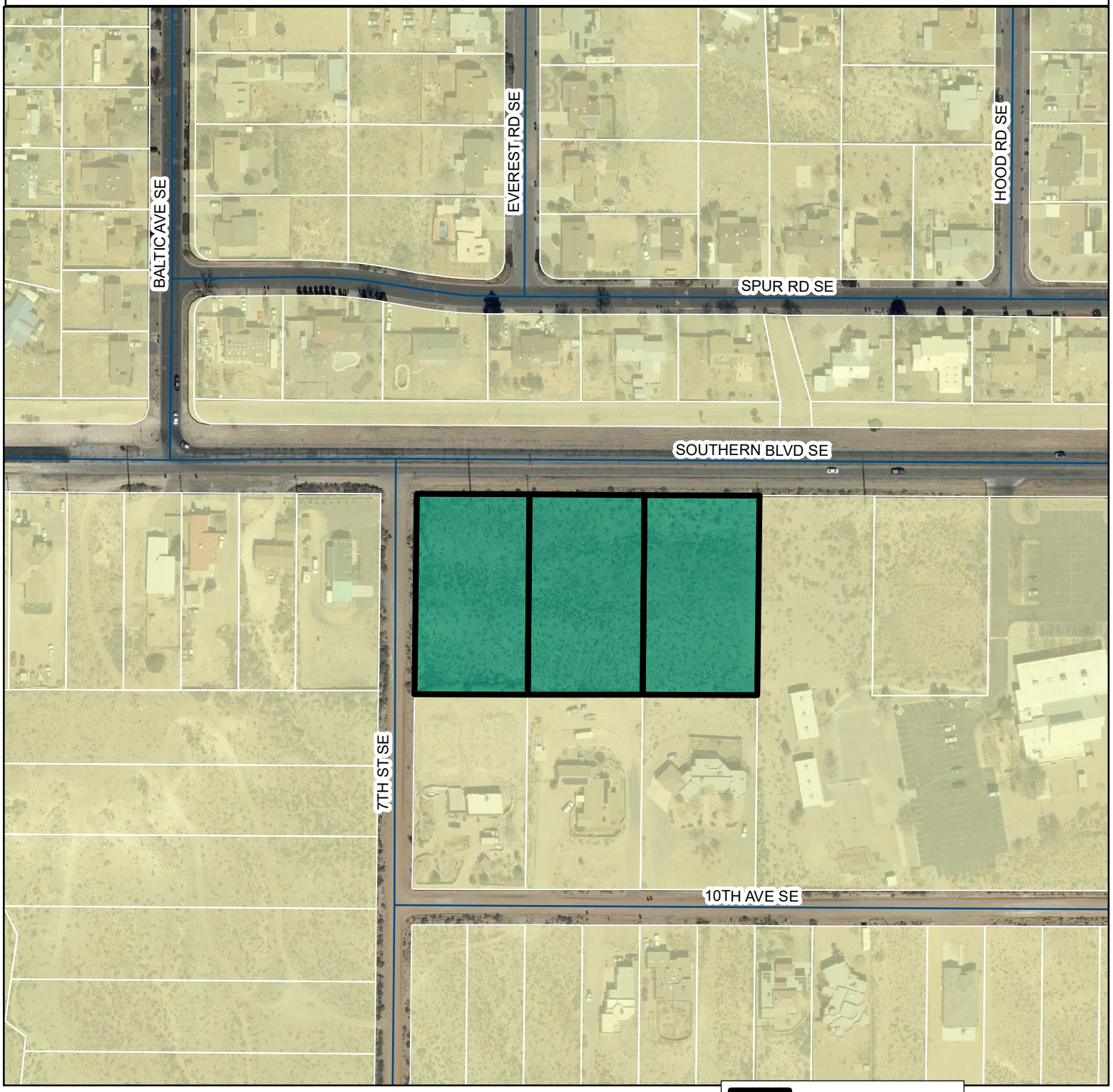
1. The Planning and Zoning Board may recommend approval of the site plan to the Governing Body.
2. The Planning and Zoning Board may recommend denial of the site plan to the Governing Body.
3. The Planning and Zoning Board may modify the request and recommend such modifications to the Governing Body.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

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval of the site plan to the Governing Body with findings and conditions.

ATTACHMENT: Zoning, Location
ATTACHMENT: Site Plan
ATTACHMENT: Application
ATTACHMENT: Justification
ATTACHMENT: Authorization, Lot 1
ATTACHMENT: Authorization, Lots 2 & 3
ATTACHMENT: Vesting Deed
ATTACHMENT: Water/Wastewater Availability Letter
ATTACHMENT: O-43, 07-42
ATTACHMENT: O-20, 18-24 (Unit 10 Overlay)
ATTACHMENT: Letter to Property Owners
ATTACHMENT: Legal Ad
ATTACHMENT: Reviewer Comments
ATTACHMENT: Public Comment - Romero, Angela
ATTACHMENT: Public Comment - Babcock, Sue
ATTACHMENT: Public Comment - Abramson, Codie
ATTACHMENT: Public Comment - Ferryman, Patricia
ATTACHMENT: Public Comment - Henderson, Perry & Carolyn
ATTACHMENT: Public Comment - Hedin, Sonia and Greg
ATTACHMENT: Public Comment Map

700, 704 & 708 SOUTHERN BLVD SE
SITE PLAN



RioRancho
City of Vision

0 60 120 240 360 480
Feet

Subject Parcels
Roads

Zoning

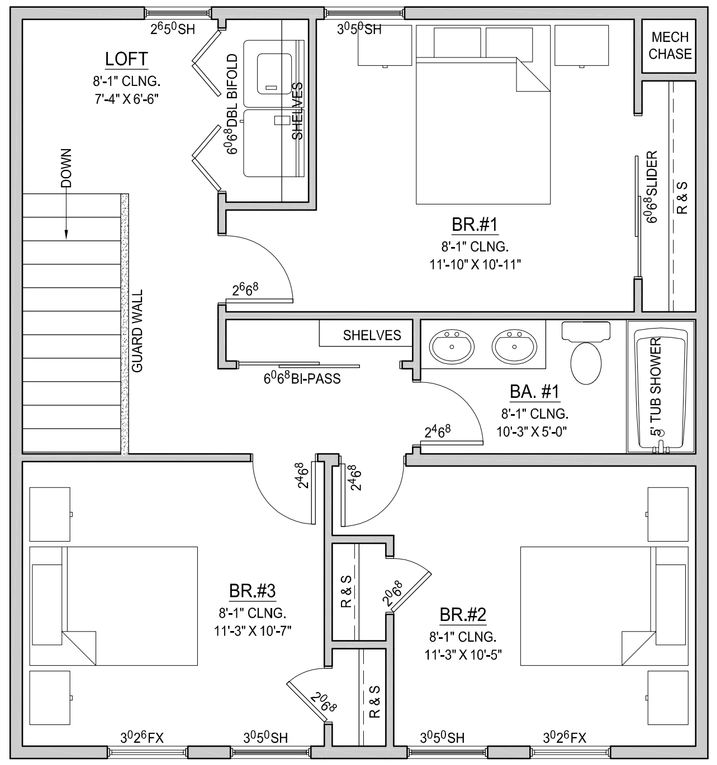
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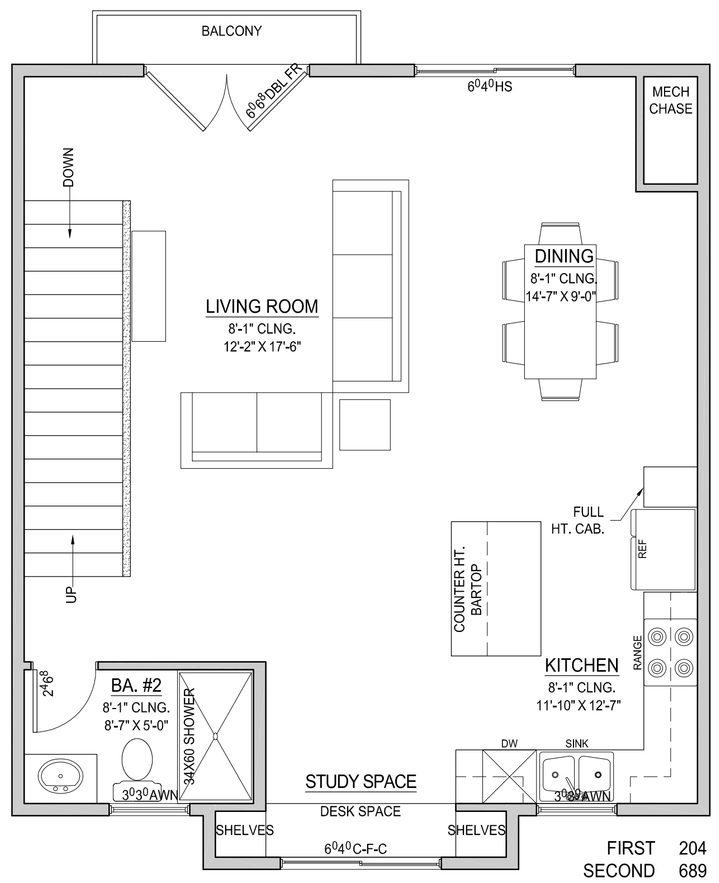
GIS
Moving Spatial Data Forward

Map Created by Tim Dvorak on 9/19/2023

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

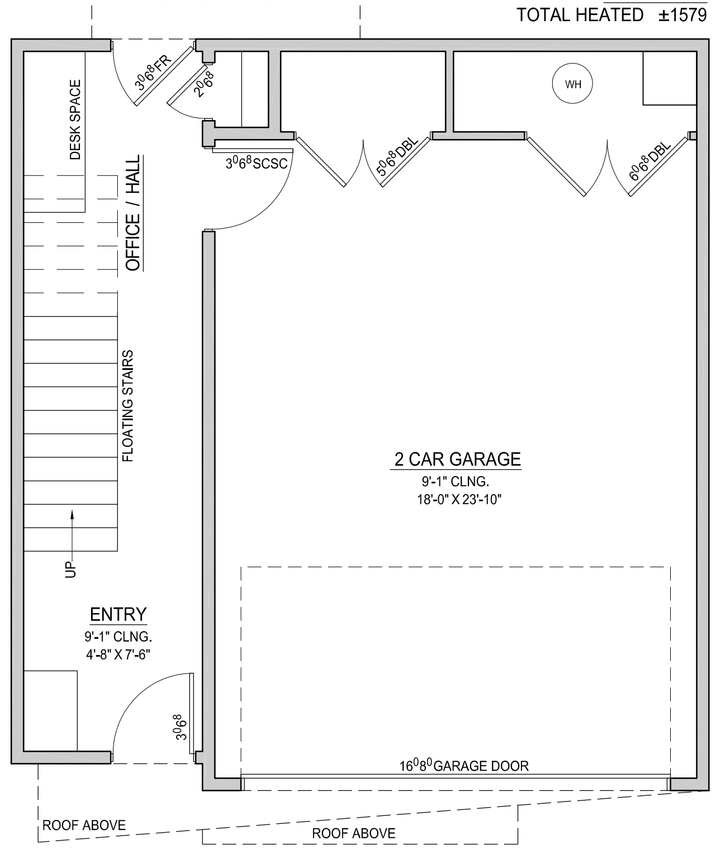


THIRD FLOOR 1/4"=1'-0"



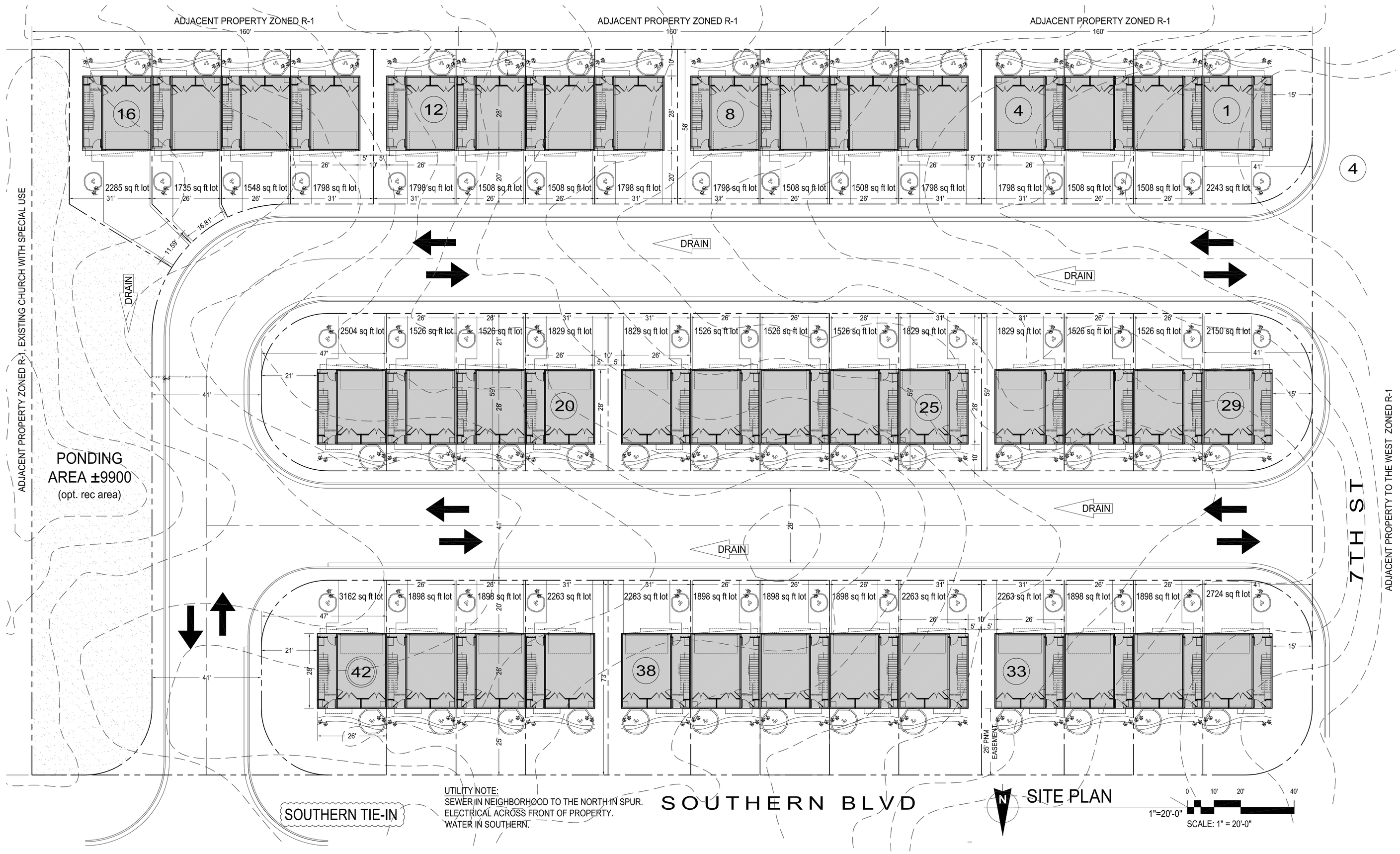
SECOND FLOOR 1/4"=1'-0"

FIRST 204
SECOND 689
THIRD 685
TOTAL HEATED ±1579



FIRST FLOOR 1/4"=1'-0"

0 2' 4' 8'
SCALE: 1/4" = 1'-0"

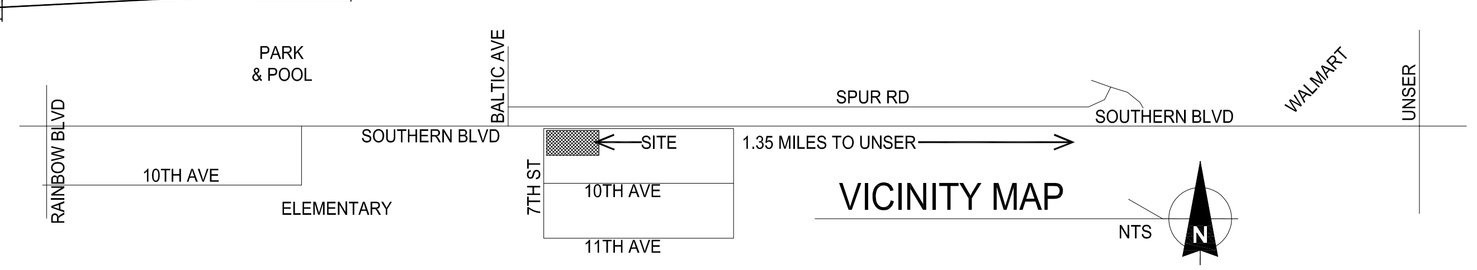


UTILITY NOTE:
SEWER IN NEIGHBORHOOD TO THE NORTH IN SPUR.
ELECTRICAL ACROSS FRONT OF PROPERTY.
WATER IN SOUTHERN.

SITE PLAN
1"=20'-0"
0 10' 20' 40'
SCALE: 1" = 20'-0"



FRONT ELEVATION
1/8"=1'-0"
0 4' 8' 16'
SCALE: 1/8" = 1'-0"



VICINITY MAP
NTS

GENERAL NOTES:
1. MAX LOTS PER ORDNANCE = 15 PER ACRE
   TOTAL LOTS ALLOWED = 45
   LOTS PROVIDED = 42
2. ALL DIMENSIONAL STANDARDS PER R-3 ATTACHED ZONING.
3. MINIMUM LOT WIDTH TBD AT SITE PLAN SUBMISSION.
   (20) 31'-0" WIDE
   (22) 26'-0" WIDE
4. MINIMUM LOT SIZE =1200 MIN SQ FT. PROVIDED.
5. MINIMUM FRONT SETBACK = 20'. PROVIDED.
6. MINIMUM REAR AND SIDE SETBACK = 0.
7. MINIMUM STREET SIDE SETBACK = 10'. PROVIDED.
8. MINIMUM HEIGHT = 32'-0" ABOVE FINISH FLOOR.
9. ACCESS SHALL BE PROVIDED OFF OF 7TH AVE AND AND SOUTHERN BLVD. PER STANDARDS OF THE DEPT OF PUBLIC INFRASTRUCTURE.
10. EXISTING 3 PROPERTIES TO BE REPLATTED INTO MULTIPLE PARCELS.
11. PER UNIT 10 OVERLAY ZONE, BUFFER 'A' 10'-0" USED.
12. TOWNHOMES TO BE FIRE SPRINKLED PER :_____
13. ALL TOWNHOMES TO HAVE 2 CAR GARAGE.
14. FLOOR PLANS AND EXTERIOR ELEVATIONS ARE SUBJECT TO CHANGE.
15. AN HOA WILL BE ESTABLISHED FOR THIS DEVELOPMENT.
16. THE ROADS WILL BE PRIVATE.
17. DEVELOPMENT WILL BE DESIGNED TO MAINTAIN EXISTING DRAINAGE FLOW RATES.
18. PROPERTY SQUARE FOOTAGE SUBJECT TO CHANGE MINIMALLY. THEY W MAINTAIN LOT SIZE MINIMUMS AND MINIMUMS WIDTHS AS SHOW.

SOUTHERN AND 7TH TOWNHOMES : DOCS FOR SITE PLAN APPROVAL : 100423

ORDINANCE NO. 43, ENACTMENT NO. 07-42

7TH ST

ADJACENT PROPERTY TO THE WEST ZONED R-1

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: Matthew Herrera X2D, LLC		Phone: 5059334411
Address: PO Box 10492		E-Mail: matthew.adwelling@gmail.com
City: Los Ranchos,	State: NM	Zip: 87184
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

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

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

Approval of site plan for Sub zoning Ordinance No. 43 Enactment No. 07-042

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: 10	Block(s): 7	Lot(s): 1, 2, 3
Existing Zoning: SU-for townhomes	Proposed Zoning: SAME	
No. of existing lots: 3	No. of proposed lots: 42	Total area of site (acres) 3 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: Matthew Herrera	Applicant: Same	Agent:
Signature: Matthew Herrera		Date: 9-15-23

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

09-15-23

City of Rio Rancho
3200 Civic Center Circle, NE
Rio Rancho, NM 87144

Dear Planning and Zoning,

I would like to formally request the approval of a proposed site plan. The property is located at Unit 10, Block 7, Lots 1, 2 and 3. It is 3 acres total. It is zoned SU (for townhome use) according to Ordinance No 43, Enactment No 07-42. The proposed site meets all the requirements of this ordinance with no need for any changes to the ordinance.

A DRC meeting has been held and multiple other instances of communication with the City staff prior to this submittal. I believe this site plan meets all of the requirements of city codes and overlay.

The properties are abutted on the west by 7th Street SE and then R1 to the west of that. On the north by Southern Blvd SE and then R1 to the north of that. On the east by R1 with a special use for church. On the south by R1.

I am available to answer any questions or address any of your concerns at any time. Feel free to reach out.

Sincerely,
Matthew Herrera
X2D, LLC
Owner

Authorization Form

9-15-23

Attn: City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144

Subject Lots: Unit 10, Block 7, Lot 1

As owner of the subject property, I, Tom F. Cherner, authorize Matthew Herrera to request information and hold development, planning and zoning meetings with the City of Rio Rancho.

Owner
Thomas Cherner

Thomas Cherner 9/15/2023

Signature Date

2022031246 B: 425 P: 31246 WD
12/01/2022 08:44:48 AM Page 1 of 1
Anne Brady-Romero, County Clerk-Sandoval County, NM

Return To:
Fidelity National Title of New Mexico Inc.
6240 Riverside Plaza Lane NW, Suite 110
Albuquerque, NM 87120

GF No.: SP000144073

WARRANTY DEED

The Shaffer Partnership, a New Mexico General Partnership

for consideration paid, grant to

Thomas Cherner, a single man

whose address is 700 Southern Blvd. SE, Rio Rancho, NM 87124

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

Lot numbered One (1) in Block numbered Seven (7) of Rio Rancho Estates Unit 10, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Sandoval County, New Mexico, on December 7, 1961, in Rio Rancho Estates Plat Book No. 1, Page 4.

with warranty covenants.

SUBJECT TO Patent, reservations, restrictions, and easements of record and to taxes for the year 2022, and subsequent years.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 11/29/22

The Shaffer Partnership

BY: _____
Jason Shaffer
Partner

State of TEXAS
County of

This instrument was acknowledged before me on this 29 day of November, 2022, by Jason Shaffer, Partner of The Shaffer Partnership, a New Mexico General Partnership.

_____
Notary Public
My Commission Expires: 10-01-23

[SEAL]

SHEILA V AGUILERA
Notary Public, State of Texas
Comm. Expires 10-01-2023
Notary ID 132192777

LINDA S. PAYNE

CHAPTER 7 BANKRUPTCY TRUSTEE

Authorization Form

Date: July 6, 2023

Attn: City of Rio Rancho

3200 Civic Center Circle NE

Rio Rancho, New Mexico 87144

Subject lots: Lots 2 and 3, Block 7, Unit 10, Rio Rancho Estates

As owner/agent of/for lots 2 and 3 we authorize Matthew Herrera to request information and hold development, planning and zoning meetings on the subject lots with the City of Rio Rancho.

Owner/Agent information:

Linda Payne 7/7/23

Signature Date

11700 PRESTON ROAD, SUITE 660-667
DALLAS, TX 75230
214-444-4278
LINDA@PAYNETRUSTEE.COM

2023007565 04/24/2023 02:01:35 PM
SPECIAL WARRANTY DEED Pg.1 of 3
Anne Brady-Romero Sandoval Cnty Clerk B: 426 P: 7565

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Special Warranty Deed

Date: April 17th, 2023

Grantor: ARROYO ROCK, LLC

Grantor's Mailing Address:

Arroyo Rock, LLC
43 Brandywine Rd.
Freeport, FL 32439

Grantee: LINDA PAYNE, Chapter 7 Trustee In Re: Sara Jean Grieves, Case No. 21-41152, United States Bankruptcy Court, Eastern District of Texas

Grantee's Mailing Address:

Linda Payne
Chapter 7 Bankruptcy Trustee
11700 Preston Road, Suite 660-667
Dallas, Texas 75230

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

704 Southern Avenue SE, Lots 2 and 3, Rio Rancho Estates, New Mexico and described as Lots numbered Two (2) and Three (3) in Block numbered Seven (7) of Unit 10, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, as the same as shown and designated on the Plat of said Addition, filed in the office of the Clerk of Sandoval County, New Mexico, on December 7 1961 in Rio Rancho Estates Plat Book 1, Page 4

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

None

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "**AS IS, WHERE IS CONDITION WITH ALL FAULTS AND WITH NO WARRANTY OF ANY NATURE EITHER EXPRESSED OR IMPLIED**" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through, or under Grantor but not otherwise, and Grantor shall have no personal liability associated hereunder, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

It is understood that Grantor makes no representation or warranties as to the Property, including the condition or habitability of the Property and the Property is hereby conveyed "as is, where is."

When the context requires, singular nouns and pronouns include the plural.

Arroyo Rock, LLC
Grantee Name

James W. Grieves, Managing Member
Representative Name and Title

Representative Signature

STATE OF FLORIDA §
§
COUNTY OF WALTON §

This instrument was acknowledged before me on April 17, 2023, by James W Grieves.

angelabarone Angela Barone
Notary Public, State of Florida
My commission expires: 3/26/27

ANGELA BARONE
Notary Public-State of Florida
Commission # HH 378883
My Commission Expires
March 26, 2027
County of Walton

PREPARED IN THE OFFICE OF:

Bill F. Payne
Law Offices of Bill F. Payne, P.C.
10501 N. Central Expwy., Suite 106
Dallas, TX 75231

AFTER RECORDING RETURN TO:

Linda Payne, Trustee
11700 Preston Road
Suite 660-667
Dallas, TX 75230

September 28, 2023

Mr. Matthew Herrera
X2D LLC
PO Box 10492
Albquerque, NM 87184

Re: Approval for 42 DU's – Unit 10, Block 7, lots 1, 2, 3, Water and Wastewater Availability.
Location: Southern Boulevard, East of Puesta del Sol Elementary School. Currently 700, 704, 708 Southern Blvd. Approximately 3 acres.

Dear Mr. Herrera:

The Utilities Division received a Water and Sewer Availability request in September 2008 for the proposed development of lots Unit 10, Block 7, Lots 1, 2, 3, Rio Rancho, NM. Grinder Pump System will be allowed for this subdivision as approved by Development Services Engineering and the Utilities Department.
A higher pressure zone connection will likely need to be made at Baltic and Southern Blvd or the area rezoned to a higher water pressure zone if a proper valve exists to make a slight zone adjustment if beneficial for the system. Current pressure approximately 40 psi.

The Utilities Commission approves the granting of this Water and Wastewater Availability Statement. A lift station will be required to serve the development in order to tie into Spur Road SE. Water Pressure is also likely to be above 80 psi.

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 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 Engineer 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 Grease Interceptors 505-891-5017. 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.

Also, in accordance with the *Utility Commission Policy Statement*, this Availability Statement will expire unless construction starts within 1 year of approval by the Commission and is complete within 3 years of approval. If you have questions regarding this Availability Statement or the Utility Commission Policy Statement, please contact Elaine Allen, Utilities Administrative Assistant, at (505) 896-8715 or myself at 891-5046.

Sincerely,

Steve Gallegos

Steve Gallegos,
Deputy Director
Utilities Department



CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 43 **ENACTMENT NO. 07-42**

AMENDING THE ZONE MAP FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO SPECIAL USE/ MULTI-FAMILY RESIDENTIAL DISTRICT FOR TOWNHOUSES IN UNIT 10, BLOCK 7, LOTS 1-3, LOCATED ON THE SOUTH SIDE OF SOUTHERN BLVD. BETWEEN 7TH ST. SE AND 10TH ST. SE.

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

Section 1. Purpose: To change the zoning designation from R-1 Single Family Residential District to Special Use/ R-3 Multi-Family Residential District for Townhouses.

A. Land Use:

1. Permitted uses: Townhouses
2. Restricted uses: Apartments

B. Design Standards: Design standards will be adhered to as required for the R-3 Multi-Family Residential District except for lot widths to be determined at site plan approval.

C. Density. Density for any development shall not exceed 15 dwelling units per acre.

D. Access. Access shall be provided off of 7th Ave. and Southern Blvd. per standards of the Department of Public Infrastructure.

E. Summary Plat. The subject property must be re-platted to consolidate the existing lots into a single parcel, or into multiple parcels, provided such parcels are consistent with an approved site development plan, prior to the issuance of any building permit.

F. Site Plan Review. A site development plan for the proposed development must be approved by the Planning and Zoning Board prior to issuance of any building permit.

Section 2. 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 3. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS 11TH DAY OF JULY, 2007.

Michael J. Williams, Deputy Mayor

07-11-07

Date

ATTEST:

Roman Montoya, City Clerk

(SEAL)

CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM

RioRancho
City of Vision

REFERENCE: O-43

AGENDA DATE: July 11, 2007

DEPARTMENT: Development Services

SUBJECT: Zone Map Amendment

CASE NO.: 07-100-00004
07-100-00033

PURPOSE: Change zoning designation from R-1 Single Family Residential District to Special Use/ R-3 Multi-Family Residential District on 3 acres on the south side of Southern Blvd. between 7th St. SE and 10th St. SE.

PROPERTY: Rio Rancho Estates Unit 10, Block 7, Lots 1-3

APPLICANT/AGENT: Scott Weiss and Jason Shaffer

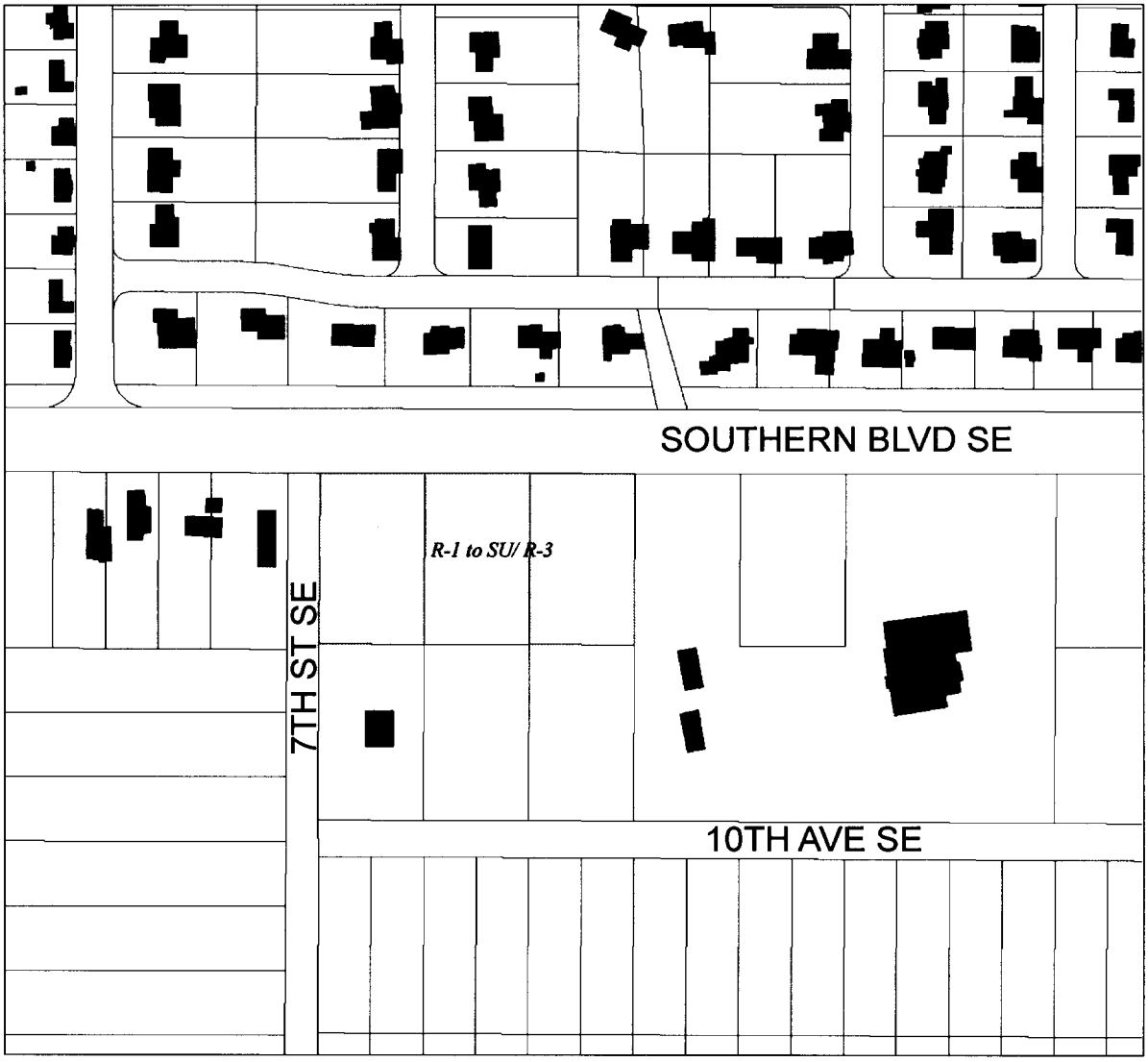
SYNOPSIS: The applicant requests to amend the zone map to change the property's zoning from R-1 Single Family Residential District to Special Use/ R-3 Multi-Family Residential District. The property consists of 3 acres on 3 lots located on the south side of Southern Blvd. between 7th St. SE and 10th St. SE.

BACKGROUND AND ANALYSIS:
The applicant originally proposed to rezone the property to R-3 Multi-Family Residential to build 45 townhouses on the 2-acre site. The concept elevation showed two-story attached dwellings, each with a one-car garage. The concept plan did not specify the square footage of each townhouse unit. The proposal included amenities such as a club house and pool in a gated development.

The original proposal was recommended against by the Planning and Zoning Board in February. At the Governing Body hearing, the applicant indicated that the adjoining property owner on the west wished to join with him in the rezoning. The Governing Body remanded the request back to the Planning and Zoning Board to be reconsidered with the additional lot. The applicant has not submitted a new conceptual site plan for the property.

ACREAGE: The 3 lots have a total area of 3 acres.

LAND USE:
The subject property is currently vacant. The property directly to the east has a church. The lots to the north across Southern Blvd.are all developed as single



family residential. Scattered single family homes also exist on lots to the west and south. Puesta del Sol Elementary School is located a block-and-a-half to the west.

ZONING:

The subject property and all surrounding properties are currently zoned for R-1 Single Family Residential District. A church, such as located next door, is allowed in an R-1 zone as a conditional use. R-1 Single Family zoning allows 7,000 square foot lots or about 6 dwelling units per acre.

The proposed R-3 Multi-Family zoning allows 1,200 square foot lots or 6 units on a 10,000 square foot lot. R-3 zoning for townhouses allows a gross density of 36 units per acre or up to 108 units on this site. Once the area for streets is subtracted, the actual number of townhouse lots would be around 90. The zoning would also allow up to 52 multi-family units on the site. Likewise, once the area for streets is subtracted, the actual number of apartment units would be around

63 units. Setbacks in front are required to be 20 feet, 7-1/2 feet on the sides, and 15 feet in the rear.

ACCESS: The subject property has access to Southern Blvd., an arterial street and 7th St., a local street. The New Mexico Department of Transportation (NMDOT) *Access Management Manual* specifies access should be spaced 325 feet apart on urban principal arterial (UPA) street. The 3 lots have about 470 ft. of frontage which could permit one access point off of Southern Blvd. and one off of 7th St.

NOTIFICATIONS:
Neighboring property owners were notified of this hearing by First Class Mail on June 21, 2007. Development Services staff also posted a legal notice in the *Albuquerque Journal* on June 24, 2007. All notification requirements for this hearing have been met.

District	Permitted Uses	Min. Area (SF)	Lot Width (ft.)	Setbacks (ft.)	Height (ft.)	Parking/ Access	Lands-caping/ Buffer	Density
R-1 Low Density Single Family	Single Dwelling 2+ car garage Accessory Quarters Home Occupations Day Care < 7 Residential Care < 10 Sales/ Model Home Parks, Open Space	7,000	60	Front: 20 25-garage Side: 5 Rear: 15	32	2 cars	Street yard	6.22
R-3 Multi-Family Residential	Townhouse 6 units on a lot	10,000 total or 1,200 ea. unit	70 or 32	Front: 20 Side: 7-1/2 Rear: 15	32	1.5 / unit	2 trees per dwelling unit	36.30

FINDINGS OF CONFORMANCE WITH CITY PLANS, POLICIES & REGULATIONS:

A. <u>CONFORMANCE WITH THE CITY ZONING ORDINANCE</u>
The City Zoning Ordinance Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning & Zoning Board when a change in zoning designation is sought.

Reasons for amending the zone map may include bringing a property into conformance with an adopted plan, a change in the surrounding area's character, to provide for a public purpose, or because of an error in zoning. The Comprehensive Plan designation for the area is for medium density single family housing not multi-family (see below). Currently, no significant change in the

character of the surrounding properties has occurred. The proposed change in zoning does not meet a public purpose or fulfill a critical community need. No argument has been provided that an error was made in the original zoning of the property.

FINDING: This application meets minimum lot size requirements for the R-3 Townhouse District. **CONFORMS.**

B. CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN

Vision 2020-ICP implementation considers that all development proposals be evaluated based on its level of conformance with the Vision 2020-ICP's *Principles, Policies, and Actions.*

Applicable Principles and Policies include:

- *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.

The *Comprehensive Plan* shows medium density single family residential uses along the stretch of the Southern Blvd. corridor west of Unser. No corridor or area plan exists for this area to provide more guidance to its future development. Generally, higher density developments should be located in or near activity centers with access to collector or arterial streets.

FINDING: The proposed zoning designation **CONFORMS.**

IMPACT: The three existing single family lots would generate an average of only 30 vehicle trips per day. Townhouse developments generate 6.63 average daily

trips (ADTs) per dwelling unit. If 108 units were built, the development would generate 716 vehicle trips per day. As a comparison, general office uses would generate 830 ADTs for a 25,000 square foot building with 250 employees. A retail commercial center would generate 1073 ADTs for a 25,000 square foot building.

ALTERNATIVES:

The Governing Body has three alternatives on the disposition of this request.

The Governing Body may:

1. Approve the zone map amendment.
2. Deny the zone map amendment, or
3. Postpone its decision to allow for additional review and consideration.

REVIEWED BY:

☐	City Attorney	☐	Cultural Enrichment
☒	Development Services	☐	Fiscal Services
☒	Public Infrastructure	☒	Public Safety

OTHER DEPARTMENT/DIVISION RECOMMENDATIONS

Department of Public Infrastructure (DPI) comments:

- Access to Southern Blvd. may be restricted upon further development of the property.

Department of Public Safety (DPS) comments:

- No public safety concerns have been noted at this time. As plans progress, traffic safety issues will be reviewed.

DEPARTMENT RECOMMENDATION:

The Department recommends to the Governing Body **APPROVAL** of the proposed zone map amendment with the following conditions:

1. Lots 1-3 must be developed as a unit and will be required to be replatted
2. The maximum density for the development will be 15 dwelling units per acre
3. Access will be provided off of 7th St.
4. The applicant will submit a site plan for approval by the Planning and Zoning Board to address traffic, drainage, and noise.
5. Townhouses uses only are allowed.

Staff further recommends approval of the following Findings of Fact:

FINDINGS OF FACT:

GENERAL FINDINGS:

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

SPECIFIC FINDINGS IN SUPPORT OF THE GENERAL FINDINGS INCLUDE:

1. The existing R-1 zoning is not appropriate for a major arterial street. Multi-family housing should be located on collector or arterial streets.
2. A density of 15 dwelling units per acre would largely conform to medium density single family residential uses designated in the *Comprehensive Plan*.
3. The *Comprehensive Plan* also promotes diversity in the types and affordability of housing choices available to Rio Rancho residents.

PLANNING AND ZONING BOARD RECOMMENDATION:

At its June 12, 2007 meeting, the Planning and Zoning Board voted 7-0 for approval with the amendment that only townhouse uses (no apartments) be allowed.

Mr. Joseph Boeckman spoke at the meeting about neighboring property owner concerns. He submitted a letter signed by neighbors requesting the following conditions (see attached) be added to the rezoning by the Planning and Zoning Board:

1. Only townhouse uses be permitted (no apartments).
2. A traffic signal be placed at the 7th Avenue and Southern Blvd. intersection.
3. Drainage improvements be made including pavement, curb and gutter along 7th Street and a portion of 10th Avenue.
4. A sound buffer wall and landscaping be constructed between the subject property and single family residential properties to the south.

PREPARED BY: Richard Meacham **DATE:** 6/28/07

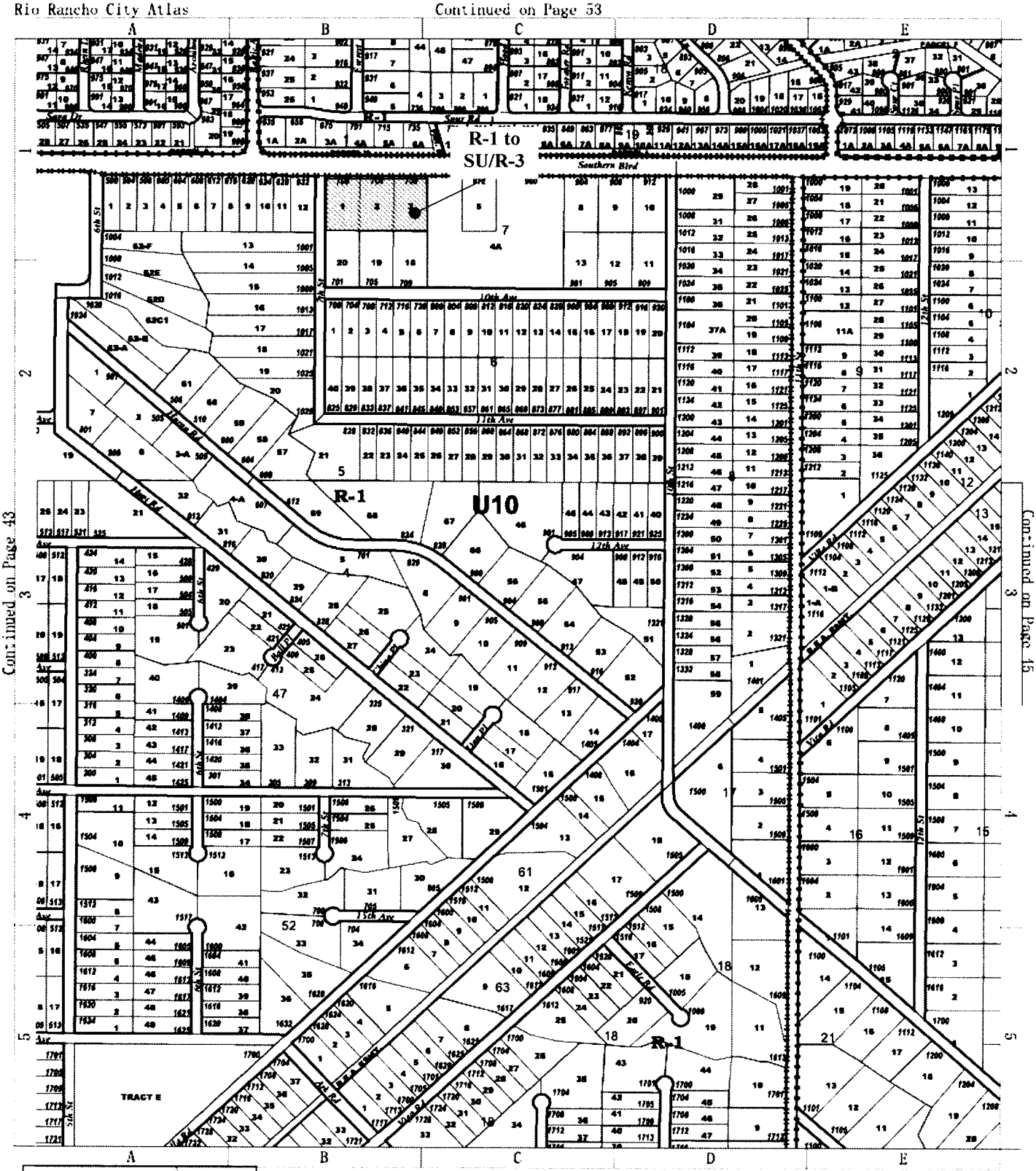
DIRECTOR: [signature] **DATE:** 6/28/07

CITY MANAGER: [signature] **DATE:** 7/2/07

Exhibit(s):

Exhibit I: Ordinance
Exhibit II: Location Map
Exhibit III: Neighbor's Letter
Exhibit IV: Planning and Zoning Board Minutes

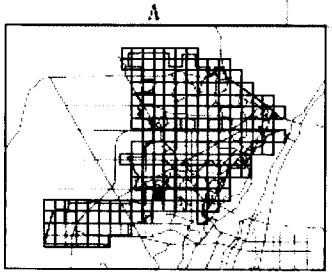
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Scale: 1" = 600'

600 0 600 1200 Feet

N

CITY DEVELOPMENT DEPT.
PLANNING DIVISION
Prepared by: Clifford R. LeQuieu

Confirmation of Zoning must be obtained from the Zoning Division of the City Development Dept.

To Rio Rancho Planning and Zoning Board of Commissioners:

June 1, 2007

We request that the following conditions be included for approval from R-1 to SU/R3.

1. That the zone change approval would authorize town homes (as originally submitted) and not allow apartments.
2. That the Baltic Avenue and 7th Street intersections at Southern Boulevard be controlled by traffic lights, with green arrow for left turn onto 7th Street from Southern.
3. That 7th Street from Southern to 10th Avenue, and the first 500 feet of 10th Avenue from the intersection of 7th Street going east be curbed and paved with drainage. That the existing entrances to properties be paved up to the property lines.
4. That a sound buffer and crime deterrent wall be constructed along the south end of the proposed zone, using the following minimum standards:
    - Eight foot (8') high wall (from side with highest grade), rough textured (similar to the wall on Grand Blvd. between Sara and 19th Street) with vines and shrubbery along the entire length.
    - At least twelve (12) evergreen trees and twenty-four (24) deciduous trees, each evergreen with a minimum height of twelve feet (12') at time of planting and each deciduous tree at least sixteen feet (16').

Thank you for your consideration of our request.

632 Southern Blvd SE	Perez residence
701 10th Ave SE	Boeckman residence
705 10th Ave SE	Bazan residence
709 10th Ave SE	Rogers residence
900 Southern Blvd SE	Faith Church

Deacon President

RioRancho
City of Vision

PLANNING & ZONING BOARD
DRAFT MINUTES
June 12, 2007

BOARD MEMBERS

David Heil, District 1
Mark Werkmeister, District 2
P.J. Perry, District 3
John Paulson, District 4
Todd Rastorfer, District 6
Karl Wiese, At Large
Pat D'Arco, District 5, Chairman

A. ZONE MAP ORDINANCE: The applicants request to amend the zoning designation from the R-1, Single Family Residential District to the Special Use/R-3, Multi-Family Residential, District for 3.0 acres legally described as Unit 10, Block 7, Lots 1-3 of Rio Rancho Estates located at the southeast corner of 7th Street SE and Southern Boulevard (Postponed from the May 29, 2007 PZB meeting).
Case No.: 07-100-00004 and 07-100-00033
Applicants: Scott Weiss and Jason Shaffer
Agent: N/A
Staff Contact: Richard Meadows
Staff Recommendation: Approval with conditions

Mr. Meadows, Staff, stated that this item was postponed from the previous meeting because one of the neighboring property owners failed to receive his notification by mail. The neighboring property owners submitted a letter (included in the packet) which includes a list of conditions that they would like to see added in the Board's approval. Staff has recommended approval with the following conditions:

1. All three (3) lots be developed as a unit, which may required re-platting;
2. The maximum density of the development be no more than 15 dwelling units per acre;
3. Access be provided off of 7th Street;
4. Site plan approval by the Planning and Zoning Board.

Jason Shaffer, Applicant, asked Staff if access from Southern would still be allowed, in addition to the access to 7th Street. Mr. Meadows replied that a Traffic Impact Analysis will need to be done before the project is constructed and that TIA will determine whether the project can have full or partial access to Southern Blvd.

Mr. Shaffer agreed with the staff recommendation and addressed the concerns of the neighboring property owners by stating that the traffic signal at 7th Street and Southern Blvd. would be determined by the TIA, and that they would do whatever is recommended by the TIA, including participating with their prorated share of the cost a traffic signal. He added that it is their intention to pave 7th Street from Southern Boulevard to the end of their property, but did not intend to pave 10th Avenue unless it was somehow affected by this subdivision and required. In terms

of a sound buffer, the perimeter of the subdivision will have a garden wall. The south-side landscaping has not been addressed yet, but they are willing to provide some as long as the plants are drought resistant and don't require watering.

PUBLIC COMMENT:
Joseph Boeckman, 701 10th Ave SE, Rio Rancho, representing the neighboring properties, stated that they are concerned about the traffic at the intersections of Baltic and 7th Street, if 7th Street is to be used as a main entrance. He stated that regarding drainage, he is concerned that if they only pave 7th Street to the end of their lot, the remaining half of 7th Street to 10th Avenue would be washed out. He added that all of the neighbors agree that 7th Street must be paved entirely to carry the drainage to the existing arroyos. He said the wall does not necessarily have to be a sound-proof wall, but the neighbors would prefer an eight-foot high wall that would make it harder for people to climb over.

MOTION PZB061207-5A: COMMISSIONER HEIL MOVED TO APPROVE THE APPLICANT'S REQUEST TO AMEND THE ZONING DESIGNATION FROM THE R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO THE SPECIAL USE/R-3, MULTI-FAMILY RESIDENTIAL, DISTRICT FOR 3.0 ACRES LEGALLY DESCRIBED AS UNIT 10, BLOCK 7, LOTS 1-3 OF RIO RANCHO ESTATES LOCATED AT THE SOUTHEAST CORNER OF 7TH STREET SE AND SOUTHERN BOULEVARD (POSTPONED FROM THE MAY 29, 2007 PZB MEETING). THE MOTION WAS SECONDED BY COMMISSIONER WERKMEISTER.

Commissioner Heil asked staff if the requests of the applicants should be addressing during Site Plan approval or now, and recommended that the Board should consider limiting the use to townhouses, and not apartments.

MOTION TO AMEND PZB061207-5A: COMMISSIONER WERKMEISTER MOVED TO AMEND THE APPLICANT'S REQUEST TO LIMIT THE USE TO TOWNHOUSES (NO APARTMENTS). THE MOTION WAS SECONDED BY COMMISSIONER HEIL.

Commissioner Wiese asked Staff to define "townhouse" versus an apartment. Mr. Meadows responded that the design standards in the zoning ordinance state that apartments can include 6 multi-family units on a lot, and the lots have to be at least 10,000 square feet in size. For town homes, the lots can be smaller (1200 square feet in size), but each home is on a separate lot. Commissioner Wiese asked if townhouses could be attached or stacked. Staff stated that they would be attached, they could have zero-lot lines, and they could be two stories.

Commissioner Wiese asked the applicant if limiting the use to townhouses would adversely affect his project. The applicant stated that it is their intention to build 45 townhouses on the three acres.

AMENDMENT PZB061207-5A VOTE: MOTION CARRIED BY A VOTE OF 7-0. YES: HEIL, WERKMEISTER, PERRY, PAULSON, RASTORFER, WIESE AND D'ARCO

NO: NONE

Commissioner Heil stated his concern whether the applicant will be able to get 15 townhouse lots per acre and still have room for a sound-buffer wall and landscaping. Mr. Shaffer replied that landscaping will be the only challenge that the architect will face. Their site plan will ask for a skinnier and deeper lot which will require an adjustment in regards to the setbacks. In order to get that number of units, the design will have to change. Their intention is to bring affordable housing to this area. Commissioner Heil asked if the conceptual drawing in the packet is correct. Mr. Shaffer stated that the drawing in the packet was submitted with the original rezone request for two acres and it will be changed to cover the three acres now being requested. He noted that a detailed drawing will be drafted by his architect at the time of Site Plan approval. Commissioner Heil stated that his major concern is how they intend to distribute and address parking needs.

PZB061207-5A VOTE: MOTION CARRIED BY A VOTE OF 7 – 0.
YES: HEIL, WERKMEISTER, PERRY, PAULSON, RASTORFER, WIESE AND D'ARCO
NO: NONE

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 20 **ENACTMENT NO. 18-24**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP; ZONE MAP OVERLAY ZONE FOR PROPERTY DESCRIBED AS ALL OF UNIT 10 RIO RANCHO ESTATES AND ANY SUBDIVISION THEREOF AND INCLUDING ALL ADJOINING RIGHT-OF-WAYS; IDENTIFYING DESIGN GUIDELINES, LANDSCAPE BUFFER AND USE SEPARATION GUIDELINES AS OUTLINED IN THE AMENDED UNIT 10 SPECIFIC AREA PLAN – APPENDIX 8.8; 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 the City of Rio Rancho, and assigned City Case No. 18-100-00008; and,

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, the City of Rio Rancho Development Services has proposed an amendment to the Official Zoning Map for the purpose of imposing additional design standards, landscape buffers and use separation guidelines in Rio Rancho Estates Unit 10, based on the development and implementation of the Amended Unit 10 Specific Area Plan; and,

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on May 8, 2018, 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 for the in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes herein after described were duly advertised and held by the Governing Body of the City of Rio Rancho on _____, and the Governing Body heard interested parties and citizens for and against the proposed amendments; and,

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments promote 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. Overlay Zone:

The Overlay Zone authorized under Section 154.32 shall apply as an overlay zone for design standards, landscaping buffer and use separation guidelines as outlined in the Amended Unit 10 Specific Area – Appendix 8.8, and as further set forth in Section 2 below, and shall be denoted on the official zoning map as "OZ" in conjunction with the notation of the underlying zoning district for the following properties:

All of Unit 10 Rio Rancho Estates, being land bordered by Southern Boulevard on the North, Unser Boulevard on the East, Bernalillo County on the South, and Rainbow Boulevard on the West, and any subdivision thereof and including all adjoining right-of-way.

Section 2. Design Guidelines:

I. Purpose

a. To create appropriate buffers between higher intensive commercial/multi-family uses and single family residential developments in Unit 10, this overlay zone establishes setback regulations and creates flexible standards for landscape buffer areas between single-family residential uses abutting developments of a different land use type. The intent is to provide an adequate separation between uses and consistency and flexibility in the choosing of appropriate landscape features based on land use and site conditions.

II. General Requirements

a. New structures and additions to existing structures must meet the setback regulations of this overlay zone.

b. A buffer is a specified land area together with its planting and landscape requirements. A buffer may also contain a barrier such as a fence, wall, hedge, or berm where such additional screening is necessary to achieve the desired degree of buffering between adjacent uses.

c. A landscaping buffer area is required along the perimeter (unless a zero setback is used) of the proposed development whenever a multifamily or non-residential property abuts a residential zone. The existing use, or, where vacant, the permitted use of the abutting property will determine the type of landscape area required for the proposed development.

III. New Developments

a. All new developments must meet the setback and landscape buffer requirements as set forth in this section.

IV. Existing Developments

a. Additions and modifications to existing buildings must meet the setback regulations of this overlay zone.

b. Existing landscapes that do not comply with the provisions of this section must be brought into conformity to the extent possible when:

i. The vehicular/parking lot area is altered or expanded by more than 10% other than re-striping or re-marking;

ii. The building square footage is altered or expanded by more than 50%; and/or

iii. There has been a discontinuance of use for a period of 365 days or more.

c. In the case of a constrained site, the property owner/developer will confer with the Development Services Director to determine how best to

meet the setback and landscape buffer requirements of this overlay zone.

V. Use Categories

a. For the purposes of landscape buffer requirements, developments are classified into the following land use categories, with corresponding zoning districts as defined in the City Code. The use categories for landscape buffer requirement purposes are:

i. L/MDR = Low/Medium Density Residential (1-8 DU/Acre)

1. R-1: Single Family Residential District
2. R-2: Single Family Residential District
3. R-3: Mixed Residential District (single-family development only)
4. R-4: Single Family Residential
5. A-R: Agricultural Residential District
6. M-H: Mobile Home Residential District
7. E-1: Estate Residential District
8. T-Z: Transitional Zoning District

ii. HDR = High Density Residential (8- 26 DU/Acre)

1. R-3: Mixed Residential District (multi-family/attached residential development)
2. R-5: Single Family Residential District
3. R-6: Multi-Family Residential District

iii. COM = Commercial

1. C-1: Retail Commercial District
2. O-1: Office District
3. NC: Neighborhood Commercial
4. MU-A: Mixed Use Activity Center District
5. CBD: Central Business District

iv. IND = Industrial, Business Park, Warehouse

1. C-2: Wholesale and Warehousing Commercial District
2. M-1: Industrial and Business Park District
3. BP: Business Park District
4. Utility

v. CIVIC = Civic, School, Church

VI. Setbacks

a. Rear – zero feet, unless abutting a residential zone, then a 15-foot setback with landscaped buffer is required for buildings up to 35 feet in height. For portions of a building greater than 35 feet in height, the building shall have a step-back of ten feet for each additional ten feet of height up to the maximum height of the district;

b. Side – zero feet, unless abutting a residential zone then, a 10-foot setback with landscaped buffer is required for buildings up to 35 feet in height. For portions of a building greater than 35 feet in height, the building shall have a step-back of ten feet for each additional ten feet of height up to the maximum height of the district;

c. Trash containers and trash compactors – 15 feet from the property line when adjacent to land planned or zoned for a single-family residential use.

i. All trash containers and trash compactors shall be screened from residential zones and public rights-of-way by decorative wall or enclosure that extends not less than two feet above the height of the trash container or compactor.

ii. Flag poles – 25 feet from any property line, with a maximum height of 50 feet. Pole heights greater than 50 feet may be approved by conditional use permit.

VII. Determination of Landscape Buffer Requirements

a. The table of buffer requirements (Table 1 - Required Buffers between Land Use Designations) describes the type of buffer required as determined by the uses allowed in the applicable zone and the type of use which is designated, approved, or existing on lands adjacent/abutting the proposed project. In order to determine the type of buffer required, the following procedures shall be followed:

i. Identify the abutting properties land use designation (existing and/or proposed).

ii. Where an abutting property has a lawful nonconforming use of less intensity than the allowable use of the property, buffering shall be based upon the allowable use. *(Note: This avoids the possibility of "too little buffering" should the nonconforming use be discontinued and subsequently developed with a use consistent with the future land use map).*

iii. Refer to Table 1 below for buffer requirements on each property boundary or portion thereof and select the desired buffer option for the specified type of buffer from those shown in Figure 1 through Figure 3.

iv. The following developments are not required to provide buffers:

1. Construction of single-family homes on "antiquated" original Rio Rancho Estates lots.
2. All licensed plant or tree nurseries shall be exempt from the terms and provisions of this section only in relation to those trees planted and growing on the premises of said licensee, which are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensee's business.
3. Passive recreation such as golf course, open space areas, hiking/equestrian/bicycle trails, or boardwalks.

Table 1. Required Buffers between Land Use Designations

	ABUTTING LAND USE				
DEVELOPING LAND USE	**L/MDR**	**HDR**	**COM**	**IND**	**CIVIC**
L/MDR	N/A	A	B	B	B
HDR	A	A	B	B	B
COM	B	B	A	A	A
IND	B	B	A	A	A
CIVIC	B	A	A	A	A

VIII. Types of Buffers

a. Required buffer types shall consist of "Type A" and "Type B" as follows:

i. Type A: Intended for similar land uses of differing intensities or densities, such as low density residential and higher density residential. See ***Figure 1***.

ii. Type B: Intended for different land uses types with similar intensity, large differences in impacts and intensity, such as high density residential and neighborhood commercial; and such as single family residential and commercial uses. See ***Figure 2***.

b. Each buffer type consists of several options that utilize different landscape features to create an appropriate buffer between uses. Appropriate landscape features are determined by the total width of the landscape buffer area, the density of trees and shrubs proposed, the abutting land use, and existing site conditions.

c. In no case will a required buffer of less than five (5) feet in width be allowed except when one (1) of the following conditions exists and is indicated on the site plan for the proposed development or project:

   i. The adjacent property is designated with a nonresidential land use category and is vacant.

   ii. The adjacent property has existing vegetation sufficient in size, types of plantings, and location that serve in the same capacity as the required buffers between the parcels.

d. For projects that propose to retain seventy-five (75) feet of undisturbed area between the extent of the development and the property line, the Development Services Director may grant an exemption from buffering requirements of this section. This exemption does not apply to industrial, extractive, or outdoor recreation uses. Additionally, the site plan must show that the undisturbed area has an existing mixture of trees, shrubs, and other vegetation or native landscaping that would serve in the same capacity as the required buffer.

e. For projects that are required to provide a buffer to adjacent residentially zoned property that is currently vacant, the applicant may plant the required buffer at the proper density and configuration, but may utilize smaller plants to allow for a longer period to maturity. All plants that are smaller than required shall be of a type that will reach the required height within two (2) years from the time of planting.

f. Alternative designs for required buffers may be approved by the Development Services Director upon a finding that the required buffer will require alterations of the existing improvements on the property or that such alternative designs meets the intent of these regulations and sound landscaping practice. In no case is the Director authorized to reduce the width of a buffer or total number of plants required on the site.

IX. Use and Location of Buffers

a. Areas identified as required buffers may also be used as follows:

   i. Satisfaction of setback/yard requirements, if any.

   ii. Satisfaction of open space requirements, if any (but not less than the required setbacks/yards).

   iii. May contain stormwater retention or detention areas (including green infrastructure solutions), so long as the required buffer plantings are provided and the design and landscaping of the buffer does not interfere with proper functioning of the drainage system and the design water depth or water flow does not harm the viability of the plantings.

   iv. Passive recreation such as pedestrian, bicycle, or equestrian trails subject to the following limitations:

      1. No plant material is eliminated.
      2. The total width of the buffer is maintained.
      3. All other requirements of these regulations are met.

b. The following uses shall not be allowed in a required buffer: principal structures, accessory structures, plat fields, stables, swimming pools,

tennis courts, or similar active recreation uses; storage facilities, or parking facilities.

c. General location of design requirements:
    i. Buffers shall be located on the outer perimeter of a lot or parcel that abut developments of a different land use type and/or intensity and extend the entire length of the lot or parcel boundary line.
    ii. Buffers shall not be located on any portion of an existing, dedicated, or proposed right-of-way, roadway easement, or private street without prior approval of the Development Services Director.
        1. In some cases, landscape areas may be located within existing or dedicated street right-of-way or roadway easement; however, this requires the written approval by the Development Services Director prior to installation.
    iii. Where an existing utility easement is partially or wholly within a required buffer, the developer shall design the buffer to eliminate or minimize plantings within the easement to ensure proper clearance of all existing or proposed utility equipment. Such design may necessitate choosing a buffer with more land area and fewer required plantings.

X. Barriers & Fencing

a. Fencing for the purpose of security or protection is allowable within all buffers provided the fence complies with the applicable fence or wall requirements and standards found in the City Code. Developments proposing a privacy fence or wall six (6) feet or more in height within a required buffer may be allowed a fifty (50) percent reduction in the density of plantings required. Such request shall be submitted in writing by the applicant and shall include provisions by the owner for maintenance of the buffer and the fencing. This reduction does not apply to industrial, extractive, or active outdoor recreational uses.

XI. Plantings and Trees

a. At least 75% percent of landscape area shall be covered with living, vegetative materials, including trees, shrubs, ground cover, or flowers. Coverage will be calculated from the mature spread of the plants. To minimized water consumption the use of ground cover other than turf grass and plants that are native or adaptable to the climate of Rio Rancho is encouraged. In the event of a greater than minimum landscape buffer width, the 75% of plant material can be based on the calculation of the area for the smallest buffer width. The plant material can be evenly distributed within the provided landscape buffer area and no additional material is required. All plant material installed as park of any development shall be maintained by the property owner and at no time shall plant material be removed without being replaced with plant material similar in size and shape.

b. Plant Types
    i. Appropriate species of trees, shrubs, and hedges to use within landscape buffer areas as listed in ***Figure 3***.
    ii. In general, plant species should be xeric, native species that will prosper within the selected buffer size, and reach mature heights as described below.

iii. All plants utilized shall be of a type that the growth will reach the required height criteria within a two (2) year period from the time of planting.

c. Trees

i. Trees in buffers less than ten (10) feet should be of a size that will prosper within this size buffer. Trees in buffers of more than ten (10) feet may be any size provided; however, at least one-half of the required trees shall be a species that reach a minimum height of twenty (20) feet at maturity.

ii. Trees used in required buffers may be used to meet the required plantings for the property, provided the trees meet or exceed all size, type, and location requirements for tree planting.

d. Shrubs

i. Shrubs shall be of species that have an average mature height of at least two (2) feet.

e. Hedges

i. Continuous hedges shall have a height of at least four (4) feet and form a continuous screening.

ii. Irregular hedges shall have a height of at least four (4) feet, and shall be distributed as to screen at least 75 percent of the buffer area per hundred linear feet.

XII. Landscape Elements

a. Berms

i. Berms are raised areas of the landscape buffer that may be added to create visual interest and screening between uses. Berms are appropriate in landscape buffers areas that are at least fifteen (15) feet wide.

ii. Minimum berm height shall be at least 24 inches, on average, at the crest of the berm, with a maximum berm height of five (5) feet.

b. Swales & Green Infrastructure

i. Swales are lowered areas of the landscape buffer that are designed to manage storm water runoff through retention, infiltration and filtration of water runoff. Swales are appropriate in landscape buffers areas that are at least ten (10) feet wide.

ii. Swales shall be on average three (3) feet wide by one (1) foot deep, and have a total capacity of at least 300 cubic feet per 100 linear feet of buffer area.

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Buffer Type Examples:

Figure 1: Buffer Type A - Intended for similar land uses of differing intensities or densities, such as low density residential and higher density residential.

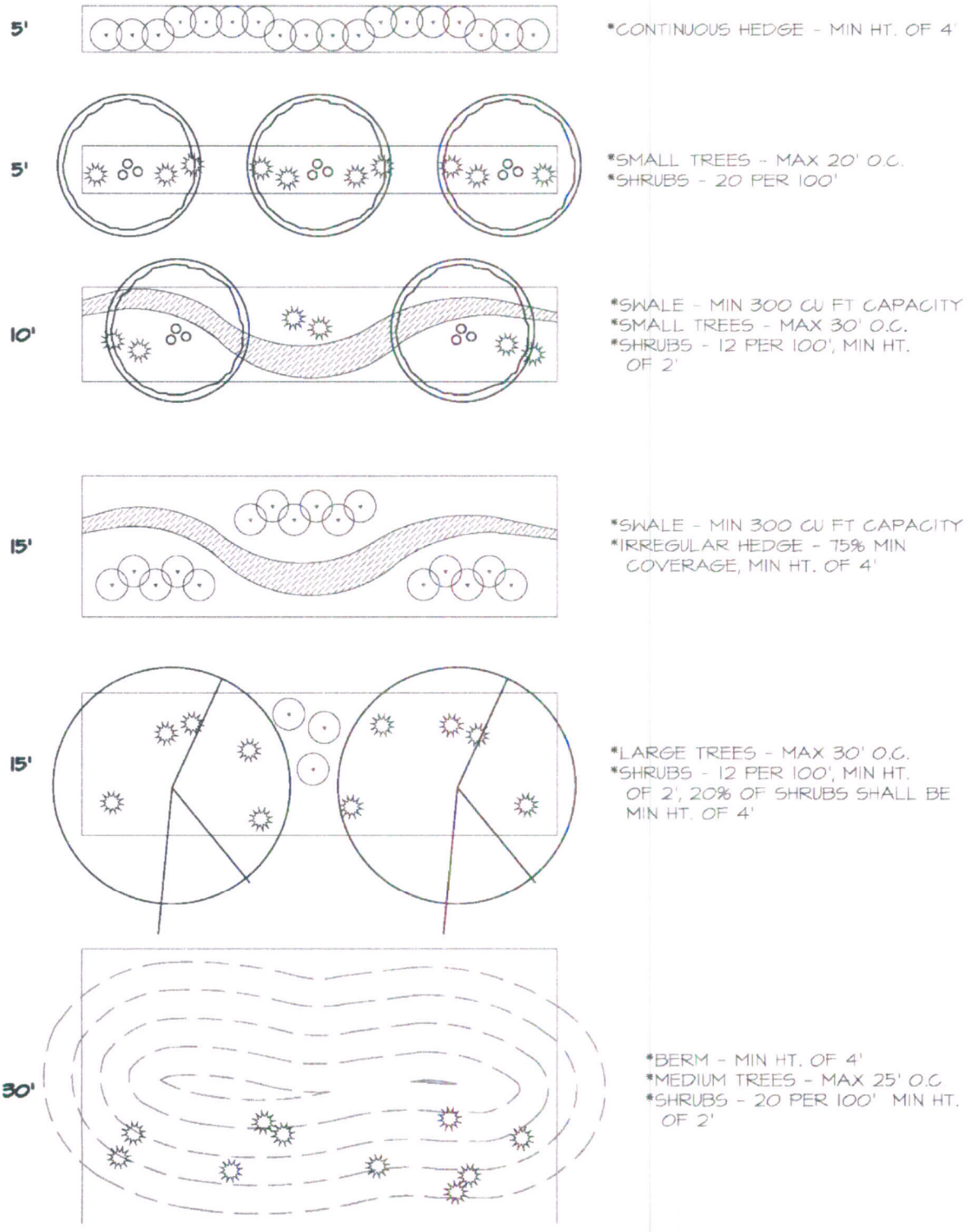


Figure 2: Buffer Type B- Intended for different land uses types with similar intensity, large differences in impacts and intensity, such as high density residential and neighborhood commercial; and such as single family residential and commercial uses.

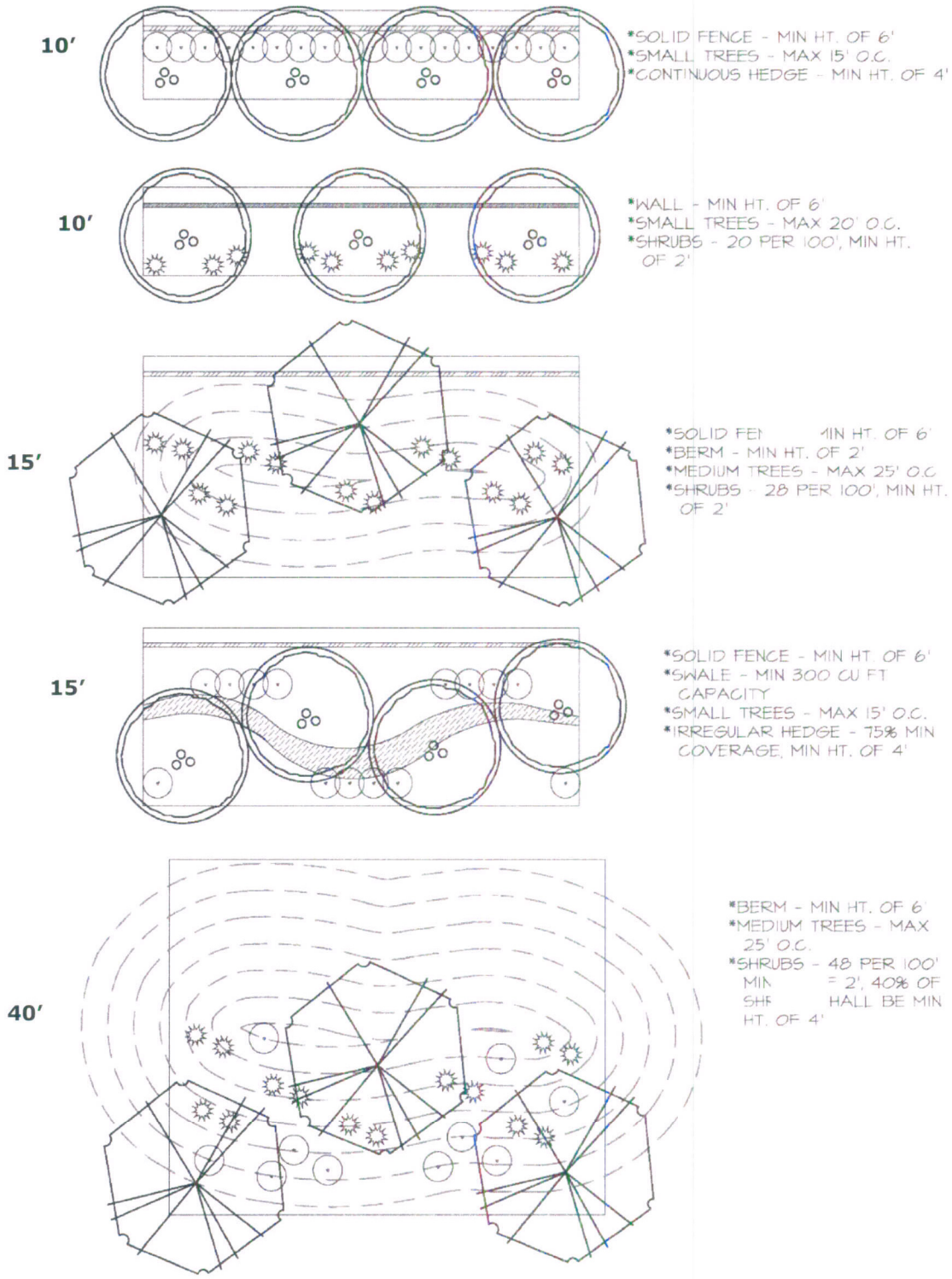


Figure 3: Recommended Landscape Buffer Plant List

Small Trees (Trees with up to 20' wide canopy at maturity)		
Common Name	**Botanical Name**	**Height x Spread**
NM Olive	Forestiera neomexicana	15' x 15'
Desert Willow	Chilopsis linearis	25' x 25'
Chaste Tree	Vites agnus-castus	25' x 20'
Redbud Species	Cercis sp.	20' x 15'
Mimosa	Albizia julbrissin	20' x 20'
English or Washington Hawthorn	Crataegus sp.	20' x 20'
Fragrant Ash	Fraxinus cuspidata	20' x 20'
Crape Myrtle	Lagerstroemia indica	15' x 15'
Screwbean or Western Mesquite	Prosopsis sp.	20' x 20'
Sumac Species	Rhus sp.	15' x 20'
Afghan or Pinon Pine	Phus sp.	20' x 15'
Juniper Species	Juniperus sp.	Up to 20'

Medium Trees (Trees with up to 20' – 30' wide canopy at maturity)		
Common Name	**Botanical Name**	**Height x Spread**
Sensation Box Elder	Acer negundo 'Sensation'	40' x 30'
Netleaf Hackberry	Celtis reticulate	25' x 25'
Ash Species	Franxinus	Up to 30'
Golden Rain Tree	Koelrenteria paniculata	25' x 25'
Chisos Oak	Quercus granesii	25' x 25'
Locust Species	Robinia sp.	40' x 25'
Western Soapberry	Sapindus drummondii	30' x 30'
Austrian Pine	Pinus nigra	25' x 30'
Escarpment Live Oak	Quercus fusiformis	25' x 30'

Large Trees (Trees with up to > 30' wide canopy at maturity)		
Common Name	**Botanical Name**	**Height x Spread**
Pecan	Carya illinoinensis	40' x 40'
Common Hackberry	Celtis occidentaiis	40' x 40'
Modesto Ash	Franxinus velutina	40' x 35'
Thornless Honey Locust	Gleditsia triacanthos inermis	50' x 45'
Chinese Pistache	Pistacia chinensis	60' x 60'
Cottonwood	Populus wisiisenii or fremontii	50' x 50'
Lacebark Elm	ulmus parvifolia	50' x 50'
Japanese Pagoda Tree	Syringa reticulata	35' x 35'
Alligator Juniper	Juniperus deppeana	60' x 60'
Emory Oak	Quercus emoryl	35' x 35'

Hedge Shrubs (Shrubs more than 4' tall at maturity)		
Common Name	**Botanical Name**	**Height x Spread**
Barberry Species	Berberis thunbergii	4' x 4'
Butterfly Bush	Buddleia spp.	5' x 5'
Pea Shrub	Caragana spp.	8' x 8'
Flowering Quince	Chaenomeies japonica	6' x 6'
Golden Currant	Ribes aureum	6' x 6'
Three Leaf Sumac	Rhus trilobata	6' x 6'
Sand Sage	Artemesia fillfolia	4' x 4'
Parney Cotonesater	Contoneaster lacteus	8' x 10'
Silverberry	Elaegnus pungens	10' x 10'
Mountain Mahogany	Cercocarpus montanus	10' x 8'
Arizona Rosewood	Vaqurlinia sp.	12' x 10'
Juniper Species	Juniperus sp.	Up to 10'

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

Section 4. Effective Date:
This Ordinance shall take effect in ten (10) days after adoption.

ADOPTED THIS 12TH DAY OF SEPTEMBER, 2018.

Greggory D. Hull, Mayor

ATTEST:

Stephen J. Ruger, City Clerk
(S E A L)

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

September 19, 2023

RE: Site Plan Approval: Proposed Site Plan for Townhouses at 700, 704, & 708 Southern Blvd SE
Case No. 23-160-00007

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, Matthew Herrera X2D, LLC., requests site plan approval for the properties of 700, 704, and 708 Southern Blvd SE. The subject properties are legally described as Rio Rancho Estates Unit 10, Block 7, Lot 1-3 and comprise approx. 3 acres. The subject properties are zoned SU: Special Use for Townhouses. This Site Plan application will additionally require approval by the Governing Body.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, October 10, 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.

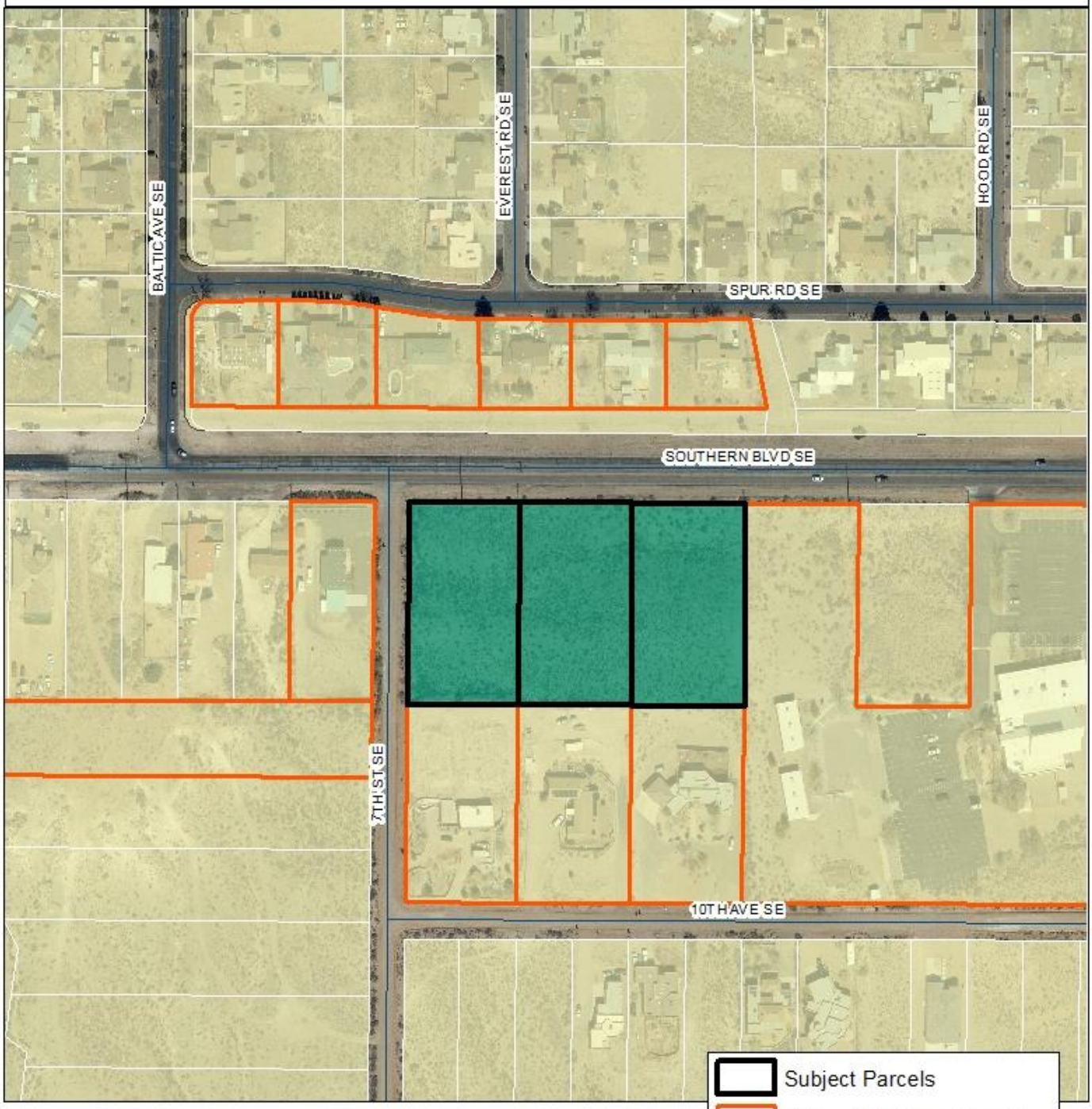
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

700, 704 & 708 SOUTHERN BLVD SE
SITE PLAN



Rio Rancho
City of Vision

0 60 120 240 360 480
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 9/19/2023

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

Ad Proof/Order Confirmation

Account Number
1010956

Ad Order Number
0001578682

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		$72.80	**Sales Rep**	wschult	
Tax Amount		$5.55	**Order Taker**	wschult	
Total Amount		$78.35			
Amount Paid		$0.00			
Amount Due		$78.35			
Affidavits	0				

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

https://securepayment.link/abqjournal/

Pick Up #

Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001578682-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEPLANNINGANDZONINGB OARDOFTHECITYOFRIORANCHONM WILLCONSIDERTHEFOLLOWINGMAT TERSATITSREGULARLYSCHE
Ad Size	1 X 84 li		
Color			

Run Date
09/25/2023
09/25/2023
09/25/2023

WYSIWYG Content

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, October 10, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00003
The applicant, City of Rio Rancho, requests to amend City of Rio Rancho Code of Ordinances (R.O. 2003) Chapter 154 Planning and Zoning for the addition of Section 154.45 Off-Premises Advertising Signs.

Site Plan
Case #23-160-00007
The applicant, Matthew Herrera X2D, LLC., requests site plan approval for the properties of 700, 704, and 708 Southern Blvd SE, legally described as Rio Rancho Estates Unit 10, Block 7, Lot 1-3.

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

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

Journal: September 25, 2023

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: September 18, 2023

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
- (X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
- (X) Police - Justin Garcia
- (X) SSCAFCA – Andy Edmondson, Sara Rassa
- (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: Site Plan: DSD #23-160-00007 (RRE U10, Block 7, Lot 1-3)

The applicant, Matthew Herrera X2D, LLC., requests site plan approval for the properties of 700, 704, and 708 Southern Blvd SE. The subject properties are legally described as Rio Rancho Estates Unit 10, Block 7, Lot 1-3 and comprise approx. 3 acres. The subject properties are zoned SU: Special Use for Townhomes.

The Special Use Ordinance for these properties requires site plan approval by the Planning and Zoning Board in addition to the Governing Body.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday October 2, 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

RRFR Comments: International Fire Code 2021 shall be followed.

1. Confirm fire hydrants are in approved distances and locations
2. Follow IFC Appendix D – Inside turning radius of turns shall be 28'.
3. No parking on Road ways. Fire lane required.
4. Fire Sprinkler system required.
    a. Fire hydrant within 100' of FDC(s)
5. Fire Alarm may be required.
6. Deferred Submittals for Fire Alarm and Fire Suppression systems.
7. Knox box for emergency access.
8. More requirements may be necessary upon plan review phase.

Gerard Bauer 10/2/2023

Gerard Bauer — Reviewer

10/2/2023 — Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: September 18, 2023

TO:
(X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
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(X) MRCOG – Peach Anderson-Tauzer

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(_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

SSCAFCA Comments:

Please make sure that the development runoff is accurately calculated and assess whether the existing conditions can adequately accommodate it in accordance with the City of Rio Rancho permits. If not, please propose appropriate measures to address it.

Reviewer

9/28/23
Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: September 18, 2023

TO:
(X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
(X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
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MRMPO has no adverse comments. For informational purposes:

- Southern Blvd is functionally classified as a Minor Arterial.
- Southern Blvd is identified as a Community Principal Arterial in the Long Range Roadway System (LRRS).
- A proposed bike lane is identified on Southern Blvd in the Long Range Bikeway System (LRBS).
- Southern 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 recommends the following as it relates to the subject property:

- Combine land redevelopment with enhancements to existing transportation facilities to better incorporate bicyclists and pedestrians.

Peach Anderson-Tauzer — Reviewer
10-2-2023 — Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: September 18, 2023

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
- (X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
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- (_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Per Municipal Code 154.60 for residential landscaping, and the Unit 10 overlay requirements for vegetation/buffers, please update the site plan to reflect the required landscaping of the buffer – between the project area and surrounding R-1 zoned properties. Show both a landscape plan (with plantings, locations, name of species, size of plantings) and irrigation plan (indicating where an irrigation meter and backflow preventer, type of back flow preventer are located). Irrigation backflow preventer will need to be registered and tested per ordinance 54.0.

Dyane N. Sonier — Reviewer

09/21/23 — Date

Timothy Dvorak

From: Angela Romero <aromero@melloynissan.com>
Sent: Thursday, October 5, 2023 10:08 AM
To: Timothy Dvorak
Subject: Case No. 23-160-00007

Caution! This message was sent from outside your organization.

You don't often get email from aromero@melloynissan.com. Learn why this is important

Good morning Tim,

I am responding to a notice I received regarding a proposed site plan for townhouses at 700, 704 & 708 Southern Blvd SE (Case NO. 23-160-00007). I own one of the properties abutting the subject properties (675 Spur Road SE Rio Rancho NM 87124). ***I am opposing the request and approval of Townhomes being built*** in what is essentially my back yard. I am a single mother with a young daughter who enjoys spending time outside. Spur Road is a busy street with speed bumps, which makes it unsafe for children to play in the front yard. Our only other option is to spend time in our backyard. If multifamily buildings are constructed, I believe it will pose an invasion of privacy as new residents would be able to see into my private backyard and into the windows of my home. Also, multifamily homes would increase the constant change and fluctuation in residents in the area, which feels unsafe. In addition to my privacy and safety concerns, this type of change would drastically reduce the value of my property and all of the properties surrounding it. I have lived in my home since 1999 and I take pride in the neighborhood and city I live in. Please consider the current residents before approving a zoning change. I would hate to have to vacate my home of nearly 25 years over feeling unsafe and violated.

Thank you for your consideration,

Angela Romero
505-228-1869
675 Spur Rd
Rio Rancho, NM
87124

Timothy Dvorak

From: Sue Babcock <4evrsusieq@gmail.com>
Sent: Friday, October 6, 2023 10:44 AM
To: Timothy Dvorak
Cc: Jim Owen
Subject: Site Plan Approval Case No. 23-160-00007 Proposed Townhouses at 700,704 & 708 Southern Blvd. SE

Caution! This message was sent from outside your organization.

Attention:

Rio Rancho Planning and Zoning Board
Tim Dvorak

The zoning on these parcels was changed from R1 residential to SU townhouses in 2007. This should be changed back to R1.

The area, housing and neighborhood has changed significantly in the past 16 years.

The construction of 15 - 45 townhouses possibly 32 feet high on the appoximately 3 acres in question is vehemently opposed.

Please respond to the following,

It is a fact that our current home sale valuations will drop! Who do we as homeowners hold responsible for this difference in valuation? The City of Rio Rancho or the Developer?
Who will be responsible for the reimbursement of the difference in the sale value of our homes upon this date October 10, 2023, some valued at over $500000. compared to the LOSS in value IF townhomes are built on these parcels? Homeowners are willing to have realtors value our homes current sale value.

The majority of the people currently living in these homes who will be vastly affected have been in their homes 16 years or longer. Reaching the time in life where they should be able to enjoy our homes, many are retired senior citizens.

Townhomes constructed on these parcels will be a horrendous invasion 0f privacy for all the homes abutting these parcels. Our backyards will no longer have any privacy.
Which of you on the board would like townhomes built overlooking your backyard?

Traffic is already congested on Southern Blvd. SE and increases as development continues past Rainbow Blvd. Increasing traffic on 7th which is an unpaved gravel road to exit onto Southern Blvd. will add to this congestion.

Consider the crime rate which is a factor and known to increase in an area of multifamily dwellings compared to residential only neighborhoods.

Only 11 property owners were notified of the proposed townhomes. Townhomes at this location will impact numerous homeowners in this neighborhood and they all deserve to be notified and have the opportunity to voice their concerns and opposition.

The neighborhood is ready to develop and sign petitions to fight against this development. Please advise as to what our options as long time Rio Rancho citizens are to have this stopped.

Sincerely,

Susan Babcock 5054005285

Timothy Dvorak

From: Codie Abramson <codie87124@yahoo.com>
Sent: Monday, October 9, 2023 1:08 PM
To: Timothy Dvorak
Subject: case No. 23-160-00007

Caution! This message was sent from outside your organization.

You don't often get email from codie87124@yahoo.com. Learn why this is important

I am writing in regard to the lot development on 7th and Southern. My name is Codie Abramson I live at 756 Spur Rd. Southeast Rancho New Mexico 87124 which is right across the street from this proposed development there is an alleyway across from my house that leads right out to Southern, I believe that the development of these townhomes across from my house is gonna create unwanted crime, increase traffic, abstract views and bring unwanted crime to our neighborhood. These proposed townhomes would sit 35 feet high and would be able to peer into people's backyards not only on the South side of Southern but on the northern side of Southern as well. I strongly believe that these lots should be only allowed to be developed for single-home families and not for townhomes or apartments. Those are my objections to the development planned out for 7th and Southern. Furthermore, I am curious as to why nobody on Spur Rd. and this neighborhood was given written notice of this proposal this falls within 300 feet of my home and would definitely affect me.

Thanks, Codie Abramson

Phone: 505-369-9595

Codie87124@yahoo.com

Timothy Dvorak

From: Pat Ferryman <pferryman@yahoo.com>
Sent: Sunday, October 8, 2023 3:57 PM
To: Timothy Dvorak
Cc: Jim Owen
Subject: Apartments

Caution! This message was sent from outside your organization.

[You don't often get email from pferryman@yahoo.com. Learn why this is important at https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fus-east-2.protection.sophos.com%2F%3Fd%3Daka.ms%26u%3DaHR0cHM6Ly9ha2EubXMvTGVhcm5BYm91dFNlbmRlcklkZW50aWZpY2F0aW9u%26p%3Dm%26i%3DNjNhMjNjZTRmMDNkNmMxMTVmMmNmMDdk%26t%3DZ1IyUGhOWDlDVWZ0dVNVTk12aUZBWE5TMEd0UkUxK2E4WnNpSzloUFJvdz0%3D%26h%3D6b9e80fe3a494614813e2698451f9f54%26s%3DAVNPUEhUT0NFTkNSWVBUSVYNqaL97X0_D9VtAJf3kTOwQQhLHklPLmc76RgOPhN6sQ&data=05%7C01%7Ctdvorak%40rrnm.gov%7C3e846afced974c9ffbb508dbc84998f3%7C85f89ab989ad408d8ea95572052f806c%7C0%7C0%7C638323990649567910%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=UUBikcAiqx7cQMNiL7cE7awLTjooss6XQQT3W3%2BWf%2B4%3D&reserved=0]

The area has grown so much in the last 20 years with growth and building now, they want to ruin our view, or schools, and our property values by building apartments on Southern and 7th.
The traffic congestion has gotten so bad at certain times of the day uouncannot turn left off Baltic or Pecos. We were told the road would become 4 land years ago and that never happened but building has continued.
The 2 elementary schools that service our area and the one middle school are so crowded now they house 3 times the number of students they were built to hold and adding apartments will only make it worse.
The crime has increased significantly with each set of apartments built, with each new subdivision built ie the graffiti, the racing up and down Southern every night, the shop lifting at the local stores, and the property crimes in the area has increased. We do not have enough officers to keep up with the garbage going on in our town. The running of red lights, the accidents, the illegal U turns to name a few. The fire department and the police head out toward the edge of town much more than they have before. 30 apartments an acre 3 acres that is 90 apartments x 4 people each an additional 360 people congesting the schools, the roads, and the stores.
Plus apartments bring down property values. We have worked hard to bring our home up to code, and increase the value of our home. If you do this and my value drops 30% then do we sue the city or the contractor to get the difference when we sell our home? I can’t afford and I know my neighbors can’t lose 30% of the property value. Or schools and roads cannot handle the increase in traffic.
The fact that only a few of the neighbors got the letter and all of us are affected is another consideration. And finally we will lose our view of the city and the mountains to only be able to see buildings. This is not wanted, not fair, and should not happen until all neighbors have the ability and information to let their thoughts know on the subject.
Patricia Ferryman
957 Spur Rd Se
Sent from my iPad

Timothy Dvorak

From: Perry Henderson <perryh155@gmail.com>
Sent: Tuesday, October 10, 2023 9:55 AM
To: Timothy Dvorak
Subject: Case#23-160-00007 townhomes

Caution! This message was sent from outside your organization.

[You don't often get email from perryh155@gmail.com. Learn why this is important at https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fus-east-2.protection.sophos.com%2F%3Fd%3Daka.ms%26u%3DaHR0cHM6Ly9ha2EubXMvTGVhcm5BYm91dFNlbmRlcklkZW50aWZpY2F0aW9u%26p%3Dm%26i%3DNjNhMjNjZTRmMDNkNmMxMTVmMmNmMDdk%26t%3DZ1IyUGhOWDlDVWZ0dVNVTk12aUZBWE5TMEd0UkUxK2E4WnNpSzloUFJvdz0%3D%26h%3D14574d2a604d4bf8b418d5fdbc95a08f%26s%3DAVNPUEhUT0NFTkNSWVBUSVanbZQQwTJmlbQjRSGLQxQ4aW5-Ja6zCJDT1nBOyTu4yw&data=05%7C01%7Ctdvorak%40rrnm.gov%7Cfc9a2959e1ef489df76308dbc9a95e50%7C85f89ab989ad408d8ea95572052f806c%7C0%7C0%7C638325501496804580%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000%7C%7C%7C&sdata=fw4wM%2BCpd%2F1dA8Y6UzBShZscLnmoehVkNskhzjdnP2A%3D&reserved=0]

We reside at 807 Spur Road SE which is nearly across the street from this proposed site and we were not notified by the city about this.
>From what we understand only 12 residents who are directly adjacent to the lots were notified. Why weren't we informed?
This is going to have a direct effect on our views and property values.

Perry and Carolyn Henderson
807 Spur Road SE
Rio RanchoNm 87124

Timothy Dvorak

From: Greg Hedin <greghedin@gmail.com>
Sent: Tuesday, October 10, 2023 2:26 PM
To: Timothy Dvorak; Jim Owen
Subject: Site Plan Approval Case No. 23-160-00007 (Townhouses at 700, 704, & 708 Southern Blvd SE)

Caution! This message was sent from outside your organization.

Some people who received this message don't often get email from greghedin@gmail.com. Learn why this is important

Attention:

Rio Rancho Planning and Zoning Board

Tim Dvorak

We strongly oppose the proposed development of townhouses in these lots which are adjacent to our property. A collection of multifamily buildings looking into our backyard would leave us with no privacy. We moved to this neighborhood because it is rural and residential. The proposed development basically amounts to erecting an apartment complex in our backyard. This brings noise and traffic congestion to a narrow stretch of southern blvd which will result in more auto accidents both on 10th street SE and the west bound merging lane at Southern and Lisbon.

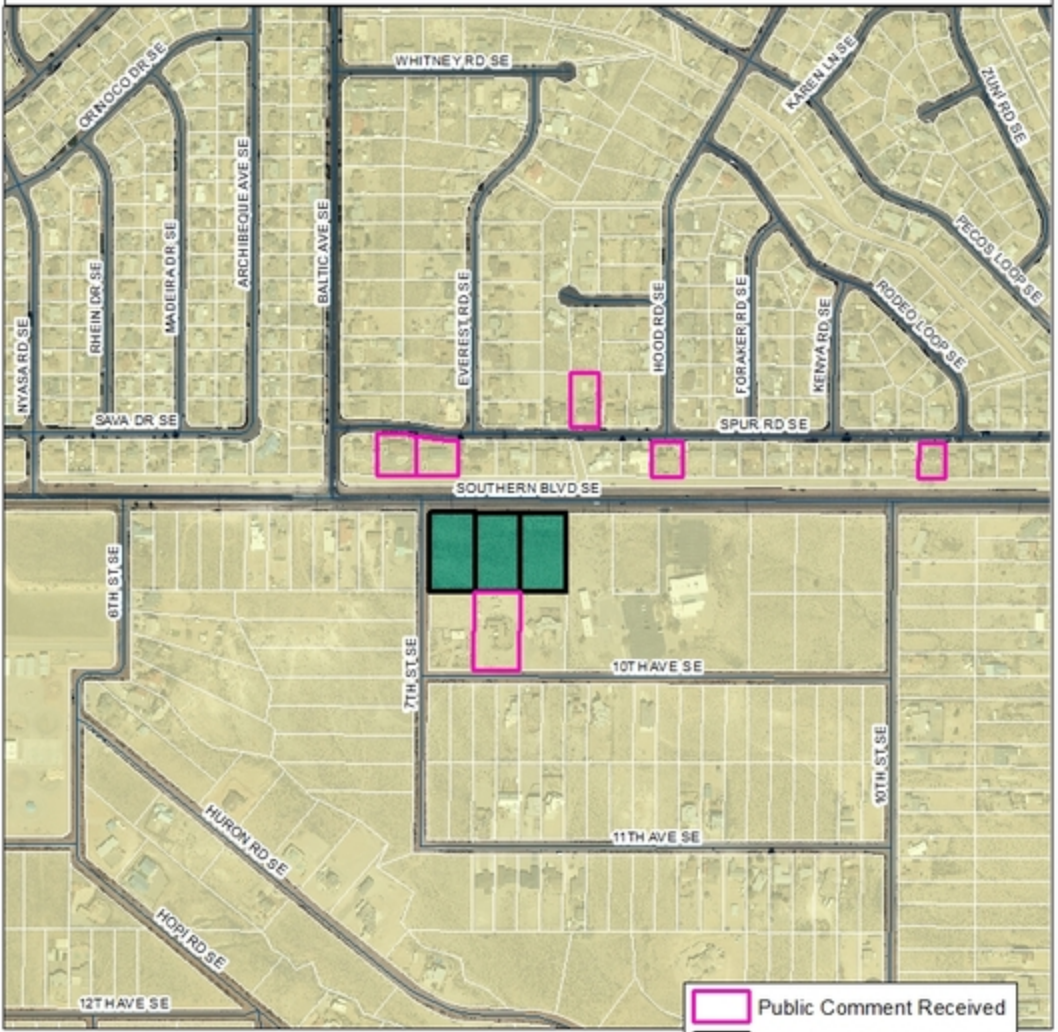
All of these things will bring down the quality of life and the value of the homes in our neighborhood. For some of us that would mean our mortgages going underwater. This should be avoided by rezoning the lots to R-1 residential -- bringing them inline with the rest of the neighborhood. We like our rural side of southern blvd where our homes are houses -- not profit centers to stack as many families in as possible.We wish to preserve the identity of this neighborhood.

Other members of the neighborhood have not been informed of this proposed development and an abutting property (701 10th ave se) is currently pending sale. If they have not already been notified they should be given the opportunity to give their opinion since they will be directly affected.

Sincerely,

Sonia and Greg Hedin

700, 704 & 708 SOUTHERN BLVD SE
SITE PLAN (PUBLIC COMMENTS RECEIVED)



Rio Rancho
City of Vision

0 145 290 580 870 1,160 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 10/10/2023

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 23-105-00003

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Text Amendment. The applicant, City of Rio Rancho, seeks to amend R.O. 2003 Chapter 154 Planning and Zoning for the addition of Off-Premises Advertising Signs to Section 154.45, being moved from its existent location in R.O. 2003 Chapter 156.33. Staff contact is Tim Dvorak, and staff recommends approval of the text amendment.

BACKGROUND AND ANALYSIS:
The City of Rio Rancho, seeks to amend R.O. 2003 Chapter 154 *Planning and Zoning* for the addition of Off-Premises Digital Advertising Signs to Section 154.45, being moved from its existent location in R.O. 2003 Chapter 156.33.

Concurrently, the City of Rio Rancho is seeking a repeal and replacement to City of Rio Rancho Code of Ordinances (R.O. 2003) Chapter 156 *Sign Regulations* (Case # 22-105-00002). After careful consideration, it was determined by staff during the process of updating Chapter 156 that the off-premises advertising sign standards (also known as digital billboards) located in Chapter 156 would be better placed in Chapter 154 *Planning and Zoning.* Staff came to this conclusion, as off-premises signage represents in itself a distinct land use, which requires a conditional use permit in order to be initially established. Subsequently, off-premises digital advertising signs are subject to conditional use permit reapproval every ten (10) years; this allows staff to ensure compliance with all off-premises advertising sign provisions, as well as to assess if the site or site conditions are no longer suited for the off-premises sign.

Staff has not proposed any changes to off-premises advertising sign standards; however, all references to directional kiosk signs have been removed from this section, as the directional kiosk sign type will not exist moving forward.

Off-Premises Digital Advertising Signs are proposed to be moved to Section 154.45 of Chapter 154. Below is the proposed section:

Section 154.45 *Off-Premises Advertising Signs*:

(A) Off-premises digital advertising signs are considered a distinct land use and shall be approved via the conditional use permit process or administratively as set forth herein.

1. A conditional use permit is required for a digital off-premises sign and shall be valid for 10 years. A new application shall be required thereafter.
2. Criteria to deny approval of a conditional use permit may include but are not limited to the following:

(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.

(B) Off-premises digital advertising signs are permitted on nonresidential, private property and public property, excluding all right-of-way areas, within the area identified herein as the Off-Premises Advertising Overlay Zone (OAOZ). The overlay zone is as follows:

1. 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.
2. Within 75 feet of the south right-of-way line of US HWY 550 between NM 528/Pat D'Arco Highway and the alignment for the Northwest Loop Road.
3. Within 75 feet of the right-of-way lines of Paseo Del Volcan between Unser Boulevard to US HWY 550.
4. Within 75 feet north or south of the right-of-way lines of Southern Boulevard between NM 528/Pat D'Arco Highway and Unser Boulevard.
5. Within 75 feet east or west of the right-of-way lines of Unser Boulevard from the southern city limit to Progress Boulevard.

(C) Off-premises digital advertising signs permitted in this section shall be in accordance with the following criteria:

1. Signs shall be in accordance with the following:
   (a) A maximum of 11x22: 242 square feet.
   (b) Twenty-four-foot maximum height.
2. Both sides of a sign shall have copy. Embellishments and animation are prohibited.
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.
4. Electronic video display signs shall have an automated dimming feature (photocell) to adjust for lower light and night conditions.
5. Signs shall be located in a nonvehicular area or within a landscape planter.
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.
7. Off-premises advertising signs shall be maintained and shall be administratively reviewed on an annual basis to ensure sign maintenance.
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.
9. The support structure shall be skirted with a decorative base.

Staff recommends the Planning and Zoning Board find that off-premises digital advertising sign regulations fit more appropriately in Chapter 154 of the City of Rio Rancho Code of Ordinances (R.O. 2003). Separating off-premises signage standards from all other sign regulations clearly demonstrates off-premises signage as an independent land use, to be reviewed and permitted as per the section standards.

NOTIFICATIONS:
A legal notification was published in the September 25, 2023 edition of the Albuquerque Journal. All

notification requirements have been met.

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval of the addition of Section 154.45 *Off-Premises Advertising Signs* to City of Rio Rancho Code of Ordinances Title XV Land Use Chapter 154 *Planning and Zoning* to the Governing Body, subject to the findings and conditions set forth below:

General Findings of Fact:

1. The Planning and Zoning Board may review and make a recommendation to the Governing Body on the request for an amendment to R.O. 2003 Chapter 154 *Planning and Zoning* providing for the addition of R.O. 2003 § 154.45 *Off-Premises Advertising Signs*.
2. The City has the authority to make an application to request an amendment to R.O. 2003 Chapter 154 *Planning and Zoning*.
3. The applicant and affected property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact:

1. The proposed text amendment to R.O. 2003 § provides for the addition of Section 154.45 *Off-Premises Advertising Signage*.
2. The addition of Section 154.45 *Off-Premises Signs* does not conflict with the intent of City of Rio Rancho Code of Ordinances Title XV Land Use R.O. 2003 Chapter 156 *Sign Regulations*.

ALTERNATIVES:

1. The Planning and Zoning Board may recommend approval of the request to the Governing Body;
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body;
3. The Planning and Zoning Board may modify the request and recommend the Governing Body approve such modifications;
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 that the Planning & Zoning Board recommend approval of the text amendment to the Governing Body, with findings.

ATTACHMENT: 154.45 Off-Premises Advertising Signs
ATTACHMENT: Legal Ad
ATTACHMENT: Draft_Ordinance_R.O._154.45_Off-Premises_Advertising_Signs_BMB.docx

154.45 Off-Premises Advertising Signs.

(A) Off-premises advertising signs are considered a distinct land use and shall be approved via the conditional use permit process or administratively as set forth herein.

(1) A conditional use permit is required for a digital off-premises sign and shall be valid for 10 years. A new application shall be required thereafter.

(2) Criteria to deny approval of a conditional use permit may include but are not limited to the following:

(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.

(B) Off-premises digital advertising signs are permitted on nonresidential, private property and public property, excluding all right-of-way areas, within the area identified herein as the Off-Premises Advertising Overlay Zone (OAOZ). The overlay zone is as follows:

(1) 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.

(2) Within 75 feet of the south right-of-way line of US HWY 550 between NM 528/Pat D'Arco Highway and the alignment for the Northwest Loop Road.

(3) Within 75 feet of the right-of-way lines of Paseo Del Volcan between Unser Boulevard to US HWY 550.

(4) Within 75 feet north or south of the right-of-way lines of Southern Boulevard between NM 528/Pat D'Arco Highway and Unser Boulevard.

(5) Within 75 feet east or west of the right-of-way lines of Unser Boulevard from the southern city limit to Progress Boulevard.

(C) Off-premises digital advertising signs permitted in this section shall be in accordance with the following criteria:

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

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

(b) Twenty-four-foot maximum height.

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

(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.

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

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

(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.

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

(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.

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

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

Ad Proof/Order Confirmation

Account Number
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Ad Order Number
0001578682

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		$72.80	**Sales Rep**	wschult	
Tax Amount		$5.55	**Order Taker**	wschult	
Total Amount		$78.35			
Amount Paid		$0.00			
Amount Due		$78.35			
Affidavits	0				

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Product	Albuquerque Journal	**Placement**	0Legal Notices
Ad Number	0001578682-01	**Classification**	0Government
Ad Type	0 Legal Liner	**Sort Text**	CITYOFRIORANCHOPUBLICHEARING NOTICETHEPLANNINGANDZONINGB OARDOFTHECITYOFRIORANCHONM WILLCONSIDERTHEFOLLOWINGMAT TERSATITSREGULARLYSCHE
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Run Date
09/25/2023
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WYSIWYG Content

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, October 10, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00003
The applicant, City of Rio Rancho, requests to amend City of Rio Rancho Code of Ordinances (R.O. 2003) Chapter 154 Planning and Zoning for the addition of Section 154.45 Off-Premises Advertising Signs.

Site Plan
Case #23-160-00007
The applicant, Matthew Herrera X2D, LLC., requests site plan approval for the properties of 700, 704, and 708 Southern Blvd SE, legally described as Rio Rancho Estates Unit 10, Block 7, Lot 1-3.

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

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

Journal: September 25, 2023

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE RIO RANCHO CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 154, FOR THE ADDITION OF SECTION 154.45 OFF-PREMISES ADVERTISING SIGNS; AND 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: the Governing Body finds that off-premises advertising signs, also known as billboards, constitute a distinctive land use belonging in Chapter 154; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 33.15 (C) (2) (f) on October 10, 2023, the City of Rio Rancho Planning and Zoning Board reviewed the proposed amendment in a duly noticed public hearing regarding the proposed changes, 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; and

WHEREAS: public hearings occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed text amendment hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on October 12, 2023 (First Reading) and October 26, 2023 (Second and Final Reading), and the Governing Body heard interested parties and citizens for and against the proposed text amendment; and

WHEREAS: the proposed text amendment to be adopted by this Ordinance complies with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings and determination that the proposed text amendment is consistent with the policies and criteria set forth in R.O. 2003, the Governing Body finds that the text amendment promotes the health, safety, morals, and general welfare of the City.

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

Section 1. Section 154.45 OFF-PREMISES ADVERTISING SIGNS (B) is hereby added to Chapter 154 as the following:

154.45 Off-Premises Advertising Signs.

(A) Off-premises advertising signs are considered a distinct land use and shall be approved via the conditional use permit process or administratively as set forth herein.

(1) A conditional use permit is required for a digital off-premises sign and shall be valid for 10 years. A new application shall be required thereafter.

(2) Criteria to deny approval of a conditional use permit may include but are not limited to the following:

(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.

(B) Off-premises digital advertising signs are permitted on nonresidential, private property and public property, excluding all right-of-way areas, within the area identified herein as the Off-Premises Advertising Overlay Zone (OAOZ). The overlay zone is as follows:

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

(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.

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

Section 2. 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 3. Effective Date. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

ADOPTED THIS 26th DAY OF October, 2023.

_____

Greggory D. Hull, Mayor

ATTEST:

_____

Rebecca A. Martinez, City Clerk

(SEAL)

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Building Activity Report- SEPTEMBER 2023

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: 2023 PZ MONTHLY COMPARISONS.pdf

2023 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	MAR #s	APR #s	MAY	JUNE	JUNE VALUATION	JUL	JULY VALUATION	AUG	AUGUST VALUATION	SEPT	SEPTEMBER VALUATION	ANNUAL TOTALS	
Single Family	94	79	50	80	$17,412,620	92	$21,209,979	115	$24,368,154	80	$15,813,262	**679**	**$142,163,278**
Additions/Residential	17	16	11	11	$279,341	12	$1,101,521	16	$2,249,296	24	$888,906	**130**	**$6,165,996**
New Commercial	0	0	0	3	$4,050,000	0	$0	0	$0	0	$0	**6**	**$16,046,598**
New Office/Institution	0	0	2	2	$1,410,000	2	$195,000	1	$10,000,000	0	$0	**7**	**$12,512,251**
New Industrial	0	0	0	0	$0	1	$4,522,039	0	$0	2	$1,609,680	**3**	**$6,131,719**
Non-Residential Interior Tenant Improvement	5	4	3	4	$205,808	1	$50,000	0	$0	2	$199,654	**31**	**$4,773,373**
Office/Institution Addition	0	0	0	1	$160,881	0	$0	0	$0	0	$0	**1**	**$160,881**
Industrial Addition	0	0	0	0	$0	0	$0	0	$0	0	$0	**0**	**$0**
New Multi-Family	3	1	0	2	$7,086,294	0	$0	0	$0	0	$0	**6**	**$12,900,414**
Telecommunication Tower	2	2	1	1	$1,200	0	$0	5	$54,200	1	$18,000	**14**	**$200,925**
Demolition - Non-Residential	0	1	0	0	$0	0	$0	0	$0	0	$0	**1**	**$20,000**
Demolition - Residential	0	0	0	0	$0	0	$0	0	$0	0	$0	**0**	**$0**
Fence	11	7	14	17	$238,332	7	$41,150	7	$49,010	11	$77,591	**91**	**$917,268**
Garages	7	7	3	3	$77,822	3	$82,460	4	$150,666	7	$438,487	**43**	**$1,822,825**
Pool	5	13	6	5	$269,946	9	$571,098	7	$518,805	7	$541,194	**67**	**$4,705,287**
Reroofs/Windows/ Doors	77	96	86	66	$1,033,421	38	$462,156	65	$780,073	68	$1,243,168	**581**	**$8,109,961**
Retaining Wall	17	4	12	20	$1,765,507	3	$14,002	43	$6,470,950	40	$11,618,521	**159**	**$32,542,135**
Small Shed (120 sq.ft. or less)	16	20	16	16	$78,511	10	$43,850	19	$77,370	17	$83,102	**145**	**$625,684**
Sheds	8	8	7	13	$206,922	11	$73,390	6	$99,045	12	$173,224	**71**	**$1,351,150**
Solar (Rooftop & Ground Mount)	75	81	147	99	$1,521,373	125	$1,924,366	97	$1,979,472	102	$2,011,434	**843**	**$45,416,801**
Business Registrations (Occupancy Inspection)	15	14	16	8		12		19		10		**116**	**$0**
Building Inspections	2,716	2,559	2,807	3,022		2,755		3,240		3,105		**25,065**	**$0**
Engineering Inspections	142	138	165	151		166		240		169		**1,450**	**$0**
R.O.W. Permits (Fees)	25	36	37	17	$10,005	20	$8,682	27	$8,278	28	$18,945	**236**	**$83,235**
TOTALS:	**3,235**	**3,086**	**3,383**	**3,541**	**$35,807,983**	**3,267**	**$30,299,693**	**3,911**	**$46,805,319**	**3,685**	**$34,735,168**	**29,745**	**$296,649,781**

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
October 10, 2023

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Summary Plat Report - SEPTEMBER 2023

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Sept Plat Activity.pdf

SUMMARY PLAT ACTIVITY
September 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	
23-200-00007	03/03/23	SUMMARY PLAT, LOT SPLIT (TRACT P-1C), CARTESIAN SURVEYS, INC.	Under Review	

SUMMARY PLAT ACTIVITY

September 2023

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	5/8/2023	SUMMARY PLAT - RRE UNIT 11, BLOCK 9, LOTS 9+10 (512-508 8TH ST NE) LOT COMBO	Under Review	
23-200-00015	5/8/2023	UNIT 17, BLOCK 72, LOTS 16 & 17 COMBO	Under Review	
23-200-00016	6/5/2023	SUMMARY PLAT- LOT COMBO U13, BLK S, LOTS	Under Review	
23-200-00017	6/12/2023	LANDS OF QUAIL RANCH, TRACT 2-E AND 2-A	Under Review	
23-200-00018	6/20/2023	UNIT 11, BLOCK E, LOTS 60 AND 61 LOT COMBINATION	Under Review	
23-200-00019	6/23/2023	EH2, BLOCK 1, PARCELS C1 AND C2 LOT LINE ADJUSTMENT	Under Review	
23-200-00020	6/30/2023	BLK 95, LOTS 1 & 34; LOT LINE ADJUSTMENT; CARTESIAN S	Under Review	
23-200-00021	7/6/2023	THE VILLAGE, TRACT E2 LOT SPLIT	Under Review	
23-200-00022	7/10/2023	CORRALES SOUTH, BLOCK H, LOT 16B1B1, LOT SPLIT	Under Review	
23-200-00023	7/18/2023	LD2, BLOCK 10, TRACT 63A / SUMMARY PLAT	Under Review	
23-200-00024	8/29/2023	SUMMARY PLAT - CABEZON, LOTS 3 AND 4 (RE	Under Review	
23-200-00026	**09/07/23**	**SUMMARY PLAT - UNIT 17, TRACTS A-1-A AN**	Under Review	
23-200-00028	**09/14/23**	**CS, BLK A, LOT A-1-A (LOT SPLIT)**	Under Review	
TOTAL TO DATE:		**49**		