



**Planning and Zoning Board
Meeting
City of Rio Rancho
AGENDA
May 12, 2020
6:00 PM**

**PLEASE
SILENCE ALL
COMMUNICATIONS
DEVICES WHILE ATTENDING
PLANNING AND ZONING
BOARD MEETINGS**

Board Members

Vacant, District 1 Sal Maniaci, District 5
Carlos Sanchez, District 2 Edward Lovato, District 6
Fred Radosevich, District 3 Michael Schlichte, At Large, Vice-Chair
Vacant, District 4

Item 1: Call to Order

Item 2: Pledge of Allegiance

Item 3: Public Comment

Item 4: Approval of Agenda

Item 5: Approval of Minutes

- A.** Minutes for the April 14, 2020 Meeting
[Meeting Minutes April 14, 2020](#)

Item 6: Public Hearings

- A.** CASE TYPE: Preliminary Plat for Siesta Hills II Block 4 Lot 14A
Case No.: 20-210-00005
Applicant: Humberto Aguilar
Agent: Cartesian Survey Inc
Staff Contact: Rebekah Longstreet
Staff Recommendation: Continuation
[Continuance Request.doc](#)

- B.** CASE TYPE: Final Plat for Broadmoor Heights Tract 2 physically located on the east side of Broadmoor Boulevard NE, south of Amy Road NE.
Case No.: 20-220-00005
Applicant: Pulte Group, Kevin Patton
Agent: Bohannon Huston Inc
Staff Contact: Rebekah Longstreet
Staff Recommendation: Approval with Findings and Conditions
[ABM_20-220-00005](#)
[Attachment I Location Map.pdf](#)
[Attachment II Application.pdf](#)
[Attachment III Reviewers Comments.pdf](#)
[Attachment V Replications of Notifications.pdf](#)
[Attachment VI Findings_of_Fact \(Caravella Edit\).docx](#)

[*Attachment VII_Associated preliminary plat and amendment.pdf*](#)

- C.** VARIANCE: The applicant is requesting a variance to allow for a reduction in the parking requirements for joint or mixed use parking at 4311 Sara Road SE.

Case No.: 20-110-00004.

Applicant: Garner Arts. Agent: Simons Architecture.

Staff Contact: Brian Babyak.

Staff Recommendation: Approval

[*ABM_20-110-00004*](#)

[*Attachment I - Location Map*](#)

[*Attachment II - Application*](#)

[*Attachment III - Agency Comments*](#)

[*Attachment IV - Reproduction of Notifications*](#)

[*Attachment V - Findings \(Caravella Edit 5-6-20\).pdf*](#)

Item 7: Discussion and Deliberation

- A.** ZONE MAP AMENDMENT: A request to change the zoning ordinance for all SU: R-3 lots within Hawksite Tract 28 for a minimum lot size of 3500 square feet for blocks 2, 3, 43, and lots 1-19 of block 5; and 4500 square feet for blocks 1, 6, 7, and lots 20-30 of block 5.

Case No.: 20-100-00005

Applicant: AMREP Southwest

Staff Contact: Brian Babyak

Staff Recommendation: Denial

[*20-100-00005_ABM_RevisedDenialVersion_AR \(Caravella Edit\).docx*](#)

[*Attachment I_Vicinity-Zoning Map.pdf*](#)

[*Attachment II - Application*](#)

[*Attachment III - Agency Comments*](#)

[*Attachment IV - Reproduction of Notifications*](#)

[*Attachment V_-_Draft_Ordinance - AR.docx*](#)

- B.** ZONE MAP AMENDMENT: The applicant is requesting a zone change from R-1 to R-3 for Hawksite Tract 23.

Case No.: 20-100-00006

Applicant: AMREP Southwest

Staff Contact: Rebekah Longstreet

Staff Recommendation: Approval with Findings and Conditions

[*ABM_20-100-00006*](#)

[*Attachment I_Vicinity-Zoning Map.pdf*](#)

[*Attachment II Application.pdf*](#)

[*Attachment III Staff Comment.pdf*](#)

[*Attachment V Replications of notifications.pdf*](#)

[*Attachment VI Findings \(Caravella Edit\).docx*](#)

[*Attachment VII - Draft Ordinance.docx*](#)

- C.** Remanded from the Governing Body to review updated submission and public outreach

Zone Map Amendment: The applicant is requesting a zone map amendment from R-1: Single Family Residential and OS: Open Space to a combination of R-2: Single Family Residential, R-4: Single Family Residential and OS: Open Space.

Case No.: 19-100-00009

Applicant: AMREP Southwest

Agent: Consensus Planning

Staff Contact: Amy Rincon

Staff Recommendation: Approval of the Zone Map Amendment from R-1: Single Family Residential to R-4:

Single Family Residential for Rio Rancho Estate Unit 20, Block 155, Lots 13-17, 20-22, 24-27, 29-41 and Tract 12. Denial of the Zone Map Amendment from R-1: Single Family Residential and OS: Open Space to R-2:

Single Family Residential and OS: Open Space.

[ABM_19-100-00009_LE_ZMA_remand](#)

[Attachment I: L-Lomas Encantadas ZMA Justification 3-6-20.pdf](#)

[Attachment II: Open Space Exhibit 2020-03-06.pdf](#)

[Attachment III: ZMA_Exhibit.pdf](#)

[Attachment IV: Lomas Encantadas Meeting Sign-in 2-26-20.pdf](#)

[Attachment V: Original submission Lomas Encantadas Application Packet Reduced.pdf](#)

[Attachment VII: Ordinance 19-100-00009 LE, TR 12-13 & U20, BLK 155 2.4.2020.docx](#)

[Attachment VI: GB 2.12.2020 minutes.pdf](#)

Item 8: Commission Business

A. Appointment of Chair and Vice-Chair

Staff recommends the vote for Chair and Vice Chair to be postponed to the first meeting in July to allow for a full Board to be present.

Item 9: Zoning Interpretations

Item 10: Staff Reports

A. PRELIMINARY PLAT AMENDMENT: The applicant is requesting approval of minor revisions to the Lomas Encantadas 2B, Phase III preliminary plat.

Case No.: 20-210-00004.

Applicant: AMREP Southwest, Inc.

Agent: Huitt-Zollars, Inc.

Staff Contact: Brian Babyak

Staff Recommendation: Approval with findings and conditions

[Memo on changes to 20-210-00004](#)

B. March Building and Plat Reports.

[PZ Monthly Reports March 2020 Summary Plat.pdf](#)

[PZ Monthly Reports March 2020 COMPARISONS.pdf](#)

C. Hawksite 37A Preliminary Plat Revisions, the creation of cul de sacs.

Case No. 19-210-00007

Applicant: AMREP Southwest

Staff Contact: Amy Rincon

Staff Recommendation: Approval with condition

[Memo on changes to Preliminary Plat](#)

[Attachment I: Location Map](#)

[Attachment II: MountainHawk 37_PreliminaryPlat](#)

Item 11: Adjournment

Public Comment Options

Planning and Zoning Board Meeting - May 12, 2020

Tue, May 12, 2020 5:45 PM - 8:45 PM (MDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/683366773>

You can also dial in using your phone.

United States: +1 (224) 501-3412

Access Code: 683-366-773

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 683 366 773

Or dial directly: 683366773@67.217.95.2 or 67.217.95.2##683366773

** All action agenda items include attachments unless otherwise noted*

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1154

Submitted by: Amy Rincon

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

Minutes for the April 14, 2020 Meeting

ATTACHMENTS

- [Meeting Minutes April 14, 2020](#)



Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

April 14, 2020

6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:

Carlos Sanchez, District 2
Fred Radosevich, District 3
Sal Maniaci, District 5
Edward Lovato, District 6
Michael Schlichte, At Large, Vice-
Chair

MEMBERS ABSENT:

Vacant, District 1

Vacant, District 4

STAFF PRESENT:

Anthony Caravella, Director,
Development Services Department
Amy Rincon, Planning & Zoning
Manager
Brian Babyak, Staff
Alex Lopez, Staff
Rebekah Longstreet, Staff
Maria Rodriguez, Staff

Item 1:) Call to order and Pledge of Allegiance

Vice-Chairman Schlichte called the meeting to order at 6:00 pm and led those in attendance to the Pledge of Allegiance.

In order to comply with the Emergency Public Health Order restricting public gatherings in effect, Vice-Chairman Schlichte announced the Planning and Zoning meeting will convene under the virtual format prescribed by the Attorney General's Office. The direction, subject to the Open Meetings Act, included remote on-line access instructions via gotomeeting.com and telephonic participation by Planning and Zoning members and other individuals wishing to be in attendance is to be made available in advance on the official agenda as well as on the City's website.

For the record, the following Board members participated remotely: Carlos Sanchez, District 1, Fred Radosevich, District 3, Sal Maniaci, District 5, Edward Lovato, District 6, and Michael Schlichte, Vice-Chair.

Item 2 :) Public Forum

No individual spoke under this item.

Item 3:) Approval of Agenda

Carlos Sanchez, District 2 moved to approve the Agenda as presented. Seconded by Fred Radosevich, District 3

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.
NO: (none)

Item 4:) Approval of Minutes

March 10, 2020 Meeting Minutes

Sal Maniaci, District 5 moved to approve the Agenda Minutes from the March 10, 2020 meeting. Seconded by Carlos Sanchez, District 2

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.
NO: (none)

Item 5:) Public Hearings:

- A.) VARIANCE: A Variance request to allow for encroachment on side and rear yard setbacks for a constructed carport at 5671 Kim Road NE
Case No.: 20-110-00002
Applicant: Mychelle Gray
Agent: Staff Contact: Alex Lopez
Staff Recommendation: Denial

Vice-Chairman Schlichte asked for item 5A to be continued to a future meeting.

Sal Maniaci, District 5 moved to continue item 5A to a future meeting. Seconded by Fred Radosevich, District 3

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.
NO: (none)

- B.) Remanded from the Governing Body to review updated submission and public outreach Zone Map Amendment: The applicant is requesting a zone map amendment from R-1: Single Family Residential and OS: Open Space to a combination of R-2: Single Family Residential, R-4: Single Family Residential and OS: Open Space. Case No.: 19-100-00009 Applicant: AMREP Southwest Agent: Consensus Planning Staff Contact: Amy Rincon Staff Recommendation:

Planning and Zoning manager, Amy Rincon, stated this item was remanded from the Governing Body back to the Planning and Zoning Board as a result of modifications made to the original zone map amendment for Lomas Encantadas, Tracts 12 and 13, Unit 20, Block 155 with assorted lots listed on the Agenda Briefing Memorandum. Ms. Rincon requested a continuance so that the public would be able to attend future public hearings, pending the lifting of restrictions related to the health emergency and stay at home orders.

Jarrold Likar, with AMREP, stated he agreed with the continuance and requested the item be heard on April 28, 2020 instead of June 09, 2020. Staff informed Mr. Likar the next public meeting would be held on May 12, 2020. Mr. Likar also stated he conducted a public meeting with the nearby residents and added additional open space to their original plans, per the residents' request. However, he would like to continue discussing the denial of the R-1 to R-2 zoning with the new configuration in place.

Fred Radosevich, District 3 moved to postpone item 5B to the May 12, 2020 meeting.
Seconded by Carlos Sanchez, District 2

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- C.) PRELIMINARY PLAT: A request to create 14 lots for the first phase of townhomes and one tract on Unit 16, Block 79, Lots 9-13. Case No.: 19-210-00009 & 20-280- Applicant: Sharif A. Rabadi Agent: Mohamad Tahat Staff Contact: Alex Lopex Staff Recommendation: Continuance

Vice-Chairman Schlichte asked for item 5C to be continued to a future meeting.

Sal Maniaci, District 5 moved to continue item 5C to a future meeting. Seconded by Fred Radosevich, District 3

The motion failed by a vote of FOR and AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- D.) VARIANCE: The applicant is requesting a variance to allow for a four foot tall courtyard fence to be constructed outside the building envelope at 1701 Highland Meadows Pl. NE. Case No.: 19-110-00003 Applicant: Robert Rael Staff Contact: Brian Babyak Staff Recommendation: Denial.

Staff member, Brian Babyak, presented this item, stating the request was for a variance to allow for the construction of a four foot fence outside the building envelope at 1701 Highland Meadows Place, NE in Mariposa.

Staff recommends denial due to the lack of exceptionally irregular, narrow, and shallow steep, or any other exceptional physical conditions of the lot that would keep the applicant from meeting the setback requirements. The applicant, Robert Rael explained the new configuration of the courtyard would ease any mobility issues for him and his wife, now and in the future. Commissioner Sanchez and Vice-Chairman Schlichte confirmed Mr. Rael did obtained approval from the Mariposa HOA Board.

Sal Maniaci, District 5 moved to approve item 5D. Seconded by Edward Lovato, District 6

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- E.) Vacation Plat: A request to vacate public right of way to create a unified tract for the Shining Stars Preschool Campus Case No.: 20-230-00002 Applicant: Rio Rancho Public Schools Agent: High Mesa Consulting Group Staff Contact: Rebekah Longstreet Staff Recommendation: Approval with Findings and Conditions

Staff member, Rebekah Longstreet, stated this request is a vacation plat to create a single tract for the Shining Stars Preschool Campus located to the north of Montezuma Boulevard. The plat would vacate internal lot lines, existing easements, and right-of-way. It would also create a cul-de-sac on the north entrance.

Staff recommended approval with findings and conditions. Graeme Means, with High Mesa Consulting Group, agent for Rio Rancho Public Schools, stated he was in agreement with all of the findings and conditions. However, he would like discuss the creation of a unique identifier for the plat under the legal description. This would facilitate future planning efforts and public searches. Amy Rincon, Planning and Zoning manager, agreed to discuss his request.

Sal Maniaci, District 5 moved to approve item 5E with findings and conditions. The additional condition 4D to state that staff shall work with the applicant on naming the plat. Seconded by Carlos Sanchez, District 2

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- F.) VACATION PLAT: The applicant is requesting the approval of a vacation plat that will combine lots, vacate rights of way and easements, dedicate right-of-way, and grant easements to create a tract for the location of Joe Harris Elementary School in Unit 10. Case No.: 20-230-00003 Applicant: Rio Rancho Public Schools Agent: Arch + Plan Land Consultants Staff Contact: Alex Lopez Staff Recommendation: Approval with findings and conditions

Staff member, Alex Lopez, stated the applicant is requesting the approval of a vacation plat that would combine lots, vacate rights of way and easements, dedicate right-of-way, and grant easements to create a tract for the location of Joe Harris Elementary School in Unit 10. Staff recommended approval. The applicant was not present at the meeting.

Carlos Sanchez, District 2 moved to approve item 5F with findings and conditions. Seconded by Fred Radosevich, District 3

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- G.) PRELIMINARY PLAT: A request to approve the creation of 488 lot on Los Diamantes, Tracts 1, 2, 3, & 4. Case No.: 20-210-00002 and 20-280-00002 Applicant: LD Development, LLC Agent: Mark Goodwin & Associates, PA Staff Contact: Alex Lopez Staff Recommendation: Approval with Findings and Conditions

Staff member, Alex Lopez, stated this request is a preliminary plat to approve the creation of 488 lots zoned R-3, Mixed Residential on Los Diamantes, Tracts 1,2,3, and 4. The applicant was not present.

Edward Lovato, District 6 moved to approve item 5G with findings and conditions. Seconded by Sal Maniaci, District 5

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- H.) FINAL PLAT: A request to approve the creation of 35 lot on Enchanted Hills Unit 14A Blocks A & B and Enchanted Hills Unit 13B Block A Lot 1, creating The Villas subdivision. Case No.: 20-220-00003 Applicant: AMREP Southwest Inc Agent: Huitt-Zollars Inc Staff Contact: Rebekah Longstreet Staff Recommendation: Approval with Conditions

Staff member, Rebekah Longstreet, summarized the applicant's request to approve the final plat located on the intersection of Springer Drive and Santa Fe Hills Boulevard. It would create 35 residential lots on Enchanted Hills, creating The Villas Subdivision. Staff recommended approval with findings and conditions. Jarrod Likar, AMREP, stated he would stand for any questions.

For public comment, staff read written statements from Katie Schreffler and Tara (no last name) in opposition of this development. Commissioner Radosevich and Amy Rincon confirmed there was previously a zone map amendment that changed the zoning from commercial to residential. Amy Rincon also confirmed the developer would be constructing two-story single family homes. Vice-Chairman Schlichte commented that the role of the Planning and Zoning Commissioners is not to protect the resident's mountain views or to block the resident's use of their property in a legal fashion. Commissioner Lovato mirrored Vice-Chairman Schlichte's remarks.

Edward Lovato, District 6 moved to approve item 5H. Seconded by Sal Maniaci, District 5

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- I.) Final Plat: The applicant is requesting the approval of a final plat for Cleveland Heights, Unit 15C, creating 80 residential lots and 7 Tracts on approximately 16.57 acres of R-4: Single Family Residential property. Case No.: 20-220-00002 Applicant: Bokay Construction Staff Contact: Brian Babyak Staff Recommendation: Approval with Findings and Conditions.

Staff member, Brian Babyak, stated the applicant is requesting the approval of a final plat for Cleveland Heights, Unit 15C, located between Paseo del Volcan and Cleveland Heights Road. The plat would create 80 residential lots and 7 tracts on approximately 16.57 acres. Staff recommended approval with findings and conditions. The applicant, Richard Squires thanked staff for assisting him in the development of this project.

Sal Maniaci, District 5 moved to item 5I with findings and conditions. Seconded by Fred Radosevich, District 3

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- J.) FINAL PLAT: The applicant is requesting approval of a final plat for Redondo @ Mariposa, Phase 2, creating 67 lots and 9 tracts on approximately 15.04 acres of R-4: Single Family Residential zoned property . Case No.: 20-220-00004 Applicant: Pulte Homes of New Mexico Contact: Brian Babyak Staff Recommendation: Approval with Findings and Conditions

Staff member, Brian Babyak, summarized the applicant is requesting approval of a final plat for Redondo at Mariposa, Phase 2 located south of Mariposa Loop and north of Mariposa Parkway. It would create 67 lots and 9 tracts on approximately 15.04 acres of R-4: Single Family Residential zoned property. Staff recommend approval with findings and conditions.

The agent, Yolanda Moyer with Bohannon Huston, stated they agreed with staff's findings and conditions and she stood for questions.

Sal Maniaci, District 5 moved to approve item 5J with findings and conditions. Seconded by Carlos Sanchez, District 2

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- K.) ZONE MAP AMENDMENT: A request to change the zoning from TZ: Transitional Zoning to SU: Special Use for a Park. For a park to be located at 6313 Villanelle Rd NE (legally known as Unit 25, Block A, Tract A). Case No.: 20-100-00004 Applicant: City of Rio Rancho, Development Services Agent: N/A Staff Contact: Alex Lopez Staff Recommendation: Approval with findings and conditions

Staff member, Alex Lopez, stated the applicant is requesting approval of a zone map amendment from TZ: Transitional Zoning to SU: Special Use for a park to be located at 6313 Villanelle Road NE. Staff recommended approval with findings and conditions.

Director Caravella, acting as the applicant, informed the Board there are minor modifications to the ordinance that need to be made before moving it on the Governing Body. Staff confirmed the park is 1.56 acres, approximately two acres.

Carlos Sanchez, District 2 moved to approve item 5K with findings and conditions. Seconded by Fred Radosevich, District 3

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- L.) SUBDIVISION VARIANCE: Continued from March 10, 2020. The applicant is requesting approval of a subdivision variance for a stub street for Lodge Ct. for the preliminary plat for Lomas Encantadas, Unit 2B Phase 2. The associated preliminary plat is Case no.: 20-210-00004, Lomas Encantadas, Tract 9A. Case no. 20-280-00003 Applicant: AMREP Southwest, Inc. Agent: Huitt-Zollars, Inc. Staff Contact: Brian Babyak Staff Recommendation: Denial ABM and Attachments are listed under 20-210-00004

Staff member, Brian Babyak, stated this item is continued from the March 10, 2020 meeting. The applicant is requesting approval of a subdivision variance for a stub street located on Lodge Court, Lomas Encantadas, Unit 2B, Phase 2. The associated preliminary plat is case number, 20-210-00004. Staff recommends approval with findings and conditions of the preliminary plat, with one of the conditions being the removal of the stub street and the denial of the subdivision variance for Lodge Court, case number, 20-280-00003.

The applicant, Jarrod Likar rebutted comments regarding the proposed variance and preliminary plat made from the fire department, as written on the Agenda Briefing Memorandum. Commissioner Lovato, Commissioner Radosevich, Mr. Likar, Director Caravella and Vice-Chairman Schlichte discussed the use of a stub street and how it pertains to the current fire code.

Edward Lovato, District 6 moved to approve 5L with findings and conditions. Seconded by Sal Maniaci, District 5

The motion failed by a vote of 1 FOR and 4 AGAINST.

YES: Michael Schlichte.

NO: Carlos Sanchez, Fred Radosevich, Sal Maniaci, and Edward Lovato.

- M.) PRELIMINARY PLAT: Continued from March 10, 2020. The applicant is requesting approval of a preliminary plat for Lomas Encantadas, Unit 2B Phase 2, creating 76 lots and 4 tracts on approximately 48.85 acres of R-4: Single Family Residential Zoned property. Case No.: 20-210-00004 Applicant: AMREP Southwest, Inc. Agent: Huitt-Zollars, Inc. Staff Contact: Brian Babyak Staff Recommendation: Approval with findings and conditions.

This item was discussed in conjunction with item 5L.

Commissioner Lovato and Mr. Likar discussed the progress and continuance of the development and its addition to the park in accordance to the agreement between the City of Rio Rancho and AMREP.

Edward Lovato, District 6 moved to approve item 5M with findings and conditions. Seconded by Sal Maniaci, District 5

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

Item 6 :) Discussion and Deliberation

- A.) ZONE MAP AMENDMENT: A request to amend the existing zone map overlay prohibiting subdivisions on Rio Rancho Estates Unit 17 Block 182. Case No.: 20-100-00002. Applicant: Garza 1 Irrevocable Trust dated December 31, 1992 Agent: Lastrapes, Spangle & Pacheco, P.A. Staff Contact: Rebekah Longstreet Staff Recommendation: Denial (Continue to provide for adequate public participation and comment)

Staff member, Rebekah Longstreet, requested continuance to a future date uncertain per the applicant's request. Staff also stated they would like to request the Board members to direct staff to provide notice to all the property owners within the existing overlay zone as they have received several public comments that the notification boundary be extended.

Sal Maniaci, District 5 moved to continue item to a future date with the urgency to expand the notification boundaries to include the entire overlay. Seconded by Edward Lovato, District 6

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

- B.) ZONE MAP AMENDMENT: The applicant is requesting a zone map amendment from Special Use for a private school to R-4: Single Family residential for the property located at 4400 Sundt Road NE, legally known as Texico Conference Center, Tract 1-A1. Case No.: 20-100-00003 Applicant: Texico Conference Association Agent: AMREP Southwest, Inc. Staff Contact: Alex Lopez Staff Recommendation: Approval with findings and conditions.

Staff member, Alex Lopez, stated the applicant is requesting a zone map amendment from Special Use, for a private school to R-4: Single Family Residential for the property located at 4400 Sundt Road NE. Staff recommends approval with findings and conditions.

The applicant, Jarrod Likar with AMREP, stated he agrees with staff's comments and he stood for questions. Commissioner Lovato and Mr. Likar discussed the previous zoning and land use of the area. Mr. Likar explained the land was previously zoned SU for a charter school and is requesting the R-4 for Residential Single Family use.

Fred Radosevich, District 3 moved to approve item 6B with findings and conditions.

Seconded by Carlos Sanchez, District 2

The motion carried by a vote of 5 FOR and 0 AGAINST.

YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.

NO: (none)

Item 7 :) Commission Business:

Chairman Wymer addressed the Board and Staff, thanking them for his support and conducting the meeting during these challenging times.

Item 8 :) Zoning Interpretations: NONE

Item 9 :) Staff Reports

- A.) CASE TYPE: Zoning Interpretation for Conditional Use Permit on Rio Rancho Estates Unit 16, Block 83, Lot 34A (1309 Golf Course Road). Case No.: 20-120-00002 Applicant: John Ortega Staff Contact: Rebekah Longstreet Staff Recommendation: Approval

Staff member, Rebekah Longstreet, informed the Board that the applicant for case number 20-120-00002, a zoning interpretation for a conditional use permit, was inadvertently submitted for the incorrect lot. This request was initially approved on March 10, 2020 by the Planning and Zoning Board for an outdoor storage facility. Staff proposed the original approval be applied to the correct lot on 1309 Golf Course Road. This was approved by Chairman Wymer on March 18, 2020.

- B.) Appeal to Governing Body of Preliminary Plat #20-210-00003 and Subdivision Variance #20-280-00001 for the property legally described as Rio Rancho Estates Unit 20 Block 99 Lots 24-29.

Chairman Schlichte noted the appeal to the Governing Body of Preliminary Plat, case number 20-210-00003 and Subdivision Variance, case number 20-00001 for the property legally described as Rio Rancho Estates, Unit 20, Block 99, Lots 24-29.

- C.) Building Permit and Plat reports for February.

Item 10.) Adjournment

Vice-Chairman Schlichte adjourned the meeting at 7:47 pm.

Sal Maniaci, District 5 moved to adjourn. Seconded by Carlos Sanchez, District 2
The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Carlos Sanchez, Fred Radosevich, Michael Schlichte, Sal Maniaci, and Edward Lovato.
NO: (none)

APPROVED THIS 12th DAY OF MAY

Michael Schlichte, Vice-Chair

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1157

Submitted by: Rebekah Longstreet

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

CASE TYPE: Preliminary Plat for Siesta Hills II Block 4 Lot 14A

Case No.: 20-210-00005

Applicant: Humberto Aguilar

Agent: Cartesian Survey Inc

Staff Contact: Rebekah Longstreet

Staff Recommendation: Continuation

ATTACHMENTS

- [Continuance Request.doc](#)



To: Planning and Zoning Board Members
From: Development Services Department
CC: Applicant: Humberto Aguilar
Agent: Cartesian Survey Inc
Date: May 4, 2020 for May 12, 2020 Meeting
Re: Continuation of Preliminary Plat #20-210-00005

Staff requests preliminary plat #20-210-00005 for Siesta Hills II Block 4 Lot 14A be continued to a date certain of May 26, 2020. The application package is missing several items including a letter of authorization, preliminary infrastructure construction plans, a preliminary drainage report, a soils analysis, a traffic impact analysis, and a water and wastewater availability statement. Staff requests the item be continued to allow time for the additional items to be submitted and reviewed by staff.

Recommendations: Continue preliminary plat application no. 20-210-00005 to a date certain of May 26, 2020.

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1155

Submitted by: Rebekah Longstreet

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

CASE TYPE: Final Plat for Broadmoor Heights Tract 2 physically located on the east side of Broadmoor Boulevard NE, south of Amy Road NE.

Case No.: 20-220-00005

Applicant: Pulte Group, Kevin Patton

Agent: Bohannon Huston Inc

Staff Contact: Rebekah Longstreet

Staff Recommendation: Approval with Findings and Conditions

ATTACHMENTS

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AGENDA DATE: May 12, 2020

CASE NO.: 20-220-00005

DEPARTMENT: Development Services

SUBJECT: Final Plat for Broadmoor Heights Tract 2

PROPERTY: Broadmoor Heights Tract 2

APPLICANT/AGENT: Kevin Patton of Pulte Group/Kelly Klein of Bohannon Huston, Inc

DEPARTMENT RECOMMENDATION: Approval with Conditions

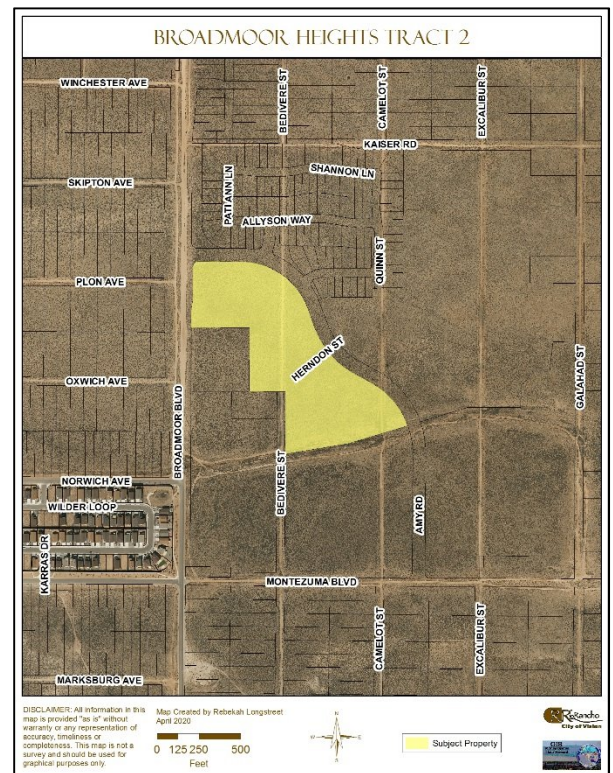
LOCATION: The subject property is Broadmoor Heights Tract 2, physically located on the east side of Broadmoor Boulevard NE, south of Amy Road NE.

BACKGROUND:

The applicant requests final plat approval for Broadmoor Heights Tract 2 to create 52 residential lots.

The preliminary plat #19-210-00005 for this project was approved by the Planning and Zoning Board on November 12, 2019. The Planning and Zoning Board also approved a subdivision variance (#19-280-00005) to not place public utility easements along the side or rear of the proposed lots.

At the February 11, 2020 meeting, the Planning and Zoning Board approved an amendment to the preliminary plat.



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REVIEW CRITERIA:

- I. General Information
 - A. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparklight, Centurylink, PNM and New Mexico Gas Company.
 - B. Water and Wastewater Availability: Water and waste water availability was approved by a letter dated February 20, 2017.
 - C. Drainage: Per the Grading and Drainage plan submitted with the preliminary plat, drainage would be collected by the interior streets and drain into two retention ponds.
 - D. Roads & Sidewalks: The internal streets would be dedicate to the City by this plat.
 - E. Recreation Facilities/Open Space: No recreation facilities, parks, or open space would be dedicated by the plat.
 - F. Easements: This plat would dedicate a ten (10) foot wide public utility easement within all lots and tracts adjacent to all right-of-way being granted.
 - G. Public Site Dedications: None.
 - H. Vacations: Existing lot lines as indicated on the current plat and all existing five (5) foot wide public utility easements along all front, rear, and sides of the original property lines are to be vacated by this final plat.
 - I. Variances: A subdivision variance (Case No. 19-280-00005) to allow for not placing public utility easements along the side or rear of the proposed lots was approved at the November 12, 2019 Planning and Zoning Board meeting.

II. CONFORMANCE WITH THE SUBDIVISION CHAPTER OF THE CITY

The final plat has been reviewed and found to be in conformance with the Rio Rancho Code of Ordinances Chapter 155 Subdivisions.

Conforms.

III. CONFORMANCE WITH THE ZONING ORDINANCE

The subject property is zoned R-4: Single-Family Residential. The proposed plat would create 52 residential lots which would meet the 4,000 square foot minimum lot requirements.

Conforms.

IV. CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN

In Chapter 5, Land Use Element, a policy is to “encourage the master planning of developments that establish a community character that considers circulations, landscaping, open space, storm drainage, utilities, and building location and design in the master plan”, (5.6.3, Policy L-1).

Conforms.

V. CONFORMANCE WITH CITY POLICIES AND REGULATIONS

1 The City of Rio Rancho Fire Department, Police Traffic Division, Planning Division,
2 Engineering Division, and SSCAFCA reviewed this application and related
3 infrastructure plans. Revisions to the plat are required prior to approval.

4
5 May conform.

6
7 VI. CONFORMANCE WITH THE BROADMOOR HEIGHTS MASTER PLAN

8 The proposed plat would meet the requirements of the Broadmoor Heights Master
9 Plan, adopted on September 27th, 2017.

10
11 Conforms.

12
13 VII. CONFORMANCE WITH THE APPROVED PRELIMINARY PLAT

14 The proposed final plat would be in consistent with the preliminary plat approved on
15 November 19, 2019.

16
17 Conforms.

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21 SURROUNDING LAND USE/ZONING: The adjacent property to the north, east, and
22 southeast is zoned R-4: Single Family Residential and is currently vacant and is being
23 developed as residential land uses. The property to the southwest is vacant land zoned
24 C-1: Retail Commercial with a corridor overlay zone per Ordinance No. 93 Enactment
25 No. 08-87. The subject property abuts Broadmoor Boulevard NE to the west. The
26 property beyond Broadmoor Boulevard is vacant land zoned TZ: Transitional Zoning
27 with a corridor overlay zone.

28
29 REVIEWED BY:

30	<input checked="" type="checkbox"/>	DSD Planning	<input type="checkbox"/>	Police
31	<input checked="" type="checkbox"/>	DSD Engineering	<input checked="" type="checkbox"/>	Fire and Rescue
32	<input type="checkbox"/>	DSD Building	<input checked="" type="checkbox"/>	SSCAFCA
33	<input type="checkbox"/>	Public Works	<input checked="" type="checkbox"/>	Parks, Rec. and Com. Services
34	<input type="checkbox"/>	Utilities	<input type="checkbox"/>	

35
36
37 NOTIFICATIONS: Notice of pending development application (Attachment V) was sent
38 via certified mail to all property owners within 100 ft of the subject property. A legal
39 advertisement was published in the Rio Rancho Observer on April 26, 2020.

40
41
42 DEPARTMENT RECOMMENDATION: The Development Services Department
43 recommends the Planning and Zoning Board approval Final Plat Case #20-220-00005
44 subject to the following conditions of approval and findings of fact.

1 General Findings of Fact:

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

7
8 Specific Findings of Fact

- 9 1. The final plat has been prepared, reviewed, and conforms to the City of Rio Rancho
10 plans and policies.
11 2. The final plat conforms to the requirements of the Rio Rancho Code of Ordinances
12 (R.O. 2003) Chapter 155 Subdivisions.
13 3. The final plat conforms to the requirements of the R-4: Single-Family District.
14 4. The final plat is consistent with the Preliminary Plat approved by the Planning and
15 Zoning Board on November 19, 2019, under Case No. 19-210-00005, and modified
16 on February 11, 2020.


17
18 Conditions of approval:


- 19 1. A subdivision improvement agreement (SIA) and bond or other acceptable
20 financial guarantee are required if the infrastructure is not complete and accepted
21 prior to recording.
22 2. Prior to final execution by the Planning and Zoning Board Chair and recording, the
23 plat shall be reviewed and approved by the City Attorney, DSD Engineering and
24 Planning to ensure compliance with requirements that include but are not limited
25 to:
26 a. This plat will be Book 30 Pages 13-15.
27 b. Add signature block for the mayor, as owner of Tracts G and M.
28 c. Indicate location of Tract I.
29 d. Update notes to indicate who Tract J will be dedicated to.
30 e. Update Free Consent & Dedication block to
31 f. Include "water and wastewater" services
32 g. Grant/convey Tracts A, B, C, D, E, F, H, K, & L to the Broadmoor Heights
33 Community Association, Inc. in the Dedication Block.
34 h. Add to legal description "and a portion of the east ½ vacated Bedievere Street
35 right of way pursuant to October 8, 2019, action of the City of Rio Rancho
36 Planning and Zoning Board under Case No. 19-230-05."
37 i. Easement Notes #17. Indicate which entity the public blanket drainage
38 easement is dedicated to. As noted previously, SSCAFCA is not interested in
39 maintaining these easements.
40 j. Easement Notes: Note 1: The vacated easement should be extended to the
41 west side of lot 36.
42 k. Identify Bediviere Street as "(vacated on October 8, 2019 by action of the
43 City of Rio Rancho Planning and Zoning Board under Case No. 19-230-05)".

- 1 I. Right of way Vacation Note "A" to read "50' Right of Way Vacation of a portion
2 of Bediviere Street NE by October 8, 2019, action of the City of Rio Rancho
3 Planning and Zoning Board under Case No. 19-230-05."
4
-

5 ALTERNATIVES

- 6 1. The Planning and Zoning Board may approve the request, in whole or in part;
7 2. The Planning and Zoning Board may deny the request, in whole or in part;
8 3. The Planning and Zoning Board may modify the request and approve such
9 modifications.
10 4. The Planning and Zoning Board may continue the public hearing and final
11 action to allow for additional study, analysis and recommendation.
12
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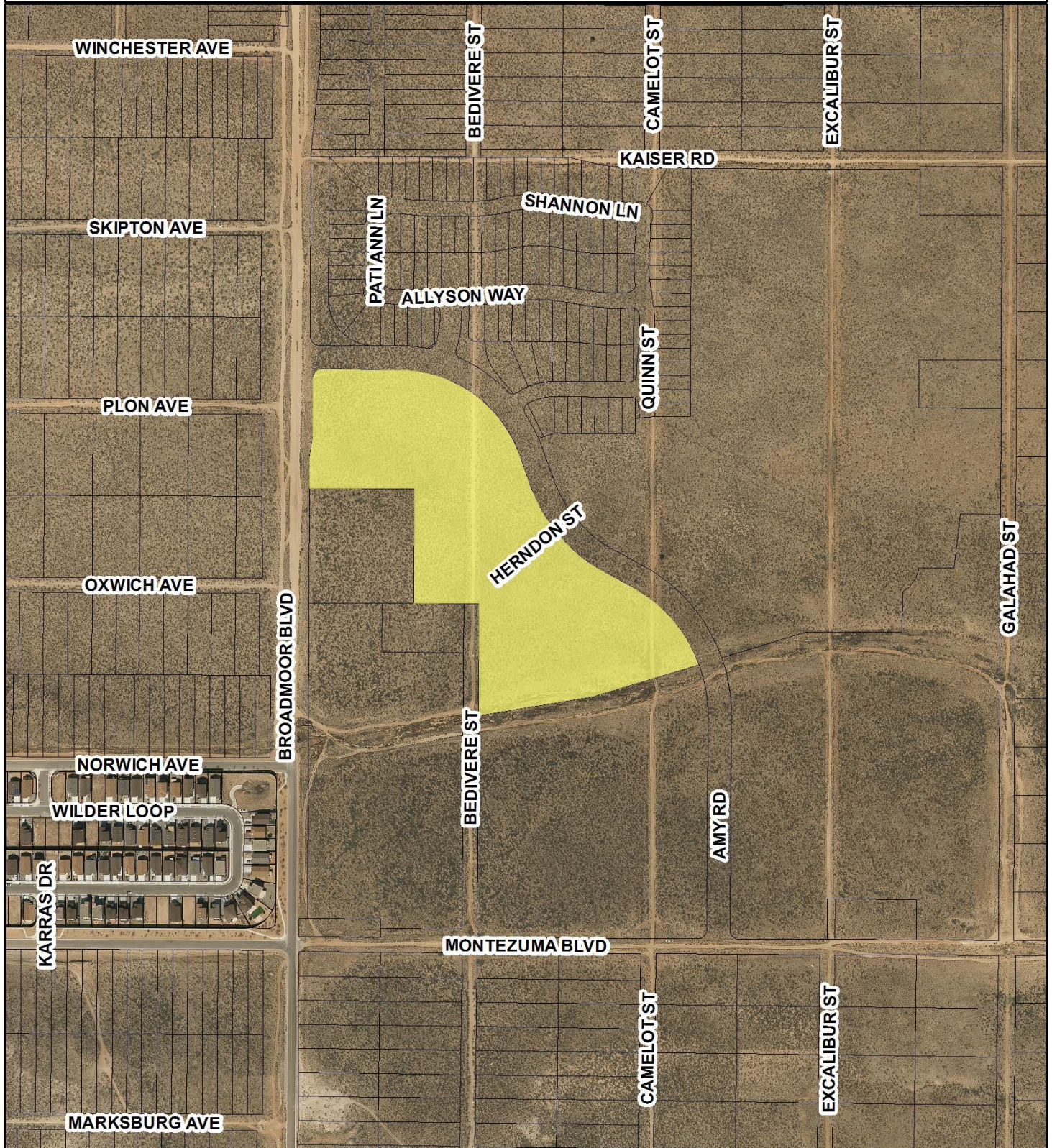
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15 PREPARED BY:  DATE: 5.4.20
16 Rebekah Longstreet, Municipal Planner II

17
18
19 REVIEWED BY:  DATE: 5.5.2020
20 Amy Rincon, AICP, Planning & Zoning Manager

21
22
23 DEPARTMENT DIRECTOR:  DATE: 5/6/2020
24 Anthony Caravella, AICP, Development Services

25
26
27 Attachment I: Location Map
28 Attachment II: Application
29 Attachment III: Staff comments
30 Attachment IV: Public Comments
31 Attachment V: Replications of notifications
32 Attachment VI: Finding of Fact for approval
33 Attachment VII: Reproduction of associated preliminary plat and amendment
34
35

BROADMOOR HEIGHTS TRACT 2



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 Rebekah Longstreet
April 2020



Subject Property





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

March 20, 2020

Ms. Amy Rincon
Municipal Planner
City of Rio Rancho
Department of Development Services
3200 Civic Center Circle, NE
Rio Rancho, NM 87144

Re: Final Plat Submittal – Broadmoor Heights, Unit 2

Dear Amy,

Enclosed for review of final plat are copies of the following information:

- Digital copy of Final Plat (pdf)
- Digital copy of final plat checklist
- Digital copy of the Application
- Digital copy Authorization Letter
- Digital copy of the Signed Findings

Note that some of the requirements outlined in the City's Final Plat Checklist were already submitted and reviewed and will not be resubmitted with the final plat. Construction operations have started at this point.

Once all comments have been addressed, CAD files, certifications and all necessary signatures will be provided.

This final plat is being presented to the Municipal Planner for the purpose of obtaining City review and approval. It represents 52 residential lots and 12 tracts where 1 tracts previously existed.

Please feel free to give me a call at 505-318-7815 if you should have any questions or require any additional information regarding the submittal.

Sincerely,

A handwritten signature in black ink that reads "Kelly M. Klein".

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

Enclosures

cc: Kevin Patton, Pulte Group (w/encl)
Paul Wymer, Pulte Group (w/encl)

Engineering ▲
Spatial Data ▲
Advanced Technologies ▲



PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Kevin Patton PE		Phone: 505-341-8591
Address: 7601 Jefferson NE Suite 320		E-Mail: kevin.patton@pultegroup.com
City: Albuquerque	State: NM	Zip: 87109
Proprietary Interest: Owner	List Owners: Pulte Group	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name: Kelly Klein, P.E. (Bohannon Huston, Inc)		Phone: 505-318-7815
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 : Tract 2, Broadmoor Heights	Block(s):	Lot(s):
Existing Zoning: R-4	Proposed Zoning: R-4	
No. of existing lots: 1	No. of proposed lots: 52	Total area of site (acres) 15.43

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: <i>Kelly M. Klein</i>		Date: 03/20/2020

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

March 20, 2020

Amy Rincon
Municipal Planner
City of Rio Rancho Development Department
3200 Civic Center Cir NE #130
Rio Rancho, New Mexico 87144


Re: Authorization for submittal of Final Plat – Broadmoor Heights, Unit 2 (Tract 2, Broadmoor Heights)

Dear Amy:

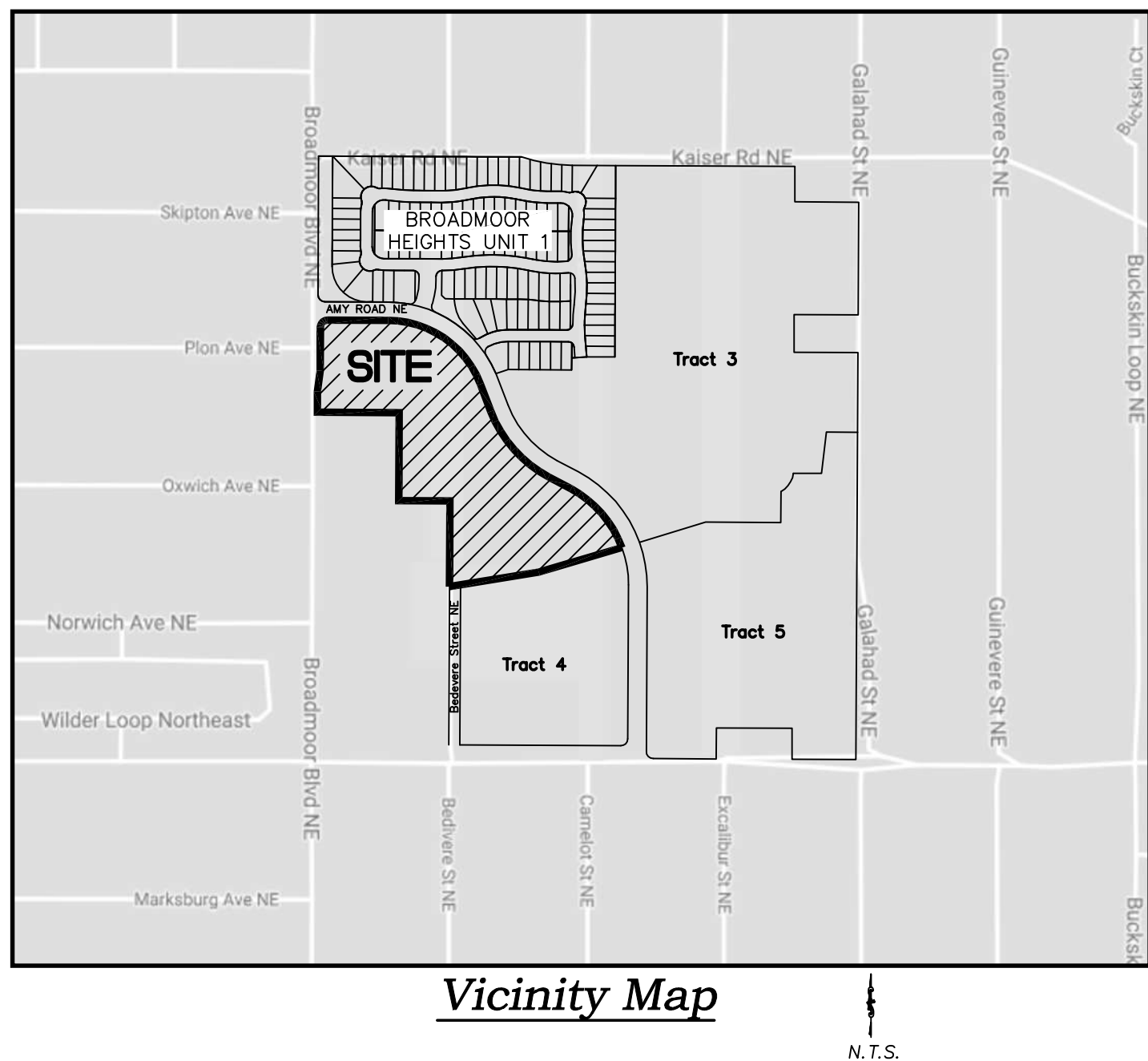
The Pulte Group authorizes Bohannon Huston, Inc. to act as its agent to submit for Final Plat for Broadmoor Heights, Unit 2 (Tract 2, Broadmoor Heights)

Please feel free to let me know if you should have any questions or required any additional information regarding the submittal.

Thank you,



Kevin G. Patton, P.E.
Director of Landing Planning and Entitlements
Pulte Group



Vicinity Map

N.T.S.

Indexing Information

Section 6, Township 12 North, Range 3 East, N.M.P.M.
 Section 1, Township 12 North, Range 2 East, N.M.P.M.
 as Projected into the Town of Alameda Grant
 Subdivision: Rio Rancho Estates Unit 13
 UPC #1-012-072-509-143

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.
3. DEDICATE PUBLIC RIGHT-OF-WAY AS SHOWN HEREON.
4. VACATE RIGHT-OF-WAY AS SHOWN HEREON.

Documents

1. PLAT OF RECORD, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON APRIL 13, 2018 VOLUME 3, FOLIO 4211 (RRE BOOK 27, PAGE 64-69).
2. SUMMARY PLAT FOR LOT 1A, BLOCKS RR AND 41, RIO RANCHO ESTATES, UNIT 13, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON MAY 4, 2009 IN VOLUME 3, FOLIO 3031 (RRE BOOK 22, PAGE 73).
3. RIGHT OF WAY MAP FOR BROADMOOR BLVD, PHASE I, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON FEBRUARY 2, 2017, AS VOL. 3, FOLIO 4055 (RRE BK 27, PAGES 1-13).
4. REPLAT OF LOTS 7-9 AND 22-24, BLOCK 41, RIO RANCHO ESTATES UNIT 13, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON NOVEMBER 16, 2017 AS VOL. 3, FOLIO 4159 (RRE BK 27, PAGES 50-51).
5. PLAT OF LOTS WITHIN UNITS SEVEN AND THIRTEEN, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON JUNE 13, 1966 IN BOOK 1, PAGE 69.
6. PLAT OF FOR RIO RANCHO ESTATES, UNIT , FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON APRIL 22, 1963 IN BOOK 1, PAGE 48.

Legal Description

TRACT 2, OF BROADMOOR HEIGHTS, SITUATE WITHIN PROJECTED SECTION 6, T.12N., R.3E., TOWN OF ALAMEDA GRANT, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL, NEW MEXICO, ON APRIL 13, 2018 AS VOL. 3, FOLIO 4211 (RRE BK 27, PAGES 64-69).

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 1, TOWNSHIP 12 NORTH, RANGE 2 EAST, AND 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: 52
 NUMBER OF TRACTS CREATED: 12
 MILES OF ROAD CREATED: 0.3900 MILES
 RIGHT OF WAY DEDICATED BY THIS PLAT: 2.9151 ACRES
 TOTAL PLATTED ACREAGE: 15.4276 ACRES
6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND), USING GROUND TO GRID FACTOR OF 0.999656696.
7. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION AS SHOWN ON THE PLAT OF RECORD.
8. IN LIEU OF RIGHT-OF-WAY MONUMENTATION, CENTERLINE MONUMENTATION WILL BE SET AT CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS AND SHOWN AS THUS ▲. ALL CENTERLINE MONUMENTS WILL BE SET USING THE STANDARD PK NAIL WITH WASHER "LS 14271" AND WILL BE SET FLUSH WITH THE FINAL ASPHALT.
9. IN LIEU OF FRONT CORNER, A CHISELED "X" WILL BE SET IN THE GUTTER PAN, BEING AN EXTENSION OF THE SIDE LOT LINES EXTENDED TO A ONE FOOT INCREMENT DISTANCE FROM THE FRONT CORNER, REAR CORNERS WITH A PK NAIL WITH WASHER "LS 14271" IN THE FACE OF WALL.
10. TRACTS A, B, C, D, E, F, H, K & L SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
11. TRACTS G AND M TO BE RETAINED BY THE CITY OF RIO RANCHO.

Public Utility Easements

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

- A. 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. 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 for the installation, maintenance, and service of such lines, water and sewer, and other related equipment and facilities reasonably necessary to provide water and sewer 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.

Filing Information

STATE OF NEW MEXICO }
 COUNTY OF SANDOVAL }

THIS INSTRUMENT WAS FILED FOR RECORD ON

____: ____ AM/PM, _____
 20____

RECORDED IN VOLUME _____, OF RECORDS OF SAID

COUNTY, FOLIO _____

BY: _____
 DEPUTY

**Plat for
 Broadmoor Heights, Unit 2
 Being Comprised of
 Tract 2, Broadmoor Heights and A
 Portion of Vacated Bedievvere Street
 City of Rio Rancho
 Sandoval County, New Mexico
 March 2020**

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

 CABLE ONE

Public Approvals

CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

APPROVED THE _____ DAY OF _____, 20____

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 _____, 20____

BY: _____
 REBECCA MARTINEZ, CITY CLERK

TREASURER'S CERTIFICATE:

I, LAURA M. MONTOYA, 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

Jurisdiction Certification

I, WILL PLOTNER JR., 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.

 WILL PLOTNER JR. DATE
 N.M.P.S. No. 14271



Surveyor's Certificate

I, WILL PLOTNER JR., 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.

 Will Plotner Jr. Date
 N.M.R.P.S. No. 14271



CSI-CARTESIAN SURVEYS INC.

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

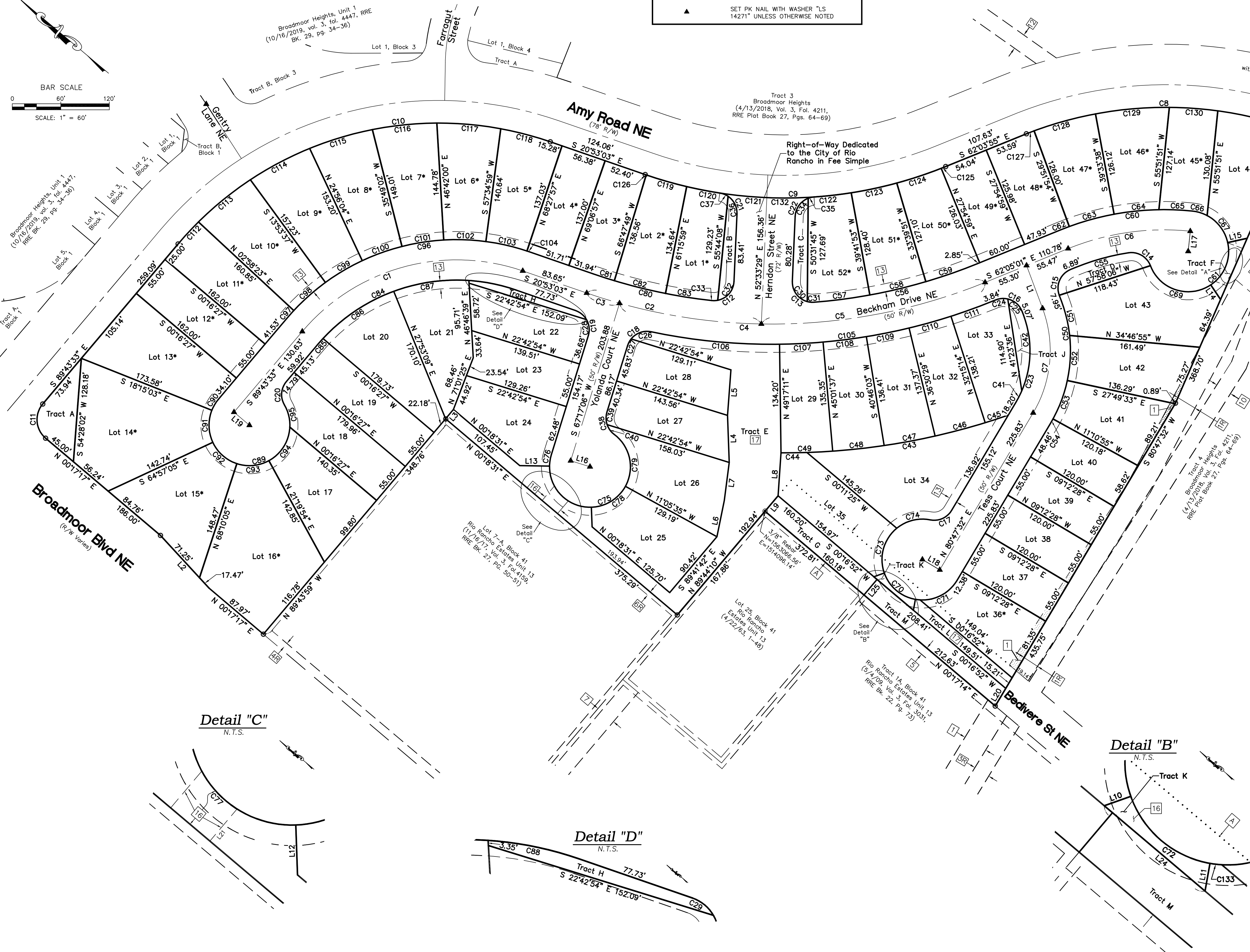
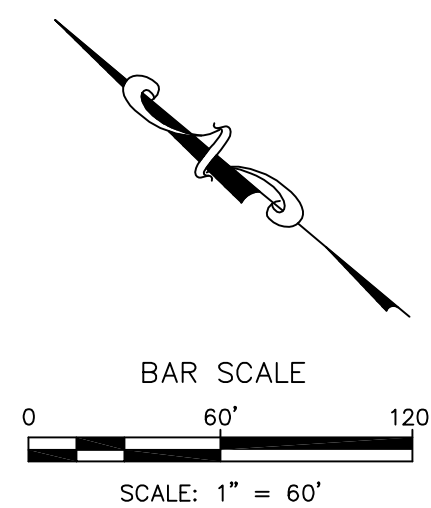
Note:

*NO VEHICULAR ACCESS FROM THESE LOTS DIRECTLY TO AMY ROAD, BEDIVERE STREET OR BROADMOOR BOULEVARD.

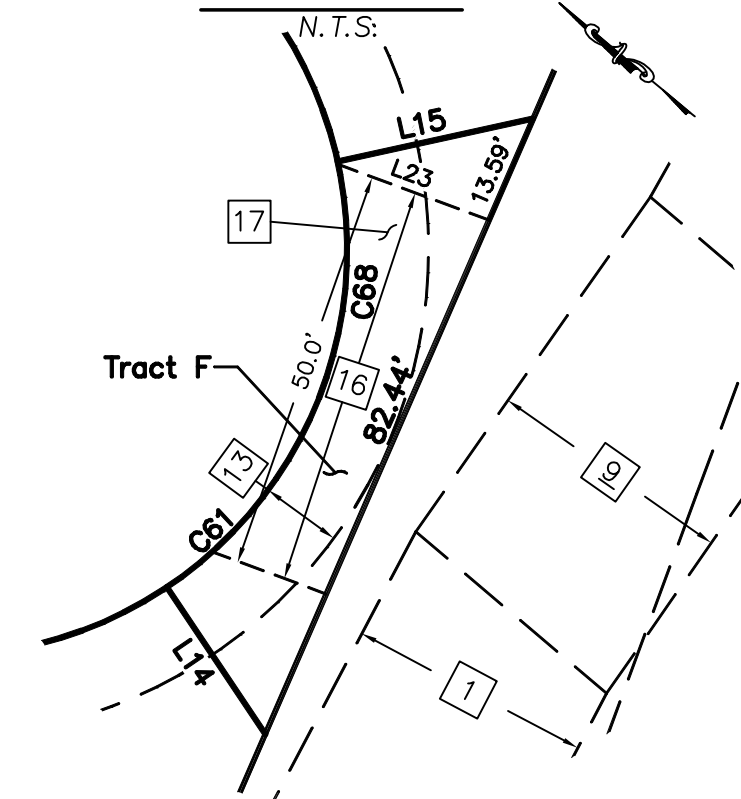
Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
●	FOUND REBAR WITH CAP "LS 14733" UNLESS OTHERWISE INDICATED
○	BATHEY MARKER "LS 14271" UNLESS OTHERWISE NOTED
○B	SET BATHEY MARKER "LS 14271" UNLESS OTHERWISE NOTED
R/W	RIGHT-OF-WAY
▲	SET PK NAIL WITH WASHER "LS 14271" UNLESS OTHERWISE NOTED

**Plat for
Broadmoor Heights, Unit 2
Being Comprised of
Tract 2, Broadmoor Heights and A
Portion of Vacated Bedivere Street
City of Rio Rancho
Sandoval County, New Mexico
March 2020**



Detail "A"



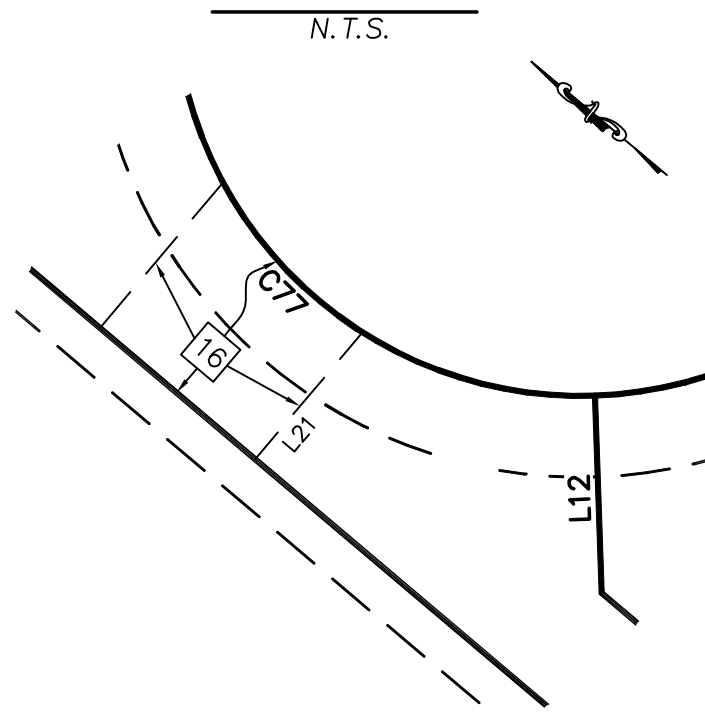
Right-of-Way Vacation

[A] 50' RIGHT OF WAY VACATION OF A PORTION OF BEDIVERE STREET NE BY THIS PLAT

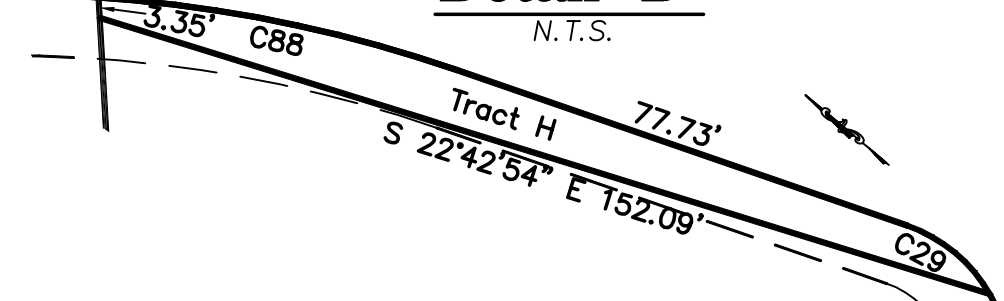
Easement Notes

- [1] EXISTING 30' DRAINAGE EASEMENT (7/11/07, VOL. 3, FOL. 2821-B, RRE BK. 21, PG 2) PORTION VACATED WITH THE FILING OF THIS PLAT SHOWN HEREON AS [16]
 - [1R] EXISTING 30' DRAINAGE EASEMENT (7/11/07, VOL. 3, FOL. 2821-B, RRE BK. 21, PG 2)
 - [3R] EXISTING 20' PUBLIC UTILITY EASEMENT (7/11/07, VOL. 3, FOL. 2821-B, RRE BK. 21, PG 2)
 - [4R] EXISTING 10' P.U.E. (11/16/17, VOL. 3, FOL. 4159, RRE BK. 27, PG 50-51)
 - [5] EXISTING 10' P.U.E. (5/4/09, VOL. 3, FOL. 3031, RRE BK. 22, PG. 73)
 - [6R] EXISTING 5' P.U.E. (11/16/17, VOL. 3, FOL. 4159, RRE BK. 27, PG 50-51)
 - [7] EXISTING 25' TEMPORARY ACCESS EASEMENT BENEFITING LOT 25 (5/4/2009, VOL. 3, FOL. 3031, RRE BK. 22, PG 73)
 - [9] DRAINAGE EASEMENT RETAINED IN PLACE OF VACATED FORMER RIGHT OF WAY (4/13/2018, VOL. 3, FOL. 4211, RRE BK. 27, PG. 64-69)
 - [10] 20' SANITARY SEWER EASEMENT (4/13/2018, VOL. 3, FOL. 4211, RRE BK. 27, PG. 64-69)
 - [12] EXISTING 20' PUBLIC SANITARY SEWER EASEMENT (4/13/2018, VOL. 3, FOL. 4211, RRE PLAT BOOK 27, PG. 64-69)
 - [13] 10' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
 - [14] TRACTS A-F, H & J-L, SHALL BE DESIGNATED AS BLANKET LANDSCAPE EASEMENTS. TO BE MAINTAINED BY THE HOA, BENEFITING THE RESIDENTS THEREOF, GRANTED WITH THE FILING OF THIS PLAT.
 - [16] PUBLIC WATER & SEWER EASEMENT GRANTED WITH THE FILING OF THIS PLAT
 - [17] PUBLIC BLANKET DRAINAGE EASEMENT ACROSS TRACT E, F & L GRANTED WITH THE FILING OF THIS PLAT
- EASEMENTS [2] [8] [11] & [15] ARE INTENTIONALLY OMITTED

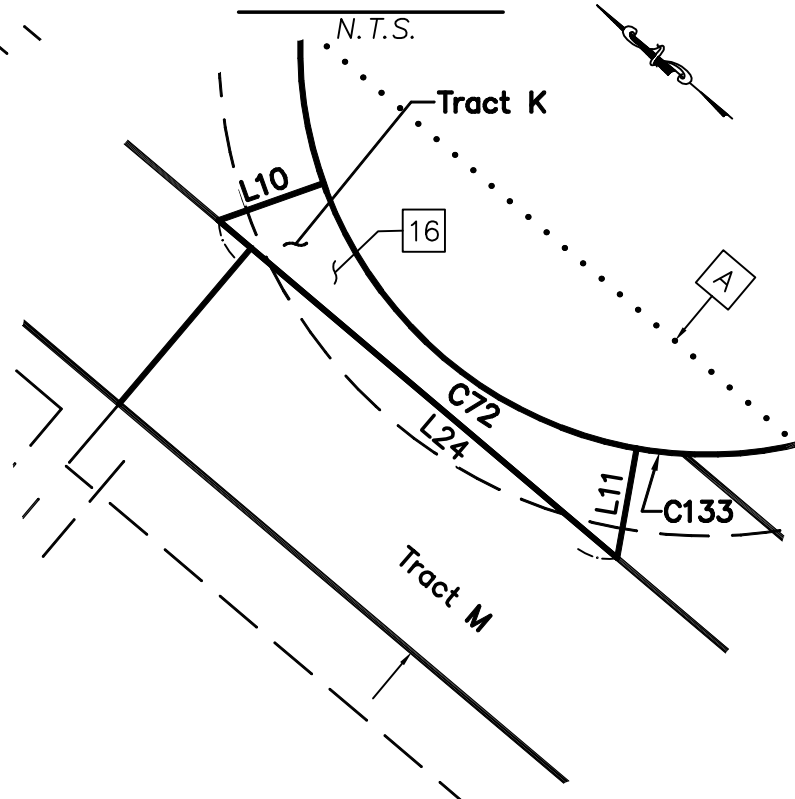
Detail "C"



Detail "D"



Detail "B"



CSI-CARTESIAN SURVEYS INC.

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

**Plat for
Broadmoor Heights, Unit 2
Being Comprised of
Tract 2, Broadmoor Heights and A
Portion of Vacated Bediever Street
City of Rio Rancho
Sandoval County, New Mexico
March 2020**

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	300.38'	250.00'	68°50'30"	282.63'	N 55°18'18" W
C2	220.05'	700.00'	18°00'41"	219.15'	S 29°53'24" E
C3	42.50'	700.00'	3°28'43"	42.49'	S 22°37'25" E
C4	460.85'	700.00'	37°43'15"	452.57'	S 43°13'23" E
C5	283.29'	700.00'	23°11'16"	281.36'	S 50°29'23" E
C6	154.03'	315.00'	28°01'03"	152.50'	N 48°04'29" W
C7	134.11'	150.00'	51°13'32"	129.69'	N 55°10'46" E
C8	338.57'	472.00'	41°05'57"	331.36'	N 40°50'47" W
C9	379.66'	528.00'	41°11'57"	371.54'	S 41°29'02" E
C10	507.04'	422.00'	68°50'30"	477.09'	N 55°18'18" W
C11	47.12'	30.00'	89°59'10"	42.42'	S 45°16'52" W
C12	40.93'	25.00'	93°48'51"	36.51'	S 80°32'05" E
C13	42.31'	25.00'	96°57'35"	37.44'	S 04°04'42" W
C14	34.04'	25.00'	78°01'12"	31.47'	N 09°42'36" W
C15	38.55'	25.00'	88°21'00"	34.84'	S 73°44'29" W
C16	39.99'	25.00'	91°39'00"	35.86'	N 16°15'31" W
C17	30.77'	25.00'	70°31'44"	28.87'	S 63°56'36" E
C18	36.93'	25.00'	84°38'05"	33.66'	N 70°23'51" W
C19	38.47'	25.00'	88°10'09"	34.79'	N 23°12'01" E
C20	30.77'	25.00'	70°31'44"	28.87'	S 55°00'35" W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C21	36.55'	25.00'	83°46'16"	33.38'	N 10°40'21" E
C22	36.46'	25.00'	83°33'46"	33.31'	N 85°39'38" W
C23	111.76'	125.00'	51°13'32"	108.07'	N 55°10'46" E
C24	15.30'	25.00'	35°03'47"	15.06'	N 44°33'07" W
C25	24.69'	25.00'	56°35'13"	23.70'	N 01°16'23" E
C26	27.54'	25.00'	63°06'51"	26.17'	N 59°38'15" W
C27	9.39'	25.00'	21°31'14"	9.33'	S 78°02'43" W
C28	20.56'	25.00'	47°06'57"	19.98'	N 43°43'38" E
C29	17.91'	25.00'	41°03'13"	17.53'	N 00°21'27" W
C30	33.79'	25.00'	77°26'26"	31.28'	S 13°50'17" W
C31	8.52'	25.00'	19°31'09"	8.48'	S 34°38'31" E
C32	33.33'	25.00'	76°22'54"	30.91'	S 89°15'04" E
C33	7.61'	25.00'	17°25'57"	7.58'	S 42°20'38" E
C34	29.03'	25.00'	66°31'39"	27.42'	S 85°49'19" W
C35	7.43'	25.00'	17°02'07"	7.41'	N 52°23'48" W
C36	25.54'	25.00'	58°32'07"	24.44'	N 23°17'26" E
C37	11.01'	25.00'	25°14'09"	10.92'	N 18°35'42" W
C38	30.77'	25.00'	70°31'44"	28.87'	S 32°01'14" W
C39	15.67'	25.00'	35°54'13"	15.41'	S 49°20'00" W
C40	15.11'	25.00'	34°37'31"	14.88'	S 14°04'08" W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C41	16.20'	125.00'	7°25'25"	16.18'	N 77°04'49" E
C42	95.56'	125.00'	43°48'07"	93.25'	N 51°28'03" E
C43	254.05'	843.00'	17°16'00"	253.09'	S 50°26'56" E
C44	32.07'	843.00'	2°10'46"	32.07'	S 40°43'33" E
C45	30.03'	843.00'	2°02'27"	30.02'	S 58°03'42" E
C46	64.07'	843.00'	4°21'17"	64.05'	S 54°51'51" E
C47	64.08'	843.00'	4°21'19"	64.07'	S 50°30'33" E
C48	64.01'	843.00'	4°21'02"	63.99'	S 46°09'22" E
C49	63.93'	843.00'	4°20'42"	63.91'	S 41°48'30" E
C50	156.46'	175.00'	51°13'32"	151.30'	N 55°10'46" E
C51	43.57'	175.00'	14°15'58"	43.46'	N 36°41'58" E
C52	56.02'	175.00'	18°20'29"	55.78'	N 53°00'12" E
C53	50.84'	175.00'	16°38'39"	50.66'	N 70°29'46" E
C54	6.03'	175.00'	1°58'26"	6.03'	N 79°48'19" E
C55	67.64'	290.00'	13°21'48"	67.49'	N 55°24'06" W
C56	208.31'	675.00'	17°40'55"	207.49'	S 53°14'33" E
C57	69.51'	675.00'	5°54'01"	69.48'	S 47°21'06" E
C58	71.09'	675.00'	6°02'02"	71.05'	S 53°19'08" E
C59	67.71'	675.00'	5°44'52"	67.69'	S 59°12'35" E
C60	166.26'	340.00'	28°01'03"	164.61'	N 48°04'29" W

Line Table		
Line #	Direction	Length (ft)
L1	N 29°33'59" E	56.53'
L2	N 07°24'47" E	88.71'
L3	S 89°44'31" E	15.00'
L4	N 48°01'24" E	58.26'
L5	N 54°16'27" E	56.45'
L6	N 61°32'39" E	45.84'
L7	N 57°21'51" E	47.45'
L8	N 53°53'13" E	53.19'
L9	S 89°44'10" E	25.08'
L10	S 59°27'22" E	13.68'
L12	N 48°03'26" E	24.30'
L13	N 39°01'09" W	36.78'
L14	N 16°12'18" E	21.74'
L15	N 52°21'30" W	24.57'
L16	S 22°42'54" E	25.00'
L17	S 55°56'03" W	25.00'
L18	N 09°12'28" W	25.00'
L19	S 00°16'26" W	25.00'
L20	S 80°47'32" W	25.47'
L21	N 89°42'46" W	20.46'
L23	N 19°41'04" W	19.72'
L24	S 00°16'52" W	64.13'
L25	N 89°40'53" W	25.10'

*L22 INTENTIONALLY OMITTED

Parcel Table			
Name	Block	Area (Sq. Ft.)	Area (Acres)
Lot 1*	UNIT 2	7,839	0.1800
Lot 2*	UNIT 2	7,947	0.1824
Lot 3*	UNIT 2	7,735	0.1776
Lot 4*	UNIT 2	7,618	0.1749
Lot 5*	UNIT 2	9,071	0.2082
Lot 6*	UNIT 2	9,387	0.2155
Lot 7*	UNIT 2	9,722	0.2232
Lot 8*	UNIT 2	10,062	0.2310
Lot 9*	UNIT 2	10,549	0.2422
Lot 10*	UNIT 2	10,750	0.2468
Lot 11*	UNIT 2	9,428	0.2164
Lot 12*	UNIT 2	8,910	0.2045
Lot 13*	UNIT 2	12,650	0.2904
Lot 14*	UNIT 2	17,585	0.4037
Lot 15*	UNIT 2	12,564	0.2884
Lot 16*	UNIT 2	19,181	0.4403
Lot 17	UNIT 2	9,841	0.2259
Lot 18	UNIT 2	9,284	0.2131
Lot 19	UNIT 2	9,897	0.2272
Lot 20	UNIT 2	11,187	0.2568
Lot 21	UNIT 2	10,066	0.2311
Lot 22	UNIT 2	8,193	0.1881

Parcel Table			
Name	Block	Area (Sq. Ft.)	Area (Acres)
Lot 23	UNIT 2	7,228	0.1659
Lot 24	UNIT 2	9,184	0.2108
Lot 25	UNIT 2	10,108	0.2320
Lot 26	UNIT 2	10,228	0.2348
Lot 27	UNIT 2	8,402	0.1929
Lot 28	UNIT 2	7,541	0.1731
Lot 29	UNIT 2	7,940	0.1823
Lot 30	UNIT 2	8,011	0.1839
Lot 31	UNIT 2	8,075	0.1854
Lot 32	UNIT 2	8,123	0.1865
Lot 33	UNIT 2	8,448	0.1939
Lot 34	UNIT 2	15,875	0.3644
Lot 35	UNIT 2	10,418	0.2392
Lot 36*	UNIT 2	8,962	0.2057
Lot 37	UNIT 2	6,600	0.1515
Lot 38	UNIT 2	6,600	0.1515
Lot 39	UNIT 2	6,600	0.1515
Lot 40	UNIT 2	6,787	0.1558
Lot 41	UNIT 2	8,711	0.2000
Lot 42	UNIT 2	9,507	0.2183
Lot 43	UNIT 2	13,241	0.3040
Lot 44*	UNIT 2	10,929	0.2509

Parcel Table			
Name	Block	Area (Sq. Ft.)	Area (Acres)
Lot 45*	UNIT 2	7,627	0.1751
Lot 46*	UNIT 2	9,318	0.2139
Lot 47*	UNIT 2	8,596	0.1973
Lot 48*	UNIT 2	7,765	0.1783
Lot 49*	UNIT 2	7,560	0.1735
Lot 50*	UNIT 2	8,126	0.1865
Lot 51*	UNIT 2	8,221	0.1887
Lot 52*	UNIT 2	8,484	0.1948
Right-of-Way Dedicated to the City of Rio Rancho in Fee Simple	UNIT 2	126,982	2.9151
Tract A	UNIT 2	3,704	0.0850
Tract B	UNIT 2	1,810	0.0416
Tract C	UNIT 2	1,991	0.0457
Tract D	UNIT 2	2,791	0.0641
Tract E	UNIT 2	26,341	0.6047
Tract F	UNIT 2	994	0.0228
Tract G	UNIT 2	4,019	0.0923
Tract H	UNIT 2	1,129	0.0259
Tract J	UNIT 2	1,578	0.0362
Tract K	UNIT 2	444	0.0102
Tract L	UNIT 2	2,278	0.0523
Tract M	UNIT 2	5,285	0.1213
Unit 2 Total	UNIT 2	672,028	15.4276

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C61	212.37'	50.00'	243°21'57"	85.09'	N 87°37'01" E
C62	11.56'	340.00'	1°56'55"	11.56'	N 61°06'33" W
C63	57.53'	340.00'	9°41'43"	57.46'	N 55°17'14" W
C64	55.80'	340.00'	9°24'09"	55.73'	N 45°44'18" W
C65	41.37'	340.00'	6°58'16"	41.34'	N 37°33'05" W
C66	19.20'	50.00'	22°00'25"	19.09'	N 23°03'45" W
C67	43.37'	50.00'	49°42'02"	42.02'	N 12°47'29" E
C68	59.83'	50.00'	68°33'48"	56.32'	N 71°55'24" E
C69	89.97'	50.00'	103°05'42"	78.31'	S 22°14'51" E
C70	218.63'	50.00'	250°31'44"	81.65'	S 26°03'24" W
C71	54.65'	50.00'	62°37'08"	51.97'	S 67°53'54" E
C72	52.78'	50.00'	60°29'07"	50.37'	S 00°18'02" W
C73	61.27'	50.00'	70°12'31"	57.51'	S 65°38'51" W
C74	44.13'	50.00'	50°34'09"	42.71'	N 53°57'49" W
C75	218.63'	50.00'	250°31'44"	81.65'	S 57°58'46" E
C76	14.23'	50.00'	16°18'15"	14.18'	S 59°07'59" W
C77	81.09'	50.00'	92°55'26"	72.49'	S 04°31'08" W
C78	51.62'	50.00'	59°09'00"	49.36'	S 71°31'05" E
C79	71.69'	50.00'	82°09'03"	65.71'	N 37°49'54" E
C80	150.13'	675.00'	12°44'36"	149.82'	S 27°15'21" E

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C81	27.32'	675.00'	2°19'07"	27.31'	S 22°02'37" E
C82	65.16'	675.00'	5°31'50"	65.13'	S 25°58'06" E
C83	57.65'	675.00'	4°53'38"	57.64'	S 31°10'50" E
C84	270.34'	225.00'	68°50'30"	254.37'	N 55°18'18" W
C85	9.87'	225.00'	2°30'48"	9.87'	N 88°28'09" W
C86	106.08'	225.00'	27°00'48"	105.10'	N 73°42'21" W
C87	94.55'	225.00'	24°04'39"	93.86'	N 48°09'37" W
C88	59.84'	225.00'	15°14'14"	59.66'	N 28°30'10" W
C89	218.63'	50.00'	250°31'44"	81.65'	S 34°59'25" E
C90	16.17'	50.00'	18°31'30"	16.10'	S 81°00'42" W
C91	40.75'	50.00'	46°42'02"	39.64'	S 48°23'56" W
C92	40.91'	50.00'	46°52'50"	39.78'	S 01°36'30" W
C93	40.87'	50.00'	46°50'11"	39.74'	S 45°15'01" E
C94	51.18'	50.00'	58°39'00"	48.98'	N 82°00'24" E
C95	28.74'	50.00'	32°56'11"	28.35'	N 36°12'49" E
C96	330.42'	275.00'	68°50'30"	310.90'	N 55°18'18" W
C97	12.95'	275.00'	2°41'57"	12.95'	N 88°22'35" W
C98	52.41'	275.00'	10°55'14"	52.34'	N 81°34'00" W
C99	52.99'	275.00'	11°02'27"	52.91'	N 70°35'09" W
C100	52.23'	275.00'	10°52'58"	52.16'	N 59°37'27" W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C101	52.23'	275.00'	10°52'58"	52.16'	N 48°44'29" W
C102	52.23'	275.00'	10°52'58"	52.16'	N 37°51'30" W
C103					

PLANNING AND ZONING BOARD AGENDA BRIEFING MEMORANDUM

May 12, 2020 Planning & Zoning Board Meeting

Broadmoor Heights Tract 2

Case No. 20-220-00005

Attachment III: Staff Comments

Planning Division

- Add signature block for the mayor.
- Indicate location of Tract I.
- Update notes to indicate who Tract J will be dedicated to.
- Update Free Consent & Dedication block to
 - Include "water and wastewater" services
 - Grant/convey Tracts A, B, C, D, E, F, H, K, & L to the Broadmoor Heights Community Association, Inc.
- Add to legal descriptions "and a portion of the east ½ vacated Bedievere Street right of way pursuant to xyz of the City of Rio Rancho."

SCCAFCA

- Easement Notes #17. Indicate which entity the public blanket drainage easement is dedicated to. As noted previously, SSCAFCA is not interested in maintaining these easements.
- Tracts G & M are not noted.
- Tracts E, F, & L are noted to be maintained by HOA (Note #14) while Note #17 states dedication of public drainage easement for these tracts. Verify if these statements are correct.
- If Tract I is not used, it should be noted on the plat.

Engineering Division

Easement Notes: Note 1: The vacated easement should be extended to the west side of lot 36.

Parks, Recreation, and Community Services

No comments.

Fire Department

Fire department comments are as follows:

1. Confirm fire hydrants are in approved locations and distances.
2. Confirm turning radius is at 28ft.
3. Confirm Cul de Sacs are at approved diameter of 96 ft. curb to curb.
4. NO crash gates are allowed.
5. Please let the fire department know if this will be a gated subdivision.

Further fire department comment may be required upon development.

PLANNING AND ZONING BOARD AGENDA BRIEFING MEMORANDUM
May 12, 2020 Planning & Zoning Board Meeting
Broadmoor Heights Tract 2
Case No. 20-220-00005



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

April 23, 2020

RE: Final Plat #20-220-00003
Broadmoor Heights Tract 2

Dear Property Owner:

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

The applicant, Kevin Patton, through their agent, Kelly Klein of Bohannon Huston Inc has submitted a final plat for the property legally described as Broadmoor Heights Tract 2, physically located on the east side of Broadmoor Boulevard NE, south of Amy Road NE. The plat would create 52 residential lots. A map showing the location of the project is included on the last page of this letter.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, May 12, 2020** 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 submit a written comment to rlongstreet@rrnm.gov. To practice social distancing in order to slow the spread of COVID-19, you are encouraged to watch the meeting online at www.rrnm.gov. The Council Chambers will be open to the public and the Planning and Zoning Board Members will be participating in the meeting remotely. If you would like to participate during the meeting please use the following information to join the meeting electronically:

Planning and Zoning Board Meeting - May 12, 2020
Tue, May 12, 2020 5:45 PM - 8:45 PM (MDT)

You may join the meeting from your computer, tablet or smartphone using the following link:
<https://global.gotomeeting.com/join/683366773>

You can also dial in using your phone.
United States: +1 (224) 501-3412
Access Code: 683-366-773

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 683 366 773
Or dial directly: 683366773@67.217.95.2 or 67.217.95.2##683366773

Please do not hesitate to contact me at 505-891-5035 or e-mail me at rlongstreet@rrnm.gov 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, 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,

Rebekah Longstreet
Municipal Planner II
Development Services
City of Rio Rancho

ATTACHMENT V



**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, May 12, 2020:

**Variance
Case #20-110-00004**

The applicant, Gamer Arts, through their agent Simons Architecture PC, is requesting approval of a variance to allow for a reduction in the parking requirements and joint use of parking at 4211 Sara Rd. SE.

**Zone Map Amendment
Case #20-100-00005**

The applicant, AMREP Southwest Inc., is requesting approval of a zone map amendment reducing minimum lot size requirements for SU-R3 lots in Hawksite, Tract 28.

**Zone Map Amendment
Request #20-100-00006**

Applicant, AMREP Southwest, is requesting approval of a zone map amendment to change the zoning from R-1: Single-Family Residential to R-3: Mixed Residential on the property legally described as Hawksite Tract 28.

**Preliminary Plat
Request #20-210-00005**

Applicant, Humberto Aguilar, through their agent, CSI-Cartesian Survey, Inc. is requesting preliminary plat approval on the property legally described as Siesta Hills II Block 4, Lot 14A, physically located at 634 Bell Road SE.

**Final Plat
Request #20-220-00005**

Applicant, Kevin Patton, through their agent, Kelly Klein of Bohannon Huston Inc, is requesting final plat approval on the property legally described as Broadmoor Heights Tract 2, physically located on the east side of Broadmoor Boulevard NE to the south of Amy Road NE.



PLANNING & ZONING BOARD OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
Case No. 20-220-00005

APPROVAL OF A REQUEST FOR FINAL PLAT APPROVAL FOR BROADMOOR HEIGHTS
TRACT 2 TO CREATE 52 RESIDENTIAL LOTS.

Applicant: Kevin Patton, Pulte Homes

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 12th day of May, 2020, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

General Findings of Fact:

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

Specific Findings of Fact for Approval of the request:

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 Ordinances (R.O. 2003) Chapter 155 Subdivisions.
3. The final plat conforms to the requirements of the R-4: Single-Family District.
4. The final plat is consistent with the Preliminary Plat approved by the Planning and Zoning Board on November 19, 2019, under Case No. 19-210-00005, and modified on February 11, 2020.

Conditions of Approval:

1. A subdivision improvement agreement (SIA) and bond or other acceptable financial guarantee are required if the infrastructure is not complete and accepted prior to recording.
2. Prior to final execution by the Planning and Zoning Board Chair and recording, the plat shall be reviewed and approved by the City Attorney, DSD Engineering and Planning to ensure compliance with requirements that include but are not limited to:
 - a. This plat will be Book 30 Pages 13-15.
 - b. Add signature block for the mayor, as owner of Tracts G and M.
 - c. Indicate location of Tract I.
 - d. Update notes to indicate who Tract J will be dedicated to.
 - e. Update Free Consent & Dedication block to
 - f. Include "water and wastewater" services
 - g. Grant/convey Tracts A, B, C, D, E, F, H, K, & L to the Broadmoor Heights Community Association, Inc. in the Dedication Block.
 - h. Add to legal description "and a portion of the east ½ vacated Bediever Street right of way pursuant to October 8, 2019, action of the City of Rio Rancho Planning and Zoning Board under Case No. 19-230-05."
 - i. Easement Notes #17. Indicate which entity the public blanket drainage easement is dedicated to. As noted previously, SSCAFCA is not interested in maintaining these easements.
 - j. Easement Notes: Note 1: The vacated easement should be extended to the west side of lot 36.

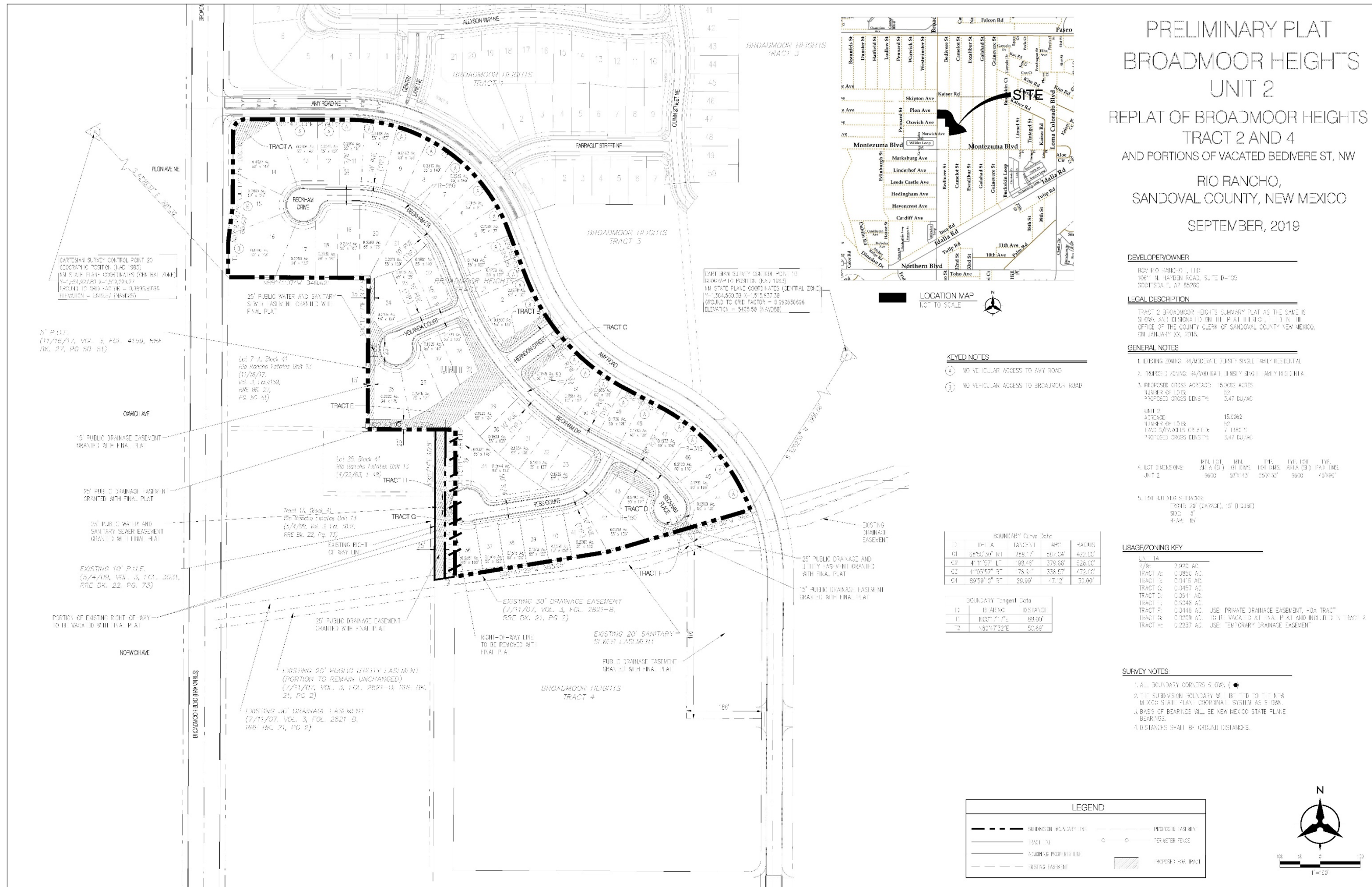
PLANNING & ZONING BOARD OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT - Case No. 20-220-00005

- k. Identify Bediviere Street as "(vacated on October 8, 2019 by action of the City of Rio Rancho Planning and Zoning Board under Case No. 19-230-05)".
- l. Right of way Vacation Note "A" to read "50' Right of Way Vacation of a portion of Bediviere Street NE by October 8, 2019, action of the City of Rio Rancho Planning and Zoning Board under Case No. 19-230-05."

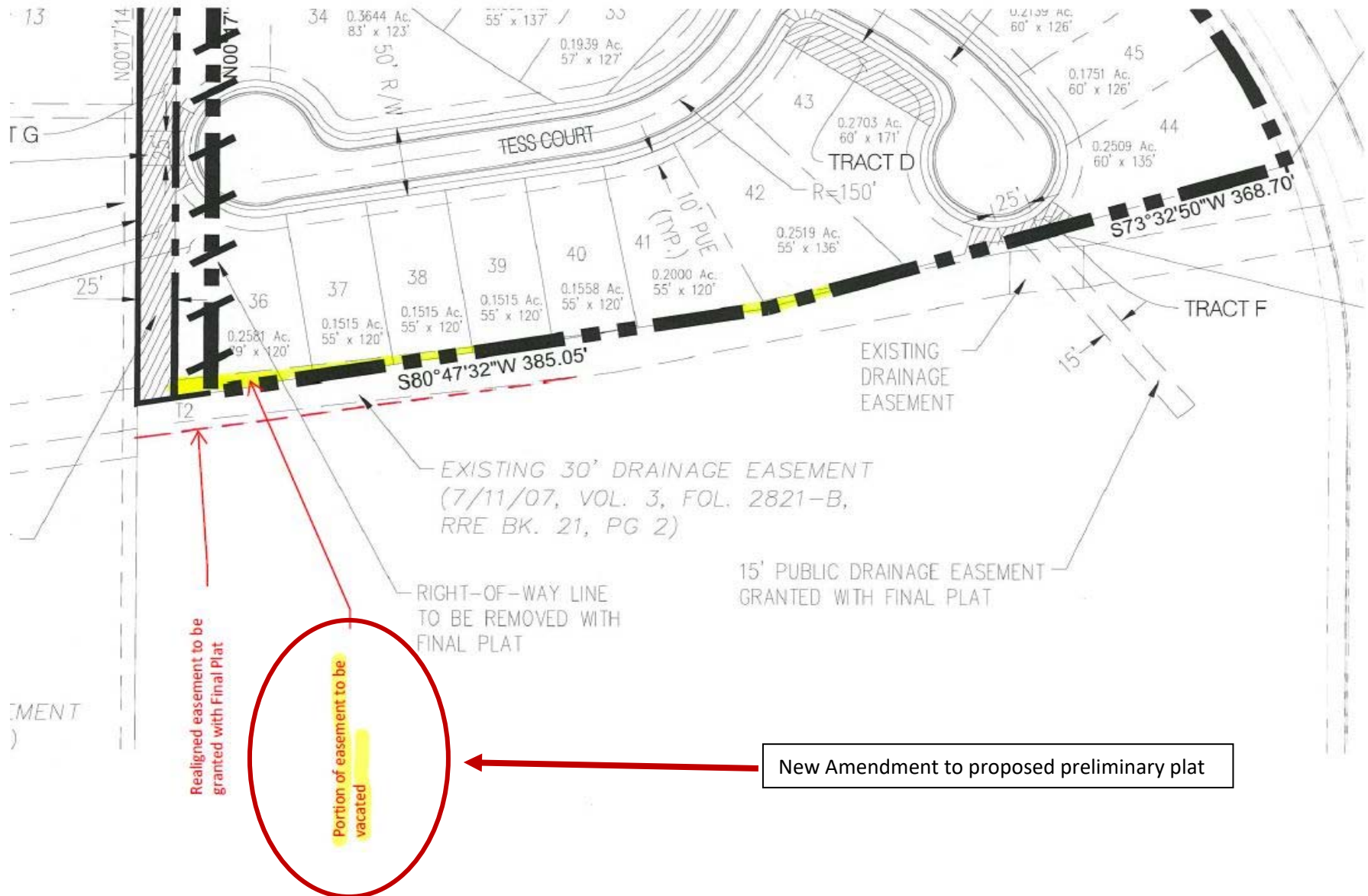
THEREFORE, the application for final plat is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on May 12th, 2020, subject to the conditions, restrictions and stipulations specified above.

Chair

Date



PROPOSED PRELIMINARY PLAT MODIFICATIONS FOR BROADMOOR HEIGHTS, TRACT 2



Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1162

Submitted by: Brian Babyak

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

VARIANCE: The applicant is requesting a variance to allow for a reduction in the parking requirements for joint or mixed use parking at 4311 Sara Road SE.

Case No.: 20-110-00004.

Applicant: Garner Arts. Agent: Simons Architecture.

Staff Contact: Brian Babyak.

Staff Recommendation: Approval

ATTACHMENTS

- [ABM_20-110-00004](#)
- [Attachment I - Location Map](#)
- [Attachment II - Application](#)
- [Attachment III - Agency Comments](#)
- [Attachment IV - Reproduction of Notifications](#)
- [Attachment V - Findings \(Caravella Edit 5-6-20\).pdf](#)

CITY OF RIO RANCHO
PLANNING AND ZONING BOARD
AGENDA BRIEFING MEMORANDUM

1 AGENDA DATE: May 12, 2020
2

3 CASE NO.: 20-110-00004
4

5 DEPARTMENT: Development Services
6

7 SUBJECT: Variance to the parking code to allow for the reduction of parking spaces for
8 mixed or joint use
9

10 PROPERTY: 4311 Sara Road SE
11

12 APPLICANT/AGENT: Garner Arts/Simons Architecture PC
13

14 DEPT. RECOMMENDATION: Approval with Findings and Conditions
15

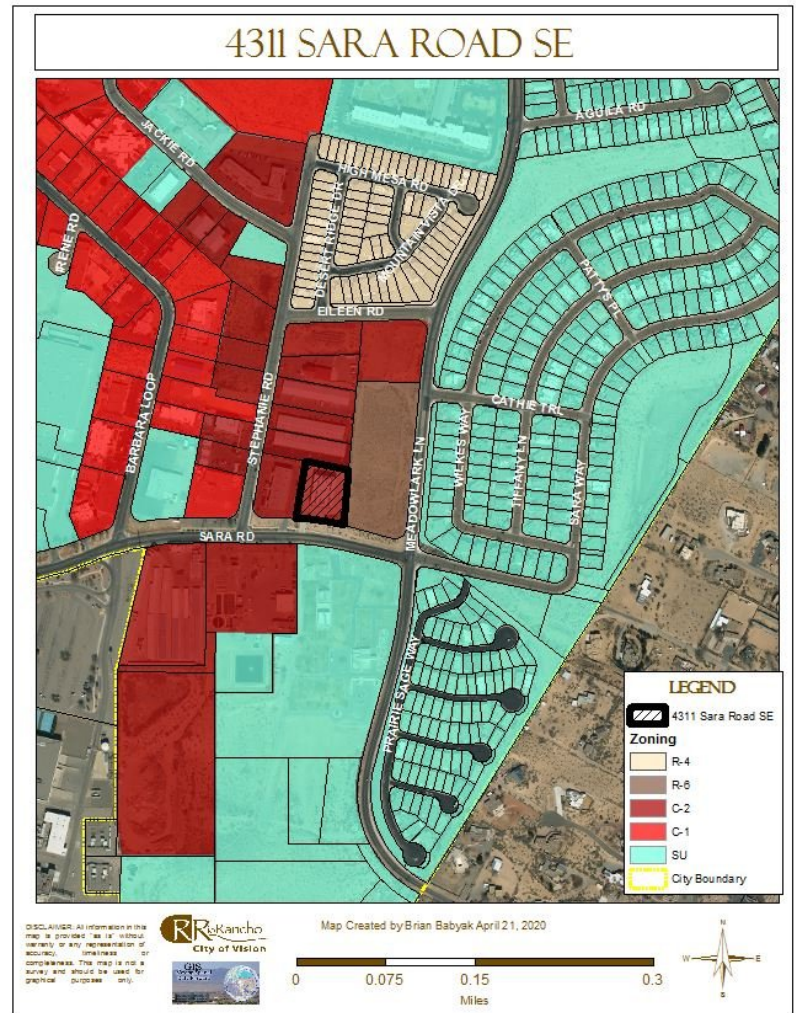
16
17 **LOCATION:**

18 The subject property is located at
19 4311 Sara Road SE, consisting of 1.17
20 acres, legally described as Rose, Block
21 1, Lot 6. The property is located east
22 of NM 528, in between Stephanie Rd
23 SE and Meadowlark Rd SE, on the
24 north side of Sara Rd SE.
25

26 **BACKGROUND:**

27 The applicant is requesting a variance
28 to the parking space requirements for
29 mixed or joint use of parking spaces,
30 under Rio Rancho Code of Ordinances
31 (R.O. 2003) §154.76 (H).
32

33 During the review of the remodeling
34 permit Planning and Zoning staff
35 determined that the applicant is 12
36 parking spaces short of the minimum
37 required for the proposed change in
38 uses. The subject building is being
39 remodeled on the upper level to an
40 after-school dance program, while the
41 lower level remains the same as
42 office/warehouse. The upper level will
43 be used after-school and in the
44 evenings, while the lower level is during normal business hours, Monday through Friday
45 9am-5pm.



1 The upper level will largely have drop-offs over stationary parking, creating a minimal
2 use of the parking lot. The applicant states that there will be no large events or recitals
3 will be taking place on the property. The applicant has made contact with the surrounding
4 businesses in hopes of securing a reciprocal parking agreement, however the only
5 business willing to make the agreement is over 500' away and the zoning ordinance only
6 permits parking agreements with 300' of the property. As a back-up request, the
7 applicant asks that if the primary request cannot be met then, they be allowed a variance
8 on the 300' to 500' to enable the applicant to engage the reciprocal parking agreement.

9
10 REVIEW CRITERIA:

11 The applicant submitted a justification narrative as part of the variance application. This
12 narrative is presented in Attachment II.

13
14 The criteria for a variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003),
15 has been used to review this application. R.O. 2003 § 150.06 Variance reads in part:

16 (A) Variance from the strict application of area, height, dimension, distance, parking
17 or setback requirements of this title may be allowed in the case of exceptionally
18 irregular, narrow, shallow or steep lots, or other exceptional physical condition
19 where the strict application of the requirements of this title would result in a
20 practical difficulty or unnecessary hardship that would deprive the owner of the
21 reasonable use of his land or building. Practical difficulty or unnecessary hardship
22 cannot be found when financial gain, loss or monetary savings is the basis for the
23 claim of hardship.

24
25 The applicant states that "Our justification is, since the upper level is after-school and in
26 the evenings, the proposed use does not conflict with the lower level office / warehouse.
27 The same parking used by the lower level during normal business hours can be used by
28 the after-school program after normal business hours. The after-school program is largely
29 drop-off so there will be minimal use of the parking lot after normal business hours.
30 Additionally, the after-school program has no large recitals at this location. All large
31 recitals will be held at an off-site location, preferably at one of the RRPS theaters.
32 The applicant has made contact with the surrounding businesses in hopes of securing a
33 reciprocal parking agreement. The only business willing to make that agreement, and has
34 the extra parking spaces available, is 500' away from our property. Zoning Ordinance will
35 only allow parking agreements within 300' of the property" (see Attachment II, pg. 3)

36
37 Under R.O. 2003 § 154.76 (H) "Reduction for mixed or joint use of parking spaces upon
38 application under the procedural requirements of a variance, the City Planning and Zoning
39 Board may authorize a reduction in the total number of required spaces for two or more
40 uses jointly provided off-street parking. However, in no case may the reduction be less
41 than the required parking for the use with the largest number of required parking spaces
42 plus 40% of the other required parking spaces. No part of any off-street parking area
43 required for any building or use shall be included as a part of an off-street parking area
44 similarly required for another building or use unless the Planning and Zoning Board shall

1 find that the type of use indicates that the period of usage will not overlap or be
2 concurrent with each other.”

3
4 The applicant has outlined in their justification letter (Attachment II, pg. 3) and in a
5 supplemental letter in their application (Attachment II, pg. 9) that the “after school
6 program” operating upstairs, will operate Monday-Friday 4 pm – 9 pm, and Saturdays
7 from 10 am – 3pm, with their business owners downstairs open Monday – Friday 9am -
8 5pm, generally. The “after school” program is also “strictly a drop-off situation” with
9 students dropped off in front of the building, similar to the prior use set up by the ASK
10 Academy, and will only be using the second floor

11
12 Findings: Criteria is satisfied. The use and hours of the two businesses operating
13 on this property do not run concurrent to each other, and the use on the second
14 floor is predominantly drop-off, with 4 parking spaces provided for the 4 instructors
15 (plus 1 ADA Space). Under R.O. 2003 § 154.76, the reduction for joint use of
16 parking spaces meets variance criteria to the parking requirements.

18 SURROUNDING LAND USE/ZONING:

19 The subject property is located in an area of both commercial lots, zoned C-2 directly
20 north, south, and west, but also C-1 and SU: C-1 lots to the west, with residential lots
21 to the east, zoned R-6 directly adjacent and SU: Cemetery to the south.

23 REVIEWED BY:

24	<input checked="" type="checkbox"/>	DSD Planning	<input type="checkbox"/>	Police
25	<input checked="" type="checkbox"/>	DSD Engineering	<input checked="" type="checkbox"/>	Fire and Rescue
26	<input type="checkbox"/>	DSD Building	<input type="checkbox"/>	SSCAFCA
27	<input type="checkbox"/>	Public Works	<input checked="" type="checkbox"/>	Parks, Rec. and Com. Services
28	<input type="checkbox"/>	Utilities	<input type="checkbox"/>	MRCOG

30 DEPARTMENT/AGENCY COMMENTS:

32 Engineering/DSD Comments:

33 No adverse comments.

35 Parks, Recreation and Community Services Comments:

36 No comments for this case.

38 Fire and Rescue:

39 Please confirm there will be a fire lane in front of Fire Riser room and fire hydrants.

40 NO other comments at this time.

42 SSCAFCA:

43 No adverse comments

44

45

1
2 NOTIFICATIONS: Neighboring property owners within 300 feet of the subject property
3 were notified of the Planning and Zoning Board hearing by certified mail. A legal notice
4 was published in the Rio Rancho Observer on April 26, 2020. The applicant posted a
5 notice on the property as required by ordinance. All notification requirements for this
6 hearing have been met.
7

8
9 DEPARTMENT RECOMMENDATION: The Development Services Department
10 recommends APPROVAL of the variance request to the parking code to allow for the
11 reduction of parking spaces for the joint use of parking spaces, subject to findings and
12 conditions set forth below:
13

14 General Findings of Fact:

- 15 1. In accordance with R.O. 2003 §150.06, the Planning and Zoning Board has
16 jurisdiction over approval of variance request and may, pursuant to R.O. 2003
17 §154.76(H), authorize a reduction in the total number of required spaces for
18 two or more uses jointly provided off-street parking.
- 19 2. Following procedures for a variance, proper notice of hearing on this matter
20 was given.
- 21 3. The applicant has the authority to make an application to request a variance
22 to allow the PZB to authorize a reduction in the total number of required
23 spaces
- 24 4. Due process was provided to the applicant and adjacent property owners.
25

26 Specific Findings of Fact and Conditions of Approval:


- 27 1. The applicant has adequately addressed the criteria for granting a variance
28 as set forth in R.O. 2003.
- 29 2. The applicant has adequately addressed the criteria of reduction of parking
30 spaces for mixed or joint use as set forth in R.O. 2003 § 154.76 (H), and the
31 Board further finds that the type of use indicates that the period of usage will
32 not overlap or be concurrent with each other.
- 33 3. This approval is solely and exclusively for use by Avix School for the
34 Performing Arts and in accordance with its operation as identified in the
35 application dated March 24, 2020.
- 36 4. Avix School for the Performing Arts must apply for and maintain an active
37 business registration within two years of date of approval, and maintain such
38 business registration or this approval shall expire.
39
40

1 If the Board determines, following public hearing and deliberation, the applicant has not
2 met the necessary criteria for the Board to authorize a reduction in the total number of
3 required spaces for two or more uses jointly provided off-street parking and thus cannot
4 find that the type of use indicates that the period of usage will not overlap or be
5 concurrent with each other, then the Board may find as such. Not approving the request
6 is considered a finding that the applicant has failed to meet the necessary criteria required
7 by R.O. 2003 §150.06, and R.O. 2003 § 154.76 (H).
8

9
10 **ALTERNATIVES**

- 11 1. The Planning and Zoning Board may approve the request, in whole or in part;
 - 12 2. The Planning and Zoning Board may deny the request, in whole or in part;
 - 13 3. The Planning and Zoning Board may modify the request and approve such
14 modifications.
 - 15 4. The Planning and Zoning Board may continue the public hearing and final
16 action to allow for additional study, analysis and recommendation.
17
18
-

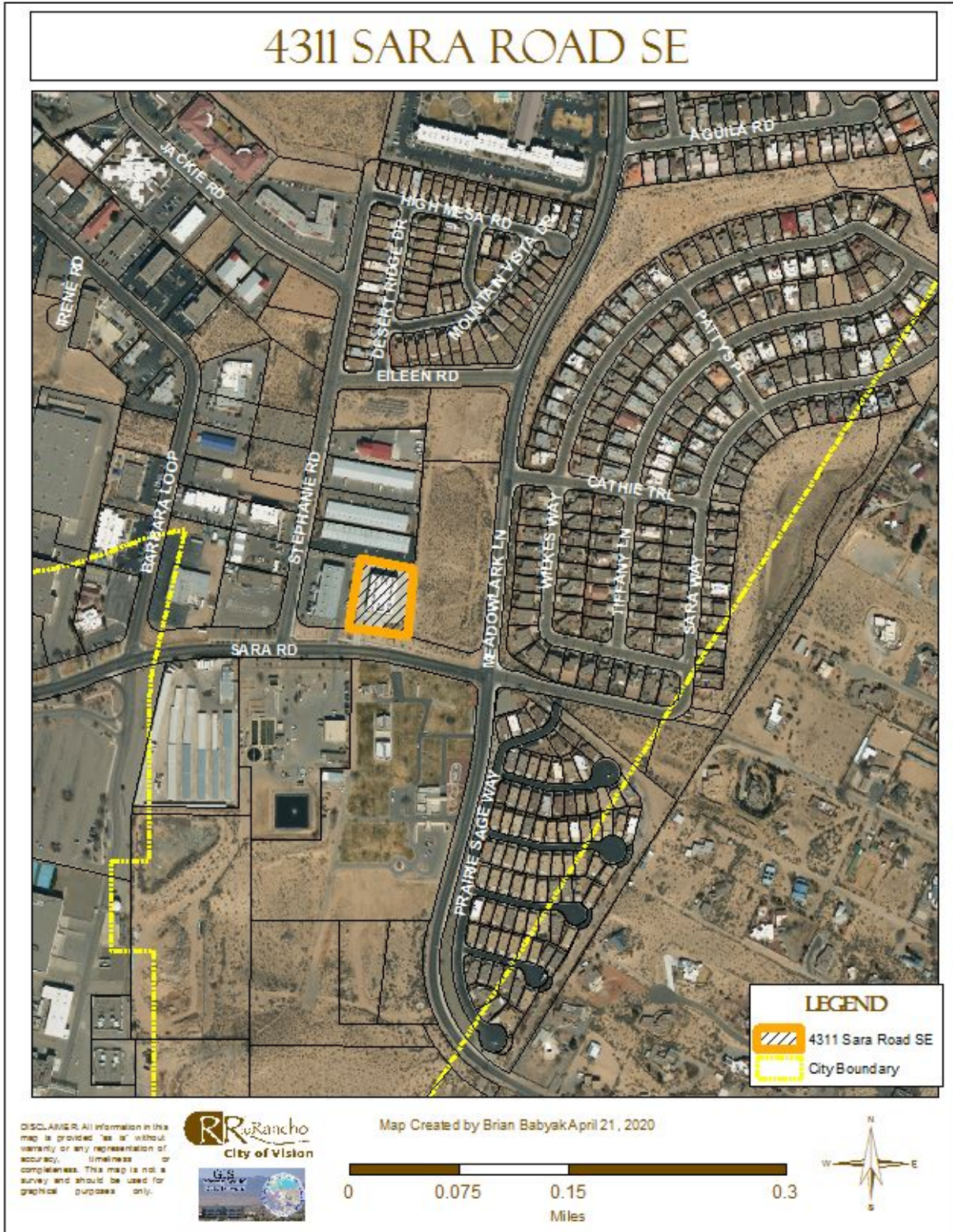
19
20
21 **PREPARED BY:**  **DATE:** 5.05.20
22 Brian Babyak, Municipal Planner I

23
24
25 **REVIEWED BY:**  **DATE:** 5.5.2020
26 Amy Rincon, AICP, Planning & Zoning Manager

27
28
29 **DEPARTMENT DIRECTOR:** _____ **DATE:** _____
30 Anthony Caravella, AICP, Development Services

- 31
32
33
- | | |
|--------------------|-------------------------------|
| 34 Attachment I: | Location Map |
| 35 Attachment II: | Application |
| 36 Attachment III: | Agency Comments |
| 37 Attachment IV: | Reproduction of Notifications |
| 38 Attachment V: | Findings of Fact for Approval |
- 39
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Location Map



Application



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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Garner Arts		Phone: 505-302-1440
Address: 4311 Sara Rd., SE		E-Mail: michelle@garnerartslc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: Owner	List Owners: Garner Arts	
Deed or Ownership Verification Provided: (Initials) <i>JRS</i>		Letter of Authorization Provided: (Initials) <i>JRS</i>
Agent Name: Simons Architecture PC		Phone: 505-480-4796
Address: P.O. Box 87408		E-Mail: joe@simonsarchitecture.com
City: Albuquerque	State: NM	ZIP Code: 87193

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

Allowance of mixed-use parking due to differing operating hours within the mixed use

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : ROSE	Block(s): 1	Lot(s): 6
Existing Zoning: C-2	Proposed Zoning: C-2	
No. of existing lots: 1	No. of proposed lots: 1	Total area of site (acres) 1.17

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: <i>JOE SIMONS</i>	Applicant:	Agent: <input checked="" type="checkbox"/>
Signature: <i>[Signature]</i>		Date: <i>3-27-20</i>

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ DATE: _____



March 24, 2020

To Whom It May Concern:

Joe Simons may act as our agent in the zoning request for 4311 Sara Rd SE, Rio Rancho, NM 87124.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Boutros".

Michelle Boutros, CEO

4311 Sara Rd. SE, Rio Rancho, NM 87124

505-302-1440

michelle@garnerartslc.com

www.garnerartslc.com



Planning and Zoning Division
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144
RE: Planning and Zoning Board Variance Request Letter of Justification

This is a letter of justification for the variance request per land use application as a part of the application package. We request a variance to the zoning ordinance per the following:

154.76 (H) Reduction for mixed or joint use of parking spaces. Upon application under the procedural requirements of a variance the City Planning and Zoning Board may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking. However, in no case may the reduction be less than the required parking for the use with the largest number of required parking spaces plus 40% of the other required parking spaces. All uses must be on the same parcel, or parcels where the closest point between the parcels is a minimum of 250 feet (see also Article III: Supplemental Regulations and Standards). No part of any off-street parking area required for any building or use shall be included as a part of an off-street parking area similarly required for another building or use unless the Planning and Zoning Board shall find that the type of use indicates that the period of usage will not overlap or be concurrent with each other.

The scope of work is a partial interior remodel of the existing upper level. The existing lower level remains unchanged. Per the permit review for the work the zoning department has determined that we are 12 parking spaces short of the minimum required. We have our proposed parking calculations shown in the site plan portion of the submittal. The existing building includes unchanged office / warehouse on the lower level and a proposed after-school program on the upper level. Please note the attached letter from the owner that describes the after-school program on the upper level.

Our justification is, since the upper level is after-school and in the evenings, the proposed use does not conflict with the lower level office / warehouse. The same parking used by the lower level during normal business hours can be used by the after-school program after normal business hours. The after-school program is largely drop-off so there will be minimal use of the parking lot after normal business hours. Additionally, the after-school program has no large recitals at this location. All large recitals will be held at an off-site location, preferably at one of the RRPS theaters.

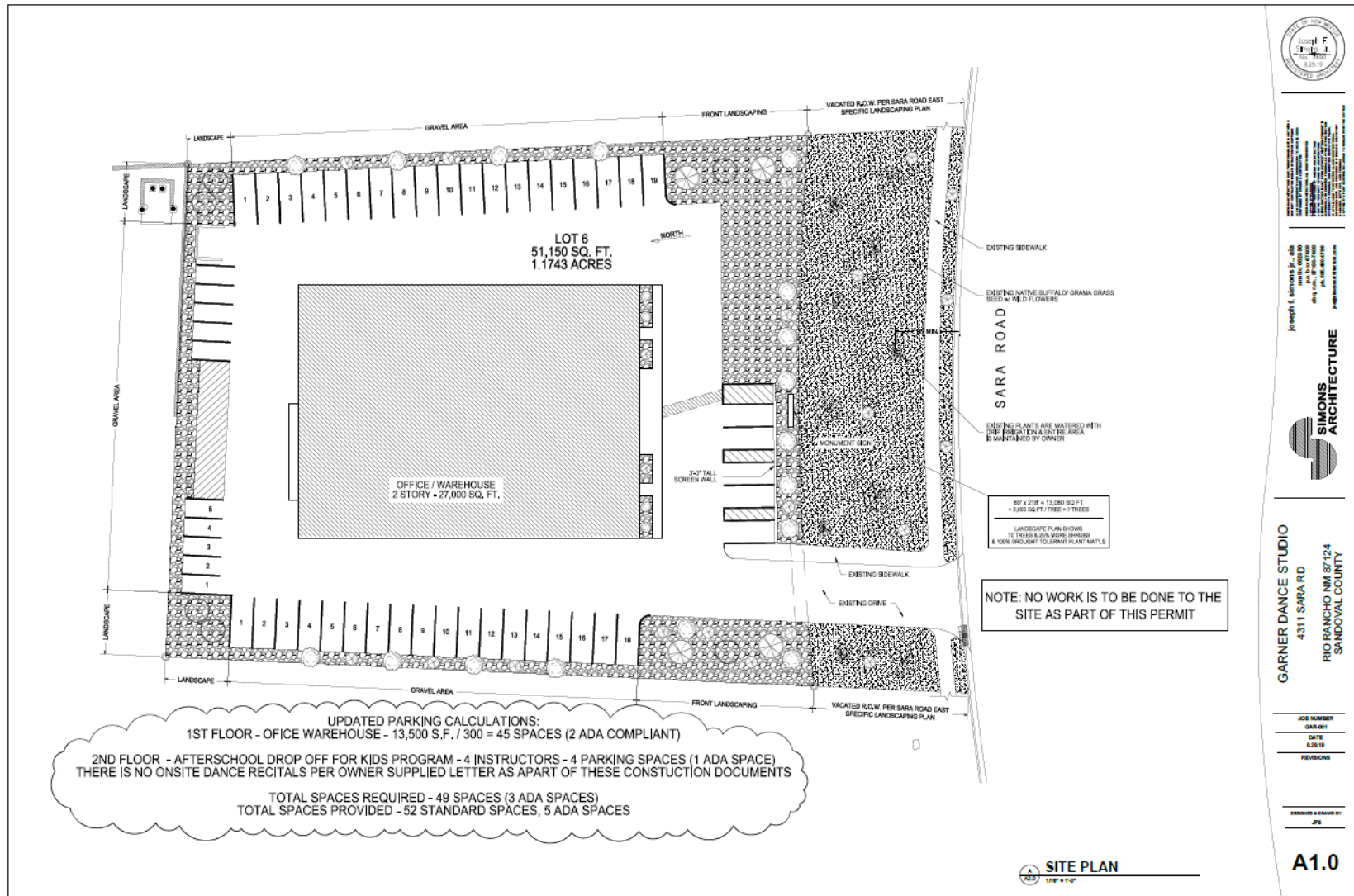
The applicant has made contact with the surrounding businesses in hopes of securing a reciprocal parking agreement. The only business willing to make that agreement, and has the extra parking spaces available, is 500' away from our property. Zoning Ordinance will only allow parking agreements within 300' of the property. As a back-up request, we ask that if the primary request can not be met then we be allowed a variance on the 300' to 500' to enable the applicant to engage the reciprocal parking agreement.

Thanks so much for your consideration.

Sincerely,

Joe Simons, president CEO

Simons Architecture PC
P.O. Box 67408
Albuquerque, NM 87193
505-480-4796
joe@simonsarchitecture.com



Joseph F. Simons, P.E.
 No. 10001
 State of New Mexico
 4311 Sara Road
 Rio Rancho, NM 87124
 (505) 891-1111
 www.simonsarch.com

Joseph F. Simons, P.E.
 No. 10001
 State of New Mexico
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 Rio Rancho, NM 87124
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GARNER DANCE STUDIO
 4311 SARA RD
 RIO RANCHO NM 87124
 SANDOVAL COUNTY

JOB NUMBER
 20-110-00004

DATE
 5.28.20

REVISIONS

DESIGNED & DRAWN BY
 JFS

A1.0

2019027156 B: 422 P: 27156 SWD
11/20/2019 03:58:11 PM Page 1 of 3
Eileen Garbagni, County Clerk-Sandoval County, NM

After Recording Return To:

ORT 1903451 KJW

SPECIAL WARRANTY DEED

THIS DEED is made this 1st day of August, 2019 between **WELLS FARGO BANK, NATIONAL ASSOCIATION**, ("Grantor"), and **GARNER ARTS, LLC** a New Mexico limited liability company ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Nine Hundred Twenty Thousand and 00/100 Dollars (\$920,000.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Sandoval, State of New Mexico, known as 4311 Sara Road SE, Rio Rancho, New Mexico 87124, and being more particularly described as:

Lot numbered Six (6), in Block lettered "I" Plat of ROSE SUBDIVISION, as the same is shown and designated on the plat entitled, "PLAT OF ROSE SUBDIVISION, LOTS 1-6, TRACT 2A1A, BLOCK I, CORRALES SOUTH BEING A REPLAT OF LOT 2A-1A, BLOCK I, TOWN OF ALAMEDA GRANT, SANDOVAL COUNTY NEW MEXICO, MARCH 1999", filed in the office of the County Clerk of Sandoval County, New Mexico on July 29, 1999, in Volume 3, folio 1888A, Rio Rancho Estates Plat Book 12, page 50. ("Property").

TO HAVE AND TO HOLD the said premises above-bargained and described, with the appurtenances unto Grantee, its successors and assigns forever. Grantor, for itself, its successors and assigns, does covenant, grant, bargain and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under Grantor, except as set forth below.

This conveyance is made and accepted subject to all restrictions, reservations, covenants, and exceptions appearing of record in the real property records (and related and predecessor real property records) for the County in which the Property is located, to the extent such matters are applicable to the Property including, without limitation: all restrictions, reservations, covenants, and exceptions listed in Exhibit "1" attached hereto.

This conveyance is also made and accepted subject to the following, but only to the extent that they are still in effect and affect the Property: (1) existing deed restrictions and restrictive covenants affecting the Property; (2) discrepancies, conflicts and shortages in area or boundary lines, or any encroachments or any overlapping of improvements; (3) taxes for the current year and subsequent years and subsequent assessments for prior years due to change in land usage or ownership; (4) existing building and zoning restrictions and ordinances; (5) easements or roads, easements visible upon the ground, easements of record; (6) liens created or assumed as security for the purchase price; (7) rights or privileges of public service

After Recording Return To:

ORT 1903451 KJW

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This conveyance is also made and accepted subject to the following, but only to the extent that they are still in effect and affect the Property: (1) existing deed restrictions and restrictive covenants affecting the Property; (2) discrepancies, conflicts and shortages in area or boundary lines, or any encroachments or any overlapping of improvements; (3) taxes for the current year and subsequent years and subsequent assessments for prior years due to change in land usage or ownership; (4) existing building and zoning restrictions and ordinances; (5) easements or roads, easements visible upon the ground, easements of record; (6) liens created or assumed as security for the purchase price; (7) rights or privileges of public service

companies and utility easements of record or common to any platted subdivision of which the Property is a part; (8) reservations or other exceptions of record or known to the Grantee; (9) the terms and provisions of any declaration, by-laws and rules and regulations of any condominium regime or homeowner's association pertaining to the Property, as amended, including the platted easements and assessments set out therein; (10) any matters that would be reflected on a current survey of the Property, including but not limited to, access to the Property; (11) any other liens, encumbrances, easements, covenants or restrictions of record or known to the Grantee; and (12) any and all other restrictions and zoning laws, regulations and ordinances of municipal and/or other governmental authorities, including any restrictions or conditions related to building permits or construction of improvements.

Grantee and its agents, having completed a full inspection of the Property and any improvements located thereon, if any, acknowledge there is no warranty, express or implied, made or given by Grantor except as to title as herein given and limited; the Property is conveyed "AS-IS," "WHERE IS," and no warranty or representation of any kind, express or implied, is made as to the condition of the Property, whether improvements or fixtures, sub-soil conditions, or natural or man-made conditions on or under the Property or otherwise; Grantee does hereby waive and disclaim all representations and warranties, express or implied, of any kind, nature or type whatsoever with respect to the property, including by way of description but not limitation, those of condition, characteristics, merchantability, tenantability, habitability, suitability, and fitness for a particular purpose or use, and Grantee releases Grantor from any claim, cause of action or other assertion of right with regard thereto.

IN WITNESS WHEREOF, Grantor has executed this deed on the date first written above.

**WELLS FARGO BANK, NATIONAL
ASSOCIATION**

By:



Its:

Vice President

May 12, 2020 meeting

Variance, 4311 Sara Road SE- Case No. 20-110-00004

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)

COUNTY OF San Francisco) ss.

On August 11, 2019 before me, Auxiliadora Rios, Notary Public
(insert name and title of the officer)

personally appeared Donna Cummings
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Auxiliadora Rios (Seal)



To Whom It May Concern in Zoning and Building:

Avix School for the Performing Arts (the "after school" program) will operate Monday - Friday from 4pm - 9pm and Saturdays from 10am - 3pm.

Our business owners downstairs will be open Monday - Friday from 9am - 5pm, generally.

In reference to parking, our after school program is a drop off situation. Students will be dropped off at the front of the building and enter through the second floor entrance and parents will drive around the building to exit, just like it was set up for ASK Academy. Parents will come back and pick up their students 2 - 4 hours later. We expect to have between 50-80 students to begin.

All our recitals will be held at Sue Cleveland High School Auditorium. We do not have a space big enough for our public recitals within the building.

We submitted the Notice of Intent Jan. 14th, 2020 to the state and school district to begin the process of becoming a charter school in the 2021/2022 school year. We will be serving grades 6-12 and ages 11-18. This will be strictly a drop off situation and will only use the space on the second floor. Parents will be dropping off at 7:30am and picking up at 3:30 pm. However, many of the students will be staying for the "after school" program, which is Avix School for the Performing Arts. All of the charter school students who are participating in the after school program will be picked up after 6pm. Additionally, the school will have a blended curriculum, so all their academics will take place online. This means that all their academic instructors will also be online and not on the premises. The only faculty on site will be the arts instructors, which will be around 8 faculty members and their life coaches, which will be 1 coach to every 25 students. We expect 50-80 students to begin that school year as well.

Agency Comments



DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: March 26, 2020

- TO:
- (X) Development Services—Anthony Caravella, David Serrano, Brian Kent, Amy Rincon, Nancy McKinney
 - (X) Fire and Rescue—Jonathan Garcia, Brian Bratcher
 - (X) Police—Justin Garcia
 - (X) SSCAFCA—Andres Sanchez, Junko Boat
 - (X) Parks and Recreation—Dyane Sonier
 - (X) MRCOG—Bianca Borg
 - (X) RR Public Schools—Melanie Archibeque

FROM: Development Services, Planning Division

RE: Variance: DSD #20-110-00004 (please reference this # with any correspondence) Rose, Block 1, Lot 6.

Attached is an application for a non-compete variance to the parking code for Rose, Block 1, Lot 6. Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **April 8, 2020**. If redline comments are made on the plat, please also provide me with a copy. Please contact Brian Babyak at 896-8756 or e-mail bbabyak@rrmm.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

No Comments at this time.

Dyane N. Sonier

03/26/2020

Reviewer

Date

Variance Request- Parking 4311 Sara Rd. S.E. (ROSE, Block 1, Lot 6)

DSD 20-110-00004

DE 20-00066

03/26/20

1. Development Engineering does not have any adverse comment.

If there are questions please call or e-mail:

Brian Kent

505-891-5284

Email: rkent@ci.rio-rancho.nm.us



DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: March 26, 2020

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- (X) Development Services—Anthony Caravella, David Serrano, Brian Kent, Amy Rincon, Nancy McKinney
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This item has been reviewed and is hereby:

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

[Type Comments Here or use separate sheet]

Fire department comments are as follows:

Please confirm there will be a fire lane in front of Fire Riser room and fire hydrants.

NO other comments at this time.

Thankyou

Jonathan Garcia
Reviewer

March 26, 2020
Date

Reproduction of Notifications



CITY OF RIO RANCHO PUBLIC HEARING NOTICE

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, May 12, 2020.

Variance Case #20-110-00004

The applicant, Garner Arts, through their agent Simons Architecture PC, is requesting approval of a variance to allow for a reduction in the parking requirements and joint use of parking at 4311 Sara Rd. SE.

Zone Map Amendment Case #20-100-00005

The applicant, AMREP Southwest Inc. is requesting approval of a zone map amendment reducing minimum lot size requirements for SU-R3 lots in Hawksite, Tract 28.

Zone Map Amendment Request #20-100-00005

Applicant, AMREP Southwest, is requesting approval of a zone map amendment to change the zoning from R-1: Single-Family Residential to R-3: Mixed Residential on the property legally described as Hawksite Tract 28.

Preliminary Plat Request #20-210-00005

Applicant, Humberto Aguilar, through their agent, CSI-Cartesian Survey, Inc, is requesting preliminary plat approval on the property legally described as Siesta Hills II Block 4, Lot 14A, physically located at 884 Bell Road SE.

Final Plat Request #20-220-00005

Applicant, Kevin Paxton, through their agent, Kelly Klein of Bohannon Hixon Inc, is requesting final plat approval on the property legally described as Broadmoor Heights Tract 2, physically located on the east side of Broadmoor Boulevard NE to the south of Amy Road NE.

Zone Map Amendment Case #19-410-00004

The applicant, AMREP Southwest, through their agent Consensus Planning Inc, is requesting approval of a Zone Map Amendment for the following properties: Lomas Encantadas, Tract 12 & 13, and Unit 20, Block 155, Lots 13-17, 20-22, 24-27, and 29-41 from R-1: Single Family Residential District and OS: Open Space to a combination of R-2: Single Family Residential, R-4: Single Family Residential District and OS: Open Space.

The meetings are scheduled for 6 p.m. in the Council Chambers at City Hall, 3200 Civic Center Cir. NE, Rio Rancho, NM. The public is invited to attend. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment any of these applications, you are encouraged to submit a written comment to planning@



The City of Rio Rancho

Development Services Planning Division 3200 Civic Center Circle NE Rio Rancho, NM 87144 Phone (505) 891-5005 • Fax (505) 896-8994

May 5, 2020

RE: Variance Case No. 20-110-00004 4311 Sara Road SE, Reduction of Parking Requirements for Mixed-Use Parking

Dear Property Owner:

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

The applicant, Garner Arts, through their agent Simons Architecture PC, has submitted an application requesting approval of a variance to the off-street parking requirements to allow for a reduction in requirements and joint/mixed-use parking at 4311 Sara Road SE.

On the back of this letter is a location map of the project.

The Planning and Zoning Board will consider this request at a public hearing on Tuesday, May 12, 2020 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, which will be presented to the Planning and Zoning Board. We are promoting social distancing and prohibiting public attendance to Planning and Zoning Board Meetings. 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://global.gotomeeting.com/join/683366773. You can also dial in using your phone. United States: +1 (224) 501-3412, Access Code: 683-366-773. To join from a video-conferencing room or system, dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 683 366 773, or dial directly: 683366773@67.217.95.2 or 67.217.95.2#683366773.

Please do not hesitate to contact me at 505-896-8756 or e-mail me at bbabvyak@rrnm.gov if you have any questions concerning this matter. I am mostly out of the office, so email is the best method of communication. 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. The meeting is also best accessed for viewing via www.rrnm.gov.

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

Respectfully,

Brian Babvyak Municipal Planner Development Services Department City of Rio Rancho

Findings of Fact for Approval



**PLANNING & ZONING BOARD OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
Case No. 20-110-00004**

**APPROVAL OF A REQUEST FOR A VARIANCE TO THE PARKING
CODE TO ALLOW FOR A REDUCTION OF REQUIRED PARKING
SPACES FOR JOINT OR MIXED USE**

Applicant: Garner Arts

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 12th day of May, 2020 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 §150.06, the Planning and Zoning Board has jurisdiction over approval of variance request and may, pursuant to R.O. 2003 §154.76(H), authorize a reduction in the total number of required spaces for two or more uses jointly provided off-street parking.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to allow the PZB to authorize a reduction in the total number of required spaces
4. Due process was provided to the applicant and adjacent property owners.

Specific Findings of Fact and Conditions of Approval:

1. The applicant has adequately addressed the criteria for granting a variance as set forth in R.O. 2003.
2. The applicant has adequately addressed the criteria of reduction of parking spaces for mixed or joint use as set forth in R.O. 2003 § 154.76 (H), and the Board further finds that the type of use indicates that the period of usage will not overlap or be concurrent with each other.
3. This approval is solely and exclusively for use by Avix School for the Performing Arts and in accordance with its operation as identified in the application dated March 24, 2020.
4. Avix School for the Performing Arts must apply for and maintain an active business registration within two years of date of approval, and maintain such business registration or this approval shall expire.

THEREFORE, the application for a reduction in the total number of required spaces for two or more uses jointly provided off-street parking **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on May 12, 2020, subject to the conditions, restrictions and stipulations specified above.

Chair

Date

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1158

Submitted by: Brian Babyak

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

ZONE MAP AMENDMENT: A request to change the zoning ordinance for all SU: R-3 lots within Hawksite Tract 28 for a minimum lot size of 3500 square feet for blocks 2, 3, 43, and lots 1-19 of block 5; and 4500 square feet for blocks 1, 6, 7, and lots 20-30 of block 5.

Case No.: 20-100-00005

Applicant: AMREP Southwest

Staff Contact: Brian Babyak

Staff Recommendation: Denial

ATTACHMENTS

- [20-100-00005_ABM_RevisedDenialVersion_AR \(Caravella Edit\).docx](#)
- [Attachment I_Vicinity-Zoning Map.pdf](#)
- [Attachment II - Application](#)
- [Attachment III - Agency Comments](#)
- [Attachment IV - Reproduction of Notifications](#)
- [Attachment V_-_Draft_Ordinance - AR.docx](#)

1	AGENDA DATE:	May 12, 2020
2		
3	CASE NO.:	20-100-00005
4		
5	DEPARTMENT:	Development Services
6		
7	SUBJECT:	Zone Map Amendment to all SU: R-3 lots within the tract to
8		meet a minimum lot size of 3500 square feet for blocks 2, 3,
9		43, and lots 1-19 of block 5; and 4500 square feet for blocks 1,
10		6, 7, and lots 20-30 of block 5
11		
12	PROPERTY:	Hawksite Tract 28
13		
14	APPLICANT:	AMREP Southwest
15		
16	DEPARTMENT RECOMMENDATION:	Denial

17
 18 LOCATION: The subject property is
 19 Hawksite Tract 28. It is physically
 20 located north of Hellas Road, west of
 21 Westphalia Boulevard, and east of
 22 Columbine Road, south of Golden
 23 Eagle Loop.
 24

25 BACKGROUND: The applicant
 26 requests approval of a zone map
 27 amendment to reduce lot size
 28 requirements in Hawksite Tract 28 to
 29 a minimum lot size of 3,500 square
 30 feet for blocks 2, 3, 43, and lots 1-19
 31 of block 5; and 4,500 square feet for
 32 blocks 1, 6, 7, and lots 20-30 of block
 33 5.
 34

35 The applicant also requests the
 36 establishment of setback requirements
 37 of 15 ft. for the front and rear, 20 ft.
 38 for the garage and 5 ft. for side yard
 39 and corner side yards. These setback
 40 requirements were previously
 41 established under the existing zoning
 42 ordinance 18-32, O. 31, approved



1 November 14, 2018. Staff finds that this request is redundant as it is already in place
2 with the current zoning.

3
4 The subject property falls within the Mountain Hawk Estates Master Plan. A master plan
5 amendment was approved per Resolution No. 128 Enactment No.19-126 by the
6 Governing Body on December 11, 2019 in case no. 19-410-00006. The master plan
7 amendment updated the future land use designations and residential property densities,
8 and changed the name of the Master Plan from The Hawksite to Mountain Hawk
9 Estates.

10
11 Zoning History:

- 12 • Prior to 2001 – TZ: Transitional Zoning
- 13 • May 23, 2001 - Ordinance No. 10, Enactment No. 01-10): Special Use for R-2:
14 Multi-family
 - 15 ○ Tract 28 lot minimums 6,000 square feet
 - 16
 - 17
 - 18
 - 19
- 20 • November 14, 2018 – Ordinance No. 31, Enactment No. 18-32: Special Use for
21 R-3: Mixed Residential
 - 22 ○ Tract 28 lot minimums 5,500 square feet
 - 23
 - 24

25 REVIEW CRITERIA:

26
27 Rio Rancho of Ordinances (R.O. 2003) § 150.07(A) states, "Proposed amendments
28 shall be submitted to the Governing Body through the Planning and Zoning Board."
29

30 The zone map amendment application was submitted to the Development
31 Services Department on March 23, 2020 for review by the Planning and Zoning
32 Board through the Governing Body.
33 Conforms.

34
35 R.O. 2003 § 150.07(B) states "The Board shall study the proposals at a regular
36 meeting or at a special meeting, if necessary, and shall submit its recommendations
37 to the Governing Body. Notice of the application must be posted on the property at
38 least one week prior to consideration of the application by the Board."
39

40 Proper notice was provided through a sign posted on the property on May 5,
41 2020.
42 Conforms.

43
44
45

1 R.O. 2003 § 150.07(D)(1) states, "A proposed zone change must be found to be
2 consistent with the health, safety, morals, and general welfare of the City."
3

4 The applicant has submitted a justification letter (Attachment II) which states,
5 "The proposed ZMA provides the opportunity to further the health and welfare of
6 the City by creating the development conditions necessary to construct high
7 quality mixed residential development that will meet the needs of future Hawk
8 Site and Rio Rancho residents. Additionally, the zone change will allow the
9 properties to be developed consistent with the surrounding land uses. The
10 amendment will complement the existing and surrounding developed residential
11 and commercial areas by allowing a variety of housing options in what the Rio
12 Rancho Comprehensive Plan defines as a growth node and future activity center.
13 The proposed ZMA will further the general welfare of the City by providing the
14 current and future residents with a variety of housing options in a developing
15 neighborhood within Rio Rancho." (Attachment II, p. 3)
16

17 Staff recommends the Planning and Zoning Board finds that the proposed zone
18 map amendment would be consistent with the health, safety, morals, and general
19 welfare of the City, as the request is only for a change in zoning restrictions in an
20 existing residential zoning district and does not modify the underlying land use.
21 Conforms.
22

23 R.O. 2003 § 150.07(D)(2) states, "Stability of land use and zoning is desirable;
24 therefore, the applicant must provide a sound justification for the change. The
25 burden is on the applicant to show why the change should be made, not on the City
26 to show why the change should not be made."
27

28 The submitted justification letter states, "The zone map amendment will allow the
29 property to be developed in a manner that is compatible with and viable for the
30 surrounding Hawk Site Master Plan area and Rio Rancho neighborhoods. The
31 requested amendment will allow for development that is consistent with the Rio
32 Rancho Comprehensive plan goals to provide access to housing in undeveloped
33 areas and along U.S. Highway 550, due to an increasing population. Additionally,
34 the Comprehensive Plan has a goal to provide a variety of housing types that
35 meet the needs of current and future populations within the city. The proposed
36 zoning will not destabilize the land use and zoning in the area, but will strengthen
37 it with a mixture of residential uses that meet the needs of the surrounding
38 community. The requested zone change will allow the Property to be developed in
39 a manner compatible with surrounding uses and consistent with current
40 development possibilities." (Attachment II, p. 4)
41

42 Staff recommends the PZB finds that the proposed zone map amendment is not
43 significantly justified by the Master Plan Amendment, as the Mountain Hawk
44 Estates Master Plan does not call for any direct changes to Tract 28, and actually
45 states this tract will "likely develop under the existing SU/R-3 zone established in
46 2018 and related conditions of development". The amended master plan does not

1 call for further reduction in lot sizes from that was previously approved (6,000
2 square foot minimum to 5,500 square foot minimum) by Ordinance No. 31,
3 Enactment 18-32. The land uses in the Hawk Site/Mountain Hawk Master Plan
4 has provided for a mixture of housing types and the zoning on this tract already
5 implements that mixture. In fact, changing the zoning as request may be
6 considered contrary to the requirement for a mixture of housing types given
7 zoning in other parts of Hawksite/Mountain Hawk already provides for this
8 housing mix.

9
10 Further, the current zoning is desirable and stable as it serves as a transition from
11 larger TZ zoned properties to the south to the smaller lots under SU: R-3 to the
12 north. The zone change to reduce lot sizes would not provide stability of zoning
13 and the applicant has not provided a sound justification for the proposed change,
14 and failed to meet this criterion.

15 Does not conform.

16
17 R.O. 2003 § 150.07(D)(3) states, "A proposed change shall generally be consistent
18 with adopted elements of the Comprehensive Plan or other City master plans and
19 amendments thereto including privately developed area plans which have been
20 adopted by the City."

21
22 The applicant's justification states, "The Rio Rancho Comprehensive Plan outlines
23 the Hawk Site Master Plan area and an activity center and development node. The
24 Comprehensive Plan has a goal to provide housing near gateways and
25 transportation corridors due to an increasing population. The Hawk Site
26 Subdivision is along U.S. Highway 550 and Northwest loop, a highly utilized
27 transportation corridor and designated gateway in the Comprehensive Plan. In
28 addition, the Comprehensive Plan has a [section] to provide a variety of housing
29 types and mixed-used residential developments to meet the needs of all members
30 of the community. Furthermore, Map L-2 of the Comprehensive Plan indicates
31 that the Property is planned as Low/Medium Density Residential Development."
32 (Attachment II, p. 4).

33
34 The subject property is designated Low/Medium Density on the future land use
35 map of the Mountain Hawk Estates Master Plan. As stated above the amendment
36 to the Mountain Estates Master Plan also states "Tracts 27 and 28 will likely
37 develop under the existing SU/R-3 zone established in 2018 and related
38 conditions of development". Maintaining the current zoning is in line of the master
39 plan and changes would be contrary to the recently adopted amended plan.
40 Does not conform.

1
2 R.O. 2003 § 150.07(D)(4) states that the applicant must demonstrate that the
3 existing zoning is inappropriate because:

- 4 (a) There was an error, mistake or is necessary to correct an injustice that
5 occurred when the existing zone map pattern was created, including the
6 placement of an R-1 or transitional zone on an antiquated plat filed before the
7 City's incorporation and adoption of its own zoning code or on land annexed by
8 the City; or
9 (b) Changed neighborhood or community conditions justify the change; or
10 (c) A different use category is more advantageous to the community, as
11 articulated in the Comprehensive Plan or other City master plan, even though
12 (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof
13 that (i) there is a public need for a change of the kind in question, and (ii) that
14 need will be best served by changing the classification of the particular piece of
15 property in question as compared with other available property.

16
17 The submitted justification letter states, "The proposed ZMA is more
18 advantageous to the community, as articulated in the Comprehensive Plan as
19 demonstrated in section three above. The applicant is requesting an
20 amendment to the ordinance and current zoning will not be changed."
21 (Attachment II, p. 5).

22
23 Staff recommends the PZB finds that the proposed changes to the zoning
24 ordinance are not significant enough to be advantageous to the community
25 because the Mountain Hawk Estates Master Plan does not directly call out a
26 need to change the zoning ordinance for Tract 28, and the previous zoning
27 ordinance established sufficient and proper conditions of development. The
28 change in zoning could be seen as having a negative impact on the
29 surrounding neighborhoods by sustainably increasing the number of homes on
30 a road network that was setup for larger lots. The decrease in lot size from
31 5,500 square feet to 3,500 and 4,500 will increase overall lot numbers.
32 Conditions of adoption for the amended master plan included the need for an
33 updated drainage master plan. Increasing lots will impact drainage along with
34 the current transportation network.

35
36 Further, there can be no mistake since the existing zoning standards for the
37 subject Tract were requested by the applicant and those zoning standards are
38 consistent with and properly implements the Mountain Hawk Estates Master
39 Plan and thus the City's Comprehensive Plan. There is lack of identification of
40 changing conditions that justify the requested change. The applicant has failed
41 to show an error, identify changing conditions, or proof of public need for the
42 change and thus has failed to meet this criterion
43 Does not conform.

1 R.O. 2003 § 150.07 (E) states "The cost of land or other economic considerations
2 pertaining to the applicant shall not be the determining factor for a change of zone."
3

4 The applicant does not request that the cost of the land or other economic
5 considerations be a part of the justification for the proposed zone map
6 amendment.
7 Conforms.

8
9 R.O. 2003 § 150.07 (F) states, "Location on a collector or major street is not in itself
10 sufficient justification of apartment, office, or commercial zoning."
11

12 The applicant's justification states, "Location on a major street is not the sole
13 justification for this request." (Attachment II, p. 5).
14

15 Staff recommends the PZB finds that the request does not involve apartment,
16 office, or commercial zoning and that the applicant has provided sufficient
17 justification that is not based on the location of the subject property.
18 Conforms.
19

20 R.O. 2003 § 150.07 (G) A zone change request which would give a zone different
21 from surrounding zoning to one small area, especially when only one premises is
22 involved, is generally called a "spot zone." Such a change of zone may be approved
23 only when:

- 24 (1) The change will clearly facilitate realization of the Comprehensive Plan and
25 any applicable adopted sector development plan or area development plan; or
26 (2) The area of the proposed zone change is different from surrounding land
27 because it could function as a transition between adjacent zones; because the site
28 is not suitable for the uses allowed in any adjacent zone due to topography,
29 traffic, or special adverse land uses nearby; or because the nature of structures
30 already on the premises makes the site unsuitable for the uses allowed in any
31 adjacent zone.
32

33 Staff recommends the PZB finds that the requested zone map amendment would
34 not create a spot zone, in that the request is only for a change in zoning
35 restrictions in an existing residential zoning district and does not modify the
36 underlying residential land use.
37 Conforms.
38

39
40

SURROUNDING LAND USE/ZONING: The neighboring property to the west, east,
41 and south are vacant lands zoned TZ: Transitional Zoning. The property to the north is
42 zoned SU: Special Use for R-3: Mixed Residential District.
43
44
45

1 REVIEWED BY:

2	<input checked="" type="checkbox"/>	DSD Planning	<input type="checkbox"/>	Police
3	<input checked="" type="checkbox"/>	DSD Engineering	<input checked="" type="checkbox"/>	Fire and Rescue
4	<input type="checkbox"/>	DSD Building	<input checked="" type="checkbox"/>	SSCAFCA
5	<input type="checkbox"/>	Public Works	<input checked="" type="checkbox"/>	Parks, Rec. and Com. Services
6	<input type="checkbox"/>	Utilities	<input type="checkbox"/>	

7
8 Reviewing Agency Comments:

9 DSD Planning:

- 10 • Received clarification from the applicant that the change to the ordinance is a
11 direct result of approved Master Plan Amendment for changing conditions and
12 increased density of housing
- 13 • Lot count moves from 117 to 152

14
15 DSD Engineering:

16 General comments:

17 No adverse comments from engineering.

18 Future development requirements:

- 19 1. A Trip Generation Report is required and an additional Traffic Study may be
20 required if thresholds exceed those identified per the City of Rio Rancho, Design
21 Process Manual (DPM) Vol II Chapter II.3. Access easements may be required.
- 22 2. A Water / Waste Water Availability statement from the Utility Division is required.
23 Contact Robert Lujan (891-5061) or Steve Gallegos (896-8715) for additional
24 information. Waterline easements may be required for public waterlines.
- 25 3. A grading and drainage plan/ report and an erosion control plan are required with
26 future development, and must conform to any currently approved master drainage
27 plan for this area. Storm water drainage and water quality discharge will need to be
28 addressed per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter
29 II.2.
- 30 4. Engineering drawings are required for development of public and private
31 infrastructure.

32 Work performed in the right-of-way will require a City of Rio Rancho, Right-of-Way
33 Permit and a Traffic Control Plan. Contractors must be licensed and bonded with the
34 City of Rio Rancho for work performed in the City Right-of-Way.

35 Fire and Rescue: No adverse comments

36
37 SSCAFCA: No adverse comments

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2 PRCS:

3 Please provide a table or the total difference between the anticipated number of
4 residential lots under existing SU: R-3 zoning and the proposed zoning changes in
5 the Zone Map Amendment application documents. PRCS would assume that the
6 change in the number of residential lots will be reflected through changes to the
7 existing Development Agreement.

8
9 NOTIFICATIONS: Notice of pending development application were sent via first class
10 mail to the property owners within 100 ft of the subject property. A legal notification was
11 published in the Rio Rancho Observer on April 26, 2020. A notification sign was posted
12 to the property one week prior to the hearing, on May 5, 2020.

13
14
15 DEPARTMENT RECOMMENDATION: The Development Services Department
16 recommends DENIAL with findings based upon a lack of justification required for a
17 zone map amendment.

18
19 General Findings of Fact:

- 20 1. The Planning and Zoning Board may make a recommendation to the Governing
21 Body on the applicant's request for a zone map amendment.
22 2. The applicant has the authority to apply for a zone map amendment on the
23 subject property.
24 3. The applicant and adjacent property owners received due process.

25
26 Specific Findings of Fact and Conditions of Denial:

- 27 1. The applicant has not adequately addressed the conditions under R.O. 2003 §
28 150.07 (D), including, but not limited to:
29 a. The applicant has not provided sound justification for the proposed zone
30 change to insure stability of land use and zoning.
31 b. The proposed zone map amendment is unnecessary given the current zoning
32 is consistent with, and actually furthers, the adopted elements of the
33 Comprehensive Plan and with the Mountain Hawk Estates Master Plan.
34 c. There is lack of identification of changing conditions that justify the requested
35 change, and the applicant has failed to show an error, identify changing
36 conditions, or proof of public need for the change
37
38 2. The applicant's justification that the current zoning ordinance limits the
39 capabilities of the master plan is not accurate or sufficient enough based on no
40 mention in the 2019 Master Plan amendment that altered the underlying land
41 use in Tract 28. The existing zoning ordinance implements both the 2001 Master
42 Plan and 2019 amendment to that Master Plan.


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ALTERNATIVES:

1. The Planning and Zoning Board may recommend approval 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
-

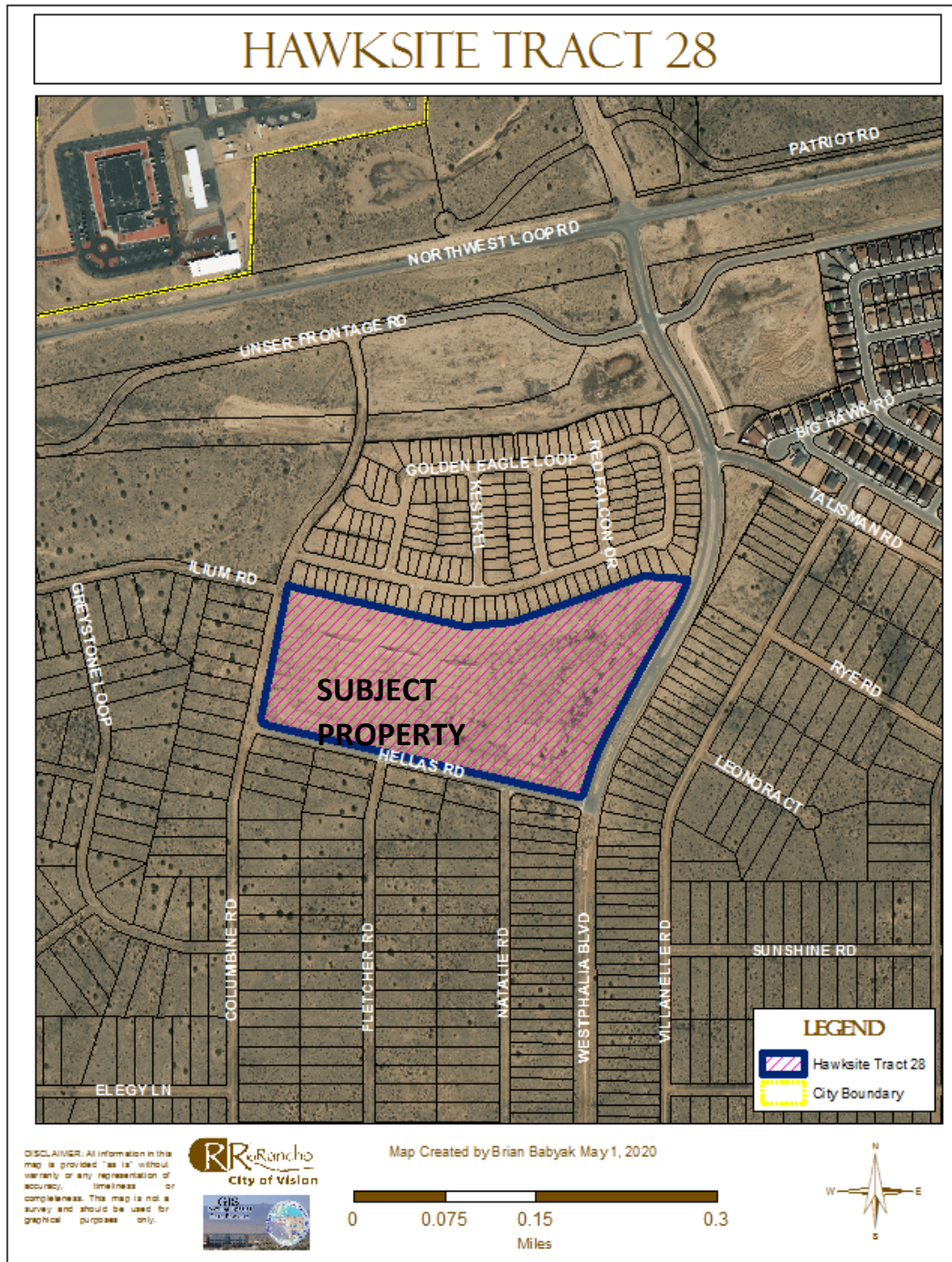
PREPARED BY:  DATE: 05.06.20
Brian Babyak, Municipal Planner

REVIEWED BY:  DATE: 5.7.2020
Amy Rincon, AICP, Planning & Zoning Manager

DEPARTMENT DIRECTOR:  DATE: 5/7/2020
Anthony Caravella, AICP, Development Services

- Attachment I: Location/Zoning/Land Use Maps
- Attachment II: Application
- Attachment III: Staff comments
- Attachment IV: Reproduction of notifications
- Attachment V: Draft Ordinance

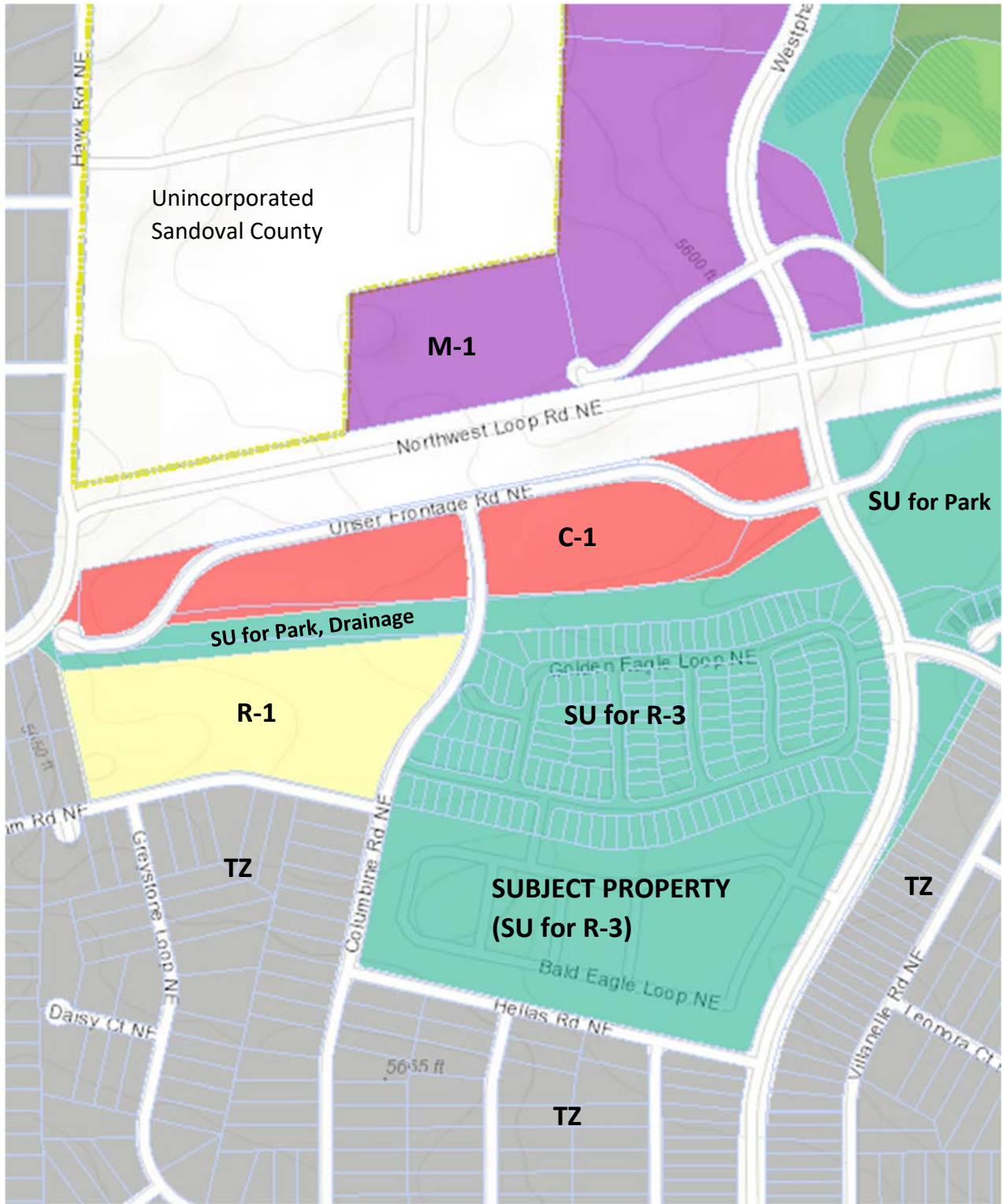
Vicinity/Location Map



NOTE: Not to Scale

NORTH

Vicinity/Location/Zoning/Land Use Map



NOTE: Not to Scale



Master Plan/Land Use Map



Application



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

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

APPLICANT/AGENT INFORMATION

Applicant Name: AMREP Southwest, Inc. Phone: 505-896-9037
 Address: 333 Rio Rancho Blvd NE E-Mail: jarrodI@aswinc.com
 City: Rio Rancho State: NM Zip: 87124
 Proprietary Interest: List Owners:
 Deed or Ownership Verification Provided: (Initials) Letter of Authorization Provided: (Initials)

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

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

Zone Map Amendment for Tract 28 to amend Section 2, C, iii of the Hawksite development ordinance be amended to state that all SU-R3 lots within Tract 28 meet a minimum lot size of 3500 or 4500 square feet.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: Mountain Hawk Estates Block(s): Tract 28 Lot(s):
 Existing Zoning: SU R3 Proposed Zoning:
 No. of existing lots: No. of proposed lots: Total area of site (acres) 24.72

ACKNOWLEDGEMENT

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

Print Name: Jarrod Likar Applicant: Agent: X
 Signature: Jarrod Likar Date: 3-23-20

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
20-100-00005	\$1,063	

APPLICATION ACCEPTED BY: DATE: 3/23/20



AMREP SOUTHWEST INC.

333 Rio Rancho Dr. NE, Suite 202 Rio Rancho, NM 87124 505-892-9200

March 23, 2020

Mr. Anthony Caravella
Director of Development
Development Department
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Re: Request for a Zone Map Amendment

Dear Mr. Caravella:

AMREP Southwest, Inc. and Hawksite 27 Development Company, LLC (collectively the "Applicant") are the owners of all the real property (the "subject properties") involved in this zone map amendment request. This is a request for a Zone Map Amendment ("ZMA") for approximately 24.72 acres within the Hawk Site Subdivision Master Plan more particularly identified as Tract 28, of the Rio rancho Hawksite (the "Subject Property"). The Subject Property is located southwest of the intersection of Northwest Loop Road NE and U.S. Highway 550 (see below).



A Subsidiary of AMREP Corporation – Plymouth Meeting, PA

The applicant is requesting that Section 2, C, iii of the Hawksite development ordinance be amended to state that all SU-R3 lots within Tract 28 meet a minimum lot size of:

- 3,500 square feet for blocks 2, 3, 43, and lots 1-19 of block 5; and
- 4,500 square feet for blocks 1, 6, 7, and lots 20-30 of Block 5.

See the specified Block and Lots on the attached Site Plan.

In addition, the Applicant is requesting that Section 2, C, iii of the Hawksite development ordinance be amended to establish the setback requirements within Tract 28. The ordinance did not previously establish setback requirements within these tracts. It is being requested that the ordinance states that single-family detached dwelling units require a front yard setback of 15 feet, front to garage setback of 20 feet, a rear yard setback of 15 feet, a side yard setback of 5 feet, and a corner side yard setback of 5 feet.

SITE CONTEXT/ZONE MAP AMENDMENT

The subject property is situated within the existing Hawk Site Subdivision Master Plan. The surrounding area consists of residential neighborhoods and some commercial development along U.S. Highway 550. The Hawk Site Master Plan extends to the north of the requested ZMA properties and is encompassed by a variety of zoning including R-2 (Single Family Residential), SU R-3 (Mixed Use Residential), C-1 (Retail Commercial), and M-1 (Industrial and Business). To the South and East of the subject property is the Rio Rancho Estates Subdivision, which is zoned T-Z (Transitional-Zone). On the western border of the property is Rio Rancho Unit 25, zoned T-Z.

The current minimum lot sizes and corner lot side yard setbacks within the Subject Property limit the capabilities of the Master Plan area to provide a mixture of housing opportunities to future residents. This request will simply cause the Subject Property to be conformed to the original zoning designation.

SECTION 150.07 JUSTIFICATION

This section of the request addresses the criteria for a zone map amendment. A justification per Section 150.07 (D-G), Policies for Deciding Zone Map Amendments, is provided below.

(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:

1. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

Applicant response: The proposed Zone Map Amendment is consistent with the health, safety, morals, and general welfare of the City. The proposed ZMA provides the opportunity to further the health and welfare of the City by creating the development conditions necessary to construct high quality mixed residential development that will meet the needs of future Hawk Site and Rio Rancho residents. Additionally, the zone change will allow the properties to be developed consistent with the surrounding

land uses. The amendment will complement the existing and surrounding developed residential and commercial areas by allowing a variety of housing options in what the Rio Rancho Comprehensive Plan defines as a growth node and future activity center. The proposed ZMA will further the general welfare of the City by providing the current and future residents with a variety of housing options in a developing neighborhood within Rio Rancho.

2. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant response: This zone change request will allow for stability of land use and zoning as well as improve it. The zone map amendment will allow the property to be developed in a manner that is compatible with and viable for the surrounding Hawk Site Master Plan area and Rio Rancho neighborhoods. The requested amendment will allow for development that is consistent with the Rio Rancho Comprehensive plan goals to provide access to housing in undeveloped areas and along U.S. Highway 550, due to an increasing population. Additionally, the Comprehensive Plan has a goal to provide a variety of housing types that meet the needs of current and future populations within the city. The proposed zoning will not destabilize the land use and zoning in the area, but will strengthen it with a mixture of residential uses that meet the needs of the surrounding community. The requested zone change will allow the Property to be developed in a manner compatible with surrounding uses and consistent with current development possibilities. For this reason, there is sound justification for the requested zone change.

3. A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant response: The proposed ZMA does not change, but rather furthers the Rio Rancho Comprehensive Plan's intent. The Rio Rancho Comprehensive Plan outlines the Hawk Site Master Plan area and an activity center and development node. The Comprehensive Plan has a goal to provide housing near gateways and transportation corridors due to an increasing population. The Hawk Site Subdivision is along U.S. Highway 550 and Northwest loop, a highly utilized transportation corridor and designated gateway in the Comprehensive Plan. In addition, the Comprehensive Plan has a goal to provide a variety of housing types and mixed-used residential developments to meet the needs of all members of the community. Furthermore, Map L-2 of the Comprehensive Plan indicates that the Property is planned as Low/Medium Density Residential Development. The requested zone change is in accordance with the Comprehensive Plan land uses. The requested ZMA is generally consistent with the goals and policies outlined by the Rio Rancho Comprehensive plan.

4. The applicant must demonstrate the existing zoning is inappropriate because:
 - a) The existing zoning is inappropriate because there was a judgment mistake in the original zoning.
 - b) The existing zoning is inappropriate because it is not in the best interests of the community.
 - c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan.

Applicant response: The proposed ZMA is more advantageous to the community, as articulated in the Comprehensive Plan as demonstrated in section three above. The applicant is requesting an amendment to the ordinance and current zoning will not be changed.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant response: The cost of land or other economic considerations are not the determining factor for this request.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant response: Location on a major street is not the sole justification for this request.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved when:


(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant response: The requested zone change will not create a spot zone.

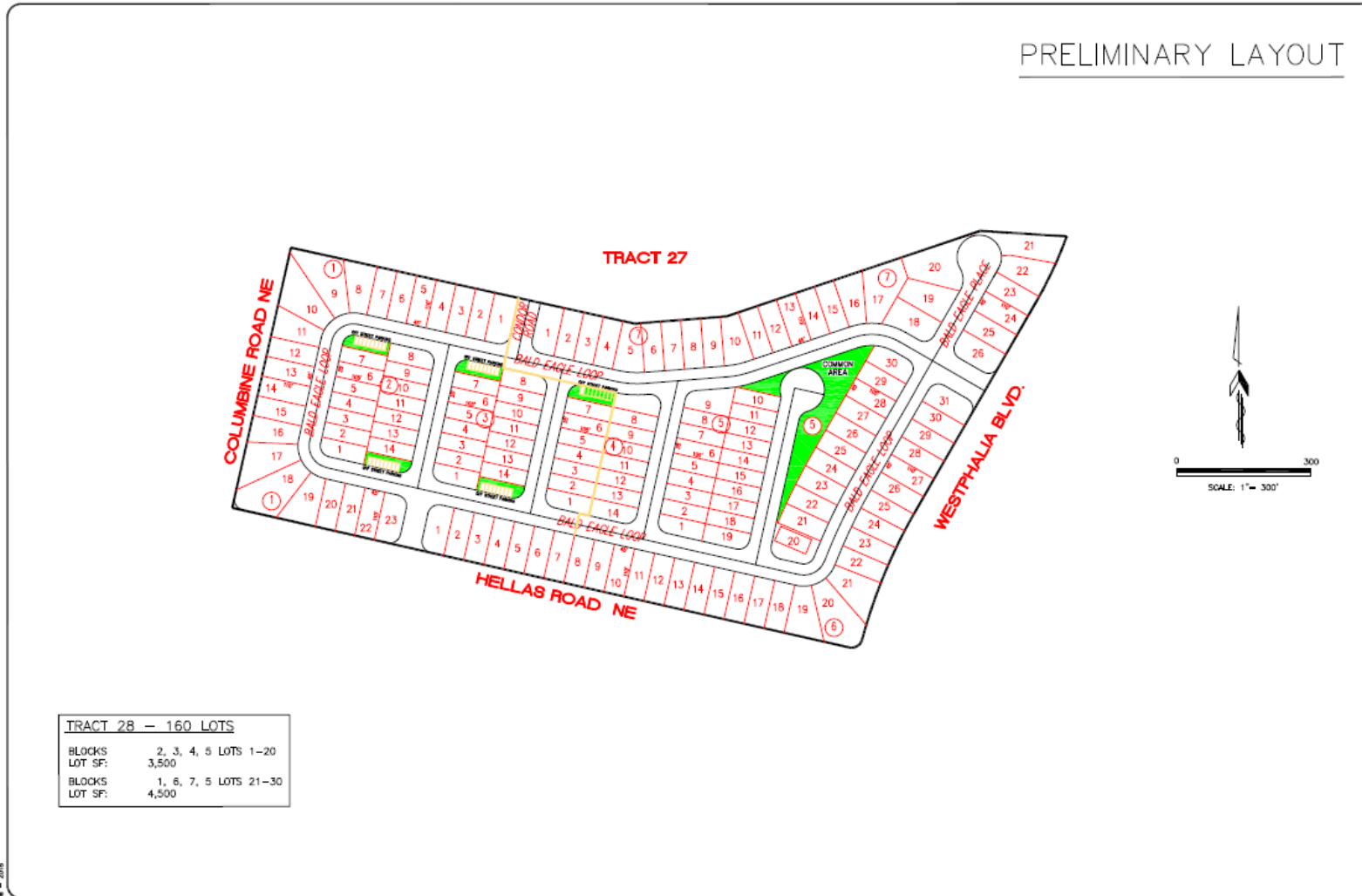
We respectfully request that the Rio Rancho Planning and Zoning Board and Governing Body approve this request for a zone map amendment.

Sincerely,



Jarrod Likar, PE

Vice President-Land Development



W:\20-100\20-100-00005\20-100-00005.dwg - 2018



PRELIMINARY LAYOUT

HAWKSITE
TRACT 28



Agency Comments



DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: March 24, 2020

TO: (X) Development Services—Anthony Caravella, David Serrano, Brian Kent, Amy Rincon
(X) Fire and Rescue—Jonathan Garcia, Brian Bratcher
(X) Police—Justin Garcia, Andrew Rodriguez, Timothy Robey
(X) SSCAFCA—Andres Sanchez, Junko Boat
(X) Parks and Recreation—Dyane Sonier
(X) MRCOG—Bianca Borg
(X) RR Public Schools—Melanie Archibeque

FROM: Development Services, Planning Division

RE: Zone Map Amendment: DSD #20-100-0006 (please reference this # with any correspondence) Mountain Hawk, Tract 28.

Attached is Zone Map Amendment for Mountain Hawk, Tract 28, amending the zoning ordinance to state that all SU: R-3 lots within the tract meet a minimum lot size of 3,500 square feet for blocks 2, 3, 43, and lots 1-19 of block 5; and 4,500 square feet for blocks 1, 6, 7, and lots 20-30 of block 5. The amendment also establishes setback requirements. Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Friday, April 3, 2020**. Please contact Brian Babyak at 896-8756 or e-mail bbabyak@rrmm.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

Please provide a table or the total difference between the anticipated number of residential lots under existing SU: R-3 zoning and the proposed zoning changes in the Zone Map Amendment application documents. PRCS would assume that the change in the number of residential lots will be reflected through changes to the existing Development Agreement.

Dyane N. Sonier

03/26/2020

Reviewer

Date

Zone Map Amendment- Hawksite Tract 28

DSD 20-100-00005

DRE 20-00062

3/24/20

General comments:

1. No adverse comments from engineering.

Future development requirements:

1. A Trip Generation Report is required and an additional Traffic Study may be required if thresholds exceed those identified per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.3. Access easements may be required.
2. A Water / Waste Water Availability statement from the Utility Division is required. Contact Robert Lujan (891-5061) or Steve Gallegos (896-8715) for additional information. Waterline easements may be required for public waterlines.
3. A grading and drainage plan/ report and an erosion control plan are required with future development, and must conform to any currently approved master drainage plan for this area. Storm water drainage and water quality discharge will need to be addressed per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.2.
4. Engineering drawings are required for development of public and private infrastructure. Work performed in the right-of-way will require a City of Rio Rancho, Right-of-Way Permit and a Traffic Control Plan. Contractors must be licensed and bonded with the City of Rio Rancho for work performed in the City Right-of-Way.

If there are questions please call:

Brian Kent

505-891-5284

or Email: rkent@rmm.gov



DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW
SHEET

DATE: March 24, 2020

TO: (X) Development Services—Anthony Caravella, David Serrano, Brian Kent,
Amy Rincon
(X) Fire and Rescue—Jonathan Garcia, Brian Bratcher
(X) Police— Justin Garcia, Andrew Rodriguez, Timothy Robey
(X) SSCAFCA—Andres Sanchez, Junko Boat
(X) Parks and Recreation—Dyane Sonier
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This item has been reviewed and is hereby:

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

[Type Comments Here or use separate sheet]

Fire department has adverse comments at this time.

Further fire department comments upon development of this project.

Thank you

Jonathan Garcia
Reviewer

March 26, 2020
Date



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

DATE: March 24, 2020

TO: (X) Development Services—Anthony Caravella, David Serrano, Brian Kent,
Amy Rincon
(X) Fire and Rescue—Jonathan Garcia, Brian Bratcher
(X) Police—Justin Garcia, Andrew Rodriguez, Timothy Robey
(X) SSCAFCA—Andres Sanchez, Junko Boat
(X) Parks and Recreation—Dyane Sonier
(X) MRCOG—Bianca Borg
(X) RR Public Schools—Melanie Archibeque

FROM: Development Services, Planning Division

RE: Zone Map Amendment: DSD #20-100-0006 (please reference this # with any correspondence) Mountain Hawk, Tract 28.

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This item has been reviewed and is hereby:

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

SSCAFCA File No: ZI 2020-04 No adverse comments.

Junko Boat
Reviewer

4/2/2020p
Date

Reproduction of Notifications



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, May 12, 2020:

Variance

Case #20-110-00004

The applicant, Garner Arts, through their agent Simone Architecture PC, is requesting approval of a variance to allow for a reduction in the parking requirements and joint use of parking at 1214 Santa Rd SE.

Zone Map Amendment

Case #20-100-00005

The applicant, AMREP Southwest Inc., is requesting approval of a zone map amendment reducing minimum lot size requirements for SU-R3 lots in Hawksite, Tract 28.

Zone Map Amendment

Request #20-100-00005

Applicant, AMREP Southwest, is requesting approval of a zone map amendment to change the zoning from R-1: Single-Family Residential to R-3: Mixed Residential on the property legally described as Hawksite Tract 28.

Preliminary Plat

Request #20-210-00005

Applicant, Humberto Aguilar, through their agent, CSI-Cartesian Survey, Inc, is requesting preliminary plat approval on the property legally described as Siesta Hills II Block 4, Lot 14A, physically located at 884 Bell Road SE.

Final Plat

Request #20-220-00005

Applicant, Kevin Paston, through their agent, Kelly Klein of Bohannon Hixon Inc, is requesting final plat approval on the property legally described as Broadmoor Heights Tract 2, physically located on the east side of Broadmoor Boulevard NE to the south of Amy Road NE.

Zone Map Amendment

Case #19-410-00004

The applicant, AMREP Southwest, through their agent Consensus Planning Inc, is requesting approval of a Zone Map Amendment for the following properties: Lomas Encantadas, Tract 12 & 13, and Unit 20, Block 155, Lots 13-17, 20-22, 24-27, and 29-41 from R-1: Single Family Residential District and OS: Open Space to a combination of R-2: Single Family Residential, R-4: Single Family Residential District and OS: Open Space.

The meetings are scheduled for 6 p.m. in the Council Chambers at City Hall, 3200 Civic Center Cir. NE, Rio Rancho, NM. The public is invited to attend. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment any of these applications, you are encouraged to submit a written comment to planning@cityofriorancho.org.



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

April 24, 2020

RE: Zone Map Amendment, Case No. 20-100-00005
Mountain Hawk Estates, Tract 28, reducing minimum lot size

Dear Property Owner:

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

The applicant, AMREP Southwest, Inc. has submitted an application requesting approval of a zone map amendment to amend section 2, C, iii of the Hawksite development ordinance to state all SU: R-3 zoned lots in Tract 28 meet a minimum lot size of 3500 square feet for blocks 2, 3, 43, and lots 1-19 of block 5; and 4,500 square feet for blocks 1, 6, 7, and lots 20-30 of block 5. |

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, May 12, 2020** at 6:00 pm in the Council Chambers of City Hall, located at 3200 Civic Center Circle.

On the back of this letter is a location map of the project.

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. We are promoting social distancing and prohibiting public attendance to Planning and Zoning Board Meetings. 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://global.gotomeeting.com/join/683366773>. You can also dial in using your phone. United States: +1 (224) 501-3412, Access Code: 683-366-773. To join from a video-conferencing room or system, dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 683 366 773, or dial directly: 683366773@67.217.95.2 or 67.217.95.2##683366773.

Please do not hesitate to contact me at 505-896-8756 or e-mail me at bbabyak@rnm.gov if you have any questions concerning this matter. I am mostly out of the office, so email is the best method of communication. The agenda for this hearing and related staff reports will be posted on the City's website, www.rnm.gov, approximately one week before the hearing. The meeting is also best accessed for viewing via www.rnm.gov.

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

Respectfully,

Brian Babyak
Municipal Planner
Development Services Department
City of Rio Rancho



CITY OF RIO RANCHO ORDINANCE

ORDINANCE NO. _____

ENACTMENT NO. _____

1 AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO
2 AMENDING THE ZONING ORDINANCE HAWKSITE TRACT 28,
3 REDUCING MINIMUM LOT SIZE REQUIREMENTS FOR SU: R-3
4 ZONED LOTS TO 3500 SQUARE FEET FOR BLOCKS 2, 3, 43, AND
5 LOTS 1-19 OF BLOCK 5; AND 4500 SQUARE FEET FOR BLOCKS 1,
6 6, 7, AND LOTS 20-30 OF BLOCK 5
7

8 WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning
9 regulations and an official zone map in accordance with New
10 Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article
11 21; and,
12

13 WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003)
14 Section 150.07, an application to amend the zoning ordinance
15 on the subject property has been submitted by The City of Rio
16 Rancho, and assigned City Case No. 20-100-00005; and,
17

18 WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly
19 noticed public hearing on May 12, 2020, regarding the proposed
20 changes to the Official Zoning Map and, following study and
21 consideration, has made findings (where applicable) whether or
22 not the criteria in R.O. 2003 Section 150.07 are satisfied, and
23 made these recommendations to the Governing Body regarding
24 adoption of the changes; and,
25

26 WHEREAS: the Governing Body received a report from the Planning and
27 Zoning Board, and such report indicates the Planning and Zoning
28 Board has studied and considered the proposed changes
29 pursuant to R.O. 2003 Section 150.07, and said report includes
30 specific findings related to the affected property; and,
31

32 WHEREAS: a public hearing occurred, in accordance with procedures set
33 forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-
34 21-6, on the proposed zoning district and Official Zone Map
35 changes hereinafter described were duly advertised and held by
36 the Governing Body of the City of Rio Rancho on June 10, 2020
37 and the Governing Body heard interested parties and citizens for
38 and against the proposed amendments; and,
39

40 WHEREAS: the proposed amendments to be adopted by this Ordinance
41 comply with the statutory and regulatory requirements of the
42 aforesaid Code of Ordinances and Statutes, and upon specific
43 findings related to the subject property and determining the

1 proposed amendment is consistent with the policies and criteria
2 set forth in R.O. 2003 Section 150.07 (D) through (G), the
3 Governing Body finds the amendments promote the health,
4 safety, morals, and general welfare of the City.
5

6
7 NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
8 THE CITY OF RIO RANCHO:
9

10 Section 1. Rezoning of Property

11 A. The Official Zone Ordinance is hereby amended by
12 assigning a minimum lot size requirement of 3,500 square
13 feet to the properties legally described as:

14 Blocks 2, 3, and 43, and lots 1-19 of block 5, Hawksite
15 Tract 28, filed in the office of the county clerk of
16 Sandoval County, New Mexico, on February 24, 2004,
17 Book 407, Page 5069 (Rio Rancho Estates Book 17,
18 Page 17).

19 B. The Official Zone Ordinance is hereby amended by
20 assigning a minimum lot size requirement of 4,500 square
21 feet to the properties legally described as:

22 Blocks 1, 6, 7, and lots 20-30 of block 5, Hawksite
23 Tract 28, filed in the office of the county clerk of
24 Sandoval County, New Mexico, on February 24, 2004,
25 Book 407, Page 5069 (Rio Rancho Estates Book 17,
26 Page 17).

27 Section 2. Land Use, Conditions, Development

28 Standards/Regulations and use of PROPERTY:

29 A. The properties identified in Section 1A & 1B, above are
30 subject to all requirements of the previous zoning ordinance
31 (No. 31, Enactment 18-32) not amended herein.
32

33 Section 3. Severability Clause:

34 If any section, paragraph, clause, or provision of this Ordinance,
35 or any section, paragraph, clause, or provision of any regulation
36 promulgated hereunder shall for any reason be held to be
37 invalid, unlawful, or unenforceable, the invalidity, illegality, or
38 unenforceability of such section, paragraph, clause, or provision
39 shall not affect the validity of the remaining portions of this
40 Ordinance or the regulation so challenged.
41

42
43 Section 4. Effective Date:

44 This Ordinance shall take effect in ten (10) days after adoption

1 ADOPTED THIS 10th DAY OF JUNE, 2020.
2
3

4 _____
5 Gregory D. Hull, Mayor
6

7
8 _____
9 Date

10 ATTEST:
11
12

13 _____
14 Rebecca A. Martinez, City Clerk
15 (SEAL)

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1156

Submitted by: Rebekah Longstreet

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

ZONE MAP AMENDMENT: The applicant is requesting a zone change from R-1 to R-3 for Hawksite Tract 23.

Case No.: 20-100-00006

Applicant: AMREP Southwest

Staff Contact: Rebekah Longstreet

Staff Recommendation: Approval with Findings and Conditions

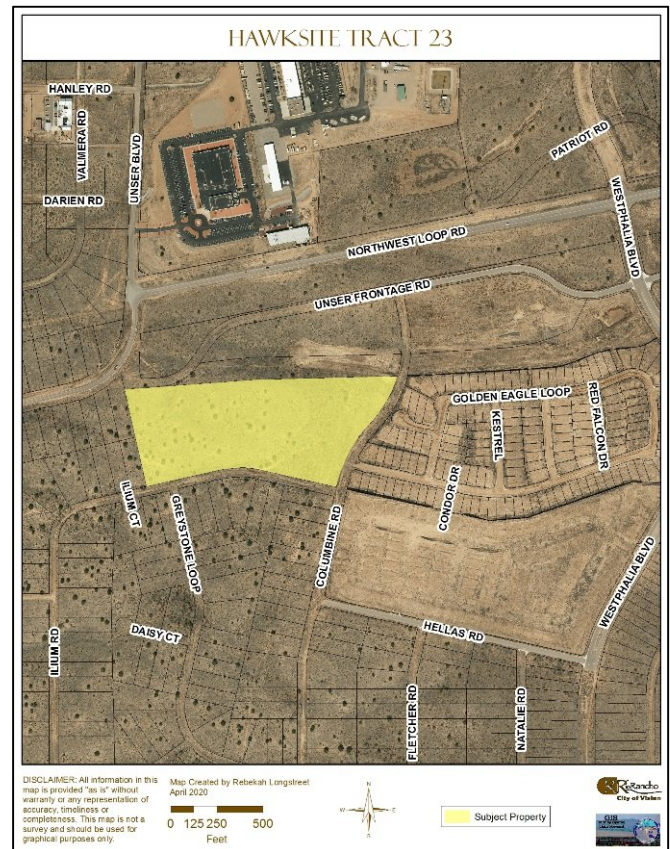
ATTACHMENTS

- [ABM_20-100-00006](#)
- [Attachment I_ Vicinity-Zoning Map.pdf](#)
- [Attachment II Application.pdf](#)
- [Attachment III Staff Comment.pdf](#)
- [Attachment V Replications of notifications.pdf](#)
- [Attachment VI Findings \(Caravella Edit\).docx](#)
- [Attachment VII - Draft Ordinance.docx](#)

AGENDA DATE:	May 12, 2020
CASE NO.:	20-100-00006
DEPARTMENT:	Development Services
SUBJECT:	Zone Map Amendment to Change Zoning from R-1 to R-3
PROPERTY:	Hawksite Tract 23
APPLICANT:	AMREP Southwest
DEPARTMENT RECOMMENDATION:	Approval with Findings and Conditions
LOCATION:	The subject property is Hawksite Tract 23. It is physically located south of Northwest Loop, west of Westphalia Boulevard, on the northwest corner of the intersection of Columbine Road NE and Ilium Road.

BACKGROUND: The applicant requests approval of a zone map amendment to update the zoning of Hawksite Tract 23 from R-1: Single Family Residential to R-3: Mixed Residential.

The subject property falls within the Mountain Hawk Estates Master Plan. A master plan amendment was approved per Resolution No. 128 Enactment No.19-126 by the Governing Body on December 11, 2019 in case no. 19-410-00006. The master plan amendment updated the future land use designations and changed the name of the master from The Hawksite to Mountain Hawk Estates.



1 REVIEW CRITERIA:

2 Rio Rancho of Ordinances (R.O. 2003) § 150.07(A) states, "Proposed amendments
3 shall be submitted to the Governing Body through the Planning and Zoning Board."
4

5 The zone map amendment application was submitted to the Development
6 Services Department on March 23, 2020 for review by the Planning and Zoning
7 Board through the Governing Body.

8 Conforms.
9

10 R.O. 2003 § 150.07(B) states "The Board shall study the proposals at a regular
11 meeting or at a special meeting, if necessary, and shall submit its recommendations
12 to the Governing Body. Notice of the application must be posted on the property at
13 least one week prior to consideration of the application by the Board."
14

15 Proper notice was provided through a sign posted on the property on May 5,
16 2020.

17 Conforms.
18

19 R.O. 2003 § 150.07(D)(1) states, "A proposed zone change must be found to be
20 consistent with the health, safety, morals, and general welfare of the City."
21

22 The applicant has submitted a justification letter (Attachment II) which states,
23 "The proposed ZMA will further the general welfare of the City by supporting
24 Comprehensive plan policies and goals that encourage single-family development,
25 infill, and a variety of housing options for current and future families in a
26 developing neighborhood within Rio Rancho." (Attachment II, p. 4)
27

28 Staff recommends the Board find that the proposed zone map amendment would
29 be consistent with the health, safety, morals, and general welfare of the City by
30 promoting implementation of the City's Comprehensive Plan and also the
31 Mountain Hawk Estates Master Plan.

32 Conforms.
33

34 R.O. 2003 § 150.07(D)(2) states, "Stability of land use and zoning is desirable;
35 therefore, the applicant must provide a sound justification for the change. The
36 burden is on the applicant to show why the change should be made, not on the City
37 to show why the change should not be made."
38

39 The submitted justification letter states, "With current R-2, SU R-2, M-1, C-1, and
40 TZ zones in the area and low to moderate land use densities, the proposed R-3
41 zoning will not destabilize the land use and zoning in the area, but will strengthen
42 it with a mixture of residential uses that meet the goals of the Master Plan and
43 the need of a variety of housing within the surrounding community. The
44 requested zone change will allow the Property to be developed in a manner
45 compatible with surrounding uses and consistent with current development
46 possibilities." (Attachment II, p. 5)

1
2 Staff recommends the Board find that the applicant has met the criterion by
3 providing a sound justification for the proposed change and the map amendment
4 would provide stability of zoning along with providing for adequate compatibility
5 with surrounding zoning and future uses.
6 Conforms.

7
8 R.O. 2003 § 150.07(D)(3) states, "A proposed change shall generally be consistent
9 with adopted elements of the Comprehensive Plan or other City master plans and
10 amendments thereto including privately developed area plans which have been
11 adopted by the City."

12
13 The applicant's justification states, "The subject property is within the Mountain
14 Hawk Estates Master Plan, which generally describes this area for medium density
15 single-family residential land uses. As described in the amended Master Plan, R-3,
16 medium density residential is consistent with the densities desirable as part of an
17 activity center and development node as designated by the Rio Rancho
18 Comprehensive Plan." (Attachment II, p. 5). The letter goes on to describe how
19 the proposed zone map amendment would meet and support the goals and
20 policies of the Comprehensive Plan and the Mountain Hawk Estates Master Plan.

21
22 The subject property is designated Low/Medium Density on the future land use
23 map of the Mountain Hawk Estates Master Plan. The proposed R-3 zoning district
24 would allow for appropriate uses within the low/medium density land use
25 designation. Therefore, it is recommended the Board find that the applicant has
26 met this criterion.
27 Conforms.

28
29 R.O. 2003 § 150.07(D)(4) states, The applicant must demonstrate that the existing
30 zoning is inappropriate because:

- 31 (a) There was an error, mistake or is necessary to correct an injustice that
32 occurred when the existing zone map pattern was created, including the
33 placement of an R-1 or transitional zone on an antiquated plat filed before the
34 City's incorporation and adoption of its own zoning code or on land annexed by
35 the City; or
36 (b) Changed neighborhood or community conditions justify the change; or
37 (c) A different use category is more advantageous to the community, as
38 articulated in the Comprehensive Plan or other City master plan, even though
39 (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof
40 that (i) there is a public need for a change of the kind in question, and (ii) that
41 need will be best served by changing the classification of the particular piece of
42 property in question as compared with other available property.

43
44 The submitted justification letter states, "The Mountain Hawk Estates Master
45 Plan was amended in 2019 to allow for moderate density residential land uses
46 on the subject property. By changing the zoning from R-1, single Family

1 residential, to R-3 Single family residential, the property remains consistent
2 with the surrounding land uses in the Master Plan area." (Attachment II, p. 8).

3
4 Staff does not consider that the applicant has met this criterion. The
5 Mountain Hawk Master Plan also allows for Low Density Residential Land Uses
6 on the subject tract (Attachment I, page 3), so there needs to be additional
7 justification to "indicate the existing zoning is inappropriate". The Board may
8 find a zoning of R-3: Mixed Residential District is more appropriate given the
9 surrounding zoning of C-1 to north and SU for R-3 to the east would allow a
10 more compatible and transitional zoning designation on this tract rather than
11 the existing R-1: Single Family Residential District.

12 Conforms.

13
14 R.O. 2003 § 150.07 (E) states "The cost of land or other economic considerations
15 pertaining to the applicant shall not be the determining factor for a change of zone."

16
17 Although it appears the applicant has not addressed this criterion, the Board may
18 find that the cost of the land or other economic considerations does not appear to
19 be a justification for the proposed zone map amendment.

20 Conforms.

21
22 R.O. 2003 § 150.07 (F) states, "Location on a collector or major street is not in itself
23 sufficient justification of apartment, office, or commercial zoning."

24
25 The applicant's justification states, "Location on a major street is not the sole
26 justification for this request." (Attachment II, p. 8).

27
28 Staff recommends the Board find that the request does not involve office, or
29 commercial zoning, and although apartment uses are allowed as a conditional use
30 in a R-3: Mixed Residential District, the applicant has provided sufficient
31 justification that zone map amendment request is not based on the location of the
32 subject property.

33 Conforms.

34
35 R.O. 2003 § 150.07 (G) states that A zone change request which would give a zone
36 different from surrounding zoning to one small area, especially when only one
37 premises is involved, is generally called a "spot zone." Such a change of zone may
38 be approved only when:

- 39 (1) The change will clearly facilitate realization of the Comprehensive Plan and
40 any applicable adopted sector development plan or area development plan; or
41 (2) The area of the proposed zone change is different from surrounding land
42 because it could function as a transition between adjacent zones; because the site
43 is not suitable for the uses allowed in any adjacent zone due to topography,
44 traffic, or special adverse land uses nearby; or because the nature of structures
45 already on the premises makes the site unsuitable for the uses allowed in any
46 adjacent zone.

1
2 Staff recommends the Board finds that the requested zone map amendment
3 would not create a "spot zone".
4 Conforms.
5

6
7 SURROUNDING LAND USE/ZONING: The neighboring property to the west and
8 south are vacant lands zoned TZ: Transitional Zoning. The property to the east is zoned
9 SU: Special Use for R-3: Mixed Residential District. The property to the north is zoned
10 SU: Special Use for Parks, Open Space, Drainage and then C-1: Retail Commercial
11 District. See Attachment I, page 2.
12

13 REVIEWED BY:

<input checked="" type="checkbox"/>	DSD Planning	<input type="checkbox"/>	Police
<input checked="" type="checkbox"/>	DSD Engineering	<input checked="" type="checkbox"/>	Fire and Rescue
<input type="checkbox"/>	DSD Building	<input checked="" type="checkbox"/>	SSCAFCA
<input type="checkbox"/>	Public Works	<input checked="" type="checkbox"/>	Parks, Rec. and Com. Services
<input type="checkbox"/>	Utilities	<input type="checkbox"/>	

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20
21 NOTIFICATIONS: Notice of pending development application were sent via first class
22 mail to the property owners within 100 ft of the subject property. A legal notification was
23 published in the Rio Rancho Observer on April 26, 2020. A notification sign was posted
24 to the property one week prior to the hearing, on May 5, 2020.
25

26 DEPARTMENT RECOMMENDATION: The Development Services Department
27 recommends Approval of Zone Map Amendment request subject to findings and
28 conditions set forth below:
29

30 General Findings of Fact:

- 31 1. The Planning and Zoning Board may make a recommendation to the Governing
32 Body on the applicant's request for a zone map amendment.
- 33 2. The applicant has the authority to apply for a zone map amendment on the
34 subject property.
- 35 3. The applicant and adjacent property owners received due process.
36

37 Specific Findings of Fact

- 38 1. The applicant has submitted an application and narrative which demonstrates
39 that, and provides justification that the change in zoning designation meets the
40 requirements if the Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D)
41 Amendments, including:
42 a. The proposed zone change would be consistent with the health, safety,
43 morals, and general welfare of the City by promoting implementation of the
44 City's Comprehensive Plan and also the Mountain Hawk Estates Master Plan.

- b. The applicant has provided sound justification for the proposed zone change and the map amendment would provide stability of zoning along with providing for adequate compatibility with surrounding zoning and future uses.
- c. The proposed zone map amendment would be consistent with adopted elements of the Comprehensive Plan and with the Mountain Hawk Estates Master Plan, given the subject property is designated Low/Medium Density on the future land use map of the Mountain Hawk Estates Master Plan. The proposed R-3 zoning district would allow for appropriate uses within the low/medium density land use designation.
- d. It is considered that the applicant has not adequately demonstrated that the existing zoning is inappropriate even though there was not an error, mistake or that this zone change is not necessary to correct an injustice. Given the Mountain Hawk Master Plan also allows for Low Density Residential Land Uses, e.g. R-1 zoning, on the subject tract the zone change is not necessary, However, it is found that a zoning of R-3: Mixed Residential District is more appropriate given the surrounding zoning of C-1 to north and SU for R-3 to the east would allow a more compatible and transitional zoning designation on this tract rather than the existing R-1: Single Family Residential District
- e. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
- f. The request does not involve office, or commercial zoning, and although apartment uses are allowed as a conditional use in a R-3: Mixed Residential District, the applicant has provided sufficient justification that zone map amendment request is not based on the location of the subject property
- g. The requested zone map amendment would not create a "spot zone".

Conditions of Approval


1. Upon approval of the zone map amendment and prior to any application for preliminary plat approval on the subject property, the Drainage Master Plan for this area shall be revised to reflect the change, so that downstream infrastructure is sized appropriately to accommodate increased flow rate and volume caused by any increase of the subdivision density.
2. Consistent with Resolution No. 128, Enactment 19-126 (Mountain Hawk Estates Master Plan), upon approval of the zone map amendment and prior to any application for preliminary plat approval on the subject property, an amendment to the Hawksite Development Agreement may be required prior to the approval of any preliminary or final plat or other action. Any development or action proposed to implement this Mountain Hawk Estates Master Plan must be consistent with and complementary to the Hawksite Development Agreement and vice versa. Any necessary amendment to that development agreement to implement this Master Plan must also be compliant with the City's Impact Fee Subchapter as it may apply to the development agreement.

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ALTERNATIVES:

1. The Planning and Zoning Board may recommend approval 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.
-

PREPARED BY:  DATE: 5.4.2020
Rebekah Longstreet, Municipal Planner II

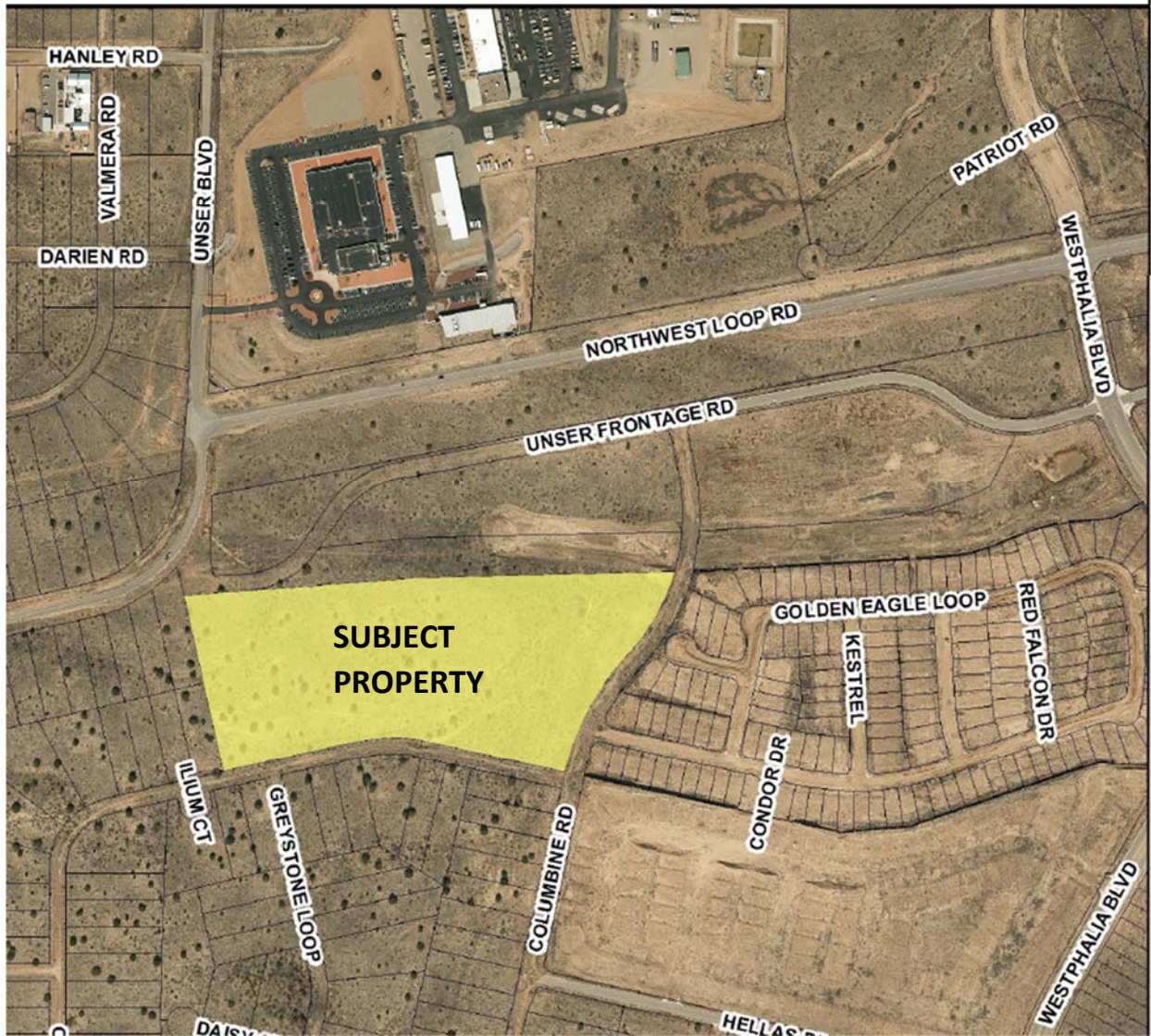
REVIEWED BY:  DATE: 5.5.2020
Amy Rincon, AICP, Planning & Zoning Manager

DEPARTMENT DIRECTOR:  DATE: 5/6/2020
Anthony Caravella, AICP, Development Services

- Attachment I: Location/Zoning/Land Use Maps
- Attachment II: Application
- Attachment III: Staff comments
- Attachment IV: Public Comments
- Attachment V: Replications of notifications
- Attachment VI: Finding of Fact for approval and/or denial

Vicinity/Location Map

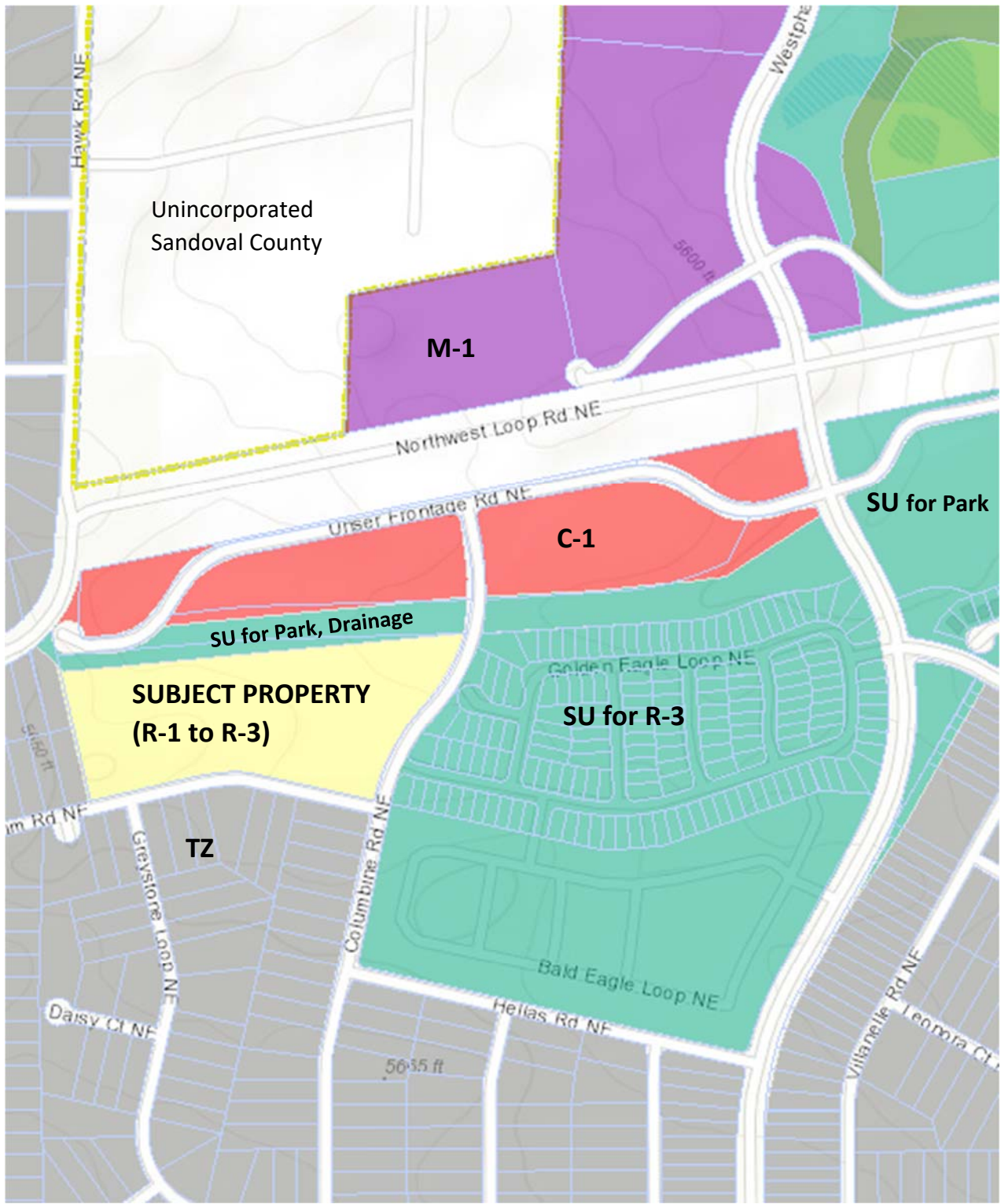
HAWKSITE TRACT 23



NOTE: Not to Scale



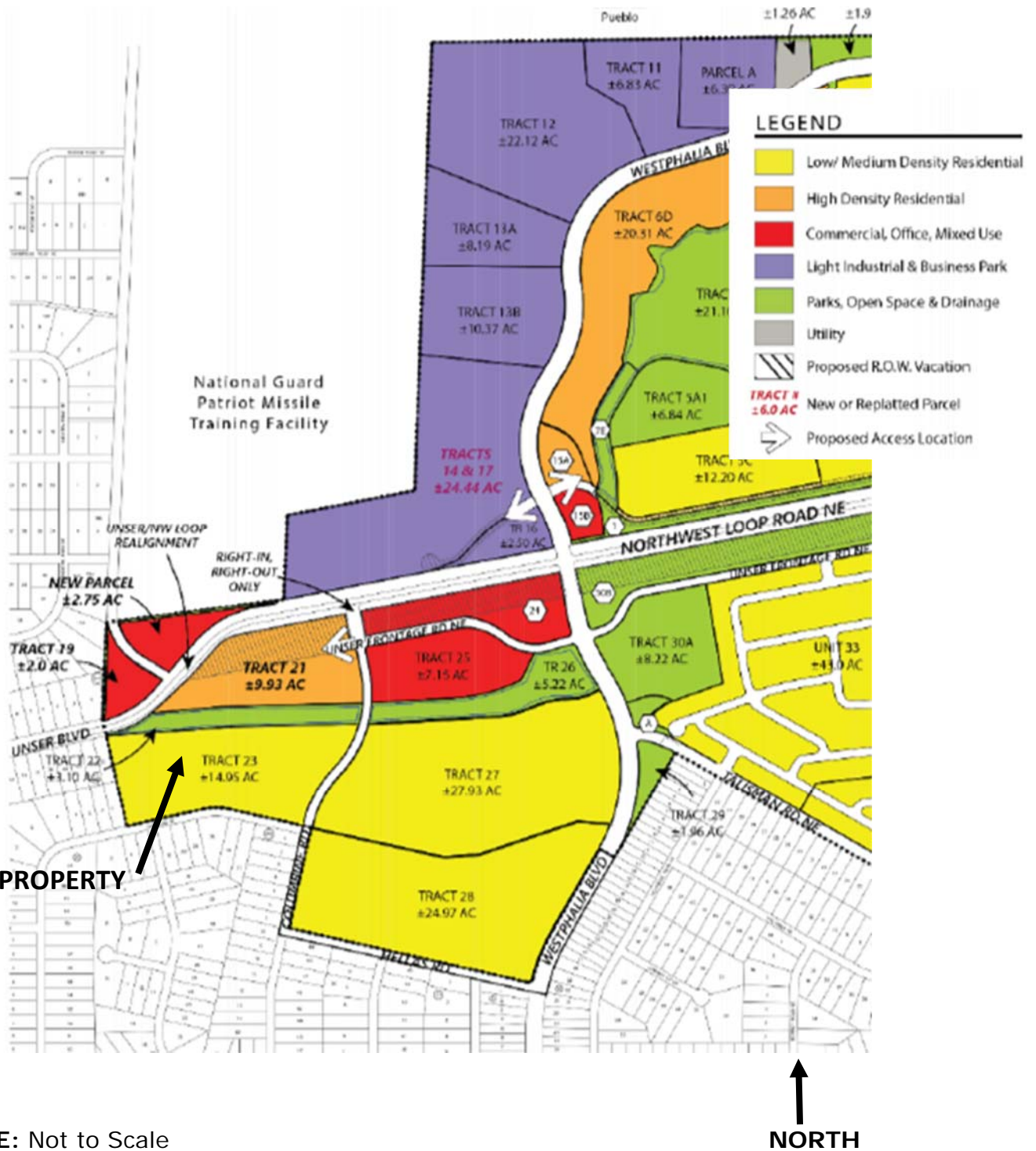
Vicinity/Location/Zoning/Land Use Map



NOTE: Not to Scale



Master Plan/Land Use Map



PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

Please Print In Ink Only or Type

Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: AMREP Southwest		Phone: 505-896-9037
Address: 333 Rio Rancho Blvd. NE Suite 2020		E-Mail: Jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

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

Zone Map Amendment from R-1, low density single family residential to R-3, moderate density mixed use residential.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Hawk, Tract 23	Block(s):	Lot(s):
Existing Zoning: R-1	Proposed Zoning: R-3	
No. of existing lots:	No. of proposed lots:	Total area of site (acres) 14.95

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: Jarrold Likar	Applicant:	Agent: X
Signature: <i>Jarrold Likar</i>	Date: 3-23-20	

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Schedule of Fees

MASTER PLAN and SUB-PLAN Includes amendments to:	FEES
System & Facility Plan (Level 2) & Area Plan (Level 3)	\$400
Redevelopment Plan & Specific Area Plan	\$400
Comprehensive Plan	\$400
SITE DEVELOPMENT PLANS	
Site Development Plan	\$266
ZONE MAP AMENDMENT	
Map Amendment < 1 acre	\$266
Map Amendment 1 - 4.99 acres	\$531
Map Amendment 5 - 9.99 acres	\$797
Map Amendment 10 - 49.99 acres	\$1,063
Map Amendment 50 - 100 acres	\$1,328
Map Amendment > 100 acres	\$1,328 + \$266 per ea. additional 100 or portion thereof
Special Use (application to amend the site plan or signage)	\$266
Zoning Certification Letters	\$35
Zoning Interpretations	\$67
Zoning Variance	\$200
SUBDIVISION	
Summary Plat	\$133 + \$13 per lot
Preliminary Plat	
Less than 1 acre	\$133 + \$13 per lot
1 - 4.99 acres	\$266 + \$ 13 per lot
5 - 9.99 acres	\$531 + \$13 per lot
10 - 49.99 acres	\$1,063 + 13 per lot
50 - 100 acres	\$1,328 + 13 per lot
Over 100 acres	\$1,328 + \$266 per ea. additional 100 or portion + \$13/lot thereafter
Final Plat	No Fee Required
Vacation of Plat	\$266 + \$13 per lot
Subdivision modification's/exceptions/Variance Application	\$200
Subdivision Interpretations	\$67
Street Name Change	\$67 + 100% of mailings total cost & notification to be done by applicant
PLANNING & ZONING	
Annexation	\$500
Appeal to Planning and Zoning Board	\$67
Community Residential Care Facility	\$67
Conditional Use	\$67
Development Review Committee [DRC]	No Fee Required
Home Occupation	\$67
Non-Conforming Use	\$67
Ordinance Amendment	\$200
Residential Child Care Facility 6 or <	\$67
SIGN PERMIT	
Change of Face	\$0
Illegally installed but not conforming to code	\$92 or \$5 per sf of largest sign face, whichever is greater
Master Sign Plan	\$266
New Application	\$46 or \$2.50 per sf of face, whichever is greater
Off-Premise Advertising (Digital) Sign Use Permit	\$300
Off-Premise Advertising (Digital) Sign Annual Review Fee	\$200
Off-Premise Advertising (Directional) Sign Annual Review Fee	\$100
Special Exception to the Sign Code	\$266
Subdivision Directional Signs	\$30 + \$5 per sign
Temporary Signs in the Right-of-Way	\$30 + \$1 per sign
SPECIAL EVENTS	
Special Event Permit	\$35
Special Event Permit (Youth Groups & City funded, organized or sponsored)	\$0
MISCELLANEOUS SERVICES – Research	
	\$67



March 23, 2020

Mr. Anthony Caravella
Director of Development
Development Department
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Re: Request for a Zone Map Amendment

Dear Mr. Caravella:

AMREP Southwest, Inc. (the “Applicant”) is the owner of all the real property (the “subject property”) involved in this zone map amendment request. This is a request for a Zone Map Amendment (“ZMA”) for approximately 14.95 acres within the Mountain Hawk Estates Master Plan more particularly identified as Tract 23. The Subject Property is located southeast of the intersection of Northwest Loop Road NE and U.S. Highway 550 (see below).



SITE CONTEXT/ZONE MAP AMENDMENT

The subject property is situated within the existing Mountain Hawk Estates Master Plan. The Master Plan is bisected to the east and west by Northwest Loop Road and extends to U.S. Highway 550 to the East and Unser Blvd NE and the National Guard Training Facility to the West. The Master Plan area is encompassed by a variety of zoning including R-2 (Single Family Residential), SU R-2 (Multi Family

Residential), C-1 (Retail Commercial), and M-1 (industrial and Business). To the South and West of the subject property is Rio Rancho Estates, which is zoned T-Z (Transitional-Zone). On the western border of the property is Rio Rancho Unit 25, zoned T-Z.

The applicant is requesting a zone map amendment for Tract 23 from the existing R-1, low density Single Family Residential zoning to an R-3, moderate density Mixed Residential zoning. The Mountain Hawk Estates Master Plan (“the Master Plan”) was Amended in 2019 to allow for higher density residential than the previous adoption of the Master Plan. Changing the zoning of the subject property will further the intent of the Master Plan to allow medium density residential development.

Section **B. Land Use** of Master Plan outlines the intention to support medium to high density single-family and multi-family residential uses that are centered around the U.S. 550 and Northwest Loop road intersection. By changing the zoning from R-1 to R-3, Tract 23 residential development will support the Master plan’s medium to high density residential land uses in this area.

The Master Plan Proposes Medium Density Residential for this Tract on *Figure 2. Future Land Use Plan* (see attached exhibit). The surrounding area consists of commercial/Office/Mixed-use and medium to high density residential along Northwest Loop Road and U.S. Highway 550. The proposed zoning furthers the intent of the proposed land uses in the Master plan and is consistent with the surrounding land uses in the Plan area.

SECTION 150.07 JUSTIFICATION

This section of the request addresses the criteria for a zone map amendment. A justification per Section 150.07 (D-G), Policies for Deciding Zone Map Amendments, is provided below.

(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:

1. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

Applicant response: The proposed Zone Map Amendment is consistent with the health, safety, morals, and general welfare of the City. The proposed ZMA provides the opportunity to further the health and welfare of the City by creating the development conditions necessary to construct high quality single family residential development that will meet the needs of future Mountain Hawk Estates residents. Additionally, the zone change will allow the properties to be developed consistent with the surrounding land uses. The amendment will complement the existing and surrounding developed residential and commercial areas by allowing a variety of housing options in what the Rio Rancho Comprehensive Plan defines as a growth node and future activity center. The proposed ZMA will further the general welfare of the City by supporting Comprehensive plan policies and goals that encourage single-family development, infill, and a variety of housing options for current and future families in a developing neighborhood within Rio Rancho.

2. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant response: This zone change request to R-3 will allow for stability of land use and zoning as well as improve it. The zone map amendment will allow the property to be developed in a manner that is compatible with and viable for the surrounding Mountain Hawk Estates Master Plan area and Rio Rancho neighborhoods. The requested amendment will allow for development that is consistent with the Rio Rancho Comprehensive plan goals to provide access to housing in undeveloped areas and along U.S. Highway 550, due to an increasing population. The Comprehensive Plan has a goal to provide a variety of housing types that meet the needs of current and future populations within the city. Additionally, the requested zone change is consistent with the amended Master Plan's Land Uses. It is the intent of the Master Plan to allow moderate density residential in the area to provide more variety of single family and multi-family housing options. With current R-2, SU R-2, M-1, C-1, and TZ zones in the area and low to moderate land use densities, the proposed R-3 zoning will not destabilize the land use and zoning in the area, but will strengthen it with a mixture of residential uses that meet the goals of the Master Plan and the need of a variety of housing within the surrounding community. The requested zone change will allow the Property to be developed in a manner compatible with surrounding uses and consistent with current development possibilities. For this reason, there is sound justification for the requested zone change.

3. A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant response: The proposed zone map amendment does not change, but rather furthers the Mountain Hawk Estates Master Plan intentions and several of the Rio Rancho Comprehensive Plan goals and policies.

The subject property is within the Mountain Hawk Estates Master Plan, which generally describes this area for medium density single-family residential land uses. As described in the amended Master Plan, R-3, medium density residential is consistent with the densities desirable as part of an activity center and development node as designated by the Rio Rancho Comprehensive Plan.

The requested zone map amendment is also generally consistent with the goals and policies outlined by the Rio Rancho Comprehensive Plan as described in additional detail below. The Comprehensive Plan has a goal to provide housing near gateways and transportation corridors due to an increasing population. The Hawk Site Subdivision is along U.S. Highway 550 and Northwest loop, a highly utilized transportation corridor and designated gateway in the Comprehensive Plan. In addition, the Comprehensive Plan has a goal to provide a variety of housing types and mixed-used residential developments to meet the needs of all members of the community. Furthermore, Map L-2 of the Comprehensive Plan indicates that the Property is planned as Low/Medium Density Residential Development (see attached). The requested zone change is in accordance with the Comprehensive Plan land uses.

RIO RANCHO COMPREHENSIVE PLAN

Goal L-2: Encourage consolidation of lots to promote a variety of land uses in a planned manner.

Goal -L3: Maintain a balance of land uses throughout the City.

Applicant's Response: *The subject property is currently undeveloped and located within the Mountain Hawk Estates Master Plan near the intersection of U.S. highway 550 and Northwest Loop Rd. U.S. Highway 550 is a major corridor for Rio Rancho with a mix of residential and commercial uses. Additionally, the Mountain Hawk Estates Master Plan is encompassed by a variety of zoning including R-2 (Single Family Residential), SU R-2(Multi Family Residential), C-1 (Retail Commercial), and M-1 (industrial and Business). To the South and East of the subject property is Rio Rancho Estates, which is zoned T-Z (Transitional-Zone). On the western border of the property is Rio Rancho Unit 25, zoned T-Z.*

The requested zone map amendment to an R-3, moderate density Single-Family Residential zoning is in line with the Master Plans intentions to allow for moderate density residential. Section **B. Land Use** of Master Plan outlines the intention to support medium to high density single-family and multi-family residential uses that are centered around the U.S. 550 and Northwest Loop road intersection. By changing the zoning from R-1 to R-3, moderate density residential development will support the Comprehensive Plan Map L-2 to allow for the planned Low/medium density residential development.

The proposed zone amendment will provide a balance of land uses to the surrounding residential neighborhoods, as planned by the Mater Plan and Comprehensive Plan for the area.

Policy L-1: 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.

Applicant's Response: *The Rio Rancho Governing Body adopted this Mountain Hawk Estates Master Plan amendment in 2019. The goals outlined in the Master Plan follow the Rio Rancho Comprehensive plan's Goals and Policies which will ensure that any residential development occurs in a smart and efficient manner by considering circulation, landscaping, open space, storm drainage, utilities, and building location and design.*

Goal PH-2: Maintain the strength, vitality, and stability of all residential neighborhoods and types

GOAL PH-3: Promote a variety of housing types to meet the needs of all members of the community.

Goal PH-4: To ensure that single-family and multifamily residential neighborhoods provide an attractive living environment

Policy PH-5: Encourage mixed-use and mixed-income housing opportunities in designated growth nodes throughout the city.

Applicant's Response: *The Mountain Hawk Estates Master Plan supports the goals outlined to provide a variety of housing types, an attractive living environment, and mixed-use mixed-income developments in growth nodes throughout the city. The subject property is within a future growth node established by the Comprehensive Plan and by changing the zoning to R-3 the needs of the area to provide a variety of housing opportunities in the area is met.*

By changing the zoning to R-3, development of the property will maintain the planned moderate density land use intended for the area in the Master Plan. By allowing the property to be zoned R-3 development will remain consistent with the intended land use of the property, therefore maintaining the strength, vitality, and stability of the residential neighborhoods within the Master Planned area.

GOAL UD-1: Create focused growth areas where existing public infrastructure can support higher density development.

GOAL UD 2: Create traditional neighborhood patterns that support a sense of place.

Applicant's Response: *Single-family residential development on the subject property furthers the intent of the Mountain Hawk Estates Master Plan to maintain the goals outline by the Comprehensive Plan to create a growth area that supports higher density development. By allowing the property to be zoned R-3, higher density residential land use will promote growth in the area. With a growing residential neighborhood, commercial, retail, and neighborhood scale activity centers will follow with an increase in population. This is the type of residential neighborhood pattern that creates a sense of place for existing and future families.*

GOAL EDP-4: Improve the quality of life

Applicant's Response: *The proposed R-3 zoning will provide an opportunity for moderate density residential development that is consistent with the surrounding land uses in the Master Plan area. Current and future residents will have a variety of housing opportunities, mixed land uses, and future services in a planned growth node that enhances the quality of life and brings a sense of place to a neighborhood.*

The requested Zone Map Amendment is generally consistent with the goals and policies outlined by the Rio Rancho Comprehensive plan.

4. The applicant must demonstrate the existing zoning is inappropriate because:
 - a) The existing zoning is inappropriate because there was a judgment mistake in the original zoning.

c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan.

Applicant response: The proposed Zone Map Amendment is more advantageous to the community, as articulated in the Comprehensive Plan as demonstrated in section three above. The Mountain Hawk Estates Master Plan was amended in 2019 to allow for moderate density residential land uses on the subject property. By changing the zoning from R-1, single Family residential, to R-3 Single family residential, the property remains consistent with the surrounding land uses in the Master Plan area.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant response: The cost of land or other economic considerations are not the determining factor for this request.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant response: Location on a major street is not the sole justification for this request.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

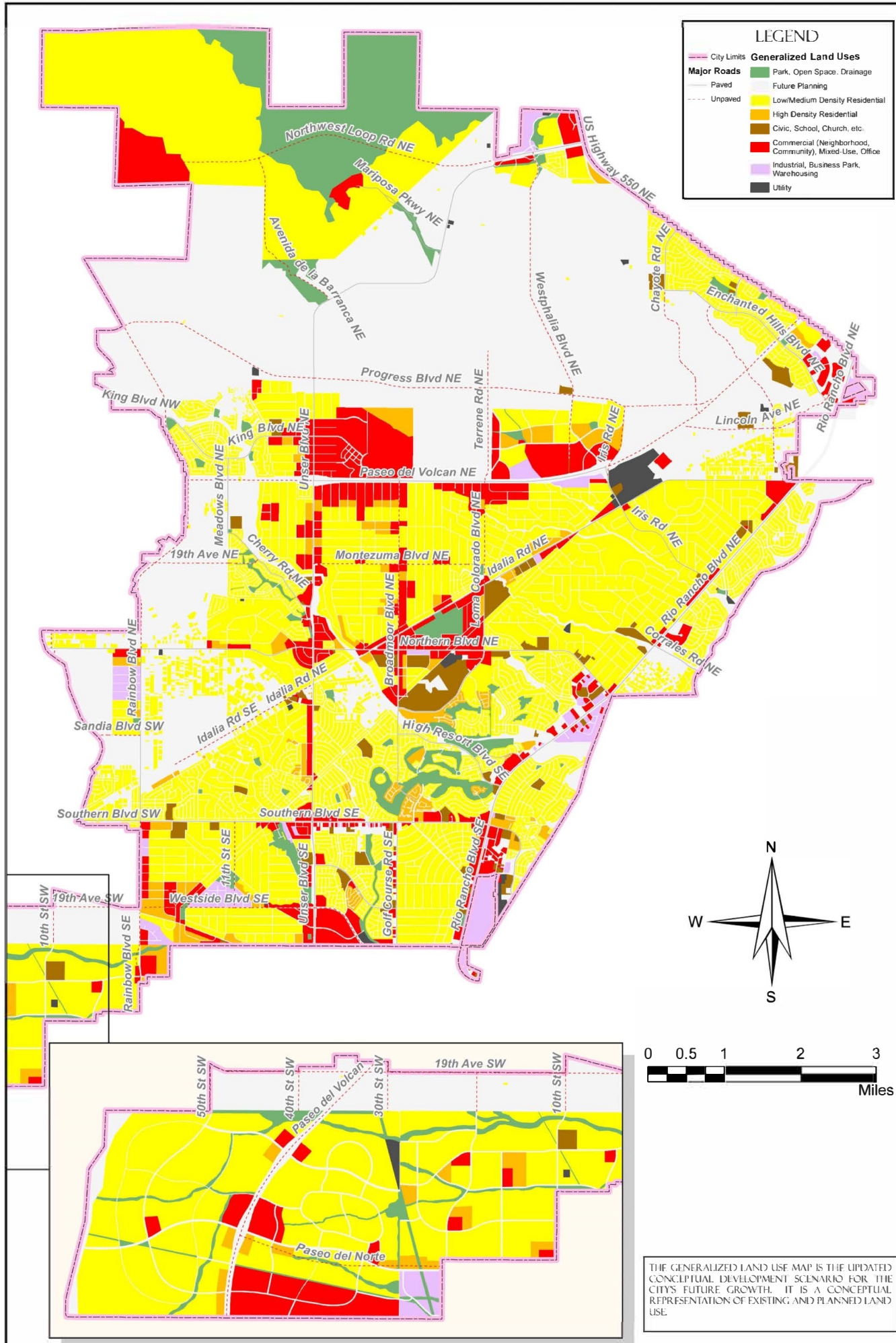
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant response: The requested zone change will not create a spot zone.

We respectfully request that the Rio Rancho Planning and Zoning Board and Governing Body approve this request for a zone map amendment.

Sincerely,

Jarrod Likar, PE
Vice President-Land Development



MAP L-2: GENERALIZED LAND USE (EXISTING AND PLANNED)

PLANNING AND ZONING BOARD AGENDA BRIEFING MEMORANDUM

May 12, 2020 Planning & Zoning Board Meeting

Hawksite Tract 23

Case No. 20-100-00006

ATTACHMENT III (1 of 2)

Parks, Recreation, and Community Services

Please provide a table or the total difference between the anticipated number of residential lots under existing R-1 zoning and the proposed R-3 zoning in the Zone Map Amendment application documents. PRCS would assume that the change in the number of residential lots will be reflected through changes to the existing Development Agreement.

Engineering Division

General comments:

1. No adverse comments from engineering.

Future development requirements:

1. A Trip Generation Report is required and an additional Traffic Study may be required for traffic if thresholds exceed those identified per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.3. Access easements may be required.
2. A Water / Waste Water Availability statement from the Utility Division is required. Contact Robert Lujan (891-5061) or Steve Gallegos (896-8715) for additional information. Waterline easements may be required for public waterlines.
3. A grading and drainage plan/ report and an erosion control plan are required with future development, and must conform to any currently approved master drainage plan for this area. Storm water drainage and water quality discharge will need to be addressed per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.2.
4. Engineering drawings are required for development of public and private infrastructure. Work performed in the right-of-way will require a City of Rio Rancho, Right-of-Way Permit and a Traffic Control Plan. Contractors must be licensed and bonded with the City of Rio Rancho for work performed in the City Right-of-Way.

SSCAFCA

Upon approval of the zone map amendment, the Drainage Master Plan for this area needs to be revised to reflect the change, so that downstream infrastructure is sized appropriately to accommodate increased flow rate and volume caused by increase of the subdivision density.

PLANNING AND ZONING BOARD AGENDA BRIEFING MEMORANDUM

May 12, 2020 Planning & Zoning Board Meeting

Hawksite Tract 23

Case No. 20-100-00006

Fire Department

Fire Department has no adverse comments at this time. Further fire department comments may be required upon development.

PLANNING AND ZONING BOARD AGENDA BRIEFING MEMORANDUM
May 12, 2020, Planning & Zoning Board Meeting
Hawksite Tract 23 Case No. 20-100-00006



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

April 23, 2020

RE: Zone Map Amendment #20-100-00006
Hawksite Tract 23

Dear Property Owner,

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

The applicant, AMREP Southwest, has submitted a request for a zone map amendment to change the zoning on the property legally described as Hawksite Tract 23. A map showing the location of the project is on the back of this letter. The applicant requests the zoning designation be changed to R-1: Single-Family Residential to R-3: Mixed Residential.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, May 12, 2020** 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 submit a written comment to rlongstreet@rrnm.gov. To practice social distancing in order to slow the spread of COVID-19, you are encouraged to watch the meeting online at www.rrnm.gov. The Council Chambers will be open to the public and the Planning and Zoning Board Members will be participating in the meeting remotely. If you would like to participate during the meeting please use the following information to join the meeting electronically:

Planning and Zoning Board Meeting - May 12, 2020
Tue, May 12, 2020 5:45 PM - 8:45 PM (MDT)

You may join the meeting from your computer, tablet or smartphone using the following link:

<https://global.gotomeeting.com/join/683366773>

You can also dial in using your phone.
United States: +1 (224) 501-3412
Access Code: 683-366-773

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 683 366 773
Or dial directly: 683366773@67.217.95.2 or 67.217.95.2#683366773

Please do not hesitate to contact me at 505-891-5035 or e-mail me at rlongstreet@rrnm.gov 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, 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,

Rebekah Longstreet
Municipal Planner II
Development Services
City of Rio Rancho

ATTACHMENT V



**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, May 12, 2020:

**Variance
Case #20-110-00004**

The applicant, Gamer Arts, through their agent Simons Architecture PC, is requesting approval of a variance to allow for a reduction in the parking requirements and joint use of parking at 4311 Sara Rd. SE.

**Zone Map Amendment
Case #20-100-00005**

The applicant, AMREP Southwest Inc., is requesting approval of a zone map amendment reducing minimum lot size requirements for SU-R3 lots in Hawksite, Tract 23.

**Zone Map Amendment
Request #20-100-00006**

Applicant, AMREP Southwest, is requesting approval of a zone map amendment to change the zoning from R-1: Single-Family Residential to R-3: Mixed Residential on the property legally described as Hawksite Tract 23.



PLANNING & ZONING BOARD OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
Case No. 20-100-00006

APPROVAL OF A REQUEST FOR A ZONE MAP AMENDMENT TO CHANGE THE ZONING FROM R-1: SINGLE FAMILY RESIDENTIAL TO R-3: MIXED RESIDENTIAL ON THE PROPERTY LEGALLY DESCRIBED AS HAWKSITE TRACT 23.

Applicant: AMREP Southwest

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 12th day of May, 2020 the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

General Findings of Fact:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. The applicant has the authority to apply for a zone map amendment on the subject property.
3. The applicant and adjacent property owners received due process.

Specific Findings of Fact for Approval of the request:

1. The applicant has submitted an application and narrative which demonstrates that, and provides justification that the change in zoning designation meets the requirements if the Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments, including:
 - a. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by promoting implementation of the City's Comprehensive Plan and also the Mountain Hawk Estates Master Plan.
 - b. The applicant has provided sound justification for the proposed zone change and the map amendment would provide stability of zoning along with providing for adequate compatibility with surrounding zoning and future uses.
 - c. The proposed zone map amendment would be consistent with adopted elements of the Comprehensive Plan and with the Mountain Hawk Estates Master Plan, given the subject property is designated Low/Medium Density on the future land use map of the Mountain Hawk Estates Master Plan. The proposed R-3 zoning district would allow for appropriate uses within the low/medium density land use designation.

- d. It is considered that the applicant has not adequately demonstrated that the existing zoning is inappropriate even though there was not an error, mistake or that this zone change is not necessary to correct an injustice. Given the Mountain Hawk Master Plan also allows for Low Density Residential Land Uses, e.g. R-1 zoning, on the subject tract the zone change is not necessary. However, it is found that a zoning of R-3: Mixed Residential District is more appropriate given the surrounding zoning of C-1 to north and SU for R-3 to the east would allow a more compatible and transitional zoning designation on this tract rather than the existing R-1: Single Family Residential District.
- e. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
- f. The request does not involve office, or commercial zoning, and although apartment uses are allowed as a conditional use in a R-3: Mixed Residential District, the applicant has provided sufficient justification that zone map amendment request is not based on the location of the subject property.
- g. The requested zone map amendment would not create a "spot zone".

Conditions of Approval:

- 1. Upon approval of the zone map amendment and prior to any application for preliminary plat approval on the subject property, the Drainage Master Plan for this area shall be revised to reflect the change, so that downstream infrastructure is sized appropriately to accommodate increased flow rate and volume caused by any increase of the subdivision density.
- 2. Consistent with Resolution No. 128, Enactment 19-126 (Mountain Hawk Estates Master Plan), upon approval of the zone map amendment and prior to any application for preliminary plat approval on the subject property, an amendment to the Hawksite Development Agreement may be required prior to the approval of any preliminary or final plat or other action. Any development or action proposed to implement this Mountain Hawk Estates Master Plan must be consistent with and complementary to the Hawksite Development Agreement and vice versa. Any necessary amendment to that development agreement to implement this Master Plan must also be compliant with the City's Impact Fee Subchapter as it may apply to the development agreement.

THEREFORE, the application for zone map amendment is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on May 12, 2020, subject to the conditions, restrictions and stipulations specified above.

Chair

Date



CITY OF RIO RANCHO ORDINANCE

ORDINANCE NO. _____

ENACTMENT NO. _____

1 AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO
2 AMENDING THE ZONING ORDINANCE FOR HAWKSITE TRACT
3 FROM R-1: SINGLE FAMILY RESIDENTIAL TO R-3: MIXED
4 RESIDENTIAL.
5
6

7 WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning
8 regulations and an official zone map in accordance with New
9 Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article
10 21; and,
11

12 WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003)
13 Section 150.07, an application to amend the zoning ordinance
14 on the subject property has been submitted by The City of Rio
15 Rancho, and assigned City Case No. 20-100-00006; and,
16

17 WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly
18 noticed public hearing on May 12, 2020, regarding the proposed
19 changes to the Official Zoning Map and, following study and
20 consideration, has made findings (where applicable) whether or
21 not the criteria in R.O. 2003 Section 150.07 are satisfied, and
22 made these recommendations to the Governing Body regarding
23 adoption of the changes; and,
24

25 WHEREAS: the Governing Body received a report from the Planning and
26 Zoning Board, and such report indicates the Planning and Zoning
27 Board has studied and considered the proposed changes
28 pursuant to R.O. 2003 Section 150.07, and said report includes
29 specific findings related to the affected property; and,
30

31 WHEREAS: a public hearing occurred, in accordance with procedures set
32 forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-
33 21-6, on the proposed zoning district and Official Zone Map
34 changes hereinafter described were duly advertised and held by
35 the Governing Body of the City of Rio Rancho on June 10, 2020
36 and the Governing Body heard interested parties and citizens for
37 and against the proposed amendments; and,
38

39 WHEREAS: the proposed amendments to be adopted by this Ordinance
40 comply with the statutory and regulatory requirements of the
41 aforesaid Code of Ordinances and Statutes, and upon specific
42 findings related to the subject property and determining the
43 proposed amendment is consistent with the policies and criteria

1 set forth in R.O. 2003 Section 150.07 (D) through (G), the
2 Governing Body finds the amendments promote the health,
3 safety, morals, and general welfare of the City.
4

5
6 NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
7 THE CITY OF RIO RANCHO:
8

9 Section 1. Rezoning of Property

10 A. The Official Zone Ordinance is hereby amended by assigned
11 a zoning designation on approximately 14.95 acres from R-1:
12 Single-Family Residential to R-3: Mixed Residential on the
13 land legally described as:

14 Rio Rancho Hawksite Tract 23, filed in the office of the
15 County Clerk of Sandoval County, New Mexico on February
16 24, 2004, Book 407, Page 5069 (Rio Rancho Estates Book
17 17, Page 17)
18

19 Section 2. Land Use, Conditions, Development

20 Standards/Regulations and use of PROPERTY:

21 A. The properties identified in Section 1A, above, is subject to
22 all requirements of the R-3: Mixed Residential District as set
23 forth in R.O. 2003 Section 154.10 (as of the effective date of
24 this ordinance or as subsequently amended).
25

26 Section 3. Severability Clause:

27 If any section, paragraph, clause, or provision of this Ordinance,
28 or any section, paragraph, clause, or provision of any regulation
29 promulgated hereunder shall for any reason be held to be
30 invalid, unlawful, or unenforceable, the invalidity, illegality, or
31 unenforceability of such section, paragraph, clause, or provision
32 shall not affect the validity of the remaining portions of this
33 Ordinance or the regulation so challenged.
34

35 Section 4. Effective Date:

36 This Ordinance shall take effect in ten (10) days after adoption.
37
38

39 ADOPTED THIS 10th DAY OF JUNE, 2020.
40
41

42
43 _____
44 Gregory D. Hull, Mayor
45
46 _____

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7

Date

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1132

Submitted by: Amy Rincon

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

Remanded from the Governing Body to review updated submission and public outreach

Zone Map Amendment: The applicant is requesting a zone map amendment from R-1: Single Family Residential and OS: Open Space to a combination of R-2: Single Family Residential, R-4: Single Family Residential and OS: Open Space.

Case No.: 19-100-00009

Applicant: AMREP Southwest

Agent: Consensus Planning

Staff Contact: Amy Rincon

Staff Recommendation: Approval of the Zone Map Amendment from R-1: Single Family Residential to R-4: Single Family Residential for Rio Rancho Estate Unit 20, Block 155, Lots 13-17, 20-22, 24-27, 29-41 and Tract 12. Denial of the Zone Map Amendment from R-1: Single Family Residential and OS: Open Space to R-2: Single Family Residential and OS: Open Space.

ATTACHMENTS

- [ABM_19-100-00009_LE_ZMA_remand](#)
- [Attachment I: L-Lomas Encantadas ZMA Justification 3-6-20.pdf](#)
- [Attachment II: Open Space Exhibit 2020-03-06.pdf](#)
- [Attachment III: ZMA_Exhibit.pdf](#)
- [Attachment IV: Lomas Encantadas Meeting Sign-in 2-26-20.pdf](#)
- [Attachment V: Original submission Lomas Encantadas Application Packet Reduced.pdf](#)
- [Attachment VII: Ordinance 19-100-00009 LE, TR 12-13 & U20, BLK 155 2.4.2020.docx](#)
- [Attachment VI: GB 2.12.2020 minutes.pdf](#)



CITY OF RIO RANCHO
PLANNING AND ZONING BOARD
AGENDA BRIEFING MEMORANDUM

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AGENDA DATE:
May 12, 2020

CASE NO.:
19-100-00009

DEPARTMENT:
Development Services

SUBJECT:
Proposed Zone Map Amendment in a portion of the Lomas Encantadas Master Plan boundary. The applicant requested change is from the current R-1: Single Family Residential and OS: Open Space zoning to a combination of R-2: Single Family Residential and R-4: Single Family Residential.

PROPERTY:
Lomas Encantadas Subdivision, Tract 12-13
Rio Rancho Estates Unit 20, Block 155, Lots 13-17
Rio Rancho Estates Unit 20, Block 155, Lots 20-22
Rio Rancho Estates Unit 20, Block 155, Lots 24-27
Rio Rancho Estates Unit 20, Block 155, Lots 29-41

APPLICANT/AGENT:
AMREP Southwest, Inc.,/Consensus Planning

STAFF RECOMMENDATION:
Approval of the Zone Map Amendment from R-1: Single Family Residential to R-4: Single Family Residential for Rio Rancho Estate Unit 20, Block 155, Lots 13-17, 20-22, 24-27, 29-41 and Tract 12.

Denial of the Zone Map Amendment from R-1: Single Family Residential and OS: Open Space to R-2: Single Family Residential and OS: Open Space.

LOCATION:
The subject property is located within the Lomas Encantadas Master Plan boundary north west of Paseo del Volcan.

1
2 BACKGROUND:

3 In 2018, the applicant submitted a similar application for the subject property which
4 was processed under Case No.'s 18-100-23 (zone map amendment) and 18-410-09
5 (master plan amendment). At their meeting held on February 12, 2019, the
6 Planning and Zoning Board (PZB) recommended approval of both an amendment to
7 the Master Plan and a zone map amendment. The Governing Body reviewed those
8 cases at their meetings of March 13, 2019 and March 27, 2019. The Governing
9 Body discussed issues of compatibility of the proposed changes to the Enchanted
10 Hills neighborhood (zoned R-1) to the north of the subject property. Following
11 discussion on March 27, 2019, the applicant withdrew the applications.
12

13 This case, zone map amendment 19-100-09, was reviewed and discussed by the
14 PZB on December 10, 2019, which was a continuation from the October 22, 2019
15 PZB was meeting. Consist with staff's recommendation, the PZB voted five (5) in
16 favor of recommending the proposed zone change and one (1) against
17 recommending proposed zone change south of Camino Encantadas from R-1: Single
18 Family Residential to R-4: Single Family Residential. For the area to the north of
19 Camino Encantadas the PZB voted two (2) in favor of recommending the proposed
20 zone change and four (4) against recommending the proposed zone change from R-
21 1: Single family and OS: Open Space to R-4: Single Family Residential.
22

23 Companion to this zone map amendment application was Case # 19-410-04
24 amending the Lomas Encantadas Master Plan. On December 10, 2019, the PZB voted
25 five in favor and one against recommending approval of the amended (modification to the Open
26 Space area abutting the Enchanted Hills subdivision) Lomas Encantadas Master Plan
27 Amendment to the Governing Body.
28

29 The PZB recommendations were forwarded to the Governing Body (GB) for public
30 hearing on February 12, 2020. Prior to the GB hearing, the applicant submitted
31 requested revisions to the both the Master Plan and zone map amendment. The
32 Master Plan revision added R-2 as an implementing zoning to a Medium Density
33 Single Family Residential land use designation. The GB took action on this
34 requested revision and added (as an amendment to the original motion to approve
35 the Master Plan) R-1 as an additional implementing zoning district to the Medium
36 Density Single Family Residential land use designation. See pages 3 and 4 of the
37 GB's February 12th meeting minutes presented as Attachment VI to this briefing
38 memorandum.
39

40 The subject Zone Map Amendment was remanded to the Planning and Zoning Board
41 to allow for the Board's review and recommendation of changes to the application
42 that were presented at the Governing Body meeting – request for R-2 zoning rather
43 than R-1 zoning north of Camino Encantadas. Staff requested that the applicant
44 submit an updated justification letter to clearly identify the new request. Staff also
45 asked for some type of documentation of public outreach, which was recommended

1 by Mayor Hull at the February 12th GB meeting. The updated submittal and public
2 meeting sign in sheet were submitted on March 6, 2020 for the March 24, 2020
3 Planning and Zoning meeting. The Governing Body meeting minutes are Attachment
4 VI. Staff had recommended the GB adopting the Planning Board recommended zone
5 map amendment for the land south of Camino Encantadas, and then remand to the
6 PZB only the land area north of Camino Encantadas. The applicant requested the GB
7 not take action on only a portion of the zone map amendment request, but rather
8 remand the entire request to the PZB.

9
10 REVIEW CRITERIA:

11 CURRENT ZONING:

12 The subject property is currently undeveloped and is surrounded on the north and
13 west by property zoned R-1: Single Family Residential and OS: Open Space, and one
14 small lot zoned SU: Special Use along Enchanted Hills Blvd. Paseo del Volcan is the
15 southern boundary of the Zone Map Amendment Request, but is the middle on the
16 Lomas Encantadas Master Plan. Tract 13 is zoned R-1: Estate Residential (large lot
17 conservation areas) as described in the old Lomas Encantadas Plan as allowing a lot
18 density of 1.1 to 2 dwelling per acre. The approved amended Lomas Encantadas Plan
19 removed the "Estate Residential and Terrain Fitted Residential options for R-1 zoning
20 and left the standard R-1 standards which allow for 3 to 5 dwelling units per acre.

21
22 CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN & ZONING ORDINANCE:

23
24 City Code R.O. 2003 Section 150.07 (A) requires that an applicant file a request for a
25 zone map amendment through the City Planning & Zoning Board when a change in
26 zoning designation is sought.

27
28 Finding: The application meets the minimum submittal requirements for the
29 proposed zoning. The subject area has a land use designation (with the adoption of
30 the amended Lomas Encantadas Master Plan) as a combination of Medium Density
31 Residential and Open Space/Drainage.

32
33 Pursuant to the criteria provided by City of Rio Rancho Code of Ordinances (R.O. 2003)
34 Section 150.07 (D) through (G), a request for change in zoning designation must
35 address the following policies and criterion for a zone map change. The applicant's
36 response is provided in italics. A detailed Justification Letter of Response is included
37 as Attachment IV.

38
39 (D) The following policies for deciding zone map change applications pursuant to the
40 City zoning code are hereby adopted:

41 (1) A proposed zone change must be found to be consistent with the health, safety,
42 morals, and general welfare of the City.

43
44 "The purpose of this zone change is to create a new single-family community
45 that is nearby existing community facilities and existing infrastructure. This will

1 ensure families will be able to find more affordable housing option in this part of
2 Rio Rancho. The Zone Map Amendment will also ensure the productive use of
3 land that has remained undeveloped since 2004 when the Lomas Encantadas
4 Master Plan was first adopted designating this for "estate" residential. Changing
5 the zoning to encourage development that includes full urban infrastructure such
6 as curb and gutter and storm drainage facilities will protect the health and safety
7 of new residents of this area from potential impacts of significant rainfall events.
8

9 In addition, as described in the response to Section 150.07(D)(3) below, the
10 proposed zone change furthers several Comprehensive Plan policies that support
11 and encourage new single-family development, infill, and housing choices for
12 families with a variety of incomes and lifestyles."
13

14 Finding: The applicants' narrative addresses the criterion stating that the
15 amendment provides the opportunity to further the health and welfare of the
16 City by encouraging infill development of additional and affordable single
17 family housing for all members of the community, similar to existing housing
18 within the Lomas Encantadas Master Plan area. Conforms for the area
19 southwest of Camino Encantadas.
20

21 The applicant's narrative fails to address the health and welfare of the existing
22 neighborhood that abuts the proposed zone map amendment area to the
23 northeast of Camino Encantadas. The discussion is also missing why the R-2:
24 Single Family Residential density will be better for the surrounding
25 neighborhoods than the current R-1.
26

27 The City is growing at a consistent rate and with over 109 square miles of land
28 it is not appropriate to assume that a zoning category is not appropriate if
29 growth has not occurred yet. There are multiple Master Planned Areas that are
30 steadily building out with the land uses and zoning that was established well
31 over 10 years ago.
32

33 Planned open space is a health consideration and was part of the original plan
34 when the current home owners purchased their property. Although the
35 modified Open Space areas are better defined than those which are presently
36 zone "OS", such modification does not mitigate the need to adequately justify
37 the rezoning from R-1 to R-2. Does not conform for the area northeast of
38 Camino Encantadas.
39

40 (2) Stability of land use and zoning is desirable; therefore, the applicant must
41 provide a sound justification for the change. The burden is on the applicant to show
42 why the change should be made, not on the City to show why the change should
43 not be made.
44

1 "The request to rezone Tract 13 to R-2 and OS and the remaining portion of the
2 subject property to R-4 is consistent with the Lomas Encantadas Master Plan
3 and the existing R-4 zoning of properties to the south of Paseo del Volcan. The
4 request for a Zone Map Amendment will allow for additional single-family
5 residential development at a similar density to housing that is already present
6 in Lomas Encantadas (approximately 4 to 6 DUs/acre gross). The proposed
7 density enables the continuation of this land use pattern with in Lomas
8 Encantadas, thereby preserving the stability of land use with the Master Plan
9 Area.

10
11 In addition, the subject properties have remained vacant for over 14 years under
12 the existing R-1 zoning (estate residential). However, within the last year, there
13 has been growing demand for additional single-family housing in Rio Rancho,
14 coupled with a shortage in development-ready sites. Further, there has been
15 less interest from homebuilders in large "estate" lots at lower densities,
16 particularly for those areas that require substantial transportation and drainage
17 improvements due to access and topography challenges. As a result, the subject
18 parcels, with their larger lot and infrastructure requirements under the existing
19 R-1 "Estate Residential" zoning are likely to continue to remain undeveloped.
20 This makes the proposed R-2 and R-4 densities better suited to the site and
21 allows for a more productive use of vacant land.

22
23 The reconfiguration and expansion of the OS zoning designation for a portion of
24 Tract 13 also lends itself to the stability of land use and zoning in this area by
25 providing a buffer between the increased densities of Lomas Encantadas and
26 the R-1 zoning within Enchanted Hills. There is existing OS zoning present on
27 Tract 13 and that will remain to be enhanced by this requested Zone Map
28 Amendment."

29
30 Finding: The applicant addressed this criterion in the justification letter, stating
31 that the LEMP has been amended to include additional R-4 zoned housing similar
32 to the existing housing density located within the master planned area located
33 to the south of Paseo del Volcan.

34
35 As the applicant noted in the justification letter, the trend in housing
36 development has turned from large estate type lots to areas with a greater
37 density, and with the ability to provide a variety of lot sizes and housing types.
38 The R-4 zoning designation provides for flexibility in lot sizes in that larger size
39 lots. Conforms for the area southwest of Camino Encantadas.

40
41 Existing topography was part of the original rationale for creating the R-1: Estate
42 lots. There currently is not an example of how the smaller lots will fit in the
43 topography better than a larger lot. The justification letter does not address how
44 large lots in the Unit 10, Unit 17 and Mariposa areas are all building out with
45 custom homes and that there is still a desire for large lots.

1
2 The justification letter points to a lack of build out in the area, but this is only a
3 part of the story. Yes, there is a lack of development ready lots, but the applicant
4 has not submitted a preliminary plat to work towards creating development
5 ready lots. There has been areas in town where preliminary plats with R-4 zoning
6 have gone undeveloped as well. New zoning does not guarantee build out and
7 the amended Master Plan can already justify an increase in unit from the "estate
8 residential" to the current R-1.

9
10 There is no evidence that the R-2 lot sizes will fit the topography better than the
11 existing lot sizes, and the applicant anticipates an increase in the number of
12 dwelling units as a result of a change to R-2. A reduced lot size that results in
13 additional conservation/open space/retained natural topography may be
14 justification for a zone change, but it does not appear that is the rationale in the
15 case. Does not conform for the area northeast of Camino Encantadas.

16
17 (3) A proposed change shall generally be consistent with adopted elements of the
18 Comprehensive Plan or other City master plans and amendments thereto including
19 privately developed area plans which have been adopted by the City.

20
21 SEE ATTACHMENT I Pages 6-8 for applicants justification

22
23 Finding: The applicant's justification addresses the adopted elements of the
24 CCP, while outlining specific areas related to the elimination of antiquated
25 platting, drainage mitigation, housing options and urban design.

26
27 The consolidation of the prematurely platted lots in block 155 of Unit 20 will
28 address the antiquated platting of the extended boundary area. The addition of
29 mircoparks will partially address the drainage concern in this area of Lomas
30 Encantadas and will be addressed during the platting process. During the
31 platting process the park and open space areas will need to include perpetual
32 easements to avoid future development or rezonings on these lots. SSCAFCA
33 submitted comments that included a need for a revised Master Drainage Plan for
34 the area.

35
36 Parks, Recreation and Community Services Department has concerns over the
37 amount of park land and open space with the amendments versus the amount
38 in the current plan.

39
40 There is a Public Improvement District (PID) over the area that deals with park
41 land and an existing development agreement which all would need to reviewed
42 and updated with any of the proposed changes.

43
44 The type of housing is consistent with the housing types located south of Paseo
45 del Volcan, but the area to the south has a transition between the school and

1 the existing R-1: Single Family Residential zoning area. The flexibility in the lot
2 sizes does increase the number of possible dwelling units, which would increase
3 the amount of open space and park land that is needed for the increase
4 population.

5
6 There is an increase of approximately 67 dwelling units on the area to the
7 northeast of Camino Encantadas. The area to the southwest will have a
8 significant addition of dwelling units of approximately 200 units. Conforms.

9
10 (4) The applicant must demonstrate that the existing zoning is inappropriate
11 because:

12 (a) There was an error, mistake or is necessary to correct an injustice that
13 occurred when the existing zone map pattern was created, including the
14 placement of an R-1 or transitional zone on an antiquated plat filed before
15 the City's incorporation and adoption of its own zoning code or on land
16 annexed by the City; or

17 (b) Changed neighborhood or community conditions justify the change; or

18 (c) A different use category is more advantageous to the community, as
19 articulated in the Comprehensive Plan or other City master plan, even though
20 (D)(1) or (2) does not apply. Applicant's reliance on this provision requires
21 proof that (i) there is a public need for a change of the kind in question, and
22 (ii) that need will be best served by changing the classification of the
23 particular piece of property in question as compared with other available
24 property.

25
26 The applicant outlines several changed conditions, including (paraphrased):

27 The need for a new Drainage Management Plan to address the Army Corps of
28 Engineers 404 Permit Requirements.

29
30 R-4 zoning is more advantageous to the community, as it meets the needs of
31 all members of the community. It is unlikely that the estate type lots
32 envisioned in the original master plan will develop due to current trends in
33 the housing market.

34
35 The increased density will allow for an increase in the open space buffer
36 adjacent to existing homes in Enchanted Hills.

37
38 The site is well located for new residential development given its proximity to
39 large regional job centers, including V. Sue Cleveland High School, UNM
40 Sandoval Regional Medical Center, the Enchanted Hills Commerce Center,
41 Santa Ana Casino, and the City Center area.

42
43 Finding: The applicant's narrative addresses section "b: changed conditions"
44 noting a change in requirements; and "c: more advantageous" noting that there
45 is a trend that delineates the single family housing development taking place in

1 Rio Rancho at this time. The R-4 zoning is more advantageous to Rio Rancho
2 than the property remaining undeveloped. The Generalized Land Use Map
3 identifies the subject property as having a Medium density residential land use
4 designation. The current R-1 and the proposed R-2 and R-4 residential zoning
5 districts fall within that land use category.

6
7 The current open space buffer between Tract 13 and Enchanted Hills is proposed
8 to be increasing in a few areas, but is in general is staying the same and is not
9 overall being increase.

10
11 The only change being discussed is the a change in requirements from the Army
12 Corp. of Engineer's but there is no discussion on how the current zoning could
13 not achieve the requirements, only that the Drainage Plan itself needs to
14 updated. The trend for single-family homes has not changed and there is no
15 discussion on how the increase in dwelling units would be more advantageous
16 for the community, only discussion that housing is advantageous. Does not
17 conform with a change in neighborhood or community conditions and
18 there is no evidence that the change in zoning to the north of Camino
19 Encantadas will be more advantageous to the neighboring property
20 owners.

21
22 (E) The cost of land or other economic considerations pertaining to the applicant shall
23 not be the determining factor for a change of zone.

24
25 Economic considerations are always a factor, but they are not the determining
26 factor for this requested zone change. Rather, the request is justified based on
27 changed community conditions, including modification to the Army Corps of
28 Engineer 404 permit requirements necessitating a different type of development
29 than originally planned and a demand for lots at the densities proposed. In
30 addition, the requested change is more advantageous to the community as
31 articulated by the City of RiO Rancho Comprehensive Plan by responding to goals
32 and policies related to housing types, provision of open space, urban design,
33 elimination of antiquated platting, and meeting water quality requirements.

34
35 Finding: The purpose of the zone change is to provide continued development
36 within the boundaries of the Plan area, although a reduction in lot sizes as a
37 result of the zone map amendment may result in a higher return on the
38 developer's investment. Does not specifically point to economic
39 considerations.

40
41 (F) Location on a collector or major street is not in itself sufficient justification of
42 apartment, office, or commercial zoning.

1 Finding: The location of the property is not used in the justification of the zoning
2 request. The zoning change is not meant for apartment, office or commercial
3 zoning.
4

5 (G) A zone change request which would give a zone different from surrounding zoning
6 to one small area, especially when only one premises is involved, is generally called a
7 "spot zone." Such a change of zone may be approved only when:

- 8 (1) The change will clearly facilitate realization of the comprehensive Plan and
9 any applicable adopted sector development plan or area development plan; or
10 (2) The area of the proposed zone change is different form surrounding land
11 because it could function as a transition between adjacent zones; because the site
12 is not suitable for the uses allowed in any adjacent zone due to topography, traffic,
13 or special adverse land uses nearby; or because the nature of structures already
14 on the premises makes the site unsuitable for the uses allowed in any adjacent
15 zone.
16

17 Finding: The requested zone map amendment is not a spot zone since it applies
18 to a large, contiguous area within Lomas Encantadas. The proposed zoning is
19 compatible with the adjacent residential properties to the southwest which are
20 abutting "future planning" land use areas. The areas to the northwest do not
21 have an adequate transition to the R-1: Single Family Residential District.
22
23

24
25 SURROUNDING LAND USE/ZONING:

26 To the north of Tract 13 is the existing Enchanted Hills subdivision with R-1: Single
27 Family residential zoning. Tract 12 is surrounded by R-1: Single Family Residential.
28 South of Paseo del Volcan is Ri4: Single Family Residential.
29

30 REVIEWED BY:

31	<input type="checkbox"/>	DSD Planning	<input type="checkbox"/>	Police
32	<input type="checkbox"/>	DSD Engineering	<input type="checkbox"/>	Fire and Rescue
33	<input type="checkbox"/>	DSD Building	<input type="checkbox"/>	SSCAFCA
34	<input type="checkbox"/>	Public Works	<input type="checkbox"/>	Parks, Rec. and Com. Services
35	<input type="checkbox"/>	Utilities	<input type="checkbox"/>	

36
37

38 NOTIFICATIONS:
39

40
41 DEPARTMENT RECOMMENDATION: The Development Services Department
42 recommends that the Planning and Zoning Board direct staff to notify the public following
43 the state statue regulations for zone map amendments before the Governing Body
44 reviews this item. Staff also recommends that the Board approve the zone map

1 amendments to the south of Camino Encantadas and to deny the zone map amendments
2 to the north of Camino Encantadas with the following findings of fact and conditions:

3
4 General Findings of Fact:

- 5 1. The Planning and Zoning Board may make a recommendation to the Governing
6 Body on the applicant's request for a zone map amendment.
7 2. The applicant has the authority to apply for a zone map amendment.
8

9 Specific Findings of Fact for Lomas Encantadas, Tract 12 and Unit 20, Block 155,
10 Lots 13-17, 20-22, 24-27 and 29-41:

11 1. The applicant has submitted an application and narrative for Lomas Encantadas,
12 Tract 12, and Unit 20, Block 155, Lots 13-17, 20-22, 24-27 and 29-41, that meets
13 the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07
14 Amendments, including but not limited to:

- 15 a. The applicant has provided sound justification for the change to R-4: Single
16 Family Residential District.
17 b. The change in zoning designation is consistent with the amended Lomas
18 Encantadas Master Plan.
19 c. The applicant has adequately demonstrated that the subject property is more
20 beneficial to the community, and proposed change of zoning to R-4 conforms
21 to the Comprehensive Plan Goal to provide a variety of housing types to meet
22 the needs of all members of the community;
23 d. The cost of land or other economic considerations pertaining to the applicant is
24 not considered a determining factor in the decision to change the zoning
25 designation on the property;
26 e. Location on a collector or major street was not considered in the decision to
27 change the zoning designation on the property; and,
28 f. The zone change would not be considered a "spot zone" because the proposed
29 zoning covers a large area, and is consistent with the zoning designation of the
30 adjacent properties.
31

32 2. Should the Planning and Zoning Board recommend approval of the zone change,
33 the following conditions shall apply:

- 34 a. All development shall conform to R-4: Single Family Residential District and the
35 Lomas Encantadas Master Plan.
36

37 Should the PZB recommend Denial of the zone map amendment request to change the
38 zoning of the subject property known legally as Lomas Encantadas, Tract 13, from R-1:
39 Single Family Residential District and OS: Open Space to District to R-4: Single Family
40 Residential District. (Case 19-100-00009) based on the following findings:

41
42 Specific Findings of Fact for Lomas Encantadas, Tract 13:

43 1. The applicant has submitted an application and narrative for Lomas Encantadas,
44 Tract 13 that does not meet the requirements of the Rio Rancho Code of Ordinances
45 (R.O. 2003) Section 150.07 Amendments, including but not limited to:

1 a. There is not a justification in a change of condition for Lomas Encantadas,
2 Tract 13.

3 b. The proposed changes to the Lomas Encantadas Master Plan can be
4 implemented with the current zoning designations.

5 c. The applicant has not adequately demonstrated that the change in zoning for
6 Lomas Encantadas, Tract 13 is more beneficial to the community, in general the
7 existing community has strong negative reactions to this proposed change.

8 d. The increase of dwelling units in this area are perceived to have an economic
9 focus which is expressly not a factor for a zone change.

10 e. Location on a collector or major street was not considered in the decision to
11 change the zoning designation on the property; and,

12 f. The zone change would not be considered a "spot zone" because the proposed
13 zoning covers a large area, and is consistent with the zoning designation of the
14 adjacent properties.

15
16 Conditions of approval:

17 1. Boundaries for the proposed zoning district are currently conceptual and will need
18 to be formalized through platting actions. These platting actions may be completed
19 with final platting actions for future subdivisions if the acreage is within 5% of
20 acreage presented.

21 2. Notification of the public hearing following state statute regulations for zone map
22 amendments are followed prior to the Governing Body public hearing.

23 3. An increase in the number of buildable lots and thus population intensity as a
24 result of this zone map amendment, upon approval of the zone map amendment
25 and prior to any application for preliminary plat approval on the subject property,
26 an amendment to the Lomas Encantadas Development Agreement may be
27 required prior to the approval of any preliminary or final plat or other action.

28
29 ALTERNATIVES:

30 1. The Planning and Zoning Board may recommend approval the request to the
31 Governing Body.

32 2. The Planning and Zoning Board may recommend denial of the request to the
33 Governing Body.

34 3. The Planning and Zoning Board may modify the request and recommend the
35 Governing Body approve such modifications.

36 4. The Planning and Zoning Board may continue the public hearing to request
37 additional information or to consider testimony provided at the public hearing.

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REVIEWED BY:  DATE: 3.18.2020
Amy Rincon, AICP, Planning & Zoning Manager

DEPARTMENT DIRECTOR:  DATE: 5/6/2020
Anthony Caravella, AICP, Development Services

- Attachment I: Updated Justification Letter
- Attachment II: Open Space Exhibit
- Attachment III: ZMA Exhibit
- Attachment IV: Lomas Encantadas Meeting Sign in sheet
- Attachment V: Original Application Packet
- Attachment VI: GB Minutes
- Attachment VII: Draft Ordinance
- Attachment VIII: Staff Comments
- Attachment IX: Public Comments



March 6, 2020

Paul Wymer, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: AMREP Southwest – Request for Zone Map Amendment – Lomas Encantadas

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
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Dear Mr. Chairman:

The purpose of this letter is to outline our amended request for approval of a Zone Map Amendment on behalf of AMREP Southwest, Inc. ("The Applicant"). The subject site includes 27 parcels within the Lomas Encantadas Master Plan Area totaling approximately 228.5 acres (see Figure 1 on the following page). These parcels are currently zoned R-1: Single-family Residential and OS: Open Space. The legal descriptions of the subject properties are as follows:

- Lomas Encantadas Subdivision, Tracts 12-13
- Rio Rancho Estates, Unit 20, Block 155, Lots 13-17
- Rio Rancho Estates, Unit 20, Block 155, Lots 20-22
- Rio Rancho Estates, Unit 20, Block 155, Lots 24-27
- Rio Rancho Estates, Unit 20, Block 155, Lots 29-41

Summary of Request: Approval of a Zone Map Amendment to rezone the subject properties from R-1 and OS to a combination of R-2, R-4, and OS. See attached Exhibit A outlining the requested zone district locations and acreages.

The City of Rio Rancho Governing Body has approved a previous request to amend the Lomas Encantadas Master Plan to expand the Plan boundaries to include 25 additional lots in Block 155 of Unit 20 (parcels outlined above) and offer the potential for greater flexibility of zoning districts depending on community needs and conditions. The requested zone change supports the development of future single-family subdivisions at slightly higher densities than is currently allowed by the existing R-1 zoning. The zone change will also support the installation of urban infrastructure that was not originally planned for this portion of Lomas Encantadas but desired by the City. As detailed below, this request is consistent with the Zone Map Amendment criteria outlined in Section 150.07 of the Rio Rancho Municipal Code.

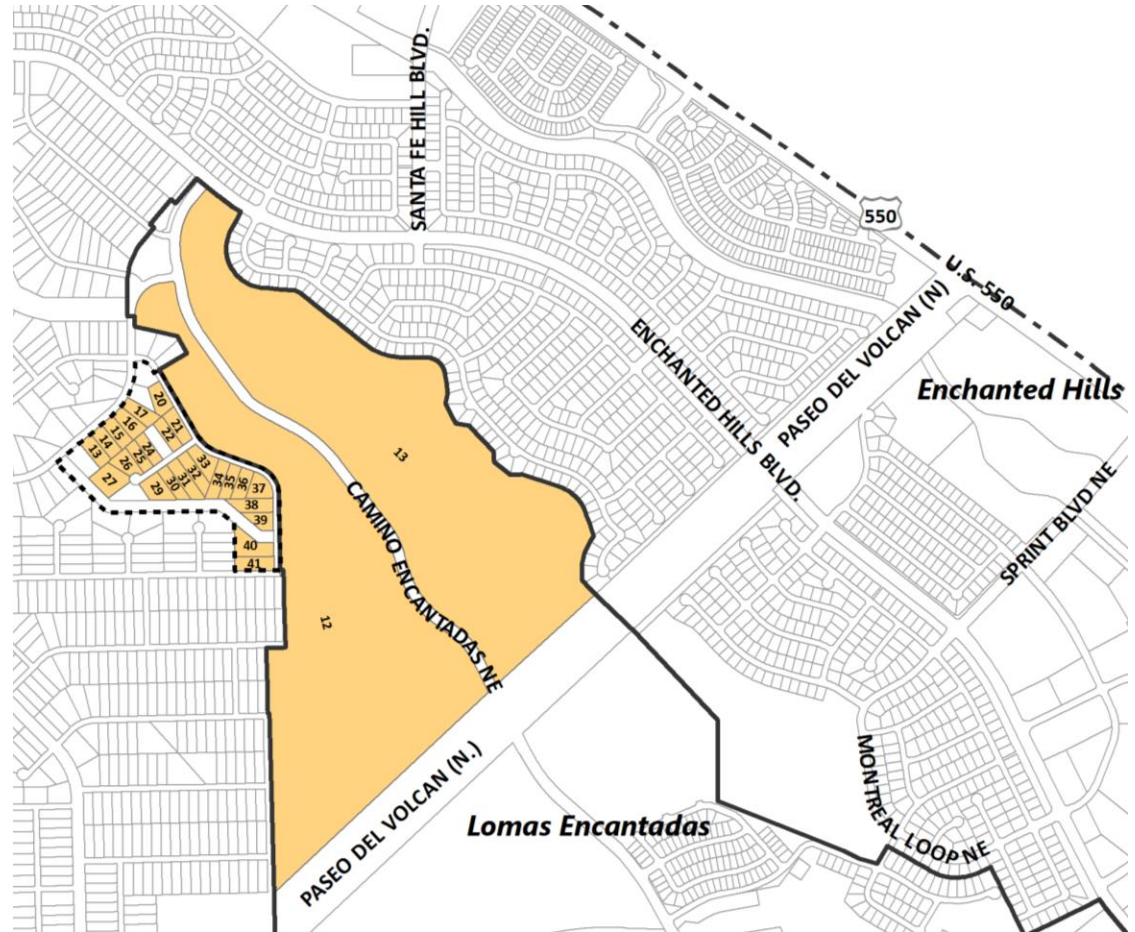
The Applicant held a pre-application meeting with Development Services staff to discuss the Master Plan Amendment (approved) and Zone Map Amendment request on August 24, 2018. The Applicant also met with adjacent neighbors in Enchanted Hills on September 19, 2019 and February 26, 2020 to discuss the proposal and changes that have been made over the last year in response to neighborhood comments and input from the Planning & Zoning Board and Governing Body.

Changes that have been made to include a reconfiguration and expansion of the open space area adjacent to existing homes in Enchanted Hills and a compromise zoning request for R-2 instead of R-4 for the portion of Tract 13 to be developed (between Camino Encantadas right-of-way and the open space/adjacent homes).

Figure 1. Subject properties (in orange) and context within Lomas Encantadas Master Plan

PRINCIPALS

James K. Strozier, FAICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP



Note: Plan Expansion Area in Dotted Black Line

PROJECT DESCRIPTION

The subject properties are located in Northern Rio Rancho, within the Lomas Encantadas Master Plan area. The Applicant, AMREP Southwest, Inc., is requesting a zone change to R-2 and R-4 to allow for the development of additional single-family homes at a density of 4 to 6 DUs/acre. The actual density may vary slightly depending on the specific subdivision and final platted layout. The request also includes the modification of the existing OS: Open Space zone to align with a new layout and configuration of that open space in a way that is more beneficial in buffering the adjacent homes in Enchanted Hills.

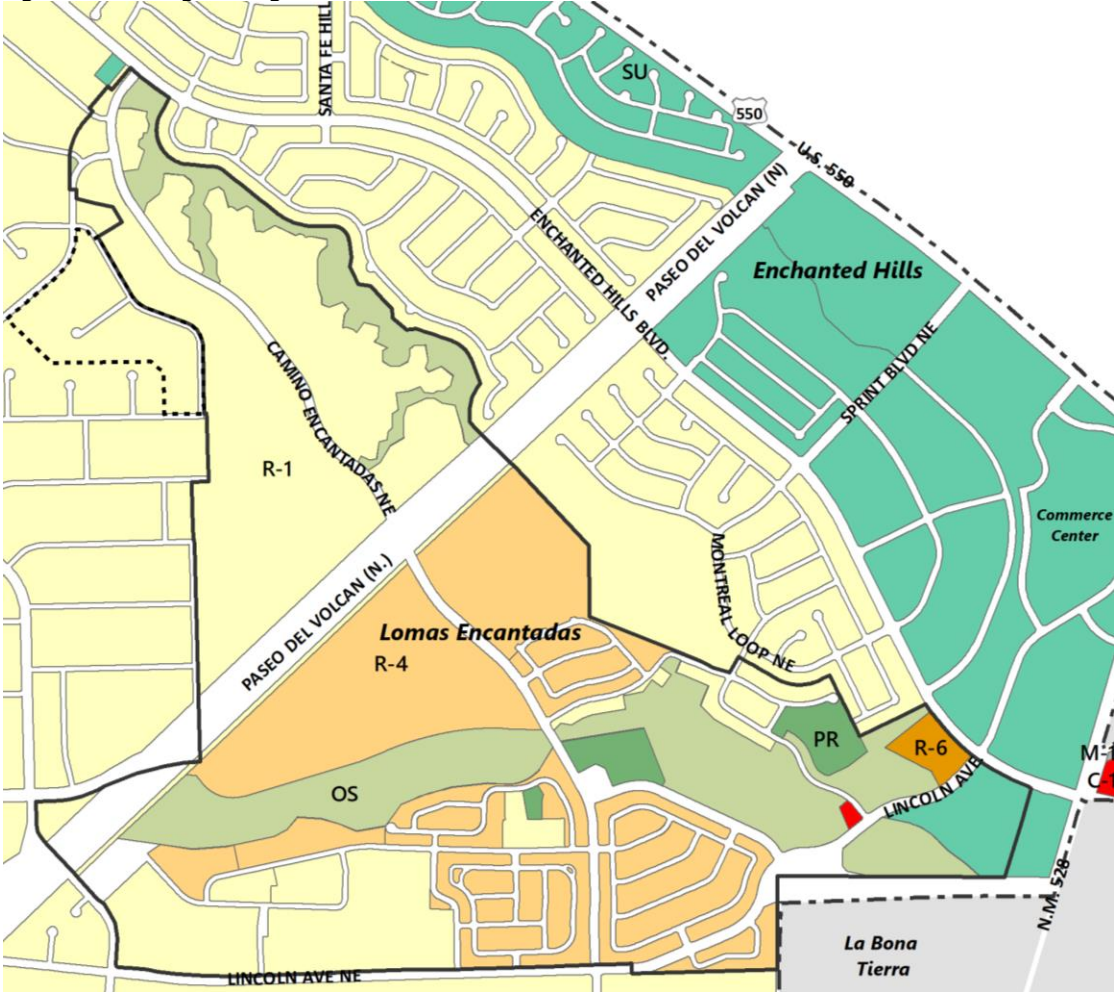
The current zoning for the subject site is R-1 "Estate Residential" and R-1 "Terrain Fitted Residential," as well as a strip of OS: Open Space land along the eastern boundary with three "fingers" extending farther across Tract 13. This zoning allows for single-family homes at gross densities of approximately 1.1 to 3.5 DUs/acre as outlined in the original Lomas Encantadas Plan. In addition, Tracts 12 and 13 are currently included in the Lomas Encantadas Building Envelope Overlay Zone, which is eliminated as part of this requested zone map amendment eliminating the R-1 "Estate Lots." The Master Plan has been updated to reflect medium-density residential for the subject properties.

Although currently zoned for single-family homes, the Applicant believes that the higher density R-2 and R-4 zoning is the appropriate zoning for this area given changed market conditions and new Army Corps of Engineers water quality standards mandating more urban stormwater management that make the R-2 and R-4 zones more advantageous to the community. In addition, the Applicant believes that this zoning category will provide a more suitable housing density for this part of Rio Rancho, while facilitating the reconfiguration and expansion of open space to buffer the neighbors and provide additional benefits including view preservation and recreational opportunities.

Adjacent Land Use and Zoning

The subject site consists of 27 parcels that total approximately 228.5 acres in size. The parcels are currently undeveloped and surrounded by undeveloped land on the west and north, which is zoned R-1 (see Figure 2). There is a small parcel just north of Camino Encantadas NE that is zoned SU. To the south, across Paseo del Volcan, there are developing subdivisions within Lomas Encantadas, zoned R-4. To the east of the subject parcels (adjacent to Tract 13 of the Lomas Encantadas Subdivision) are single-family homes in the Enchanted Hills neighborhood, zoned R-1. These homes are buffered by the existing OS: Open Space land and drainage area that runs along the northeastern side of Lomas Encantadas.

Figure 2. Existing Zoning



Note: Plan Expansion Area in Dotted Black Line

Case History



2004 – Ordinance No. 3, Enactment No, 04-029 amended the zone map for the parcels within Lomas Encantadas, including Tracts 12 and 13. The rezoning changed the zoning from R-1 to a mixture of R-1, R-4, C-1, Parks and Recreation, and Open Space throughout the Lomas Encantadas Master Plan Area.

Open Space Buffer

The existing OS: Open Space zoned land within the northern portion of Lomas Encantadas functions as a buffer to the existing homes in Enchanted Hills, as well as following ridges and arroyos identified in the original 2004 Master Plan that were part of the Loma Encantadas drainage plan.

As described below in this request for a Zone Map Amendment, due to changes initiated by the Army Corps of Engineers related to water quality, a new drainage plan is required for the northern portion of Lomas Encantadas. Changing the zoning as part of this request will add flexibility needed to meet the updated drainage requirements and a subdivision layout that is suitable to current market conditions. In addition, the requested Zone Map Amendment proposes a reconfiguration and expansion of the Open Space zoning that enhances its function as a buffer to the adjacent residences.

The existing open space zoning varies in width along the northeaster edge of Tract 13 within Lomas Encantadas and is generally wider where there are arroyos that were to be utilized as drainage features or where knolls and ridges extend farther into the planning area. In other locations, the width narrows to as little as 70 feet. As part of the planning process for this project, members of the project team from Consensus Planning and AMREP Southwest visited the project site and walked along this open space edge where the homes in Enchanted Hills back up to Lomas Encantadas. Based on this site visit, analysis of the area topography, and continued input from neighboring residents, the buffer was widened to protect significant knolls and to provide greater distance separation between existing homes and new houses to be built in Lomas Encantadas. The new buffer is proposed to be a minimum of 100 feet with at least 200 feet in most locations and up to 700+ feet closer to the southern end of Tract 13 due to flatter grades. The combination of these widths and the grade change along this buffer ensure that new homes will be below the existing homes in Enchanted Hills, which will lessen potential impacts to existing views, light, or air.

By retaining and expanding this open space buffer and protecting the knolls and ridges, providing water quality ponds/microparks within future subdivisions, a neighborhood park, and addition of a large stormwater detention pond, the overall amount of open space within Lomas Encantadas is greater than what was identified in the original zoning of the site. The area north of Paseo del Volcan currently zoned for Open Space is approximately 35.63 acres, whereas the proposed open space buffer contains approximately 38.85 acres. In addition, the revised plan includes a 7.96-acre pond and 2.42-acre park for a total of 49.23 acres of park, drainage, and open space land uses located to the north of Paseo del Volcan; an increase of approximately 13.6 acres.



JUSTIFICATION OF ZONE MAP AMENDMENT REQUEST

This request for a zone map amendment complies with the criteria outlined in Section 150.07 of the Rio Rancho Municipal Code as follows:

150.07(D)(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

Applicant's Response: This request is consistent with the health, safety, morals, and general welfare of the City of Rio Rancho. The purpose of this zone change is to create a new single-family community that is nearby existing community facilities and existing infrastructure. This will ensure families will be able to find more affordable housing option in this part of Rio Rancho. The Zone Map Amendment will also ensure the productive use of land that has remained undeveloped since 2004 when the Lomas Encantadas Master Plan was first adopted designating this for "estate" residential. Changing the zoning to encourage development that includes full urban infrastructure such as curb and gutter and storm drainage facilities will protect the health and safety of new residents of this area from potential impacts of significant rainfall events.

In addition, as described in the response to Section 150.07(D)(3) below, the proposed zone change furthers several Comprehensive Plan policies that support and encourage new single-family development, infill, and housing choices for families with a variety of incomes and lifestyles.

150.07(D)(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant's Response: The request to rezone Tract 13 to R-2 and OS and the remaining portion of the subject property to R-4 is consistent with the Lomas Encantadas Master Plan and the existing R-4 zoning of properties to the south of Paseo del Volcan. The request for a Zone Map Amendment will allow for additional single-family residential development at a similar density to housing that is already present in Lomas Encantadas (approximately 4 to 6 DUs/acre gross). The proposed density enables the continuation of this land use pattern and density within Lomas Encantadas, thereby preserving the stability of land use within the Master Plan Area.

In addition, the subject properties have remained vacant for over 14 years under the existing R-1 zoning (estate residential). However, within the last year, there has been growing demand for additional single-family housing in Rio Rancho, coupled with a shortage in development-ready sites. Further, there has been less interest from homebuilders in large "estate" lots at lower densities, particularly for those areas that require substantial transportation and drainage improvements due to access and topography challenges. As a result, the subject parcels, with their larger lot and infrastructure requirements under the existing R-1 "Estate Residential" zoning are likely to continue to remain undeveloped. This makes the proposed R-2 and R-4 densities better suited to the site and allows for a more productive use of vacant land.



The reconfiguration and expansion of the OS zoning designation for a portion of Tract 13 also lends itself to the stability of land use and zoning in this area by providing a buffer between the increased densities of Lomas Encantadas and the R-1 zoning within Enchanted Hills. There is existing OS zoning present on Tract 13 and that will remain and be enhanced by this requested Zone Map Amendment.

150.07(D)(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant's Response: The subject parcels are within the Lomas Encantadas Master Plan, which identifies the subject parcels as supporting medium density housing to achieve residential densities of 4 to 6 DUs/acre gross. The proposed R-2 and R-4 zoning designations are consistent with the proposed land use, density, and housing types envisioned for the subject parcels. This zoning is also already present for the large portion of Lomas Encantadas to the south of Paseo del Volcan.

In addition to compliance with the Lomas Encantadas Master Plan, the request for rezoning furthers several of the goals and policies from the City's Comprehensive Plan as identified below (Comprehensive Plan goals and policies are in italics).

GOAL A-1: Eliminate antiquated platting with the City of Rio Rancho where desirable.

POLICY A-3: Ensure that the City's land use and development regulations provide the specific and detailed provisions necessary to eliminate prematurely platted land when feasible.

The adopted Lomas Encantadas Master plan has laid the groundwork to consolidate and re-plat prematurely developed lots in the planning area. This has led to the successful development of several new subdivisions in the Planning Area. The requested Zone Map Amendment will allow the Applicant to continue to address the issue of antiquated platting by consolidating 25 lots in Block 155, Unit 20 of Rio Rancho Estates and replatting these lots at an appropriate density to support a future single-family subdivision. It is unlikely that these lots will develop without the requested zoning due to the existing large lot sizes.

GOAL CON-5: Meet federal, state, regional and local water quality standards through coordinated, long-term strategies that address the many contributors to water pollution.

POLICY CON-4: Promote growth management strategies that protect air, water, land, and energy resources consistent with Rio Rancho's role as the third largest city in the state.

POLICY CON-6: Provide incentives for developers to implement the use of low impact development techniques and green building practices.

POLICY CON-12: Develop and protect a public open space network.

The conceptual drainage plan for the Lomas Encantadas Master Plan addresses drainage in Tracts 12 and 13 using a series of "microparks" that meet the new federal water quality requirements under Section 404 of the Clean Water Act. These microparks will be integrated into the single-family neighborhoods and create additional community amenities. This drainage solution provides a way to meet water quality standards while also creating a recreational amenity for adjacent



residential neighborhoods. Allowing for increased density to make the overall drainage scheme and use of these low impact development techniques will assist in fulfilling these goals and policies. Approval of the requested changes will also result in increased and more useful open space at the edge of the Lomas Encantadas development. While not proposed to be publicly owned or maintained, this open space will preserve land and help protect the area for adjacent homeowners and future residents in the new subdivisions that will be built under the requested R-2 and R-4 zoning.

GOAL L-2: Encourage consolidation of lots to promote a variety of land uses in a planned manner.

POLICY L-1: 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.

The requested Zone Map Amendment furthers this goal and policy by changing the zoning in a way that allows the developer to consolidate several antiquated platted lots and combine them with the existing bulk land tracts to promote a master planned development. This master planned development has considered the necessary infrastructure including storm drainage and retains and expands a significant open space buffer adjacent to the existing single-family residential neighborhood in Enchanted Hills.

GOAL PH-2: Maintain the strength, vitality, and stability of all residential neighborhoods and types.

GOAL PH-3: Promote a variety of housing types to meet the needs of all members of the community.

GOAL PH-4: To ensure that single-family and multifamily residential neighborhoods provide an attractive living environment.

POLICY PH-5: Encourage mixed-use and mixed-income housing opportunities in designated growth nodes throughout the city

POLICY PH-7: Support residential developments with appropriate amenities for families with children.

The subject parcels within Lomas Encantadas will add a significant number of new homes to the City of Rio Rancho at full build-out. The development of these homes will provide additional housing options for families in Rio Rancho with a wider range of incomes. The site is also well located for new residential development given to the proximity to large regional job centers and growth nodes, including V. Sue Cleveland High School, Enchanted Hills Commerce Center, UNM Sandoval Regional Medical Center, and the City Center area. By preserving and expanding a large open space area adjacent to neighboring residences, the request will help maintain the strength, vitality, and stability of the existing Enchanted Hills neighborhood that has larger lot sizes than those proposed in Lomas Encantadas.

POLICY PR-2: Establish a coordinated and connected system of open space throughout the city that preserves natural systems, protects wildlife habitat and corridors, and provides land for low impact recreation.



This request takes the existing open space zoning within Lomas Encantadas and reconfigures and expands it to provide an increased buffer for adjacent residences in Enchanted Hills. This change also created wider and larger areas that can more effectively provide habitat for wildlife in the area and recreational opportunities for residents rather than limiting the open space to a narrow corridor.

GOAL UD-1: Create focused growth areas where existing public infrastructure can support higher density development.

GOAL UD-2: Create traditional neighborhood patterns that support a sense of place.

POLICY UD-4: Provide development incentives for developments that utilize Low Impact Development principles.

Lomas Encantadas is well suited to support additional housing growth due to its proximity to existing infrastructure and major roads. The site is located next to existing water service lines that run along Camino Encantadas, Enchanted Hills Boulevard, and Paseo del Volcan. Sanitary sewer lines are also available along Camino Encantadas and can be extended to serve future subdivisions in the subject area. Development in this area will create contiguous growth next to identified growth areas adjacent to Enchanted Hills and Paseo del Volcan.

150.07(D)(4) The applicant must demonstrate that the existing zoning is inappropriate because:

(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the City's incorporation and adoption of its own zoning code or on land annexed by the City; or

(b) Changed neighborhood or community conditions justify the change; or

(c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicant's Response: Since the adoption of the Lomas Encantadas Master Plan and subsequent rezoning of the subject site in 2004, there have been several neighborhood and community changes (Criterion b) within the Master Plan Area and locally that justify a change in zoning, including the following:

There has been a change in the Army Corps of Engineers 404 Permit requirements under the Clean Water Act, which necessitate the creation of a new Drainage Master Plan for the undeveloped, northern half of Lomas Encantadas. The original Lomas Encantadas Master Plan envisioned "a large lot, low-density (R-1 zoning) series of projects, which have terrain-fitting lots and roadways, building envelopes and preservation of natural features through conservation easements and the OS [Open Space] zone." These "terrain-fitting" lots were proposed in response to the need to manage drainage issues for the northern half of the Lomas Encantadas Master Plan Area (to the north of Paseo del Volcan). In this configuration, storm water runoff was



managed using a series of natural drainage channels and large drainage facilities (detention ponds) that also functioned as open space. This drainage strategy met the 404 Permit requirements at the time, but does not comply with the current regulations

Due to revisions in the 404 Permit requirements, this storm water management strategy is no longer an approved practice by the Army Corps of Engineers, which necessitated the development of a new Drainage Master Plan for the undeveloped portions of Lomas Encantadas and a revision to the proposed lot layouts and densities. The new Drainage Master Plan (incorporated into the Lomas Encantadas Master Plan in this 2018 update), relies on a large primary drainage pond, traditional storm drains, and a series of smaller "micro-parks" to manage and mitigate storm water runoff within future subdivisions. This conceptual drainage solution changes the design of the natural drainage channels within the northern half of Lomas Encantadas, which in turn necessitates a reexamination of the lot sizes, density, and street network proposed for Tracts 12 and 13 to support this new urban infrastructure requirement.

These changes, along with an increased demand for housing in Rio Rancho, also make a different zoning category more advantageous to the community (Criterion c). Based on the goals and policies in the Comprehensive Plan, the requested R-2, R-4, and OS zoning is more advantageous for the following reasons:

- The subject properties have not developed under the existing R-1 zoning. They have remained vacant for over 14 years since the original Lomas Encantadas Master Plan was adopted in 2004. There is currently growing demand for additional single-family housing in Rio Rancho and the Greater Albuquerque Metro Region, coupled with a shortage in development-ready sites. As a result, the subject site is well suited to support housing development at medium densities and a public need for such densities. The Comprehensive Plan supports development of housing with a variety of lot sizes and levels of affordability.
- The requested zoning is more advantageous to the community, as it responds to the City of Rio Rancho's goal to support the construction of single-family homes that "meet the needs of all members of the community." It is unlikely that the "estate lots" envisioned in the original Lomas Encantadas Master Plan will develop in the near future due to changes in the infrastructure requirements and current trends in the housing market towards smaller homes on smaller lots.
- The site is also well located for new residential development given the proximity to large regional job centers, including V. Sue Cleveland High School, UNM Sandoval Regional Medical Center, Enchanted Hills Commerce Center, Santa Ana Casino, and the City Center area.
- Providing for increased densities also allows for an increase in the open space buffer adjacent to existing homes in Enchanted Hills that fulfills City of Rio Rancho goals and policies for preservation of open space, opportunities for low impact recreation, and protecting the stability and vitality of existing neighborhoods.
- The request supports goals and policies by implementing a master-planned community with an attractive living environment and amenities for residents that include families with children among others as described elsewhere in this justification letter.



For these reasons, the requested zoning for this property will better serve the goals and interests of the City of Rio Rancho than the existing R-1 zoning. There is a public need for the requested changes and the subject site is the only large, consolidated set of parcels with singular ownership and access to utility and transportation infrastructure to provide the requested density and proposed planned residential development.

150.07(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant's Response: Economic considerations are always a factor, but they are not the determining factor for this requested zone change. Rather, the request is justified based on changed community conditions, including modifications to the Army Corps of Engineer 404 permit requirements necessitating a different type of development than originally planned and a demand for lots at the densities proposed. In addition, the requested change is more advantageous to the community as articulated by the City of Rio Rancho Comprehensive Plan by responding to goals and policies related to housing types, provision of open space, urban design, elimination of antiquated platting, and meeting water quality requirements.

150.07(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant's Response: The requested zone change is not being requested due to its location along a major street, but rather due to the site's compliance with the Lomas Encantadas Master Plan and Drainage Master Plan, as well as the City of Rio Rancho Comprehensive Plan goals and policies. The requested zone map amendment is not for apartment, office, or commercial zoning.

150.07(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant's Response: The requested zone map amendment is not a spot zone since it applies to a large, contiguous area within Lomas Encantadas. The proposed R-4 zoning is the same as the existing R-4 zoning within Lomas Encantadas to the south of Paseo del Volcan. In addition, the OS: Open Space and R-2 zoning provide a transition from the R-1 in Enchanted Hills to the proposed R-4 zoning that is part of this request in Lomas Encantadas.



CONCLUSION

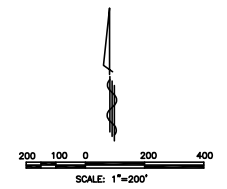
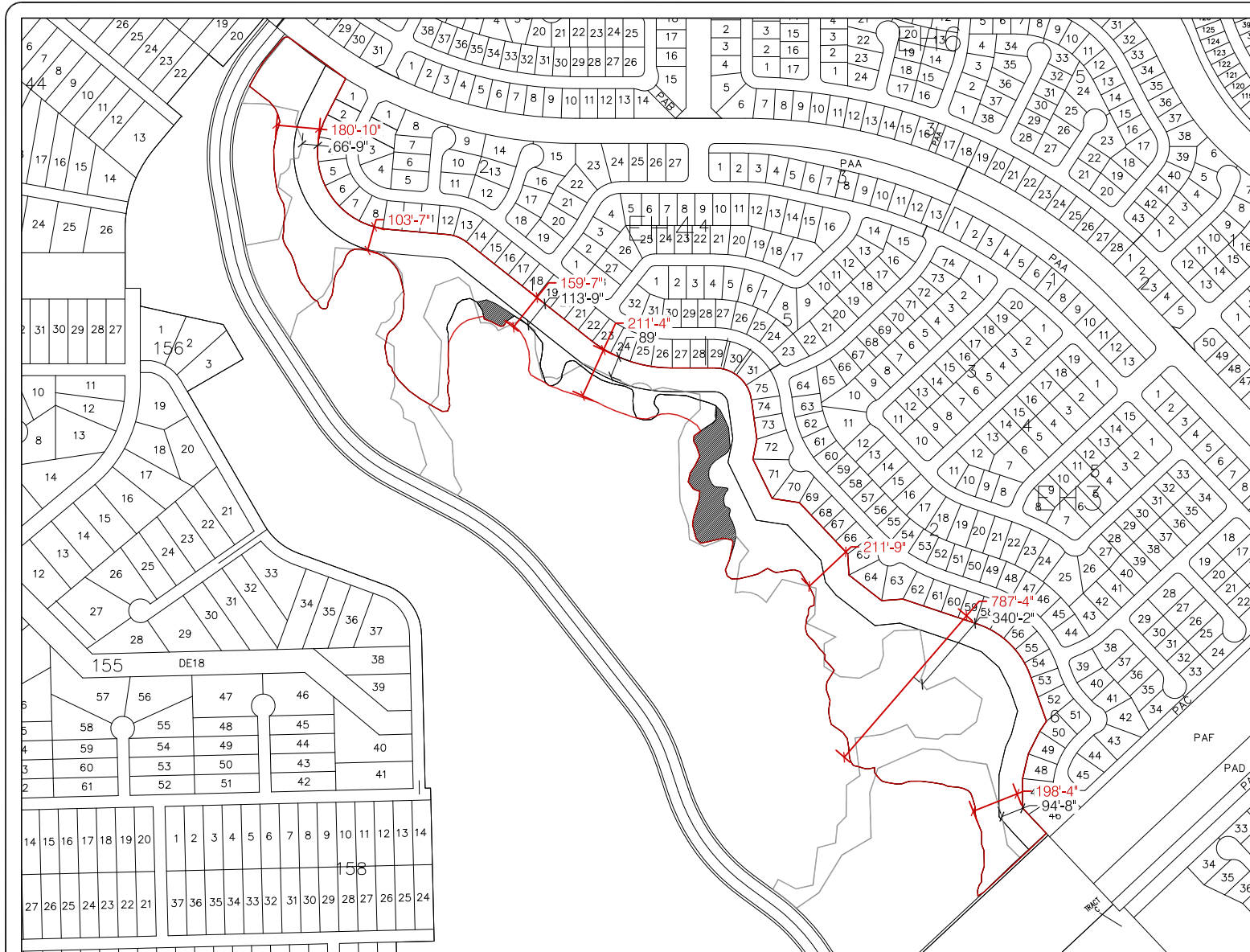
On behalf of AMREP Southwest, Inc., we respectfully request the Planning and Zoning Board and Governing Body approve this request for a Zone Map Amendment for the subject properties as shown in Exhibit A. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "James K. Strozier". The signature is fluid and somewhat abstract, with a large loop at the end.

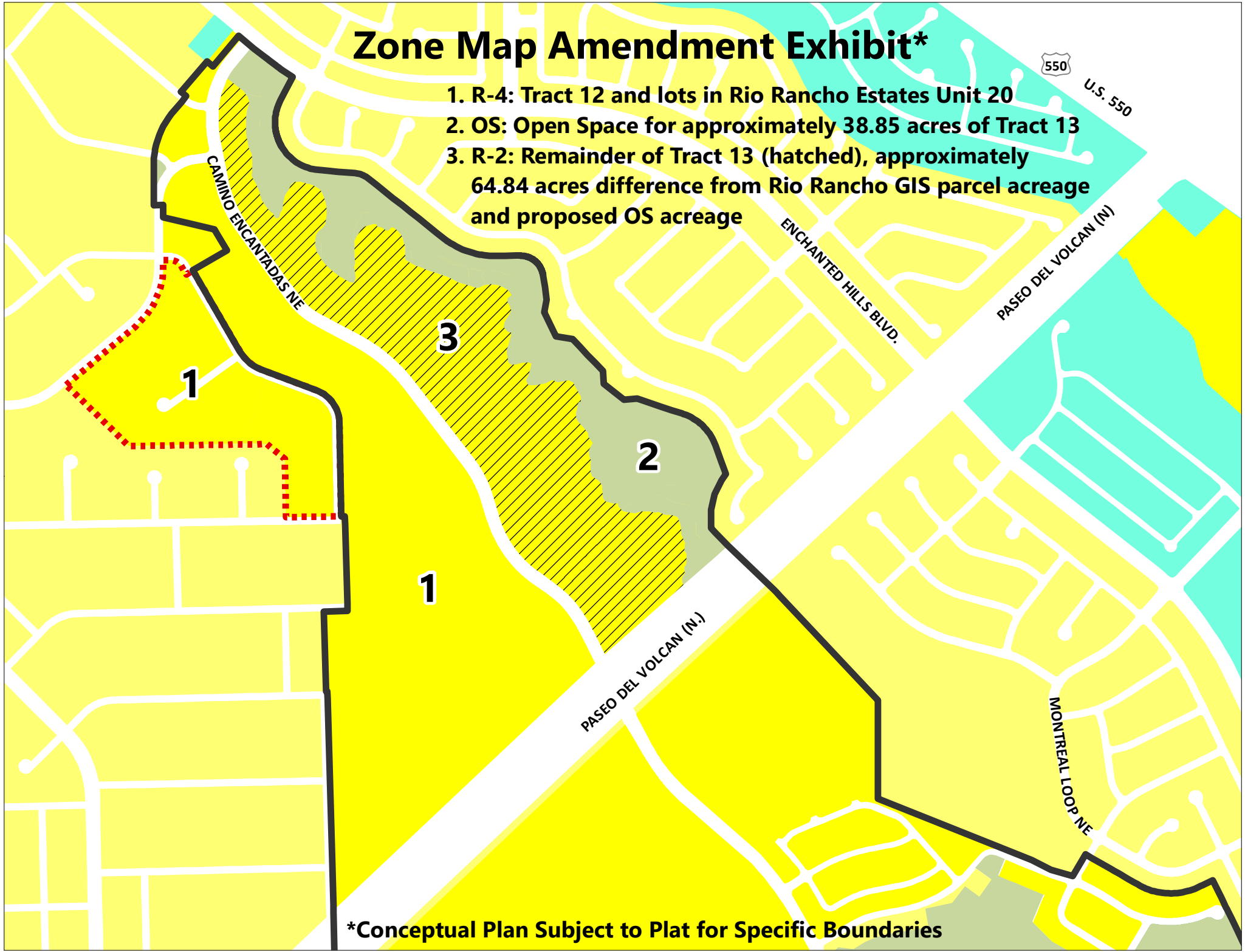
James K. Strozier, FAICP
Principal

LOMAS ENCANTADAS OPEN SPACE EXHIBIT



Zone Map Amendment Exhibit*

1. R-4: Tract 12 and lots in Rio Rancho Estates Unit 20
2. OS: Open Space for approximately 38.85 acres of Tract 13
3. R-2: Remainder of Tract 13 (hatched), approximately 64.84 acres difference from Rio Rancho GIS parcel acreage and proposed OS acreage



***Conceptual Plan Subject to Plat for Specific Boundaries**



PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: AMREP Southwest, Inc.		Phone: (505) 896-9009
Address: 333 Rio Rancho Blvd NE, Suite 202		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: Owner of multiple lots in planning area		List Owners: See attached list
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name: Consensus Planning, Inc.		Phone: (505) 764-9801
Address: 302 Eighth Street NW		E-Mail: cp@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Amendment to the Lomas Encantadas Master Plan. Please see attached letter with complete description of changes.
 Zone Map Amendment for Lomas Encantadas Subdivision, Tract 12-13 and Unit 20 Rio Rancho Estates, Block 155, Lots 13-17, 20-22,24-27,29-41

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : see attached table	Block(s): see attached table	Lot(s): see attached table
Existing Zoning: R-1, OS	Proposed Zoning: R-4	
No. of existing lots: 27	No. of proposed lots: 27	Total area of site (acres) 228.5

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: <u>Michael J. Vos, AICP</u>	Applicant: AMREP Southwest, Inc.	Agent: Consensus Planning
Signature: <u><i>Michael J. Vos</i></u>	Date: <u>8-9-2019</u>	

FOR OFFICIAL USE ONLY

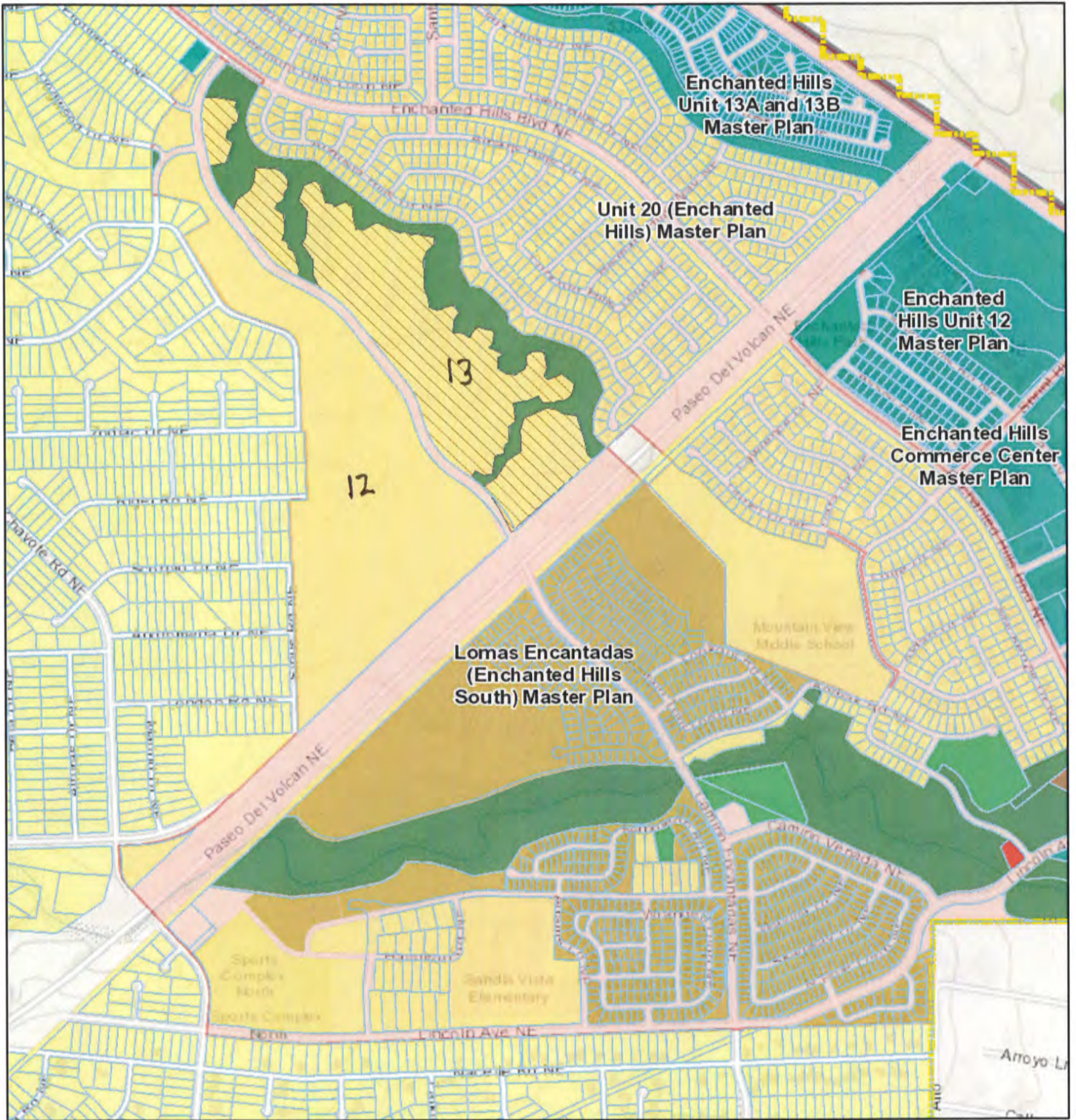
H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ DATE: _____

Lomas Encantadas Extension Area Legal Descriptions

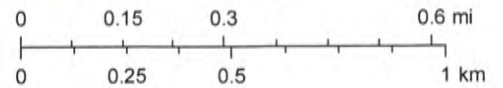
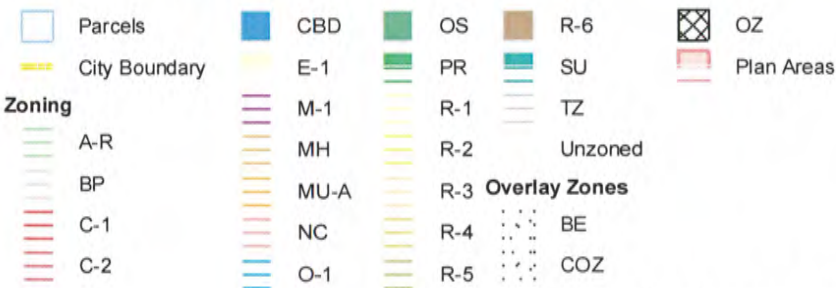
- Lomas Encantadas Subdivision, Tracts 12-13
- Rio Rancho Estates, Unit 20, Block 155, Lots 13-17
- Rio Rancho Estates, Unit 20, Block 155, Lots 20-22
- Rio Rancho Estates, Unit 20, Block 155, Lots 24-27
- Rio Rancho Estates, Unit 20, Block 155, Lots 29-41

Lomas Encantadas Plan Area

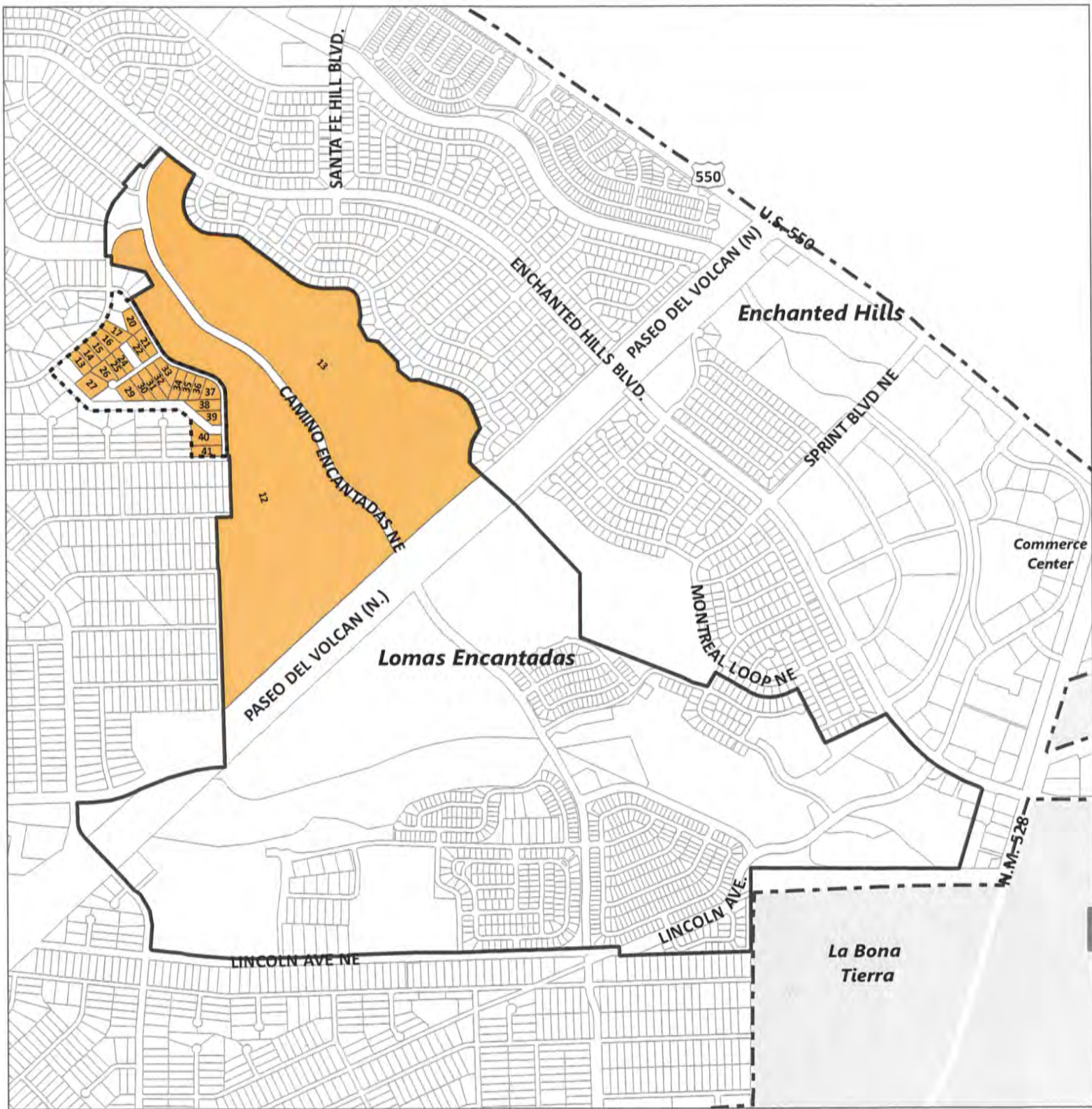


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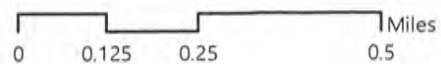
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community



LOMAS ENCANTADAS ZONE CHANGE & EXPANSION AREAS

Master Plan Boundaries

-  Original
-  Expanded
-  Parcels to be Rezoned



Parcel Number	Legal	Owner	Owner Address 2	Owner City	Owner
1-016-074-351-535	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 13 Unit: 20	WEBB FAMILY TRUST	3214 FALKIRK CT NE	RIO RANCHO	NM
1-016-075-349-006	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 14 Unit: 20	CONKLING, MARK AND PATRICIA	2528 SANDIA LOOP NE	RIO RANCHO	NM
1-016-075-359-014	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 15 Unit: 20	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-075-370-021	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 16 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 16 BK: 411 PG: 29114 .84 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-075-379-030	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 17 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 17 BK: 411 PG: 29114 .83 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-075-395-042	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 20 Unit: 20	WEBB FAMILY TRUST	3214 FALKIRK CT NE	RIO RANCHO	NM
1-016-075-409-020	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 21 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 21 BK: 411 PG: 29114 .80 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-075-401-013	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 22 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 22 BK: 411 PG: 29114 .68 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-396-537	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 24 Unit: 20	RESURRECTION LAND COMPANY LLC	PO BOX 15698	RIO RANCHO	NM
1-016-074-388-531	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 25 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 25 BK: 411 PG: 29116 .62 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-376-526	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 26 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 26 BK: 411 PG: 29116 .78 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-363-511	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 27 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 27 BK: 411 PG: 29115 1.32 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-403-507	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 29 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 29 BK: 411 PG: 29115 .94 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-416-510	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 30 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 30 BK: 411 PG: 29115 .73 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-426-513	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 31 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 31 BK: 411 PG: 29115 .88 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-433-516	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 32 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 32 BK: 411 PG: 29115 .86 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-440-525	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 33 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 33 BK: N/A PG: 0	RESURRECTION LAND COMPANY LLC	3188 SOUTHERN BLVD SE STE B	RIO RANCHO	NM
1-016-074-453-513	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 34 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 34 BK: 411 PG: 29115 .78 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
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1-016-074-473-510	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 36 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 36 BK: 411 PG: 29116 .60 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-486-508	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 37 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 37 BK: 410 PG: 17262	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-478-491	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 38 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 38 BK: 411 PG: 29116 .90 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-485-478	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 39 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 39 BK: 411 PG: 29116 .67 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-483-462	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 40 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 40 BK: 411 PG: 29116 1.22 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM
1-016-074-483-443	Legal: Subd: RIO RANCHO ESTATES Block: 155 Lot: 41 Unit: 20 SUB: RIO RANCHO ESTATES UNIT: 20 BLK: 155 LOT: 41 BK: 411 PG: 29114 .86 ACS	AMREP SOUTHWEST INC	333 RIO RANCHO DR NE STE 202	RIO RANCHO	NM

December 17, 2018

David Heil, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

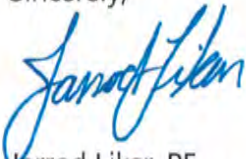
Dear Mr. Chairman:

AMREP Southwest, Inc. is the legal owner of the following properties:

- Lomas Encantadas Subdivision, Tracts 12-13
- Rio Rancho Estates, Unit 20, Block 155, Lots 15-17
- Rio Rancho Estates, Unit 20, Block 155, Lots 21-22
- Rio Rancho Estates, Unit 20, Block 155, Lots 25-27
- Rio Rancho Estates, Unit 20, Block 155, Lots 29-32
- Rio Rancho Estates, Unit 20, Block 155, Lots 34-41

I hereby authorize Consensus Planning, Inc. and Huitt Zollars, Inc. to represent us in all matters regarding the application, processing, and representation before the City of Rio Rancho Planning and Zoning Board and Governing Body regarding the request for an amendment to the Lomas Encantadas Master Plan and zone map amendment for the properties listed above.

Sincerely,



Jarrold Likar, PE
Vice President – Land Development
AMREP Southwest, Inc.
333 Rio Rancho Blvd, Suite 202
Rio Rancho, NM 87124

December 17, 2018

David Heil, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Mr. Chairman:

Resurrection Land Company, LLC is the legal owner of the following properties:

- Rio Rancho Estates, Unit 20, Block 155, Lot 24
- Rio Rancho Estates, Unit 20, Block 155, Lot 33

I hereby authorize AMREP Southwest, Inc., Consensus Planning, Inc., and Huitt Zollars, Inc. to represent us in all matters regarding the application, processing, and representation before the City of Rio Rancho Planning and Zoning Board and Governing Body regarding the request for an amendment to the Lomas Encantadas Master Plan and zone map amendment for the properties listed above.

Sincerely,



Resurrection Land Company, LLC

December 17, 2018

David Heil, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Mr. Chairman:

Webb Family Trust is the legal owner of the following properties:

- Rio Rancho Estates, Unit 20, Block 155, Lot 13
- Rio Rancho Estates, Unit 20, Block 155, Lot 20

I hereby authorize AMREP Southwest, Inc., Consensus Planning, Inc., and Huitt Zollars, Inc. to represent us in all matters regarding the application, processing, and representation before the City of Rio Rancho Planning and Zoning Board and Governing Body regarding the request for an amendment to the Lomas Encantadas Master Plan and zone map amendment for the properties listed above.

Sincerely,

Peter C. Webb, Trustee

Webb Family Trust

December 17, 2018

David Heil, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

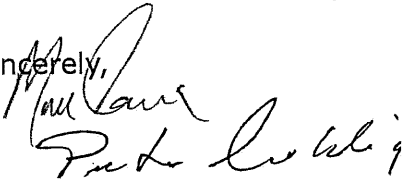
Dear Mr. Chairman:

I am the legal owner of the following property in Rio Rancho Estates:

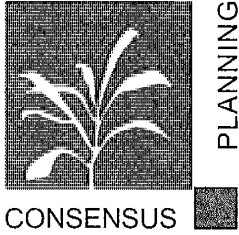
- Rio Rancho Estates, Unit 20, Block 155, Lot 14

I hereby authorize AMREP Southwest, Inc., Consensus Planning, Inc., and Huitt Zollars, Inc. to represent us in all matters regarding the application, processing, and representation before the City of Rio Rancho Planning and Zoning Board and Governing Body regarding the request for an amendment to the Lomas Encantadas Master Plan and zone map amendment for the properties listed above.

Sincerely,

Handwritten signatures of Mark and Patricia Conkling. The signature for Mark is written above the signature for Patricia.

Mark and Patricia Conkling



August 9, 2019

Paul Wymer, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: AMREP Southwest – Request for Zone Map Amendment and Master Plan Amendment – Lomas Encantadas

Landscape Architecture
Urban Design
Planning Services

Dear Mr. Chairman:

302 Eighth St. NW
Albuquerque, NM 87102
(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

The purpose of this letter is to request approval of a Zone Map Amendment and Master Plan Amendment on behalf of AMREP Southwest, Inc. ("The Applicant"). The subject site includes 27 parcels within the Lomas Encantadas Master Plan Area totaling approximately 228.5 acres (see Figure 1 on the following page). These parcels are currently zoned R-1: Single-family Residential and OS: Open Space. The legal descriptions of the subject properties are as follows:

- Lomas Encantadas Subdivision, Tracts 12-13
- Rio Rancho Estates, Unit 20, Block 155, Lots 13-17
- Rio Rancho Estates, Unit 20, Block 155, Lots 20-22
- Rio Rancho Estates, Unit 20, Block 155, Lots 24-27
- Rio Rancho Estates, Unit 20, Block 155, Lots 29-41

Summary of Request: This two-part request is for:

- 1) Approval of a Zone Map Amendment to rezone the subject properties from R-1 and OS to R-4; and
- 2) Approval of a Master Plan Amendment to the Lomas Encantadas Master Plan to expand the Plan Area boundaries and update the land use, zoning, and existing conditions information to reflect changes in the Master Plan Area since the original plan was adopted in 2004.

The purpose of these amendments is to refine the zoning in Lomas Encantadas and expand the Plan boundaries to include 25 additional lots in Block 155 of Unit 20 (parcels outlined above). This change in zoning and the expansion of the Plan Area will support the development of future single-family subdivisions at slightly higher densities than is currently allowed by the existing R-1 zoning. As detailed below, this request is consistent with the Zone Map Amendment criteria outlined in Section 150.07 of the Rio Rancho Municipal Code.

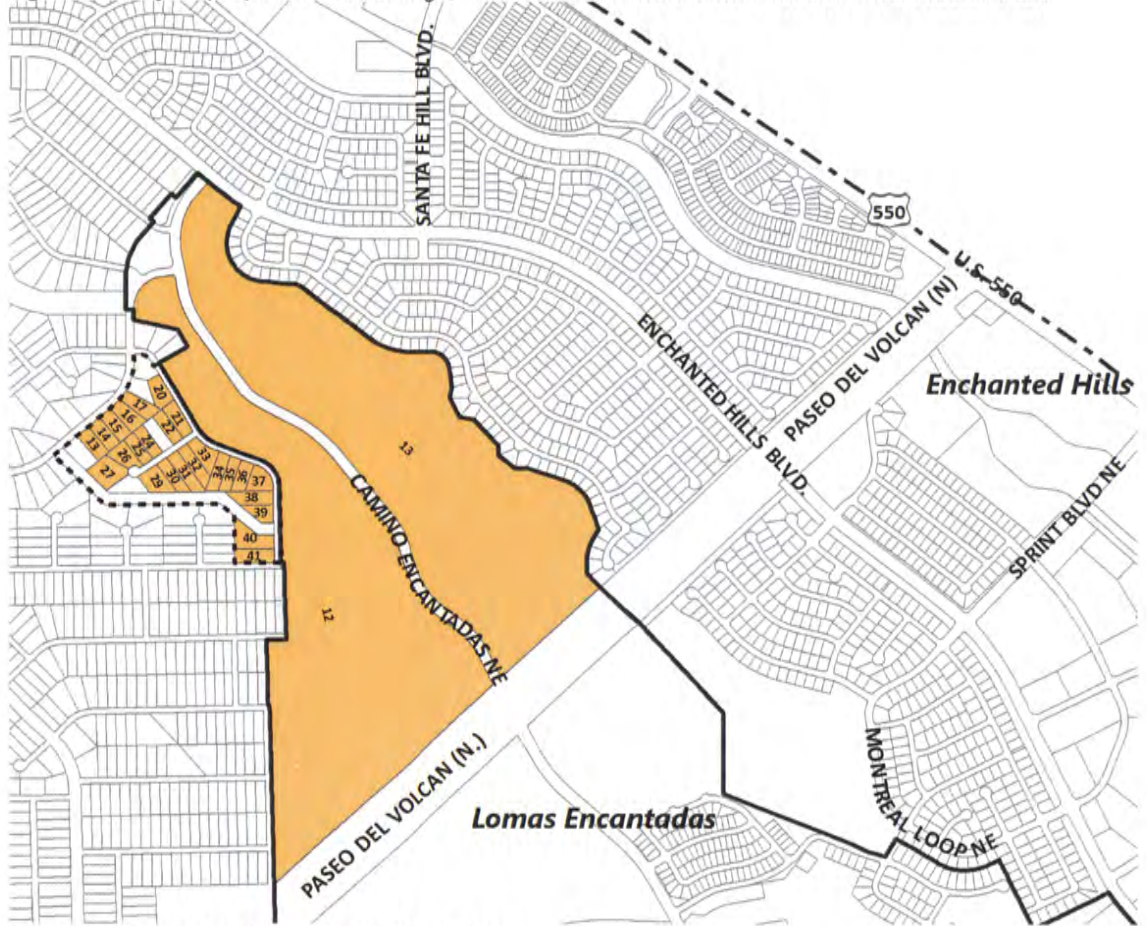
Submitted Materials

A revised version of the Lomas Encantadas Master Plan with changes redlined has been submitted as part of the application. Updated land use and zoning maps for the Planning Area have also been provided. In addition, the Applicant held a pre-application meeting with Development Services staff on August 24, 2018 to discuss the proposed Plan Amendment and Zone Map Amendment requests.

PRINCIPALS

James K. Strozier, FAICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP

Figure 1. Subject properties (in orange) and context within Lomas Encantadas Master Plan



Note: Plan Expansion Area in Dotted Black Line

PROJECT DESCRIPTION

The subject properties are located in Northern Rio Rancho, within the Lomas Encantadas Master Plan area. The Applicant, AMREP Southwest, Inc., is requesting a zone change to R-4 to allow for the development of additional single-family homes at a gross density of 4 to 6 DUs/acre. The actual density may vary slightly depending on the specific subdivision and final platted layout.

The current zoning for the subject site is R-1 "Estate Residential" and R-1 "Terrain Fitted Residential," as well as a small strip of OS: Open Space land along the eastern boundary of Tract 13. This zoning allows for single-family homes at gross densities of approximately 1.1 to 3.5 DUs/acre as outlined in the original Lomas Encantadas Plan. In addition, Tract 12 and 13 are currently included in the Lomas Encantadas Building Envelope Overlay Zone, which will be eliminated as part of this request for an amendment to the Lomas Encantadas Master Plan and the requested zone map amendment eliminating the R-1 "Estate Lots."

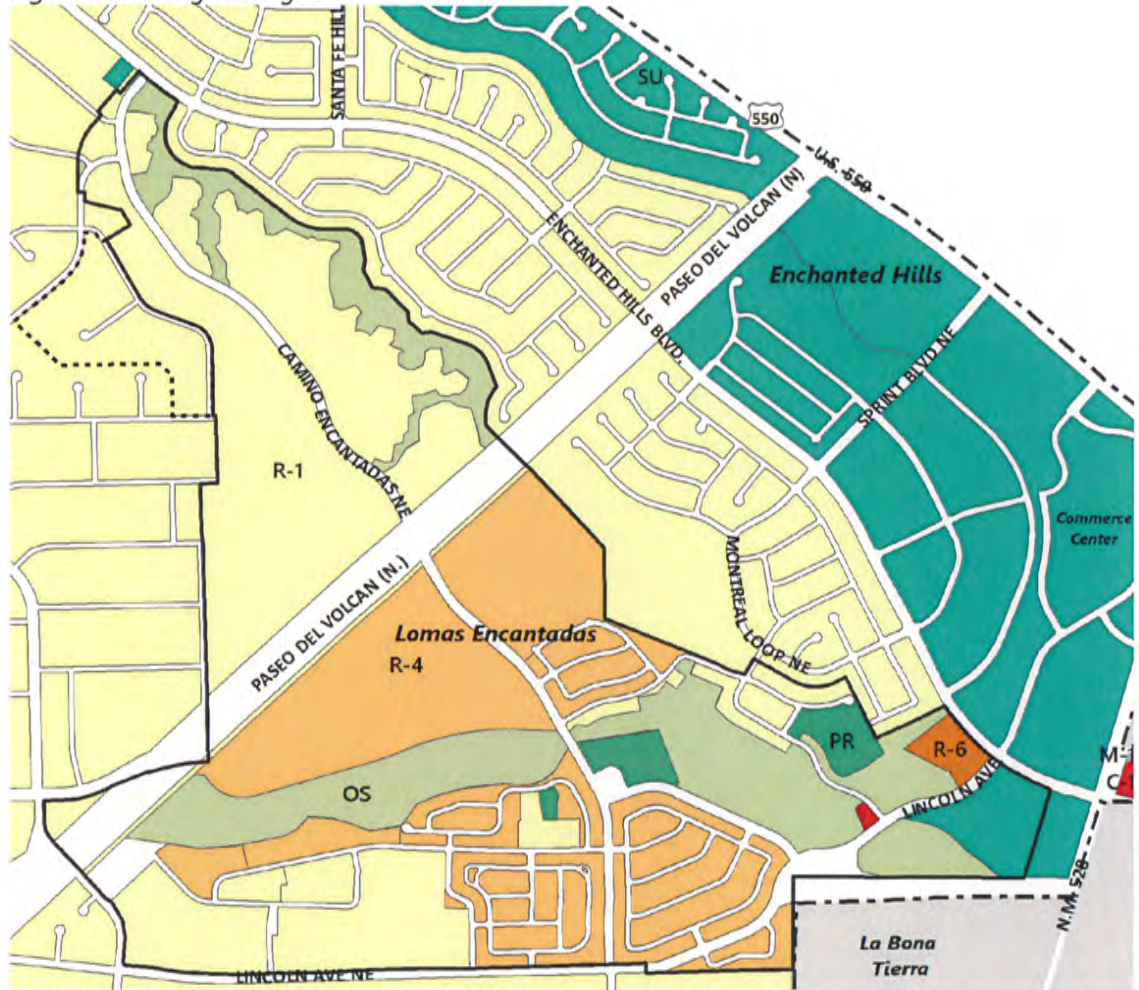
Although currently zoned for single-family homes, the Applicant believes that the higher density R-4 zoning is the appropriate zoning for this area given changed market conditions and new Army Corps of Engineers water quality standards that make the R-4 zone more advantageous to the community. In addition, the Applicant believes that this zoning category will provide a more suitable housing density for this part of Rio Rancho.



Adjacent Land Use and Zoning

The subject site consists of 27 parcels that total approximately 228.5 acres in size. The parcels are currently undeveloped and surrounded by undeveloped land on the west and north, which is zoned R-1 (see Figure 2). There is a small parcel just north of Camino Encantadas NE that is zoned SU. To the south, across Paseo del Volcan, there is undeveloped and developing subdivisions within Lomas Encantadas, zoned R-4. To the east of the subject parcels (adjacent to Tract 13 of the Lomas Encantadas Subdivision) are single-family homes in the Enchanted Hills neighborhood, zoned R-1. These homes are buffered by the existing OS: Open Space land and drainage area that runs along the northeastern side of Lomas Encantadas.

Figure 2. Existing Zoning



Note: Plan Expansion Area in Dotted Black Line

Case History

2004 – Ordinance No. 3, Enactment No, 04-029 amended the zone map for the parcels within Lomas Encantadas, including Tracts 12 and 13. The rezoning changed the zoning from R-1 to a mixture of R-1, R-4, C-1, Parks and Recreation, and Open Space throughout the Lomas Encantadas Master Plan Area.

Open Space Buffer

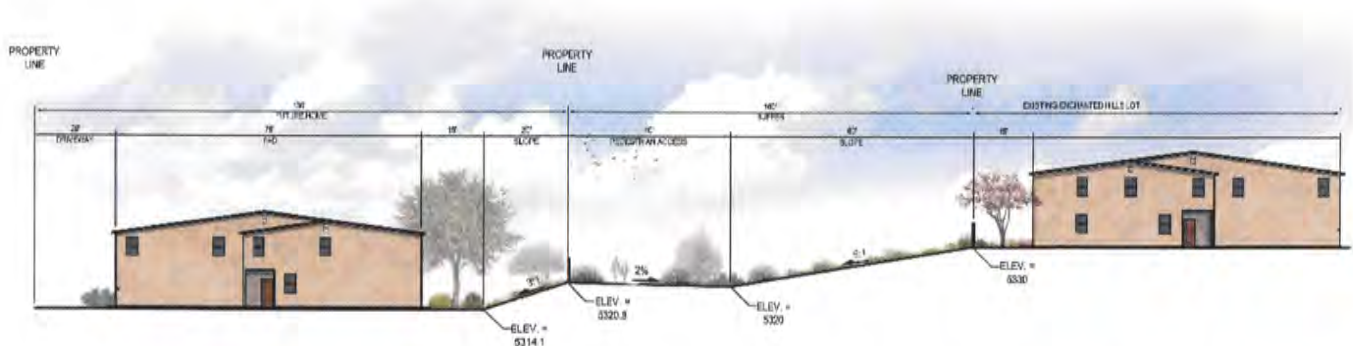
The existing OS: Open Space zoned land within the northern portion of Lomas Encantadas functions as a buffer to the existing homes in Enchanted Hills, as well as following the larger arroyos identified in the original 2004 Master Plan that were part of the Loma Encantadas drainage plan. Smaller drainage channels located on the west side of Camino Encantadas were also identified in the plan, but never zoned for Open Space, which allowed increased flexibility to arrange lots and meet the drainage objectives of the plan.

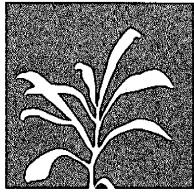
As described below in this request for a Zone Map Amendment, due to changes initiated by the Army Corps of Engineers related to water quality, a new drainage plan is required for the northern portion of Lomas Encantadas. Changing the open space zoning as part of this request will add flexibility needed to meet the updated drainage requirements and a subdivision layout that is suitable to current market conditions. However, while the requested Zone Map Amendment proposes to change much of the Open Space zoning, the revised Master Plan retains a significant amount of open space, particularly as a buffer that will remain along the edge of the development adjacent to Enchanted Hills.

The existing open space zoning varies in width along the edge of Lomas Encantadas and is generally wider where there are arroyos that were to be utilized as drainage features or where knolls and ridges extend farther into the planning area. In other locations, the width narrows to 70 feet.

As part of the planning process for the amended Master Plan, members of the project team from Consensus Planning and AMREP Southwest visited the project site and walked along this open space edge where the homes in Enchanted Hills back up to Lomas Encantadas. Based on this site visit and an analysis of the area topography, three important knolls were identified and given continued protection within the planned open space buffer identified by the Master Plan. In addition, the remainder of the buffer was changed to a more consistent width of 120 feet to mitigate the impacts of new residential development on the adjacent neighbors. Due to the grade change along this buffer, new homes will be below the existing homes in Enchanted Hills, which will lessen potential impacts to existing views, light, or air. Further, the proposed open space buffer will include a trail system with amenities for area residents that will provide opportunities for recreation and to improve physical health. A cross section of the proposed buffer is provided below (Figure 3).

Figure 3. Cross Section of Open Space Buffer





By retaining this open space buffer and protecting the knolls and ridges, as well as providing water quality ponds/microparks within future subdivisions, the overall amount of open space within Lomas Encantadas is greater than what was identified in the original zoning of the site. The area north of Paseo del Volcan currently zoned for Open Space is approximately 35.63 acres, whereas the open space buffer, micro- and pocket parks in the revised Master Plan contain a total of approximately 36.78 acres. In addition, the revised plan includes a 7.96-acre pond and 2.42-acre park for a total of 47.16 acres of park, drainage, and open space land uses located to the north of Paseo del Volcan; an increase of approximately 12 acres.

JUSTIFICATION OF ZONE MAP AMENDMENT REQUEST

This request for a zone map amendment complies with the criteria outlined in Section 150.07 of the Rio Rancho Municipal Code as follows:

150.07(D)(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

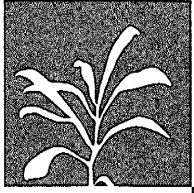
Applicant's Response: This request is consistent with the health, safety, morals, and general welfare of the City of Rio Rancho. The purpose of this zone change is to create a new single-family community that is nearby existing community facilities and existing infrastructure. This will ensure families will be able to find more affordable housing in this part of Rio Rancho. The Zone Map Amendment will also ensure the productive use of land that has remained undeveloped since 2004 when the Lomas Encantadas Master Plan was first adopted.

In addition, as described in the response to Section 150.07(D)(3) below, the proposed zone change furthers several Comprehensive Plan policies that support and encourage single-family development, infill, and housing choices for families with a variety of incomes and lifestyles.

150.07(D)(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant's Response: The request to rezone the site to R-4 is consistent with the Lomas Encantadas Master Plan and the existing R-4 zoning of properties to the south of Paseo del Volcan. The request for a Zone Map Amendment will allow for additional single-family residential development at a similar density to housing that is already present in Lomas Encantadas (approximately 4 to 6 DUs/acre gross). The proposed density enables the continuation of this land use pattern and density within Lomas Encantadas, thereby preserving the stability of land use within the Master Plan Area.

In addition, the subject properties have remained vacant for over 14 years under the existing R-1 zoning. However, within the last year, there has been growing demand for additional single-family housing in Rio Rancho, coupled with a shortage in development-ready sites. Further, there has been less interest from homebuilders in large "estate" lots at lower densities, particularly for those areas that require substantial transportation and drainage improvements due to access



and topography challenges. As a result, the subject parcels, with their larger lot and infrastructure requirements under the existing R-1 "Estate Residential" zoning are likely to continue to remain undeveloped as large estate lots. This makes the proposed R-4 density better suited to the site and allows for a more productive use of currently vacant land.

150.07(D)(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant's Response: The subject parcels are within the Lomas Encantadas Master Plan, which identifies the subject parcels as supporting medium density housing using the R-4 zoning district to achieve residential densities of 4 to 6 DUs/acre gross. The proposed R-4 zoning is therefore consistent with the proposed land uses, density, and housing types envisioned for the subject parcels. This zoning is also already present for the large portion of Lomas Encantadas to the south of Paseo del Volcan.

In addition to compliance with the Lomas Encantadas Master Plan, the request for rezoning furthers several of the goals and policies from the City's Comprehensive Plan as identified below (Comprehensive Plan goals and policies are in italics).

GOAL A-1: Eliminate antiquated platting with the City of Rio Rancho where desirable.

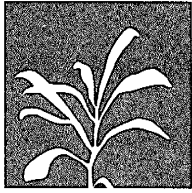
POLICY A-3: Ensure that the City's land use and development regulations provide the specific and detailed provisions necessary to eliminate prematurely platted land when feasible.

The adopted Lomas Encantadas Master plan has laid the groundwork to consolidate and re-plat prematurely developed lots in the planning area. This has led to the successful development of several new subdivisions in the Planning Area. The requested Zone Map Amendment will allow the Applicant to continue to address the issue of antiquated platting by consolidating 25 lots in Block 155, Unit 20 of Rio Rancho Estates and replatting these lots at an appropriate density to support a future single-family subdivision. It is unlikely that these lots will develop without the requested zoning due to the existing large lot sizes.

GOAL CON-5: Meet federal, state, regional and local water quality standards through coordinated, long-term strategies that address the many contributors to water pollution.

The conceptual drainage plan for the Lomas Encantadas Master Plan addresses drainage in Tracts 12 and 13 using a series of "microparks" that meet the new federal water quality requirements under Section 404 of the Clean Water Act. These microparks will be integrated into the single-family neighborhoods and create additional community amenities. This drainage solution provides a way to meet water quality standards while also creating a recreational amenity for adjacent residential neighborhoods.

GOAL PH-3: Promote a variety of housing types to meet the needs of all members of the community.



GOAL PH-4: To ensure that single-family and multifamily residential neighborhoods provide an attractive living environment.

POLICY PH-5: Encourage mixed-use and mixed-income housing opportunities in designated growth nodes throughout the city

POLICY PH-7: Support residential developments with appropriate amenities for families with children.

The subject parcels within Lomas Encantadas will add a significant number of new homes to the City of Rio Rancho at full build-out. The development of these homes will provide additional housing options for families in Rio Rancho with a wider range of incomes. The site is also well located for new residential development given to the proximity to large regional job centers and growth nodes, including V. Sue Cleveland High School, Enchanted Hills Commerce Center, UNM Sandoval Regional Medical Center, and the City Center area.

GOAL UD-1: Create focused growth areas where existing public infrastructure can support higher density development.

GOAL UD-2: Create traditional neighborhood patterns that support a sense of place.

Lomas Encantadas is well suited to support additional housing growth due to its proximity to existing infrastructure and major roads. The site is located next to existing water service lines that run along Camino Encantadas, Enchanted Hills Boulevard, and Paseo del Volcan. Sanitary sewer lines are also available along Camino Encantadas and can be extended to serve future subdivisions in the subject area. Development in this area will create contiguous growth next to identified growth areas adjacent to Enchanted Hills and Paseo del Volcan.

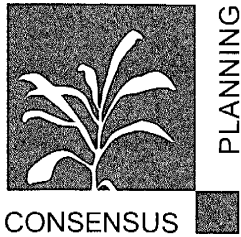
150.07(D)(4) The applicant must demonstrate that the existing zoning is inappropriate because:

(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the City's incorporation and adoption of its own zoning code or on land annexed by the City; or

(b) Changed neighborhood or community conditions justify the change; or

(c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicant's Response: Since the adoption of the Lomas Encantadas Master Plan and subsequent rezoning of the subject site in 2004, there have been several neighborhood and community changes (Criterion b) within the Master Plan Area and locally that justify a change in zoning, including the following:

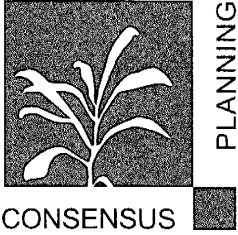


There has been a change in the Army Corps of Engineers 404 Permit requirements under the Clean Water Act, which necessitate the creation of a new Drainage Master Plan for the undeveloped, northern half of Lomas Encantadas. The original Lomas Encantadas Master Plan envisioned "a large lot, low-density (R-1 zoning) series of projects, which have terrain-fitting lots and roadways, building envelopes and preservation of natural features through conservation easements and the OS [Open Space] zone." These "terrain-fitting" lots were proposed in response to the need to manage drainage issues for the northern half of the Lomas Encantadas Master Plan Area (to the north of Paseo del Volcan). In this configuration, storm water runoff was managed using a series of natural drainage channels and large drainage facilities (detention ponds) that also functioned as open space. This drainage strategy met the 404 Permit requirements at the time, which allowed for the proposed storm water management strategy.

However, due to revisions in the 404 Permit requirements, this storm water management strategy is no longer an approved practice by the Army Corps of Engineers, which necessitated the development of a new Drainage Master Plan for the undeveloped portions of Lomas Encantadas and a revision to the proposed lot layouts and densities. The new Drainage Master Plan (incorporated into the Lomas Encantadas Master Plan in this 2018 update), relies on a large primary drainage pond, traditional storm drains, and a series of smaller "micro-parks" to manage and mitigate storm water runoff within future subdivisions. This conceptual drainage solution changes the design of the natural drainage channels within the northern half of Lomas Encantadas, which in turn necessitates a reexamination of the lot sizes, density, and street network proposed for Tracts 12 and 13.

These changes, along with an increased demand for housing in Rio Rancho, make a different zoning category more advantageous to the community. Given changed community conditions, the requested R-4 zoning is more advantageous for the following reasons:

- The subject properties have not developed under the existing R-1 zoning. They have remained vacant for over 14 years since the original Lomas Encantadas Master Plan was adopted in 2004. There is currently growing demand for additional single-family housing in Rio Rancho and the Greater Albuquerque Metro Region, coupled with a shortage in development-ready sites. As a result, the subject site is well suited to support housing development at medium densities.
- The requested R-4 zoning is more advantageous to the community, as it responds to the City of Rio Rancho's goal to support the construction of single-family homes that "meet the needs of all members of the community." It is unlikely that the "estate lots" envisioned in the original Lomas Encantadas Master Plan will develop in the near future due to current trends in the housing market towards smaller homes on smaller lots.
- The site is also well located for new residential development given the proximity to large regional job centers, including V. Sue Cleveland High School, UNM Sandoval Regional Medical Center, Enchanted Hills Commerce Center, Santa Ana Casino, and the City Center area.



For these reasons, the requested R-4 zoning for this property will better serve the goals and interests of the City of Rio Rancho than the existing R-1 zoning.

150.07(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant’s Response: The request zone change is not related to economic considerations, but due to changed housing conditions and Army Corps of Engineer 404 permits requirements that have necessitated an update to the Lomas Encantadas Master Plan and corresponding Drainage Master Plan.

150.07(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant’s Response: The requested zone change is not being requested due to its location along a major street, but rather due to the site’s compliance with the Lomas Encantadas Master Plan and Drainage Master Plan. The requested zone map amendment is not for apartment, office, or commercial zoning.

150.07(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:

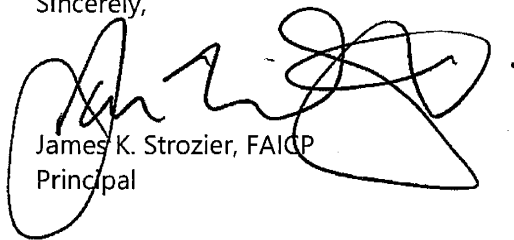
- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
- (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant’s Response: The requested zone map amendment is not a spot zone since it applies to a large, contiguous area within Lomas Encantadas. The proposed zoning is the same as the existing R-4 zoning within Lomas Encantadas to the south of Paseo del Volcan.

CONCLUSION

On behalf of AMREP Southwest, Inc., we respectfully request the Planning and Zoning Board approve this request for a Zone Map Amendment and Master Plan Amendment for the subject properties. Thank you for your consideration.

Sincerely,


James K. Strozier, FAICP
Principal



CITY OF RIO RANCHO

Lomas Encantadas Master Plan

AMENDED AUGUST 2019

Prepared by:
CONSENSUS PLANNING, INC.

Prepared for:
AMREP SOUTHWEST, INC.

LOMAS ENCANTADAS MASTER PLAN

Adopted: October 2004

Amended: August 2019

Rio Rancho, New Mexico

PREPARED FOR:

AMREP Southwest, Inc

PREPARED BY:

Consensus Planning, Inc.

302 8th Street NW

Albuquerque, NM 87102

Huitt Zollars, Inc.

6501 Americas Parkway NE, Suite 830

Albuquerque, NM 87110

Original Plan prepared by: Community Sciences Corporation

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CONTENTS

Introduction	1
Compatibility with the Comprehensive Plan	4
Existing Conditions	8
Land Use & Zoning	12
Development Criteria	17
Transportation	18
Conceptual Drainage Plan	20
Infrastructure & Utilities	25
Community Facilities & Services	24
Implementation & Phasing	29
Appendix	30

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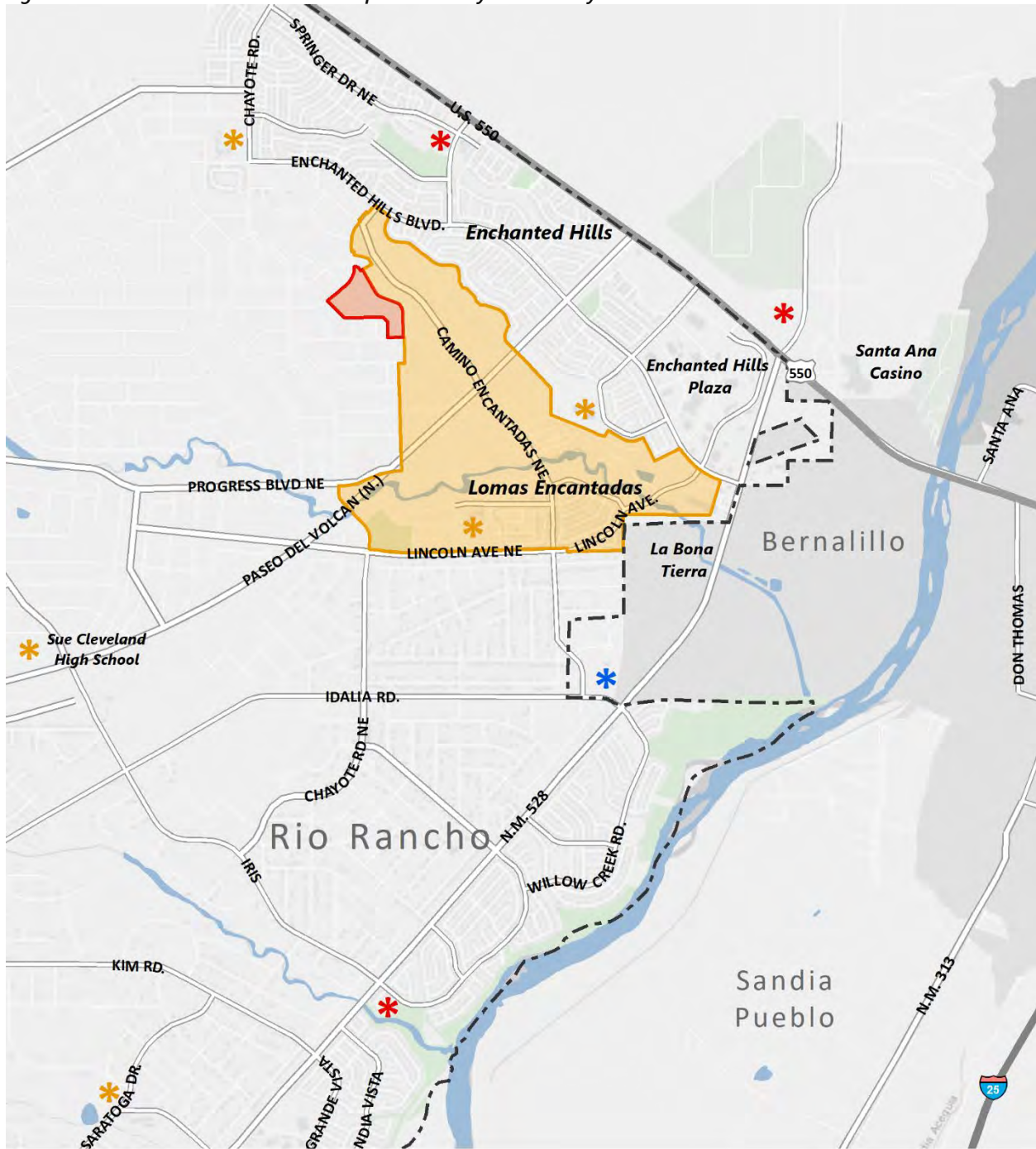
INTRODUCTION

Lomas Encantadas (formerly known as Enchanted Hills South) is designed as a mixed-use, predominantly residential, master-planned community in northern Rio Rancho. The 840-acre master plan area is bounded, generally, on the north by the established Enchanted Hills community, on the west by Chayote Road, on the south by Lincoln Road, and on east by NM 528 (see *FIGURE 1* below).

This document is a revision to the original Lomas Encantadas Master Plan that was adopted in October 2004. This revision includes an expansion of the planning boundaries to include additional lots in Block 155, Unit 20 of Rio Rancho Estates; a revision to the conceptual drainage master plan; an update of the land use plan; proposed changes to zoning for undeveloped portions of the planning area; and updates to the existing conditions sections to reflect development that has occurred since the Plan was first adopted. As an updated Master Plan, this document supports numerous goals and policies of the City of Rio Rancho's 2010 Comprehensive Plan and seeks to continue to develop Lomas Encantadas as one of Rio Rancho's most livable communities.



Overall, the Lomas Encantadas Master Plan seeks to enable the orderly development of the Lomas Encantadas Planning Area, by planning for the development of the urban infrastructure necessary to address site drainage and runoff issues, transportation needs, and other infrastructure needs. The Plan's approach has been tailored to the area's unique physical characteristics and will lead to the development of an attractive community for future residents.




Figure 1. Lomas Encantadas Location Map and Nearby Community Facilities

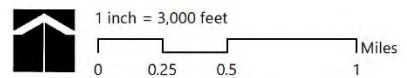


LOMAS ENCANTADAS CONTEXT

Master Plan Boundaries

-  Original
-  Expanded
-  Rio Rancho City Limits

-  School
-  Fire Station
-  Police/Sheriff Station



Planning Process & History

The planning process for Lomas Encantadas began in 1993 with the annexation of the area by the City of Rio Rancho (Resolution 160, Enactment 93-153) and the adoption of a Master Plan for the entire Enchanted Hills neighborhood. The Enchanted Hills Master Plan rezoned the Lomas Encantadas area to R-1 and included approximately 30 acres of open space along the Venada Arroyo. While that Master Plan was sufficient for the initial development of Enchanted Hills, it was not specifically developed or detailed enough to provide planning guidance for the area now known as Lomas Encantadas.

In 1996, Community Sciences Corporation (CSC) was hired by AMREP Southwest, Inc. to provide recommendations for lot configurations, serviceability by utilities, and a general strategy of implementation. That study concentrated on major arterial roads and the feasibility of creating either "large lot" subdivisions or the development of conventional single-family homes at an approximate density of 3 dwelling units (DUs) per acre.

In 1999, CSC was again retained to analyze the cost of alternative land use scenarios. At the time, the lowest density zoning district allowed in the City of Rio Rancho was R-1. Due to the existing zoning and the extreme costs for grading, drainage, and arroyo treatment, development was deemed infeasible at that time.

In 2001, the City's Integrated Comprehensive Plan (ICP) was adopted, providing general guidelines for the City of Rio Rancho. The ICP recognized the Enchanted Hills area as an existing "Level 4" Master Plan and a development growth node, which set the framework for more detailed planning and subsequent development activities. Shortly afterwards, the City of Rio Rancho approved amendments to the zoning code that created more zoning districts and general flexibility in the types and density of housing that could be developed.

Beginning in 2001, Huitt Zollars, Inc. was retained to review generalized land use, roadway connections, and to devise a strategy for drainage management that would work in conjunction with the goals and objectives of SSCAFCA. Following the development of a Master Drainage Plan for the area, Huitt Zollars, in conjunction with CSC and AMREP Southwest, Inc., developed the original Master Plan for Lomas Encantadas, which was adopted in 2004. The previous version of this plan laid the foundation for subsequent re-platting of AMREP Southwest properties. This in turn led to the rezoning of the southeastern half of the planning area, the construction of infrastructure and roadways, and the eventual development of several planned subdivisions. The overall proposed density was also increased slightly from the original land use plan developed in 1996.

A fiscal impact study was performed for the original 1993 Enchanted Hills Plan and was updated for the 2004 Lomas Encantadas Plan. The 2004 fiscal impact study found that the development of Lomas Encantadas would have a positive impact on the City's General Fund when accounting for increased property taxes, construction gross receipts, impact fees, and the gross receipts associated with the development of the Enchanted Hills Commerce Center area.

Since the initial adoption of this plan in 2004, much of the southern portion of the planning area (south of Paseo del Volcan) has been re-platted and developed as single-family homes. Other improvements have also been completed, such as the construction of drainage and infrastructure improvements, the construction of new area schools, and the development of new commercial sites along NM 528. Some area to the south of the Venada Arroyo remains undeveloped, as well as the entire northern half of the planning area (to the northwest of Paseo del Volcan), which has not yet been developed.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The City of Rio Rancho's Comprehensive Plan provides policy guidance on several planning elements that affect development of Lomas Encantadas. These include policies addressing land use, urban design, transportation, infrastructure development, parks and recreation, and community facilities. This Master Plan furthers several goals and policies of the Comprehensive Plan as described below.

Antiquated Platting

Given the large amount of prematurely platted land in Rio Rancho, the Comprehensive Plan has several adopted goals, policies, and actions to address this issue and facilitate development of prematurely platted areas. Specific provisions that this Master Plan furthers include:

- **GOAL A-1:** Eliminate antiquated platting with the City of Rio Rancho where desirable.
- **POLICY A-2:** Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots.
- **POLICY A-3:** Ensure that the City's land use and development regulations provide the specific and detailed provisions necessary to eliminate prematurely platted land when feasible.

The adopted Master Plan laid the groundwork to consolidate and re-plate prematurely developed lots in the planning area. This has led to the successful development of several new subdivisions since 2004. This plan update continues to address the issue of antiquated platting by adding additional lots within the expanded planning area to be consolidated within the revised planning boundaries and by proposing a new illustrative lot layout for the undeveloped northern portions of the site.

Natural Environment

As described in other chapters, the Master Plan seeks to preserve and enhance natural features whenever possible, especially regarding open space, natural drainage, and water use. The Plan furthers the following Comprehensive Plan goals and policies:

- **GOAL CON-5:** Meet federal, state, regional and local water quality standards through coordinated, long-term strategies that address the many contributors to water pollution.
- **POLICY CON-12:** Develop and protect a public open space network.

The drainage plan for the undeveloped northern portions of Lomas Encantadas (as outlined in the **CONCEPTAL DRAINAGE PLAN CHAPTER**) is designed to create a series of smaller scale "micro-parks" that will address water quality and runoff issues within the northern portion of the planning area. These microparks will be part of the larger storm water management system that seeks to protect open space areas and connect community amenities together. Overall, open space accounts for about 17.5% of the planning area, which meets a need to provide both recreation opportunities while preserving the natural environment. In addition, the Master Plan meets new Federal requirements that are part of Section 404 of the Clean Water Act.

Land Use

As described in the **LAND USE CHAPTER**, much of the planning area is proposed to be medium density single-family residential, with additional land set aside for parks, open space, and trails. The proposed land use furthers the following Comprehensive Plan goals and policies:

- **GOAL L-2:** Encourage consolidation of lots to promote a variety of land uses in a planned manner.

- **GOAL L-3:** Maintain a balance of land uses throughout the City.
- **POLICY L-1:** 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.
- **POLICY L-3:** Promote and support development that incorporates walkability.

As stated above, the Plan promotes the consolidation of existing lots and the development of new residential subdivisions that establish a community character. The site includes several internal trails and open space areas that promote walkability. The site is also well located for new residential development given to the proximity to large regional job centers and growth nodes, including V. Sue Cleveland High School, the Enchanted Hills Commerce Center, UNM Sandoval Regional Medical Center, and the City Center area. Several other sections of the plan address specific land use-related elements, including circulation, building location, lot layouts, trails, and building design.

Population and Housing

Rio Rancho has recovered from the Great Recession in 2008 and the subsequent downturn in the housing market. The City is once again poised to grow, which will require the development of a variety of new neighborhoods for new families. This Plan supports several housing goals of the Comprehensive Plan including:

- **GOAL PH-2:** Maintain the strength, vitality, and stability of all residential neighborhoods and types.
- **GOAL PH-3:** Promote a variety of housing types to meet the needs of all members of the community.
- **GOAL PH-4:** To ensure that single-family and multifamily residential neighborhoods provide an attractive living environment.
- **POLICY PH-7:** Support residential developments with appropriate amenities for families with children.

Lomas Encantadas will add a significant number of new homes to the City of Rio Rancho at full build out. The development of these homes will provide additional housing options for families in Rio Rancho with a variety of incomes. In addition, the plan supports the development of new commuter-friendly subdivisions that include quality community amenities such as parks, open space areas, trails, and connections to transit.

Transportation

The transportation element of the Rio Rancho Comprehensive Plan seeks to develop a multi-modal transportation system that enables safe travel for all users, while also mitigating congestion and neighborhood traffic. An updated transportation plan and traffic impact assessment (included within the [TRANSPORTATION CHAPTER](#)) support many of the Comprehensive Plan's goals and policies including:

- **GOAL TR-1:** Encourage development that effectively mixes land uses to create an efficient transportation system that reduces congestion, improves air quality and creates opportunities to build Rio Rancho's economy.
- **GOAL TR-2:** Transportation facilities designed and constructed in a manner to facilitate Rio Rancho's economic goals, enhance livability and meet Federal, State, regional and local requirements.
- **GOAL TR-3:** A balanced transportation system that provides access to a variety of transportation

options (automobile, transit, bus rapid transit, rail, bicycle and pedestrian facilities).

- **POLICY TR-9:** Plan rights-of-way prior to development review and, where appropriate, officially secure them by dedication or reservation of property.
- **POLICY TR-10:** Support the design of streets and highways to respect surrounding land uses, natural features and community amenities.

Roadways in Lomas Encantadas will be constructed to respect surrounding land uses and meet local and state design requirements. An updated trip generation study was performed to ensure that increased trips from residential development do not negatively impact level of service on adjacent roadways. In addition, this Plan outlines key pedestrian, bicycle and transit connections that connect to a larger regional transportation network. Additional planning for future roadways will be planned in coordination with the City during the time of subdivision platting.

Public Facilities

Along with addressing antiquated platting during the development process, the Comprehensive Plan seeks to ensure that new development occurs in areas with existing public facilities and proximity to existing infrastructure (to minimize costs associated with infrastructure expansion). This Plan supports the following Comprehensive Plan goals and policies:

- **GOAL PF-1:** Provide a broad range of services and public facilities that meet the needs of current and future City residents, e.g. libraries, water supply, water and sewer lines, etc.
- **POLICY PF-3:** Make land use recommendations based on the availability of adequate public facilities necessary to support a proposed land use.

The **INFRASTRUCTURE CHAPTER** of this plan outlines a clear plan for future infrastructure development and financing to ensure that costs to the City of Rio Rancho are minimized. This plan builds on the existing infrastructure development that has occurred since the Plan was first adopted in 2004 and seeks to adequately meet the future demand as the northern portion of the planning area begins to develop. The site is located next to existing water service lines that run along Camino Encantadas NE, Enchanted Hills Boulevard, and Paseo del Volcan. Sanitary sewer lines are also available along Camino Encantadas and can be extended to serve future subdivisions north of Paseo del Volcan. Development in this area will create contiguous growth next to identified growth areas adjacent to Enchanted Hills and Paseo del Volcan.

Parks and Recreation

The Comprehensive Plan identified improving the City's parks and recreation facilities as a clear need, especially in new developments. This plan supports several Comprehensive Plan goals and policies to improve parks and recreation facilities including:

- **GOAL PR-1:** Establish new and maintain existing recreation and senior centers, parks, trails and open space that foster a quality community, support a strong economy, and meet the needs of current and future residents.
- **GOAL PR-2:** Be responsive to the recreational needs of the community.
- **POLICY PR-1:** Develop pedestrian and bicycle linkages between neighborhoods and major natural areas, recreation facilities, and education, employment and retail centers.

Lomas Encantadas will include parks and open space areas that meet or exceed the City's Parks and Recreation standards (currently 4 acres of park space per 1,000 residents). Approximately 60 acres of parks will

be provided, spread across eight developer dedicated parks and the existing Cibola Little League Fields and associated park area recently purchased by the City of Rio Rancho. In addition, the Master Plan proposes an integrated system of trails that will connect to regional trail facilities identified in the City's Bike and Pedestrian Transportation Master Plan.

Urban Design

The urban design element of the Comprehensive Plan seeks to ensure that development follows basic design standards that support community identity and create a sense of place. Lomas Encantadas furthers the following urban design goals of the Comprehensive Plan:

- **GOAL UD-1:** Create focused growth areas where existing public infrastructure can support higher density development.
- **GOAL UD-2:** Create traditional neighborhood patterns that support a sense of place.
- **GOAL UD-7:** Create subdivision linkages to open space recreational facilities.

Design features in Lomas Encantadas help establish a community identity through a system of trails, open space, park space, design standards (see *DEVELOPMENT CRITERIA*), that integrate with the larger regional landscape. In addition, the proposed residential subdivisions will seek to create distinct neighborhoods that support a sense of place.

Economic Development

The City of Rio Rancho has sought to diversify its economy and attract additional employers. In addition, the City has sought to increase the amount of local retail opportunities within Rio Rancho, as well as expand the overall tax base.

- **GOAL EDP-3:** Enhance the tax base.
- **GOAL EDP-4:** Improve the quality of life.

Ongoing residential development in Lomas Encantadas will expand the City's tax base through increased property taxes, gross receipt taxes from construction, and through spending by new residents.

EXISTING CONDITIONS

Population

The estimated population of Lomas Encantadas in 2018 is 1,750 residents spread among 625 households.¹ The population has almost doubled since 2010, when the population was 926 residents (89% growth since 2010). Including the remaining undeveloped areas in Lomas Encantadas, the entire Master Plan Area is planned to include up to 2,084 dwelling units. Given the 2018 average household size (2.8) and vacancy rate (7%) in Rio Rancho, Lomas Encantadas is expected to support a total population of approximately 5,000 residents after full build-out.

Topography

The primary topographical features within Lomas Encantadas are the two low-lying drainage channels that make up the Venada Arroyo. The main branch of the Venada Arroyo flows easterly, beginning near the western planning boundary and Paseo del Volcan and exiting the site at the La Bona Tierra Subdivision and NM 528. A smaller, secondary branch of the Venada Arroyo flows southward from the northern boundary of the planning area into a culvert at Paseo del Volcan and then connects to the main channel through an outfall near Quintana Place NE. This channel roughly follows the future alignment (currently unconstructed) of the Camino Encantadas NE to the north of Paseo del Volcan. While secondary to the main branch, construction near this northern tributary will require careful attention for erosion, lateral migration, development constraints, and stormwater management. In addition, the primary drainage diversion in Enchanted Hills (Encantado Channel) intercepts stormwater runoff and carries flows to an existing ponding area near Paseo del Volcan.

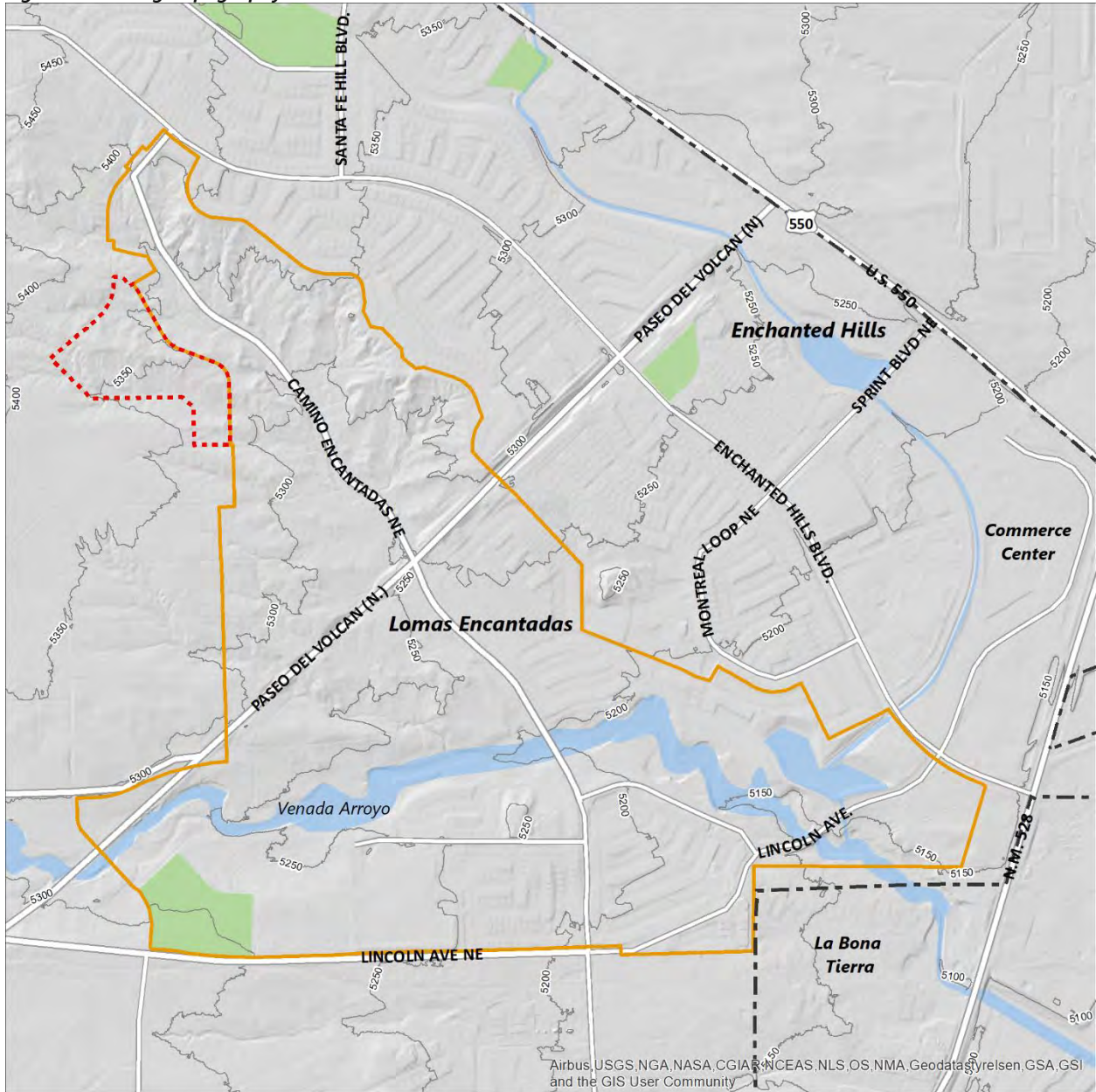
Most of the developed portions of Lomas Encantadas are relatively flat, with grades between 1% and 5%. About half of the undeveloped areas in the southeastern portions of the planning area have been mass-graded to support eventual re-platting and construction. The undeveloped northwestern side of the planning area has steeper grades and has not been mass-graded. Along the western side of Lomas Encantadas, the bluff area between the existing development of Enchanted Hills and northeast planning boundary contain steep grades. The drainage pattern formed by stormwater runoff in this area contributes to the two branches of the Venada Arroyo and creates a development challenge. This drainage area was originally zoned as open space for ongoing preservation.



Existing Topography of Undeveloped Portion of the Planning Area North of Paseo del Volcan

¹ ESRI Business Analyst Data, 2018

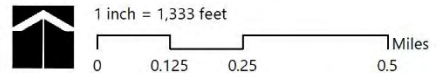
Figure 2. Existing Topography



LOMAS ENCANTADAS TOPOGRAPHY

Master Plan Boundaries

- Original
- Expanded
- Flood Zone (Zone A)
- Existing Parks



Vegetation

The most noticeable characteristic about vegetation within northern Rio Rancho is the variety of grass species, which include a total of 17 identified species of grasses. Other vegetation in the planning area consists of smaller shrub and small tree species typical to this climate including one-seed juniper, piñon, and cedar, along with sage, snakeweed, dwarf chamisa, apache plume, saltbrush, and several forms of cacti, among others:

Grasses

- Blue, Black, Hairy and Side oats Gama;
- Galleta;
- Indian Rice grass;
- Squirrel Tail;
- Vine-Mesquite;
- Three (3) Drop seed grasses;
- Three-awn;
- Fluff grass;
- Little Bluestem;
- Ring Muhly;
- Prairie Sage;
- Antelope Sage;
- Dyssodia;
- Silvery Sophora;
- White Prairie Clover;
- Globe Mallow;
- Prairie Evening Primrose;
- Lavenderleaf Sundrops;
- Yellow Hiddenflower;

Herbaceous plants

- Wormwood;
- Scapose Bitterweed;
- Fendler Bladder pod;
- Spectacle Pod;
- Bastard Toadflax;
- Gaura;
- Stemless Evening Primrose;
- Carpet Phlox;
- Bow-Nut Cryptantha;

Dominate Trees

- One-seed Juniper;
- Cedar (scrub);
- Pinon;

Cacti

- New Mexican Beehive;
- Club Cholla;
- Prickly Pear (4 different varieties min.);
- Sclerocactus;
- Claret Cup;
- Tree Cholla;

Shrubs and Sub-Shrubs

- Snakeweed;
- Dwarf Chamisa;
- Apache-plume;
- Threadleaf;
- Sage;
- Black Sage;
- Wormwood;
- Joint-fir;
- Blackfoot Daisy;
- Skunkbrush;
- Winterfat;
- Dune Broom;
- Soapweed Yucca;
- Wild Buckwheat;
- Mountain Mahogany;
- Feather Dalea;
- Banana Yucca;
- Four-wing Saltbrush;

Wildlife

According to the State of New Mexico Game and Fish Department's, Biota Information System of New Mexico (BISONM), there are no endangered or threatened species that inhabit the site.

Cultural Resources

A cultural resources inventory was performed for the original draft of this plan in 2004. At the time, reports indicated that some areas of Lomas Encantadas contained archaeological artifacts representing mostly surface use areas by early pueblo tribes. While important, none of these sites indicated the presence of sub-surface pueblos, kivas, or other cultural resources that would require extensive mitigation or excavation. Since 2004, development of the lots in Lomas Encantadas has resulted in the proper removal of any remaining shards, remnants, and/or use-areas that remained.

Open Space

In addition to the topographic constraints of Lomas Encantadas, the City of Rio Rancho indicated in the Master Plan for Enchanted Hills that a minimum of 30 acres of open space be preserved. This preservation is intended to maintain the natural vegetation on the northwestern portion of Enchanted Hills where there is a higher concentration of vegetative cover than is found in other areas of Rio Rancho. Lomas Encantadas has approximately 150 acres of open space land including approximately 120 acres along the Venada Arroyo. In addition, over 30 acres of open space are planned to be preserved in the northern portion of the site with a significant portion of that acreage along the eastern border that is shared with Enchanted Hills, including three areas where knolls and ridges extend outward from this border. This open space area has been identified for future open space enhancements, which include the construction of a multi-modal trail and trail enhancements that will integrate with the surrounding housing development.



Open Space along the Venada Arroyo

Adjacent Land Uses

To the northeast of Lomas Encantadas is Enchanted Hills, a large master planned community consisting of several thousand homes on land zoned R-1 and Special Use (SU). The Enchanted Hills community is an established growth node for the City. Residential units 1-14 (platted and approved) constitute the initial residential portion together with the "Enchanted Hills Commerce Center." In accordance with the early Master Plan for the area adopted in 1993, the direction has been set for an integration of employment and housing within proximity to employment centers. Although primarily residential, other land uses within Enchanted Hills include commercial and industrial uses, park land, and an existing elementary school site with open space buffering. A considerable portion (200 acres) of the development of Enchanted Hills is zoned for commercial, industrial, and other non-residential uses.

Immediately southeast of Lomas Encantadas, fronting NM 528, is a previously platted development known as La Bona Tierra Subdivision, within the Town of Bernalillo. This development is comprised of dirt roads, mobile homes, a building truss manufacturing facility, and mixed-use properties. The principal impact of this area on the Lomas Encantadas Master Plan involves the connectivity challenges with existing platted City of Rio Rancho roadways, and managing drainage flows from the main branch of the Venada Arroyo that discharges through culverts under NM 528.

Lands to the south and southeast of the planning boundary are primarily low-density residential uses, with a combination of large lot custom homes and undeveloped parcels. Areas to the immediate west and northwest are undeveloped, and zoned R-1.

Existing Zoning

Existing zoning in Lomas Encantadas consists of R-1 (single family residential), R-4 (single family residential), R-6 (multi-family residential), C-1 (commercial), OS (Open Space), and PR (Parks and Recreation) zones, as envisioned in the original adopted plan from 2004. Currently, the R-4 district is the primary residential zoning on the southeastern side of the planning area. There is a small section of R-6 at the intersection of Enchanted Hills Boulevard and Lincoln Avenue. The northern side of the planning area (north of Paseo del Volcan) is currently zoned R-1, but a zone map amendment request has been submitted to rezone this portion to R-4, following the other R-4 residential areas to the south of Paseo del Volcan. Commercially zoned areas are limited to a few smaller parcels at Lincoln Avenue and Camino Encantadas. Two currently undeveloped locations have been zoned for parks: one at the corner of Camino Encantadas and Camino Venada, and one adjacent to Aldan Drive NE (south of existing homes in Enchanted Hills). Large tracts of open space areas follow the Venada Arroyo.

Proposed Zoning & Density

Proposed zoning districts within Lomas Encantadas will continue to consist primarily of residential uses, with a small increase in density from the zoning approved in the 2004 version of this Plan. Instead of the three different types of R-1 zoning included in the 2004 Plan ("Terrain Fitted", "Estate" and "Standard"), the proposed zoning districts are simplified to include only R-1, R-4, and R-6 as described below:

Residential

R-1 Low Density Single Family Residential

Lot Density: 2 to 4 dwelling units per acre.

Zoning: R-1

Description: Single-family residential dwellings and associated uses. These areas include R-1 zoned land to the north of Lincoln Avenue near Sandia Vista Elementary School and along Aldan Drive NE.

R-4 Medium Density Single Family Residential

Lot Density: 4 to 6 dwelling units per acre

Zoning: R-4

Description: Single-family residential dwellings and associated uses on medium sized lots. These areas include the existing developed neighborhoods south of Paseo del Volcan and areas designated to the northwest of Paseo del Volcan that encompass the currently undeveloped portion of Lomas Encantadas.

R-6 High Density Multi-Family Residential

Lot Density: 10 to 25 dwelling units per acre.

Zoning: R-6

Description: High-density multi-family residential. These areas are limited to a single parcel at the intersection of Lincoln Avenue and Enchanted Hills Boulevard.

Commercial

C-1 Commercial

Use Allowance: All uses allowed in C-1 district subject to zoning district limitations.

Open Space & Parks

OS Open Space

Use Allowance: All uses allowed in OS district subject to zoning district limitations.

PK Parks and Recreation

Use Allowance: All uses allowed in PK district subject to zoning district limitations.

Figure 3. Existing Zoning



LOMAS ENCANTADAS EXISTING ZONING




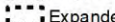







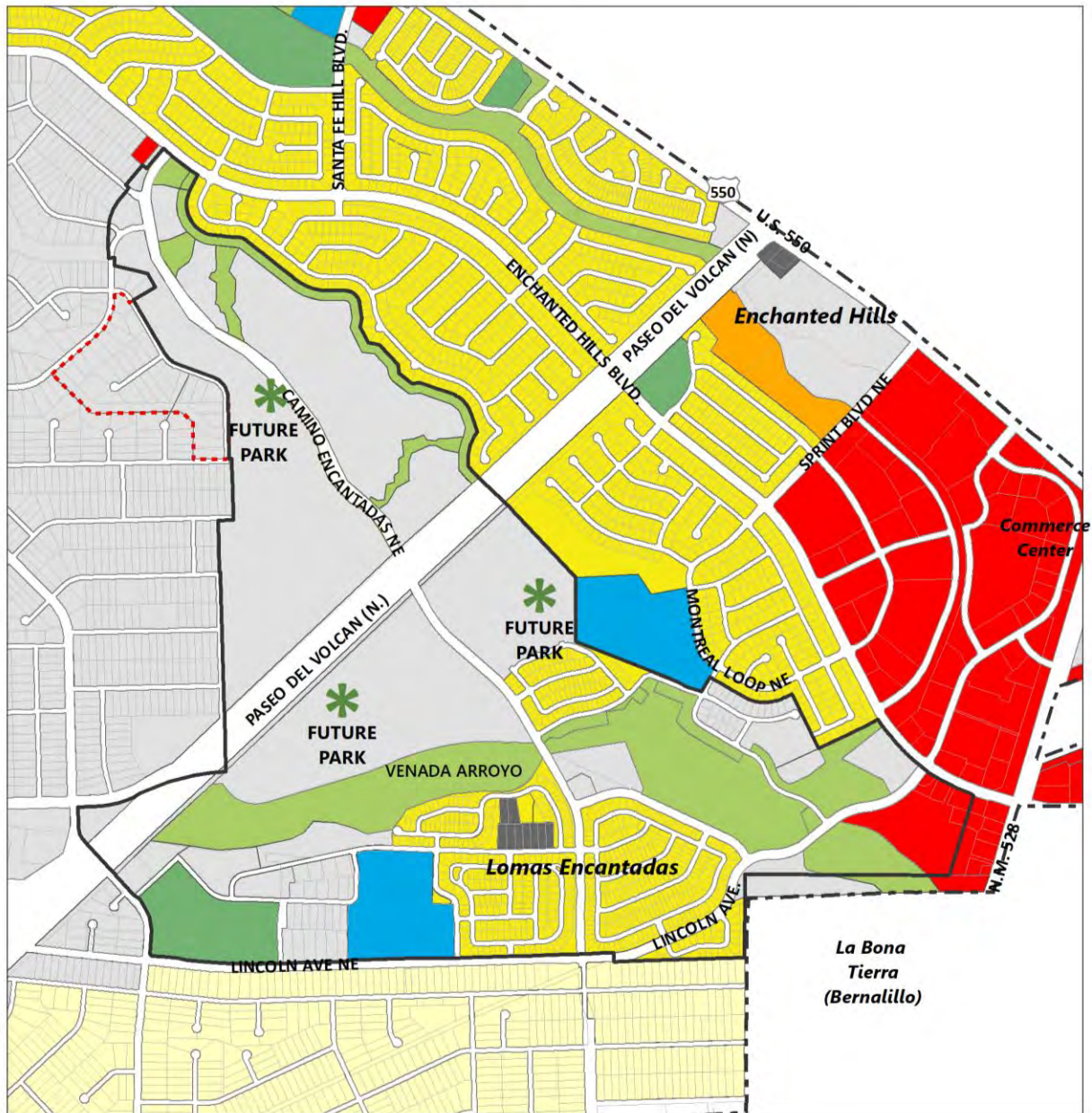
- | Zoning | Master Plan Boundaries |
|---|--|
|  R-1 |  Original |
|  R-3 |  Expanded |
|  R-4 | |
|  R-6 | |
|  C-1 | |
|  M-1 | |
|  SU | |
|  PR | |
|  OS | |



Figure 4. Existing Land Use



LOMAS ENCANTADAS EXISTING LAND USE

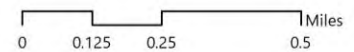
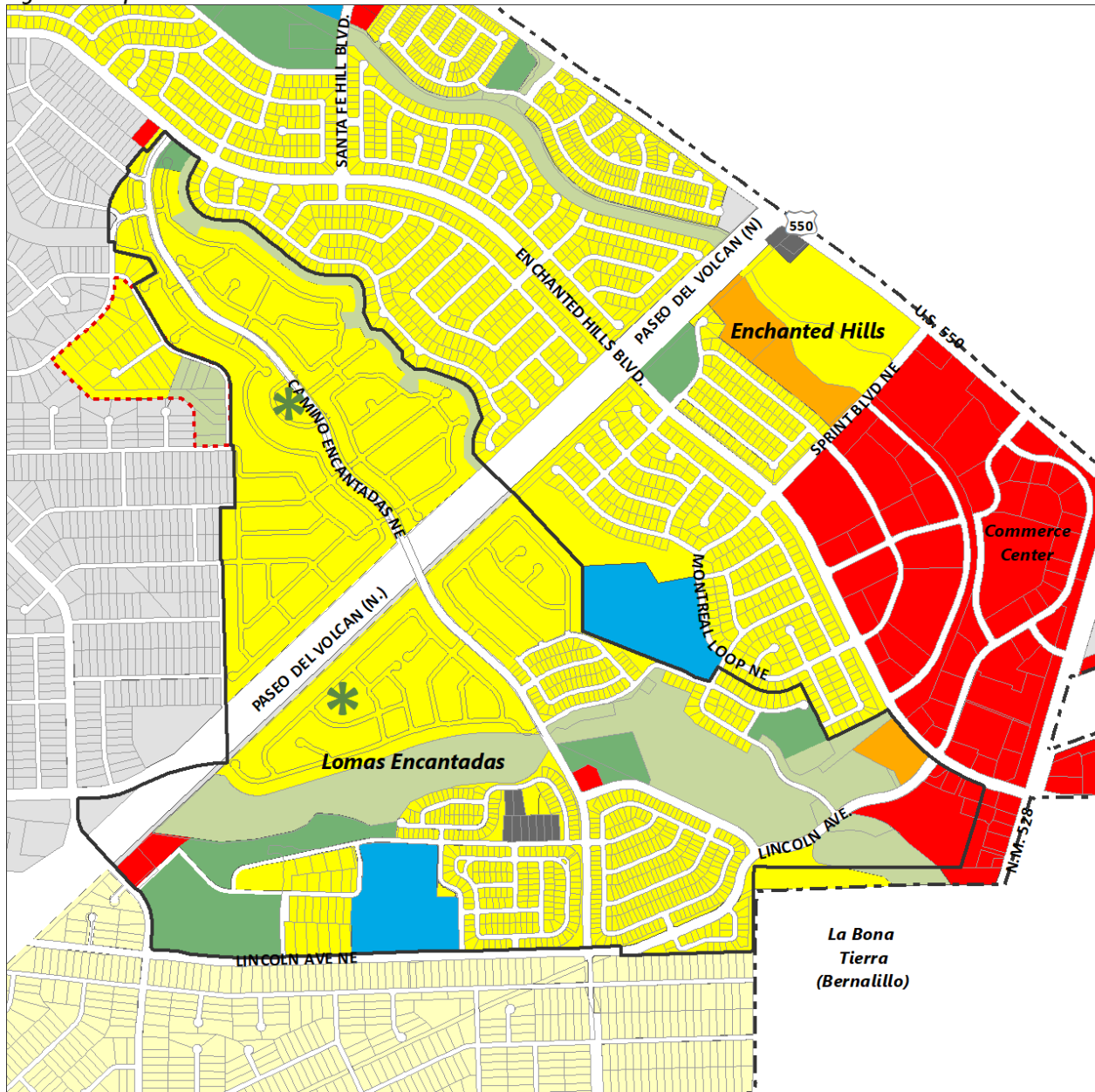
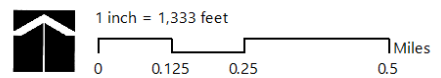


Figure 5. Proposed Land Use



LOMAS ENCANTADAS PROPOSED LAND USE

- | Land Use | Master Plan Boundaries |
|----------------------------|------------------------|
| Low Density Residential | Original |
| Medium Density Residential | Expanded |
| High Density Residential | Proposed Park |
| Commercial | |
| Institutional | |
| Parks | |
| Open Space/Drainage | |
| Utilities | |
| Vacant | |



Note: Street network in northern portions of Plan Area is for illustrative purposes only.

DEVELOPMENT CRITERIA

City of Rio Rancho Design Standards

Design guidelines and Covenants, Conditions and Restrictions (CC&Rs) for Lomas Encantadas were established by the Master Developer coincidentally with the approval of the Lomas Encantadas Master Plan in 2004. Subsequent modifications to the CC&Rs are to be made by the Master Developer or each parcel developer for Lomas Encantadas. Residences, buildings, structures, landscaping and other improvements will not be allowed to be constructed or installed on any lot without the prior written approval of the Master Developer or the Architectural Review Committee.

All design guidelines are subject to City codes, ordinances and adopted policies of the City of Rio Rancho. The following are general guidelines for development in Lomas Encantadas, and update the original standards developed for the original adopted plan in 2004.

Landscape Design

Lomas Encantadas' objective is to provide a unique community rich with the preservation and integration of native vegetation and materials that protect the character of the site. This objective provides habitat enhancement and will ultimately reduce the potential water requirements for landscaping within residential developments and open space areas. General guidelines for landscape design include:

- Disturbed areas will require natural re-vegetation;
- Approved plant palette listed in the Standards and Guidelines shall be used on all plant material choices except for interior walled areas;
- Exotic ornamental plants shall be prohibited except in predetermined areas such as backyards, courtyards, etc.;
- Site landscaping must be installed in a timely manner and be approved by the Architectural Review Committee for Lomas Encantadas;
- Xeriscape landscapes shall be utilized for public rights-of-way and conservation areas; and
- Water harvesting principles will be employed in public and private detention areas.

Development will repair and restore disturbed land as quickly as possible. Certain situations where disturbed land is along the perimeter or adjacent to open space may require seed mixtures and/or installation methods to restore natural plant densities. Drip irrigation systems may be employed to minimize runoff and evaporation while providing water to natural landscapes. Long-term water requirements will be considered to prevent the destabilization of the soil. In some areas, irrigation will be employed for plant establishment-to be abandoned upon stability of installed drought-tolerant species. All entryway and right-of-way landscaping will be maintained by the Home Owners Association.

Major Roadways

Lomas Encantadas' roadways have been designed to create a safe, accessible, and multi-modal street network that connect the Master Plan Area to adjacent communities. Major roads within the planning area include Camino Encantadas NE, Paseo del Volcan, and Lincoln Avenue NE. Camino Encantadas is the primary north/south collector roadway through the planning area, which provides access to existing and planned subdivisions. The roadway currently ends at Paseo del Volcan but is planned to extend northward through the Paseo del Volcan underpass and connect to Enchanted Hills Boulevard. Paseo del Volcan is a limited access principal arterial roadway that bisects Lomas Encantadas into southern and northern halves. Direct access to the roadway is limited from Lomas Encantadas, with the nearest access points at US 550 and Iris Road. Lincoln Avenue is planned to extend to the east to Paseo del Volcan in the future as a minor arterial road. Lincoln Avenue NE and Aldan Drive NE provide direct connections to Enchanted Hills. The remaining streets in the planning area are local roads designed to serve the existing and planned residential subdivisions.



Camino Encantadas Roadway Heading North

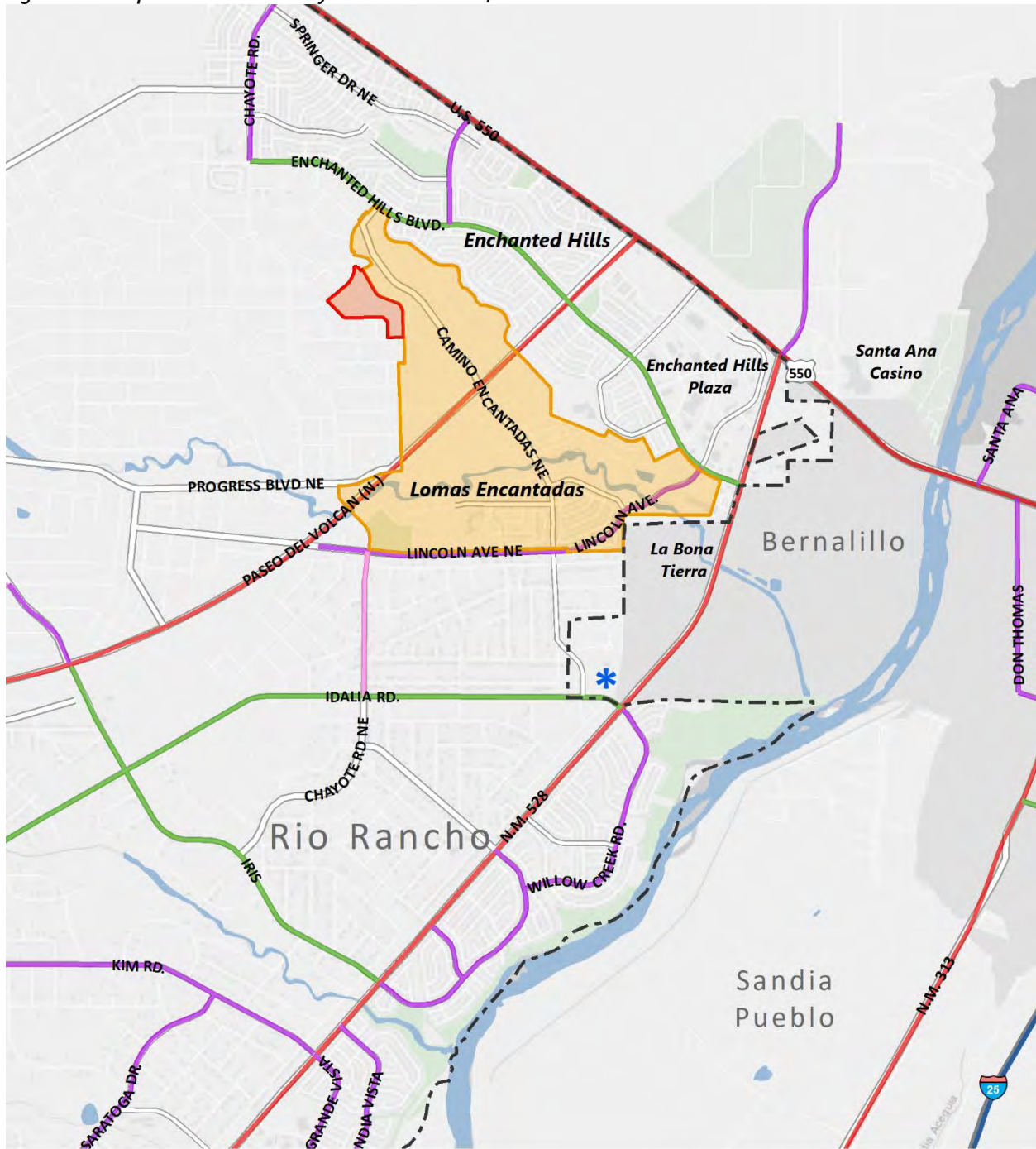
Street Design Guidelines

All City of Rio Rancho street design and right-of-way standards will be met except for certain cul-de-sacs which are planned to be greater than 500 feet long. In these cases, the right-of-way will be expanded to 60 feet and the radius of the bulb will be expanded to a 120-foot diameter. It is requested that sidewalks not be required on the side of a street where recreational trails will be installed. Streets within Lomas Encantadas will be constructed by the developer and dedicated to the City of Rio Rancho for maintenance upon completion and acceptance.

Parking

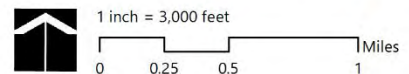
On street parking and parking lots within Lomas Encantadas shall follow the City of Rio Rancho Zoning Ordinance with screened parking lots, which may include low walls, fences and/or landscaped berms. Shared parking opportunities will be provided where feasible for non-residential uses and recreational centers.

Figure 6. Transportation Network by Functional Classification



LOMAS ENCANTADAS ROADWAY CLASSES

- | | |
|-------------------------------|---------------------------------------|
| Master Plan Boundaries | NMDOT Roadway Functional Class |
| Rio Rancho City Limits | 1 - Interstate |
| Original | 3 - Principal Arterial |
| Expanded | 4 - Minor Arterial |
| | 5 - Major Collector |
| | 6 - Minor Collector |



CONCEPTUAL DRAINAGE PLAN

Drainage Management

There has been a change in the Army Corps of Engineers 404 Permit requirements under the Clean Water Act, which necessitate the creation of a new Drainage Management Plan (DPM) for the undeveloped, northern half of Lomas Encantadas. The revised Drainage Management Plan will incorporate the fundamental drainage management concepts presented in the previously approved "Enchanted Hills South DMP". The revised DMP will include a discussion of the existing and proposed developed drainage patterns for this area and the infrastructure required to convey runoff through existing and planned subdivisions.

The design parameters for drainage management will follow the Venada Arroyo Watershed Management Plan (VEWMP) from November 2002. The VEWMP states that the management strategy for this watershed is to "Manage the watershed to restrict flows in the lower end of the Venada Arroyo to existing facility capacities and approximately existing conditions flow rates. This establishes a watershed management objective of 3100 cfs in the lower reach. This includes the existing NM 528 crossing and the constructed facilities downstream and immediately upstream of NM 528."

The drainage management concept for the updated Lomas Encantadas Master Plan will be guided by four key concepts:

- 100-Yr Peak Flow Management
- Storm Water Quality
- Offsite Flow Management
- Arroyo/Open Space Mitigation

100-Year Peak Flow Management

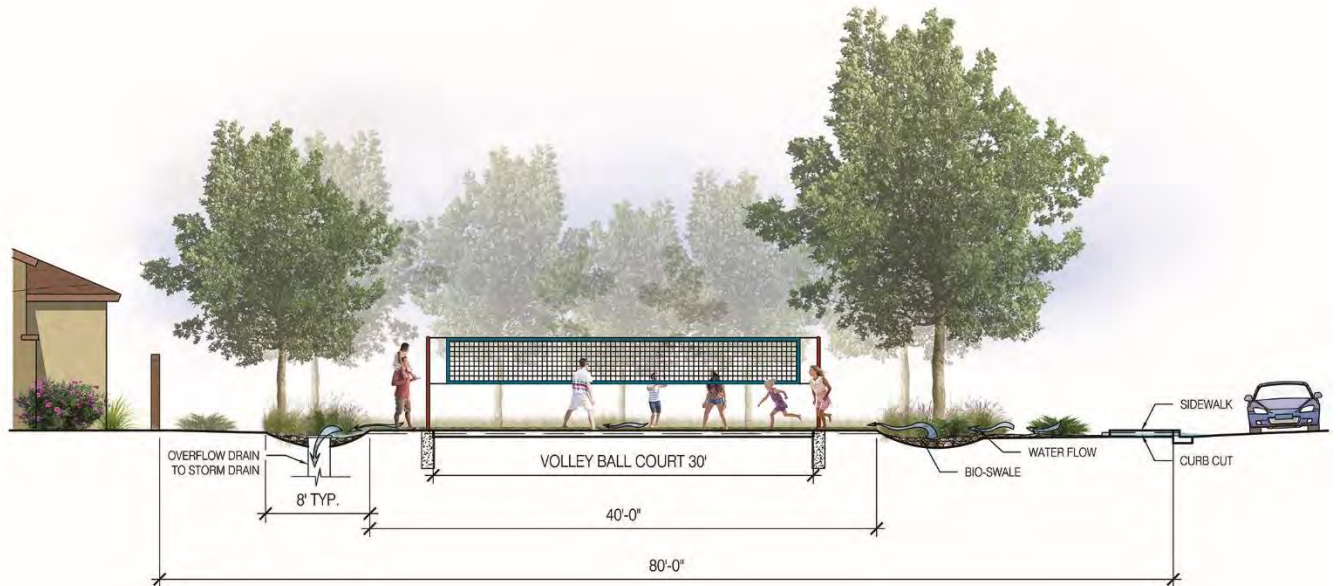
The backbone drainage infrastructure that will serve the northern portion of Lomas Encantadas has been constructed by the Lomas Encantadas development to date. Large diameter reinforced concrete pipes 7 and 8 feet in diameter have been constructed from the Venada Arroyo outfall northward in the Camino Encantadas Roadway corridor, ending north of the Paseo del Volcan Corridor in order to allow connection and accept flows from the upper portion of Lomas Encantadas. The revised DMP will provide analysis to ensure that the infrastructure can manage the intended design flows per SSCAFCA and City of Rio Rancho drainage policies for the 100-year event flows.

Storm Water Quality

Micro-parks with landscaped grassy surfacing will be designed and constructed with each unit of development. Street surface flows conveyed by curb and gutter will flow into grassy swale areas, which will serve as multi-function micro-parks. Each micro-park will feature an activity area, which may include individual standalone activity locations (volleyball courts, tetherball parks, play grounds) or exercise stations incorporated into neighborhood fitness loops. Storm water quality will be bio-swale oriented and these parks will be maintained by future Homeowners Association(s). Individual micro-park water quality features are shown in Figure X and X. Final locations and design will occur with each unit of development. Bat boxes can be installed at each micro-park to mitigate mosquito populations (a single bat is capable of eating over 1000 mosquitos per night).



Figure 7. Conceptual Micropark Section Showing Waterflow Through Micropark



Note: Graphic is for illustrative purposes only.

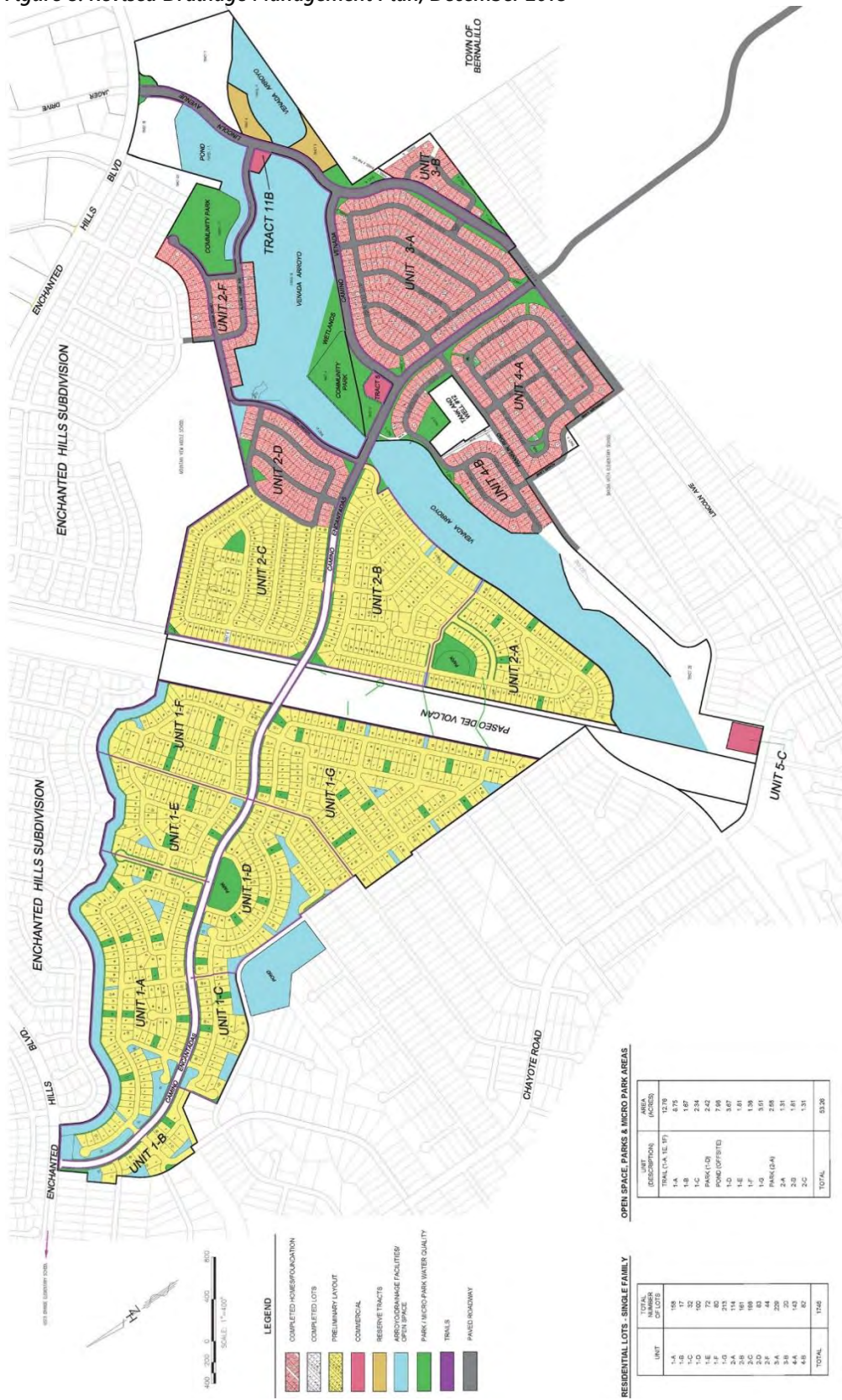
Offsite Flow Management

Offsite flows coming into Lomas Encantadas will be mitigated to reduce flowrates and to manage sediment. Designed structures at the incoming arroyos will be designed and detailed with each unit.

Arroyo/Open Space Mitigation

The Drainage Management Plan will require a renewal of the lapsed U.S. Army Corps Clean Water Section 404 Individual permit. The permit application proposes mitigation as required by the permit by wetlands construction. The Lomas Encantadas Development will propose to construct a multi-acre wetlands adjacent to or located within the Tract 2 Community Park. This wetlands can provide a focal feature for arroyo habitat and wildlife from the area and can be constructed as a walking trail/viewing area within the Community Park area.

Figure 8. Revised Drainage Management Plan, December 2018



Note: Graphic is for illustrative purposes only.

INFRASTRUCTURE & UTILITIES

Water and Waste Water Availability

Lomas Encantadas' water supply will utilize connections to existing infrastructure to the north of the Master Plan area. Individual requests to the City of Rio Rancho for Water and Wastewater availability will be submitted during the platting and final design process of each phase of Lomas Encantadas.

Additionally, Lomas Encantadas intends to make use of an internal wastewater collection system that will discharge into a lift station near the Venada Arroyo (Lift Station #15).

Utilities

An existing power transmission facility bisects Lomas Encantadas. This primary utility corridor contains 115 Kv (and lower) Public Service Company of New Mexico transmission high lines and Plains Electric Cooperative transmission facilities. There are also underground gas utilities located within historic easements that must be respected in the platting and construction considerations.

Electric and Natural Gas

Electric and gas utilities are provided by the Public Service Company of New Mexico (PNM). Bundling of utility and technology services must include negotiations with PNM. PNM's long-range planning is for two (2) substations within the area bounded approximately by Progress Boulevard, US 550 and the limits of the City of Rio Rancho. Additionally, a new 115Kv transmission line loop is planned to connect to these proposed substations and the existing power grid. Natural gas facilities serving the National Guard Patriot Missile Battalion and Enchanted Hills exist and can be extended to serve Lomas Encantadas.

Internet and Telephone Service

Internet service is provided by Comcast, Cable One, and smaller providers that deliver high speed internet with speeds up to 1 Gbps. Conventional telephone services are provided by CenturyLink.

COMMUNITY FACILITIES & SERVICES

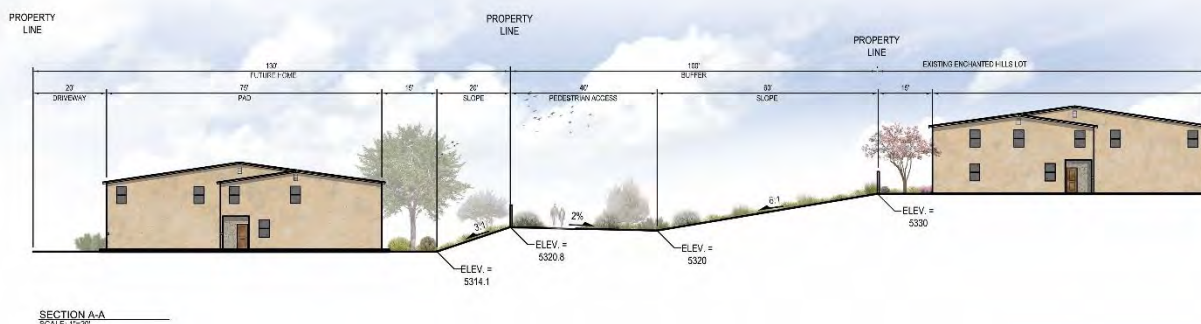
A self-sufficient planned community should provide on-site services, employment opportunities and recreational amenities. Lomas Encantadas has integrated these components into this Master Plan through a public improvement district (PID), which outlines plans to create parks, trails, sidewalks, and other public improvements within Lomas Encantadas (see [FIGURE 11](#)). These improvements, along with a discussion, of community services are discussed below.

Parks and Open Space

Preserving the natural conditions of Lomas Encantadas' open space is a primary focus of the plan. Large tracts of open space areas have been dedicated along the Venada Arroyo, as well as a significant open space buffer along the northeastern boundary of the plan area where it abuts existing residential development in Enchanted Hills.

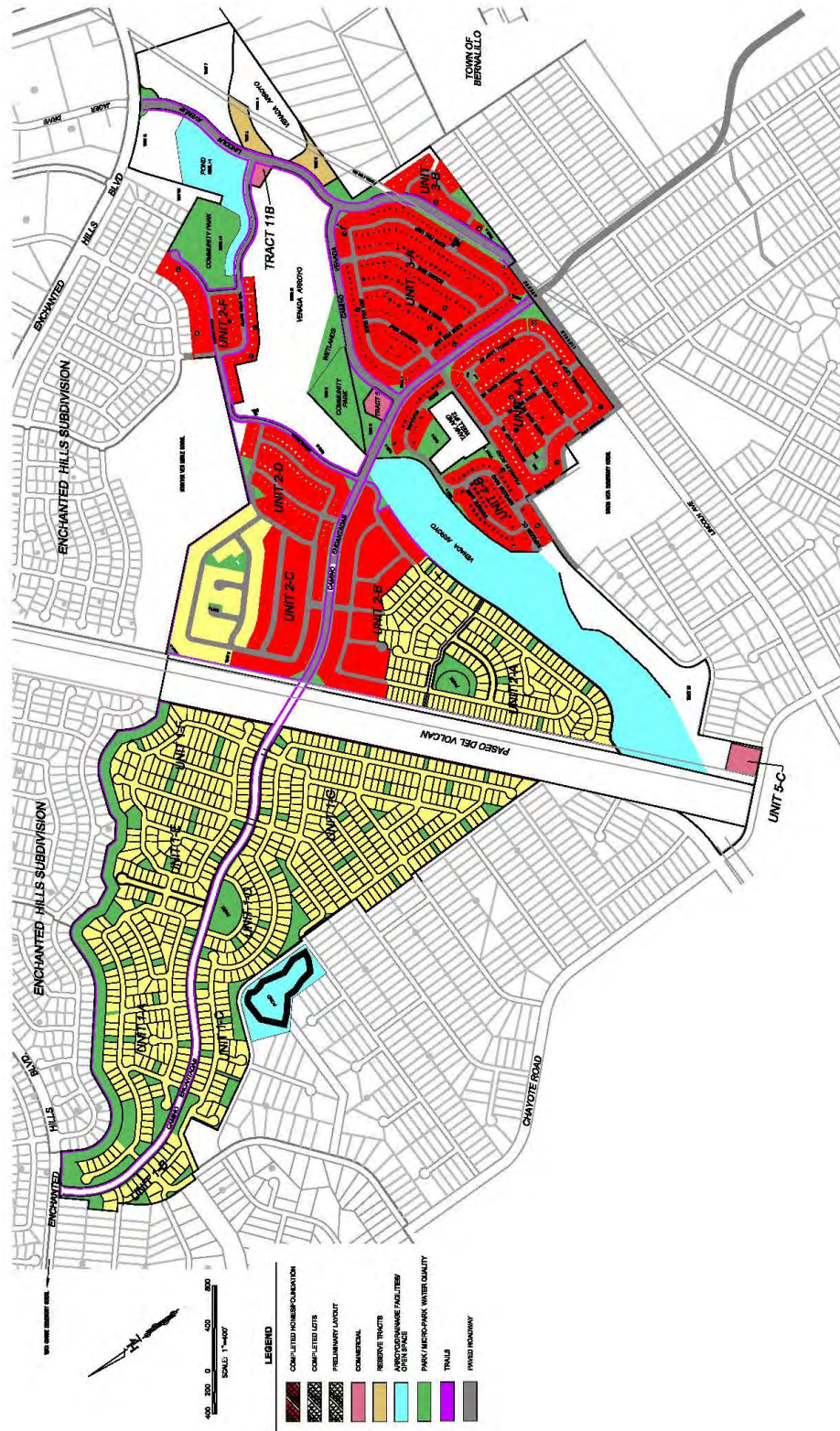
The plan gives special consideration to this open space buffer. The proposed open space protects an area of steep slopes and mitigates the impact of the proposed development of Lomas Encantadas by providing separation between new homes and the existing homes in Enchanted Hills. Due to the change in elevation within this open space area, new homes will generally be well below existing homes, which will help protect existing views and access to light and air for residents of Enchanted Hills (see [FIGURE 9](#)). In addition, the plan identifies three areas where existing knolls or ridges extend farther into the planning area and warrant additional protection through an increased open space buffer (see [FIGURE 10](#)). Trails are also planned for this linear open space and will include a variety of amenities to area residents.

Figure 9. Cross Section of Proposed Open Space Buffer



Neighborhood and community parks have been identified for the planning area. These include two larger parks that have already been zoned for future park development: one at the corner of Camino Encantadas and Camino Venada, and one adjacent to Aldan Drive NE (south of existing homes in Enchanted Hills). Five smaller parks have been identified for the area between the Venada Arroyo and Paseo del Volcan. In addition, a larger, neighborhood park is planned for the undeveloped area to the north of Paseo del Volcan. The microparks discussed in the Conceptual Drainage Chapter will provide additional recreation opportunities as well.

Figure 10. Conceptual Layout with Open Space Areas



Note: Graphic is for illustrative purposes only. Final layout and precise open space boundary to be determined by plat.

Overall, the original 2004 Master Plan resulted in approximately 35.63 acres zoned for open space north of Paseo del Volcan. This revised plan shifts the open space due to the changes required to the proposed drainage plan, but keeps the buffer as described above adjacent to the residences in Enchanted Hills. Approximately 36.78 acres of open space, including micro- and pocket parks, are provided north of Paseo del Volcan, as well as a 7.96-acre pond and a 2.42-acre neighborhood park. This results in a total of approximately 47.16 acres of parks, drainage, and open space area in the northern undeveloped portion of Lomas Encantadas. No changes are proposed to the open space and park area south of Paseo del Volcan.

Trails

Future trails and bikeways will provide access to other recreational facilities in accordance with the City Comprehensive Plan and the City's Bicycle and Pedestrian Master Plan. Trails will be located within the OS (Open Space) zoning along the planning area's arroyos, northeastern boundary, and along sections of the western boundary. The Bike and Pedestrian Master Plan identifies a proposed bicycle trail along the Venada Arroyo, as well as along both sides of Paseo del Volcan. Bike lanes are also identified along Camino Encantadas, Chayote Road NE, Idalia Road NE, and Lincoln Ave NE.

Educational Facilities

Lomas Encantadas is served by an existing elementary and middle school, both of which were recently constructed. Sandia Vista Elementary School is located immediately to the southwest of the planning area, and Mountain View Middle School is located along the northwestern planning boundary. It is likely that these schools can continue to be utilized in conjunction with possible future proposed school sites to accommodate the short-term growth in Lomas Encantadas and the surrounding area. Longer term, a second elementary school may need to be constructed north of Paseo del Volcan to support a large number of new households in future subdivisions northwest the planning area.

Community Centers

There are no existing or planned community centers in Lomas Encantadas or the immediate area. The Cabazon Community Center 10 miles to the south and Sabana Grande Recreation Center 7 miles to the south are the closest centers. The Sabana Grande Recreation Center has an art center and offers art, music, and sports classes for children and seniors.

Public Safety

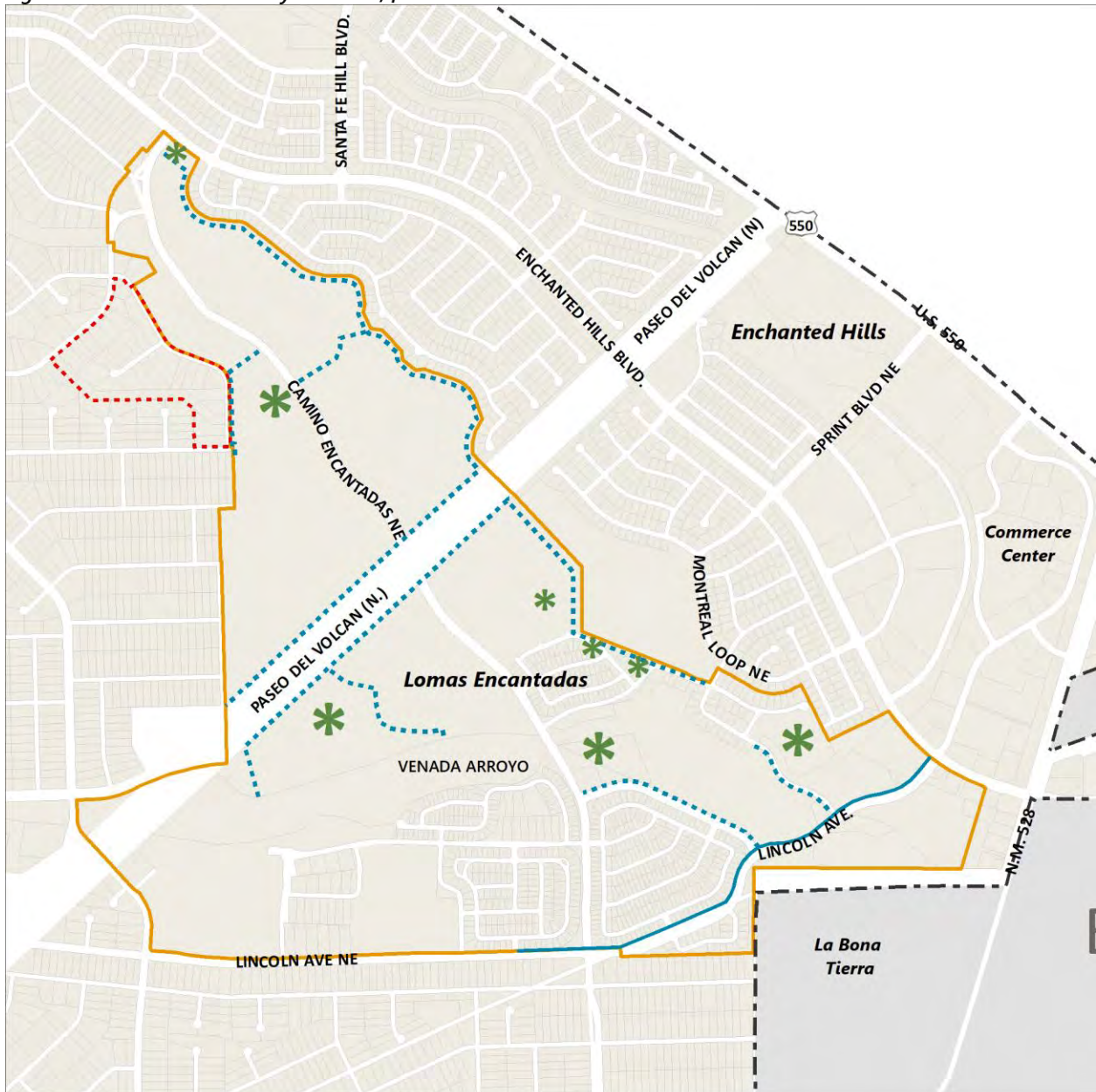
There is an existing fire station in Enchanted Hills (Fire Station #5) along Santa Fe Hills Boulevard. This is the primary fire station covering the Lomas Encantadas area, with a secondary Sandoval County Fire Station 21 located along NM 550 and Tamaya Boulevard to the southeast. There are no existing or planned police substations in Lomas Encantadas. However, the City's Comprehensive Plan discusses a goal to increase the number of community facilities (including police substations) over time.

Other Public Facilities & Services

The following list of public facilities is intended to provide guidance for future projects within the area if deemed appropriate by the City. This list does not require the developer to provide these services.

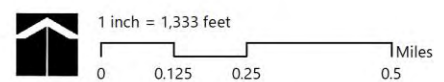
- **Libraries** - Should be located near regional activity centers within Lomas Encantadas.
- **Cemeteries** - None are planned or designated.
- **Solid Waste** - Waste Management, Inc. is the primary refuse collector for the entire city. This along with waste handling systems for internal collection such as refuse, recycling, composting, external collection equipment, transportation and disposal will handle Lomas Encantadas' solid waste.
- **Recycling** - Utilization of existing and private recycling programs within the City of Rio Rancho will allow for a variety of programs to be implemented within Lomas Encantadas.

Figure 11. Planned Community Facilities, from PID



LOMAS ENCANTADAS PUBLIC IMPROVEMENTS

- | | |
|---|--|
| Community Amenities | Master Plan Boundaries |
| <ul style="list-style-type: none"> --- Proposed Trail — Existing Trail * Future Park | <ul style="list-style-type: none"> — Original - - - Expanded ▭ Rio Rancho City Bounds |



IMPLEMENTATION & PHASING

Implementation

The implementation of the Lomas Encantadas Master Plan began with the adoption of the original Plan in 2004. Since then, several new residential subdivisions to the southeast have been built out, following the specifications and policies outlined in this Plan. Future implementation of the Lomas Encantadas Master Plan will occur through replatting of parcels that have been added to the plan boundaries; through a zone map amendment to rezone portions of the site to support medium density residential uses; by securing private funding to finance public infrastructure improvements; and through the future construction of agreed upon public improvements, including roadways, drainage facilities, community amenities, and trails.

Phasing

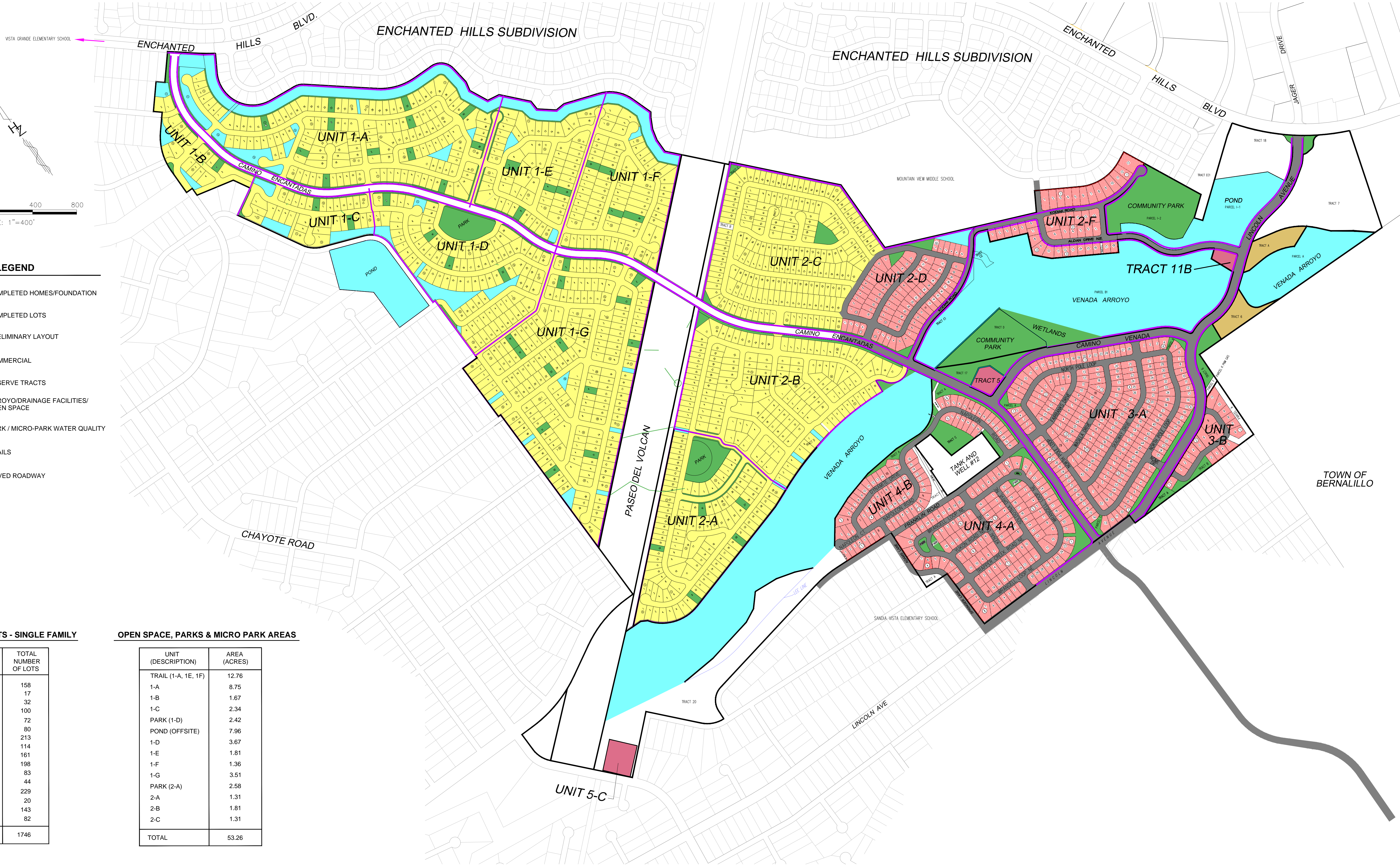
Since adoption of this plan in 2004, much of the southeastern side of Lomas Encantadas has developed, following the original proposed phasing. Phase 1 entailed construction of the initial infrastructure (roadways, access points, drainage facilities, and utilities) within the southeastern portion of the Master Plan. Phase 1 was designed to support the first round of residential homebuilding.

Phase 2 involved the construction of the first series of residential subdivision to the south of the Venada Arroyo, as well as the completion of additional collector roads and infrastructure improvements within the new subdivisions. This phase has been substantially completed as of 2018.

Phase 3 envisioned continued development of the residential lots south of the Paseo del Volcan and the creation of the entire street network and the construction of a direct connection to Enchanted Hills Boulevard and the Enchanted Hills neighborhood.

Phases 1 through 3 have been substantially completed and much of the land within the southeast of Lomas Encantadas has been built out. However, there are still several larger areas to the north of the Venada Arroyo and Paseo del Volcan that remain undeveloped as of the Summer of 2019. Phase 4 of the implementation of this plan will involve land preparation, infrastructure development, drainage improvements, and the eventual construction of residential subdivisions to the northwest of Paseo del Volcan. Phase 4 will also involve the construction of planned community amenities including the proposed parks, trails, and open space areas.

Drainage Management Plan
Conceptual Micropark Diagram
Roadway Cross-sections



LEGEND

- COMPLETED HOMES/FOUNDATION
- COMPLETED LOTS
- PRELIMINARY LAYOUT
- COMMERCIAL
- RESERVE TRACTS
- ARROYO/DRAINAGE FACILITIES/ OPEN SPACE
- PARK / MICRO-PARK WATER QUALITY
- TRAILS
- PAVED ROADWAY

RESIDENTIAL LOTS - SINGLE FAMILY

UNIT	TOTAL NUMBER OF LOTS
1-A	158
1-B	17
1-C	32
1-D	100
1-E	72
1-F	80
1-G	213
2-A	114
2-B	161
2-C	198
2-D	83
2-F	44
3-A	229
3-B	20
4-A	143
4-B	82
TOTAL	1746

OPEN SPACE, PARKS & MICRO PARK AREAS

UNIT (DESCRIPTION)	AREA (ACRES)
TRAIL (1-A, 1E, 1F)	12.76
1-A	8.75
1-B	1.67
1-C	2.34
PARK (1-D)	2.42
POND (OFFSITE)	7.96
1-D	3.67
1-E	1.81
1-F	1.36
1-G	3.51
PARK (2-A)	2.58
2-A	1.31
2-B	1.81
2-C	1.31
TOTAL	53.26

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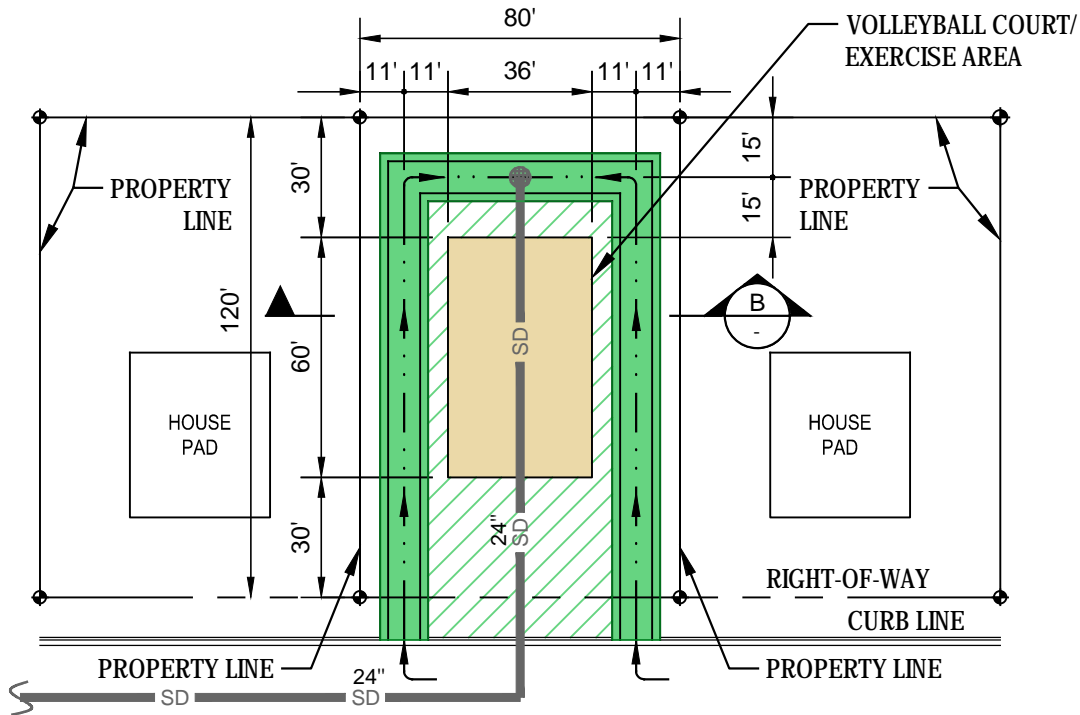
LOMAS ENCANTADAS

DRAINAGE MASTER PLAN

DECEMBER 2018

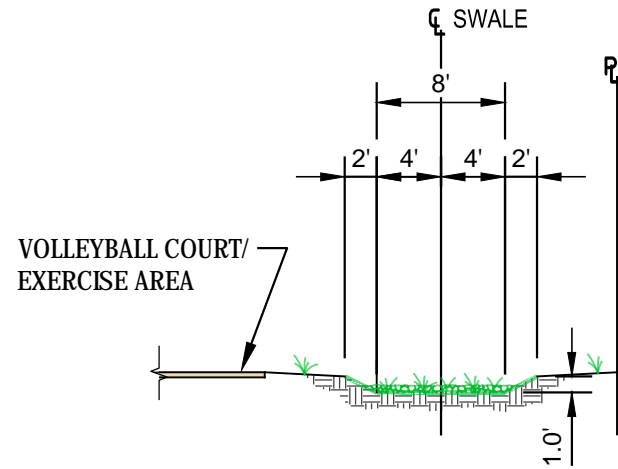
Designed By:

Huitt-Zollars, Inc. Rio Rancho
 333 Rio Rancho Drive NE, Suite 101
 Rio Rancho, New Mexico 87124
 Phone (505) 892-5141 Fax (505) 892-3259



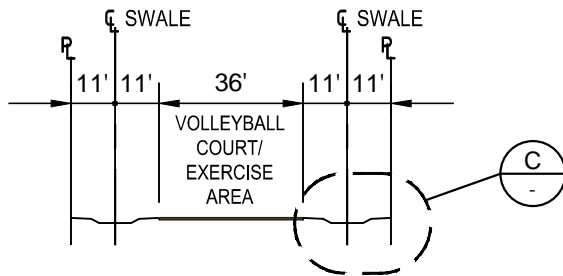
TYPICAL MICRO PARK LOT GRADING PLAN

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



SWALE SECTION

SCALE: 1"=1'-0"



TYPICAL MICRO PARK LOT SECTION

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



LOT GRADING DETAILS

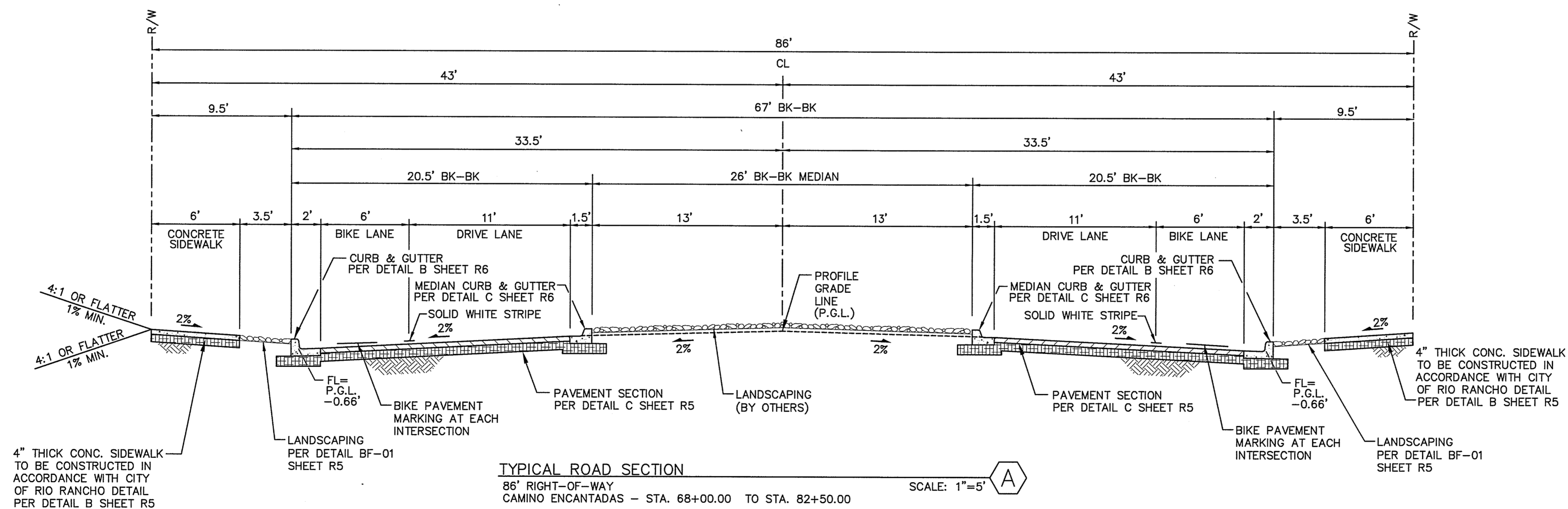
LOMAS ENCANTADAS - DRAINAGE MASTER PLAN
 DECEMBER 2018

Designed For:

Designed By:

HUIT-ZOLLARS

Huit-Zollars, Inc. Rio Rancho
 333 Rio Rancho Drive NE, Suite 101
 Rio Rancho, New Mexico 87124
 Phone (505) 892-5141 Fax (505) 892-3259



NO.	REVISION	DATE

HUIT-ZOLIARS
 303 Rio Rancho Drive NE, Suite 101
 Rio Rancho, New Mexico 87124

Designed For
AMBERP
 SOUTHWEST

TYPICAL ROAD SECTIONS

**LOMAS ENCANTADAS
 OFFSITE - PHASE 3B**

12/5/17

DATE: DECEMBER 5, 2017
 DRAWN: KG
 DESIGNED: GM
 CHECKED: JDL
 PROJ. NO.: R304200.01

SHEET: **R4**
 DE

LOMAS ENCANTADAS MASTER PLAN

Adopted: October 2004

Amended: [August 2019](#)

Rio Rancho, New Mexico

PREPARED FOR:

AMREP Southwest, Inc

PREPARED BY:

Consensus Planning, Inc.

302 8th Street NW

Albuquerque, NM 87102

Huitt Zollars, Inc.

6501 Americas Parkway NE, Suite 830

Albuquerque, NM 87110

Original Plan prepared by: Community Sciences Corporation

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CONTENTS

Introduction	1
Compatibility with the Comprehensive Plan	4
Existing Conditions	8
Land Use & Zoning	12
Development Criteria	17
Transportation	18
Conceptual Drainage Plan	20
Infrastructure & Utilities	25
Community Facilities & Services	24
Implementation & Phasing	29
Appendix	30

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INTRODUCTION

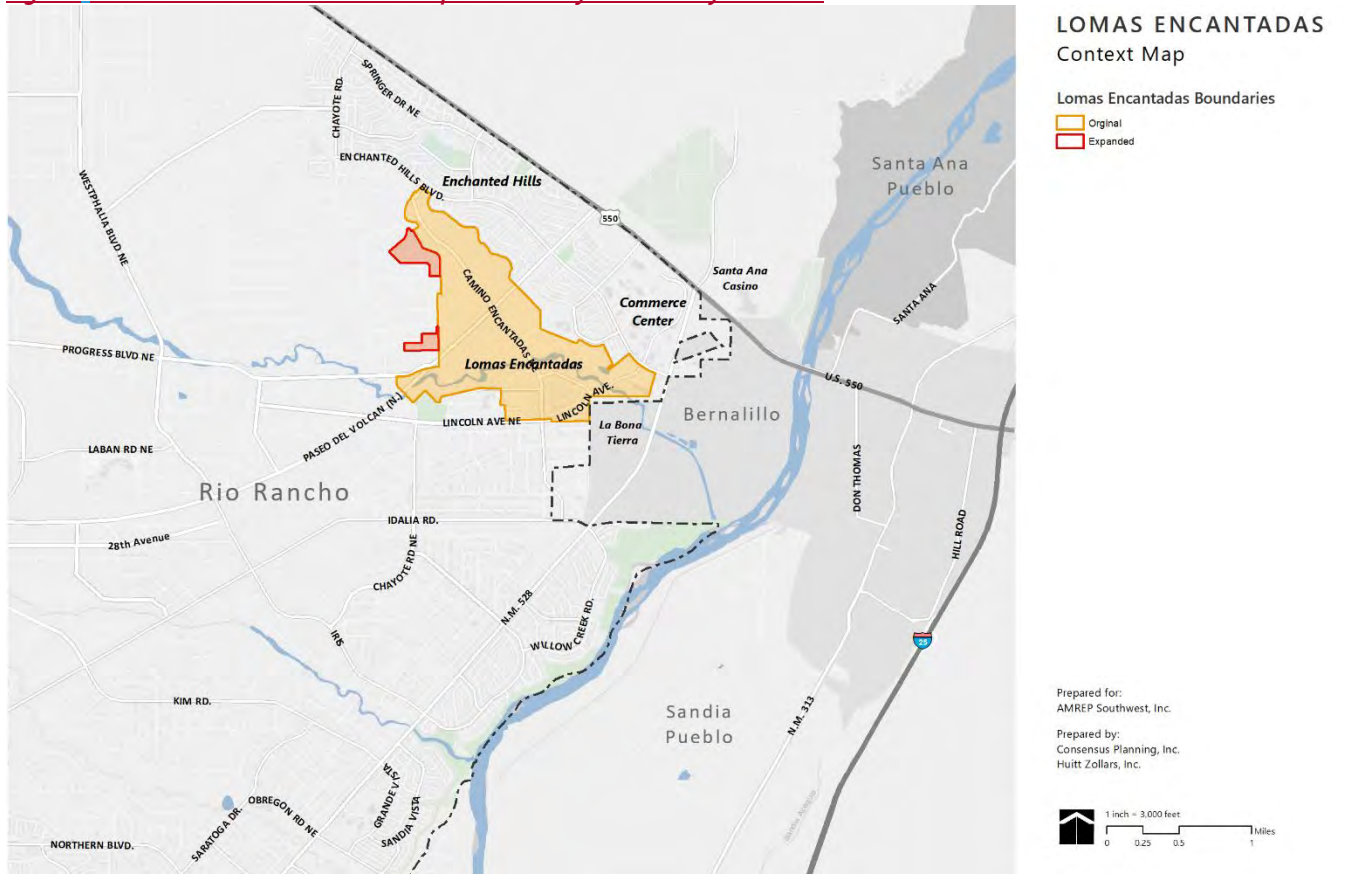
Lomas Encantadas (formerly known as Enchanted Hills South) is designed as a mixed-use, predominantly residential, master-planned community in ~~the northern portion of the City of~~ Rio Rancho. ~~The 840-acre master plan area is bounded, generally,~~ The proposed development is located west of NM SR 528, Rio Rancho Boulevard, and south of the established Enchanted Hills planned community. ~~The 810-acre master plan is bounded, generally,~~ on the north by the established Enchanted Hills community, on the west by Chayote Road, ~~and~~ on the south by Lincoln Road, and on east by NM 528 (see **FIGURE 1** below).

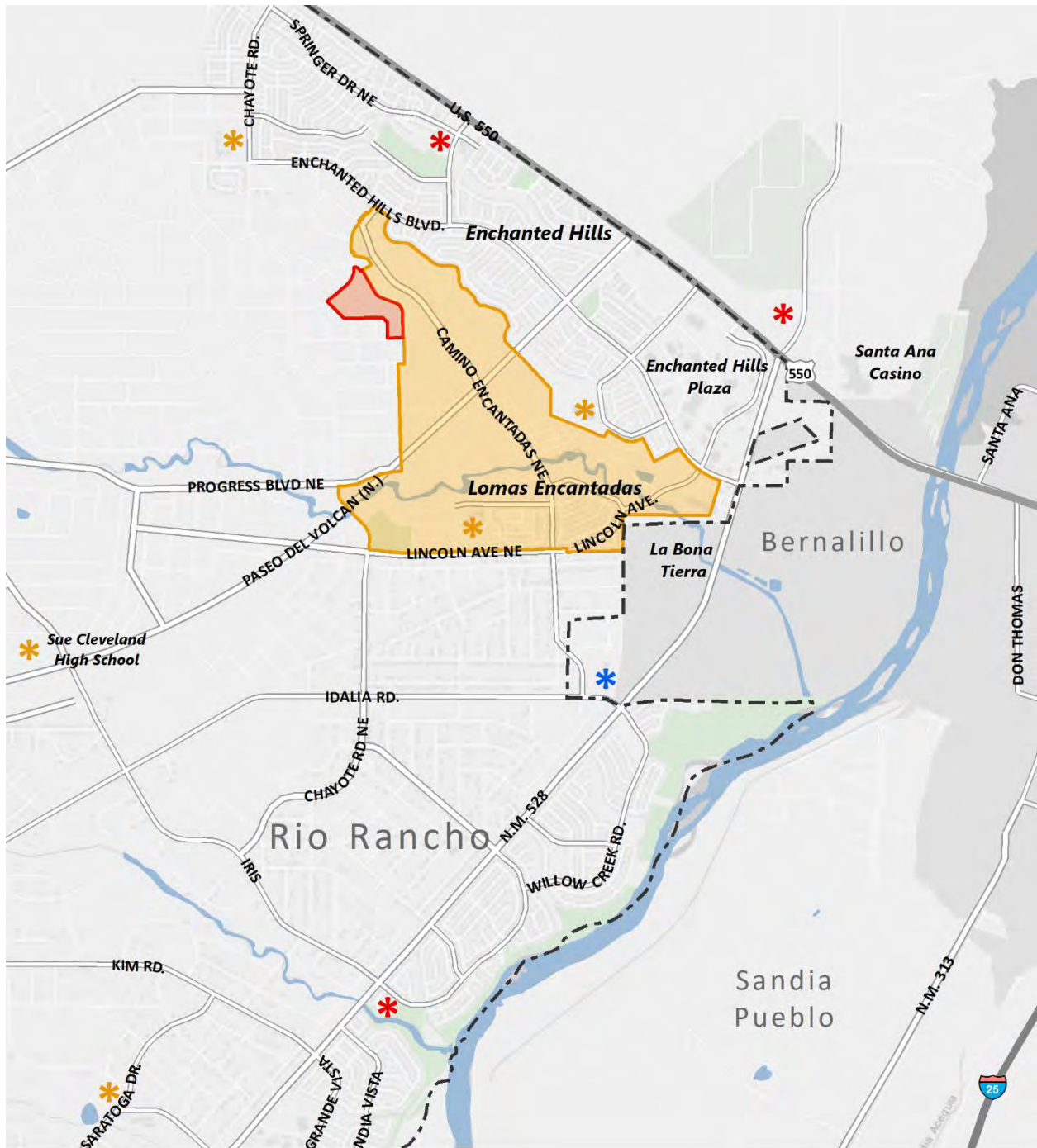
~~When adopted, this document will become an updating~~ is a revision to the original Lomas Encantadas Master Plan that was adopted in October 2004 ~~revision to the City of Rio Rancho's Master Plan for Enchanted Hills (a Level 4 Document as cited in the ICP).~~ This revision includes an expansion of the planning boundaries to include additional lots in Block 155, Unit 20 of Rio Rancho Estates; a revision to the conceptual drainage master plan; an update of the land use plan; proposed changes to zoning for undeveloped portions of the planning area; and updates to the existing conditions sections to reflect development that has occurred since the Plan was first adopted. As an updated Master Plan, this document

The Lomas Encantadas Master Plan is more than a proposal for a freestanding planned community. It is also an extension of the successful, growing Enchanted Hills keystone development Rio Rancho's northern tier. Further the Master Plan ~~exemplifies~~ supports numerous goals and policies of ~~intended implementation strategies from the~~ City of Rio Rancho's 2010 Comprehensive Plan Vision 2020 ICP with full utilization of ~~the~~ and ~~City's zoning regulations.~~ seeks to continue to develop Lomas Encantadas as one of Rio Rancho's most livable communities.

~~Most important~~ Overall, planning for the Lomas Encantadas Master Plan represents problem solving in the best interest of public policy ~~seeks to enable the orderly development of the Lomas Encantadas Planning Area, by planning for the development of the urban infrastructure necessary to address site drainage and runoff issues, transportation needs, and other infrastructure needs.~~ Longstanding impediments to orderly development. The Plan's approach has been tailored to the area's unique physical characteristics and will lead to the development of an attractive community for future residents.

Figure 1. Lomas Encantadas Location Map and Nearby Community Facilities





LOMAS ENCANTADAS CONTEXT

Master Plan Boundaries

- Original
- Expanded
- Rio Rancho City Limits

- School
- Fire Station
- Police/Sheriff Station



1 inch = 3,000 feet
 0 0.25 0.5 1 Miles

are being removed through vacating and re-platting long, narrow half-acre parcels that are still under AMREP Southwest, Inc. ownership and integrating those that have been conveyed to individual owners into

~~a cogent development plan. Likewise, the Nativitas roadway solution coordinates the transportation corridor with alignments on unincorporated County land.~~

~~Sensitivity to the environment is reflected in all aspects of the Master Plan. Open space, wildlife habitat, and natural drainage are not only respected, they are enhanced. Innovative design approaches, such as the SSCAFCA "prudent line" approval, blend functionality with attractive spaciousness and future resident's leisure time amenities.~~

~~Community spirit arises from attention to social factors. The variety of housing types attracts families of diverse economic levels. Public facilities and gathering places encourage interaction among residents of all ages. Connectivity to the Enchanted Hills Commerce Center helps future Lomas Encantadas residents relate to the greater community.~~

~~Economic benefits derive from productive, cost-beneficial use of these lands. Fiscal assessments show that Lomas Encantadas will make positive economic contributions to the City, generating more revenue than it will cost to serve the residents. Moreover, the expanded community adds to the Enchanted Hills and greater Rio Rancho marketing areas.~~

~~**The Lomas Encantadas Master Plan applies effective development planning models from some of Rio Rancho's most livable communities. Those approaches have been tailored to the site's unique physical and locational characteristics. With the recently added ingredients of the ICP direction and updated land development regulations, this document is intended to serve as a new, strategic generation of master planning in Rio Rancho.**~~

~~**Planning Process & History**~~

~~The planning process for Lomas Encantadas began in 1993 with the annexation of the area by the City of Rio Rancho (Resolution 160, Enactment 93-153) and the adoption of a Master Plan for the entire Enchanted Hills neighborhood. The Enchanted Hills Master Plan rezoned the Lomas Encantadas area to R-1 and included approximately 30 acres of open space along the Venada Arroyo. While that Master Plan was sufficient for the initial development of Enchanted Hills, it was not specifically developed or detailed enough to provide planning guidance for the area now known as Lomas Encantadas.~~

~~In 1996, Community Sciences Corporation (CSC) was hired by AMREP Southwest, Inc. to provide recommendations for lot configurations, serviceability by utilities, and a general strategy of implementation. That study concentrated on major arterial roads and the feasibility of creating either "large lot" subdivisions or the development of conventional single-family homes at an approximate density of 3 dwelling units (DUs) per acre.~~

~~In 1999, CSC was again retained to analyze the cost of alternative land use scenarios. At the time, the lowest density zoning district allowed in the City of Rio Rancho was R-1. Due to the existing zoning and the extreme costs for grading, drainage, and arroyo treatment, development was deemed infeasible at that time.~~

~~In 2001, the City's Integrated Comprehensive Plan (ICP) was adopted, providing general guidelines for the City of Rio Rancho. The ICP recognized the Enchanted Hills area as an existing "Level 4" Master Plan and a~~

development growth node, which set the framework for more detailed planning and subsequent development activities. Shortly afterwards, the City of Rio Rancho approved amendments to the zoning code that created more zoning districts and general flexibility in the types and density of housing that could be developed.

Beginning in 2001, Huitt Zollars, Inc. was retained to review generalized land use, roadway connections, and to devise a strategy for drainage management that would work in conjunction with the goals and objectives of SSCAFCA. Following the development of a Master Drainage Plan for the area, Huitt Zollars, in conjunction with CSC and AMREP Southwest, Inc., developed the original Master Plan for Lomas Encantadas, which was adopted in 2004. The previous version of this plan laid the foundation for subsequent re-platting of AMREP Southwest properties. This in turn led to the rezoning of the southeastern half of the planning area, the construction of infrastructure and roadways, and the eventual development of several planned subdivisions. The overall proposed density was also increased slightly from the original land use plan developed in 1996.

A fiscal impact study was performed for the original 1993 Enchanted Hills Plan and was updated for the 2004 Lomas Encantadas Plan. The 2004 fiscal impact study found that the development of Lomas Encantadas would have a positive impact on the City's General Fund when accounting for increased property taxes, construction gross receipts, impact fees, and the gross receipts associated with the development of the Enchanted Hills Commerce Center area.

Since the initial adoption of this plan in 2004, much of the southern portion of the planning area (south of Paseo del Volcan) has been re-platted and developed as single-family homes. Other improvements have also been completed, such as the construction of drainage and infrastructure improvements, the construction of new area schools, and the development of new commercial sites along NM 528. Some area to the south of the Venada Arroyo remains undeveloped, as well as the entire northern half of the planning area (to the northwest of Paseo del Volcan), which has not yet been developed.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The City of Rio Rancho's Comprehensive Plan provides policy guidance on several planning elements that affect development of Lomas Encantadas. These include policies addressing land use, urban design, transportation, infrastructure development, parks and recreation, and community facilities. This Master Plan furthers several goals and policies of the Comprehensive Plan as described below.

Antiquated Platting

Given the large amount of prematurely platted land in Rio Rancho, the Comprehensive Plan has several adopted goals, policies, and actions to address this issue and facilitate development of prematurely platted areas. Specific provisions that this Master Plan furthers include:

- **GOAL A-1:** Eliminate antiquated platting with the City of Rio Rancho where desirable.
- **POLICY A-2:** Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots.
- **POLICY A-3:** Ensure that the City's land use and development regulations provide the specific and detailed provisions necessary to eliminate prematurely platted land when feasible.

The adopted Master Plan laid the groundwork to consolidate and re-plate prematurely developed lots in the planning area. This has led to the successful development of several new subdivisions since 2004. This plan update continues to address the issue of antiquated platting by adding additional lots within the expanded planning area to be consolidated within the revised planning boundaries and by proposing a new illustrative lot layout for the undeveloped northern portions of the site.

Natural Environment

As described in other chapters, the Master Plan seeks to preserve and enhance natural features whenever possible, especially regarding open space, natural drainage, and water use. The Plan furthers the following Comprehensive Plan goals and policies:

- **GOAL CON-5:** Meet federal, state, regional and local water quality standards through coordinated, long-term strategies that address the many contributors to water pollution.
- **POLICY CON-12:** Develop and protect a public open space network.

The drainage plan for the undeveloped northern portions of Lomas Encantadas (as outlined in the **CONCEPTAL DRAINAGE PLAN CHAPTER**) is designed to create a series of smaller scale "micro-parks" that will address water quality and runoff issues within the northern portion of the planning area. These microparks will be part of the larger storm water management system that seeks to protect open space areas and connect community amenities together. Overall, open space accounts for about 17.5% of the planning area, which meets a need to provide both recreation opportunities while preserving the natural environment. In addition, the Master Plan meets new Federal requirements that are part of Section 404 of the Clean Water Act.

Land Use

As described in the **LAND USE CHAPTER**, much of the planning area is proposed to be medium density single-family residential, with additional land set aside for parks, open space, and trails. The proposed land use furthers the following Comprehensive Plan goals and policies:

- **GOAL L-2:** Encourage consolidation of lots to promote a variety of land uses in a planned manner.

- **GOAL L-3:** Maintain a balance of land uses throughout the City.
- **POLICY L-1:** 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.
- **POLICY L-3:** Promote and support development that incorporates walkability.

As stated above, the Plan promotes the consolidation of existing lots and the development of new residential subdivisions that establish a community character. The site includes several internal trails and open space areas that promote walkability. The site is also well located for new residential development given to the proximity to large regional job centers and growth nodes, including V. Sue Cleveland High School, the Enchanted Hills Commerce Center, UNM Sandoval Regional Medical Center, and the City Center area. Several other sections of the plan address specific land use-related elements, including circulation, building location, lot layouts, trails, and building design.

Population and Housing

Rio Rancho has recovered from the Great Recession in 2008 and the subsequent downturn in the housing market. The City is once again poised to grow, which will require the development of a variety of new neighborhoods for new families. This Plan supports several housing goals of the Comprehensive Plan including:

- **GOAL PH-2:** Maintain the strength, vitality, and stability of all residential neighborhoods and types.
- **GOAL PH-3:** Promote a variety of housing types to meet the needs of all members of the community.
- **GOAL PH-4:** To ensure that single-family and multifamily residential neighborhoods provide an attractive living environment.
- **POLICY PH-7:** Support residential developments with appropriate amenities for families with children.

Lomas Encantadas will add a significant number of new homes to the City of Rio Rancho at full build out. The development of these homes will provide additional housing options for families in Rio Rancho with a variety of incomes. In addition, the plan supports the development of new commuter-friendly subdivisions that include quality community amenities such as parks, open space areas, trails, and connections to transit.

Transportation

The transportation element of the Rio Rancho Comprehensive Plan seeks to develop a multi-modal transportation system that enables safe travel for all users, while also mitigating congestion and neighborhood traffic. An updated transportation plan and traffic impact assessment (included within the **TRANSPORTATION CHAPTER**) support many of the Comprehensive Plan's goals and policies including:

- **GOAL TR-1:** Encourage development that effectively mixes land uses to create an efficient transportation system that reduces congestion, improves air quality and creates opportunities to build Rio Rancho's economy.
- **GOAL TR-2:** Transportation facilities designed and constructed in a manner to facilitate Rio Rancho's economic goals, enhance livability and meet Federal, State, regional and local requirements.
- **GOAL TR-3:** A balanced transportation system that provides access to a variety of transportation

options (automobile, transit, bus rapid transit, rail, bicycle and pedestrian facilities).

- **POLICY TR-9:** Plan rights-of-way prior to development review and, where appropriate, officially secure them by dedication or reservation of property.
- **POLICY TR-10:** Support the design of streets and highways to respect surrounding land uses, natural features and community amenities.

Roadways in Lomas Encantadas will be constructed to respect surrounding land uses and meet local and state design requirements. An updated trip generation study was performed to ensure that increased trips from residential development do not negatively impact level of service on adjacent roadways. In addition, this Plan outlines key pedestrian, bicycle and transit connections that connect to a larger regional transportation network. Additional planning for future roadways will be planned in coordination with the City during the time of subdivision platting.

Public Facilities

Along with addressing antiquated platting during the development process, the Comprehensive Plan seeks to ensure that new development occurs in areas with existing public facilities and proximity to existing infrastructure (to minimize costs associated with infrastructure expansion). This Plan supports the following Comprehensive Plan goals and policies:

- **GOAL PF-1:** Provide a broad range of services and public facilities that meet the needs of current and future City residents, e.g. libraries, water supply, water and sewer lines, etc.
- **POLICY PF-3:** Make land use recommendations based on the availability of adequate public facilities necessary to support a proposed land use.

The **INFRASTRUCTURE CHAPTER** of this plan outlines a clear plan for future infrastructure development and financing to ensure that costs to the City of Rio Rancho are minimized. This plan builds on the existing infrastructure development that has occurred since the Plan was first adopted in 2004 and seeks to adequately meet the future demand as the northern portion of the planning area begins to develop. The site is located next to existing water service lines that run along Camino Encantadas NE, Enchanted Hills Boulevard, and Paseo del Volcan. Sanitary sewer lines are also available along Camino Encantadas and can be extended to serve future subdivisions north of Paseo del Volcan. Development in this area will create contiguous growth next to identified growth areas adjacent to Enchanted Hills and Paseo del Volcan.

Parks and Recreation

The Comprehensive Plan identified improving the City's parks and recreation facilities as a clear need, especially in new developments. This plan supports several Comprehensive Plan goals and policies to improve parks and recreation facilities including:

- **GOAL PR-1:** Establish new and maintain existing recreation and senior centers, parks, trails and open space that foster a quality community, support a strong economy, and meet the needs of current and future residents.
- **GOAL PR-2:** Be responsive to the recreational needs of the community.
- **POLICY PR-1:** Develop pedestrian and bicycle linkages between neighborhoods and major natural areas, recreation facilities, and education, employment and retail centers.

Lomas Encantadas will include parks and open space areas that meet or exceed the City's Parks and Recreation standards (currently 4 acres of park space per 1,000 residents). Approximately 60 acres of parks will

be provided, spread across eight developer dedicated parks and the existing Cibola Little League Fields and associated park area recently purchased by the City of Rio Rancho. In addition, the Master Plan proposes an integrated system of trails that will connect to regional trail facilities identified in the City's Bike and Pedestrian Transportation Master Plan.

Urban Design

The urban design element of the Comprehensive Plan seeks to ensure that development follows basic design standards that support community identity and create a sense of place. Lomas Encantadas furthers the following urban design goals of the Comprehensive Plan:

- **GOAL UD-1:** Create focused growth areas where existing public infrastructure can support higher density development.
- **GOAL UD-2:** Create traditional neighborhood patterns that support a sense of place.
- **GOAL UD-7:** Create subdivision linkages to open space recreational facilities.

Design features in Lomas Encantadas help establish a community identity through a system of trails, open space, park space, design standards (see **DEVELOPMENT CRITERIA**), that integrate with the larger regional landscape. In addition, the proposed residential subdivisions will seek to create distinct neighborhoods that support a sense of place.

Economic Development

The City of Rio Rancho has sought to diversify its economy and attract additional employers. In addition, the City has sought to increase the amount of local retail opportunities within Rio Rancho, as well as expand the overall tax base.

- **GOAL EDP-3:** Enhance the tax base.
- **GOAL EDP-4:** Improve the quality of life.

Ongoing residential development in Lomas Encantadas will expand the City's tax base through increased property taxes, gross receipt taxes from construction, and through spending by new residents.

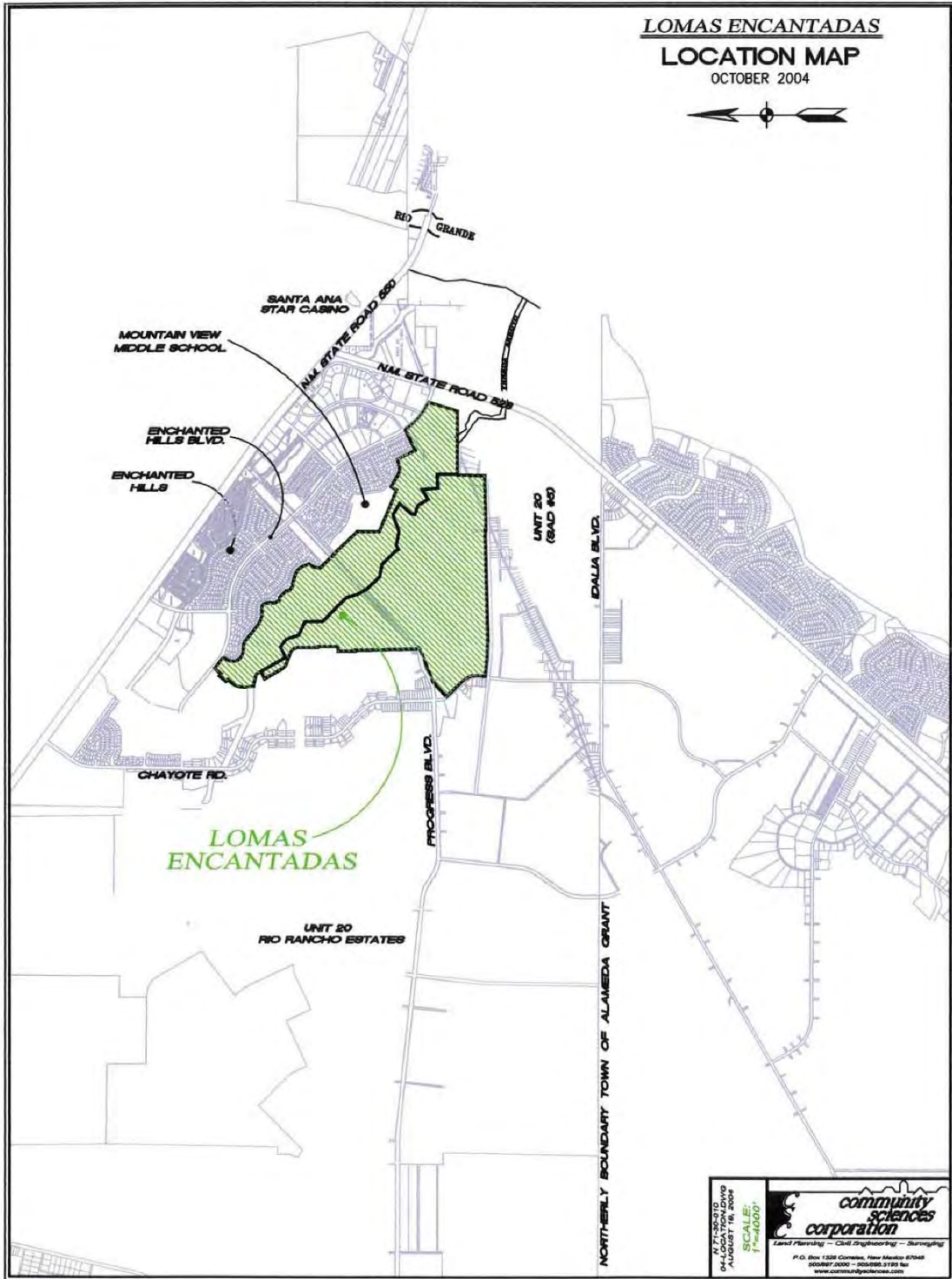
ZONING OVERVIEW

The revised zoning ordinance adopted by the City of Rio Rancho in 2002 reflects the proposed zoning agenda of the Lomas Encantadas Master Plan. Currently zoned R-1, Lomas Encantadas will incorporate the categories of R-2, R-4, R-6, OS (Open Space) and PR (Parks and Recreation). Separate phases within Lomas Encantadas have been designed with lot intensity in mind. Total acreage allotments are at densities less than allowed by the existing R-1 zoning. This permits flexibility within phases, using covenants to set self-limiting intensities and design quality.

"Estate" Lots in certain phases of the Lomas Encantadas Master Plan will preserve the natural terrain and landscaping while still offering sizable building envelopes in addition to conventional building setbacks. Conservation easements allow for natural drainage across lots. Other lot arrangements will share the custom home atmosphere -- still allowing for model housing and sustained lot values. Areas south and east of the proposed Paseo Del Volcan roadway will include model style housing phases with accessibility to existing and proposed educational and recreational facilities. In addition, at least 30 acres of zoned Open Space is provided to comply with the existing Unit 20 Master Plan for vegetation and landform preservation.

The intent of Lomas Encantadas is not to maximize the full yield of potential dwelling units, but rather to create a terrain-friendly community that co-exists mutually with denser residential and open space areas that will benefit the development as activity centers and natural parklands. A significant portion of the overall site vacates and re-designs existing platted 1/2 acre lots, furthering the City of Rio Rancho's objectives for redevelopment of prematurely platted subdivisions.

As amplified by detailed zoning information provided in the Development Criteria section, the Lomas Encantadas Master Plan applies Rio Rancho's new, creative zoning techniques to establish a mix of uses and development intensities. City regulations enable flexible planning responses while maintaining strict quality standards and economical utilization of municipal infrastructure.



EXISTING ~~NATURAL~~ CONDITIONS

Population

The estimated population of Lomas Encantadas in 2018 is 1,750 residents spread among 625 households.¹ The population has almost doubled since 2010, when the population was 926 residents (89% growth since 2010). Including the remaining undeveloped areas in Lomas Encantadas, the entire Master Plan Area is planned ~~Lomas Encantadas is being planned to include up to 1,438,500 single family dwelling units and approximately 303,120 multi-family units projected to be constructed over the 2004 through 2011 time period.~~ Given the 2018 average household size (2.8) and vacancy rate (7%) in Rio Rancho, Lomas Encantadas is ~~ex.~~ ~~At build-out, Lomas Encantadas is expected to support a total population of approximately 6,000 to 7,000.~~ ~~4,890 persons~~ residents after full build-out.

Topography ~~and Soils~~

The primary topographical features within Lomas Encantadas are the two low-lying drainage channels that make up the Venada Arroyo. Lomas Encantadas is transected in a northwest to southeast direction with the north branch of the Venada Arroyo. The main branch of the Venada Arroyo flows easterly, ~~beginning near the western planning boundary and Paseo del Volcan and exiting~~ leaving the site at the La Bona Tierra Subdivision, ~~and~~ and then under New Mexico NM State Road (NMSR) 528. The two arroyo "branches" are very close together just south of the Enchanted Hills Elementary School. A smaller, secondary branch of the Venada Arroyo flows southward from the northern boundary of the planning area into a culvert at Paseo del Volcan and then connects to the main channel through an outfall near Quintana Place NE. This channel roughly follows the future alignment (currently unconstructed) of the Camino Encantadas NE to the north of Paseo del Volcan. While secondary to the main branch, construction near this northern tributary will require careful attention for erosion, lateral migration, development constraints, and stormwater management. In addition, the primary drainage diversion in Enchanted Hills (Encantado Channel) intercepts stormwater runoff and carries flows to an existing ponding area near Paseo del Volcan.

~~The drainage patterns and "fingers" of minor watersheds contributing to the two branches of the Venada Arroyo create an extreme development challenge.~~

~~Primarily composed of alluvium, wind and water eroded slopes and valleys; there are portions, which are "un-buildable" by current development conventions without extreme capital costs. The drainage patterns and "fingers" of minor watersheds contributing to the two branches of the Venada Arroyo create an extreme development challenge.~~

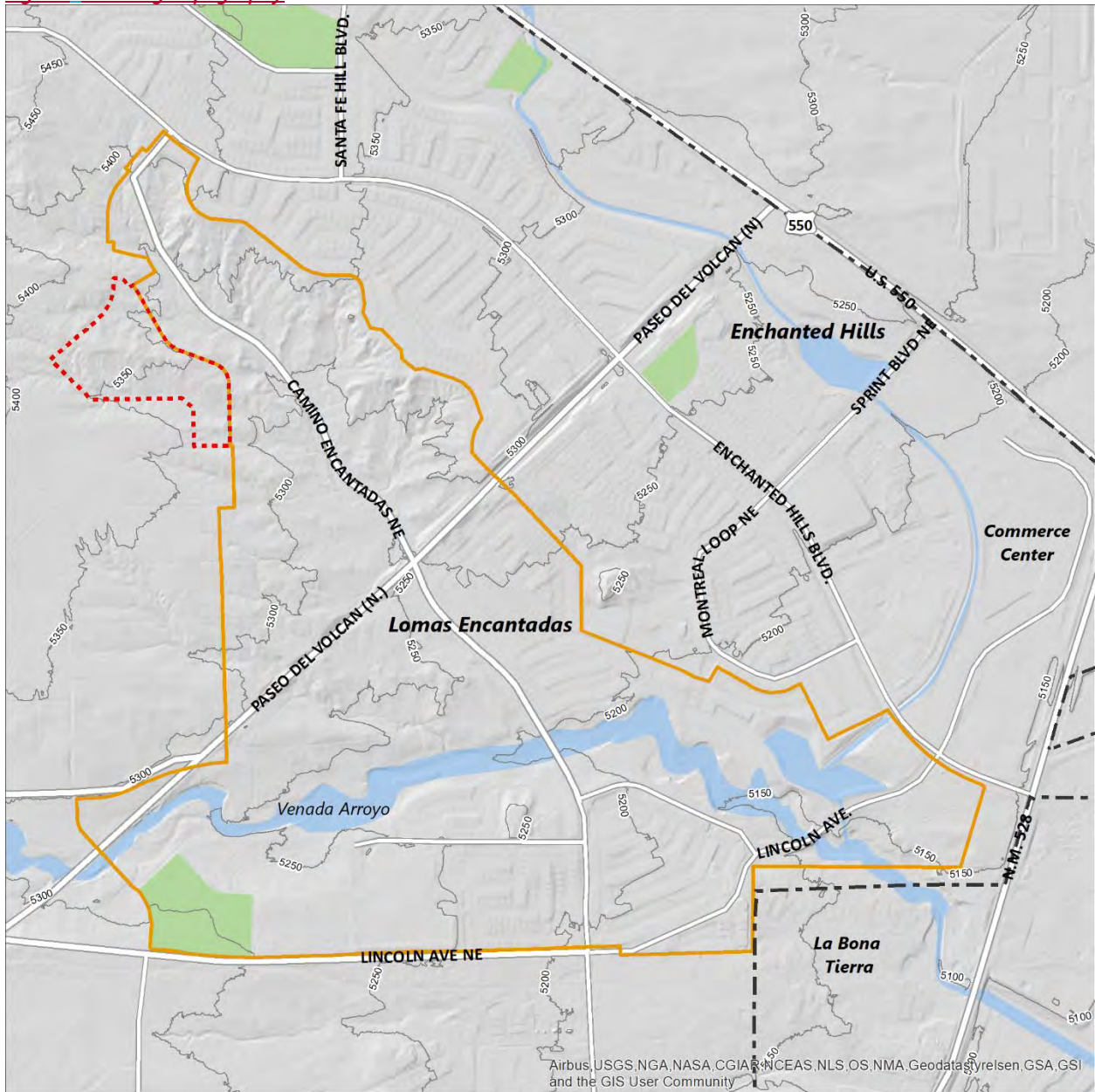
Most of the developed portions of Lomas Encantadas are relatively flat, with grades between 1% and 5%. About half of the undeveloped areas in the southeastern portions of the planning area have been mass-graded to support eventual re-platting and construction. The undeveloped northwestern side of the planning area has steeper grades and has not been mass-graded. Along the western side of Lomas Encantadas, the bluff area between the existing development of Enchanted Hills and northeast planning boundary contain steep grades. The drainage pattern formed by ~~and~~ "fingers" of minor watersheds stormwater runoff in this area contributes to the two branches of the Venada Arroyo and creates a ~~n~~ extreme development challenge. This drainage area was originally zoned as open space for ongoing preservation.

¹ ESRI Business Analyst Data, 2018



Existing Topography of Undeveloped Portion of the Planning Area North of Paseo del Volcan

Figure 2. Existing Topography



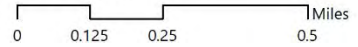
LOMAS ENCANTADAS TOPOGRAPHY

Master Plan Boundaries

- Original
- Expanded
- Flood Zone (Zone A)
- Existing Parks



1 inch = 1,333 feet



The bluff area between the existing development of Enchanted Hills, and Lomas Encantadas contain steep grades. This can be an advantage since this area is also the location for vegetation preservation and City of Rio Rancho requested open space.

The southwest portion of Lomas Encantadas, near Lincoln and Nativitas Roads, is an area that generally lies between 0% to 5% natural gradients. It is naturally rolling, sparse vegetation and can be developed into more traditional production housing like existing Enchanted Hills.

Vegetation

The most noticeable characteristic about vegetation within northern Rio Rancho is the grasses variety of grass species, which include a total of 17 identified species of grasses. Other vegetation in the planning area consists of smaller shrub and small tree species typical to this climate including one-seed juniper, piñon, and cedar, along with sage, snakeweed, dwarf chamisa, apache plume, saltbrush, and several forms of cacti, among others have been identified and several others occurring on the property have not. Grass and shrub species occurring are:

Grasses

- | | |
|--|-----------------------------|
| • Blue, Black, Hairy and Side oats Gama; | • Prairie Sage; |
| • Galleta; | • Antelope Sage; |
| • Indian Rice grass; | • Dyssodia; |
| • Squirrel Tail; | • Silvery Sophora; |
| • Vine-Mesquite; | • White Prairie Clover; |
| • Three (3) Drop seed grasses; | • Globe Mallow; |
| • Three-awn; | • Prairie Evening Primrose; |
| • Fluff grass; | • Lavenderleaf Sundrops; |
| • Little Bluestem; | • Yellow Hiddenflower; |
| • Ring Muhly; | |

Herbaceous plants

- | | |
|------------------------|------------------------------|
| • Wormwood; | • Gaura; |
| • Scapose Bitterweed; | • Stemless Evening Primrose; |
| • Fendler Bladder pod; | • Carpet Phlox; |
| • Spectacle Pod; | • Bow-Nut Cryptantha; |
| • Bastard Toadflax; | |

Dominate Trees

- | | |
|---------------------|----------|
| • One-seed Juniper; | • Pinon; |
| • Cedar (scrub); | |

Cacti

- | | |
|--|-----------------|
| • New Mexican Beehive; | • Sclerocactus; |
| • Club Cholla; | • Claret Cup; |
| • Prickly Pear (4 different varieties min.); | • Tree Cholla; |

Shrubs and Sub-Shrubs

- Snakeweed;
- Dwarf Chamisa;
- Apache-plume;
- Threadleaf;
- Sage;
- Black Sage;
- Wormwood;
- Joint-fir;
- Blackfoot Daisy;
- Skunkbrush;
- Winterfat;
- Dune Broom;
- SoapweedYucca;
- Wild Buckwheat;
- Mountain Mahogany;
- Feather Dalea;
- Banana Yucca;
- Four-wing Saltbrush;

Wildlife

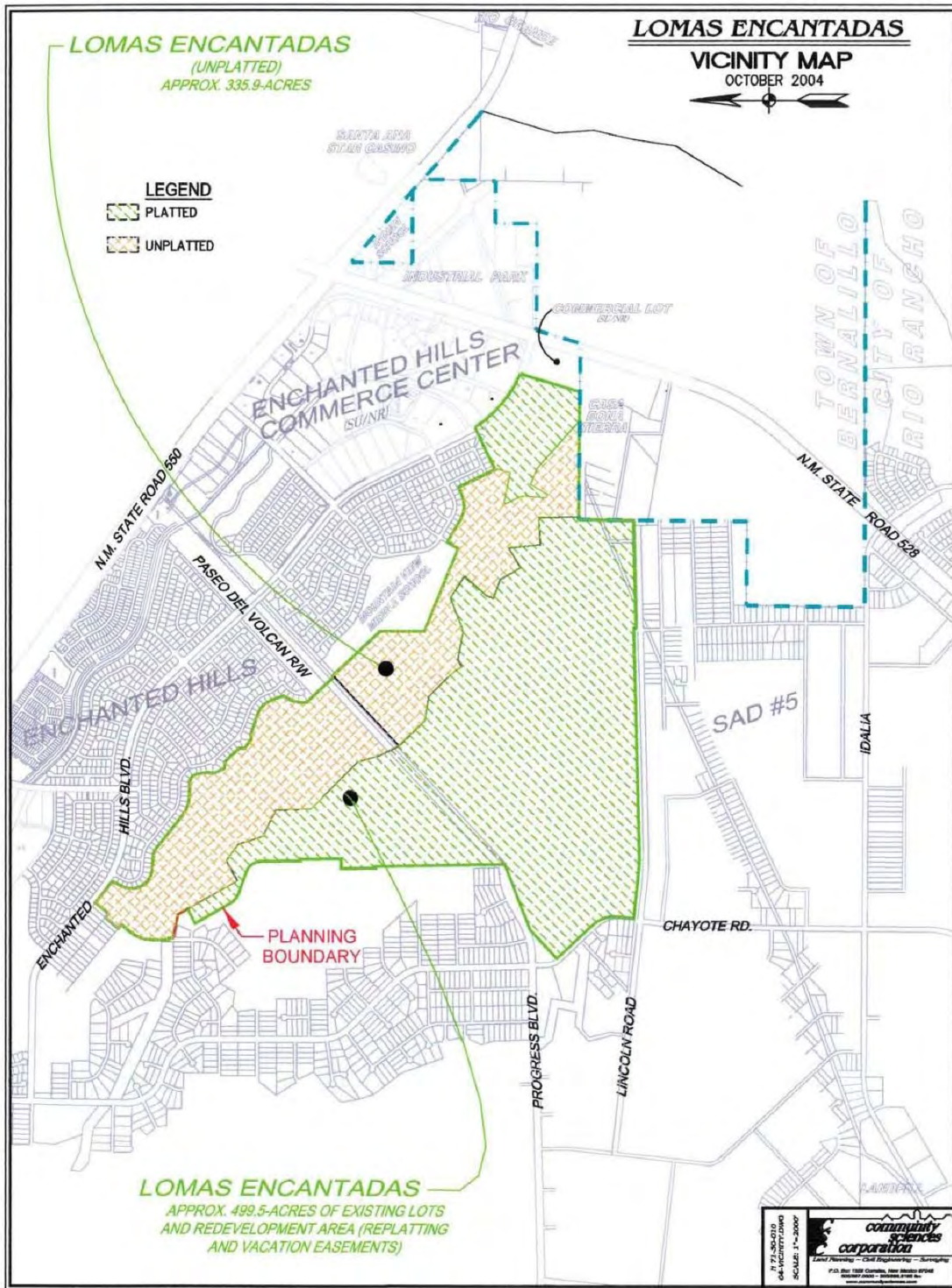
~~According to the State of New Mexico Game and Fish Department's, Biota Information System of New Mexico (BISONM), 71 species that are of special interest to the state and / or federal resource management agencies for Sandoval County have been developed from the New Mexico Game and Fish Department (NMGF) Conservation Services Division, Biota Information System of New Mexico (BISON-M) January 29, 2001 and the State of New Mexico Inventory of rare and Endangered Plants of New Mexico website. There are are there are no endangered or threatened species which that inhabit this the site.~~

Cultural Resources

~~A cultural resources inventory was performed for the original draft of this plan in 2004. At the time, reports indicated that A rich potential for human history is a potential for the Lomas Encantadas site. Adjacent communities have discovered sites from large native pueblo villages to Spanish conquistadors. Cultural development has sprung into a geographically vast trade of information and beliefs. These cultural developments continue today within the affluent Southwest region.~~

~~Early reports, by others, have indicated that some areas of Lomas Encantadas contained sed archaeological artifacts that are mrepresenting mostly surface use areas by early native pueblo tribes. While it is important, none of these sites have indicated the presence of subsurface pueblos, kivas, or other cultural resources that would require extensive mitigation or excavation. Since 2004, development of the lots in Lomas Encantadas has resulted in the proper removal of any remaining shards, remnants, and/or use-areas that remained. It is anticipated that the mitigation of existing shards, remnants and use-areas be investigated and catalogued by surface inspection and removed from becoming an impediment upon the development. Since these archaeological areas are groups of scattered sites, they can be mitigated and "cleared" as development of Lomas Encantadas' phasing progresses.~~

~~In Estate areas where minimal grading will occur, artifacts found in conservation areas (on lot) are to be directed, by covenants, to be reviewed by the Design Review Authority and potentially submitted for further study. If discoveries are more extensive than scattered shards and remnants, an archaeological mitigation will be determined between the developer and The State of New Mexico.~~



EXISTING DEVELOPMENT CONDITIONS

Open Space

In addition to the topographic constraints of Lomas Encantadas, the City of Rio Rancho ~~has~~ indicated in the ~~current~~ Master Plan for Enchanted Hills that a minimum of 30 acres of open space be preserved. This ~~"preservation,"~~ is intended to maintain the natural vegetation ~~and~~ on the ~~northwesterly-northwestern~~ portion ~~of Enchanted Hills~~ where there ~~is a higher concentration of~~ ~~are Cedar, Juniper and~~ vegetative cover ~~that contrast with the sparse vegetation found elsewhere with~~ ~~than is found in other areas of~~ ~~in~~ Rio Rancho. Accordingly, Lomas Encantadas ~~will indicate by area plans and Open Space (OS) zoning~~ ~~has~~ ~~approximately 150 acres of open space land including approximately 120 acres along the Venada Arroyo. In addition, about over 30 acres of open space are planned to be preserved in the northern portion of the site, including with a significant portion of that acreage along the eastern border that is shared with Enchanted Hills, including three areas where knolls and ridges extend outward from this border. This,~~ ~~those areas of~~ open space ~~area has been identified for future open space enhancements, which include the construction of a multi-modal trail and trail enhancements that will integrate with the surrounding housing development, and possible areas of public open space that would preserve these areas. In addition, the building envelope concept in the Estate Lot and terrain fitted lot areas of Lomas Encantadas will include careful location of interior roadways that respect the topography and minimize extensive cut and fill processes.~~

Annexation

The property is annexed by the City of Rio Rancho and has been zoned R-1 in 1993 by resolution number 160, enactment number 93-153. The Master Plan accompanying that action would be amended upon approval of this Master Plan for Lomas Encantadas.

Neighborhoods

The recognized Neighborhood Association of Enchanted Hills was contacted through a committee. The Plan was presented, critiqued and recommended for minor revisions. Those revisions have been incorporated into the plan. It is a pleasure from a Planner's perspective, to work early on with this Association. Not only were their comments thoughtful and insightful, they hosted a web page for community access and comment.

While Special Assessment District No. 5 (SAD No. 5) is not a recognized association, their concerns were considered primarily for traffic generation. Lying south of Lincoln Road, a minor arterial, the private investment in road and utility infrastructure was considered. Accordingly, the primary impact is the platted Nativitas Road. Since the right-of-way is of insufficient width for a collector class road, this plan proposes only interim use. Realignment of Nativitas Road with sufficient right-of-way is currently planned to proceed through the adjacent Sandoval County owned land to the east of the existing Nativitas. This Plan suggests a bicycle trail connection between the project areas to Idalia Road as one link in the potential city-wide bicycle network.

La casa Bona Tierra is a Town of Bernalillo subdivision. Mostly rural in appearance, the subdivision pattern is impacted only if new roadway connections are proposed. Since there is no apparent adherence to an adopted plan, Lomas Encantadas proposes no connections and visual buffering and screening near the Venada Arroyo.

Development within the proposed Del Norte Gun Club (formerly B.L.M., now Sandoval County) was considered. Provisions have been made should a major road or entrance be continued through platted property to Lincoln Road. This concept, the realignment of Nativitas Road, has already been reviewed and preliminarily approved by Sandoval County.

Re-platting

Part of the City of Rio Rancho's Economic Development and Land Use Strategy is to encourage "redevelopment" of prematurely platted subdivision lots (generally 1/2 acre, 80' X 272' dimensions.) This Master Plan will also be an exhibit for the vacation of lot lines, public right-of-way and granted easements on 375.87 acres of Rio Rancho Estates, Unit 20, together with adjacent street rights-of-way and utility easements which do not contain installed facilities. New subdivisions and grants of easements will replace or replat these properties as part of the subdivision process.

The Conceptual Development Plan suggests lot re-platting on land owned by the Master Developer and is included for utility extensions, roadway improvements and density unit counts. Lots owned by others are not suggested for re-platting. However, they are encouraged to replat to minimize lot frontage on arterial and collector roads, provide improved subdivision patterns and lot densification up to the proposed zoning districts.

Some platted properties, not part of this Master Plan (off site), are intended for use as drainage control areas. Those are owned by the Master Developer and are suggestively indicated for information only.



Open Space along the Venada Arroyo City of Rio Rancho Comprehensive Plan Compatibility
The Vision 20/20 Integrated Comprehensive Plan (ICP) designates this area as suitable for suburban density residential (2.5 DU per acre). This would indicate that approximately 1,800 dwelling units are appropriate for the applicant's initial request (718 acres) and up to 2,000 dwelling units within the Master Plan area as presented (approximately 800 acres, extended to SAD Number 5 platting or Lincoln Road).

Further, the ICP land use map indicates an extensive network of Open Space and trails as well as recognizing an area suitable for education (school site), developed parklands and areas suitable for commercial and high density residential. Some of these designations are incorporated in the existing Enchanted Hills area. Others are designated within this plan for Lomas Encantadas.

Accordingly, the land use and zoning element for this application addresses those concerns, keeps the overall dwelling unit densities in concert with the ICP target and locates areas appropriate for commercial and higher density residential.

The proposed open space and trails delineations are met with the proposed plan. The open space element is treated with three distinct classifications:

Area zoned OS, which are intended for public conveyance or public rights.

Areas proposed for the OS zone, which will be initially held and administered by a private Land Trust. These areas complement additional lands that are envisioned to be a "conservation easement" imposed on certain areas of the estate residential portion of the properties, which are intended to preserve natural landforms and vegetation. This conservation easement consists of those areas outside of the defined by future platting, and only the area within the envelope can be disturbed without a lot specific plan.

Park lands and open space areas following natural watercourses. Intended for OS and PR zoning, these areas allow a generous opportunity for the completion of a trail system connecting Enchanted Hills with the existing Enchanted Hills neighborhood (Units 1-14) and other areas of the City of Rio Rancho as designated on the Comprehensive Plan. One treatment of the Venada Arroyo, being considered by SSCAFCA, includes limiting development to the "prudent" line, which creates areas not only appropriate for preservation (because of drainage concerns), but also allows meandering trails in conjunction with sidewalks adjacent to special street sections that will accomplish the ICP design objectives. These areas may be conveyed by easement or by dedication.

Growth Nodes

The Enchanted Hills community is an established growth node. Residential units 1-14 (platted and approved) constitute the initial residential portion together with the "Enchanted Hills Commerce Center". In accordance with the early Master Plan (1993), the direction has been set for an integration of employment, low density housing, mid density housing and higher density housing that has a proximity to the employment center.

Adjoining Adjacent Land Uses Properties

To the northeast of Lomas Encantadas is Enchanted Hills, a large master planned community consisting of Lomas Encantadas is immediately adjacent to the platted and zoned community of Enchanted Hills and is located generally southwest of the intersection of New Mexico State Road (NMSR) 528 and NMSR 550 (formerly NMSR 44). Both of these highways are access limited and are expected to remain as part of the New Mexico State Highway and Transportation Department (NMSHTD) system.

The Existing and proposed development of Enchanted Hills, north of the Lomas Encantadas Plan consists of approximately 2,000 "conventional" R-1 and SU for residential production housing lots (70' x 120') and areas of densification (45' x 110' minimum lots); several thousand homes on land zoned R-1 and Special Use (SU). The Enchanted Hills community is an established growth node for the City. Residential units 1-14 (platted and approved) constitute the initial residential portion together with the "Enchanted Hills Commerce Center." In accordance with the early Master Plan for the area adopted in 1993, the direction has been set for an integration of employment and housing within proximity to employment centers. Although primarily residential, other land uses within Enchanted Hills and zoning includes commercial and industrial uses (the Commerce Center) location, park lands, and an existing elementary school site with open space buffering. The main marketing access and transportation circulation through Enchanted Hills is Enchanted Hills Boulevard, which ultimately connects NMSR 44 to NMSR 528 with collector roadways such as Montreal Street, Sprint Boulevard and Jaeger Street providing principal ingress/egress connections. A considerable portion (200 acres) of the development of Enchanted Hills, approximately 200 acres, is zoned for commercial, industrial, and other non-residential uses.

The development concept for the non-residential portion includes access easements, traffic circulation and drainage diversions, which have a peripheral impact on Lomas Encantadas. The drainage diversion (Encantado Channel) intercepts developed water conditions and carries developed flows to a detention ponding area within Lomas Encantadas, which is to be released to the Venada arroyo.

The Venada arroyo, a principal arroyo, enters Lomas Encantadas from the southwest and courses through the site to the east, departing the site and then crossing NMSR 528 in the vicinity of the old Price's Dairy properties. A tributary of the Venada arroyo, named the North Tributary, also courses through the site from the northwest. While secondary to the main branch, the tributary will require careful attention for erosion, lateral migration, development constraints and drainage control by retention-detention.

An existing power transmission facility roughly bisects Lomas Encantadas. This primary utility corridor contains 115 Kv, and lower, Public Service Company of New Mexico transmission high lines and Plains Electric Cooperative transmission facilities. There are underground gas utilities located within historic easements that must be respected in the platting and construction considerations.

Immediately southeast of Lomas Encantadas, fronting NM 528, is a previously platted development known as La Bona Tierra Subdivision, within the Town of Bernalillo. This development is comprised of dirt roads, mobile homes, a building truss manufacturing facility, and mixed-use properties. The principal impact of this area on the Lomas Encantadas Master Plan involves the connectivity challenges with existing platted City of Rio Rancho roadways, and managing drainage flows from the main branch of the Venada Arroyo that discharges through culverts under NM 528.

Lands to the south and southeast of the planning boundary are primarily low-density residential uses, with a combination of large lot custom homes and undeveloped parcels. At the southeast corner of NMSR 44 and NMSR 528 there are commercial/industrial lands; a portion of the Rio Rancho Industrial Park, as well as the existing and proposed Sandoval County Judicial Complex, a recreational vehicle park and platted properties. Areas to the immediate west and northwest are undeveloped, and zoned R-1. These adjoiners are not of specific impact to Lomas Encantadas. However, future roadway alignments and intersections, dictated by the current land use and the jurisdiction of the NMSHTD and the Town of Bernalillo have been considered.

Immediately southeast of Lomas Encantadas, fronting on NMSR 528, is a previously platted development known as La Bona Tierra Subdivision, within the jurisdiction of the Town of Bernalillo. This development is comprised of dirt roads, mobile homes, and a building truss manufacturing facility, bail bonds offices and mixed-use properties. The principal impact of this property on the Lomas Encantadas Master Plan involves the impedance with platted Rio Rancho roadways, extensions of future collector or arterial roads and the main branch of the Venada arroyo that traverses this out parcel and discharges with constrained culverts at NMSR 528.

City of Rio Rancho Comprehensive Plan Compatibility

The Vision 20/20 Integrated Comprehensive Plan (ICP) designates this area as suitable for suburban density residential (2.5 DU per acre). This would indicate that approximately 1,800 dwelling units are appropriate for the applicant's initial request (718 acres) and up to 2,000 dwelling units within the Master Plan area as presented (approximately 800 acres, extended to SAD Number 5 platting or Lincoln Road).

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~~Urban Design~~

~~The urban design elements of the ICP are the essence of the Lomas Encantadas Master Plan. With current zoning designations and the ability to propose unique and complementary sections with different areas of terrain and diversity of physical constraints, this "Level 4" element of the Comprehensive Plan will guide future subdivision applications. Consisting primarily of residential development projects, Lomas Encantadas envisions four specific levels of residential density:~~

- ~~• A large lot low density (R-1 zoning) series of projects, which have terrain fitting lots and roadways, building envelopes and preservation of natural features through both conservation easements and the OS zone. These areas are characterized by curvilinear streets, and are extremely sensitive to natural drainage patterns, landforms and development, which is prudent for undulating and sensitive terrain.~~
- ~~• "Conventional" single family detached (R-1 zoning) and associated subdivision development. These areas are included adjacent to the existing Enchanted Hills community with "extended" lot lines and development patterns to minimize grading operations.~~
- ~~• R-4 "contemporary" residential lot development. These areas envision smaller lots than the historic R-1 zone, but are organized to have minimal impact on the existing Enchanted Hills Community and are well buffered from adjacent larger lot residential land use. This plan also describes specific features for these development projects including special roadway sections; trust land or homeowner association properties that provide setbacks and project definitions together with specific project entry locations.~~
- ~~• High density residential. With the adoption of the R-6 apartment zone, we have suggested three locations for this type of project. Two of these are located in direct proximity to the existing Enchanted Hills Commerce Center, affording convenient home base work trips. Another location is a property located adjacent to the arroyo open space and emerging development center, including non-residential near the intersection of Chayote Road and Progress Boulevard.~~

~~Adjoining Properties~~

~~Lomas Encantadas is immediately adjacent to the platted and zoned community of Enchanted Hills and is located generally southwest of the intersection of New Mexico State Road (NMSR) 528 and NMSR 550 (formerly NMSR 44). Both of these highways are access limited and are expected to remain as part of the New Mexico State Highway and Transportation Department (NMSHTD) system.~~

~~The Existing and proposed development of Enchanted Hills, north of the Lomas Encantadas Plan consists of~~

~~approximately 2,000 "conventional" R-1 and SU for residential production housing lots (70' x 120') and areas of densification (45' x 110' minimum lots). Other land use and zoning includes commercial and industrial (the Commerce Center) location, parklands and an existing elementary school site with open space buffering. The main marketing access and transportation circulation through Enchanted Hills is Enchanted Hills Boulevard, which ultimately connects NMSR 44 to NMSR 528 with collector roadways such as Montreal Street, Sprint Boulevard and Jaeger Street providing principal ingress/egress connections. A considerable portion of the development of Enchanted Hills, approximately 200 acres, is zoned for commercial, industrial and non-residential use. The development concept for the non-residential portion includes access easements, traffic circulation and drainage diversions, which have a peripheral impact on Lomas Encantadas. The drainage diversion (Encantado Channel) intercepts developed water conditions and carries developed flows to a detention ponding area within Lomas Encantadas, which is to be released to the Venada arroyo.~~

~~The Venada arroyo, a principal arroyo, enters Lomas Encantadas from the southwest and courses through the site to the east, departing the site and then crossing NMSR 528 in the vicinity of the old Price's Dairy properties. A tributary of the Venada arroyo, named the North Tributary, also courses through the site from the northwest. While secondary to the main branch, the tributary will require careful attention for erosion, lateral migration, development constraints and drainage control by retention detention.~~

~~An existing power transmission facility roughly bisects Lomas Encantadas. This primary utility corridor contains 115 Kv, and lower, Public Service Company of New Mexico transmission high lines and Plains Electric Cooperative transmission facilities. There are underground gas utilities located within historic easements that must be respected in the platting and construction considerations.~~

~~At the southeast corner of NMSR 44 and NMSR 528 there are commercial/industrial lands; a portion of the Rio Rancho Industrial Park, as well as the existing and proposed Sandoval County Judicial Complex, a recreational vehicle park and platted properties. These adjoiners are not of specific impact to Lomas Encantadas. However, future roadway alignments and intersections, dictated by the current land use and the jurisdiction of the NMSHTD and the Town of Bernalillo have been considered.~~

~~Immediately southeast of Lomas Encantadas, fronting on NMSR 528, is a previously platted development known as La Bona Tierra Subdivision, within the jurisdiction of the Town of Bernalillo. This development is comprised of dirt roads, mobile homes, and a building truss manufacturing facility, bail bonds offices and mixed use properties. The principal impact of this property on the Lomas Encantadas Master Plan involves the impedance with platted Rio Rancho roadways, extensions of future collector or arterial roads and the main branch of the Venada arroyo that traverses this out parcel and discharges with constrained culverts at NMSR 528.~~

Planning Process

~~The planning process for Lomas Encantadas began in 1993 with incorporation and the adoption of a simplistic Master Plan, rezoning to R-1 and approximately 30 acres of open space. That Master Plan included all of Enchanted Hills including the existing residential Units 1-14 and the Commerce Center (non-residential employment and commercial base). While that sufficed for the initial development of Enchanted Hills, that Master Plan was not specifically designed nor detailed enough to provide definition to the area now known as "Lomas Encantadas" with the exception of the underlying zoning designation.~~

~~In 1996, Community Sciences Corporation was retained by AMREP Southwest, Inc. to provide recommendations for lot configurations, serviceability by utilities and general strategy of implementation. That study~~

concentrated on major arterial roads and the feasibility for creating either a "large lot" project similar to a "Placitas" style of minimal land disturbance or the development into conventional home site lots at an approximate 3 DU per acre.

In 1999, CSC was again retained to analyze the cost of alternative land use designs. At that time, the "smallest zoning district allowed in the City of Rio Rancho was R-1. Also, the extreme costs for grading, drainage and arroyo treatment negatively impacted the feasibility for development applications.

In 2001, the Integrated Comprehensive Plan was adopted providing general guidelines for the City of Rio Rancho. The ICP recognized the Enchanted Hills area as an existing "Level 4" Master Plan, a development growth node and set the framework for more detailed planning and subsequent development activities.

Also in 2001, Huitt Zollars, Inc. was retained to review generalized land use, roadway connections and more importantly, to devise a strategy for drainage management that would work in conjunction with the goals and objectives of SSCAFCA and their knowledge of the area.

Currently the City, the developer and the New Mexico Department of Transportation (NMDOT) are working on standards for a more detailed transportation study of this area. Actual engineering design criteria will result from this study.

Also in 2002, the City of Rio Rancho approved amendments to the zoning code (Chapter 9) that allows for open space zoning, park zoning, residential R-4 and R-5 single family zones and the R-6, apartment or single family high density zone.

This project's design recommendations for revisions to the Master Plan and a zoning submittal now follow this six-year history of analysis, appropriate zoning categories and ICP conformity.

It is anticipated, upon the approval of the Master Plan and accompanying resulting requests, development will be ready to submit preliminary and final plats underneath the City of Rio Rancho's platting procedure.

Accordingly, this document supports simultaneous requests for:

- Master Plan (Level 4) revision;
- Zone Map Amendment;

Upon approval of this document the following documents will follow shortly thereafter:

- Bulk Plat, which will include Vacation Map for lots, rights of way and easements.

It should be noted that additional design work is underway, by the Southern Sandoval County Arroyo Flood Control, on the Venada Arroyo. That study could direct the treatment of arterial roadway crossings, drainage discharge in the Venada watershed and will probably result in upstream mitigation of arroyo and flood plains management by the construction of controlled release dams and drainage facilities.

Existing Zoning

Existing zoning in Lomas Encantadas consists of R-1 (single family residential), R-4 (single family residential), R-6 (multi-family residential), C-1 (commercial), OS (Open Space), and PR (Parks and Recreation) zones, as envisioned in the original adopted plan from 2004. Currently, the R-4 district is the primary residential zoning on the southeastern side of the planning area. There is a small section of R-6 at the intersection of Enchanted Hills Boulevard and Lincoln Avenue. The northern side of the planning area (north of Paseo del Volcan) is currently zoned R-1, but a zone map amendment request has been submitted to rezone this portion to R-4, following the other R-4 residential areas to the south of Paseo del Volcan. Commercially zoned areas are limited to a few smaller parcels at Lincoln Avenue and Camino Encantadas. Two currently undeveloped locations have been zoned for parks: one at the corner of Camino Encantadas and Camino Venada, and one adjacent to Aldan Drive NE (south of existing homes in Enchanted Hills). Large tracts of open space areas follow the Venada Arroyo.

Blurb.

Proposed Zoning & Density

~~Proposed Lomas Encantadas intends to utilize new zoning districts created by Rio Rancho Zoning Ordinance 87-1 (R.O. 1987) Ordinance 2002-03, Enactment 02 (amendment to Chapter 9, Article 13). These new zoning classifications reflect compliance to the policies in the City of Rio Rancho's Vision 2020 Comprehensive plan zoning districts within Lomas Encantadas will consist of R-1 (single family residential), R-4 (single family residential), R-6 (multi-family residential), C-1 (commercial), OS (Open Space) and PR (Parks and Recreation) zones. continue to consist primarily of residential uses, with a small increase in density from the zoning approved in the 2004 version of this Plan. Instead of the three different types of R-1 zoning included in the 2004 Plan ("Terrain Fitted", "Estate" and "Standard"), the proposed zoning districts are simplified to include only R-1, R-4, and R-6 as described below:~~

~~Depending on the demands of the market, actual land use and distribution may vary on a parcel-by-parcel basis. Requested and existing zones include:~~

Residential

~~R-11~~ **R-1 Estate Residential (Large lot conservation areas)**

~~Lot density: From 1.1 to 2 dwelling units per acre (restricted by this Plan)~~

~~Zoning: R-1~~

~~Use Allowance: All uses allowed in R-1 district, subject to zoning district limitation.~~

Terrain Fitted Residential

~~Lot Density: 2 to 3 dwelling units per acre (restricted by this Plan)~~

~~Zoning: R-1~~

~~Use Allowance: All uses allowed in R-1 district, subject to zoning district limitation.~~

Standard R-1 Residential/Low Density Single Family Residential

~~Lot Density: 3~~2~~ to 5~~4~~ dwelling units per acre (restricted by zoning district)~~

~~Zoning: R-1~~1~~~~

~~Description: Single-family residential dwellings and associated uses. These areas include R-1 zoned land to the north of Lincoln Avenue near Sandia Vista Elementary School and along Aldan Drive NE.~~

~~R-4~~ **Medium Density Contemporary Single Family Residential**

~~Lot Density: 4 to 6~~6~~ dwelling units per acre (restricted by zoning district).~~

~~Zoning: R-4~~

~~Description: Single-family residential dwellings and associated uses on medium sized lots. These areas include the existing developed neighborhoods south of Paseo del Volcan and areas designated to the northwest of Paseo del Volcan that encompass the currently undeveloped portion of Lomas Encantadas.~~

~~R-6~~ **High Density Multi-Family Residential or Apartments**

~~Lot Density: 6~~10~~ to 24~~25~~ dwelling units per acre./ac (restricted by zoning district, 12 DU/AC envisioned)~~

~~Zoning: R-6~~

~~Description: High-density multi-family residential. These areas are limited to a single parcel at the intersection of Lincoln Avenue and Enchanted Hills Boulevard.~~

Commercial

C-1

Commercial

Use Allowance: All uses allowed in C-1 district subject to zoning district limitations.

Open Space & Parks

OS

Open Space

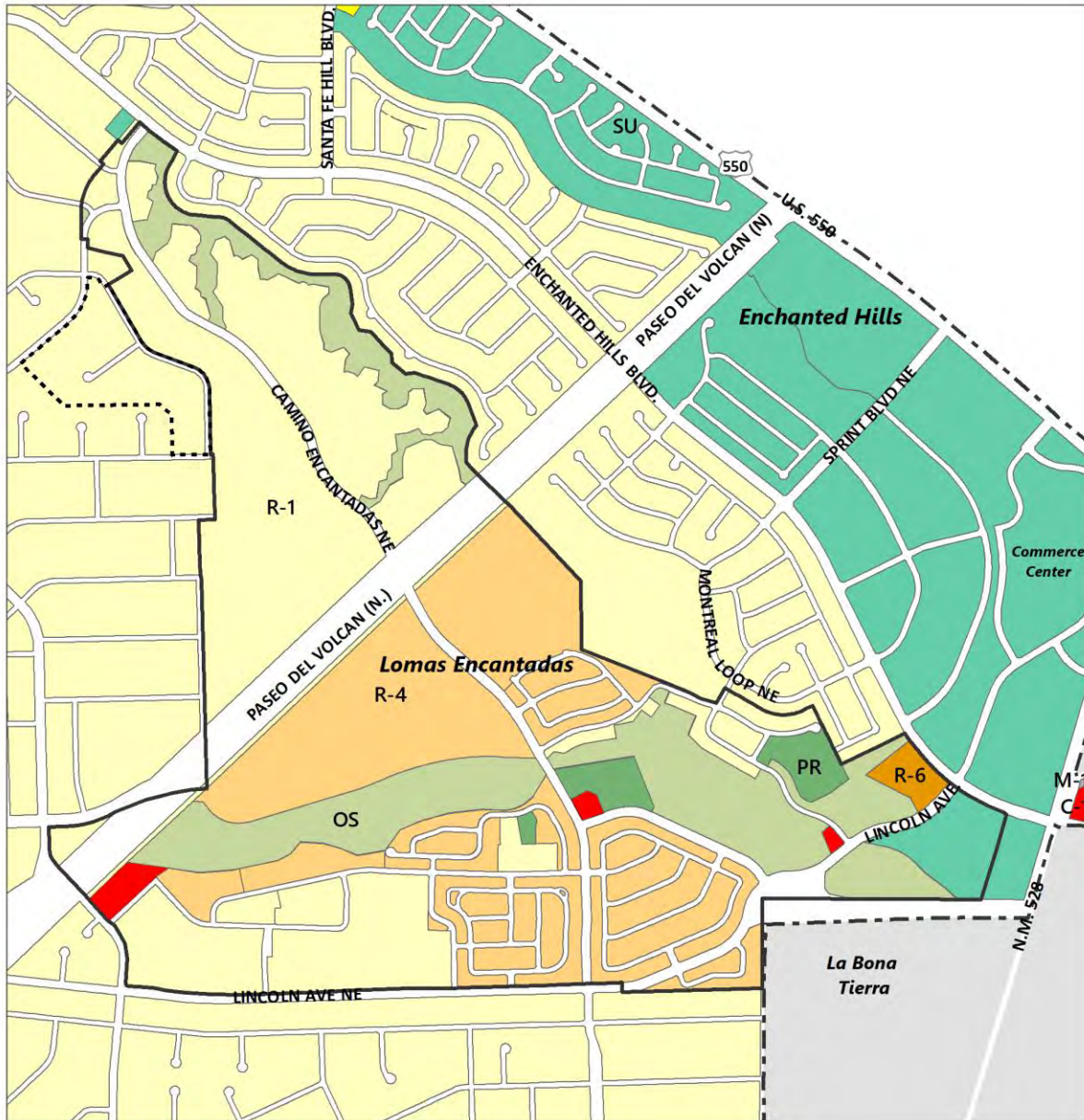
Use Allowance: All uses allowed in OS district subject to zoning district limitations.

PK

Parks and Recreation

Use Allowance: All uses allowed in ~~OS-PK~~ district subject to zoning district limitations.

Figure 3. Existing Zoning



LOMAS ENCANTADAS EXISTING ZONING

Zoning	Master Plan Boundaries
 R-1	 Original
 R-3	 Expanded
 R-4	
 R-6	
 C-1	
 M-1	
 SU	
 PR	
 OS	



Urban Design

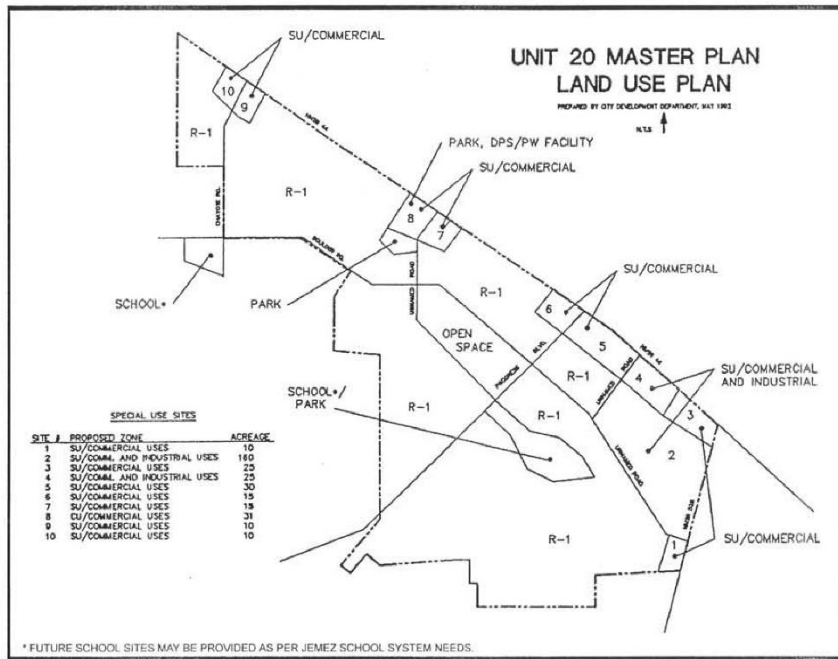
The urban design elements of the ICP are the essence of the Lomas Encantadas Master Plan. With current zoning designations and the ability to propose unique and complementary sections with different areas of terrain and diversity of physical constraints, this "Level 4" element of the Comprehensive Plan will guide future subdivision applications. Consisting primarily of residential development projects, Lomas Encantadas envisions four specific levels of residential density:

A large lot low density (R-1 zoning) series of projects, which have terrain-fitting lots and roadways, building envelopes and preservation of natural features through both conservation easements and the OS zone. These areas are characterized by curvilinear streets, and are extremely sensitivity to natural drainage patterns, landforms and development, which is prudent for undulating and sensitive terrain.

"Conventional" single family detached (R-1 zoning) and associated subdivision development. These areas are included adjacent to the existing Enchanted Hills community with "extended" lot lines and development patterns to minimize grading operations.

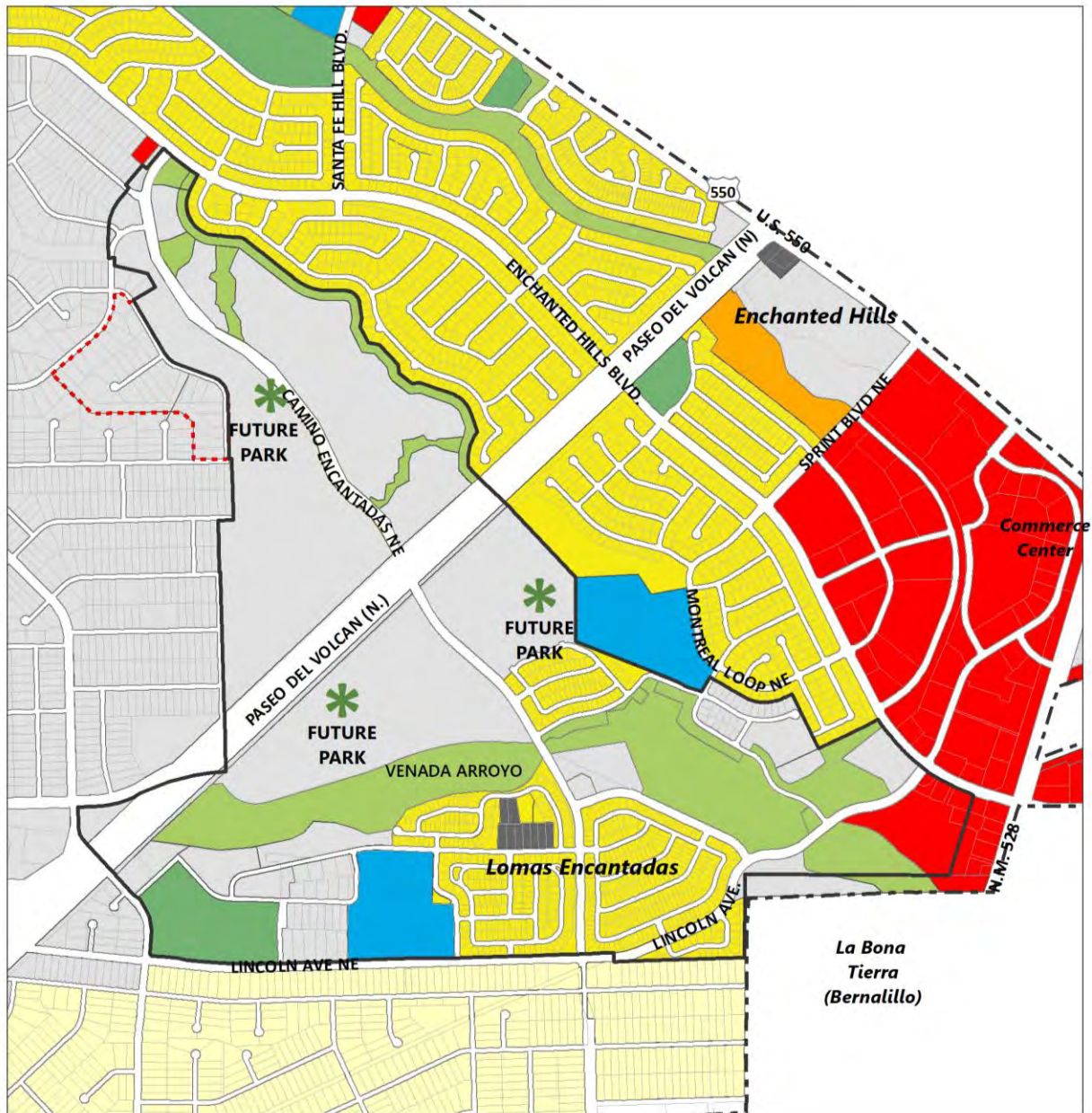
R-4 "contemporary" residential lot development. These areas envision smaller lots than the historic R-1 zone, but are organized to have minimal impact on the existing Enchanted Hills Community and are well buffered from adjacent larger lot residential land use. This plan also describes specific features for these development projects including special roadway sections; trust land or homeowner association properties that provide setbacks and project definitions together with specific project entry locations.

High density residential. With the adoption of the R-6 apartment zone, we have suggested three locations for this type of project. Two of these are located in direct proximity to the existing Enchanted Hills Commerce Center, affording convenient home base work trips. Another location is a property located adjacent to the arroyo open space and emerging development center, including non-residential near the intersection of Chayote Road and Progress Boulevard.

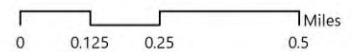


Land Use Plan - Excerpt from Unit 20 Master Plan

Figure 4. Existing Land Use



LOMAS ENCANTADAS EXISTING LAND USE



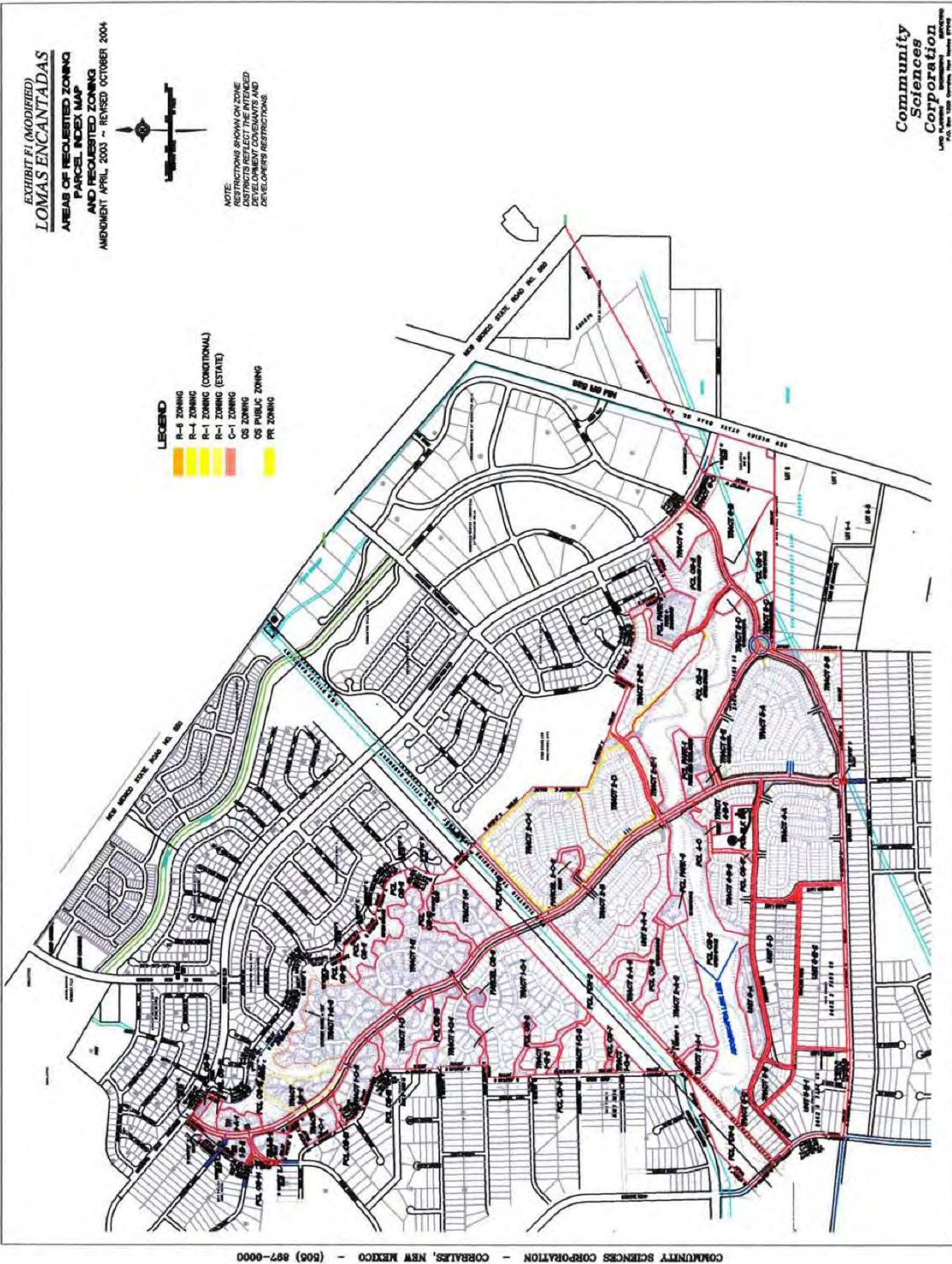
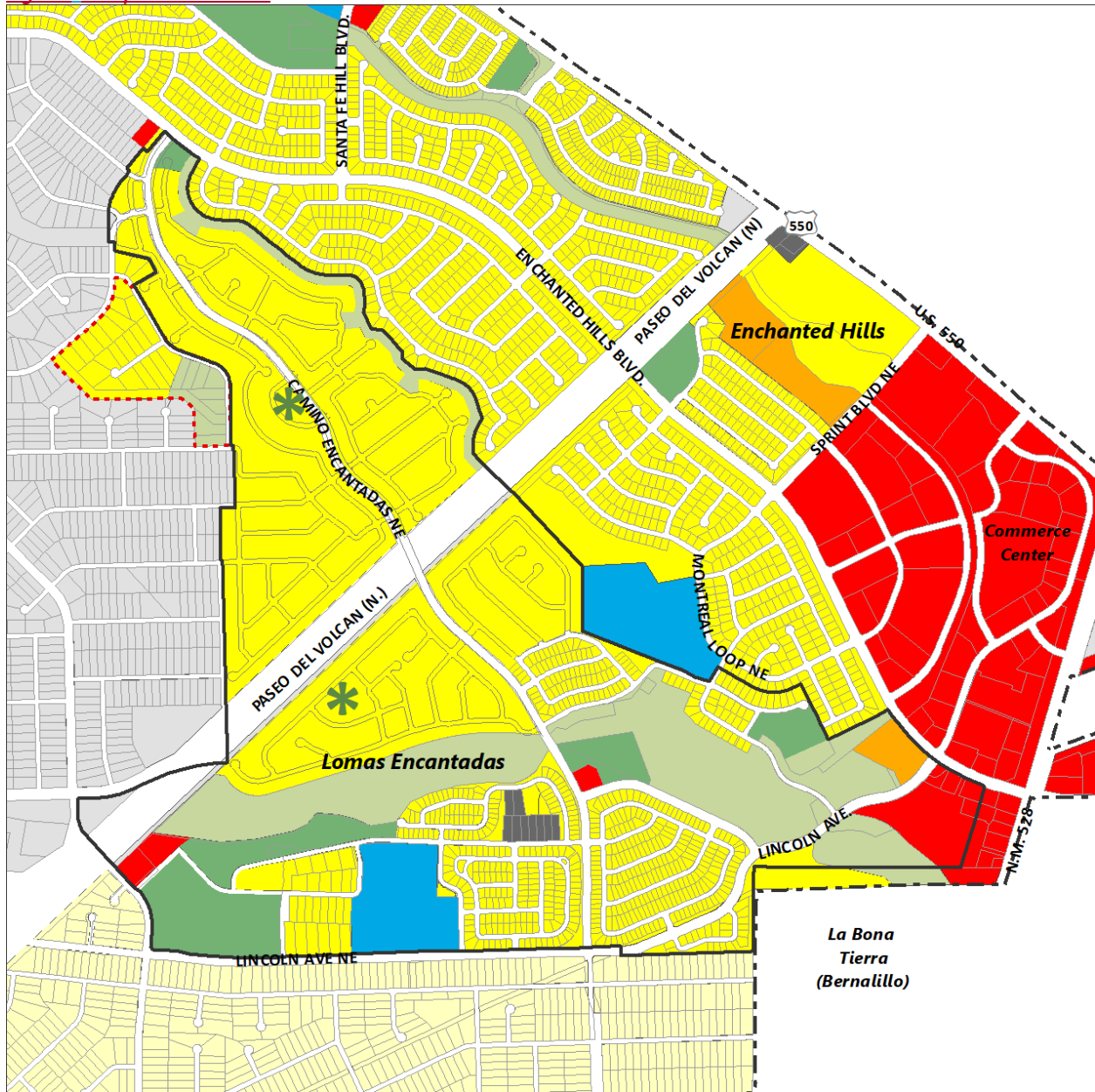
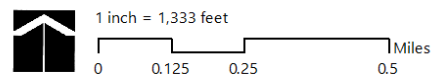


Figure 5. Proposed Land Use

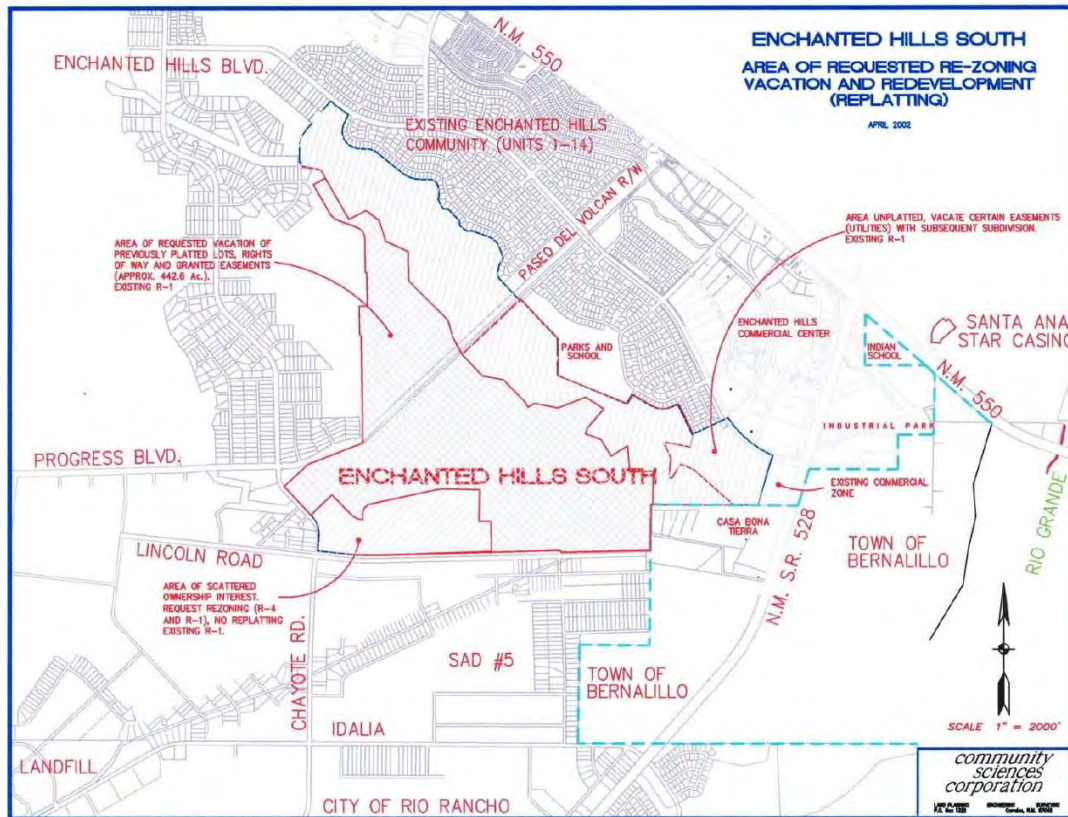


LOMAS ENCANTADAS PROPOSED LAND USE

- | | |
|----------------------------|-------------------------------|
| Land Use | Master Plan Boundaries |
| Low Density Residential | Original |
| Medium Density Residential | Expanded |
| High Density Residential | Proposed Park |
| Commercial | |
| Institutional | |
| Parks | |
| Open Space/Drainage | |
| Utilities | |
| Vacant | |



Note: Street network in northern portions of Plan Area is for illustrative purposes only.



DEVELOPMENT CRITERIA

City of Rio Rancho Design Standards

~~No changes to the zoning districts are required. Some exceptions to current City of Rio Rancho design standards are listed below. Also listed below are examples of Lomas Encantadas specific guidelines. All Lomas Encantadas guidelines, when applied through private architectural control measures, are the same as or more restrictive than applicable City of Rio Rancho zoning restrictions. In addition to this master plan, Lomas Encantadas guidelines will be applied through a set of Restrictive Covenants. A committee will review all designs before submittal to the City.~~

Design Guidelines

~~Design guidelines and Covenants, Conditions and Restrictions (CC&Rs) for Lomas Encantadas shall be were established by the Master Developer coincidentally with the approval of the Lomas Encantadas Master Plan by the City of Rio Rancho in 2004. Subsequent modifications shall to the CC&Rs beare to be made by the Mmaster dDeveloper or each parcel developer for Lomas Encantadas. Residences, buildings, structures, landscaping and other improvements will not be allowed to be constructed or installed on any lot without the prior written approval of the Mmaster developer Developer or an the Architectural Review Committee (may be appointed by the master developer to serve in its stead).~~

~~All design guidelines will arebe subject to City codes, ordinances and any-adopted policies of the City of Rio Rancho. The following are general guidelines for development in Lomas Encantadas, and update the original standards developed for the original adopted plan in 2004.~~

Building Envelopes

~~No principal structures or building envelopes will be located within 125 feet of existing Enchanted Hills lot lines. Zoning classifications within the City of Rio Rancho provide for the establishment of building setbacks based upon standard dimensions from the front, rear and side yard property lines as outlined in the City of Rio Rancho Planning, Zoning and Land Use Management Ordinance. This approach establishes contiguity but does not address land preservation, topography or the protection of natural habitats. For Large Estate residential lot development within Lomas Encantadas, building envelopes with conservation easements is envisioned to protect and preserve the natural landscape. These building envelopes will be designed to meet specific lot conditions, topography and natural drainage patterns. This tool for preserving natural Open Space, while blending custom residential, is essential to Lomas Encantadas' custom lots. Building Envelopes will be designated on the plat.~~

~~While some building envelopes may be more restrictive than the building setbacks provided for in City ordinance, envelopes will be defined and recorded with the plat work for every phase. Improvements allowed outside the building envelope shall be limited to:~~

- ~~• Driveway – From the street. Including associated culvert s, guest parking, and turning areas. Minimum 20' in length;~~
- ~~• Sidewalk – From the street, where designed and platted. May meander or be eliminated in certain areas;~~
- ~~• Underground Utility Connections – Water, sewer, electric, gas, telephone, and cable TV;~~

- ~~• Above Ground Utility Improvements – Including meters, and transformers;~~
- ~~• Mailbox;~~
- ~~• Landscape irrigation;~~
- ~~• Native Landscape Material~~
- ~~• Natural Material Retaining Walls;~~
- ~~• Drainage Improvements;~~
- ~~• Site accessories approved by the Design Review Committee (gazebos, walks, etc.).~~

Landscape ~~Architecture~~ Design

Lomas Encantadas' objective is to provide a unique community rich with the preservation and integration of native vegetation and materials that protect the character of the site. This objective ~~shown in the Lomas Encantadas' landscape management~~ provides habitat enhancement and will ultimately reduce the potential water requirements for landscaping within residential developments and open space areas. ~~Lomas Encantadas intends to follow certain principles of landscape architecture to ensure this.~~ General guidelines for landscape design include:

- Disturbed areas will require natural re-vegetation;
- ~~• All large residential lots will require building envelopes to minimize disturbance and to preserve vegetation and habitat;~~
- Approved plant palette listed in the Standards and Guidelines shall be used on all plant material choices except for interior walled areas;
- Exotic ornamental plants shall be prohibited except in predetermined areas such as backyards, courtyards, etc.;
- Site landscaping must be installed in a timely manner and be approved by the Design Architectural Review Committee for Lomas Encantadas;
- ~~• The use of non-potable water irrigation systems may be designed to accommodate certain lots but must be temporary where feasible;~~
- Detailed landscape plans will accompany each Site Development Application to the Design Review Committee at Lomas Encantadas; and Xeriscape landscapes shall be utilized for public rights-of-way and conservation areas; and
- Water harvesting principles will be employed in public and private detention areas.

Development will repair and restore disturbed land as quickly as possible ~~when feasible~~. Certain situations where disturbed land is along the perimeter or adjacent to open space may require seed mixtures and/or installation methods to restore natural plant densities. Drip irrigation systems may be employed to minimize runoff and evaporation while providing water to natural landscapes. Long-term water requirements will be considered to prevent the destabilization of the soil. In some areas, irrigation will be employed for plant establishment- to be abandoned upon stability of installed drought-tolerant species. All entryway and ~~right-of-way~~ right-of-way landscaping will be maintained by the Home Owners Association.

Xeriscape

To maintain balance with the on-lot landscape architecture, xeriscape landscapes shall be utilized for public rights-of-way and conservation areas for:

- ~~Planning and Design~~
- ~~Soil Improvement~~
- ~~Plant Selection~~
- ~~Turf Area restrictions~~
- ~~Irrigation~~
- ~~Mulching~~
- ~~Maintenance~~

Plant Palette

To preserve the aesthetics of the natural landscape within the Lomas Encantadas Master Plan, a limited plant palette has been developed. This palette is not intended to be exclusive but shall act as a guide for the Design Review Committee to avoid plant species that are considered noxious, invasive or are visually incompatible with development at Lomas Encantadas. Any proposed plant palette will be in accordance with the plant palette adopted in the Vision 20/20 Integrated Comprehensive Plan or an acceptable alternative and approved as such at the time of subdivision.

Landscape Plan (Guidelines)

Each subdivision plat for Lomas Encantadas will be prepared with a landscaping design benefiting each phase of development. As part of this Master Plan, a landscape and Re-vegetation Guideline is incorporated to direct these site-specific designs with the following objectives in mind:

- ~~To harmonize installed landscaping in a coordinated fashion and with a defined palette of plant materials appropriate for this area;~~
- ~~To utilize drought tolerant species as a predominant theme or sub-theme for each area of development;~~
- ~~To harvest or capture natural run-off water in areas of controlled grading and design;~~
- ~~To minimize water and wind erosion with specifications for re-seeding, mulch and slope protection;~~
- ~~To designate "areas of disturbance" and specify natural reclamation measures where disturbed, and,~~
- ~~Minimize sustained water use by irrigation systems (or absence thereof) beyond measures necessary for plant establishment.~~

These guidelines apply to areas within the proposed zoning and master plan design and are categorized as nine "types" or areas of application:

Types A, B, C, and D

~~These types will be for Open Space, re-vegetation, drainage control and for adjacent roadway/pedestrian access areas. Progressively, these measures include reseeding and native plant reestablishment to areas of spot "designs" where aesthetics and opportunities for visual enhancements are presented.~~

~~**Types E and F**~~

~~For estate lots where portions are designated as a building envelope and portions are controlled in their natural appearance with minimal disturbance.~~

~~**Types G and H**~~

~~To be used for guiding conventional and terrain-fitted subdivisions.~~

~~**Type I**~~

~~For active parklands and ultimate development design by the City of Rio Rancho's Parks and Recreation Department.~~

~~Street Design Guidelines~~

~~The adoption of this plan does not constitute the approval of any variances to the ordinances and adopted standards of the City of Rio Rancho. Rather, this indicates the willingness of the City to work with the developer in cases where variances may be needed to maintain a certain level of quality and design integrity. Any actual variances will be appropriately requested during the process of subdividing those units where variances might apply.~~

~~All City of Rio Rancho street design and right of way standards will be met except for certain cul-de-sacs which are planned to be greater than 500 feet long. In these cases, the right of way will be expanded to 60 feet and the radius of the bulb will be expanded to a 120 foot diameter.~~

~~Some design exceptions may be requested at the time of subdivision in areas where large (estate type) lots are being created and in those cases where temporary half sections may be appropriate as determined by the City.~~

~~It is requested that sidewalks not be required on the side of a street where recreational trails will be installed~~

~~Stormwater~~

~~In some of these cases traditional drainage practice may not be feasible and all are subject to future approval by the City Engineer. It is also requested that in certain large lot layouts that cross lot drainage be allowed. Terrain sensitive layouts that are not mass-graded occasionally require this consideration.~~

Guiding Concepts Major Roadways

Lomas Encantadas' roadways have been designed to create a safe, accessible, and multi-modal street network that connect the Master Plan Area to adjacent communities. Major roads within the planning area include Camino Encantadas NE, Paseo del Volcan, and Lincoln Avenue NE. Camino Encantadas is the primary north/south collector roadway through the planning area, which provides access to existing and planned subdivisions. The roadway currently ends at Paseo del Volcan but is planned to extend northward through the Paseo del Volcan underpass and connect to Enchanted Hills Boulevard. Paseo del Volcan is a limited access principal arterial roadway that bisects Lomas Encantadas into southern and northern halves. Direct access to the roadway is limited from Lomas Encantadas, with the nearest access points at US 550 and Iris Road. Lincoln Avenue is planned to extend to the east to Paseo del Volcan in the future as a minor arterial road. Lincoln Avenue NE and Aldan Drive NE provide direct connections to Enchanted Hills. The remaining streets in the planning area are local roads designed to serve the existing and planned residential subdivisions.



Camino Encantadas Roadway Heading North

street hierarchy plan provides safety, efficiency and livability. Conveying traffic from residential streets to activity centers and major roadways that connect Lomas Encantadas to the City of Rio Rancho and other surrounding communities must be sensitive to the community. The following concepts and guidelines are proposed:

- Global community planning for street design;
- Noise reduction residential streets that accommodate varying transportation modes (motorized, pedestrian and bicycle);
- Flexible street design standards allowing for natural features of land, natural drainage patterns and terrain friendly roadways;
- Minimization of paved areas to reduce construction and maintenance costs;
- Socially functioning streets as centers for community activities; and

- ~~The referenced and attached transportation study(s) were commissioned to assist in the traffic distribution and determination of mitigation.~~

Parking

~~Parking within Lomas Encantadas' off-site areas shall follow the Rio Rancho Zoning Ordinance with screened off-street parking, which may include lot walls, fences and / or landscaped berms. Shared parking opportunities will be provided where feasible for non-residential uses and recreational centers.~~

Maintenance

~~Streets within Lomas Encantadas are to be constructed by the developer and dedicated to the City of Rio Rancho for maintenance upon completion.~~

Transportation Study

~~In preparation for this Master Plan a major transportation study was commissioned in 1999 to model and study major roadways and their impact by the proposed Lomas Encantadas development. This report identified roadway classes, capacities and traffic dispersal. Paseo Del Volcan and the City of Rio Rancho arterials were included, both for modeling as well as for alternatives (PDU Connections, etc.);~~

~~A specific study was commissioned in 2002 to accompany the land use and zoning recommendations preferred by the Lomas Encantadas Concept Plan. These analyses, together with comments from the City of Rio Rancho Public Works Department suggest major transportation considerations:~~

- ~~Connections to Enchanted Hills Boulevard at Jaeger and Nativitas Road (proposed) is feasible and within intersection capacities, with signalization at Jaeger and improvements to both intersections;~~
- ~~A connection to Idalia Boulevard, using Nativitas Road, as a collector roadway is advised. The right of way between Lincoln Road and Idalia Boulevard is currently insufficient for a collector. Alternative designs for Nativitas which route the roadway through the Sandoval County owned property to the east, allow the roadway to be properly designed as a collector/minor arterial. However, with traffic calming, Nativitas Road could be used until a threshold of daily traffic which warrants the collector is encountered;~~
- ~~The design of Nativitas Road, north of Lincoln Road, and a major connection street to Jaeger/Enchanted Hills Boulevard should follow collector class design parameters;~~
- ~~A local road between Enchanted Hills Boulevard and Nativitas Road, within the PDU reserved right of way can be accommodated and is beneficial but not critical;~~
- ~~An improved connection to Caldera Road, by re-platting and street design, is desirable;~~
- ~~The City of Rio Rancho should place the intersections of Chayote Road, Lincoln Road and Progress Boulevard on a high priority. For the desired alternative in the Transportation Model, Progress Boulevard should terminate at Chayote Road (tee intersection) and within roadway improvements (including drainage) should be directed at the Chayote/Lincoln Road intersection and the Venada Arroyo crossing;~~
- ~~All other roadways within Lomas Encantadas could be of a local road classification (note: a "Major local" road class is offered with this plan as a design standard); and~~
 - ~~Linkage by off-roadway bicycle and pedestrian trails may reduce home-based work trips (overall). The accompanying report used only marginal trip assignments to off-road facilities (to be conservative).~~

~~**All transportation improvements are subject to approval by the City at**~~

~~**Final Plat.**~~ Street Design Guidelines

~~The adoption of this plan does not constitute the approval of any variances to the ordinances and adopted~~

standards of the City of Rio Rancho. Rather, this indicates the willingness of the City to work with the developer in cases where variances may be needed to maintain a certain level of quality and design integrity. Any actual variances will be appropriately requested during the process of subdividing those units where variances might apply.

All City of Rio Rancho street design and right-of-way standards will be met except for certain cul-de-sacs which are planned to be greater than 500 feet long. In these cases, the right-of-way will be expanded to 60 feet and the radius of the bulb will be expanded to a 120-foot diameter.

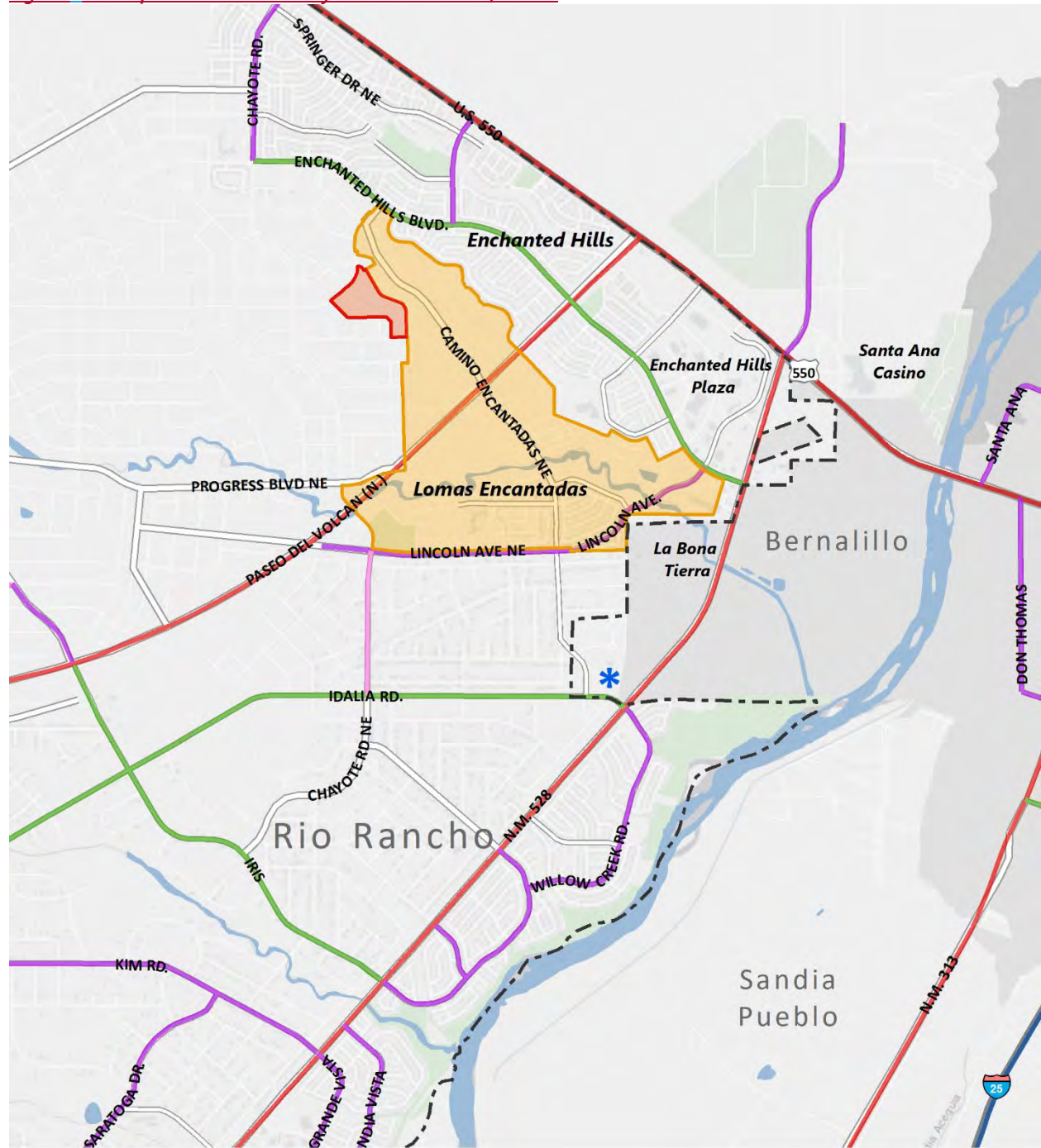
Some design exceptions may be requested at the time of subdivision in areas where large (estate type) lots are being created and in those cases where temporary half sections may be appropriate as determined by the City.

It is requested that sidewalks not be required on the side of a street where recreational trails will be installed. Streets within Lomas Encantadas will be constructed by the developer and dedicated to the City of Rio Rancho for maintenance upon completion and acceptance.

Parking

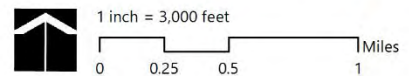
On street parking and parking lots within Lomas Encantadas shall follow the City of Rio Rancho Zoning Ordinance with screened parking lots, which may include low walls, fences and/or landscaped berms. Shared parking opportunities will be provided where feasible for non-residential uses and recreational centers.

Figure 6. Transportation Network by Functional Classification



LOMAS ENCANTADAS ROADWAY CLASSES

- | | |
|-------------------------------|---------------------------------------|
| Master Plan Boundaries | NMDOT Roadway Functional Class |
| Rio Rancho City Limits | 1 - Interstate |
| Original | 3 - Principal Arterial |
| Expanded | 4 - Minor Arterial |
| | 5 - Major Collector |
| | 6 - Minor Collector |



LOMAS ENCANTADAS
TRANSPORTATION ELEMENTS
 OCTOBER 2004



community sciences corporation
 Land Planning - Civil Engineering - Surveying
 P.O. Box 1320 Corrales, New Mexico 87048
 505/887-0000 - 505/888-1188 fax
 www.communitysciences.com

CONCEPTUAL DRAINAGE PLAN

Drainage Management

There has been a change in the Army Corps of Engineers 404 Permit requirements under the Clean Water Act, which necessitate the creation of a new Drainage Management Plan (DPM) for the undeveloped, northern half of Lomas Encantadas. The revised Drainage Management Plan will incorporate the fundamental drainage management concepts presented in the previously approved "Enchanted Hills South DMP". The revised DMP will include a discussion of the existing and proposed developed drainage patterns for this area and the infrastructure required to convey runoff through existing and planned subdivisions.

The design parameters for drainage management will follow the Venada Arroyo Watershed Management Plan (VEWMP) from November 2002. The VEWMP states that the management strategy for this watershed is to "Manage the watershed to restrict flows in the lower end of the Venada Arroyo to existing facility capacities and approximately existing conditions flow rates. This establishes a watershed management objective of 3100 cfs in the lower reach. This includes the existing NM 528 crossing and the constructed facilities downstream and immediately upstream of NM 528."

The drainage management concept for the updated Lomas Encantadas Master Plan will be guided by four key concepts:

- 100-Yr Peak Flow Management
- Storm Water Quality
- Offsite Flow Management
- Arroyo/Open Space Mitigation

100-Year Peak Flow Management

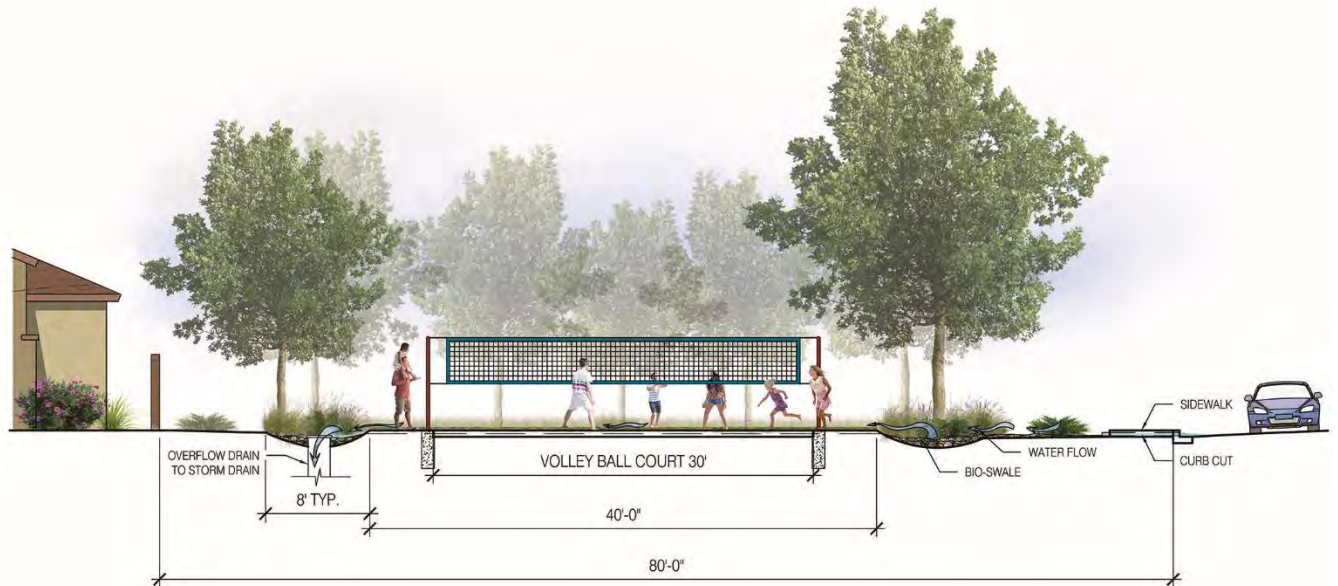
The backbone drainage infrastructure that will serve the northern portion of Lomas Encantadas has been constructed by the Lomas Encantadas development to date. Large diameter reinforced concrete pipes 7 and 8 feet in diameter have been constructed from the Venada Arroyo outfall northward in the Camino Encantadas Roadway corridor, ending north of the Paseo del Volcan Corridor in order to allow connection and accept flows from the upper portion of Lomas Encantadas. The revised DMP will provide analysis to ensure that the infrastructure can manage the intended design flows per SSCAFCA and City of Rio Rancho drainage policies for the 100-year event flows.

Storm Water Quality

Micro-parks with landscaped grassy surfacing will be designed and constructed with each unit of development. Street surface flows conveyed by curb and gutter will flow into grassy swale areas, which will serve as multi-function micro-parks. Each micro-park will feature an activity area, which may include individual standalone activity locations (volleyball courts, tetherball parks, play grounds) or exercise stations incorporated into neighborhood fitness loops. Storm water quality will be bio-swale oriented and these parks will be maintained by future Homeowners Association(s). Individual micro-park water quality features are shown in Figure X and X. Final locations and design will occur with each unit of development. Bat boxes can be installed at each micro-park to mitigate mosquito populations (a single bat is capable of eating over 1000 mosquitos per night).



Figure 7. Conceptual Micropark Section Showing Waterflow Through Micropark



Note: Graphic is for illustrative purposes only.

Offsite Flow Management

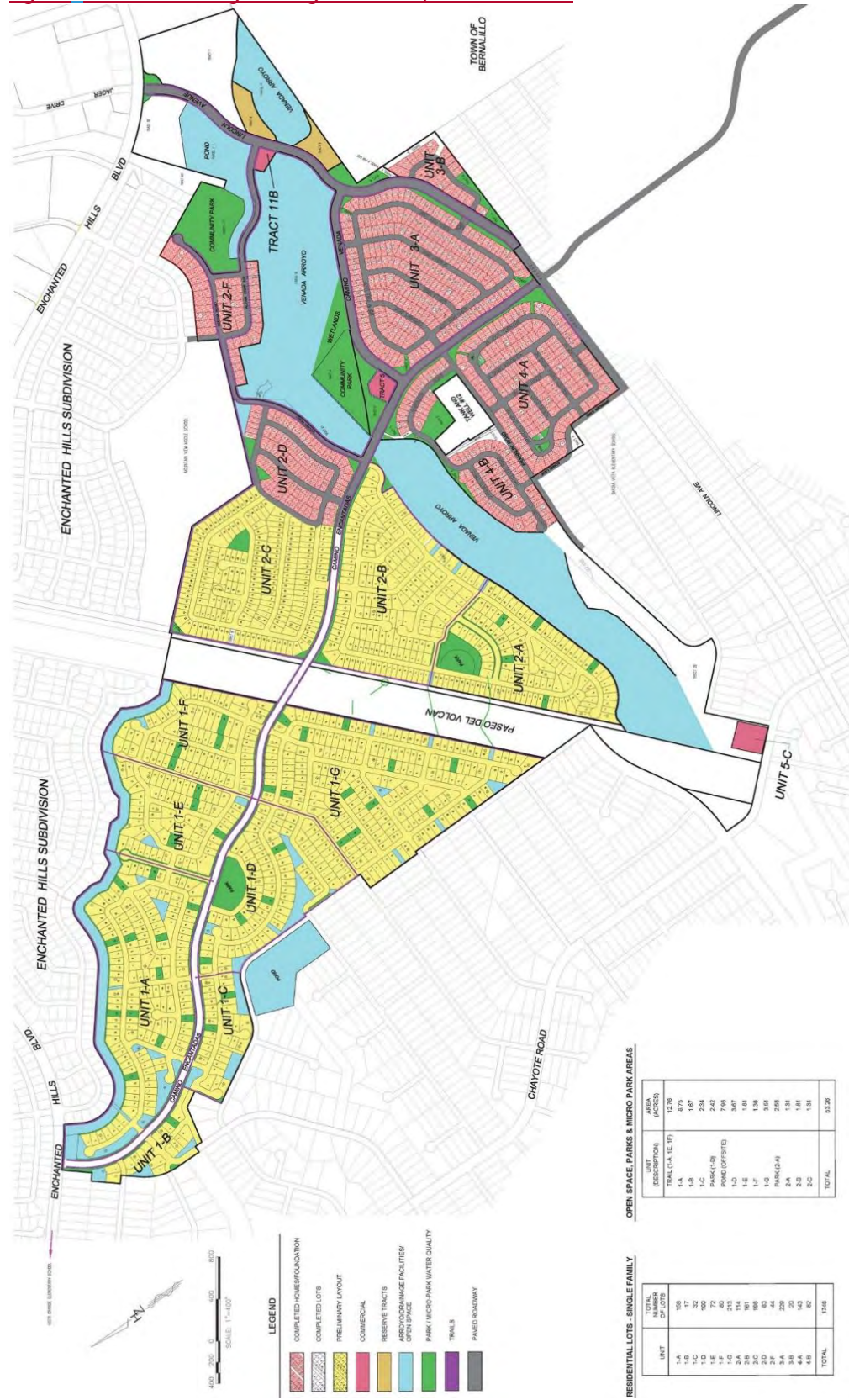
Offsite flows coming into Lomas Encantadas will be mitigated to reduce flowrates and to manage sediment. Designed structures at the incoming arroyos will be designed and detailed with each unit.

Arroyo/Open Space Mitigation

The Drainage Management Plan will require a renewal of the lapsed U.S. Army Corps Clean Water Section 404 Individual permit. The permit application proposes mitigation as required by the permit by wetlands construction. The Lomas Encantadas Development will propose to construct a multi-acre wetlands adjacent to or located within the Tract 2 Community Park. This wetlands can provide a focal feature for arroyo habitat and wildlife from the area and can be constructed as a walking trail/viewing area within the Community Park area.

As per Huitt Zollars Preliminary Drainage Master Plan.

Figure 8. Revised Drainage Management Plan, December 2018



Note: Graphic is for illustrative purposes only.

INFRASTRUCTURE & UTILITIES

~~Drainage Management~~

~~As per Huitt Zollars Preliminary Drainage Master Plan.~~

Water and Waste Water Availability

Lomas Encantadas' water supply will utilize connections to existing infrastructure to the north of the Master Plan area. Individual requests to the City of Rio Rancho for Water and Wastewater availability will be submitted during the platting and final design process of each phase of Lomas Encantadas.

Additionally, Lomas Encantadas intends to make use of an internal wastewater collection system that will discharge into a lift station near the Venada Arroyo (Lift Station #15).

Utilities

An existing power transmission facility bisects Lomas Encantadas. This primary utility corridor contains 115 Kv (and lower) Public Service Company of New Mexico transmission high lines and Plains Electric Cooperative transmission facilities. There are also underground gas utilities located within historic easements that must be respected in the platting and construction considerations.

Electric and Natural Gas

Electric and gas utilities are provided by the Public Service Company of New Mexico (PNM). Bundling of utility and technology services must include negotiations with PNM. PNM's long-range planning is for two (2) substations within the area bounded approximately by Progress Boulevard, US 550 and the limits of the City of Rio Rancho. Additionally, a new 115Kv transmission line loop is planned to connect to these proposed substations and the existing power grid. Natural gas facilities serving the National Guard Patriot Missile Battalion and Enchanted Hills exist and can be extended to serve Lomas Encantadas.

Communication

~~State-of-the-Art communication services are available to residents and businesses of Lomas Encantadas~~

- ~~• Bundling of utility and technology services provide connectivity to interior and exterior of homes;~~
- ~~• Construction wiring of systems within homes and businesses for security systems, entertainment equipment and other private uses;~~
- ~~• Bundling of services for telephone, Internet and high-speed data connections. Additional services such as cable, electricity, gas, satellite systems and medical monitoring may be included in a community infrastructure package.~~

Internet and Telephone Service

~~Internet service is provided by Comcast, Cable One, and smaller providers that deliver high speed internet with speeds up to 1 Gbps. Conventional telephone services are provided by QWest Communications CenturyLink. Fiber Optic telephone services are anticipated to be extended throughout the northwest quadrant of the state and currently serve the National Guard Patriot Missile Battalion and Enchanted Hills.~~

Cable Television

~~Cable One, an exclusive provider to the City of Rio Rancho, provides conventional buried cable lines. Future plans for digital and Internet service are subject to Cable One's future planning.~~

Electric and Natural Gas

~~Electric and gas utilities are provided by the Public Service Company of New Mexico (PNM). Bundling of utility and technology services must include negotiations with PNM. PNM's long range planning is for two (2) substations within the area bounded approximately by Progress Boulevard, US 550 and the limits of the City of Rio Rancho. Additionally, a new 115Kv transmission line loop is planned to connect to these proposed substations and the existing power grid. Natural gas facilities serving the National Guard Patriot Missile Battalion and Enchanted Hills exist and can be extended to serve Lomas Encantadas.~~

COMMUNITY FACILITIES & SERVICES

A self-sufficient planned community should provide on-site services, employment opportunities and recreational amenities. Lomas Encantadas has integrated these components into this Master ~~Plan including land characteristics, regional demographics and local market economics. Various methodologies have been created to determine developable land areas, project population and estimate job generation and the need for commercial development and public amenities through a public improvement district (PID), which outlines plans to create parks, trails, sidewalks, and other public improvements within Lomas Encantadas (see [FIGURE 9, on next page 11](#)). These improvements, along with a discussion, of community services are discussed below.~~

Public Safety

~~The existing Public Safety substation in Enchanted Hills, north of Enchanted Hills Boulevard, is the primary location for service to Lomas Encantadas. Planned public safety facilities located at Unser Boulevard near Westphalia Boulevard would complement neighboring Loma Barbon, Hawk Site, Mariposa and Enchanted Hills.~~

Solid Waste

~~Waste Management, Inc. is the primary refuse collector for the entire city. This along with waste handling systems for internal collection such as refuse, recycling, composting, external collection equipment, transportation and disposal will handle Lomas Encantadas' solid waste.~~

Recycling

~~Utilization of existing and private recycling programs within the City of Rio Rancho will allow for a variety of programs to be implemented within Lomas Encantadas.~~

Educational Facilities

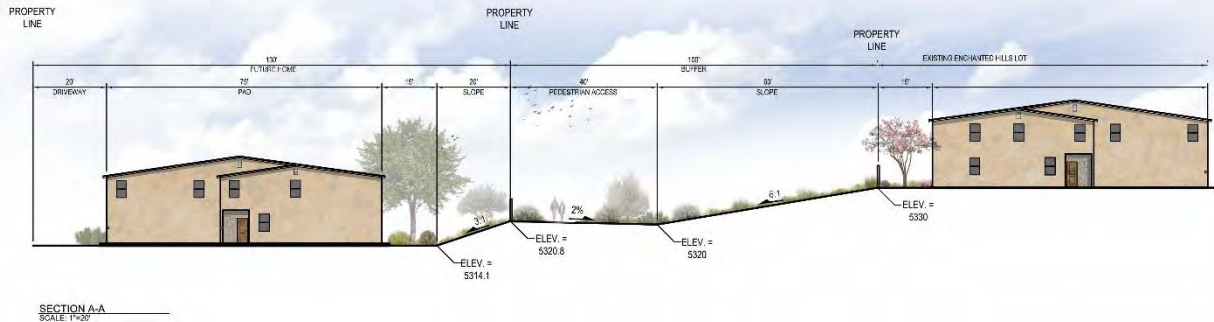
~~Existing Elementary and Middle school sites surrounding Lomas Encantadas can be utilized in conjunction with possible future proposed school sites to accommodate the Rio Rancho Public School Systems needs and requirements.~~

Parks and Open Space

~~Preserving the natural conditions of Lomas Encantadas' open space is a primary focus of the plan. Large tracts of open space areas have been dedicated along the Venada Arroyo, as well as a significant open space buffer along the northeastern boundary of the plan area where it abuts existing residential development in Enchanted Hills.~~

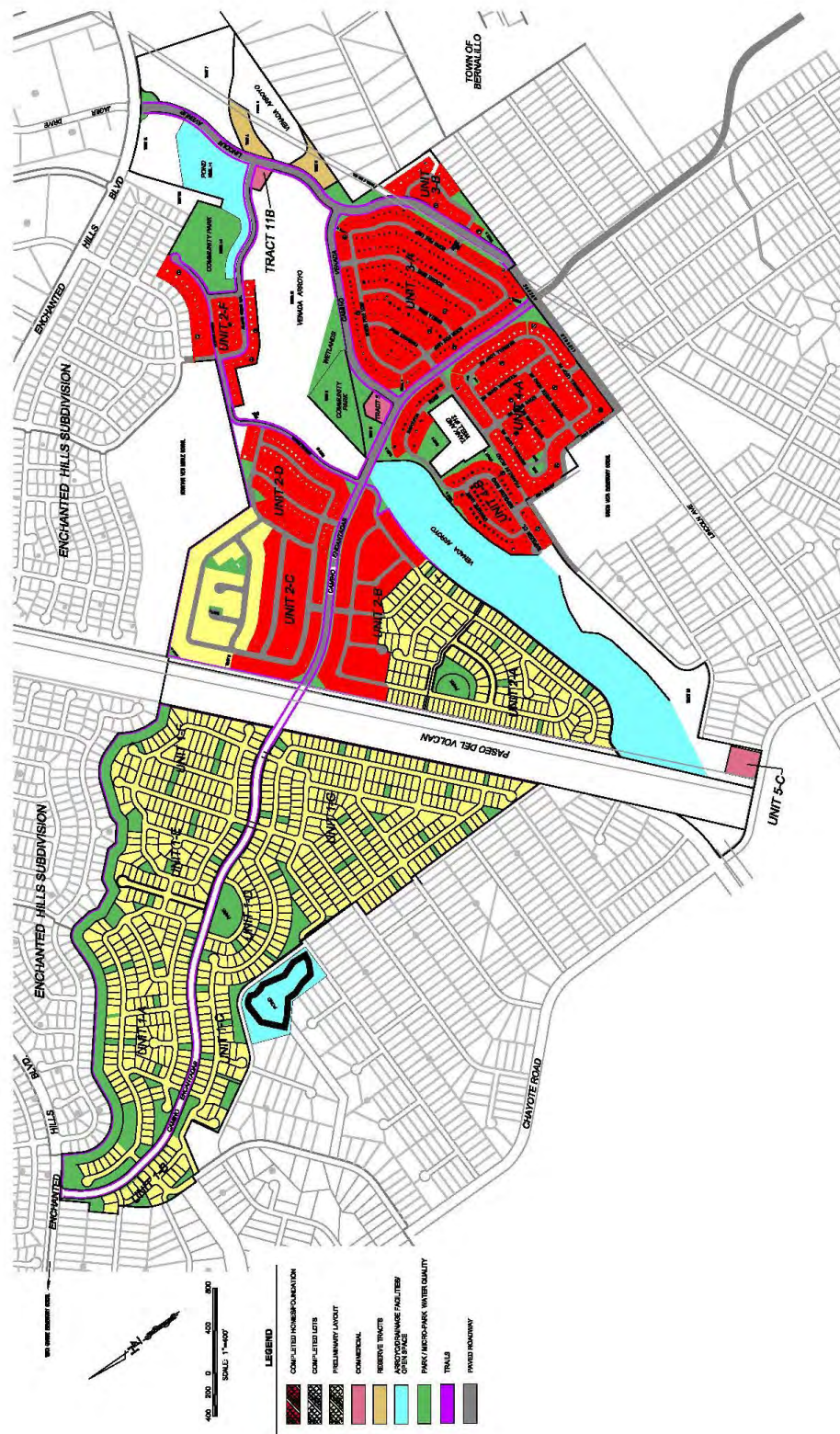
~~The plan gives special consideration to this open space buffer. The proposed open space protects an area of steep slopes and mitigates the impact of the proposed development of Lomas Encantadas by providing separation between new homes and the existing homes in Enchanted Hills. Due to the change in elevation within this open space area, new homes will generally be well below existing homes, which will help protect existing views and access to light and air for residents of Enchanted Hills (see [FIGURE 9](#)). In addition, the plan identifies three areas where existing knolls extend farther into the planning area and warrant additional protection through an increased open space buffer (see [FIGURE 10](#)). Trails are also planned for this linear open space and will include a variety of amenities to area residents.~~

Figure 9. Cross Section of Proposed Open Space Buffer



Neighborhood and community parks have been identified for the planning area. These include two larger parks that have already been zoned for future park development: one at the corner of Camino Encantadas and Camino Venada, and one adjacent to Aldan Drive NE (south of existing homes in Enchanted Hills). Five smaller parks have been identified for the area between the Venada Arroyo and Paseo del Volcan. In addition, a larger, neighborhood park is planned for the undeveloped area to the north of Paseo del Volcan. The microparks discussed in the Conceptual Drainage Chapter will provide additional recreation opportunities as well.

Figure 10. Conceptual Layout with Open Space Areas



Note: Graphic is for illustrative purposes only. Final layout and open space boundary to be determined by zoning and plat.

Overall, the original 2004 Master Plan resulted in approximately 35.63 acres zoned for open space north of Paseo del Volcan. This revised plan shifts the open space due to the changes required to the proposed drainage plan, but keeps the buffer as described above adjacent to the residences in Enchanted Hills. Approximately 36.78 acres of open space, including micro- and pocket parks, are provided north of Paseo del Volcan, as well as a 7.96-acre pond and a 2.42-acre neighborhood park. This results in a total of approximately 47.16 acres of parks, drainage, and open space area in the northern undeveloped portion of Lomas Encantadas. No changes are proposed to the open space and park area south of Paseo del Volcan.

Trails

Future trails and bikeways will provide access to other recreational facilities in accordance with the City Comprehensive Plan and the City's Bicycle and Pedestrian Master Plan. Trails will be located within the OS (Open Space) zoning along the planning area's arroyos, northeastern boundary, and along sections of the western boundary. The Bike and Pedestrian Master Plan identifies a proposed bicycle trail along the Venada Arroyo, as well as along both sides of Paseo del Volcan. Bike lanes are also identified along Camino Encantadas, Chayote Road NE, Idalia Road NE, and Lincoln Ave NE.

Educational Facilities

Lomas Encantadas is served by an existing elementary and middle school, both of which were recently constructed. Sandia Vista Elementary School is located immediately to the southwest of the planning area, and Mountain View Middle School is located along the northwestern planning boundary. It is likely that these schools can continue to be utilized in conjunction with possible future proposed school sites to accommodate the short-term growth in Lomas Encantadas and the surrounding area. Longer term, a second elementary school may need to be constructed north of Paseo del Volcan to support a large number of new households in future subdivisions northwest the planning area.

Community Centers

There are no existing or planned community centers in Lomas Encantadas or the immediate area. The Cabazon Community Center 10 miles to the south and Sabana Grande Recreation Center 7 miles to the south are the closest centers. The Sabana Grande Recreation Center has an art center and offers art, music, and sports classes for children and seniors.

Public Safety

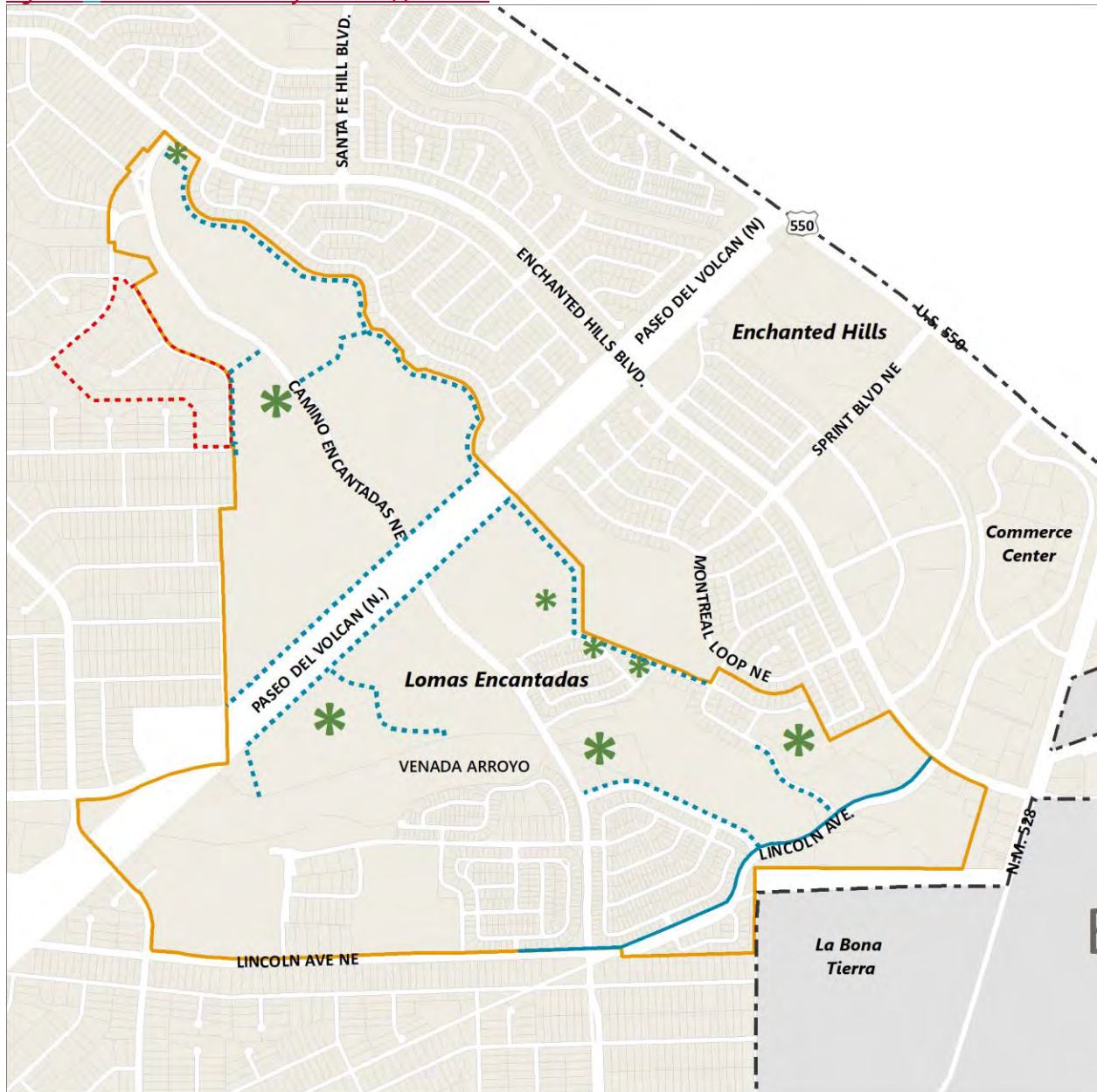
There is an existing fire station in Enchanted Hills (Fire Station #5) along Santa Fe Hills Boulevard. This is the primary fire station covering the Lomas Encantadas area, with a secondary Sandoval County Fire Station 21 located along NM 550 and Tamaya Boulevard to the southeast. There are no existing or planned police substations in Lomas Encantadas. However, the City's Comprehensive Plan discusses a goal to increase the number of community facilities (including police substations) over time.

Other Public Facilities & Services

The following list of public facilities is intended to provide guidance for future projects within the area ~~if and when~~ deemed appropriate by the City. This list does not require the developer to ~~actually~~ provide these services.

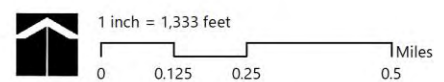
- ~~• **Day Care and Pre-School Facilities** – Should be located within accessible distances to the community. The Enchanted Hills Commerce Center provides zoned opportunities for these uses.~~
- **Libraries** - Should be located near regional activity centers within Lomas Encantadas. Library sites are available in lands to be zoned PR, OS and within the Commerce Center.
- ~~• **Religious Facilities** – Sites located strategically to maximize community meeting opportunities. The Commerce Center at Enchanted Hills allows religious facilities with potential shared parking for services (adjacent to commercial parking lots).~~
- **Cemeteries** - None are planned or designated.
- **Solid Waste** - Waste Management, Inc. is the primary refuse collector for the entire city. This along with waste handling systems for internal collection such as refuse, recycling, composting, external collection equipment, transportation and disposal will handle Lomas Encantadas' solid waste.
- **Recycling** - Utilization of existing and private recycling programs within the City of Rio Rancho will allow for a variety of programs to be implemented within Lomas Encantadas.
- ~~• **Medical Facilities** – Associated medical uses can be located off-site within the Commerce Center or Loma Barbon (State land).~~
- ~~• **Recreational Facilities** – Neighborhood parks, community parks, community and senior centers and aquatic centers can be integrated within Lomas Encantadas' Parks and Recreation zoning.~~
- ~~• **Open Space** – Preserving the natural conditions of Lomas Encantadas' open space will be a primary focus. Trails and bikeways will provide access to other recreational facilities in accordance with the ICP Vision 20/20 Plan and Lomas Encantadas' specific design.~~
- ~~• **Trails and connections** – located within the OS (Open Space) zoning and adjacent to enhanced collector roadways.~~
- ~~• **Bicycle Trail** – A bicycle trail to Idalia Road is considered an initial link to the proposed City-wide bikeways system.~~

Figure 911. Planned Community Facilities, from PID



LOMAS ENCANTADAS PUBLIC IMPROVEMENTS

- | | |
|---|--|
| Community Amenities | Master Plan Boundaries |
| <ul style="list-style-type: none"> --- Proposed Trail — Existing Trail * Future Park | <ul style="list-style-type: none"> — Original - - - Expanded ▭ Rio Rancho City Bounds |



FISCAL IMPACT IMPLEMENTATION & PHASING

Implementation

The implementation of the Lomas Encantadas Master Plan began with the adoption of the original Plan in 2004. Since then, several new residential subdivisions to the southeast have been built out, following the specifications and policies outlined in this Plan. Future implementation of the Lomas Encantadas Master Plan will occur through replatting of parcels that have been added to the plan boundaries; through a zone map amendment to rezone portions of the site to support medium density residential uses; by securing private funding to finance public infrastructure improvements; and through the future construction of agreed upon public improvements, including roadways, drainage facilities, community amenities, and trails.

Fiscal Impact

The fiscal impact of the initial (1993) Master Plan and Resolution had been used as part of the ICP study. Essentially, the income generating component is associated with the Enchanted Hills Commerce Center. The residential density population for Lomas Encantadas is in conformance with the proposed densities and the fiscal impact analysis for the Enchanted Hills growth node is not affected by this proposal, only completed.

Summary of Major Findings

- Lomas Encantadas is being planned to include 1,438 single family dwelling units and 303 multi-family units projected to be constructed over the 2004 through 2011 time period. At build out, Lomas Encantadas is expected to support a total population of 4,890 persons.
- A fiscal impact analysis has already been performed for the Lomas Encantadas Commerce Center, which demonstrates a positive impact on Rio Rancho's General Fund.
- A positive impact to Rio Rancho's General Fund is maintained when combining the impact of the Lomas Encantadas residential impact and the Enchanted Hills Commerce Center impact for a total positive impact.
- The general fund fiscal impact analysis has assumed that the per capita level of services will continue to be maintained at the FY 2001 level of \$430.87 per capita. General fund revenues were separately estimated for property taxes, construction gross receipts, non-construction gross receipts, and other general fund revenue sources.
- Property tax base for Lomas Encantadas is projected to provide additional revenue to Rio Rancho's general obligation bond debt service fund, estimated to achieve \$282,721 over the construction period.
- A contribution of \$298,832 will be achieved during the three-year build-out toward Rio Rancho's Environmental Gross Receipts Tax fund.
- Incorporating current impact fee levels, Lomas Encantadas is projected to generate \$11,036,234 toward Rio Rancho's development and water/sewer impact fees during the build-out period.

Fiscal Impact

The fiscal impact of the initial (1993) Master Plan and Resolution had been used as part of the ICP study. Essentially, the income generating component is associated with the Enchanted Hills Commerce Center. The residential density population for Lomas Encantadas is in conformance with the proposed densities and the fiscal impact analysis for the Enchanted Hills growth node is not affected by this proposal, only completed.

Phasing

Since adoption of this plan in 2004, much of the southeastern side of Lomas Encantadas has developed, following the original proposed phasing. Phase 1 entailed construction of the initial infrastructure (roadways, access points, drainage facilities, and utilities) within the southeastern portion of the Master Plan. Phase 1 was designed to support the first round of residential homebuilding.

Phase 2 involved the construction of the first series of residential subdivision to the south of the Venada Arroyo, as well as the completion of additional collector roads and infrastructure improvements within the new subdivisions. This phase has been substantially completed as of 2018.

Phase 3 envisioned continued development of the residential lots south of the Paseo del Volcan and the creation of the entire street network and the construction of a direct connection to Enchanted Hills Boulevard and the Enchanted Hills neighborhood.

Phases 1 through 3 have been substantially completed and much of the land within the southeast of Lomas Encantadas has been built out. However, there are still several larger areas to the north of the Venada Arroyo and Paseo del Volcan that remain undeveloped as of the Summer of 2019. Phase 4 of the implementation of this plan will involve land preparation, infrastructure development, drainage improvements, and the eventual construction of residential subdivisions to the northwest of Paseo del Volcan. Phase 4 will also involve the construction of planned community amenities including the proposed parks, trails, and open space areas.

Drainage Management Plan
Conceptual Micropark Diagram
Roadway Cross-sections



CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. _____

ENACTMENT NO. _____

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR PROPERTY DESCRIBED AS LOMAS ENCANTADAS, TRACT 12 AND TRACT 13, AND UNIT 20, BLOCK 155, LOTS 13-17, 20-22, 24-27 AND 29-41 FROM R-1: SINGLE FAMILY RESIDENTIAL DISTRICT AND OS: OPEN SPACE TO R-4: SINGLE FAMILY RESIDENTIAL DISTRICT AND OS: OPEN SPACE; FOR 228.5 ACRES, VERIFYING THE GENERALIZED LAND USE MAP DESIGNATION FOR THE PROPERTY AS BEING "LOW/MEDIUM DENSITY RESIDENTIAL", IDENTIFYING CONDITIONS OF DEVELOPMENT; IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and,

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning designation on the subject property has been submitted by the City of Rio Rancho, and assigned City Case No. 18-100-00023; and,

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on September 24, 2019 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,

1 WHEREAS: a public hearing occurred, in accordance with procedures set for
2 the in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6,
3 on the proposed zoning district and Official Zone Map changes
4 hereinafter described were duly advertised and held by the
5 Governing Body of the City of Rio Rancho on_____, and
6 the Governing Body heard interested parties and citizens for and
7 against the proposed amendments; and,
8

9 WHEREAS: the proposed amendments to be adopted by this Ordinance
10 comply with the statutory and regulatory requirements of the
11 aforesaid Code of Ordinances and Statutes, and upon specific
12 findings related to the subject property and determining the
13 proposed amendment is consistent with the policies and criteria
14 set forth in R.O. 2003 Section 150.07 (D), through (G) the
15 Governing Body finds the amendments promote the health,
16 safety, morals, and general welfare of the City.
17

18 NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
19 CITY OF RIO RANCHO:
20

21 Section 1. Rezoning of Property and Change in Land Use:

- 22 A. The Official Zone Map is hereby amended by assigning a zoning
23 designation on approximately XXXX acres of property located
24 north of Unit 20, east of Chayote Road, and west of Paseo del
25 Volcan from R-1: Single Family Residential District to R-4: Single
26 Family Residential District on land legally described as:
27

28 Lomas Encantadas, Tract 12, as shown on the plat
29 entitled "LOMAS ENCANTADAS, TRACTS 1 THRU 21, A
30 THRU F AND PARCELS A THRU J, A VACATION AND
31 REPLAT OF PORTIONS OF UNIT TWENTY INCLUDING
32 UNPLATTED PROPERTY WITHIN UNIT TWENTY
33 WITHIN SECTIONS 22, 23, 25, 26, 27, 34 AND 35,
34 TOWNSHIP 13 NORTH, RANGE 3 EAST, NEW MEXICO
35 PRINCIPAL MERIDIAN, CITY OF RIO RANCHO,
36 SANDOVAL COUNTY, NEW MEXICO" filed in the office
37 of the County Clerk of Sandoval County on November
38 14, 2008 in Volume No. 3, Folio No. 2601-A (and in
39 the Rio Rancho Estates Plat Book Number 18, Pages
40 73-78).
41
42

1 Unit 20, Block 155, Lots 13-17, 20-22, 24-27 AND 29-
2 41, as shown on the plat entitled "BLOCKS 154 THRU
3 167 AND PORTION OF BLOCK 168, UNIT TWENTY, RIO
4 RANCHO ESTATES, SANDOVAL COUNTY, NEW
5 MEXICO, SECTIONS 22, 26, 27 & 28, T13N, R3E,
6 NMPM" filed in the Rio Rancho Estates Plat Book
7 Number 2, Page 61 on June 19, 1972.
8

- 9 B. The Official Zone Map is hereby amended by assigning a zoning
10 designation on approximately XXXX acres of property located
11 north of Unit 20, east of Chayote Road, and west of Paseo del
12 Volcan from R-1: Single Family Residential District and OS:
13 Open Space to XXXX acres of R-2: Single Family Residential
14 District and XXXX acres of OS: Open Space on land legally
15 described as:

16
17 Lomas Encantadas, Tract 13, as shown on the plat
18 entitled "LOMAS ENCANTADAS, TRACTS 1 THRU 21, A
19 THRU F AND PARCELS A THRU J, A VACATION AND
20 REPLAT OF PORTIONS OF UNIT TWENTY INCLUDING
21 UNPLATTED PROPERTY WITHIN UNIT TWENTY
22 WITHIN SECTIONS 22, 23, 25, 26, 27, 34 AND 35,
23 TOWNSHIP 13 NORTH, RANGE 3 EAST, NEW MEXICO
24 PRINCIPAL MERIDIAN, CITY OF RIO RANCHO,
25 SANDOVAL COUNTY, NEW MEXICO" filed in the office
26 of the County Clerk of Sandoval County on November
27 14, 2008 in Volume No. 3, Folio No. 2601-A (and in
28 the Rio Rancho Estates Plat Book Number 18, Pages
29 73-78).
30

- 31 C. The City Comprehensive Plan, Generalized Land Use Map
32 (GLUM), Map L-2, is hereby amended in the land described in
33 Section 1A, above, as having a "Low/Medium Density
34 Residential" GLUM designation.
35

36 Section 2. Land Use, Conditions, Development Standards/Regulations
37 and use of PROPERTY:

- 38 A. The Property identified in Section 1, above is subject to all
39 zoning regulations and requirements for development of the
40 property in conformance with the R-4: Single Family
41 Residential District as set forth in R.O. 2003 Section 154.10
42 and the OS: Open Space District as set forth in R.O 2003
43 Section 154.40 (as of the effective date of this ordinance or as
44 subsequently amended).

1 B. Upon subdivision of Lomas Encantadas, Tract 13 the platting
2 process will formalize the boundaries of the zoning districts.
3 Final plat must be approved by the Planning and Zoning Board.
4 The acreages for each zoning category listed in this ordinance
5 must be platted within five percent of the presented acreage.
6

7 Section 3. Severability Clause:

8 If any section, paragraph, clause, or provision of this Ordinance, or
9 any section, paragraph, clause, or provision of any regulation
10 promulgated hereunder shall for any reason be held to be invalid,
11 unlawful, or unenforceable, the invalidity, illegality, or
12 unenforceability of such section, paragraph, clause, or provision
13 shall not affect the validity of the remaining portions of this
14 Ordinance or the regulation so challenged.
15

16 Section 4. Effective Date:

17 This Ordinance shall take effect in ten (10) days after adoption.
18

19
20 ADOPTED THIS ____ DAY OF _____, 2020.
21

22 _____
23
24 Gregory D. Hull, Mayor
25

26 _____
27
28 Date
29

30
31 ATTEST:
32

33
34 _____
35 Rebecca A. Martinez, City Clerk
36 (SEAL)



Governing Body
of the
City of Rio Rancho

MINUTES

FEBRUARY 12, 2020
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:

Gregory D. Hull, Mayor
Jim Owen, Councilor Dist. 1
Jeremy Lenentine, Dist. 2
Bob Tyler, Councilor Dist. 3
Marlene Feuer, Councilor Dist. 4
Jennifer Flor, Councilor Dist. 5
David Bency, Councilor Dist. 6

STAFF PRESENT:

Peter Wells, Deputy City Manager
John Craig, Deputy City Manager
Greg Lauer, City Attorney
Rebecca Martinez, City Clerk
Connie Peterson, Dir. of Parks & Comm. Svcs.
Jim Chiasson, Director of Utilities
BJ Gottlieb, Director of Public Works
Stewart Steele, Police Chief
Paul Bearce, Fire Chief
Anthony Caravella, Director of Dev. Svcs.
Lynette Schurdevin, Dir. Of Lib. & Info. Svcs.
Yolanda Lucero, Deputy City Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Hull called the meeting to order at 6:00 p.m.

Mayor Hull stated a closed session was held in accordance with: Section 10-15-1 (H) 2 NMSA, 1978: Limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; provided further that this Subsection is not to be construed as to exempt final actions on personnel from being taken at open public meetings; nor does it preclude an aggrieved public employee from demanding a public hearing. Judicial candidates interviewed by any commission shall have the right to demand an open interview. No action was taken.

PROCLAMATIONS AND AWARDS OF MERIT

PUBLIC FORUM

The following individual spoke under public forum:

Mike Jacovich

COMMENTS BY COUNCILORS

1 **CONSENT CALENDAR**

- 2
- 3 1. Minutes of January 22, 2020 Regular Meeting
- 4 2. R7, Resolution Accepting and Approving the Fiscal Year 2019 Audit
- 5 3. R8, Resolution Removing Out-Of-Service Fire Hoses from City Asset Inventory
- 6 and Donating to Rio Rancho Public Schools
- 7 4. R9, Resolution to Authorize a Budget Adjustment to Accept a Fiscal Year 2020
- 8 New Mexico State Fire Protection Grant
- 9 5. D5, Appointment of John Allen to the Ethics Panel
- 10 6. D6, Appointment of Christopher H. Daniel to the Investment Advisory Group

11 David Bency, Councilor Dist. 6 moved to approve consent calendar. Seconded by
12 Bob Tyler, Councilor Dist. 3.

13
14
15 The motion carried by a vote of 6 FOR and 0 AGAINST.

16 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
17 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
18 5, David Bency, Councilor Dist. 6

19 NO: None
20

21 **BOARDS AND COMMISSIONS**

22
23 **PUBLIC HEARINGS**

- 24
- 25 7. D2, Site Plan Approval for a Conditional Use Multi-Family Dwelling development
- 26 in an R-3: Mixed Residential District
- 27

28 Mayor Hull stated the applicant has requested that D2 be withdrawn. There was no
29 objection.

- 30
- 31 8. R10, Resolution Adopting the Papillon Village Master Plan
- 32

33 Amy Rincon, Planning and Zoning Manager presented this item. The item before you is
34 Papillion Village Master Plan, between Mariposa and Unser Boulevard for a total of 85
35 acres. The Planning and Zoning Board recommended approval. Staff concurs with the
36 recommendation with findings and conditions.

37
38 David Bency, Councilor Dist. 6 moved to approve R10. Seconded by Bob Tyler,
39 Councilor Dist. 3.

40
41 Mayor Hull asked about the engineering of the blind hill and the need to look at safety
42 improvements to the area. Also, to look at expansion of the road going forward.

43
44 Jim Strozier, with Consensus Planning explained a review of the findings and
45 recommended conditions from the Planning and Zoning Board have been reviewed and
46 agreed upon.
47

1 The following individuals spoke under this item:
2 Anne Apicella
3 Rick Trent
4 Terri Merkley
5 Corrinne Hensel
6 Rick Schumann
7 Randall Hooper

8
9 Mr. Likkar was available for any questions.

10
11 Councilor Tyler voiced a couple concerns and asked if a traffic study in the area has
12 been done. Mr. Gottlieb stated Mid Region Council of Governments conduct traffic
13 counts and he briefly went over some of the count numbers.

14
15 Councilor Bency asked about the Master Plan and if the developer would possibly
16 proceed with a Special Assessment District or Tax Increment Development District.

17
18 Mr. Likkar stated studies would need to be performed per regulations and City
19 ordinances. A multitude of mechanisms must be done to plan the area out. It would be
20 at least a seven to ten year build out.

21
22 The motion carried by a vote of 6 FOR and 0 AGAINST.
23 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
24 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
25 5, David Bency, Councilor Dist. 6
26 NO: None

27
28 9. R11, Resolution Amending the Lomas Encantadas Master Plan

29
30 Mr. Caravella stated the applicant has submitted an updated draft of the Master Plan
31 which changes the request of the zoning from R-4 to R-2 for the property to the north of
32 Camino Encantadas. The proposed changes have not been reviewed by the Planning
33 and Zoning Board. If the Governing Body desires to consider these changes, staff
34 recommends remanding back to the Planning and Zoning Board for input.

35
36 Jim Strozier with Consensus Planning Inc. gave a brief overview. At the December 10,
37 2019, Planning and Zoning Board meeting an updated proposal of the open space was
38 discussed and testimony from the neighbors was given. A revised open space area was
39 negotiated with the Planning and Zoning Board and recommended. He went over the
40 project goals and the positive outcome of the proposed master plan amendment.

41
42 Jim Owen, Councilor Dist. 1 moved to approve R11. Seconded by David Bency,
43 Councilor Dist. 6.

44
45 Bob Tyler, Councilor Dist. 3 moved to amend R11, Lomas Encantadas Master
46 Plan with the following changes: **Proposed Zoning & Density**, Medium Density

1 Residential to Allow Implementing Zoning District, R-1, R-2 and R-4. Seconded
2 by David Bency, Councilor Dist. 6.

3
4 The motion carried by a vote of 6 FOR and 0 AGAINST.

5 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
6 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
7 5, David Bency, Councilor Dist. 6

8 NO: None

9
10 The main motion as amended carried by a vote of 6 FOR and 0 AGAINST.

11 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
12 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
13 5, David Bency, Councilor Dist. 6

14 NO: None

- 15
16 10. O4, Amending the Zoning Classification and Official Zoning Map for Property
17 Described as Lomas Encantadas, Tract 12 and Tract 13 and Unit 20, Block 155,
18 Lots 13-17, 20-22, 24-27 and 29-41 from R-1: Single Family Residential District
19 and OS: Open Space to R-4: Single Family Residential District and OS: Open
20 Space; for Approximately 228 Acres; Verifying the Generalized Land Use Map
21 Designation for the Property as being "Low/Medium density Residential",
22 Identifying Conditions of Development; Identifying Conditions of Development;
23 Providing for Severability and an Effective Date

24
25 Mr. Caravella presented this item. The proposed zone map amendment is in a portion of
26 the Lomas Encantadas Master Plan boundary. The applicant has submitted an updated
27 draft of the Master Plan which changes the request of the zoning from R-4 to R-2 for the
28 property to the north of Camino Encantadas. The proposed changes have not been
29 reviewed by the Governing Body. However, on December 10, 2019, the Planning and
30 Zoning Board voted in favor of the original zone map amendment to the south of
31 Camino Encantadas and voted against the zone change to the north of Camino
32 Encantadas. The recommendation includes the findings and conditions.

33
34 Bob Tyler, Councilor Dist. 3 moved to remand O4 back to the Planning and
35 Zoning Board. Seconded by Jeremy Lenentine, Dist. 2.

36
37 Mayor Hull asked the applicant to continue to work with the residents and make sure
38 ongoing communication continues.

39
40 The following individuals spoke under this item:

41 Mona Doke

42 Teresa Barnhart

43 Robert Cravens

44
45 Matt Spangler voiced concerns with splitting the item. For a variety of reasons the
46 applicant would request the whole item be remanded.

1 The motion carried by a vote of 6 FOR and 0 AGAINST.
2 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
3 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
4 5, David Bency, Councilor Dist. 6
5 NO: None
6

- 7 11. R4, Postponed from January 22, 2020, Resolution Amending the Unit 10 Specific
8 Area Plan Land Use Map and Generalized Land Use Map
9

10 Mayor Hull stated the applicant has requested this item be withdrawn. There was no
11 objection.
12

- 13 12. O2, Postponed from January 22, 2020, An Ordinance of the City of Rio Rancho,
14 New Mexico Amending the Zoning Classification and Official Zoning Map for
15 Approximately 56.7 Acres of Land Legally Described as Rio Rancho Estates Unit
16 10, Block 18, Lots 1-9 and 45-63, Block 19, Lots 1-14, Block 20, Lots 1-7 and
17 Block 21, Lots 1-13 from R-1: Single Family Residential District to M-1: Industrial
18 and Business Park District
19

20 Mr. Caravella presented this item. The proposed resolution will rezone the subject
21 properties: Blk 18, Lots 1-9 and 45-63; Blk 19, Lots 1-14; Blk 20, Lots 1-7; and Blk 21,
22 Lots 1-3 from R-1: Single-Family Residential to M-1: Industrial and Business Park
23 District. On August 13, 2019, the Planning and Zoning Board recommend approval and
24 on October 23, 2020, the Governing Body held a public hearing. Staff recommends
25 approval with the removal of Sections 2, 3, 4B and 4C.
26

27 Jim Owen, Councilor Dist. 1 moved to approve O2 with removal of Section 2, 3,
28 4B and 4C. Seconded by Marlene Feuer, Councilor Dist. 4.
29

30 The motion carried by a vote of 6 FOR and 0 AGAINST.
31 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
32 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
33 5, David Bency, Councilor Dist. 6
34 NO: None
35

36 **SECOND READING OF ORDINANCES**

37

38 **FIRST READING OF ORDINANCES**

39

- 40 13. O5, Ordinance of the City Of Rio Rancho, New Mexico Amending the Rio
41 Rancho Code of Ordinances Title XV Land Usage, Chapter 158, Wireless
42 Telecommunications Facilities; Adding New Sections for Regulating Wireless
43 Telecommunications Facilities in Rights-of-Way, Adding a New Section 96.09
44 General Requirements for Occupation of the Public Rights-of-Way; and Providing
45 for Severability, Conflicts, Codification and an Effective Date
46

1 Mr. Caravella presented this item. This is the first reading of an ordinance amending the
2 Rio Rancho Code of Ordinance Title XV Land Usage, Chapter 158 Wireless
3 Telecommunications Facilities. The purpose of the proposed ordinance is to bring the
4 current regulations into compliance with new state and federal regulations. The code
5 amendments would include new language regarding eligible facility requests,
6 collocation, and wireless facilities in the public right-of-way, and update existing public
7 hearing processes to allow staff to comply with federal regulations regarding application
8 processing time limits. At the December 17, 2019, Governing Body work session
9 meeting, the proposed changes were introduced and discussed. Companion to this
10 ordinance would be a forthcoming resolution establishing stealth design criteria, as well
11 as the adoption of a fee schedule specific to wireless telecommunications facilities.

12
13 Bob Tyler, Councilor Dist. 3 moved to Approve O5. Seconded by Jeremy
14 Lenentine, Dist. 2.

15
16 The motion carried by a vote of 6 FOR and 0 AGAINST.

17 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
18 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
19 5, David Bency, Councilor Dist. 6

20 NO: None

- 21
22 14. O6, Ordinance of the City Of Rio Rancho, New Mexico Amending the Rio
23 Rancho Code Of Ordinances Title XV Land Usage, Chapter 150 General
24 Provisions, Section 150.11 Adoption Of Technical Codes, Plans And
25 Specifications, for the Purpose of Referencing Various Technical Codes and
26 Standards, and Establishing a Committee to Maintain, Revise, and Improve Upon
27 the Development Process Manual; and Providing for Severability, Conflicts,
28 Codification and an Effective Date

29
30 Mr. Caravella stated the proposed ordinance will adopt by reference a citywide standard
31 for building, electrical, and plumbing codes, which are established by NMSA1978 Ch.
32 60, Article 13 "Construction Industries Licensing." In addition to the building codes, the
33 City's Comprehensive Plan will be adopted by reference in order that it be implemented
34 as a guide for developers in regards to land uses, densities and zoning districts. The
35 process manual will insure a standard of development and review of the manual and
36 provide a means for the DPM to evolve and change over time, by a committee when
37 necessary. On January 28, 2020, the Planning and Zoning Board
38 recommended approval to add Section 150.11 "Adoption of Technical Codes, Plans and
39 Specifications" to the Rio Rancho Code of Ordinances Title XV Land Usage, Chapter
40 150 General Provisions. Staff concurs with the recommendation.

41
42 Bob Tyler, Councilor Dist. 3 moved to Approve O6. Seconded by Jennifer Flor,
43 Councilor Dist. 5.

44
45 Mayor Hull voiced concerns about the committee having the legal authority to maintain,
46 revise and improve upon the development process manual. He would like clarifying
47 language regarding the authority and process.

1 Councilor Flor voiced the importance of the manual as it affects the process of how the
2 community develops. She supports the committee as the Development Process Manual
3 can get very technical. The manual will give the development community a baseline to
4 work from.

5
6 Councilor Owen voiced a couple concerns and would like to see direction and a process
7 to be given to the committee with the goals intended.

8
9 Councilor Tyler would like to have further discussion at the next work session before the
10 second reading.

11
12 The motion carried by a vote of 6 FOR and 0 AGAINST.

13 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
14 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
15 5, David Bency, Councilor Dist. 6

16 NO: None

17
18 15. O7, Ordinance Amending Chapter 36 Finance and Revenue

19
20 Councilor Bency presented this item. In September the Governing Body discussed the
21 Strategic Plan. The vision is leading the way to be the best City in the Southwest.
22 Growing the revenue is extremely important. The key areas accompanied by goals and
23 objectives is economic vitality, safety, infrastructure and quality of life. The goal is a
24 robust local community that is stable and prosperity. Objectives grow the tax base by
25 recruiting and expanding large and small retail businesses. With the amendment the
26 Gross Receipts Investment Policy was lowered for larger big box retail and modified for
27 smaller businesses.

28
29 Mr. Geisel briefly went over the modifications. The eligibility period will be for three
30 fiscal years until June 30, 2023. This will support small and independent business
31 development by reducing the revenue and job criteria for GRIP. Small businesses are
32 important and add value and roots to the community. Also, general language has been
33 clarified for greater consistency, clarify that GRIP is not solely applicable to new
34 construction, increase the reimbursement rate for up to 75% and expand information on
35 the provisions that shall be included in a GRIP agreement.

36
37 David Bency, Councilor Dist. 6 moved to Approve O7. Seconded by Jim Owen,
38 Councilor Dist. 1.

39
40 The following individual spoke under this item:

41
42 Jerry Schalow

43
44 The motion carried by a vote of 6 FOR and 0 AGAINST.

45 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
46 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
47 5, David Bency, Councilor Dist. 6

1 NO: None

2
3 **DISCUSSION AND DELIBERATION**

4
5 16. R12, Resolution Authorizing and Approving Submission of a Completed
6 Application for Financial Assistance and Health Sciences Project Approval to the
7 New Mexico Finance Authority

8
9 Mr. Craig presented this item. The proposed resolution authorizes submission of
10 financial assistance for the health science building at City Center. The City is applying
11 for up to \$15,000,000 to fund the project as well as fees and cost of issuance. Proceeds
12 may also be used to fund the required debt service reserve fund. This will allow the use
13 of gross receipt tax and higher education facility gross receipts for the project to be built
14 close to the hospital.

15
16 Jim Owen, Councilor Dist. 1 moved to Approve R12. Seconded by Jennifer Flor,
17 Councilor Dist. 5.

18
19 The motion carried by a vote of 6 FOR and 0 AGAINST.

20 YES: Jim Owen, Councilor Dist. 1, Jeremy Lenentine, Dist. 2, Bob Tyler,
21 Councilor Dist. 3, Marlene Feuer, Councilor Dist. 4, Jennifer Flor, Councilor Dist.
22 5, David Bency, Councilor Dist. 6

23 NO: None

24
25 **CITY MANAGER**

26
27 Mr. Wells stated expanding early voting locations will kick off this Saturday from 10 a.m.
28 to 6:00 p.m., Tuesday - Saturday at Loma Colorado Library, Meadowlark Senior Center
29 and Plaza at Enchanted Hills. Voting at City Hall will continue Monday - Friday 8:00 a.m.
30 - 5:00 p.m. and Saturdays 10:00 a.m. - 6:00 p.m. He encouraged residents to go out
31 and vote.

32
33 **COMMENTS BY COUNCILORS**

34
35 **ADJOURNMENT**

36 8:40 p.m.

37
38 **APPROVED THIS FEBRUARY 26, 2020**

39
40
41

Greggory D. Hull, Mayor

42 **ATTEST:**

43
44

Rebecca Martinez, City Clerk
45 **SEAL**
46

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1153

Submitted by: Amy Rincon

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

Appointment of Chair and Vice-Chair

Staff recommends the vote for Chair and Vice Chair to be postponed to the first meeting in July to allow for a full Board to be present.

ATTACHMENTS

-

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1163

Submitted by: Brian Babyak

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

PRELIMINARY PLAT AMENDMENT: The applicant is requesting approval of minor revisions to the Lomas Encantadas 2B, Phase III preliminary plat.

Case No.: 20-210-00004.

Applicant: AMREP Southwest, Inc.

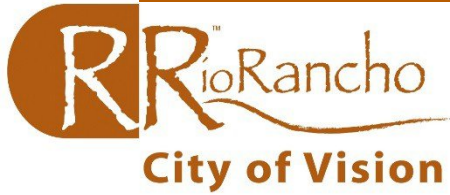
Agent: Huitt-Zollars, Inc.

Staff Contact: Brian Babyak

Staff Recommendation: Approval with findings and conditions

ATTACHMENTS

- [Memo on changes to 20-210-00004](#)



MEMORANDUM
Development Services
Department

To: The Planning & Zoning Board

From: Brian Babyak, Planner I

Date: May 5, 2020 for May 12, 2020 meeting

Re: Approval of changes to the Lomas Encantadas 2B, Phase III Preliminary Plat (Case No. 20-210-00004)

The applicant is requesting the Planning and Zoning Board to approve an amendment to the Lomas Encantadas 2B, Phase III Preliminary Plat. A reproduction of the proposed changes are presented as Attachment II along with identification of the proposed changes. The revisions were a condition of approval to remove the stub create and create a cul de sac to meet City standards for dead end streets.

Staff recommends approval of the amendment to the Lomas Encantadas 2B, Phase III Preliminary Plat, subject to the following conditions as were outlined in the approval on April 14, 2020:

1. In accordance with R.O. 2003 § 155.24(A), the final plat shall be submitted to the Planning Board within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
2. All future development shall conform to all applicable city.
3. 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.
4. The applicant shall address all of the preliminary plat reviewers' staff comments prior to submitting construction plans or the final plat, whichever is applicable.
5. Impact fee assessment will be based on the date of this preliminary plat approval and valid for four (4) years from the date of this approval.
6. Applicant shall indicate which entity the proposed 50 ft public drainage easement will be dedicated to.

7. 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 alongside lot lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water and other mains per RRMC § 155.43.

Staff recommends the following additional conditions for approval:

1. Development Services Engineering Division and the Utilities Department have final authority over sewer line layouts for the subdivision prior to final construction plan approval.
2. The replacement of the stub street on Lodge court with a cul de sac as shown in Attachment II.

Staff finds that the revisions have satisfied the above highlighted condition.

Thank you for your consideration of this item.

Attachments: I – Location Map
II – Lomas Encantadas 2B, Phase III, amending the stub street on Lodge Ct. and replacing with a cul de sac.

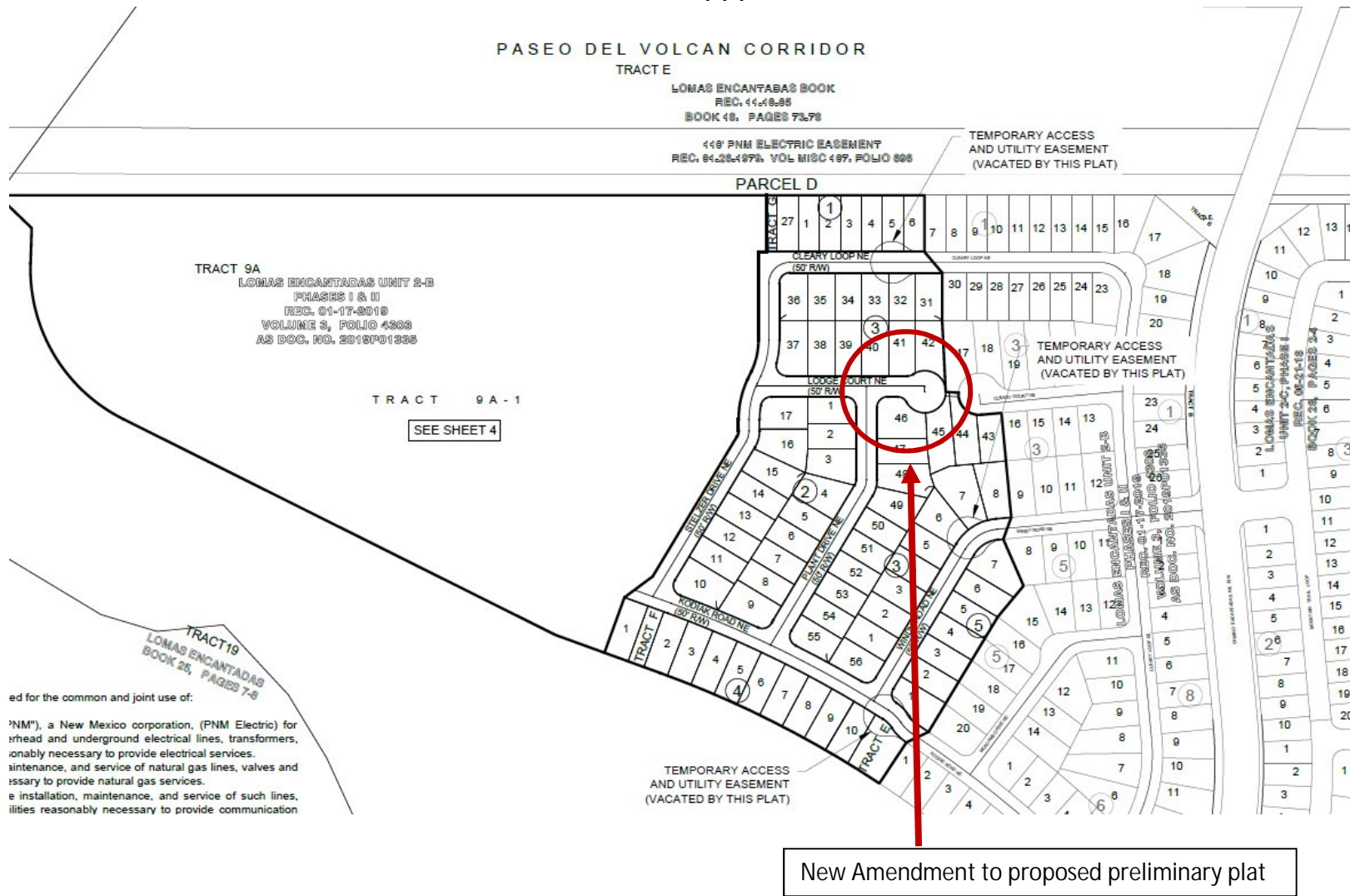
ATTACHMENT I

Location map



ATTACHMENT II

PROPOSED PRELIMINARY PLAT MODIFICATIONS FOR LOMAS ENCANTADAS 2B, PHASE III



Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1164

Submitted by: Nancy Mckinney

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

March Building and Plat Reports.

ATTACHMENTS

- [PZ Monthly Reports March 2020 Summary Plat.pdf](#)
- [PZ Monthly Reports March 2020 COMPARISONS.pdf](#)

**SUMMARY PLAT ACTIVITY APPROVED
ADMINISTRATIVELY PER RRO 155.26
MARCH 2019**

CASE #	RECEIVED	LOCATION	COMMENTS	RECORDED
18-200-00013	4/11/2018	TAG, BLOCKS 1-9 & TRACT A AND BLOCKS 10-30	Pending Signatures	
18-200-00018	6/21/2018	U24, BLOCKS 47,67,68,72,142-156	Pending Signatures	
18-200-00025	11/2/2018	U13, B116L14 LOT COMBINATIONS	Under Review	
18-200-00026	11/14/2018	U8, B99 LOT 75 LOT SPLIT	Under Review	
18-200-00030	12/14/2018	LOMAS ENCANTADAS UNIT 20, TRACT 18	Under Review	
18-200-00031	12/20/2018	U13, B46, TRACT A LOT SPLIT	Under Review	
19-200-00013	5/10/2019	U10, B23, L10&11	Under Review	
19-200-00019	6/6/2019	U13, BLK 126, L 1 & 2/GRANT DRAINAGE EASEMENT	Pending Signatures	
19-200-00022	6/24/2019	U4, BLK 11, L 25 & 26/COMBINATION	Under Review	
19-200-00027	8/23/2019	HAWKSITE, TR 35 & 37 - LOT LINE ADJUSTMENT	Under Review	
19-200-00033	10/29/2019	U11, B5, LOTS 49 & 50/LOT COMBO	Under Review	
19-200-00034	11/4/2019	LA PAZUELA, TRACTS 16-18 & U20-110-29	Under Review	
19-200-00036	11/18/2019	VISTA HILLS U1, BLOCK A&B, TRACT A & L2A-1	Under Review	
19-200-00037	12/3/2019	U10, BLOCK 18 WATER EASEMENTS	Under Review	
19-200-00040	12/18/2019	U16, B92, LOT 11-14/COMBINATION	Under Review	
19-200-00043	12/27/2019	RR ESTATES UNIT 12 LOTS 27,28,29 LOT	Under Review	
20-200-00001	1/10/2020	HAWKSITE U25, A, LOTS 8-12	Under Review	
20-200-00003	2/10/2020	U10, B23, L20; LOT SPLIT	Under Review	
20-200-00004	2/18/2020	BROADMOOR EXTENTION	Under Review	
20-200-00005	2/20/2020	U20 B 109 L26&27	Under Review	
20-200-00006	2/21/2020	UNIT 7 OUT OF CITY SUMMARY PLAT	Under Review	
20-200-00007	3/6/2020	UNIT 16, BLOCK 87, LOTS 10-15 & 48-53 LOT COMINBINATION	Under Review	
20-200-00009	3/17/2020	UNIT 16, BLOCK 83, LOT 41 & 42 SUMMARY PLAT	Under Review	
20-200-00010	3/23/2020	12A, 16A, 16B, BLOCK 22, U10	Under Review	
20-200-00011	3/24/2020	UNIT 4, BLOCK 53, LOT 26A	Under Review	
20-200-00012	3/26/2020	U17, B130 L26&27 COMBINATION	Under Review	
20-200-00013	3/31/2020	UNIT 10, BLOCK 9, LOT 34&35 LOT COMBO	Under Review	
Month's Total - 27				

ITEMS IN RED=CHANGES FROM LAST MONTH

ITEMS IN GREEN=NEW ITEMS

**BUILDING ACTIVITY COMPARISON
FEBRUARY 2020 - MARCH 2020**

PERMIT TYPES	FEB. TOTALS	FEB. VALUATION	MARCH. TOTALS	MARCH VALUATION
Single Family	81	\$16,930,623.00	51	\$9,882,547.00
Additions/Residential	9	\$145,373.00	7	\$195,531.00
New Commercial	1	\$81,002.00		
New Office/Institution				
New Industrial				
Non-Residential Interior Tenant Improvement	3	\$16,500.00	2	\$275,000.00
Office/Institution Addition				
Industrial Addition				
Demolition - Non-Residential				
Demolition - Residential				
Fence	16	\$54,325.00	16	\$43,240.00
Garages/Sheds	17	\$96,356.00	3	\$161,477.00
Pool	4	\$213,163.00	2	\$156,430.00
Reroofs/Windows/Doors	117	\$1,490,800.00	63	\$644,606.00
Retaining Wall	9	\$287,550.00	15	\$618,575.00
Small Shed (120 sq.ft. or less)	14	\$36,944.00	22	\$62,780.00
Solar (Rooftop & Ground Mount)	29	\$528,438.00	20	\$438,489.00
Telecommunication Tower	4	\$63,000.00		
Business Registrations (occupancy inspection)	15		11	
Building Inspections	1,910		2,146	
Sidewalk Inspections	76		145	
R.O.W. Permits	50	\$9,810.50	40	\$17,011.28
Totals	2,355	\$19,953,884.50	2,543	\$12,495,686.28

*R.O.W. PERMITS ARE FEES

*R.O.W. PERMITS ARE FEES

Planning and Zoning Board Agenda Item Report

Agenda Item No. 2020-1175

Submitted by: Amy Rincon

Submitting Department: Development Services

Meeting Date: May 12, 2020

SUBJECT

Hawksite 37A Preliminary Plat Revisions, the creation of cul de sacs.

Case No. 19-210-00007

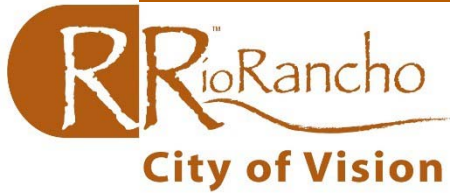
Applicant: AMREP Southwest

Staff Contact: Amy Rincon

Staff Recommendation: Approval with condition

ATTACHMENTS

- [Memo_on_changes_to_Preliminary_Plat](#)
- [Attachment I: Location Map](#)
- [Attachment II: MountainHawk 37_PreliminaryPlat](#)



**MEMORANDUM
Development Services
Department**

To: Vice Chairman Michael Schlichte & members of the Planning & Zoning Board

From: Amy Rincon, AICP, Planning and Zoning Manager

Reviewed by: Anthony Caravella, AICP, Development Services Director

Date: May 7, 2020 for May 12, 2020 meeting

Re: Approval of changes to the Hawksite 37A Preliminary Plat (19-210-00007)

At the December 10, 2019 Planning and Zoning Board meeting the Board approved the Hawksite 37A preliminary plat with conditions. Among the conditions of approval (Condition 4.j.) was either the creation of cul de sacs or requests for variances to the street standards to allow stub streets. The applicant, AMREP Southwest has submitted a revised preliminary plat creating cul de sacs to meet the condition of approval. This proposed revised plat is presented as Attachment II. The requested modifications to the preliminary plat proposes to extend a residential cul-de-sac into a commercial area zoned C-1, and replat the commercial Tract 35-A (Summary Plan 19-200-27) to accommodate this cul-de-sac. This is not an optimal solution without an understanding of how this residential road will be accommodated at the time of development of commercial Tract 35-A.

Alternate solutions also may be considered, such as, but not limited to redesign of Lots 26 and 27 in Block 10 that would remove the stub street access to Lot 27.

If the Planning and Zoning Board is willing to accept the revised preliminary plat, staff recommends the approval be subject to the following conditions as were outlined in the approval on December 10, 2019, and additional conditions also presented below:

1. In accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 155.27, the Planning and Zoning Board authorizes the Development Services Department to approve all plans and data necessary for construction of the improvements.
2. Infrastructure plans shall be submitted, reviewed and approved by the Development Services Department; Department of Public Works; Department of Police; Fire and Rescue Department; the Parks, Recreation and Community Services Department (if landscaping, park or trail plans are required); and SSCAFCA prior to installation.
3. A Water/Waste water availability approval statement is needed prior to commencement of construction.
4. Revisions and/or additions to the plat shall be submitted, reviewed and approved Infrastructure plans shall be submitted, reviewed and approved by the Development Services Department; Department of Public Works; Department of Police; Fire and Rescue Department; the Parks, Recreation and Community Services Department (if landscaping, park or trail plans are required); and SSCAFCA prior to scheduling of Final Plat hearing to include:
 - a. Display lot acreages.
 - b. City Clerk Block should read "... plat shown hereon approved ~~administratively~~ by the Rio Rancho Planning and Zoning Board ~~Chairman~~ on the ...
 - c. Remove Development Services Signature Block
 - d. Provide statement regarding conformance with the accepted Traffic Impact study for this area. Existing infrastructure may warrant improvements. A Traffic Count and comparative analysis is required.
 - e. The drainage plan routes Basin 100 entirely through basin 200. Portions of Basins 100 should be routed through the proposed roadway system to reduce the single discharge condition at the end of the roadway (Sparrowhawk Drive to Goshawk Road). This will improve the discharge condition from Tract 37, which is over the allowable condition (106.48 vs. 81.9). The Exhibit 1 does not show elevations with contours. Please provide a comparison chart or table to support the conclusion paragraph.
 - f. All parks will be privately maintained and will not be public. Revise the Purpose of plat notes in the purpose of plat.
 - g. Temporary Cul de Sacs are shown on the overall plat sheet but only one is shown on the following detail sheets. Please clarify.
 - h. Drainage easements are require across Tracts A and B.
 - i. No Vehicle Access Easements (NVAE) are required as necessary.
 - j. Cul de Sacs are necessary at dead ends. A variance request, review, and approval will be required for the configuration of dead-end roadways as shown.

5. Infrastructure shall be installed and accepted prior to the recording of the final plat or the applicant shall submit for staff review and approval of a subdivision improvement agreement and financial guarantee prior to the final plat hearing.
6. The applicant shall address all of the preliminary plat reviewers' staff comments prior to submitting construction plans or the final plat, whichever is applicable. If conflicts exist between individual department comments and the approved Hawk Site Master Plan or enabling Ordinances or Resolutions. Master Plan and Ordinances and Resolutions shall prevail as determined by the Development Services Director.
7. Impact fee assessment will be based on the date of this preliminary plat approval and valid for four (4) years from the date of this approval.
8. Because of the temporary cul de sac being within Tract 38, that Tract will need to be included in the legal description for and part of the final plat for this Mountain Hawk 37 subdivision. The owner of Tract 38 will need to be a signatory to the final plat.
9. Until such time that the Master Plan Amendment (Case No. 19-410-06) is approved, the Summary Plat of Tracts 35 and 37 (Case No. 19-200-27) is recorded, and the Planning and Zoning Board considers and approves the necessary subdivision variance, the applicant is at risk for any submitted construction plans and commencement of construction. Lack of approval of any of the above necessary approvals or document recording may require revisions to this preliminary plat and construction plans.

Staff recommends the following additional conditions for approval:

10. Replat of Tract 35-A to be submitted concurrent with the final plat for Phase 2, and be recorded prior to the final plat of Phase 2.

Thank you for your consideration of this item.

Attachments: I – Location Map
II – Hawksite 37A (revised)
III – Original approved preliminary pla

Attachment I



PROPOSED PLAT REVISION

Attachment II (Page 1 of 2)



VICINITY MAP
 NOT TO SCALE

NOTES: UNLESS OTHERWISE INDICATED:

Existing ten (10) wide public utility easement along front boundary of Tract 37, as shown on Subdivision Plat of Rio Rancho Hawksite and five (5) foot wide public utility easements along exterior side boundaries of Tract 37-A, as shown on Summary Plat of Tracts 35 and 37 Rio Rancho Hawksite, are all being vacated by the plat. There is a one (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to James Wall Road NE from Block 1, Tract A and from Block 4, Tract B. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Old State Highway Road 44 NE from Block 10, Lots 29 thru 46 and Tract C. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Rainier Drive NE from Block 2, Lots 1 and 44 and from Block 3, Lots 1 and 46. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Gannett Drive NE from Block 1, Lot 25 and from Block 2, Tracts F & G and from Block 3, Lot 23 & Tract E and from Block 5, Tract D. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Bona Drive NE from Block 4, Lot 16 and from Block 5, Lot 11.

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

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

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

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

- N.V.A.E. - No Vehicle Access Easement
- P.U.E. - Public Utility Easement
- RAD - Radial bearing
- AC - Acres

DEDICATION
 THE SUBDIVISION PLAT HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE VACATION OF THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) AND THE EXISTING 5' WIDE (P.U.E.) AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT 37-A INTO 160 R-3 SINGLE FAMILY RESIDENTIAL LOTS AND 6 TRACTS. ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT PUBLIC UTILITY EASEMENTS AND NO VEHICULAR ACCESS EASEMENTS AS NOTED HEREON, AND TO THE GRANTING OF THE 50' RADIUS TEMPORARY TURNAROUND EASEMENTS AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT A AND TRACT B AS SHOWN HEREON. SAID TRACTS ARE HEREBY DEDICATED AS PRIVATE PARKS TO BE OWNED AND MAINTAINED BY THE HAWK SITE MASTER ASSOCIATION (H.O.A.). SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'C', 'D', 'E', 'F' AND 'G' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPE EASEMENTS, TO BE MAINTAINED BY THE HAWK SITE MASTER ASSOCIATION (H.O.A.). FURTHERMORE, SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF THE ROADWAY RIGHTS-OF-WAY AS SHOWN HEREON, TO BE DEDICATED TO THE CITY OF RIO RANCHO FOR PUBLIC USE AND TO BE MAINTAINED BY THE CITY OF RIO RANCHO. SAID OWNER(S) OF SUCH REAL ESTATE DO HEREBY GRANT ANY AND ALL EASEMENTS SHOWN OR NOTED ON THE PLAT INCLUDING THE RIGHT OF INGRESS AND EGRESS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) AND/OR PROPRIETOR(S) WARRANT THAT THEY HAVE AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

MOUNTAIN HAWK EAST DEVELOPMENT COMPANY LLC

Jarrod D. Lkar, Vice President

STATE OF _____
 COUNTY OF _____, SS

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

Notary Public

My Commission Expires _____

SUBDIVISION DATA

SUBDIVISION: RIO RANCHO HAWKSITE TRACT 37-A	PLAT ACRES: 41.3750
NO. OF LOTS: 160	LOT ACRES: 0
NO. OF PARCELS: 0	PARCEL ACRES: 0
NO. OF TRACTS: 7	TRACT ACRES: 0
NO. OF EXIST. TRACTS: 2	
ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO:	0.8066
NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO:	5.3281

PURPOSE OF PLAT

- TO VACATE EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.
- TO DIVIDE TRACT 37-A INTO 160 R-3 SINGLE FAMILY RESIDENTIAL UNITS AND 7 TRACTS, WITH 2 TRACTS BEING DESIGNATED AS PRIVATE PARKS.

SURVEYOR'S CERTIFICATE

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby certify that the plat shown hereon was prepared under my supervision, and that the same is true and correct to the best of my knowledge and belief. This survey conforms to the Land Surveying Standards as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors and the City of Rio Rancho Subdivision Ordinance.

Kim C. Stelzer, NMP# No. 7482 Date _____

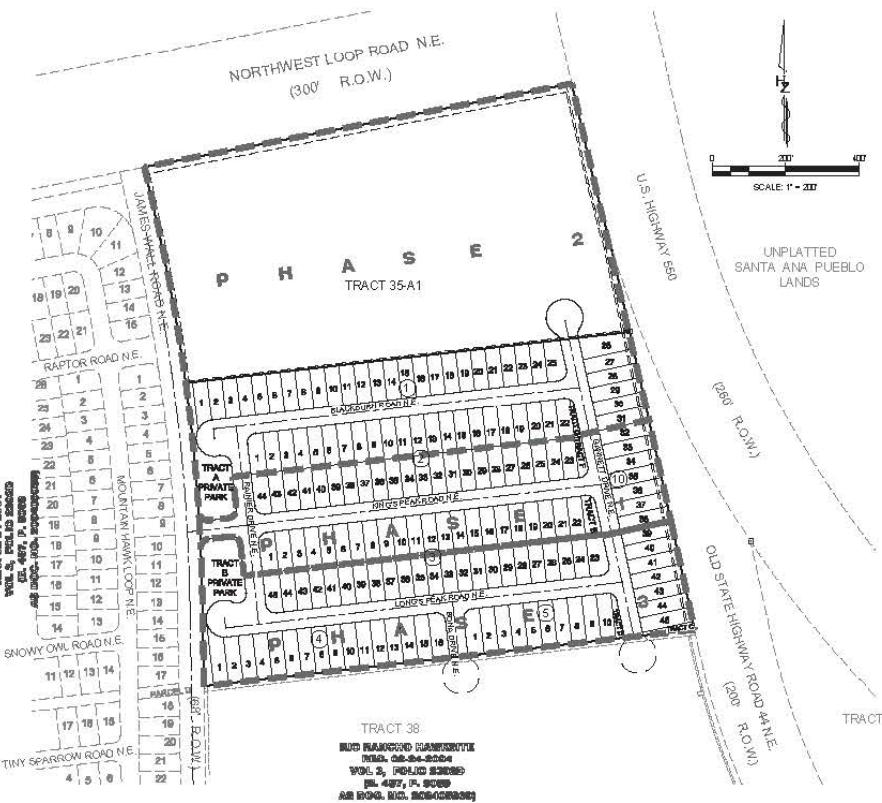
JURISDICTIONAL AFFIDAVIT

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby affirm that the property described does lie within the platting and subdivision jurisdiction of the City of Rio Rancho.

Kim C. Stelzer, NMP# No. 7482 Date _____



HUETT-ZOLLARS
 333 RIO RANCHO DRIVE N.E., SUITE 101
 RIO RANCHO, N.M. 87124
 (505) 882-5141



PUBLIC UTILITY EASEMENTS

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

- Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- Qwest Corporation d/b/a CenturyLink for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide communication services.
- Cable One for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide cable services.
- City of Rio Rancho for installation, maintenance, and service of storm drain lines, manholes and inlets; sanitary sewer lines, manholes and service lines; water lines, valves and other equipment and facilities reasonably necessary to provide storm, sanitary sewer and water services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of the grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of the grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subterranean), 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 pool, decking, or any structures adjacent to or on easements shown on this plat.

Easements for electric transformer/switch gear, as installed, shall extend ten (10) feet in front of transformer/switch gear doors and five (5) feet on each side.

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

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

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

AMENDED PRELIMINARY PLAT OF MOUNTAIN HAWK 37 SUBDIVISION BEING TRACT 37-A & TRACT 35-A OF RIO RANCHO HAWKSITE
 FILED FEBRUARY 18, 2020, IN VOLUME 3, FOLIO 4607
 DOCUMENT NUMBER 2020P01503
 (R.R.E. BOOK 29, PAGE 50)
 WITHIN PROJECTED SECTION 8 & 9, T. 13 N., R. 3 E., N.M.P.M.
 TOWN OF ALAMEDA GRANT
 CITY OF RIO RANCHO
 SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2
 OCTOBER 2019

LEGAL DESCRIPTION:

A Tract of land being all of Tract 37-A & Tract 35-A, Rio Rancho Hawksite, recorded on February 18, 2020 in Volume 3, Folio 4607, Document Number 2020P01503 (R.R.E. Book 29, Page 50), being located within projected Sections 8 and 9, Township 13 North, Range 3 East, New Mexico Principal Meridian, Town of Alameda Grant, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 41.3750 acres, more or less (51) Lots, (8) Tracts.

SUBDIVIDER:

MOUNTAIN HAWK EAST DEVELOPMENT COMPANY LLC
 333 RIO RANCHO DRIVE N.E., SUITE 202
 RIO RANCHO, NM 87124
 JARROD LKAR, PHONE NO. (505) 806-9037

AGENT/ENGINEER:

HUETT-ZOLLARS, INC.
 333 RIO RANCHO DRIVE N.E., SUITE 101
 RIO RANCHO, NEW MEXICO 87124
 SCOTT EDWARDS, PHONE NO. (505) 882-5141

CITY CLERKS CERTIFICATE

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

Rebecca Martinez, City Clerk

RIO RANCHO PLANNING AND ZONING BOARD

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

Paul Wymer, Chairman

RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT

Approved this _____ day of _____, 20____.

Anthony Caravella, Director

TREASURER'S CERTIFICATE

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

Laura M. Montoya, Sandoval County Treasurer Date _____

COUNTY FILING CERTIFICATION

STATE OF NEW MEXICO)
 SS:
 COUNTY OF SANDOVAL)
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS
 DOCUMENT NO. _____
 ON THE _____ DAY OF _____, 20____ AT _____
 O'CLOCK _____ M. AND DULY RECORDED IN PLAT BOOK _____, PAGES
 _____ OF THE RECORDS OF SAID COUNTY.
 (RIO RANCHO ESTATES BOOK _____, PAGES _____)

COUNTY CLERK DATE _____

Please email 505.882.5141 P.M. By 5:00pm, Mon-Fri.
 -1-10-19-11-13-15-17-19-21-23-25-27-29-31-33-35-37-39-41-43-45-47-49-51-53-55-57-59-61-63-65-67-69-71-73-75-77-79-81-83-85-87-89-91-93-95-97-99-101-103-105-107-109-111-113-115-117-119-121-123-125-127-129-131-133-135-137-139-141-143-145-147-149-151-153-155-157-159-161-163-165-167-169-171-173-175-177-179-181-183-185-187-189-191-193-195-197-199-201-203-205-207-209-211-213-215-217-219-221-223-225-227-229-231-233-235-237-239-241-243-245-247-249-251-253-255-257-259-261-263-265-267-269-271-273-275-277-279-281-283-285-287-289-291-293-295-297-299-301-303-305-307-309-311-313-315-317-319-321-323-325-327-329-331-333-335-337-339-341-343-345-347-349-351-353-355-357-359-361-363-365-367-369-371-373-375-377-379-381-383-385-387-389-391-393-395-397-399-401-403-405-407-409-411-413-415-417-419-421-423-425-427-429-431-433-435-437-439-441-443-445-447-449-451-453-455-457-459-461-463-465-467-469-471-473-475-477-479-481-483-485-487-489-491-493-495-497-499-501-503-505-507-509-511-513-515-517-519-521-523-525-527-529-531-533-535-537-539-541-543-545-547-549-551-553-555-557-559-561-563-565-567-569-571-573-575-577-579-581-583-585-587-589-591-593-595-597-599-601-603-605-607-609-611-613-615-617-619-621-623-625-627-629-631-633-635-637-639-641-643-645-647-649-651-653-655-657-659-661-663-665-667-669-671-673-675-677-679-681-683-685-687-689-691-693-695-697-699-701-703-705-707-709-711-713-715-717-719-721-723-725-727-729-731-733-735-737-739-741-743-745-747-749-751-753-755-757-759-761-763-765-767-769-771-773-775-777-779-781-783-785-787-789-791-793-795-797-799-801-803-805-807-809-811-813-815-817-819-821-823-825-827-829-831-833-835-837-839-841-843-845-847-849-851-853-855-857-859-861-863-865-867-869-871-873-875-877-879-881-883-885-887-889-891-893-895-897-899-901-903-905-907-909-911-913-915-917-919-921-923-925-927-929-931-933-935-937-939-941-943-945-947-949-951-953-955-957-959-961-963-965-967-969-971-973-975-977-979-981-983-985-987-989-991-993-995-997-999-1001-1003-1005-1007-1009-1011-1013-1015-1017-1019-1021-1023-1025-1027-1029-1031-1033-1035-1037-1039-1041-1043-1045-1047-1049-1051-1053-1055-1057-1059-1061-1063-1065-1067-1069-1071-1073-1075-1077-1079-1081-1083-1085-1087-1089-1091-1093-1095-1097-1099-1101-1103-1105-1107-1109-1111-1113-1115-1117-1119-1121-1123-1125-1127-1129-1131-1133-1135-1137-1139-1141-1143-1145-1147-1149-1151-1153-1155-1157-1159-1161-1163-1165-1167-1169-1171-1173-1175-1177-1179-1181-1183-1185-1187-1189-1191-1193-1195-1197-1199-1201-1203-1205-1207-1209-1211-1213-1215-1217-1219-1221-1223-1225-1227-1229-1231-1233-1235-1237-1239-1241-1243-1245-1247-1249-1251-1253-1255-1257-1259-1261-1263-1265-1267-1269-1271-1273-1275-1277-1279-1281-1283-1285-1287-1289-1291-1293-1295-1297-1299-1301-1303-1305-1307-1309-1311-1313-1315-1317-1319-1321-1323-1325-1327-1329-1331-1333-1335-1337-1339-1341-1343-1345-1347-1349-1351-1353-1355-1357-1359-1361-1363-1365-1367-1369-1371-1373-1375-1377-1379-1381-1383-1385-1387-1389-1391-1393-1395-1397-1399-1401-1403-1405-1407-1409-1411-1413-1415-1417-1419-1421-1423-1425-1427-1429-1431-1433-1435-1437-1439-1441-1443-1445-1447-1449-1451-1453-1455-1457-1459-1461-1463-1465-1467-1469-1471-1473-1475-1477-1479-1481-1483-1485-1487-1489-1491-1493-1495-1497-1499-1501-1503-1505-1507-1509-1511-1513-1515-1517-1519-1521-1523-1525-1527-1529-1531-1533-1535-1537-1539-1541-1543-1545-1547-1549-1551-1553-1555-1557-1559-1561-1563-1565-1567-1569-1571-1573-1575-1577-1579-1581-1583-1585-1587-1589-1591-1593-1595-1597-1599-1601-1603-1605-1607-1609-1611-1613-1615-1617-1619-1621-1623-1625-1627-1629-1631-1633-1635-1637-1639-1641-1643-1645-1647-1649-1651-1653-1655-1657-1659-1661-1663-1665-1667-1669-1671-1673-1675-1677-1679-1681-1683-1685-1687-1689-1691-1693-1695-1697-1699-1701-1703-1705-1707-1709-1711-1713-1715-1717-1719-1721-1723-1725-1727-1729-1731-1733-1735-1737-1739-1741-1743-1745-1747-1749-1751-1753-1755-1757-1759-1761-1763-1765-1767-1769-1771-1773-1775-1777-1779-1781-1783-1785-1787-1789-1791-1793-1795-1797-1799-1801-1803-1805-1807-1809-1811-1813-1815-1817-1819-1821-1823-1825-1827-1829-1831-1833-1835-1837-1839-1841-1843-1845-1847-1849-1851-1853-1855-1857-1859-1861-1863-1865-1867-1869-1871-1873-1875-1877-1879-1881-1883-1885-1887-1889-1891-1893-1895-1897-1899-1901-1903-1905-1907-1909-1911-1913-1915-1917-1919-1921-1923-1925-1927-1929-1931-1933-1935-1937-1939-1941-1943-1945-1947-1949-1951-1953-1955-1957-1959-1961-1963-1965-1967-1969-1971-1973-1975-1977-1979-1981-1983-1985-1987-1989-1991-1993-1995-1997-1999-2001-2003-2005-2007-2009-2011-2013-2015-2017-2019-2021-2023-2025-2027-2029-2031-2033-2035-2037-2039-2041-2043-2045-2047-2049-2051-2053-2055-2057-2059-2061-2063-2065-2067-2069-2071-2073-2075-2077-2079-2081-2083-2085-2087-2089-2091-2093-2095-2097-2099-2101-2103-2105-2107-2109-2111-2113-2115-2117-2119-2121-2123-2125-2127-2129-2131-2133-2135-2137-2139-2141-2143-2145-2147-2149-2151-2153-2155-2157-2159-2161-2163-2165-2167-2169-2171-2173-2175-2177-2179-2181-2183-2185-2187-2189-2191-2193-2195-2197-2199-2201-2203-2205-2207-2209-2211-2213-2215-2217-2219-2221-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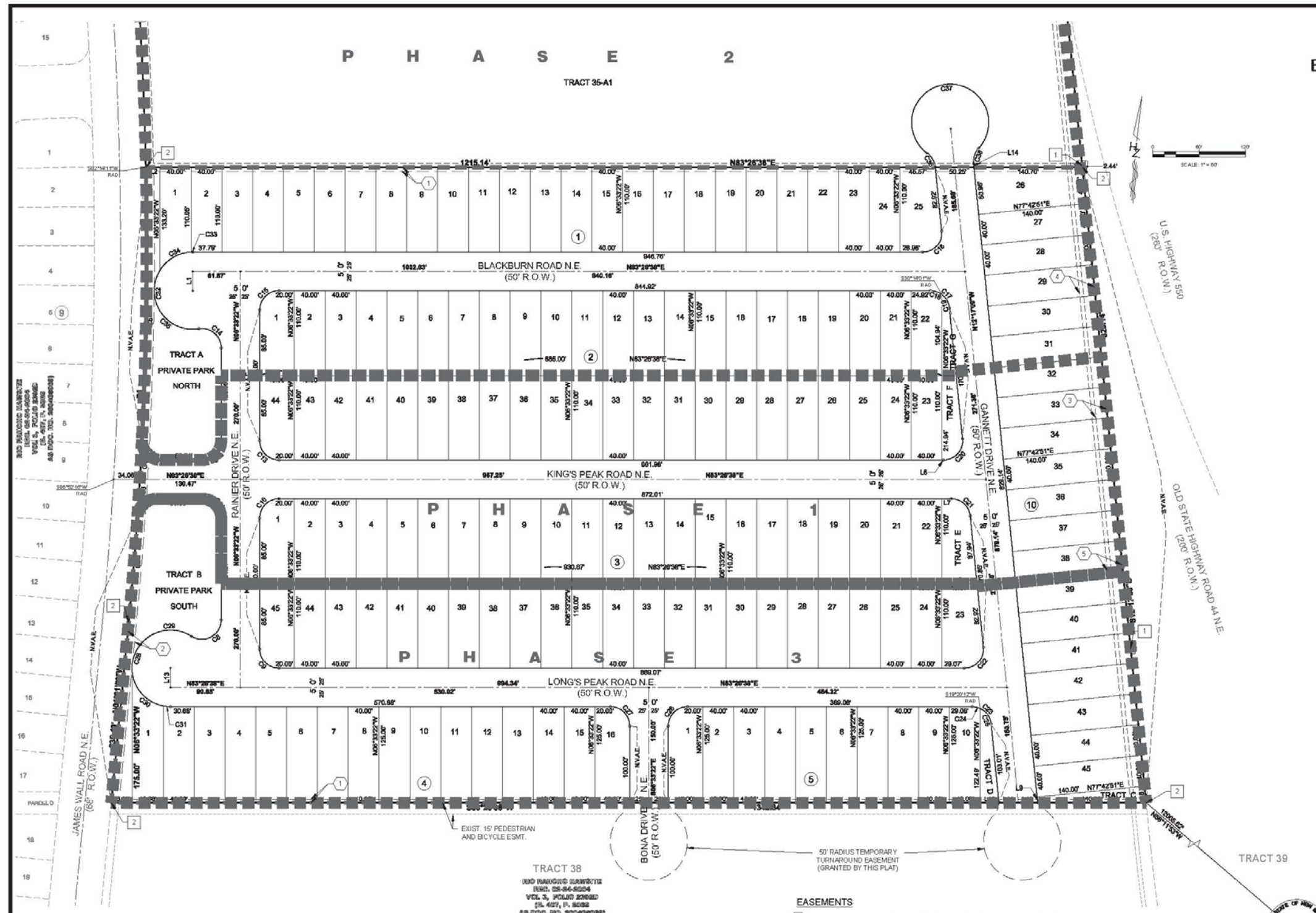
Attachment II (Page 2 of 2)

AMENDED PRELIMINARY PLAT OF
MOUNTAIN HAWK 37
 SUBDIVISION
 BEING TRACT 37-A & TRACT 35-A
 OF
RIO RANCHO HAWKSITE
 FILED FEBRUARY 18, 2020, IN VOLUME 3, FOLIO 4507
 DOCUMENT NUMBER 2020P01503
 (R.R.E. BOOK 29, PAGE 50)
 WITHIN PROJECTED SECTION 8 & 9, T. 13 N., R. 3 E., N.M.P.M.
 TOWN OF ALAMEDA GRANT
 CITY OF RIO RANCHO
 SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2
 OCTOBER 2019

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	8°43'00"	6034.00	N4°23'54"W	691.02	691.26
C2	1°34'00"	6034.00	N1°49'02"W	137.79	137.60
C3	0°33'02"	5034.00	N2°52'36"W	48.38	48.38
C4	0°38'02"	6034.00	N3°28'38"W	51.31	51.31
C5	8°43'50"	6034.00	N4°23'54"W	691.02	691.30
C6	92°49'12"	25.00	S50°05'48"E	38.21	40.50
C7	86°02'43"	25.00	S40°28'18"W	34.11	37.54
C8	122°49'21"	25.00	N54°51'19"E	43.00	53.59
C9	90°00'00"	25.00	S51°33'22"E	35.36	39.27
C10	90°00'00"	25.00	S38°26'38"W	35.36	39.27
C11	90°00'00"	25.00	N51°33'22"W	36.26	39.27
C12	90°00'00"	25.00	N38°26'38"E	35.36	39.27
C13	90°00'00"	25.00	S51°33'22"E	35.36	39.27
C14	88°08'33"	25.00	N58°08'38"W	38.09	43.24
C15	90°00'00"	25.00	S38°26'38"W	35.36	39.27
C16	95°43'47"	25.00	N35°34'49"E	37.08	41.77
C17	84°18'13"	25.00	N54°25'15"W	33.54	38.77
C18	37°06'23"	25.00	N78°00'40"W	18.90	18.18
C19	47°10'50"	25.00	N59°52'34"W	20.01	20.59
C20	95°43'47"	25.00	N35°34'45"E	37.08	41.77
C21	84°18'13"	25.00	N54°25'15"W	33.54	38.77
C22	95°43'47"	25.00	N38°34'49"E	37.08	41.77
C23	84°18'13"	25.00	N54°25'15"W	33.54	38.77
C24	25°53'34"	25.00	N33°36'39"W	11.20	11.30
C25	58°22'38"	25.00	N41°28'28"W	24.38	25.47
C26	90°00'00"	25.00	S38°26'38"W	35.36	39.27
C27	90°00'00"	25.00	N51°33'22"W	35.36	39.27
C28	212°49'21"	50.00	S8°51'15"W	95.53	105.72
C29	122°49'21"	50.00	S54°51'19"W	87.81	107.18
C30	78°19'08"	50.00	S48°10'59"E	63.78	88.19
C31	10°44'52"	50.00	N88°49'04"E	9.37	9.38
C32	189°08'33"	50.00	S11°08'38"E	99.98	105.03
C33	2°52'08"	50.00	S62°10'34"W	2.21	2.21
C34	55°03'18"	50.00	S53°22'51"W	48.22	48.04
C35	131°13'07"	50.00	S39°54'21"E	81.19	114.77

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S08°33'22"E	25.00'
L2	S83°26'38"W	18.62'
L3	N83°26'38"E	1.98'
L4	N83°26'38"E	12.01'
L5	S12°17'09"W	22.29'
L6	S12°17'09"W	1.18'
L7	N83°26'38"E	28.13'
L8	N83°26'38"E	28.13'
L9	N83°26'38"E	24.24'
L10	N08°33'22"W	25.00'
L11	S12°17'09"E	6.02'



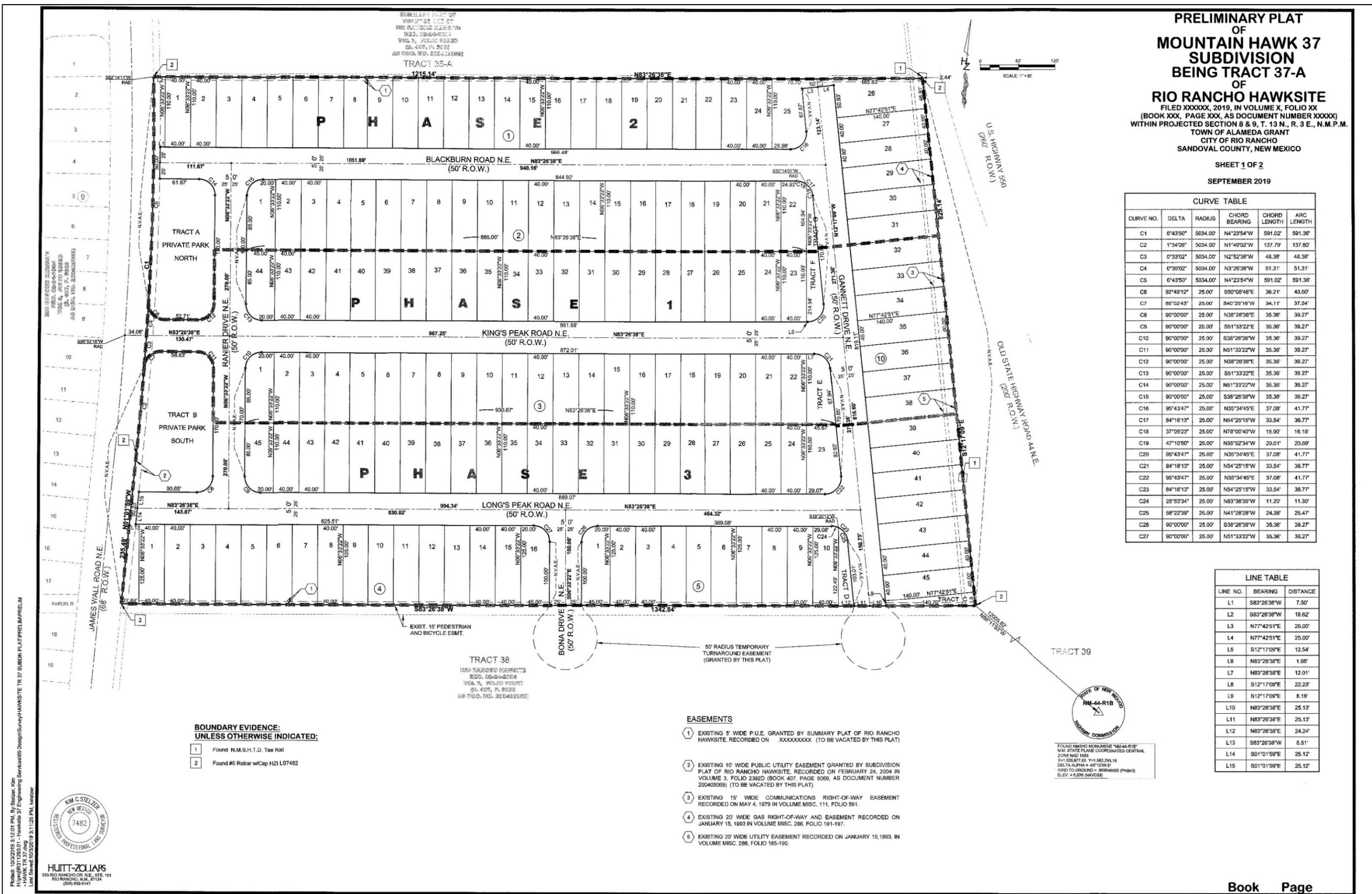
BOUNDARY EVIDENCE:
 UNLESS OTHERWISE INDICATED:

- 1 Found N.M.S.H.T.D. Tee Rail
- 2 Found #6 Rebar w/Cap IZI L57482

- EASEMENTS**
- 1 EXISTING 5' WIDE P.U.E. GRANTED BY SUMMARY PLAT OF TRACTS 35 AND 37 RIO RANCHO HAWKSITE, RECORDED ON XXXXXXXXX (TO BE VACATED BY THIS PLAT)
 - 2 EXISTING 10' WIDE PUBLIC UTILITY EASEMENT GRANTED BY SUBDIVISION PLAT OF RIO RANCHO HAWKSITE, RECORDED ON FEBRUARY 24, 2004 IN VOLUME 3, FOLIO 2352D (BOOK 407, PAGE 5659, AS DOCUMENT NUMBER 200405069) (TO BE VACATED BY THIS PLAT)
 - 3 EXISTING 15' WIDE COMMUNICATIONS RIGHT-OF-WAY EASEMENT RECORDED ON MAY 4, 1979 IN VOLUME MISC. 111, FOLIO 591.
 - 4 EXISTING 20' WIDE GAS RIGHT-OF-WAY AND EASEMENT RECORDED ON JANUARY 15, 1993 IN VOLUME MISC. 286, FOLIO 191-197.
 - 5 EXISTING 20' WIDE UTILITY EASEMENT RECORDED ON JANUARY 15, 1993, IN VOLUME MISC. 286, FOLIO 185-190.

HUITT-ZOLIAS
 353 RIO RANCHO DR. S.E. STE. 101
 RIO RANCHO, N.M. 87124
 (505) 825-5744

PREVIOUSLY APPROVED PRELIMINARY PLAT 19-210-07



Mountain Hawk 37

Attachment I



Map Created by Amy Rincon - December 2019



Legend



Map Data



Map Source



**AMENDED PRELIMINARY PLAT OF
MOUNTAIN HAWK 37
SUBDIVISION
BEING TRACT 37-A & TRACT 35-A
OF
RIO RANCHO HAWKSITE**
FILED FEBRUARY 18, 2020, IN VOLUME 3, FOLIO 4507
DOCUMENT NUMBER 2020P01503
(R.R.E. BOOK 29, PAGE 50)
WITHIN PROJECTED SECTION 8 & 9, T. 13 N., R. 3 E., N.M.P.M.
TOWN OF ALAMEDA GRANT
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2

OCTOBER 2019

LEGAL DESCRIPTION:

A Tract of land being all of Tract 37-A & Tract 35-A, Rio Rancho Hawksite, recorded on February 18, 2020 in Volume 3, Folio 4507, Document Number 2020P01503 (R.R.E. Book 29, Page 50), being located within projected Sections 8 and 9, Township 13 North, Range 3 East, New Mexico Principal Meridian, Town of Alameda Grant, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 41.3750 acres, more or less (51) Lots, (8) Tracts.

SUBDIVIDER:

MOUNTAIN HAWK EAST DEVELOPMENT COMPANY LLC
333 RIO RANCHO DRIVE N.E., SUITE 202
RIO RANCHO, NM 87124
JARROD LIKAR, PHONE NO. (505) 896-9037

AGENT/ENGINEER:

HUITT-ZOLLARS, INC.
333 RIO RANCHO DRIVE N.E., SUITE 101
RIO RANCHO, NEW MEXICO 87124
SCOTT EDDINGS, PHONE NO. (505) 892-5141

CITY CLERKS CERTIFICATE

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

Rebecca Martinez, City Clerk

RIO RANCHO PLANNING AND ZONING BOARD

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

Paul Wymer, Chairman

RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT

Approved this _____ day of _____, 20____.

Anthony Caravella, Director

TREASURER'S CERTIFICATE

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

Laura M. Montoya, Sandoval County Treasurer Date _____

COUNTY FILING CERTIFICATION

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

DOCUMENT NO. _____

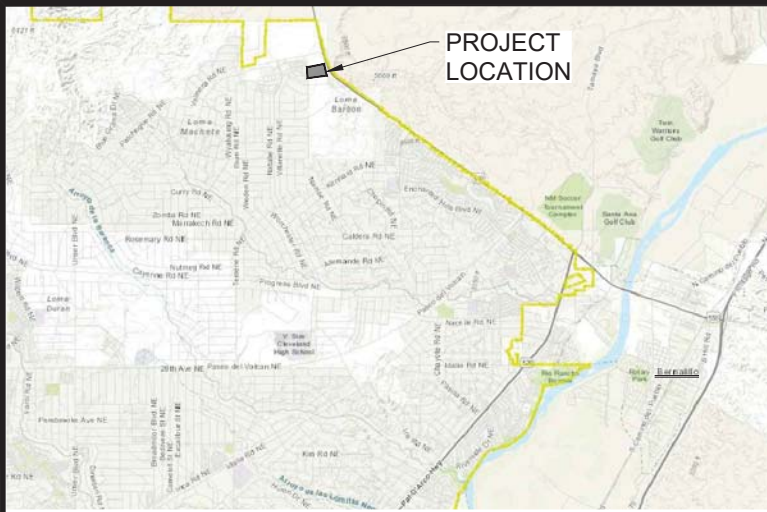
ON THE _____ DAY OF _____, 20____, AT _____

O'CLOCK _____ M. AND DULY RECORDED IN PLAT BOOK _____, PAGES _____

_____ OF THE RECORDS OF SAID COUNTY.

(RIO RANCHO ESTATES BOOK _____, PAGES _____)

COUNTY CLERK DATE _____



VICINITY MAP
NOT TO SCALE

NOTES: UNLESS OTHERWISE INDICATED:

Existing ten (10) foot wide public utility easement along front boundary of Tract 37, as shown on Subdivision Plat of Rio Rancho Hawksite and five (5) foot wide public utility easements along exterior side boundaries of Tract 37-A, as shown on Summary Plat of Tracts 35 and 37 Rio Rancho Hawksite, are all being vacated by this plat. There is a one (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to James Wall Road NE from Block 1, Tract A and from Block 4, Tract B. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Old State Highway Road 44 NE from Block 10, Lots 26 thru 45 and Tract C. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Rainier Drive NE from Block 2, Lots 1 and 44 and from Block 3, Lots 1 and 45. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Gannett Drive NE from Block 1, Lot 25 and from Block 2, Tracts F & G and from Block 3, Lot 23 & Tract E and from Block 5, Tract D. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Bona Drive NE from Block 4, Lot 16 and from Block 5, Lot 1.

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

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

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

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

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

P.U.E. - Public Utility Easement

RAD - Radial bearing

AC - Acres

DEDICATION

THE SUBDIVISION PLAT HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE VACATION OF THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) AND THE 2-EXISTING 5' WIDE (P.U.E.) AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT '37-A' INTO 160 R-3 SINGLE FAMILY RESIDENTIAL LOTS AND 6 TRACTS. ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS' AND 'NO VEHICULAR ACCESS' EASEMENTS AS NOTED HEREON, AND TO THE GRANTING OF THE 50' RADIUS TEMPORARY TURNAROUND EASEMENTS AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'A' AND TRACT 'B' AS SHOWN HEREON. SAID TRACTS ARE HEREBY DEDICATED AS PRIVATE PARKS TO BE OWNED AND MAINTAINED BY THE HAWK SITE MASTER ASSOCIATION (H.O.A.). SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'C', 'D', 'E', 'F' AND 'G' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPE EASEMENTS, TO BE MAINTAINED BY THE HAWK SITE MASTER ASSOCIATION (H.O.A.). FURTHERMORE, SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF THE ROADWAY RIGHTS-OF-WAY AS SHOWN HEREON, TO BE DEDICATED TO THE CITY OF RIO RANCHO FOR PUBLIC USE AND TO BE MAINTAINED BY THE CITY OF RIO RANCHO. SAID OWNER(S) OF SUCH REAL ESTATE DO HEREBY GRANT ANY AND ALL EASEMENTS SHOWN OR NOTED ON THE PLAT INCLUDING THE RIGHT OF INGRESS AND EGRESS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) AND/OR PROPRIETOR(S) WARRANT THAT THEY HAD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

MOUNTAIN HAWK EAST DEVELOPMENT COMPANY LLC

Jarrod D. Likar, Vice President

STATE OF _____)
COUNTY OF _____)SS

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

Notary Public

My Commission Expires _____

PUBLIC UTILITY EASEMENTS

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

- Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- Owest Corporation d/b/a Century Link for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide communication services.
- Cable One for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide cable services.
- City of Rio Rancho for installation, maintenance, and service of storm drain lines, manholes and inlets; sanitary sewer lines, manholes and service lines; water lines, valves and other equipment and facilities reasonably necessary to provide storm, sanitary sewer and water services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of the grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of the grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of national electrical safety code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformer/switch gears, as installed, shall extend ten (10) feet in front of transformer/switch gear doors and five (5) feet on each side.

Disclaimer

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

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

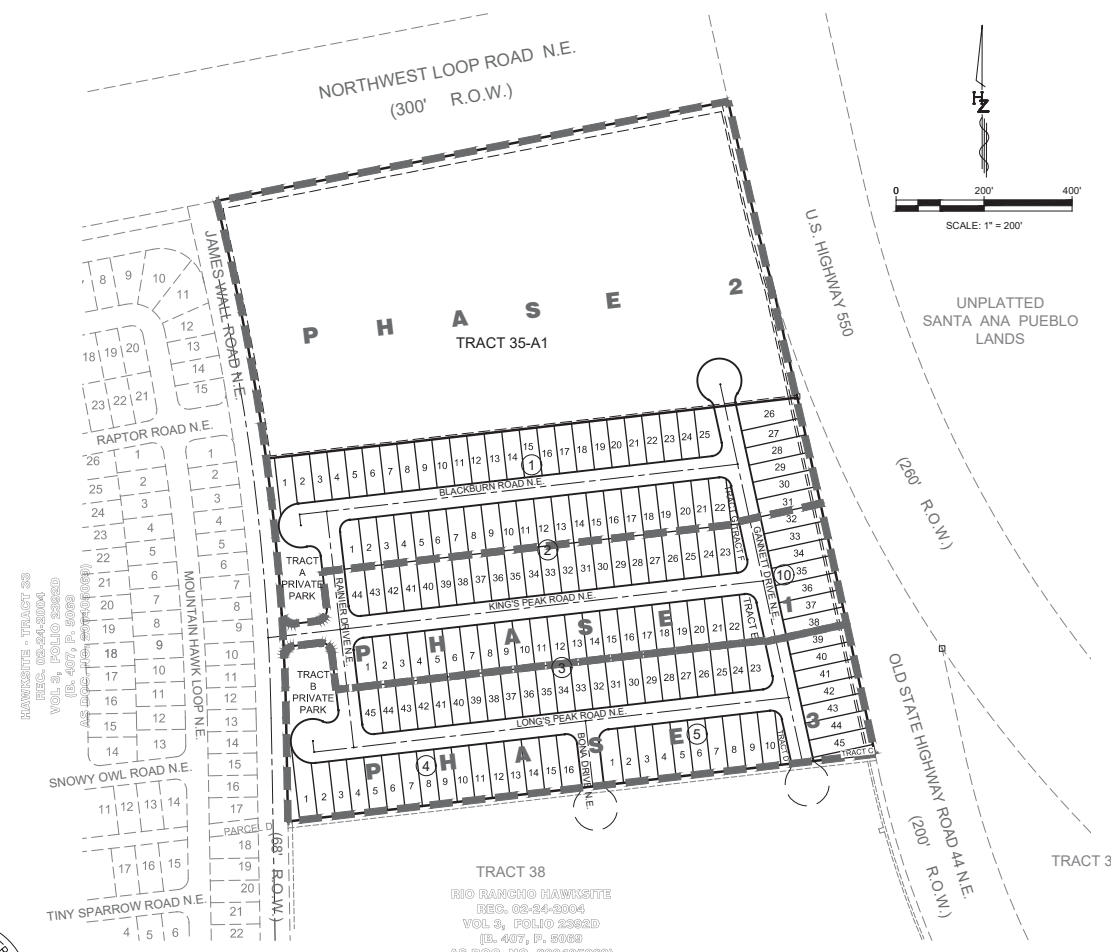
City of Rio Rancho _____ Date _____

PNM Electric Services _____ Date _____

NM Gas Company _____ Date _____

Owest d/b/a/CenturyLink Q/C _____ Date _____

Cable-One _____ Date _____



SUBDIVISION DATA

SUBDIVISION: RIO RANCHO HAWKSITE TRACT 37-A	PLAT ACRES	41.3750
NO. OF LOTS:	160	LOT ACRES: 0
NO. OF PARCELS:	0	PARCEL ACRES: 0
NO. OF TRACTS:	7	TRACT ACRES: 0
NO. OF EXIST. TRACTS:	2	
ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO:	0.8056	
NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO:	5.3281	

PURPOSE OF PLAT

- TO VACATE EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.
- TO DIVIDE TRACT 37-A INTO 160 R-3 SINGLE FAMILY RESIDENTIAL UNITS AND 7 TRACTS, WITH 2 TRACTS BEING DESIGNATED AS PRIVATE PARKS.

SURVEYOR'S CERTIFICATE

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby certify that the plat shown hereon was prepared under my supervision, and that the same is true and correct to the best of my knowledge and belief. This survey conforms to the Land Surveying Standards as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors and the City of Rio Rancho Subdivision Ordinance.

Kim C. Stelzer, NMPS No. 7482 _____ Date _____



JURISDICTIONAL AFFIDAVIT

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby affirm that the property described does lie within the platting and extra-territorial subdivision jurisdiction of the City of Rio Rancho.

Kim C. Stelzer, NMPS No. 7482 _____ Date _____



HUITT-ZOLLARS

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

AMENDED PRELIMINARY PLAT OF
MOUNTAIN HAWK 37
SUBDIVISION
 BEING TRACT 37-A & TRACT 35-A
 OF
RIO RANCHO HAWKSITE
 FILED FEBRUARY 18, 2020, IN VOLUME 3, FOLIO 4507
 DOCUMENT NUMBER 2020P01503
 (R.R.E. BOOK 29, PAGE 50)
 WITHIN PROJECTED SECTION 8 & 9, T. 13 N., R. 3 E., N.M.P.M.
 TOWN OF ALAMEDA GRANT
 CITY OF RIO RANCHO
 SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 2

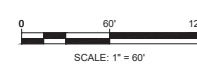
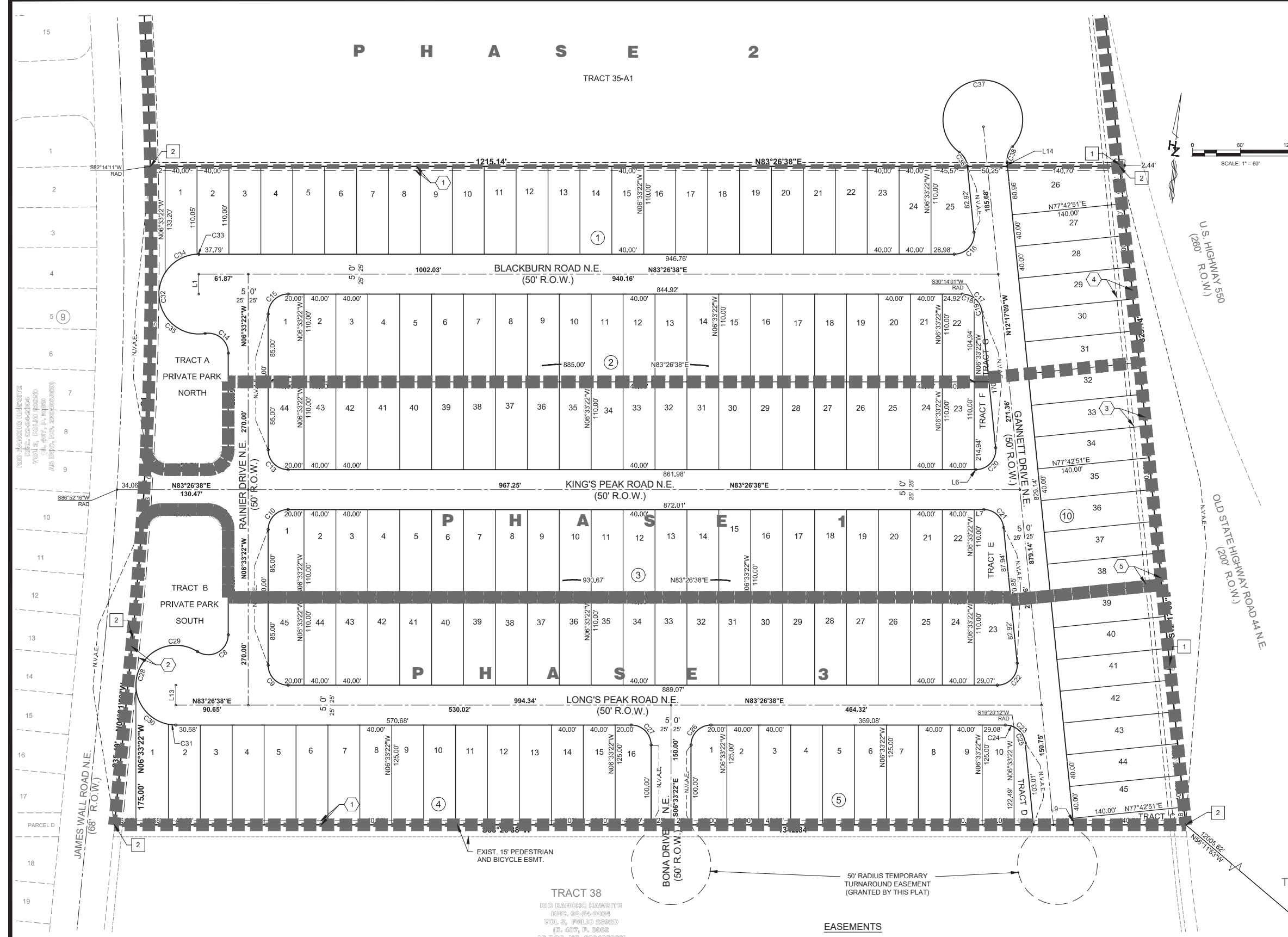
OCTOBER 2019

CURVE TABLE

CURVE NO.	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	6°43'50"	5034.00'	N4°23'54"W	591.02'	591.36'
C2	1°34'06"	5034.00'	N1°49'02"W	137.79'	137.80'
C3	0°33'02"	5034.00'	N2°52'36"W	48.38'	48.38'
C4	0°35'02"	5034.00'	N3°26'38"W	51.31'	51.31'
C5	6°43'50"	5034.00'	N4°23'54"W	591.02'	591.36'
C6	92°49'12"	25.00'	S50°08'46"E	36.21'	40.50'
C7	86°02'43"	25.00'	S40°25'16"W	34.11'	37.54'
C8	122°49'21"	25.00'	N54°51'19"E	43.90'	53.59'
C9	90°00'00"	25.00'	S51°33'22"E	35.36'	39.27'
C10	90°00'00"	25.00'	S38°26'38"W	35.36'	39.27'
C11	90°00'00"	25.00'	N51°33'22"W	35.36'	39.27'
C12	90°00'00"	25.00'	N38°26'38"E	35.36'	39.27'
C13	90°00'00"	25.00'	S51°33'22"E	35.36'	39.27'
C14	99°06'33"	25.00'	N56°06'39"W	38.05'	43.24'
C15	90°00'00"	25.00'	S38°26'38"W	35.36'	39.27'
C16	95°43'47"	25.00'	N35°34'45"E	37.08'	41.77'
C17	84°16'13"	25.00'	N54°25'15"W	33.54'	36.77'
C18	37°05'23"	25.00'	N78°00'40"W	15.90'	16.18'
C19	47°10'50"	25.00'	N35°52'34"W	20.01'	20.59'
C20	95°43'47"	25.00'	N35°34'45"E	37.08'	41.77'
C21	84°16'13"	25.00'	N54°25'15"W	33.54'	36.77'
C22	95°43'47"	25.00'	N35°34'45"E	37.08'	41.77'
C23	84°16'13"	25.00'	N54°25'15"W	33.54'	36.77'
C24	25°53'34"	25.00'	N83°36'35"W	11.20'	11.30'
C25	58°22'39"	25.00'	N41°28'28"W	24.38'	25.47'
C26	90°00'00"	25.00'	S38°26'38"W	35.36'	39.27'
C27	90°00'00"	25.00'	N51°33'22"W	35.36'	39.27'
C28	212°49'21"	50.00'	S9°51'19"W	95.93'	185.72'
C29	122°49'21"	50.00'	S54°51'19"W	87.81'	107.18'
C30	79°15'08"	50.00'	S46°10'56"E	63.78'	69.16'

CURVE NO.	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C31	10°44'52"	50.00'	N88°49'04"E	9.37'	9.38'
C32	189°06'33"	50.00'	S11°06'39"E	99.68'	165.03'
C33	2°32'08"	50.00'	S82°10'34"W	2.21'	2.21'
C34	55°03'18"	50.00'	S53°22'51"W	46.22'	48.04'
C35	131°31'07"	50.00'	S39°54'21"E	91.18'	114.77'

LINE NO.	BEARING	DISTANCE
L1	S06°33'22"E	25.00'
L2	S83°26'38"W	18.62'
L6	N83°26'38"E	1.98'
L7	N83°26'38"E	12.01'
L8	S12°17'09"E	22.23'
L9	S12°17'09"E	8.18'
L10	N83°26'38"E	25.13'
L11	N83°26'38"E	25.13'
L12	N83°26'38"E	24.24'
L13	N06°33'22"W	25.00'
L14	S12°17'09"E	5.02'



**BOUNDARY EVIDENCE:
 UNLESS OTHERWISE INDICATED:**

- 1 Found N.M.S.H.T.D. Tee Rail
- 2 Found #5 Rebar w/Cap HZI LS7482

- EASEMENTS**
- 1 EXISTING 5' WIDE P.U.E. GRANTED BY SUMMARY PLAT OF TRACTS 35 AND 37 RIO RANCHO HAWKSITE, RECORDED ON XXXXXXXX (TO BE VACATED BY THIS PLAT)
 - 2 EXISTING 10' WIDE PUBLIC UTILITY EASEMENT GRANTED BY SUBDIVISION PLAT OF RIO RANCHO HAWKSITE, RECORDED ON FEBRUARY 24, 2004 IN VOLUME 3, FOLIO 2392D (BOOK 407, PAGE 5069, AS DOCUMENT NUMBER 200405069) (TO BE VACATED BY THIS PLAT).
 - 3 EXISTING 15' WIDE COMMUNICATIONS RIGHT-OF-WAY EASEMENT RECORDED ON MAY 4, 1979 IN VOLUME MISC. 111, FOLIO 591.
 - 4 EXISTING 20' WIDE GAS RIGHT-OF-WAY AND EASEMENT RECORDED ON JANUARY 15, 1993 IN VOLUME MISC. 286, FOLIO 191-197.
 - 5 EXISTING 20' WIDE UTILITY EASEMENT RECORDED ON JANUARY 15, 1993, IN VOLUME MISC. 286, FOLIO 185-190.

FOUND NMSHC MONUMENT "NM-44-R1B"
 PLAT OF RIO RANCHO HAWKSITE, RECORDED ON FEBRUARY 24, 2004 IN
 VOLUME 3, FOLIO 2392D (BOOK 407, PAGE 5069, AS DOCUMENT NUMBER
 200405069)
 N.M. STATE PLANE COORDINATES CENTRAL
 ZONE NAD 1983
 X=1535397.00 Y=1582283.16
 DELTA ALPHA = -00°12'09.5"
 GRID TO GROUND = 999649555 (Project)
 ELEV. = 5,675 (NAD83)

Plotted: 5/5/2020 4:49:44 PM, By: Stelzer, Kim
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 - HAWK TR 37_05052020.dwg
 Last Saved: 5/5/2020 4:46:01 PM, kstelzer



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