

2800 Cabezon Bld SE

RIO RANCHO, NM 87124



OFFERING MEMORANDUM

KW COMMERCIAL
6240 Riverside Plaza Lane NW, Suite 100
Albuquerque, NM 87120

PRESENTED BY:

NICHOLAS GIBSON
Director
O: 505.297.5164
nick@kwcnm.com

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RIO RANCHO, NM

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2800 CABEZON BOULEVARD SE

PROPERTY INFORMATION

1

- EXECUTIVE SUMMARY
- PROPERTY DETAILS
- ADDITIONAL PHOTOS
- ADDITIONAL PHOTOS
- ADDITIONAL PHOTOS
- ADDITIONAL PHOTOS

Executive Summary



OFFERING SUMMARY

SALE PRICE:	\$205,000
LOT SIZE:	0.672 Acres
ZONING:	O-1
PRICE / SF:	\$7.00
TRAFFIC COUNT	15,000
PARKING SPACES	32 Spaces

PROPERTY OVERVIEW

Vacant Land For Sale at Golf Course Road and Cabezon Blvd. The property is zoned O-1 and is a prime location for a medical office or owner/user office. Located just minutes from the new Presbyterian Hospital and multiple retail establishments. Surrounded by Cabezon Communities, an upscale master planned community.

The property was recently subdivided and includes a shared parking arrangement with adjacent church. Approximately half the parking lot is on this property. Shared parking arrangement and subdivision have been recorded with the City of Rio Rancho.

PROPERTY HIGHLIGHTS

Property Details

SALE PRICE**\$205,000****LOCATION INFORMATION**

Street Address 2800 Cabezon Boulevard SE
City, State, Zip Rio Rancho, NM 87124
County/Township Sandoval

LAND

Number Of Lots 1

PROPERTY DETAILS

Property Type Land
Property Subtype Office
Zoning O-1
Lot Size 0.672 Acres
APN# 1-012-067-316-249
Corner Property Yes
Waterfront Yes

PARKING & TRANSPORTATION

Street Parking Yes

UTILITIES & AMENITIES

Parking Spaces 32 Spaces
Gas / Propane In Street
Power In Street
Water In Street
Sewer In Street

Additional Photos



Additional Photos



Additional Photos



Additional Photos



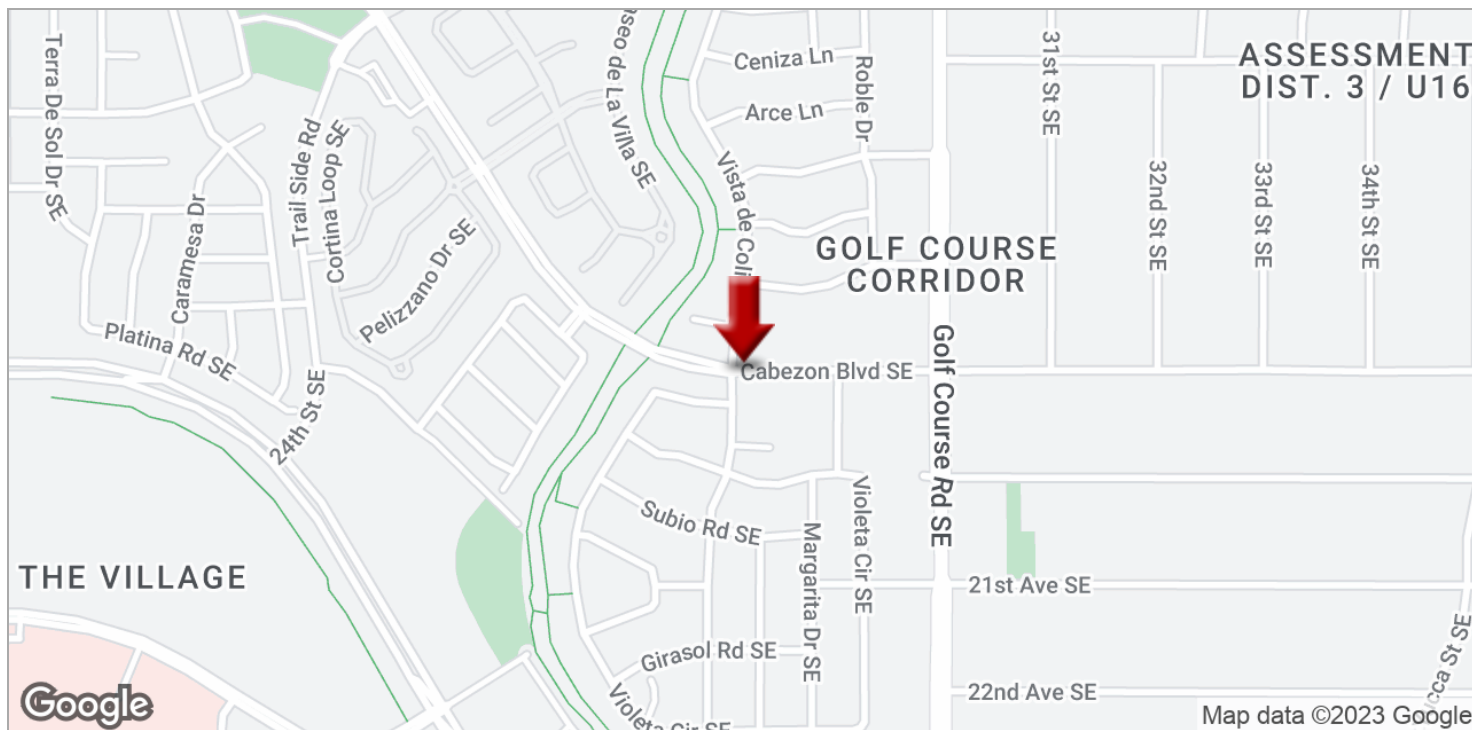
2800 CABEZON BOULEVARD SE

LOCATION INFORMATION

2

LOCATION MAPS

Location Maps



2800 CABEZON BOULEVARD SE

DEMOGRAPHICS

3

DEMOGRAPHICS

KEY_FACTS.PDF

TRAFFIC COUNTS

Demographic Report



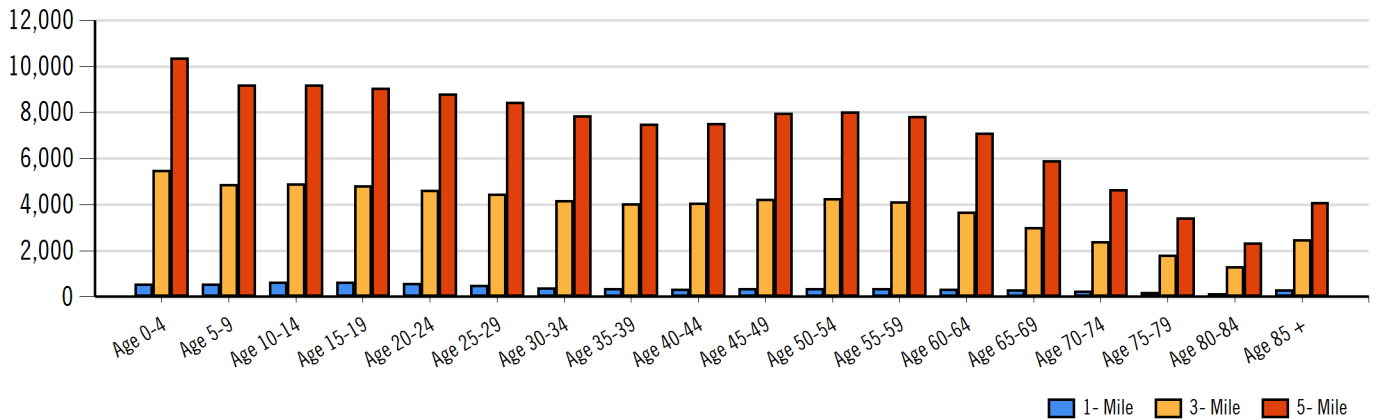
2800 Cabezon Blvd SE

Population

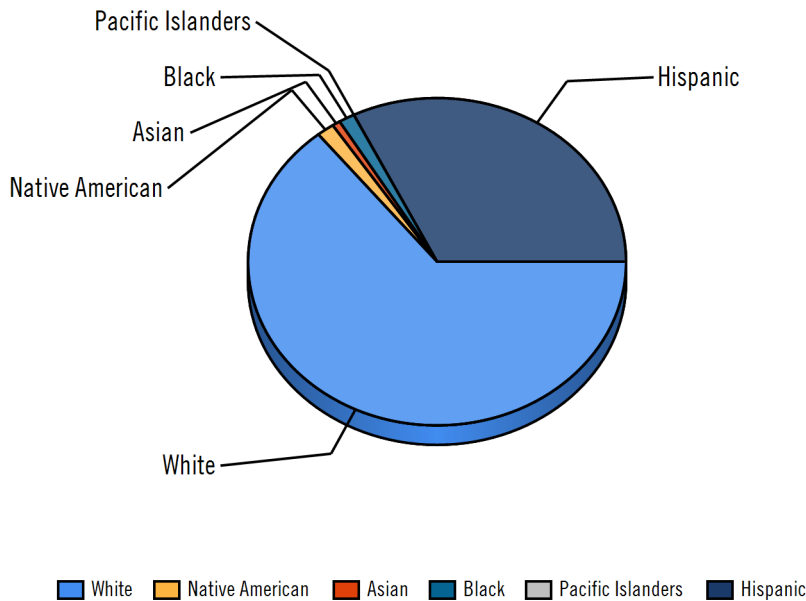
Distance	Male	Female	Total
1- Mile	3,708	3,730	7,439
3- Mile	33,831	35,147	68,978
5- Mile	63,574	65,937	129,511



Population by Distance and Age (2018)



Ethnicity within 5 miles



Home Ownership 1 Mile



Home Ownership 3 Mile



Home Ownership 5 Mile



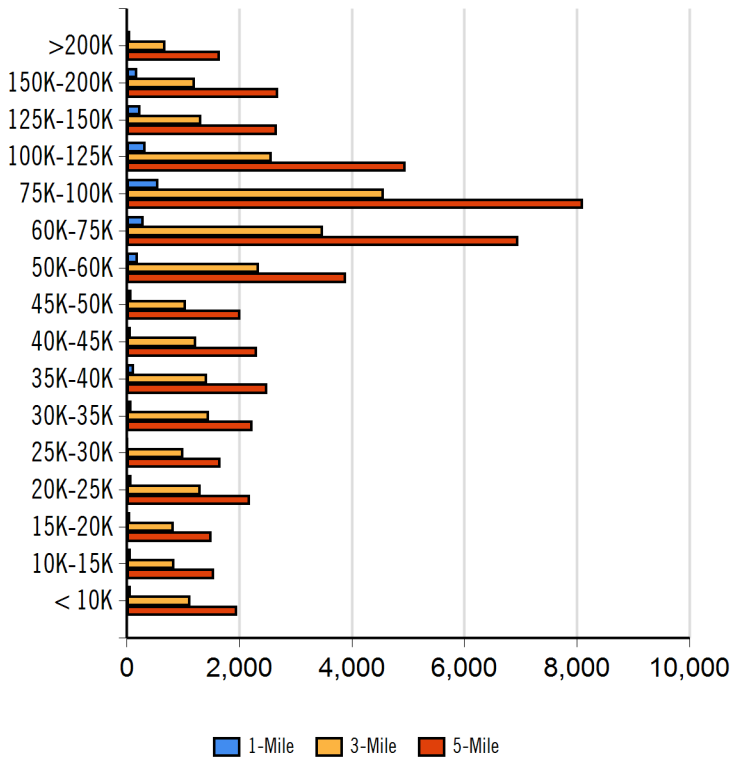
Employment by Distance

Distance	Employed	Unemployed	Unemployment Rate
1-Mile	3,704	108	1.13 %
3-Mile	33,133	1,022	2.19 %
5-Mile	61,377	2,070	2.66 %

Labor & Income

	Agriculture	Mining	Construction	Manufacturing	Wholesale	Retail	Transportaion	Information	Professional	Utility	Hospitality	Pub-Admin	Other
1-Mile	7	1	183	383	90	399	93	71	372	863	332	401	365
3-Mile	94	82	1,622	3,365	855	4,098	1,565	668	4,153	6,970	3,073	2,724	2,296
5-Mile	286	165	3,167	6,183	1,882	7,422	2,840	1,292	7,733	12,838	5,602	4,974	4,254

Household Income



Radius	Median Household Income
1-Mile	\$32,020.66
3-Mile	\$46,966.47
5-Mile	\$57,763.92

Radius	Average Household Income
1-Mile	\$32,518.89
3-Mile	\$51,880.79
5-Mile	\$62,697.76

Radius	Aggregate Household Income
1-Mile	\$204,400,433.10
3-Mile	\$1,884,726,148.19
5-Mile	\$3,687,566,795.25

Education

	1-Mile	3-mile	5-mile
Pop > 25	4,371	44,184	82,847
High School Grad	1,000	10,882	20,012
Some College	1,256	12,316	22,466
Associates	396	3,696	6,941
Bachelors	650	8,615	15,909
Masters	267	3,015	6,022
Prof. Degree	84	685	1,460
Doctorate	63	302	733

Tapestry

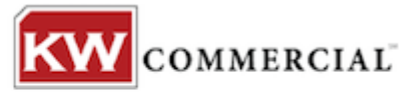
	1-Mile	3-mile	5-mile
Vacant Ready For Rent	35 %	66 %	76 %
Teen's	50 %	75 %	84 %
Expensive Homes	0 %	5 %	11 %
Mobile Homes	19 %	13 %	28 %
New Homes	193 %	266 %	237 %
New Households	59 %	103 %	106 %
Military Households	21 %	61 %	89 %
Households with 4+ Cars	61 %	98 %	112 %
Public Transportation Users	1 %	7 %	7 %
Young Wealthy Households	81 %	104 %	118 %

This Tapestry information compares this selected market against the average. If a tapestry is over 100% it is above average for that statistic. If a tapestry is under 100% it is below average.

Expenditures

	1-Mile	%	3-Mile	%	5-Mile	%
Total Expenditures	133,664,894		1,298,806,885		2,459,424,688	
Average annual household	54,448		49,850		51,231	
Food	6,981	12.82 %	6,450	12.94 %	6,615	12.91 %
Food at home	4,458		4,197		4,272	
Cereals and bakery products	633		597		607	
Cereals and cereal products	225		212		216	
Bakery products	408		384		391	
Meats poultry fish and eggs	868		830		844	
Beef	201		193		196	
Pork	155		150		152	
Poultry	162		155		158	
Fish and seafood	142		133		136	
Eggs	71		68		69	
Dairy products	457		425		434	
Fruits and vegetables	912		852		869	
Fresh fruits	134		125		128	
Processed vegetables	171		163		165	
Sugar and other sweets	165		155		157	
Fats and oils	141		133		136	
Miscellaneous foods	843		792		806	
Nonalcoholic beverages	375		357		361	
Food away from home	2,523		2,253		2,342	
Alcoholic beverages	410		361		376	
Housing	19,150	35.17 %	17,883	35.87 %	18,265	35.65 %
Shelter	11,584		10,804		11,051	
Owned dwellings	7,256		6,557		6,760	
Mortgage interest and charges	3,769		3,317		3,438	
Property taxes	2,432		2,204		2,273	
Maintenance repairs	1,055		1,035		1,048	
Rented dwellings	3,341		3,370		3,365	
Other lodging	986		875		925	
Utilities fuels	4,384		4,195		4,239	
Natural gas	419		393		399	
Electricity	1,712		1,664		1,675	
Fuel oil	172		164		166	
Telephone services	1,379		1,310		1,325	
Water and other public services	701		662		672	
Household operations	1,358	2.49 %	1,224	2.46 %	1,264	2.47 %
Personal services	419		354		371	
Other household expenses	939		870		893	
Housekeeping supplies	633		596		611	
Laundry and cleaning supplies	172		162		165	
Other household products	374		349		358	
Postage and stationery	86		84		87	
Household furnishings	1,188		1,062		1,098	
Household textiles	87		78		81	
Furniture	268		232		245	
Floor coverings	30		27		28	
Major appliances	149		144		143	
Small appliances	93		88		91	
Miscellaneous	559		491		507	
Apparel and services	1,462	2.69 %	1,307	2.62 %	1,352	2.64 %
Men and boys	303		258		268	
Men 16 and over	257		216		225	
Boys 2 to 15	46		41		43	
Women and girls	504		471		485	

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Women 16 and over	426	396	411
Girls 2 to 15	78	74	74
Children under 2	93	89	91

Expenditures (Continued)

	1-Mile	%	3-Mile	%	5-Mile	%
Total Expenditures	133,664,894		1,298,806,885		2,459,424,688	
Average annual household	54,448		49,850		51,231	
Transportation	7,480	13.74 %	6,845	13.73 %	7,009	13.68 %
Vehicle purchases	1,844		1,618		1,673	
Cars and trucks new	936		840		872	
Cars and trucks used	856		732		755	
Gasoline and motor oil	2,296		2,160		2,190	
Other vehicle expenses	2,798		2,589		2,639	
Vehicle finance charges	198		179		183	
Maintenance and repairs	971		895		919	
Vehicle insurance	1,264		1,189		1,200	
Vehicle rental leases	364		324		336	
Public transportation	541		476		505	
Health care	4,117	7.56 %	3,886	7.80 %	3,946	7.70 %
Health insurance	2,661		2,542		2,572	
Medical services	906		827		846	
Drugs	414		390		399	
Medical supplies	135		125		128	
Entertainment	3,279	6.02 %	2,971	5.96 %	3,051	5.96 %
Fees and admissions	666		569		602	
Television radios	1,105		1,049		1,059	
Pets toys	1,188		1,080		1,112	
Personal care products	707		641		661	
Reading	57		55		56	
Education	1,446		1,258		1,346	
Tobacco products	395		402		401	
Miscellaneous	861	1.58 %	808	1.62 %	833	1.63 %
Cash contributions	1,447		1,370		1,383	
Personal insurance	6,649		5,606		5,932	
Life and other personal insurance	194		173		179	
Pensions and Social Security	6,454		5,433		5,753	

Estimated Households					Housing Occupied By		Housing Occupancy		
Distance	Year	Projection	2000	Change	1 Person	Family	Owner	Renter	Vacant
1-Mile	2020	6,910	5,265	31.30 %	1,115	5,413	5,599	1,311	239
3-Mile	2020	41,722	32,690	27.91 %	10,336	28,733	29,964	11,758	2,198
5-Mile	2020	70,505	55,346	26.56 %	15,933	50,239	53,499	17,006	4,012
1-Mile	2023	6,099	5,265	15.94 %	982	4,782	5,313	786	1,416
3-Mile	2023	36,664	32,690	12.91 %	9,051	25,291	27,938	8,726	9,397
5-Mile	2023	61,936	55,346	11.46 %	13,958	44,183	50,144	11,792	16,149



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KEY FACTS

13,406

Population



Average
Household Size

34.3

Median Age

\$83,148

Median Household
Income

EDUCATION

5%

No High
School
Diploma



20%

High School
Graduate



37%

Some College



38%

Bachelor's/Grad/Prof
Degree

BUSINESS



232

Total Businesses



1,528

Total Employees

EMPLOYMENT



72%

White Collar



12%

Blue Collar



16%

Services

3.9%

Unemployment
Rate

INCOME



\$83,148

Median Household
Income



\$32,419

Per Capita Income



\$222,233

Median Net Worth

Households By Income

The largest group: \$100,000 - \$149,999 (23.4%)

The smallest group: <\$15,000 (3.6%)

Indicator	Value	Difference	
<\$15,000	3.6%	-9.1%	
\$15,000 - \$24,999	4.7%	-6.8%	
\$25,000 - \$34,999	5.6%	-4.5%	
\$35,000 - \$49,999	9.6%	-3.8%	
\$50,000 - \$74,999	18.2%	-0.5%	
\$75,000 - \$99,999	20.3%	+7.9%	
\$100,000 - \$149,999	23.4%	+11.1%	
\$150,000 - \$199,999	8.5%	+4.0%	
\$200,000+	6.1%	+1.7%	

Bars show deviation from
Bernalillo County

KEY FACTS

90,034

Population



Average
Household Size

37.2

Median Age

\$64,250

Median Household
Income

EDUCATION

5%

No High
School
Diploma



23%

High School
Graduate



37%

Some College



34%

Bachelor's/Grad/Prof
Degree

BUSINESS



2,587

Total Businesses



24,297

Total Employees

EMPLOYMENT



71%

White Collar



14%

Blue Collar



16%

Services

4.7%

Unemployment
Rate

INCOME



\$64,250

Median Household
Income



\$31,258

Per Capita Income



\$140,261

Median Net Worth

Households By Income

The largest group: \$50,000 - \$74,999 (20.5%)

The smallest group: \$200,000+ (4.9%)

Indicator	Value	Difference	
<\$15,000	7.4%	-5.3%	
\$15,000 - \$24,999	8.3%	-3.2%	
\$25,000 - \$34,999	8.4%	-1.7%	
\$35,000 - \$49,999	12.3%	-1.1%	
\$50,000 - \$74,999	20.5%	+1.8%	
\$75,000 - \$99,999	16.6%	+4.2%	
\$100,000 - \$149,999	15.9%	+3.6%	
\$150,000 - \$199,999	5.8%	+1.3%	
\$200,000+	4.9%	+0.5%	

Bars show deviation from
Bernalillo County

KEY FACTS

163,576

Population



2.6

Average Household Size

37.6

Median Age

\$66,680

Median Household Income

EDUCATION

6%

No High School Diploma



23%

High School Graduate



36%

Some College



35%

Bachelor's/Grad/Prof Degree

BUSINESS



4,095

Total Businesses



37,329

Total Employees

EMPLOYMENT



White Collar

70%



Blue Collar

15%



Services

15%

4.6%

Unemployment Rate

INCOME



\$66,680

Median Household Income



\$31,860

Per Capita Income



\$156,114

Median Net Worth

Households By Income

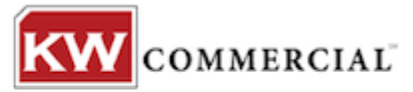
The largest group: \$50,000 - \$74,999 (20.2%)

The smallest group: \$200,000+ (5.5%)

Indicator	Value	Difference	
<\$15,000	7.6%	-5.1%	
\$15,000 - \$24,999	7.9%	-3.6%	
\$25,000 - \$34,999	7.5%	-2.6%	
\$35,000 - \$49,999	11.9%	-1.5%	
\$50,000 - \$74,999	20.2%	+1.5%	
\$75,000 - \$99,999	16.2%	+3.8%	
\$100,000 - \$149,999	16.8%	+4.5%	
\$150,000 - \$199,999	6.4%	+1.9%	
\$200,000+	5.5%	+1.1%	

Bars show deviation from
Bernalillo County

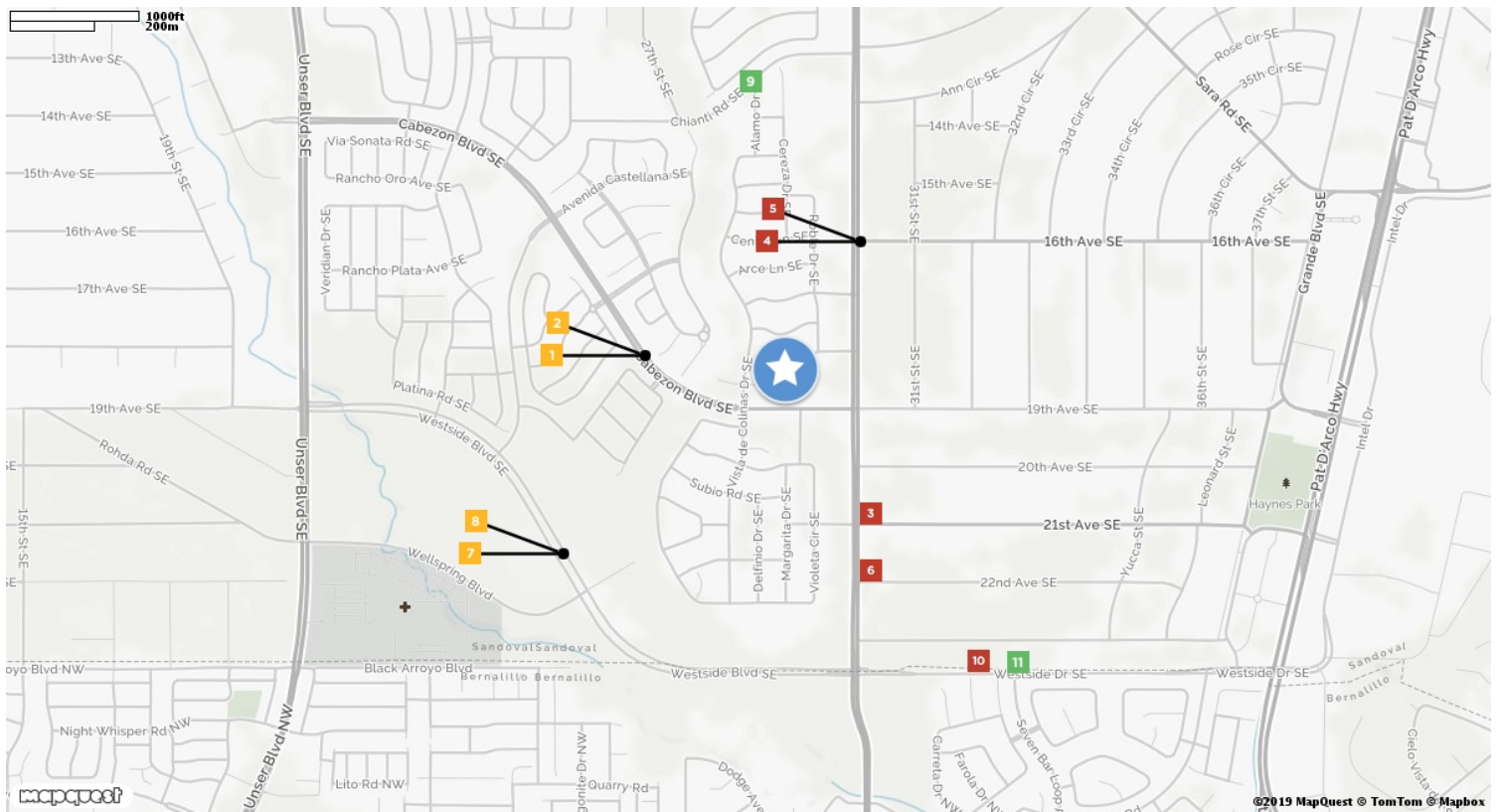
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Traffic Counts



CABEZON	1	EAST OF WESTERN HILLS	2	NORTH OF WESTSIDE BLVD.	3	NORTH OF 19TH	4	GOLF COURSE ROAD	5
		WEST OF GOLF COURSE RD.		TO SOUTH OF 19TH AVE.		SOUTH OF CHIANTI			
Year: 2016	5,496	Year: 2013	6,243	Year: 2014	15,005	Year: 2014	10,389	Year: 2016	10,038
GOLF COURSE ROAD	6	WESTSIDE BLVD.	7	EAST OF UNSER	8	CHIANTI	9	WESTSIDE BLVD.	10
				WEST OF GOLF COURSE					
Year: 2016	14,566	Year: 2016	8,493	Year: 2014	8,772	Year: 2016	0	Year: 2016	14,142
EAST OF GOLF COURSE	11								
WEST OF 7 BAR LOOP									
Year: 2014	4,930								



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ADDITIONAL INFORMATION

4

ZONE MAP

O-1 ZONING

PLAT SURVEY

CITY DOCUMENTS

PEACE_LUTHERAN_PARKING_VARIANCE.PDF



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,
CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User
Community

154.20 O-1: OFFICE DISTRICT.

(A) *Purpose.* This district permits office uses. This district may act as a buffer between residential property and more intensive nonresidential uses or may be located adjacent to any other use. No noise, odor or vibration shall be emitted which would cause a negative impact on the adjacent residential district. Such comparison shall be made at the property line.

(B) *Permissive uses.*

- (1) Office uses.
- (2) Banks and financial institutions.
- (3) Beauty shop, barber shop, hair and nail salon.
- (4) Church, or other place of worship, including incidental facilities.
- (5) Club or association meeting space, provided there is no liquor license.
- (6) Manager/caretaker residential uses within the structure.
- (7) Incidental uses within a building or on a site owned in common with a primary office use for uses such as coffee or snack shop, restaurant, newsstand so long as it is not the primary use of the site.
- (8) Institutions such as library, museum, schools, day care, senior transitional care facility, fire or police stations.
- (9) Hospital and other health services.
- (10) Medical supplies and services such as drug prescription and health care supplies, physical therapy office, shop for prosthetic or health aid devices, or medical or dental laboratory.
- (11) Amateur radio antenna, up to 65 feet in height from grade.
- (12) Public facilities.
- (13) Park and ride facilities and parking lots.
- (14) Photocopy, photography studio, shipping and messenger service offices.
- (15) Public utility structures and facilities.
- (16) Radio or television studios that do not exceed height limits.
- (17) Storage structure or yard for equipment; provided, that outdoor equipment is stored behind a six-foot solid wall, and the storage is ancillary to an office use and located in the back or rear yard.

(C) *Conditional uses (requiring use permit).*

- (1) Amateur radio antenna over 65 feet in height from grade;
- (2) Community residential care facilities;
- (3) R-3 multi-family uses above the first floor;
- (4) Retail or restaurant facilities that are not permissive and incidental to other uses on the site;
- (5) Office uses that exceed the height limits of this district;
- (6) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material as defined in Article III, Section [154.75\(D\)](#).

154.21 RESERVED.

154.22 NC: NEIGHBORHOOD COMMERCIAL DISTRICT. Revised 9/18

(A) *Purpose.* This district permits limited commercial and residential uses such as those pertaining to the day-to-day needs of the residential populace.

(B) *Permissive uses.*

- (1) Stores for the sale of retail goods, products, and services; except gasoline stations are not permitted;
- (2) Repair shops – electrical, radio, and television appliances, keys and similar articles;
- (3) Shops – dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;
- (4) Banks and office buildings;
- (5) Churches, or other place of worship, including incidental facilities;
- (6) Restaurants, including outdoor dining, provided outdoor seating is 75 feet away from any residential zone;
 - (a) There shall be no drive-in or drive-up restaurants;
 - (b) Alcoholic drinks may be sold only under a restaurant license for sale of beer and wine, as per NMSA 1978 [Chapter 60](#), Article [6A](#), Restaurant License;
- (7) Bakeries and confectionaries where goods are sold at retail prices;
- (8) Parks, recreational parks, open spaces, public facilities;
- (9) Nursery schools and daycare facilities;
- (10) Undertaking establishments;
- (11) Clubhouses or buildings for fraternal organizations provided there is no liquor license, and nonprofit public service organizations;
- (12) Medical complexes, professional offices associated with medical complexes, and veterinarians with overnight kenneling for medical purposes only (no boarding kennels);
- (13) Photocopying and blueprinting businesses;
- (14) Residential uses are permitted as a secondary use conducted in conjunction with a primary business use, provided the following conditions shall be met:
 - (a) The exterior of any residential building shall be constructed of materials similar in color and appearance to those used in the primary business structure.
 - (b) The residence shall be located either as part of the primary business structure or behind the primary business structure.
 - (c) The residence can be used as a residence but cannot be used in a business capacity;
- (15) Public utilities, electric facilities including, but not limited to, substations, switching stations and generation.

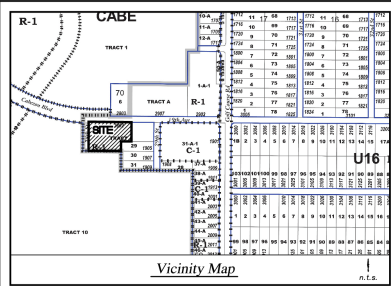
(C) *Conditional uses (require use permit).*

- (1) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material as defined in Article III, Section [154.75\(D\)\(1\)](#);
- (2) Buildings and structures – commercial;
- (3) Schools;

(4) Storage, limited to self-storage units and storage of vehicles which are behind a wall and not visible from the surrounding neighborhood;

(5) Research and development offices, excluding those that could be a nuisance or hazard to the surrounding neighborhood.

(Ord. 18-20)



Purpose of Plat

- 1. TO SUBDIVIDE ONE TRACT INTO TWO TRACTS.
- 2. GRANT EASEMENTS AS SHOWN HEREON.

Notes

- 1. FIELD SURVEY PERFORMED IN FEBRUARY 2012, AUGUST 2015 AND SUPPLEMENTAL DATA IN MAY 2016.
- 2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
- 3. THE PARCELS SHOWN HEREON ARE LOCATED IN SECTION 36, TOWNSHIP 12 NORTH, RANGE 2 EAST, AS PROJECTED INTO THE TOWN OF ALAMEDA GRANT.
- 4. BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-NAD 83-GROUND), USING GROUND TO GRID OF 0.999670465.
- 5. SUBDIVISION DATA:
 - NUMBER OF LOTS REPLATTED: 1
 - NUMBER OF LOTS CREATED: 2
 - MILES OF ROAD CREATED: 0
 - ACREAGE IN ROADS: 0 ACRES
 - TOTAL PLATTED ACREAGE: 2.0094 ACRES
- 6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND) USING GROUND TO GRID OF 0.999670465.
- 7. RECORD MEASUREMENTS MATCH FIELD MEASUREMENTS.

Legal Description

TRACT "B" IN BLOCK 60, RIO RANCHO ESTATES UNIT 16, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED, "SUMMARY PLAT TRACTS B & C, BLOCK 60, RIO RANCHO ESTATES UNIT 16, COMPRISED OF TRACT A, BLOCK 60, RIO RANCHO ESTATES UNIT 16, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO," FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON APRIL 13, 2012, IN VOLUME 3, FOLIO 3442 (RIO RANCHO ESTATES PLAT BOOK 24, PAGE 45).

Free Consent

THE SUBDIVISION SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S), SAID OWNER(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

Shown Pautz, Treasurer, Peace Lutheran Church Date

STATE OF NEW MEXICO }
COUNTY OF SANDOVAL } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2016
BY: Shown Pautz, Treasurer, Peace Lutheran Church

By: _____ NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Indexing Information

Section 36, Township 12 North, Range 2 East,
as Projected into the Town of Alameda Grant
Subdivision: Rio Rancho Estates Unit 16
Owner: Peace Evangelical Lutheran Church
UPC #: 1-012-067-324-293

Filing Information

INSTRUMENT NO.
Summary Plat
Tracts B1 and B2, Block 60
Rio Rancho Estates Unit 16
Comprised of
Tract B, Block 60
Rio Rancho Estates Unit 16
City of Rio Rancho, Sandoval County, New Mexico
June 2016

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

Public Signatures

DEVELOPMENT SERVICES DEPARTMENT

APPROVED THE _____ DAY OF _____, 2016.

BY: ANTHONY CARAVELLA, DEVELOPMENT SERVICES DIRECTOR

CITY CLERKS CERTIFICATE:

I, STEPHEN RUGER, CITY CLERK OF THE CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT DIRECTOR ON THE _____ DAY OF _____, 2016.

BY: STEPHEN RUGER, CITY CLERK

TREASURES CERTIFICATE:

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

SANDOVAL COUNTY TREASURER DATE

Public Utility Easements:

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

- A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and 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.

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, regist or other document and which are not shown on this plat.

Utility Signatures

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

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 NEW MEXICO REGISTERED, PROFESSIONAL, LAND SURVEYOR DO HEREBY CERTIFY THAT A BOUNDARY SURVEY OF THE REAL PROPERTY SHOWN HEREON HAS BEEN SURVEYED, MONUMENTED AND PLATTED IN ACCORDANCE WITH THE STANDARDS FOR LAND SURVEYS IN THE STATE OF NEW MEXICO, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION.

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

CARTESIAN SURVEYS INC.

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



Sheet 1 of 2
120288
Book 26, Page 75

INSTRUMENT NO.

Comprised of

Tract B, Block 60
Rio Rancho Estates Unit 16
City of Rio Rancho, Sandoval County, New Mexico
June 2016

N 90°00'00" E	MEASURED BEARING AND DISTANCES
⊙	FOUND AS INDICATED
○	SET BATHEY MARKER "LS 14271" UNLESS OTHERWISE NOTED

1 EXISTING 5' P.U.E. (6/28/64, BK. 1, PG. 13A)

- 2 EXISTING 5' P.U.E. (04/13/2012, BK. 3, PG. 3442)

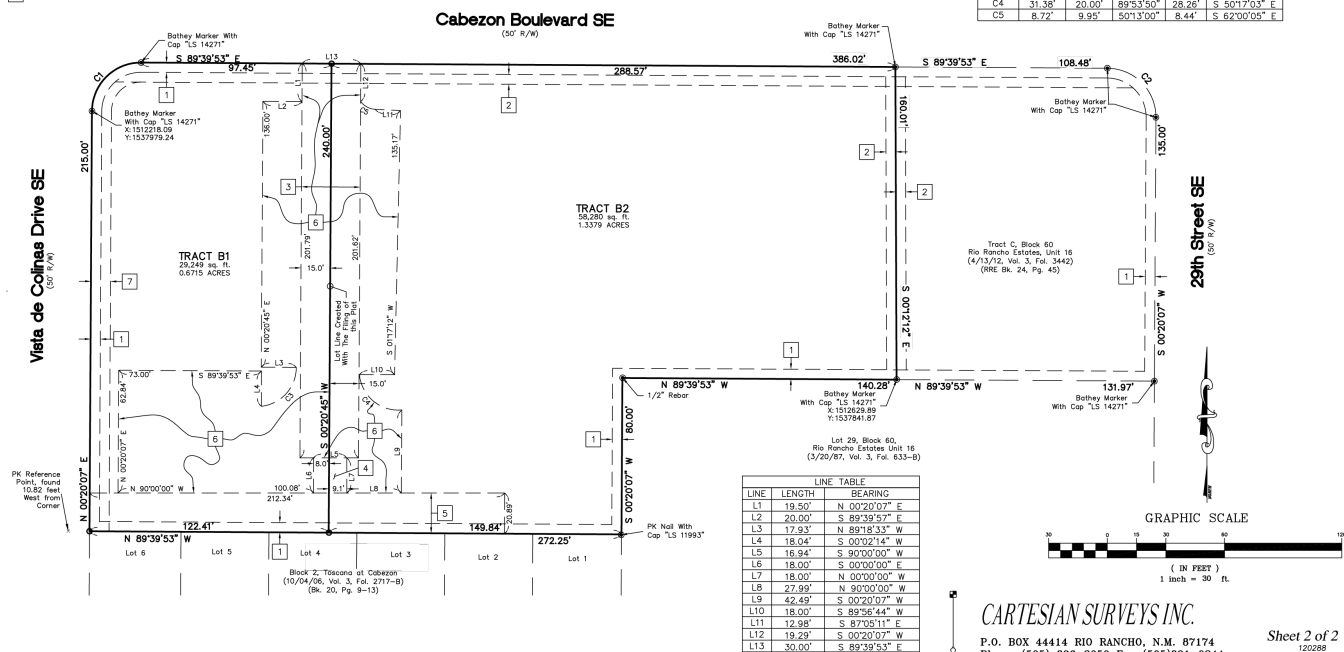
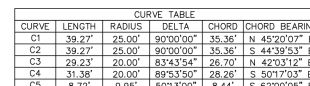
- [3] 30' ACCESS EASEMENT BENEFITING TRACTS B1 AND B2, TO BE MAINTAINED BY THE OWNERS OF BOTH LOTS, GRANTED WITH THE FILING OF THIS PLAT.

- 4 18' x 17' EASEMENT FOR THE SHARED BENEFIT OF LOTS B1 AND B2 FOR THE LOCATION OF A DUMPSTER PAD AND RELATED IMPROVEMENTS AND FOR THE OPERATION OF A SHARED TRASH DUMPSTER, FOR THE BENEFIT OF THE OWNERS OF EACH LOT AND TO BE MAINTAINED BY THE OWNERS OF EACH LOT, GRANTED WITH THE FILING OF THIS PLAT.

- 5] PRIVATE DRAINAGE EASEMENT BENEFITTING LOTS B1 AND B2. TO BE MAINTAINED BY THE OWNERS OF EACH LOT. GRANTED WITH THE FILING OF THIS PLAT.

6. SHARED PRIVATE PARKING EASEMENT BENEFITING LOTS R1 AND R2, TO BE MAINTAINED BY THE OWNERS OF EACH LOT, GRANTED WITH THE FILING OF THIS PLAT.

7. 10' R.I.F.E. GRANTED WITH THE FILING OF THIS PLAT.





CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 12

ENACTMENT NO. 16-09

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR TWO (2) ACRES OF LAND LEGALLY DESCRIBED AS UNIT 16, BLOCK 60, TRACT B, FROM R-1/SINGLE FAMILY RESIDENTIAL DISTRICT TO O-1/OFFICE DISTRICT PROVIDING FOR IMPLEMENTATION OF O-1/OFFICE DISTRICT REGULATIONS ON THE SUBJECT PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 (RRCO) Section 150.07, an application to amend the zoning designation on the subject property has been submitted by owners Peace Lutheran Church, represented by Consensus Planning, Inc., and assigned City Case No. 15-100-00013; and,

WHEREAS, the approval of a zone map amendment will allow for infill development of vacant and underutilized lands; act as a buffer between residential properties and more intense commercial uses; and promote and support land uses that are compatible with existing development; and,

WHEREAS, the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on February 9, 2016, 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 RRCO 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 RRCO Section 150.07; and,

WHEREAS, a public hearing occurred, in accordance with procedures set for the in RRCO Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on March 23, 2016, and the Governing Body heard interested parties and citizens for and against the proposed amendments; and,

WHEREAS, the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in RRCO Section 150.07 (D), the Governing Body finds the amendments promote the health, safety, morals, and general welfare of the City.

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

Section 1. Rezoning of Property and Change in Land Use:

The Official Zone Map is hereby amended by changing the zoning designation from R-1/Single Family Residential District to O-1/Office District on land legally described as;

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- Tract B, inclusive in Block 60, Unit 16, as same is shown designated on the plat entitled "SUMMARY PLAT, TRACTS B & C, BLOCK 60, RIO RANCHO ESTATES, UNIT 16 Comprised of Tract A, Block 60 Rio Rancho Estates Unit 16, City of Rio Rancho, Sandoval County, New Mexico" filed in the office of the County Clerk of Sandoval County on April 13, 2012, in Book Number 24, Page 45.

Section 2. Severability Clause:

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

Section 3. Effective Date:


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

ADOPTED THIS 23rd DAY OF MARCH, 2016.



Greggory D. Hull, Mayor

ATTEST:



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

**CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM
AND PLANNING BOARD REPORT**

REFERENCE NO. 012

AGENDA DATE: March 23, 2016

DEPARTMENT: Development Services

SUBJECT: Ordinance adopting amendments to the
City of Rio Rancho zoning map (Attachment II)

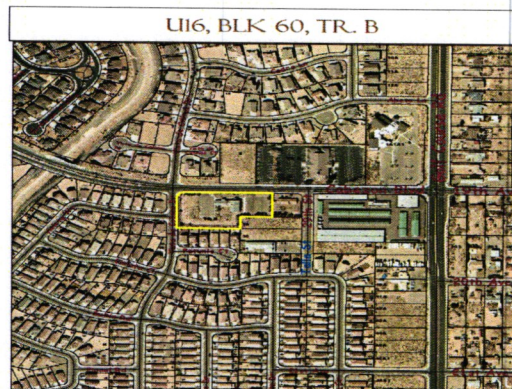
CASE NO: 15-100-00013

PROPERTY: Unit 16, Block 60, Tract B

APPLICANT: Peace Lutheran Church

AGENT: Jacqueline Fishman, Consensus Planning Inc.

RECOMMENDATION: Approval with Findings



SYNOPSIS:

The applicant, Peace Lutheran Church, requests a recommendation for approval of a zone map amendment to rezone the subject property known legally as Unit 16, Block 60, Tract B from R-1/Single Family Residential to O-1/Office District.

- The underlying land use of the proposed zone change area is depicted on the Comprehensive Plan Generalized Land Use Map (GLUM) as Civic which includes churches, schools, and public facilities, and may include offices, community centers and daycares.
- Rationale has been provided in the Comprehensive Plan Land Use Element and in the justification letter that supports the request to rezone to O-1/Office District.
- On February 9, 2016 the Planning and Zoning Board voted unanimously to recommend approval of the applicants request for a zone map amendment to rezone the subject property to O-1/Office District.

BACKGROUND/ANALYSIS:

The Peace Lutheran Church located at 2800 Cabezon Boulevard SE, is situated on a \pm 2 acre parcel of land at the corner of Cabezon Boulevard SE and Vista Colinas Drive SE. The church utilizes the easterly portion of the property for their sanctuary, parking and playground area. A .62 acre portion of the lot has remained vacant and underutilized and, the applicant proposes to develop the unused portion of the property and construct an office building. The most appropriate zoning designation to allow such a use is the O-1/Office District.

According to the City Comprehensive Plan, Chapter 5: Land Use Element, Section 5.5.5 Office; and Rio Rancho Zoning Code, Chapter 154.19 O-1/Office District, the office land use category and implementing O-1 zoning district is intended to provide opportunities for a variety of office uses and to provide a buffer between residential uses and more intense commercial uses.

A church is permitted in all zoning districts and a change to O-1/Office District would be an appropriate district as the property abuts a commercially zoned lot at its southeast boundary. The proposed O-1 zoning will create a buffer between the residential properties to the west and the non-residential properties developing to the east.

The subject property is located in the boundaries of the Golf Course Road Corridor Plan and is adjacent to the Cabezon Master Plan, a development created with a mix of commercial and residential land uses.

- The subject property is located along Cabezon Boulevard a minor arterial, east of the Cabezon Communities Subdivision that was developed with the intent to provide a variety of land uses and neighborhood types, including housing choices, and commercial and office/mixed use areas for employment opportunities that are compatible to this proposal.
- A change to the Office District would provide for neighborhood scale office uses to be located within/adjacent to a residential area as is noted in the City Comprehensive Plan, Cabezon Master Plan, and the Golf Course Road Corridor Plan.

SURROUNDING LAND USE/ZONING:

North A church, vacant and developed property zoned R-1/Single Family Residential.
East: A single family home zoned R-1/Single Family Residential, developed and vacant land zoned NC/Neighborhood Commercial.
South & West: Single Family homes zoned R-4/Single Family for medium density homes.

ANALYSIS:

The vicinity of the subject property contains a mix of zoning designations that includes R-1, R-4, NC and C-1 Districts as displayed on Zoning Map (Attachment V). The area is comprised of a mixture of land uses which include churches, offices, storage facilities, single family homes, and daycare facilities. The Cabezon Boulevard corridor is transitioning from residential uses to commercial uses in the vicinity.

REVIEWED BY:

☒ DSD Engineering ☒ Fire & Rescue

Comments were received by DSD Engineering and Fire & Rescue, and were forwarded to the applicant.

FINDINGS OF CONFORMANCE WITH CITY PLANS, POLICIES AND REGULATIONS:

CONFORMANCE TO THE CITY COMPREHENSIVE PLAN

The *City Comprehensive Plan* (CCP) implementation considers that a zone map amendment proposal be evaluated based on its level of conformance with the CCP's *Goals, Policies, and Actions*. The CCP is a statement of how the community desires to grow, and is the basis for approving zoning approvals provided they comply with the Elements of the Plan; Land Use, Urban Design and Economic Development.

The following are excerpts from the applicant's justification letter (Attachment III) addressing certain elements of the CCP.

The Land Use Element by allowing for the construction of a low impact and neighborhood scaled non-residential building that will complement and provide service to the community;

The Urban Design Element by providing infill development of a vacant and underutilized portion of an existing developed lot, and by providing a buffer to the adjacent residential properties; and

The Economic Development Element by allowing the office use to create jobs for City residents and enhance the tax base for Rio Rancho.

Finding: *The CCP Land Use Element states that the Office land use category (and implementing O-1 zoning district) is intended to provide opportunities for a variety of office uses, and is intended to provide a buffer between residential uses and more intense commercial uses.*

The CCP's Vision for Growth states that the City should create the opportunity or flexibility to allow neighborhood serving non-residential uses to be located within and adjacent to residential areas.

The CCP Urban Design Element focuses on creating traditional neighborhoods that have a balance of land uses and a variety of housing types within walking distance of commercial services; that creates a sense of place and fosters human interaction.

The request to change the zoning designation for the subject properties is consistent with the goals and policies contained in the CCP to promote and support neighborhood scale retail activities that are consistent with residential development.

GOLF COURSE ROAD CORRIDOR PLAN (GCRCP)

When the GCRCP was adopted in 1998, Tract B and other lots in the vicinity were incorporated into the Plan as existing developed properties. The Golf Course Road Corridor Plan was created to provide a zoning overlay on the west side of Golf Course Road primarily to accommodate non-residential development along the corridor. The boundary of the plan also included properties along 19th Avenue (now Cabezon Boulevard). At the time, there was a significant amount of vacant land on the west side of Golf Course Road. The vacant areas were to be targeted for infill development, consistent with the need to establish a wider variety of uses complimentary to their proximity to the residential area to the east.

***Finding:** The subject property is located within the GCRCP. The proposed zoning is consistent with the intent of the Plan by providing a complimentary land use in close proximity to, and to provide an appropriate buffer to the surrounding residential community.*

CONFORMANCE WITH THE CITY ZONING ORDINANCE

The City Zoning Ordinance Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning & Zoning Board when a change in zoning designation is sought.

Finding: This zone map amendment request conforms to this ordinance.

Pursuant to the criteria provided by City Zoning Code Chapter 150, Ordinance # O-22, Enactment 09-23 (Sections D – G), a request for change in zoning designation must address the following policies for change:

- (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.
 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.
 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.
 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 a 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 (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.
- (E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.
- (F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.
- (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.

The applicant has responded to the policies in the detailed Justification Letter included as Attachment III.

FINDING: Staff finds that the request is consistent with:

- 4B "Changed neighborhood or community conditions justify a change in land use" due to the diversity of zoning and land uses in the vicinity"

Finding: An approved change in zone designation to O-1/Office District is consistent with the way the area is developing. As previously noted, the Cabezon community has developed with a mix of housing types and commercial land uses within and surrounding that community. In addition, the office district is a more appropriate and advantageous zoning designation for the subject property than residential as it can function as a buffer to the more impactful NC/Neighborhood Commercial zoning that it abuts to the east. The change will create job opportunities and provide services for the church and the community.

- 4C "A different use category is more advantageous to the community as articulated in the Comprehensive Plan" by allowing infill development of a vacant site with a low impact non-residential use; by creating a use that provides jobs and benefits the tax base for the City"

Finding: The approval of a zone map amendment will bring the subject property into conformance with the goals and objectives of the CCP by providing infill development of vacant land.

- 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."

Finding: Should the zone map amendment be approved by the Governing Body, the status of the remaining residential lot, Tract C, could be considered a spot zone. However, according to the CCP, Generalized Land Use Map (Attachment IV), the underlying land use of Tract C is Civic. This Civic designation is consistent with the underlying land use of the rezoning action being considered. Therefore, it is anticipated that the land use of Tract C will be office or consistent with a civic land use designation in the future.

- G1 "the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan"

Finding: The zone map amendment would clearly facilitate realization of the Comprehensive Plan and the Golf Course Road Corridor Plan in the following manner:

Vision for Growth:

1.1.2 Create the opportunity or flexibility to allow neighborhood serving commercial to be located within a residential area.

Land Use:

Goal L-1: Encourage mixed uses – retail, office, and residential centered on pedestrian oriented developments along principal arterials.

Urban Design:

10.3.2 Traditional Neighborhood Development (TND)

TND is a comprehensive planning system that includes a variety of housing types and a mix of land uses such as civic, commercial and educational to be located within walking distance of residential areas while creating a sense of place within the community.

- G2 "The area of the proposed zone change is different from surrounding land because it may 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."

***Finding:** The Office District is intended to provide a buffer between residential uses and more intense commercial uses. The Cabezon Boulevard corridor is transitioning from residential to commercial in this vicinity. The existing structure on the property is a church, which is not suitable for a residential use.*

The area of the proposed zone change is depicted on the Comprehensive Plan Generalized Land Use Map as Civic. Civic land uses may include churches, schools, and public facilities such as offices, community centers and daycares that are permissive in all zone districts. Civic land uses have similar characteristics to land uses in the Office District that include a variety of office uses such as financial, services or public administration.

NOTIFICATIONS:

Sandoval County records were researched to determine ownership of properties within 100 feet the subject property. Notices were sent to neighboring property owners within 100 feet of the subject property by certified mail to provide notice of the Governing Body hearing scheduled for March 23, 2016. Legal notice was placed in the February 6, 2016 edition of the Rio Rancho Observer. All notification requirements have been met.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends **APPROVAL** of the proposed ordinance (Attachment II) approving the zoning designation for the subject property with specific findings.

GENERAL FINDINGS:

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

SPECIFIC FINDINGS:

1. The subject property is located in an area served by a variety of residential and commercial land uses.
2. The underlying land use of the proposed zone change area is depicted on the Comprehensive Plan Generalized Land Use Map as Civic which includes churches, schools, and public facilities such as offices, community centers and daycares.
3. The underlying land use of the adjacent property, Tract C, zoned R-1/Single Family Residential is Civic, which is consistent with the underlying land use of the rezoning action being considered. Therefore, it is anticipated that the land use of this R-1 property will be office or consistent with a civic land use designation in the future.
4. The approval of the zone map amendment to O-1/Office District will allow for infill development of a vacant and underutilized portion of property, and provide a buffer for the adjacent residential properties.
5. The Office District zoning designation allows for a low impact land use that may complement the surrounding community, create jobs and enhance the city tax base.
6. Churches, or other places of worship, including incidental facilities are a permissive use in the O-1/Office District.
7. The applicant has submitted justification that demonstrates the change in zoning designation meets the requirements of City Ordinance as set forth in Section 150.07 Rio Rancho Ordinance 2003; Requirements for amendments to the Zone Map.

ALTERNATIVES:

The Governing Body has three alternatives on the disposition of this request for a zone map amendment.

The Governing Body may:

1. Approve the applicants' request;
2. Deny the applicants' request, or
3. Postpone its decision to allow for additional review and consideration.

PREPARED BY:


Joyce Jordan, Municipal Planner

DATE: 3-4-16

DEPARTMENT DIRECTOR:


Anthony Caravella, Director

DATE: 3/4/2016

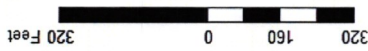
CITY MANAGER:


Keith Riesberg, City Manager

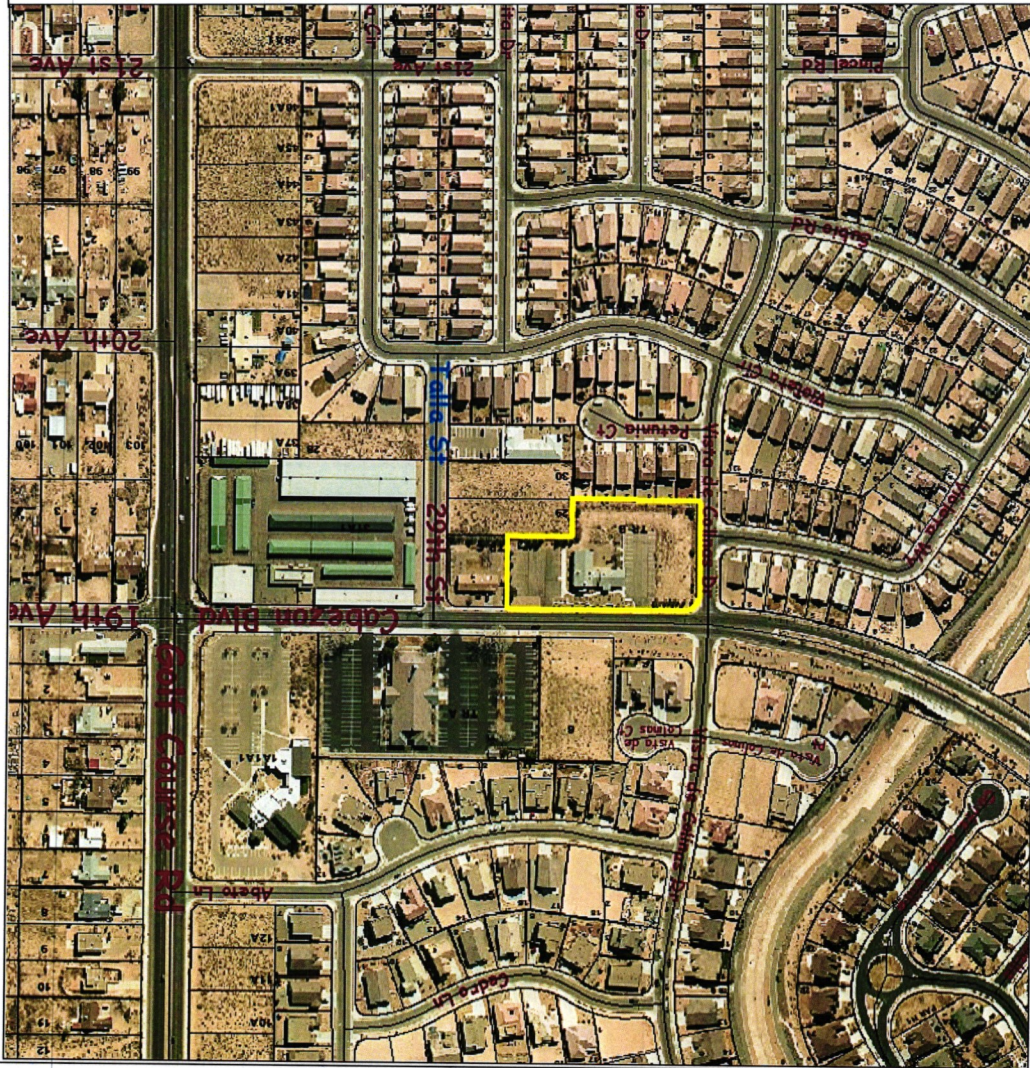
DATE: 3/14/16

ATTACHMENT(s):

- I: Location Map
- II: Proposed Ordinance
- III: Justification Letter and Addendum
- IV: Specific Area portion of Comprehensive Plan Generalized Land Use Map
- V: Zoning Map
- VI: Planning and Zoning Board Minutes of February 9, 2016



Map Created by Joyce Jordan, January 8, 2016



U16, BLK 60, TR. B

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 TWO (2) ACRES OF LAND LEGALLY DESCRIBED AS UNIT 16, BLOCK 60, TRACT B, FROM R-1/SINGLE FAMILY RESIDENTIAL DISTRICT TO O-1/OFFICE DISTRICT PROVIDING FOR IMPLEMENTATION OF O-1/OFFICE DISTRICT REGULATIONS ON THE SUBJECT PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 (RRCO) Section 150.07, an application to amend the zoning designation on the subject property has been submitted by owners Peace Lutheran Church, represented by Consensus Planning, Inc., and assigned City Case No. 15-100-00013; and,

WHEREAS, the approval of a zone map amendment will allow for infill development of vacant and underutilized lands; act as a buffer between residential properties and more intense commercial uses; and promote and support land uses that are compatible with existing development; and,

WHEREAS, the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on February 9, 2016, 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 RRCO 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 RRCO Section 150.07; and,

WHEREAS, a public hearing occurred, in accordance with procedures set for the in RRCO Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on March 23, 2016, and the Governing Body heard interested parties and citizens for and against the proposed amendments; and,

WHEREAS, the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in RRCO Section 150.07 (D), the Governing Body finds the amendments promote the health, safety, morals, and general welfare of the City.

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

Section 1. Rezoning of Property and Change in Land Use:

The Official Zone Map is hereby amended by changing the zoning designation from R-1/Single Family Residential District to O-1/Office District on land legally described as;

- Tract B, inclusive in Block 60, Unit 16, as same is shown designated on the plat entitled "SUMMARY PLAT, TRACTS B & C, BLOCK 60, RIO RANCHO ESTATES, UNIT 16 Comprised of Tract A, Block 60 Rio Rancho Estates Unit 16, City of Rio Rancho, Sandoval County, New Mexico" filed in the office of the County Clerk of Sandoval County on April 13, 2012, in Book Number 24, Page 45.

Section 2. Severability Clause:

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

Section 3. Effective Date:

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

ADOPTED THIS 23rd DAY OF MARCH, 2016.

Greggory D. Hull, Mayor

Date

ATTEST:

Steven Ruger, City Clerk
(S E A L)



January 21, 2016

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

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495

cp@consensusplanning.com
www.consensusplanning.com

Re: Request for a Zone Map Amendment

Dear Chairman Heil:

The purpose of this letter is to modify our original request for a Zone Map Amendment for the property owned by Peace Lutheran Church located at the southeast corner of Cabezon Boulevard and Vista De Colinas.

Our original request was for a Zone Map Amendment from R-1 to SU for O-1 Permissive Uses. We would like to modify our request to straight O-1. This will cover the entire 2 acre site owned by Peace Lutheran Church. Modifying our request for a Zone Map Amendment is the result of numerous conversations with City Planning staff and we are in agreement with this approach. In addition, we have also submitted a parking variance for the property, per staff's recommendations, to allow for shared parking between two non-competing uses.

City staff also asked the applicant to consider including the residential lot located to the east of the church property as part of our zone change request. Our concern with including this property, which is owned separately from the Church, is that it would make the residential use non-conforming and would be subject to the regulations contained in Section 154.24 *Non-Conforming Uses* of the City's Zoning Code. Specifically, Section D requires the restoration of a permitted use in the case where more than 50% of the replacement cost of the structure is damaged or destroyed. The owner of this residential property does not agree with this provision; therefore, we are not including this lot in our request.

Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP
Principal

PRINCIPALS

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



December 16, 2015

Mr. David Heil, Chairman
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Landscape Architecture
Urban Design
Planning Services

Re: Request for a Zone Map Amendment

302 Eighth St. NW
Albuquerque, NM 87102

Dear Mr. Chairman:

(505) 761-9801
Fax 812-5195
cp@consensusplanning.com
www.consensusplanning.com

This is a request for a zone map amendment for the property at the southeast corner of Cabezon Boulevard SE and Vista de Colinas Drive SE. The property is located within the Golf Course Road Corridor Plan and is legally described as Tract A-1, Block 60, Rio Rancho Estates Unit 16. The entire property is approximately 2.0 acres in size and zoned R-1. The property currently contains the Peace Lutheran Church on the eastern portion.

The applicant is requesting a zone change to Special Use for O-1 Permissive Uses for a portion of the site (0.6272 acres). A site development plan, landscape plan, conceptual grading and drainage plan, conceptual utility plan, and building elevations are included in the submittal package. Contingent upon approval of the zone map amendment and site plan, the applicant will replat the property to create a new parcel for development of the office use on the western, undeveloped portion of the site. The Peace Lutheran Church will remain on the eastern side of the property.

ZONE MAP AMENDMENT TO SPECIAL USE

The subject property is currently underutilized and Peace Lutheran Church has no plans for expansion. The existing R-1 zoning is a significant constraint to development of this infill site. Access for single family development would be from Vista Colinas Drive. The shallow depth would be physically challenging; several curb cuts would be required and the rear yards would back up to the Church parking lot. This undeveloped, dirt portion of the property is unsightly at an entrance to the existing neighborhood and would likely stay that way unless the zoning is changed.

A more viable alternative to single family development would be neighborhood-scale office use, which would share access from the Church's existing driveway at Cabezon Boulevard. Office is the least impactful of all non-residential uses as it would be open during day/week time hours. Zoning the property for Special Use requires a site development plan, which provides the oversight and assurances needed by the adjacent neighborhood that the property will be developed with appropriate landscape buffers, access, land use, and building height.

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PL A,
ASLA, LEED AP
Jacqueline Fishman, AICP
Laure Firor, PL A, ASLA

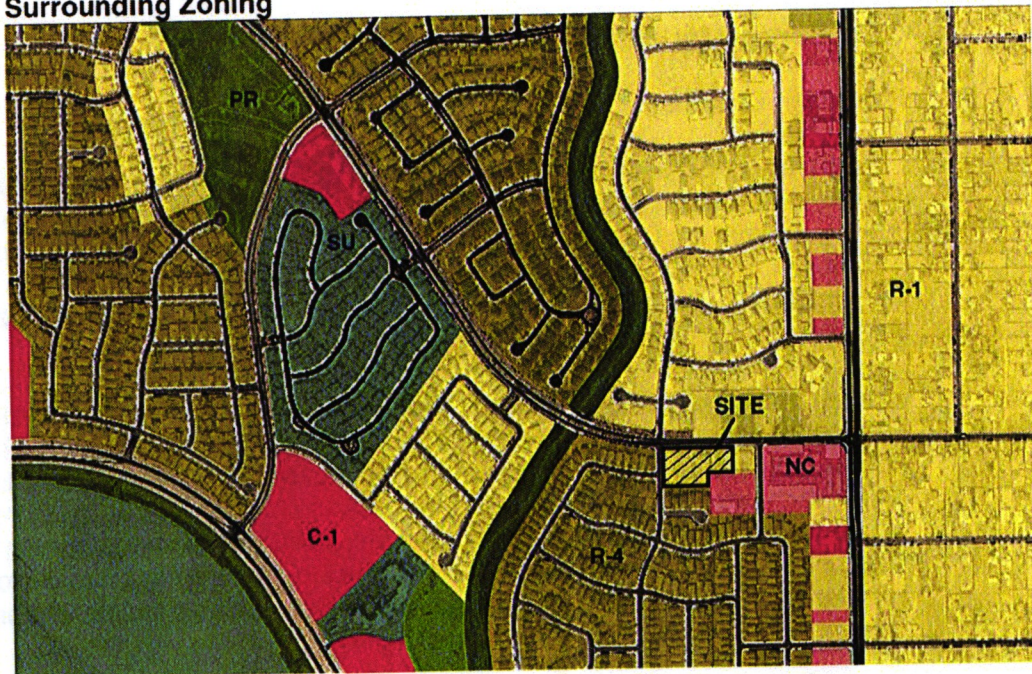
Adjacent Zoning and Land Use

North – R-1 / Single-family residential, vacant, and church (Church of Jesus Christ of Latter Day Saints)

East – R-1 and NC / Single-family residential and Guardian Storage

South – R-4 and NC / Single-family residential, commercial, and vacant

West – R-4 / Single-family residential

Surrounding Zoning

The justification for the zone change according to Section 150.07 (D-G), Policies for Deciding Zone Map Amendments, is as follows:

(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's Response: The proposed Special Use for O-1 permissive use zoning is consistent with the health, safety, morals, and general welfare of the City by allowing for a low impact office development on a portion of this property that currently sits vacant and underutilized. The applicant is proposing a modest, one-story building with a significant landscape buffer between the building and the residential development to the south. The Special Use designation ensures greater oversight and control by both the City of Rio Rancho and the adjacent neighborhood.



An office use would operate during the day/week day hours, will complement, rather than detract from, existing residential development to the south and west, and will provide an excellent transition between Cabezon Boulevard and the residential development to the south. The allowed uses will not create a disruption to the existing neighborhood or Peace Lutheran Church. Access would be from the Church's existing west driveway off Cabezon Boulevard, thus minimizing disturbance to neighborhood traffic from Vista de Colinas Drive SE.

The subject site is located close to the Cabezon neighborhood, which is primarily residential, and will provide residents with services that are in demand throughout the entire City. The City of Rio Rancho is experiencing sales leakage to Albuquerque because residents do not have the necessary services within the City limits. If approved, development of this portion of the property will promote economic development and quality of life 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's Response: *The proposed Special Use zoning will help stabilize land use and zoning in this area, which includes single family development and some commercial (NC) zoning. The existing R-1 zoning is a constraint to development at this location and the property will likely stay vacant if the existing zoning remains. Access from Vista de Colinas Boulevard and the site depth makes single-family development awkward and creates a conflict between the residential driveways and eastbound to southbound Cabezon vehicles. Access to this site from Vista de Colinas Boulevard would be incongruous to other single family development, which is accessed from side streets. Due to the site's shallow depth, single-family development would place the home's backyard directly adjacent to the Church's parking lot. An office building would be more in keeping with the non-residential use of the existing Church and associated parking, and the other non-residential uses to the north and southeast. The applicant is agreement to completing a shared parking agreement as a condition of approval to be executed in conjunction with the subdivision of this property.*

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.



CONSENSUS

PLANNING

RIO RANCHO COMPREHENSIVE PLAN

Land Use Element

Goal L-1: Encourage mixed-uses – retail, office, and residential centered on pedestrian oriented development along principal arterial roads.

Applicant's Response: *The property is located along Cabezon Boulevard, a minor arterial, and is the location of the Peace Lutheran Church. If approved, the zone change and associated site development plan will allow a low impact, neighborhood-scale office use that will complement the existing neighborhood and promote mixed-use.*

Goal L-3: Maintain a balance of land uses throughout the City.

Applicant's Response: *There is a lack of non-residential uses to serve the needs of Rio Rancho residents. This proposed zone change will provide jobs and allow for development that helps meet the community's demand for services within the City. The neighborhood is primarily comprised of single-family development, with some churches (zoned R-1) and storage facilities (zoned NC). This zone change will help balance the land uses in this part of Rio Rancho.*

Economic Development Element

Goal EDP-1: Create Jobs.

Applicant's Response: *The proposed zoning will allow for non-residential uses that will create jobs for residents of Rio Rancho on an underutilized, vacant property.*

Goal EDP-3: Enhance the tax base.

Applicant's Response: *The subject portion of the property is currently vacant and provides no benefit to the City of Rio Rancho. If approved, this zone change will allow development that will provide a tax benefit to the City. Currently, residents do not have all of the necessary services in the City of Rio Rancho and travel to Albuquerque to work and spend their money. This proposed zone change will allow for non-residential uses that will contribute to Rio Rancho's tax base through property and business taxes.*

Urban Design Element

Goal UD-5: Support infill and redevelopment within areas of the city that have been neglected.

Applicant's Response: *The subject portion of the property is vacant and located within a mostly developed area of the City. The existing condition of the vacant site is unsightly and does nothing to promote urban design for*

the City of Rio Rancho. In addition, Peace Lutheran Church is currently served by City utilities and this proposed infill site will also be serviceable. The proposed zoning and associated site plan on this neglected infill site substantially furthers this urban design goal.

As currently zoned, Peace Lutheran Church could build on the entire property, include office use, day care, and other uses associated with the church in a building that is taller (up to 32-feet) and larger than what the applicant is proposing. Additionally, the special use designation provides much greater planning and design oversight than the existing R-1 zone.

Goal UD-6: Support development that links neighborhoods and encourages the use of all modes of transportation.

Applicant's Response: *The proposed zoning and associated site plan promotes high quality office development that supports multi-modal transportation. The project will be in walking distance from several neighborhoods within Cabezon, thus encouraging travel by foot or bicycle. In addition, ABQ Ride - Bus Route 96 travels along Golf Course Road and west along Cabezon Boulevard past this property to Unser Boulevard.*

Goal UD-8: Embrace the use of xeriscape landscaping.

Applicant's Response: *The landscape plan primarily includes xeric landscape materials. No turf grass is proposed for this project and drip irrigation will be utilized.*

2.3.7 Urban Design

The Urban Design section (page V-9) contains a variety of design characteristics which are met by this proposal for infill development at an existing site served with city infrastructure. Design characteristics applicable to this application include:

- Focusing growth in areas that the city has available infrastructure so as to not overburden areas that lack adequate infrastructure.
- Create Traditional Neighborhoods that have a balance of land uses and a variety of housing types that are within walking distance of commercial services.
- With the challenges Rio Rancho faces within antiquated platting, it is important that infill and redevelopment take place to ensure adequate infrastructure is available to a site and to help address drainage in areas that were prematurely platted in the 1960s. Additionally, where practical, the city should encourage redevelopment along major corridors to revitalize older areas of the city.
- Creating Traditional Neighborhoods (neighborhoods that have a range of housing types, a network of well-connected streets and blocks,



- humane public spaces, and have amenities such as stores, schools, and places of worship within walking distance of residents).
- The final component in Urban Design addressed as part of the vision for the City of Rio Rancho is landscaping appropriate to the ecology of a high-desert city and the design of complete streets. With well-designed streetscapes that create a feeling of safety, people are more apt to walk along the streets.

Applicant's Response: *The subject property is already being served by city infrastructure, including roads, water, and sanitary sewer. It also is served by Waste Management. The proposed office building is sited close to the sidewalk along Cabezón Boulevard with a 7-foot landscape strip between the building and the sidewalk, providing a more pleasant walking experience along the roadway. The west side of the building facing Vista de Colonias Drive and residential development further to the west contains a 20-foot landscaped buffer. The proposed building has been designed with a maximum building height of 18 feet, 6 inches, which also supports a more pedestrian and neighborhood friendly streetscape.*

GOLF COURSE ROAD CORRIDOR PLAN

The subject property is located within the Golf Course Road Corridor Plan, which was adopted in 1998. Peace Lutheran Church is specifically called out as existing development. The Corridor Plan adopted the CMU Zone to "allow a neighborhood friendly group of businesses to be located on Golf Course Road which respect and take into consideration the adjacency of a large neighborhood area."

Land Use Goals and Objectives

Goal 1A: Promote compatible land use areas along the Golf Course Road corridor.

Objective 1B: To maintain low-density residential on the east side and mixed use development on the west side.

Applicant's Response: *Although this project is not specifically located along Golf Course Road, it is located within the Design Overlay Zone and as such is consistent with this policy regarding mixed use development on the west side of the corridor. The project has been designed to be compatible with both the existing church building and use as well as the residential neighborhood to the west and south.*

Urban Design Landscaping and Architecture

Landscaping Goal A: Require landscaping be consistent with xeriscaping – low-water and low maintenance principles.



Applicant's Response: As stated above, the plant palette on the landscape plan primarily includes xeric landscape materials and no turf grass is proposed. Water use levels are included in the plant palette for each plant. The proposed landscape does not require a high level of maintenance. It is appropriately designed for this property and climate, and drip irrigation is proposed.

Architecture Goal A: Require uniform southwestern architectural styles within the Design Overlay Zone.

Applicant's Response: The architectural style proposed for this project is consistent with styles found in Rio Rancho and the greater metro area. It is a flat-roof design that incorporates a wainscot of CMU split face block and stucco finish. Building colors are within a typical southwestern color palette.

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 a 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 (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicant's Response: 4.c: The proposed zone change to Special Use for O-1 Permissive Uses is more advantageous for the community than the existing R-1 zoning because it will create jobs, provide services for residents in this area of Rio Rancho, and ensure that this property is developed in a manner that respects the existing neighborhood. The current R-1 zoning unnecessarily constrains the development of this underutilized property, ensuring that this portion of the subject property will likely remain vacant and provide no benefit whatsoever to the Rio Rancho community. There is an abundance of single family development in this area of Rio Rancho and very little non-residential use to serve the residents. The applicant's proposed site plan package illustrates how this particular property can be developed to serve the public need while at the same time being sensitive to the neighborhood.

Creating single family lots is unrealistic for this property due to the shallow depth from Vista de Colinas and the relative close proximity to Cabezon Boulevard, which would cause a conflict at the intersection with four residential driveways. In addition, no other houses to the south have driveway access from Vista de Colinas Drive, so residential development on this property would change the lot development pattern. The Church's existing west driveway access from Cabezon Boulevard will better accommodate a small office use and have minimal impact to the neighborhood.

- (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 cost of land or other economic considerations are not the determining factor behind this request. The Church was built in the center of a large site, with a significant portion of vacant, undeveloped area. The site as it exists today detracts from the neighborhood and is unsightly. A small office building at this intersection would be far more attractive than the current dirt lot.*

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

Applicant's Response: *Location on a major street is not a justification behind this request. This proposed zone change will provide needed jobs and services for residents of Rio Rancho and allow for a low-impact, non-residential development on a vacant portion of an existing property served by roads, water, and sanitary sewer.*

- (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 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 zone change to Special Use for O-1 Permissive Uses will clearly facilitate the realization of the Comprehensive Plan and the Golf Course Road Corridor Plan by promoting low impact mixed use in this area just west of Golf Course Road. In addition, the zone change will provide a transition between Cabezon Boulevard and the residential properties to the south. The existing site layout of the Peace Lutheran Church in the center of the site, with parking areas to the east and west, creates an awkward "out parcel" on the property that cannot realistically be developed with single family homes.

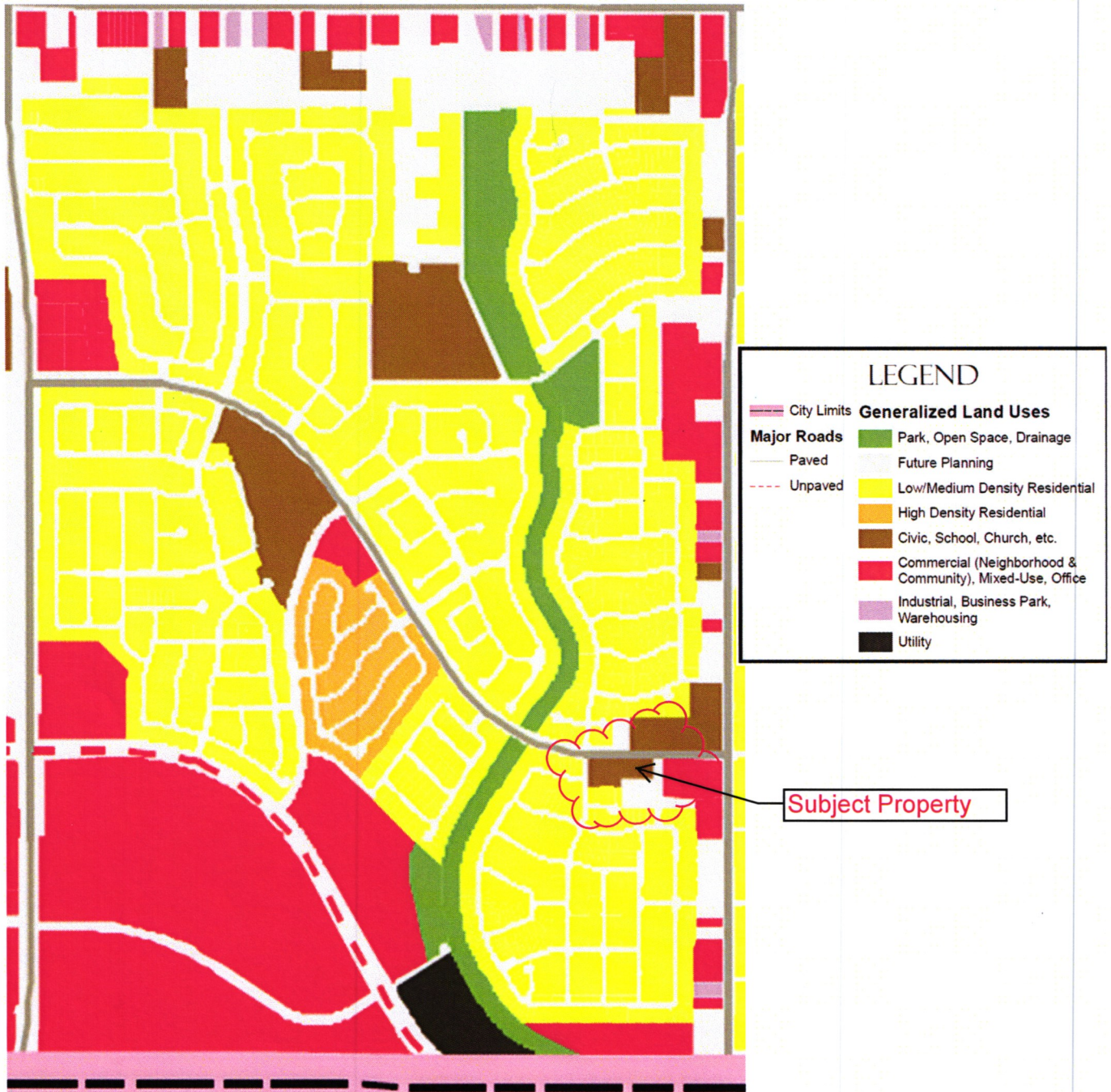
In addition, a property that was developed just up the road along Cabezon Boulevard located at the intersection of Trail Side Road contains a combination of office and commercial use (Cabezon Orthodontists, Farm Bureau Financial Services, Merritt Accessories Home Theater Services, etc.) and is located adjacent to residential land uses zoned R-1, R-4, and SU/R-3. While both the site at Trail Side and the subject property could be considered spot zones, they clearly further the goals and policies contained in the City of Rio Rancho Comprehensive Plan and the Golf Course Road Corridor Plan. Our request will provide residents with a nearby, high quality, office development that enhances the tax base of Rio Rancho, while also creating jobs and promoting infill development.

Based upon the justification provided in this letter, we respectfully request that the City of Rio Rancho Planning and Zoning Commission recommend approval of this zone map amendment request.

Sincerely,

Jacqueline Fishman, AICP
Principal


CABEZON BOULEVARD AND GOLF COURSE ROAD
AREA OF THE GENERALIZED LAND USE MAP



ADJACENT ZONING

Legend

Zoning

 <all other values>

Zoning

 A-R

 C-1

 C-2

 CBD

 E-1

 M-1

 MH

 MU-A

 NC

 O-1

 OS

 PR


 R-1

 R-2

 R-3


 R-4

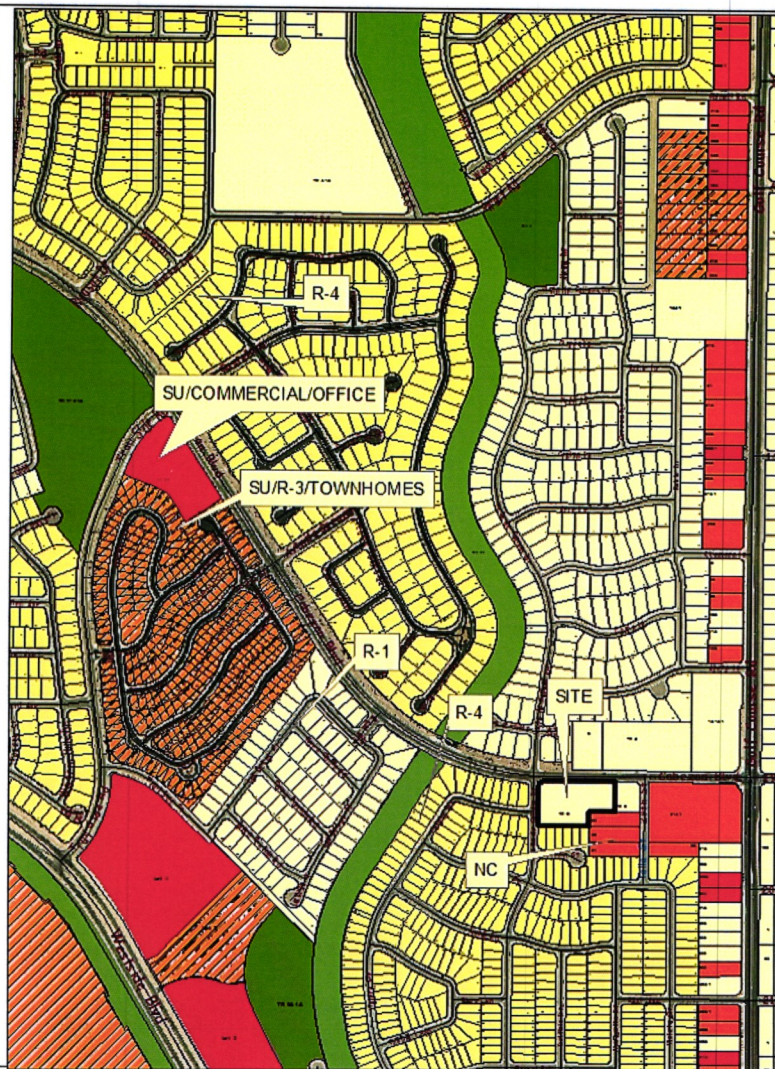
 R-5

 R-6

 SU

 TZ

 Unzoned



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 only be used for graphical purposes only.



Map Created by Joyce Jordan February 3, 2016

800 400 0 800 Feet



Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

February 9, 2016
6:00 PM
Council Chambers, City Hall

David Heil, Chairman, District 1; Brian Gilmore, District 2; Bob Tyler, District 3; Paul Wymer, District 4; Sal Maniaci, District 5; Sal Tortorici, District 6; Michael Schlichte, Vice Chair, At Large

MEMBERS PRESENT:

David Heil, Chairman, District 1
Brian Gilmore, District 2
Bob Tyler, District 3
Paul Wymer, District 4
Sal Maniaci, District 5
Sal Tortorici, District 6
Michael Schlichte, At Large

STAFF PRESENT:

Anthony Caravella, Director, Dev. Svs.
James Arrowsmith, Manager, P & Z Div.
Joyce Jordan, Staff

ITEM 1: CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The meeting was called to order at 6:00 pm.

ITEM 2: PUBLIC FORUM:

No one spoke at public forum.

ITEM 3:

A. APPROVAL OF AGENDA:

Bob Tyler, District 3 moved to approve the agenda. Seconded by Sal Tortorici, District 6

The motion carried by a vote of 7 FOR and 0 AGAINST.

YES: David Heil, Brian Gilmore, Bob Tyler, Paul Wymer, Sal Maniaci, Sal Tortorici, and Michael Schlichte.

NO: (none)

B. APPROVAL OF MINUTES: January 26, 2016

Bob Tyler, District 3 moved to approve the minutes of January 12, 2016. Seconded by Sal Tortorici, District 6

The motion carried by a vote of 7 FOR and 0 AGAINST.

YES: David Heil, Brian Gilmore, Bob Tyler, Paul Wymer, Sal Maniaci, Sal Tortorici, and Michael Schlichte.

NO: (none)

ITEM 4: PUBLIC HEARINGS: NONE

ITEM 5: DISCUSSION & DELIBERATION:

- A. **ZONE MAP AMENDMENT:** The applicant requests approval of a zone map amendment to rezone the subject property known legally as Unit 16, Block 60, Tract B from R-1/Single Family Residential to O-1/Office District. Case No.: 15-100-00013 Applicant: Peace Lutheran Church Agent: Consensus Planning Staff Contact: Joyce Jordan Staff Recommendation: Approval

Joyce Jordan, staff, addressed the Board. Ms. Jordan presented the applicants request for a recommendation of approval for a zone map amendment, from R-1/Single Family Residential to O-1/Office, at the subject property located at 2800 Cabezon Boulevard. Ms. Jordan informed the Board that the property is denoted on the Comprehensive Plan's Generalized Land Use Map as Civic. The Civic land use includes other land uses similar to those listed in the O-1/Office District.

Ms. Jordan noted that the residential home east of the church will remain R-1/Single Family Residential; however the underlying land use is also Civic on the Generalized Land Use Plan. She added that staff fees that the property will become and office or other civic land use in the future. Ms. Jordan stated that staff recommends approval of the applicant's request.

Bob Tyler, District 3 moved to approve the applicant's request for zone map amendment from R-1/Single Family Residential to O-1/Office District. Seconded by Brian Gilmore, District 2

The motion carried by a vote of 7 FOR and 0 AGAINST.

YES: David Heil, Brian Gilmore, Bob Tyler, Paul Wymer, Sal Maniaci, Sal Tortorici, and Michael Schlichte.

NO: (none)

ITEM 6: COMMISSION BUSINESS: NONE

ITEM 7: ZONING INTERPRETATIONS: NONE

ITEM 8: STAFF REPORT: NONE

ADJOURNMENT:

The meeting adjourned at 6:10 pm.

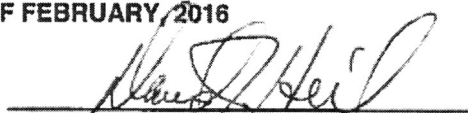
Brian Gilmore, District 2 moved to adjourn. Seconded by Sal Tortorici, District 6

The motion carried by a vote of 7 FOR and 0 AGAINST.

YES: David Heil, Brian Gilmore, Bob Tyler, Paul Wymer, Sal Maniaci, Sal Tortorici, and Michael Schlichte.

NO: (none)

APPROVED THIS 23rd DAY OF FEBRUARY, 2016


David Heil, Chairman

**CITY OF RIO RANCHO
PLANNING AND ZONING BOARD
AGENDA BRIEFING MEMORANDUM**

AGENDA DATE: February 23, 2016

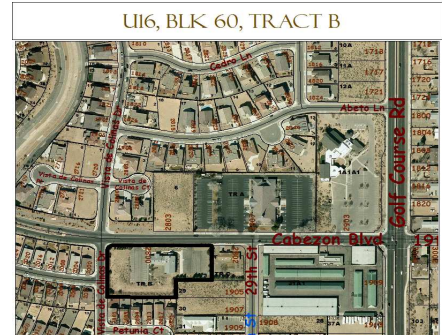
DEPARTMENT: Development Services

SUBJECT: Approval of a reduction for mixed or joint parking spaces

PROPERTY: Unit 16, Block 60, Tr. B/2800 Cabezon Blvd SE

APPLICANT: Peace Lutheran Church

AGENT: Consensus Planning



BACKGROUND:

The Peace Lutheran Church is requesting approval, under procedural requirements of a variance, to allow reduction of parking for the church and the ± 7800 square foot office building proposed for the western portion of the lot. Peace Lutheran Church proposes to replat Tract B into two lots to be known as Tract B1 and Tract B2, and develop Tract B2 for office uses.

The Rio Rancho Municipal Code stipulates the following parking requirements as they relate to the subject property:
§154.22 Off-Street Parking Requirements:

(A) All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question, as per the following criteria:

- (7) Places of public assembly, including churches, community centers, auditoriums, theaters, gymnasiums, arenas, and mortuaries:** One space for every four fixed seats or, if there are no fixed seats, one space for every 40 square feet of gross floor area in the main gathering area.
- (10) Office, professional, retail businesses, and public buildings:** One space for each 300 square feet of floor area.

(I) Reduction for mixed or joint use of parking spaces: The 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.

In no case may the reduction be less than the required parking for the use with the largest number of required parking spaces plus forty (40) percent 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.

No part of any off-street parking area required for any building or use shall be included as 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.

Per Chapter 154.22 Off-Street Parking Requirements, the church sanctuary is required to have 63 parking spaces. The proposed office building will require 27 parking spaces. The conceptual site plan shows 33 parking spaces on the office building site. If the the property is replatted as shown on the conceptual site plan (Attachment V), 14 of the churches required 63 parking spaces will be located on the office tract , leaving 49 spaces on the church tract.

The total number of spaces needed to comply with Section 154.22 (I) is 74 parking spaces, 63 for the church and 11 (27 x 40%) for the office. The conceptual site plan provides 82 parking spaces and so provisions of Section (I) may be applied for the uses on these properties.

To apply the provisions of Section 154.22 (I) there must be found that there are non-competing hours of operation as identified in applicants narrative (Attachment IV), the offices will open Monday – Saturday, and the church will have services on Sunday morning and bible study for approximately 10 on Wednesday evening.

Finding: Staff finds that the request for reduction of parking meets the criteria set forth in Chapter 154.22: Section (I) with regard to non-competing hours of operation and the required parking spaces.

SURROUNDING LAND USE/ZONING:

North: A church, vacant and developed property zoned R-1/Single Family Residential.

East: A single family home zoned R-1/Single Family Residential, developed and vacant land zoned NC/Neighborhood Commercial.

South & West: Single Family homes zoned R-4/Single Family for medium density homes.

NOTIFICATIONS:

Neighboring property owners within 100 feet of the subject property were notified of the Planning and Zoning Board hearing by certified mail. Property owners between 100 and 300 feet of the subject property were notified of the hearing by first class letter. A legal notice was published in the Rio Rancho Observer on February 7, 2016. Development Services staff posted a notice on the property as required by ordinance. All notification requirements for this hearing have been met.

DEPARTMENT RECOMMENDATION: The Department recommends **Approval** of the application per Chapter 154.22 Off-Street Parking Requirements; Section (I) with findings and conditions.

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a reduction over mixed or joint use of parking spaces.
2. Following procedures for a variance, proper notice of the hearing on this matter was given.
3. The applicant has authority to make application for this reduction.
4. Due process was provided to the applicant and adjacent property owners.

Specific Findings of Fact:

1. Chapter 154.22, Section (I) of the Rio Rancho Code of Ordinances (R.O. 2003) lists criteria for the reduction of mixed or joint use of parking spaces.
2. The required off-street parking for the church and the office building per the ordinance is seventy-four (74) parking spaces. Eighty-two (82) parking spaces are provided on the conceptual site plan.
3. The business hours for the church and the office conform to the criteria set forth regarding non-competing hours of operation.
4. Per Chapter 154.22 Off-Street Parking, Section (I) Reduction of mixed or joint use of parking spaces, the application meets the necessary criteria for the reduction of required parking spaces.
5. The proposed reduction in parking for the subject property meets the requirements of City Ordinance as set forth in Chapter 154.22, Section (I) R.O 2003.

CONDITIONS:

1. Approval is for church uses and office uses only. Changes in the uses on the subject property requires evaluation and review of this approval, including but not limited to voiding this approval.
2. Staff is authorized to approve modifications in the calculation of the reduction in parking subject to the standards of Section 154.22 (I).

ALTERNATIVES

1. The Planning and Zoning Board may approve the request;
2. The Planning and Zoning Board may deny the request; or
3. The Planning and Zoning Board may postpone its decision to allow for further review and consideration.

PREPARED BY: _____ DATE: _____
Joyce Jordan, Municipal Planner

REVIEWED BY: _____ DATE: _____
Jim Arrowsmith, Planning & Zoning Manager

DEPARTMENT DIRECTOR: _____ DATE: _____
Anthony Caravella

- Attachment(s)**
I: Location Map
II: Findings of Fact
III: Section (I), Chapter 154.22
IV: Justification Letter
V: Conceptual Site Plan