CITY OF RIO RANCHO

ORDINANCE NO. 2

AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP; PROPERTY DESCRIBED AS HIGH RESORT, PARCEL 5A, CONSISTING OF 36.92 ACRES SHALL HAVE THE ZONING DESIGNATION CHANGED FROM SU/SPECIAL USE COMMERCIAL TO SU/SPECIAL USE FOR COMMERCIAL LAND USES, TOWNHOMES, AND APARTMENTS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO, NEW MEXICO:

PURPOSE: The property described as High Resort, Parcel 5A, consisting of 36.92 acres shall have the zoning designation changed from SU/Special Use Commercial to SU/Special Use for Commercial Land Uses, Townhomes, and Apartments.

REstrictions:

A. Land Use: SU/Special Use for:
   1. All permissive and conditional uses as defined within the C-1/Retail Commercial District. Conditional Uses require a conditional use permit.
   2. All permissive and conditional uses as defined within the C-2/Wholesale Commercial District. Conditional Uses require a conditional use permit.
   3. Movie Theater, Car Sales.
   4. Townhomes
   5. Apartments

B. Setbacks: Setbacks for the Townhome development shall be as follows; 25’ front, 5’ side, and 15’ rear yard setback. Setback requirements for commercial as per C-1 Zoning Ordinance regulations.


D. Plating: The applicant must replat the property prior to any development.

E. Access: Any and all access via NMSR 528 shall be reviewed and approved by the New Mexico State Highway and Transportation, City Engineering and City Development Department.

F. Landscaping: Landscaping Standards Summary:
   Total landscaping required: 10% of gross acreage to include road widening easement and right of way.
   Front landscaping: 25% of total landscaping requirement.
   Live plant material: 85% or more of total landscaping requirement, 50% of which to be considered drought tolerant.
   Non-plant material: 15% or less of total landscaping requirement.
   Trees: 30’ boxed or 3” caliper in size.
   Shrubs: 5 gallon minimum size.

95-002-1
PARKING LOT LANDSCAPING:
1 to 5 acres/2% of T.L.
5 to 10 acres/3% of T.L.
Greater than 10 ac/4% of T.L. in parking lot

G. Architectural Issues:
1. No metal buildings will be allowed.
2. No plain concrete block buildings will be allowed.
3. Outside storage and chain link fencing shall be visually screened from any adjacent property owner.
4. All parking lots shall be paved.

H. Signage: All signage shall comply with Article 5 of the Zoning Ordinance.

I. The applicant is subject to any and all additional Federal, State and Local laws, rules and regulations.

J. The applicant shall comply with all existing and future plans, policies, etc. directly related to this property.

K. Sunset Clause: Zoning designation shall revert to its original zoning if no development has occurred within 36 months from approval date of Ordinance.

ADOPTED THIS 8TH DAY OF FEBRUARY, 1995

Thomas E. Swisstack, Mayor

Date

ATTEST:

Tina Gonzales, City Clerk

(SEAL)
CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM

DEPARTMENT: City Development
AGENDA DATE: 2/8/95

SUBJECT: Zone Map Ordinance
Purpose: SU/Special Use Commercial to SU/Special Use for C-1 and C-2 Commercial Uses, Townhomes, and Apartments (Attachment I).
Property: High Resort, Parcel 5A (Attachment II).
Location: West of NMSR 528, south of the Montoyas Arroyo
Applicant: Amrep Southwest Inc.

BACKGROUND AND ANALYSIS:

The site is currently zoned SU/Special Use Commercial and was established via Ordinance # 86-002 (Attachment III). The request will allow the development of commercial uses, with townhomes and apartments (Attachment IV).

DEPARTMENT AND/OR ADVISORY COMMITTEE RECOMMENDATION:

The City Development Department recommends APPROVAL of the Zone Map Amendment request with conditions as per the Staff Report (Attachment IV) and the Development Order (Attachment V).

At their regularly scheduled meeting of December 13, 1994, the Planning and Zoning Commission voted unanimously to recommend APPROVAL of the proposed zone map ordinance (Attachment VI).

DEPARTMENT DIRECTOR: [Signature]

CITY ADMINISTRATOR: [Signature]

Attachment(s):
Attachment I: Draft Zone Map Ordinance
Attachment II: Location Map/Site Map
Attachment III: Related Ordinance (# 86-002)
Attachment IV: Staff Report
Attachment V: Development Order
Attachment VI: Minutes: P & ZC December 13, 1994
ORDINANCE NO. 87-007
ZONE MAP AMENDMENT TO ORDINANCE NO. 01-15
PANORAMA HEIGHTS NORTH, UNIT 1

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO, NEW MEXICO
THAT THE FOLLOWING AMENDMENT TO THE ZONE MAP SECTION OF THE CITY OF RIO
RANCHO ZONING ORDINANCE NO. 01-15, BE IT AMENDED AS FOLLOWS AND THAT
ZONING DESIGNATED ON THE ZONE MAP BE CHANGE FROM R-1 TO SU;

All that property being bounded on the east by New Mexico State Road
No. 528, on the south by the Rio Rancho Golf Course, on the west by
portions of Panorama Heights North Unit 2 and a portion of Unit 13
and on the North by the Montoyas Arroyo, containing 7.28 acres, more
or less, currently zoned R-1, single family residential, and SU,
Special Use, be and hereby is rezoned entirely to SU, Special Use.

TECHNICAL:
Approval of Zone Map Amendment to read the following;
Conceptual Development Plan be granted and the entire development area
reflect SU (Special Use) for the designated uses as presented on the
attached map.
Development Plan shall reflect City Development standards such as traffic
impact, drainage, open space and to include street lighting and sidewalks
as appropriate to reasonably mitigate the impact of the Development on the
community.
ORDINANCE NO. 93-002, Page 7

Each final site Development Plan as submitted must conform to the overall benefit of the entire Development Plan and be submitted to the Governing Body of the City of Rio Rancho for final approval.

APPROVED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 1986

Richard S. Miles, Mayor

ATTEST:

Linda Pacotti

Linda Pacotti, City Clerk

[SEAL]
Attachment IV

RIO RANCHO CITY DEVELOPMENT DEPARTMENT
ZONE MAP AMENDMENT
STAFF REPORT

Date: December 13, 1994
Property Owner: Amrep Southwest Inc.
Applicant/Agent: Same as above/Way Architects, P.C.
Present Zone: SU/Commercial (Ord # 86-002)
Proposed Zone: SU/Special Use for C-1 and C-2 Commercial Uses, Townhomes and Apartments
Property: High Resort, Parcel 5A

I. STAFF RECOMMENDATION

The current zoning is Special Use Commercial (Ordinance #86-002). This purpose of this request is to allow the applicant to create an "activity center", consisting of commercial and multi-family landuses.

Stability of land use is important. The surrounding landuse consists of residential development to the west, NMSR 528 on the east, the Montoyas Arroyo on the north and commercial development to the south. The residential development to the west will be adjacent to the proposed townhome portion of the request. In an attempt to maintain consistency, this "mix" of landuses should not destabilize the pattern of land use in the area, nor create any adverse impacts on the surrounding area respecting the health, safety, and well being of the community.

Most potential adverse impacts can be mitigated through landscaping techniques and careful site development plan review. It is during this process that issues such as site ingress/egress can be reviewed as well as proposed signage and architectural design.

As defined in the Comprehensive Plan, this proposed development is located within a "high density", "activity center" area. Therefore staff is recommending the following requested densities and building heights be approved:

The townhome portion of the development is proposing a density of 12 dwelling units per acre, with a maximum building height of 28 feet.

The apartment portion of the development is proposing a density of 24 dwelling units per acre, with a maximum building height of 36 feet.

The maximum building height of the commercial and office park portion of the development is 24 feet and 36 feet respectively.
Attachment IV

The City Development Department recommends APPROVAL of this Zone Map Amendment as per the attached Draft Ordinance with the following conditions:

A. **Land Use:** SU/Special Use for:

1. All permissive and conditional uses as defined within the C-1/Retail Commercial District. Conditional Uses require a conditional use permit.

2. All permissive and conditional uses as defined within the C-2/Wholesale Commercial District. Conditional Uses require a conditional use permit.

3. Movie Theater, Car Sales.

4. Townhomes at 12 dwelling units per acre.

5. Apartments at 24 dwelling units per acre.

B. **Setbacks:** Setbacks for the Townhome development shall be as follows: 25’ front, 5’ side, and 15’ rear yard setback. Setback requirements for commercial as per C-1 Zoning Ordinance regulations.

C. **Height:** Townhomes 28’, Apartments 36’, Commercial 36’.

D. **Platting:** The applicant must replat the property prior to any development.

E. **Access:** Any and all access via NMSR 528 shall be reviewed and approved by the New Mexico State Highway and Transportation, City Engineering and City Development Department.

F. **Landscaping:** Landscaping Standards Summary:

- **Total landscaping required:** 10% of gross acreage to include road widening easement and right of way
- **Front landscaping:** 25% of total landscaping requirement
- **Live plant material:** 85% or more of total landscaping requirement
- **Non-plant material:** 15% or less of total landscaping requirement
- **Trees:** 30" boxed or 3" caliper in size
  - one per 1000 square feet of total landscaping
  - 12’ in height with full crown
- **Shrubs:** 5 gallon minimum size
- **PARKING LOT LANDSCAPING:**
  - 1 to 5 acres/2% of T.L.
  - 5 to 10 acres/3% of T.L.
  - Greater than 10 ac/4% of T.L. in parking lot
G. Architectural Issues:

1. No metal buildings will be allowed.
2. No plain concrete block buildings will be allowed.
3. Outside storage and chain link fencing shall be visually screened from any adjacent property owner.
4. All parking lots shall be paved.

H. Signage: All signage shall comply with Article 5 of the Zoning Ordinance.

I. The applicant is subject to any and all additional Federal, State and Local laws, rules and regulations.

J. The applicant shall comply with all existing and future plans, policies, etc. directly related to this property.

K. Sunset Clause: Zoning designation shall revert to it’s original zoning if no development has occurred within 36 months from approval date of Ordinance.

II. FINDINGS OF FACT

A. Application Information:
   - Site is located west of NMSR 528, south of the Montoyas Arroyo

B. Access: Access to the site is via NMSR 528, Ridgecrest Drive

C. Utilities/Infrastructure: All utilities will be available

D. Land Use:
   - North: Arroyo/Commercial/Multi-Family Residential
   - South: Commercial
   - East: NMSR 528/undeveloped and Residential
   - West: Residential

E. Zoning:
   - North: Arroyo/SU Commercial/R-2 Multi-Family Residential
   - South: SU/Special Use Commercial
   - East: NMSR528/undeveloped/R-3-Multi-Family Residential
   - West: R-1/Single-Family Residential

F. Slope: Gradually sloping towards the southeast

G. Acreage: 36.92 acres.

H. Drainage: Will be addressed during departmental review by the City Engineer.
III. CONFORMANCE WITH CITY PLANS, POLICIES AND REGULATIONS

A. Conformance to the Comprehensive Plan.

1. Objective (4.1A6) states, "Continue to develop an economic strategy, implemented to accomplish the goal of a self-sustaining community." FINDING: This development will provide an economic benefit to the City as a whole. CONFORMS.

2. Objective (4.1B1) states, "Encourage the development of a select number of dispersed "Activity Centers" throughout the Río Rancho Planning Area, allowing concentrations of nonresidential land uses to develop at medium to high density."
FINDING: Project contains a number of different nonresidential land uses developing at medium density. CONFORMS.

3. Objective (4.1A5) states, "Encourage in-fill development of all undeveloped areas within the municipal corporate boundary, particularly where vacant land has immediate access to community utilities."
FINDING: This project lies within the municipal corporate boundary of the City of Río Rancho and has access to community utilities. CONFORMS.

4. The site is in Density Evaluation Area #5 which has 2,110 available dwelling units. Based on 24 dwelling units per acre this site has the potential to add to add 480 dwelling units.
FINDING: There is capacity to add these residential units into Density Evaluation Area #5. CONFORMS.

B. Conformance to Zoning Ordinance:

1. Section 9-1-13.A(1) sets forth the Zone Map Amendment submittal requirements.
FINDING: The applicant fulfilled requirement. CONFORMS.

2. Section 9-1-14.B(1) sets forth the appropriate land uses within the Special Use District.
FINDING: Number 14 lists as an appropriate land use any use not specified elsewhere under the specific districts. CONFORMS.

C. Conformance to Other Adopted Plans for the Area: N/A.
D. Conformance to Policies and Regulations: N/A.
CITY OF RIO RANCHO
CITY DEVELOPMENT DEPARTMENT
Development Order #__

DATE: December 13, 1994

APPLICATION No.: ZMA1213945

APPLICANT: Amrep Southwest Inc., 333 Rio Rancho Drive, Rio Rancho, New Mexico 87124

OWNER: Same as above.

APPLICATION DESCRIPTION: Zone Map Amendment for the purpose of changing the zoning designation of the property legally described as High Resort, Parcel 5A from SU/Special Use Commercial to SU/Special Use for Commercial Land Uses, Townhomes and Apartments.

KEY ISSUE:

A. Rezoning of property to allow the development of Commercial Land Uses, Townhomes and Apartments.

DATE OF P&Z MEETING(S): December 13, 1994

PLANNING AND ZONING COMMISSION DECISION: Recommendation of APPROVAL

DATE OF GOVERNING BODY MEETING(S): FEBRUARY 8, 1995

GOVERNING BODY DECISION:

APPROVED THIS ___________ DAY OF ____________, 1995

Harold Donovan, City Administrator

______________________________
Applicant
J. ZONE MAP ORDINANCE: Applicant requests a zone change from SU/Special Use Commercial to SU/Special Use for C1 and C2 Commercial Uses, Townhomes, and Apartments on the property known by legal description as High Resort, Parcel 5A, located West of NMSR 528, south of the Montoyas Arroyo. Agent: Way Architects; Applicant: Amrep Southwest, Inc.

A representative from Amrep Southwest requested a zone change from SU/Special Use Commercial to SU/Special Use for C1 and C2 Commercial Uses, Townhomes, and Apartments on the property known by legal description as High Resort, Parcel 5A, located West of NMSR 528, south of the Montoyas Arroyo.

Vice-Chairman Ayer asked if bond money would be made available to help the developer, he doesn't want to see low income housing, affordable housing makes sense but not low income.

The intent he stated is to introduce the bond component to a 221 d4 insured loan and by introducing that to the component the requirements are to have 20% set aside to be motive as modern income, essentially 20% would be set aside who meet 50% of needed income requirements to the community. The balance of investment and balance of units are market rate units. Vice-Chairman asked then does that mean that potential tenant their rent has been subsidized. Meets the means of the service providers who are working in this community, younger, starters, newlyweds, no discrimination, do distinction but a set aside provision for that means. Who is the development, possibly Amrep themselves.

Who would be responsible for the maintenance, looking at some several real estate companies, working with this previously, no determination made at this time.

There were no further questions from the Commissioners and no further questions or statements from the Public.

MOTION PZC121394J: Commissioner Cunningham made a motion to approve a zone change from SU/Special Use Commercial to SU/Special Use for C1 and C2 Commercial Uses, Townhomes, and Apartments on the property known by legal description as High Resort, Parcel 5A, located West of NMSR 528, south of the Montoyas Arroyo. Agent: Way Architects; Applicant: Amrep Southwest, Inc. Commissioner Soto seconded the motion.

MOTION PZC121394J VOTE: Approved 7-0