UNSER BOULEVARD NORTH
SPECIFIC PLAN

CITY DEVELOPMENT DEPARTMENT
Planning Division
May 1998
UNSER BOULEVARD NORTH
SPECIFIC PLAN

Governing Body of the City of Rio Rancho
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PLANNING DIVISION

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May 1998
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Figure 2.1

REGIOnAL LOCATION MAP

Unser Boulevard North Specific Plan

CITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1.0 INTRODUCTION

This document is prepared as a Specific Area Plan as defined in the City of Rio Rancho's Comprehensive Plan as a Level 4 Plan. The Development Policy Statement portion of the Comprehensive Plan and the Comprehensive Plan as a whole, set forth goals, objectives, policies and programs for the entire City of Rio Rancho in a variety of subject areas, while the Unser Boulevard North Specific Plan (hereinafter the “Plan”) establishes specific policy for the development of the proposed Plan Area.

This Plan is the result of concerns and comments expressed by both affected property owners and adjacent property owners. The primary objective of the Citizen Participation Process is to inform the community of the Plan, ensure that critical concerns are identified and addressed, provide the opportunity to assist in the development of the Plan.

The Citizen Participation Process for this Plan consisted of two (2) Public Information Meetings. The first meeting was held on June 29, 1996, and included participation by the adjacent property owners. Their concerns and comments are provided as Appendix A. The second meeting was held on August 15, 1996, and was attended primarily by the affected property owners. Their comments, questions and concerns are provided as Appendix B. Both meetings were held in an informal setting for the non-confrontational solicitation of ideas, comments and concerns and were considered to be very productive. All participants of the Public Information Meetings will be provided with notice(s) of future Planning and Zoning Commission and Governing Body hearings related to the Unser project.

The Plan identifies the Plan Area and defines land use management principles for future and existing development within the Plan Area. This Plan is an important step in the development process and has been prepared in accordance with the requirements of City’s ordinances, adopted plans, policies and regulations.

2.0 PROJECT LOCATION

The Unser Boulevard North Specific Plan Area is centrally located within the City limits of the City of Rio Rancho, New Mexico (Figure 2.1). The Plan Area is located approximately two miles west of New Mexico State Road 528 between 5th Street and Abrazo Road (Figure 2.2). The entire Plan Area comprises 52.98 acres which are presently zoned for commercial and multi-family residential use. The project area is platted into 128 lots which range in size from 1.6 acres to 0.34 acre. The majority of the lots were platted in 1964 as 0.40 and 0.34 acre lots. Current development is predominantly comprising scattered commercial and one (1) multifamily residential development.

2.1 Legal Description

The Plan Area is generally bounded by Abrazo Road on the north, Unser Boulevard on the east, 5th Street on the south and 18th and 19th Streets on the west encompassing approximately 52.98 acres (Figure 2.3).
FIGURE 2.3 -
SPECIFIC AREA & LEGAL DESCRIPTIONS

Unser Boulevard
Legal Description of the Unser Boulevard Landscape & Access Specific Plan Area

Unit 11, Block “O,” Lots 1 through 50, Block “N,” Lots 1 through 44 & Block “CC,” Lots 1 through 44 as shown and designated on a plat entitled, “Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico,” as filed with the Clerk of Sandoval County, New Mexico on May 7, 1964, in Book 1, Page 60; and

Unit 11, Block “O,” Lot 1 as shown and designated on a plat entitled, “Units Four, Five, Nine, Eleven & Sixteen,” Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico,” as filed with the Clerk of Sandoval County, New Mexico on February 10, 1965, in Book 1, Page 64; and

Unit 11, Block “O,” Tract “A” as shown and designated on a plat entitled, “Tract “A,” Block “O,” Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico,” as filed with the Clerk of Sandoval County, New Mexico on May 15, 1987, in Book 4, Page 94; and

Unit 11, Block “O,” Lot 24A as shown and designated on a plat entitled, “Summary Plat, Lot 24-A, Block “O”, Unit Eleven, City of Rio Rancho, Sandoval County, New Mexico,” as filed with the Clerk of Sandoval County, New Mexico on November 4, 1993, in Book 7, Page 22; and

Unit 11, Block “O,” Lot 33A-1 as shown and designated on a plat entitled, “Summary Plat, Lot 33A-1 in Block O, City of Rio Rancho, Town of Alameda Grant, Sandoval County, New Mexico,” as filed with the Clerk of Sandoval County, New Mexico on March 23, 1995, in Book 8, Page 9; and

Unit 11, Block “N,” Lot(s) 7-A & 7-B as shown and designated on a plat entitled, "Lots 7-A & 7-B, Block N, Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico," as filed with the Clerk of Sandoval County, New Mexico on May 15, 1987, in Book 1, Page 60 (Inset); and

Unit 11, Block “N,” Lot 44-A as shown and designated on a plat entitled, "Summary Plat, Lot 44-A, Block “N”, Unit Eleven, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico," as filed with the Clerk of Sandoval County, New Mexico on February 28, 1996, in Book 9, Page 17; and

Unit 11, Block “CC,” Lot(s) 41A & 42A as shown and designated on a plat entitled, "Summary Plat, A Replat of Lots 41 and 42, Block CC, Unit Eleven, City of Rio Rancho, Town of Alameda Grant, Sandoval County, New Mexico," as filed with the Clerk of Sandoval County, New Mexico on April 26, 1985, in Book 4, Page 25.

3.0 PROPERTY OWNERSHIP

The Plan Area comprises 128 lots with 61 property owners. The largest landowner is an out-of-state owner and owns six contiguous lots within the Plan Area, comprising 2.4 acres. The second largest landowners own four contiguous lots (1.6 Ac.) scattered throughout the Plan Area. Two of the four, 4-lot owners are out-of-state owners while the other two are instate owners. The City owns .8 acres in the form of a 100' drainage easement. Nearly 40.7% of the lots are owned by out-of-state owners (Table 3.1). All but seven (7) property owners own more than one contiguous lot. Approximately 59.3% of the land is owned by instate property owners as illustrated in the following table.
TABLE 3.1
Unser Boulevard North Specific Plan Ownership

<table>
<thead>
<tr>
<th>Property Ownership</th>
<th>% of Total Ac.</th>
<th>No. of Lots</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Rio Rancho</td>
<td>1.5%</td>
<td>Drainage Easement</td>
<td>0.8</td>
</tr>
<tr>
<td>AMREP Southwest, Inc.</td>
<td>2.2%</td>
<td>3</td>
<td>1.14</td>
</tr>
<tr>
<td>Out-of-State</td>
<td>40.7%</td>
<td>53</td>
<td>21.58</td>
</tr>
<tr>
<td>In-State</td>
<td>55.6%</td>
<td>71</td>
<td>29.46</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>100%</strong></td>
<td><strong>123</strong></td>
<td><strong>52.98</strong></td>
</tr>
</tbody>
</table>

4.0 UNSER BOULEVARD NORTH SPECIFIC PLAN OBJECTIVES

The overall goal of the Plan is to provide for the managed development of the Plan area as an economically viable site that serves the community. Goals of the Plan as they relate to definitive local objectives identified within the City of Rio Rancho's Comprehensive Plan are as follows:

4.1 Conformity and Adherence of the Plan with the City's Comprehensive Plan

The City of Rio Rancho's physical development is guided by the goals and objectives as established within the City of Rio Rancho Comprehensive Plan, adopted by the Governing Body on September 14, 1989 (as amended in 1993). Within this general plan, the Development Policy Statement for the City of Rio Rancho identifies the goals for all development. Those goals specific to the future development of the Plan and related objectives are stated below:

A. GOAL: Promote and develop the City as an independent, self-sustaining community, which is an integral part of the Albuquerque Metropolitan Region.

OBJECTIVE: Continue to develop an economic strategy, implemented to accomplish the goal of a self-sustaining community.

B. GOAL: Encourage the development of a variety of distinctive neighborhoods offering a maximum choice of housing, employment, and open space areas.

OBJECTIVE: Encourage the development of a select number of dispersed "Activity Centers" throughout the Rio Rancho Planning Area, allowing concentrations of nonresidential land uses to develop at medium to high density.
OBJECTIVE: To prevent disruption of residential neighborhoods, encourage major commercial development to be located on arterial streets with adequate vehicle access and parking, and situated at appropriately spaced locations.

C. GOAL: Encourage in-fill development of all undeveloped areas within the municipal corporate boundary, particularly where vacant land has immediate access to community utilities.

D. GOAL: Enhance the function of arterial streets by using access controls, signalized intersections, parking restrictions, and land use regulation.

E. GOAL: Develop and implement an area-wide bikeway plan consisting of routes, lanes, and trails throughout the Rio Rancho Planning Area, to be coordinated with the Albuquerque/Bernalillo County Bikeways Plan.

F. GOAL: Accommodate pedestrian access and circulation within all public right-of-way.

5.0 SPECIFIC PLAN AREA ZONING

On December 14, 1983, the Governing Body adopted Ordinance No. 83-89 for the purpose of establishing “Overlay Zones.” The zones were described more accurately as the “RP” - Residential Protection, “LB” - Landscape Buffer and “RIE” - Restricted Ingress and Egress Overlay Zones (Appendix C). The three (3) zones were defined further and applied to Blocks N, O & P of Unit #11 with the adoption of Ordinance No. 83-90 on December 14, 1983 (Appendix C).

On September 12, 1984, the Governing Body removed the “RIE” - Restricted Ingress and Egress Overlay Zone from Blocks P & N of Unit #11 by the adoption of Ordinance No. 84-111 (Appendix C). Ordinance No. 84-116 was adopted on October 24, 1984, for the purpose of clarifying that the height of structures is to be measured from the mid-elevation of the property as opposed to a height measured above the “Facing Curb.”

The Unser Boulevard North Specific Plan Area comprises 52.98 acres and is dominated by (C-1): Retail commercial zoning on Blocks N & O. Block CC, located between 18th Street and 19th Street, comprises 14.96 acres of (R-3): Multi-Family residential zoning. All adjacent properties are zoned (R-1): Single-family Residential (Figure 5.1).

This proposed Plan maintains the general integrity of the original zoning ordinance(s), while in some instances applying more effective land use management measures, i.e., increasing the landscape buffer area.

6.0 SPECIFIC PLAN AREA LAND USE & EXISTING LAND USE

The Unser Boulevard North Specific Plan Area comprises 52.98 acres and is dominated by edominantly vacant, nonresidential property on Blocks N & O. Block CC, located between 18th Street
FIGURE 5.1 - SPECIFIC AREA ZONING
FIGURE 5.1 - SPECIFIC AREA ZONING

Municipal Boundary
Zoning Designation

A-R

C-1

C-2

E-1

M-1

MH

R-1

R-2

R-3

SU/MF

SU/NR

City Development Department
Planning Division
May 1, 1997

Prepared by

D-9
and 19th Street, comprises 14.96 acres and comprises predominantly vacant multi-family, property (Figures 6.1 & 6.2). All adjacent properties are dominated by developed single-family residential property.

This Plan does not contemplate changes to the existing zoning and respective land use. If changes were to be considered, the proposed changes would be reviewed by the Rio Rancho Planning and Zoning Commission in the form of a zone map amendment to be forwarded to the Governing Body for final approval. Any action would be subject to the appropriate public notice and input requirements.

Design requirements not addressed within this Specific Plan shall adhere to existing, related ordinances as specified by the Zoning & Code Enforcement Division of the City Development Department.

7.0 ACCESS & SITE CIRCULATION

The access and site circulation within the Plan Area is encouraged to develop in a manner sensitive to the limited access restrictions associated with a major, limited access principal arterial; Unser Boulevard. The use of a reciprocal access easement is encouraged for the purpose of reducing the total number of ingress/egress points while providing the capability of driving from adjacent businesses without having to reenter Unser Boulevard (Figure 7.1).

Under current platted conditions, there are a total of 85 possible access points. There are thirteen (13) existing access points constructed during the recent Unser Boulevard Expansion project. This Plan proposes a total of 40 access points for a total reduction of possible access points by 47%. The encouraged access points are a combination of "joint use" and "reciprocal access easements" as identified in Figure 7.1.

During the construction plan review process, a north/south reciprocal access easement shall be encouraged to be platted at a width of twenty-five (25') feet between lots 1 and 44A of block N and between lots 1 and 45 of block O at a distance of (20') feet from the westerly right-of-way line of Unser Boulevard (property line). Access to/from Unser Boulevard shall be managed as shown on the attached Figure 7.1. The controlled intersections have been designed to either line up with a corresponding intersection across Unser Boulevard or have a minimum offset of greater than one hundred and twenty-five (125') feet as per Section 9-2-15 Design Standards of the Subdivision Ordinance.

Joint use easements shall also be encouraged in those areas where it is not feasible to construct the north/south reciprocal access easement. It consists of an easement platted between two adjoining property owners with a maximum width of thirty-five feet. The joint use easement and constructed drivepad shall require the review and approval of the City Development Department as well as the City Engineer.

The selection and recommended placement of the two types of easements is based on a field investigation and recommendation by the City Engineer's Office. Due to the existing grade of some of the properties, the use of a joint use access easement is preferred over a reciprocal access easement.
FIGURE 6.1 - SPECIFIC AREA EXISTING DEVELOPMENT

North ▲

- Putt Putt/Batting Cage(s)
- BCL Enterprises
- Anchor Inn
- Jay's Discount Cigs.

18th Street Residential -
FIGURE 6.2 - SPECIFIC AREA EXISTING DEVELOPMENT
North △

- Jehovah's Witnesses Church
- R.R. Public Health Building
- Loboland Pottery
- Evergreen Landscaping
- Veterans of Foreign Wars
- Los Arcos Plaza
- Toro Enterprises Inc.
FIGURE 7.1 - ACCESS & SITE CIRCULATION PLAN

LEGEND

- Reciprocal Access Easement
- Existing Access Point
- Proposed Single Lot Access
- Existing Structures
- Proposed Joint Use Access Point
FIGURE 7.1 - ACCESS & SITE CIRCULATION PLAN

LEGEND

1 - Reciprocal Access Easement
2 - Proposed Single Lot Access
3 - Proposed Joint Use Access Point
4 - Existing Access Point
5 - Existing Structures
6 - Existing Structures
Specifically, the joint use access points do not share the same construction constraints due to construction perpendicular (through the constraining slope) to Unser Boulevard.

The successful implementation of proposed access scenarios is based on one or a combination of the following to occur:

- City acquisition and construction of 100% of the proposed access alternatives;
- Private dedication and construction of the proposed access alternatives; or
- Use of a Special Assessment District combining both public and private financing efforts.

8.0 BUILDING DESIGN STANDARDS

8.1 Building Setbacks

Building setbacks shall be determined in accordance with the City’s Zoning Ordinance. Minimum setbacks may be exceeded (distance from property line) for the purpose of achieving maximum design and aesthetic potential. Construction may not occur across lot lines. In some instances, replatting may be required to accommodate the necessary setbacks.

8.2 Building Height

The Plan Area is restricted to a maximum building height of eighteen (18') feet or one story as per Ordinance No. 84-116. The following uses, exclusive of communications towers, are allowed and exempt from the height restrictions: flagpoles, antennas, spires, belfries, or other accessory objects usually required to be placed above the roof level and not intended for human occupancy.

8.3 Construction Materials

No metal panel or prefabricate buildings or components of buildings shall be allowed to face either Unser Boulevard or the adjacent residential properties. Buildings utilizing exterior metal panels or concrete block must present an elevation to Unser Boulevard which consists primarily of decorative wood, concrete or masonry or other approved treatment.

9.0 ON-SITE DESIGN STANDARDS

9.1 Landscape Treatment

The proposed landscape treatment promotes water conservation by encouraging the use of drought tolerant plant materials and xeriscape principles effected by the use of native plant species. The landscaping design for each individual project shall be subject to the review and approval of the City Development Department. Appropriate landscaping shall be provided for visual relief along the frontage of the parcel, provided that no less than ten (10%) percent of the lot shall be landscaped, and no less than
FIGURE 9.1 - LANDSCAPE & BUFFER TREATMENT PLAN

LEGEND

- Landscape Treatment Area
- Landscape Buffer Area
FIGURE 9.1 - LANDSCAPE & BUFFER TREATMENT PLAN

LEGEND
- Landscape Treatment Area
- Landscape Buffer Area
9.5 Parking Design

All off-street parking spaces shall be designed to accommodate both customers and employees. The design of the Plan Area prohibits parking within the east/west reciprocal access easement. Otherwise, parking areas and the reciprocal access easement shall be paved and meet the specific parking requirements as per the City of Rio Rancho's Zoning Ordinance.

9.6 Communications Towers

Communications towers are prohibited in any residential zoned property within the Plan Area. Communications towers shall be conditional uses in all properties within the Plan Area subject to the conditions and exceptions noted hereafter, imposed elsewhere in this subsection, imposed elsewhere in the City's Zoning Ordinance, imposed elsewhere, and subject to the following:

- A minimum setback of a distance equaling the height of the tower. The setback shall be measured from the base of the tower to the boundary line of the property owned, leased, or controlled by easement by the applicant.

- A maximum height shall be equivalent to the permissive building structure height of eighteen (18') feet as measured from the mid-elevation of the property.

- Subject to site plan approval by the Planning and Zoning Commission.

9.7 Outdoor Storage

If outdoor storage is required, it shall be fully screened both vertically and horizontally from adjacent properties and rights-of-way, i.e., Unser Boulevard or 19th Street with the use of a decorative wall and/or roof cover. The height of outdoor storage structures shall not exceed the height of the primary structure.

9.8 Vacant Land Treatment

A large proportion of land within the Plan Area is vacant. The land has been used for illegal dumping and is subject to erosion and wind-driven distribution of dust. The property shall be considered by the Zoning & Code Enforcement Division of the City Development Department as an area subject to the application of the nuisance ordinance. Strict application of the City's zoning code shall attempt to mitigate the negative impacts associated with vacant property.

10.0 CONSTRUCTION OBLIGATIONS AND FINANCING MECHANISMS

The developer of any commercial or multi-family projects will be required to maintain those design objectives specified within this Plan and referenced laws, regulations and ordinances. Site development is subject to construction plan review and approval, to ensure that a sound and attractive
development is achieved and that the development is properly integrated into the City’s Comprehensive Plan.

Although public finances, in the form of Special Assessment Districts, have been considered, it is anticipated that all improvements and associated maintenance contemplated within this Plan are funded by the property developer. All details associated with any proposed public financing mechanisms shall be specifically reviewed and approved by the Governing Body.

11.0 OFF-SITE IMPROVEMENTS

11.1 Sidewalk Requirements

A sidewalk is a required improvement along Unser Boulevard within the right-of-way as development of the Unser Boulevard Reconstruction (TPU-4081(2), CN 2927) Project progresses. The construction of the sidewalk within the westerly right-of-way was designed by the City Engineer and reviewed and approved by the New Mexico Department of Transportation (Figure 11.1a-g).

11.2 Bike Path Requirements

A bike path is a required improvement along Unser Boulevard within the right-of-way as development of the Unser Boulevard Reconstruction (TPU-4081(2), CN 2927) Project progresses. The design and construction of the bike path along the easterly right-of-way of Unser Boulevard is in accordance with the City of Rio Rancho's Bikeways Master Plan. The construction of the sidewalk within the westerly right-of-way was designed by the City Engineer and reviewed and approved by the New Mexico Department of Transportation (Figure 11.1a-g).

11.3 Unser Boulevard Construction

Unser Boulevard functions as a limited access, principal arterial and is classified as such on the Long Range Major Street Plan for the Albuquerque Urban Area. In 1996, Unser Boulevard accommodated approximately 11,500 vehicles per day, during the average weekday. It is anticipated that Unser Boulevard will accommodate approximately 20,000 vehicles per day, during the average weekday by the year 2015.

The Unser Boulevard Reconstruction Project is currently completed. The reconstruction consisted of widening Unser Boulevard from two lanes to four lanes and includes a continuous left-turn lane/median, curb and gutter, a bicycle path, sidewalks, streetlights and drainage improvements.

11.4 Utility Improvements

Given the predominantly undeveloped nature of the Plan Area, several utility improvements are necessary. Consultation with the participating utility companies has revealed that all utilities are present within or are adjacent to the Plan Area. All utilities may be extended to anticipated individual projects.
FIGURE 11.1a -
LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1b - LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1e - LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1d - LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1c - LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1f

LANDSCAPE & BUFFER TREATMENT PLAN

(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
FIGURE 11.1g - LANDSCAPE & BUFFER TREATMENT PLAN
(This illustration identifies the placement of sidewalks and bike path in relation to the 4-lane road, drive pads & some structures.)
within the Plan Area. The extension and associated costs and possible cost recoupment shall be
cordinated with the applicable utility agency.

Utility Owners within the Plan Area include the following:

CableOne - cable television
Public Service Company of New Mexico - gas & electric
City of Rio Rancho - water & sanitary sewer
U.S. West Communications - telephone

12.0 IMPLEMENTATION

The purpose of this section is to evaluate the availability of funding resources to assist in the cost
of construction of the proposed buffer improvements, i.e., landscaping and block wall. It is contemplated
that the adoption of uniform construction materials and the synchronous construction along the entire
project length will maintain a consistent visual design along the seam between residential and
nonresidential land uses.

The recommended buffer improvements associated with this Plan, may be financed through
Federal, State, County, Local or Private sources, or a combination thereof as described below:

<table>
<thead>
<tr>
<th>Financing Source</th>
<th>% of Total $</th>
<th>Availability</th>
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<tbody>
<tr>
<td>City of Rio Rancho</td>
<td>100%</td>
<td>Antidonation Ramifications</td>
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<tr>
<td>Sandoval County</td>
<td>100%</td>
<td>Antidonation Ramifications</td>
</tr>
<tr>
<td>State of New Mexico</td>
<td>Source Not Known</td>
<td></td>
</tr>
<tr>
<td>Federal, i.e., ISTEA</td>
<td>Source Unavailable</td>
<td></td>
</tr>
<tr>
<td>Public/Private - S.A.D.</td>
<td>City or County - % / Private - %</td>
<td>City or County - Financing for any portion (%) - Source Unavailable for Private Property (See Notes Below)</td>
</tr>
<tr>
<td>Private</td>
<td>100%</td>
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</tr>
</tbody>
</table>

NOTES:

1. Public/Private - S.A.D. - At present (FY98), funds are not available for this project by
either the City or County. Any future authorization of funds would require prior
Governing Body and/or County Commission approval. Additionally, in accordance with
Chapter 3, Article 33 NMSA 1978, the establishment of a Special Assessment District
(“S.A.D.”) generally requires that the proposed improvements be located within public
property, i.e., right-of-way or public utility easement. Hence, the construction of the proposed buffer improvements located entirely within private property may not benefit from the establishment of a public S.A.D. Another concern is whether the appraised value of the property is enhanced to the extent of the cost of improvements. If not, the deficit must be funded by the public sector.

If the improvements are to be made entirely on public property, i.e., within street right-of-way, then a S.A.D. may be established and financed by all the property which the Governing Body (as recommended by the City Engineer) determines is benefited by the improvements. However, the recommended buffer width of approximately twenty feet (20') would not be achieved as the typical right-of-way width would only allow approximately eight and one-half (8.5') feet between back of curb and property line.

2. Private - Due to the nature and location of the proposed buffer improvements, the responsibility for the cost of construction is held by the property owner. Benefits to the property owner to finance the synchronous construction of the project include the possibility of achieving a reduced cost associated with sharing construction cost(s) with several other property owners. Additionally, it is anticipated that the cost of construction will only continue to increase with time as the cost relates to “Present Value vs. Future Value.”
UNSER BLVD. NORTH AREA PLAN
June 29, 1996 - Citizen Participation Summary

- **ACCESS** -

Encourage non-residential traffic to utilize Unser Blvd. as opposed to the local streets i.e., 2nd, 5th, 18th and 19th Streets.

Encourage the use of fewer non-residential access points along Unser Blvd.

Identify Unser Boulevard as a “Truck Route”.

- **STORAGE** -

Screen all non-residential outdoor storage of materials and equipment.

- **BUFFER** -

Create a “buffer” between residential, multi-family and non-residential properties.

Define a “buffer” as a wall, shrubs, trees & groundcover.

Establish uniform “buffer” criteria for walls, shrubs, trees & groundcover so as to maintain consistency along the seam between residential and non-residential land use.

Determine height of “buffer” wall in relation to existing topography.

Gateway North used as an example of good buffer techniques.

- **INFRASTRUCTURE** -

Maintain and improve existing, constructed roadways to address deterioration of asphalt.

Design and construct unimproved roadways.

Provide and install “Load Limit” signs to prevent premature destruction of roadways.

Utilize traffic control devices such as signage and speed humps in addition to enhanced enforcement to address speeding and other traffic related safety issues.

Identify signalization location, sidewalk and bikepath locations.

Discuss the potential for the installation of sidewalks adjacent to multi-family and commercial property. Additionally, address the financing of such improvements i.e., private vs. S.A.D. vs. public.

Address Unser Blvd. public notice efforts.
• **DUST & EROSION CONTROL**

Establish standards i.e., refer to existing Ordinance, for both improved and unimproved properties.

- Notify current schedule of Public Works road maintenance and “clean-up” schedule.

• **ZONING & CODE ENFORCEMENT**

Encourage O-1 zoning on property presently zoned C-1 immediately adjacent to single-family residential property.

- Investigate or document previous Code Enforcement remedies/actions to concerns regarding TORO Enterprises i.e., height of machinery.

Limit the height of outdoor storage of equipment, materials and machinery on non-residential properties.

- Presently area is comprised of three (3) zones; commercial-retail, R-2 Multi-family & R-1 Single-family.

Seek potential for establishing an Overlay zone within the commercial zoning.

- Utilize existing Overlay zone to establish height restrictions of multi-family residential structures to one (1) story and 18’ in height.

- Establish architectural controls/standards addressing such things as metal buildings and metal-roofed structures to avoid negative impacts associated with the reflection of light.

- Modify zoning of AMREP tract property just west of 18th Street.

• **LAND USE**

- Identify existing business structure and driveway locations to non-residential properties.

• **MISCELLANEOUS**

- Within the Plan identify phone numbers for commonly asked questions and concerns i.e., D.P.S. for law enforcement, Zoning & Code Enforcement for illegal dumping, Public Works for road maintenance etc.

- Future public hearings shall include letter notifications to adjacent and affected property owners plus those properties located within Sun Ct.

- Plan adoption is expected to be August/September of 1996
UNSER BLVD. NORTH AREA PLAN
August 15, 1996 - Citizen Participation Summary

- ACCESS -

Concept of "shared access" was discussed in so far as describing the potential for reciprocal access easements to be utilized to reduce total number of access points to Unser Boulevard.

Identified location of curb cuts associated with new Unser Blvd. widening project. All existing development shall have a curb cut and drive pad as per P.W. Engineering drawings.

- STORAGE -

- BUFFER WALL & LANDSCAPING -

Description and definition thereof.

Recommended drought tolerant landscaping as the predominant form of landscaping.

Suggestion made that the City purchase the rear buffer zone and provide maintenance thereof.

Question regarding necessity of wall. Look into wall height variation.

Define specific location of buffer wall. Between multi-family and commercial properties?

- INFRASTRUCTURE -

It was stated on numerous occasions that growth is "stunted" as a result of lack of available infrastructure.

When, where and what type of infrastructure improvements being planned and constructed? (Sidewalks, sewer, water etc.)

How will infrastructure improvements be paid for? - S.A.D.?

Any reimbursement for private extensions available?

City staff shall include within the plan a description of all existing utilities.

The importance of obtaining utilities to encourage future development was stressed.

- DUST & EROSION CONTROL -

- ZONING & CODE ENFORCEMENT -

Concerns were raised regarding zoning C-1 to O-1 and the potential resultant negative economic impacts i.e., possible decrease in land value.
Issues related to Overlay Zone (18' height & 50' setback requirements) were discussed. Possibly consider "view sheds" from access roads through commercial and multi-family lots as an alternative to the Overlay Zone.

Development may be "stunted" as a result of the Overlay Zone's restrictive height and setback requirements.

Identify adjacent multi-family zoning outside the project area.

- **LAND USE -**

Briefly discussed non-conforming land use issues.

- **MISCELLANEOUS -**

A local, "vest-pocket" park for existing neighborhood residents within the vicinity of the project area was requested (near 2nd & Eventide).

CDD staff determined that an ownership review shall be completed as a part of the project i.e., # of lots owned by individual property owners and in-state vs. out-of-state ownership.

Define the project time line to G.B. adoption date.

Plan shall include an "Implementation Plan"

Future public meetings will involve the notification of all property owners (affected and adjacent).
April 8, 1997, Planning & Zoning Commission Minutes

Joe Guerrera wished to remind that Commission that one year ago they made an applicant cut his hill down because of 1'.

PZC0408974G: COMMISSIONER DRAKE MOVED THAT THE REQUEST FOR A VARIANCE TO THE 32' HEIGHT RESTRICTION TO ALLOW A HEIGHT OF 36' ON THE PROPERTY LEGALLY DESCRIBED AS UNIT 10, BLOCK 8, LOT 20 BE DENIED. SECONDED BY COMMISSIONER HEIL. MOTION CARRIED BY A VOTE OF 5 FOR AND 1 AGAINST.

YES: BLOMBERG, CUNNINGHAM, DRAKE, HALLADAY, HEIL
NO: GAHL
ABSENT: WILLIAMS

H. RESOLUTION: Discuss and table Unser Boulevard Area Plan

Mr. Corsie stated it is his intention to get comments and answer questions.

Commissioner Blomberg stated he read through the plan and there were graphics missing in there.

Commission Halladay asked how many people attended the meeting prior to this item coming before the Commission. Mr. Corsie stated he can not give an accurate number, but added he was pleased with the outcome.

Judy Twomey, stated she owns property on Unser and stated she has been waiting to see a proposal for what is planned for Unser. Ms. Twomey also stated she will have a driveway on her property and would like to know if there will be a wall in the back of the property.

Mr. Corsie stated that one of the primary plans is to develop a buffer that will be acceptable to those who live in the area.

Commissioner Gahl asked if Ms. Twomey will have a driveway on her property. Mr. Corsie stated access is one of the issues that will be addressed in the plan, adding that there will be some shared access. Ms. Twomey stated she was assured that there is a driveway on her property. Mr. Corsie stated there will be an intricate plan developed, and added he can not assure Ms. Twomey that she will get a driveway but will have access.

Chuck Lands, representing the VFW on Unser, stated his concern is the development of the property without a sewer. Commissioner Blomberg stated that will be addressed in the plan.

Tom Nelson, 548 Star Villa, stated he is concerned with the homes that back up to Unser at this time and requested that the wall be raised. Mr. Nelson stated he has a petition from neighbors for the walls to be raised to 8', and also asked if a stop light will be placed.

Commissioner Gahl asked if the City will put in a sound wall with the road improvements. Mr. Corsie stated he is not sure.

Commissioner Halladay asked if this can be compared to what is happening on Broadmoor. Mr. Corsie stated there will be some similarities and differences, and added this may be something that can be looked into.

Jesse Par, 530 Star Villa, stated he is very concerned with the noise pollution and the cost of adding to the existing wall.
Mr. Corsie stated it is standard that when commercial development comes in to an area, the developer will pay for a buffer wall when backing up against residential development.

Marilyn Anderson asked if the businesses that are already there will be required to comply. Mr. Corsie stated yes, but it will have to be determined what a reasonable amount of time is for compliance.

PZC0408974H: COMMISSIONER CUNNINGHAM MOVED THAT THE DISCUSSION OF THE UnSER BOULEVARD AREA PLAN BE TABLED UNTIL FURTHER NOTICE.

YES: BLOMBE.<TG, CUNNINGHAM, DRAKE, GAHL, HALLADAY, HEIL
ABSENT: WILLIAMS

I. RESOLUTION: Discussion of NMSR 528 Corridor Plan

Eric LaBrie, Community Sciences, discussed the Corridor Plan with residents of the area.

Floyd Martinez, Unit 17, stated he would like to make a point about the word of this getting out.

Commissioner Halladay stated that Sandoval County is proposing development of the area now known as Prices Dairy and feels that when this Corridor Plan is being worked on, that will be taken into consideration, as far as the increase in traffic, etc.

Mr. Corsie stated he feels that the applicant should be given some input from the Commission.

Commissioner Halladay stated he feels that input should also come from the residents in the area.

Commissioner Blomberg asked if the staff can put an ad in the paper. Mr. Corsie stated the Department can attempt a press release.

PZC0408974I: COMMISSIONER HEIL MOVED THAT THE DISCUSSION OF THE NMSR 528 CORRIDOR PLAN BE TABLED. SECONDED BY COMMISSIONER DRAKE. MOTION CARRIED BY A VOTE OF 6 FOR AND 0 AGAINST.

YES: BLOMBE.R, CUNNINGHAM, DRAKE, GAHL, HALLADAY, HEIL
ABSENT: WILLIAMS

J. ZONE MAP AMENDMENT: Applicant requests a zone map amendment from R-1\Single Family Residential to C-1\Retail Commercial on the property legally described as Unit 17, Block 131, Lots 33-40, located on the northwest corner of NMSR 528 and Obregon Rd. Applicant: AMREP Southwest Inc. Agent: Community Sciences Corp. DISCUSS AND TABLE TO 4/29/97

Eric LaBrie, Community Science Corp. stated he would like to request instead of C-1 straight zoning more of an S.U. zoning because what is proposed for the Obregon area is something that falls under the corridor plan, and added he has met more stringent guidelines for development. Mr. LaBrie also stated he has outlined those areas and their level of intensity in the Plan, as well as giving up greater setbacks, more landscaping, and has identified trips generated per acre and addressed all of the things that make up intensity. Mr. LaBrie added he tried to take a development and show how a specific plan falls under the corridor plan, and also added he has lowered the building heights and moved landscaping closer to the residential areas. Mr. LaBrie stated he is asking for
Appendix D

July 8, 1997, Planning & Zoning Commission Minutes
E. RESOLUTION: The Department requests a recommendation to the Governing Body on the Unser Boulevard North Specific Plan.

Steve Tollefson, City Development, stated that pursuant to a review and comments received from the City Attorneys office, there are some access issues that need to be addressed and attempts are being made to resolve them, and asked the Commission how they would like to proceed.

Commissioner Blomberg stated they would like to discuss this item. Commissioner Blomberg asked if the access on the access and site circulation plan, with reference to lots 44A and 42, were to have joint access in the past for a project that was to take place at that location. Mr. Corsie stated he did not know. Mr. Tollefson stated that information has possibly been withdrawn and would need to be investigated further.

Commissioner Blomberg referenced Page 19, On-site lighting, and stated he feels that a sentence should be included stating that no lights shall be above the main structure.

Commissioner Heil referenced figure 7-1 and asked if the space noted in front of lots 1 - 11 facing Unser Boulevard were all common easement. Mr. Tollefson stated that is correct, adding that this issue is presently being addressed with the City Attorneys office. Mr. Tollefson also stated that the area in question is the reciprocal access easement between lot 2 and lot 12 as a part of the development agreement, and that specific issue needs to be addressed further before proceeding to the Governing Body. Commissioner Heil asked if there is some concern about the Commission requiring a common easement. Mr. Tollefson stated that is correct. Commissioner Heil asked if that is the same issue with the lots 14 - 23, and added he feels there are too many access points on that road. Mr. Tollefson stated that the overall site for the purpose of reducing the number of access points onto Unser Boulevard which is designated in the Albuquerque Metropolitan Areas Long Range Major Street Plan as a limited access principal arterial. Mr. Tollefson stated that in the areas identified by the letter “A” are joint access areas between two property areas, basically one drive way running perpendicular to the slope that exists. Mr. Tollefson also stated that he would like to reduce the total number of access points to zero in terms of the lot access and would prefer to see side street access to 2nd Street and 5th Street or Abrazo to the north, but at this time each individual lot has direct access to Unser Boulevard. Mr. Tollefson stated that in the text, it has been identified that the total number of access points has been reduced by 48% if the City proceeds with the reciprocal access easement.

Commissioner Drake referenced Appendix A/Zoning and Code Enforcement, sentence 5, and asked what the ending to that sentence should be. Mr. Tollefson stated he believes that is a thought that has not been completely expressed. Commissioner Drake stated that as each lot develops she would assume that they will tap into the utilities that are under or on the opposite side of the street and asked if they will need to break the street each time commercial development occurs. Mr. Tollefson stated that Steve Makowski, Public Works, has indicated that the utilities are being placed on the western side of the street. Monte Bingham, Cinftran Engineering concurred with statement on placement of the utilities.
Mr. Corsie stated he would recommend that the Commission make a motion to postpone until the August 12, 1997 meeting.

PZC0708974E: COMMISSIONER CUNNINGHAM MOVED THAT THE DEPARTMENT REQUEST FOR A RECOMMENDATION TO THE GOVERNING BODY IN THE UNSER BOULEVARD NORTH SPECIFIC PLAN BE POSTPONED UNTIL THE MEETING OF AUGUST 12, 1997. SECONDED BY COMMISSIONER DRAKE. MOTION CARRIED BY A VOTE OF 5 FOR AND 0 AGAINST.

YES: BLOMBERG, CUNNINGHAM, DRAKE, HEIL, WILLIAMS

ABSENT: HALLADAY
AMENDMENT NO. 83-89
AMENDING ZONING ORDINANCE #81-15
OVERLAY ZONE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO THAT the following Overlay Zones, described more accurately as the RP, Residential Protection, LB, Landscape Buffer and RIE, Restricted Ingress and Egress Overlay Zones, shall be added as amendments to the existing Planning and Zoning Ordinance,

and further that,
the needs of the community are such that the Governing Body believes these Overlay Zones are necessary for the general health, welfare and safety of the community.

PRESENTED AND APPROVED THIS 14th DAY OF December, 1983

[Signature]
David E. Bruening
Mayor

ATTEST:
[Signature]
City Clerk

EMERGENCY CLAUSE INVOKED, ORDINANCE EFFECTIVE IMMEDIATELY THIS DAY OF DECEMBER 14, 1983.

[Signature]
David E. Bruening, Mayor

ATTEST:
[Signature]
Joanne McCloochlin, City Clerk
ORDINANCE NO. 84-116
AMENDING ORDINANCE NO. 83-89
OVERLAY ZONES

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO, NEW MEXICO, THE FOLLOWING AMENDMENT TO THE OVERLAY ZONE AMENDMENT ORDINANCE NO. 83-89 IS HEREBY APPROVED:

Section 9, Item J, "Residential Protection Overlay Zone"

1. General. This overlay zone may be considered for land placed adjacent to, or in, any residential zone, where, due to special planning considerations or external influences, buildings of limited height are reasonable and proper. Close proximity of commercial zones to residential areas can be a determining factor in establishment of the overlay zone.

2. Control. No buildings in an RP Overlay Zone shall be higher than eighteen feet from the mid-elevation of the property.

3. Procedure. The RP Overlay Zone shall be mapped through the regular zone map amendment procedures.

PASSED AND APPROVED THIS 24th DAY OF OCTOBER, 1984.

DAVID A. BR UENING, MAYOR

ATTEST:

JOANNE MCGOTHLIN, CITY CLERK
ORDINANCE NO. 84-111

AN ORDINANCE TO REMOVE THE RESIDENTIAL PROTECTION OVERLAY ZONE FROM BLOCK P AND N OF UNIT 11.

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

The RIE, Restricted Ingress and Egress Overlay Zone shall be removed from Blocks P and N of Unit 11 and that Blocks P and N shall revert to the ingress and egress policy which previously applied to that area.

PASSED AND APPROVED THIS 12th DAY OF September 1984,

David E. Bruening, Mayor

ATTEST:

Anne McGlothlin, City Clerk
ORDINANCE NO. 83-90

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO THAT:

the following Overlay Zones shall be added to the Zoning Map of the City of Rio Rancho on blocks N, O & P of Unit 11, Book 1, Page 60, Rio Rancho Estates, Town of Alameda Grant, registered with the County Clerk of Sandoval County on May 26, 1964,

AND FURTHER,

that the following Overlay Zones shall become an addition to the existing zoning on the property described above, but shall not change the existing zoning classification of that property in any way, except that the provisions of the overlay zone, where they are more or less strict than the provisions of the existing zone, shall apply.

The Overlay Zones which apply to the property described above are:

RP, Residential Protection Overlay Zone and the RIE, Restricted Ingress and Egress Overlay Zone

PRESENTED AND APPROVED THIS 14th DAY OF December, 1983.

David E. Bruening
Mayor

ATTEST:
Joanne McGlothlin
City Clerk

EMERGENCY CLAUSE INVOKED, ORDINANCE EFFECTIVE IMMEDIATELY THIS DAY OF DECEMBER 14, 1983.

David E. Bruening, Mayor

ATTEST:
Joanne McGlothlin, City Clerk
OVERLAY ZONE - Page 2

3. Procedures. The LB Overlay Zone shall be mapped through the regular zone map amendment procedure.

RIE Restricted Ingress and Egress Overlay Zone

1. General. This overlay zone may be used where traffic patterns into residential districts, or districts which because of a difference in zoning have differing needs and abilities to handle medium to heavy traffic, are determined by the City Administration to be detrimental to the residential areas, or to the areas of lighter zone, or where the width, turning curve, or physical composition of certain streets is determined to be inadequate to handle heavy traffic flows, either by weight or by volume.

2. Control. All new street entrances and exits in this overlay zone which create a new traffic pattern, whether actual curb cuts or not, shall be subject to approval or rejection by the City Administration.

Prior to final plan approval, pursuant to Rio Rancho Ordinance 82-33, a traffic plan must be submitted to the City administration for approval. Such traffic plan shall show volumes, expected flow, width of streets, angle of turns necessary for trucks and cars, and shall generally follow the check list provided through the City Administration for traffic plans.

Should the ingress or egress be approved, a Certificate of Traffic Allowance shall be issued to the property owner, a copy of which shall be placed on file in the office of the City Clerk.

3. Procedures. The RIE overlay zone shall be mapped through the regular zone map amendment procedures.
SECTION 9-Item J-Overlay Zones

The use of Overlay Zones in certain areas of the City of Rio Rancho will be used as a planning and zoning tool to buffer one zone from another, and to modify certain conditions which may cause undue hardship and/or specific problems to a particular area of the City.

Overlay Zones shall apply to areas where they are mapped in addition to the provisions of another zone. Where the provisions of an Overlay Zone are more or less restrictive than another section of this ordinance, the provisions of the Overlay Zone shall prevail.

RP Residential Protection Overlay Zone

1. General. This overlay zone may be considered for land placed adjacent to, or in any, residential zone, where, due to special planning considerations or external influences, buildings of limited height are reasonable and proper. Close proximity of commercial zones to residential areas can be a determining factor in establishment of the overlay zone.

2. Control. No buildings in an RP Overlay Zone shall be higher than eighteen (18) feet above the Facing Curb.

3. Procedure. The RP Overlay Zone shall be mapped through the regular zone map amendment procedures.

LB Landscape Buffer Overlay Zone

1. General. This overlay zone may be used for areas which, due to the close proximity of two distinctly different types of zoning, one or more of the zones may be enhanced by the addition of a wide belt of vegetation, including but not limited to, trees, shrubs and plantings of various types.

2. Control. A strip no less than six (6) feet in width shall be placed along the property line or lines closest to an abutting zone. Prior to final plan approval, pursuant to Rio Rancho Ordinance 82-33, a landscaping plan for each strip shall be submitted to the City Administration for approval.

Such landscaping plan shall show the types, locations, size, height and approximate of intended trees, shrubs and plantings. Such landscaping plan shall further show maintenance equipment to be installed with the plantings.

This landscaping plan must be approved by the City Administration prior to final approval of building plans.

After initial planting, any landscaping buffer strip which is allowed to die or deteriorate to a degree greater than one third (1/3) of the area of the strip shall be considered a violation of this ordinance, punishable as provided in Section____ herein.
D. RESOLUTION: Recommend approval of a Resolution approving the Unser Boulevard North Specific Plan. Applicant: City of Rio Rancho

Steve Tollefson, City Development, stated that the Plan has been reviewed prior by the Commission and postponed for approval with recommendations to address sewer lines and access easements, along with the affected and adjacent property owners. He added that he had prepared an access plan with hopes to gain compliance through the use of the City's powers to enforce the access plan which is addressed in Section 7. He also added that he would recommend the utilization of reciprocal access easements and a joint access easement, therefore reducing the total number of access points onto Unser by about 47 percent.

Mr. Tollefson stated that in order to effect the plan, the City would need to utilize its police powers, acquire the property and build the necessary improvements. He added that another alternative is to seek private development of the access improvement, and a third alternative is to implement a special assessment district in the combined private/public funding of those improvements.

Commissioner Nelson asked Mr. Tollefson to give an explanation of the term "police powers". Mr. Tollefson stated that one scenario is that the City exercise their powers of eminent domain, have the property appraised to determine the value and seek to work out an arrangement with the property owners to acquire that property and construct those improvements necessary with public money. The second is to have it completely paid for by the private property owners or third, a combination of a special assessment district.

Commissioner Drake asked if the option of special assessment district will need to come voluntarily from the citizens or if the City could require that. Mr. Tollefson stated that 66 and 2/3 percent of the property owners effected would have to agree on a special assessment district.

Commissioner Halladay asked if the front setbacks will be the same for the entire section or will those that have an access road in their front yard be penalized for losing some of their building space. Mr. Tollefson stated that if they attempt to maintain the reciprocal access easement, if their lot is effected, they would need to increase their setback to accommodate that. Commissioner Halladay stated he is concerned that they will be penalized unless they are compensated in some way for giving up some of their property for a common easement. Mr. Corsie stated that what they may lose in direct access, they gain in less liability from accidents of those who come and go from their building. He added there are other opportunities perhaps to provide credits to their impact fees for improvements to Unser Boulevard. Commissioner Halladay asked if there is a minimum lot width size restriction for commercial. Mr. Corsie stated there is not a front lot width restriction, but there is a lot size restriction, which is 1/2 an acre.

Commissioner Nelson suggested the possibility of creating an overlay zone to address the number of drive accesses and reciprocal access. Commissioner Nelson also stated that possibly the lot
owners could come together and replat the area. Mr. Corsie stated that Commissioner Heil tried to accomplish that with the residential 50 foot lots to no avail.

Commissioner Drake asked if there is an option to create an overlay zone that may impose some restrictions on lengths between access openings. Mr. Corsie stated that is basically what was done on Southern Boulevard, adding that this is general practice; not an overlay zone.

Commissioner Heil asked how the Commission can insure consistency of the landscape buffer. Mr. Tollefson stated that he has attempted to be very specific with respect to the landscape materials and the block wall materials, but in terms of enforcement; it would be up to the plan review process.

Commissioner Halladay stated that he feels that any delivery service to the business would hamper any other access to and from the businesses. He also asked if there are specific requirements for access around the buildings for fire department. Mr. Tollefson stated that approval of access to the rear of the buildings is something that would occur during site development review process. Commissioner Halladay also stated he feels that if there is approval to recommend this plan to the Governing Body, it may create more problems. Mr. Corsie stated they are trying to solve more problems.

Commissioner Nelson asked if there is a figure to what this would cost if a special assessment district is formed. Mr. Corsie stated that there is no figure at this time. Commissioner Nelson stated he feels that there should be price points established.

Commissioner Heil stated that typically an SAD cost 30% more than if improvements are done privately, and added that the City would have to sell the homeowner on the benefits.

Jack Thomas, 200 Lisbon Avenue, stated he is concerned with the buffer zone along 19th Street.

Marilyn Anderson, 201 19th Street, stated she is concerned with the buffer wall along 19th Street. She also asked how will the City get those who have buildings on their property to comply with the construction of the buffer wall. Mr. Corsie stated the existing circumstances would be non-conforming, but added that they would need to come into conformance as things change on their properties and they require additional permits.

Doctor Zelibre, 1800 Sun Court, thanked Steve Tollefson and David Branch for reviewing the petition that was sent from those in her neighborhood. She also is concerned with the appearance of the landscaping, buffer wall and lighting. Mr. Tollefson stated the lighting shall not exceed the height of the primary structure and shall not reflect off the property.

Commissioner Nelson stated he feels that development will occur consistently if there is a sewer line which would serve the lots along Unser Boulevard.

Commissioner Heil stated that would also be of benefit to the landowners.
Commissioner Drake stated she would encourage the Commission that if they do approve to forward this plan, that they recommend the alternative of a SAD be looked at and also look at the requirements of minimum lengths between driveways.

Commissioner Heil stated he would like to recommend that the buffer be complied with by existing property owners within the defined period of time, not to exceed 5 years.

Commissioner Cunningham agreed with the comments of the Commissioners referencing the buffer. He also added that this will be a profitable stretch of highway and does not feel anyone will have a hardship in supporting an SAD.

**PZC0210984D1:** COMMISSIONER DRAKE MOVED THAT THE COMMISSION FORWARD THE UNSER BOULEVARD NORTH SPECIFIC PLAN DRAFT TO THE GOVERNING BODY AND RECOMMEND THAT THEY CONSIDER SAD, ADDRESS CONCERNS OF BUFFER, ACCESS EASEMENTS AND SEWER LINES. SECONDED BY COMMISSIONER NELSON.

**PZC0210984DA:** COMMISSIONER NELSON AMENDED THE MOTION TO RECOMMEND THE GOVERNING BODY APPROVE THE RESOLUTION TO ADDRESS IDENTIFICATION OF PRELIMINARY COSTS FOR PROPOSED AMENDMENTS INCLUDING A SANITARY SEWER WITHIN THE GEOGRAPHIC BOUNDARIES. SECONDED BY COMMISSIONER HEIL.

**PZC0210984DW1:** COMMISSIONER DRAKE MOVED TO WITHDRAW THE MOTION BECAUSE OF UNCLEAR WORDING. MOTION TO WITHDRAW SECONDED BY COMMISSIONER NELSON.

**PZC0210984DWA:** COMMISSIONER NELSON MOVED TO WITHDRAW THE AMENDED MOTION BECAUSE OF UNCLEAR WORDING. MOTION TO WITHDRAW SECONDED BY COMMISSIONER HEIL.

**PZC0210984D2:** COMMISSIONER DRAKE MOVED THAT THE COMMISSION FORWARD THE UNSER BOULEVARD NORTH SPECIFIC PLAN DRAFT TO THE GOVERNING BODY AND RECOMMEND THAT THEY ADOPT THE ENGINEERING AND DESIGN STANDARDS REFLECTED IN THE PLAN. THE COMMISSION HAS FIVE RECOMMENDATIONS FOR THE GOVERNING BODY'S CONSIDERATION OF ALTERNATIVES TO ADDRESS ISSUES OF CONCERN: 1) ALTERNATIVE OF SPECIAL ASSESSMENT DISTRICT VERSUS THE ALTERNATIVE OF A PRIVATE WORKS CONTRACTS APPROACH VERSUS THE EMINENT DOMAIN APPROACH; 2) THE IDENTIFICATION OF PRELIMINARY COSTING FOR SCHEDULED IMPROVEMENTS INCLUDING A
SANITARY SEWER LINE ALONG UNSER BOULEVARD TO SERVE THESE LOTS; 3) THE REQUIREMENT FOR HOOKUP TO SANITARY SEWER PRIOR TO DEVELOPMENT TO THESE LOTS; 4) MINIMUM SPACING BETWEEN DRIVEWAYS AND MAXIMUM USAGE OF RECIPROCAL ACCESS EASEMENTS WHERE FEASIBLE; 5) REQUIREMENT FOR CONSTRUCTION OF BUFFER WALLS AND LANDSCAPING FOR NON-CONFORMING PROPERTIES WITHIN FIVE YEARS. SECONDED BY COMMISSIONER NELSON. MOTION CARRIED BY A VOTE OF 5 FOR AND 1 AGAINST.

YES: BLOMBERG, CUNNINGHAM, DRAKE, HEIL, NELSON
NO: HALLADAY
ABSENT: WILLIAMS
RESOLUTION NO. 22

ADOPTING THE UNSER BOULEVARD NORTH SPECIFIC PLAN.

WHEREAS: The Governing Body of the City of Rio Rancho recognizes the need for land use management mechanisms to effectively buffer residential and non-residential properties; and

WHEREAS: The Unser Boulevard North Specific Plan encompasses approximately 52.98 acres located along Unser Boulevard between 5th Street and Abrazo Road NE; and

WHEREAS: The Unser Boulevard North Specific Plan comprises an area legally described as, all Lots in Blocks N, O & CC of Unit #11; and

WHEREAS: Development within the proposed Specific Plan Area shall be in conformance with said Plan; and

WHEREAS: The Planning and Zoning Board recommends approval of this Specific Plan to the Governing Body of the City of Rio Rancho.

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

That the Unser Boulevard North Specific Plan as incorporated herein Exhibit "A" is hereby adopted.

ADOPTED THIS 27TH DAY OF MAY 1998

[Signature]
John M. Jennings, Mayor

[Signature]
Tina Gonzales, City Clerk

ATTEST:

[Signature]
Tina Gonzales, City Clerk

(SEAL)