



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

August 12, 2026

Subject: Special Use (SU) Zone Map Amendment + Site Plan Review and Approval Request - Property: 3820 Lomas Encantadas NE (Lomas Encantadas Tract 5) and a Portion of 3900 Camino Encantadas NE | Current Zoning: C-1 (Retail Commercial) and Parks & Recreation | Proposed Zoning: SU Authorizing a Coordinated R-6 Multi-Family Residential and C-1 Neighborhood Commercial Mixed-Use Framework | Total Area: Approximately 1.7903 Acres

Dear Planning and Zoning Board,

Modulus Architects & Land Use Planning, Inc. ("Agent"), on behalf of PG Properties ("Property Owner"), respectfully requests approval of a Special Use (SU) Zone Map Amendment for the property legally described herein and depicted in the attached exhibits. The subject site consists of approximately **1.7903 acres** and is comprised of two components:

- Tract 5, containing approximately 1.230 acres, currently zoned C-1 (Retail Commercial).
- An adjacent parcel area consisting of approximately **24,405 square feet (0.5603 acres)** currently owned by the **City of Rio Rancho** and identified as a portion of **LE, TR 17-A | 3900 Camino Encantadas**, presently zoned **Parks and Recreation**. This remnant parcel is proposed to be acquired by the Property Owner and subsequently replatted with Tract 5 to create a unified development site.

The requested Special Use Zone Map Amendment would apply to the combined 1.7903-acre site and establish a tailored framework for a coordinated mixed-use concept consisting of a small, 55-unit boutique luxury apartment community with first-floor neighborhood commercial spaces. The commercial component is intended for day-to-day goods and services that can serve residents and the surrounding community within a walkable setting. The SU framework is well suited to the property's access, size, configuration, ownership, and transitional context while preserving a separate Governing Body review of the detailed site plan.

The purpose of this letter is to provide the relevant background, policy analysis, and justification for the proposed Special Use Zone Map Amendment. Both portions of the site are vacant and undeveloped (see Figure 1). The request would change approximately 1.7903 acres from C-1 Retail Commercial and Parks and Recreation to a tailored SU designation authorizing a coordinated R-6/C-1 mixed-use concept. The zoning request establishes the appropriate use framework; final building placement, commercial floor area, access, circulation, parking layout, landscaping, and other physical details will remain subject to later Governing Body site-plan approval.

The SU framework is appropriate because the site requires a unified plan, a defined use schedule, and property-specific standards to ensure compatibility and a high-quality development outcome. Rio Rancho Code §154.43(A)(3) establishes a two-stage process for SU property. It requires a Governing Body-approved site plan, but expressly provides that the site plan may accompany the zone-change application or may be submitted for approval at a later date. The same provision prohibits development until that approval is obtained. The Applicant elects to submit a site plan with this Zone Map Amendment request.

PROPOSED SU USE FRAMEWORK

Section 154.43(A) identifies the precise circumstances present here. SU zoning is appropriate where suitability depends on site character; where a combination of uses is not otherwise permitted in one underlying district; and where unique requirements for height, setbacks, width, parking, landscaping, signage, or other provisions are warranted. Section 154.43(B)(18) further recognizes any use or combination of uses not otherwise permitted under a specific zoning district as a special use.

Neither conventional R-6 nor conventional C-1 zoning provides the same calibrated result. R-6 alone would not allow the small neighborhood-commercial component that supports a walkable community. C-1 alone does not permit multifamily residential as a principal ground-floor use and is not well matched to a modest corner site with constrained stand-alone access. SU allows the Governing Body to authorize the right-sized combination of both use families while retaining a second discretionary review of the detailed development plan.

- The SU framework therefore provides more—not less—public control:
- The adopting ordinance can define and restrict the authorized use list.
- No development can occur by right from the zoning approval alone.
- A later site plan must return to the Governing Body for approval.
- Site-specific conditions may address height, setbacks, parking, access, circulation, buffers, landscaping, signage, architecture, drainage, and compatibility.
- The City may evaluate the actual proposal and its actual impacts before development is authorized.

SU controls. No development may occur until the Governing Body approves the required SU site plan. Any conditional use derived from R-6 or C-1 remains subject to the applicable use-permit and site-plan requirements unless the adopting ordinance expressly provides otherwise. The ordinance should define the authorized use schedule for a coordinated mixed-use concept consisting of boutique multifamily housing and purposefully limited first-floor neighborhood commercial space. The later site plan should control density, height, setbacks, parking, access, circulation, landscaping, buffering, signage, architecture, drainage, and other property-specific standards.

REQUESTED USE FRAMEWORK

R-6 Use Family

The requested SU ordinance should authorize the permissive uses of §154.13, including multifamily dwellings, other residential forms, senior living, accessory buildings and living space, resident recreation, parks and open space, home occupations, child-care uses, community residential care, places of worship, public utilities, and other R-6 permissive uses. The anticipated residential component is a small, 55-unit boutique luxury apartment community. Uses classified as conditional under R-6 should remain subject to the applicable use-permit process unless the ordinance expressly provides otherwise.

C-1 Use Family

The requested SU ordinance should authorize the C-1 uses specifically identified in the adopting use schedule, with emphasis on small-scale, neighborhood-serving retail and services integrated on the first floor of the residential development. Appropriate examples include a coffee or tea shop, ice cream or dessert shop, small market, personal services, professional or medical office, daycare, and similar day-to-day uses. The use schedule should expressly identify any excluded or conditional uses. Uses classified as conditional under C-1 should remain subject to applicable use-permit and site-plan requirements unless the ordinance expressly provides otherwise.

Purposefully Right-Sized Mixed-Use Concept

The proposed use mix is intentional and proportionate to the approximately 1.79-acre site: a limited amount of first-floor neighborhood commercial space paired with only 55 boutique luxury apartment homes. The commercial component is not intended to function as a stand-alone shopping center or automobile-oriented destination. Its purpose is to meet convenient day-to-day needs, support walking between the site and nearby City amenities, create activity at the pedestrian level, and strengthen the neighborhood without generating the access and parking demands associated with larger-scale commercial development. The exact commercial floor area and tenant mix will be refined through the later site-plan process so the component remains appropriately scaled to the site.

“The SU district authorizes a coordinated mixed-use concept consisting of a modest boutique multifamily component and first-floor neighborhood commercial spaces. The commercial activity shall remain neighborhood-serving and appropriately scaled to the site. Exact floor area, access, parking layout, and design shall be established through the site plan approved by the Governing Body pursuant to §154.43(A)(3), and no development shall occur before that approval.”

PROPERTY CONDITIONS SUPPORT A COORDINATED, CONTROLLED DISTRICT

Long-Term Vacancy and Fragmented Zoning

Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining remnant tract has remained vacant and unimproved under Parks & Recreation zoning and is in the process of being acquired and assembled with Tract 5. Applying one SU framework to the combined property allows the City to replace fragmented zoning with coordinated review.

Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both dimensions fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. There is no independent alternative access point to the corner parcel. These conditions favor one coordinated development with shared access, circulation, and parking and a purposefully small commercial component rather than a stand-alone, automobile-oriented commercial center.

The requested zoning does not approve a particular access point. Parcel assembly and later technical review will allow survey, engineering, ownership, and agency coordination to identify a safe, coordinated access and circulation solution for the mixed-use site. The SU process preserves the City's authority to evaluate that solution comprehensively while supporting a lower-intensity commercial component that is designed to be reached conveniently by residents and nearby neighbors.

Transitional Location and Scale

The property occupies a transition between roadway frontage, existing commercial entitlements, public or recreational land, and residential neighborhoods. Its modest area and corner geometry warrant a use framework that can respond to competing conditions without granting uncontrolled development rights. SU is specifically designed for property whose appropriateness depends on site character and allows the City to impose standards tailored to that transition.

By transitioning from separate C-1 and Parks and Recreation designations to a customized SU district, the City can authorize a coordinated R-6/C-1 mixed-use concept that would not otherwise be permitted under one conventional district. The SU framework allows the Governing Body to define the use schedule and later approve a site plan addressing building placement, access, circulation, parking, landscaping, buffering, architecture, drainage, and other property-specific standards. This creates greater predictability, stronger compatibility protections, and a better-balanced outcome than applying either R-6 or C-1 zoning alone.

In summary, the requested amendment establishes a controlled mixed-use zoning framework rather than approving a detailed site plan. It responds positively to the property's long-term vacancy, fragmented zoning, access conditions, parcel assembly, and transitional context by pairing a small, 55-unit boutique luxury residential community with purposefully limited first-floor neighborhood commercial space. Full Governing Body review of the physical development plan remains required before construction may occur.

SITE OWNERSHIP

The site was purchased by PG Properties and the acquisition was finalized on January 9, 2026. Prior to the sale, Lomas Encantadas Master Association, Inc. had owned the property since 2007. PG Properties, under the umbrella of Ephinity Builders, is the Property Owner and Applicant. The adjacent 24,405-square-foot remnant parcel is owned by the City of Rio Rancho and is in the process of being acquired by PG Properties for assembly with Tract 5.

SITE HISTORY

Tract 5/Parcel 3E was originally zoned R-1. On August 11, 2004, City of Rio Rancho Ordinance No. 30, Enactment No. 04-029, changed Parcels 3B, 3C, 3D, and 3E to C-1. Parcel 3B was subsequently rezoned to R-4, while Parcels 3C and 3D remain C-1. The 2004 ordinance characterized development of the subject property as infill because of its proximity to existing development and recognized that development of vacant land in built-up portions of the community can promote efficient use of existing infrastructure.

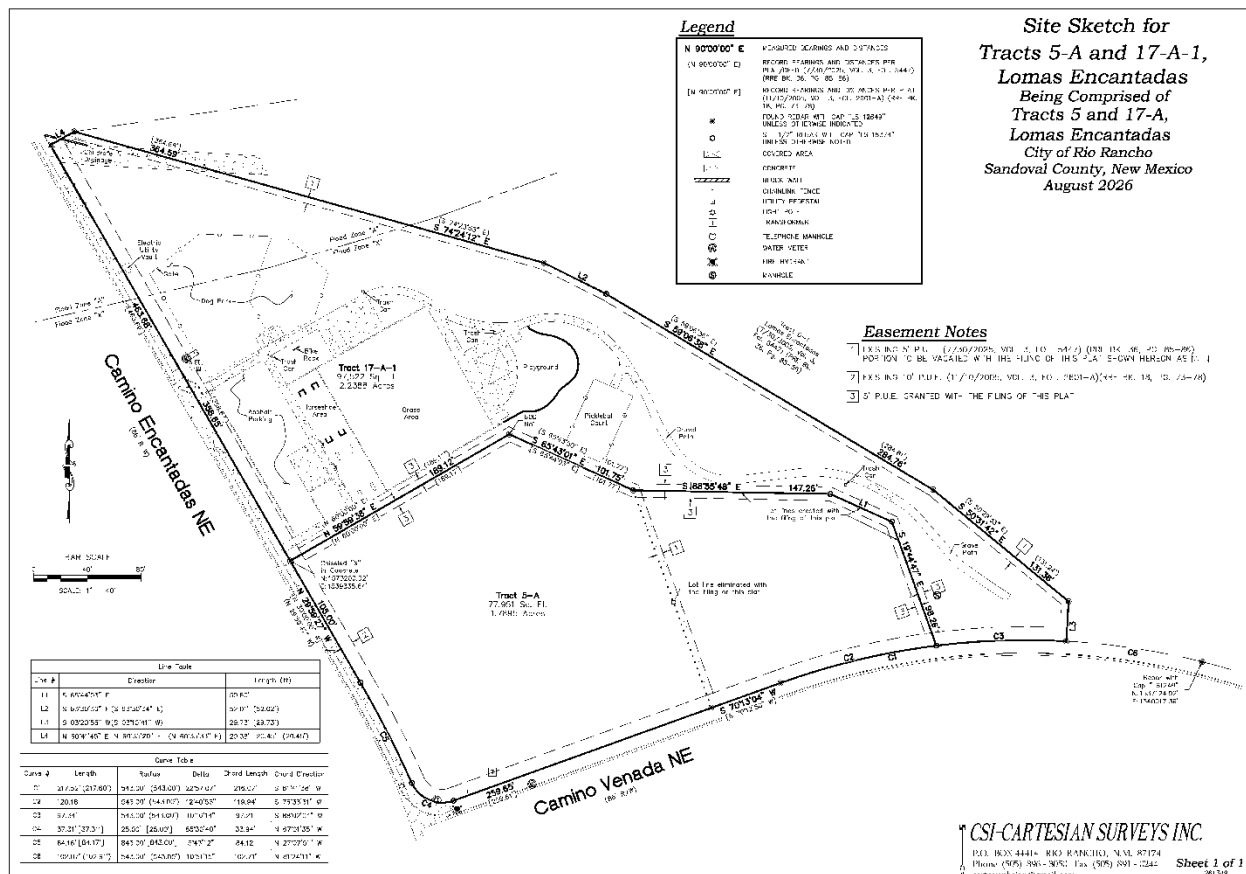
The remnant land area being acquired from the City of Rio Rancho was originally included within the larger Enchanted Hills South Master Plan and zoning actions approved by the City in 2004. As part of Ordinance No. 30, Enactment No. 04-029, the larger area was rezoned from R-1 Single-Family Residential to several planned land-use designations. The remnant parcel was designated PR/Parks and Recreation, reflecting its intended relationship to the community's open-space and recreation system.

Since the 2004 approval, the remnant area has remained vacant and has never been improved as an active park facility. The City has determined that the parcel is surplus to its operational needs and has elected to convey it to the adjoining property owner. Incorporating the remnant into one SU framework with Tract 5 will permit coordinated future review while maintaining access to existing parks, trails, and recreational facilities serving the surrounding community.

Figure 1: Site Location



Figure 2: Site Land Use Plan



WHY THE COORDINATED SU MIXED-USE FRAMEWORK IS MORE ADVANTAGEOUS THAN STAND-ALONE C-1

The subject property has remained vacant for more than twenty years despite being zoned C-1 Retail Commercial. Although the existing zoning remains legally valid, the parcel's limited dimensions, access conditions, pending assembly with the adjoining remnant, and adopted City policies support a coordinated, right-sized mixed-use framework that retains meaningful commercial activity while adding boutique residential use.

The parcel's configuration is not well suited to a stand-alone C-1 commercial center. It has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. Because the parcel occupies the corner of the two roadways and has no independent alternative access point, a smaller commercial component integrated into a coordinated mixed-use site is a better fit than a separate automobile-oriented commercial development.

Figure 3: Access Exhibit

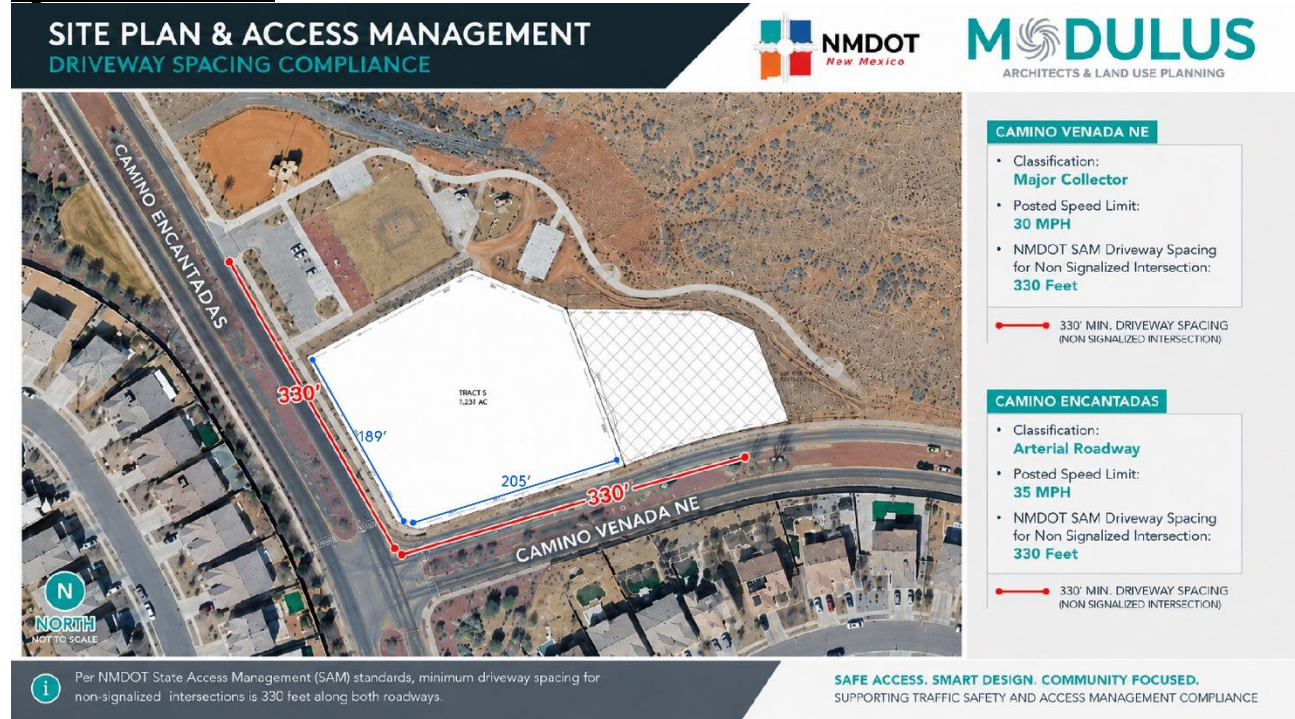
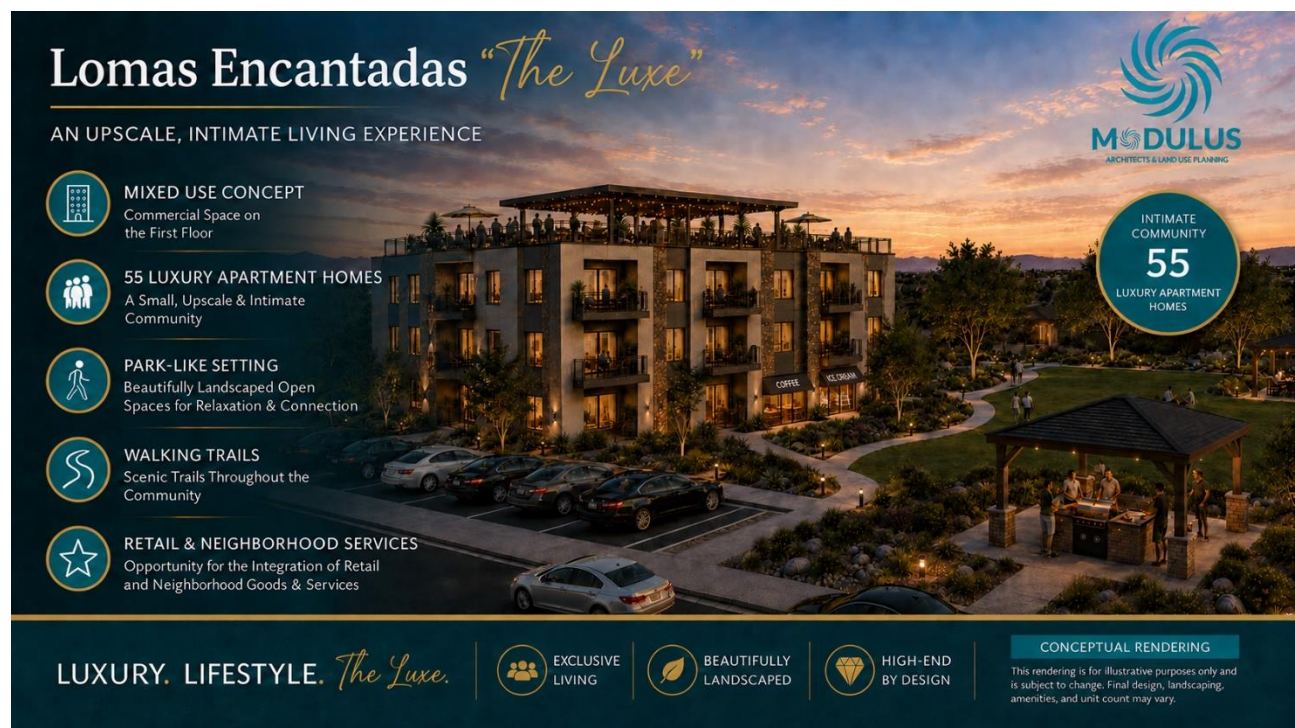


Figure 4: Concept Rendering



The property's frontage and corner geometry therefore support coordinated access and circulation across the assembled site. Integrating a purposefully small neighborhood-commercial component with 55 apartment homes allows trips, access, parking, and internal circulation to be planned together and encourages residents and nearby neighbors to reach day-to-day goods and services on foot. Approval of SU zoning would not approve an access point; the specific solution remains subject to survey, engineering, traffic, agency, and site-plan review.

The relatively small size and corner geometry of the property reinforce the value of a right-sized mixed-use plan. Rather than devoting a substantial portion of the site to the drive aisles and surface parking associated with a stand-alone commercial center, the SU framework allows shared access and parking, a modest first-floor commercial presence, and substantially more open space and landscaping than the minimum requirements.

The requested SU zoning provides a practical, coordinated framework for the concept: only 55 boutique luxury apartment homes, a purposefully limited amount of first-floor neighborhood commercial space, generous open space and landscaping, and code-compliant parking. The current concept is adequately parked and seeks no variances. The later site-plan process will confirm access, circulation, parking, building placement, landscaping, buffering, drainage, and compatibility based on the final technical information.

The request is grounded in sound public planning. The proposed SU classification retains commercial activity at a scale appropriate to the site, adds a modest residential population that can support those services, promotes coordinated access and infrastructure review, creates a walkable relationship with nearby City amenities, and subjects the detailed development plan to property-specific Governing Body approval.

PARKS AND RECREATION REMNANT PARCEL

The remnant land area proposed for acquisition from the City of Rio Rancho was originally designated PR/Parks and Recreation as part of the 2004 Enchanted Hills South Master Plan. Since that time, the property has remained vacant and unimproved and has never functioned as an active park facility. The remnant parcel is limited in size and configuration and has not been developed for recreational purposes during more than two decades of ownership. The City has determined that the parcel is surplus to its operational needs and has elected to convey the property to the adjoining landowner.

Incorporation of the remnant parcel into one SU framework allows the City to evaluate access, circulation, utilities, drainage, parking, pedestrian connections, open space, landscaping, buffering, and the relationship between the residential and neighborhood-commercial components across the combined property. The zoning action establishes the mixed-use concept and use framework; detailed physical design remains for the later site plan.

WHY SU IS MORE ADVANTAGEOUS

The requested Special Use Zone Map Amendment would place a long-vacant C-1 parcel and an unused remnant City-owned tract under one coordinated, property-specific mixed-use framework. Planning the combined property as a whole

allows a small, 55-unit boutique luxury apartment community and a purposefully limited amount of first-floor neighborhood commercial space to share access, circulation, parking, infrastructure, open space, and landscaping.

The framework responds constructively to the conditions that have contributed to long-term vacancy: limited frontage, constrained stand-alone access, modest parcel size, corner geometry, parcel assembly, and the property's transitional relationship to surrounding land uses. The small commercial component is scaled to the site and intended to support walking and convenient daily needs rather than automobile-dominant regional or strip-commercial activity. Final access and circulation will be evaluated when the required site plan is submitted.

The SU framework would authorize a coordinated mixed-use concept consisting of R-6 residential uses and selected compatible C-1 uses. The anticipated program includes only 55 boutique luxury apartment homes, limited first-floor neighborhood commercial space, significantly more open space and landscaping than required, adequate code-compliant parking, and no requested variances. Exact floor area, building placement, access, parking layout, architecture, landscape design, and phasing remain subject to the later site-plan proceeding.

Most importantly, the zone change alone would not authorize development. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a later site plan. That second approval provides the City with greater control over access, circulation, density, setbacks, parking, utilities, drainage, landscaping, buffering, architecture, signage, and compatibility than conventional zoning alone.

The requested zoning change therefore represents a logical and more protective land-use framework for this uniquely situated property. It establishes the right mix and scale of residential and neighborhood-commercial uses while reserving detailed physical development decisions for subsequent public review. Approval of the requested Special Use Zone Map Amendment authorizing the coordinated R-6/C-1 mixed-use framework is respectfully requested.

COMPREHENSIVE PLAN POLICY ANALYSIS

The requested amendment is a zoning-level action that establishes the land-use concept, not approval of a detailed site plan. Consistency at this stage is supported by a defined mixed-use program: only 55 boutique luxury apartment homes, purposefully small first-floor neighborhood commercial space, generous open space and landscaping, adequate code-

compliant parking, and no requested variances. Exact dimensions and physical design will remain subject to the property-specific controls and later site-plan review required by the SU process.

Housing Choice and Community-Friendly Multifamily Development

Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community (PH-7). Policy PH-1 supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity, and Policy PH-4 calls for effective transitions or buffers between substantially different uses and densities (PH-7). The concept advances these policies with a small, 55-unit boutique luxury apartment community organized to provide significantly more open space and landscaping than required.

Focused Growth, Infill, and Infrastructure Efficiency

Goal UD-1 supports focused growth where existing infrastructure can accommodate higher-density development; Goal UD-5 supports infill and redevelopment in areas that have been neglected; and Policy UD-3 supports infill and redevelopment projects (U-10 and U-11). The property lies within an established area where streets and utility networks exist. A modest mixed-use concept with only 55 homes, small-scale commercial space, and shared infrastructure makes efficient use of this setting while final capacity is confirmed during later site-plan review.

Coordinated Planning, Walkability, and Neighborhood Services

Goal L-3 calls for maintaining a citywide balance of land uses. Policies L-1 through L-3 encourage coordinated planning, neighborhood-scale retail compatible with residential development, and walkability (L-8). Section 2.3.7 promotes traditional neighborhoods with varied housing types within walking distance of commercial services (V-9). The proposed combination directly implements these policies by pairing boutique apartment homes with a purposefully limited amount of first-floor commercial space for daily goods and services, creating a walkable neighborhood destination without the scale or traffic pattern of a stand-alone commercial center.

Sense of Place and Appropriate Transitions

Goals UD-2 and UD-3 support traditional neighborhood patterns, a sense of place, and development that fosters human interaction (U-10). Policy PH-4 supports effective transitions between different uses and densities. The proposed ground-floor neighborhood activity, generous open space, enhanced landscaping, and modest 55-unit scale advance these goals, while SU allows the Governing Body to impose standards tailored to the property and evaluate the detailed design at a later public hearing.

Consistency Through the Two-Stage SU Process

Rio Rancho Code §154.43(A)(3) permits the required SU site plan to be submitted after the zoning action and prohibits development until the Governing Body approves that plan. The later application must identify the actual uses and structures and address dimensions, setbacks, ingress and egress, parking, circulation, utilities, drainage, landscaping, buffers, elevations, and adjacent-property characteristics. Detailed findings concerning access, infrastructure capacity, compatibility, walkability, open space, and urban design are therefore reserved for the later site-plan proceeding.

The requested SU classification does not supersede applicable requirements of the Lomas Encantadas Master Plan. The later site plan must demonstrate specific consistency with the adopted Master Plan and surrounding development before construction can be authorized.

Accordingly, the requested amendment advances the Comprehensive Plan by:

- Supporting housing variety through a small, 55-unit boutique luxury apartment community;
- Integrating purposefully limited first-floor neighborhood commercial space for day-to-day goods and services;
- Promoting productive infill, walkability, and coordinated use of an assembled property with significantly more open space and landscaping than required;
- Providing adequate code-compliant parking without requesting variances; and
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- Retaining the City's ability to review and condition the detailed site plan for access, compatibility, infrastructure, and urban design.

ZONE MAP AMENDMENT POLICY COMPLIANCE

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

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

Applicant Response:

The requested Special Use Zone Map Amendment is consistent with and affirmatively promotes the health, safety, and general welfare of the City because it replaces two fragmented zoning designations with one coordinated framework for a modest, walkable mixed-use community. The concept combines only 55 boutique luxury apartment homes with purposefully limited first-floor neighborhood commercial space, generous open space and landscaping, adequate code-compliant parking, and no requested variances. This balanced program supports daily needs, neighborhood activity, and efficient use of existing infrastructure while preserving a separate Governing Body review of the detailed site plan.

The property's access and configuration make coordinated planning especially beneficial. The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada, compared with the 330-foot minimum driveway-spacing standard identified in the Applicant's access analysis for a nonsignalized intersection. The corner parcel has no independent alternative access point. Combining the property with the adjoining remnant tract allows the City to evaluate access, circulation, emergency response, utilities, drainage, parking, pedestrian movement, landscaping, and buffering as one site.

The right-sized mixed-use concept responds positively to those conditions. The neighborhood-commercial component is integrated into the first floor and deliberately limited in scale, allowing it to share access and parking with the residential component and encouraging residents and nearby neighbors to walk for day-to-day goods and services. This approach supports activity and convenience without creating the traffic and surface-parking pattern associated with a larger stand-alone commercial center.

Approval of the requested zoning will establish the use framework but will not authorize construction or approve the detailed physical plan. Under Rio Rancho Code §154.43(A)(3), no development may occur until a site plan is subsequently approved by the Governing Body. That later approval must address proposed uses and structures, dimensions and setbacks, ingress and egress, parking and circulation, landscaping and buffers, elevations, adjacent-property characteristics, utilities, rights-of-way, and preliminary drainage.

The requested SU district also permits the City to impose property-specific requirements for height, setbacks, building width, parking, access, landscaping, buffering, lighting, signage, drainage, and other development standards. The concept already advances the public welfare through a modest 55-unit scale, substantially enhanced open space and landscaping, adequate parking, and no requested variances; the later site plan gives the City the opportunity to verify and enforce those commitments in the final design.

The coordinated use of R-6 and selected compatible C-1 uses is a central public benefit of the request. Residential use supplies a built-in customer base for small neighborhood businesses, while the first-floor commercial component provides convenient daily goods and services for residents and the surrounding community. Because the commercial space is purposefully limited and integrated into the residential development, it is appropriately scaled to the site's access conditions and supports a walkable, community-oriented environment.

The requested zoning therefore advances the public welfare by:

- *Replacing fragmented zoning with one coordinated regulatory framework;*
- *Establishing a balanced mixed-use concept of only 55 boutique luxury apartment homes and purposefully small first-floor neighborhood commercial space;*
- *Supporting walking to daily goods, services, open space, and nearby City amenities;*
- *Providing significantly more open space and landscaping than required;*
- *Providing adequate code-compliant parking and requesting no variances;*
- *Coordinating access, circulation, emergency response, drainage, and infrastructure across the assembled site; and*
- *Preserving the City's authority to review and condition the detailed site plan before construction.*

For these reasons, the SU Zone Map Amendment is not merely consistent with the health, safety, and general welfare of the City; it provides a more protective and accountable regulatory framework than the existing fragmented zoning pattern. The request satisfies Criterion D(1).

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

Applicant Response:

The Applicant acknowledges that stability of land use and zoning is an important public objective. The requested amendment is supported by a sound, site-specific justification: it replaces a fragmented pattern that has not produced development for more than twenty years with a unified SU framework for a modest, compatible, and walkable mixed-use community.

The existing zoning divides the approximately 1.79-acre site between C-1 Retail Commercial and Parks and Recreation. These classifications treat the parcels independently even though their size, configuration, ownership, access limitations, and functional relationship require them to be planned together. Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining City-owned remnant has also remained vacant and unimproved, has never functioned as an active park, and is being assembled with Tract 5. Continuation of the existing zoning would perpetuate a fragmented pattern that has not resulted in productive development or implementation of the remnant tract's designated recreational use.

The longstanding vacancy is not presented as the sole justification for rezoning. It is evidence of the practical limitations imposed by the parcel's configuration and access conditions. The C-1 tract has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The parcel has no independent alternative access point. Although it is not legally landlocked, it is functionally access-constrained as a stand-alone commercial property. These conditions materially limit the reasonable development of the parcel under its existing configuration.

The requested SU classification responds directly to these objective conditions. It would place the assembled property under one coordinated zoning framework and authorize the R-6 use family and selected C-1 uses as an integrated mixed-use concept. The anticipated program of only 55 boutique luxury apartment homes and purposefully limited first-floor neighborhood commercial space retains the property's commercial role, expands housing choice, and creates a scale compatible with the surrounding community and the site's access conditions.

The amendment is therefore a measured refinement of the property's land-use pattern—not an abandonment of its commercial classification or an unrestricted departure from surrounding development. The requested SU ordinance can define a neighborhood-serving commercial use list, authorize the residential component, retain applicable conditional-use requirements, and establish property-specific limitations. The detailed site plan will refine the exact floor areas and layout within this clear mixed-use framework.

Most importantly, approval of the SU zoning would authorize the coordinated use framework without vesting approval of a detailed site plan. Rio Rancho Code §154.43(A)(3) requires a separate site plan approved by the Governing Body before any development may occur. At that later stage, the City will review the actual structures, dimensions, setbacks, access, circulation, parking, utilities, drainage, landscaping, buffers, elevations, and relationship to adjacent properties.

This mandatory second approval provides greater predictability and public control than the existing fragmented zoning pattern. The Governing Body will retain the authority to impose site-specific requirements for access, height, setbacks, building placement, parking, circulation, landscaping, buffering, lighting, signage, architecture, drainage, and other matters necessary to ensure compatibility. If the future proposal does not satisfactorily address those matters, the required site plan need not be approved.

The requested amendment strengthens zoning stability by:

- Replacing two fragmented classifications with one coordinated regulatory framework;*
- Coordinating R-6 residential and selected C-1 neighborhood-commercial uses within one mixed-use framework;*
- Responding to the parcel's frontage and access conditions with purposefully small commercial activity and shared site planning;*

- Creating a productive role for the remnant Parks and Recreation tract within a landscaped, amenity-rich development;
- Providing a modest 55-unit residential scale, enhanced open space and landscaping, adequate parking, and no requested variances;
- Requiring a detailed site plan to receive separate Governing Body approval; and
- Providing an orderly transition between roadway frontage, neighborhood services, public amenities, and surrounding residential development.

Accordingly, the requested SU classification is supported by a sound, property-specific justification. It strengthens zoning stability by replacing a longstanding, fragmented pattern with a clear mixed-use framework that retains appropriately scaled commercial activity, adds a modest residential component, and subjects the final development plan to heightened public review and property-specific controls. The request therefore satisfies Criterion D(2).

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

Applicant Response:

The requested Special Use Zone Map Amendment is generally consistent with and advances the Rio Rancho Comprehensive Plan because it establishes a controlled mixed-use framework that supports housing choice, coordinated planning, productive infill, neighborhood-scale retail, walkability, and efficient use of existing infrastructure. The zoning request is supported by a defined concept—only 55 boutique luxury apartment homes, purposefully limited first-floor commercial space, generous open space and landscaping, adequate parking, and no requested variances—while the detailed physical plan remains subject to later Governing Body approval.

The requested SU classification would authorize the R-6 use family and the compatible C-1 uses specifically identified in the adopting use schedule as a coordinated mixed-use concept. The residential and commercial components reinforce one another: residents provide regular support for small neighborhood businesses, and those businesses provide convenient day-to-day goods and services within walking distance of the homes and nearby community amenities.

This framework is consistent with the following verified Comprehensive Plan provisions:

- Vision for Growth (V-1), which recognizes the need for higher-intensity residential uses to support walkable neighborhoods, transportation opportunities, and complete streets as Rio Rancho grows;
- Urban Design Criteria (V-2), which recognize the importance of increased residential density in providing efficient public services and broader housing opportunities;
- Goal L-3 (L-8), which calls for maintaining a balance of land uses throughout the City;
- Policy L-1 (L-8), which encourages coordinated planning that considers circulation, landscaping, open space, drainage, utilities, and building location and design;
- Policy L-2 (L-8), which supports neighborhood-scale retail that is compatible with residential development;
- Policy L-3 (L-8), which promotes development that incorporates walkability;
- Goal PH-3 (PH-7), which promotes a variety of housing types to meet the needs of all members of the community;
- Policy PH-1 (PH-7), which supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity;
- Policy PH-4 (PH-7), which calls for effective transitions or buffers between substantially different uses and densities;
- Goal UD-1 (U-10), which supports focused growth where existing public infrastructure can accommodate higher-density development;
- Goals UD-2 and UD-3 (U-10), which support traditional neighborhood patterns, a sense of place, and development that fosters human interaction;
- Goal UD-5 (U-10), which supports infill and redevelopment in areas that have been neglected; and
- Policy UD-3 (U-11), which supports infill and redevelopment projects.

The requested amendment advances these policies at the zoning level in several important ways.

First, it creates a path for the productive use of a long-vacant property within an established master-planned area. A small, 55-unit boutique luxury apartment community advances the Comprehensive Plan's housing-variety and infill objectives at a scale that remains compatible with the surrounding neighborhood.

Second, the request retains and improves the property's commercial role by integrating a purposefully limited amount of neighborhood-serving space on the first floor. This right-sized component directly supports the Comprehensive Plan's

policies for compatible neighborhood retail, balanced land use, and walkability. It provides convenient daily goods and services without the access, traffic, and surface-parking pattern of a stand-alone commercial center.

Third, SU zoning provides the coordinated planning mechanism contemplated by Policy L-1. The residential and commercial components, access, parking, circulation, utilities, drainage, generous open space, enhanced landscaping, and pedestrian connections can be planned as one cohesive site rather than as separate C-1 and Parks and Recreation parcels.

Fourth, the requested classification preserves a separate and mandatory review of physical Comprehensive Plan consistency. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a site plan. The later application must identify the actual uses and structures and address dimensions, setbacks, ingress and egress, parking, circulation, landscaping, buffers, elevations, utilities, rights-of-way, drainage, and adjacent-property characteristics. At that stage, the City can confirm that the final plan delivers the walkability, open space, landscaping, parking, transitions, infrastructure, compatibility, and urban design advanced by the zoning concept.

The Applicant is asking the City to approve the mixed-use land-use framework, not an unsubmitted detailed design. The anticipated program includes 55 boutique luxury apartment homes and small first-floor neighborhood commercial space, but the exact building footprint, commercial floor area, access point, parking layout, architecture, open-space configuration, and phasing plan are expressly reserved for the later Governing Body site-plan proceeding.

The SU classification is also compatible with the function of the Lomas Encantadas Master Plan area because it combines a modest range of housing with neighborhood-serving commercial uses, supports walking to nearby City amenities, and requires coordinated site planning before development. The later site plan must demonstrate specific compatibility with the adopted Master Plan and surrounding development before construction can be authorized.

Accordingly, the requested SU amendment is generally consistent with the applicable planning framework because it:

- Provides housing variety through a small, 55-unit boutique luxury apartment community;
- Integrates purposefully limited first-floor neighborhood commercial space compatible with residential development;
- Promotes productive infill, walkability, and significantly enhanced open space and landscaping;
- Provides adequate code-compliant parking without requesting variances;
- Replaces fragmented zoning with coordinated, property-specific mixed-use planning; and
- Preserves detailed Governing Body review of access, infrastructure, compatibility, and physical design through the required site plan.

For these reasons, the requested SU Zone Map Amendment satisfies Criterion D(3).

4. The applicant must demonstrate 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, 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 Response:

The Applicant relies primarily upon subsection (c). The requested SU classification is more advantageous to the community than retaining the existing C-1 Retail Commercial and Parks and Recreation zoning because it establishes a unified, property-specific mixed-use framework that:

- Provides a small, 55-unit boutique luxury apartment community that expands housing choice;
- Integrates purposefully limited first-floor neighborhood commercial space for residents' and neighbors' day-to-day needs;
- Supports walkability and coordinated access in response to the property's frontage and configuration;
- Provides significantly more open space and landscaping than required;
- Provides adequate code-compliant parking and requests no variances; and
- Requires a coordinated site plan and separate Governing Body approval before development.

The request is for approval of this controlled mixed-use framework. It identifies the intended scale and relationship of the uses without seeking approval of the final building footprint, exact commercial floor area, access configuration, parking layout, architecture, landscape plan, or phasing. Those details remain subject to the later site-plan proceeding.

A. Public Need for the Requested Use Category

The public need is for a zoning mechanism that delivers housing choice and useful neighborhood services together at a scale appropriate to a small, access-constrained infill site. The requested framework can:

- Add only 55 boutique luxury apartment homes within an area developed predominantly with single-family housing;*
- Provide a small amount of first-floor commercial space for convenient day-to-day goods and services;*
- Support walking between the site, surrounding homes, and adjacent City amenities;*
- Replace fragmented zoning with coordinated review of an assembled property;*
- Provide generous open space and landscaping together with adequate parking and no requested variances;*
- Create an appropriate transition among roadway frontage, neighborhood services, public amenities, and residential neighborhoods; and*
- Preserve heightened City control over the detailed development through later Governing Body site-plan approval.*

This need is articulated in the Rio Rancho Comprehensive Plan. Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community. Policy PH-1 supports quality, community-friendly multifamily development, and Policy PH-4 calls for effective transitions and buffers between substantially different land uses and densities. Goal UD-1 supports focused growth where infrastructure can support higher-density development, while Goal UD-5 and Policy UD-3 support infill and redevelopment. Policies L-1 through L-3 support coordinated planning, compatible neighborhood-scale retail, and walkability.

The requested SU district directly responds to these policies at the zoning level. It combines a modest range of housing with neighborhood-scale commercial activity, makes productive use of a long-vacant assembled property, and requires coordinated, property-specific review before development.

Both the residential and commercial components are important to the planning rationale. The 55 apartment homes keep the residential scale intimate, while the first-floor commercial component is deliberately small so it can serve daily needs, support pedestrian activity, and remain compatible with the site's access conditions. The exact commercial floor area and tenant mix will be established through the later site plan, but the intended neighborhood-serving scale is a defining feature of the SU framework.

B. Why This Particular Property Best Serves the Identified Public Need

The second requirement of subsection (c) is not satisfied merely by showing that housing or commercial services could occur somewhere in Rio Rancho. The relevant question is why this property is especially well suited to meet the combined need for housing choice, walkable neighborhood services, productive infill, and coordinated site planning.

This property is uniquely situated because the requested change converts site-specific constraints into an opportunity for a carefully scaled mixed-use community. Those conditions include:

1. Long-Term Vacancy Under Existing C-1 Zoning

Tract 5 has remained vacant for more than twenty years despite its C-1 designation. The adjoining Parks and Recreation remnant has also remained vacant and unimproved and has never functioned as an active public park. The SU framework provides a positive path to combine these properties and introduce housing, neighborhood services, open space, and landscaping as one cohesive development.

Rezoning another parcel would not address the longstanding vacancy, fragmented zoning, or physical conditions affecting this particular site.

2. Stand-Alone Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the parcel has street frontage, its dimensions favor coordinated access and circulation rather than an independently developed commercial center. A purposefully small commercial component integrated with 55 homes allows access and parking to be shared, supports pedestrian trips, and is better aligned with the parcel's scale and corner location.

Approval of SU zoning would not approve an access point. It would allow the assembled property to be evaluated comprehensively when the later site plan is submitted, with survey, engineering, traffic review, agency coordination, and parcel assembly informing a safe and acceptable access solution.

3. Assembly with the Adjoining Remnant Property

The adjoining City-owned remnant is in the process of being acquired and combined with Tract 5. This assembly creates a planning opportunity unique to this location: two separately zoned, functionally related, undeveloped tracts can be placed under one coordinated regulatory framework.

The public need is best served by changing this property because the SU classification allows the residential and neighborhood-commercial components, access, circulation, utilities, drainage, parking, pedestrian connections, open space, landscaping, and buffering to be considered across the assembled site. Changing the zoning of another property would not correct the fragmented zoning or planning limitations affecting these tracts.

4. Transitional Land-Use Context

The property occupies a transition among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development. A small first-floor commercial component maintains an active neighborhood-serving edge, while the modest 55-unit residential component provides an appropriate transition toward nearby homes. Conventional C-1 zoning alone does not permit multifamily residential development as the principal ground-floor use. Conventional R-6 zoning alone would eliminate neighborhood-serving commercial activity. SU is more advantageous because it allows the two uses to be planned together at a scale tailored to the property's transitional role and access conditions.

5. Existing Development Context and Infrastructure Investment

The property is located within an established master-planned area near existing streets, utility networks, residential neighborhoods, public facilities, parks, and commercial services. These investments make the site especially appropriate for a compact mixed-use concept that allows residents and neighbors to walk between homes, daily services, open space, and City amenities.

The Applicant is not requesting a final finding at this stage on utility, roadway, or drainage capacity. Those technical determinations will be completed during later site-plan review. At the zoning level, the modest 55-unit scale, purposefully small commercial component, shared infrastructure, adequate parking, and absence of requested variances demonstrate a disciplined approach to focused growth and infill.

C. Why the Coordinated SU Mixed-Use Framework Is More Advantageous Than the Existing Zoning

The existing C-1 designation is legally valid, and the Applicant does not contend that its original adoption was erroneous. However, C-1 is no longer the most advantageous classification for this particular property when considered together with the adjoining remnant tract and the site's access and configuration constraints.

The requested SU classification is more advantageous because it:

- Integrates selected C-1 neighborhood-commercial uses on the first floor at a purposefully small scale;*
- Adds a modest, 55-unit boutique luxury apartment community;*
- Creates a walkable relationship among homes, daily services, open space, and nearby City amenities;*
- Provides significantly more open space and landscaping than required;*
- Provides adequate code-compliant parking and requests no variances;*
- Establishes one coordinated framework for access, circulation, infrastructure, and compatibility;*
- Allows the Governing Body to impose property-specific requirements and approve the detailed site plan; and*
- Prohibits development until that later approval is obtained.*

The SU classification therefore establishes a clear mixed-use land-use concept without substituting zoning approval for site-plan approval. It identifies the appropriate combination and scale of uses while reserving exact floor areas, building placement, access, parking layout, architecture, open-space configuration, and other physical details for later public review based on final technical information.

D. Why Approval Preserves Detailed Future Review

Rio Rancho Code §154.43(A)(3) expressly permits the required SU site plan to accompany the zone-change application or to be submitted for approval at a later date. The Applicant elects the later-site-plan procedure authorized by the Code.

The present application establishes the anticipated 55-unit residential and small first-floor commercial program but does not include or seek approval of:

- A building footprint or site layout;*
- The final residential unit mix or interior floor plans;*
- The exact commercial floor area or tenant;*
- A building height, massing, or architectural design;*
- A courtyard, amenity, or open-space configuration;*
- A driveway or access location;*
- The final parking and circulation layout, although the concept provides adequate code-compliant parking;*
- A landscape, buffer, lighting, signage, or drainage plan; or*
- A construction or phasing schedule.*

Before any development may occur, the Governing Body must approve a site plan addressing the information required by §154.43(A)(3). The City will therefore retain the authority to verify safe access, adequate circulation, appropriate transitions, sufficient infrastructure, compliant drainage, suitable buffering, the enhanced open-space and landscaping commitments, code-compliant parking, and compatibility with surrounding property.

This mandatory second approval is a principal reason the SU classification is more advantageous to the community. It secures agreement on the right-sized mixed-use concept while preserving more detailed City control over its final design than would exist under conventional zoning alone.

E. Comparison with Other Available Property

Other properties in Rio Rancho may be capable of accommodating multifamily housing, commercial services, or mixed-use development. That does not diminish the distinct public benefit of applying this carefully scaled combination to this property.

The identified need includes correcting the fragmented and functionally constrained zoning pattern affecting this particular site. Development of another parcel would not:

- Resolve the stand-alone access limitations of Tract 5;
- Unify Tract 5 with the adjoining remnant parcel;
- Create a coordinated framework for these two separately zoned tracts;
- Place this long-vacant property on a path toward productive use;
- Create a coordinated mix of 55 boutique luxury apartment homes and purposefully small first-floor neighborhood commercial space on this site; or
- Subject the ultimate development of this transitional corner to property-specific Governing Body approval.

Accordingly, changing the classification of this property serves a distinct public purpose that cannot be satisfied merely by identifying other land where similar uses might be permitted. The amendment addresses this site's longstanding planning and access conditions while advancing broader Comprehensive Plan objectives for housing choice, neighborhood retail, walkability, infill, and coordinated design.

F. Conclusion Under Subsection (c)

The two required findings under subsection (c) are satisfied.

First, a public need exists for a controlled mixed-use category that supports housing variety, productive infill, right-sized neighborhood services, walkability, coordinated parcel planning, and enhanced site-specific review.

Second, that need is best served by changing this particular property because of its long-term vacancy, fragmented zoning, access constraints, pending parcel assembly, established infrastructure context, and transitional relationship to surrounding development. Rezoning another property would not resolve these site-specific conditions.

The requested SU district is therefore more advantageous to the community than retaining the existing C-1 and Parks and Recreation classifications. It retains commercial activity at an appropriate neighborhood scale, adds a modest residential component, provides generous open space and landscaping, supplies adequate parking without variances, establishes a unified regulatory framework, and prohibits development until the Governing Body approves a detailed site plan.

For these reasons, the requested Zone Map Amendment satisfies Criterion D(4)(c).

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

Applicant Response: The request is not determined by the Applicant's land cost, anticipated return, or other private economic considerations. The anticipated concept of 55 boutique luxury apartment homes and first-floor neighborhood commercial space is justified by public planning considerations, not by a tax projection, construction value, tenant commitment, or development schedule:

- Replacing fragmented C-1 and Parks and Recreation zoning with one coordinated regulatory framework;
- Addressing a long-vacant and functionally access-constrained corner property;
- Creating a coordinated, right-sized mix of R-6 residential and selected C-1 neighborhood-commercial uses;
- Supporting housing variety, walkability, productive infill, and efficient use of existing public infrastructure;
- Providing enhanced open space and landscaping, adequate parking, and no requested variances;
- Requiring comprehensive later review of access, circulation, utilities, drainage, parking, buffering, and compatibility; and
- Allowing enforceable, property-specific standards that provide greater public control than conventional zoning alone.

Any future economic or fiscal benefits would depend on a later approved development and are not the determining basis for this request. The amendment is justified by the property's physical and regulatory conditions, consistency with adopted planning policy, and the public benefit of a more controlled two-stage approval process. The request therefore satisfies Criterion D(5).

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

Applicant Response: The Applicant acknowledges that proximity to a collector roadway, standing alone, is not sufficient justification for the requested zoning change. The request rests on the coordinated relationship among housing, neighborhood services, open space, access, infrastructure, and site-specific SU controls. The roadway setting is one relevant part of that broader planning context.

The requested SU Zone Map Amendment is supported by the cumulative effect of several objective, property-specific conditions:

- The existing C-1 tract has remained vacant for more than twenty years;
- The adjoining Parks and Recreation remnant has remained vacant and unimproved and has never functioned as an active public park;
- The properties are separately zoned but are functionally related and are being assembled for coordinated planning;
- The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada;
- Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection;
- The C-1 parcel has no independent alternative access point and is therefore functionally access-constrained for stand-alone commercial development;
- The property occupies a transitional location among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development;
- Neither conventional C-1 nor conventional R-6 zoning, by itself, provides the coordinated mixed-use framework needed for the assembled property;
- The requested SU classification supports verified Comprehensive Plan policies concerning housing variety, coordinated planning, productive infill, focused growth, compatible neighborhood services, and appropriate transitions; and
- The SU classification requires a separate Governing Body-approved site plan before any development may occur.

The roadway location is relevant primarily because it affects access, circulation, and the property's relationship to surrounding uses. It supports placing a modest residential population and small-scale neighborhood services where they can share access and parking and connect conveniently to nearby amenities, but it is not the sole basis for approval. Final access must be demonstrated through survey, engineering, traffic review, and agency coordination during the later site-plan process.

The present application seeks approval of a controlled mixed-use framework consisting of the R-6 use family and selected compatible C-1 uses. The anticipated program includes only 55 boutique luxury apartment homes, a purposefully limited amount of first-floor neighborhood commercial space, significantly enhanced open space and landscaping, adequate code-compliant parking, and no requested variances. The exact commercial area, building layout, driveway location, parking configuration, and other physical details remain for the later site plan.

Rio Rancho Code §154.43(A)(3) prohibits development until the Governing Body approves a site plan. At that later stage, the City will evaluate the actual proposal's structures, access, ingress and egress, traffic effects, emergency response, parking, circulation, utilities, drainage, landscaping, buffering, elevations, and compatibility with adjacent property.

Accordingly, the requested amendment is justified by the property's long-term vacancy, fragmented zoning, access conditions, parcel assembly, transitional context, right-sized mixed-use program, consistency with adopted planning policy, and the greater public control provided by SU zoning. The collector-street location is a relevant contextual consideration, but it is neither the sole nor the primary basis for approval.

The request therefore satisfies Criterion D(6).

(7) 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 will 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 the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant Response:

The requested SU Zone Map Amendment satisfies both independent bases for approval. It clearly facilitates implementation of the Rio Rancho Comprehensive Plan, and it establishes an appropriate transitional mixed-use classification for a property distinguished from surrounding land by its fragmented zoning, corner configuration, access conditions, parcel assembly, and relationship to adjoining residential, commercial, and public or recreational land-use patterns.

The zoning request is supported by a clear but appropriately conceptual program: only 55 boutique luxury apartment homes, a purposefully limited amount of first-floor neighborhood commercial space, generous open space and landscaping, adequate parking, and no requested variances.

Approval would establish the coordinated R-6/C-1 use framework while reserving the exact building footprint, commercial floor area, access point, parking layout, architecture, open-space configuration, and phasing for the later Governing Body site-plan proceeding.

A. The Change Clearly Facilitates the Comprehensive Plan

The requested SU classification facilitates realization of the Comprehensive Plan at the zoning level by creating a controlled framework for housing variety, productive infill, coordinated planning, compatible neighborhood services, walkability, and property-specific development review.

The requested classification advances the following verified Comprehensive Plan provisions:

- *Goal PH-3, which promotes a variety of housing types to meet the needs of all members of the community;*
- *Policy PH-1, which supports quality, community-friendly multifamily development;*
- *Policy PH-4, which calls for effective transitions and buffers between substantially different land uses and densities;*
- *Goal L-3, which calls for maintaining a balance of land uses throughout the City;*
- *Policy L-1, which encourages coordinated planning of circulation, landscaping, open space, drainage, utilities, and building location and design;*
- *Policy L-2, which supports neighborhood-scale retail compatible with residential development;*
- *Policy L-3, which promotes walkability;*
- *Goal UD-1, which supports focused growth where existing infrastructure can accommodate higher-density development;*
- *Goals UD-2 and UD-3, which promote traditional neighborhood patterns, a sense of place, and development that fosters human interaction;*
- *Goal UD-5, which supports infill and redevelopment in areas that have been neglected; and*
- *Policy UD-3, which supports infill and redevelopment projects.*

The requested SU classification advances these policies through a carefully scaled mixed-use concept. The 55-unit boutique luxury apartment component expands housing choice, while the purposefully limited first-floor commercial component provides compatible neighborhood goods and services. Together they support walking, daily convenience, a sense of place, and efficient use of the assembled site.

The commercial component is intentionally small because that is the appropriate scale for the site's frontage, access conditions, residential setting, and overall 1.79-acre size. It is large enough to provide meaningful neighborhood activity and services, yet limited enough to avoid the automobile-oriented character of a stand-alone commercial center.

The amendment also facilitates coordinated planning. Applying one SU framework to the assembled property allows the residential and commercial components, access, circulation, drainage, utilities, adequate parking, pedestrian connections, enhanced open space, landscaping, buffering, and compatibility to be evaluated comprehensively.

Most importantly, the requested classification preserves detailed Comprehensive Plan review for the final development. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a site plan. The later application must identify the actual structures and address setbacks, ingress and egress, parking, circulation, utilities, drainage, landscaping, buffers, elevations, and adjacent-property characteristics.

The City will therefore retain the authority to confirm that the final proposal delivers safe access, code-compliant parking, generous open space and landscaping, appropriate transitions, and compatibility with the Comprehensive Plan, Master Plan, and surrounding development. Zoning approval will establish the mixed-use concept without approving the detailed physical design.

B. The Property Is Distinct and Will Function as a Transition

The subject property is not being singled out arbitrarily. Its requested SU classification responds to conditions that materially distinguish it from surrounding properties.

1. Fragmented Existing Zoning

The proposed SU area combines a C-1 Retail Commercial tract with an adjoining Parks and Recreation remnant. Both areas have remained vacant and undeveloped, and the remnant has never functioned as an active public park. Their pending assembly creates a property with a land-use and ownership history different from the established parcels surrounding it.

SU replaces this fragmented zoning pattern with one coordinated mixed-use framework tailored to the assembled property.

2. Traffic and Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the property has street frontage and is not legally landlocked, it is functionally access-constrained for stand-alone commercial development. These traffic and access conditions materially distinguish the property and have contributed to its remaining vacant for more than twenty years.

Approval of SU zoning would not approve a driveway or establish that adequate access exists. It would allow the assembled property to be evaluated as a whole so that survey, traffic analysis, engineering, cross-access opportunities, emergency access, circulation, and agency requirements can be addressed during the later site-plan proceeding.

3. Transitional Land-Use Context

The property occupies a transition among:

- Collector-roadway frontage and the interior of the surrounding neighborhood;*
- Existing commercial entitlements and predominantly residential development;*
- The former Parks and Recreation remnant and privately developable land; and*
- Potentially higher-intensity uses and established lower-intensity residential areas.*

The SU district is particularly appropriate for this transitional role because it authorizes a defined combination of R-6 and selected C-1 uses and permits the City to impose property-specific requirements governing height, setbacks, access, circulation, parking, landscaping, buffering, lighting, signage, architecture, drainage, and compatibility.

The property can therefore function as a well-regulated transition: active and neighborhood-serving along the first floor, modestly residential above and within the site, and softened by generous open space and landscaping.

C. The SU Classification Provides a Public Planning Benefit

The requested SU classification does not create an isolated zone solely for the private benefit of the Property Owner. It serves identifiable public planning purposes by:

- Replacing fragmented zoning with a unified regulatory framework;*
- Addressing a long-vacant and functionally access-constrained corner property;*
- Creating a coordinated mix of only 55 boutique luxury apartment homes and purposefully small first-floor neighborhood commercial space;*
- Right-sizing commercial activity to support walkability and daily needs while respecting the site's access conditions;*
- Providing significantly more open space and landscaping than required;*
- Providing adequate code-compliant parking and requesting no variances;*
- Requiring comprehensive review of access, traffic, drainage, utilities, and compatibility; and*
- Prohibiting development until a separate site plan is approved by the Governing Body.*

This heightened review distinguishes the requested SU classification from an arbitrary grant of development rights. The zone change establishes a clearly defined, right-sized mixed-use framework, and the later site-plan proceeding ensures that its detailed execution meets all applicable standards.

D. Protection Through the Later Site-Plan Approval

Rio Rancho Code §154.43(A)(3) expressly permits an SU site plan to be submitted after the zoning action and prohibits development until the Governing Body approves that site plan.

At the later proceeding, the City will evaluate the actual proposal and may impose conditions necessary to address:

- *The precise use or combination of uses;*
- *Safe and lawful access;*
- *Traffic and emergency-response considerations;*
- *Building height, placement, scale, and setbacks;*
- *Parking and internal circulation;*
- *Utilities and drainage;*
- *Landscaping and buffers;*
- *Pedestrian connections;*
- *Lighting and signage; and*
- *Compatibility with adjacent property and applicable adopted plans.*

The later review will allow the Governing Body to verify safe access, adequate infrastructure, code-compliant parking, enhanced open space and landscaping, appropriate transitions, and compatibility with surrounding development before construction.

E. Conclusion

The requested SU Zone Map Amendment satisfies both bases stated in Criterion D(7).

First, it clearly facilitates the Comprehensive Plan by supporting housing variety, productive infill, coordinated planning, compatible neighborhood services, focused growth, walkability, generous open space, and appropriate transitions through a purposefully scaled mixed-use concept.

Second, the property is materially different from surrounding land because of its fragmented zoning, long-term vacancy, access conditions, corner configuration, parcel assembly, and transitional relationship to adjacent land-use patterns. The SU district responds with a modest 55-unit residential component and small first-floor neighborhood-commercial component, while preserving separate Governing Body review of the detailed development.

Accordingly, the requested SU classification represents legitimate, plan-based, and property-specific zoning rather than an arbitrary or impermissible spot zone. The request satisfies Criterion D(7).

Closing Statement

The requested Special Use Zone Map Amendment represents a measured and responsible evolution of the property's land-use framework. It responds positively to the site's long-term vacancy, fragmented C-1 and Parks and Recreation zoning, stand-alone access conditions, pending parcel assembly, and transitional relationship to surrounding residential, commercial, and public or recreational land-use patterns.

The requested SU classification would authorize a coordinated mixed-use concept consisting of the R-6 use family and compatible C-1 uses specifically identified in the adopting use schedule. The anticipated program is intentionally modest: only 55 boutique luxury apartment homes and a purposefully small amount of first-floor neighborhood commercial space to serve residents and the community's day-to-day needs.

The public benefit is the balance of the uses and the discipline of their scale. The residential component supports neighborhood businesses; the commercial component creates convenience and pedestrian activity; shared planning responds to the site's access conditions; and significantly more open space and landscaping than required creates an attractive, livable setting. The concept is adequately parked under applicable standards and requests no variances. Approval of this Zone Map Amendment would establish that mixed-use framework without authorizing construction or approving the final site layout, building footprint, exact commercial floor area, access point, parking layout, architecture, drainage plan, or development schedule. Pursuant to Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a subsequent site plan.

This two-stage process provides strong public protection and precise City control. It allows the Governing Body to establish property-specific requirements for uses, height, setbacks, access, parking, circulation, utilities, drainage, landscaping, buffering, lighting, signage, architecture, and other matters necessary to protect the public and surrounding properties, while the zoning action secures agreement on the appropriate mixed-use purpose and scale. The requested amendment advances the Rio Rancho Comprehensive Plan's verified policies concerning housing variety, productive infill, focused growth, coordinated planning, compatible neighborhood services, walkability, infrastructure

efficiency, and appropriate transitions. It also places a long-vacant and functionally access-constrained property on a path toward productive use through a carefully scaled mixed-use framework.

For these reasons, the requested SU Zone Map Amendment is consistent with the public interest and the health, safety, and general welfare of the City. Approval is respectfully requested for a coordinated R-6/C-1 framework supporting a small, 55-unit boutique luxury apartment community and purposefully limited first-floor neighborhood commercial space, with generous open space and landscaping, adequate code-compliant parking, no requested variances, and all detailed physical development decisions reserved for subsequent Governing Body site-plan approval.

Warm regards,

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