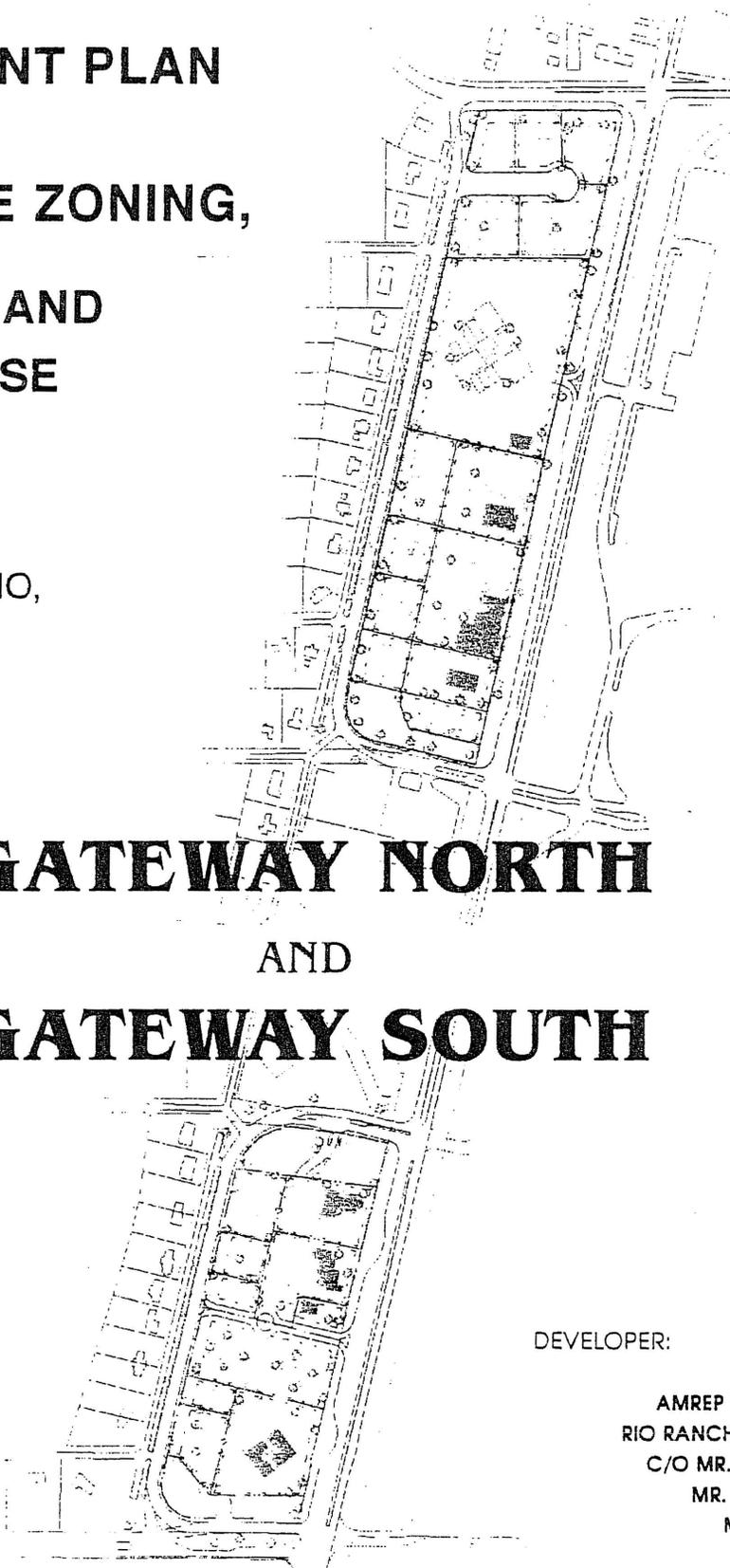


SEPTEMBER 1996

**DEVELOPMENT PLAN
FOR
SPECIAL USE ZONING,
COMMERCIAL AND
OFFICE LAND USE**

WITHIN THE

CITY OF RIO RANCHO,
NEW MEXICO



**GATEWAY NORTH
AND
GATEWAY SOUTH**

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**GATEWAY NORTH
AND GATEWAY SOUTH
AT
RIO RANCHO, NEW MEXICO**

BOOK ONE

(Public Approvals and Processes)

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The Developer makes no representation or warranties whatever with regard to the information contained herein and disclaims any and all responsibility or liability. When, and if, the City of Rio Rancho adopts this plan, all or in part, that approval shall constitute the sole representation of the allowances, restrictions and process for subsequent use of the land.

Those portions of the Plan which are not part of the City zoning approvals (the public allowances and approvals are summarized in Book One) are the property of the Developer, who reserves the right to amend, modify or otherwise change any provision thereof and to republish same.

No real estate buyer should rely on these documents. Anyone interested should procure the latest, approved City version as well as any accompanying City codes, policies, ordinances and data pertaining to the development of this property and building thereon.

All of the property is held for development purposes (except for platted streets and any public use areas or easements). Properties which may be offered for sale are shown on the plats filed for public record which show precise surveyed metes and bounds for such areas and which may be accompanied by any declaration of restrictive covenants which may be recorded with such plat.

Any undesignated areas shown on this Development Plan may be sold, developed, or their designation and ultimate use changed (subject to the laws of the City). Any planning sketches of unrecorded subdivision designs are subject to change.

INTRODUCTION

The project sites are known as **Gateway North and South**.

Both areas are located in the City of Rio Rancho and are bounded on the east and west by the New Mexico State Highway 528 (Rio Rancho Drive) and Grande Boulevard.

Gateway North is bounded on the north by Sara Road and on the south by 19th Avenue. The local reference is "across the street from the Intel plant."

Gateway South is bounded on the north by 21st Avenue (and Haines Park) and on the south by Westside Boulevard, the County Line and the City of Albuquerque.

The vicinity map located on this page shows these areas and some of the adjacent land uses.

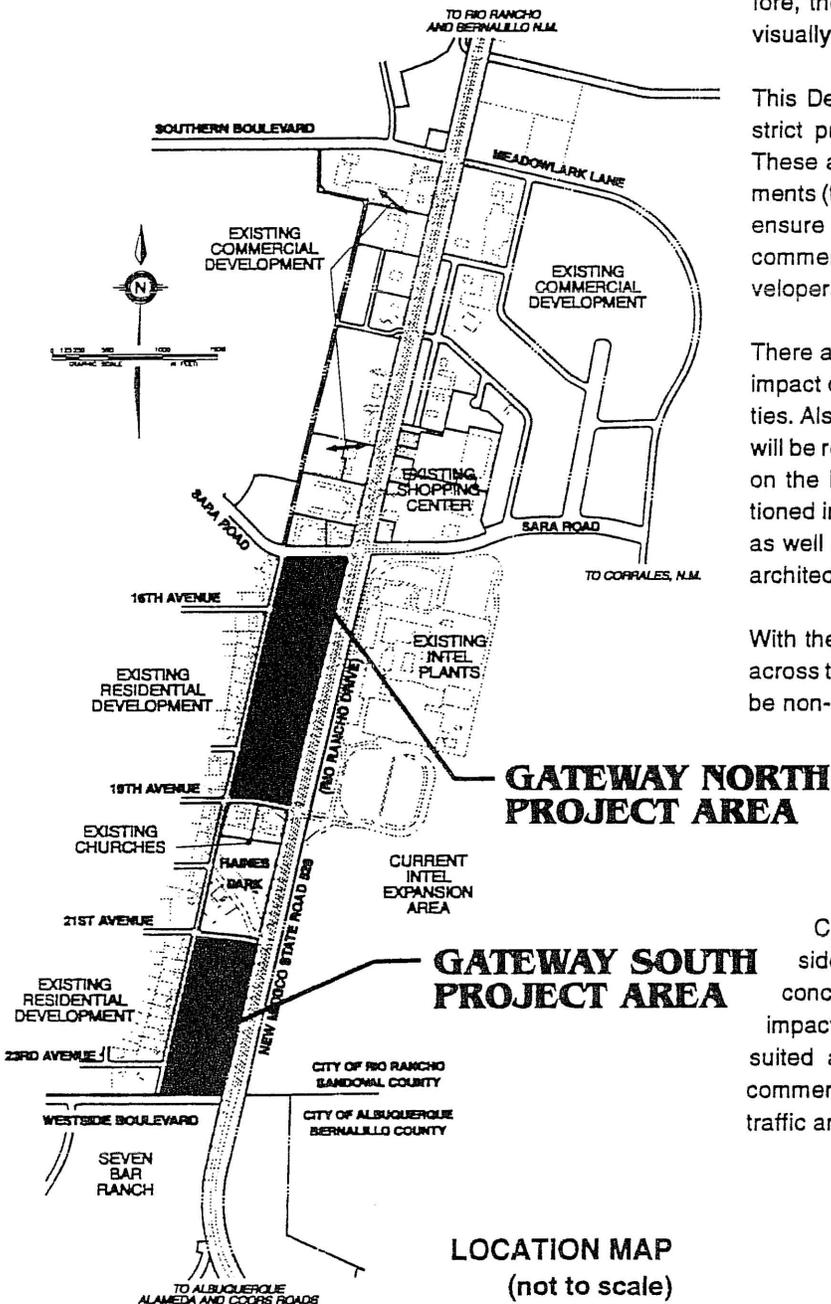
As the names imply, these projects are located at the gateway to Rio Rancho. They are not just near the city limits but topographically, these projects are at the top of a hill, sloping downward to the Rio Grande Valley. Therefore, the locations are very important to the community, visually as well as functionally.

This Development Plan and Zoning instrument contains strict private guidelines and procedures (see Book 2.) These additional controls in addition to the public instruments (the Zoning Code and Book 1) which are intended to ensure that the design of the site and any subsequent commercial structures reflect the community and the developers' desires for a high-quality series of projects.

There are provisions for special setbacks to minimize the impact of new buildings on the existing residential properties. Also, other concerns of the residential neighborhoods will be regulated by the zoning and private controls placed on the land. Some of these concerns are further conditioned in the design of the public streets and public areas as well as by special building setbacks, height limits and architectural design controls.

With the expansion of the Intel industrial plant(s) directly across the highway, it follows that the requested land uses be non-residential, designated for commercial and office uses. The actual allowed land uses are restricted to the permissive and conditional uses, as listed in this document, including restrictions on hours of active use for lands across the street from most of the residential housing.

Central to the issue of non-residential zoning, considering also the mitigation of adjacent residential concerns, is the access, traffic flow and transportation impacts. This plan proposes an innovative and well-suited approach to the separation of residential from commercial traffic and roadway reconstruction to alleviate traffic and street drainage problems.



DEVELOPMENT PLAN OVERVIEW

MASTER PLAN

This document, The **Gateway North and South Development Plan**, will serve as a "Master Plan" of development as well as to establish standards and procedures to be adopted through the zoning approval processes and incorporated into an ordinance and a resolution. This insures that this Development Plan and its intent will "run with the land" until and unless modified by the public process.

For further controls, restrictive covenants with design guidelines will be recorded which call for privately sponsored and administered site development and building design standards. These covenants and architectural review procedures should be reviewed by all interested parties, i.e., purchaser, occupant, user, or design professionals. The initial basis of these instruments is included as an informative chapter to this Plan (Book 2).

The restrictions and standards established in this document were designed to create a high quality development. An architectural review committee, as well as the City staff, will review each site plan.

This Development Plan allows the staff flexibility to approve or make minor modifications to the subdivision documents and site plan documents to fit the individual projects, as long as the intent of this Development Plan is followed.

ZONING

The zoning was approved by the Rio Rancho governing body and incorporated into a zoning ordinance. The zoning will be Special Use with specific allowed uses (most are permitted uses, with a few conditional uses), as listed in the General Schedule of Uses, Allowances, and Restrictions on Page 1.4 of this document.

This Development Plan also sets restrictions by zoning through the incorporation of this document (Development Plan) into a resolution. To accompany this Plan, the developer will record with the Clerk of Sandoval County the following:

1. Protective Covenants and Restrictions.

2. Disclosure of Special Design Standards and Development Review Procedures.
3. Establishment of the Gateway Project Maintenance Association(s).

Also, Preliminary and Final Plats will be processes immediately after the zoning actions to record the initial layout of lots and to show the intent of some of the zoning restrictions and allowances (such as setback and easement lines). These early plats may be subject to administrative modifications as actual building site plans are processed.

LAND USE

By the approval of this Development Plan, the **Gateway North and South Projects** are zoned Special Use with the specific land uses allowed as listed on Page 1.4 of this document. This zoning classification allows for a great diversity in uses while at the same time, through this document, specific standards, restrictions and guidelines, are imposed. These standards and designs augment the Zoning Code requirements (for land use restrictions) and constitute the Development Plan associated with the Site Plan review process.

The additional standards, as listed in this Development Plan, are imposed by a recorded protective covenants document including the establishment of an Architectural Review Committee and the cooperation of the City for administrative approvals.

The developer-imposed standards incorporated into this plan are based on four concepts:

1. Land use intensity and allowances to create diversity while special considerations of the existing residential development are incorporated into these standards.
2. A new street and pedestrian circulation system addresses the existing residents' concerns while fulfilling the needs of the new development.
3. Special consideration to views of the mountains through the height restrictions and setbacks.

4. Landscaping and signage requirements which are more intense and restrictive than the normal zoning code requirements.

These design standards were intended to create a high quality development which will serve as the gateway to the community of Rio Rancho.

The SU zoning allows the developer to choose from among parcels the best site for his intended use while complying with all the design standards listed in this design manual.

To acquire a building permit, the applicant must secure the approval of the Architectural Review Committee (ARC). The approval process of the ARC is listed in detail in Book 2 of this document. Once this is completed, the applicant will go to the City Planning and Development Department (City Planner) for conformance with the intent and conditions of this Development Plan and subdivision plat. After the administrative approval, the builder can proceed with the building permit process. If the applicant's design does not conform to this Development Plan and code as determined at the City's administrative review, then the applicant must process a specific site plan through the Planning Commission.

The **Covenants** and **Design Guidelines** require that architectural treatments complement the surrounding landscape. All buildings should use non-metallic, non-reflective materials. Building finishes of white, neutral and earth tone colors or of a common, approved architectural treatment with complementary color accents are encouraged.

Allowed uses within an approved structure or on any lot are subject to the City of Rio Rancho Zoning Code and the Protective Covenants. The Design Committee is a "touch and concern" party to the Covenants and may initiate enforcement in the same fashion as any owner. The Design Committee can grant variances and exceptions to its published standards. However, it cannot grant variances from City Codes. It will, with good cause, support variances for a quality project during the City review phase and include its expertise toward successful, efficient, and high-quality project reviews.

BUILDING PERMITTING

After approval by the ARC, the next step in the process would be the acquisition of a Building Permit. The same plans approved by the ARC will be submitted to City staff for review/approval. The time for review of these plans will correlate to the complexity of the site constraints. No public hearing will be required, nor will the Planning Commission or City Council need to review the submittal plans unless the staff deems the application "not in compliance" with this plan.

Should an owner seek to revise the plat that exceeds a summary plat procedure (as listed in the Zoning Code) or a use, variance or other change to the approved Plan, the City's Planning Commission and possibly City Council review could be required.

SUBDIVIDING

The Zoning and Land Use conditions of approval will specify a minimum lot size of 0.50 Acre and minimum setbacks and structural separations.

The first plat maps and easement grants following this Plan will probably require several modifications, over time, as purchasers and the developer apply for adjustments to boundaries and relocation of easements. This is predictable and is not discouraged.

The plat maps which follow this Development Plan will reserve easements which will effect the concepts for drainage control and grant rights for common facilities, maintenance of landscaping and paving, utility corridors and access ways. Also, certain easements will be placed to promote common (shared) entrance drives between lots serviced by specific driveway locations.

In addition to recognizing existing utility easements, new easements include, but are not limited to: Landscaping Easement and Drainage Easements; Underground Utility Easements; Surface Landscaping Easements; Surface and subsurface Drainage Easements; Reciprocal Access Easements (granted to the Owners, the Developer, the Maintenance Association and their assigns); Public Utility Easements for all public and private underground Utilities, Drainage and for pedestrian and bicycle use; Signage and Entrance Features Easements, and easements for pedestrian and bicycle pathways along and adjacent to N.M.S.R. 528.

**GENERAL SCHEDULE OF USES, ALLOWANCES, AND RESTRICTIONS
(ESTABLISHED BY ZONING AND COVENANT)**

<p align="center">CATEGORY: COMMERCIAL C-1 AND LIMITED COMMERCIAL C-2</p> <p align="center">ZONING: SPECIAL USE (SU) FOR COMMERCIAL AND OFFICES</p>		
Conditions of Development Plan	Allowed Land Uses	Specific Site Requirements
<p>ADHERENCE TO PRIVATE COVENANTS, DESIGN GUIDELINES, AND ARCHITECTURAL CONTROL ARE THE CONDITIONS IMPOSED, BY ZONING, AND THIS DEVELOPMENT PLAN.</p> <p>OTHER CONDITIONS AS CONTAINED IN THIS DOCUMENT, INCLUDING ANY SUBSEQUENT AMENDMENTS THERETO.</p> <p>PRIVATE RESTRICTIONS AND DEVELOPMENT GUIDELINES CONTAINED IN RECORDED PROTECTIVE COVENANTS AND PUBLISHED GUIDELINES PERTAINING TO THIS PROJECT.</p> <p>CONDITIONAL USE APPLICATIONS TO BE SUBMITTED AND REVIEWED BY THE PLANNING AND ZONING COMMISSION FOR PROJECTS REQUIRING THE ALLOWED CONDITIONAL C-2 OCCUPANCIES.</p> <p>SITE PLAN APPLICATIONS FOR BUILDING PERMIT S TO THE ADMINISTRATIVE STAFF WHEN SUBMITTALS ARE IN CONFORMANCE WITH THIS DOCUMENT - SUBMITTALS TO THE PLANNING AND ZONING COMMISSION (FOR AN AMENDMENT TO THIS PLAN) IF PROPOSED PROJECTS ARE NOT IN CONFORMANCE WITH THIS PLAN (AS DETERMINED BY STAFF REVIEW.)</p>	<p><u>PERMITTED USES:</u></p> <p>SHOPS (TAILORING, DRY CLEANING, PHOTO AND LIKE)</p> <p>RETAIL SHOPS</p> <p>RESTAURANTS AND BAR, EXCLUDING DRIVE-IN LIQUOR</p> <p>REPAIR SHOPS (ELECTRICAL, TELEVISION AND THE LIKE)</p> <p>BANKS</p> <p>THEATERS</p> <p>OFFICE</p> <p>BANK DRIVE-IN WINDOWS</p> <p>CHURCHES</p> <p>BAKERIES AND CONFECTIONERS</p> <p>NURSERY SCHOOLS</p> <p>UNDERTAKERS</p> <p>CLUBS AND FRATERNITIES</p> <p>MEDICAL COMPLEXES</p> <p>COPYING AND BLUEPRINTING</p> <p>GROCERY STORES</p> <p>HOTELS AND MOTELS</p> <p><u>CONDITIONAL USES (REQUIRE HEARING):</u></p> <p>BOWLING ALLEYS</p> <p>CONVENIENCE STORES/DRIVE-IN RESTAURANTS</p> <p>AUTOMOTIVE AND GASOLINE SALES AND REPAIR</p> <p>PRIVATE SCHOOLS</p> <p>PRINTERS</p> <p>FOOD SALES</p> <p>WHOLESALE COMMERCIAL</p> <p>WAREHOUSING AND STORAGE (WITH A MINIMUM OF 20% OF BUILDING AREA TO OFFICE USE)</p> <p>LIGHT MANUFACTURING OR INDUSTRIAL RESEARCH AND DEVELOPMENT OFFICE</p> <p>AMUSEMENT ENTERPRISES</p>	<p>MINIMUM REQUIRED BY CODE UNLESS LISTED IN THIS PLAN AND THE COVENANTS, INCLUDING:</p> <p><u>LANDSCAPING:</u></p> <p>MINIMUM LANDSCAPED AREA PER SITE: 10% BY CODE AND 15% BY THIS DEVELOPMENT PLAN (DEVELOPER-IMPOSED STANDARD).</p> <p>LANDSCAPED HIGHWAY 528 FRONTAGE SHALL INCLUDE A MINIMUM 5% OF TOTAL NET AREA. A MINIMUM OF 3% OF TOTAL LOT AREA TO BE LANDSCAPED AS FRONT YARD, MINIMUM OF 3% OF TOTAL NET AREA TO BE LANDSCAPED WITHIN THE PARKING LOT AREA AND A MINIMUM OF 3 TREES OR 10 SHRUBS ARE REQUIRED FOR EVERY 10 SPACES (IN MEDIANS AND DIVIDERS.)</p> <p>ALL DRAINAGE AREAS AND SURPLUS RIGHTS-OF-WAY ARE TO BE IRRIGATED AND LANDSCAPED.</p> <p>A 20' EASEMENT SHALL BE PROVIDED WITHIN THE 40' BUILDING SETBACK ADJACENT TO NM STATE HIGHWAY 528 AND SHALL CONTAIN A PEDESTRIAN AND BICYCLE MEANDERING PATHWAY CONNECTING THE LENGTH OF THE PROPERTY.</p> <p><u>SETBACKS:</u></p> <p>A 40' MINIMUM BUILDING SETBACK IS REQUIRED ALONG THE N.M.S.R. 528 R/W LINE. FROM THE R/W OF THE NEW CIRCULATOR ROAD (GRANDE BOULEVARD) AND 21ST AVE., 19TH AVE., SARA ROAD AND THE NEW CUL-DE-SAC (SHOWN ON THE GATEWAY NORTH PROJECT) THE MINIMUM SETBACK IS 40' AND FURTHER LIMITED BY A 22 1/2° ANGLE PLANE MEASURED HORIZONTALLY FROM THE "NORMAL" R/W LINE.</p> <p>MINIMUM SIDE YARD SETBACKS SHALL BE EITHER 0' (COMMON WALL) OR 10'.</p> <p><u>BUILDING HEIGHT MAXIMUMS:</u></p> <p>40' FOR STRUCTURES WITHIN 310' FROM N.M.S.R. 528 AND WITHIN THE LOTS IN THE NEW CUL-DE-SAC FOR GATEWAY NORTH. 26' ELSEWHERE. (SEE ADDITIONAL SETBACK LIMITATIONS, HEIGHT-DISTANCE ANGLE ABOVE).</p> <p><u>PARKING STANDARDS:</u></p> <p>CODE MINIMUM REQUIREMENTS FOR SIZE AND NUMBER</p> <p><u>HOURS OF OPERATION:</u></p> <p>FROM THE PROPOSED CIRCULATOR ROAD EAST 180'. EXCEPT THE SITES AROUND THE PROPOSED CUL-DE-SAC IN GATEWAY NORTH, THE HOURS OF OPERATION ARE 6 AM TO 10 PM. ALL OTHER SITES ARE ALLOWED TO OPERATE ON A 24 HOUR BASIS.</p>

**GATEWAY NORTH
AND GATEWAY SOUTH
AT
RIO RANCHO, NEW MEXICO**

BOOK ONE

**THE DEVELOPMENT PLAN
(Public Approvals and Processes)**

**ILLUSTRATIVE SKETCHES
OF
DEVELOPMENT CONCEPTS
AND LAND USE INTENT**

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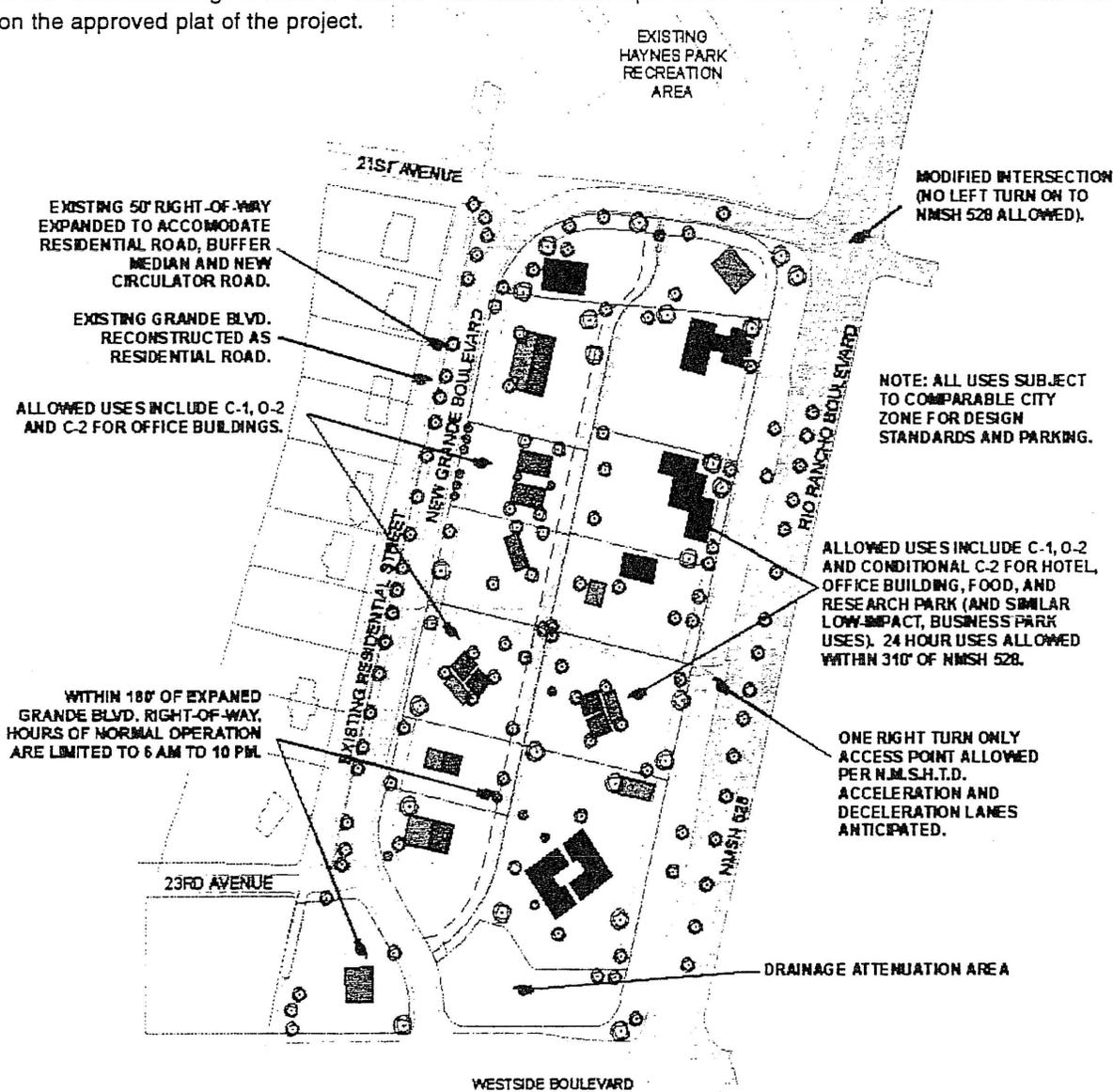
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LAND USE AND ZONING CONCEPT

The proposed zoning will be Special Use for Commercial and Office uses. Some commercial C-2 uses require conditional use plan approval. Other C-2 uses listed in the Zoning Code, but not in this plan, are disallowed. Areas near most of the residential houses are restricted to hours of operation (as well as for height, setback and minimum landscaping/parking criteria).

These Development Plan restrictions (this book) provide the allowed "envelope" whereby a building prospect must first appear before the Architectural Review Committee, then to the City staff for permitting. Proposals outside of this "envelope" must apply for a Development Plan amendment (of this book) including public hearings and review.

Access to the sites from NMSR 528 is restricted to two right turn only intersections. Access to Gateway South from Westside Boulevard is provided by a full intersection. Access to the sites from the new circulator road will be restricted by the City and the Developer to a minimum number of street penetrations. Accordingly, cross-lot access easements and easements facilitating common or "shared" maintenance will be provided. These access points and easements are shown on the approved plat of the project.



"GATEWAY SOUTH"

NEW R/W OF GRANDE BOULEVARD
(EXPANDED TO 110') INCLUDES
BUFFER MEDIAN AND NEW
COMMERCIAL CIRCULATOR ROAD

EXISTING GRANDE BOULEVARD
(50') RECONSTRUCTED AS
RESIDENTIAL ROAD.

ALLOWED USES INCLUDE C-1 AND
C-2 FOR OFFICE BUILDING.

ACTIVITIES LIMITED TO 6 AM TO
10 PM HOURS OF NORMAL
OPERATION.

EXTENDS 180 FEET FROM
EXPANDED GRANDE
BOULEVARD RIGHT OF WAY.

DRAINAGE ATTENUATION AREAS AND
AREAS FOR COMBINED LANDSCAPING/
FLOOD CONTROL.

LOCATION SUITABLE FOR
HIGH-VOLUME RESTAURANTS AND
FOOD SERVICES. STRICT ODOR AND
PEST CONTROL. ALL RUBBISH AREAS
TO BE EQUIPPED WITH COMPACTION
DEVICES AND SCREENED FROM ALL
STREET VIEWS.

ONE, RIGHT TURN ONLY
ACCESS POINT ALLOWED
PER N.M.S.H.T.D.
ACCELERATION AND
DECELERATION LANES

ALLOWED USES INCLUDE C-1 AND C-
2 FOR HOTEL, OFFICE BUILDING,
FOOD, AND RESEARCH PARK
PURPOSES (AND SIMILAR LOW-
IMPACT, BUSINESS PARK USES).
24 HOUR USES ALLOWED.

EXTENDS 310 FEET FROM
N.M.S.R. 525 RIGHT OF WAY.

EXAMPLE OF PRIVATE ACCESS
EASEMENT USE FOR ENTRY.

NOTE: ALL USES SUBJECT TO
COMPARABLE CITY ZONE FOR DESIGN
STANDARDS AND PARKING

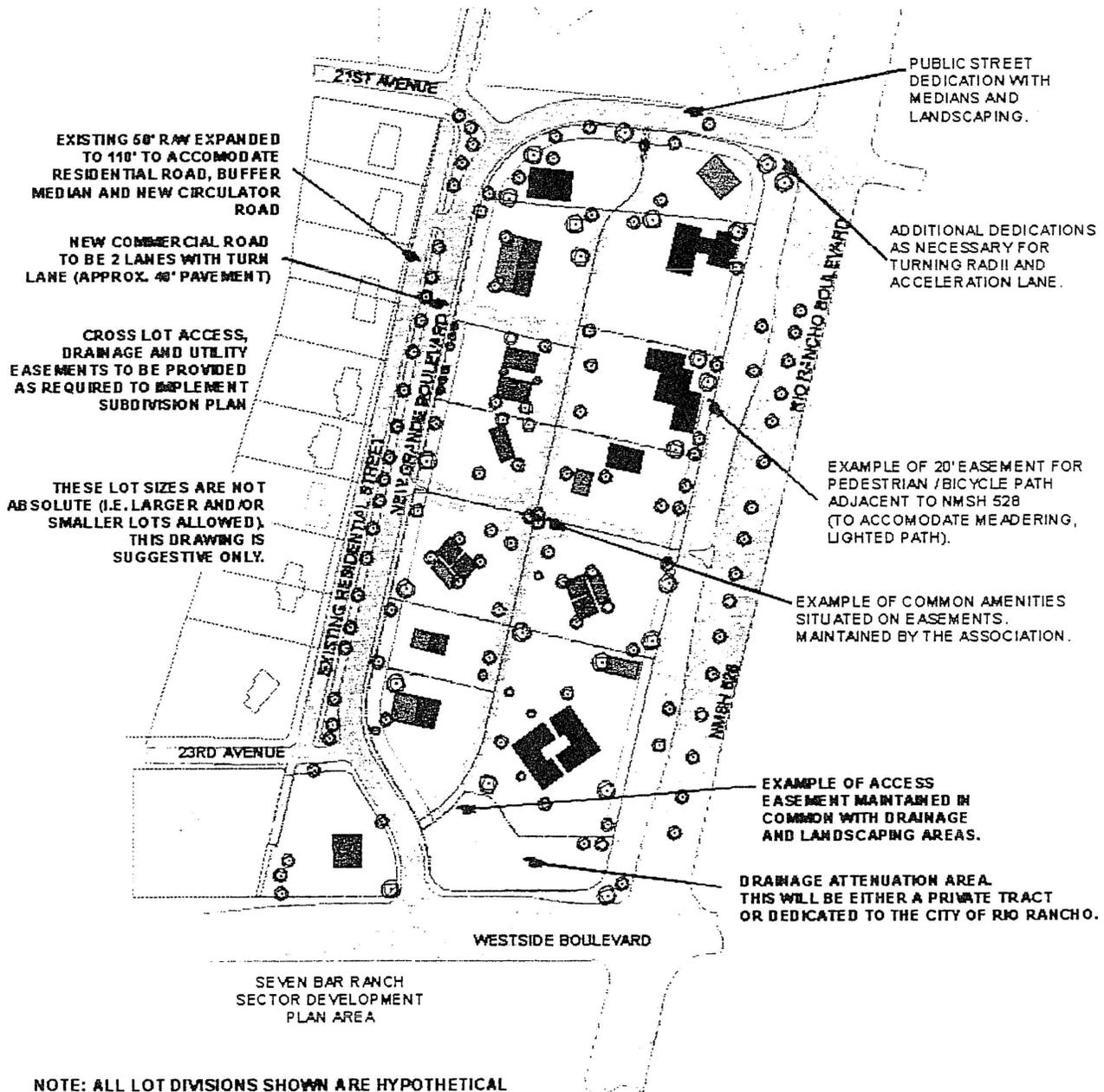
"GATEWAY NORTH"

SUBDIVISION AND EASEMENT CONCEPT

The drawings included in this document are layouts of parcels for hypothetical, suggested designs. These designs are meant to guide the project, not control it. All site development plans will be considered provided they are in conformance with the zoning provisions, covenants and guidelines contained in this Development Plan.

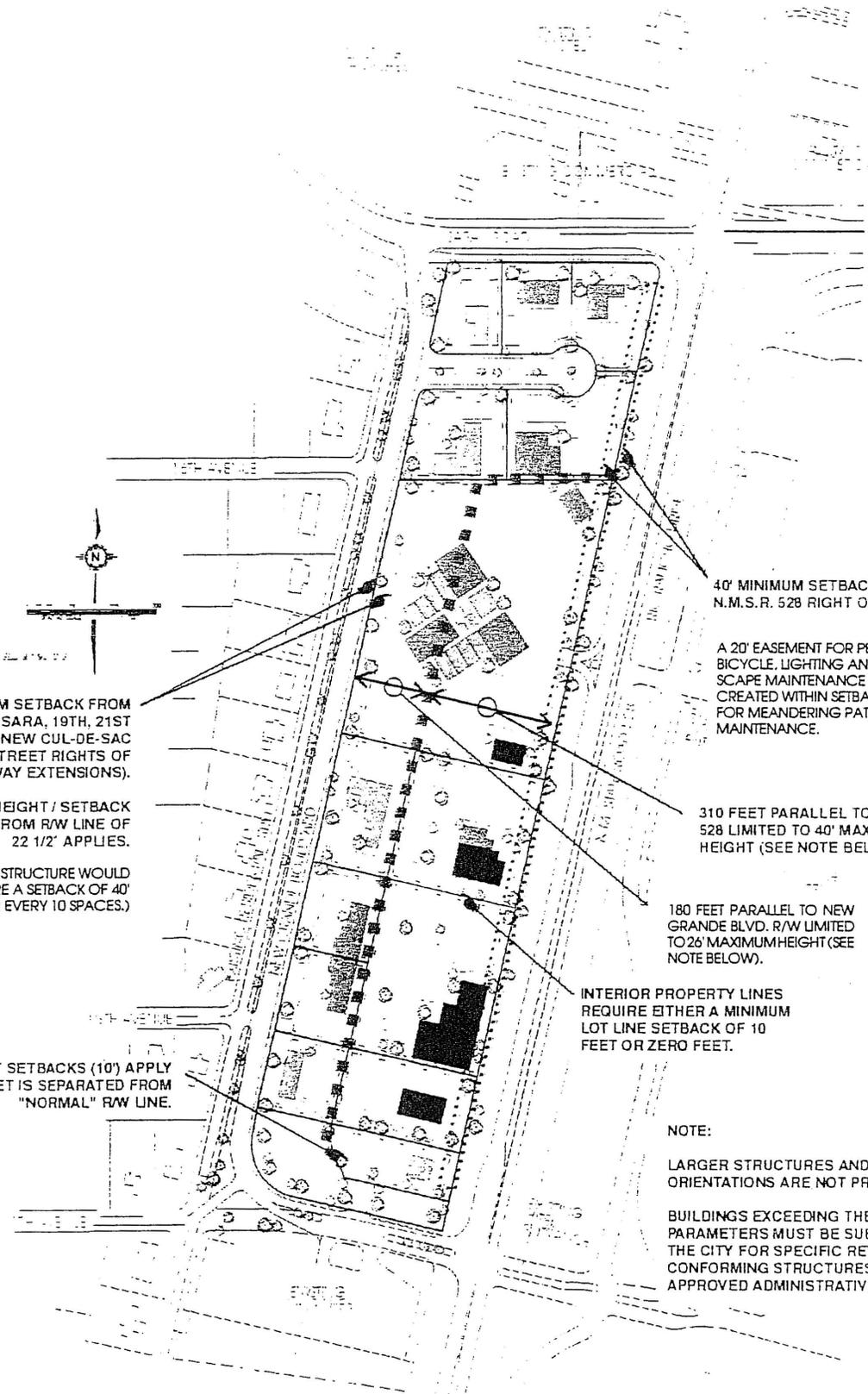
Even though the developer will be platting reasonable, logical and best-attempt lots for building purposes, the purchasers of each development site can negotiate for flexibility in internal access arrangement, lot configuration, utilities, access, and the like. These will be processed in the same fashion as a subdivision replat (summary, staff review).

The landholdings will be divided, initially, into parcels for the convenience of phasing, easement provisions and site identification. Subdivision into smaller or alternately configured sites is accomplished incrementally, as sales and contractual negotiations occur.



NOTE: ALL LOT DIVISIONS SHOWN ARE HYPOTHETICAL (SHOWN AS EXAMPLES ONLY). THE INITIAL PLATS MAY DIVIDE THE PROPERTY DIFFERENTLY. LOT LINES IN CONFORMANCE WITH THIS MASTER PLAN ARE TO BE REVIEWED ADMINISTRATIVELY.

"GATEWAY SOUTH"



40' MINIMUM SETBACK FROM GRANDE, SARA, 19TH, 21ST AND NEW CUL-DE-SAC (NORMAL STREET RIGHTS OF WAY EXTENSIONS).

ALSO A HEIGHT / SETBACK ANGLE FROM R/W LINE OF 22 1/2' APPLIES.

(E.G. A 16' STRUCTURE WOULD REQUIRE A SETBACK OF 40' FOR EVERY 10 SPACES.)

SIDE LOT SETBACKS (10') APPLY WHERE STREET IS SEPARATED FROM "NORMAL" R/W LINE.

40' MINIMUM SETBACK FROM N.M.S.R. 528 RIGHT OF WAY.

A 20' EASEMENT FOR PEDESTRIAN, BICYCLE, LIGHTING AND LANDSCAPE MAINTENANCE TO BE CREATED WITHIN SETBACK AREA FOR MEANDERING PATHWAY AND MAINTENANCE.

310 FEET PARALLEL TO N.M.S.R. 528 LIMITED TO 40' MAXIMUM HEIGHT (SEE NOTE BELOW).

180 FEET PARALLEL TO NEW GRANDE BLVD. R/W LIMITED TO 26' MAXIMUM HEIGHT (SEE NOTE BELOW).

INTERIOR PROPERTY LINES REQUIRE EITHER A MINIMUM LOT LINE SETBACK OF 10 FEET OR ZERO FEET.

NOTE:

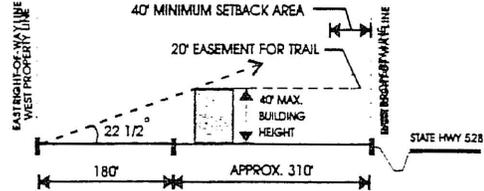
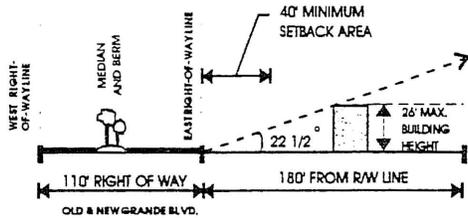
LARGER STRUCTURES AND OTHER ORIENTATIONS ARE NOT PRECLUDED.

BUILDINGS EXCEEDING THESE PARAMETERS MUST BE SUBMITTED TO THE CITY FOR SPECIFIC REVIEW. ALL CONFORMING STRUCTURES CAN BE APPROVED ADMINISTRATIVELY.

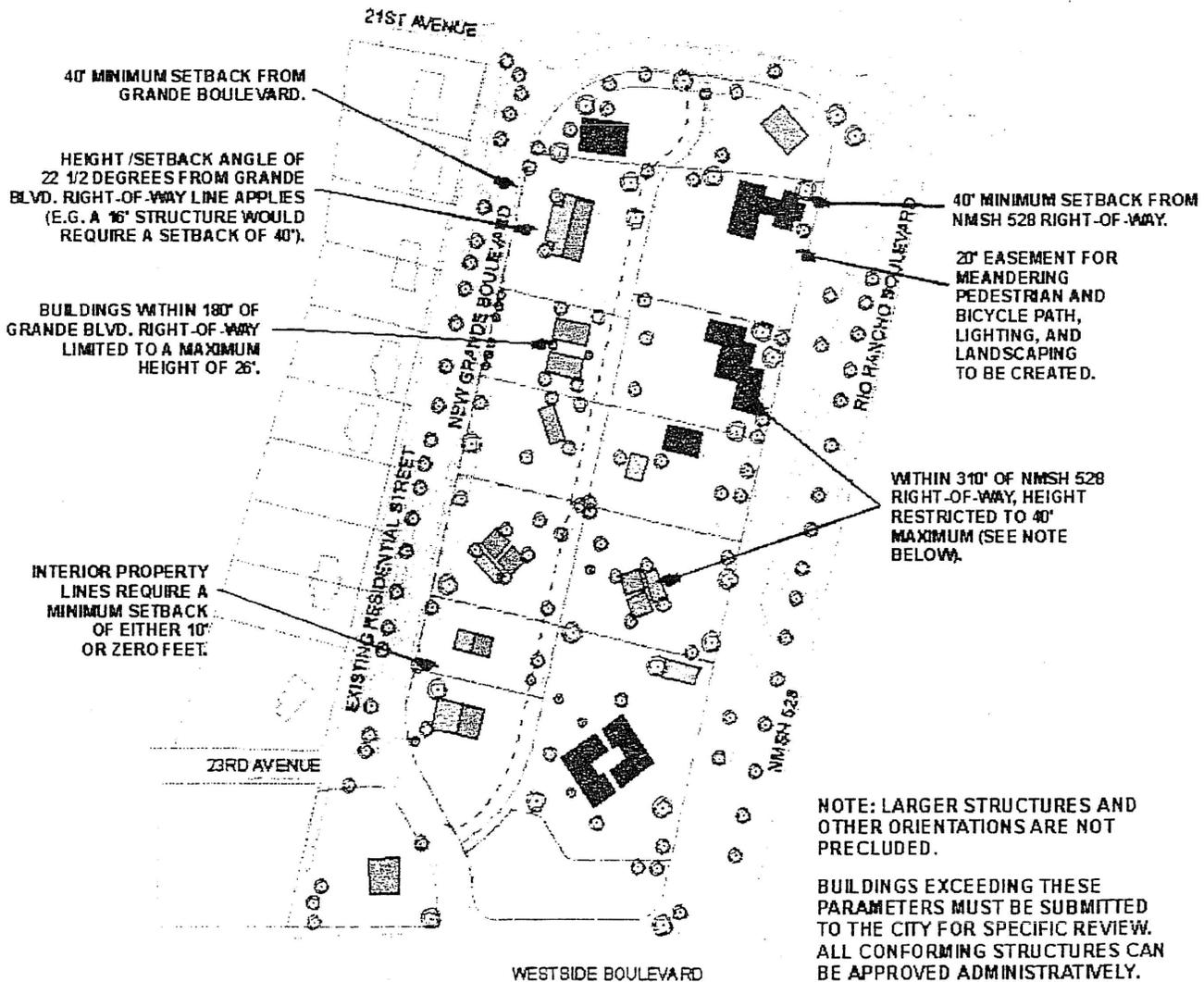
"GATEWAY NORTH"

SETBACK AND HEIGHT CONCEPT

The concept of specific setback minimums, combined with angular limits for building heights near the residential properties, is designed to mitigate the effects on their views to the east. The Plan addresses these constraints by fixing a minimum of 40' setback from street right of way lines. Further, a 26' height maximum and a 22 1/2° maximum angle for roof heights is in effect for most of the Grande Blvd. frontage, extending to a depth of 180 feet. Along N.M.S.R. 528 the height maximum is 40' and there is an easement for pedestrian and bicycle use within the building setback area.



EXISTING HAYNES PARK RECREATION AREA



"GATEWAY SOUTH"

LOTING AS NECESSARY TO ACCOMMODATE RESTAURANT/FOOD SERVICES. MINIMUM LOT = 0.50 ACRE.

ADDITIONAL DEDICATIONS AS NECESSARY FOR TURNING RADII AND ACCELERATION LANEAGE

PUBLIC STREET DEDICATION WITH SPECIAL, WIDE MEDIANS AND LANDSCAPING

EXISTING R/W OF 50' EXPANDED TO 110' TO ACCOMMODATE RESIDENTIAL ROAD, BUFFER MEDIAN AND NEW CIRCULATOR ROAD.

NEW COMMERCIAL ROAD TO BE 2 LANE WITH TURN LANE IF ALLOWED (APPROX. 40' PAVED).

EXAMPLE OF SINGLE-OWNER SITE SPANNING FULL WIDTH BETWEEN GRANDE BLVD. AND NMSR 528 RIGHT OF WAY.

CROSS LOT ACCESS, DRAINAGE AND UTILITY EASEMENTS AS REQUIRED TO IMPLEMENT SUBDIVISION PLAN

EXAMPLE OF ALLOWED ZERO SIDELINE SETBACK (COMMON LINE, ATTACHED WALL), SUBJECT TO UTILITY AND DRAINAGE EASEMENTS.

EXAMPLE OF LOTS SUBDIVIDED FOR 180' / 310' DEPTHS TO BEST ACCOMMODATE USE / HEIGHT RESTRICTIONS.

THESE DEPTHS ARE NOT ABSOLUTE (E.G. LARGER / SMALLER LOTS ARE ALLOWED) - THIS DRAWING IS SUGGESTIVE ONLY.

EXAMPLE OF 20' EASEMENT FOR PEDESTRIAN/BICYCLE PATH ADJACENT TO HIGHWAY (TO ACCOMMODATE MEANDERING, LIGHTED PATH).

EXAMPLE OF EASEMENT ACCESS MAINTAINED IN COMMON WITH DRAINAGE AND LANDSCAPING AREAS.

PLAT GEOMETRY CONFORMING WITH THIS INTENT WILL BE FOR ADMINISTRATIVE PROCESSING

NOTE: ALL LOT DIVISIONS SHOWN ARE HYPOTHETICAL (SHOWN AS EXAMPLES ONLY). THE INITIAL PLATS MAY DIVIDE THE PROPERTY DIFFERENTLY. LOT LINES IN CONFORMANCE WITH THIS CONCEPT ARE TO BE REVIEWED ADMINISTRATIVELY.

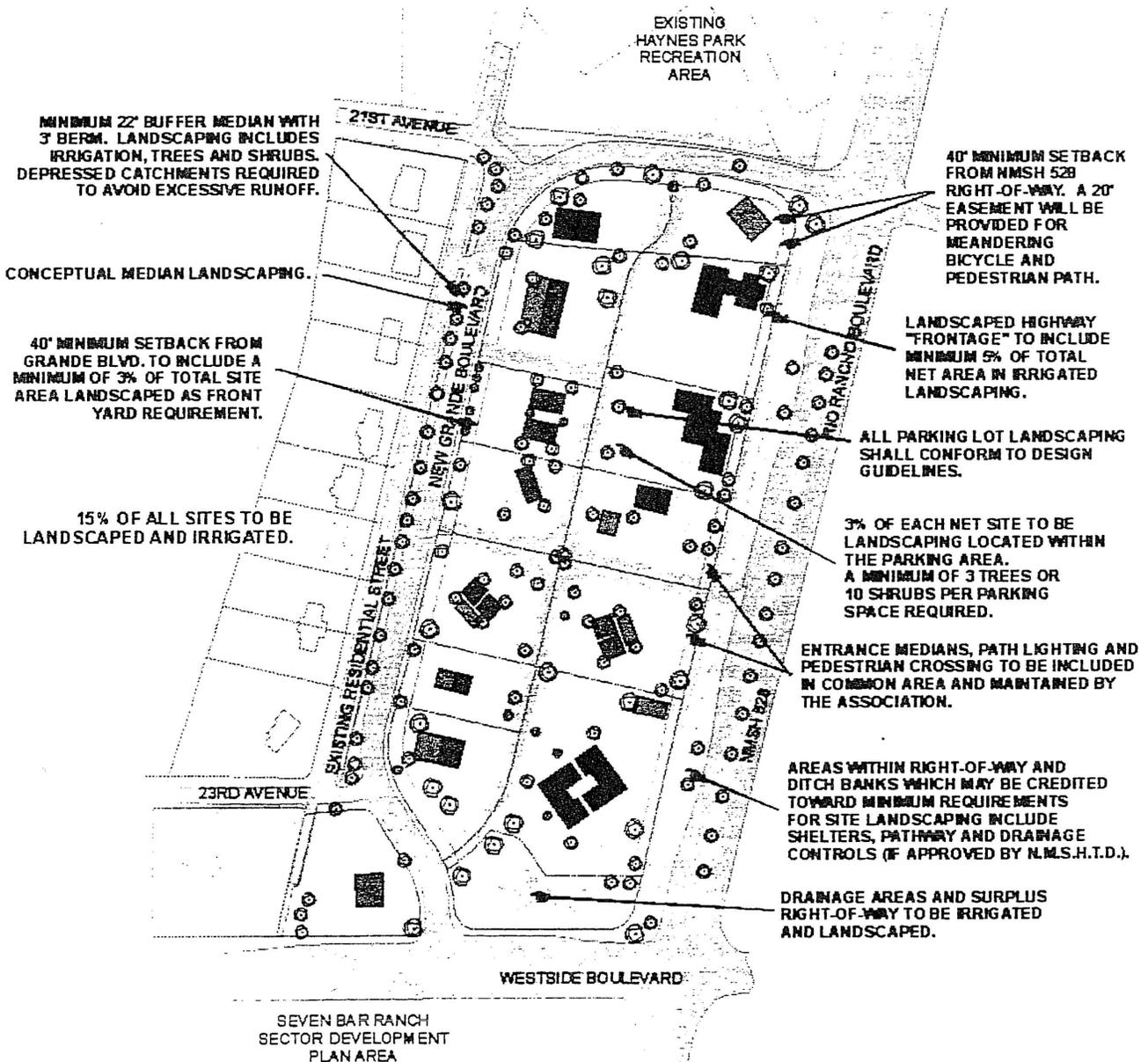
"GATEWAY NORTH"

LANDSCAPING CONCEPT

Minimum amounts of required landscaping exceed the normal City zoning code. Areas within parking lots will be required to create medians and shade. Areas adjacent to N.M.S.R. 528 are required to landscape into the right of way and to include provisions for a serpentine trail, project signage and amenities.

Major landscaped areas include landscaping, hardscape and drainage along NMSR 528, along the circulator street, within the front setback areas of the building sites and between the new Grande Boulevard and the existing residential street. The circulator street median must have a minimum of 3' berm and landscaping to shield the residences.

A maintenance association will care for all private-area landscaping including areas in cross easements and some setback areas. Landscaping areas within rights of way will be dedicated to the city and integrated with a street-reconstruction plan for Grande Boulevard.



"GATEWAY SOUTH"

MINIMUM 22 FOOT BUFFER MEDIAN WITH 3' BERM. LANDSCAPING INCLUDES IRRIGATION, TREES AND SHRUBS. DEPRESSED CATCHMENTS REQUIRED TO AVOID EXCESSIVE RUNOFF.

EXISTING GRANDE BOULEVARD (50' R/W) RECONSTRUCTED AS RESIDENTIAL ROAD WITHIN EXPANDED 110' R/W.

15% OF ALL SITES TO BE IRRIGATED AND LANDSCAPED.

ALL PARKING LOT LANDSCAPING TO CONFORM TO DESIGN GUIDELINES.

3% OF EACH NET SITE TO BE LANDSCAPED AND PLACED WITHIN THE PARKING LOT(S). A MINIMUM OF 3 TREES OR 10 SHRUBS ARE REQUIRED FOR EVERY 10 SPACES.

DRAINAGE AREAS AND SURPLUS RIGHT OF WAY TO BE IRRIGATED AND LANDSCAPED.

40' MINIMUM SETBACK FROM N.M.S.R. 528 RIGHT OF WAY. A 20' EASEMENT PROVIDED FOR PEDESTRIAN AND BICYCLE MEANDERING PATHWAY.

LANDSCAPED HIGHWAY "FRONTAGE" TO INCLUDE MIN. 5% OF TOTAL NET AREA IN IRRIGATED LANDSCAPING.

AREAS INTO R/W AND DITCH BANKS CREDITED FOR MINIMUM REQUIREMENTS FOR SITE LANDSCAPING (IF APPROVED BY THE N.M.S.H.T.D.). INCLUDE SHELTERS, PATHWAY AND DRAINAGE CONTROLS IN LANDSCAPING OF INDIVIDUAL LOTS.

BIKEWAY/PEDESTRIAN WAY WITHIN N.M.S.R. 528 R/W AND MEANDER WITHIN 20' ON-LOT EASEMENT.

INCLUDE ENTRANCE MEDIANS, PATH LIGHTING AND PEDESTRIAN CROSSINGS IN COMMON PLAN. MAINTAINED BY ASSOCIATION.

40' MINIMUM SETBACK FROM GRANDE, SARA, 19TH AND 21ST RIGHTS OF WAY TO INCLUDE A MINIMUM OF 3% OF TOTAL SITE AREA LANDSCAPED AS FRONT YARD REQUIREMENT.

MEDIAN LANDSCAPING INCLUDED IN COMMON PLAN.

"GATEWAY NORTH"

**GATEWAY NORTH
AND GATEWAY SOUTH
AT
RIO RANCHO, NEW MEXICO**

BOOK TWO

(Private Controls effected by Covenants)

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DEVELOPER'S DISCLAIMER

AMREP SOUTHWEST INC., herein referred to as the "DEVELOPER," has caused this Development Plan and attendant documents to be published and submitted to the City of Rio Rancho, New Mexico.

Since this document (The Development Plan) contains drawings and text of a changeable nature, it is expressly not a part of the legal documents and contractual commitments between the Developer and any real estate buyer. This Plan serves, until next revised by the Developer (and approved by the City of Rio Rancho, where so governing) as the guidelines and expression of CONCEPT ONLY for the location of future roads, utilities, public areas, shapes and sizes of subdivided parcels, and the like.

The Developer makes no representation or warranties whatever with regard to the information contained herein and disclaims any and all responsibility or liability. When, and if, the City of Rio Rancho adopts this plan, all or in part, that approval shall constitute the sole representation of the allowances, restrictions and process for subsequent use of the land.

Those portions of the Plan which are not part of the City zoning approvals (the public allowances and approvals are summarized in Book One) are the property of the Developer, who reserves the right to amend, modify or otherwise change any provision thereof and to republish same.

No real estate buyer should rely on these documents. Anyone interested should procure the latest, approved City version as well as any accompanying City codes, policies, ordinances and data pertaining to the development of this property and building thereon.

All of the property is held for development purposes (except for platted streets and any public use areas or easements). Properties which may be offered for sale are shown on the plats filed for public record which show precise surveyed metes and bounds for such areas and which may be accompanied by any declaration of restrictive covenants which may be recorded with such plat.

Any undesignated areas shown on this Development Plan may be sold, developed, or their designation and ultimate use changed (subject to the laws of the City). Any planning sketches of unrecorded subdivision designs are subject to change.

DESIGN STANDARDS, GUIDELINES, AND ARCHITECTURAL REVIEW PROCEDURES

PURPOSE

These **DESIGN STANDARDS, GUIDELINES AND REVIEW PROCEDURES** have been promulgated by AMREP SW, INC., a New Mexico Corporation, hereinafter referred to as the "Developers," even though the actual construction of the project is "progressive" and portions will not necessarily be constructed by agents and/or AMREP SW, INC. as the contracting entity. The term "Developer" best fits their role as those who owned, conceived and created this development.

The conditions imposed on subsequent purchasers are made pursuant to the following documents:

- **GATEWAY NORTH AND SOUTH AT RIO RANCHO DEVELOPMENT PLAN**, (September 1993, amended September 1996).

This Document is used as the basis for the City land use allowances and is the required Development Plan for SU Zoning.

- **PROTECTIVE COVENANTS.**

The Covenants will be recorded with the Clerk of Sandoval County as customary with the Plats of Subdivision (or replats thereof)

- Disclosure of **ARCHITECTURAL REVIEW COMMITTEE (ARC) PROCEDURES AND REQUIREMENTS.**

This document of private review policy is Book Two of the Development Plan. It may be recorded in Miscellaneous of the County Clerk with any effected covenants.

As a part of the completion of the zoning development plan and approvals for **GATEWAY NORTH AND SOUTH AT RIO RANCHO**, the "Developers" wish to establish minimum standards for the subsequent development(s). Also, in order to perpetuate a quality environment and to preserve land values, additional "private controls" were established to guide and administer the provisions of those founding documents.

The Design Standards, Guidelines and Review Procedures are binding upon all persons who at any time

construct, reconstruct, refinish, alter, or maintain any improvement upon the Property, or make any change in the natural or existing surface, drainage, or plant life thereof. These entities may be herein referred to as "Owners" or "Purchasers."

These provisions are administered and enforced by the Architectural Review Committee (ARC) in accordance with the covenants and other recorded documents. They may be amended from time to time, and it is the responsibility of each Owner or other person to obtain and review a copy of the most recently revised Document(s).

It is in the interests of the Developers and subsequent Purchasers to create and enforce effective — yet reasonable — standards to ensure quality development.

This means clear and understandable guidelines to prospective purchasers and their architects and designers. We *do not* want to inhibit creative flexibility. We do want to convey a "tone," and our site planning recommendations should make their job easier.

From the standards and exhibits contained within this document, each prospective builder and developer of any site will have a good idea of what the Architectural Review Committee is expecting. To ensure this, pre-design meeting is recommended with the developer, ARC member, and any other involved parties prior to design for review submittal.

It is strongly recommended that an owner retain professional services for planning and design to ensure that the recommended style as well as the layout reflect the overall objectives.

We do not wish to discourage quality developers who, on face value, may think this development is too rigorously regulated. We encourage them to review these provisions with a perspective of "reasonable controls" intended to enhance their investment.

The high community sensitivity of this land is reflected in the Special Use Zoning adopted by the City of Rio Rancho. AMREP SW INC. fully supports the City in these conditions. Indeed, this document augments them.

Purpose, continued

The Design (Architectural) Review process has been developed to provide adequate checkpoints along the way, so that time and money are not wasted on plans and designs which do not adhere to the policies and expectations of Gateway North and South at Rio Rancho. Every attempt has been made to streamline the procedures to eliminate excessive time delays. Nevertheless, each owner is responsible for complying with these Policies and Procedures, Protective Covenants and the City's zoning code requirements, in order to bring the Design (Architectural) Review process to a speedy and satisfactory conclusion.

The Architectural Review Committee has identified a number of characteristics which provide its definition of "quality." These characteristics are incorporated into this document as standards and guidelines. They are considered the minimal expectations for quality design in new commercial projects.

Some of the design policies are:

STANDARDS, which are embodied in ordinances as well as the covenants. They may not be changed by the "Developers" alone.

Other policies are:

GUIDELINES, intended to provide better direction as to the expectations of the "Developers." These Guidelines may be added to, amended or otherwise changed at the discretion of the "Developers."

No purchaser/owner should be inhibited from suggesting alternatives to the Guidelines and procedures for review and approval. However, until and unless official changes are adopted by the Developer's Architectural Review Committee, the concepts in this Development Plan will serve as the basis for plan review.

There are also procedures for amending the Standards and conditions of zoning. Those procedures will require not only the concurrence of the Developer's entities (Owners and Architectural Review Committee), but they also involve the City of Rio Rancho. Public hearings and official ordinance amendments may be expected.

DESIGN STANDARDS

A. Subdivision and Land Use

The standards outlined in this Development Plan will become the criteria by which both the City and Architectural Review Committee (ARC) base their reviews. The City of Rio Rancho will depend on the Architectural Review Committee to handle the detailed "in conformance" review. The City will not accept an administrative procedure for a summary plat or building permit which has not been "reviewed" by the ARC.

Permitted Uses:

**SHOPS (TAILORING, DRY CLEANING, PHOTO, ETC.)
RETAIL SHOPS
RESTAURANTS AND BAR, EXCLUDING DRIVE-INS
REPAIR SHOPS (ELECTRICAL, TELEVISION, ETC.)
BANKS
THEATERS
OFFICE
BANK DRIVE-IN WINDOWS
CHURCHES
BAKERIES AND CONFECTIONERS
NURSERY SCHOOLS
UNDERTAKERS
CLUBS AND FRATERNITIES
MEDICAL COMPLEXES
COPYING AND BLUEPRINTING
GROCERY STORES
HOTELS AND MOTELS**

Conditional Uses (requires use permit):

**BOWLING ALLEYS
CONVENIENCE STORES/DRIVE-IN RESTAURANTS
AUTOMOTIVE AND GASOLINE SALES AND REPAIR
PRIVATE SCHOOLS
PRINTERS
FOOD SALES
WHOLESALE COMMERCIAL
WAREHOUSING AND STORAGE (WITH A MINIMUM
OF 20% OF BUILDING AREA TO OFFICE USE)
LIGHT MANUFACTURING OR INDUSTRIAL
RESEARCH AND DEVELOPMENT OFFICE
AMUSEMENT ENTERPRISES**

B. Buildings

The purpose of the building design standards is to keep the appearance of each building in scale with its site and its location relative to its surroundings.

These more flexible standards are described as follows:

Floor Area Ratio (F.A.R.)

Floor Area Ratio is defined as the ratio of total area within a building to the total (gross) area of the site. F.A.R.'s are commonly used by professionals, such as architects, to restrict intensely developed districts.

These standards make no distinction between leasable and non-leasable space.

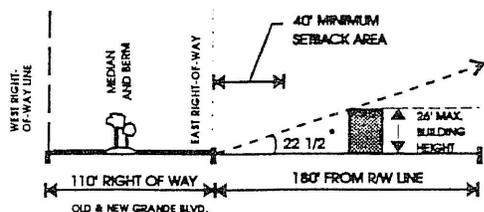
An example of an F.A.R. of 0.20 would allow a two-story building with a 40' x 100' foundation on a 200' x 200' lot or a one-story building with an 80' x 100' foundation on the same size lot.

The maximum F.A.R. standards imposed by the developers are as follows:

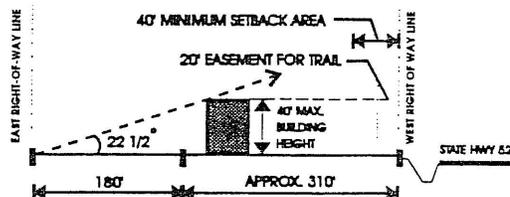
Land Uses Category	Maximum Floor Area Ratio
Retail Commercial	0.50
Service Commercial	0.80
Other Commercial	0.40
Offices	1.50
Other Uses Not Categorized Above (such as hotels/motels)	Reviewed on a case-by-case basis

Building Height.

This project site is restricted by areas or "zones" of maximum height. One zone, as shown on maps, is the area directly adjacent to existing residence to the west, extending to 180' of depth. The maximum building height is established by proceeding east from the adjacent 110' right way at a 22.5 degree angle until that angle hits 26', which is the maximum height allowed in this zone.



The next area or "zone" begins at the end of the previously stated area and extends approx. 310'. It encompasses the balance of the sites to the eastern limits, N.M.S.R. 528. This area "caps" all heights at a maximum of 40'.



The final area, shown as a new cul-de-sac in Gateway North is known as Restaurant Row. This area also has a 40' maximum building height restriction and is under the 22.5 degree angle line as explained above.

This method of establishing building heights also sets up setbacks based on maximum heights allowed. For example, if a building is designed 23 feet in height, the placement of that building would be 46' from the R/W where the 22.5° angle restriction applies.

Building Setbacks.

The Gateway North and South at Rio Rancho has more restrictive setbacks than the minimum code requirements. The additional setback distances take into consideration street expansions (i.e., 528), parking, landscaped areas as well as establishing adequate buffering distance, especially along N.M.S.R. 528.

The developer-imposed standards are as follows:

1. A minimum 40' front setback from property line along State Highway 528, new circulator street (Grande Boulevard), Sara Road, 19th Street, and 21st Street.
2. A minimum 40' front setback along the new cul-de-sac within Gateway North (as shown on map).
3. All interior lot lines require a minimum of 10' building setback unless an attachment to adjacent structure is proposed, then this setback can be reduced to zero (0) feet.

Hours of Operation.

Within the 180' area or zone adjacent to the residences, except the new Gateway North cul-de-sac the hours of normal operation are limited to 6 am to 10 pm.

Within all other areas and the restaurant-oriented cul-de-sac, 24 hours of operation are allowed.

D. Landscaping

Landscaping and accompanying amenities are important to the overall character of both Gateway North and South Projects. The design standards need to be incorporated into both projects to create unity through a central theme.

Materials to be incorporated into the "landscaped" areas are not just plants and trees. Landscape architecture involves pedestrian/bike ways, water retention facilities, ornament structures such as fountains and sculpture. The landscape design/theme of this project envisions all of these elements to create a "top urban quality" look.

Major trees and plantings will be grouped, rather than dispersed, to simulate natural stands. Landscaped areas will be interspersed within parking areas. The street parkway strip (between curb and the property line) must be landscaped.

Under standard commercial zoning, at least 10% of each site is required to be landscaped. This development plan and the protective covenants will require **a minimum of 15% of each site to be landscaped**. Areas landscaped which fall in the public right-of-way (such as parkway strips adjacent to the sidewalk) count towards the lot's minimum percentage requirement as administered by the Architectural Review committee. This Committee can grant variances and special allowances but in no case less than allowed for within the City's code (10% of the site.)

A landscaped buffer along NMSR 528 shall include a minimum of 5% of the total net area in irrigated landscaping. Within this area, an easement is provided for pedestrian and bicycle meandering pathway. These hardscape features may fall within the NMSR 528 R/W. Also within the NMSR 528 R/W, entrance medians, path lighting and pedestrian linkages are provided, as approved by NMSHTD, and will be maintained by the maintenance association.

A 20' minimum landscaped easement within the 40' setback on site along State Highway 528 is provided for pedestrian and bicycle pathway. The design is intended to match projects (Gateway North/South) to create a uniformity along 528.

Landscaped areas, as it is referred to in this document, is defined as the portion of the site or adjacent public right-of-way which is purposefully treated with ground cover, planting materials and beds, and certain surfaces of structures which are part of a planned, landscaped open space or common area (such as walkways, fountains, benches). The maintenance will be accomplished through an association even if the land is dedicated to the public.

A landscaping plan is required for review by the Architectural Review Committee. The committee will review this plan to insure not only that the required percentage is met but also that the high quality design intended is portrayed.

All storage and rubbish disposal areas shall be screened from view along NMSR 528, Sara Road, 19th Street, 21st Street, Westside Boulevard and circulator roads. Parking areas will also be screened with landscaping features from the perimeter roads.

On-site drainage plans are subject to design review as well as the City. Drainage detention areas which are landscaped will apply to the site's minimum percentage requirements of landscaping. Some drainage detention areas must accommodate volume from adjacent areas to solve the existing drainage problems. These areas will be landscaped also and maintained by the association as common area or dedicated to the City.

Effective signage is necessary in any business environment. Both residents and visitors must be informed, directed and controlled, but all too often the needs for signage are distorted into a confusing and ugly assortment of random signs. They not only become a visual blight on the surroundings, but they also fail to communicate effectively.

The design, construction, and installation of each exterior sign on the property is to be submitted to the Architectural Review Committee for review and approval.

Identification signage may be affixed to the building, in addition to ground signs (free-standing) and "Kiosk"-type foundations. Any lighted signs must be placed on an

automatic timer system with the dimmer corresponding to business hours.

The purpose of the Architectural Review Committee's review of proposed signage is to enhance the appearance and function of the center -- **not to regulate advertising.**

E. Parking Spaces

The number of parking spaces is perhaps the greatest variable determining the required size of a site. The initial design consultation using the City's code (and with the Developers) will establish the normal, minimum number of parking spaces for each specific use. The Committee's initial criteria is the same as the standards in the Rio Rancho Zoning Code. However, if the owner of a parcel within the Property can demonstrate that actual demand requires fewer spaces, the Architectural Review Committee will support a recommendation for fewer spaces. In such a case, the owner must then request a variance from the City of Rio Rancho, using the approved site plan as his exhibit. The City of Rio Rancho will not accept an application for such a variance without this prior approval.

In cases where the Committee is unsure of the rationale for fewer spaces, it may recommend that land be allocated for the higher standard, but that the smaller number of actual spaces be built with the initial construction.

F. Access and Site Circulation

The access and site circulation on both sites needed to be addressed in a unique design to incorporate the concerns of the existing residents to the west and the access to 528. A circulator road has been created to address these by controlling access on to 528 as well as separating on site traffic from the existing Grande Boulevard. This has been accomplished by reconstructing the existing Grande Boulevard to create a residential drive with limited access as well as a landscaped buffer between the drive and the new circulator road. This buffer contains a small drainage swale, berm and landscaping.

Access points on to the property will be positioned at various points along the circulator road through reciprocal easements as shown on the subdivision plat. As development occurs, these may be revised and shall be

handled administratively, if the change is considered minor.

North and/or south access points on the sites will occur within common area that will be maintained through a maintenance association or will be dedicated to the City. Other features may be contained within these common areas such as drainage attenuation, additional landscaping, hardscape and signage.

Throughout the site, common amenities may be situated within easements and maintained through an association similar to common area. Also, cross lot access, utility and drainage easements are granted through the subdivision plat to allow the design intended. Minor adjustments to the easements is allowed after design is reviewed and approved by the Architectural Review Committee, then approved administratively through the City.

Access to/from 528 is restricted as shown on the subdivision plat. Besides the controlled intersections of Sara Road, 19th Street, 21st Street, Westside Boulevard, right in/right out access points are regulated by New Mexico State Highway and Transportation Department through traffic analysis and applying for a driveway permit.

Parking is prohibited on the new circulator road, NM State Road 528, existing Grande Boulevard, and the proposed cul-de-sac in Gateway North.

G. Site Design and Surface Arrangements

In addition to the standards already mentioned, there are some more restrictive ones, listed as follows:

LANDSCAPING WITHIN PARKING AREAS

The actual landscaping design of each site's parking area is subject to approval by the Architectural Review Committee through the landscaping plan. Specifically, the parking areas shall incorporate a minimum of 3 trees, 10 shrubs, or a combination per 10 parking spaces. These are part of the 3% minimum landscape area (4%, if the site is greater than 10 acres.)

As allowed by this Development Plan, if the Architectural Review Committee and the City of Rio Rancho agree that a reduction in the actual number of required parking spaces is justified, the area normal-

ly used as parking should be landscaped so as to allow future parking expansion.

SHARED PARKING AND ACCESS CONFIGURATIONS

Either individual site parking areas or one common parking area may be provided with sites that shape common access points. If a common parking area is designed, an agreement between the parties shall be executed outlining maintenance responsibilities.

A guide to use to consider approving the shared parking concept should be the standards listed in the Urban Land Institute. This could possibly reduce the overall parking requirements.

DRAINAGE FEATURES

Drainage features shall be designed and built with the same high quality promoted throughout this project. The top of the drainage channel adjacent to 528 should be landscaped for visual aesthetic by the developers. This may be overtaken by the State Highway because it falls within their right of way.

All drainage culverts within view of public roads shall be encased by headwalls of an aesthetic design approved by the Architectural Review Committee. Surface drainage shall be on a hard surface, or across maintained turf or rock channels which are part of the required Architectural Review Committee. Drainage detention areas are required on all sites of which must be landscaped according to the site landscaping plan. If these detention areas fall within common area, the design and construction shall be the responsibility of the developer and then will either be dedicated to the City or will be maintained by the organized maintenance association.

N.M.S.R. 528 FRONTAGE LANDSCAPING

Landscaping shall be placed along 528 and a uniform theme shall be used for both projects as well as along the Haines Park. This uniformity and continuity is important for it will serve as a high quality, consistent theme as well as a pedestrian connection in all directions. The nature and placement of these amenities will be reviewed by affected utilities as well as incorporating drainage and signage design.

EXTERIOR LIGHTING

Exterior lighting shall not be directed toward streets and/or adjacent properties.

H. Architectural Style and Harmony

All building elevations, including walls and finishes, shall be reviewed by the Architectural Review Committee. The following guidelines shall be complied with:

SCREENING OF METAL EQUIPMENT

All roof-mounted equipment shall be screened from view of NMSR 528, the adjacent residences, and public traffic in a manner which is compatible with the overall approved architectural design.

METAL BUILDING EXTERIORS

No metal panel or pre-fabricated buildings or components of buildings will be allowed to face any major street, such as NMSR 528 and the circulator road. Buildings which are constructed using exterior metal panels or exterior concrete block must present an elevation to the street of access which consists primarily of decorative wood, concrete or masonry or other treatment. As with all architectural or site plans, the Architectural Review Committee must review and approve the plans.

LOADING FACILITIES

Loading facilities containing overhead doors, loading docks, landing areas, and other features shall not be visual from NMSR 528 or the circulator road.

OUTSIDE STORAGE

If outside storage is required, it shall be screened from all roads and interior circulation by a decorative wall or solid fence as approved by the Architectural Review Committee.

ARCHITECTURAL THEMES

The first building of substantial size submitted and approved by the Architectural Review Committee will establish the predominant architectural design for that area. The design themes may vary between Gateway South and North, perhaps two themes in Gateway North will predominate.

For the new cul-de-sac in Gateway North, trademark restaurant architecture may be considered if it is architecturally designed for the site and according to these guidelines. All hotel/motel designs, including signage must also be architecturally designed for the area, even if trademark designs are used for the initial inspiration.

A partial list of accents and characteristics of styles which would be considered desirable include:

- Contemporary, vibrant and highly-finished architectural motifs
- Ceramic or artistically designed accents
- Multi-level roof profiles with coordinated edges
- Some stucco with sloped roofs, some brick exterior finishes, integration with glass wall panels, plazas, porticoes and facades
- Earth-toned, neutral or light masonry colors

Please note that adherence to any one theme is not mandated because of the variety of uses and requirements, but the Architectural Review Committee will at least be looking for consistent architectural characteristics.

GRADING AND SLOPE PROTECTION

Grading for large sites and parcels must follow a cohesive plan which minimizes steep cut areas and contains slope control details and grade transitions. All sites must allow for on-site drainage and stormwater runoff control areas incorporated with the site landscaping (see the approved drainage plans filed with the subdivision plats.)

I. Signage

Many different kinds of signs are desired at **GATEWAY NORTH AND SOUTH AT RIO RANCHO**. The design, construction, and installation of each exterior sign on the Property shall be submitted to the Architectural Review Committee for approval. All signage size, placement, nomenclature and materials should be defined in the submitted plans. The Committee's review is administered in conjunction with the ordinances of the City of Rio Rancho.

Every business must be identified with an exterior sign. Low intensity, illuminated signage (interior illumination as opposed to reflected) is recommended, with timers to shut off during minimal activity periods. The graphics of

the sign must be designed by a professional or by the sign contractor to ensure that the intent and design can be built.

The correct size of all signage must be selected according to the size of the site and the building, limited by the zoning code. This is essentially an aesthetic judgment. The placement of the sign (signs if more than one is indicated) under the terms of Committee review, must relate to two factors - the best position for viewing from the roadway and the best visual relationship to the architecture of the building.

In the event of multiple tenants on a single site, they may all be identified on the same sign or signs, although other solutions are preferred (and more effective). In addition to the ground signs, buildings may have identification signage affixed to them. In some cases, particularly larger sites, vehicular control signage may be required within a site. Vehicular control, as distinct from information signage, will normally be necessary where there is more than one entrance, one-way internal roadways, cross-walks or complicated loading or parking areas. Any such signage is subject to approval of the Committee.

The Committee will use the "Guidelines," found in the next section, as their initial conditions of signage design including requiring signs of a specific material and fabrication, where continuity is necessary.

DESIGN GUIDELINES

A. SITE PLANNING

1. Integrate specific site plans with adjacent sites. Orientation of uses should acknowledge adjoining building uses and circulation. Structures which develop around existing commercial uses should integrate that use into the overall site design.
2. Minimize access points to arterial streets. In centers, access uses from interior drives.
3. Vehicular access to the site should allow safe sight distance in each direction.
4. Do not directly serve parking from the major entry drive in large projects.
5. Create a pedestrian oriented environment within projects, with usable outdoor areas, safe walkways separated from vehicles, and protection from the weather.
6. All buildings shall be oriented toward the circulator road, NMSR 528 and the new cul-de-sac in Gateway North.
7. Orient and locate drive-thru uses so that they will not conflict with pedestrian routes or overall project circulation.
8. Develop safe and easy pedestrian access from freestanding buildings to the main portion of the project.
9. Provide an adequate amount of parking, but avoid creating excessive asphalt areas. Cluster parking into smaller areas throughout the project to reduce walking distances to buildings and to break up large asphalt areas.
10. To the extent practical, screen parking areas from arterial streets by architectural or landscape design (without obscuring building mass).
11. On shallow-depth properties, parking at the rear and sides is encouraged.
12. Adjacent owners are encouraged to share access drives and join required parking and loading

areas across lot lines. When this is not done, the minimum setback of parking areas from side lot lines should be 7.5 feet, and this area (15 feet total, both adjacent properties) should be uniformly landscaped.

13. Arrange delivery and service drives to have minimal impact on adjoining land uses. Dock-high and loading shall be screened from principal views.

14. Locate trash enclosures in less visible places; provide screened enclosures with landscaping. Encourage trash pick-up to occur during normal working hours for all sites adjacent to residential properties.

15. Place ground-mounted mechanical equipment, utility boxes, signal boxes, irrigation valves, transformers and other similar items so as to minimize apparent visibility.

16. Where practical, create different angles of buildings to the street to avoid repetition and monotony.

B. LANDSCAPE ARCHITECTURE

1. Provide for eventual water conservation in landscape design. Locate any consumptive vegetation and water features only in visible and usable places.
2. Select plant materials which are suited for the proposed use and compatible with proposed architecture in color, texture, scale and environmental requirements.
3. Except for street trees, major trees should be grouped to simulate natural stands - not located symmetrically - and should be of a drought tolerant species.
4. In more intense developments, emphasis should be directed toward screening, buffer planting, and planting of large common open areas.
5. Foundation planting should be massed in relation to a building's architecture - not necessarily lined up along the foundation.
6. As in nature, plant composition should provide simple masses with a predominant species.

7. Planting should be done in accordance with local nursery association practices.

8. Landscaping should be designed to unify the building and its site, existing adjacent buildings, and existing adjacent landscaping.

9. Provide a substantial landscaping feature at arterial intersections with special planting and hardscape treatment. Keep clear-sight triangles open.

10. Emphasize entry drives with landscaped medians, water features, sculptures, or other similar special treatments. Continue this treatment with special plazas or landscaped areas where the drive meets the buildings.

11. Provide outdoor seating areas with shade, trash receptacles and other features to encourage pedestrian use. Orient for winter sun and include seasonal color in plantings.

12. Provide planters with canopy trees between parking aisles for shade and visual relief of asphalt areas. (Note three trees per ten spaces standard.)

13. Provide substantial landscaping along arterial streets in accordance with these guidelines (and Standards). Meandering sidewalks with pedestrian benches are encouraged.

14. Provide a comprehensive lighting plan with a combination of higher light structures for drives and lower structures near parking spaces and other pedestrian areas.

15. Locate security or parking lot lighting in landscaped islands and design to blend with project. Orient and shield lighting to not intrude into adjacent areas, especially the existing residential areas.

16. Use special paving materials for pedestrian areas and crossings. Coordinate paving materials with building materials.

17. Design drainage detention areas to meet technical requirements while still providing attractive landscaped areas with a natural appearance.

18. Provide special accent planting around free-standing signs.

19. Provide a design which will maintain site visibility adjacent to driveways and intersections.

20. Screen parking and drives from the street with a combination of berms, walls, and landscaping.

21. Construct screen walls or landscaped berm, of quality materials designed to blend with buildings, along streets, at property boundaries and around trash receptacles. Staggering, capping, inlays, columns, and texturing area necessary to provide relief to long walls.

22. Provide berms and dense landscaping strips in scale with the project adjacent to residential areas.

23. Incorporate public art or some other artistic feature such as fountains.

24. Where necessary, screen ground-mounted mechanical equipment, utility boxes, signal boxes, double check valves, trash enclosures and other similar items with landscaping.

C. STRUCTURE ARCHITECTURE

The first principal building approved will determine the dominant theme, with subsequent buildings designed to complement by using similar major components. Besides the characteristics mentioned under Architectural Theme, the following is a list of other design criteria which will be considered at architectural review.

1. Each building should be treated not as an individual creation ("statement") dropped onto its site, but rather as a carefully planned addition to the existing setting of land and buildings.

2. Redesign of "Trademark" architecture for conformance (e.g., revisions to the design of packaged franchised buildings) is required.

3. Design freestanding buildings and accessory structures to conform to or complement the main buildings in color, materials, architecture, and building scale.

4. Projects which develop around an existing use should be designed to be compatible with that use. If needed, remodel the existing to blend with the new project.

5. Use high quality, durable materials.
6. Provide complete use of materials, special features and trim throughout the project. Fully treat all sides of buildings.
7. Use architectural features to enhance energy conservation.
8. Finish building details, including trimming of all windows and doors, painting or anodizing of all exposed metal, and integration and screening of mechanical elements with the building architecture.
9. Provide a palette of proposed materials and colors in accordance with the developer's guidelines. Select materials which are durable and appropriate for their intended use.
10. Choose colors which relate well to one another, to the proposed building and landscaping materials, and which are appropriate to the architecture and the surroundings.
11. Use quality materials in freestanding signs to match buildings. Use individual letters for wall and freestanding signs.

D. SIGNAGE DESIGN AND INSTALLATION

Several local signage manufacturing companies understand the details of copy placement, manufacturing and the nature of the covenants. However, businesses are free to use vendors of their choice.

1. Identification Signage

The most direct way to control the impact of signage is to standardize its design. Yet each business on the Property needs to identify itself. Some, in fact, have corporate identity programs in which they have great equity, so the need for a variety of graphics is obvious.

There is no standard structural system to be used for all identification signage. Each business has the freedom to apply its own graphics to its signage. However, all identification signage must appear to be structurally and spatially related to the building(s) being identified. The Committee will insist that initial architectural design take into account the need for signage so as to avoid a tacked-on appearance. All signs must be professionally designed by an architect or graphics specialist.

Identification signs should typically be placed perpendicular to approaching vehicular traffic with two faces. There are two basic rules for placement:

- a. Identification signs should be placed within the first 20% of the distance between the vehicular entrance and the building and within the 20% of that distance nearest the building.
- b. The sign must be placed so that it does not obscure any other identification, information, or vehicular control signs. In most cases, one two-sided identification sign is sufficient. The exceptions are those cases where a site has more than one vehicular entrance on different sides of the building, or where the nature of the site and adjacent roadways is such that more than one sign is required for proper identification.

Where two businesses share a common entrance access, they may share a common sign placed within the landscaped median. In these cases, the Committee will consider allowing additional identification signage on each site.

The height of an identification sign is desired so that the center line of the main panel is at the optimum viewing height for a person seated in an automobile.

Signs of individual cut-out letters may be placed on the facade of buildings within a complex but are limited in size and percent coverage of building facade. Otherwise, free standing, low height signage is the only identification signage acceptable.

2. Information Signage

The second category in a signage system is information signage. This includes all information and directional signage (other than tenant identification) which occurs within a site.

There are two recommended styles of information signage. One is a pipe or pilaster supported, non-illuminated version with single or double faces. The second is an illuminated light-box version supported by the same type of structure as the primary identification signage. Both types are low elevation signs. In all cases, the background of the information signage should be a color compatible with the identification signage.

The typeface chosen for the information signage should be legible, preferably sans-serif.

There are some basic type style rules for information signage:

- a. Word spacing should be even. Excessive variation in length of lines should be avoided.
- b. All copy is flush to the left without indentation.
- c. Only the first word in a sentence is capitalized unless there are proper names or if an all-capital letter style is selected. Numbers under ten are to be spelled out in the body of sign messages (unless it is an address).
- d. Do not use a period at the end of a heading, sub-heading, title, date or any copy occupying a line by itself.
- e. Do not insert the comma between numbers and street name. Insert commas in numbers over four figures.
- f. In addition to normal grammatical use, place the colon instead of the dash before listed matter.

The positioning of information signage is critical to its effectiveness. Each site requires careful analysis of vehicular and pedestrian traffic. Decision points must be identified and proper information and directional signage provided.

All signage should not be placed nearer to a road or drive edge than six feet. If signage must communicate to vehicular traffic, it must be placed so that it is visible and legible to approaching vehicles according to speed at the following distances:

Speed	Distance
20	100 feet
25	175 feet
30	250 feet

In most cases, standard highway control signage will be acceptable, although the systems of mounting the signage should be compatible with the particular site or development.

Depending on the type and nature of the signage installed by the early occupants in **GATEWAY NORTH AND SOUTH AT RIO RANCHO**, the Architectural Review Committee may ultimately adopt a specific type of identification or vehicular control sign standard.

ARCHITECTURAL REVIEW COMMITTEE REVIEW PROCEDURES

SUBMISSION OF PLANS

BUYER shall submit four copies of plans to the Architectural Review Committee (ARC) Representative (also called Architectural Representative). After distribution, Committee Members will coordinate their review with the ARC representative who will then prepare a preliminary review letter and also discuss points verbally with BUYER'S Architect or Engineering Representative. Requests and submittals will receive prompt attention.

There is no charge to the BUYER for the review process. (ARC) understand the importance of time in the development process. While the Standards and Guidelines may seem rigorous, The Developers and the Architectural Review Committee will not create a cumbersome review process. If the following procedures are followed by an owner or agent, there will be no atypical delays in the process.

EARLY DISCUSSION OR REVIEW OF CONCEPTS, PRELIMINARY PLANNING, SITE LOCATION, etc., between BUYER'S Architect or Engineer and the Architectural Review Committee's Representative is encouraged and will expedite approvals.

If submittals are complete and accurate and in accordance with the Architectural Review Committee's specifications, they shall be deemed approved if no action is taken within thirty (30) days from the date of submittal.

The final Architectural Review Committee Approval will be in writing.

There are three steps in the review process. The first two are optional, but they are designed as time savers. There is no fee for design review by the ARC.

STEP ONE: PRE-DESIGN MEETING

Prior to preparing Preliminary Plans for any proposed improvement, it is strongly recommended that the project owner and/or his agent meet with a committee member to discuss proposed plans (with or without any plans or illustrations), and to explore and resolve any questions regarding general requirements as well as conditions specific to the subject site. The Committee will provide guidance, and the results of the meeting will be documented in writing.

ARC Procedures, continued:

At, or before, this stage, the Buyer's representative should also begin dialogue with the City. Current copies of ordinances, policies, master plans and the most recently recorded covenants should be independently obtained.

STEP TWO: PRELIMINARY SUBMITTAL

Buyer must submit four copies of the concept to the Architectural Representative.

This is a review of concepts, not of details. The purpose of an early review of conceptual plans is to ensure that work is going in the right direction before the designer becomes too specific and uses too much graphics and drafting time.

All Preliminary Submittals shall include:

1. Site plan (at no less than 1"= 50') showing the locations of buildings, parking areas, driveways, landscaped areas, and drainage solutions. The plan should superimpose the plan upon existing topography and depict any significant alterations to the existing grade.
2. A boundary and existing conditions survey prepared by a licensed surveyor or engineer. Contact AMREP SW INC. for more information.
3. Proposed building elevations and typical materials/colors.
4. Schematic architectural floor plans and circulation patterns.
5. Schematic landscaping intentions.

STEP THREE: FINAL SUBMITTAL

Buyer must submit four copies of the final plan to the Architectural Representative.

This Final Submittal is more akin to architectural preliminary plans than to final construction plans. The Committee will use on-site inspections to ensure that projects are built as planned; it does not need to review actual construction details unless changes were made to the original architectural details. It is primarily interested in the elements which will be visible from the outside.

In this light, the site plan component of the Final Submittal will be more detailed than the architectural plans. Yet

it still need not be complete to the last detail. For example, a planting bed may be shown as a simple entity with a note saying "Planting bed; bark mulch; three mahonias; five junipers; two cottonwoods." The Committee will ask further questions as required.

All final Submittals shall include:

1. Site plans (at no less than 1"= 50') showing the locations of all buildings, fences, other structures, parking areas, driveways, landscaped areas, pedestrian circulation, loading and trash removal areas and drainage solutions. Roof plans should be depicted on buildings. All parking spaces should be identified by striping or by labelling (e.g., 8 spaces @ 9'0").
2. Separate grading and drainage plan illustrating changes to existing topography. Finished grades shall be shown, and all improvements related to grading shall be shown (e.g., retaining walls). Show and identify type of storm runoff treatment.
3. Roof plans and floor plans (at no less than 1/8" = 1').
4. Examples (samples, photos, literature, etc.) of all exterior materials and colors, including glass.
5. All exterior elevations, depicting finished grades.
6. Separate landscaping plan (same scale as site plan) showing areas to be irrigated, calling out proposed plans and sizes, showing other decorative features related to landscape architecture (special surfaces, fountains, benches, etc.). Illustrations of special features should be included.
7. Signage plan (locations and illustrations).

STEP FOUR: SUBMIT TO THE CITY OF RIO RANCHO FOR BUILDING PERMIT REVIEWS AND APPROVALS

Separate drainage plans will be required with City required exhibits and calculations. Normally, the submitted plans to the ARC will be checked for conformance to the Gateway Site Plan (this book) and will be reviewed administratively (by staff) for permit approval. If the submittal does not conform to the development plan (this book), additional hearings and variance applications may be required (by the City). If the plans require minor alterations to the plat maps or minor easement relocations, it is the intent of this development plan to call for an administrative (staff-only) action on the plat changes.

PLAN CRITERIA

While there is no required standard format for plan submittals, there are certain items of information which should appear on each Preliminary and Final Plan:

1. Surveyed property boundary showing current conditions.
2. North arrow and scale.
3. Setback lines per Zoning Code and/or Design Standards.
4. Existing rights-of-way, easements, streets, drainage facilities and utilities.
5. Existing topography at one-foot contour intervals.
6. Drainage plan, if applicable (new calculations if site drainage alters previously approved plan.)

SUBMITTAL INFORMATION

The names, addresses and telephone numbers of the current Architectural Review Committee Members and Architectural Review Committee Architectural Representative will be provided upon request.

Initially, at the time of the Development Plan approval, the named individuals are:

Michael Castillo, P.E.

Tracy Leonard

Amrep SW Inc., 333 Rio Rancho Drive

Rio Rancho, New Mexico 87124

Phone: (505) 892-9200

Cliff A. Spirock A.I.C.P.

COMMUNITY SCIENCES CORPORATION

P. O. Box 1328, Corrales, New Mexico 87048

Phone: (505) 897-0000

Kevin Reid, A.I.A.

Reid & Elliott, Inc.

333 Rio Rancho Drive, Suite 301

Rio Rancho, New Mexico 87124

Phone: (505) 891-2528

Each Architectural Review Committee member reserves the right to appoint a substitute at any time in order to avoid a delay in the review process.

DESIGN APPROVAL CHECKLIST FOR PLAN SUBMITTALS

Four sets of plans shall be submitted to the Architectural Representative C/O Gateway North and South, 333 Rio Rancho Drive, Rio Rancho, New Mexico 87124.

This checklist is a condensed version of the approval process for the Gateway North and South projects. For complete detail, see the "Approval Procedure" section of this Development Plan.

STEP ONE — PRE-DESIGN MEETING

- ✓ **Communication with ARC and City begins through preliminary meetings**
- ✓ Introduction of conceptual design/ideas of the site is made informally.

STEP TWO — PRELIMINARY SUBMITTAL

- ✓ Site plan (1" = 50') w/boundary and details
- ✓ Proposed building elevations
- ✓ *Schematic landscape plan*
- ✓ Proposed floor plans
- ✓ List of building materials/colors

STEP THREE — FINAL SUBMITTAL

- ✓ Site plan (1" = 50') w/ boundary and design
- ✓ Grading and drainage plans
- ✓ Floor plans and Building elevations
- ✓ Signage plan
- ✓ Landscape plan
- ✓ List of building materials/colors

Project approval will be granted upon written notice from the committee.

STEP FOUR — SUBMIT TO CITY FOR PERMIT

(IF PERMISSIVE USE, IF NOT, SUBMIT PETITION TO P&Z)

- ✓ Same plans as listed under Step Three
- ✓ Additional info/exhibits for drainage may be required