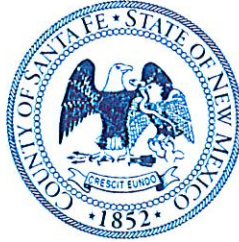


Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** May 10, 2011

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager *JEL*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *WC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF:** BCC Case # MIS 11-5120 Mike's Fine Wine & Spirits Liquor License

---

### ISSUE:

Mike's Fine Wine & Spirits, Applicant, requests approval of a transfer of ownership and location of State Liquor License # 0271. The subject property is located at 218 Camino La Tierra, within Sections 7 & 8, Township 17 North, Range 9 East (Commission District 2).

### SUMMARY:

The Applicant requests approval of a transfer of ownership and location of State Liquor License # 0271. State Liquor License # 0271 is a full dispenser license. The Applicant is proposing the sale of package liquor only.

On March 27, 2001, the Extraterritorial Zoning Authority (EZA) approved a Master Plan Amendment for Las Campanas Town Center. A component of the approval was to allow the sale of liquor on the site. A friendly amendment was made regarding restricting the sale of liquor to certain hours. The amendment was removed and staff was directed to work with the Applicant to develop appropriate hours of operation (Exhibit "H").

The Applicant's letter of intent proposes the hours of operation to be 9:00 AM to 8:00 PM Monday thru Saturday and 12:00 Noon to 6:00 PM on Sundays (Exhibit "A"). Staff considers these hours reasonable for package liquor sales and in compliance with the intent of the EZA.

In the event that the liquor license is utilized for a restaurant in the future an analyses of the hours of operation shall be considered prior to the issuance of a business license.

Staff is currently processing an interior remodel and business license for this site. The area, in which this business will occupy, within the existing structure, is approximately 1,769 square feet (Exhibit "E"). The parking and access is adequate for the proposed use.

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. Legal notice of this request has been published in the newspaper. The Board of County Commissioners are required to conduct a public hearing on the request to grant a transfer of ownership and location.

**RECOMMENDATION:**

Staff has reviewed this application and has found the facts presented support this application: the Applicant is proposing the sale of package liquor only at this site; the EZA approved the sale of liquor on this site as a component of the Master Plan Amendment; the hours of operation for package liquor sales are in compliance with the intent of the EZA; the Applicant has met the State of New Mexico requirements for noticing, distance from Schools and Churches; therefore Staff recommends **approval** of the Applicants request.

**ATTACHMENTS:**

- Exhibit "A"- Letter of Intent
- Exhibit "B"- Vicinity Map
- Exhibit "C" – Alcohol and Gaming Division Letter of Preliminary Approval
- Exhibit "D"- Zoning Statement
- Exhibit "E" – Floor Plan
- Exhibit "F" – Aerial Photo of Property
- Exhibit "G" – Town Center Amended Master Plan
- Exhibit "H" – EZA Minutes

To Whom It May Concern:

This letter of intent is to satisfy the requirements of the Santa Fe County to obtain a Liquor License for Mike's Fine Wine and Spirits at 218 Camino la Tierra, Santa Fe, New Mexico. Liquor License #271

The zoning is Neighborhood Commercial District.


The intended hours of operation are 9:00 AM to 8:00 PM, Monday through Saturday. The operation is open from 12:00 Noon to 6:00 PM on Sundays.

The total number of employees is 3 not including the owner.

The business is a retail wine and spirits store.

The previous business was the administration office for Las Companas Partners.

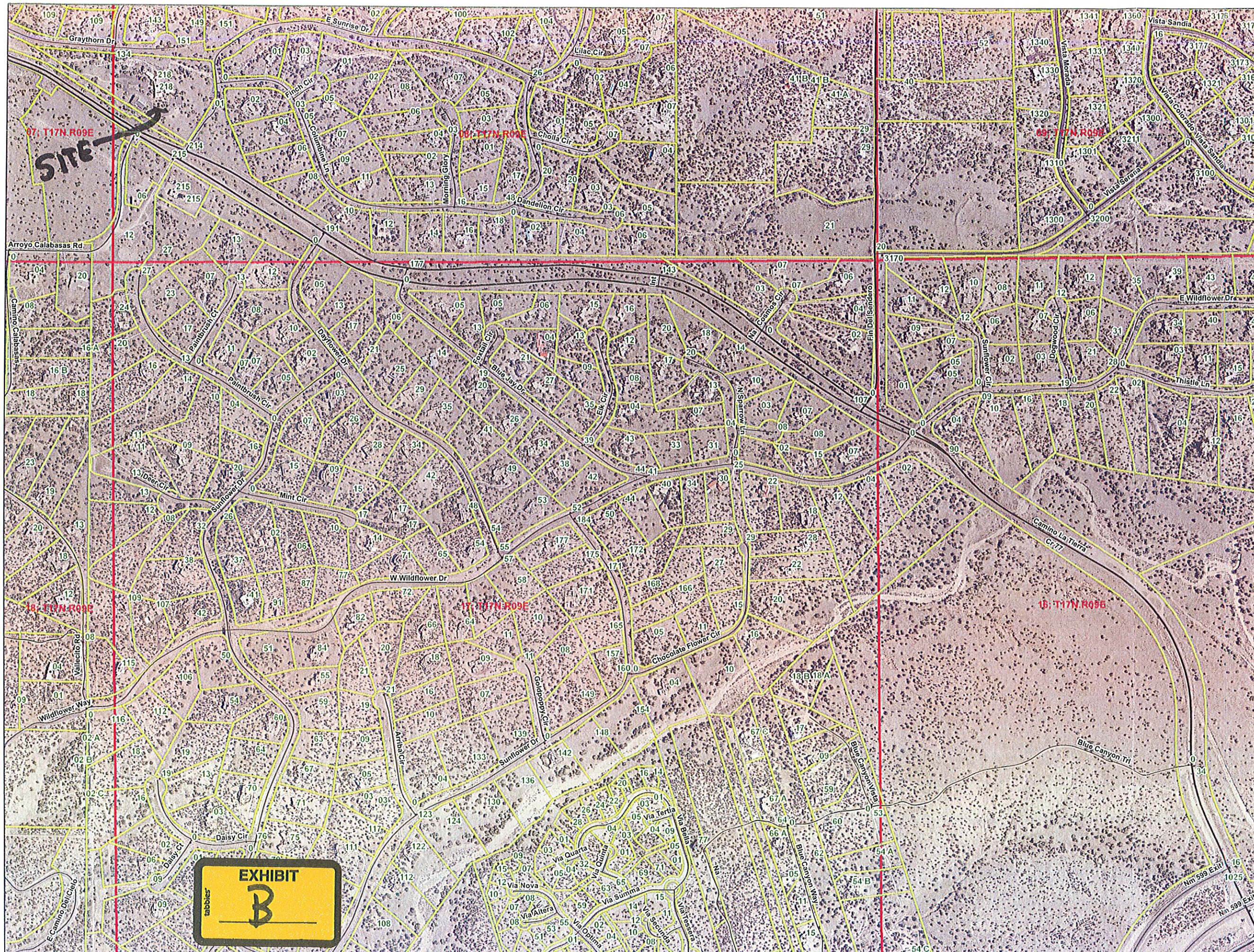
I certify this is correct.

  
\_\_\_\_\_  
Mike Mabry, Owner





# Map of Property in Santa Fe County



## Legend

-  driveways
-  Minor Roads
-  Major Roads
-  Parcels\_sde
-  Section Lines

1:7,200

1 inch represents 600 feet



WARNING:  
Two (2) foot contour data sets are  
NOT SUITABLE FOR ENGINEERING WORK.  
These data are appropriate for  
PLANNING PURPOSES ONLY.

Orthophoto from 2008

Contour Interval 2 Feet

This information is for reference only.  
Santa Fe County assumes no liability for  
errors associated with the use of these data.  
Users are solely responsible for  
confirming data accuracy.







# New Mexico Regulation and Licensing Department ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505  
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

April 6, 2011

Suzanna Martinez  
GOVERNOR

J. Dee Dennis, Jr.  
SUPERINTENDENT

Gary J. Tomada  
DIRECTOR

Certified Mail No: 7009 2820 0001 0028 5598

Santa Fe County  
Building & Development Manager  
Attn: Shelley Cobau, CFM  
PO Box 276  
Santa Fe, NM 87504-0276

Re: License / App. No. 271/662059  
Applicant Name: Revex 101 Investments, LLC  
Doing Business As: Mike's Fine Wine & Spirits  
Proposed Location: 218 Camino La Tierra, Santa Fe, NM 87506

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. \*(Please review the revised instructions for approval or disapproval below.)

Greetings:

The Director of the Alcohol and Gaming Division has granted Preliminary Approval for the referenced application and is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five days after receipt of a notice of preliminary approval from the Alcohol and Gaming Division, the governing body shall hold a public hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the public hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, which requires that two weeks of publication must be satisfied before a hearing can be conducted. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the applicant of the date, time and place of the public hearing. The governing body may designate a hearing officer to conduct the hearing. A record shall be made of the hearing.

The applicant is requesting a Transfer of Ownership & Location: ←

The governing body may disapprove the issuance or transfer of the license if:

The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this

Alcohol and Gaming Division  
(505) 476-4875

Boards and Commissions Division  
(505) 476-4600

Construction Industries Division  
(505) 476-4700

Financial Institutions Division  
(505) 476-4885

Manufactured Housing Division  
(505) 476-4770

Securities Division  
(505) 476-4580

Administrative Services Division  
(505) 476-4800





location prior to 1981 or unless the applicant/licensee has obtained a waiver from the local option district governing body for the proposed licensed premises.)

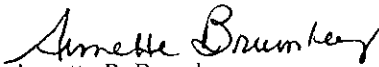
The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval.

The issuance would be detrimental to the public health, safety or morals of the residents of the local option district. Disapproval by the governing body on public health, safety or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

\*Within thirty (30) days after the public hearing, the governing body shall notify the Alcohol and Gaming Division *in writing* as to whether the local governing body has approved or disapproved the issuance of transfer of the license *and* by signing the enclosed original Page 1 of the application. *The letter of approval/disapproval and the Page 1 must be returned together with the notice of publication(s).* If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the public hearing, the director may give final approval to the issuance or transfer of the license.

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the minutes of the public hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (page 1 of the application page noting disapproval).

Sincerely,



Annette R. Brumley  
Hearing Officer

ENCLOSURES: Original Page 1 of Liquor License Application  
Copy of page 2 Premises, Location, Ownership & Description of Premises



State Liquor License # 0271

Application Number 1662059

Local Option (AGD use) \_\_\_\_\_

**STATE OF NEW MEXICO  
REGULATION AND LICENSING  
DEPARTMENT  
ALCOHOL AND GAMING DIVISION**

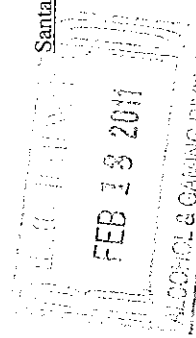
P.O. BOX 25101 Santa Fe,  
New Mexico 87504-5101  
505-476-4570

9-2-22-11

*annette*



**Liquor License Application**  
Non Refundable Application Fee- \$200.00



Record Owner of License Carlton Black Colquitt Jr.

Current D/B/A Name Steaksmith at El Nido

Current Premise Address ICT 590 & 591

Santa Fe, New Mexico

Application is for: (check one) Change in ownership structure of lessee \_\_\_\_\_

Transfer of Ownership and Location  \_\_\_\_\_

Change of Officers/Directors \_\_\_\_\_

Other \_\_\_\_\_

Transfer of Ownership of Existing License \_\_\_\_\_

Issue New License \_\_\_\_\_

Applicant is: Individual \_\_\_\_\_ Corporation \_\_\_\_\_

Partnership (General or Limited) \_\_\_\_\_

Limited Liability Company  \_\_\_\_\_

NAME OF APPLICANT (company or individual): \_\_\_\_\_

ADDRESS (INCLUDING CITY, STATE, ZIP) \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

Revex 101 Investments, LLC

875 Paseo Del Sur, Santa Fe, New Mexico

505-988-2428

Notice also to: Linda L. Aikin, Esq., 530B Hankle Road, Santa Fe, NM 87505 PH: 505-982-6224 FAX: 505-982-0352

DBA Name to be used: Mike's Fine Wines and Spirits

Phone Number for licensed premises \_\_\_\_\_

Physical Address Where License is to be used: 218 Camino La Tierra, Santa Fe, New Mexico 87506

(Street No./Highway No./State Road/County)

Mailing Address: 875 Paseo Del Sur, Santa Fe, New Mexico 87501

(Street No./P.O. Box/City/State/Zip)

Are alcoholic beverages currently being dispensed at the proposed location?  No  If yes, give license number \_\_\_\_\_

I, Mike Mabry, as (title) Managing Member, being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same and knows the contents thereof and that all statements therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue said license or may cause such license to be revoked at any time.

Signature of Applicant(s) Mike Mabry Date \_\_\_\_\_

Notary Public Use Only

SUBSCRIBED AND SWORN TO before me this 17<sup>th</sup> day of February, 2011 by Mike Mabry (Name of Person(s) Signing Above)  
NOTARY PUBLIC: [Signature] My Commission Expires: 11/29/11

Local Governing Body of: \_\_\_\_\_ (CITY OR COUNTY) Hearing Held on: \_\_\_\_\_

PLEASE CHECK ONE:  APPROVED  DISAPPROVED  DISAPPROVED/CITY/COUNTY OFFICIAL (Signature and Title): \_\_\_\_\_

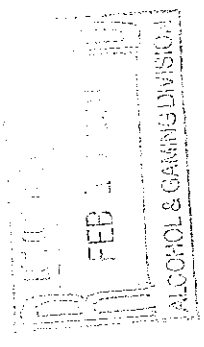
AGD Use Only

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ DIRECTOR \_\_\_\_\_ APPROVAL \_\_\_\_\_

DATE \_\_\_\_\_



**PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES**



1. The land and building which is proposed to be the licensed premise is (check one):

Owned by Applicant \_\_\_\_\_ Leased by Applicant (attach copy of deed or lease)  Other (please provide details) \_\_\_\_\_

2. If the land and building are not owned by Applicant, please indicate the following:

A. Owner(s) TCLC, LLC

B. Date and Term of Lease January 1, 2011 to December 31, 2011

A.  a hand drawn map, zoning map, or other map, showing the location of the proposed premises, and the main adjacent streets, roads or highways, in relation to the closest church and school properties. This map should be drawn on a sheet of paper no larger than 8 1/2 x 11 inches.

3. Premise location is zoned (example C-1) \_\_\_\_\_

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church \*(Property line of church to licensed premises-shortest distance).

Miles, Feet 3.4 Miles Name of Church Unity Church Address-Location of Church Unity Way, Santa Fe, New Mexico

5. Distance from nearest school \*(Property line of school to licensed premises-shortest distance).

Miles, Feet 6 Miles Name of School Gonzales Elementary School Address-Location of School 851 West Alameda Street, Santa Fe, New Mexico

6. Distance from military installation (Property line of military installation to licensed premises-shortest distance).

Miles 60 miles Name of Military Installation Kirtland Force Base

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premise. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

\*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge \_\_\_\_\_ Restaurant \_\_\_\_\_ Package  Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (Please specify) \_\_\_\_\_



Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

March 21, 2011

Revex 101 Investments, LLC, d/b/a Mike's Fine Wine and Spirits  
218 Camino La Tierra  
Santa Fe, New Mexico 87507

Re: Zoning Statement for Las Campanas Town Center located at 218 Camino La Tierra

Mike Mabry:

This office has been asked to provide a zoning statement with respect to the above referenced property.

On March 27, 2001, the Extraterritorial Zoning Authority approved a Master Plan Amendment and Development Plan for a Neighborhood Center Commercial District for Phase One of Las Campanas Town Center. The approval allowed for package liquor sales on this site pending approval from the State Alcohol and Gaming Division.

If you have any questions contact me at 986-6225.

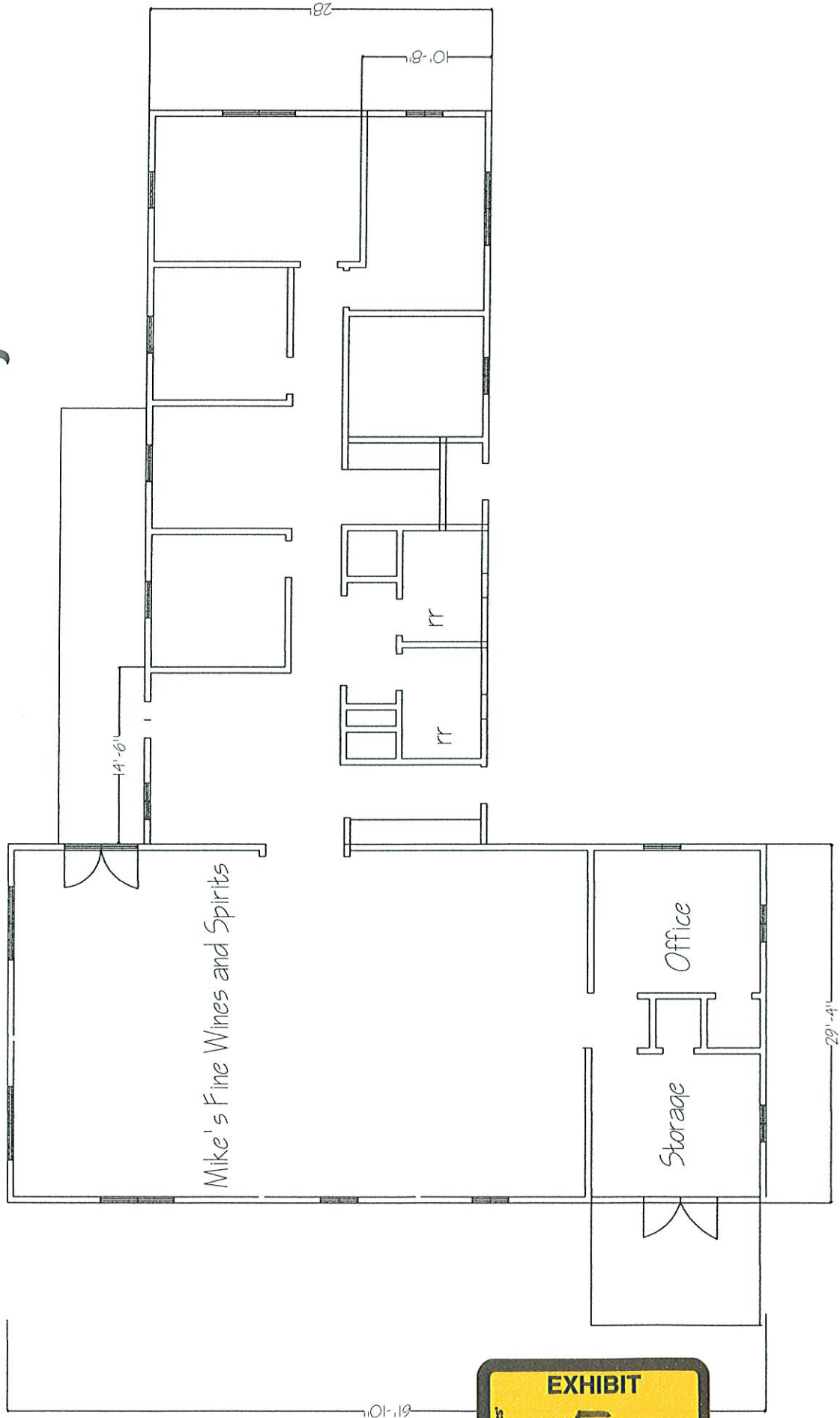
Sincerely,

Jack Kolkmeier  
Land Use Administrator

Cc: Jose E. Larrañaga,  
Commercial Development Case Manager

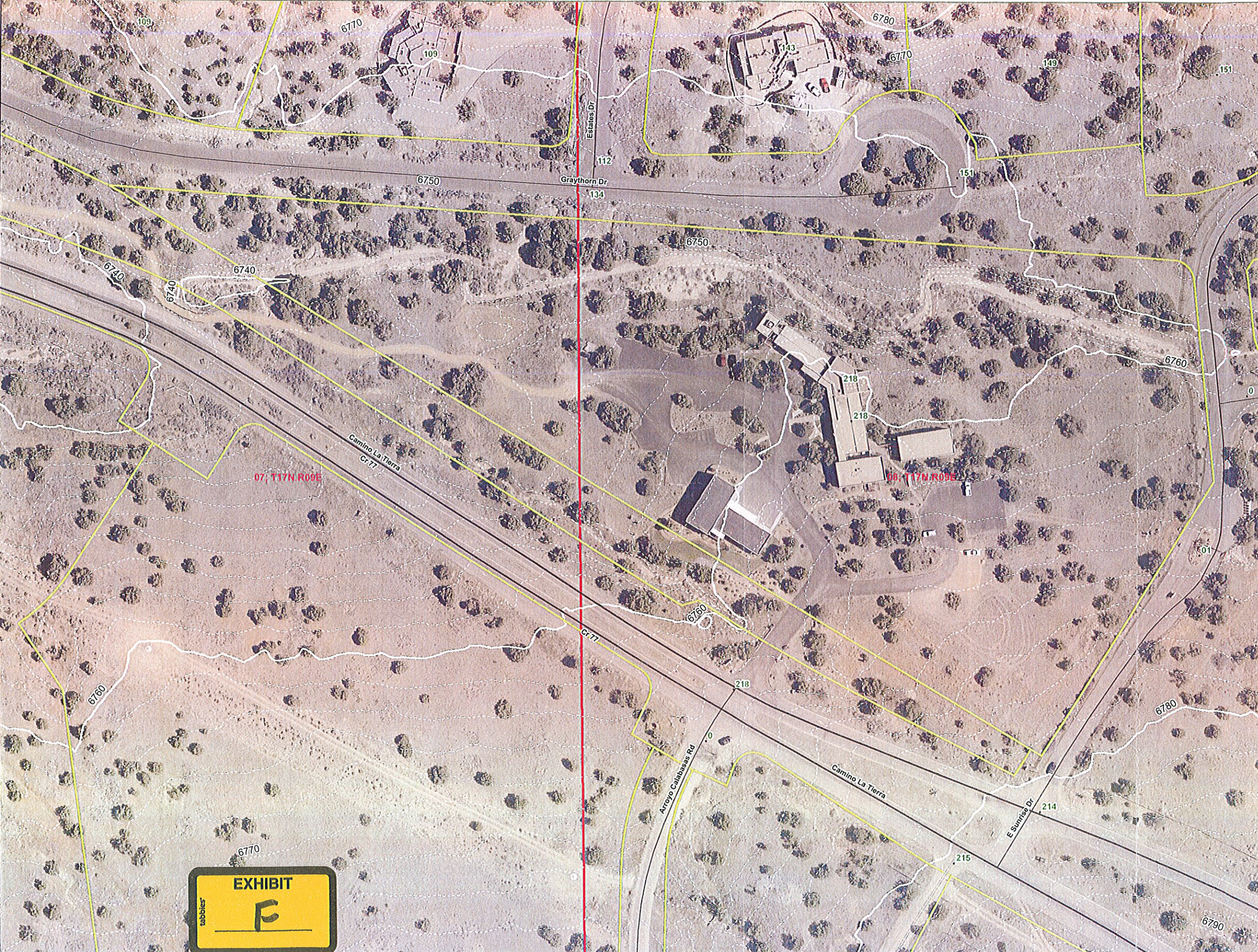








# Map of Property in Santa Fe County



## Legend

-  driveways
-  Minor Roads
-  Major Roads
-  Parcels\_sde
-  Section Lines

1:1,200

1 inch represents 100 feet



**WARNING:**  
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Orthophoto from 2008

Contour Interval 2 Feet

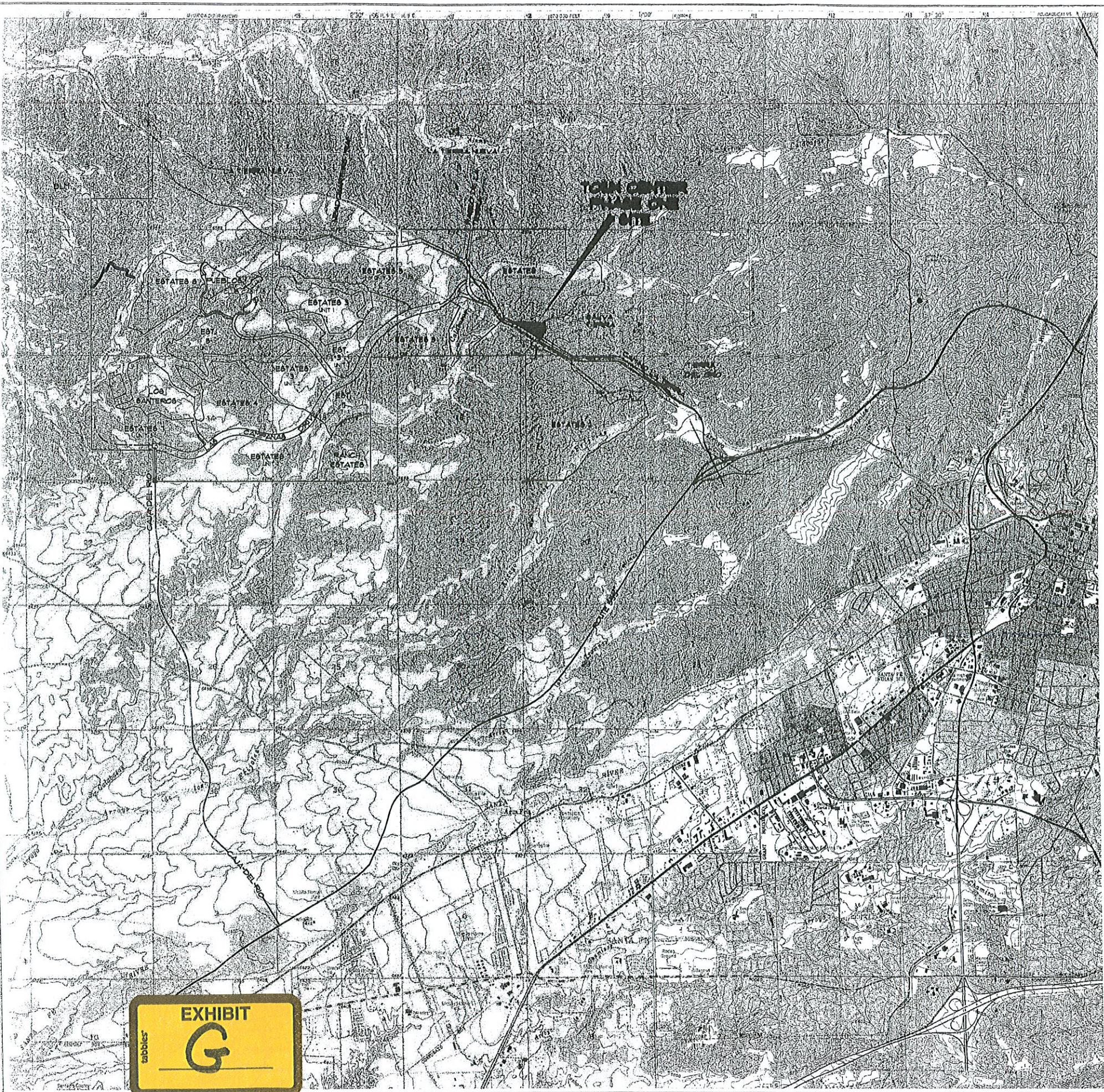
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April 4, 2011







PHASE ONE DEVELOPMENT & AMENDED MASTER PLAN  
 TOWN CENTER  
 AT  
 LAS CAMPANAS SANTA FE

SHEET	DESCRIPTION
1	COVER, VICINITY MAP
2	TRACT BOUNDARY
3	SLOPE ANALYSIS AND EXISTING CONDITIONS
4	DEVELOPMENT PLAN
5	GRADING AND DRAINAGE PLAN
6	WATER AND SEWER PLAN
7	PAVING AND DRAINAGE DETAILS
8A	LANDSCAPE PLAN
8B	LANDSCAPE DETAILS
9	CAMINO LA TIERRA IMPROVEMENTS AMENDED MASTER PLAN BUILDING ELEVATIONS

**PURPOSE STATEMENT**  
 THE PURPOSE OF THIS PLAN IS TO RECORD THE AMENDED MASTER PLAN FOR A NEIGHBORHOOD COMMERCIAL DISTRICT (PLAZUELA DE LA TIERRA) RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK JAN. 6, 1993 IN BOOK 403, PAGES 018-025, AND THE FINAL DEVELOPMENT PLAN OF PHASE ONE ON 3.6 ACRES OF THE EXTRATERRITORIAL ZONING AUTHORITY ON 3-27-01. 2001. THIS PLAN IS OF THE OWNERS FREE CONSENT.

*Michael Baird* 1/28/01  
 MICHAEL BAIRD, VICE PRESIDENT DATE

EZ CASE NUMBER 97-4521

APPROVED BY THE EZC AT THEIR MEETING OF 2-8-01  
 DATE

*Nancy R. Long* 9-17-01  
 EZC CHAIRPERSON DATE

APPROVED BY THE EZA AT THEIR MEETING OF 3-27-01  
 DATE

*Karin Hartwig* 8/28/01  
 EZA CHAIRPERSON DATE

*[Signature]* 10/2/2001  
 LAND USE ADMINISTRATOR DATE

*[Signature]* 06/20/01  
 FIRE MARSHAL DATE

*James V. Lujan* 6/21/01  
 COUNTY PUBLIC WORKS DATE

*[Signature]* 6/21/01  
 CITY PLANNER DATE

*[Signature]* 6/15/01  
 SANGRE DE CRISTO WATER DATE

COVENANTS RECORDED BK. 1984 P. 630-675

1174830  
 CITY OF SANTA FE  
 PLANNING & ZONING DEPARTMENT  
 RECEIVED ON THE 2<sup>ND</sup> DAY OF OCTOBER 2001  
 2:00 PM  
 28-36  
  
*Marcelo Galvez*

**Lilly Associates**  
 PLANNING ASSOCIATES  
 LAND PLANNING · LANDSCAPE ARCHITECTURE  
 (505) 983-1134 · P.O. Box 1791, Santa Fe, New Mexico 87501

**Santa Fe Planning Associates**  
 PLANNING GROUP  
 (505) 983-1134

**C.R. Walbridge & Associates**  
 1421 LUISA STREET SUITE 6  
 SANTA FE, NEW MEXICO  
 (505) 982-9711

**Lloyd and Tryk Architects**  
 501 North Guadalupe, Suite 201  
 Santa Fe, New Mexico 87501  
 Telephone 505-988-9789 Fax 505-986-1165

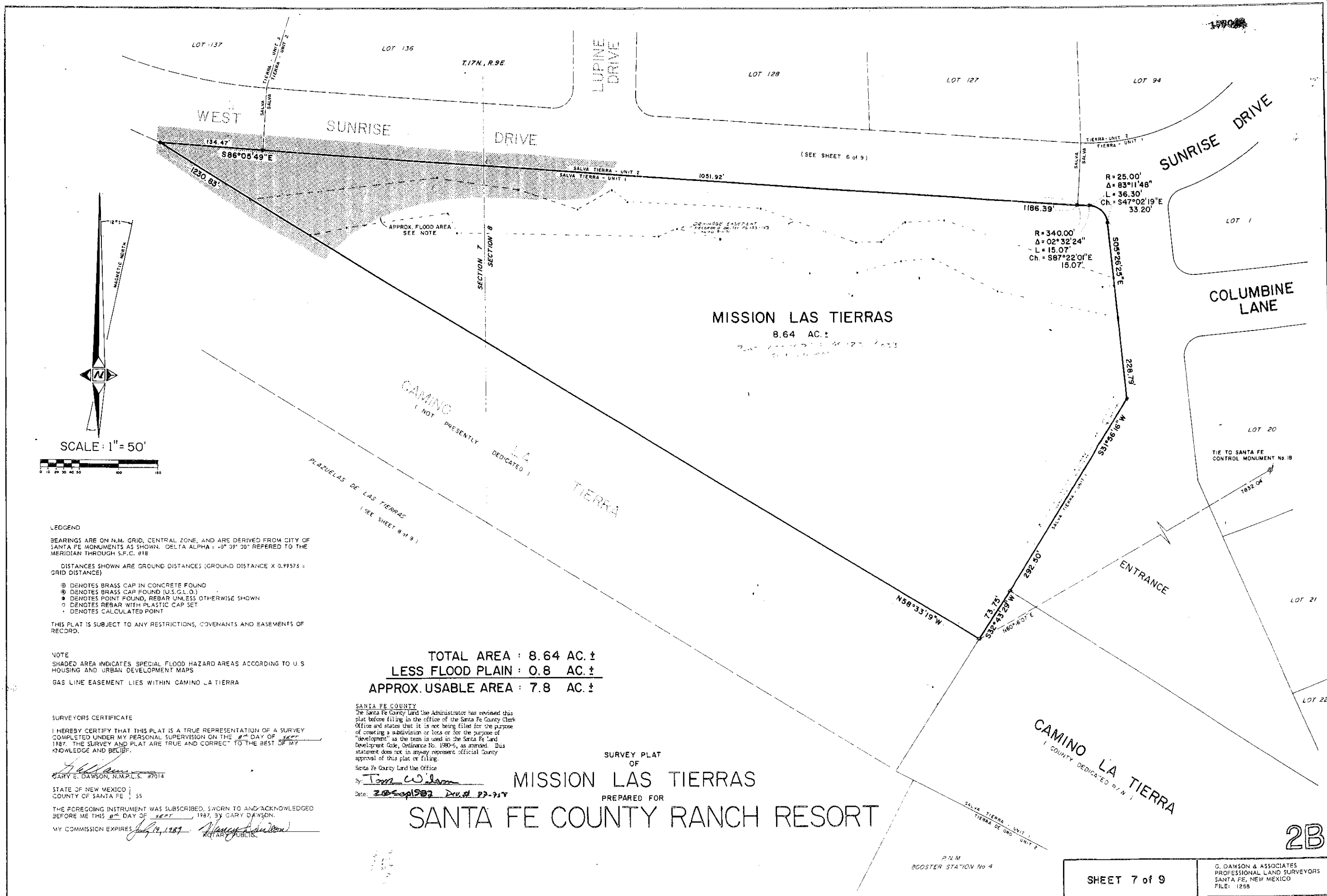
PROJECT: **TOWN CENTER**  
 SHEET TITLE: **COVER, VICINITY MAP**

REVISIONS	DATE	BY

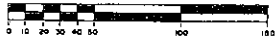
SHEET NO. 1  
 26 13 01

C:\my projects\Town Center\Cover for Town Center.dwg Wed Jun 13 08:51:26 2001 SPFC





SCALE: 1" = 50'



**LEGEND**

BEARINGS ARE ON N.M. GRID, CENTRAL ZONE, AND ARE DERIVED FROM CITY OF SANTA FE MONUMENTS AS SHOWN. DELTA ALPHA = +0° 09' 00" REFERRED TO THE MERIDIAN THROUGH S.F.C. #18

DISTANCES SHOWN ARE GROUND DISTANCES (GROUND DISTANCE X 0.99973 = GRID DISTANCE)

- ⊙ DENOTES BRASS CAP IN CONCRETE FOUND
- ⊙ DENOTES BRASS CAP FOUND (U.S.G.L.O.)
- DENOTES POINT FOUND, REBAR UNLESS OTHERWISE SHOWN
- DENOTES REBAR WITH PLASTIC CAP SET
- DENOTES CALCULATED POINT

THIS PLAT IS SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

**NOTE**  
 SHADED AREA INDICATES SPECIAL FLOOD HAZARD AREAS ACCORDING TO U.S. HOUSING AND URBAN DEVELOPMENT MAPS  
 GAS LINE EASEMENT LIES WITHIN CAMINO LA TIERRA

**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 8<sup>th</sup> DAY OF SEPT. 1987. THE SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Gary E. Dawson*  
 GARY E. DAWSON, N.M.P.L.S. #7014

STATE OF NEW MEXICO  
 COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 8<sup>th</sup> DAY OF SEPT. 1987, BY GARY DAWSON.

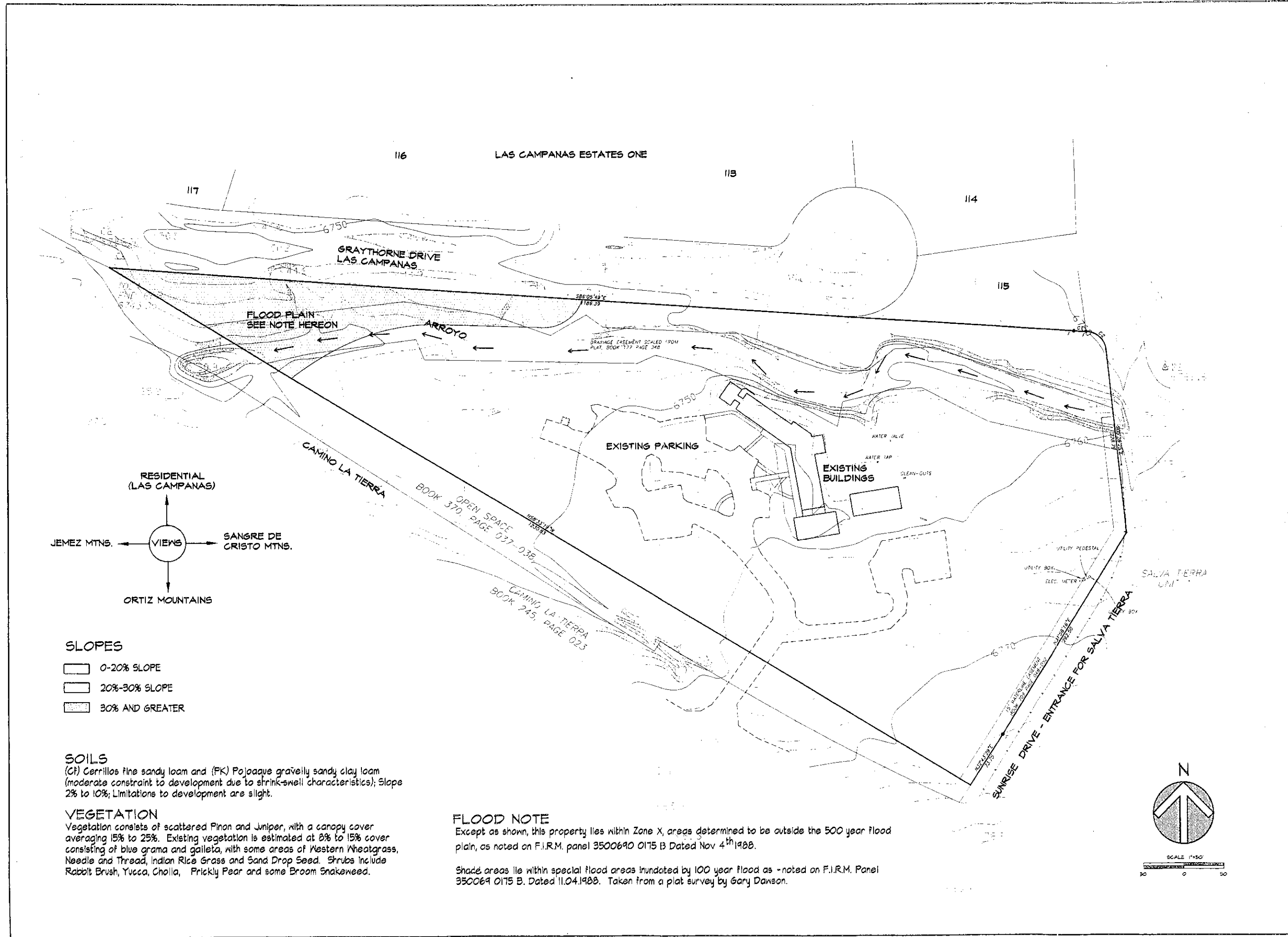
MY COMMISSION EXPIRES July 19, 1989 *Gary E. Dawson*  
 NOTARY PUBLIC

TOTAL AREA : 8.64 AC. ±  
 LESS FLOOD PLAIN : 0.8 AC. ±  
 APPROX. USABLE AREA : 7.8 AC. ±

SANTA FE COUNTY  
 The Santa Fe County Land Use Administrator has reviewed this plat before filing in the office of the Santa Fe County Clerk Office and states that it is not being filed for the purpose of creating a subdivision or lots or for the purpose of "development" as the term is used in the Santa Fe Land Development Code, Ordinance No. 1980-5, as amended. This statement does not in any way represent official County approval of this plat or filing.  
 Santa Fe County Land Use Office  
 By: *Tom Wilson*  
 Date: 20 Sept 1987 Rev. # 93-754

SURVEY PLAT OF  
**MISSION LAS TIERRAS**  
 PREPARED FOR  
**SANTA FE COUNTY RANCH RESORT**

P.M.M.  
 BOOSTER STATION No. 4



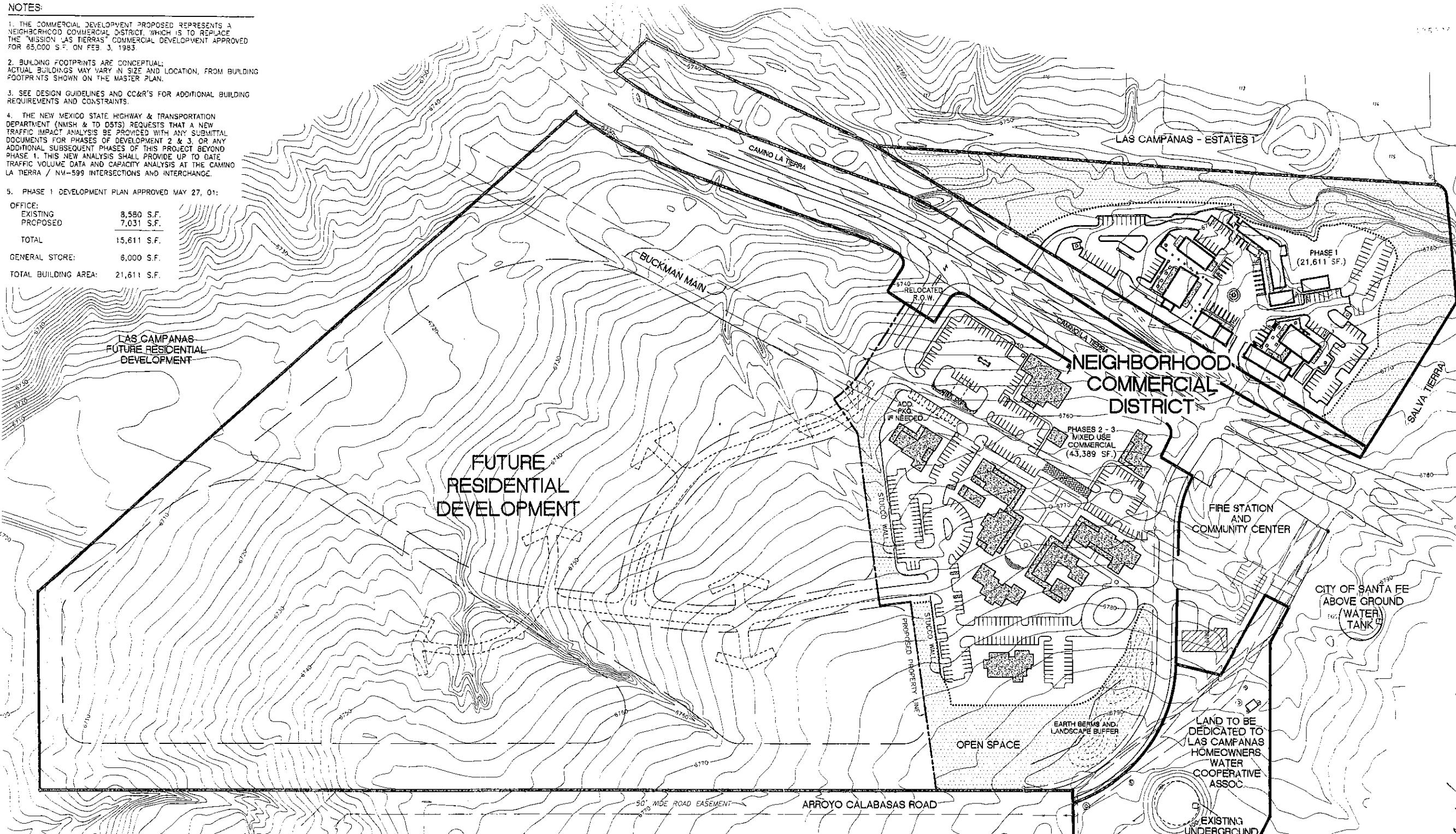
LAND PROJECTS/Town Center/Map/revision/cond.dwg Fri Jul 06 09:49:42 2000 RP/UC/L



**NOTES:**

1. THE COMMERCIAL DEVELOPMENT PROPOSED REPRESENTS A NEIGHBORHOOD COMMERCIAL DISTRICT, WHICH IS TO REPLACE THE "MISSION LAS TIERRAS" COMMERCIAL DEVELOPMENT APPROVED FOR 65,000 S.F. ON FEB. 3, 1985.
2. BUILDING FOOTPRINTS ARE CONCEPTUAL; ACTUAL BUILDINGS MAY VARY IN SIZE AND LOCATION, FROM BUILDING FOOTPRINTS SHOWN ON THE MASTER PLAN.
3. SEE DESIGN GUIDELINES AND CC&R'S FOR ADDITIONAL BUILDING REQUIREMENTS AND CONSTRAINTS.
4. THE NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT (NMHS & TD D5TS) REQUESTS THAT A NEW TRAFFIC IMPACT ANALYSIS BE PROVIDED WITH ANY SUBMITTAL DOCUMENTS FOR PHASES OF DEVELOPMENT 2 & 3, OR ANY ADDITIONAL SUBSEQUENT PHASES OF THIS PROJECT BEYOND PHASE 1. THIS NEW ANALYSIS SHALL PROVIDE UP TO DATE TRAFFIC VOLUME DATA AND CAPACITY ANALYSIS AT THE CAMINO LA TIERRA / NM-599 INTERSECTIONS AND INTERCHANGE.
5. PHASE 1 DEVELOPMENT PLAN APPROVED MAY 27, 01:

OFFICE:	
EXISTING	8,580 S.F.
PROPOSED	7,031 S.F.
<b>TOTAL</b>	<b>15,611 S.F.</b>
GENERAL STORE:	6,000 S.F.
<b>TOTAL BUILDING AREA:</b>	<b>21,611 S.F.</b>



**PROJECT DATA**

PARKING REQUIREMENTS		NUMBER OF SPACES
29,066 S.F. (OFFICES)	@ 1 SP./300 S.F.	= 97
31,381 S.F. (RETAIL)	@ 1 SP./200 S.F.	= 158
4,353 S.F. (RESTAURANT)	@ 1 SP./150 S.F.	= 29
65,000 S.F.		
120 EMPLOYEES		= 120
<b>TOTAL REQUIRED</b>		<b>= 404</b>

NOTE: 360 SPACES HAVE BEEN PROVIDED, PLUS 55 SPACES IN AREAS DESIGNATED FOR "POSSIBLE PARKING EXPANSION" = 415 TOTAL SPACES PROVIDED.

WATER BUDGET	
<b>OFFICE PARK</b>	
No. OF EMPLOYEES	48
WATER USE PER PERSON	20 g.p.d.
AVERAGE WATER USE PER DAY	1,960 g.p.d.
<b>RETAIL</b>	
No. OF EMPLOYEES	48
WATER USE PER PERSON	50 g.p.d.
AVERAGE WATER USE PER DAY	3,780 g.p.d.
<b>RESTAURANT</b>	
No. OF MEALS	225
WATER USE PER MEAL	15 g.p.d.
AVERAGE WATER USE PER DAY	3,375 g.p.d.
<b>TOTAL</b>	
AVERAGE WATER USE PER DAY	9,115 g.p.d.
75% SAFETY FACTOR	2,279 g.p.d.
DESIGN WATER USE PER DAY	11,394 g.p.d.

OPEN SPACE CALCULATIONS	
As Per Master Plan Recorded on January 5, 1999, Book 432, Page 318-025 (Amended May 29, 2001)	
Totals of 31% Open Space Required	
Total Acreage =	34.3 Ac
Less Open Space Dedicated in Book 370, Page 037-038 For Camino La Tierra	(2.5 Ac)
Project Area (on Both Sides of Road)	21.7 Ac
<b>Total Project Open Space</b>	<b>(25 + 6.7) = 31.7 Ac</b>
<b>OPEN SPACE REQUIRED:</b>	
Requires Total of 31%	Total Open Space = 5.7 Ac
<b>OPEN SPACE PROVIDED:</b>	
North Side of Road	Developed Area = 4.4 Ac
Open Space =	4.2 Ac
South Side of Road	Developed Area = 10.6 Ac
Open Space =	2.5 Ac

Civil Engineering & Water Resources & Traffic Engineering  
**W.E. Walker Engineering**  
 915 Alameda St. • Santa Fe, NM 87501  
 (505) 424-7000  
 FAX: 505-988-7315

**Lilly Associates**  
 PLANNING ASSOCIATES  
 LAND PLANNING • LANDSCAPE ARCHITECTURE  
 6900 4th St. N.E. • Santa Fe, NM 87505  
 (505) 424-1134 • FAX: (505) 424-1135

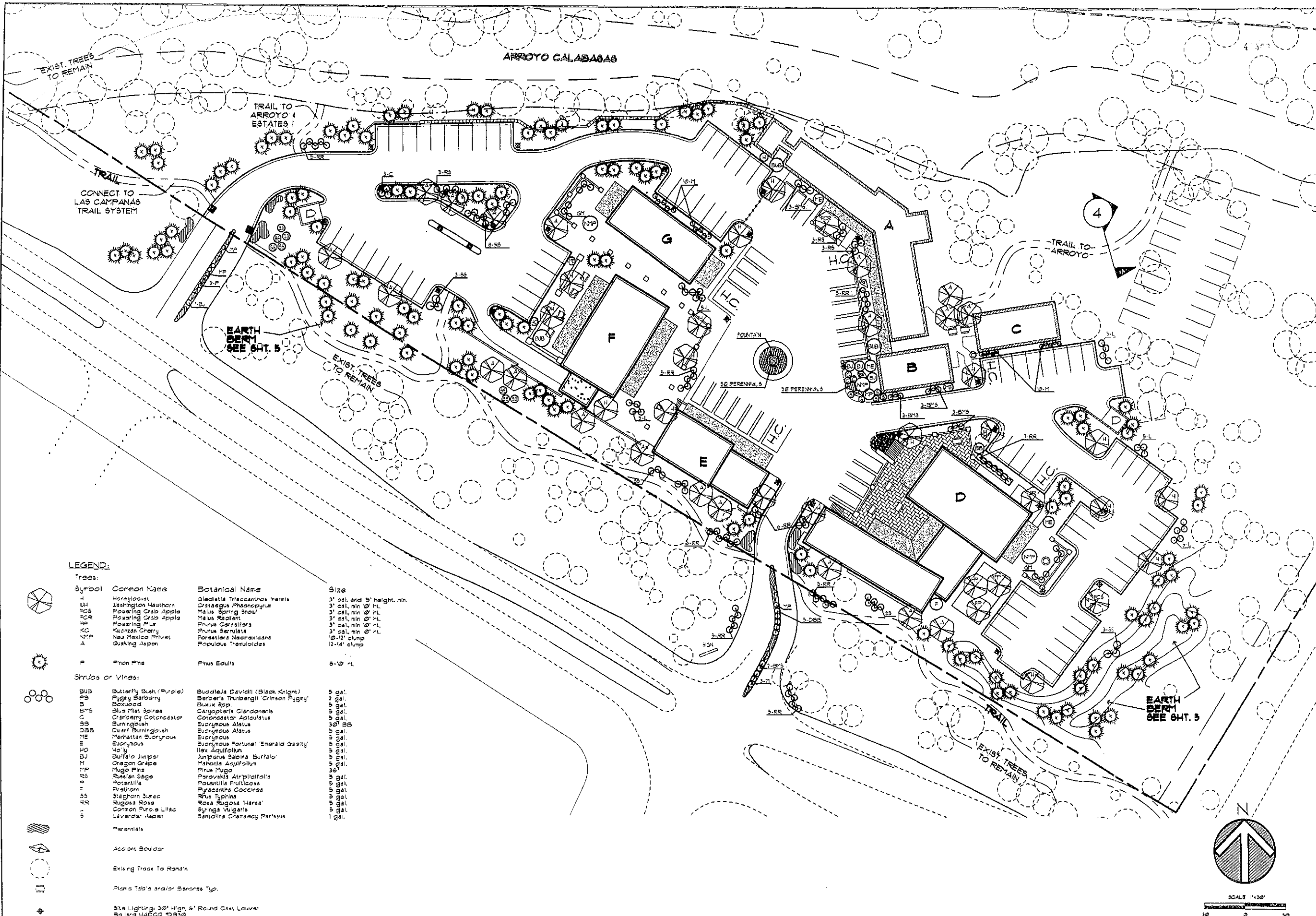
**B3 ARCHITECTS**  
 2020 Alameda, Santa Fe, NM 87505  
 (505) 424-1134

PROJECT: **PLAZUELAS DE LA TIERRA**  
 CAMINO LA TIERRA - SANTA FE COUNTY, N.M.  
 SHEET TITLE: **AMENDED MASTER DEVELOPMENT PLAN**

CITY REVIEW	
DEPARTMENT	DATE
SIGN-OFF	
WATER MAIN DIV.	
WATER SERVICES	
SUBDIVISION ENG.	
STREETS	
TRAFFIC	

CITY USE ONLY

1"=100'  
 OCTOBER 20 1997  
 Amended - 6/11/01



**LEGEND:**

**Trees:**

Symbol	Common Name	Botanical Name	Size
1	Honeylocust	Gleditsia triacanthos 'varna'	3' cal. and 5' height, min.
EH	Washington Hawthorn	Crataegus phaenopynum	3' cal. min @ ht.
EC	Flowering Crab Apple	Malus Spring Snow	3' cal. min @ ht.
ECR	Flowering Crab Apple	Malus sp.	3' cal. min @ ht.
EP	Flowering Plum	Prunus cerasifera	3' cal. min @ ht.
AC	Kudzu	Platanus acerifolia	3' cal. min @ ht.
YCP	New Mexico Privet	Forsteria neomexicana	10-12' clump
YCP	Quaking Aspen	Populus tremuloides	12-14' clump
P	Pinon Pine	Pinus edulis	6-10' ht.

**Shrubs or Vines:**

BB	Butterfly Bush (Purple)	Buddleia Davidii (Black Knight)	5 gal.
BB	Bougainvillea	Bougainvillea spectabilis 'Crimson Rhythm'	5 gal.
BB	Buxus	Buxus spp.	5 gal.
BB	Blue Mist Spirea	Caryopteris glaucescens	5 gal.
BB	Cranberry Cotoneaster	Cotoneaster apiculatus	5 gal.
BB	Burningshrub	Euonymus alatus	5 gal.
BB	Dwarf Burningbush	Euonymus alatus	5 gal.
BB	Manhattan Euonymus	Euonymus	5 gal.
BB	Euonymus	Euonymus fortunei 'Emerald Gassy'	5 gal.
BB	Holly	Ilex aquifolium	5 gal.
BB	Buffalo Juniper	Juniperus buffalo	5 gal.
BB	Oregon Grape	Moronia aquifolium	5 gal.
BB	Mugo Pine	Pinus mugo	5 gal.
BB	Russian Sage	Perovskia atriplicifolia	5 gal.
BB	Potentilla	Potentilla fruticosa	5 gal.
BB	Fraxinus	Fraxinus coccinea	5 gal.
BB	Madroño	Rosa rugosa	5 gal.
BB	Rugosa Rose	Rosa rugosa 'Hansa'	5 gal.
BB	Common Purple Lilac	Syringa vulgaris	5 gal.
BB	Levander Japan	Santolina chamaecrista	5 gal.

**Perennials:**

- ASB - Accent Boulder
- ET - Existing Trees To Remain
- PT - Plant To Be and/or Banned Type
- SL - Site Lighting: 30" High, 6" Round Cast Lower
- BL - Bolla HADCO DB30

**NOTES:**

All shrubs & trees listed above are not shown on the plan, but may be added at a later date.  
Flowering Trees (Selection depending on availability, 2 1/2" Cal., M.N. @ HT.)

**Lilly**  
PLANNING ASSOCIATES  
LAND PLANNING • LANDSCAPE ARCHITECTURE  
GROUPING

**C.R. WALBRIDGE & ASSOCIATES**  
1421 LUISA STREET SUITE 8  
SANTA FE NEW MEXICO  
(505) 982-9711

**Lloyd and Tryk**  
ARCHITECTS  
301 North Guadalupe, Suite 201  
Santa Fe, NM 87505  
Telephone: 505-988-9788 Fax: 505-986-1165

**TOWN CENTER**  
LANDSCAPE PLAN

REVISIONS  
DATE  
SHEET NO.  
8A

SCALE 1"=30'  
N  
AL LILLY  
LANDSCAPE ARCHITECT  
NEW MEXICO LICENSE #232



**PERENNIAL/GROUND COVER:**

CM	Catmint	Nesselia x. 'Fassentii'	1 gal.
CB	Coral Bell	Heuchera s. 'splendens'	1 gal.
S	Silver Lace Vine	Asplenium 'Mossywing'	1 gal.
YM	Yarrow	Yucca stricta 'Boulevard'	1 gal.
OR	Orange Rose	Rosa variety	1 gal.
VC	Virginia Creeper	Parthenocarpus quinquefolia	1 gal.
KB	Korean Bellflower	Lonchocarpus japonica 'Halliana'	1 gal.
SL	Silver Lace Vine	Heuchera s. 'splendens'	1 gal.
D	Daylily	Dianthus gratiopolitanus 'spotted'	1 gal.
DB	Blue Bearded Iris	Heuchera s. 'splendens'	1 gal.
PH	White Creeping Phlox	Phlox subulata 'White Delight'	1 gal.
AG	Creeping Anemone	Potentilla Naumanniana	1 gal.
JB	Jupiter Beard	Carthamus ruber	1 gal.
DE	Delphinium Blue	Delphinium grandiflorum	1 gal.

**REVEGETATION:**

**SOIL PREPARATION:**  
Final soil preparation for 'Lawn' and 'Native Grass' areas shall be per recommendation of tests by the contractor and reviewed with the owner. The preparation outlined below is to be verified prior to installation.  
1. The seeded shall be prepared to a minimum depth of 6 inches by tilling or diskking. All competitive vegetation shall be sprayed and removed, and the soil shall be uniformly worked to a smooth surface free of clods and large stones of over 1 non in any dimension, or other foreign material that would interfere with seeding operations.  
2. Into the top 6 inches of soil, the contractor is to thoroughly mix in 45 cu. yds. of organic matter ('Back to Earth' or approved equal) per 1000 sq. ft. of area to be seeded. Fertilizer shall be applied as required by the soil test and manufacturer's recommendations.  
3. Areas of planting beds and soil mix for trees, shrub, and perennial planting shall involve the following preparation: thoroughly mix a planting soil involving 1/3 organic matter ('Back to Earth' or approved equal) and 2/3 native soil. All planting beds are to receive a minimum of 6 inches of the planting soil.

**SEEDING:**  
Revegetation Seed Mixture: Contractor is to install 'native grasses' on all disturbed areas and as indicated on the landscape plans. This is to be a 50/50 mix of Blue Grass and Buffalo Grass, 'Summer Green Lawn Blend' by Plants of the Southwest or approved equal, apply at a rate of 3 lbs. per 1000 sq. feet. Seeding of the 'lawn areas' and the native grasses shall be accomplished only between May 15 and July 15, unless specific permission in writing is issued by the landscape architect to allow seeding before or after these dates. All seeding and revegetation on slopes less than 3:1 is to be accomplished by drill seeding or by hand raking into the soil, covered with mulch install erosion control fabric ('Ola-O-Seed') by North American Green or approved equal slope protection on all slopes greater than 3:1.

**EDGING:**  
Install brick edging between all lawn areas and shrub beds. ALTERNATES: 'Bees-to-Board' by EPIC Plastics (520-235-9339) or provide steel edging of 3/16"x4"x6" on, with 6" long stakes at 30" on center, as shown on the plans to delineate the Native Grass Lawn areas. Edging and stakes to have black paint finish (Ryerson Steel Landscape Edging or approved equal).

**MAINTENANCE AND GUARANTEE:**  
1. Maintenance shall be the responsibility of the Contractor until the entire installation is accepted by the Owner. The Contractor is to demonstrate complete coverage by the automatic irrigation system, prior to acceptance of the landscape installation. Following acceptance, the Owner will be responsible for maintenance.  
2. The Guarantee period shall be as follows:  
a. Newly installed trees, shrubs, vines, and ground cover, and transplanted trees shall be guaranteed by the Landscape Contractor for a period of 1 year following acceptance. All lawn areas shall be guaranteed for 30 days after acceptance. This will follow one over-seeding and one mowing by the Contractor.  
b. Temporary irrigation is to be provided for all revegetation seed areas and shall include watering 3x per day for two months, and 1x per day thereafter.

**TREE PROTECTION:**  
All existing trees indicated 'to be saved' on the Landscape Plans are to be protected by wrapping with snow fence or other means as approved by the Landscape Architect. The area of the 'drip line' of each saved tree is to be staked and 'toped off' in order to prevent root damage by construction equipment. Any traffic within this area is to be kept to an absolute minimum.

**MULCH:**  
All planting areas are to be mulched 2" deep with 'Back to Earth' compost mix (or approved equal) and are to be topped with a 1" fine bark mulch (dark color) except in stone walk areas which are to be graded as directed by the engineering plans, and mulched with 1" stone to a depth of 3". Contractor is to submit mulch samples prior to installation.

**IRRIGATION:**  
All trees, shrubs, and perennials are to be watered by an automatic drip irrigation system. The Landscape Contractor is to design and install a system to be approved by the Owner and the general Contractor. The system is to include sufficient 'drip' emitter, adequate coverage and spray heads to ensure even and sufficient watering without waste. The contractor is to install any steoves under walks and drives during site construction, and is to assemble the system to allow for future modifications. Necessary adjustments are to be made to avoid spraying structures, walks, and driving surfaces. The contractor is to provide valves and fittings to allow seasonal drainage (with compressed air) of all lines. All supply lines are to be 1/2" PVC to tolerate 100 psi distribution lines to plant beds and grass areas.

**LEGEND:**

**Trees:**

Symbol	Common Name	Botanical Name	Size
H	Honeylocust	Gleditsia triacanthos 'Inermis'	3" cal. and 5' height min.
WH	Washington Hawthorn	Crataegus Phaeopyrum	3" cal. min. 10' ht.
FC5	Flowering Crab Apple	Malus 'Spring Snow'	3" cal. min. 10' ht.
FCR	Flowering Crab Apple	Malus 'Radiant'	3" cal. min. 10' ht.
FP	Flowering Plum	Prunus 'Carasifera'	3" cal. min. 10' ht.
KC	Kanran Cherry	Prunus serrulata	3" cal. min. 10' ht.
KMP	New Mexico Privet	Forestiera Naumexicana	10-12' shrub
A	Quaking Aspen	Populus tremuloides	10-14' shrub
P	Pinon Pine	Pinus Edulis	8-10' ht.

**Shrubs or Vines:**

BBB	Butterfly Bush (Purple)	Buddleia Davidii (Black Knight)	5 gal.
PB	Pygmy Barbary	Berberis Thunbergii 'Crimson Pygmy'	2 gal.
B	Borwick	Buxus Spp.	5 gal.
BB5	Blue Mist Spirea	Cardeyanthus Candonele	5 gal.
C	Cremyery Cotoneaster	Cotoneaster apiculatus	3 gal.
BB	Burningsbush	Euonymus Alatus	30" BB
DBB	Dwarf Burningbush	Euonymus Alatus	5 gal.
HE	Hawaiian Euonymus	Euonymus	5 gal.
E	Euonymus	Euonymus Fortunei 'Emerald Gaiety'	5 gal.
HO	Holly	Ilex Aquifolium	5 gal.
BJ	Juniper	Juniperus Sabina 'Buffalo'	5 gal.
M	Oregon Grape	Mahonia Aquifolium	5 gal.
MP	Myrtle Pine	Pinus Myrsinites	30"
RS	Russian Sage	Perovskia Atriplicifolia	5 gal.
P	Potentilla	Potentilla Fruitcoba	5 gal.
F	Freethon	Pyracantha Coccinea	5 gal.
SS	Staghorn Sumac	Rhus Typhina	5 gal.
RS	Rugosa Rose	Rosa Rugosa 'Hansa'	5 gal.
L	Common Purple Lilas	Syringa Vulgaris	5 gal.
S	Lavender Aspen	Santolina Cranaeody Parviusa	1 gal.

**Perennials:**

Accient Boulder

Existing Trees To Remain

Floric Table and/or Benches Top

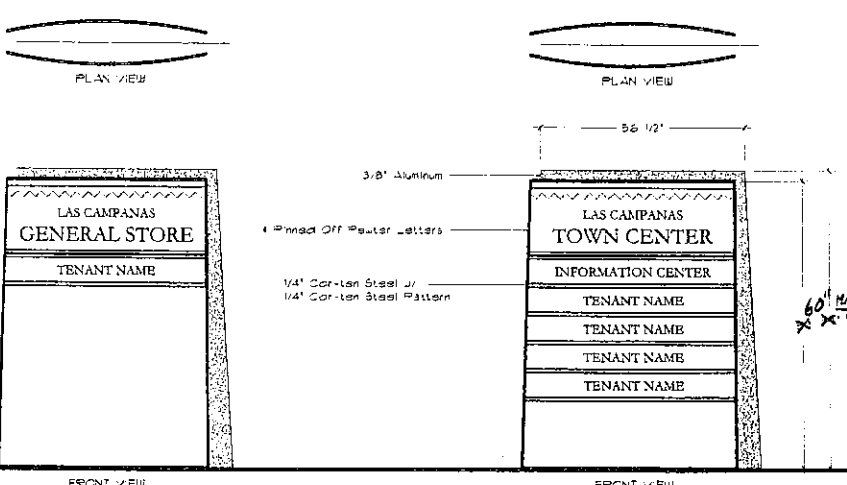
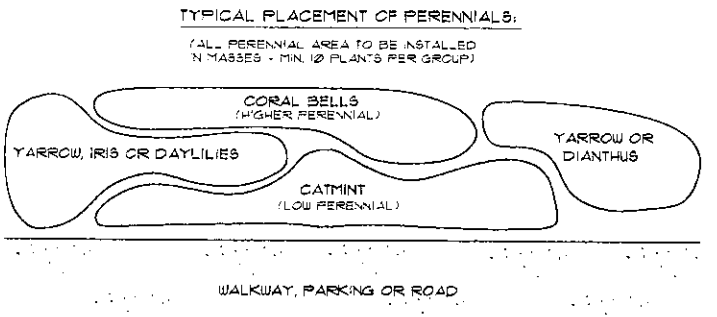
**NOTES:**

All shrubs & trees listed above are not shown on the plan, but may be added at a later date.

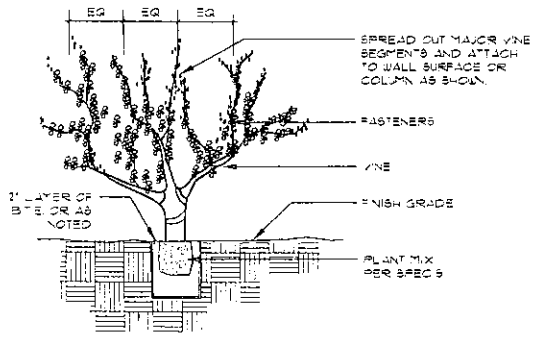
Flowering Trees (Selection depending on availability, 2 1/2" Cal. Min. & 4-5')

The following order of construction is required in executing the landscape plan:  
 1. Installation of all paving (roads, walks, patios, etc.)  
 2. Installation of irrigation trunk lines and underground electric wiring  
 3. Placement of accent boulders and any retaining walls  
 4. Installation of trees  
 5. Installation of shrubs  
 6. Installation of ground covers  
 7. Installation of drip irrigation feeder lines and lawn spray heads  
 8. Installation of edging  
 9. Installation of grass areas

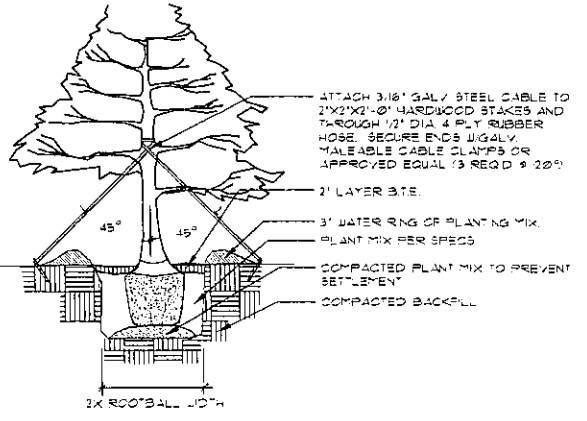
No shrubs are to be installed in an area until all shrubs for the designated area have been delivered to the job site. This provides for the proper spacing of all plant material. The shrubs are to be laid out on top of the ground, prior to the installation of any plants. No substitutions in plant material are to be made without approval by the Landscape Architect.



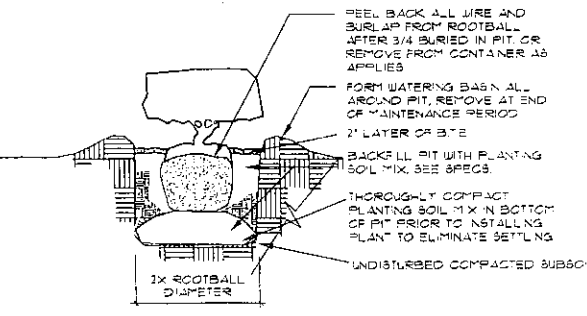
**U ENTRY SIGN**  
NOT TO SCALE



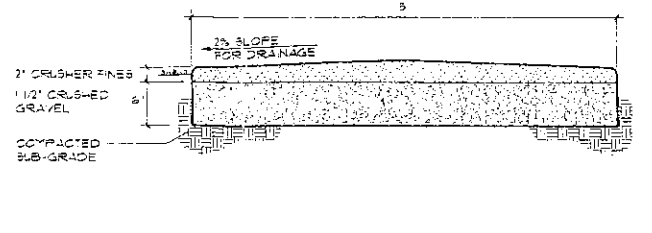
**1 VINE DETAIL AT WALL**  
NOT TO SCALE



**2 TREE PLANTING DETAIL**  
NOT TO SCALE



**3 SHRUB PLANTING**  
NOT TO SCALE



**4 WALKING TRAIL / TYPICAL CROSS SECTION**  
SCALE: 1/4\"/>

moratorium 2000-02. Commissioner Sullivan seconded, and the motion passed by unanimous roll call vote as follows: Commissioners Sullivan and Duran and Councilor Lopez and Chair Martinez all voting in the affirmative.

**Request Authorization to Publish: Title and General Summary of an ordinance relating to utility and communications antennae, towers and other facilities; encouraging the development of wireless communications infrastructure; prescribing regulations for location, placement, appearance and design; requiring compliance with the 1996 Telecommunications Act**

Mr. Kopelman said this request to publish title is the step following the declaration of an emergency moratorium. Staff will proceed to bring forward a comprehensive telecommunication ordinance for the EZ.

Commissioner Duran moved approval of the request and was seconded by Commissioner Sullivan. Upon unanimous roll call vote, with Commissioners Sullivan and Duran and Councilor Lopez and Chair Martinez voting in the affirmative, authorization was granted to publish title and general summary.

**EZ CASE DP 97-4521: Las Campanas Town Center, Phase One. Las Campanas Limited Partnership (Michael Baird, Vice President), applicant, is requesting an amendment of the previously approved master plan for a neighborhood center commercial district to modify building and open space lay-out for Phase One and development plan approval for Phase One to permit office, retail, restaurant and gasoline service on 8.6 acres. The property is located along Camino la Tierra at the intersection of Arroyo Calabasas Road, within Section 7 & 8, Township 17 North, Range 9 East, in the Two-mile EZ District**

Chair Martinez recited the caption and Mr. Catanach read his report.

"In December 1997 and January 1998 the EZC/EZA granted master plan approval to permit a neighborhood center commercial district. That was identified as Plazuela de la Tierra and approved for office, restaurant, retail and gasoline services on 24 total acres situated on the north and south side of Camino la Tierra and which includes 7.5 acres of open space. The Las Campanas administration and sales offices have existed on the north portion of the property since 1993 based on prior EZC/EZA approvals granted in 1983.

"The requested master plan amendment is for the purpose of relocating the proposed buildings in Phase One from the south side of Camino la Tierra to the north side where the existing administration and sales offices are located, and the resulting change to previously approved open space areas.

"The Phase One development plan on 8.6 acres is as follows:

- Existing office buildings, 8,580 square feet
- Two general retail/restaurant buildings, 6,000 square feet
- Gasoline pumps





- Two office buildings, 7,031 square feet
- 102 parking spaces with potential for 126
- 3.7 acres of open space

19734

"The buildings will have a pueblo or territorial style with a maximum height of 24 feet and be set back 25 feet from the Camino la Tierra right-of-way."

Mr. Catanach said the project was reviewed for water/wastewater, roads/access, terrain/landscaping/archeology, and lighting and signage, and he provided the staff with information on those items. He stated staff recommends approval of the requested master plan amendment regarding the modification to the building and open space lay-out of Phase One and preliminary development plan approval for Phase One subject to conditions:

[The conditions were entered as if read.]

1. Compliance with applicable review comments from the following:
  - a. Sangre de Cristo Water Utility
  - b. State Environment Department
  - c. State Highway Department
  - d. County Public Works Department
  - e. County Fire Department
  - f. Development Review Division Director
2. Submit amended master plan showing modification of development areas and open space areas consistent with initial approvals for building areas and open-space acreage, and to be recorded with the County Clerk.
3. Provide low site wall or earth berm for parking/fueling area along Camino la Tierra road frontage.
4. Provide common park/patio area with tables, benches, and landscaping for employees and customers.
5. Provide recreational pedestrian path along Camino la Tierra and extending though property.
6. Submit lighting plan in conformance with zoning ordinance and emphasizing low-profile shielded luminaries.
7. A single free-standing project sign shall be allowed.
8. Submit cost estimate with financial surety for completion of all required improvements as approved by staff.
9. Submit association documents (covenants, by-laws, articles of incorporation) subject to approval by staff.
10. Landscape plan shall include the following as approved by staff:
  - a. Additional shrub plantings within Camino la Tierra landscape buffer, edge or parking areas/access driveway and buildings.
  - b. Ornamental-type trees within road frontage landscape buffer in front of proposed buildings.
  - c. Shade-type trees within landscape island in parking lot.
11. Business registration and sign permit for individual tenants must be approved prior to occupancy of buildings.
12. Provide base flood elevation for limits of 100-year flood plain west side of property.



City planner Randy Thompson gave his report as follows:

"This proposal will reduce the amount of development in Phase One of the project but significantly intensify the amount of development north of Camino la Tierra with 12,000 feet of retail space shifted north including the convenience/fueling station which is relatively high traffic generator. A second entrance has been added which aligns with already approved access point into the southern portion of the town center, which helps to mitigate the increased traffic in the north parcel.

"From a planning perspective, the plan does a good job of breaking up the parking lots and interspersing them with the buildings. Focal points are incorporated into the plan creating enclosure and a sense-of-place within the project.

"The traffic-impact analysis included in the report does not reflect traffic counts since NM 599 was opened. Before further phases of the town center are approved, the approved 1996 traffic-impact analysis should be revised to include those traffic counts and use patterns reflecting changes brought about by the completion of the 599 bypass.

"Parking on the east side of the site is being lowered in combination with construction of small berms to help screen the parking. The western end of the site is being filled by approximately three feet, raising the level to roughly level with the Camino la Tierra. The fill will disturb a significant amount of the on-site tree cover along the south boundary of the site. The proposed screening material along this side should be increased to reduce the visual impact. The parking pattern meets Code requirements with regard to vehicular circulation. However, when one compares the finished floor elevations and the site grading with the distribution of handicap parking, buildings A through D do not allow for provision of accessible routes according to federal ADA standards. This probably will not require more than minor horizontal changes to the plan, but may necessitate more significant changes to the grading plan prior to recordation.

"The report is silent as to whether or not a canopy is proposed for over the fueling station. None is included in the elevation drawings of the site or by any indication on the site plan. If one is to be utilized, staff has concerns with the visual impact of such canopies and the type of lighting and lighting levels frequently associated with them.

"The location of the fueling station immediately adjacent to the arroyo gives concern to protection of the groundwater in the event of a large fuel spill. As designed, the site grading does not seem to provide any mitigation measures. This should be further examined to establish a contingency prior to filing the development plan. The Extraterritorial Zoning Authority may wish to examine such a contingency plan before approving the relocation to the north side of the road. In response to subsequent discussions with staff and the applicant, the County Hydrologist's comments have not been heard."

Mr. Thompson requested that the following conditions be levied on the applicant if this case were approved:



1. That no further phases are approved without a fully revised and updated traffic-impact analysis that reflects changes brought about by the opening of NM 599.
2. That the applicant provides a contingency plan acceptable to the State Environmental Protection Division and the County Hydrologist for handling fuel spills prior to filing the development plan.
3. That since no fueling station canopy has been indicated in either plan drawings or written report, that none is allowed with this development.
4. That the density of the screening west of the easternmost entry be increased, especially along the parking and vehicle circulation areas.
5. That the applicants revise their parking pattern to demonstrate accessible routes meeting ADA standards into buildings A and D prior to filing the development plan.

Councilor Lopez said she understands that a determination has not been accomplished yet as to whether the master plan has expired and whether the proposal is within the Highway Corridor. She suggested that amending the plan without a determination would verify the existence of the master plan. Mr. Catanach pointed out that the master plan under question is 360 acres at the intersection of Camino la Tierra and 599. The master plan amendment before the Authority is not the same property.

Councilor Lopez asked why the applicant was not required to have an up-to-date traffic analysis that included the traffic on 599. Mr. Catanach responded that an evaluation regarding 599 is the State Highway Department's call and they have requested an analysis of traffic off 599. He said a recent traffic report did evaluate the driveway exits off La Tierra.

Responding to Chair Martinez' question, Mr. Catanach said the City will request a traffic analysis at the next phase of development.

A letter from Sangre de Cristo dated 11/28/00 states the development plan requires City approval. Chair Martinez asked if that had been accomplished. He said he understands that the project did not enter into development in a timely fashion and now requires master plan approval from the City. Commissioner Duran pointed out that this project received master plan approval in 1998 and has not expired. The Las Campanas project the Chair refers to, stated Commissioner Duran, is different.

Mr. Catanach said the City has approved the water service availability, and the applicant is before the Authority for an amendment to the approved plan.

Councilor Lopez pointed out that condition 3 in the Sangre de Cristo memo mentioned by the Chair requires annexation to the City of Santa Fe concurrent with the development and utility extension approval process. Mr. Thompson said the condition is part of the utility's boilerplate water availability statements.

Referring to the master plan approval from the City, Chair Martinez said the condition is "black and white" and he wants the applicant to appear before Council. "It's a requirement the applicant has to meet."



Mr. Kopelman said Sangre de Cristo's contractual language does not preclude action from the EZA.

Chair Martinez said he wants to add condition 14 stating the applicant must obtain City Council approval. Councilor Lopez concurred and added there are six other councilors eager to act on this development plan. She noted that the City has been involved in a debate regarding water service extensions. Sangre de Cristo implies annexation, and she indicated that she is not prepared to endorse annexation of Las Campanas into the City.

Mr. Catanach mentioned that the property is already serviced by city water. Mr. Thompson mentioned that the property does not meet annexation criteria for the City as stated in Chapter 14. [Condition 13 was not noted for the record.]

Councilor Lopez requested input on this matter from Assistant City Attorney Morales. Ms. Morales indicated that, typically, the contract with Sangre de Cristo requires an amendment to a master plan that would come back to the City Council following EZA approval.

Chair Martinez said he wanted to add the condition that the amended master plan obtain City Council approval. Mr. Kopelman questioned whether there is any statutory authority for the City Council to take action on this request. He indicated that the state statute grants that right to the EZ Authority.

In response to Commissioner Duran, Mr. Catanach said a water budget was submitted to the City. The amendment does increase water consumption; however, Sangre de Cristo approved the use.

Mr. Catanach confirmed that the property is not within the Highway Corridor district. He asked what Morey Walker's updated traffic report indicated regarding the driveways. Mr. Catanach said that with the improved accel/decel lanes, the two driveways would function at a level A.

Mr. Catanach confirmed that the use list has not been modified from the 1998 approval. The amendment merely moves Phase One from the north to the south.

Al Lilly, Santa Fe Planning Group, was placed under oath. He stated that the applicant agrees with all conditions. He said the Councilors on the Authority appeared to have the Santa Fe Center, which is located in the Highway Corridor, confused with this town center project. The project lies within the center of La Tierra and is not a new project. In 1983, the EZA approved 65,000 square feet, the same density as this project. Responding to concerns about the massing of that plan, he said the concept was modified to allow for breaking up the parking lots into smaller pieces and changing the buildings to one story. In proceeding with the plan, Las Campanas wants to scale back the development by 6,000 square feet and move the general store to the other side of the road. There will now be two access points on the north side. He said they plan to move cautiously as need is demonstrated. He indicated the general store would be similar to that in Tesuque and territorial in style.



Mr. Lilly said the development will be improved by moving it to the other side of the road.

Commissioner Gonzales asked if the community supports the amendment. Mr. Lilly replied that there have been numerous meetings with the residents and most all comments have been supportive. He pointed out that the development will serve the entire neighborhood and not just Las Campanas.

Mr. Lilly said the total square footage approved for Phase One of the master plan is approximately 27,000 square feet. Commissioner Sullivan asked how much footage remained in Phase One. Mr. Lilly replied that approximately 5,000 remains, which will presumably be transferred into Phase Two and become part of the total 65,000 square feet. Commissioner Sullivan expressed concern that high-density development will occur within Phase Two along the roadside. Mr. Lilly noted that the original 65,000-square-foot plan was totally different "apples and oranges" and contained two-story buildings. There was limited area to build on, and he agreed it would make good planning sense to intensify in the area, but the residents would be in opposition. He identified a different site that would be off the road and well-buffered.

Mr. Lilly said the site plan depicts a cluster of buildings around a pedestrian courtyard that contains a water feature and landscaping. The existing buildings, 8,500 square feet, will be incorporated into the plan. The plan includes a small grocery/deli store and two gas pumps.

Councilor Lopez asked the distance from the proposed site to the nearest gas station. Mr. Lilly said he thinks it is Burger King at Alameda/St. Francis. An audience member said the closest station is at 599. Councilor Lopez said the convenience of a local market makes sense to her.

→ Commissioner Sullivan asked if liquor would be sold at either the restaurant or convenience store, and what hours of operation are proposed. Mr. Lilly said the store would have a liquor license, which appears to have community support. He pointed out that Las Campanas has security guards and would agree to hours of operation from 8 a.m. to 9 p.m.

Speaking from the public and duly sworn was Mark Stellan, 523 E. Alameda, Santa Fe, who stated he is closing on a piece of property in the La Tierra neighborhood. At one of the neighborhood meetings he attended, Las Campanas stated their plans for Phases Two through Five were "soft." Following the meeting, he reviewed the site plans for the following phases and said it looked like a mall with massive parking.

Mr. Stellan stated he is purchasing his land out there because gas stations and convenient stores aren't there. He did not hear anyone at the community meeting say they wanted these resources in their neighborhood. He said it is "so sad that so much must be sacrificed for so many so a few can get a little richer...At some point, no has to be heard."

Duly sworn, Lisa Oberteuffer, 123 Arroyo Calabasas, said she did not approve of the



plan. She moved out to the area because they love the rural atmosphere and the views. She expressed concern that this development would ruin the beautiful open atmosphere and is inappropriate sited in the middle of a rural neighborhood.

That concluded the public testimony.

Commissioner Duran commented to the gentleman who spoke against the proposal that the master plan was developed in 1983 and offices are already there. That area has a large population that needs services and this begins to address them.

**Commissioner Duran moved approval of DP 97-4521 with City and County recommendations. Commissioner Gonzales seconded.**

→ Commissioner Sullivan requested a friendly amendment limiting liquor sales from 8 a.m. to 8 p.m. during the winter and 7 a.m. to 9 p.m. during the summer. Commissioner Duran accepted, as did Commissioner Gonzales.

Councilor Lopez questioned the logic of restricting the sale of liquor to certain hours. She said if the idea behind approving the development is to provide a convenience, then the store should be able to sell liquor during its hours of operation rather than have government dictate the hours. Commissioner Duran withdrew his acceptance of the amendment and so did Commissioner Gonzales.

Commissioner Sullivan commented that the sale of liquor has proved problematic in some areas. He questioned how long Las Campanas would provide security in the area and maintain the grounds. Councilor Lopez said it would be very difficult to enforce the hours.

Commissioner Duran amended his motion to restrict the hours of packaged liquor sales from 8 a.m. to 10 p.m., and Commissioner Gonzales agreed.

Mr. Catanach pointed out that the liquor license requires BCC approval, so it may be more appropriate to address hours of operation at that time.

Noting this request is an amendment to a master plan, Ms. Morales suggested it might be more appropriate to set hours of operation at a different phase of development.

→ The amendment regarding hours of operation was removed and in its place staff was directed to begin working with the applicant to develop appropriate hours of operation.

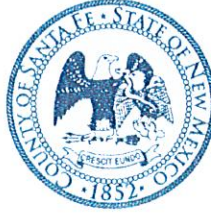
**The motion passed by majority [4-1] roll call vote as follows: Commissioners Duran, Gonzales, and Sullivan and Councilor Lopez voted for and Chair Martinez voted against.**



Daniel "Danny" Mayfield  
Commissioner, District 1

Virgina Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** May 10, 2011

**TO:** Board of County Commissioners

**FROM:** John M. Salazar, Development Review Team Leader *JMS*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CDRC CASE # V10-5560 Juan Lozoya Variance

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### ISSUE:

Juan Lozoya, Applicant, requests a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow four dwelling units on 1.25 acres.

The property is located at 31 Cerro del Alamo, within Section 28, Township 16 North, Range 8 East, (Commission District 3).

### SUMMARY:

This case is tabled as the Applicant did not meet noticing requirements.