

**BCC CASE # MIS 10-5150
THE DOWNS AT SANTA FE MASTER PLAN EXTENSION
THE PUEBLO OF POJOAQUE DEVELOPMENT CORPORATION,
APPLICANT**

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as “the BCC”) for hearing on April 13, 2010, on the Application of the Pueblo of Pojoaque Development Corporation (hereinafter referred to as “the Applicant”), for an extension of an existing Master Plan for the Downs at Santa Fe and modifications of certain conditions of the Master Plan. The BCC, having reviewed the Application and supplemental materials, Staff report and conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests a two-year time extension of its existing Master Plan and the removal of the following conditions of the Master Plan: removal of all manure and unpermitted trash; limit of (6) special use permits for major events prior to Final Development Plan approval; limit of flea market use to one weekend per month.
2. The property is located within the La Cienega Traditional Historic Community, at 27475 I-25 West Frontage Road, within Sections 26 & 27, Township 16 North, Range 8 East (Commission District 3).
3. The trash and manure have been removed from the site.

4. Limiting major outdoor events may hinder the use of the site by the general public.
5. The site lends itself as a venue for major events that would be beneficial to the inhabitants of Santa Fe County.
6. Major outdoor activities have been allowed on this site, noise levels have been measured and mitigation measures were not needed.
7. The local community supports the possible future use and growth of the markets at the Downs.
8. The elimination of these conditions would allow the Land Use Administrator the discretion of permitting markets and events on this site.
9. The Application meets the criteria set forth in Article V, Section 5.2.4 (Master Plan Approval) and Article V, Section 5.2.7 (Expiration of Master Plan) of the Land Development Code.
10. Janna Werner representing the Applicant agreed to Staff conditions.
11. Carl Dickens, President of the La Cienega Valle Association, spoke in favor of the Application including the removal of existing conditions.
12. Walt Borten, Santa Fe Traditional Flea Markets, testified on how the proposed flea market at the Downs at Santa Fe would operate.
13. The Commission recommends the following special conditions of approval:
 - a. The Applicant shall comply with the conditions of the approved Master Plan except as modified by this Order.

b. The Applicant shall comply with any applicable ordinance(s) adopted by the County prior to the submittal of preliminary and final development plan.

14. After conducting a public hearing on the request and having heard from the Applicant and public, the Board of County Commissioners hereby approves the request for an extension of the Master Plan and the deletion of the following conditions from the Plan, subject to the Applicant's compliance with the special conditions as stated above:

- 1) removal of all manure and unpermitted trash;
- 2) a limit of six (6) special use permits for major events prior to Final Development Plan approval;
- 3) a limit of flea market use to one weekend per month.

IT IS THEREFORE ORDERED that the Application is approved, and the Applicant is allowed an extension of its existing Master Plan, as modified herein, subject to the conditions set forth herein.

I certify that the Application was approved by the Board of County Commissioners on this _____ day of _____, 2010.

The Board of County Commissioners of Santa Fe County

By: _____
BCC Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney