

BOARD OF COUNTY COMMISSIONERS

**CASE NO. S 06-5031
TRENZA F/K/A THE VILLAGE AT GALISTEO BASIN PRESERVE
PRELIMINARY PLAT (PHASE I)
COMMONWEAL CONSERVANCY INC., APPLICANT
TED HARRISON, AGENT**

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as “the BCC”) for hearing on February 9, 2010, on the application of Commonweal Conservancy, Inc. (hereinafter referred to as “the Applicant”) and Ted Harrison (hereinafter referred to as the “Agent”) for Preliminary Plat and Development Plan approval for Phase I of Trenza, f/k/a the Village at Galisteo Basin Preserve which consists of 131 single-family residential lots, and three multi-family residential lots for a total of 149 residential units, and five non-residential lots all within a 60-acre development envelope within an overall 10,000+ acre area (“Application”). The request also includes the following variances of the County Land Development Code (“Code”): 1) to allow driveway locations to be closer than 100 feet from intersections; 2) to allow slopes of up to 5% within 50 feet of an intersection rather than required 3% or less within 100 feet of an intersection; 3) to allow driving lanes for minor arterial roads and local sub-collector roads to be reduced to a width of less than 12 feet; 4) to reduce the required right-of-way width from 50 feet to 32 feet for local sub-collector roads and 25 feet for local lane roadways; 5) to allow commercial and residential building heights of up to 30 feet in certain areas.

The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well taken and should be granted subject to conditions and makes the following findings of fact and conclusions of law:

1. The Applicant requests Preliminary Plat and Development Plan approval for Phase I of Trenza f/k/a the Village at Galisteo Basin Preserve, which consists of a total of 149 residential units, and 5 non-residential lots within a 60-acre development envelope within a 10,000+ acre area as well as five variances of the Code.

2. The property is located south of Eldorado, west off of US 285, within Sections 1, 3-5, 7-15, 17, 20-24, and 27 within Township 14 North, Range 9 East; Sections 5-7, and 18 within Township 14 North, Range 10 East; Sections 25 and 34-36, within Township 15 North, Range 9 East; and Sections 30 and 31, within Township 15 North, Range 10 East.

3. In support of the Application, the Applicant's Agent submitted a development report including a legal lot of record, a preliminary subdivision survey plat, a terrain management plan, water supply plan, liquid waste disposal plan, solid waste plan, school impact report, subdivision covenants, disclosure statement and a development plan set.

4. On June 18, 2009, the County Development Review Committee recommended Preliminary Plat and Development Plan approval for Phase I.

5. The Preliminary Plat and Development Plan are in accordance with Article V, Section 5.3 (Preliminary Plat Procedures) and Article V, Section 7.1 (Preliminary Development Plans) of the Code.

6. At the February 9, 2010 BCC meeting, staff analyzed whether the granting of the variances would pose any threats to health, safety and welfare concerns of the general public and determined that granting of the variances would not pose any such threat.

7. Staff recommended that conditions be imposed on approval of the Application if granted.

8. Twenty-one members of the public spoke in favor of the Application and four members of the public spoke in opposition to the Application.

9. Under the circumstances and given the evidence and testimony submitted during the hearing, the Application should be **APPROVED SUBJECT TO THE**

FOLLOWING CONDITIONS:

A. All redlines comments must be addressed.

B. Compliance with applicable review comments from the following:

- 1) State Engineer
- 2) State Environment Department
- 3) Soil & Water Conservation District
- 4) State Department of Transportation (NMDOT)
- 5) County Hydrologist/Water Resources Dept.
- 6) Development Review Director
- 7) County Fire Marshal (Site Plans & Building Plans)
- 8) County Public Works
- 9) State Historic Preservation Division
- 10) Technical Review Division
- 11) County Open Space, Parks and Trails Division
- 12) Public School District
- 13) County Housing Division
- 14) County Planning Division

C. Development within the US 84-285 Highway Corridor shall comply with the district standards of the US 285 South Highway Corridor ordinance (Ordinance No. 2005-08).

- D. All archeological easements shall be shown on the plat. The State Historic Preservation Office must approve all proposed mitigation measures prior to Final Plat recordation.
- E. Base Flood Elevations for the Arroyo de Los Angeles and its tributaries shall be established prior to Final Plat approval.
- F. All redline comments must be addressed.
- G. Road names and addresses must be approved by Rural Addressing prior to Final Plat recordation.
- H. Final homeowners' documents, and disclosure statement are subject to approval by staff prior to Final Plat.
- I. Water restrictive covenants shall be recorded with the Final Plat.
- J. All utilities must be underground.
- K. All lots are subject to the Santa Fe County Fire and Rescue Impact Fees. This must be clearly noted on the Final Plat.
- L. The Applicant must submit an engineer's cost estimate and financial guarantee for all required improvements (i.e. road construction, street and traffic signs, fire protection, etc.) prior to Final Plat recordation. A schedule of compliance projecting time period for completion of improvements must be included. Upon completion, the applicant must submit a certification by a registered professional engineer that improvements have been completed according to the approved development plan.
- M. The following note must be put on the plat:
 - Permits for building construction will not be issued until required improvements for roads, drainage, and fire protection have been completed as required by staff.
- N. An access permit will be required from NMDOT prior to Final Plat approval.
- O. Approved discharge permit from the Environment Department shall be submitted prior to recording the plat.
- P. Compliance with conditions of the Master Plan approval.
- Q. A water quality and water system maintenance plan shall be submitted prior to Final Plat approval.
- R. This development will be subject to the Santa Fe County's Sustainable Development Plan and Sustainable Land Development Code.

- S. The top of all swales must be at least 10' off the pavement to provide a clear zone. Street trees cannot be placed in the clear zone unless an alternative solution is approved by the Public Works Director prior to final plat submittal.
- T. The proposed streets throughout the development must comply with the exact road standards of the Community College District Ordinance as specifically described in Exhibit "M" to the County staff report. This includes placement of curb and gutter and increasing right-of-way widths unless an alternative solution is approved by the Public Works Director prior to Final Plat submittal.
- U. Master Plan must be amended to reflect the change of water service from an on-site community water system to service by the County Water System prior to preliminary plat application of Phases II-VI.
- V. Development must comply with Section 5.9 (Culverts, open channels, and stormdrain systems) of the County Floodplain Ordinance (Ordinance 2008-10).
- W. The Applicant must provide road cross section every 50 feet to show cut and fill slopes. The sections must include street names and station numbers. These sections must be provided with the submittal of the Final Plat/Development Plan for this project in order to facilitate a detailed review.
- X. A well monitoring agreement shall be worked out with the Galisteo Water Board.

WHEREFORE, the BCC hereby **APPROVES** the Application for Preliminary Plat and Development Plan for Phase I of Trenza f/k/a the Village at Galisteo Basin Preserve, which consists of 149 residential units and five non-residential lots within a 60-acre development envelope within a 10,000+ acre area subject to the conditions provided herein.

IT IS SO ORDERED:

This Order is approved by the Board of County Commissioners on this _____ day of____, 2010.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By _____
Harry Montoya, Chair

ATTEST:

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney