

## MEMORANDUM

**DATE:** January 17, 2013

**TO:** County Development Review Committee

**FROM:** Vicki Lucero, Building and Development Services Manager

**VIA:** Penny Ellis-Green, Interim Land Use Administrator

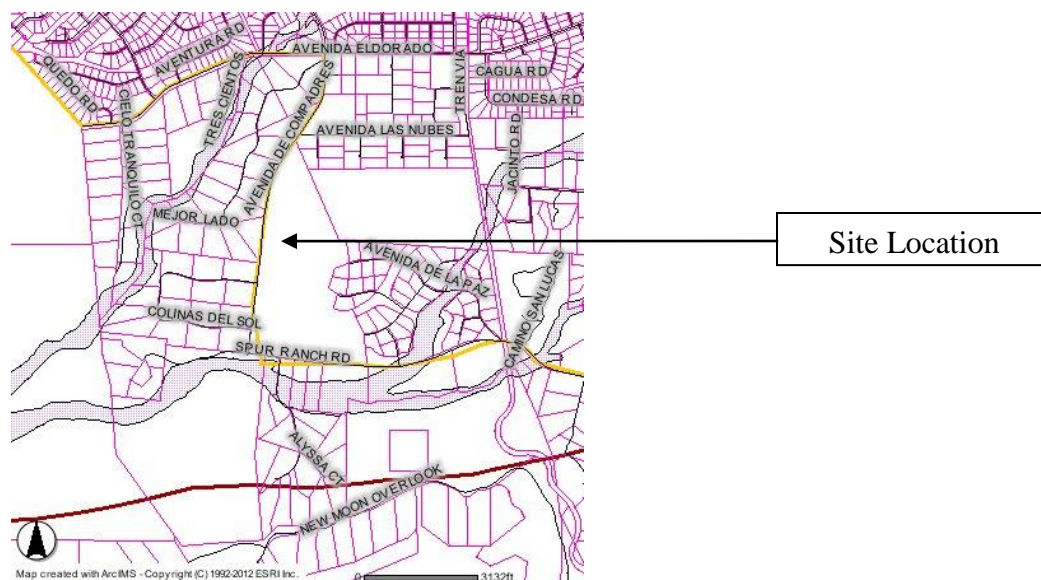
**FILE REF.:** CDRC CASE # Z/S 08-5440- Tierra Bello Subdivision

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### ISSUE:

Joseph Miller, Applicant, Danny Martinez, Agent requests Master Plan Zoning approval for a 73-lot residential subdivision on 263.769 acres  $\pm$  and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots. The property is located at the Northeast intersection of Avenida de Compadres and Spur Ranch Road, south of Avenida Eldorado in Eldorado, within Sections 24 and 25, Township 15 North, Range 9 East, (Commission District 5).

### **Vicinity Map:**



## **SUMMARY:**

On July 22, 2010, a request was presented to the CDRC by the Applicant for Master Plan Zoning approval for a 73-lot residential subdivision known as Tierra Bello. The decision of the CDRC was to table the request to allow the applicant to address issues regarding affordable housing, water availability and access and traffic (Refer to CDRC minutes in Exhibit 6).

The Applicant has since signed an Affordable Housing Agreement with Santa Fe County in which the Applicant has agreed to provide 15% affordable housing in accordance with Ordinance No. 2012-1 (Affordable Housing Program).

In regards to water availability, a positive recommendation was issued by the County Hydrologist. The OSE, however has not issued a favorable response (Refer to Exhibit 3).

In regards to access and traffic, the NMDOT has issues a positive recommendation. However, the Public Works Department is not in support of this application and has listed deficiencies that must be addressed (Refer to Exhibit 3).

The Applicant has modified his request since the last CDRC meeting. The request is still for Master Plan Zoning approval for a 73-lot residential subdivision on 263.769 acres. However, in addition to this, the Applicant is now requesting Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots.

This Application was submitted on March 19, 2012.

**Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.**

**APPROVAL SOUGHT:** Master Plan Zoning Approval for a 73-lot residential subdivision and Preliminary and Final Plat and Development Plan Approval for Phase I which will consist of 9 lots.

**GROWTH MANAGEMENT AREA:** Galisteo, SDA-2.

**HYDROLOGIC ZONE:** Basin Fringe, minimum lot size per Code is 12.5-acres per dwelling unit with a 0.25 acre foot per year per lot water restriction; unless water availability is proven to support increased density or community water is available.

**ARCHAEOLOGIC ZONE:** High Potential, archeological report required for development of more than 5 acres. An archaeological report has been submitted for review.

**ACCESS AND TRAFFIC:** The site will be accessed directly off Avenida de Compadres, at two points. Avenida de Compadres will need to be upgraded by the applicant to meet County Standards.

**FIRE PROTECTION:** Eldorado Fire District; The EAWSD will provide the water source for fire protection. Fire hydrants will be located within 1,000 feet of all buildable areas.

**WATER SUPPLY:** EAWSD, a ready, willing and able to serve letter has been provided by EAWSD.

**LIQUID WASTE:** Individual on-site septic systems

**SOLID WASTE:** Individual lot owners will be responsible for contracting with a licensed solid waste disposal service for pick up on a weekly basis. Individual lot owners may also dispose of solid waste on their own at a local solid waste transfer station. This must be noted in the Subdivision Disclosure Statement.

**FLOODPLAIN & TERRAIN MANAGEMENT:** The proposed site consists mainly of slopes of up to 10%. Buildable areas must be identified on each lot at Preliminary Plat stage. Several stormwater detention ponds are proposed throughout the site. The entire project is outside the limits of the FEMA designated 100-year floodplain. Locations where roadways cross drainage conveyances shall be engineered for all weather access including Avenida de Compadres.

**SIGNAGE AND LIGHTING:** No private subdivision signage or lighting has been proposed at this time.

**EXISTING DEVELOPMENT:** The project site is currently vacant.

**ADJACENT PROPERTY:** With the exception of two large 390 acre tracts that lie to the northeast and southwest of the property the proposed Tierra Bello Subdivision is surrounded by other residential subdivisions with lots ranging from just over 3 acres to approximately 18 acres in size.

**OPEN SPACE:** A total of 52.58 acres is proposed as open space which allows for the development of a park.

**AFFORDABLE HOUSING:** The Applicant has since signed an Affordable Housing Agreement with Santa Fe County in which the Applicant has agreed to provide 15% affordable. At 15% phase one would require 1 affordable unit. The applicant is proposing one affordable lot. Affordable housing in future phases may be

transferred to the Cimarron Village Development in accordance with the Affordable Housing Agreement.

**PHASING:**

The project will be completed in 8 phases.

**AGENCY REVIEW:**

<u>Agency</u>	<u>Recommendation</u>
County Fire	Approval with Conditions
County Utilities	Approval with Conditions
NMDOT	Approval with Conditions
County Open Space	Approval with Conditions
County Public Works	Negative (Awaiting revised plans)
OSE	Negative
SHPO	Approval with conditions
NMED	Approval with conditions
Public School	Approval

**STAFF RECOMMENDATION:**

Approval of the request for Master Plan Zoning approval for a 73-lot residential subdivision and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots subject to the following staff conditions:

1. The Applicant shall comply with all review agency comments and conditions, **Article V, Section 7.1.3.c.**
2. Conditions as stated in the memo from the Public Works Department shall be addressed prior to this case being heard by the BCC.
3. Master Plan and Final Plat and Development Plan, with appropriate signatures, and subdivision covenants and final disclosure statement shall be recorded with the County Clerk, as per **Article V, Section 5.2.5 and Section 5.4.5.**
4. The Applicant shall submit a financial guarantee, in a sufficient amount to assure completion of all required improvements. The financial guarantee shall be based on a county approved engineering cost estimate for the completion of required improvements as approved by staff prior to Final Plat recordation. All improvements shall be installed and ready for acceptance within eighteen months as required by **Article V, Section 9.9.**

**EXHIBITS:**

1. Development Report
2. Proposed Plans
3. Reviewing Agency Responses
4. Disclosure Statement/Restrictive Covenants
5. Letters of opposition
6. July 22, 2010, CDRC Meeting Minutes