

MEMORANDUM

DATE: June 16, 2011

TO: County Development Review Committee

FROM: Vicki Lucero, Development Review Team Leader

VIA: Jack Kolkmeyer, Land Use Administrator
Shelley Cobau, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

RE: CDRC Case # Z/S 02-4325 La Pradera Master Plan Amendment, Plat and Development Plan

ISSUE:

Gardner Associates LLC and La Pradera Associates LLC (Alexis Girard) request a Master Plan Amendment to allow for the creation of an additional 37 residential lots within the previously approved La Pradera Subdivision and to allow for the previously approved 32,667 SF of commercial area, a plaza, a parking lot and 11 condominiums to be replaced with 21 single-family residential, live/work lots. The application includes modification of the original approval that proposed the use of reclaimed water for irrigation and toilet water flushing on all private lots. The use of potable water is now proposed. Reclaimed water will be used to irrigate common areas only. The request also includes Preliminary and Final Plat and Development Plan approval for the 27 new lots and several lot line adjustments in Phases 2-6 and 4 Master Plat lots which could be developed into a total of 21 single-family, live/work lots (10 new lots and 11 previously approved condos converted to single family lots) in Phase I. The property is located within the Community College District, west of Richards Avenue between I-25 and the Arroyo Hondo, within Sections 17 & 18, Township 16 North, Range 9 East (Commission District 5).

SUMMARY:

On January 28, 2003, the EZA (Extraterritorial Zoning Authority) granted Master Plan Approval for a Mixed Use Development (La Pradera) consisting of 80 residential units and 16,335 sq. ft. of commercial space on 69.2 acres. (Refer to meeting minutes attached as Exhibit "F").

On March 9, 2004, the BCC granted Final Plat/Development Plan approval for the mixed use subdivision.

On June 30, 2005, the EZA granted approval of a Master Plan amendment to the previously approved La Pradera (Phase I) mixed use Subdivision to allow an expansion of an additional 158 residential lots (Phases 2-6) on 94 ± acres. (Refer to EZA Minutes attached as Exhibit "F").

On January 31, 2006 the BCC granted Preliminary Plat/Development Plan approval for Phases 2 thru 6 and Final approval for Phases 2 and 3 (refer to Jan. 2006 BCC minutes attached as Exhibit D) consisting of 97 lots.

On July 10, 2007, the BCC granted final plat/development plan approval for phases 4 thru 6 of the La Pradera Subdivision which consisted of 60 lots on 28.4 acres.

On May 10, 2011, the BCC granted authorization to proceed with a Master Plat for the creation of 21 residential (live/work) lots on approximately 2.27 acres within the existing La Pradera Subdivision (Phase I), which does not require that a specific lot layout be defined prior to plat recordation and would grant administrative authority to create lot boundaries once buyers are identified or home construction is complete.

The Applicants are now requesting a Master Plan Amendment for the La Pradera Subdivision in order to create an additional 37 residential lots. Twenty-seven of the proposed lots will be created by adjusting lot lines of existing lots to reduce the size of some of the oversized lots in Phases II-VI. The Applicant states that these smaller lot sizes are dictated by the significant changes to our economy and the market demand for entry-level housing. The other ten proposed lots will be combined with 11 previously approved units from Phase I to create a "village concept" which will have the potential of being live/work units, and will be replacing the previously approved 32,667 square foot commercial area.

The Previous Master Plan Approval was granted with the proposal of utilizing treated effluent for irrigation of common areas as well as for toilet flushing and irrigation of private lots. The proposal was for each home to install a dual plumbing system. The applicants are requesting an amendment to modify their original approval to allow for irrigation of common areas only with reclaimed water. County staff has met with the NMED who stated that they are supportive of this change because it is very difficult to

control what individual property owners do with the treated effluent which leads to a concern for health and safety.

The Applicants are also requesting Preliminary and Final Plat and Development Plan approval for the 27 new lots and several lot line adjustments in Phases 2-6 and Master Plat approval for 4 lots which could be developed into a total of 21 single-family, live/work lots (10 new lots and 11 previously approved condos converted to single family lots) in Phase I.

LOCATION OF ZONES/ZONING ALLOWANCES:

The proposed development is in accordance with the Community College District Ordinance for a village zone neighborhood center/neighborhood and fringe zone. The minimum residential density that is required in a village zone neighborhood center/neighborhood is 3.5 units per acre. The applicant is proposing 7.6 units per acre (21 Master Plat lots on 2.78 acres).

The proposed development is in accordance with the Community College District Ordinance (CCDO) for a village zone and a fringe zone based on the landscape types relevant to slope, vegetation and natural drainage. The minimum residential density that is required in a village zone neighborhood is 3.5 units per acre, the applicant is proposing 4.6 units per acre. The proposal is also in conformance with gross residential density in a fringe zone with 1 residential unit per acre.

LIVE/WORK UNITS

The CCDO requires mixed use development in a Neighborhood Center. The proposed master plan amendment incorporates a commercial component in the Neighborhood Center with the creation of live/work units and a non-residential component with the creation of a proposed plaza/gathering area which would satisfy the mixed use requirement.

The live/work units will consist of two-story buildings with small footprints. These structures will range in size from 1500 to 2000 sq. ft. The first story will accommodate a room with a separate entry and bathroom that could be used as an office. The protocols for business types and operation will follow the County's "Home Occupation" guidelines (Refer to Exhibit F). Allowable uses would be, for example, a music teacher, tutor, accountant, drafting services, and other businesses that do not require more than 6 visitors in a 24-hour period. No industrial uses or businesses handling or storing hazardous material will be allowed to operate in the location. The applicants state that the HOA will review and approve the business type prior to an individual obtaining a business license.

The minimum Floor Area Ratio (FAR) in a village zone neighborhood center is .25 and the maximum is 2.0. Because the lots within the neighborhood center are going to be created at a later time under the Master Plat process, FAR will be reviewed at the time of

plating and/or building permit application. [Floor Area Ratio is the ratio of the building floor area to the net land area (not including roads and open space) and is calculated by dividing total floor area by net land area].

WATER/WASTEWATER:

The existing subdivision is served by the Santa Fe County Water Utility. The Applicants have submitted data showing water use over the last three years for the existing subdivision. They claim that an average water use (based on strict water conservation measures requiring collection of roof drainage for irrigation of landscaping, and the use of low water appliances and prohibiting evaporative coolers) of 0.13 acre feet per year per lot has been demonstrated. Therefore, using this figure plus 20% for water losses would account for a total water budget of 5.77 acre-feet per year for the proposed expansion (37 lots).

This application has been submitted to the County Utilities Department and Hydrologist for review however, we have not received a response at this time.

The project is served by its own community sewer system which is owned and operated by the Homeowners Association. The current capacity of the plant exceeds 40,000 gallons per day, and with an average production per home of 83 gallons the plant has more than adequate capacity for the additional dwellings. The reclaimed water is used for irrigation of streetscape and park landscaping as well as open space. The discharge permit application for a 5-year renewal has been submitted to the NMED for review and approval.

FIRE PROTECTION

The project is served by fire hydrants capable of producing at least 1000 gpm at a residual pressure of 20 PSI. Each home will be located within 500 feet of a hydrant. This application has been submitted to the County Fire Prevention Division for review. We have not received a response from them at this time.

SOLID WASTE

The Homeowners Association contracts with a licensed solid waste disposal service for solid waste pick up on a regular basis.

ROADS/ACCESS:

No new roads are proposed. Existing roads will serve the proposed development. Based on the proposal to replace the previously approved commercial area with 20 live/work lots and an additional 27 residential lots, the amount of traffic generated by the development is actually decreasing from what was proposed in the previous Master Plan. Therefore, no further road improvements are required.

TERRAIN/OPEN SPACE/LANDSCAPING/ARCHAEOLOGY:

Common drainage ponds are used to retain excess storm water flows generated by the development. The detention ponds constructed for the existing development were oversized with an additional capacity of 2.99 acre-feet beyond what is required by code. As calculated the proposed development will only generate 0.49 acre-feet of run-off, therefore, there is adequate capacity within the existing drainage ponds to account for the excess run-off from the proposed development.

With the addition of the proposed lots, the development will maintain an open space area of 84.56 acres which accounts for 51.64% of the total project area, hence meeting the 50% minimum required by the Community College District Ordinance.

All disturbed areas will be revegetated with native grass seed. All common areas have subsurface irrigation systems using reclaimed water.

An archaeological report was submitted with the original Master Plan Submittal. No significant archaeological sites were discovered.

AFFORDABLE HOUSING:

The existing development was approved with a 15% affordable housing requirement as set forth in the CCDO. Since then, the County has adopted the Affordable Housing Ordinance (No. 2006-02) which requires 30% affordable housing for Major Projects (25 or more parcels). With the addition of the 37 lots, this new proposal will be subject to 30% which equates to 11.1 units of affordable housing. Currently, the applicants are proposing 7 new affordable housing units. Four more lots must be designated as affordable. These lots must be identified on the Final Development Plan and the affordable housing agreement must be modified to reflect this.

HOMEOWNERS ASSOCIATION:

The proposed expansion to the subdivision will be incorporated into the existing covenants for La Pradera.

RECOMMENDATION:

The proposed Master Plan Amendment and Master, Preliminary and Final Plat and Development Plan are all in conformance with the Community College District Plan and Ordinance and the County Land Development Code. Therefore, staff recommends approval of the request subject to the following conditions:

1. Provide a minimum of 11 residential units (30%) for affordable housing. A mix of housing types is required for the entire development. The affordable housing lots must be identified on the Final Development Plan. The affordable housing agreement must be modified to reflect the additional lots and must be approved by the Affordable Housing Administrator prior to this case being heard by the BCC.

2. The plaza area must be designated on the plat and development plan prior to this case going before the BCC.
3. Development of the Master Plat lots, which are located within the Neighborhood Center, shall comply with the minimum Floor Area Ratio (FAR) of .25 and the maximum of 2.0 as required in the CCDO. This shall be noted on the Final Plat and Development Plan.
4. Developer to provide proof of deed conveying water rights to Santa Fe County as described in the Water Delivery Agreement or Line Extension Agreement or a dedication as outlined in Resolution 2006-57 prior to BCC approval.
5. Coordination with the Utilities Department on final modification of the water lines and meter locations inclusive of acceptance testing prior to BCC approval.
6. Modification and re-filing of Water Restrictive Covenants to reflect new dwellings and maximum water use per dwelling prior to BCC approval.
7. The live/work units must be sold as a single unit/lot and can't be condominiumized or sold separately. This shall be noted on the subdivision plat as well as on the individual plats and included in the disclosure statement.

ATTACHMENTS:

Exhibit "A" – Applicant's report

Exhibit "B" – Site Plans

Exhibit "C" – Vicinity Map

Exhibit "D" – Letters from Reviewing Agencies

Exhibit "E" – Letters of opposition

Exhibit "F" – Article III, Section 3 (Home Occupation requirements) of the Code