

D R A F T

- subject to approval -

MINUTES OF THE
SANTA FE COUNTY
DEVELOPMENT REVIEW COMMITTEE

Santa Fe, New Mexico

October 15, 2015

I. This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Chair Frank Katz, on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

II. & III. Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

Frank Katz, Chair
Susan Martin, Vice Chair
Phil Anaya
Rena Gray
Leroy Lopez

Member(s) Excused:

Bette Booth
Louie Gonzales

Staff Present:

Rachel Brown, Deputy County Attorney
Tony Flores, Deputy County Manager
Vicki Lucero, Building & Development Services Manager
Vicente Archuleta, Development Review Team Leader
Andrea Salazar, Assistant County Attorney
John Michael Salazar, Development Review Specialist
Buster Patty, Fire Marshal

IV. **APPROVAL OF AGENDA**

Ms. Lucero noted that the agenda was correct as published.

Upon motion by Member Anaya and second by Member Gonzales, the agenda was unanimously approved.

V. **APPROVAL OF MINUTES: September 17, 2015**

Member Anaya moved approval and Member Gray seconded. The motion to approve the minutes passed by unanimous voice vote.

VI. **NEW BUSINESS**

A. CDRC CASE #ACCS 15-5280 Carlos Valles Accessory Structure
[TABLED]

B. **CDRC CASE # V 15-5220 Heidi Seizys Variance: Michael and Heidi Seizys, Applicant, James Siebert, Agent, request a variance of Article III, § 3.2 (Home Occupation Performance Standards), of the Santa Fe County Land Development Code, Ordinance No. 1996-10 (Code) to allow a dog rescue which exceeds 50 percent of the floor area of the dwelling on 6.52 acres. The property is located at 94 Turquoise Trail Court, within Section 24, Township 15 North, Range 8 East, Commission District 5 [Exhibit 1: Petition to deny the request]**

John Salazar, case manager, read the case caption and reviewed the staff report as follows:

“The Applicants are requesting a variance of Article III, § 3.2, Home Occupation Performance Standards of the Code to allow a dog rescue facility which exceeds 50 percent of the floor area of the existing dwelling unit as a home occupation on 6.52-acres.

“The Property is located within a residential area. The neighboring lots range in size from 3.3 acres to 9,331 acres. Rancho Viejo Partnership owns the property to the west of the subject Property, the north and northeast neighboring lots have existing residences and each contain about 5 acres. The property to the east has a residence and the lot is about 6.5 acres. South of the Property is a vacant 4.9 acre property along with two properties with residences each about 3 acres.

“On December 9, 2014, the Applicants applied for a Home Occupation business registration through the Growth Management Department. The Home Occupation application was a requirement made by the County Sheriff’s Office Animal Control Services Division. The Applicant initially went into Animal Control Services to obtain licenses for all of the dogs. Due to the number of animals the Applicant wanted to register, Animal Control staff informed her that Santa Fe County Ordinance No. 1991-6 does not allow a property owner to have more than ten dogs. The Applicant informed Animal Control Services that she was running a dog rescue facility. Rescue facilities under Ordinance No. 1991-6 and the Land Development Code are considered kennels that must meet certain minimum standards as outlined in Ordinance No. 1991-6, Article 10-1.

“Staff has determined that the proper mechanism for this request should be through master plan zoning, preliminary and final development plan as a community service facility.

“Growth Management staff granted the Applicants time to reduce the number of dogs on the property through adoptions however, the number was not reduced. The Applicants were sent a denial letter via certified mail on July 21, 2015 citing Article III, § 3.2.3: “There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation...;” Having 25 dogs, not including your own personal animals, roaming the premises and creating noise will change the outside appearance of the premises and create visible evidence of the conduct of the home occupation.” The Applicant had five days from the date that she signed for the certified letter to appeal the Land Use Administrator’s decision to deny the Home Occupation. An Application to appeal the decision was not received within the allotted time. The Applicants and their Agent decided they would prefer to request a variance to the Home Occupation Standards rather than appeal the Land Use Administrator’s decision as they prefer not to reduce the amount of square footage initially proposed which virtually includes a majority of the residence.

“The Agent states the Applicants rescue dogs from animal shelters that put the dogs to sleep if they are not timely adopted. She is trying to give these dogs a second chance. The Applicants keep all the dog’s vaccinations up to date and ensure all of the dogs are spayed and neutered. There are currently 20 dogs under the care of the Applicants. The Applicants allow the dogs to go in and out of the 2,400 square foot residence. The dogs have a 12,700 square foot yard they access directly from the residence via two doggie doors. The dog yard is screened by a number of trees and the Agent indicates that it is not visible to neighboring properties. The Applicants state that clients do not come to the property but instead they take the dogs to various adoption clinics. Staff very recently received a complaint from a few neighbor regarding noise from the dogs.”

Mr. Salazar indicated that the application was submitted on September 10, 2015. Staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request. Staff recommends denial of a variance of Article III, § 3.2 Home Occupation Performance Standards of the Code and require Applicant to go through master plan zoning, preliminary and final development plan as a community service facility. If the decision of the CDRC is to recommend approval of the Applicants’ request, staff recommends the following conditions:

1. The Applicants shall be restricted to a kennel that only allows 20 dogs housed at any time in accordance with the Santa Fe County Animal Control Ordinance 1991-6, § 10.1, Appendix A (C)(2).
2. The home occupation area shall not exceed the 15,100 square feet as proposed in the Application for the business.

3. The Applicants shall comply with any standards and/or requirements for ownership and maintenance of a kennel in accordance with the Animal Control Ordinance 1991-6, Section 10.1 (A-F).
4. Per the Fire Marshal's memo the Applicants shall have annual inspections conducted by the Fire Prevention Division.
5. The Applicants shall obtain a Santa Fe County Business License.

Member Gray asked whether the dogs would require County licensing if the applicant's facility was approved. Assistant County Attorney Salazar said the County requires the licensing of all dogs and on her cursory review of the animal ordinance she did not see an exemption.

Chair Katz said the home occupation regulations restrict the business to 50 percent of the residence and in this case the applicant is using a portion of the home and the entire yard which is many, many times of the residence. Mr. Salazar confirmed that was accurate.

If the variance were approved, Chair Katz asked whether the applicant would still require the status of kennel. Mr. Salazar said the applicant would be required to meet Santa Fe County's Animal Control Ordinance kennel standards.

If the applicant proceeded with master plan zoning for a community service, preliminary and final development plan the variance would not be necessary for home occupation standards. Mr. Salazar said the variance serves to subvert the development plan process.

Ms. Lucero said the applicant has stated that they do not want to go through the zoning process and instead are requesting a variance to the home occupation standards.

Chair Katz questioned whether this procedure was futile because the applicant would still have to follow through on the process to become a kennel. Ms. Lucero said the applicant will be required to go through both processes.

Upon review of an aerial photo which did not appear to show any trees shielding the yard area, staff confirmed there were trees although it is not a heavily wooded property.

Mr. Salazar said staff determined that community service facility was the appropriate zoning because in the past there was a dog rescue facility that fell under this zoning.

Duly sworn, Jim Siebert, agent for the applicant, said Ms. Seizys has a serious commitment and passion to take care of these dogs that otherwise would be euthanized. She rescues the dogs and keeps them until they are adopted. There are 20 to 25 dogs on the property. The applicant is willing to abide by all staff conditions which includes housing a maximum of 20 dogs. Mr. Siebert said Ms. Seizys is merely trying to accomplish a good deed.

In response to the Chair's question, Mr. Siebert said some neighbors support the request and some don't.

Heidi Seizys, applicant, was placed under oath, and said she has been working for over a year to comply with Animal Control. She said she has 501(c)(3) status, is a dog rescuer and basically tries to help dogs who would otherwise be euthanized. She works with a number of adoption organizations and participates in adoption events.

Ms. Seizys said she currently works in the evenings and will change her schedule so she is home at night to care for the dogs and reduce the noise. She stated spaying and neutering is an issue and she hopes to make an impact in educating people. All of the dogs are vaccinated and roam half of her property. Her dogs come from high-kill shelters throughout New Mexico. Most of Santa Fe's rescue dogs are gathered from around the state.

Member Anaya asked about what appeared to be a densely populated property southeast of the applicant. Ms. Seizys identified it as a residence where a few years ago there were three starved horses and some 75 dogs. At this point there are nine cows on the property.

Chair Katz thanked the applicant and recognized the service she was providing. He pointed out that her neighbors may not appreciate the dogs barking.

Duly sworn, Walter Borton, an adjacent neighbor of the applicant said he has had the great opportunity to observe "one of the kindest acts" he has seen. He said he serves on the board of the Assistance Dogs of the West Board and also chairs a homeless agency in Santa Fe. Mr. Borton said he was well acquainted with the needs of our canine and human friends in the state – needs that cannot be met by the funds available through taxes.

Mr. Borton said he has been awakened happily to the sound of donkeys, chickens, geese, turkeys and the dogs and knows those animals are well fed and cared for. He commended the applicant that in the five years he has lived there none of her dogs have escaped. The Seizys are not only good neighbors, stated Mr. Borton, all of their animals are vaccinated and licensed and "they do a wonderful service for us."

Mr. Borton recognized the law and offered that sometimes the application of the law in the face of needs should be considered. He said it should be our public obligation to make it possible for the applicant to continue her service. "I'm proud to be her neighbor," stated Mr. Borton.

Member Anaya asked whether the dogs bark in reaction to the area coyotes and Mr. Borton said the coyote rile up all the dogs in the area. He said it is country living.

Duly sworn, Karin Stevenson, 92 Turquoise Trail Court, distributed a petition with neighbors who disagree that this is a good idea. She said she is a 12-year resident of Turquoise Trail and when she moved in it was a quiet and clean neighborhood. With the arrival of the applicant and the 20+ dogs the neighborhood has changed. She cited land erosion and constant barking of dogs throughout the night. The dogs howl and scream throughout the night. She said she has contacted Ms. Seizys and asked her to help with the erosion caused by over grazing (of the dogs) and to stop the nighttime barking. While the applicant says she will address these issues, she does not.

Ms. Stevenson said she would fight the variance that would grant the applicant the “right to victimize the neighborhood.” She mentioned that she has to wear goggles and a facemask when tending her horses because of sandstorms that she attributed to the applicant’s dogs.

That concluded the public hearing and Chair Katz invited the applicant for final comments. There were none.

Chair Katz acknowledged that sometimes laws are difficult but the laws are there in this situation to protect the neighbors. As wonderful as her service is, it is being inflicted unwillingly on the neighbors.

Member Anaya moved to deny the variance request of CDRC Case V#15-5220. Member Grey seconded and the motion passed by unanimous [5-0] voice vote.

Mr. Salazar noted that the CDRC recommendation will be forwarded to the BCC for action at its December meeting.

- C. **CDRC CASE #Z/P&FDP/V 15-5210 28 Main Street Master Plan/Preliminary/Final Development Plan/Variance. Patrick and Kelly Torres, Applicants, request Master Plan Zoning, and Preliminary and Final Development Plan approval to allow a 1,211 square foot restaurant within a 3,257 square foot structure with the remaining 2,046 square feet to remain as residential use on a 0.656-acre tract. This request also includes a variance of Ordinance No. 2008-4 (Rainwater Catchment Systems), so the Applicants will not have to construct a rainwater harvesting system. The property is located at 28 Main Street within the Los Cerrillos Traditional Community, within Section 17, Township 14 North, Range 8 East, Commission District 3**

Mr. Salazar read the case caption and reviewed the staff report as follows:

“The subject property falls within the Los Cerrillos Commercial District of the Los Cerrillos Traditional Community Zoning District, Ordinance No. 2006-11. Restaurants are a permitted use within this commercial district as Ordinance No. 2006-11 refers to Article III, § 4.3.2 of the Code as to which kind of uses are allowed in a local or small scale district.

“The structure was built around 1890 and there have been multiple commercial uses on the property including a saloon and bar. The Applicant is not proposing any new construction as the saloon area of the existing residence is already in place and they are simply requesting to resume a commercial use which has been utilized off and on over the last 100+ years.

“The Applicants are requesting a variance of the water harvesting regulations. The Applicants state that that they lack a way to connect the water lines off of the roof to a cistern due to the fact the building was built at zero lot line with the County right-of-way.”

Mr. Salazar said installation of a cistern system would require the applicant to dig up the County right-of-way.

Mr. Salazar said staff requests the CDRC make two separate motions, one regarding the variance, and one regarding the master plan zoning, preliminary and final development plans. While staff cannot support the variance they do support the approval for Master Plan Zoning, Preliminary and Final Development Plan subject to the following conditions:

1. The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.
2. Master Plan, Preliminary and Final Development Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, § 5.2.5.
3. The Applicant shall install a 36” door for ingress and egress in the kitchen or install a double door at the front of the building that swing out. [amended at staff report per the Fire Marshal]
4. The existing septic system shall be modified to sufficiently handle the extra flow from the proposed restaurant with the installation of a grease interceptor. An updated septic permit from NMED must be submitted prior to development permit issuance.
5. The Applicant must obtain a development permit prior to remodeling the structure.

Member Anaya asked whether condition three would be imposed by State CID and Mr. Salazar said it was from the Fire Marshal.

Mr. Salazar explained that the flat roof has canals that drain onto Main Street onto the County right-of-way. The roof overhangs the right-of-way. According to Public Works the applicant would have to dig into the right-of-way and the County lacks a process for a non-public utility to do so.

Duly sworn, Eric Harris, 2920 Pueblo Tsankawi, agent for the applicants, said they purchased the property with the ambitious goal of returning the historic property to its original commercial use. The structure has reverted to a different zoning status and the applicant is addressing this through the application before the CDRC. The restaurant will enhance and invigorate the entire downtown Cerrillos area.

The main reason for the variance is that the entire structure drains to the north side of the structure which is built directly on the north property line. He said the idea of a gutter had been discussed but was found to be unreasonable with no feasible way to channel the water.

Member Anaya and the agent explored a few options to channel the drainage which all proved unfeasible with respect to the County right-of-way. Mr. Harris said there are trees that benefit from the drainage.

Duly sworn, Bonnie Gibbons of Cerrillos, said the “little village of Cerrillos is badly in need of a gathering place.” She said the applicants’ proposal is supported by most in the town and desperately needed.

Chair Katz noted that the CDRC packets contained support letters from a great many residents of Cerrillos.

Annie Whitney, Cerrillos, under oath, stated she moved into the village in 1971 and in that time has seen several restaurants/cafes come and go. She said the Torres have restaurant experience and she is very excited for their venture.

Ruben Santiago Cedeño, Cerrillos, duly sworn, said he appeared before in support of the commercial overlay in the SLDC zoning. He said the café will not only enhance and revitalize the downtown but bring more tourists and economic growth to the community. He noted the request was consistent with the SLDC.

Duly sworn, Steve Gibbons, Cerrillos, asked for the CDRC’s support in this project and said it was very important for the community. He said he hoped the CDRC recognized the bravery, enthusiasm and creativity of the applicants in bringing this forward. He referred to the mural behind the CDRC members and said this application will perpetuate the history of Cerrillos.

Stan Bies, a nearby resident of Cerrillos, duly sworn stated that the applicants and their agent/builder were doing this the right way and were exactly what is needed in New Mexico. He urged the CDRC to approve the request.

That concluded the public hearing.

Mr. Salazar noted that the County was working on the roads and utilities in Cerrillos.

Member Martin moved to approve the Master Plan/Preliminary/Final Development plan for CDRC Case #Z/P & FDP/V 15-5210 be approved with staff conditions and the modification to number 3. Her motion was seconded by Member Anaya and passed by unanimous [5-0] voice vote.

Member Anaya moved to approve the variance for water harvesting for CDRC Case #Z/P & FDP/V 15-5210. Member Lopez seconded and the motion passed by unanimous [5-0] voice vote.

- D. CDRC CASE # Z 06-5033 Village at Galisteo Basin Preserve (“Trenza”) Master Plan Amendment: Commonwealth Conservancy (Ted Harrison), Applicant, requests a Master Plan Amendment to a previously approved Master Plan to reconfigure the Planning Envelope and reduce the size from 10,360 acres to 2,502 acres, reducing the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 275 dwelling units and 71,000 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five (5) phase development to seven (7) phases that would take place over a period of 10 years. The property is located south of Eldorado, west of US 285, south of the railroad tracks, within Sections 1, 3, 11-14 23 and 24, Township 14 North, Range 9 East; Sections 5-7 and 18, Township 14 North, Range 10 East; Sections 34-36, Township 15 North, Range 9 East; and Sections 30 and 31, Township 15 North, Range 10 East, Commission District 5**

Vicente Archuleta read the case caption and reviewed the staff report as follows:

“On June 12, 2007, the Board of County Commissioners granted Master Plan Zoning approval for a mixed-use development consisting of 965 residential units; 150,000 square feet of commercial, institutional, educational, and recreational land uses; and open space, parks, and trails on 10,316 acres.

“On February 9, 2010, the BCC granted Preliminary Plat and Development Plan approval for Phase I of the referenced subdivision which consisted of 131 single family residential lots and 3 multi-family residential lots for a total of 149 residential units, and 5 non-residential lots within a 60 acre development envelope. This approval was set to expire on February 9, 2012.

“On December 13, 2011, the BCC granted a 36-month Time Extension of the previously approved Preliminary Plat and Development Plan for Phase 1. The 36-month time extension expired on February 9, 2015. A new Preliminary and Final Plat conforming to the Master Plan will need to be submitted.

“On November 20, 2014, the County Development Review Committee met and recommended approval for a Master Plan Amendment to reconfigure the Planning envelope from 10,360 acres to 3,560 acres, reducing the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, which included a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requested a modification of the original five phase development to six phases that would take place over a period of 12 years.

“The Application was scheduled to be presented to the BCC on January 13, 2015. At the request of the Applicant, the Master Plan Amendment was deferred from consideration by the BCC in order to address questions about the Application that LANB expressed prior to the hearing. LANB’s questions related to whether the Application would affect the bank’s collateral interest on a portion of the lands contained within the Master Plan Amendment planning envelope. LANB has been unable to give Commonwealth clear direction as to its needs. Therefore, this application was withdrawn.

“Commonwealth is now proposing to reconfigure and reduce the planning envelope of the previous Master Plan Amendment Application to remove the lands held as collateral by LANB.

“The Applicant now requests a Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 2,502 acres, reducing the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 275 dwelling units and 71,000 square feet of mixed use, commercial and civic land uses, which includes a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five phase development to seven phases that would take place over a period of 10 years. The seven (7) phases are as follows: Phase IA – 11 Acre Memorial Landscape/Green Cemetery, Commercial/Civic: 3,000 square feet; Phase IB – 11 Residential Units; Phase 2A – 25 Residential Units and Commercial/Civic: 20,000 square feet; Phase 2B – 32 Residential Units and Commercial/Civic: 3,900 square feet; Phase 3A – 59 Residential Units and Commercial/Civic: 3,800 square feet; Phase 3B – 72 Residential Units and Commercial/Civic: 4,050 square feet; Phase 4A – 76 Residential Units and Commercial/Civic: 36,250 square feet. The total number of residential units is 275 and the total area for commercial/civic use is 71,000 square feet.

“The Applicant states, that in the face of a deep and protracted economic recession, Commonwealth has been re-evaluating its economic opportunities and development ambitions for Trenza and the larger Galisteo Basin Preserve. The Applicant proposes to reduce the extent of the original planning envelope from 10,316 acres to 2,502 acres. By constraining the size of the planning envelope, the development’s densities will be reduced from their original allowance of 965 dwelling units and 150,000 square feet of commercial and civic land uses to an allowance of 275 dwelling units and lots with 71,000 square feet of mixed-use, commercial and civic land uses. Although, the building envelope is still expected to encompass approximately 235 acres, the density of the development will be reduced relative to the existing approved plan. Approximate lot size will be 8,500 square feet.

“Due to the changed size and scale of the proposed development, the project’s water budget will be reduced. Specifically the water budget for the development uses will involve 46.40 acre-feet allocation for residential uses and 18.73 acre-

feet allocation for mixed use, commercial and civic land uses. By this allocation, the proposed water demand at full build-out in 2026 would total 65.13 acre-feet.

“The Applicant also requests a modification to the original Master Plan to change the location of the proposed Memorial Landscape. The Memorial Landscape will be relocated slightly south of its current location to an area that will allow for improved access from Morning Star Ridge Road. The Application also includes a revision to the original five phase development to seven phases that would take place over a period of ten years.

“Phase 1 of the development includes an 11-acre Memorial Landscape/Green Cemetery and a 60-seat outdoor Amphitheater/Community Performance Space. Given the natural landscape objectives of the green cemetery, a water allocation equivalent to a single residence is projected for the cemetery at 0.16 acre-feet per year. The amphitheater will include a composting toilet facility and a two-faucet hand washing facility. The water budget associated with the amphitheater is expected to be a minimal 0.003 acre-feet per year given the event calendar planned for the facility.

“In Phase 1B, a residential neighborhood will consist of 11 residential units ranging in size from 750 square feet to 1,450 square feet. The water demand of the residential development is budgeted at 0.16 acre-feet per lot. The remaining five phases will consist of the remaining 264 residential units and 68,000 square feet of commercial and civic uses.”

Mr. Archuleta said staff recommends approval for a master plan amendment to reconfigure the planning and reduce the Planning Envelope from 10,360 acres to 2,502 acres, reducing the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 275 dwelling units and 71,000 square feet of mixed use, commercial and civic land uses, which includes a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five phase development to seven phases that would be developed over a period of 10 years, subject to the following conditions:

1. The Amended Master Plan must be recorded with the County Clerk’s office prior to Preliminary Plat Application.
2. An Affordable Housing Agreement must be prepared and submitted for consideration by the Board of County Commissioners along with the Final Plat and/or Development Plan for the projects first development phase.
3. The Applicants shall meet all Preliminary and Final Plat and Development Plan requirements for each phase.
4. The Applicants shall construct the Community Water and Community Sewer system with Phase 1B. Design plans for the Water and Sewer System shall be submitted with the Preliminary Plat Application. [modified at staff report]
5. Written documentation that sufficient water rights are available for the development will be required at Preliminary Plat submittal.

6. Model runs used to determine the regional and long term drawdown shall be required at Preliminary and Final Development Plan submittal.
7. Updated calculations of lowest practical pumping level shall be required at Preliminary and Final Development submittal.
8. A Terrain Management plan must be submitted with the Preliminary Plat and Development Plan.
9. Required Open Space shall be designated on Plat of Survey for each phase and dedicate as Permanent Open Space. The Applicant is clustering the development and shall identify the Open space required for each phase.
10. Design plans for the on-site drip irrigation system must be submitted with Preliminary and Final Development Plan submittal.

Duly sworn, Scott Hoeft, Santa Fe Planning Group, introduced Ted Harrison, Executive Director of Commonweal and Gretchen Grogan, project manager. Mr. Hoeft said they are in agreement with the staff report and while there is a great deal of data with phases, reductions, and building size envelopes the key information is that the project is coming from 965 down to 275 units. The second piece is that it goes from 150,000 square feet to 71,000 square feet. He said the reductions are consistent with the demands. "It is a sober reassessment of the market demand for the next 10 to 15 years," stated Mr. Hoeft. The project is still intact and all the principles of Commonweal aka Trenza are still in place – an environmentally sensitive development, 25 miles of trail, etc.

There were no other speakers or questions on the application.

Member Martin moved to approve CDRC Case #Z 06-5033 master plan amendment with conditions. Member Anaya seconded and the motion passed by unanimous [5-0] voice vote.

- E. CDRC CASE # S 15-5041 Univest-Rancho Viejo (La Entrada Phase I) Master Plan, Preliminary and Final Plat and Development Plan Amendment. Univest-Rancho Viejo LLC, Applicant, James W. Siebert and Associates, Agent, request an Amendment to the Master Plan, Preliminary Plat, Final Plat, and Development Plan for La Entrada Phase 1 in order to sub-phase the previously approved La Entrada Phase I residential subdivision into four (4) sub-phases. Sub-phase 1, the 500 Series lots (58 lots); Sub-phase 2, the 600 Series lots (24 lots); Sub-phase 3, the 700 Series lots (35 lots); and Sub-phase 4 the 800 Series (49 lots) for a total of 166 lots. The property is located north of Rancho Viejo Blvd. and west of Avenida del Sur, within the Community College District, within Sections 19 and 20, Township 16 North, Range 9 East, Commission District 5**

Mr. Archuleta read the case caption and reviewed the staff report as follows:

"On April 11, 2006, the Board of County Commissioners granted Master Plan approval for Rancho Viejo Village West, a mixed use development consisting of

1,250 residential units and 117,250 square feet of commercial space on 668 acres to be developed in three phases within Rancho Viejo.

“On September 12, 2006, the BCC approved Phase 1 of the La Entrada Subdivision request for Preliminary Plat, Final Plat, and Development Plan of 456 residential lots with a Commercial Community Center, on 249 acres with the approved Master Plan and variance to permit a cul-de-sac road exceeding 300 feet. On June 10, 2014, the BCC approved the vacation of the platted Archaeological easement located within La Entrada Phase 1 residential subdivision.

“On June 9, 2015, the BCC approved the request for the amendment to the Preliminary Plat, Final Plat, and Development Plan for La Entrada Phase 1. The request was for a reduction in the number of lots from 456 lots to 404, an increase of undeveloped open space from 139.78 acres to 146.36 acres, an increase of developed open space from 5.69 acres to 7.87 acres, and a reduction of the private park area from 4.13 acres to 3.94 acres. In addition to the lot size changes the Applicant was approved to remove and realign several roads within the subdivision.

“The Applicant requests a new Amendment to the Master Plan, Preliminary Plat, Final Plat, and Development Plan for La Entrada Phase 1 in order to sub-phase the previously approved La Entrada Phase I residential subdivision into four sub-phases. The sub-phases are as follows: Sub-phase 1, the 500 Series lots; Sub-phase 2, the 600 Series; Sub-phase 3, the 700 Series lots; and Sub-phase 4, the 800 Series for a total of 166 lots over four sub-phases.

“The Applicant states: ‘Infrastructure for each sub-phase will be constructed prior to recordation of any sub-phase plat. After the infrastructure has been completed and with the option of bonding for such minimal improvements such as landscape, warranties, etc., the plat for each sub-phase will be recorded after administrative review and approval by County staff.’

“The Applicant states that each sub-phase of the project has been designed to allow for the construction of roads and utilities to stand independent of the succeeding phases. Temporary cul-de-sacs will be constructed in Sub-phase I. All other roads in Sub-phase I will connect to existing or planned roads providing for continuous road linkages. Failure to proceed with Sub-phase II would require the completion of the cul-de-sacs as permanent infrastructure. Sub-phases II-IV do not require temporary cul-de-sacs, since the roads are designed for continuous linkages, either connection to existing roadway in previous sub-phases or connection to planned roads within the respective sub-phases.”

Mr. Archuleta stated that Staff recommends approval of the amendment to the Master Plan, Preliminary Plat, Final Plat, and Development Plan of the La Entrada Phase 1 Subdivision creating four sub-phases subject to the following conditions:

1. Compliance with all conditions of the approved Master Plan, Preliminary Plat, Final Plat, and Development Plan.
2. Each sub-phase of the Final Plat and Development Plan must be recorded in the office of the County Clerk.

Previously sworn, Jim Siebert, agent for La Entrada, said the request before the CDRC is to break the development into smaller phases. It is anticipated that the project will take, depending on the marketing, eight to ten years.

There were no other speakers or questions of the applicant.

Member Anaya moved to approve CDRC Case #ZA 15-5041, La Entrada Master Plan, Preliminary Plat, Final Pat and Development Plan Amendment with the two staff-imposed conditions. His motion was seconded by Member Martin and passed by unanimous [5-0] voice vote.

F. PETITIONS FROM THE FLOOR

None were offered.

G. COMMUNICATIONS FROM THE COMMITTEE

None were presented.

H. COMMUNICATIONS FROM THE ATTORNEY

None were presented.

I. MATTERS FROM LAND USE STAFF

Ms. Lucero informed the CDRC that the BCC did not take any action on land use cases this month. .

J. NEXT MEETING

The next meeting was scheduled for November 19, 2015.

K. ADJOURNMENT

Having completed the agenda, this meeting was declared adjourned at approximately 5:20 p.m.

Approved by:

Frank Katz, CDRC Chair

ATTEST TO:

COUNTY CLERK

Before me, this ____ day of _____, 2015.

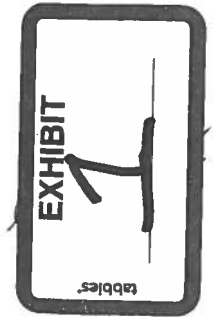
My Commission Expires:

Notary Public

Submitted by:

Karen Farrell, Wordswork

**Petition to Deny the Request to Allow a Dog Rescue
at 94 Turquoise Trail Court, Santa Fe, NM 87508**



The undersigned are neighbors of Heidi Seizys that strongly object to the request by Heidi Seizys at 94 Turquoise Trail Court, Santa Fe, NM 87508 to establish a so called dog rescue facility.

Over the last 5 years Mrs. Seizys has obtained a growing number of dogs on her property which has reached several dozen in an apparent case of animal hoarding.

The dogs are unsupervised for the majority of the time, especially during the night hours, which exacerbates the noise problem. Even minor stimuli like the call of coyote which is extremely common in the rural environment sets off prolonged barking and howling. During the night hours the disturbances makes it difficult to sleep without being woken up repeatedly.

The already present animals not only vocalize but apparently attack each other frequently as is evident by loud screams, squeals, and growling. Some of the animals have been injured in the past as Mrs. Seizys herself admitted.

When asked to rectify the situation Mrs. Seizys had repeatedly agreed to reduce the number of animals but not done so.

Mrs. Seizys' attempt to legalize the dog hoarding as a rescue facility will cement and even intensify the unacceptable disturbance of the peace in the neighborhood and further reduce the value of the adjacent properties.

We request that the application for a dog rescue be denied and Mrs. Seizys be compelled to reduce the number of dogs on the property to a reasonable number.

Signature

Print Name / Address

[Handwritten Signature]

KARIN STEVENSON, 92 TURQUOISE TRAIL COURT
SANTA FE, NM 87508

Patricia Lott

Patricia Lott 104 Turquoise Trail Ct
SE, NM 87508

Paul Esquibel

PAUL Esquibel 76 Turquoise Trail Ct

Dennie Bjelle

Dennie " " "

[Handwritten Signature]

JOSHUA LOTT 104 TURQUOISE TRAIL
CT

Petition to Deny the Request to Allow a Dog Rescue at 94 Turquoise Trail Court, Santa Fe, NM 87508

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Print Name / Address

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

Mike Monnet 68 Turquoise Tr. Court

Samantha Monnet 68 Turquoise Tr. Court

Thomas Duren 62 Turquoise trail CT

