

Memorandum

DATE: March 11, 2014
TO: Vicente Archuleta, Development Review Team Leader
FROM: Robert Griego, Planning Manager

FILE REF.: V/MIS/PP/PDP 10-5362 St. Francis South Variance Master Plan Amendment, Preliminary Plat and Preliminary Development Plan

REVIEW SUMMARY: The St. Francis South Variance Master Plan Amendment has been reviewed for compliance with the Santa Fe County Sustainable Growth Management Plan (SGMP) and it has been reviewed based on the SLDC which was approved by the Board but is not currently in effect.

Master Plan Amendment and Variance

This project is an amendment to an approved Large Scale Mixed Use Project which included permitted uses for senior housing, live/work, and multi-family uses. The density for the Master Plan was not determined through the development review process which necessitates the need to amend the Master Plan to establish the maximum allowable residential density. The request for a Master Plan Amendment a variance to allow a maximum residential density of 18 dwelling units per acre.

Density:

The request to allow a maximum residential density of 18 dwelling units per acre for 33 acres.

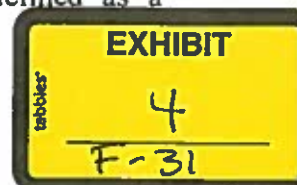
STAFF COMMENT:

Santa Fe County Sustainable Growth Management Plan 2010

Approval of Master Plan, Preliminary and Final Development Plan is consistent with the SGMP including principles related to Economic Development:

- Pursue a diverse and sustainable local economy.
- Support mixed-use development that balances employment-generating land uses with residential land uses to attain a balance of jobs and housing
- Small business development, enterprises, and compatible home based businesses should be supported.

SGMP policies indicate that development should comply with the principles for sustainable development and should provide for rational development patterns and adequate public facilities and services at adopted levels of service. The SGMP defines the purpose/intent and General Character of Future Land Use Categories. The Mixed-Use designation is defined as a



combination of residential and commercial areas and higher density development. It further defines the mixed use district "to include multi-family residential, live work, and artistic opportunities that may require light industrial capabilities. Transportation facilities should be readily accessible. The Opportunity Centers are defined as "Unique, site-or purpose specific uses, not likely to be replicated in other locations, benefitting from locational attributes..."to supporting other economic development activities."

- The Master Plan Amendment and Variance to allow increased density is supported by the SGMP Future Land Use Plan which identifies the area as a Mixed-Use designation and also identifies the area as an Opportunity Center.
- Approval of the Master Plan, Preliminary and Final Development Plan should be consistent with SGMP principles related to Future Land Use Categories and Map.
- The request to allow a maximum residential density of 18 dwelling units per acre is supported by the growth management strategy and future land use map which directs growth to areas with adequate public facilities and services.

Approval of the Master Plan Amendment and Variance is consistent with SGMP principles related to Future Land Use Categories and Map as well as the recently adopted SLDC and draft zoning map:

- The site for the proposed development is located in SDA-1 within the Mixed Use District on the SLDC. The Mixed Use District in the SLDC requires residential and allows commercial, retail, recreational, community and employment uses.
- If the Mixed Use Zoning District is established for this area; this use and density would be allowed provided that there are adequate public facilities and services in accordance with the requirements in the SLDC.
- Section 1.4.2 of the SLDC requires that development approval for significant projects not be granted unless there is adequate on and off-site provision of facilities and services available to the development at established levels of service.
- Adequate public facilities require connection to County water and sewer in SDA 1.
- The SLDC requires Studies, Reports and Assessments (SRAs), depending upon the scope of the development proposed in the application, which SRAs may include: a Traffic Impact Assessment ("TIA"); an Adequate Public Facilities Assessment ("APFA "); a Fiscal Impact Assessment ("FIA"); a Water Service Availability Report ("WSAR"); and/or an Environmental Impact Report ("EIR").
- The traffic analysis for this project needs to be updated to include the maximum density requested for this project.
- The Mixed Use Zoning District allows a maximum density of 20 density for Multi-Family of 20 residential units per acre if at least 10% of the development is commercial; the maximum density allowed.

STAFF RECOMMENDATION:

Planning staff recommends conditional approval of the Master Plan Amendment and Variance to allow for up to 18 dwelling units per acre for the area identified as residential multi-family with adequate public facilities.

Conditions:

1. Adequate public facilities require connection to County water and sewer. If services are not available, the entire development shall make the connection to the utility when the utility becomes ready, willing and able to supply the development, even if development is phased.
2. The traffic analysis for this project needs to be updated to include the maximum density requested for this project.



SUPERVISORS
Alfredo Roybal
José Varela López
Shelley Winship

Santa Fe – Pojoaque Soil and Water Conservation District

4001 Office Court Dr., Bldg 1000, Suite 1001

Santa Fe, New Mexico 87507

Telephone (505) 471-0410, Extension 4

Fax (505) 471-0933

March 07, 2014

Mr. Vicente Archuleta
Development Review Team Leader
County of Santa Fe
PO Box 276
Santa Fe, NM 87504-0276

Re: Case # V/MIS/PP/PDP 10-5362 St. Francis South Variance, Master Plan Amendment,
Preliminary Plat and Preliminary Development Plan

Dear Mr. Archuleta:

The Santa Fe-Pojoaque Soil and Water Conservation District (District) along with the USDA-Natural Resources Conservation Service made a field inspection of the St. Francis South property in February 2014.

The St. Francis South Master Plan Preliminary Plat and Development Plan proposal consisting of 22 parcels on 68.94 acres was assessed for technical accuracy and code compliance aspects with regards to terrain management. The information contained in the report regarding topography and slope analysis are consistent with the physical attributes of the property. The six proposed drainage ponding areas are of adequate size for the project when considering that there will be additional on-site retention ponds and cisterns on each lot. Additionally, we found all soils on the property to be in Hydrologic Group B, which differs from the report's grading and drainage plan but also means that the soils are better at reducing overland flow than would Group D soils. The report lacked a soils map so we have attached our research regarding the soils information to this review.

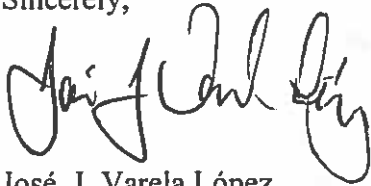
It should be noted that any major disturbance near the primary drainages on the property should be re-seeded to decrease the likelihood of accelerated erosion during major storm events. Such

erosion could cause premature siltation of the storm drainage ponds, prompting unnecessary expense by requiring more frequent pond maintenance.

In conclusion, the District would like to state that this review was undertaken at the request of the County of Santa Fe, as provided by state law. The District's comments should not be construed as a recommendation of approval or disapproval of the subdivision.

Please feel free to contact me at 660-5828 if you have any questions regarding this review.

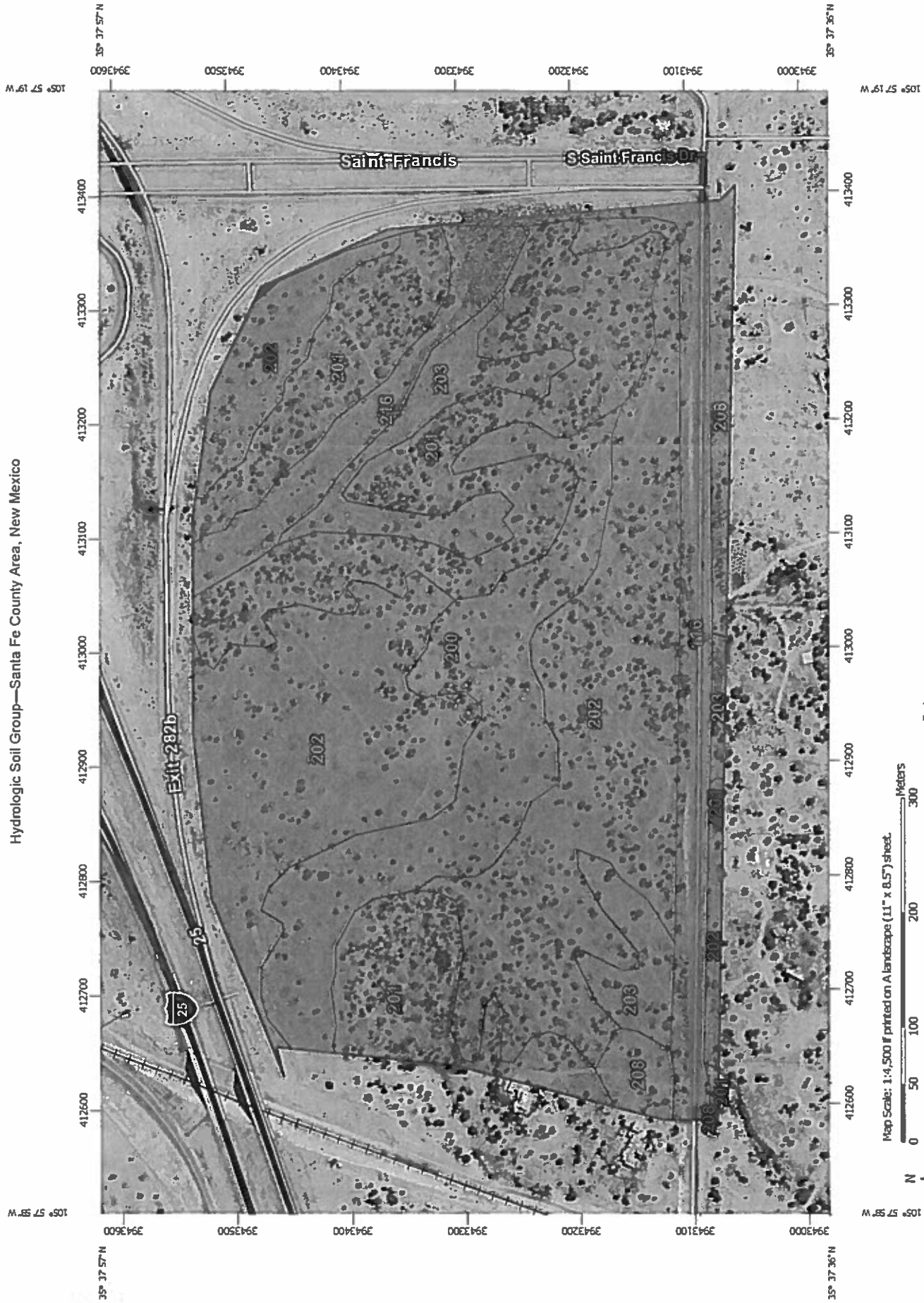
Sincerely,

A handwritten signature in black ink, appearing to read "José J. Varela López". The signature is written in a cursive style with a large, looping initial "J".

José J. Varela López
Vice Chairman
Santa Fe-Pojoaque SWCD

attachment

Hydrologic Soil Group—Santa Fe County Area, New Mexico



Map Scale: 1:4,500 if printed on A landscape (11" x 8.5") sheet.
Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 13N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

F-36

MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI) C
 - C/D
 - D
 - Not rated or not available
- Soils
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
- Soil Rating Polygons
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
- Water Features
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- Soil Rating Lines
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
- Soil Rating Points
 - A
 - A/D
 - B
 - B/D

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Santa Fe County Area, New Mexico
 Survey Area Data: Version 7, Dec 23, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 6, 2010—Jun 12, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

F-37

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Santa Fe County Area, New Mexico (NM687)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
116	Arents-Urban land-Orthents complex, 1 to 60 percent slopes	B	6.1	7.3%
200	Predawn loam, 1 to 4 percent slopes	B	10.9	13.2%
201	Tancoan-Encantado complex, 5 to 25 percent slopes	B	21.2	25.7%
202	Alire loam, 2 to 6 percent slopes	B	32.4	39.3%
203	Buckhorse-Altazano complex, 2 to 8 percent slopes, flooded	B	5.7	6.9%
208	Alire-Urban land complex, 2 to 8 percent slopes	B	2.6	3.2%
216	Dondiego loam, 1 to 3 percent slopes	B	3.6	4.4%
Totals for Area of Interest			82.6	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

MEMORANDUM

DATE: January 23, 2014

TO: Vicente Archuleta, Development Review Team Leader

FROM: John Lovato, Terrain Management

VIA: Penny Ellis-Green, Land Use Administrator
Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF: CDRC CASE # V/MIS/PP/PDP 10-5362 St. Francis South

REVIEW SUMMARY

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code. The request is for Master Plan Amendment, and Preliminary Plat and Preliminary Development Plan. The request is for the creation of 22 large scale Mixed-use lots. The lot sizes range from 1.0 acres to 5.4 acres.

Terrain Management

The site has 0-15% percent slopes with minor 15%-30% isolated occurrences. The northern two thirds of the property drain north, and the remainder of the property drains to the southern portion of the parcel.

Storm Drainage and Erosion Control:

The Applicant's proposal shows Existing Topography, Natural Drainage, and a proposed Grading and Drainage Plan. The proposed road off Rabbit Road will require approval through The Santa Fe County Public Works Department. The Applicants will provide a total of six (6) ponds providing a total of 46,690 cubic feet of ponding. The required amount needed is 17,793 cubic feet as indicated in sheet 6-1 by Santa Fe Engineering Consultants. Therefore, the submittal meets the requirements of Master Plan, Preliminary Plat, and Preliminary Development Plan, and is in conformance of Article VII, Section 3.4.6 and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance with conditions.



NEW MEXICO DEPARTMENT OF
TRANSPORTATION

October 30, 2013

Mr. Vicente Archuleta
102 Grant Avenue
P.O. Box 276
Santa Fe, NM 87504-0276

RE: St. Francis South Subdivision

Dear Mr. Archuleta,

The appropriate engineers of the New Mexico Department of Transportation have reviewed the submitted material on the above referenced development and comments or concerns to be addressed are as follows:

Environmental Division: 1. The parcel slated for development is immediately adjacent to the proposed Northwest Connector, a connector (or bypass) being proposed by Santa Fe County. This proposed proximity of the bypass to the development will need to be disclosed to the developer (if it hasn't already) and all potential lot/home purchasers. 2. A cultural resources survey was conducted for the parcel in 2008. Two cultural resource sites are in the project area, LA 20601 and LA 20602. The developer will need to contact Michelle Ensey at the Historic Preservation Division under state statutes. Otherwise the sites will need to be avoided by project activities. 3. Any sound barriers between the development and I-25 would be the responsibility of the developer and not NMDOT. In addition, if access to NMDOT right of way is required for this project, including any infrastructure improvements in NMDOT right of way, the project would require an access permit and environmental clearance from the NMDOT. For environmental clearance for NMDOT ROW, the developer would need to contact Genevieve Head in the NMDOT Environmental Division at 505-827-5356.

Traffic Technical Support: Facilities on the state network impacted by the development consist of Interstate 25, US 285 (St Francis Drive), and FR-2100 (Rabbit Road). The report states that the development will consist of mixed land use and will occur in four phases. Phase 1 will consist of a 50,000 sq. ft. rehabilitation center to

Susana Martinez
Governor

Tom Church
Cabinet Secretary, Designate

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmeits
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

Robert R. Wallach
Commissioner
District 2

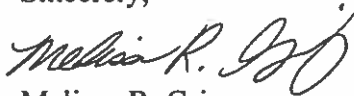
Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

be located on Lot 1 in the southwest corner of the site (as indicated on the Master Plan prepared by Mifsud Associates Architects and date July 1, 2010). A western access driveway is to be constructed during Phase 1 and an eastern driveway will be constructed in the future during subsequent phases. The updated Traffic Impact Analysis further states that "An updated Traffic Impact Analysis will be prepared for each phase of the development". It is noted that some portions of the report incorrectly indicated that Phase 1 will involve the construction of the eastern driveway, which is closer to the intersection of St. Francis Drive and Rabbit Road (for instance on Figure 50). Based on the materials submitted, the proposed Phase 1 development appears reasonable and adequate to accommodate the expected traffic generated. As specified in the report, an updated Traffic Impact Analysis should be prepared for subsequent phases to assess future traffic impacts and the possible need for a traffic signal or roundabout to mitigate the deficiencies identified.

If there are any questions you may contact me at (505) 827-5472 or by email at melissar.griego@state.nm.us.

Sincerely,



Melissa R. Griego
Property Management Agent

FILE#: 1707

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**PUBLIC WORKS DIVISION
MEMORANDUM**

Date: January 17, 2014

To: Vicente Archuleta, Development Review Team Leader

From: Paul Kavanaugh, Engineering Associate Public Works *R*
Johnny P. Baca, Traffic Manager Public Works *JP*

Re: Case # 10-5362 Saint Francis South Variance, Master Plan Amendment,
Preliminary Plat and Preliminary Development Plan Approval.

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads)**, in which the roadway / driveway needs to conform. The project is located south of Interstate 25, west of the Saint Francis Drive and north of Rabbit Road, within Section 11, Township 16 North, Range 9 East. The applicant is requesting a Variance on Density Requirements, Master Plan Amendment to allow the maximum allowable density, Preliminary Development Plan approval and Preliminary Plat approval to for a Large Scale Mixed-Use District consisting of twenty-two (22) parcels ranging in size from 1.0 to 2.5.4 acres, with an average lot size of 2.23 acres.

Access:

The applicant is proposing two access points from Rabbit Road to the 68.94 acre tract. Rabbit Road course is east and west. The road is approximately 24 feet wide with two 12-foot driving lanes and 5-foot shoulders and bar ditches on both sides. The posted speed limit is 40 miles per hour. This portion of road is under the jurisdiction of New Mexico Department of Transportation.

The applicant proposes that the western access driveway will be constructed for Phase I of the development. This Phase I development access is comprised of two twelve (12') foot drive lanes with curb and gutter and five (5') foot sidewalks and will be a full access driveway for the project. The applicant states that the easterly driveway will be constructed in a future phase. At full build out the easterly access will serve as a right-in, right-out only. The applicant proposes that the westerly driveway will be a signalized intersection or modified as a round-about when traffic conditions warrant it.

A Traffic Impact Analysis prepared by Santa Fe Engineering Consultants, LLC, dated July 2010. The purpose of the study was to assess the traffic impacts the proposed project may have on road system within the area and identify any necessary required road improvements. The applicant provided Santa Fe County with updated traffic counts for the project. There has been minimal increase in traffic since the original TIA was prepared.

Conclusion:

Public Works has reviewed the REVISED Traffic Impact Analysis, dated December 2013, and feels that they can support the above mentioned project for a Variance, Master Plan Amendment, Preliminary Development Plan, Preliminary Plat Approval with the following conditions;

- Applicant shall comply with all NMDOT regulatory requirements for driveway access to Rabbit Road.
- Applicant shall address steep driveways created by the loop road and provide a plan on how it intends to mitigate the slopes.
- Applicant shall provide Turn-Arounds with a driving surface of a minimum of 120' diameter, at all dead ends servicing internal lots and temporary access for Phase I.
- The applicant shall ensure the slopes at the proposed accesses provide sufficient visibility within the Sight Triangles.
- Traffic Impact Analysis will be required with future Phases I, II, III, and IV to ensure that offsite improvements are addressed for the development.
- Speed Change Lanes and Tapers are required as per the Traffic Impact Analysis.
- It is staffs opinion that Future Traffic Impact Analysis address St. Francis Drive / Old Galisteo Road concerns regarding the feasibility of a signal light or a Round – About.



January 17, 2014

Vicente Archuleta
Development Review Team Leader
Santa Fe County Land Use
102 Grant Avenue
Santa Fe, NM 87501

Re: St Francis South Variance

Dear Mr. Archuleta:

Santa Fe Public Schools has reviewed information received from Santa Fe County Development Review Team regarding the above referenced project. Given the estimated build out projections for the development plan, current capacities at assigned schools (EJ Martinez School, Capshaw Middle School, Santa Fe High School 9-12) will be adequate to serve the anticipated student population from this development.

We appreciate your observance of City Ordinance 2008-32 allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations.

Sincerely,

A handwritten signature in black ink that reads 'Shirley McDougall'. The signature is written in a cursive, flowing style.

Shirley McDougall
Property & Asset Management
(505) 467-3443
smcdougall@sfps.info

Educational Services Center
610 Alta Vista
Santa Fe, NM 87505
Telephone (505) 467-2000
www.sfps.info

F-45



Susana Martinez
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

January 10, 2014

Vicente Archuleta
Development Review Team Leader
County of Santa Fe
102 Grant Avenue
P.O. Box 276
Santa Fe, NM 87504-0276

RE: Case # V/MIS/PP/PDP 10-5362 St. Francis Drive South Variance, Master Plan Amendment,
Preliminary Plat and Preliminary Development Plan

Dear Mr. Archuleta:

I am writing in response to your request for review and comment on the above referenced master plan amendment, received at the Historic Preservation Division (HPD) on December 12, 2013.

The enclosed letter from jenkinsgavin Design & Development refers to a SHPO letter approving an archaeological survey conducted by Mr. Ron Winters. The enclosed letter is not from SHPO. It is from the City of Santa Archaeological Review Committee. I reviewed our records and we have no records of the subject property being surveyed by Ron Winters. Please forward a copy of the survey report and any associated recording forms (NMCRIS Investigation Record, NIAF, LA site records, etc.) to this office for review.

Please do not hesitate to contact me if you have any questions. I can be reached at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,



Michelle M. Ensey

Log: 98390

F-46



**CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL**



Case File Number AP#-29-88 Date Application Submitted Dec 11, 2008

District: Historic Downtown District; River & Trails-Regular; Santa Fe Trail; Suburban v

Building Sq. Ft. _____ Development Acreage 68.94 acres

Project Description: _____

Site Address/Location: 199 Rabbit Road Property Owner: Phase One Realty

PO Box 22865, SF NM 87502

Permit: Grading; Development; Building

Applicant Information: Name: Ron Winters

Mailing Address: 109 Calle Paula, SF NM 87505 Phone No.: 505-670-9958

Archaeological Consultant: Ron Winters

RECONNAISSANCE REPORT

- | | |
|--|--|
| 1. <input type="checkbox"/> Project Archaeologist's Resume | f. <input type="checkbox"/> Historic Photos (needed if in Historic Downtown District) |
| 2. <input type="checkbox"/> Vicinity Map | g. <input type="checkbox"/> Information from Title Abstract (if available) |
| 3. <input checked="" type="checkbox"/> Project Site Description | 8. <input type="checkbox"/> 2% Testing (Historic Downtown District Only) |
| 4. <input type="checkbox"/> Development Project Description | 9. <input checked="" type="checkbox"/> Description of Prehistoric & Historic Occupation & Land Use |
| 5. <input type="checkbox"/> Outline of Research & Methodology | 10. <input checked="" type="checkbox"/> Description of Cultural Remains Discovered and Significance |
| 6. <input type="checkbox"/> Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts | 11. <input type="checkbox"/> NM Site Inventory Forms and Other Documentation |
| 7. <input type="checkbox"/> Archival Research | 12. <input checked="" type="checkbox"/> Recommended Site Significance |
| a. <input type="checkbox"/> Historic Maps & Aerial Photos | 13. <input checked="" type="checkbox"/> Assessment of Development's Impact on Cultural Remains |
| b. <input type="checkbox"/> ARMS Files & Archaeological Reports | 14. <input type="checkbox"/> Recommended Treatment for Site |
| c. <input type="checkbox"/> General Land Office (BLM) Surveys or Land Grant Plats | 15. <input checked="" type="checkbox"/> Listing of Sources, i.e. historic maps, aerials, reports, etc. |
| d. <input type="checkbox"/> 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby) | |
| e. <input type="checkbox"/> National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure) | |

ARC APPROVAL: MEETING DATE: 6/12/09
Special Conditions: Yes (see attachment) No

TREATMENT PLAN REQUIRED:

Yes: _____ No: _____
TREATMENT PLAN ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

PRELIMINARY TREATMENT REPORT

- | | |
|---|---|
| <input type="checkbox"/> a. Research Design Outline | <input type="checkbox"/> d. Description of Cultural Remains Discovered |
| <input type="checkbox"/> b. Site Map of Excavations | <input type="checkbox"/> e. Description of Prehistoric and Historic Occupation and Land Use |
| <input type="checkbox"/> c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable | <input type="checkbox"/> f. Listing of Sources |

TREATMENT REPORT ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

FINAL TREATMENT REPORT

_____ Date Final Report Due _____ Date Final Report Received

Permit Approved: [Signature] Date: 1/8/09
Archaeological Review Committee Chairperson

F-47

PL1010735-894



Ron Winters

109 Calle Paula
Santa Fe, NM 87505

505-670-6952 mobile
rondigs@comcast.net

February 26, 2014

JenkinsGavin Design & Development
130 Grant Avenue, Suite 101
Santa Fe, NM 87501
505-820-7444

Dear Jennifer,

On December 1 and 2, 2008, Ron Winters and Lael Grant, conducted a cultural resources survey of 68.94 acres just to the southwest of the intersection of St. Francis Drive and I-25 in Santa Fe County, New Mexico. The project parcel lies within the Suburban Archaeological Review District. The study was conducted on behalf of Bruce Geiss and Dave Gurule, PO Box 22865, Santa Fe, New Mexico. Phase One Realty proposes to subdivide the project property for development. This archaeological survey was conducted under New Mexico Annual Archaeological Survey Permit NM-08-141.

A search of the New Mexico Cultural Resources Information System files (NMCRIS) at the Archaeological Records Management Section, State Historic Preservation Division in Santa Fe revealed two previously recorded cultural resources within the project area. During the course of the field investigation two isolated occurrences (IO) were recorded. The two IOs, an historic tin can and a basalt bifacial core, were recorded in the field and their locations mapped. Their data potential was exhausted with this recording and they do not hold the potential to yield additional information on Santa Fe area prehistory. No unrecorded archaeological sites or other historic resources were discovered within the project area. Furthermore, no paleontological remains were identified during the survey and no Traditional Cultural Properties or culturally sensitive areas were documented.

Archaeological inventory of the project area revealed no significant cultural resources. The ground surface visibility for this survey (and thus, site recognition and identification) was good due to lack of heavy vegetation or ground cover. The property was found to hold little potential for contributing additional information on the prehistory or history of Santa Fe. Archaeological clearance for the proposed project was, therefore, recommended.

On acceptance of the report by the Archaeological Review Committee (ARC) on January 8, 2009, it was my understanding that the ARC and the City of Santa Fe Planning Division would forward to the State Historic Preservation Office the second, bound copy of the report, as is required. Should you have any further questions, please don't hesitate to contact me.

Thank you,

Ron Winters

F-48

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Hollan
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	December 17, 2013		
Project Name	St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Development Plan		
Project Location	Northwest corner of the intersection of St. Francis Dr. and Rabbit Rd. T16; R09; S11		
Description	Large Scale Mixed-Use Project	Case Manager	Vicente Archuleta
Applicant Name	JenkinsGavin Design & Development Inc.	County Case #	VMIS/PP/PDP 10-5362
Applicant Address	130 Grant Avenue Suite 101 Santa Fe, NM 87501	Fire District	Hondo
Applicant Phone	505-699-0563		
Review Type:	Commercial <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Sprinklers <input type="checkbox"/> Hydrant Acceptance <input type="checkbox"/> Master Plan <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Inspection <input checked="" type="checkbox"/> Lot Split <input type="checkbox"/> Wildland <input type="checkbox"/> Variance <input checked="" type="checkbox"/>		
Project Status:	Approved <input type="checkbox"/> Approved with Conditions <input checked="" type="checkbox"/> Denial <input type="checkbox"/>		

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (Note underlined items):

Summary of Review

- Per submitted plans the roads shall meet the minimum County standards of 24' driving surface for fire apparatus access roads within this type of proposed development... (page #2)
- The dimensions and location for the temporary cul-de-sac indicated on the submitted plans for Phase I development are acceptable. (page #)
- Additional hydrants and/or relocation of indicated fire hydrants shown within the submittal packet may be required. Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. (page #5)
- No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. (page #5)

- Automatic Fire Protection Sprinkler systems shall be required in commercial or live/work occupancies as per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe (page#5)
- Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes. (page #6)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Any walking trail system proposed for this development shall have a trail identification number or name and be marked with a number every 1/10th of a mile (528 feet) for the purpose of expediting emergency response.

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

Curbs or signage adjacent to building(s), fire hydrant(s), entrances and landscape medians in traffic flow areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE – NO PARKING" as determined by the Fire Marshal prior to occupancy. Assistance in details and information are available through the Fire Prevention Division.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Per submitted plans the roads shall meet the minimum County standards of 24' driving surface for fire apparatus access roads within this type of proposed development. Driveways, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate width shall be 20' and an unobstructed vertical clearance of 13'6". Minimum driveway width shall be 14'

Fire access/driveways in future development shall incorporate an area for emergency vehicle purposes such as a cul-de-sac or K-type or hammerhead type turnaround conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

The dimensions and location for the temporary cul-de-sac indicated on the submitted plans for Phase I development are acceptable.

▪ **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Buildings within a commercial complex shall be assigned, post and maintain a proper and legible numbering and/or lettering systems to facilitate rapid identification for emergency responding personnel as approved by the Santa Fe County Fire Marshal.

▪ **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

The maximum allowable cross slope grade on a cul-de-sac shall not exceed 3%

The maximum approved slope of driveway access/egress shall not exceed 11% and shall have a minimum 28' inside radius on curves.

▪ **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

Commercial developments may be required to install a Knox Cabinet or applicable Knox device as determined by this office for Fire Department access, Haz-Mat/MSDS data, and pre-fire planning information and for access to fire protection control rooms (automatic fire sprinklers, fire alarm panels, etc...).

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system. Details, information and forms are available from the Fire Prevention Division

Fire Protection Systems

- **Water Storage/Delivery Systems**

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Section 903.2 Required Water Supply for Fire Protection. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protect is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief.

Section 903.4.2 Required Installations. (1997 UFC) The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.

The water delivery system shall be designed to meet the minimum standards of the Sangre De Cristo Water and/or Santa Fe County Water utilities.

Water supply line sizes, which are connected to supply approved fire hydrants, shall be a minimum of eight inches in diameter.

- **Hydrants**

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

Fire hydrant spacing and the maximum distance from any point on the streets and access roads adjacent to a building shall comply with 1997 Uniform Fire Code, Appendix IIIB Section 5: Distribution of Fire Hydrants.

Fire hydrant locations shall be no further than 10 feet from the edge of the approved access roadways with the steamer connections facing towards the driving surface.

Additional hydrants and/or relocation of indicated fire hydrants shown within the submittal packet may be required. Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation.

Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system. Final design shall be approved by the Fire Marshal.

All hydrants shall have NST ports.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal.

All hydrants shall comply with Santa Fe County Resolution 2000-55, Hydrant color-coding, marking and testing. Note: Please have the installing contractor contact this office prior to the installation of the fire hydrants, so that we may assist you in the final location placement and avoid delays in your projects' final approval.

Automatic Fire Protection/Suppression

Automatic Fire Protection Sprinkler systems shall be required in commercial or live/work occupancies as per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe.

All Automatic Fire Protection systems shall be developed by a firm certified to perform and design such systems. Copies of sprinkler system design shall be submitted to the Fire Prevention Division for review and acceptance prior to construction. Systems will not be approved unless final inspection test is witnessed by the Santa Fe County Fire Department. Fire sprinkler systems shall meet all requirements of NFPA 13 Standard for the Installation of Sprinkler Systems.

The required system riser shall meet the requirements of the NFPA 13 1996.

Locations of all Fire Department Connections (FDC's) shall be determined and approved prior to the start of construction on the system. All FDC's shall have NST ports.

All sprinkler and alarm systems as required shall have a test witnessed and approved by the Santa Fe County Fire Department at rough-in and prior to allowing any occupancy to take place. It shall be the responsibility of the installer and/or developer to notify the Fire Prevention Division when the system is ready for testing.

Fire Alarm/Notification Systems

Automatic Fire Protection Alarm systems shall be required as per 1997 Uniform Fire Code, Article 10 Section 1007.2.1.1 and the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe. Required Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code, for given type of structure and/or occupancy use. Said requirements will be applied as necessary as more project information becomes available to this office during the following approval process.

- **Fire Extinguishers**

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers shall be installed in occupancies and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

Life Safety

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a commercial or public occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

General Requirements/Comments

- **Inspections/Acceptance Tests**

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

▪ **Permits**

As required

Final Status

Recommendation for Master/ Preliminary Development Plan approval with the above conditions applied.

Tim Gilmore, Inspector


Code Enforcement Official

12.17.13
Date

Through: David Sperling, Chief

File: DevRev/H/StFrancisS'121813

Cy: Buster Patty, Fire Marshal
Vicente Archuleta, Land Use
Applicant
District Chief
File



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

February 26, 2014

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

Vicente Archuleta
Senior Development Review Specialist
Santa Fe County
PO Box 276
Santa Fe, NM 87504

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan

Dear Mr. Archuleta:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Santa Fe County Land Development Code and the New Mexico Subdivision Act.

Based on the information provided, this office cannot determine that the subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses, and that the subdivider can fulfill the proposals in his Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan. Accordingly, a negative opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Emily Geery at 505-827-6664.

Sincerely,

A handwritten signature in cursive script that reads "Molly L. Magnuson".

Molly Magnuson, P.E.
Senior Water Resource Specialist
Encl.

cc: OSE Water Rights Division, Santa Fe Office

MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: February 26, 2014
TO: Molly Magnuson, P.E., Water Resource Specialist
FROM: Emily Geery, Senior Water Resource Specialist
SUBJECT: St. Francis South Master Plan Amendment/ Variance,
Preliminary Plat and Preliminary Development Plan

SUMMARY

On February 5, 2014 the Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer received a request to re-evaluate the *St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan*.

This office reviewed and provided comments for the St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan on January 10, 2014. For details, please refer to this letter.

The applicant seeks approval from Santa Fe County for a Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan for 22 lots. According to the Plat Map, the proposed Master Plan will be developed in phases as follows:

- Phase 1 – Lots 1, 2, 20 and 22
- Phase 2 – Lots 3-6, and 21
- Phase 3 – Lots 7-8, 17-19
- Phase 4 – Lots 11-16

The proposal provides an outline to subdivide a 68.9 acre tract into a 22-lot large scale mixed use project with parcels ranging in size from 1.04 to 2.9 acres. At build out, the gross building area is anticipated to be approximately 760,000 square feet with a combination of office, community service, retail, warehouse and residential uses. The property is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road (the Northeast Connector) to the south and two large residential lots to the west. The proposed water will be supplied by the Santa Fe County Utilities.

The subdivision proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act (Act). Based on the information provided, the water supply proposal is not in compliance with the requirement of Section 6.4.4(a) of the Code and Section 47-6-11.F (1) of the Act. Accordingly, a **negative opinion** should be issued.

The new documents submitted to this office include the *Disclosure Statement, Landscaping Water Budget Letter, Rehabilitation Facility Letter, and Water Sewer Service Availability Letter*.

WATER DEMAND ANALYSIS AND WATER CONSERVATION

The proposal contains a water demand analysis for an office space of 5.87 acre feet per year (AFY); a warehouse of 1.57 AFY; and multifamily housing of 24 AFY. This estimate is

consistent with the findings presented in the City of Santa Fe's November 2009, *Resolution No. 2009-116* that adopted standard formulas by water use category for calculating development water budgets.

Previous comments regarding the *Disclosure Statement, Landscaping Water Budget Letter* and *Rehabilitation Facility Letter* have been addressed. The developer provided the *Disclosure Statement*, which was not included in the previous submittal. The OSE concurs with the developer's conclusion regarding the water budget for the Landscaping and the Rehabilitation Facility.

WATER AVAILABILITY ASSESSMENT

The proposed water supply will be provided by the Santa Fe County Utilities. The developer provided a letter from Santa Fe County regarding water availability. The letter describes two options for providing water, but does not state that the utility is "*ready, willing and able to provide the maximum annual water requirement for the development*" as required by Section 6.4.4(a) of the Code.

Section 47-6-11.F (1) of the Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. The developer has not provided a sufficient commitment letter from the water utility. Therefore, Section 47-6-11.F (1) of the Act and 6.4.4(a) of the Code have not been satisfied.

MEMORANDUM

DATE: December 17, 2013

TO: Vicente Archuleta, Development Review

FROM: Miguel Romero, Development Review Specialist Senior

VIA: Penny Ellis-Green, Land Use Administrator
Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: Case # V/MIS/PP/PDP 10-5362 St. Francis South

REVIEW SUMMARY:

The Applicant requests approval of a Master Plan Amendment, Preliminary Plat and Preliminary Development Plan on 68.9 acres (22 lots) large scale, mix use of commercial and residential lots, in accordance with the Land Development Code (Code) and all pertinent Ordinances. The Water Harvesting and Landscaping plan for the St. Francis South (Vegas Verdes) has been reviewed for compliance with the Code, Article III Section, 4.4.4 f.4 (Landscaping Plan) and Ordinance 2008-4, Water Harvesting Ordinance.

Landscaping

The Applicant proposes to plant deciduous trees and shrubs along the internal access driveways, strips and provide parking lot screening. Areas disturbed by construction will be reseeded using Buffalo Grass and Blue Grama Grass. Native Evergreen Trees at the perimeter of the proposed structure. Native Shrubs and Native Grasses are proposed to be planted in all disturbed areas. This segment of the proposed landscape plan (**Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?**). The application includes a 48 space parking lot. This segment of the proposed landscape plan (**Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?**). List any deficiencies.

- a) List any conditions, such as: what is required to meet code/ordinance requirements for Master Plan Zoning and Preliminary Development Plan; what will be required at Final Development Plan.

The Applicant has proposed to plant Native Evergreen Trees (One Seeded Juniper, Rocky Mountain Juniper, Pinon Tree's and Pine Tree's) at the perimeter of the proposed structure. Native Shrubs (Mountain Mahogany, Chamisa, Apache Plume) and Native Grasses (Indian Grass, Big Bluestem, Sand Reed and Rice Grass) are proposed to be planted in all disturbed areas. The Applicant will need comply with Article III Section 4.4.4 f.4 a-n. The Applicant will need show how all proposed landscape will irrigated via cistern. The Applicant has proposed to

develop a 48 space parking lot. The proposed landscape screening and buffering does not comply with Article III Section 4.4.4f 11 (Landscaping for Parking Lots). Additional landscaping will be required in front of the 23 lot parking area.

Water Harvesting

The Applicant proposes to construct a 15,560 square foot building and there is an existing (square footage) square foot residence on the site. Ordinance 2008-4 (Water Harvesting) requires: that commercial structures collect all roof drainage into a cistern; the size of the cistern shall be calculated by multiplying the total roofed area by 1.50 gallons. The Applicant proposes to utilize a 14,000 gallon cistern. **(Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?). List any deficiencies.**

- a) **List any conditions, such as: what is required to meet code/ordinance requirements for Master Plan Zoning and Preliminary Development Plan; what will be required at Final Development Plan; Applicant shall submit landscape water budget or alternative water harvesting methods to reduce the size of the cistern(s) at Final Development Plan; cistern details at Final Development Plan; irrigation details at Final Development Plan.**

The Applicant has proposed a 14,000 gallon cistern for the 15,560 sq. ft. building. All Commercial Development, are required to collect all roof drainage into cisterns to be reused for landscaping irrigation. The proposed roof drainage plan shows an 8" PVC Roof Drain Pipe that will be piped into the cistern. However, the Applicant will need to show how the proposed landscaped areas will be irrigated by the cistern as required by the Land Development Code and the Water Harvesting Ordinance. The Applicant has shown a general description of the cistern detail but will need to add a pump detail.

Additional Comments

Due to the nature of the comments contained herein, additional comments may be forthcoming upon receipt of the required information.

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

WATER UTILITIES DIVISION

February 18, 2014

Jennifer Jenkins & Colleen C. Gavin, AIA
JenkinsGavin Design & Development, Inc.
130 Grant Avenue, Suite 101
Santa Fe, NM 87501

RE: WATER/SEWER SERVICE AVAILABILITY, ST. FRANCIS SOUTH

Dear Ms. Jenkins and Ms. Gavin:

The Santa Fe County Utilities (SFCU) Division is in receipt of your request, submitted on behalf of Vegas Verdes, LLC, concerning water/sewer service for a property under development at the southwest corner of Interstate-25 and St. Francis Drive. The development project is known as "St. Francis South". Please be aware that any statements made here refer solely to the parcel and development concept you have described in your written inquiry and appurtenant documentation you submitted. If the parcel location or development concept is modified, or the current field conditions are modified in the future, this letter will be automatically invalidated, unless otherwise indicated in writing by SFCU.

The St. Francis South Master Plan includes approximately 68.9 acres of undeveloped property, with a conceptual development plan that will consist of a 22-lot, large-scale, mixed-use project. The project will contain a mix of commercial and residential development, to be constructed in four phases, approximately five to six lots per phase over an 8-10 year period. The St. Francis South Master Plan was approved by the board of County Commissioners at the December 14, 2010 meeting as Case #Z10-5360.

With respect to potable water supply, SFCU has identified two options for supplying water to this development. Water Supply Option 1 would require an extension of a 12" water line from the existing water line at Rodeo Business Park via a conduit installed beneath Interstate-25. Option 1 would require a master meter and a pressure reducing valve be installed in vaults which would likely be located just south of the crossing under Interstate-25.

F-61

Water Supply Option 2 would consist of extending a 12" water line from the existing water line that serves the Campo Conejos subdivision, just south of Interstate-25 and carrying the line to the southwest along the alignment of the interstate to St. Francis South. Option 2 would require the installation of a master meter and a pressure reducing valve in vaults which would likely be located near the Campo Conejos subdivision, just south of where the existing line crosses under Interstate-25. Both options will need to be reviewed by the City of Santa Fe Engineering Division to determine if they are technically feasible (and which option is preferred) based upon the City's ability to meet the system demands from their existing potable supply infrastructure.

There are two evident options for providing sewer service to this development. Sewer Option 1 would consist of a gravity collection system that conveys sewage to a central liftstation which pumps through a conduit installed beneath Interstate-25 to the City's sanitary sewer located a Rodeo Business Park. Sewer Option 1 would require approval by the City/County Water/Wastewater Review Team (WWRT) process pursuant to Santa Fe City Code Chapter 22-6.2 regarding requests for sewer service outside the presumptive City limits. This process ultimately requires approval of the Santa Fe City Council and Santa Fe County Commission. Should this option be pursued, SFCU would be a co-applicant to the WWRT, along with the developer. The sewer infrastructure constructed would ultimately be deeded to the County and the SFCU would ultimately own, operate and maintain the infrastructure.

The second option for sewer service for this development (Sewer Option 2) consists of privately owned and operated advance treatment units (ATUs) that would be installed for each lot or clusters of lots and dispose of treated wastewater to leach fields. Such ATUs would be permitted by the New Mexico Environment Department pursuant to the Liquid Waste Disposal and Treatment Regulations (20.7.3 NMAC) or the Water Quality Control Commission Regulations (20.6.2 NMAC), as appropriate. SFCU would not be involved with the ownership, operation or maintenance of the ATUs, nor would the owners of these systems be customers of SFCU. If SFCU is in a position to provide sewer collection, treatment and disposal services at some point in the future for this area, the ATUs would be decommissioned by their private owners and they would connect to a sanitary sewer belonging to Santa Fe County.

In order to proceed into design and SFCU review of this system, your professional engineer should determine which options best serve your project and consult with SFCU regarding how to resolve the unanswered questions regarding the chosen options.

Following the successful design and construction of the facilities, the SFCU will accept ownership of the project and adopt it as part of its infrastructure for operations and maintenance upon verification that all requirements of the County's ordinances have been met to the SFCU's satisfaction. The primary considerations for SFCU acceptance are summarized below:

1. The proposed facilities must be designed, constructed and tested in compliance with all applicable standards of practice and all local, state and federal codes/regulations and policies, including those adopted by Santa Fe County.
2. The applicant is responsible for the design and construction of this project in its entirety and pays for all costs associated with the water and wastewater system. Santa Fe County is not responsible for any costs incurred in order to ensure compliance with the County's ordinances or other applicable rules and regulations.
3. The design of the facilities and construction oversight must be performed by a professional engineer (PE) licensed by the State of New Mexico pursuant to the New Mexico Engineering and Surveying Practices Act.
4. As a condition of receiving a permit from the County for the construction of the water and wastewater systems, the applicant must provide proof of an approved current New Mexico Utility Contractor's license and a bond or other financial guarantee acceptable to County for the completion of the infrastructure. The amount of such bond shall not be less than the cost estimate for the construction of the water and sewer systems.
5. Conveyance of the infrastructure to the County shall include all associated easements, rights of way and or permits associated with the system. A formal survey granting these easements to SFCU for access, operation and maintenance of the infrastructure must be provided prior to final acceptance of the project.
6. All record drawings plans and final specifications of the water / wastewater systems certified by the design engineer and presented in both electronic (PDF) and hard copy formats, including all hydrostatic/vacuum test results, sewer videos and logs, backfill compaction test results, and all materials testing results must be reviewed and approved by SFCU.
7. Written certification that the constructed infrastructure were properly inspected during construction and were installed in conformance with the final design/specifications or in conformance with written change orders approved by the design engineer and SFCU must be submitted by the design engineer to SFCU.
8. All County utility customers, including Residential and Commercial Customers connected to the infrastructure, are required to meter their water supply with the use of a Neptune T-10 with E-Coder R900i Register and Radio Transmitter, furnished by SFCU. Proof that such a meter is installed and functional must be available to SFCU prior to final acceptance.
9. All subdivision lots and future customer will be subject to the County Water Utility service policies, including stand-by fees and connection fees.
10. County crews must have clear and unobstructed physical access to all of the water and wastewater structures for maintenance and inspection.
11. County ownership/maintenance of the system stops at the sewer main where lateral sewer connects and in regards to water at the meter can.

Final inspections of the new facilities by SFCU is also required. This inspection may require that additional work be performed in order to accept the work as complete. After

completion of all work associated with this project, a letter of acceptance will be issued by SFCU for the operation and maintenance of the systems.

We look forward to working with you toward the successful completion of this project. Please contact SFCU Associate Engineer Paul Casaus at (505) 986-6364 or contact me at 992-9872 if you have any questions and or concerns.

Respectfully,



Claudia Borchert, Director
Santa Fe County Utilities Division

CB:PC/RJG

CC: Nick Schiavo PE, Public Utilities Director, City of Santa Fe (via email to: naschiavo@ci.santa-fe.nm.us)
Bryan Romero, Interim Division Director and Engineering Supervisor, City of Santa Fe, (via email to: bjlromero@santafenm.gov)

*Santa Fe County
Open Space & Trails*



MEMORANDUM

DATE: January 24, 2014

TO: Vicente Archuleta, Senior Development Review Specialist

FROM: Lisa Roach, Open Space and Trails Planner
Planning Division, Growth Management Department

VIA: Robert Griego, Planning Division Manager, Growth Management Department

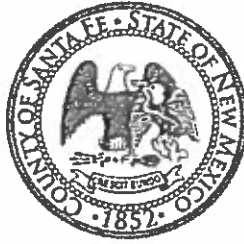
RE: Case # V/MIS/PP/PDP 10-5362, St. Francis South Master Plan Amendment
Variance, Preliminary Plat & Preliminary Development Plan Applications

I have reviewed the case submittal for technical accuracy and for compliance with the Land Development Code, and I have the following comment:

Page 3 of 6, "Open Space and Landscaping" states "a pedestrian trail will be constructed on a phased basis within the 100-foot open space buffer along Rabbit Road that will connect with the Rail Trail west of the site. The first phase of the trail improvements will be between the Rail Trail and the west side of the western access road. A segment of trail will be constructed within the Rabbit Road right of way between the railroad right of way and the western boundary of the subject property."

Clarification is needed regarding the "first phase of the trail improvements," as the text and plans do not clearly illustrate this trail connection. Private property separates the western boundary of the subject property and the Rail Trail.

Daniel "Danny" Mayfield
Commissioner, District 1
Miguel M. Chavez
Commissioner, District 2
Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4
Liz Stefanics
Commissioner, District 5
Katherine Miller
County Manager

MEMORANDUM

DATE: January 24, 2014
TO: Vicente Archuleta, Development Review Team Leader
FROM: Mathew Martinez, Development Review Specialist *HEM*
VIA: Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor
FILE REF.: CDRC CASE # V/MIS/PP/PDP 10-5362 St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Preliminary Development Plan

REVIEW SUMMARY

ARCHITECTURAL, PARKING, LIGHTING, AND SIGNAGE:

The Referenced Project has been reviewed for compliance with the Santa Fe County Land Development Code. The request for Master Plan Amendment, Variance and Preliminary Development Plan approval for a 22 lot large scale mixed use subdivision on 68.9-acre parcel.

PARKING:

No parking is proposed within this Application. At time of Development Plan submittal the Applicant shall comply with all parking requirements within Article III, Section 9 (Parking Requirements).

ARCHITECTURAL:

No structures are proposed within this Application. The Applicant shall provide building elevations for all proposed structures at the time of Development Plan submittal.

SIGNAGE:

No signage is proposed within this Application. The Applicant shall comply with all signage requirements within Article VIII, (Sign Regulations) at time of Development Plan submittal.

LIGHTING:

No lighting is proposed within this Application. The Applicant shall comply with all outdoor lighting requirements within Article VIII Section 4.4.4 h at time of Development Plan submittal.

Due to the nature of the comments contained herein, additional comments may be forthcoming upon receipt of the required information.



**Office of Affordable Housing
MEMORANDUM**

DATE: February 7, 2014
TO: Vicente Archuleta, Development Review Team Leader
FROM: Steven Brugger, Affordable Housing Administrator *SRB*
SUBJECT: Case # V/MIS/PP/PDP 10-5362; St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Preliminary Development Plan – Affordable Housing Review

Summary of Applicant's Affordable Housing Proposal

It is our understanding that the Applicant is proposing 22 mixed-use lots which can accommodate commercial, large-scale multi-family residential and community service land uses. It is stated that one of the purposes of the Master Plan Amendment and Variance request is to establish maximum allowable residential densities for the multifamily tracts that are brought forward for development. The Master Plan Amendment and Variance request clearly contemplates multi-family residential development, as a maximum residential density of 18 dwelling units per acre is requested, and another note states that the maximum number of allowable multi-family/live work units is 450 and the maximum number of allowable senior housing/assisted living units is 200.

This submittal does not inform staff of the intended land uses on any of the proposed lots and does not indicate how many lots will be allocated for residential development. A notation on Sheet 3-1 does state the following: "36.11 acres eligible for residential development". However, it is unknown whether being "eligible for residential development" will result in residential development. It appears that the final land use allocation will be market driven.

As set forth in the submittal letter, the Applicant is also "applying for Master Plat Authorization to permit the administrative approval of future lot line adjustments and consolidations to accommodate the needs of individual users". With this provision, the current number of lots can change to reflect the needs of the firm that would be buying the land. Even if land uses were depicted on the 22 lots, the number of lots could ultimately change with approval of this requested provision.

To recap, upon review of this submittal, it appears that the residential component of the proposed project will be multi-family development on an undetermined number of lots.

Staff Comments

In the Affordable Housing Ordinance 2006-02, as amended by Ordinance 2012-1, a Major Project is defined as “any division of property into twenty five (25) or more parcels for purpose of sale, lease or other conveyance of one or more single-family residences; a Minor Project is defined as “any subdivision of a parcel or parcels into between five (5) and no more than twenty four (24) parcels for purpose of sale, lease or other conveyance of one or more single family residences.

Depending upon its classification as Major or Minor, the project’s affordable housing requirement is determined by multiplying the applicable percentage times the number of total lots. For the subject project, the affordable unit requirement cannot be determined since the number of total residential lots has not been identified and may not be known until the completion of all lot line adjustments and consolidations.

In addition, in the definitions of Major and Minor projects, both projects address the conveyance of single family residences. In this project, it is our understanding that each residential lot will accommodate a large scale residential project, defined in the plan submittal as multi-family apartments, senior housing/assisted living, and live/work. Using past and present interpretations of the Affordable Housing Ordinance and Regulations, the affordable requirement applies only to single family homes (detached or attached) on individual fee-simple lots, not multifamily developments with multiple units constructed on one lot.

With the understanding that no single family residences will be created and conveyed through this subdivision and that the residential uses being proposed will be large-scale multi-family uses, and given the uncertainty over the number of residential lots that will be created, an affordable housing requirement cannot be calculated for this application.

Staff Recommendation

Staff cannot apply an affordable housing requirement for this Master Plan Amendment/Variance, Preliminary Plat and Preliminary Development Plan request.

Mr. Bowker said if the County wants to pay the \$400 he would adjust the lot line and locate the barn on the agricultural lot but if he fails to receive the exemption he asked, "who is going to pay the \$400 again to have the lot line moved?" Recognizing it would be his expense; Mr. Bowker said he was not willing to do that.

Assistant County Attorney Manzanares said the Assessor is an independent elected official and by statute that office has separate and distinct functions from other departments. He said the BCC's action on this case will stand alone as will the Assessor's action. He said the Applicant may be able to select the most advantageous decision/action.

Ms. Cobau informed the CDRC that County Code Enforcement has had no complaints regarding the Applicant's horses and she pointed out there was no one in the audience speaking against the proposal.

Ms. Cobau said if the Applicant is granted the agricultural exception, a variance for the barn's height is not necessary.

Stating she joined in the concerns raised by the CDRC regarding the building of the structure in violation of the County Code and without a permit, Member Martin moved to support the staff recommendation and deny the variance request of MIS/V 10-5260. Member DeAnda seconded and the motion passed by unanimous [6-0] voice vote.

Mr. Dalton advised the Applicant that the CDRC's recommendation will be forwarded to the BCC.

SFC CLERK RECORDED 18/22/2018

VII. NEW BUSINESS

- A. **CDRC CASE # Z 10-5360 St. Francis South Business Park (Mixed-Use Subdivision):** J.O.E.B., LLC, Applicant, Jenkins/Gavin Design Development Inc., Agent, request Master Plan Zoning Approval for a mixed-use subdivision (commercial, residential and community service) consisting of 22 lots on 68.94 acres with approximately 760,000 square feet of structures at full build-out. The project will be completed in four phases. The property is located at the Southwest corner of I-25 and St. Francis Drive, within Section 11, Township 16 North, Range 9 East, Commission District 4
Exhibit 2: Updated review from DOT; review letter from the County Fire Department and one letter of opposition from neighbor

Ms. Lucero presented the staff report as follows:

"The Applicant requests Master Plan Zoning Approval for a mixed-use subdivision consisting of 22 lots with up to 760,000 square feet of buildings on 68.94 acres. Uses will include a combination of office, community service, retail, warehouse and residential. Lot sizes range in size from 1.04 acres to 2.90 acres.



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A 14.61-acre open space area will also be included as well as a 3.05-acre area designated for a wastewater treatment system. The project will be completed in four phases.

“Article III, Section 4.2.1.d.2 of the County Code states ‘Proposed mixed-use developments are allowed to locate anywhere in the County, except that the location of any specific commercial or industrial non-residential use area designated by such proposals shall be subject to the purposes and intent of Subsections 4.2.3 and 4.1.’

“The property is currently vacant. It is bounded on the north by the I-25 interchange, on the east by St. Francis Drive, on the south by Rabbit Road and on the west by two 3.15+ acre residential lots. The development will have two points of access off of Rabbit Road. The two points will be connected via a loop road within the property. This Application was submitted to the State Department of Transportation and the County Public Works Department for review. The DOT states that a revised TIA must be submitted and their comments must be addressed before they can approve the subdivision. The Applicant has responded to the DOT comments and states that they have done the traffic counts, prepared the requested data, and have a meeting scheduled with DOT to discuss the results. The Applicant states that based on these efforts, they fully anticipate the DOT issuing a revised letter recommending approval of the Application prior to this case being heard by the CDRC. The County Public Works Department did not have any major issues with the concepts presented in the Master Plan, however they did submit a list of conditions that must be addressed prior to Preliminary Plat & Development Plan approval.

“The development will be served by the County Utility via a new 12-inch water main line that will extend from Campo Conejos down Old Galisteo Road and along Rabbit Road to the west property line. The County Utilities Department has issued a utility service analysis letter.”

Ms. Lucero said the proposal was reviewed for fire protection, liquid and solid waste, terrain management, archaeology, signage and lighting, parking, open space and trails.

Ms. Lucero said the Application is in accordance with Article V, Section 5.2 (Master Plan Requirements) of the County Land Development Code therefore staff recommends Master Plan Zoning approval subject to the following conditions:

1. All redlines comments must be addressed.
2. The Applicant must seek approval from the CDRC to allow the eastern driveway to exceed 500 feet.
3. The western driveway shall be constructed at phase II.
4. A TIA will be required with future phases I, II, III, and IV to ensure that offsite improvements are addressed for the development.
5. Speed change lanes and tapers are required as per the TIA.

6. Future TIA shall address St. Francis Drive/Old Galisteo Road concerns regarding the feasibility of a signal light or a roundabout.
7. The Applicant shall provide turnarounds with a driving surface of a minimum of 120' diameter at all dead ends servicing internal lots.
8. Supporting documentation for the drainage calculations consistent with the requirements of the NMDOT's Drainage Design Criteria, 4th ed. must be submitted at Preliminary Plat/Development Plan stage.
9. Drainage control infrastructure plans with sufficient detail to define construction specifics for that infrastructure having a direct impact on NMDOT facilities shall be submitted at preliminary plat/development plan stage.
10. A map showing the complete drainage basin contributing flows to and within the site shall be submitted at preliminary plat/development plan stage.

Member C. Gonzales asked whether the development's trails would connect with Oshara's trails. Ms. Lucero said at this point the only proposed trail connects with the rail trail.

Member C. Gonzales said the curb and gutter need revision and he encouraged the Applicant's engineer to make necessary changes.

Ms. Lucero confirmed that exiting I-25 at St. Francis the access would be from Sawmill to Rabbit Road.

Member DeAnda asked about the impact on the established residential areas on Rabbit Road and noted the opposition letter from an area resident [*Exhibit 2*] and whether bike lanes were proposed for Rabbit Road.

Chair Romero referred to NB A-21, which delineated the widened road sections for shoulders and bike lanes.

Member JJ Gonzales asked whether a water service area extension was necessary for the Applicant to tie into at Campos Conejos. Ms. Lucero said she understood from County Utilities Director Guerrerortiz that the subject property was within the County service boundary.

Ms. Lucero indicated that the phase I of the project originally proposed using a well but that has been amended (NB A-12) to use County water.

Member Salazar asked about the Applicant's plan to build an offsite wastewater treatment center while Mr. Guerrerortiz requires sewer designed for gravity flow into the Rodeo Business Park. Ms. Lucero said at this point the developer will design an offsite system; however, once the water line is extended a final determination regarding feasibility of the sewer line will be made.

Duly sworn, David Gurule, a member of the LLC developing the project, a neighbor to the project and lifelong resident of Santa Fe introduced his partner, Ernie Romero.

Duly sworn, Jennifer Jenkins, Jenkins & Gavin Design and Development, agent for the project stated the parcel is "unique, really special, really unusual and very pretty with lovely views." She said it was unusual in that it is bordered by an interstate on two-sides, Rabbit Road/rural residential on its south and St. Francis on the east. The property provides tremendous potential as an employment center to attract large-scale employers.

Using a site map, Ms. Jenkins described the property and its boundaries. The property consists predominantly of gentle terrain; the steep terrain will be dedicated open space. Referring to visibility, Ms. Jenkins said the terrain creates a natural buffer/ridge line that will buffer the existing residents' view of the proposed development.

Ms. Jenkins demonstrated the two access points off Rabbit Road. St. Francis Road is access-controlled by the DOT and therefore there is no access. She reviewed the designed loop road and discussed the four-phased development. The plan includes 22 lots of an average lot size of 3.25 acres. The development is proposed as a campus environment to accommodate potentially large employers and institutional uses.

Ms. Jenkins discussed the neighborhood meeting they held and said the area residents recognized the economic opportunities of the property beyond residential. The developer is sensitive to the existing residents and will provide 100 feet of open space buffering along Rabbit Road. The County's proposed SLDP identifies this tract of land as a regional center and located within development area #1 which has the highest priority for development.

Referring to the utilities, Ms. Jenkins said they have been working closely with Mr. Guerrerortiz. The County is the entity that will need to petition the City for the sewer connection. Adequate land has been set aside for the sewer system and she was confident the connection would be accomplished.

Ms. Jenkins said they are working with the County's open space and trails staff to design a trail that will traverse a short right-of-way to reach the rail trail and connect to the Zia station.

The project has undergone a full-scale traffic impact analysis and analyzed the intersections at Rabbit Road/St. Francis, Rabbit Road/Old Galisteo Road and the I-25 interchange at St. Francis. County Public Works and DOT have approved the development access and overall approach.

Ms. Jenkins said that Rabbit Road, while it has changed a great deal over the years, maintains a tremendous capacity for vehicles. The developers will significantly improve Rabbit Road in terms of safety.

Referring to the neighbor meeting, Ms. Jenkins said it is their intention to hold another meeting prior to BCC hearing this case.

Responding to Member DeAnda, Ms. Jenkins said the trail will not encroach on private property, will stay within the right-of-way and will probably have an all-weather surface. DOT will be required to approve the right-of-way use for the trail. Typically, bike and pedestrian trails are not an issue with DOT right-of-way.

Referring to the Vereda Serena resident in opposition to the development [Exhibit 2], Member DeAnda asked whether the Applicant has made an effort to meet with them. Ms. Jenkins responded that residents of Vereda Serena were present at the community meeting. She said her contact information was made available to all the residents and was surprised this individual had not contacted her.

Ms. Jenkins said it was her understanding that the recently completed I-25 corridor study recommends an interchange at I-25/Richards Avenue. An interchange will require considerable improvements to Richards Avenue.

Member DeAnda said her concern about the project is the traffic generated on Rabbit Road. She appreciates that the developer will improve that road but the developer's traffic study does not show much traffic yet the focus is on a "large-scale employer."

Ms. Jenkins said the use list is based on assumptions and along with large-scale employers there will probably be warehouses and light industrial which are typically large spaces with few people, senior housing which typically generates moderate traffic and churches which are off-peak traffic.

Member C. Gonzales requested a summary of County-required offsite improvements over the full five phases. Ms. Lucero responded that the traffic study will be updated at each phase of the development and as traffic counts rise improvements may be required to Rabbit Road.

Ms. Cobau said DOT would be the lead agency on the interchange on Richards Avenue with the MPO's involvement. She said funding was clearly an issue.

Regarding this development, Ms. Cobau said according to Code a minor arterial is adequate to convey 2,000 to 4,999 trips per day -- making this development substantially under the volume for a major arterial.

Member DeAnda asked whether the Richards interchange would be built within the proposed phasing of this project through to 2018. Ms. Cobau said it would take a couple of years to design the plan, right-of-way acquisitions, detouring of I-25, expanding Richards, and three+ years to construct. The widening of the bridge and the Rail Runner contribute to the complexity of the interchange. She expected that the majority of traffic relief would be at Richards/Rodeo if the interchange were constructed.

Member JJ Gonzales asked what uses were excluded from the project and Ms. Jenkins the proposal did not include automotive uses although a gasoline/convenience store was contemplated because of proximity to I-25. She suggested the project would be similar to the Rodeo Road projects. She said they will accommodate the market needs.

Member Dayton asked whether a noise generating business was anticipated and Ms. Jenkins said no they were not proposing heavy industrial. She said they will comply with the County's night sky ordinance.

Duly sworn, Leon Romero, identified himself as the project's closest neighbor and said he had no objection to the development. He said he received notification of the community meeting.

Member CC Gonzales moved to approve #Z 10-5360 with staff-imposed conditions. Member Martin seconded and the motion passed by unanimous [6-0] voice vote.

- F. CDRC CASE # MP/ PDP 10-5170 Santa Fe Southwest S.D.A. Adventist Church. Texico Conference Association of Seventh-Day Adventists, Applicant, Jenkins/Gavin, Agent, Request Master Plan Zoning and Preliminary Development Approval to allow a 6,524 square foot church facility on five (5) acres. The property is located at 62 A-Van-Nu-Po, within the Community College District, Sections 29 & 30, Township 16 North, Range 9 East, Commission District 5

Mr. Larrañaga provided the staff report as follows:

"The Applicant requests Master Plan and Preliminary Development Plan approval for a new church facility at 62 A-Van-Nu-Po Road within the Rancho Viejo Subdivision. The Applicant also requests the Final Development Plan be processed administratively. The church facility will consist of a 6,524 square foot structure and is sited within the Institutional Campus Zone of the Community College District.

"Article III, Section 7 (Community Service Facilities) states: 'Community service facilities are facilities which provide service to a local community organization. These may include governmental services such as police and fire stations, elementary and secondary daycare centers, schools and community centers, and churches.' Section 7.1 of Article III (Standards) states: 'Community service facilities are allowed anywhere in the County, provided all requirements of the Code are met, if it is determined that: the proposed facilities are necessary in order that community services may be provided for in the County; the use is compatible with existing development in the area and is compatible with development permitted under the Code.'

"Ordinance No. 2000-12 (Community College District Land Use and Zoning Regulations), Land Use Table identifies churches/religious institutions as an eligible use within the Institutional Campus Zone."

Mr. Larrañaga reviewed the associated Code regulations regarding this development and stated that staff reviewed existing conditions, adjacent properties, parking, access, signage, architectural standards, water, fire protection, liquid waste, landscaping, and archaeology. Regarding terrain management the following conditions shall apply:

1. Approved silt control measures shall be in place prior to the start of construction.

~~COMMISSIONER HOLIAN: I move for approval of CDRC case
MP/PDP/DP 10-5330.~~

~~COMMISSIONER STEFANICS: Second.~~

~~CHAIRMAN MONTOYA: Motion by Commissioner Holian and second by
Commissioner Stefanics.~~

~~COMMISSIONER HOLIAN: With staff conditions.~~

~~CHAIRMAN MONTOYA: With staff conditions. Any discussion?~~

~~The motion passed by unanimous [4-0] voice vote. Commissioner Vigil was not present for
this action.~~

7. **CDRC Case # Z-10-5360 St. Francis South Business Park**. J.O.E.B. LLC (David Gurule), Applicant, Jenkins/Gavin Consultants, Agent Request Master Plan Zoning Approval for a Mixed Use Subdivision (Commercial, Residential And Community Service) consisting of 22 lots on 68.94 acres and approximately 760,000 square feet of buildings at full build-out. The development will be completed in four phases. The Property is located at the southwest corner of I-25 and St. Francis Drive, within Section 11, Township 16 North, Range 9 East. (Commission District 4) Vicki Lucero, Case Manager.

MS. LUCERO: Thank you, Mr. Chair. On September 16, 2010, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the request.

The Applicant requests Master Plan Zoning Approval for a mixed-use subdivision consisting of 22 lots with up to 760,000 square feet of buildings on 68.94 acres. Uses will include a combination of office, community service, retail, warehouse and residential, for a complete use list refer to Exhibit A. Lot sizes range in size from 1.04 acres to 2.90 acres. A 14.61 acre open space area will also be included, as well as a 3.05 acre area designated for a wastewater treatment system.

Article III, Section 4.2.1.d.2 of the County Code states "Proposed mixed-use developments are allowed to locate anywhere in the County, except that the location of any specific commercial or industrial non-residential use area designated by such proposals shall be subject to the purposes and intent of Subsections 4.2.3 and 4.1."

This application was reviewed for existing conditions, adjacent properties, access, traffic, water, fire protection, liquid and solid waste, terrain management, archaeology, signage and lighting, parking, open space and trails.

Recommendation: Staff has reviewed this Application and makes the following findings to support this request: the Application satisfies the submittal requirements set forth in Article V, Section 5.2.2; the Application is comprehensive in establishing the scope of the project; the proposed Master Plan meets the criteria set forth in the Land Development Code; the Application is in accordance with Article V, Section 5.2 of the County Land

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Development Code.

Staff recommendation and the decision of the CDRC is to recommend Master Plan Zoning approval subject to the following conditions. May I enter those conditions into the record?

COMMISSIONER VIGIL: You may.

The conditions are as follows:

1. All redlines comments must be addressed.
2. The Applicant must seek approval from the CDRC to allow the eastern driveway to exceed 500 feet.
3. The western driveway shall be constructed at phase II.
4. A TIA will be required with future phases I, II, III, and IV to ensure that offsite improvements are addressed for the development.
5. Speed change lanes and tapers are required as per the TIA.
6. Future TIA shall address St. Francis Drive/Old Galisteo Road concerns regarding the feasibility of a signal light or a round-about.
7. The Applicant shall provide turnarounds with a driving surface of a minimum of 120' diameter at all dead ends servicing internal lots.
8. Supporting documentation for the drainage calculations consistent with the requirements of the NMDOT's Drainage Design Criteria, 4th ed. and Ordinance No. 2008-10 must be submitted at Preliminary Plat/Development Plan stage.
9. Drainage control infrastructure plans with sufficient detail to define construction specifics for that infrastructure having a direct impact on NMDOT facilities shall be submitted at preliminary plat/development plan stage.
10. A map showing the complete drainage basin contributing flows to and within the site shall be submitted at preliminary plat/development plan stage in accordance with Ordinance No. 2008-10.

MS. LUCERO: Thank you, Madam Chair. Staff would like to recommend one additional condition as follows:

11. In order for this development to qualify as "mixed-use" it must contain a residential component. Therefore, the first phase of the development shall have a residential element to be determined by the Applicant and the appropriate County Staff. [Condition removed at motion]

Thank you, Madam Chair and I will stand for questions.

COMMISSIONER VIGIL: Thank you. Are there any questions for Vicki?

Seeing none, is the applicant here? Please, would you be sworn In. Jennifer, are you going to speak on behalf of the applicant?

{Duly sworn, Jennifer Jenkins testified as follows}

JENNIFER JENKINS: I am.

COMMISSIONER VIGIL: Does he agree to all the terms and conditions as stated by staff?

MS. JENKINS: Most of them, which we will get to.

COMMISSIONER VIGIL: Okay, please proceed.

MS. JENKINS: Thank you. Commissioners, my name is Jennifer Jenkins and

this is Colleen Gavin. We are Jenkins Gavin Design Development and we are here this evening on behalf of the applicant, Dave Gurule and Ernie Romero and also part of our team is Mike Gomez, with Santa Fe Engineering Consultants who is our civil and traffic engineer on the project. And I'm going to keep it as brief as possible considering everybody is looking down the barrel of the holidays.

As Vicki mentioned we are requesting master plan approval for a large-scale mixed-use project at a 69-acre parcel at the southwest quadrant of St. Francis Drive and I-25. In September the CDRC recommended unanimous approval of our application. So I'm going to go ahead and approach and show you some visuals and go through just the highlights and key points on our proposal.

This here is the subject property. Again, it is just shy of 69 acres. This is I-25, the St. Francis interchange. St. Francis dead-ends into Rabbit Road. So everybody, I think, is oriented to where we are. I'm going to zoom-in, this is zoomed in on the subject property. It has actually very gentle nice gentle rolling terrain and it is in the Sustainable Land Development Plan that was recently adopted. This property has a couple of designations that I believe are pertinent to our existing request. One of which is this in Sustainable Development Area 1, which is the highest priority for growth. And, secondly, this is identified as a Regional Center. Regional Center contemplates retail, employment center, mixed-uses, and things of that nature. But I would consider Regional Center kind of the highest intensity type of designation that the Sustainable Land Development Plan contemplates.

We are proposing a mixed-use subdivision. Our master plan here contemplates about 22 lots ranging in size from just over an acre to just under three acres. We show two access points off of Rabbit Road with a loop road that would serve the project and we're contemplating four phases of development starting on the east side and working our way to the west side. The project has a significant amount of open space here that is reflected in green. We are showing a 100-foot buffer from the Rabbit Road right-of-way because we have an existing neighborhood so we are very cognizant of the existing neighborhood that we part of. Our goal here is to buffer our activities as much as possible and as we move forward with design guidelines and things of that nature really keeping in mind the residential nature of this neighborhood while at the same recognizing that we're on I-25 and St. Francis Boulevard, a major arterial and an interstate which really presents fantastic opportunities from a standpoint of economic development for Santa Fe County. We have excellent access.

We have excellent visibility and at the same time over here we have an existing neighborhood so it is a wonderful site. It's a challenging site but we believe that we can do something here that really works for the County in terms of the County's own economic development goals but also is respectful of our neighbors.

One of the really wonderful features of this property is the terrain. It's very gentle. It's very easily developable but we have a natural ridge that runs right here and then the property slopes down towards I-25. So when you're standing here looking north you can't see what's over here. So as buildings are constructed whether they be office buildings or other types of uses are constructed here the terrain really provided a wonderful natural buffer for those activities that really want to relate more to I-25 in terms of visibility. And, again,

the 100-foot buffer here in terms of preserving this existing vegetation is going to have a wonderful impact as well as the open space here and 100-foot buffer here along the I-25 right-of-way.

We also conducted two neighborhood meetings. One in August, prior to going to the CDRC and we had a second neighborhood meeting in October prior to coming to the Board of County Commissioners. We had maybe, anywhere between four and seven neighbors in attendance at each meeting. We discussed a variety of things. We talked about access. We talked about uses and we think we had a very productive dialogue and never really received what we deemed as strong objection to the concept of what we're proposing. More was looking at how we're going to handle the lighting, and how are we going we to handle traffic, and how are we going to handle some of types of issues. So I think we had a really productive dialogue in those meetings.

So let's talk about the access. Again, we are proposing two access points on Rabbit Road. We submitted a traffic impact analysis that was submitted, reviewed and approved by the County's Public Works Department as well as the Department of Transportation. And, our recommendation for roadway improvements were covered there so we are proposing and I'm going to have a little drawing that I'm going to show you, that talks about the improvements to Rabbit Road that we are proposing that includes turn-lanes, medians, landscaped medians, bike lanes and things of that nature. We're also proposing a trail that gets built in this huffer that will connect to the new rail trail extension that stops right here at Rabbit Road. So we're creating a connection opportunity to that rail trail system.

As part of our first phase, we're proposing to construct just this eastern most entrance and we would have a temporary emergency turnaround here and then as we move into phase two, we will be constructing the remainder of this. So once we construct the whole thing, this eastern portion here will be limited to right-in/right-out only movements and this will become our full access.

With respect to utilities, we are proposing to extent a 12 inch county water line from Campos Conejos – are you guys familiar with the Campos Conejos Subdivision that is just south of I-25? It's off this map but it's located just over here, just south of I-25 and we would extent a 12 inch water line what is called Old Agua Fria Road to Rabbit Road to serve the project. We have been working very closely with Patricio Guerrerortiz, the Public Utilities Director, to make sure that the property can be adequately served. And we do have a statement in your packet from him to that effect.

Which respect to wastewater, Mr. Guerrerortiz would prefer, he wants to, you know, pursue something possibly with the City where we can send our effluent across the street into the existing infrastructure in Rodeo Business Park. But that is going to need, you know, we're working with him on that. But we also have an area set aside for on-site wastewater treatment and we'll be reusing all the water for irrigation on site. We are prepared to accommodate it on site if necessary but if we have an opportunity to have it taken care of municipally, then that is what we will do.

And, lastly, I would like to address the new condition that staff has requested that pertains to the phasing of the project and the request that our first phase have a residential

component. We are extremely concerned about this condition for several reasons. First, there is not a code requirement that says a mixed-use project must have a residential component in their first phase. That's my first concern. My second concern really is about geography. The first phase of the project in this area is really the worst place to put a residential element on this property. This is closest to St. Francis Boulevard. It is one of the more prime commercial areas from a marketing standpoint. And, frankly, in this economic climate, we really believe in this project and we really believe this project is going to attract employers and is going to be really again, dovetail beautifully with the County's own economic efforts. We need flexibility to attract users. To make sure the first phase is successful and gets off the ground so that we can construct significant infrastructure to serve the project as well as this part of the County. I'm not saying there won't be a residential component in the first phase. Say there's senior housing for example. We thought this site might be beautiful facility and maybe they would love that location. We need the flexibility to negotiate with users and make sure that the project is viable and successful. So imposing that type of condition creates a restriction that can really hamper our ability to do that. I respectfully request that this project be approved without that new condition. But we are in agreement with all the other conditions that staff has requested.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Anaya then Commissioner Stefanics.

COMMISSIONER ANAYA: Could you read that last condition again?

MS. LUCERO: Mr. Chair, Commissioner Anaya, it's in the staff report as condition number 11.

COMMISSIONER ANAYA: Okay, thank you.

CHAIRMAN MONTOYA: Commissioner Stefanics and then Commissioner

Vigil.

COMMISSIONER STEFANICS: Thank you and this is back to the developer. I'm sorry what is your name again?

MS. JENKINS: Jennifer Jenkins.

COMMISSIONER STEFANICS: Jennifer Jenkins, thank you. At what phase would you be doing any improvements to Rabbit Road?

MS. JENKINS: In the first phase.

COMMISSIONER STEFANICS: So before you start your building in your phase one or concurrently or --

MS. JENKINS: The infrastructure will come first. So we will come in for a development plan and subdivision plat application to the County for phase one to create the lots that we're proposing and to provide all the civil drawings for the roadway and improvements on Rabbit Road, utilities and everything. That will happen first and then you'll see building permit applications for the buildings on those individual lots afterward.

COMMISSIONER STEFANICS: And, Mr. Chair, have you done a traffic study on the amount of traffic on Rabbit Road currently?

MS. JENKINS: Yes, we absolutely have and Mike Gomez speak specifically to the existing traffic on Rabbit Road and the significant improvements that we're proposing

to mitigate the additional traffic that we will be adding.

COMMISSIONER STEFANICS: The current Rabbit Road does need major improvement so I'm very interested in Rabbit Road being improved. I do know that more people every week are starting to use that as a venue. I just am interested that we not -- as people get used to a thoroughfare if it's blocked for construction then it's going to upset some people.

MS. JENKINS: We will have traffic control plan, nothing that we're doing will absolutely block traffic. We will always be permitting traffic to move through. There may be some days that it's a little slower than others but we will not be absolutely blocking traffic. We actually can't. We will be making sure that there are lanes of passage while we're working on this side we'll divert all the traffic to this side, and when we're on this side we'll divert to this side. There will be a full traffic control plan that will be submitted for approval by the Public Works Department.

COMMISSIONER STEFANICS: And the other question I have is what type of residence were you going to build, eventually?

MS. JENKINS: You know, what we're believing that this site would be appropriate for this site, we're not envisioning large single-family semi-rural lots. We do not believe adjacent to I-25 that this is an appropriate use. We think in combination of this mixed-use environment of office buildings and other types of employments, again, I think senior center -- a senior housing facility I think could be a really good use. Possibly live-work, some higher density residential. Those are the types of uses as we are talking to the market and talking to potential users, those are the types of users that have expressed interest up to now.

COMMISSIONER STEFANICS: And, Mr. Chair, what phase were you intending to put the residential in?

MS. JENKINS: You know we aren't going to build it ourselves. It's going to be marketing those end-users to come and purchase lots and build that. But based upon my understanding of the site and my understanding of the market, I think you could see residential in phase two and we could see it in phase one. It's a tough thing to predict right now but I think it's very likely that we could see some residential uses in phase two.

COMMISSIONER STEFANICS: Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Holian and then Commissioner Vigil.

COMMISSIONER HOLIAN: Thank you. Do the developers have a track record in mixed-use development?

MS. JENKINS: The owners of the property have a long track record of different types of real estate ventures here in Santa Fe. I can't speak directly to mixed-use but they are not the actual users so we are looking at people coming in and owning their lot and building their facility in accordance with the master plan and the approvals and the entitlements that we receive. And so they are not actually going to be doing the sticks and bricks.

COMMISSIONER HOLIAN: I see. So how many lots do you anticipate

creating in phase one?

MS. JENKINS: In phase one, I believe it's five. And one of the reasons that we have the lot layout right now the way we do is that it allows flexibility. For example, it is six lots, so phase one is six lots right here. What these six lots allow us to do, for example in these lots right here it's a little over two acres. We could have the user say I really like this right here and I want to put my company's headquarters here but I need two acres. All we have to do is consolidate these. It allows for that type of flexibility. At the end of the day, do I think that we're going to have 22 different facilities out here? No, I do not. I think it's going to be a lot less.

COMMISSIONER HOLIAN: Okay, thank you. Do you know that, are you aware of that on the side of Rabbit Road there is a property that has a whole lot of junk cars on it?

MS. JENKINS: Yes.

COMMISSIONER HOLIAN: Have you been in contact with that owner?

MS. JENKINS: You know I have not. Mr. Gurule lives in the neighborhood across the street, actually, and he knows his neighbors really well and I don't know – have you had any communications? [Mr. Gurule nods in the negative.] No we haven't.

COMMISSIONER HOLIAN: We have been trying to work with him to have a lot of the cars removed but it's a slow process. I don't know that we can guarantee that they're going to be off –

MS. JENKINS: We understand and as I said it's the existing local color.

COMMISSIONER HOLIAN: I also wanted to ask you, you had mentioned that there's a pedestrian pathway where people could get to the rail trail and it goes through a couple of private property lots and I wonder if there's been any progress made with talking to the owners of those lots?

MS. JENKINS: I'm so glad you asked that question. Let me show you this first, what we are proposing, this is the adjacent property here. We are actually not proposing to put the trail on private property. There's a really generous shoulder of the Rabbit Road public right-of-way that will easily accommodate. The trail that will be on our property through the open space here and then we'll just divert it down; it'll be a little bit closer to the road just for that short stretch. And you can see here, this is a section of what Rabbit Road will look like after our improvements progress. So you can see we have the landscaped median in the center, we have the driveway on the edge and here we have a 14-foot corridor, essentially, adjacent right on the frontage of that lot next door to accommodate that little stretch of trail. So we're not infringing on any private property.

COMMISSIONER HOLIAN: Okay, terrific. And then I have one final question. Well, first of all I'll make a comment that I actually like the idea of having a wastewater treatment facility on the property because then you can reuse the water so actually that would be my preference. In any event, what kind of wastewater treatment facility; have you done any research on that?

MS. JENKINS: You know we have done some research just to make sure that we have the appropriate amount of land area set aside to accommodate it. That was our primary concern at the master plan stage. So we'll be definitely looking at a fairly intensive

treatment, advanced treatment plant so we can get the water to irrigable standards.

COMMISSIONER HOLIAN: Great, thank you very much.

MS. JENKINS: You're welcome.

CHAIRMAN MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Vicki, this is for you. Was there a compelling reason or an ordinance that you needed to cite for the purposes of recommending the residential component in phase one?

MS. LUCERO: Mr. Chair, Commissioner Vigil, staff's concern was basically that this was proposed as a mixed-use development which means that there's a residential and a commercial component to it. And mixed-use developments are allowed to locate anywhere in the County. We were concerned that if the project, if phase one got built out with strictly commercial and for some reason the rest of the project never got built-out then we would be stuck with a commercial development which is not allowed in this area. Strictly commercial is not allowed in this location of the County so that was our concern and the reasoning for that condition.

COMMISSIONER VIGIL: Thank you, Vicki and thank you, Mr. Chair.

CHAIRMAN MONTOYA: All right. Any other questions? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I just remembered something else as you were talking about Rabbit Road. Have you – I noticed that you have consulted with the DOT, did you, in fact, review the 25 year plan that the Metropolitan Planning Organization just approved as it relates to the I-25 and the St. Francis improvements.

MS. JENKINS: You know I am familiar with that plan but honestly, Mr. Chair, Commissioner Stefanics, I have not read it thoroughly.

COMMISSIONER STEFANICS: Well, you might want to get in touch with either Mark Tippets or Keith Wilson to actually identify what portions of our plan that we have put forward to the federal government as projects for the next 25 years and there is quite a bit of work that is going to be done to St. Francis.

MS. JENKINS: Thank you. I was actually aware of the improvements being proposed at the interchange and when we were interfacing with the DOT that did come up in our dialogue with them.

COMMISSIONER STEFANICS: Okay, thank you.

CHAIRMAN MONTOYA: Any other questions? I'd like to open this up for a public hearing. If there is anyone who would like to speak on this case, please come forward.

[Duly sworn, Baron Wolman, testified as follows]

BARON WOLMAN: Mr. Chair, Commissioners, I'm Baron Wolman. I live in a small-scale development across from what the proponents are calling a large-scale mixed-use development. Five minutes from my house, our houses, are two gas stations, two mini-marts, and two fast food restaurants. Five minutes from our developments is the big development on Zia Road with Albertson's and Walgreen's and all that stuff.

A large mixed-use development in our small-scale development, most of – the entire

area is small-scale development with single-family homes everywhere; it's going to have a huge impact on us. There's just no way around it. We're going to see it. We're going to hear it. We're going to feel it. We don't need for example things like mini-marts. We don't need any more gas stations. We don't need a truck stop. In fact, I don't even know why we need office buildings because I went across I-25 and looked at all the office buildings over there and there's unbelievable amounts of space for rent and lease. So I don't understand the need for this development actually. And, actually, I don't really like the development but I understand that people own property and they can develop it.

I don't understand how the neighborhood itself is going to benefit from this development. There is nothing that they're proposing that they're proposing that they're going to put in there that we need or that we would use. We don't need a senior citizen center. We don't need. We don't need – I don't know what the homes are going to be like, what the residential area is going to be like but I assume it's going to be apartment and things like that and that totally changes the nature of our entire neighborhood. And those of you who have been there, you know. I don't see it's actually going to benefit Santa Fe at all other than the tax income and things like that. It just doesn't feel right. This whole development is so massive in the face of such small scale living that I'm – it just doesn't feel right. And I'm – I don't see the need for it.

The one thing that I'm puzzled about is that the applicant is saying we're not going to do anything here. We're not going to build anything here. We're just going to sell it off. So where is there involvement? Where is their part for something that is going to affect so many of us so greatly? They're just going to sell it to anonymous buyers and that doesn't feel right either.

I don't know on balanced needs and I wrote a letter already that says I'm not really in favor of this development as they have described it. I just have to say it doesn't feel right. It just doesn't feel right. Thank you.

CHAIRMAN MONTOYA: Thank you. Anyone else like to come forward to speak on this case please come forward, be sworn in and state your name and address.

[Duly sworn, Sam Hitt, testified as follows]

SAM HITT: My name is Sam Hitt and I live at 48 Old Galisteo Way about a mile from the proposed development.

I have several concerns. Let me just start with the trail. Staff report says that this is a pathway that leads to nowhere. And that the trail would force people to use quote the heavily used and dangerous Rabbit Road. So if you have the map in your packet then perhaps you can see that when the trail gets toward the rail trail it's forced into the shoulder of Rabbit Road. That is heavily used now and of course will be more heavily used in the future. So, I'm concerned that if this – I think you should make a condition of your approval if that's what you want to do tonight, that an easement would be required through those private properties so there could be actual safe connection to the rail trail from this proposed trail.

I think that I have some similar concerns of Mr. Wolman. I think a lot of the neighbors where I live are familiar with the business park that's on Rodeo Road and we like the unified look there. The proposed development being sold off piece by piece in various phases will not have that. I'm not sure what authority you have to require the developer to

have a unified architectural look to the property but we think that would be a very good idea.

I'm just not familiar with why the density can be so great where the lots can go down to just over one acre for example. But it certainly seems too dense to us. We would like to see more open space. Right now there's about 25 percent of the land as open space. We'd like to see perhaps 50 percent.

Also, water use that was not discussed, but in the staff report and in the materials that I reviewed a figure of 40 acre-feet per-year was mentioned as possible use. That seems excessive so I think approval should be granted on the condition that businesses that are low water users use the property.

Also, I understand that the study has not been done. The geohydrology study has not been done and that is a code requirement and I think that should be done before approval.

This is going to be a big development. It's going to change our neighborhood a great deal. It's going to increase traffic tremendously. We would like to see in the spirit of the Sustainable Growth Management Plan that local businesses be favored in the property. Again, I don't know what authority you would have to require that but that would certainly make it better in our eyes.

On the question about the condition of residential use, it's just a bit confusing to me because in the Sustainable Growth Management Plan the area is designated mixed-use non-residential and as a regional source. Mixed-use non-residential what does that mean? That to me, means that there's not residential as part of the mixed-use and perhaps I'm just not reading things right but I don't understand that problem. I think that's about it. Thank you very much.

CHAIRMAN MONTOYA: Thank you. Please come forward, next.

[Duly sworn, Shawn Sweeney, testified as follows]

SHAWN SWEENEY: Mr. Chair, my name is Shawn Sweeney and my address is 214 Rabbit Road. I also represent my parents, Ed and Frances Sweeney at 216 Rabbit Road. Rabbit Road as what it is now. It's been Route 3, Route 7, Route 9 over the years that the County has changed it.

We have seen a lot of change in the decades that we have lived there and I would like to say that I have found the developers to be listening people. They have indeed answered my questions when I've put forward to them.

I would like the Commissioners to consider the chickens, pigs, sheep, horses, goats – the very rural lifestyle that we lead facing this development. I appreciate that the developer has put a 100-foot greenbelt between Rabbit Road and the start of the development. But, unfortunately, if you look at the plat lots I believe, 15, 19 and 20 are not helped by what the developer described as favorable geography. They face us directly.

When you hear words like "regional center" and "high-intensity" we do realize that there will be change but again I would like to ask the Commissioners to keep in mind the rural nature of the area being developed and the residential nature. Thank you.

CHAIRMAN MONTOYA: Thank you. Come on forward.

[Duly sworn, Don DeVito testified as follows]

DON DEVITO: Hi, my name is Don DeVito and I want to take this opportunity to thank the Commissioners for approving the rail trail area in Rabbit Road. It's

been a huge benefit to the community and I really would encourage continued improvement of that rail trail as a community asset.

I live right across the street from the proposed development and I also work as a real estate broker so I try and walk the line of what is good land use and good development while maintaining and respecting what's already there. And what you're looking at here if you go to your maps, you're creating a commercial use bulge if you will into a rural residential area. That's fine. That's change and we can learn to live with that provided it's planned accordingly.

What I would favor, what I can live with, is something that earlier commented on where you've got some continuity which what's already across I-25 in the Rodeo Road Business Park. I-25 has always been a natural demarcation. South of I-25 was rural residential, 2.5 acre lots, horses, donkeys, chickens, mobile homes and custom homes. With this development now we're headed into a new frontier, if you will, where you're extending that commercial development across I-25 into what historically has been rural residential. They're opposed that but I ask that you think carefully about the conditional uses. And what I would not like to see are things like gas stations, retail or anything of a 24/7 nature. So I land on what's a compromise? Professional offices, churches, schools, maybe a community center just something that is not there 24/7. That's all I really have to say. Thank you for your consideration.

CHAIRMAN MONTROYA: Anyone else like to speak on this application.

[Duly sworn, Ernie Romero, testified as follows]

ERNIE ROMERO: Mr. Chair, members of the Commission, my name is Ernie Romero. I live at 35 Camino Monte Feliz in Santa Fe. And I wasn't planning on speaking because there are other people here who can speak on the specifics of this project a lot better than I can.

I just wanted to make a comment that when we first got the opportunity to look at this project it had a great amount of appeal to me. I've been here all my life. But to be involved in a viable commercial mixed-use project in the County was pretty interesting me because I've always seen all of that happen in the City where the City benefits from all of the gross receipts taxes and so forth and yet the County provides a lot of the housing which doesn't – but you don't get the benefit of the gross receipts taxes to support what you have to do here. So a project in the County that's viable is very appealing to me.

There are other mixed-use projects in the County but nothing that is so obvious that a mixed-use commercial development could take place. Because of its frontage along I-25 and St. Francis Drive. I really am proud to be part of a project that can provide jobs and economic opportunity to the citizens of Santa Fe County and people that live there and work there we're all the same. We're all just part of the greater Santa Fe area.

There's been some statements that all we would do is get it zoned and get the infrastructure in and start selling off parcels. That's not entirely true. You know, we'll be looking at doing some build-to-suit. We'll be looking at possibly moving our office there. We would do joint ventures with people. We have a track record. I've been in this business for 25 years and I have many projects under my belt in Santa Fe, Albuquerque, and in all of our neighboring states. We're here and we're here to stay. I just want to say that this will be

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a good project and we really appreciate your consideration.

CHAIRMAN MONTOYA: Thank you. Anyone else wish to speak on this application? Okay, the public hearing is closed. Final comments.

MS. JENKINS: Just a few final comments. I just want to address a couple of things really quickly. I really appreciate the comments made about what – about maintaining some architectural integrity and continuity in the project. That's absolutely our vision as well. So as we move forward with our first phase, we will be developing design standards. We'll have CC&Rs that will have architectural standards and we will possibly have different standards depending on which lot a facility is being constructed. Depending on how visible is that lot from the people across the street. That's one of the things that we're looking at. So strict architectural standards, we absolutely believe in that and I'm really glad that Mr. Romero addressed their involvement. And Rodeo Business Park across the street, we do see that to some degree as a model. As a matter of fact, this property used to be owned by the original developers of Rodeo Business Park and Rodeo Business Park has developed well over the years but all of those parcels are individually owned. All of those facilities were built by the users of those parcels and so that pattern of development there is really seen as a model for what we're doing but we want to do it better. We want to have that mixed-use component that we think is really important especially as part of this existing neighborhood.

I think that's all I have now. I'll be happy to stand for any questions.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: Jennifer, would you be willing to take all 24/7 businesses off the use list?

MS. JENKINS: You know what my preference would be and I appreciate the concerns about that, and my preference would be to address that when we come in for our first phase because the marketing effort in terms of the types of users and the types of facilities that we may be attracting that's really going to kick off assuming that we receive our entitlement this evening. So we'll be in a better position to respond to that once we are coming in with our first phase and say these are the users and really see if that is even – I don't think that that is going to be an issue frankly based on this site. But I would just ask for the opportunity to address that specifically when we come in with our first phase.

COMMISSIONER HOLIAN: And, another condition, well I don't know if this is a condition so much as just asking you to at least look into whether you could put the trail across the properties next door?

MS. JENKINS: We would be happy to reach out to that property owner. You know, it's only about 260 feet. It's a very short stretch and I appreciate the concerns about safety. We would be happy to reach out to that landowner and see if they are open or willing. I do know that it gets to be kind of a liability issue for an independent – for just a person who owns their home and lot there to have a public trail on their property. And if I owned that house that would be my primary concern. But I can tell you that we will absolutely reach out to that landowner and see if we can possibly come to an arrange with them.

CHAIRMAN MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thanks. I have a question for clarification purposes from staff and Vicki this might be for you but Jennifer I'll probably ask you some

too. With regard to the request that's before us, it's for master plan specifically; correct.

MS. LUCERO: That's correct.

COMMISSIONER VIGIL: But this project is going to be phased in. Does that mean that each phase will come to us for preliminary and final?

MS. LUCERO: Mr. Chair and Commissioner Vigil, each phase will be coming back to the Board for preliminary and final plat approval which is actually subdividing the lot. The development plan for actually constructing the commercial or residential buildings on the site will just go to CDRC. But for plat approval it will come back to the Board for each phase.

COMMISSIONER VIGIL: Okay. The architectural integrity that wants to be protected by the agent, is that something that we would have to put as a condition of approval in master plan or can it be done in preliminary?

MS. LUCERO: Mr. Chair and Commissioner Vigil, it should be – when they make application for preliminary they'll have to support any kind of restrictive covenants that they plan on having and at that point they'll address any architectural standards that they see appropriate. If there's something at that point that the Commissioners would like to add, I think that that would be the more appropriate time.

COMMISSIONER VIGIL: The other question is more a technical question. How close is this property to the contiguous requirement for annexation with the City do you know?

MS. LUCERO: Mr. Chair, Commissioner Vigil, I do not know the answer to that. I don't know if Jennifer does.

MS. JENKINS: I-25 right-of-way was annexed as part of the phase one annexation so we are directly adjacent. But this property is subject to the 20-year limitation on annexation per the settlement agreement from May of 2008.

COMMISSIONER VIGIL: So it's in phase three or something?

MS. JENKINS: No, this property cannot be annexed. It is not part of the presumptive City limits. This is County property and it is not even eligible for consideration of annexation for 20 years, actually 18 now.

COMMISSIONER VIGIL: Okay, thanks for clarifying that, Jennifer. I have no further questions.

CHAIRMAN MONTOYA: Okay, the public hearing is closed.
Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I would like to move for approval of CDRC Case Z 10-5360 with staff conditions but removing number 11. Also, I would just like to urge you to investigate whether you can get an easement across the neighboring property for the trail – I won't put that as a condition. And, also, to work on for the preliminary plat phase to work on covenants that provide a uniform architectural look for the property. And, also, to be favorable towards local businesses.

COMMISSIONER ANAYA: Second.

CHAIRMAN MONTOYA: Okay, motion by Commissioner Holian and second by Commissioner Anaya. Any other discussion?

The motion passed by [5-0] voice vote.

COMMISSIONER VIGIL: Clarification, Mr. Chair. Were those conditions of approval?

COMMISSIONER HOLIAN: No. I wasn't really adding them as conditions it was more of requests.

COMMISSIONER VIGIL: Okay, so those conditions can be addressed at preliminary. Thank you.

CHAIRMAN MONTOYA: We're going to move to item 11.

11. CDRC Case # Z/DP 09-3132 PNM Caja del Rio Substation, Public Service Company of New Mexico "PNM" (Jeanette Yardman), Applicant, Requests Master Plan Zoning/Preliminary and Final Development Plan approval for the construction of the Caja del Rio Substation on 2.4 acres. The substation is needed to serve the City of Santa Fe/Santa Fe County Buckman Direct Diversion Water Pumping and Treatment Facilities, and future growth in the area. The project will consist of the substation, installation of two tap structures approximately 45 feet in height, and an interconnection with PNM's existing 115k V transmission line. The property is located at 11 W. Caja del Oro Grant Rd., within Section 22, Township 17 North, Range 8 East (Commission District 2). Wayne Dalton, Case Manger

CHAIRMAN MONTOYA: I'll ask Steve Ross for some comments on this case.

MR. ROSS: Mr. Chair, I think we're going to ask for this case to be tabled for a month to allow us to work out some arrangements that began yesterday. Mr. Leyba who is a member of the community that's affected by the proposed substation there on Caja del Rio and County Road 62 has proposed an interesting suggestion yesterday which we are working on with PNM and the Buckman Direct Diversion Board. The suggestion is this, that the proposed substation be moved from its current proposed location at Caja de Rio and County Road 62 west down County Road 62 about 1,500 feet, 500 yards, which would put it below a rise that exists in the natural topography over there closer to the landfill and hopefully mostly out of sight for the community as it has been concerned about the effects of the substation on their neighborhood.

There are a number of technical issues that still need to be resolved. One is that we need to verify that the City actually owns the property where the station would be moved to. Remember, the proposed substation is going to be located on City property. There's maybe some technical issues that need to be worked out. They need to take a long at a new site, select a new site, and do the engineering on that site plus they would need to amend their application so that it can be brought back to you next month with a new location specified and all the other necessary details. Plus, they need to look at the cost for purposes of

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[The Commission recessed from 5:53 to 6:06.]

7. **PUBLIC HEARINGS**

a. **Land Use Cases**

- iii. **BCC Case # MIS 10-5361 Saint Francis South Master Plat Authorization. Vegas Verdes, LLC, Applicant, Requests Authorization to Proceed with a Master Plat for the Creation of Twenty-Two (22) Mixed-Use Lots on 69 Acres More or Less. The Property is Located on Rabbit Road, via St. Francis Drive, within Section 11, Township 16 North, Range 9 East (Commission District 4)**

CHAIR MAYFIELD: Commissioners, thank you. We are going to convene our public hearing and we had two earlier cases that were tabled.

VICENTE ARCHULETA (Case Manager): Thank you, Mr. Chair. Vegas Verdes, LLC, Applicant, requests master plat authorization for the St. Francis South Large-Scale Mixed-Use Subdivision, which was approved by the Board of County Commissioners at their meeting of December 14, 2010. Approved uses include a combination of office, community service, retail, warehouse and residential.

The proposed request is for up to twenty-two parcels ranging in size from 1.0 acre to 5.45 acres, with an average size of 2.23 acres. The project will be developed in four phases of approximately five to six lots per phase to be developed over a period of 8 to 10 years. The County Land Development Code provides a process that allows an applicant the option of submitting a master plat instead of a standard subdivision that specifically defines the lot and road layout.

Article V, Section 5.6.1 of the Code states, In commercial, industrial or high density residential subdivisions which are to be developed in phases or in cases where a condominium proposes to convert to a subdivision, the Board may delegate authority to the Land Use Administrator to administratively approve a specific lot layout plan when it determines that due to the size, scale or marketing requirements that approval of a plat with a specific lot layout is in the best interest of the County and developer.

Before seeking master plat approval, the developer must file a petition with the Board requesting that it be permitted to obtain approval pursuant to this Section. If the Board approves the petition, the application will be reviewed by the CDRC and the Board for preliminary and final plat approval which will then be referred to as the master plat.

The applicant states: The master plat authorization is requested to allow the Land Use Administrator to administratively approve lot line adjustments and consolidations as may be necessary to accommodate the needs of future users.

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: Authorization to proceed with a master plat for the creation of

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twenty-two mixed-use lots on 69 acres for the St. Francis South Large-Scale Mixed-use Subdivision. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Mr. Archuleta. Are there any questions of staff and I have Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Mr. Archuleta, I have in the packet some language that is a little confusing to me or doesn't quite line up as far as the use. On page 2 of your summary it states that the code allows for commercial, industrial or high density residential subdivisions which are to be developed in phases and then it goes on to say in the cases where a condominium proposes to convert a subdivision. So the language I'm focusing on or concerned with is the commercial, industrial, or high density subdivision in this summary, and then if you go to Exhibit 3 the language changes slightly and it says that the applicant is requesting master plan and zoning approval for a mixed-use subdivision, and then in parentheses it reads, commercial, residential and community service. So how do you reconcile those two permitted land uses – commercial, industrial or high density residential, versus commercial, residential and community service?

MR. ARCHULETA: Mr. Chair, Commissioner Chavez, I think maybe Vicki can answer that question.

VICKI LUCERO (Building & Development Services Manager): Mr. Chair, Commissioner Chavez, because there is a commercial component and a large-scale or a high density residential component to this application staff felt that it did meet the intent of the code section to allow for master plat authorization.

COMMISSIONER CHAVEZ: But why the different language then? It would have been better for me if the language would have been more consistent, I guess, in the two documents.

MS. LUCERO: Mr. Chair, Commissioner Chavez, the language in Exhibit A is what the applicant was proposing as part of their master plan request, which was approved back in 2010 so it is slightly different from the exact language in the code but it does both refer to high density residential and commercial developments.

COMMISSIONER CHAVEZ: So if I refer to Exhibit 3 is that – would that be more accurate, with those conditions and those permitted uses be more accurate? Or would they apply more than the language on page 2?

MS. LUCERO: Mr. Chair, Commissioner Chavez, the language in Exhibit 3 is exactly what was approved as part of the master plan request.

COMMISSIONER CHAVEZ: Okay. So what's changing – what will change today then with this request?

MS. LUCERO: Mr. Chair, Commissioner Chavez, the request before you is just it's basically a procedural request. Rather than to submit an application for preliminary and final development plan and plat to the BCC the applicant is requesting that the BCC basically grant the final authority to the Land Use Administrator in order to adjust lot lines so it doesn't have to keep coming back to the Board every time a new buyer comes in with a different lot configuration.

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COMMISSIONER CHAVEZ: So then I could point to these specific land use uses, commercial, residential and community service? Those would be the parameters that we will be discussing for tonight.

MS. LUCERO: Mr. Chair, Commissioner Chavez, yes. The use list was actually approved as part of the master plan application in 2010, so this is just a procedural issue as to how they want to have their plat approved.

COMMISSIONER CHAVEZ: Okay. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Thank you for the presentation. Is the applicant aware of the northeast connector plans that are going forward?

MR. ARCHULETA: Mr. Chair, Commissioner Stefanics, yes, they are.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: Commissioner Holian, I apologize for the oversight. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Vicente, how long does master plat authorization last? In other words does it ever expire, like master plans can?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, I don't believe that they expire. I think they can continue as long as the process is going through.

COMMISSIONER HOLIAN: Okay. And the other question I have is about the water supply for the development. It was mentioned in here that it would become part of the County utility. Has that line been installed out there on Rabbit Road?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, no it hasn't. That's part of the – that will be coming up with the development at a later date.

COMMISSIONER HOLIAN: So the development will not proceed until the utility line is installed?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, I believe so.

COMMISSIONER HOLIAN: Okay. Thank you. Thank you, Vicente.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you. We all have a letter here *[Exhibit 4]* and I'll just – I'm not going to read the whole letter but I think this is where sometimes the land use cases are maybe not understood or just divisive at some times. But this is writing to urge in the strongest possible terms to prohibit any retail establishments on Rabbit Road. And I'll just leave it at that because it talks to the permitted uses and if the master plan is already permitted for those uses it's really hard to argue against them even though there may not be complete support for that and so the only thing I can think is that we communicate to the residents that the project is in compliance with what's allowed and they're not getting anything that is outside of the zoning and land use requirements that we have in place now. And I don't know who would communicate that. Will there be any meetings as you move forward with this project?

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MR. ARCHULETA: Mr. Chair, Commissioner Chavez, the applicant is going to speak a little bit about this. At this point this is irrelevant. This will be relevant when the preliminary plan is approved with the master plan. And when they come in with their development plan these issues can be addressed at that time, I believe.

COMMISSIONER CHAVEZ: Okay. Well, I just bring that up now because I think sometimes even though the master plan has already been approved it's not always generally accepted, because of the time that's gone by or whatever. And so it says that we always have to revisit that and re-educate ourselves about what's been approved, why and what the parameters are. So I just wanted – since this was before us I wanted to address it now and then we'll be discussing it as we move forward. Thank you, Mr. Chair.

MR. ARCHULETA: Thank you, Mr. Chair. The applicant is going to speak a little bit about the uses also so at this point I would like to defer any questions to Jennifer.

CHAIR MAYFIELD: Yes, applicant please be prepared to add and I don't know if you're an attorney so if you would be sworn please be sworn.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: My name is Jennifer Jenkins, with Jenkins Gavin Development and Design, 130 Grant Avenue, Suite 101 in Santa Fe, 87501. Good evening, Chairman Mayfield, Commissioners. I'm here this evening on behalf of Vegas Verdes, LLC in request for master plat authorization for the St. Francis South project. And just as a little bit of background, as Vicente mentioned, St. Francis South received master plan approval in December 2010 with a list of permissible uses that were commensurate with that master plan.

We have now – we are moving forward, which is very exciting for the county. This was always seen as a real economic development driver. That's really the key and opportunity that rests with this project for Santa Fe County. We have submitted a preliminary development plan and a preliminary subdivision plat application to Santa Fe County for showing the 22 lots that is consistent with what is reflected in the master plan, and that – those applications will be going before the CDRC in March and probably coming back before this body, I would expect probably in May of this year.

And that preliminary plat and development plan really addresses infrastructure. So for example, Commissioner Holian, this development plan application that the County is currently processing addresses water, addresses wastewater, road improvements, the whole nine yards. So once we have a preliminary development plan, a preliminary subdivision plat approval this spring then we will proceed with final development plan and then proceed with actually constructing the requisite infrastructure to serve the initial phase of the project.

Tonight the master plat, the sole purpose of this is for a project like this we don't know who all the users are going to be and what their needs are going to be, so we may have a little cluster, say, of four two-acre lots and somebody says, well, I need eight acres, so I want all four of those lots, but we need to consolidate them into one parcel. So with this master plat that enables us to go to staff and say, okay, we're moving forward with this section of the project with this user, whatever that may be, an office building, for example. But we need to consolidate those lots.

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The only thing this master plat does is gives staff the authority to say, okay, we can consolidate those administratively without spending more time, using this body's time for something like that. Or we need to adjust a lot line between a couple of lots. Somebody needs – there's a three-acre lot; they want a four-acre lot, so we'll make the lot next door a little smaller. So it just allows us the opportunity for marketing purposes as the project develops over time that we can accommodate the needs of the individual users.

So that is really our sole purpose here this evening. The master plat authorization, again, runs with the project, but we have submitted a formal preliminary subdivision plat already and so that is again, that is being reviewed by staff right now. And with respect to the permitted use list it covers everything from residential to office to community services and very limited retail. Maximum size of a building could be 5,000 square feet. And the vision really was is that the potential retail uses that could serve the users in that development, maybe a small, little PakMail that would serve the people who are there, or a small, little copy center or something like that. So we currently at this point have had no inquiries for potential retail users. It's not really a retail site; it's really not what this property is and what its highest and best use is.

And so we would just – and I think it's also really important to point out is that the proposed – every single one of our permissible uses that were approved by this body in 2010, virtually all of them are also permissible under the Sustainable Land Development Code under the proposed commercial zoning for this parcel. So not only is our proposal today and the development plan that is being reviewed right now by staff, not only are we consistent with our own master plan approval that this body approved but we also dovetail quite seamlessly with the Sustainable Land Development Code. So with that I'd be happy to stand for any questions. Thank you very much.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Ms. Jenkins. When do you plan to start with Phase I? And have you done any marketing for that yet?

MS. JENKINS: Oh, absolutely. The project is being marketed actively right now and we have a lot of inquiries. We actually have some letters of intent going back and forth which is very exciting, and that's why we have submitted our preliminary development plan because we need to be ready. And so we are moving at as quick of a pace as the County process will allow and we do anticipate that we would like to have the proverbial shovel in the ground out here on infrastructure here this fall, is our ideal picture.

COMMISSIONER HOLIAN: But what about water supply? Is the water main going to be ready?

MS. JENKINS: Well, that's part of putting the shovel in the ground. That's part of that process. As we're building and doing all that – that's probably the first thing we're going to do is build the water line.

COMMISSIONER HOLIAN: What about the wastewater treatment?

MS. JENKINS: We have two options with respect to wastewater and we've been working closely with the Public Works Department on this and we are pursuing a connection across I-25 so the County is asking the City to accept the effluent. There is already a sleeve under I-25 that was put there intentionally years ago and so there is access to the wastewater infrastructure that is in Rodeo Business Park on the north side of I-25. That's

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Option A and that is of course our first option, and I think it makes a huge amount of sense and it's gravity, they're downstream from us so that is our hope. That is the direction we're going. But in the alternative we – per our master plan approval we have the option – we have the space, frankly, to do onsite wastewater treatment should that become necessary.

COMMISSIONER HOLIAN: Okay. It does seem like Option A is the preferred option.

MS. JENKINS: Yes. Absolutely. I'm right there with you. So, yes, we are pursuing that actively, working through the Public Works Department.

COMMISSIONER HOLIAN: And the other thing I wanted to ask you about is the trail that goes – that sort of allows people not to have to walk along Rabbit Road. And then when this was considered in 2010 there was talk about in order to get to the Rail Trail you needed to cross a couple of other private properties. Have you done any investigation about working with those properties?

MS. JENKINS: We actually are in the process of doing that right now. There's only one property owner between our property and the railroad right-of-way, so that's good. There's a lot of terrain in there, so we have a variety of issues. We have approached those landowners about would they be willing to grant some easement so we can keep – it's a very short stretch where the trail would have to dip down into the right-of-way. Thankfully, it's a short stretch but I know it's not ideal. So we are in dialoguc with those homeowners to see if they a) are they willing to consider granting a trail easement, and b) is there really a feasible path to get from point A to point B, because there's quite a bit of terrain in there.

So when we come back this spring with the review of the preliminary development plan and preliminary plat before CDRC and then before this body, we will have that resolved.

COMMISSIONER HOLIAN: Okay. Great. Thank you, Ms. Jenkins.

MS. JENKINS: You're welcome.

CHAIR MAYFIELD: Are there any other questions of the applicant? This is a public hearing. Do we have anybody from the public wishing to comment on this case? Sir, please come forward and state your name for the record.

[Duly sworn, Baron Wolman testified as follows:]

BARON WOLMAN: My name is Baron Wolman and I live on Vereda Serena. I came and spoke against this development in 2010. I didn't like it then; I don't like it now. The question really is the effect this enormous development is going to have on really the entire area, thousands of people, hundreds of families, and not many people know about it. So I'm wondering, is there some kind of study that can be done or is it typical that a study is available that will show the effect of such an enormous – this is so out of scale with what's already there – upon the people who live in the area. Does the County do that? Can they ask for something like that prior to granting all kinds of – I understand what's being granted already but prior to letting this thing begin can the rest of us really find out how it's going to affect us somehow?

CHAIR MAYFIELD: Thank you. Mr. Ross, I know you're not in your chair, but the impact studies have all been complied with. Correct? Are there additional studies that the County typically requests?

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MR. ROSS: Mr. Chair, Vicki tells me they've complied with all requirements of the code, in terms of there's a number of things that are requested in connection with developments. So all that stuff is in.

MR. WOLMAN: I understand that they have complied with -- it's a small area that had to be notified of what was going on, and they did that and they're in compliance and I'm not saying that they aren't. But really, the effect of this upon everybody from Rainbow Village to Campo Conejo in every direction is going to be enormous and it seems as if many people aren't aware of it, number one, and since they aren't aware of it they're not here talking about it. And this is of course perhaps not the time, again, to argue against something that's already been approved. But it would be nice if we all had a sense of the entire area that's going to be affected, had some kind of sense of what this is going to mean to our lives which is going to be a radical, radical, radical change. Trust me, I know. I live there and I know what's going to happen.

So my request, really is is there such an opportunity for the County to ask for that in advance of providing the next step for them to develop?

CHAIR MAYFIELD: Thank you, sir. Is there anybody else from the public wishing to provide -- or any more comments?

[Duly sworn, Don DeVito testified as follows:]

DON DEVITO: Good evening. Don DeVito. I live in the area as well and I don't have a problem with the master plan, master plat going through. I think you'll find me commenting during the development plan as well as a lot of other people about concerns of potential uses out here. Two comments tonight that I wanted to bring out. One is this has historically been a rural residential area. Rabbit Road, up until four years ago was a dead-end road with 500 cars a day. Now we're the main artery between St. Francis and Richards Road with a car count of over 6,000, and there's been no road improvements or traffic calming measures done since this has happened.

So I would ask that before construction begins on Phase 1 or any of this that the road improvements and traffic calming measures the County requires are in place, and I'm sure they will be but I want to bring it up.

Second point tonight, we are a rural residential area. We do enjoy some night skies. We've already suffered from significant light pollution from headlights in the traffic count. So I would ask going forward that the applicant think about mitigating some of this light pollution. And one of the things in the order of December 14, 2010 was the idea of a turnabout, a turnaround, to mitigate the traffic at St. Francis and Rabbit Road. I think this is a good idea, as opposed to more signal lights or something like that. Because with a turnabout you can at least do some mitigation for headlight splash and that kind of thing. We're just trying to maintain some of the character of this area as this project goes through. Thank you.

CHAIR MAYFIELD: Thank you, Mr. DeVito. Is there anybody else wishing to provide public comment at this time? Seeing none, this part of the public hearing is closed. I'm going to still ask the applicant to still come forward, please.

MS. JENKINS: Thank you very much. I just wanted, as just a follow-up, something I actually intended on covering when I spoke earlier but neglected to do so. When

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we were moving forward with the master plan, over three years ago – it was probably four years ago now, we had a series of two neighborhood meetings to discuss the project. We talked a lot about uses, we talked a lot about traffic, we talked about all the various items that get discussed at such things. This project of course was vetted through staff, it was vetted through the CDRC and then obviously through this body. We over-notified. Within 100 feet of this property is like five landowners so we went above and beyond, recognizing that our neighborhood was far beyond the landowners within 100 feet of our property line. So we notified residents in the neighborhood on the east side of St. Francis, that whole residential neighborhood there. Of course we notified our neighborhood to the south. We notified neighbors to the west so we were very vigilant about our community interactions. We notified everybody prior to them receiving notice of this hearing we also notified everybody that we were proceeding with the preliminary plat and development plan, strictly related to our infrastructure needs. We notified everybody of that. We offered to meet with anyone who had questions and made ourselves available and we received nothing in return on that. So it's important for the Commission to know that we have made concerted efforts to make sure we were keeping our neighbors informed. So thank you. With that I'll stand for questions. Thank you.

CHAIR MAYFIELD: Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I just have a comment. Respecting that a prior Commission granted the approval and this is part of the process and respecting the recommendation of staff, there's always an opportunity as things progress to continue an open dialogue with the surrounding neighborhood so I appreciate that there's been prior efforts but there always needs to be continued efforts and communication as the process progresses. So that's my comment, Mr. Chair. Thanks.

CHAIR MAYFIELD: Thank you, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Ms. Jenkins, have you given any thought in your development to the night skies issue?

MS. JENKINS: Oh, absolutely. Obviously, right now we're not proposing any particular new construction, aside from infrastructure, but we recognize that this parcel is a very interesting transitional parcel. We are sandwiched between an interstate, which is a very intense use, and like they said, a rural residential neighborhood and we're very, very cognizant and sensitive to that. So we think it's incredibly important that as projects come in the door that lighting is key and we're very mindful of where we are. And so that is – and obviously, the County's ordinance is very – it's pretty strict in terms of requirement of downward and shielding and foot-candles and all of that and we would like to go above and beyond that even, as far as how individual projects are lit.

COMMISSIONER HOLIAN: Thank you.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I just wanted to point out that the northeast connector is already under engineering plans. The State Department of

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Transportation is funding that. That is going to change Rabbit Road forever. And that has been considered by the Metropolitan Planning Organization several years back. There's been several public meetings about this and the entire nature of that connector is changing the neighborhood. So if I lived there I would be going, well, I'm not going to be in rural residential much longer. You already aren't, because of the 500 to 6,000 cars. But with the northeast connector that goes along the highway between Richards Avenue, Rabbit Road and St. Francis it is changed. And that decision was made and funded by the County and the state a few years back and work is in progress.

So that has nothing to do with our prior approval but I just wanted to say as a message to the community, there are other things besides this development that are going to change the character of Rabbit Road. Thank you very much, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioners. Commissioner Chavez, Commissioner Anaya, anything else? Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I'm ready to make a motion.

CHAIR MAYFIELD: Sure. Motion please.

COMMISSIONER HOLIAN: Mr. Chair, well, first I'd like to make a couple of comments and that is I recognize that the area adjacent to Rabbit Road was historically rural but bit by bit, more development is occurring in that area and as Commissioner Stefanics mentioned also, Rabbit Road is going to become the northeast connector. I feel that the developers have given a lot of thought to how to develop in a responsible way. It's well designed. There are consistent design standards in the development, and I would also like to note that what we're voting on tonight is just really procedural, master plat authorization. Master plan was approved in 2010.

So I would like to move for approval of BCC Case MIS #10-5361, St. Francis South Master Plat Authorization.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER CHAVEZ: For discussion.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: On page 11, under recommendation, Commissioner Holian, there are 11 conditions of approval.

COMMISSIONER HOLIAN: Commissioner Chavez, are you referring to the master plan?

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: Those have already been approved.

COMMISSIONER CHAVEZ: So then, would those stay in place then?

COMMISSIONER HOLIAN: I assume so.

COMMISSIONER STEFANICS: That was part of an earlier decision, Mr.

Chair.

COMMISSIONER CHAVEZ: Okay. So then you're approving – but you're approving –

COMMISSIONER HOLIAN: The master plat authorization.

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COMMISSIONER CHAVEZ: Right. And that would include -- then I'm assuming that that would include those recommendations. Okay. I just want to be sure.

CHAIR MAYFIELD: I'm just going to defer to our County Attorney here or to Ms. Lucero.

MR. ROSS: Mr. Chair, Commissioner Chavez, the master plan that was approved, master plan zoning was approved a number of years ago had a number of conditions and those of course are applicable to the master plan. But there are actually no conditions recommended on the master plat approval.

COMMISSIONER CHAVEZ: Okay.

MR. ROSS: Obviously the conditions that were applicable way back when will continue.

COMMISSIONER CHAVEZ: Okay.

CHAIR MAYFIELD: We have a motion and second on the floor. No further questions?

The motion passed by unanimous [5-0] voice vote.

6. MATTERS FROM THE COUNTY ATTORNEY

a. Executive Session

i. Discussion of Pending or Threatened Litigation

1. *New Mexico Gas et al. v. BCC*
2. Global Litigation Review
3. BIA Notice to Show Cause

MR. ROSS: Mr. Chair, we need a closed executive session to discuss primarily the BIA notice in order to show cause and the global litigation review. The New Mexico Gas matter is not ready at this meeting; it won't be ready till the next meeting. As far as I know we don't have any limited personnel issues or land or water rights issues or contract negotiations under the procurement code unless you are aware of something.

CHAIR MAYFIELD: County Attorney Ross, I believe there might be an issue on litigation that Commissioner Anaya may want to discuss.

MR. ROSS: Yes. We're going to go over all the current litigation that the County is engaged in if you have time. So what Commissioner Anaya is interested in is part of that list.

CHAIR MAYFIELD: Thank you. And just for our listening audience I don't believe there's any other matters to come before this Commission tonight. We really don't have anybody else in our audience tonight. We have County Attorney Rachel Brown with us, so this Commission will be concluding business after. We will come on and publicly do that, but if there's any other staff here, I don't think we have a need for any other staff members either. So thank you, Commissioners. With that can we have a roll call please going into executive session. Motion first.

COMMISSIONER CHAVEZ: Motion to go into executive session.

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**Tom Claffey
P.O. Box 4413
Santa Fe, NM**

March 11, 2014

Santa Fe County Land Use Administrator
P.O. Box 276
Santa Fe, NM 87504-0276

Re: CDRC Case #Z/V/S 10-5362

Dear Sir or Madam,

Attached are copies of comments related to the above referenced case which County Commissioner Kathy Holian asked be directed to your attention – rather than hers.

Sincerely,

Tom Claffey



F-100

Vegas Verdes Development

From : tomsyl@q.com

Tue, Mar 04, 2014 05:16 PM

Subject : Vegas Verdes Development

 2 attachments

To : Deslee Beaty <beatybunch@aol.com>, Peter Merrill & Ruth Wallack <petermerrill@cdrslc.com>, Zack Bakarich <zack_bakarich@desertgate.com>, Lissa Lucht <lissalucht@yahoo.com>, Bret Smoker & Yolanda Colorado <colordsmoke@q.com>, Cairol & Mae Parker <mamamiamae@yahoo.com>, Kevin Skelly <kmskelly@gmail.com>, Pat (Cindy) Padilla <padillacr@aol.com>, Richard & Nadine Kennedy <rknken08@q.com>, Ed and Margaret Jones <maedjones25@aol.com>, Tom Claffey <tomsyl@q.com>, Darla Gollihugh <darla1gollihugh2@gmail.com>, Tom Wood <t-j.wood@q.com>, marc renner <marc.renner@q.com>, Linda Renner <powermouse007@hotmail.com>, Barbara Blackwell <bblackwell.kw@gmail.com>, Bridget Bunch <bridgetbunch@live.com>, Bunch Steven <skylandalr@yahoo.com>, Chris and Theresa Beck <reaserabbit@yahoo.com>, Mary & Alan Romero <romerobigal@gmail.com>

Hi Folks,

Attached is a letter regarding a public hearing to be held on March 20, 2014 to consider a request by the Vegas Verdes LLC for variance in units per acre on its development located on the other side of St. Francis Drive. Attached also is a map of "Subject Property."

Tom Claffey



Public hearing letter.pdf
408 KB



Public hearing map.pdf
514 KB

Fwd: Vegas Verdes Development**From :** tomsyl@q.com

Sat, Mar 08, 2014 03:13 PM

Subject : Fwd: Vegas Verdes Development**To :** Kathy Holian <kholian@co.santa-fe.nm.us>

Cc : dmayfield@santafecountynm.gov, mchavez@santafecountynm.gov, ranaya@santafecountynm.gov, lstefanics@santafecountynm.gov, Deslee Beaty <beatybunch@aol.com>, Construction Dispute Resolution Services, LLC <petermerrill@cdrslc.com>, Zack Bakarich <zack_bakarich@desertgate.com>, Lissa Lucht <lissalucht@yahoo.com>, Bret Smoker & Yolanda Colorado <colordsmoke@q.com>, Mary & Alan Romero <romerobigal@gmail.com>, Carol & Mae Parker <mamamiamae@yahoo.com>, Kevin Skelly <kmskelly@gmail.com>, Richard & Nadine Kennedy <rnbken08@q.com>, Pat (Cindy) Padilla <padillacr@aol.com>, Ed and Margaret Jones <maedjones25@aol.com>, Tom Claffey <tomsyl@q.com>, Darla Gollihugh <darla1gollihugh2@gmail.com>, Tom Wood <t-j.wood@q.com>, marc renner <marc.renner@q.com>, Linda Renner <powermouse007@hotmail.com>, Bridget Bunch <bridgetbunch@live.com>, Bunch Steven <skylandair@yahoo.com>, Chris and Theresa Beck <reaserabbit@yahoo.com>

Dear Kathy,

My wife, Sylvia, and I are in total agreement with Tom Wood and would add our concern regarding the additional demand which would be placed on limited water resources with approval of the proposed amendment. The original proposal by the developers was acceptable; it is just a matter of time before that beautiful piece of land must succumb to some sort of development. This amended proposal, however, constitutes a reprehensible disregard of local water and environmental issues, and is not acceptable

Sylvia and I would appreciate your consideration of a "No" vote on March 20th. As a courtesy, we are copying other members of the County Commission.

Sincerely,

Tom Claffey

From: "Tom Wood" <t-j.wood@q.com>**To:** kholian@co.santa-fe.nm.us

Cc: "Beaty" <beatybunch@aol.com>, "Beck Theresa, Chris" <reaserabbit@yahoo.com>, "Blackwell" <bblackwell.kw@gmail.com>, "BlackwellWm" <wmblack@attglobal.net>, "Bunch" <bridgetbunch@live.com>, "Darla Gollihugh" <darla1gollihugh2@gmail.com>, "Jones" <maedjones25@aol.com>, "Kennedy" <rnbken08@q.com>, "Lucht" <lissalucht@yahoo.com>, "Mark Waugh" <wahster@gmail.com>, "Merrill" <petermerrill@cdrslc.com>, "Parkers" <mamamiamae@yahoo.com>, "Renner" <marc.renner@q.com>, "Romero" <romerobigal@gmail.com>, "Skelly" <kmskelly@gmail.com>, "Smoker" <colordsmoke@q.com>, "tcirolia" <tcirolia@msn.com>, tomsyl@q.com, "Zack Bakarich" <zack_bakarich@desertgate.com>

Sent: Saturday, March 8, 2014 5:57:51 AM**Subject:** Vegas Verdes Development

Kathy,

My name is Tom Wood and I reside at 40 Calle Cantando, just around the curve from Tom Claffey. First I would like to thank you for helping out on the Marquez junk car issue. Secondly, I would like to make you aware of my concern as well as my wife's concern with the Vegas Verdes development. We were not happy about the first proposal submitted for this development due to traffic issues, lack of water and overall congestion, noise etc.

This latest proposal is a very large stretch from the original proposal and would be a nightmare for all people living in our neighborhood as well as folks down Rabbit road. This amendment to the proposal is really stretching the boundaries of the density/acre issue and will be a traffic and congestion nightmare for all involved. Traffic has gotten progressively worse since

Re: Fwd: Vegas Verdes Development

From : marc renner <marc.renner@q.com>

Sun, Mar 09, 2014 08:17 PM

Subject : Re: Fwd: Vegas Verdes Development

To : Kathy Holian <kholian@co.santa-fe.nm.us>

Cc : tomsyl@q.com, Kathy Holian <kholian@co.santa-fe.nm.us>, dmayfield@santafecountynm.gov, mchavez@santafecountynm.gov, ranaya@santafecountynm.gov, I Stefanics@santafecountynm.gov, Deslee Beaty <beatybunch@aol.com>, Construction Dispute Resolution Services, LLC <petermerrill@cdrsllc.com>, Zack Bakarich <zack_bakarich@desertgate.com>, Bret Smoker & Yolanda Colorado <colordsmoke@q.com>, Mary & Alan Romero <romerobigal@gmail.com>, Cairol & Mae Parker <mamamiamae@yahoo.com>, Kevin Skelly <kmskelly@gmail.com>, Richard & Nadine Kennedy <rnbken08@q.com>, Pat (Cindy) Padilla <padillacr@aol.com>, Ed and Margaret Jones <maedjones25@aol.com>, Darla Gollihugh <darla1gollihugh2@gmail.com>, Tom Wood <t-j.wood@q.com>, Linda Renner <powermouse007@hotmail.com>, Bridget Bunch <bridgetbunch@live.com>, Bunch Steven <skylandair@yahoo.com>, Chris and Theresa Beck <reaserabbit@yahoo.com>, Lissa Lucht <lissalucht@yahoo.com>

Kathy,

After having reviewed this proposal and the amendments, Linda and I have some serious issues with this project.

This appears to be a common tactic with developers, where they propose modest improvements in the beginning in order to placate the public. Then when nobody is looking try to slip in a bunch of aggressive amendments on the back-end.

Please vote no on this development until we have had time to consider the long-term effects of these amendments.

Marc and Linda Renner
43 Calle Cantando
505.946.8787

----- Original Message -----

From: Lissa Lucht <lissalucht@yahoo.com>

To: tomsyl@q.com, Kathy Holian <kholian@co.santa-fe.nm.us>

Cc: dmayfield@santafecountynm.gov, mchavez@santafecountynm.gov, ranaya@santafecountynm.gov, I Stefanics@santafecountynm.gov, Deslee Beaty <beatybunch@aol.com>, Construction Dispute Resolution Services, LLC <petermerrill@cdrsllc.com>, Zack Bakarich <zack_bakarich@desertgate.com>, Bret Smoker & Yolanda Colorado <colordsmoke@q.com>, Mary & Alan Romero <romerobigal@gmail.com>, Cairol & Mae Parker <mamamiamae@yahoo.com>, Kevin Skelly <kmskelly@gmail.com>, Richard & Nadine Kennedy <rnbken08@q.com>, Pat (Cindy) Padilla <padillacr@aol.com>, Ed and Margaret Jones <maedjones25@aol.com>, Darla Gollihugh <darla1gollihugh2@gmail.com>, Tom Wood <t-j.wood@q.com>, marc renner <marc.renner@q.com>, Linda Renner <powermouse007@hotmail.com>, Bridget Bunch <bridgetbunch@live.com>, Bunch Steven <skylandair@yahoo.com>, Chris and Theresa Beck <reaserabbit@yahoo.com>
Sent: Sun, 09 Mar 2014 10:17:33 -0400 (EDT)
Subject: Re: Fwd: Vegas Verdes Development

Kathy-

I sincerely agree with Tom Wood and Tom Claffey -- please vote no on March 20th. The proposed development will disrupt our peaceful neighborhood, increase traffic and the lack water issue is a very serious one.

Sincerely,
Lissa Lucht
11 Paseo de Rincon
Santa Fe, NM 87508
(505) 577-4949

CDRC CASE # Z-V-S 10-5362

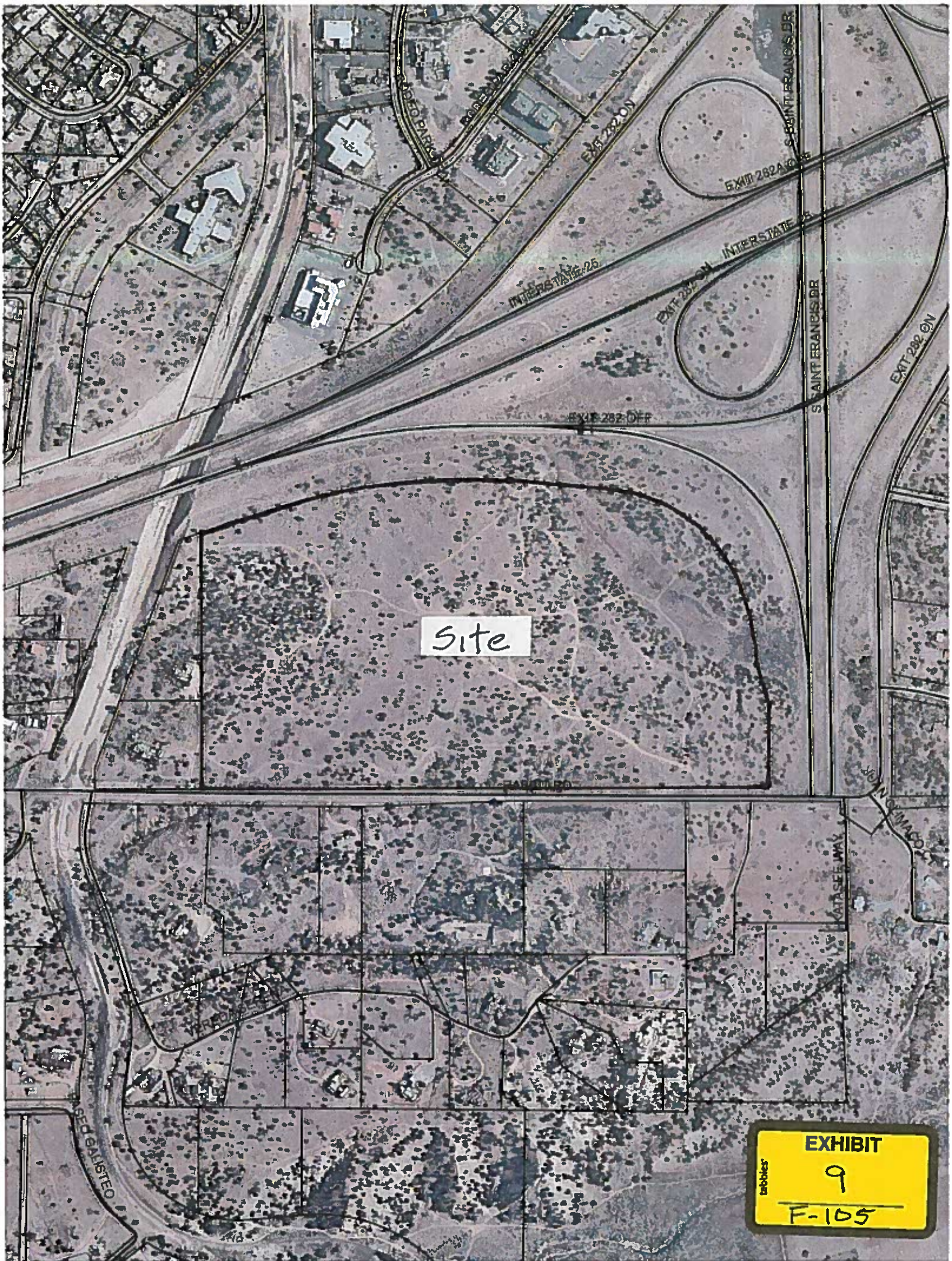
To all santa fe county commissioners

Here are my reasons for asking you not approve this. I have lived in santa fe county for 42 years. With the econmy as is I have already have lost \$150,000 in value and if you pass this I will drop another \$100,000, which I and many many others will blame you for it. There are already to many ugly houses along I-25. Below are some more reason.

- 1 Santa fe rules has always been no more than one home per ~~acre~~ ^{ACRE} because water and other reasons, I wish and hope you will do what your rules have been that I know for 42 years or alot of law suit will been coming your way.
- 2 This porposal can only have no more than 38 units read your laws that have always in effect.
- 3 Across the street from this we could only do 1 home for 2 ~~acres~~ ^{ACRES}, which was in accordance by county rules so this cannot be approve by you.

I hope you will do what is right because for years we have had to abide my your rules, so do not change now.

Thank you, Cairol Parker



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EXHIBIT
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