



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

Jose E. Larrañaga  
Development Review Team Leader  
Santa Fe County  
P.O. Box 276  
Santa Fe, NM 87504-0276

**CERTIFIED MAIL**  
**RETURN RECEIPT**  
**REQUESTED**

**Reference: Elevation at Rancho Viejo Master Plan Resubmittal**

Dear Mr. Larrañaga:

On February 5, 2014, the Office of the State Engineer (OSE) received a request to re-evaluate the proposal for the *Elevation at Rancho Viejo Master Plan* (also known as the College North Master Plan).

This office reviewed and provided comments for the Elevation at Rancho Viejo Master Plan on January 10, 2014. For details, please refer to this letter.

The new document submitted to this office is the *Water Utilities Service Availability Analysis*.

The proposal provides an outline for the creation of three lots which consist of the development of a 214-unit apartment complex on Lot 1-B and 10 single family residences on Lot 1-A. Lot 1-C will be reserved for a future single/multi-family development. The applicant is seeking to amend the College North Master Plan and would like to relocate the 214-unit apartment complex project from the west end of the property to the eastside of the property in response to neighbor concerns. The property is located on the intersection of College Drive and Richards Avenue within Section 21, Township 16 North, Range 9 East. The proposed water supply is to be provided by Santa Fe County Utilities.

This proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act.

This submittal responds to the comment that the Water Utilities Service Availability Analysis was not included in the last submittal but listed as being supplied. This Analysis has now been



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provided. It should be noted that this Analysis does not fulfill the ready and willing letter from the utility that is required by Section 6.4.4(a) of the Code.

All other comments from NMOSE's previous January 10, 2014 letter still apply.

Article VII, Section 6.1 of the Code allows the Santa Fe County Land Use staff to refer development plans to state agencies for review *"if, in the opinion of the County Hydrologist and the Code Administrator, such referrals will provide information necessary to the determination of whether or not a proposed development is in conformance with provisions of this Code"*. The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the Elevation at Rancho Viejo Master Plan.

If you have any questions, please call Kenneth Richard at 505-827-3838.

Sincerely,



Molly Magnuson, P.E.  
Water Use & Conservation/Subdivision Review Deputy Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office



STATE OF NEW MEXICO  
**DEPARTMENT OF CULTURAL AFFAIRS**  
**HISTORIC PRESERVATION DIVISION**

Susana Martinez  
Governor

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

January 10, 2014

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

RE: CDRC CASE # MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment

Dear Mr. Larrañaga:

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.

I have reviewed our records and the subject property was surveyed by an archaeological consultant in 1995. One archaeological site, LA 110168 was documented during that survey. This site is eligible for listing in the National Register of Historic Places and the State Register of Cultural Properties. Because the site is eligible, it has been placed in a non-disturbance easement on the preliminary plat.

Because the site was documented in 1995, we recommend that an archaeologist verify the site location and boundaries to ensure that the non-disturbance easement is in the correct location and is of sufficient size to protect the site. There have been other situations in which sites were incorrectly located on the plat and easements placed on sites that were larger than needed. In addition, the preliminary plat should include the archaeological site number, LA 110168 for future reference.

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](mailto:michelle.ensey@state.nm.us).

Sincerely,

Michelle M. Ensey

Log: 98391

NBD-3

## Jose Larranaga

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**From:** Hall, John, NMENV <john.hall@state.nm.us>  
**Sent:** Thursday, March 06, 2014 11:23 AM  
**To:** Jose Larranaga  
**Subject:** Rancho Viejo Plan Review

Jose, This didn't make it to you on my last email try.

Mr. Larra and Mr. Romero,

NMED Ground Water Quality Bureau (GWQB) has reviewed your information concerning the revision to the master plan at Rancho Viejo received by NMED on December 13, 2013. Based on this review NMED has determined that the changes fit within the current conditions of Rancho Viejo's Ground Water Discharge Permit and that no further permitting action is required by GWQB based on this master plan amendment.

If you have any questions, Please contact me.

John Hall  
Underground Injection Control Coordinator  
New Mexico Environment Dept--Ground Water Quality Bureau  
(505) 827-1049



January 21, 2014

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

Re: Elevation at Rancho Viejo

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 (Amy Biehl Community School, Capshaw Middle School) 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, appearing to read 'Shirley McDougall', is written over the typed name.

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

NBD-36



*New Mexico* DEPARTMENT OF  
**TRANSPORTATION**

March 5, 2014

Mr. Jose E. Larrañaga  
Commercial Development Case Manager  
P.O. Box 276  
Santa Fe, NM 87504-0276

Re: CRDC Case #MIS 13-5380 Elevation at Rancho Viejo Master Plan

Dear Mr. Larrañaga:

Traffic staff reviewed the Development Report for the above referenced project in Santa Fe County, NM. It is apparent from the Traffic Impact Assessment that impacts from the development will be minimal to the state roadway system. No further action is required.

If you have any questions, please feel free to call me at 505-995-7800.

Sincerely,

Javier A. Martinez, P.E.  
District Traffic Engineer, District 5

**Susana Martinez**  
Governor

**Tom Church**  
Cabinet Secretary

**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

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:** April 7, 2014

**To:** Jose Larranaga, Land Use Department

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

**Re:** CDRC CASE # MIS 13-5380 Elevations at Rancho Viejo Master Plan  
Amendment.

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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). The referenced project is located within the Community College District located within Santa Fe County Zoning Jurisdiction and is situated on the east of Richards Avenue, northeast of College Drive/Burnt Water Road intersection, approximately one mile south of Interstate 25. The applicant is requesting an amendment to the College North Master Plan to allow multi-family residential community.

**Access:**

The applicant is proposing to construct three accesses; the first proposed access is off the Southeast Connector Road and two accesses off of College Drive. The proposed access on the Southeast Connector is being proposed as a gated entrance; the two accesses on College Drive will serve a 214-unit apartment complex. The applicant provided Santa Fe County with a Traffic Impact Analysis prepared by CKS LLC., dated December 2013. The purpose of this study is to assess the traffic impacts the proposed project may have on essential intersections within the area and identify any necessary street improvements to these intersections. Santa Fe County conducted a study on the existing conditions of the roundabout located at Richards and College Drive. Santa Fe County has determined that at present the roundabout is operating at an unacceptable Level of Service. It has been determined that a southbound slip lane would bring this roundabout to an acceptable Level of Service. Santa Fe County has initiated the placing of this project on the Capital Improvements Projects list.

**Conclusion:**

Santa Fe County has been in the process of conducting a northeast and southeast corridor and alignment study since January 2012, at present a preferred southeast connector alignment has been identified, however, the final location has yet to be determined. It is staffs opinion that they can support the project with the following conditions;

- The Southeast Connector will operate as a Minor Arterial Roadway, therefore, "No Direct" access unto to the Southeast Connector will be allowed.
- The applicant shall be responsible for the construction of College Drive from the existing termini Burnt Water Road, should the project Elevations at Rancho Viejo be constructed prior to the Southeast Connector being constructed.

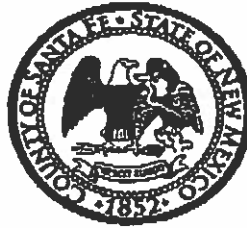
- Should the project Elevations at Rancho Viejo be constructed prior to the construction of the Southeast Connector, the applicant shall conduct a Traffic Analysis using the data provided for the slip lane on Richards Avenue to determine the amount of units which can be approved without causing an unacceptable level of Service on the Richards/College Drive Roundabout.
- Applicant shall update their Traffic Impact Analysis once Santa Fe County's traffic data for the location study becomes publicly available, to determine if any off-site improvements are warranted.
- Applicant shall keep in mind that the geometry of the intersection at the Southeast Connector and College Drive has not been determined. There is a possibility that a Traffic Circle could be required at this intersection, which would require a minimum of one hundred five (105') foot radiuses from the intersection's center line.
- Applicant shall install left-turn deceleration lane for College Drive at the main driveway.



Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

# Santa Fe County Fire Department Fire Prevention Division

## Official Development Review

Date	02/21/2014		
Project Name	Univest Rancho Viejo – Vedula Residential Operating, LLC		
Project Location	College Drive @ New Purposed Road (SE connector), Santa Fe, New Mexico 87508		
Description	College North Master Plan	Case Manager	Jose Larranaga
Applicant Name	Agent: Jenkins/Gavin	County Case #	MIS 13-5380
Applicant Address	130 Grant Ave, Suite 101 Santa Fe, New Mexico 87501	Fire District	La Cienega
Applicant Phone	505-930-6149		

Review Type: Commercial  Residential  Sprinklers  Hydrant Acceptance   
 Master Plan  Preliminary  Final  Inspection  Lot Split   
 Wildland  Variance

Project Status: Approved  Approved with Conditions  Denial

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:

### Fire Department Access

The proposed access for the new SE Connector shall be in place and maintained as the third egress access for the complex. If this is unattainable then another egress access point shall be opened.

### Final Status

Recommendation for Rancho Viejo Master Plan amendment approval with the above conditions applied.

Renee Nix, Inspector

*Renee Nix*  
Code Enforcement Official

*2-21-14*  
Date

Through: David Sperling, Chief

File: UnivestRanchoViejo/022114/LC  
Cy: Buster Pentry, Fire Marshal  
Case Manager, Jose Larranaga  
Applicant  
District Chief La Cienega

35 Camino Justicia

Santa Fe, New Mexico 87508

www.santafecountyfire.org

NBD-36

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Development Review

Date	12/31/2013		
Project Name	Univest Rancho Viejo – Vedula Residential Operating, LLC		
Project Location	College Drive @ Burnt Water Road, Santa Fe, New Mexico 87508		
Description	College North Master Plan in accordance w.CCD zoning.	Case Manager	Jose Larranaga
Applicant Name	Agent: Jenkins/Gavin	County Case #	13-5380
Applicant Address	130 Grant Ave, Suite 101 Santa Fe, New Mexico 87501	Fire District	La Cienega
Applicant Phone	505-930-6149		
Review Type:	Commercial <input checked="" type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input checked="" type="checkbox"/>
	Master Plan <input checked="" type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input type="checkbox"/>
	Wildland <input type="checkbox"/>	Varlance <input type="checkbox"/>	Hydrant Acceptance <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

- This Master plan amendment request only applies to Lots 1-B and 1-C. Lot 1-B, 214 unit apartments and 1-C is reserved for future single and or multi-family development.
- Cul-de-sacs shall be a minimum 50' radius. SFC Land Use Code, Article V, Section 8.2.1d, (cul-de-sacs over 250' in length). Maximum size for an island in a cul-de-sac shall be 20' diameter. Page 2.
- Lot 1-A Fire Hydrant in the east cul-de-sac shall be relocated to be placed between lot 8 and lot 9.

#### 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*

- **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.*

No off-site parking shall be allowed and shall be marked accordingly as approved by the Fire Marshal.

Curbs adjacent to the, fire hydrants, landscape medians in traffic flow areas and in designated no parking areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to final approval. Assistance in details and information are available through the Fire Prevention Division. The Home Owner's and/or the Home Owner's Association will maintain said markings following the final approval and for the duration of the subdivision.

### **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.*

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

Cul-de-sacs shall be a minimum 50' radius. SFC Land Use Code, Article V, Section 8.2.1d, (cul-de-sacs over 250' in length).

Maximum size for an island in a cul-de-sac shall be 20' diameter with a minimum of a 40' driving surface.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Roads shall meet the County standards of all-weather driving surface and an unobstructed vertical clearance of 13' 6" within this type of proposed development. Driveway 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".

### **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.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

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 approved slope of the driveway access/egress shall not exceed 11%.

This driveway/fire access does not exceed 11% slope 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 buildings shall be required to install a Knox Cabinet or applicable Knox device as determined by this office for Fire Department access 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.

All gates shall be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System).

A final inspection by this office will be necessary to determine the applicability of the installation of the Knox lock access system in regards to emergency entrance into the fenced area. Should it be found suitable for such, the developer shall install the system.

### **Fire Protection Systems**

The design of the system shall be accordingly sized and constructed to accommodate for the required application of commercial/residential fire suppression sprinkler systems, on both the public utility side of the meter as well as the private property yard lines.

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

The Developer, Homeowners and/or the Homeowners Association shall be responsible to maintain, in an approved working order, the water system for the duration of the subdivision/development. The responsible party, as indicated above, shall be responsible to call for and submit to the Santa Fe County Fire Department for an annual testing of the fire protection system and the subsequent repairs ordered and costs associated with the testing.

### 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.

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.*

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.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within five hundred feet (500') as measured along the access route. All buildings with automatic fire protection systems there fire department connections shall be within 150' of a fire hydrant. Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

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. 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, as per the County thread boundary agreement.

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 hydrant, 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 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 sprinklers 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 ports in National standard thread. All FDC's shall be located within 150' of a fire hydrant location.

All sprinkler and alarm systems as required shall have a test witnessed and approved by the Santa Fe County Fire Department, 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.

The requirement for fire protection sprinkler systems shall be recorded on the plat and in the covenants at the time of filing or as otherwise directed by the County Fire or Land Use Department.

The developer shall notify the water utility company or Co-op supplying this project of the requirements for the installation of automatic fire suppression sprinkler system(s).

## **Fire Alarm/Notification Systems**

Automatic Fire Protection Alarm systems may 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.

Unless the building is occupied on a continual 24-hour basis, the sprinkler system shall be electrically monitored by an approved central station, remote station or proprietary monitoring station.

All Fire Alarm systems shall be developed by a firm certified to perform and design such systems. Copies of the fire alarm system design shall be submitted to the Fire Prevention Division for review and acceptance prior to installation. Systems will not be approved unless tested by the Santa Fe County Fire Department. Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code for given type of structure and/or occupancy use.

## **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

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

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.

### Permits

As required

## Final Status

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

*Renee Nix, Inspector*

  
\_\_\_\_\_  
Code Enforcement Official

1-15-2014  
Date

Through: David Sperling, Chief

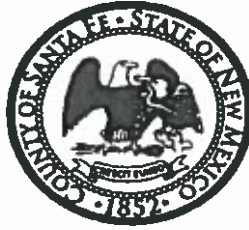
File: UninvestRanchoViejo123113/LC

Cy: Buster Patty, Fire Marshal *BP*  
Case Manager, Jose Larranaga  
Applicant  
District Chief La Cienega  
File

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*

January 22, 2014

Mr. Jose Larranaga  
Commercial Development Case Manager  
Santa Fe County Land Use Department  
102 Grant Ave  
Santa Fe, NM 87504

**RE: CDRC CASE #MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment**

Dear Jose,

This letter is in response to your request for a review of the Elevation at Rancho Viejo Master Plan Amendment, dated December 02, 2013.

The Water Utilities Service Availability Analysis submitted January 30, 2013, stands as of today and the Master Plan Amendment does not affect our initial water service availability.

Please note that through the Annexation process the City of SF 16-inch concrete water line has become part of Santa Fe County Utilities infrastructure.

Respectfully,

Paul Casaus  
Utilities Engineering Associate  
Santa Fe County Utilities Department



*Santa Fe County  
Open Space & Trails*



**MEMORANDUM**

**DATE:** February 18, 2014

**TO:** Jose Larrañaga, Development Review Team Leader

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

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

**RE:** **CDRC CASE #MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment**

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I have reviewed the case submittal for technical accuracy and for compliance with the Land Development Code and Ordinance 2000-12 (Community College District), and I have determined that the proposal meets all County requirements for Open Space and Trails, including minimum 50% open space and accommodation of planned district trails running E-W along College Drive and NW-SE along a utility easement on the eastern end of the property.

NBD-4

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 28, 2014

TO: Jose Larranaga, Development Review Team Leader

FROM: Mathew Martinez, Development Review Specialist

VIA: Vicki Lucero, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # MIS/13-5380 Elevation at Rancho Viejo and Summary Review Subdivision

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### REVIEW SUMMARY

#### ARCHITECTURAL, PARKING, LIGHTING, AND SIGNAGE:

The Referenced Project has been reviewed for compliance with the Santa Fe County Land Development Code and Ordinance # 2000-12 (Regulations for the Community College District). The request for Master Plan Amendment, and Summary Review Subdivision, creating three lots: Lot 1-A (12.70 acres), Lot 1-B (22.00 acres), and Lot C-1 (22.21 acres) on a 56.91 acre property located north of Collage Drive and east of Burnt Water Road.

#### PARKING:

At time of Development Plan submittal the Applicant shall comply with all parking requirements within Ordinance # 2000-12 Section C., and Article III, Section 9 (Parking Requirements). The parking element of this Application complies with Article V, Section 5 (Master Plan Procedures).

#### ARCHITECTURAL:

The Applicant has submitted Conceptual Building Elevations. The Applicant shall comply with the height requirements set fourth within the Institutional Campus Zone which is 36 feet for up to 25% of the building footprint. The Applicant shall provide scaled building elevations for all proposed structures at the time of Development Plan submittal. The Architectural element of this Application complies with Article V, Section 5 (Master Plan Procedures).

**SIGNAGE:**

The Applicant has submitted a Conceptual Signage Plan showing two Monument Signs at the entrance of the Development. As per Article VIII, Section 7.13, only one permanent Identification sign shall be permitted and sign area shall not exceed 20 square feet in size. The Applicant shall comply with all signage requirements within Article VIII, (Sign Regulations) at time of Development Plan Submittal. The lighting element of this Application complies with Article V, Section 5 (Master Plan Procedures).

**LIGHTING:**

The Applicant has submitted a Conceptual Lighting Plan showing pole mounted lights at 25 feet in height. All pole mounted lighting shall not exceed 24 feet in height. All lighting within the CCD shall be shielded. The Applicant shall comply with all outdoor lighting requirements within Article VIII, Section 4.4.4 h at time of Development Plan submittal. The Lighting element of this Application complies with Article V, Section 5 (Master Plan Procedures).

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

## MEMORANDUM

**DATE:** March 3, 2014

**TO:** Jose Larranaga, 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 MP 13-5380 Elevation at Rancho Viejo

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### REVIEW SUMMARY

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The request is for Master Plan Amendment, to allow the creation of a 214 unit apartment complex on 56.91 acres

### Terrain Management

The site has 0-20% percent slopes with minor 15%-30% isolated occurrences. The property is not located within a designated FEMA 100 Year flood zone and is located in Firm Panel 35049c0526E dated December 4, 2012 and located in Zone X.

### Storm Drainage and Erosion Control:

The Applicant's proposal shows existing topography, natural drainage, and proposed locations for ponding. The Application meets Master Plan requirements of Santa Fe County Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance.

NBD-5

Harry B. Montoya  
*Commissioner, District 1*

Miguel Chavez  
*Commissioner, District 2*

Michael D. Anaya  
*Commissioner, District 3*



Kathy Holian  
*Commissioner, District 4*

Liz Stefanics  
*Commissioner, District 5*

Katherine Miller  
*County Manager*

January 30, 2013

Oralynn Guerrerortiz, PE.  
Design Enginuity  
1421 Luisa St., Suite E  
Santa Fe, NM 87505

RE: Water Utilities Service Availability Analysis for Vedula Subdivision and Apartments

Dear Ms. Guerrerortiz,

This is in response to your inquiry about Water utilities service availability for the property in reference. Please be aware that any statement we make hereby will refer solely to the Vedula project as described in your written inquiry dated January 7, 2013. If either the property location or the development is modified in the future, before it is executed, this letter will be automatically invalidated and you would have to request a new analysis from the Santa Fe County Utilities (SFCU).

#### **Development Concept**

You have indicated that you would like to add Water utility service to the existing facility located within Township 16N, Range 9E, Section 21. This proposed project would be located north of College Drive and east of Deans Court, and it would entail domestic water supply and fire protection. This property is located within Sustainable Development Area 1 (SDA1) and is in Commission District 5.

#### **Existing Water Infrastructure**

The site is located at the bottom of Pressure Zone 6 and, at the present time, a 16-inch concrete line under the east shoulder of Richards Avenue is available to provide adequate flows and pressures to the subject site and proposed development. This line is currently under City jurisdiction, but it is earmarked for transfer to the County in the near future, in compliance with the requirements of the 2008 City-County Annexation Agreement. Service to the proposed development would be contingent upon the developer/applicant installing the necessary water infrastructure, as described below and as illustrated on the enclosed map. The internal infrastructure for the project, including a large size service meter for the apartments and individual meters for the single family homes, including fire suppression will also be the responsibility of the developer.

#### **Existing Public Wastewater Infrastructure**

The property is within the service area of Ranchland Utilities sanitary wastewater management system, and the availability of service must be closely coordinated with them. Because all private community wastewater systems in the County must be designed and built in compliance with public sewer system standards, SFCU will verify such compliance on the concept, design and construction of the system.



### **Relevant Future Public Improvements**

The Santa Fe County Utilities anticipates that the development will be served from a network that will be initially connected to the existing Richards Avenue line through a new master meter installed by the applicant, and eventually connected to the SFCU line known as IZL57NNE, which extends east of Richards Avenue along the eastward projection of Avenida del Sur. Your initial connection and eastward 4000' extension along College Drive alignment, known as IZL56NNE, to the easternmost property corner of the subject parcel will be the primary condition of service for the proposed development. In addition to the installation of the master meter on Richards Ave, the existing 8" County water line serving Deans Court will need to be disconnected and reconnected downstream of the master meter. The southbound line segment known as TL6N necessary to connect to IZL57NNE will in the future be someone else's responsibility. A more detailed description of the necessary improvements is shown on the attached map. We anticipate that the infrastructure transfer required by the agreement mentioned above will take a good part of 2013 to be complete.

### **Design and Construction Requirements**

All facilities shall be designed by a professional engineer duly licensed in New Mexico at the applicant's expense, in compliance with all applicable standards of practice, local, state and federal codes/regulations and policies, including those adopted by the SFCU. The design shall be reviewed and accepted by Santa Fe County and a Line Extension Water Service Agreement must be executed prior to any construction. SFCU will issue a Notice to Proceed once these requirements are met.

Public lines prescribed to serve this proposed development shall be installed within legally defined public utility easements properly dedicated to the County by the developer at the developer's expense. Construction shall be performed by a utility contractor properly licensed in New Mexico at the applicant's expense, upon receiving all applicable construction permits, right of way use authorizations, and upon having met all applicable pre-construction requirements.

The County will accept the project and adopt it as part of its infrastructure for operations and maintenance, upon verification that all requirements have been met to the County's satisfaction, and in compliance with the County-approved engineering design including the submission by the applicant and acceptance by SFCU of the following documents: (1) one original set of as-constructed drawings signed and sealed by a NM licensed engineer, including any change orders approved during construction and; (2) Engineer's certificate of the construction having been completed in compliance with all requirements of the approved design documents.

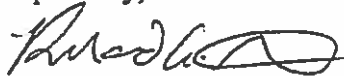
### **Financing**

The applicant will be responsible for the cost of all necessary improvements, up to and including the master meter, meter vaults and boxes and settings. Our policies have changed in the sense that here are no water right transfer requirements for developers who want to receive services from SFCU. However, if your client has a pre-existing water service agreement with the County; connection fees may be reduced accordingly.

SFCU will reimburse the developer for the difference in cost between an 8" line necessary for this project and the required 12" extension along College Ave only.

We look forward to working with you to the best of our technical ability as provided by applicable laws, for the successful completion of your project. Please call me at 505-992-3046, if you have any questions regarding this letter.

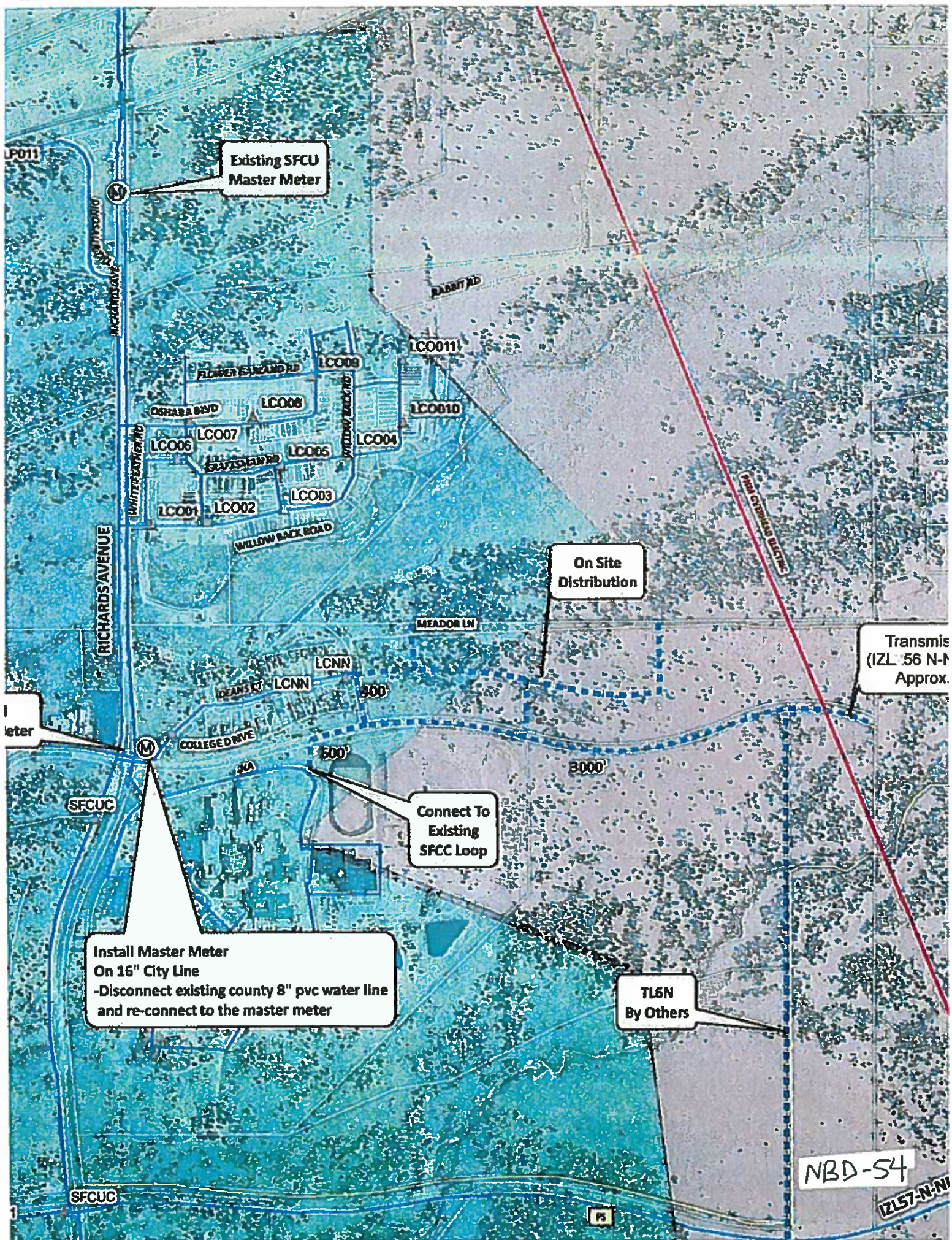
Respectfully,



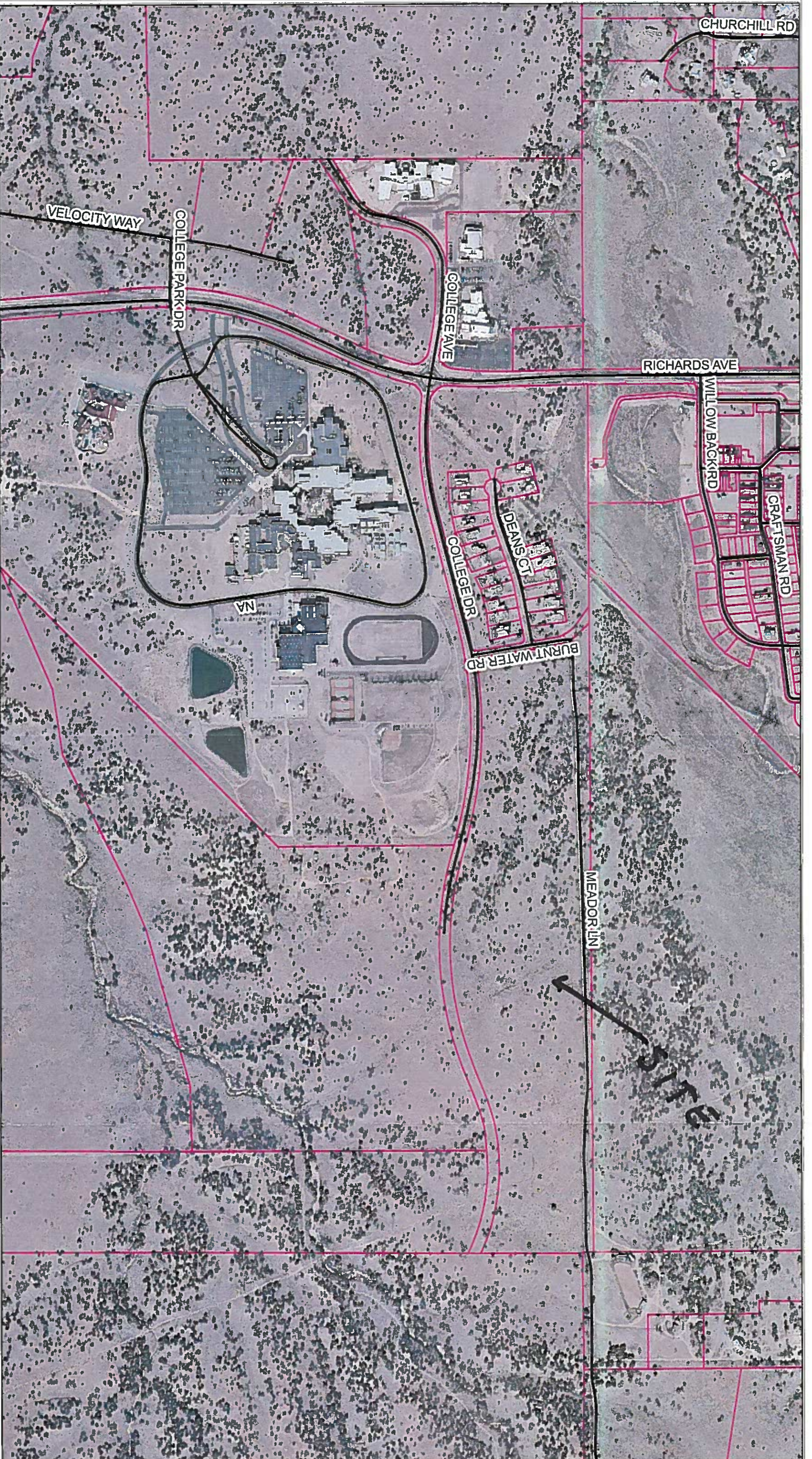
Richard Silva  
Infrastructure Manager  
Santa Fe County Utilities Department

CC: Patricio Guerrerortiz PE, Santa Fe County Utilities Department Director









**Legend**

-  ROADS
-  Parcels

**EXHIBIT**  
**5**



2008 Orthophotography  
2 FOOT CONTOURS

This information is for reference only.  
Santa Fe County assumes no liability for  
errors associated with the use of these data.  
User are solely responsible for  
confirming data accuracy.





# Ranchland Utility Company, Inc.

5 Bisbee Court, Suite 106; Santa Fe, NM 87508  
Telephone (505) 428-2256

December 10, 2013

Jose Larrañaga, Commercial Development Case Manager  
Santa Fe County Development Services  
102 Grant Avenue  
Santa Fe, NM 87501

**RE: Elevation at Rancho Viejo  
College North Master Plan Amendment**

Dear Jose:

This letter is to confirm that Ranchland Utility Company, Inc. is willing and able to provide sanitary sewer service to all phases of the above referenced project.

Please feel free to call or e-mail me with any questions.

Sincerely,



Warren Thompson, President  
Ranchland Utility Company, Inc.



NBD-5e

2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed.
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.

#### 5.2.5 Filing of Approved Master Plan

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

#### 5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)



#### 5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

### 5.3 Preliminary Plat Procedure

#### 5.3.1 Introduction and Description

- 5.3.1a Preliminary plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions.



~~5.3.4 Public Hearings on Preliminary Plats~~

~~The proposed preliminary plat shall be reviewed by the County Development Review Committee and the Board according to the procedures set forth in Article II, Sections 2.3.2, 2.4 and 2.6 of this Code.~~

~~5.3.5 Preliminary Plat Approval~~

- ~~a. Approval or conditional approval of a preliminary plat shall constitute approval of the proposed subdivision design and layout submitted on the preliminary plat, and shall be used as a guide to the preparation of the final plat.~~
- ~~b. The Board shall not approve the preliminary plat if the subdivider cannot reasonably demonstrate that he or she can fulfill the requirements of the Code, the New Mexico Subdivision Act, and the subdivider's disclosure statement.~~
- ~~c. Action. Unless the applicant has agreed to a tabling within thirty (30) working days after the Board's public hearing, the Board shall approve, approve with conditions, or disapprove the preliminary plat at a public meeting, the date, time, and place of which shall be announced publicly at the conclusion of the public hearing.~~

5.3.6 Expiration of Preliminary Plat



- a. Expiration. An approved or conditionally approved preliminary plat shall expire twenty-four (24) months after its approval or conditional approval. Prior to the expiration of the preliminary plat, the subdivider may request, from the Board, an extension of the preliminary plat for a period of time not exceeding thirty-six (36) months.
- b. Phased Development. If the preliminary plat was approved for phased development, the subdivider may file final plats for portions of the development, and the expiration date of the preliminary plat shall be extended for an additional thirty-six (36) months after the date of the filing of each final plat. The number of phased final plats shall be determined by the Board at the time of the approval or conditional approval of the master plan.
- c. Expiration effect. The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first processing a new preliminary plat.

5.4 Final Plat Procedure

5.4.1 Introduction and Description.

~~5.4.1a Final plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions. Following approval or conditional approval of a preliminary plat, and before the expiration of the plat, the subdivider may prepare a final plat in substantial conformity with the approved or conditionally approved preliminary plat. At the discretion of the Code Administrator, preliminary and final plats may be reviewed for approval simultaneously. Final plats for subdivisions proposed to be phased shall be submitted as indicated on the phasing schedule submitted with the master plan as specified in Section 5.2 above. The final plat shall comply with the New Mexico Subdivision Act and these regulations.~~

5.4.1b Application and Fees. A subdivider shall prepare a final plat and supporting documentation in accordance with the requirements provided in these regulations. Final plat submittal is initiated by completing an application on a form available



fulfill the proposals contained in the subdivider's disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations.

#### 4.8 Common Promotional Plans

The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in this Article V.

### SECTION 5 - PROCEDURES AND SUBMITTALS

#### 5.1 Pre-application Procedures

Prior to the filing of an application for approval of a preliminary plat, the subdivider shall confer with the Code Administrator to become acquainted with these subdivision regulations. At this pre-application conference, the subdivider shall be advised of the following:

1. Submittals required by the Code.
2. Type and/or class of the proposed subdivision.
3. Individuals and/or agencies that will be asked to review the required submittals.
4. Required improvements.
5. Conditions under which Master Plans and Development Plans are required as described in Sections 5.2 and 7.
6. A determination will be made as to the appropriate scale and format for plans and plats and as to the appropriateness of applicable submittal requirements.

#### 5.2 Master Plan Procedure

##### 5.2.1 Introduction and Description

- a. Master plans are required in the following cases:
  - i. All Type I, Type II, and Type IV subdivisions with more than one development phase or tract;
  - ii. As required in Article III for developments other than subdivisions; and
  - iii. Such other projects which may elect to apply for master plan approval.
- b. A master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.
- c. The master plan submittal will consist of both plans and written reports which include the information required in 5.2.2 below. A typical submittal would include a vicinity map, a plan showing existing site data, a conceptual environmental plan with written documentation, a master plan map, a master plan report, a schematic utilities plan and the phasing schedule. Maps and reports may be combined or expanded upon at the discretion of the applicant to fit the particular development proposal as long as the relevant information is included.

##### 5.2.2 Master Plan Submittals

- a. Vicinity Map. A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies located on the parcel and within three miles of the Parcel.



2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed;
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.



#### 5.2.5 Filing of Approved Master Plan

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

#### 5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)

#### 5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

### 5.3 Preliminary Plat Procedure

#### 5.3.1 Introduction and Description

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1846087A



NBD-61

USE CATEGORY	VILLAGE ZONES				OTHER ZONES				
	New Community Center	Neighborhood Center	Neighborhoods (optional)**	Fringe Zone	Rural Zone	Employment Center Zone	Institutional Campus Zone	Open Space	Village Separators
<b>ELIGIBLE USES</b>									
Residential and Residential Accessory									
Bed and Breakfast (5 units max.)	x	x	x	x	x				
Group Homes and Shelters	x	x	x	x	x	x			
Guest Houses and secondary dwellings	x	x	x	x	x	x			
Home Day Care (12 or fewer children)	x	x	x	x	x	x			
Home Occupations	x	x	x	x	x	x			
Live / Work Dwellings	x	x	x	x	x	x			
Residential, dormitories	x	x	x	x	x	x			
Residential, Limited Multifamily (4units max.)	x	x	x	x	x	x			
Residential, Multifamily (over 4 units)	x	x	x	x	x	x			
Residential, Single family	x	x	x	x	x	x			
Retirement Homes/Assisted Living	x	x	x	S	x	x			
Studios	x	x	x	x	x	x			
Civic/Public/Institutional									
Auditoria, Community Theatres, Museums	x	x	x			S			
Cemeteries									S
Churches/Religious Institutions	x	x	x	x	x	x			
Day Care (more than 12 children)	x	x	S	x	x	x			
Hospitals									
Nursing Homes	x	x		S		S			
Private Club/Lodges	x	x		S					
Public Buildings	x	x							
Recreational areas, play fields & facilities, including school fields	x	x							S
Recreational buildings, public indoor	x	x	S	S					
Schools: Colleges, Universities, Vocational	x	x							
Schools: K-6, Public	x	x	x	S					
Schools: Middle or High, Public ...	x	x	S						
Schools: Private	x	x	x	S	S	S			
Commercial/Industrial									
Automotive sales/Auto, truck or RV dealerships	S					S			
Automotive services/ Car Washes	S	S				x			
Automotive services/ Gas stations	S	S				S			
Automotive services/ repair shops	S	S				S			
Banks/Financial Institutions	x	x				x			
Business & Personal Services	x	x				x			
Campgrounds, RV parks									
Construction supplies & yards	x	x		x					
Distribution facilities	S								
Greenhouses/Plant nurseries		x							
Guest Ranches, Resorts	x	x							
Health Clubs	x	x		S					
Hotel, motel, inns, Bed & Breakfast (over 6 units)	x	x							
Indoor Recreational Centers	x	S							
Industrial, Light & crafts manufacture	S	S			S				

x = uses eligible in zone

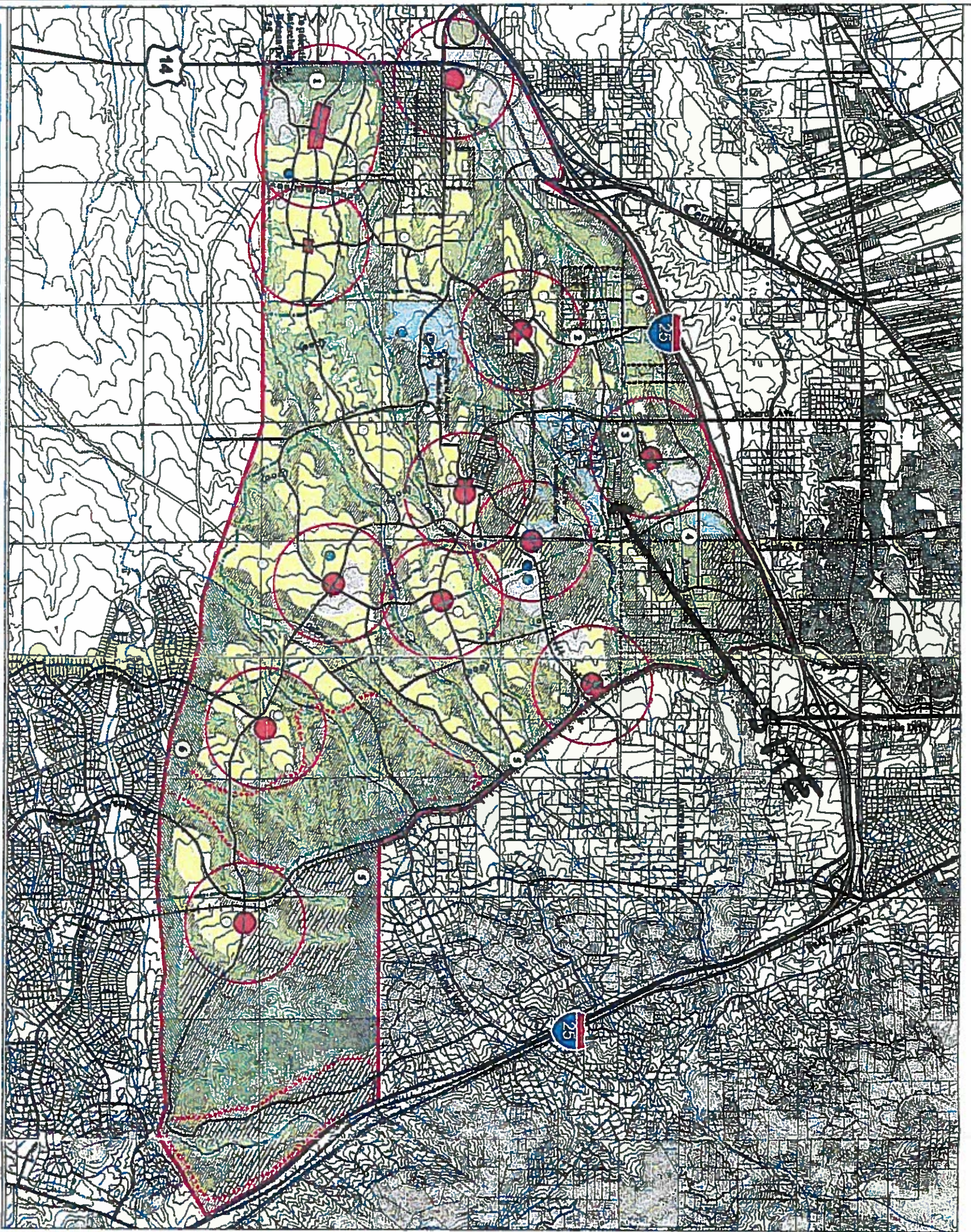
S = special use



# Land Use Zoning Map

## Legend

- Community College District Boundary
  - Major Drainages
  - Existing Rail Road
  - Proposed Rail Road
  - Village Zones
  - Pasture/Pasture Juniper
  - Employment Campuses and Centers
  - Institutional Campuses
  - Arroyo Corridors and Open Space
  - Roads - Proposed & Existing
  - Village Separators
  - District Trails
  - Proposed Alignments
  - Rural Zones
  - Existing Neighborhood Zones
  - New Community Centers & Walking Rads
- Phillye Zones:**
- Hillsides/ Pines Juniper
  - Hillsides/ Grasslands
- Buffer Areas:**
- Highway 14 buffer
  - Vista Open buffer
  - Blinn's Ave. / 200 ft. both sides
  - Arroyo Grande West buffer
  - Vista Vista buffer
  - 21000000 buffer
  - SR 300 Highway Corridor Area to Highway Corridor Area
- Elementary Schools**
- Middle Schools
  - High Schools



Approved by Board of County Commissioners October 21, 2009  
 Approved by Santa Fe Community College Board of Trustees October 21, 2009  
 Approved by Santa Fe County Board of Commissioners October 21, 2009  
 Approved by Santa Fe County Board of Commissioners October 21, 2009  
 Approved by Santa Fe County Board of Commissioners October 21, 2009  
 Approved by Santa Fe County Board of Commissioners October 21, 2009  
 Approved by Santa Fe County Board of Commissioners October 21, 2009



# Santa Fe Community College District





- (8) proposed architectural treatment;
- (9) The Buildable Area and the No Build Areas on each lot shall be clearly indicated by shading, pattern or comparable graphic method (see Article VII, Section 3.4.1 for Buildable Area Performance Standards.)
- (b) The site plan shall respond to Section 4.4.1 Site Planning Standards for driveway access, building placement, parking lot location and terrain management.

4) Development Plan Report

The development plan report shall include all submittals pursuant to this Article III, Section 4 of the Code.

5) Traffic Generation Report

- a) The amount of traffic generated by the development shall not at any time impede traffic flow, or cause public roads to operate at over capacity.
- b) If a fair and substantial showing is made that the development will increase the burden on inadequate public roads, utilities or other services, the use may be denied, or the developer may be required to undertake the full cost of improvements to the public road or other services in order to meet the test of adequacy.
- c) A traffic report shall be prepared, signed and sealed by a registered New Mexico professional engineer, or other qualified professional as determined by the Code Administrator. Report contents shall be based upon existing traffic conditions in relation to existing road capacity and level-of-service (LOS); a projection of traffic to be generated by the development; and recommendations for mitigating any negative effects to existing road capacity which may occur as a result of new development. Where applicable, the International Traffic Engineers (ITE) Trip Generation Report 1987, 4th Ed. shall be used as a reference in calculating traffic projections. Copies of the ITE Trip Generation Report are available in the Land Use Administrators Office.

History. 1980 Comp. 1980-6. Section 4.4.1 Submittals was amended by County Ordinance 1990-11, to clarify and make additions to the submittals required of the applicant for non-residential use zoning.

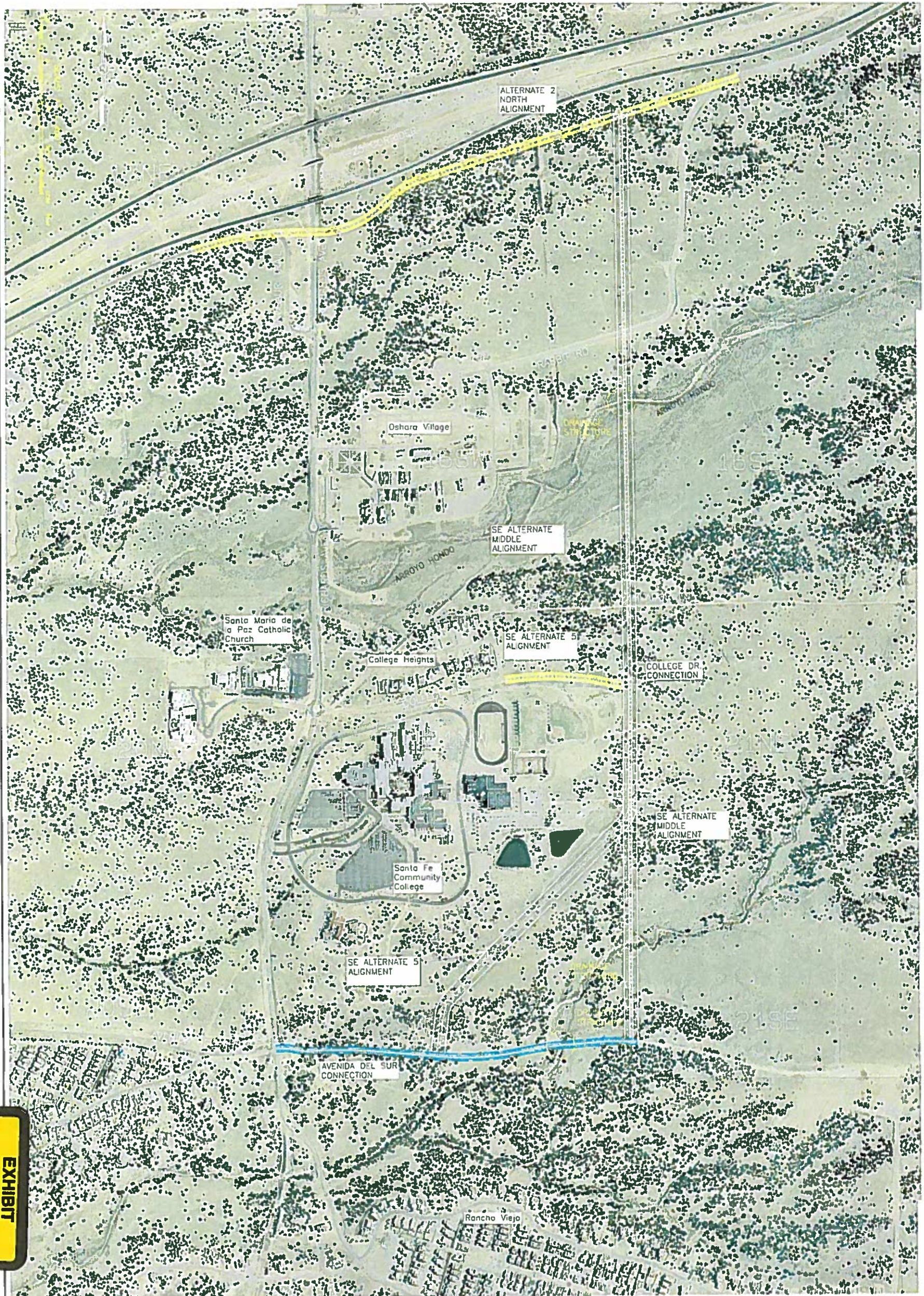
4.4.2 Environmental Performance Standards

The proposed development shall utilize standard techniques available in order to minimize noise, vibration, smoke and other particulate matter, odorous matter, toxic or noxious matter, radiation hazards, fire and explosive hazards, or electromagnetic interference. The Code Administrator may refer an application to the New Mexico Environment Department for comment concerning the performance standards. If it is determined that the development will create any dangerous, injurious, noxious or otherwise objectionable condition, noise or vibration; smoke, dust, odor, or other forms of air pollution, electrical or other disturbance, glare or heat, in a manner which causes a significant adverse impact to the adjacent areas, a plan shall be submitted which states how such conditions will be mitigated.

History. 1980 Comp. 1980-6. Section 4.4.2 was amended by County Ordinance 1990-11. This Section was previously 4.4.3.



# NE AND SE ALTERNATIVES



tabbles  
EXHIBIT  
**14**

N3D-64

DATE: E-0752-01  
DATE: January 2014  
SHEET: 15 OF 15



SANTA FE CORRIDOR STUDY  
PHASE 1-A ALTERNATES  
ALTERNATES-BASE - NE AND SE ALTS

Santa Fe County		Santa Fe County	
NO.	REVISION DESCRIPTION	DATE	BY
1			
2			
3			



See cc on  
PAGE 3.

March 5, 2014

Ms. Liz Stefanics,  
County Commissioner, District 5  
P.O. Box 720  
Cerrillos, New Mexico 87010

**Re:** Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20. Presentation by Jenkins and Gavin to the Rancho Viejo Community at the Santa Fe Community College on March 10 at 5:30 p.m. (Jemez Rooms).

Dear Commissioner Stefanics:

It is our understanding that you prefer email, but we could not send the attached list of more than 300 signatures opposing this project, easily by that means. **(See Attachment A.)**

Last year, we were told in three meetings that this proposed apartment complex was to be built in two phases on an extension of quiet College Drive, which borders the College on the North, to ultimately total an estimated 400 units. These apartments represent a huge departure from Rancho Viejo's design and concept.

This year, the major change appears to be starting the project with 200 units 1/4th of a mile further over from our mail boxes on Burnt Water Road. (Later, they would finish the apartments right up to Burnt Water road.)

Past SF Community College President Ana Guzman, invited us to a community meeting and surprised us with the information that the complex would be filled with students--most likely foreign students.

Although it is billed as a luxury development with club house and pool, we view it as a potential "party palace" in our quiet neighborhood. (The club house and pool are a further irritant because our developer Univest promised Rancho Viejo residents a Club and a pool but never built them.) And the college has a huge pool only yards away.

Further complicating the situation, according to Jenkins Gavin--the local Public Relations firm fronting this development--this property is in the process of sale to Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, AZ 85253. Bruce Hart is the main partner involved, according to Warren Thompson of Univest.

This land is currently Master Planned by the County for 60 single family residences which is far more appropriate for this neighborhood and in line with



NBD-65

what we were promised when we bought our homes.

This project would certainly lower the property values on Dean's Court. Rancho Viejo developers (Univest, and others) sold housing in Rancho Viejo with the assurance that it would be occupied by homeowners and governed by covenants and associations. A sale of this parcel should not change the contract under which we purchased homes.

We oppose apartments in this neighborhood because of loss of views due to the heights of this complex, traffic, noise, headlights which eliminate our night sky concept, the lack of the completed Southeast Connector (which in the event of a ground fire virtually traps us on College Drive--there is only one way in and out), the traffic impact on Richards, and the fact it presents the perfect site for potential drug and criminal problems.

We are reviewing the traffic impact study paid for by the developers and we are aghast at the findings. We have traffic experts among us and they find this study deeply flawed.

We have discussed that the ideal place for apartments, would be next door to our new Fire Station. The Station represents some law enforcement and such a complex would have immediate access to Route 14 as well as be walking distance to college, reducing the traffic impact on Richards. It would be some distance from our single family homes. It would be more likely to attract a variety of residents rather than just students.

We do not oppose student housing constructed on the College and supervised by the College.

We control our residents through homeowners associations. Apartment dwellers have no such associations. Young students can quickly bring down the condition of apartment structures since they do not understand maintenance. Once this project is developed, we know it will be immediately sold and possibly not well managed. One look at the police blotter for the apartment complexes on Airport Road, is enough to cause deep concern.

While respecting Univest's right to sell or develop this particular parcel, we do not endorse any changes to the Master Plan to permit apartments on College Drive because this kind of density is a far fetched deviation from our community plan.

Sincerely,

Concerned Residents for Smart Development  
concernedrvhos@gmail.com  
99 Via Orilla Dorado,  
Santa Fe, NM 87508

NIBD-666

cc: Penny Ellis-Green, Growth Management Administrator, County of Santa Fe,  
P.O. Box 276, Santa Fe, NM 87504-0276

Dan Drobnis, Chair of the County Development Review Committee and District 5  
Representative, 102 Grant Ave., Santa Fe, 87501-2061

NBD-67

Rancho Viejo Against Apartment Complex Petition

**Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive**

-Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

-Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

-Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

-Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

-Whereas crime has been high in Santa Fe apartment complex areas,

**Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.**

Name	Address
<u>PAUL WRENN</u>	<u>163 E CILILI LINE RD, SANTA FE, NM 87501</u>
<u>ELEANOR O. BOVE</u>	<u>922 ACEQUIA MADRE SANTA FE 87501</u>
<u>Cliff Poir</u>	<u>922 ACEQUIA MADRE, SANTA FE 87501</u>
<u>Michael W. Johnson</u>	<u>511 VIA PUNTO NUEVO SF 87508</u>
<u>Jason M. Johnson</u>	<u>54 VIA PUNTO NUEVO SF 87508</u>
<u>Dennis Green</u>	<u>42 JOHNSON Mesa SF 87508</u>
<u>Susan Maesch</u>	<u>7 Rocky Slope Dr. SF 87508</u>
<u>Terrell Gammert</u>	<u>50 Victorio Peak SF 87508</u>
<u>Donna Bennehart</u>	<u>50 Victorio Peak SF 87508</u>
<u>Glenn A. Buehler</u>	<u>5 CALLE AGUA CLARA, SF NM 87508</u>
<u>Patricia J. Jowers</u>	<u>#5 Calle Agua Clara</u>

NBD-68

**Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive**

--Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

--Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

--Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

--Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

--Whereas crime has been high in Santa Fe apartment complex areas,

**Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.**

Name	Address
<u>Susan McGrew</u>	<u>3 B Deans Ct., SF, NM 87508</u>
<u>Fat E. Ferrin</u>	<u>10 DEANS CT. SF NM 87508</u>
<u>Christina Young</u>	<u>1 Canyon Ln # 87508</u>
<u>Elizabeth Kerr</u>	<u>6555 S. Richards Ave</u>
<u>James Kerr</u>	<u>6555 S. Richards Ave</u>
<u>MARK A. GALLAGHER</u>	<u>1 MATAVE PL. SANTA FE 87508</u>
<u>Paul Mann</u>	<u>163 E CHILI LINE RD, SANTA FE NM 87501</u>
<u>Randall Schutz</u>	<u>6 Shiprock Peak, SF, NM 87508</u>
<u>Juanita L. Cleburn</u>	<u>27 E Chili Line Rd</u>
<u>Richard Cleburn</u>	<u>" " " " "</u>
<u>Ken Grandall</u>	<u>4 Whitewater Ct</u>

AGAINST 2

King Wemy

LINDA WILLIAMS

ROSALIE LOPEZ

Tom O'Brien

Marguerite Hatch

John Hatch

Lisa Louch

LARR/Wright  
DON SOF-CHALK

Patricia Moriarty

Dennis Green

BARBARA MILLER

Laura Corbin

JORDAN MILLER

VAN E. Liming

Maggie Liming

Hip M'Ca

Peggy McCoy

Paula Davis

Hanna P. Fernandez

Yolaine Fernandez

Satanea Fernandez

Gilda Fitzpatrick

9- Galline Peak Rd

4 PURPLE CROW PL.

2 SHIPROCK PEAK

3 Fireheart Pl.

4 Fajada Wash

4 Fajada Wash

38 Devoy's Peak. S F

83 Johnson Mesa

11 Witches Peak

3 Big Bear Place

42 Johnson Mesa

45 JOHNSON MESA

42 Johnson Mesa

45 JOHNSON MESA

51-D Cañada del Rancho

51-D Cañada del Rancho

3 Conestoga Trail

3 Conestoga Trail

40 E. Chile Lane

4 Eyle Peak

u u u

u u u

3 Corte Patricia



AGAINST

<u>ROBERT &amp; ELAINE CARSON</u>	<u>175 E. CHILI LINE RD.</u>
<u>Mary Kay Baulton</u>	<u>3 Bucking Horse Ct.</u>
<u>Randy Cautcher</u>	<u>12A Deans Ct</u>
<u>Karin Gebin</u>	<u>12A Deans Ct</u>
<u>Eme Margaleis</u>	<u>15 Reeds Peak</u>
<u>Jim R. Com</u>	<u>2 Cimarron Ridge Dr.</u>
<u>Steven Moriarty</u>	<u>3 Big Bear Pl 87508</u>
<u>Beverly Brunson</u>	<u>4 BASKET MAKEUP</u>
<u>Lynn Jackson</u>	<u>22 Cumbres Pass</u>
<u>Frederick P. Wright</u>	<u>32 E Chili Line Rd</u>
<u>W. French</u>	<u>12 Enmeclio Pl.</u>
<u>Richard Byrne</u>	<u>4 Shannon Ct</u>
<u>Barbara Aran</u>	<u>5 Pajarito 40 Peak</u>
<u>Kenneth Aran</u>	<u>5 Pajarito Peak</u>
<u>Deborah Harmon</u>	<u>2 Broken Rock Place</u>
<u>Barbara Anderson North</u>	<u>76 Cascade del Rancho</u>
<u>Carla Beene</u>	<u>2 Conestoga</u>
<u>Mary Beene</u>	<u>2 Conestoga Trail</u>
<u>David &amp; Dee Dee Vigil</u>	<u>6 A Deans Ct</u>
<u>Jack Gray</u>	<u>5 Softwynd</u>
<u>Pat Gray</u>	<u>5 Softwynd</u>
<u>Sandra L. Slogan</u>	<u>15A W Chili Line Rd</u>
<u>ROBERT J ANDREOTTI</u>	<u>15A W CHILI LINE</u>

AGAINST

Tom SCHRIMPF

9 ANGEL PEAK

Bob Hassel

22 GRASSLANDS TR

JAN MARTINEZ

22 GRASSLANDS TRAIL

Dimitri Michalos

15 Withers Peak

Anke Michalos

15 Withers Peak

TIM MANNINEN

23 VICTORIA PEAK

Elle Jensen

43 A Canada del Rancho

MARY S. Hatola

4 JULIA COURT

Mark Fuller

2 Mule Deer Road

WILSON PUCO WILSON

3 CIMARRON PASS

JACQUE MCANULTY

3 CIMARRON PASS

Charles O'Donnell

2B Deans Ct

Karen O'Donnell

2B Deans Ct

Cathy Doren

6 Broken Rock Pl.

MANFRED LAERDIE

7B DEAN CT

Jeanne Schwarz

34 Canada del Rancho

Sandy Lemon

11 Softwynd Drive

Dennis Harlman

15 E. Chili Line

Dona Harlman

15 E. Chili Line

LAURA TRUJILLO

6 CAPITAL PK.

Bette Knout

3 Well Tank Rd

Paul Lujan

2A Deans Ct

Dee De Vigil

4A Deans Ct

110-411-1051

BOB + DANN DALTON  
Havena Knight  
Juan Hernandez  
[Signature]  
[Signature]  
Leo Duncan  
NANCY DUNCAN  
Robert Duran  
Adelene C. Younger  
Lillian Turner  
Diane Brown  
Mary McElroy  
Marianne [Signature]  
Walter / Peggy Eddy  
CHERRYL BUECHT  
PAUL LEHMAN  
ANGELA LEHMAN  
KAREN LANKFORD  
KELLY SKNERLOS  
Kathleen Sigil  
Vicki Schaefer  
Jean McKinney

9 Cimarron Pass  
32 E Chili Line Rd  
20 [Signature] Rd  
2 Pin Cushion Pl  
9 B Deans Ct  
9 B Deans Ct  
12 PEARIE Crest Dr  
12 PEARIE Crest Dr  
3 Socorro Ct  
1 Bufada Pl  
2 HICKORY CANYON DR  
7 Spirit Run Pl  
19 Fingers Rock Rd  
15 [Signature] Pass  
27 E Saddleback Mesa  
5 REEDS PEAK  
7 Reeds Peak  
7 Reeds Peak  
2 HUNTERS PASS  
2 HUNTERS PASS  
Dean's Court  
99 Via Grilla Nevada  
9 [Signature] Place

<del>Joseph P. Kelley</del>	4 Conestoga TRL
Dorothy A. Kelley	"
Kathleen A. Morgan	29 Bullent Sky Ln
Eddie Hironaka	5 Avenida Oso ct
Teiko Hironaka	5 Avenida Oso ct
Rosemary Strout	41 Victoria Peak
Elizabeth Martin	26 Devoy's Peak
Mark Udaly	7 Sobradere Dr
Kay Greene	14 Cañada del Rarcho
Jospeh Gonzalez	6 Eagle Peak
Alexis Gonzalez	6 Eagle Peak
Cheryl Lewis	15 EMM Spio Place
Mary King	7 Softwood
Sara Jean Kennedy	
Paula Doane	83 Johnson Mesa
Linda Hilda Wesh	57 Via Sigraden
Susan Mayes	16 Mesa Pino
Steven Mayes	16 Mesa Pino
Susie Knight	7 Gray Hawk
Karl Johnson	↓
David Goroyca	8 Prairie Crest Dr
Diane Goroyca	8 Prairie Crest Dr

AGAINST

Charles McGuffee

Beth Decker

Summit Padden

PEDRO PAOLIS

Maria Pope

Rodger Pope

Mary Ann Pimental

Richard Furlanck

Christa Furlanck

Nancy Uvalle

Ivan Orobóez

Linda Rundell

Thomas Leming The O. Sig

~~Pat~~ LINDA KONEW

DOUG KONEW

Cynthia Smith

Patricia Smith

Dore Dalton

KIM SONG

Robert Hansen

Melody Lewis

Clayton Pechlaka

6 Blue Wing Lane

11 Craftsman Rd

215 E CHILI LINE RD

215 E. CHILI LINE RD

4 Bear Mountain

4 Bear Mountain

8 Alegria Pass

10 BEAR MOUNTAIN

6 Redoubt Peak

6 Redoubt Peak

17 Firerock Rd.

81 Cañada del Rancho

11 Well Tank Rd

4 Sebradora Dr.

26 PANTHER PEAK

26 PANTHER PEAK

14 Cañada del Rancho

15 Johnson Mesa

9 Cameron Pass

9 Fireheart Place

7 FIREHEARTH PL

81 Johnson Mesa

81 Johnson Mesa

Anji Estrellas  
Laurel Parker  
Julie Good  
Kate Barber  
~~Russell Bonner~~  
Sylvie Rowers  
Kristin Chancellor  
USA GULOTA  
BETH HUNDLEY  
Barbara Mohon  
Amy Milder  
Henry Freund  
Patricia L. Williams  
Eldon E Brown  
Lisa K. Rawlings  
J. Peppard-Combes  
J. H. Condes  
Zun Zun (Loren Testa)  
Carmen Lopez  
Clinton Coffman  
KW Mully  
Pave A G  
~~Reed~~

11 Bajada Place  
2 Poppy Place  
14 PANTHER PEAK  
14 Panther Peak  
130 E Chili Lin Rd  
130 E Chili Lin Rd  
211 E. Chili Lin Rd,  
4 GRAYHAWK Place 87508  
1 COYOTE WASH  
26 Reeds Peak SF. 87508 505-501 3660  
1 Coyote Wash 87508  
1 Reeds Peak 87508  
169 E. Chili Rd 87508  
169 E Chili Rd 87508  
78 Johnson Mesa Santa Fe, NM 87508  
2 Sobradara Dr. Santa Fe, NM 87508  
 "  
6 Horse Peak, 87508  
47 Victorio Peak  
2 ALEGRE PASS  
18 Cimarron Pass  
2A Dean's Ct.  
6B Deans Ct

against

AGAINST

Lee Morgan  
 Frank Dickson  
 Robert J Karea  
 Kai Qu  
 Karen Donovan  
 DARLENE FRAZIER  
 JORDAN MILLER  
 BARBARA MILLER  
 Marianne Tenenbaum  
 Deborah Senters  
 Bill Senters  
 Leticia Padilla  
 Deb Deussen  
 Jerry Riddle  
 Cal E. Capen  
 TERI BUHL  
 Wanda J. J. J.  
 Kenneth Vellan  
 Robert Garcia  
 Harold J. J. J.  
 FRANCISCO LOPEZ  
 STEPHEN HUNT

29 Brilliant Sky Dr.  
 2 Big Bear  
 181 E. Chili Line Rd  
 8 Bajada Place  
 155 Rancho Viejo Blvd  
 9 ANCEL PEAK  
 45 JOHNSON MESA  
 45 JOHNSON MESA  
 4 BLUE WING PLACE  
 15 Prairie Crest  
 15 Prairie Crest  
 18 Prairie Crest  
 3 RED THORN PL  
 14A DEANS CT.  
 39 E CHILE LINE ROAD  
 219 E. CHILI LINE RD.  
 6 CAPITAL PEAK  
 Kenneth.Vellan@WFAADVOCES.COM  
 joslyabob@earthlink.net  
 18A DEANS CT  
 FL02239512 AOL.COM  
 18 B DEANS CT. SF 970-313  
 19A DEANS CT, SF, NM 97508

Rancho Viejo Against Apartment Complex Petition

Fuller Drane

Sesalia Lopez

Charles Brown

Janice Stree Paul

Steven & Patricia Moriarty

Sigurd Young

Philomata Teelcy

Gary Nelson

Dennis Halman

Grace Dana Halman

David Yates

John Hatch

Mary + Bernie Paiz

Kathleen Berant

Diane Williams

Cathy Doren

Juanita Hernandez

SARA Kennedy

Jiri Kennedy

Hilma van Hunningh

Coni Kococ

NORD PETERSEN

Robert Duman

83 Johnson Mesa

2 Shiprock Peak

83 Via Orilla Dorado

2 Sallier Peak

3 Big Bear Pl

Cibola Mesa

1 Woodflower PL

1 Woodflower PL

15 E Chili Line Rd

15 E Chili Line Rd.

8 West Saddleback Mesa

4 Farida Wash, SE. 87508.

25 Reeds Peak 87508

79 Calle Agua Clara

73 Calle Agua Clara

6 Broken Rock Pl.

3 Cuernavaca Park

16 Bear MTD

"

4 WINDSTONE R

112 Via Orilla Dorado

4 WINDSTONE RD.

3 Socorro Ct.



Rancho Viejo Against Apartment Complex Petition

Jennie Olsen	95 Via Orilla Arado
Jaime Schneider	99 Via Orilla Dorado
Joy Mathan	144 Rancho Viejo Blvd
Sara Haring	102 Via Orilla Dorado
Mary Helbert	9 PASO LUNA BIANCA
Robert Zani	87 Via Orilla Dorado
Carl Davis	87 Via Orilla Dorado.
John Hatch	4 Fajada Wash, Rancho Viejo
Mimi Hatch	" " "
Marta Katz	30 Army Ridge Road.
Janet Paul	2 Gallina Place
Steve Paul	"
Linda McIlroy	14 Cimarron Pass
Glen Smerage	181 E Chili Line Rd. 87508
Bruce Blair	1 Paso Luna Blanca 87508
Joane Peppatt-Lombes	2 Sobradora Dr.
Jim Peppatt-Lombes	"
Arlene YOUNGER	1 Bajada Place
JOHN INGER SEITZ	34 SOBRADORA DR.
James + Elizabeth	6555 S. Richards Ave
Linda Williams	4 Purple Crow Place
Tom O'Brien	3 Fireheart Place
LARRY Wri, D	83 Johnson Mesa
ABouch	4B Canada del Rancho

Rancho Viejo Against Apartment Complex Petition

Toreeni Reitano	58 Johnson Mesa 87508
Wagat Broyh	3 Crows View PE-
James Amy	57 E. Chili Line
Jane Ferrera-Clarke	74 Johnson Mesa
Steph Clarke	74 Johnson Mesa
Marianne Amigreich	219 E. Chili Line Rd.
Debi Lull	219 E. CHILI LINE RD.
David L. Lull	17 Sibirskaya Dr
Kristin Chancallon	211 E. Chili Line Rd
Steve Chancallon	211 E. Chili Line Rd
Terri Manureni	23 Victoria Peak
Anna Bacc	30 Canada del Rancho
Mike Dru	30 CANADA del Rancho
Robert J. Kares	181 E. Chili Line Rd
Judy J. Kares	181 E. Chili Line Rd.
Sam Whitting	19 Galesland Tr
Thayne Cooper	131 E. Chili Line Rd
Martin Katz	30 Arroyo Ridge Road
Wendy Katz	30 ARROYO RIDGE RD

Rancho Viejo Apartment Complex Petition

**Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive**

--Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

--Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

--Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

--Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

--Whereas crime has been high in Santa Fe apartment complex areas,

**Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.**

Name	Address
<u>Rhonda G. Williams</u>	<u>46 Camino Dimitrios, SF NM 87508</u>
<u>Wanda Moore</u>	<u>34 Vista Precioso, SF NM 87507</u>
<u>Sue Wittman</u>	<u>1286 Chestnut, SF NM 87507</u>
<u>[Signature]</u>	<u>1631 Ben Mar Dr SF NM 87501</u>
<u>[Signature]</u>	<u>409 Canyon Rd Santa Fe 87505</u>
<u>[Signature]</u>	<u>4621 Cactus Flower Santa Fe 87507</u>
<u>[Signature]</u>	<u>203 Calle San Simon SF 87505</u>
<u>[Signature]</u>	<u>203 Calle San Simon Santa Fe, NM 87501</u>
<u>[Signature]</u>	<u>151 Gonzales Rd #18 SF 87501</u>
<u>[Signature]</u>	<u>1109 Don Gonzales Ln Santa Fe</u>

Robert Kroutil

3 Wall Tank Road

Gary Lee Nelson

1 Woodflower Place

Rancho Viejo Apartment Complex Petition

**Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive**

--Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

--Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

--Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

--Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

--Whereas crime has been high in Santa Fe apartment complex areas,

**Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.**

Name	Address
<u>[Signature]</u>	<u>2508 Camino San Patricio, SF 87505</u>
<u>Dubin V...</u>	<u>8 Sandia, Santa Fe 87508</u>
<u>Evel Gallen</u>	<u>3704 Valmore Road S.F. 87505</u>
<u>SAE</u>	<u>1896 Lorca Dr. 87505</u>
<u>[Signature]</u>	<u>50 Cibola Cir. 87505</u>
<u>[Signature]</u>	<u>35 Llanos de Oro 87506</u>
<u>[Signature]</u>	<u>723 Gonzales Rd, Santa Fe 87501</u>
<u>Angela Ortega</u>	<u>1600 Ben Hur Dr. SF NM 87507</u>
<u>Rodrigo Zamora</u>	<u>2903 Cortada de Patro SF NM 87505</u>
<u>[Signature]</u>	<u>112 San Salvador Ln, SF NM 87501</u>
<u>Martha [Signature]</u>	<u>33AB South Fork SF NM 87508</u>

AGAINST

Cyril Hilley

Stanley Rose

Peter Gould

Marsha Brennan

Frank

Frank Dickinson

Judith

Jean Struck

TIM MANNINEN

Steve Lord

Barbara Bittner

NANCY ARMSTRONG

5 Jimsonweed Ct SF 87508

1 Fido Heath Pl 87508

18 Cibola Peak, pgouldlaw@gmail.com

3 Julia Court

29 Echelon Park

2 Big Bear Pl.

177 Dennis Ct S.F.

9A Dennis Ct

23 VICTORIO PEAK

1 Alegre Pass

11

2 PIN CUSHION PL



March 7, 2014

Jerry & Carol Wells  
14A Deans Court  
Santa Fe, NM 87508

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

Dear Sir or Madam:

This letter is in response to Legal notice #96592 published in the Santa Fe New Mexico on February 27, 2014 regarding a public hearing on an amendment to the College Master Plan on 56.91 acres for the development of an multifamily residential community.

As we will be unable to attend the hearing on the 20<sup>th</sup> day of March 2014 we are writing to voice our concerns and objections to this development.

Univest-Rancho Viejo proposed this development over a year ago at which time we voiced our objections to this development as it would substantially increase traffic on College Drive and it was a change in the original design of the neighborhood from single family housing to multifamily rental housing. The original proposal submitted by Univest-Rancho Viejo was to build two multifamily rental housing units in two phases each development consisting of approximately 240 housing units. The proposal was marketed as a "Luxury" apartment complex.

After receiving considerable opposition to these plans, Univest-Rancho Viejo altered their plans and presented a proposal very similar to the current proposal. Once again the Community voiced opposition to this plan.

At a meeting in the fall of 2013 a meeting was held to establish a Community/Developer joint task force for purposes of addressing many of the issues voiced in our opposition to this development. At the end of the meeting we were informed that this proposed development was not included in this new joint task force as the College Drive property was being sold to Vedula Residential Operating LLC.

We are now told that this sale has not been completed and it appears that Univest-Rancho Viejo is a partner in the proposal.

NBD-85

Our original opposition to this development has not been resolved. Our issues are the increase in traffic on College Drive, the change from single family owner occupied homes to multifamily rental units.

We do not believe these rental units will be "Luxury" apartments as it is quite evident that they are intended as student housing for SFCC.

Our concerns with student housing is the fact that College students do not maintain the property, have late night parties and are constantly traveling back and forth to social events, work, school, friends houses etc. We have rented to College students in a College town and know the ramifications of renting to College students.

The traffic study presented assumes that the traffic on College Drive will not increase significantly. It is unknown how many automobiles the study assumes for each apartments but I would expect no fewer than at least two per unit and considering the residents would in all likelihood be students, I would expect some units would have up to four automobiles per unit.

The multifamily rental housing is proposed assuming the South East Connector runs west of the proposed site. As the developer probably is working with the county to make that happen, it may relieve some of the traffic concerns, but not as many as the traffic study seems to imply.

The multifamily rental housing is only a short distance from a significant archaeological site. Knowing young adolescent children tend to wonder off to explore unoccupied areas of the surrounding areas to the homes, I would expect this site is at risk.

The proposal as submitted leaves open the question of the second multifamily rental units and would in fact increase traffic substantially above the projections.

It may be noted that the round about at Richards and College Drive is rated as a failure. While it is true the South East Connector may help the rating on this roundabout, it would still be rated at a failure or near failure rating with the rental units.

As a homeowner in College Heights, I must follow the covenants established by the Rancho Viejo Homeowners associations. These covenants protect homeowners rights, rights which the multifamily rental units will not be required to follow.

We live in a natural dry land environment which is highly flammable and easily destroyed by wildfires, unplanned pedestrian, bike and off road vehicle trails.

As a final issue, we find it unreasonable for multifamily housing to be allowed a swimming pool when residents of Rancho Viejo are not allowed to have swimming pools and which saves our valuable water resources. The pool would make the multifamily rental units for College students even more attractive for late night parties with significant use of alcohol and drugs.

NBD - 86

We ask that you require this section of land be developed as originally platted in the Master Plan and as presented to the residents of College Heights at the time they purchased their single family homes.

Sincerely,



Jerry Wells



Carol Wells

CC: Liz Stefanics, Commissioner

NBD-87

## Jose Larranaga

---

**From:** Dennis & Dona Hoilman <hoilmanhouse@yahoo.com>  
**Sent:** Tuesday, March 11, 2014 11:54 AM  
**To:** Jose Larranaga  
**Subject:** Re: Proposed Apartment Development in Rancho Viejo

15 East Chiii Line Rd  
Santa Fe, NM 87508  
Email: [hoilmanhouse@yahoo.com](mailto:hoilmanhouse@yahoo.com)  
Phone: 505 473-2205

Dear Mr. Larranaga,

Thank you for returning our call so promptly. We appreciate your efficiency and courtesy very much and are glad to know that you are the proper and expected person to whom we should address our objections to the proposed development of an apartment complex in Rancho Viejo.

This proposed development would require changes to the Rancho Viejo master plan; we most strongly object to any changes at all in the original plan, and especially to the proposed construction of an apartment complex on College Drive just north of Santa Fe Community College.

We bought our house on the promise that the Rancho Viejo Master Plan would be honored permanently. Now the developers are seeking to void the original plan and build a commercial apartment rental complex in our community. Doing so will inevitably change the nature of Rancho Viejo, lowering our property values, further clogging our already too congested traffic access (a major problem already), creating serious security concerns, polluting our land and night sky, playing havoc with our beloved views, ultimately depleting our water supply and over-stressing our sewers leading to increased assessments for all residents of Rancho Viejo.

Of additional concern to residents of Rancho Viejo is the proposed sale of this development property to a Scottsdale firm which has a dismal record as far as maintaining its developments and its commitment to the communities which those developments disrupt.

But whether this sale materializes or not, the proposed changes in the master plan provide absolutely NO BENEFITS for current residents--only an intolerable degradation of the community and life style that we presently enjoy and that were prime factors in our choice of Rancho Viejo as a place in which to live.

The only motivation for the proposed changes is corporate greed, and all residents of Rancho Viejo will be the victims should the Development Board and/or the County Commission approve them. We have heard rumors that this is a "done deal," but hope that this is NOT THE CASE.



Sincerely,

Drs. Dennis R. and Grace Dona Hoilman

**TO: COUNTY DEVELOPMENT REVIEW COMMITTEE (CDRC)**

**RE:** Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo". This project is currently on the County Development Review Committee (CDRC) agenda for your March 20, 2014 meeting.

March 11, 2014

Dear Commissioner Stefanics:

Univest, the current owners of Rancho Viejo have, for some time now, proposed to build a more than 400-plus unit apartment complex in the College Heights area of Rancho Viejo (just north of the Santa Fe Community College campus).

All of the many hundreds of individuals and families who have bought our homes here in the Rancho Viejo community, bought them with the specific developer promises that this was to be a carefully planned community of individual family homes. The "Elevation at Rancho Viejo" proposal, on its most basic level, is a total violation of the original representations made to all of us when we purchased our homes here.

The large Rancho Viejo community can only be accessed by using one of three, narrow two-lane roads: Rancho Viejo Blvd., Richards Avenue and Rabbit Road (which cuts through the Oshara Village community and comes out again on Richards Avenue). Rancho Viejo Blvd. is a narrow, twisting, unlit two-lane road with no shoulders and only a couple of tiny pull-off areas. Richards Avenue is also a two-lane road, and will always be only a two-lane road as it is crossed by the two I-25 bridges and the Railrunner Bridge (preventing any future road widening).

Last Summer, many of us attended a presentation of a roadway and traffic study that was commissioned by Santa Fe County, in conjunction with the New Mexico Department of Transportation and the Federal Highway Administration. At the beginning of this presentation by Occam Consulting Engineers, one of the very first statements made by the presenters was (quote), "Richards Avenue is MAXed out". There are, as you know, proposals being considered by the County to create "connector" roads in and out of Rancho Viejo which supposedly will allow more traffic, but all that these connectors will accomplish is to shunt vehicles from one portion of these MAXed out roads to other areas farther down these same roads.

NBD-90

Although Uninvest (owners of Ranch Viejo) have originally made this apartment development proposal, we have since learned that Uninvest now proposes to sell this idea and land to an Arizona developer: Bruce Hart, Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, Arizona 85253. This effort is being fronted by Jenkins Gavin, a local Public Relations/Design firm. Vedula's business model is to build apartment complexes at the lowest possible cost, and move on. They have no stake or interest in this community other than the money that they will reap from it. Although this development is being represented as a "luxury" development, the previous President of Santa Fe Community College, Ana Guzman, announced in a public meeting that this complex will be filled with students! If we want to know what kind of neighbors apartment complexes have brought to Santa Fe previously, all we need do is look at the Santa Fe Police blotters in relation to all of the apartment complexes currently on Airport Road.

- ❖ We have paid a premium to live in a planned community, governed by covenants and homeowner associations. This proposed development is a blatant violation of the representations originally made to us, and such a development will be under no obligation to be bound by any such governance.
- ❖ The traffic studies commissioned by Santa Fe County, the New Mexico Department of Transportation and the Federal Highway Administration have clearly proven that the roads which access Rancho Viejo are already totally inadequate. Knowing that many individuals and families own more than one vehicle it is absurd to believe that the roads here can possibly accommodate the addition of many hundreds more vehicles that would be a part of a 400-plus unit apartment development. The proposed future "connector" roads do not offer a solution, they simply serve to shunt traffic from one part of an over-crowded roadway to another part of the same roadway.
- ❖ Approving "Elevation at Rancho Viejo" or any other similar development will permanently and adversely alter the entire Rancho Viejo community by creating destruction of valuable wild-land and animal habitat, unimaginable and permanent traffic congestion, major pollution (in many forms), significant risk of additional crime, and emergency entrance and exit access issues.

This proposal is only driven by financial greed. It does not represent any perceived or real need of this community. It is being driven by people who have no interest in the well-being of people in this community, as well as a possible developer who does not even live in this State, and I urge that this proposal (or anything vaguely resembling it) be permanently rejected.

NBD-91

Respectfully,

**Bruce Blair**

1 Paseo Luna Blanca

Santa Fe, New Mexico

(La Entrada – Rancho Viejo)

cc:

Penny Ellis-Green at [www.santafecountynm.gov/growth\\_management](http://www.santafecountynm.gov/growth_management)

Jose Larranaga-Case Manager at [joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)

Eunice Vicki at [concernedrvhos@gmail.com](mailto:concernedrvhos@gmail.com)

NBD-92

**Jose Larranaga**

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**From:** jan@hassel-usa.com  
**Sent:** Tuesday, March 11, 2014 11:57 AM  
**To:** Penny Ellis-Green; Jose Larranaga  
**Subject:** Master Plan change proposed for Rancho Viejo

March 11, 2014

Penny Ellis-Green, Growth Management Administrator

Julia Valdez, Constituent Services Liaison District 5

Santa Fe County – via email

**Re:** Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

Dear Ms. Ellis-Green and Ms. Valdez:

Last year my husband and I attended meetings regarding the proposed apartment complex referenced above. As residents of Rancho Viejo for ten years, we continue to be very concerned about the negative impact these apartments would have to our property values and the enjoyment of our home and our neighborhood.

We believe that the current master plan for the community should remain in place. It is what we agreed to when we purchased our home. It was well planned and does not seem to warrant amendment, except to bring Vedura Residential, who plans to purchase the new property, a financial opportunity. This Arizona company does not have a stake in our community or a long-term incentive to maintain the community quality over time. We believe the complex will become mostly student apartments, which is significantly different from the single family dwellings approved in the current Master Plan.

We believe the traffic study purchased by the developers that indicated the new plans would not adversely impact traffic was seriously flawed. Since there is only one road in and out of the area, more traffic compounds the traffic snarl one can easily witness every day at 5:00 and could represent a serious hazard in the event of a fire.



We realize the Board must be fair and impartial in their decision and that the developer has the right to develop the parcel in question, but believe that following the current Master Plan without changing it is the fairest approach for all interested parties. The developer has other property that would be much more suitable for such a complex without impacting an established neighborhood.

Thank you for taking our concerns into account.

Sincerely,

Jan Martinez and Bob Hassel

22 Grasslands Trail

Santa Fe, NM 87508

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, March 11, 2014 10:57 AM  
**To:** Jose Larranaga  
**Subject:** FW: Proposed change to rancho viejo master plan (CRDC hearing March 20)

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**From:** lance tunick [<mailto:tunick@vsci.net>]  
**Sent:** Tuesday, March 11, 2014 9:42 AM  
**To:** Jose Larranaga; Penny Ellis-Green; Liz Stefanics  
**Subject:** Proposed change to rancho viejo master plan (CRDC hearing March 20)

Greetings:

I am writing to express my strong opinion as regards an issue to be heard next Thursday, March 20 before the County Development Review Committee -- changes to the Rancho Viejo Master Plan.

The land owner and developer are together seeking a change to the Master Plan in order to build an apartment development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." This land is currently platted and recorded with the county for a small number of single family residences.

I am not writing to express my total opposition to the project. Rather, I am writing to do my best to see that the project, if approved, is done in a sensible and neighborhood-sensitive fashion. The mess of Oshara Village and Richards Avenue must never be repeated. The Rancho Viejo owner, Univest, displays virtually no concern for aesthetics and community issues (I can only imagine that money is their sole driving force). This means that government must be extremely mindful of the rights of Rancho Viejo residents and of the quality of life impacts that development inevitably has.

If the Master Plan amendment were eventually approved, there **MUST BE CONDITIONS attached to the change**; these conditions must include:

- Limitation on the usage of the parcel of land east of Burnt Water Road and west of the proposed apartment site. This land should be open space. Otherwise, we will be back before the CRDC in the near future with someone wanting to put more apartments on this small parcel.
- Limitations to protect vistas (height limits)
- VERY careful traffic control (stops sign, speed bumps, limitations on heavy truck traffic)
- Tree planting, wall construction and other measures along College Drive to reduce noise pollution in the existing College Heights neighborhood
- Meaningful light pollution ordinances and ENFORCEMENT of same.

Rancho Viejo has strictly-enforced covenants designed to improve quality of life. The proposed apartment complex cannot be permitted to do an end-run around these restrictions.

**MOST IMPORTANTLY, however, permitting construction of this apartment development to start *before* the Southeast Connector road is completed would be a frightening case of putting the cart before the horse.**

Construction traffic, noise, dust etc. on Richards and College Drive would be horrendous if all construction vehicles had to use those roads in order to go to and from the construction site. Richards is already a nightmare. That the developers wish to start construction sooner rather than later is simply a consideration which must bow to the reasonable needs of the community. Build the Connector road first.

**And as regards the Southeast connector:**

--surely we have learned from the traffic mess that is called Richards Avenue that poor planning leads to lousy roads; and that a plethora of sign pollution does not solve the problem;  
-- from what I have seen and heard (from the developer), there is no planned turn-off from the Southeast Connector directly into the Community College. Rather, all CC traffic would exit the Connector at College Drive and enter the CC through the existing North Entrance. This is insane. A condition to approval must be a CC turn-off leading directly into the CC from the East. The proposed pathway for the Connector is only 100 yards from the parking lots at the CC. It is hard to imagine any financial or political excuse that could justify not requiring such a CC turn-off on the Connector.

Thank you for this opportunity to express my views.

Sincerely,

Lance Tunick  
14-B Deans Court  
Santa Fe NM 87508  
Cell -- +505 570 1845

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, March 11, 2014 10:57 AM  
**To:** Jose Larranaga  
**Subject:** FW: REJECT MPA 13-5380

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**From:** Gary Lee Nelson [<mailto:gnelson@oberlin.edu>]  
**Sent:** Tuesday, March 11, 2014 9:09 AM  
**To:** Penny Ellis-Green  
**Subject:** REJECT MPA 13-5380

Dear commissioner Stefanics,

As a homeowner in Rancho Viejo North and a conscientious voter in Santa Fe County, I am writing to express my STRONGEST OPPOSITION to MPA 13-5380 that will come before you on March 20.

The Univest plans for a 400+ multi-story high-density apartment complex in College Park will simply destroy the residential character of that neighborhood and Rancho Viejo as a whole. It will cost us millions in lost property value that will eventually be reflected in county tax revenues.

In particular, it will increase the already too-dense traffic on Richards Avenue. There have been traffic studies contending that traffic Richards Avenue will be fine but SFCC anticipates a doubling of enrollment in the near future and Univest is planning a high-density "employment center" on the corner of Richards Avenue and Avenida del Sur. Do the studies take these plans and the inevitable increase in traffic flow into consideration?

There are alternative sites for the apartment complex and the employment center within the extensive property holdings of Univest. There is land is near Route 14 where a large number of commercial enterprises already exist. This location is convenient to I-25 and Route 599 so that the increased traffic can be handled from all directions NSEW without additional cost for roads. It is also convenient to the new and proposed commercial development of Cerrillos Road as it approaches I-25.

The new fire station is nearby this alternate site. Has the commission considered the increased cost of additional staff and equipment that would be needed in either plan?

The proposed NS connector will not provide such access in the proposed plan. People from the east might use the connector via Rabbit Road but Richards Avenue will remain the most convenient route for all other directions. Furthermore, the connector does not include new entrances to SFCC that would draw traffic away from existing entrances from Richards.

What about disaster evacuation routes? The alternate site is already close to 599. That would leave Richards Avenue for Rancho Viejo residents to escape wildfires and flooding.

What about crime? Bringing more people into Rancho Viejo will inevitably increase crimes of opportunity.

What about water? Yeah, what about water?



I urge you to reject this poorly-conceived proposal. Send it back to Uninvest with your strongest opinion that plans for the apartment complex and the employment center be reconsidered and revised in the interest of all concerned – Uninvest, SFCC, Rancho Viejo residents and, most of all, the county as a whole.

Gary Lee Nelson

1 Woodflower Place

Rancho Viejo

Santa Fe County, NM 87508

440.522.4278

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, March 11, 2014 10:57 AM  
**To:** Jose Larranaga  
**Subject:** FW: Opposition to Master Plan in Rancho Viejo/Univest

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**From:** Chad Gasper [mailto:CGasper@SantaFeCF.org]  
**Sent:** Tuesday, March 11, 2014 9:13 AM  
**To:** Penny Ellis-Green  
**Subject:** Opposition to Master Plan in Rancho Viejo/Univest

Per Julia Valdez, Commissioner Stefanic's liaison, I am forwarding my concerns to you concerning the changes in the master plan of Rancho Viejo by Univest – I plan to attend the meeting but wanted to voice my concerns in writing as well.

Thank you for your time.



Chad Arthur Gasper  
Development and Donor Services Associate  
Santa Fe Community Foundation  
501 Halona St  
Santa Fe, NM 87505

(505) 988-9715 Ext. 7020

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**From:** Julia Valdez [mailto:javaldez@co.santa-fe.nm.us]  
**Sent:** Tuesday, March 11, 2014 9:06 AM  
**To:** Chad Gasper  
**Subject:** RE: Opposition to Master Plan in Rancho Viejo/Univest

Mr. Gasper,

I am Commissioner Stefanics' liaison. She has asked me to explain why it is important that she may not communicate with you concerning this pending land use application.

**EX PARTE**

Land Use applications come before the Board of County Commissioners and are a quasi-judicial proceeding. The Board acts like a judge in a court of law. Decisions must be based solely on the law and the facts presented to the Board in a fair and impartial way.

Communicating with the Commissioners about the case at this point or trying to influence their decision would be an impermissible *ex parte* communication. They cannot go on record as supporting or opposing the application in advance of the vote by the full BCC. If she did take a position in advance of the hearing, she would have to recuse herself from further participation in the case.

However, you can present your views to the Growth Management Administrator. This is proper, expected, and very effective. The Administrator and her staff will take your view into consideration when developing the case for consideration. Your position is summarized in staff documents and all the information you forward to the Administrator is included in the record of proceedings. You can also appear at the hearing and present testimony concerning the application.

You can contact Penny Ellis-Green, Growth Management Administrator, (505) 986-6221, [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov).

Please feel free to contact me if you have any other questions.

Sincerely,

*Julia*

Julia Valdez

Constituent Services Liaison District 5  
Santa Fe County Manager's Office  
505.986.6202  
[www.santafecountynm.gov](http://www.santafecountynm.gov)



Conserve resources

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**From:** Chad Gasper [<mailto:CGasper@SantaFeCF.org>]  
**Sent:** Tuesday, March 11, 2014 9:05 AM  
**To:** Liz Stefanics  
**Subject:** Opposition to Master Plan in Rancho Viejo/Univest

Good Morning Ms. Stefanics,

I purchased my home 8 years ago under strict guidelines on maintenance of my property, and because of these strict guidelines I have been able to enjoy the peace and quiet and the beauty of the night sky out in Rancho Viejo. Additional homes to Rancho Viejo, specifically apartment complex's geared toward college students is not ideal, especially under the guise we were sold our homes – I was once a college student and lived off campus and know the potential of what/may/will happen, specifically with parties, additional traffic, noise, littering, police complaints. If the Santa Fe Community College is in favor of these apartments then they should build on the campus itself where they can regulate the apartments, like the homeowners associations regulates us with association fees and guidelines.

--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations. Land owners in Univest own other land that would be much more appropriate for such a development... near the Fire Station.

--The proposed location for the Elevation apartment complex will generate much more traffic on already congested Richards Road. Until the Southeast Connector is completed, the traffic for these apartments will be forced on to Richards.

--This development negatively impacts us with noise, dust, and car headlights plus parking lighting that destroy our concept of night skies. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to it.



Chad Arthur Gasper  
Development and Donor Services Associate  
Santa Fe Community Foundation  
501 Halona St  
Santa Fe, NM 87505

(505) 988-9715 Ext. 7020

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*Nonprofits have until the end of March to sign up for Give Grande New Mexico, our state's first day of crowd-sourced giving. Visit the [website](#) or email [info@givegrandenm.org](mailto:info@givegrandenm.org) for more information.*



Ms. Liz Stefanics,  
County Commissioner, District 5  
P.O. Box 720  
Cerrillos, New Mexico 87010

Dear Ms. Stefanics,

Last year it came to our attention that Vedula Developers and Univest were working together to change the Master Plan at the county level. This is a Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

I am writing because I am opposed to this Master Plan change and ask that you save the college master plan as it is. Allowing 214 apartments to be built is unethical, not well thought out (for many reasons from environmental to traffic issues); and sadly being considered for the money—not the well intent of the Santa Fe community.

The SE connector is also a real concern and needs to be questioned why it is being built when if we were doing real long term thinking of our community and college expansion, then we would build a connector at the far end of the college campus rather than its now considered placement (a quarter of a mile away from the college) suggested at the March 10<sup>th</sup> meeting.

The timing of building a road connector as well as a development complex perhaps was not thought through. We are being told that the road will begin to be laid down in 2016 yet the construction of whatever project gets the go ahead will start BEFORE the road is completed.

Considering the traffic issues already on Richards road, it makes no sense that we would impact the road even more with big equipment, trucks etc and even have a greater impact on traffic, congestion and safety issues if there is a need to evacuate quickly.

I know that you will stand by the larger Rancho Viejo community that is against this major change to the Master plan. Please note our concern and hesitation in making this major change to an already completed plat that has been documented and what all residents receive when purchasing their property.

Please do the right thing!

Sincerely,

Karin Lubin  
12A Deans Court  
Santa Fe, NM 87508

NBD-102

## Jose Larranaga

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**From:** Deanna Hagan <dee.hagan@live.com>  
**Sent:** Tuesday, March 11, 2014 10:53 AM  
**To:** Jose Larranaga  
**Subject:** RE: Case MPA13-5380

I live on Richards Ave and i want to vote NO to any changes of the Master Plan that we agreed to originally in Rancho Viejo. Too much cogestion with traffic, noise, and hiding the sites of the mountains. I will not honor any changes what so ever. Thanks Deanna Hagan 6551 Richards Ave.

## Jose Larranaga

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**From:** lance tunick <tunick@vsci.net>  
**Sent:** Tuesday, March 11, 2014 9:42 AM  
**To:** Jose Larranaga; Penny Ellis-Green; Liz Stefanics  
**Subject:** Proposed change to rancho viejo master plan (CRDC hearing March 20)

**Categories:** Red Category

### Greetings:

I am writing to express my strong opinion as regards an issue to be heard next Thursday, March 20 before the County Development Review Committee -- changes to the Rancho Viejo Master Plan.

The land owner and developer are together seeking a change to the Master Plan in order to build an apartment development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." This land is currently platted and recorded with the county for a small number of single family residences.

I am not writing to express my total opposition to the project. Rather, I am writing to do my best to see that the project, if approved, is done in a sensible and neighborhood-sensitive fashion. The mess of Oshara Village and Richards Avenue must never be repeated. The Rancho Viejo owner, Uninvest, displays virtually no concern for aesthetics and community issues (I can only imagine that money is their sole driving force). This means that government must be extremely mindful of the rights of Rancho Viejo residents and of the quality of life impacts that development inevitably has.

If the Master Plan amendment were eventually approved, there **MUST BE CONDITIONS attached to the change**; these conditions must include:

- Limitation on the usage of the parcel of land east of Burnt Water Road and west of the proposed apartment site. This land should be open space. Otherwise, we will be back before the CRDC in the near future with someone wanting to put more apartments on this small parcel.
- Limitations to protect vistas (height limits)
- VERY careful traffic control (stops sign, speed bumps, limitations on heavy truck traffic)
- Tree planting, wall construction and other measures along College Drive to reduce noise pollution in the existing College Heights neighborhood
- Meaningful light pollution ordinances and ENFORCEMENT of same.

Rancho Viejo has strictly-enforced covenants designed to improve quality of life. The proposed apartment complex cannot be permitted to do an end-run around these restrictions.

**MOST IMPORTANTLY, however, permitting construction of this apartment development to start *before* the Southeast Connector road is completed would be a frightening case of putting the cart before the horse.**

Construction traffic, noise, dust etc. on Richards and College Drive would be horrendous if all construction vehicles had to use those roads in order to go to and from the construction site. Richards is already a nightmare. That the developers wish to start construction sooner rather than later is simply a consideration which must bow to the reasonable needs of the community. Build the Connector road first.

### And as regards the Southeast connector:

--surely we have learned from the traffic mess that is called Richards Avenue that poor planning leads to lousy roads; and that a plethora of sign pollution does not solve the problem;

-- from what I have seen and heard (from the developer), there is no planned turn-off from the Southeast Connector directly into the Community College. Rather, all CC traffic would exit the Connector at College Drive and enter the CC through the existing North Entrance. This is insane. A condition to approval must be a CC turn-off leading directly into the CC from the East. The proposed pathway for the Connector is only 100 yards from the parking lots at the CC. It is hard to imagine any financial or political excuse that could justify not requiring such a CC turn-off on the Connector.

Thank you for this opportunity to express my views.  
Sincerely,

Lance Tunick  
14-B Deans Court  
Santa Fe NM 87508  
Cell -- +505 570 1845



## Jose Larranaga

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**From:** Jim&Elizabeth Kerr <ekerr22@gmail.com>  
**Sent:** Tuesday, March 11, 2014 9:11 AM  
**To:** Jose Larranaga  
**Subject:** Case #MPA13-5380

Please vote this down. Water is my main concern but traffic congestion is going to be a problem. Please do not change our master plan in Rancho Viejo.

Thank You,

Jim Kerr

6555 S. Richards Ave

Santa Fe, NM 87508

## Jose Larranaga

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**From:** Janice McAninch <jan.mcaninch@gmail.com>  
**Sent:** Tuesday, March 11, 2014 8:45 AM  
**To:** Liz Stefanics  
**Cc:** Jose Larranaga  
**Subject:** College Drive Project

Dear Commissioner Stefanics and CDRC Jose Larranaga,

It comes as no surprise that the residents of Rancho Viejo and College Heights are upset about the projected development of an apartment complex which is compromising.

Traffic on Richards Road is already maxed out.

This violates our community standards and CC&R's which was specifically for single family homes.

Students in apartments would have no vested interest in maintaining these guidelines for quiet and dark sky nights.

There are three covered pools in the Fitness Center of SFCC.

An outdoor pool at 7000 feet is ridiculous, especially with 60 mph winds potentially emptying it with a mini tsunami.

Univest may be selling the property to be exempt from any CC&R constraints; however, Vedula's reputation is not one of quality structures or concerns for the long run.

IF SFCC wants student housing, it should be on their campus and part of their responsibilities.

Traffic then could be bikes around the campus and less impact on Richards Road.

We do hope you will consider these issues as paramount to continuing a quality of life in this area.

Sincerely,

Langdon P McAninch &  
Janice A McAninch

## Jose Larranaga

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**From:** Gayle Evezich <gevezich@gmail.com>  
**Sent:** Tuesday, March 11, 2014 8:00 AM  
**To:** Liz Stefanics; Jose Larranaga  
**Subject:** Opposition to Proposed Apartment Development with Rancho Viejo - Elevation at Rancho Viejo

**Categories:** Red Category

March 11, 2014  
Ms. Liz Stefanics,  
County Commissioner, District 5  
P.O. Box 720  
Cerrillos, New Mexico 87010

**Re:** Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20. Presentation by Jenkins and Gavin to the Rancho Viejo Community at the Santa Fe Community College on March 10 at 5:30 p.m. (Jemez Rooms).

Dear Commissioner Stefanics:

I am writing to convey my deep opposition to this development since I cannot attend the March 20 meeting. We have an almost complete consensus within our community against this development, with a significant number (in the hundreds) showing up at any meeting relating to this issue, and with more than 300 signatures on a petition opposing this project.

Last year, we were told in three meetings that this proposed apartment complex was to be built in two phases on an extension of quiet College Drive, which borders the College on the North, to ultimately total an estimated more than 400 units. These apartments represent a huge departure from Rancho Viejo's established design and concept.

This year, the major change appears to be starting the project with 200 units 1/4th of a mile east of our mail boxes on Burnt Water Road.

Past Santa Fe Community College President Ana Guzman, invited us to a community meeting and surprised us with the information that the complex would be filled with students, validating our concern about the target market for the complex. Although it is billed as a luxury development with club house and pool, we view it as a potential "party palace" in our quiet neighborhood. The Community College already has a pool.

Further complicating the situation, according to Jenkins Gavin--the local Public Relations firm fronting this development--this property is in the process of sale to Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, AZ 85253. Bruce Hart is the main partner involved, according to Warren Thompson of Uninvest.

Vedula's business model is to construct apartment complexes at the lowest cost possible, and move on (see their website <http://veduraresidential.com/home/>). In a well planned and sustainable community this seems more than simply opportunistic. This company does not have a stake in the community or long standing commitment to maintaining the quality over time.

This land is currently platted and recorded with the county for a small number of single family residences, which is far more appropriate for this neighborhood and in line with what we were promised when we bought our homes.

This project will negatively impact the quiet enjoyment of our homes, and quality of life that we paid a premium for at time of purchase, and what is considered valuable to anyone living in Rancho Viejo. Rancho Viejo developers (Uninvest, and others) sold homes in Rancho Viejo with the assurance that it would be occupied by homeowners and governed by covenants and associations. A sale of this parcel would change the contract under which we purchased homes.

We also oppose apartments in this neighborhood because of loss of views due to the heights of this complex, traffic, trash and noise. There would be significant light pollution from traffic and from exterior lighting in parking lot and common areas, as well as the pool and other public areas. This is inconsistent with Rancho Viejo's tightly enforced lighting covenants designed to improve quality of life and respect the night sky ordinance in effect in the county.

The lack of the completed Southeast Connector (which in the event of a ground fire virtually traps us on College Drive--there is only one way in and out), the traffic impact on Richards, and the fact it presents the perfect site for potential drug and criminal problems.

At the community meeting with Jenkins-Gavin last night (March 10) we were informed that once the connector road is constructed, College Drive will have to be extended and that will be the route to SFCC's north entrance. SFCC does not plan to have another entrance from directly from the connector which means that all traffic that will be on the Connector will dump onto College Drive. Additionally, the north entrance of SFCC is a poorly designed entrance that is too small to accommodate much traffic. C

We are reviewing the traffic impact study paid for by the developers and we are aghast at the questionable quality of the study and its insufficient and misleading results. We have traffic experts among us and they find this study deeply flawed.

Sufficient consideration was clearly not given to more appropriate sites, where infrastructure is still feasible and cost effective - but without creating a massive impact on existing development. A good example would be in the area of the new Fire Station. The Station represents some law enforcement and such a complex would have immediate access to Route 14 as well as close proximity to the college, and would reduce the traffic impact on Richards. It would be some distance from any existing single family homes. And given it is not immediately next to the college, it would be more likely to attract a variety of residents rather than just students. Again, that is consistent with the design and intent of the Rancho Viejo community plan.

We do not oppose student housing constructed on the College and supervised by the College. However, we control our community and quality of life by way of homeowners' associations. Apartment dwellers have no such associations. Young students can quickly bring down the condition of apartment structures since they have no vested interest in maintaining the quality of the structure or environment. Once this project is developed, we know it will be immediately sold and possibly not well managed. One look at the police blotter for the apartment complexes on Airport Road, is enough to cause deep concern.

While respecting Uninvest's right to develop this particular parcel, we do not in any way endorse changes to the Master Plan to permit apartments on College Drive. This concept and related density is a far dramatic deviation from our community plan. Rancho Viejo is a community of homeowners, with strict home owner association covenants and guidelines and management. This was not designed or promoted by the developer as a rental community at the time we purchased our homes and made the decision to live in this community.

Sincerely,

Gayle Evezich  
6B Dean's Court

cc: Penny Ellis-Green at [www.santafecountynm.gov/growth\\_management](http://www.santafecountynm.gov/growth_management)



## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Friday, March 07, 2014 5:35 PM  
**To:** Jose Larranaga  
**Subject:** FW:

**Categories:** Red Category

### For the record

**From:** Lib O'Brien [<mailto:libobrien66@gmail.com>]  
**Sent:** Friday, March 07, 2014 5:00 PM  
**To:** Penny Ellis-Green  
**Subject:**

Dear Ms. Ellis-Green:

I am opposed to any change in the Master Plan regarding the proposed apartment complex north of SFCC for the following reasons. I moved to Rancho Viejo seven years ago from New Jersey and chose Rancho Viejo for it's night skies and minimal daytime noise.

1. There is plenty of land near the fire station (owned by Univest) and would not impact already existing homes. Plus, there is easy access off Rte. 14 that would not cause congestion. In addition, I bought my home with developer promise that we would be part of a community governed by covenants and our homeowners association. A high density apartment complex in our midst has no such obligations.
2. Traffic on Richards Ave. at 8:30 and 5:30 when the college holds so many classes, snakes as far as the light at Governor Miles. Today there was gridlock in the traffic circle by Maria de la Paz...Lenten services mingled with SFCC students. GRIDLOCK! We already have FIVE schools--- Maria de la Paz, Amy Biel, ACT, IAIA and SFCC...WE do not need any more traffic and I fear that the proposed location for the apartment complex will generate more traffic on already congested Richards Rd.
3. I treasure the quiet, the night sky and lack of traffic..the reason I purchased in Rancho Viejo.This development negatively impacts us with noise, dust, and car headlights plus parking lighting that destroy our concept of night skies.
4. WATER....The bold reality is that we in the Southwest are running out of water....we cannot afford to do any more building....we need to renovate what is available so that families can find homes already built.

Please do what you can to confront these issues, with the hope that 1. The builder will stop its plans all together (false hope!) or 2. move to land that does not impact this already congested area.

Thank you for our help in this issue. Elizabeth O'Brien, Ph.D. 6557 S. Richards Ave. SF 87508

Jose Larranaga

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From: JUSTEXECRO@aol.com  
Sent: Tuesday, March 11, 2014 2:54 PM  
To: Liz Stefanics; Jose Larranaga  
Subject: UNIVEST's proposed changes to Rancho Viejo Master Plan

Re: Case #MPA13-5380

Changes to the MASTER PLAN of Rancho Viejo,  
Santa Fe, NM

No, No, No!

We "contracted" to fulfill our covenants when we bought our homes in Rancho Viejo. The "contract" had another obligation: YOURS. We are not permitted to break ours to you; you should not be permitted to break yours to us!--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations, and is not what we contracted for.

This development would negatively impact us with noise, dust, and car headlights plus parking lighting that would destroy our concept of night skies, among other unwanted problems. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to our Master Plan, which your side (even though you may be a new owner) contracted for.

We, in Rancho Viejo, DO NOT WANT CHANGES TO OUR/YOUR MASTER PLAN!

Very truly yours,

Rosemarie Cristello  
11 Emory Pass  
Rancho Viejo,  
Santa Fe, NM

Date: March 12, 2014

TO: Mr. Jose Larrañaga  
Development Review Team Leader  
Santa Fe County

FR: David A. Vigil  
Resident College Heights  
Rancho Viejo

RE: Elevation at Rancho Viejo #MPA 13-5380

Dear Mr. Larrañaga,

I'm writing you today to express my concerns and objections to a proposed master plan amendment to the College North Master Plan affecting the approximate 56.91 acre parcel north of College Drive and east of Burnt Water Rd. Again this issue is returning and again the sentiments of many of the Rancho Viejo community including myself are strongly opposed. Let me be clear that this change is going to significantly alter and deviate from our current quality of life. Additionally, the residents of College Heights were sold on the vision that the area in question would eventually be developed into single family homes like ours.

Quality of life, culture and community are all reasons why my wife and I love College Heights. We do our due diligence whenever we purchase properties and the issue of this open space did come to our attention. After doing our research we were confident through the master plan, our HOA covenants and just the basic logistics that a development such as a multi-family housing unit would not be an option. Here we are a few years later dealing with this potential change which brings me to the question. With so much land owned by Univest, why would they choose this area to put a multi-family housing unit? Why would they sell us one thing but propose to deliver another? This is not a good feeling to have. Sure many of us are taking this personal but this is our home. Nobody would appreciate the feeling of misrepresentation. The multi-family housing unit severely deviates from the original vision by which we were sold.

I could get into a variety of reasons as to why this proposal is not a good idea. I will only keep it to a few points to keep it short. First and foremost is the reason that I have previously touched on which is the misrepresentation. This alone should null and void this proposal from going any further. Second is the fact that who is going to govern this multi-family housing unit. As a neighborhood we are governed by HOA covenants. What rules will govern the multi-family housing unit? I see plans and drawings that are contradictory to our existing HOA rules and regulations. To mention a few; no pools are allowed, why is the current plan show a sewer line tie-in to the College Heights existing line (not allowed based on College Heights subdivision disclosure statement), has this project received approval from the architectural review board and use restriction that lots are to be used for single family residential use only. The most important takeaway from our disclosure is health, safety and welfare which states that in the event uses of, activities on, or facilities upon or within the Property, the Tract or any Lot are deemed by the Board of Architectural Review Committee to be a nuisance or to adversely affect the health, safety or welfare of the Owners or Occupant, the Architectural Review Committee may make rules restricting or regulating their presence.

NBD-112

I'm a strong believer that our quality of life is significantly going to be adversely affected. Traffic, noise and transiency are all concerns. The fact that a large structure is now going to occupy space originally designed for single family homes is very disappointing. This is obviously an amendment, for this particular area, that cannot be approved or accepted by the Rancho Viejo community.

I do have a background in development and construction. My firm provides engineering services to many projects that people benefit from every day. As a native Santa Fean, it was always a dream of mine to return to Santa Fe after college and contribute back to my community. I'm proud to say that my company employs 17 New Mexicans and we work on projects that make sense and benefit the community. It is disappointing when I hear of a change like this being implemented by a non-local developer with intentions on maximizing the profits for its investors. That is the motto of Vedula Residential Operating, LLC and they proudly announce it on their web page. I was born and raised in this community and I say no to this development thinking that they can make Santa Fe a chop shop. I love my home, community and many family and friends that are part of this community. This proposed master plan amendment should be removed from consideration and I ask that you please share this letter and thoughts with the CDRC. I thank you for your time.

Sincerely,

  
David A. Vigil



March 12, 2014 email to Jose Larranaga; cc: Penny Ellis-Green & Liz Stefanics page 1 of 2  
..(Note that this attachment to a cover email is a pdf document to make type more readable)..

To: [joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)

CC: [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov); [lstefanics@santafecountynm.gov](mailto:lstefanics@santafecountynm.gov)

Subject: Do Not Approve MPA13-5380, Master Plan Amendment for Elevation at Rancho Viejo

Dear Mr. Larranaga:

As someone who has been living in Rancho Viejo for 9 years, I request that you Do Not Approve Case MPA13-5380, Master Plan Amendment for Elevation at Rancho Viejo, 214 Apartments. Reasons for requesting this are as follows (the Case is referred to as the Apartments below):

**1. The County is not allowing sufficient current input from the public on the Apartments**

It's been approximately 1 year since this issue last came up in a public meeting at the County that resulted in the Apartments being postponed until now. Current public input needs to be considered, as plans have changed. The short March 20 meeting is not enough time to consider public input. Especially since the Developer spent months meeting with the County on this. Thus we request you Do Not Approve this Case and do not send it to the Board of County Commissioners for a vote until the County allows and responds to more public input.

**2. The public hasn't received sufficient current input from the County on the Apartments**

In a March 10 meeting we received information from the Developer on the Apartments. But that's just his point of view. The public wants a meeting to know the County's point of view.

**3. The County has not provided sufficient public information on how the SE Connector is integrated into the Apartments plan, key since they're adjacent and increase traffic.**

The last public information meeting about the SE Connector was June 26, 2013. We believe that the SE Connector traffic study did not specifically model projected Apartments traffic. Plus, we understand the study was only for 1 day. Very experienced traffic experts we've consulted warn that such a study is inadequate. We've heard that the Developer may have done some sort of traffic projection for the Apartments; if so, this is less objective than having a third party do such a study. We think our sources are accurate, but we say "believe," "understand," and "heard" because we have gotten all our information from unofficial sources, not the County. *The County needs to provide such Apartments information publicly to show transparency.*

Additional examples of information we need clarification on are:

- Is there a direct entrance onto the SE Connector from the Apartments?
- With increased Apartments traffic, is a roundabout planned at the College North entrance; no roundabout there = College Drive traffic from Rabbit stalled making a left at that entrance
- Why isn't there a West entrance into the College to reduce more College Drive congestion?
- Why did we 1st see new SE Connector options March 10 at a Developer, not a County meeting?
- Has the County confirmed that the \$5 million bond issue will cover the SE Connector proposed?

NBD-112

At the March 10 meeting with Rancho Viejo residents, the Developer said that one of the two new supposedly-final route options for the SE Connector from the Apartments S to Avenida del Sur curves S Rabbit approximately 45 degrees southwest below the College. The other supposed final option keeps S Rabbit going almost due South. When asked at the meeting what route option was most likely, the Developer said the due South route would be used because the College didn't like the 45 degree southwest route. *Why hasn't the public had the chance to say what it thinks about that route?* It looks like it could be saner and save money.

Rancho Viejo residents have received information about developments on the Apartments in the last 9 months only in a public meeting by the Developer on March 10. Residents have not had a public meeting with the County in those 9 months to present input on the Apartments. Similarly, residents have not had a public meeting with the County in 12 months on the SE Connector that is intertwined with the Apartments. Nor have they had any public meeting opportunity in 12 months to present input to the County on this SE Connector. And the only public meeting they had covering the intertwined SE Connector was from the Developer, not the County, on March 10.

With residents having no public meetings with the County on the Apartments or the intertwined SE Connector in 9 to 12 months, the public has not been afforded enough time to learn about, consider, and comment on the alternatives. *Only in the last 2 days have Rancho Viejo Residents had supposedly up-to-date information on the Apartments and the intertwined SE Connector!* And that information was presented by the Developer, not the County. It looks like the County is only considering comments by the Developer.

County resident opinion on the above topics deserves more attention than a few minutes at long multi-topic CDRC meeting next week and possible coverage of this topic in a similar Board meeting in the next month or so. Do Not Approve Case MPA13-5380.

Thank you for your consideration.

Sincerely,

Paul Wrenn

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, March 11, 2014 3:20 PM  
**To:** Jose Larranaga  
**Subject:** FW: URGENT - MPA 13-5380

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** jsherre [<mailto:jsherre@att.net>]  
**Sent:** Tuesday, March 11, 2014 3:11 PM  
**To:** Penny Ellis-Green  
**Subject:** URGENT - MPA 13-5380  
**Importance:** High

Dear Ms. Ellis-Green

I am a Rancho Viejo (RV) homeowner in Windmill Ridge. I wish to express my **STRONG OPPOSITION** to MPA 13-5380, which comes before you on March 20.

I, along with many RV home owners are **CONCERNED**, seriously concerned about the so-called "luxurious" apartments to be built in College Park. First, this proposal goes against the core of why most of us bought homes in RV. We chose to spend our funds in what we believe would be a non-dense community surrounded by natural New Mexico beauty. The building of these apartments will be the first step toward destroying the covenant on which we relied. In addition, the cost to affect these changes is likely to decrease property values and increase taxes. Property values will decrease for future buyers will look elsewhere to avoid "apartment communities" and will not want to contend with the traffic. I am already aware of homeowners moving due to increased Richards traffic and the future plans initiated by Univest and the developer, Vendura. Their tax dollars now go to the city of Santa Fe.

In addition, the proposed expansion of SFCC and the "employment center" at the corner of Richards and Avenida del Sur shall increase traffic—despite any relief route or the apartment complex. Not only will the traffic increase, but if a serious wildfires occur in RV, the two routes to safety will be congested to the point that lives will be endangered.

Last evening, we met with representatives of Vendura and gained no answers to our questions or suggestions. The representatives maintained they did not know the details of the developer (their employer) nor that of Univest. As concerned home owners, we were frustrated that a meeting was called, but little, if any, information was made available.

We have requested Univest and Vendura explore other, extensive property holdings of Univest, such as the land near Route 14 where a large number of commercial enterprises already exist. This location is convenient to I-25 and Route 599 so that the increased traffic can be handled from all directions NSEW without additional cost for roads. This location is convenient to the new and proposed commercial development of Cerrillos Road as it approaches I-25 and would not significantly increase traffic on Richards.

Another concern is crime. Currently, RV is peaceful with little crime? Generally, apartment complexes increase the probably of crimes of opportunity. Yet another potential for lowering the value of property and impacting, negatively, future real estate sales.

I, as many other RV homeowners, **urge** you to reject this poorly-conceived proposal. Send it back to Univest with your strongest opinion that plans for the apartment complex and the employment center be reconsidered and revised in the interest of all concerned – Univest, SFCC, and RV residents.

Thank you for considering our concerns,

Sherre Stephens  
3 Lookout Mountain  
Santa Fe (county), NM 87508  
505-570-7470



## Jose Larranaga

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**From:** Vicki Lucero  
**Sent:** Tuesday, March 11, 2014 3:49 PM  
**To:** Jose Larranaga  
**Subject:** FW: Santa Fe County Public Comment Form

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

**From:** Jennifer LaBar-Jaramillo  
**Sent:** Tuesday, March 11, 2014 3:47 PM  
**To:** Penny Ellis-Green; Vicki Lucero  
**Subject:** FW: Santa Fe County Public Comment Form

Is this re: a case for tonight or CDRC? Please submit with case correspondence.

Thanks,  
Jen

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

**From:** Anonymous [<mailto:kbustos@santafecountynm.gov>]  
**Sent:** Tuesday, March 11, 2014 2:57 PM  
**To:** Kristine Mihelcic; Jennifer LaBar-Jaramillo  
**Subject:** Santa Fe County Public Comment Form

Web form results:

[Anonymous submission]

Comments:

Re: Case #MPA13-5380  
Changes to the MASTER PLAN of Rancho Viejo, Santa Fe, NM

No, No, No!

We "contracted" to fulfill our covenants when we bought our homes in Rancho Viejo. The "contract" had another obligation: YOURS. We are not permitted to break ours to you; you should not be permitted to break yours to us!--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations, and is not what we contracted for.

This development would negatively impact us with noise, dust, and car headlights plus parking lighting that would destroy our concept of night skies, among other unwanted problems. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to our Master Plan, which your side (even though you may be a new owner) contracted for.

We, in Rancho Viejo, DO NOT WANT CHANGES TO OUR/YOUR MASTER PLAN!

Very truly yours,

Rosemarie Cristello  
11 Emory Pass  
Rancho Viejo,  
Santa Fe, NM

## Jose Larranaga

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**From:** pateperrin@aol.com  
**Sent:** Tuesday, March 11, 2014 4:21 PM  
**To:** Liz Stefanics; Jose Larranaga  
**Subject:** Opposition to the proposed 214 apartment building complex on College Drive. CDRC Case # MPA 13-5380 Elevation at Rancho Viejo

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

When I retired, I couldn't decide between Sedona or Santa Fe.

I thought, the big Arizona Developers will ruin Sedona because it has such a fragile infrastructure and the Hispanics will protect Santa Fe.

Indeed, the developers have ruined Sedona. In summer, it takes over an hour to drive 5 miles because the roads do not support the traffic.

I now find myself fighting two Arizona construction firms: Univest and Vedula, which want to build what is really going to be student housing in my back yard. And the traffic problems on Richards are mounting.

Please do not allow this construction on College Drive until the Southeast Connector goes in.

We were promised a Master Plan of 60 additional single family homes. We support that. We would even support condos or town homes if we didn't have such traffic problems on Richards.

But apartments, where we have no way to control or communicate with renters, are a nightmare.

The current plan shows a buffer zone but we all know that just as soon as they build the 214 apartments, they will put more right next to us. To those of us on little, quiet College Drive, it just means traffic, noise, dust and lights.

Of course, I can just sell my house and leave. I feel so terribly sad because that's probably what I am going to have to do.

## Jose Larranaga

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**From:** Reinhartz, Judy <jreinhartz@utep.edu>  
**Sent:** Tuesday, March 11, 2014 8:26 PM  
**To:** Jose Larranaga  
**Cc:** Liz Stefanics  
**Subject:** Proposed Apartment Development Within Rancho Viejo Behind the Santa Fe Community College

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Mr. Larranaga,

As you are aware, the community members and homeowners of Rancho Viejo are committed to maintaining the quality of life originally envisioned and advertised by adhering to the existing Master Plan drawn up and agreed to in the 1990s for the establishing of College Heights and adjacent communities. The original commitment and agreement have been challenged by the recent request to develop the apartment complex east of College Heights and the SFCC.

For those of us who have been here since 2002, this announcement was certainly a shock to hear about the plans for a high-density multi-story rental apartment complex of 156 units in the already traffic-impacted area. Currently, SFCC has 6,000 students with the goal of 12,000 in the next decades, St Maria de la Paz Catholic Community, which includes 1700+ families, Santo Niño Regional Catholic School with 356 students, Amy Biel Community School with a student population of 441, bicycle parts business, and that does not include the current Rancho Viejo families with expected expansion of La Entrada at RV in the next few years.

Our vision is simple and that is to have owner-occupied, maintained, and cared for residential communities that are governed by sets of covenants established first by the developer, which were turned over to individual homeowners' associations. The vision as stated in the current Master Plan ensures that we would be enjoying and living in an area where there is open space free of pollutants, clear day and night skies, recreation trails to walk and enjoy nature, safety for us and our loved ones, sustainable property values, and enough water for all without fear.

The proposed developer's project changes this vision and the future lives of homeowners in Rancho Viejo. We made a commitment to buy and live here, and now the current project ignores the Master Plan, changing the original mission and vision by building a high density commercial apartment complex with a clubhouse and swimming pool, bringing more people into the area already plagued by high travel density issues.

We have participated and attended most of the public meetings held, but many were not productive because many of the questions from hundreds of homeowners present were not answered since the presenters did not

have the answers, contributing to our frustration. The question that comes to mind, is why have public meetings when people in authority are not present to answer questions? It appears that the meetings were held to meet the requirement of having them, but not to really have them function as a public forum.

We are sad to conclude that the dye has already been cast, and it is a done deal. We hope and pray that is not the case. We hope the Santa Fe County Commissioners will recognize that this project is against the will of the majority of residents in Rancho Viejo and that our community will not benefit in any way from having this project approved. In fact, we all lose—in terms of natural water sustainability, increased erosion by removing ground cover and interfering with flood zones, and the reduction of wildlife.

When the developer's Master Plan for this area was drawn, the Santa Fe County Commissioners supported them. What does the project say about systematic county development policies, strategies, and tactics for our future? Who will benefit from this proposed change? Is it in the communities' interests? The economic interest of the developers? And finally, how does Rancho Viejo maintain its integrity, vision, and lifestyle when it's developers try to undermine the original Master Plan for their profit?

My husband and I made a choice to come to Santa Fe and live in Rancho Viejo. And frankly, we feel *betrayed*. It seems that written documents and verbal promises can be easily broken by the developer and now Vendura, who will be building the apartment complex.

We are concerned that a precedent for further changes is in the wind for the Rancho Viejo area. We chose quality of life and sustainability based on the original Rancho Viejo Master Plan. Please, Mr. Larranaga, as project manager, do not abandon us and the original Master Plan and vision in favor of corporate America. Please make us count in the end.

Thank you for taking time to read and consider our request.

Sincere regards,

*Judy and Dennis Reinhartz*

Judy Reinhartz, Ph.D.

Professor Emeritus, The University of Texas at El Paso



Dennis Reinhartz, Ph.D.

Emeritus Professor, The University of Texas at Arlington

20 Firerock Road

Santa Fe, New Mexico 87502

505-474-5329

# Graeser & McQueen, LLC

-Attorneys at Law-

316 East Marcy Street, Post Office Box 220 Santa Fe, New Mexico 87504-0220  
(505) 982-9074

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April 2, 2014

Santa Fe County Board of County Commissioners  
c/o Jose Larrañaga, Commercial Development Case Manager

via: email to [joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)

re: Elevation at Rancho Viejo, #MPA 13-5380

Dear Jose,

This firm represents neighbors of the proposed Elevation at Rancho Viejo project (residents of College Heights Phase 1) and submits this letter on their behalf in opposition to the requested master plan amendment. Their objection to the master plan amendment to allow at least 214 rental apartments where 53 homes were previously approved and expected is based on several factors.

## BCC Discretionary Review Criteria

Section §4(B)(3) of the Community College District Ordinance, Ordinance 2000-12 (CCDO), requires the BCC to review the application for "Conformance to the Santa Fe County Growth Management Plan as amended by the Community College District Plan" as well as "Impacts to schools, adjacent lands or the County in general." Fundamentally, this application does not comply with the Community College District Plan, Resolution 2000-148 (CCDP), and presents an unreasonable impact on the adjacent lands. The amendment request should be denied, and the applicants can be apprised of the reasons for denial as set forth in this letter. CCDO §4(B)(4).

County staff has done a thorough job in their review, and has recommended approval. Although the staff memorandum may recommend the project as in compliance with the Code, that recommendation only addresses prescriptive Code requirements. **The BCCC may still reject the project under its discretionary authority.**

## Master Plan Expired

The 1997 College North Master Plan has expired. Thus, a new master plan is required. CCDO §4. Granting any new master plan is within the BCC's discretion and may be done taking into mind appropriate, planned-for development and its impact on the neighbors.

### Community College District Plan

The CCDO allowed development in accordance with approved master plans "without amendment." CCDO Section 9(A). The applicants could have developed their property in accordance with the 1997 master plan but did not do so. There continues to be little resistance to development as planned at that time (i.e., adoption of a new master plan that tracks the expired one).

The CCDP accepted and anticipated continuation of approved development as of the plan's adoption in late 2000. The plan was adopted in anticipation of College Heights buildout as initially approved and expected. For instance, the plan incorporated the Future Road Network Study that specifically notes 73 approved dwelling units for College Heights Subdivision (with 0 existing at the time). FRNS, Pg. 4.

**This application amends the CCDP itself, and it does so without consideration of the needs, expectations or health of the surrounding community.**

### Master Plan Area

Under CCDO §4(B)(2), "The minimum area which must be included within a master plan shall be an entire Village Zone, Employment Center Zone or Institutional Campus Zone, or that portion of such zone owned by the applicant."

The master plan encompasses substantially less than an entire village zone. Applicant Univest Rancho Viejo has numerous landholdings in Rancho Viejo, including the portion marked "Future Development" located between College Heights Phase 1 and the current project. Thus, the master plan must include at least this property. Failure to do so both violates the CCDO and unfairly leaves the applicants' neighbors in limbo fearing what even more intense use might be proposed for the remaining land.

Given the applicants' current intention to substantially modify the expected land uses and thus interfere with the community's settled expectations, **the applicants must adhere to the code requirement to master plan all of their holdings in the area that may impact the residents of College Heights Phase 1.**

### Zoning Limitations

Applicants seek a new master plan. The term "master plan" has two associated meanings in land use planning. The first is as a jurisdiction-wide comprehensive or general plan. *See*, Santa Fe County Land Development Code Art. X, §1.33, Ordinance 1996-10 (the Code); Michael Davidson and Fay Dolnick, *A Glossary of Zoning, Development and Planning Terms* 146 (1999). The second, as used in this context, is a vehicle for zoning or subdivision approval (this application does not seek to subdivide the land; subdivision regulations may be found in Art. V of the Code). The

Code does not define "zoning." However, it does define "master plan" as "a report, plans, and other submittals as required by this Code for a proposed subdivision or zoning or re-zoning of land showing the development proposal in a manner comprehensive enough to evaluate the scope, size, intensity, compatibility, benefits, relationships, and impacts of a project..." Code Art. III, §5.2 (emphasis supplied). Thus, a master plan zones. It is not legally permissible to do so in such a limited context.

In *Albuquerque Commons Partnership v. City of Albuquerque*, 144 N.M. 99, 2008-NMSC-25 the New Mexico Supreme Court reviewed its own case law on piecemeal zoning and revitalized several important concepts. "A targeted rezoning action is also called a piecemeal rezoning and stands in contrast to a comprehensive rezoning, which affects a substantial portion of land within the zoning jurisdiction belonging to many landowners." (internal quotations removed). A piecemeal rezoning results in "specific properties or small groups of properties within an otherwise similarly situated class, restricting or allowing uses in ways that do not apply to the surrounding area or similar areas within the [zoning district]." ¶26.

Under *Albuquerque Commons*, such piecemeal rezonings must be justified by 1) a change in conditions in the community or 2) a mistake in the original zoning. See also, *Miller v. City of Albuquerque*, 89 N.M. 503, 554 P.2d 665 (1976) and *Davis v. City of Albuquerque*, 98 N.M. 319, 648 P.2d 777 (1982). There is no evidence in the record, nor do the applicants submit any information, regarding any change in the community or mistake in the original zoning. Their zoning request completely fails under this rule.

*Albuquerque Commons* does open up one other avenue to new zoning, if it is "more advantageous to the community, as articulated in the Comprehensive Plan or other [zoning district] master plan." In the case of a "more advantageous" zoning, there must be a public need for the change and proof that "that need will be best served by changing the classification of the particular piece of property in question as compared with other available property." *Albuquerque Commons* at ¶30. There is also no evidence in the record of any particular public need or site-specific appropriateness. In this respect, the zoning is not only contrary to law, §39-3-1.1(D)(3), but also unsupported by substantial evidence, §39-3-1.1(D)(2).

The basis of the rule re-articulated in *Albuquerque Commons* is logical. The *Miller* court, in exploring the basis of zoning restrictions, noted the "**desirable stability of zoning classifications upon which the property owner has a right to rely, since property may be purchased or sold or uses of the property undertaken in reliance on existing classifications.**" *Miller* at 506, 554 P.2d at 668 (emphasis supplied). Here, the community has come to expect continuation of the quiet, low intensity single-family use that as represented to them when they purchased their homes, and as has become an essential part of the community's identity.

### Compliance with General Plan

Art XV, Sec. 4.B.3.a of the Code requires conformance to the County's Growth Management Plan (currently, the 2010 Sustainable Growth Management Plan). The SGMP requires "transitioning between land use types, intensities, and densities using buffers and floor area ratios..." SGMP, Pg. 42. **Here, there is no transition zone between the single family residences and the 214 unit complex.**

Notably, when the original developer was seeking approval for the 1997 master plan, their land use planner stated that "College North is a transitional area between the rural densities and the Community College." April 30, 1996 EZA minutes.

### Adjacent Lands Impact Analysis

Art. XV, Sec. 4.B.3.d of the Code requires analysis of impacts to adjacent lands. **The application contains no such analysis, rendering it deficient.**

### HOA Membership

Owners of single-family residences in College Heights are automatically members of the homeowners association. Dues are substantial (~\$1,000 per year) and support many of the amenities and services enjoyed by community residents. Residents have proceeded with the settled expectation that 53 new single-family residences would be built, assisting them in paying these hefty dues. However, the apartment project, on a single lot, would be all but exempt from such dues. **This results in an unfair financial burden on the College Heights Phase 1 residents.**

### Violation of Restrictive Covenants

The current private restrictive covenants that govern the property prohibit the applicants' anticipated project. My clients recognize that the County does not enforce restrictive covenants, and they are prepared to do so themselves, although the covenants were specifically approved by the County as part of the development review process (See may 12, 1997 EZA minutes). However, the covenant restriction is relevant for the County's discretionary review as to whether amendment of the master plan is appropriate and honors residents' established expectations.

There is no question that the project is prohibited by the covenants (Village At Rancho Viejo Covenant Declaration, Section 9.2): "All Lots may only be used for single family residential use..." Although current applicants' ability to amend the covenants is far from clear based on a review of the relevant transactions, they presumably assert the ability to amend the covenants under the Declarant's rights.<sup>1</sup>

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<sup>1</sup> Declarant rights are tightly regulated by the Homeowner Association Act, NMSA 1978 Section 47-7E-1, and such an amendment may be in violation of applicants' obligations under that act as well.

<sup>2</sup> Uninvest-Rancho Viejo LLC has accepted all rights and obligations of Rancho Viejo de Santa Fe, Inc. in a



However, there are substantive legal restrictions and prohibitions on their right to do so.

The first of those is the requirement of uniformity. In *Montoya v. Barreras*, 81 N.M. 749 (1970) the Supreme Court looked at a case in which protective covenants ("detailed plan for residential development and restriction as to all of the lots in the subdivision" *Id.* at 751) were amended to remove the restrictions on a single lot, allowing it to be used for nonresidential purposes. The Court stated, "Historically, restrictive covenants have been used to assure uniformity of development and use of a residential area to give the owners of lots within such an area some degree of environmental stability. To permit individual lots within an area to be relieved of the burden of such covenants, in the absence of a clear expression in the instrument so providing, would destroy the right to rely on restrictive covenants which has traditionally been upheld by our law of real property" and that "All of the lots in the subdivision were sold subject to the provisions of the declaration. Restrictions as to the use of land are mutual, reciprocal, equitable easements in the nature of servitudes in favor of owners of other lots within the restricted area, and constitute property rights which run with the land... Where the covenants manifest a general plan of restriction to residential purposes, such covenants constitute valuable property rights of the owners of all lots in the tract." *Id.* The Court then held, "Because the grantor encumbered all of the property with restrictions, we cannot infer from the declaration the intention that any subsequent change or changes in the restrictions could be made applicable to only one lot or a portion of the lots in the residential subdivision." *Id.* at 753.

**Just as in *Montoya*, the applicants seek to amend the covenants in a non-uniform fashion. They are not permitted to do so.**

Just last summer our Supreme Court looked at another substantive restriction on amending covenants, namely the requirement of reasonableness. In *Nettles v. Ticonderoga Owners' Association, Inc.*, 2013-NMSC-30 certain protective covenants were amended to eliminate previously required road maintenance and to dilute the plaintiff residents' votes. The Supreme Court took on the case to "address an area of the law that... remains vital to those with property interests in planned subdivisions... throughout our state." 2013-NMSC-30 at ¶9. The Court relied on established authority and the *Restatement* in its analysis developing and strengthening the reasonableness requirement.

Thus, the *Nettles* Court held, "this Court will consider not only the rights of the individual owner, but also the rights of the other association members who expect maintenance in keeping with the general plan.... The purpose of balancing these considerations is to ensure that the strength of the association is maintained and the expectations and purpose are not frustrated, while also ensuring that *no individual property owner or class of owners is unduly and unexpectedly burdened for the benefit of others in the association.*" (emphasis in original; quoting *Griffin v. Tall Timbers Dev., Inc.*, 681 So.2d 546, 554 (Miss.1996)).

If the applicants go forward with the master plan, they are the only ones benefitted; the rest are unduly and unexpectedly burdened for their sole benefit. **This is exactly the situation prohibited as being unreasonable by the Supreme Court.**

Marketing representations and subsequent reliance by purchasers on those representations forms an independent prohibition on such a drastic change in plans as well. NMSA 1978, Section 47-6-17 (Disclosure) requires a subdivider to disclose in writing certain information about the subdivision as required by county regulations. Santa Fe County, in turn, has adopted a subdivision disclosure format (Code Appendix 5.C.1). The required disclosure includes the anticipated number of parcels. Accordingly, Rancho Viejo de Santa Fe, Inc.<sup>2</sup> filed its *College Heights Subdivision First Amended and Restated Disclosure Statement* at Book 1767, Page 468 of the records of the Santa Fe County Clerk. That disclosure statement specifies the number of parcels as 73.<sup>3</sup> In addition, we understand that marketing materials at the time also made a similar representation, although they appear not to have been filed with Santa Fe County as required by Section 47-6-18(B) (no such materials should be destroyed).

*Knight v. City of Albuquerque*, 110 N.M. 265 (N.M. App. 1990) concerned the Paradise Hills Country Club Estates in Albuquerque. The original developers denominated certain areas as part of a golf course on the subdivision plat. A successor developer then attempted to amend the plat to develop those areas in a manner contrary to that shown on the plat. The Court of Appeals, noting the designation and use of the golf course and purchasers' reliance on that designation, found that the facts gave rise to a private right of action to prohibit development of the golf course for other purposes. Addressing the developer's point that the recorded covenants, conditions and restrictions (CCR's) seemed to reserve a right in the developer to "unilaterally change the character of the open space" the Court found such a result "patently unfair and violative of public policy."

The applicants' proposal is functionally the same. The developer consistently represented in numerous ways, at numerous times that the subject property (Lot 1) would contain only 73 single-family homes. This character of the subdivision was a significant part of how the properties were represented in marketing materials and sales pitches. Buyers who chose to live at College Heights made their choice based on the character of the neighborhood and their understanding that it would not change. The applicants cannot now attempt to amend the covenants or de-annex the property in order to fundamentally change the neighborhood character, density and form. Please refer also to *Ute Park Summer Homes Ass'n v. Maxwell Land Grant Co.* 77

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<sup>2</sup> Uninvest-Rancho Viejo LLC has accepted all rights and obligations of Rancho Viejo de Santa Fe, Inc. in a series of agreements filed with the County Clerk on December 23, 2010.

<sup>3</sup> It is worth noting that while the disclosure statement includes a bold face note regarding development of other land within the vicinity, it makes no such reservations regarding future development of College Heights itself.

N.M. 730 (1967) (plat showing golf course/playground/recreation area, tennis courts and clubhouse used in connection with sale of lots gives rise to equitable right of enforcement, surveying other similar cases). On the point of amending covenants or de-annexation, *Cree Meadows, Inc. v. Palmer* 362 P.2d 1007 (1961) is squarely on point. In *Cree*, the question presented was "whether or not any rights are created to other areas owned by the dedicators when a plat of the subdivision is used in making sales of lots." Noting that "defendants had sold lots to purchasers in some of the subdivisions by references to the then-existing plat and the restrictive covenants, and that some persons had purchased lots at higher prices than ordinarily would have been paid after having examined the plat, the covenants, and heard the representations of the owners or their agents" the Court held that the developers were prohibited from changing covenants, and thus changing the use, on land adjoining land that had been sold to individual purchasers through use of plats noting the originally contemplated uses.

In *Appel v. Presley Companies*, 806 P.2d 1054 (1991) the original covenants on which the purchasers relied regulated the "land use, building type, quality and size of the residential single-family dwellings" permitted in the subdivision. The developer later attempted to modify the covenants to permit smaller lots and townhouses to be built on them. The Supreme Court reversed summary judgment in favor of the developers and directed that trial was appropriate. Citing *Flamingo Ranch Estates, Inc. v. Sunshine Ranches Homeowners, Inc.*, 303 So.2d 665 (Fla. Dist. Ct. App. 1974) and *Moore v. Megginson*, 416 So.2d 993 (Ala. 1982) (both involving unreasonable attempted amendment of covenants by developer to permit commercial uses without due regard to property rights of residents), the Court held that the appropriate determination was "whether the exceptions were reasonably exercised or whether they essentially destroyed the covenants." **This proposal indisputably destroys the covenants.**

For these reasons, my clients object to the proposed master plan and urge you to reject the application, allowing the applicants to move forward with the project as originally planned and platted.

Sincerely



Christopher L. Graeser

## Jose Larranaga

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**From:** Vicki Schneider <[vickischneider@gmail.com](mailto:vickischneider@gmail.com)>  
**Sent:** Wednesday, March 12, 2014 5:20 PM  
**To:** Jose Larranaga  
**Subject:** Re: Elevation at Rancho Viejo , #MPA 13 -- 5380

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Graeser & McQueen, LLC  
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Attorneys at Law  
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316 East Marcy Street, Post Office Box 220 Santa Fe, New Mexico 87504  
--  
0220  
(505) 982  
--  
9074  
March 12, 2014  
Santa Fe County Development Review Committee  
Santa Fe County Commission  
c/o Jose Larrañaga  
Commercial Development  
Case Manager  
[joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)

Dear Jose,

Please let the CDRC know that we are very opposed to the proposed change to the Master Plan in this case. The idea of Multi-family projects in the current environment is completely inadvisable.

I am assured that many reasons for this have been submitted, so in the interest of time, please add our names to the opposition to this item.

Thanks very much,  
Vicki Schneider  
BJ Irwin  
99 Via Orilla Dorado  
Santa Fe, NM 87508

(9190641-3096

Jose Larranaga

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**From:** Julia Valdez  
**Sent:** Tuesday, March 18, 2014 3:05 PM  
**To:** Penny Ellis-Green; Jose Larranaga  
**Subject:** FW: Opposition to the Apartment Complex

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI.

Sincerely,

*Julia*

505.986.6202

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**From:** Joseph Kelley [<mailto:kellykjan8@earthlink.net>]  
**Sent:** Tuesday, March 18, 2014 2:07 PM  
**To:** Liz Stefanics  
**Subject:** Opposition to the Apartment Complex

Hi Liz,

Dottie and I are absolutely against this complex...I didn't buy my house to be degraded by apartments that wasn't in the overall plan.

Best,

Joe and Dottie Kelley  
4 Conestoga Trl  
Santa Fe, NM 87508

## Jose Larranaga

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**From:** Randy Crutcher <quantumrandy@gmail.com> on behalf of Randy Crutcher <qleapcoach@gmail.com>  
**Sent:** Thursday, March 13, 2014 2:29 PM  
**To:** Jose Larranaga  
**Cc:** Liz Stefanics  
**Subject:** Letter from resident 3/13/14, CDRC Case # MPA 13-5380 Elevation at Rancho Viejo

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**To:** County Development Review Committee Case Manager Jose Larranaga  
**Re:** CDRC Case # MPA 13-5380 Elevation at Rancho Viejo  
Proposed plan change to allow multi-family multi-story commercial apartment complex in Rancho Viejo community  
**Date:** March 13, 2014

Dear Mr. Jose Larranaga,

I am writing as a concerned resident of Santa Fe County living in the community of College Heights-Rancho Viejo. My comments reflect my own observations, concerns and findings along with those I've heard expressed multiple times at meetings with hundreds of Rancho Viejo residents.

Last year the Univest-Rancho Viejo corporation proposed to us a Master Plan change that would permit over 400 multi-story apartment units to be built adjacent to our single-family owner occupied homes on College Drive, which the current Master Plan designates as the area's development build out pattern.

We eventually learned that Univest has been in a sales negotiation with Vedula, a large commercial developer in Phoenix, and has submitted an application to Santa Fe County to change our Master Plan to permit a project that would be built and managed by this Phoenix firm. From Vedula's website, here is their stated mission.

"Vedula Residential is a multifamily real estate company founded in 2010 by Bruce Hart and Paul Fannin. Our company's strategy is simple: never pay more than replacement cost. We buy, below replacement cost, when markets dip; build as markets improve; and sell at the peaks. Vedula Residential remains nimble at all times, ready to respond to market changes. It is geographically focused. Vedula Residential will be successful in high beta markets like Phoenix, which offer high profit opportunities, because it is a disciplined buyer and seller. Vedula uses its expertise and experience to minimize risk while maximizing returns to our investors."

We are not opposed to overall county goals to build sustainable affordable housing that meets the new standards and zoning set by the Sustainable Growth Management Plan approved in 2010 with the recently passed Sustainable Land Use Code. We recognize that we are in a new era with new criteria for evaluating proposed projects.

We are opposed to the current proposed Master Plan change and high density apartment project as we see it as a radical departure from the vision and nature of our Rancho Viejo community, the vision and plan we were presented with when we moved here and our basis for investment in our community. Some of the basis for our opposition is as follows:

--Our Master Plan provides us with covenants, codes and restrictions within an organized and accessible



homeowner's association. These would not apply to adjacent rental housing that will have turnover in tenants, ownership and management.

--This apartment project will radically increase traffic on Richards Rd, since Richards is the only outlet off College Heights Drive. As currently proposed in the application, a connector route easement through the property would only increase traffic congestion in the area. Logically, high-density housing creates high density traffic.

--This project will generate dust, noise, and light pollution near our homes. The demographics of such a high-density residential center will be at odds with surrounding communities.

--There are better places to position such a project near Rancho Viejo that have existing access and lower impact on existing single family residential areas.

With regard to these points, some of our findings are:

- The College Heights property was platted with Rancho Viejo as one community and is covered by the Rancho Viejo North covenants that would prohibit this project without a vote of the homeowners
- That the county cannot change zoning to approve a project on a spot basis, but must look at the entire impact a new designation would have on the community.
- That courts have supported property owners who come to rely on developer plans and disclosures when homes are purchased
- That the county plan protects adjacent property from adverse impacts of land-use changes.

In summary, we view this application as misguided and out of step with both our existing community's plans and needs as well as the needs for housing that meets new standards for sustainability at the county level. It would set a poor precedent in this new era. We strongly encourage you to deny this application for a plan change and appreciate your consideration of our concerns.

Respectfully submitted,

Randy Crutcher

12A Deans Court Santa Fe, New Mexico 87508

March 11, 2014

Dear Ms. Stefani's,

I am writing Re: C.D.R.C. Case MPA 13-5380  
Elevation at Rancho Viejo.

Our family and neighbors are very troubled that a Phoenix-based owner of this parcel wishes to apply to change our Master Plan to build 400 high density apartments. It seems as though a master plan is a great marketing tool for real estate sales but loses its importance as developers see fit to change it when their own interests are affected. If our Master Plan can be changed for this, they can do it anywhere. The Plan provides home owners with covenants and associations. Renters will not be covered by any covenants.

We purchased property here because it is a master-planned community. Residents are at the mercy of the whims of outside forces who seem oblivious to traffic troubles (on Richards Ave.) the apartment complex will generate. There are better places to position such a project near Rancho Viejo. What is designated now for future building on this parcel should be kept intact.

I believe this application for a master plan change sets a dangerous precedent for future building plans here in our wonderful community. We fear we will become a city of urban sprawl developed without thought concerning pollution, traffic congestion and water resources. Does the term "master plan" have any real meaning or

NBD-1BS

validity when it can be amended without input or vote by Rancho Viejo residents?

Thoughtful planning should rule when considering changing or adding buildings in a covenant-controlled community. We urge you to vote no on this proposed master plan change.

Thanks for your consideration,  
Barbara Butera  
1 Alegre Pass, Santa Fe, 87508  
(505) 424-3092  
babsk1@pebox.com

Ms. Liz Stefanics,  
County Commissioner, District 5  
P.O. Box 720  
Cerrillos, New Mexico 87010

Dear Ms. Stefanics,

Last year it came to our attention that Vedula Developers and Univest were working together to change the Master Plan at the county level. This is a Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

I am writing because I am opposed to this Master Plan change and ask that you save the college master plan as it is. Allowing 214 apartments to be built is unethical, not well thought out (for many reasons from environmental to traffic issues); and sadly being considered for the money—not the well intent of the Santa Fe community.

The SE connector is also a real concern and needs to be questioned why it is being built when if we were doing real long term thinking of our community and college expansion, then we would build a connector at the far end of the college campus rather than its now considered placement (a quarter of a mile away from the college) suggested at the March 10<sup>th</sup> meeting.

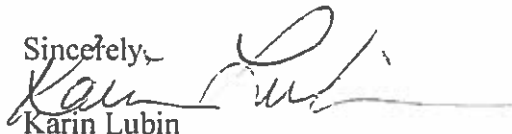
The timing of building a road connector as well as a development complex perhaps was not thought through. We are being told that the road will begin to be laid down in 2016 yet the construction of whatever project gets the go ahead will start BEFORE the road is completed.

Considering the traffic issues already on Richards road, it makes no sense that we would impact the road even more with big equipment, trucks etc and even have a greater impact on traffic, congestion and safety issues if there is a need to evacuate quickly.

I know that you will stand by the larger Rancho Viejo community that is against this major change to the Master plan. Please note our concern and hesitation in making this major change to an already completed plat that has been documented and what all residents receive when purchasing their property.

Please do the right thing!

Sincerely,



Karin Lubin  
12A Deans Court  
Santa Fe, NM 87508

NBP-137

## Jose Larranaga

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**From:** James Joy <dr.jjoy@yahoo.com>  
**Sent:** Tuesday, March 11, 2014 11:37 AM  
**To:** Jose Larranaga  
**Cc:** Liz Stefanics  
**Subject:** Univest Plans in Rancho Viejo

Dear Mr. Larranaga:

We bought our house in Rancho Viejo in 2006. At the time, we were attracted by the idea of a community of single-family residences governed by homeowners associations and covenants. The community was quiet and offered excellent views of the mountains and the night skies. Since then we have seen steady development of our area, with many more housing units, schools, churches and businesses all utilizing Richards.

Univest's plan to build 400 apartments, however, will represent an even more threatening development. First, I doubt that the company will stop at 400. Second, this completely goes against the concept of single-family residences, covenants and homeowners associations. Third, it will disrupt the quiet in our neighborhood and the views that so many have enjoyed. Fourth, it will take the traffic problems in our community to a new level. Fifth, apartment dwellers, not being long-term residents, do not have the same stake in the community and that will bring a decline in community involvement.

I urge you to NOT allow the change that Univest wants.

Sincerely yours,

Dr. James Joy  
57 E. Chili Line Rd

## Jose Larranaga

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**From:** Kristin Chancellor <kc@sfjs.net>  
**Sent:** Thursday, March 20, 2014 12:21 AM  
**To:** Jose Larranaga  
**Cc:** Liz Stefanics; concernedrvhos@gmail.com  
**Subject:** Rancho Viejo Homeowner Objections to Proposed Apartment Building Location

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir,

It has been brought to our attention that Univest has made a request to build a high density, up to four hundred unit, multi-story apartment complex in the Rancho Viejo residential community. This goes against the contractual covenants and principals that the original developers constucted. The reason people such as ourselves moved into this area was the promise that all who would live here would have to live under enforceable contractual covenants such as the single home master plan, evening light restrictions, building height restrictions and proper property maintenance. This proposal flies in the face of the promises that convinced us to move here in the first place. It's very existence would break most of the original contractual covenants we agreed upon.

The influx of people into this area is also a logistical nightmare. Richards road can't handle the current traffic load into and out of the area. Adding as many as six hundred to a thousand additional vehicles to this single road access area will be render traffic unmanageable and unsafe. I don't object to Univest developing the property they have purchased, but I do think they or any other person or company should be held to the original standards which started and continue to compel the community to be a model for low density rural development.

Thank you for your time and attention.

Sincerely,

Kristin & Steve Chancellor  
211 E. Chili Line Rd.  
Owners, Santa Fe Jewelers Supply  
3200 Mercantile Ct.  
Santa Fe, NM 87507  
[www.sfjs.net](http://www.sfjs.net)  
[kc@sfjs.net](mailto:kc@sfjs.net)



## Jose Larranaga

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**From:** Glen Smerage <glens@ufl.edu>  
**Sent:** Tuesday, April 01, 2014 11:19 AM  
**To:** Jose Larranaga  
**Subject:** letter, case 13-5380

187 E Chili Line Road  
Santa Fe, NM 87508  
505-471-2026

1 April 2014

Jose Larrañaga, Case Manager  
Building & Development Services  
Santa Fe County  
102 Grant Ave  
Santa Fe, NM 87501-2061

Dear Mr Larrañaga:

In spite of the date, this letter is no joke. Please note in particular Item 6.

I implore the CDRC to deny the Master Plan Amendment (MPA) to College North Master Plan (CNMP), dated February 1997, sought in SFC Permit 13-5380 by Univest Rancho Viejo and Vedula Residential Operating. Among many reasons to deny, I offer only the following few as most important.

1. The MPA would be an unconscionable departure to CNMP as adopted in February 1997 and presented to the public and original and subsequent buyers of 20 residential properties developed in Phase-I, College Heights, of CNMP. Granting the MPA would unrightfully disenfranchise those owners.
  2. The MPA would affect only a portion of the undeveloped 57 acres in CNMP, itself only 91 acres. That would be piecemeal development of land all 57 acres of which should be developed as a single, unified entity, in conjunction with College Heights and integral to the entire Rancho Viejo (RV). SF County should not pursue nor permit piecemeal development under the Community College District Ordinance (CCDO).
  3. Residents of RV own and reside under strict covenants, including membership in and control by homeowners associations (HOAs). Membership and dues payment to an HOA would not be required of residents of apartments proposed in the MPA, yet they would have access to trails, open space, and other amenities of paying residents. That is unequal, and unconscionable treatment under law.
  4. Development of apartments under the MPA would not be governed by an HOA; therefore, it would not be subject to architectural and other requirements of an adjacent HOA and RV overall. We can be sure that Univest would not impose on developer Vedula HOA-like requirements it imposes on resident owners. Apartments would be an independent, incongruous island in the whole RV, a morally and legally objectionable condition.
  5. Provisions of SF County's new Sustainable Land Development Code (SLDC) are inadequate to sustain quality communities like RV. Residents of RV need time to develop with Univest and BCC provisions in SLDC that will sustain features and quality-of-life in RV and other such communities.
  6. The MPA application states that the applicant is '... seeking to bring the property into compliance with the CCDO by the MPA' and '...the CCDO designates the subject property as a Village Zone'. Use of those statements to justify the apartments is phony and deceitful, an egregious artifice toward getting their way. The 57 acres are far too small to be a village; they really are merely a portion of College Heights and a very small portion of the whole RV Community.
- I request that before closing public hearing of case 13-5380, your Committee request of Jose Larrañaga an explanation of the two statements relative to provisions of the CCDO.
7. The RV developing on 2500 acres, already a fine community of 1300 single residences, abundant open space, trails, and vistas, should and must be treated as a single community, a single entity. Development of new, major segments of that 2500 acres must be done with architectural, functional, and social harmony. Already, Bicycle Technologies International and Easter Seals El Mirador are glaring, incongruous, and unwanted blights on the Community; RV does not need additional blight of apartments proposed in the MPA.
  8. Very obviously, the site of Univest-Vedula's proposed monolith apartment complex is a scheme to exploit future students of SFCC. As a resident of university towns forty of my adult years, I know first-hand the deterioration of near-university neighborhoods caused by off-campus, student housing, both apartments and single family houses. Residents of RV do not want that deterioration of their neighborhoods and community to occur. Univest has land, e.g., near SR 14 or elsewhere in the 2500 acres of RV, much more suitable for apartments than the proposed site.

For the welfare of Rancho Viejo, please deny application 13-5380 and request that Univest complete College North Master Plan in the manner originally proposed and develop its other land north and east of SFCC via large master plans in conformity with the vision and intent of CCDO and the Rancho Viejo extant.

Sincerely,

Glen Smerage