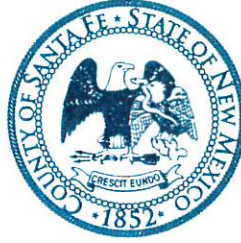


**Henry P. Roybal**  
Commissioner, District 1

**Anna Hansen**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Anna T. Hamilton**  
Commissioner, District 4

**Ed Moreno**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**DATE:** April 24, 2018

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Development Review Team Leader *JEL*

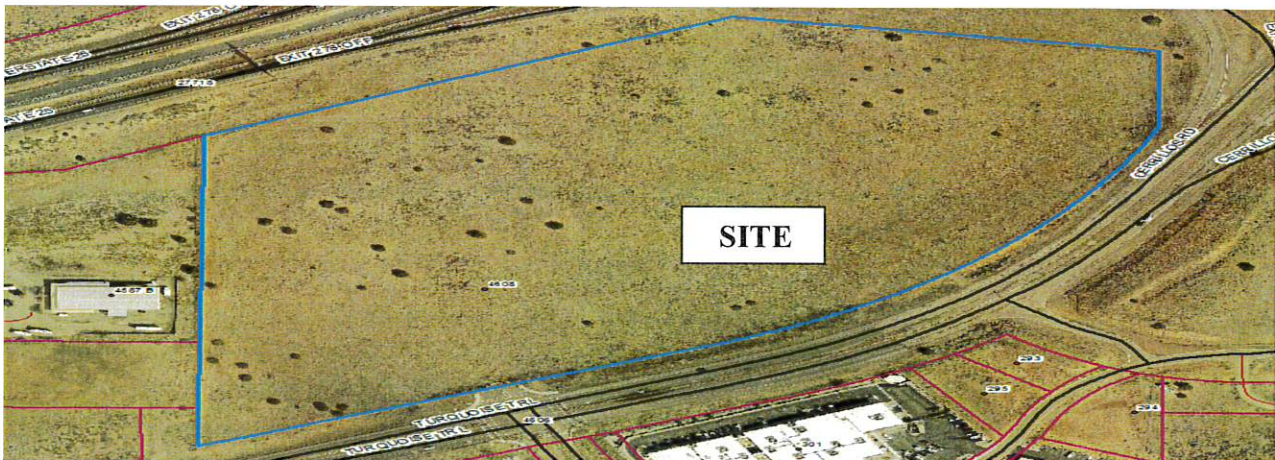
**VIA:** Penny Ellis-Green, Growth Management Director *PEG*  
Vicki Lucero, Building and Development Services Manager *VL*

**FILE REF.:** CASE # SCSD 17-5330 Pilot Travel Center, LLC Conceptual Plan

**ISSUE:**

Exit 278, LLC/Pilot Flying J Travel Centers, LLC, Applicants, James W. Siebert and Associates, Inc., Agent, request approval of a Conceptual Plan to allow a phased development on a twenty six acre tract. A minor subdivision will be requested to create a 10 acre  $\pm$  parcel for the Pilot Flying J Travel Center development. Each phase within the minor subdivision will be subject to stand-alone applications to be developed in conformance with the approved conceptual plan. The first phase will consist of a 10 acre  $\pm$  parcel for the Pilot Flying J Travel Center development and approval of the uses for the Pilot Flying J development which will consist of a 13,600 square foot structure housing restaurants, convenience store, restrooms and other amenities to serve as a Travel Center/Truck Stop type of facility. The site is within the Planned Development District Santa Fe Community College District (CCD), Employment Center (CCD-EC). The site is located at the intersection of NM Highway 14 and I-25 within T16N, R8E, Section 24, SDA-1 (Commission District 5).

**Vicinity Map:**



102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:  
505-995-2740 www.santafecountynm.gov

**NBB-1**

## **SUMMARY:**

The Applicants are requesting approval of a Conceptual Plan for a phased development on 26.46 acres which may consist of the following: Phase 1 (Area 9-A) –Gas Station, truck stop, which includes an overnight semi-truck parking lot capable of accommodating up to 70 trucks, convenience store, and three fast food restaurants one with a drive-thru; Phase 2 (Area 9-B East) – two hotels containing 100 rooms each; and Phase 3 (Area 9-B West) – Full service sit down restaurant, retail shops, warehouse, and manufacturing/light industrial. (Exhibit 1 & 2)

The Applicant states, “The use list would include the permitted and conditional uses in an Employment Center Subdistrict as shown on Table 8.4.4 CCD Use Table (Exhibit 8, NBB-165a) provided intensity of use for traffic generation, water and wastewater do no exceed selected uses. The applicants recognize that the gas station/fueling station is a conditional use, but believe that the Board of County Commissioners should be specifically apprised that a gas station/fueling station is proposed and that a conditional use approval will be sought.”

In a letter dated April 19, 2018, the Applicant identified uses that are not contemplated in the proposed Conceptual Plan. (Exhibit 20) These uses are listed under the Industrial, Manufacturing and Wholesale category of Table 8.44 (CCD Use Table), and are the following:

- Mill-type factory structures
- Manufacturing Plants
- Industrial Parks
- Assembly and Construction-type plants
- Process plants (metals, chemicals, asphalt, concrete, etc.)
- Heavy Construction
- Machinery related
- Demolition, building and structure business
- Tank farms

## **HISTORY:**

On January 11, 2018, this request was presented to the Sustainable Land Development Hearing Officer. The Hearing Officer memorialized findings of fact and conclusions of law in a written order on this request. The Hearing Officer, based on the evidence presented, recommended approval of the Conceptual Plan to allow a phased development on a twenty six acre tract, subject to the following conditions:

1. The Conceptual Plan showing the site layout and conditions of approval shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.9.9.
2. Compliance with all Reviewing Agency/Department Comments.

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Paragraph #21 of the Hearing Officers Order states "...However, the applicant's attorney stated that they had filed a conditional use application and staff would not allow (and the SLDC does not allow) concurrent applications in this circumstance..." Staff would like to clarify this statement. A Conditional Use Permit (CUP) application was submitted to Building and Development Services. Upon review of this submittal for completeness it was determined, by staff, that more information was required to process the CUP and also that the creation of three lots to allow commercial development on each lot constituted a phased development which requires a Conceptual Plan. The review of the proposed CUP is currently not being processed until such time that the Conceptual Plan is approved for the phased development and the required additional information is analyzed by staff.

(The written order and the minutes of the January 11th, Hearing Officer meeting are attached as Exhibit 10 & 11.)

On March 15, 2018, the request for a Conceptual Plan to allow a phased development on a twenty six acre tract was presented to the Santa Fe County Planning Commission. The Planning Commission denied the request for a Conceptual Plan. (The minutes of the March 15th, hearing and the written order are attached as Exhibit 18 & 19.)

#### **ZONING/USES:**

The applicant has requested a use list of all those uses listed as a permitted or a conditional use, and has specifically identified restaurants, hotels, retail shops, warehouse, and manufacturing/light industrial which are all identified in the Use Table.

The applicant also has requested a truck stop as a proposed use. "Truck stop" is not a land use listed in the CCD Use Table and is actually comprised of several uses. Therefore, the Administrator looked at all of the individual uses that make up the proposed truck stop, compared these to those listed in the Use Table, and reviewed the LBCS and the NAICS in order to make a determination as to whether or not the proposed truck stop is allowed in this district.

The SLDC states that if a use is not listed in the use matrix, the Administrator may determine that the use is "materially similar" to a use within the same structure or function code as a use listed in the Land Based Classification Standards (LBCS) or within the same industry classification as the North American Industry Classification System (NAICS). In reviewing these referenced documents prior to the Planning Commission Hearing, the Administrator found no reference to "Truck Stops."

Upon further research of the NAICS, staff discovered that "truck stops" are listed as an example under the NAICS Code # 447190 ("Other Gasoline Stations"). "Other Gasoline Stations" is described as, "an industry comprised of establishments known as gasoline stations (except those with convenience stores) primarily engaged in retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline, alternative fuels) or retailing these fuels in combination with activities, such as providing repair services, selling automotive oils, replacement parts, and accessories, and/or providing food services." (Exhibit 21)

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The site is within the Planned Development District Santa Fe Community College District (CCD), Employment Center (CCD-EC) of the Sustainable Land Development Code (SLDC). Table 8.44: CCD Use Table is the relevant Use Table in the SLDC.

“Truck stop” is not defined in the NAICS and may vary widely in their scale and types of services offered. The Administrator identified the various types of land uses comprising the proposed truck stop in this matter and analyzed each use as follows:

- “Gasoline station”, is listed in Table 8.44 as a conditional commercial use. Gasoline stations generally allow for fueling of all types of vehicles.
- “Convenience Store or centers” is listed as a permitted commercial use in table 8.44.
- “Beer, wine, and liquor store (off-premises consumption of alcohol)” is listed as a permitted commercial use in Table 8.44. Applicant proposes to sell beer, wine and liquor at the convenience store.
- “Restaurant”, with and without the incidental consumption of alcoholic beverages, is listed as permitted commercial use in Table 8.44.
- “Surface parking, open” is listed as a permitted “transportation-related facilities” use in Table 8.44. In addition, “truck storage and maintenance facilities” and “large vehicle ... dealers” are listed as conditional uses. These latter categories indicate that large parking areas for trucks are allowed in the CCD-EC.
- “Truck storage and maintenance facilities” and “truck freight transportation facilities” are listed as conditional “transportation related facilities” uses and on Table 8.44; “light industrial structures and facilities” and several categories of “warehouse” uses are listed as permitted uses. All of these allowed uses contemplate significant semi-truck traffic and parking.
- “Sleeping in trucks” is not a listed use in Table 8.44 and is not materially similar to any use that is listed.

In conclusion, the Administrator finds that the proposed uses are expressly allowed under Table 8.44, either as a permitted or conditional use, with the exception of the proposed “sleeping in trucks” use.

The Planning Commission made the following Findings of Fact and Conclusions of Law:

- The Commission finds that the Conceptual Plan for the proposed truck stop/travel center is not in conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan because the truck stop/travel center is intended to serve and would predominantly serve out-of-district and out-of-region travelers off the Interstate and not residents and business within the district and region.

NBB-4

- The Commission finds that the Conceptual Plan is not in conformance to the Section 8.10 because the truck stop/travel center is inconsistent with a village land use pattern as required by the Community College District.
- The Commission finds that the Conceptual Plan is not in conformance to the Section 8.10.19 because a truck stop/travel center is not a use permitted in the Community College District.
- The Commission finds that the truck stop/travel center is not a “gasoline station” allowed as a conditional use in the CCD.
- The Commission finds that the truck stop/travel center is not a “truck storage and maintenance facility” allowed as conditional use in the CCD.
- The Commission finds that the truck stop/travel center is not a “truck freight transportation facility” allowed as a conditional use in the CCD.
- The Commission finds that the truck stop/travel center is not a “warehouse structure” allowed as a permitted use in the CCD.
- The Commission finds that the truck stop/travel center is not a “light industrial structure or facility” allowed as a permitted use in the CCD.
- The Commission finds that “truck stop” is not a listed use within function classification 4140 for “truck and freight transportation services” of the Land-Based Classification Standards of the American Planning Association and is therefore not “materially similar” to the listed use for “truck freight transportation facility” in the CCD use matrix.

On April 25, 2017, the Applicant submitted responses to the Planning Commission’s Findings and Conclusions. (See Exhibit 21)

**CONCEPTUAL PLAN:**

**Section 4.9.9.1 (Conceptual Plan) Purpose** states, “a conceptual plan is comprehensive in establishing the scope of a project, yet is less detailed than a site development plan. **It provides a means to review projects and obtain conceptual approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.** A conceptual plan submittal will consist of both plans and written reports.”

Section 8.10.3.5. Conceptual Plan Review Criteria. The criteria for approval of a conceptual plan in the CCD are as follows:

1. conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan;
2. viability of the proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or completed; and
3. conformance to the this Section 8.10 and other applicable law and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards.

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The following is the applicant's response to the Conceptual Plan review criteria as well as staff response to each of the criteria:

**1. Conformance to the sustainable Growth Management Plan as amended by the Community College District Plan;**

Applicant Response:

The following statement from the Community College District Plan is repeated below to emphasize that the need for areas encouraging employment being an important aspect of the Community College District Plan.

*Employment Centers are zones within the District where businesses with special needs for access, buffering, technology, storage and size can locate and support the New Community Centers by providing additional economic opportunities and enhanced employment growth close to residents to help meet the goal of economic sustainability.*

The following statements are taken from the Community College District Plan.

*The existing Commercial Gateway Area on both sides of SR 14 between the Cerrillos/I-25 interchange and the NM 599/I-25 interchange is largely developed or approved for commercial use preceding this District Plan. It is the intent of the Plan that this area continue to develop and redevelop following the principles of this District.*

The following excerpt from the Sustainable Growth Management Plan a reference that applies to the State Road 14 area.

*Much of the existing commercial land in the unincorporated County is located within existing communities and districts. Commercial land uses in the unincorporated area tend to consist mainly of neighborhood-serving stores and services. The main concentration of community and regional level commercial uses in the unincorporated County is near State Road 14 in the Community College District. (Underlining by the author)*

**Staff Response:**

**SGMP Goals and Policies:**

**Goal 2: Sustainable land development should provide for rational development patterns, land use compatibility, and adequate facilities and services at adopted levels of service.**

**Policy 2.2:** Establish SDA-1 as priority growth areas to accommodate new compact development that is likely and reasonable to occur within the next 20 years.

*The proposed development is within SDA-1*

Policy 2.7: Ensure that development provides adequate infrastructure...

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*The applicant proposes to extend the County water system and County sewer system to the development*

**Goal 3: The County will honor existing community plans and ordinances and evolve the community planning process.**

**Policy 3.3:** Community, Area and District Plans will establish community preferences for different areas of the County

*This project is within the Community College District (CCD) plan area which is a District Plan adopted in 2000.*

**Goal 6: Promote sustainable new development through green building and development techniques.**

**Policy 6.1:** Promote environmentally responsible building, site, neighborhood and community design, improvement and development standards.

*While some proposed uses meet this standard, it could be considered that large trucks may not be neighborhood or community compatible.*

**Goal 7: Development patterns should be compact in accordance with the growth management strategy to minimize sprawl and land consumption, provide transit options and meet mixed use objectives through the development of land use tools and land transfer options and techniques.**

**Policy 7.1:** Development in priority growth areas should include central, mixed use walkable centers and places, and include a reasonable jobs/housing balance. Development should be served by adequate facilities at established levels of service, primarily for densities that are higher than the base densities established by the SLDC.

*The applicant is identifying connections through sidewalks to trails for walkability. Like many of the developments located between I-25 and SR14, the ability to provide centers is limited. This project is within the Employment Center and will provide jobs in the area.*

**Goal 10: Actively pursue target industries within the County that provide the most relevant social and economic benefits.**

**Policy 10.1:** Support development of industries with sustainable wages and high quality work environments, including target industries such as value-added agriculture, technology, renewable energy and new media.

*This project will provide employment but is not identified as a Target industry for economic growth in the County.*

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**Goal 23: Support energy efficiency and renewable energy to reduce greenhouse gas emissions and dependence on non-renewable energy use.**

**Policy 23.1** Reduce energy use and greenhouse gas production through use of renewable energy systems, reduced vehicle miles traveled, alternative transportation modes, and environmentally responsible building and design.

*At conceptual plan level we do not have detail as to whether renewable energy is proposed. Some uses provide services for the community but the use of a truck stop is related to regional and national transportation system and oriented toward the transitory auto culture and trucking industry.*

**Goal 34: Ensure safe, context-sensitive design standards for transportation improvements that reflect local preferences and the needs of all types of transportation users.**

**Policy 34.5:** Limit dangerous interactions among roadway users and protect roadway users from inappropriate or dangerous truck traffic. Support the use of traffic calming techniques, weight restrictions, establishment of truck routes and other strategies for the elimination of through heavy truck traffic through traditional villages, communities, neighborhoods, and other inappropriate areas.

*The conceptual plan proposes sidewalks for pedestrians but heavy semi-truck traffic is not consistent with the intensity associated with pedestrian friendly development patterns.*

**Goal 35: Limit air, noise and water pollution due to transportation.**

**Policy 35.1:** Minimize noise, light, dust, stormwater drainage, visual and other impacts of roadways and traffic.

*The SGMP includes section 10.2.6 Air Quality, which states that the Santa Fe/Espanola area ranks number one as far as the top twenty five cities in America with lowest Year Round Particle Pollution. The study included a Grade A for the County based on a 3 year average.*

*State regulations and the SLDC do not require Air Quality permits for this type of facility but there is a concern that truck traffic and long term idling will result in higher levels of emissions in the CCD.*

**CCD Plan Principles:**

**2.a.** A fundamental principle of the Plan is to establish a community development pattern that is an alternative to suburban sprawl. Suburban sprawl is characterized by: low density, high land consumption; high infrastructure costs; lack of identity; lack of community; total reliance on the automobile; inefficient use of natural resources; and the destruction of natural land features and habitat.

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*There are unique physical characteristics of this 26 acre site which may limit the ability for development to support community gathering and connectivity. Some proposed uses require high water consumption.*

**3.e.** Minimize the scale of roads, to be pedestrian and community friendly.

*The applicant proposes trail connection through sidewalks, but the heavy truck traffic is not conducive to a pedestrian friendly community.*

**5.a.8.** Connect new village development to a District or community water system.

*This development will connect to the County water system.*

**5.b.1.** Connect new village development to a wastewater system, provided by the County or by developers...

*This development will connect to the County sewer system.*

### **Economic Development**

**2.** Provide a variety of employment in a diverse array of settings complementary to the economic needs of the District.

*Project will provide opportunities for employment.*

The proposed Conceptual Plan establishes the phasing of the most intense uses allowed by the CCD Use Table, within the CCD-EC. The proposed uses are Permitted Uses or Conditional Uses as per the CCD Use Table. Staff finds that the proposed Conceptual Plan conforms to the purpose and intent of the PDD-CCD of being a major employment center serving the city, county and other regional areas.

**3. *Viability of the proposed phases of the project to function as completed developments in the case that the subsequent phases of the project are not approved or completed: and***

Applicant Response:

The major infrastructure consisting of water and sewer service will be constructed in the first phase of the development of the site. Water and sewer lines or conduits for same will be constructed to the boundary Area 9-B West and Area 9-B East. Road improvements that are proposed on the State Road 14 are shown for Phase 1. The off-site sewer force main and water lines have been sized to accommodate future development within the conceptual plan area. An additional pump to the lift station may be required to accommodate wastewater flows from development in phases 2 and 3.

Additional improvements to State Road 14 will be required by NMDOT at the time that an application is submitted to the County for subsequent development review. Each user subsequent to Phase 1 will have to provide a traffic study to NMDOT describing the traffic volumes at

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intersections on State Road 14 and any measures that are needed to mitigate the traffic impacts caused by the additional traffic from subsequent phases.

**Staff Response:**

The uses proposed in the Conceptual Plan could be considered anchor businesses and could function as standalone developments within the CCD-EC. The proposed Phase 1 consisting of a Gas Station, truck stop, convenience store, and three fast food restaurants would be considered an anchor development that could function if subsequent phases of the project are not approved or completed. The applicant proposes to construct the infrastructure consisting of water and sewer service on the first phase of the development. The proposed infrastructure is adequate to support the other phases in the future.

- 4. Conformance to this Section 8.10 and other applicable law and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards.*

**Applicant Response:**

This report, the Appendices and other submittal comply fully with and conform in every detail with the requirements of the SLDC, the Conceptual Plan Submittal Lists produced by the Land Use Administrator dated August 30, 2017, and the other requirements of County Land Use Staff (the "Submittals").

The submittals demonstrate that the proposed phased minor subdivision will comply in all respects with the applicable law and ordinances in effect at this time, including specific and detailed compliance with the required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards. The Applicants held a pre-application meeting, attended a TAC meeting, and held a pre-submittal meeting with staff to confirm that the application meets or exceeds the requirements of the SLDC.

**Staff Response:**

The proposed uses are Permitted Uses or Conditional Uses as per the CCD Use Table. The proposed uses shall comply with all criteria set forth in the SLDC prior to approvals of the development as further discussed below. The proposed uses will not interfere with adequate provisions for schools, parks, water, sewage, transportation or other public requirements, conveniences or improvements as demonstrated by the Required Studies Reports and Assessments and SLDC Design Standards discussion below.

**REQUIRED STUDIES REPORTS AND ASSESSMENTS (SRAs) and SLDC DESIGN STANDARDS:**

**Section 6.1.2.1 Environmental Impact Report (EIR).**

Archaeology

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An archaeology report has been prepared for the 26 acre tract. No archaeological sites of significance or historic sites were encountered on the property that required recordation with State Historic Preservation Division. The report is discussed under Studies, Assessments and Reports. The archaeology report is included in the Environmental Impact Report (EIR)

### Vegetation

Tree cover is limited on the property with the pinon and one-seed juniper being the trees growing on the site with a preponderance of juniper versus pinon. Cholla cactus is prevalent on the site with some limited barrel cactus on the property. Rabbit brush and snakeweed are the predominant forbes on the site. Sideoats Grama, Galleta and Western Wheat Grass are the principal grasses growing on the property.

### **Conclusion:**

The EIR prepared for the proposed Conceptual Plan meets the intent outlined in Section 6.1.2.1 Environmental Impact Report.

The EIR analyzes adverse effects and impacts on natural habitats and wildlife corridors; flood plains, floodways, stream corridors and wetlands; steep slopes and hillsides; air and water pollution; archeological, historical and cultural resources. The EIR addressed possible ways to minimize significant environmental effects and impacts of the project, identified possible ways to minimize the significant adverse effects or impacts, and described reasonable alternatives to the project.

### Air Quality Assessment

The applicant submitted an Air Quality Assessment, prepared by Trinity Consultants, for the proposed Pilot Flying J-Santa Fe Travel Center (truck stop). The assessment summarized the following; the analysis included in this report shows that the proposed siting of the Pilot Flying J Travel Center in Santa Fe, New Mexico, is well below the National Ambient Air Quality Standards or New Mexico Ambient Air Quality Standards. As such the Pilot Flying J Travel Center would not be harmful to public health or the environment as defined by the United States Environmental Protection Agency (USEPA) and the State of New Mexico.

### Noise Impact Study

The applicant submitted a Noise Impact Study, prepared by Brinda Ramanathan, Ph.D., P.E. (Aeraser, LLC) for the proposed Pilot Travel Center (truck stop). The Noise Study concluded that the proposed Pilot Travel Center activities would comply with the Federal, State and Santa Fe County Sustainable Land Development Code noise limits for a new commercial development.

### **Section 6.1.2.2. Adequate Public Facilities and Services Assessment (APFA).**

#### Fire, Law Enforcement and Emergency Response Services

There is a 16 inch water line that is located on a portion of the northern boundary and along the entire length of the western boundary. There is also a 12 inch line on the southwestern side of the property that is located in State Road 14 right-of-way. This line terminates at a fire hydrant short of the State Road 14 and Rancho Viejo Blvd. intersection.

There is a County fire substation located on Fire Place Road, which is approximately three-quarters of a mile from subject site measured along Fire Place Road and State Road 14. This fire substation is manned by County fire personnel and includes an ambulance service on a 24 hour basis.

There is a fire substation located on Rancho Viejo Blvd. that is located approximately one-half mile from the site. This fire station is manned by County fire fighters on a 24 hour basis. Emergency response is provided by this substation. Fire hydrant locations will be shown on future site/development plans for each phase of the project and will be subject to the Fire Marshal review and approval.

Table 12-1 requires an Emergency Response of ISO 7/9. The project satisfies that criterion. The requirements for Sheriff are 2.4 vehicles per 1,000 residents and 111 square feet per 1,000 residents. There is no standard for non-residential development so these criteria cannot be addressed. Adequacy of fire and sheriff service will be addressed in the Fiscal Impact Assessment report for the Conditional Use Permit.

#### 6.4.2.3 Water

There is a 16 inch water line that is located on a portion of the northern boundary and along the entire length of the western boundary. There is also a 12 inch line on the southwestern side of the property that is located in State Road 14 right-of-way. This line terminates at a fire hydrant short of the State Road 14 and Rancho Viejo Blvd. intersection.

The ready willing and able letter requires a computer evaluation of the water system serving Pilot utilizing the City modeling system. The City has conducted the evaluation and determined that the water lines can deliver 2,500 gallons per minute which satisfies the International Fire Code requirements for uses proposed on the Conceptual Plan.

#### 6.4.2.4 Sewer

The project will be connecting to the Quill plant operated by Santa Fe County. The location of the force main is provided in the Conceptual plan set. The connection to the Quill plant has been approved in the "ready, willing and able service" letter issued by the County and can be found in Exhibit 1.

#### 6.4.2.5. Community Parks, Recreation Areas and Trails

As part of the Rancho Viejo master plan a substantial amount of open space has been dedicated along the Arroyo Hondo. This open space is located within one-half mile perimeter of the property. The site plan preserves open space adjacent to I-25 as required by the SLDC and adjacent to State Road 14. There are no County parks within a one mile radius of the site. There are recreational areas within the Rancho Viejo development. The residential standards set forth on Table 12-1 do not apply to this project.

A pedestrian/bike trail was constructed from Beckner Road to Dinosaur Trail as part of the improvements for the I-25/State Road 14 highway and interchange reconstruction. There is no trail head at the end of this trail as specified on Table 12-1. This would not be an appropriate site for a trail head since it is not designed to connect to other trails in the area.

**Conclusion:**

This project satisfies current level of service standards as set forth in the Sustainable Land Development Code.

The APFA prepared for the proposed Conceptual Plan meets the intent outlined in Section 6.1.2.2 Adequate Public Facilities and Services Assessment.

This assessment indicates whether public facilities and services, taking into account the County's Capital Improvement and Service Program, are adequate to serve the proposed development project.

**Section 6.1.2.3. Water Service Availability Report (WSAR).**

The "Ready, Willing and Able" letter from the County is included in Exhibit 1 to this report. Although only a "Ready, Willing and Able" to serve letter is required to satisfy the requirements of the Conceptual Plan submittals a report has been prepared by a licensed professional engineer confirming the capacity of the Quill plant to accept the wastewater from the development and the level of water service to the site from the County water system.

**Conclusion:**

The WSAR prepared for the proposed Conceptual Plan meets the intent outlined in Section 6.1.2.3 Water Service Availability Report.

This report determines the permanent availability of and impacts to groundwater and surface water resources.

**Section 6.1.2.4. Traffic Impact Assessment (TIA).**

The principal access, to the site, will be from New Mexico State Hwy. 14. Both State Hwy. 14 and I-25 are owned/maintained by the New Mexico Department of Transportation. A Traffic Impact Study for the Conceptual Plan has been prepared by Terry Brown PE, NM licensed Traffic Engineer. This report describes the traffic volumes generated by the uses on the 26 acre tract in the as-built condition in 2020 and the planning horizon for the year 2030. A supplement to the TIA was submitted which analyzed the intersection of NM S.R. 599/NM S.R. 14 to the south of the proposed project.

The Traffic Impact Study recommends the following improvements to the public roadways:

- Site design and construction shall maintain adequate sight distances on Rancho

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Viejo Blvd. and NM S.R. 14 as well as at the driveway.

- There should be one signalized full access driveway (aligned with Rancho Viejo Blvd.) to serve this development generally as depicted on the site plan on Pages A-3 and A-3a in the Appendix of the TIA report. The north leg of Rancho Viejo Blvd. will be the only access for this project at present. The driveway should be constructed with a minimum of one entering lane and two exiting lanes (one left turn lane and one thru-right turn lane). The southbound left turn lane should be designed and constructed to a minimum length of 150 feet.
- A westbound right turn lane is warranted on NM State Rd. 14 (Cerrillos Rd.) at the proposed Pilot Travel Center driveway (aligned with Rancho Viejo Blvd.). Signal modifications may be required to relocate the mast arm on the northeast corner of the intersection of the right turn deceleration lane may be designed to go behind the signal mast arm at the discretion of the New Mexico Department of Transportation District 5 Traffic Engineer.
- The westbound right turn deceleration lane should be designed and constructed to a length required by Table 18.K-1 (Deceleration and Acceleration Lane Lengths) in the New Mexico Department of Transportation's State Access Management Manual (current edition) based on the posted speed limit for westbound traffic east of Rancho Viejo Blvd. Based on a posted speed limit of 45 MPH, the right turn deceleration lane should be designed and constructed to a length of 370 feet plus transition (12.5:1 straight line ratio).
- Based on Table 18.K-1, the existing 260 feet long eastbound left turn deceleration lane on New Mexico State Rd. 14 at Rancho Viejo will need to be lengthened to be 400 feet long plus transition (12.5:1 straight line ratio) in order to comply with the requirements of the New Mexico Department of Transportation's *State Access Management Manual*. This Study recommends that the left turn deceleration lane be lengthened to 400 feet plus transition.
- A left turn yellow arrow and a left turn green arrow is required to be added to the northbound traffic signal indicators at the intersection of Rancho Viejo Blvd. /NM State Rd. 14.

This Application was reviewed for the following applicable design standards as per Chapter 7, Sustainable Design Standards of the SLDC:

ACCESS (Section 7.4) and ROAD DESIGN STANDARDS (Section 7.11)

These regulations are designed to:

7.11.1.1. ensure that the design of roads conforms to the policies of the SGMP;

7.11.1.2. provide for the safety for both vehicular and pedestrian traffic;

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7.11.1.3. provide for livable residential, mixed-use and commercial environments;

7.11.1.4. provide for economy of land use, construction, and maintenance; and

7.11.1.5. provide safe and efficient access to property.

**The proposed road design meets the purpose and findings outlined in Section 7.11.1**

7.4.1. General Access Requirement of the SLDC states, “all development shall provide access for ingress and egress, utility service, and fire protection whether by public access and utility easement or direct access to a public right-of-way. No structures are permitted to be built within or obstructing a platted access easement. The proposed Conceptual Plan complies with the general access requirements.”

The County Public Works Department reviewed the Application for access and road design standards and states the following:

- The applicant is proposing two (2) driveway access points for ingress and egress off of NM 14. Both driveways will provide internal circulation for this project.
- Public Works feels that they can support the project with the following condition: NM 14 is under the jurisdiction of the NMDOT however both internal driveway connections must meet the minimum intersection spacing of 125’ measured from return radius to return radius as per the SLDC (CCD Development Standards) Chapter 8.10.3-5 Road Design Standards Table 8-20: Driveway and Intersection spacing.

The New Mexico Department of Transportation reviewed the Traffic Impact Assessment (TIA) and states the following:

- The New Mexico Department of Transportation (NMDOT) District 5 Traffic Engineering Staff has reviewed and approved your revised Traffic Impact Study submitted on December 27, 2017, and concurs with recommendations made within the report on page 21.
- In addition to the recommendations in the report the department will also require an ADA compliant route, from the access point at Rancho Viejo Blvd. and NM 14 to the convenience store within the developed property. The department will also require an ADA compliant sidewalk along the frontage of the property from Rancho Viejo Blvd., southwest to the corner of the property.
- For any new access points the developer will need to apply for an access permit and include a set of construction plans showing improvements to NM 14, for review, before a permit will be issued.

**Conclusion:**

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The TIA prepared for the proposed Conceptual Plan meets the intent outlined in Section 6.1.2.4 Traffic Impact Assessment.

This assessment determines the effects of traffic created by the development upon county, state and local roads and highways.

**FIRE PROTECTION (Section 7.5)**

The Santa Fe County Fire Department/Fire Prevention Division reviewed the Application for compliance with all applicable Santa Fe County fire and life safety codes, ordinances, and resolutions and states the following:

All development shall comply with the New Mexico Fire Code (or other applicable fire code as established by NMAC 10.25.5.8), and the Santa Fe County Fire Code.

The Santa Fe County Fire Department, Fire Prevention Division reviewed the Application and requires compliance with applicable Santa Fe County fire and life safety codes, Ordinances and Resolutions. The project shall comply with Article I, 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.

Conditions of approval:

Shall comply with Article 9 - 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

▪ **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.

- Fire lanes shall be appropriately marked in red with 6" white lettering reading "FIRE LANE – NO PARKING" as determined by the Fire Marshal prior to occupancy. Assistance in details and information are available through the Fire Prevention Division.

▪ **Roadways/Driveways**

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

- Roads shall have all-weather driving surface, be a minimum 20 feet wide, and have an unobstructed vertical clearance of 13' 6".
- Turnaround/s shall meet the requirements of the Santa Fe County Fire Code, when required.
- **Street Signs/Rural Address**

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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.

- 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.

### **Fire Protection Water Supply**

#### **▪ Fire 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.

- An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
- The water system and hydrants shall be in place, operable and tested prior to the start of any and all building construction. It shall be the responsibility of the developer to notify the Fire Prevention Division when the system and hydrants are ready to be tested.
- The water delivery system shall be designed to meet the minimum standards of the Sangre De Cristo Water and/or Santa Fe County Water utilities.
- Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.
- Fire hydrant 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.
- 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.

### **Automatic Fire Protection/Suppression**

- Each and every individual structure and/or building 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

### **Conclusion:**

The Santa Fe County Fire Prevention Division recommends Conceptual Plan approval subject to the above mentioned conditions.

### **LANDSCAPING AND BUFFERING (Section 7.6)**

NBB-17

The conceptual landscape plan identifies areas where landscape is required and the density and size of the landscape per the SLDC. It should be noted that trees are not permitted within the existing 20 foot utility easement that is located on the north and west side of the property. For areas that are graded outside the designated landscape sites, reseeded is required.

**The proposed Conceptual Plan meets the purpose and intent outlined in Section 7.6.2.**

The standards of this Section are intended to accomplish the following:

- 7.6.2.1. assure that new development creates an amenity and improves and enhances the visual quality of an area;
- 7.6.2.2. provide a buffer or screen between uses and roadways and residential areas;
- 7.6.2.3. provide habitat and habitat corridors;
- 7.6.2.4. prevent air and noise pollution;
- 7.6.2.5. shade, cool and define large parking areas;
- 7.6.2.6. define the separate function of thoroughfares and other land uses;
- 7.6.2.7. promote re-vegetation of disturbed sites, minimize erosion, dust and slope instability;
- 7.6.2.8. assure that landscaping is designed, installed and maintained to conform to the SLDC;
- 7.6.2.9. preserve native vegetation and landscapes, and protect the visual and structural integrity of hillsides and mountainous areas from the deleterious effects of development; and
- 7.6.2.10. promote conservation of water through the use of drought tolerant plant materials and xeriscape techniques.

**Conclusion:**

The proposed Conceptual Plan meets the purpose and intent outlined in Section 7.6.2. The proposed landscaping assures that the proposed development creates an amenity and improves and enhances the visual quality of the area and provides a buffer or screen between uses and roadways.

**FENCES/WALLS (Section 7.7)**

Adjacent to I-25 on Area 9-A, Phase 1, within the 25 foot setback a three to four foot berm will be constructed. A four foot masonry wall will be constructed on top of the berm as shown in the Conceptual plan set in compliance with the standards of the SLDC.

A four foot chain link fence will be constructed around a portion of the developed perimeter of the 9-A Area, Phase 1. The purpose of the fence is to prevent people from encroaching into reseeded and landscaped areas.

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**Conclusion:**

The proposed Conceptual Plan meets the purpose outlined in Section 7.7.1. The standards of this Section are intended to encourage construction of walls and fences that utilize traditional building styles and materials, as these vary throughout the county...

**LIGHTING (Section 7.8)**

The Conceptual Plan illustrates the types of exterior pole mounted lighting, building mounted lighting and canopy lighting. The height of the pole-mounted lights and shielding complies with the standards of the SLDC. All lighting on the Pilot project will use LED bulbs.

**Conclusion:**

The proposed Conceptual Plan meets the purpose outlined in Section 7.8.1.

The outdoor lighting standards of this section are intended to enhance the safety of areas designated for pedestrian and traffic use during evening hours, provide security, conserve energy, protect the night sky consistent with the Night Sky Protection Act (NMSA 1978, § 74-12-1 *et seq.*), and prevent spillover, nuisance or hazardous effects of light and glare on adjacent locations and uses of land. These standards shall not apply to County maintained public streetlights but shall apply to all other outdoor lighting including, but not limited to:

- 7.8.1.1. buildings and structures;
- 7.8.1.2. recreational facilities;
- 7.8.1.3. parking lot lighting;
- 7.8.1.4. road lighting; and
- 7.8.1.5. other outdoor lighting.

**SIGNS (Section 7.9)**

This plan identifies the location for three monument signs. The Pilot Flying J monument sign location and description is the same as identified on a prior submittal (Conditional Use Permit and Variance application). The Pilot/Flying J will require a variance to the sign standards for the proposed third sign and total square footage of signage. The sign location, size and heights for the other two signs are consistent with the SLDC standards. A detailed sign plan will be prepared with subsequent development applications for each of the phases.

**Conclusion:**

The proposed Conceptual Plan meets the purpose outlined in Section 7.9.1.

All signage shall comply with the requirements of this Section in order to:

- 7.9.1.1. improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs used for traffic safety;

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7.9.1.2. provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention;

7.9.1.3. protect and enhance economic viability by assuring that Santa Fe County will be a visually pleasant place in which to live or to visit;

7.9.1.4. protect views of the natural landscape and sky;

7.9.1.5. allow for expression by signage required by state and federal law; and

7.9.1.6. protect the community by ensuring emergency vehicles are able to identify and respond to emergency situations by having all structures in Santa Fe County identified with numerical street address markings that are easily identifiable.

**The applicant acknowledges that a variance of the sign criteria will be sought after for Phase 1.**

**PARKING/LOADING (Section 7.10)**

The following is a summary of the parking requirements for Pilot/Flying J:

Required parking for restaurants/convenience store/shower related facilities:

Restaurants-91seats/1 space per 3 seats;	30.33 spaces
Retail Area- 4,991 sq. ft./ 1 space per 200 sq. ft.;	24.95 spaces
Showers/laundry& game room (1 space per shower);	7 spaces
<b>Total Spaces-62.28 (rounded to):</b>	<b>Total 63 spaces</b>

Main building parking: 66 spaces

**Provided parking stalls**

Auto Parking:	66
Truck Parking:	<u>75</u>
<b>Total:</b>	<b>141</b>

Phase 1 will include a designated loading area at the rear of the main building and on the side of the building facing away from SR 14.

The proposed number of parking spaces meets the requirement for the proposed uses for Phase 1 as illustrated in Table 7-6: Parking.

The other phases shall comply with the SLDC parking requirements as development plans are submitted for these areas.

**Conclusion:**

NBB-20

The proposed Conceptual Plan meets the purpose outlined in Section 7.10.1.

All off road parking and loading facilities shall be provided in compliance with the requirements of this Section in order to:

**7.10.1.1.** improve the design of parking facilities to maximize convenient access to homes and businesses with minimal vehicle or pedestrian conflict;

**7.10.1.2.** implement construction standards for surfacing materials, design criteria for stall dimensions, approach widths and locations to ensure efficiency, usability and a reasonable life expectancy for parking facilities;

**7.10.1.3.** provide a minimum acceptable number of off-road parking spaces in association with any use or building which is to be erected, substantially enlarged or changed from one principal use to another;

**7.10.1.4.** facilitate maximum land utilization between business types through encouragement of shared facilities; and

**7.10.1.5.** provide fire lanes and access for emergency personnel, and sight distances at all roadway intersections.

## **UTILITIES (Section 7.12)**

### Electric

A 46KV overhead line is located on the north side of State Road 14. It is anticipated that this line will have capacity to serve the project. The PNM electrical engineering review does not occur until the project has received the necessary approvals. All electrical lines will be placed underground.

### Natural Gas

A two inch gas line has recently been constructed on the west side of the 26 acre tract. This line was installed to serve Custom Craft and future development of the 26 acre tract. There is sufficient capacity in the gas line to serve the property. A gas line will have to be extended from the existing line on the west side of the property. If needed the pressure in the line can be increased.

### Telephone

There is an underground telephone line located on the south side of State Road 14. Century Link will not begin engineering of the line until the Conceptual Plan has been approved.

### Cable and Fiber Optics

There is a fiber optics line located along the western property boundary. This line is owned by Century Link. An internal extension would be required to serve other areas of the 26.46 acre parcel.

**Conclusion:**

The proposed Conceptual Plan meets the standards outlined in Section 7.12.1.

Installation of new and replacement utilities, including but not limited to natural gas lines, electric utility lines, water lines, telephone and television cables, and communications cables, shall meet the following standards:

**7.12.1.1.** Electric utility lines that transmit electricity at a voltage less than 46 kilovolts shall be placed underground. Electric utility lines that transmit electricity at a voltage equal to or greater than 46 kilovolts may be placed above ground unless public health and safety requires such lines to be placed underground.

**7.12.1.2.** Notwithstanding the previous paragraph, electric utility lines that transmit electricity at a voltage less than 46 kilovolts may be placed above ground to serve infill development in areas already served by an above-ground electric utility line.

**7.12.1.3.** Above-ground electric utility lines that transmit electricity at a voltage greater than or equal to 46 kilovolts shall be designed and constructed at the minimum height necessary for the proposed structure to function properly and for public health, safety and welfare, as demonstrated by the applicant. Above ground electric utility lines that transmit electricity at a voltage less than 46 kilovolts shall not exceed forty feet in height.

**7.12.1.4.** All utility installations shall meet the design standards for grading and removal of vegetation and re-vegetation in Section 7.6.

**7.12.1.5.** Shared or joint utility trenching and installation shall be required to the extent practicable.

**7.12.1.6.** Areas for the location of multiple utilities within road right-of-ways or easements shall be reserved.

**WATER SUPPLY, WASTE WATER & WATER CONSERVATION (Section 7.13)**

**Water Supply:**

A County owned/maintained 16 inch water line borders the property on the north and west side. A 12 inch County owned/maintained water line within the State Road 14 right-of-way extends from the 16 inch water line to the west side of the SR 14 short of the Rancho Viejo Blvd intersection. These water lines have capacity to provide domestic and fire protection water service to the proposed project.

Water service will be provided by Santa Fe County and water rights will be transferred to Santa Fe County proportionate to the water demand for the development that is approved for each phase as the development occurs over a period of time. A "ready, willing and able" letter has been issued from the Santa Fe County Utilities Department.

Waste Water:

A lift station and a six inch force main are proposed to serve the site. The lift station would lift the effluent to a manhole on State Road 14, which carries effluent to the Quill wastewater treatment plant which is operated by Santa Fe County. The lift station will be constructed on Area 9-A, Phase 1. The lift station will have the capacity to serve the uses proposed in the Conceptual Plan by switching out pumps. The connection to the Quill plant has been approved in the "ready, willing and able service" letter issued by the County.

Santa Fe County Utilities (SFCU) has reviewed the plan set identified above. SFCU expects that the applicant will address to SFCU's satisfaction, the comments summarized below. Additional comments may be generated by SFCU during review of subsequent plans.

- |   |                        |  |
|---|------------------------|--|
| 1 | Conceptual Plan Report | SFCU would like to entertain sewer line size upsizing from the 6" forced main required in the conceptual site plan documents.  |
| 2 | Conceptual Plan Report | SFCU agrees with the choice of Waste Water Alternative #3 as detailed in Appendix F.   |
| 3 | Conceptual Plan Report | Please clarify why the sewer forced main crosses under NM SR14 in the Conceptual Plan Report Appendix F while the sewer forced main does not cross NM SR14 in Sheet C-10.  |
| 4 | Sheet C-4              | Only connect to the 12" water line located on NM SR14 at the SW boundary of the property as offered in the Ready, Willing, and Able Letter. Do not connect to the 16" water line located at the NW boundary of the property. |
| 5 | Sheet C-4              | Need to extend sewer line to the end of the property per Ordinance 1998-16 (page 13) that requires the extension of a wastewater line to go to the end of a property line. Align with Dinosaur Trail.                        |
| 6 | Sheet C-4              | Show and label existing 16" water line and valves on edge of property.   |
| 7 | Sheet C-4              | Add water meter vault and PRV vault in right of way at edge of property for 12" water connection on NM SR14.   |
| 8 | <u>Sheet C-4</u>       | Add fire water meter vault and PRV vault in right of way at edge of property for 12" water connection on NM SR14.  |
| 9 | <u>Sheet C-4</u>       | Design separate and independent connections to the 12" water line, one for water service and one for fire water  |

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- 10      Sheet C-4      service.
- 11      Sheet C-4      Install plug valves on water lines instead of gate valves.
- 12      Sheet C-8      Need to extend the 12" water line to the end of property.
- 13      Sheet C-9      Only connect to the 12" water line located on NM SR14 at the SW boundary of the property as offered in the Ready, Willing, and Able Letter. Do not connect to the 16" water line located at the NW boundary of the property.
- 13      Sheet C-9      Install a line sized isolation plug valve in the new forced main, in the easement, near the boundary of the Development.

**Conclusion:**

The proposed Conceptual Plan meets the standards outlined in Section 7.13.2.3.

**Readiness:** Each applicant for a development shall establish in writing that a proposed service provider (County utility, mutual domestic water association, water and sanitation district, municipal water or wastewater utility, water or wastewater cooperative) is ready, willing, and able to provide service. The applicant shall provide such additional details concerning the proposed service provider and its readiness to provide service as the Administrator may deem appropriate.

**Water Conservation:**

Storm water shall be captured in cisterns. A storm water capture cistern is shown in the Detailed Site Plan for Area 9-A. The cistern has been sized to capture 1.5 gallons per square foot of roof area. A pump will be installed in the cistern to pump water to irrigate the landscape.

**Conclusion:**

The proposed Conceptual Plan meets the standards outlined in Section 7.13.11.7.3.b.

*Catchment Requirements, Non-residential structures:*

- i. Systems shall be designed to capture rainwater from all of the roofed area.
- ii. Cisterns shall be buried, partially buried or insulated and shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.
- iii. Cisterns shall be sized to hold a minimum of 1.5 gallons per square foot of roofed area or the equivalent of a one month supply of captured water, as determined by the Administrator.



iv. Where no new landscaping is required, the Administrator may approve the use of rain barrels or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater.

**OPEN SPACE Section 7.15 and Sections 8.9.7.3 8 and 10.3.7.6.a.iii (Open Space – CCD).**

50 percent of the 26 acres must be set aside for open space. There is a provision in the SLDC for locating off-setting open space off-site from the development parcel. The applicable provision of the SLDC is cited below.

Per section 8.10.3.7.6.a.iii. of the SLDC open space shall be dedicated or reserved on the final plat or plan. Open space may be dedicated on property not contiguous to the area for which the applicant is seeking subdivision approval where all of the following circumstances exist:

- (a) Open space adjacent to or within the proposed development is not feasible or has already been dedicated as part of another development phase;*

Off-setting open space is proposed. The proposed location satisfies the above criteria. It is contiguous with existing platted open space. The open space is provided on one consolidated tract of land. A future County trail is located within the land that is being dedicated for open space.

The County Planning Department reviewed the Application for CCD Open Space Requirements and recommends the following be addressed by the applicant as conditions of approval for the proposed Conceptual Plan application:

1. The applicant clarify which figure will be used for the off-site open space acreage and provide a clear map or exhibit to illustrate the location of the off-site open space and demonstrate how their proposal for dedication of open space on property not contiguous to the area for which the applicant is seeking subdivision approval is in compliance with Section 8.10.3.7.
2. The applicant clearly demonstrates how the Plaza/Open Space will be developed per the requirements of Section 8.10.3.7.6 as a community gathering area including seating, walks, shade trees and landscaping.
3. The applicant clearly demonstrates how the "local" trail shown will meet the requirements of Section 8.10.3.13.3 and how the project will provide trail connectivity to the rest of the CCD trail networks.
4. The applicant clearly demonstrates how the Conceptual Plan will provide pedestrian walkway connections and trail connections per requirements of Section 8.10.3.13.

**Conclusion:**

The proposed Conceptual Plan meets the purpose outlined in Section 7.15.1.

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It shall be the intent of the County to acquire, preserve and maintain a significant amount of land to support a network of public and private open space, parks and trails throughout the County. New open space and park facilities should be established to match demands of population growth and expansion...

The proposed Conceptual Plan meets the criteria outlined in Section 8.9.7.3.2.

Open space may be dedicated on property not contiguous to the area for which the applicant is seeking subdivision approval where all of the following circumstances exist:

- a. open space adjacent to or within the proposed development is not feasible or has already been dedicated as part of another development phase;
- b. the continuous property is within property designated as open space on the Zoning Map; and
- c. the proposed open space dedication is contiguous to other lands dedicated as open space

**PROTECTION OF HISTORIC AND ARCHAEOLOGICAL RESOURCES (Section 7.16)**

An archaeology report has been prepared for the 26 acre tract. No archaeological sites of significance or historic sites were encountered on the property that required recordation with State Historic Preservation Division. The report is discussed under Studies, Assessments and Reports. The archaeology report is included in the Environmental Impact Report (EIR)

The New Mexico Historic Preservation Office (SHPO) reviewed the cultural resource survey (NMCIS No. 137641) submitted by the applicant. The survey resulted in the identification of no previously or newly discovered cultural resources. SHPO concluded that the project will result in no effect to cultural resources; No further cultural resource work is required for this project and the project is in compliance with County Ordinance and State law and regulation pertaining to cultural resources.

**Conclusion:**

The proposed Conceptual Plan meets the criteria outlined in Section 7.16.5. Development within Areas of High Potential for Discovery of Archeological Resources; Required Investigation, Treatment and Mitigation.

**TERRAIN MANAGEMENT (Section 7.17)**

The Conceptual Plan set illustrates a slope analysis of 0-15% slopes and 15-30% slopes. There are no slopes greater than 30% percent on the property. Currently there are two 36 inch culverts under State Road 14 that drain the south side of the property and some storm water from State Road 14. The drainage that is captured on the uphill side of these culverts is carried under SR 14 and discharged into an open ditch adjacent to the northbound lane on Rancho Viejo Blvd. Passed the

intersection with Dinosaur Trail the storm water enters two culverts and is carried to the Arroyo Hondo.

**Conclusion:**

The proposed Conceptual Plan meets the criteria outlined in Section 7.17.3. Buildable Area. A buildable area shall be identified for all lots on any plat and on any site development plan approved under the SLDC.

**FLOOD PREVENTION AND FLOOD CONTROL (Section 7.18)**

The parcel does not lie within a designated 100 year flood plain. The closet 100 year floodplain is shown on the Adequate Public Facilities Plan of the plan set. The site is not within a FEMA Flood Hazard Area.

**Conclusion:**

The proposed Conceptual Plan meets the purpose outlined in Section 7.18.2.

The purpose of this Section is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas...

**SOLID WASTE (Section 7.20)**

A trash enclosure is proposed for phase 1 (Area 9-A). The enclosure will be constructed of concrete masonry with a solid door for access to the dumpster/compactor inside the enclosure. The waste will be removed and disposed of at an appropriate landfill by a private contractor.

**Conclusion:**

The proposed Conceptual Plan meets the Applicability outlined in Section 7.20.1.

All development shall provide for collection and disposal of solid waste.

**THE PLANNED DISTRICT SANTA FE COMMUNITY COLLEGE DISTRICT (CCD),  
EMPLOYMENT CENTER (CCD-EC) (Section 8.10.3)**

**Section 8.10.3.4. Conceptual Plan.** A conceptual plan is required for multi-phased development within the CCD. The conceptual plan shall:

1. define the boundaries of the landscape types and the resulting designation and configuration of Village, Employment Center, Institutional Campus, and Fringe Zones and Open Space;

2. calculate the zoning allowances and requirements including the minimum and maximum number of residential units, the minimum and maximum range of commercial square footage and the open space and park requirements;
3. establish categories of land uses with sufficient specificity to allow for an analysis of the traffic and other impacts of the proposed uses, within each category;
4. identify the location and general configuration of New Community Centers, Neighborhood Centers, Neighborhoods, Employment Center Zones and Institutional Campus Zones that are included in the master plan area. A digitized aerial photograph containing metes and bounds description may be used to establish zone locations;
5. identify the proposed categories of land uses to be developed to demonstrate the mixed-use nature of the development;
6. establish the general road layout and classification of road segments as living-priority, mixed-priority and traffic-priority roads;
7. establish the general trail network and classification as district, village, local or any separate equestrian trails;
8. establish a phasing schedule which details the timing for the proposed development which shall include a general description of each phase of the development, with projected sales and build out;
9. an explanation of how each development phase promotes the mixed-use intent of this Section; a description of the phased development of the on-site infrastructure and the manner in which it is coordinated with development of needed off-site infrastructure to ensure that the standards of the zones and densities of the development required by this Section are achieved; and
11. the minimum area which must be included in a conceptual 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 following is the applicant's response to Section 8.10.3.4 Conceptual Plan:**

1. *Define the boundaries of the landscape types and the resulting designation and configuration of Village, Employment Center, Institutional Campus and Fringe Zones and Open Space;*

**Applicant Response:**

The location of the 26.4 acre parcel is described on the CCD Land Use and Zoning map provided in the Conceptual Plan set describing the site relative to the Landscape Types, Employment Center, Institutional Campus and Fringe Zones with Open Space, as described on the Community College District Plan included in the SLDC;

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2. Calculate the zoning allowances and requirements including the minimum and maximum number of residential units, the minimum and maximum range of commercial square footage and the open space and park requirements;

Applicant Response:

Allowed residential units:

Minimum dwellings per acre: 3.5 DU/acre  
Maximum dwellings per acre: None provided

Allowed commercial square footage

Minimum square footage: No minimum given in SLDC  
Maximum square footage: Cannot be determined without a detailed site plan, buildable areas have been estimated

Open space requirements:

30% percent for site/development plans without a subdivision  
50% percent with a subdivision of the land

Park requirements:

Plaza required with minimum area of .3 acres

3. Establish categories of land uses with sufficient specificity to allow for analysis of the traffic and other impacts of the proposed uses, within each category.

Applicant Response:

The plan set describes the "selected uses" for the property on the Conceptual Plan. The selected uses serve as the basis for calculating traffic generation and traffic impacts provided in the traffic report and for the water use and wastewater flows based on the selected development on the property.

4. Identify the location and general configuration of New Community Centers, Neighborhoods Centers, Neighborhoods, employment Center Zones and Institutional Campus Zones that are included in the master plan. A digitized aerial photograph containing metes and bounds description may be used to establish zone locations.

Applicant Response:

The Community College District Plans are used to identify New Community Centers, Neighborhood Centers, Employment Center Zones and Institutional Campus Zones. The relationship of the subject property to the above areas is provided in the plan set, utilizing the currently adopted Community College District Plan.

5. Identify the proposed categories of land uses to be developed to demonstrate the mixed-use nature of the development;

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Applicant Response:

The "selected uses" are shown on the Conceptual Plan. The uses range from gas station, truck terminal, hotel, restaurant, retail shops, warehouse and light industry.

- 6. Establish the general road layout and classification of road segments as living-priority, mixed-priority and traffic priority

Applicant Response:

The road layout is described on the Traffic Access Plan provided in the plan set. A Community Road is shown in the plan set, which is a subset of the Mixed-Priority roads. A modified design approved by the by the Land Use Administrator is proposed which better protects pedestrians and is a better method for managing storm water.

- 7. Establish the general trail network and classification as district, village, local or any separate equestrian trails.

Applicant Response:

A "local" trail is shown on the Conceptual Plan. The internal trail connects to the State Road 14 right-of-way at the SR 14/ Rancho Viejo Blvd intersection, which is the logical place to connect to a future County trail, although one is not identified on the County Trails Map. The local trail terminates at the plaza on Area 9-B East.

- 8. Establish a phasing schedule which details the timing for the proposed development which shall include a general description of each phase of the development, with projected sales and buildout.

Applicant Response:

The phasing schedule is provided on the Phasing Plan submitted with the Conceptual plan set. The phasing schedule does include the estimated time from for commencement of construction and build-out. A summary of the phasing is provided below:

Phase	Commence Construction	Buildout	Uses
Phase 1 (Area 9A)	2018	2019	Pilot Flying J
Phase 2 (Area 9-B east)	2021	2026	2 Hotels
Phase 2 (Area 9-B west)	2022	2030	Restaurant, retail shops, warehouse, manufacturing/light industrial

- 9. An explanation of how each development phase promotes the mixed-use intent of this section; a description of the phased development of the on-site infrastructure and the manner in which it is coordinated with development of needed off-site infrastructure to

*ensure that the standards of the zones and densities of the development required by this Section are achieved;*

Applicant Response:

The mixed use component of the Conceptual Plan is identified in number 5 of the response to the Conceptual plan requirements pertaining to land uses on the 26.46 acres. The phasing of infrastructure is coordinated with development of the site and is also described on the Phasing Plan submitted with the plan set.

*10. (11) The minimum area which must be included in a conceptual plan shall be an entire Village Zone, Employment Center Zone or Institutional Zone, or that portion of such zone owned by the applicant.*

Applicant Response:

The Conceptual Plan conforms to number 11 since it is owned by one entity and represents a significant portion of the Employment Center District.

On December 6, 2017 a Facilitated Public Meeting was conducted at the Santa Fe Community College. Facilitation was recommended by the Administrator as per Section 4.4.8.3. (Types of Cases Referred) which states, "in general, any application which presents controversy, in which residents have questions or concerns, or that the applicant feels is appropriate for facilitation, may be referred to facilitation." The December 6, 2017, facilitation addressed process and requirements for the Conceptual Plan, quality of life, traffic/roads, wastewater/water, appropriateness of the project to the area, and economic development. (Exhibit 3)

The current owner of the property (applicant) acquired the property by warranty deed recorded as Instrument # 1822239 in the Santa Fe County Clerk's records dated April 5, 2017. James W. Siebert & Associates, Inc, are authorized by the property owner to pursue the request for a Conceptual Plan as per the SLDC, as evidenced by a copy of the written authorization contained in the record. (Exhibit 4)

On September 7, 2017, as required by Table 4-1 and Section 4.4.3 the applicant presented the proposed Conceptual Plan to the Technical Advisory Committee (TAC) at the regularly scheduled monthly meeting. (Exhibit 5)

On September 25, 2017, as required by Table 4-1 and Section 4.4.4 of the SLDC, the applicant conducted a pre-application neighborhood meeting. (Exhibit 6)

Notice requirements were met as per Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the application, the applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the application was made for fifteen days on the property, beginning on February 28, 2018. Additionally, notice of hearing was published in the Santa Fe New Mexican on February 28, 2018, as evidenced by a copy of that notice contained in the record. Notice of the hearing was sent to

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owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record. (Exhibit 7)

This Application was submitted on September 29, 2017.

**CODE REQUIREMENTS:**

**The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which govern this application are the following (Exhibit 8):**

Section 8.10.3 Planned District Santa Fe Community College District.

Table 6-1; Required Studies, Reports and Assessments (SRAs)

Section 8.10.3.5. Conceptual Plan Review Criteria.

Chapter 7 – Sustainable Design Standards

Section, 8.10.3.13. Employment Center Subdistrict Development Standards (CCD-EC).

Section 4.4.8. Land Use Facilitation.

Section 4.9.9.1 (Conceptual Plan) Purpose

Table 8.44, CCD Use Table

**AGENCY REVIEW** (Exhibit 9)

<b><u>Agency</u></b>	<b><u>Review Comment</u></b>
NMED	No Comment
County Public Works	Conditional Approval
County Fire Marshal	Conditional Approval
County Utilities	Conditional Approval
NMDOT	Conditional Approval
County Planning	Conditional Approval
SHPO	Approval

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Building and Development Services staff has reviewed the request for a Conceptual Plan to allow a phased development on a twenty six acre tract for compliance with pertinent SLDC requirements and has found that the facts presented support the request for a Conceptual Plan: the proposed Conceptual Plan is comprehensive in establishing the scope of the project; the site is within the Planned Development District Santa Fe Community College District, Employment Center Subdistrict, which is intended to accommodate mixed uses, where large scale employers, anchor businesses and light industry can locate in support of New Community Center Subdistrict development; a Truck Stop is materially similar to allowed uses within the CCD Employment Center Subdistrict; Table 8.44: CCD Use Table illustrates the proposed uses are allowed as permitted or conditional uses within the Employment Center Subdistrict; the proposed Conceptual Plan has addressed the required Studies Reports and Assessments; and the Application satisfies the submittal requirements set forth in the SLDC inclusive of Criteria set forth in Section 8.10.3 (Planned Development District Santa Fe Community College District).

The review comments from State Agencies and County staff have established findings that this Application for a Conceptual Plan to allow a phased development on a twenty six acre tract is in compliance with State requirements and design standards set forth in the SLDC.

**RECOMMENDATION:**

**Proposed Use (Truck Stop):**

The Administrator has made the determination that a Truck Stop is a Conditional Use within the CCD Employment Center Subdistrict for reasons included in this report with the exception of the sleeping in vehicles. The Planning Commission made a determination that a Truck Stop is a use that is not allowed within the CCD Employment Center Subdistrict for reasons outlined in Exhibit 19 (Final Order). Staff solicits the BCC to make a determination whether or not the use of a Truck Stop and the proposed uses within the truck stop should be recognized as a Conditional Use within the CCD Employment Center Subdistrict.

**Conceptual Plan:**

Staff recommends approval of the request for a Conceptual Plan to allow the proposed phased development on a twenty six acre tract, located at the intersection of NM Highway 14 and I-25, with the following conditions:

- 1) The Conceptual Plan showing the site layout and conditions of approval shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.9.9.
- 2) Compliance with all Reviewing Agency Comments.

This Report and the Exhibits listed below are hereby submitted as part of the hearing record.

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## EXHIBITS:

1. Conceptual Plan Report
2. Plan Set
3. Facilitated Public Meeting material
4. Ownership/Authorization
5. TAC Letter
6. Neighborhood Meeting Material
7. Notice
8. Applicable requirements, inclusive of Table 8.44 CCD Use Table, under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which govern this Application
9. Agency Reviews
10. Hearing Officer Order
11. January 11, 2018 Hearing Officer Minutes
12. Environmental Impact Report (**Entire EIR on attached CD**)
13. Adequate Public Facilities Assessment (APFA)
14. Water Service Availability Report (WSAR)
15. Traffic Impact Study (TIA) (**Entire TIA & Supplemental Analysis on attached CD**)
16. Air Quality Assessment (**Entire report on attached CD**)
17. Noise Impact Study (**Entire report on attached CD**)
18. March 15<sup>th</sup>, Planning Commission Minutes
19. Planning Commission Final Order
20. Applicant letter on Uses
21. NAICS Code Description
22. Letter submitted by Sommer Karnes & Associates
23. Letter & Material Submitted by Timothy Flynn-O'Brien (Pilot Attorney)
24. Letters of Concern