

Henry P. Roybal
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

DATE: November 19, 2015

TO: County Development Review Committee

FROM: Vicente Archuleta, Development Review Team Leader *VA*

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

FILE REF.: CDRC CASE # S 15-5310 Cienda Partners (Las Terrazas Phase III) Preliminary Plat, Final Plat, and Development Plan Amendment

ISSUE:

Cienda Partners, Applicant, Scott Hoefft, Agent, requests a Preliminary Plat, Final Plat, and Development Plan Amendment to sub-phase the previously approved Las Terrazas Unit III residential subdivision (46 lots on 43.63 acres) into two phases. Sub-phase 3A will consist of 24 residential lots and Sub-phase 3B will consist of 22 lots.

The property is located along Paseo Las Terrazas, off of Trailhead Drive and Las Campanas Drive within Sections 2, 11 and 12, Township 17 North, Range 8 East (Commission District 2).

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

NBF-1

SUMMARY:

On December 11, 2001, the Board of County Commissioners (BCC) granted Preliminary and Final Plat and Development Plan approval for the areas known as Black Mesa, Mesa del Oro and Las Terrazas (formerly known as The Estancias at Las Campanas) consisting of 125 lots on 161-acres (Exhibit 4, December 11, 2001 BCC Minutes).

In 2004, this project received a 2-year extension to maintain the original approvals. Black Mesa and Mesa del Oro received administrative approval for an extension in 2008 and were expected to be recorded by 2010.

Black Mesa was Unit I, which consisted of 25 lots. Mesa del Oro was Unit II, which consisted of 23 lots and Las Terrazas was, Unit III which consists of 77 lots. Of the 77 lots in Las Terrazas, 31 lots have been completed and 11 homes have been constructed leaving 46 approved undeveloped lots. The major infrastructure including Camino La Tierra and Buckman Road as well as Trailhead Drive were completed and approved in 2007.

Phase I of Las Terrazas (Unit III) consisting of 19 lots was recorded on June 14, 2006. Phase II of Las Terrazas (Unit III) consisting of 12 lots and was recorded on November 13, 2007. Phase III of Las Terrazas (Unit III) consisting of the remaining 46 lots remains undeveloped and has yet to be recorded.

On May 14, 2013, the BCC granted a 24-month time extension for the areas known as Black Mesa (25 lots), Mesa del Oro (23 lots) and Las Terrazas Unit III (Exhibit 5, May 14, 2013 BCC Minutes). Black Mesa, Mesa del Oro and Phase 3 of Las Terrazas Unit III have not been developed.

On June 15, 2015, the Land Use Administrator granted another time extension under Resolution No. 2014-129 (A Resolution Finding the Existence of Severe Economic Conditions and Authorizing the Suspension of the Enforcement of Specified Provisions of Article V of the Land Development Code that Concerns Expiration of Master Plans and Final Plats Pursuant to Ordinance No. 2011-11) that rendered the approval valid until December 31, 2016.

Currently, the Applicants is requesting Preliminary Plat, Final Plat, and Development Plan Amendment to sub-phase the previously approved Las Terrazas Unit III subdivision into two (2) sub-phases. Sub-phase 3A (24-lots) and Sub-phase 3B (22-lots). Las Terrazas Unit III consists of 46 lots on 43.63-acres and was previously approved to be completed in one phase.

The Applicant states, "This adjustment of two sub-phases will make it more financially palpable for Cienda Partners and a partner home-builder to move forward with the construction of the balance of the Las Terrazas subdivision. It is anticipated that construction of Sub-phase 3A will commence in the Spring/Summer of 2016, with subsequent series of lots in Sub-phase 3B to commence within 2-years."

At the time the original approval was granted, the subject property was located in the 5-mile Extraterritorial Zoning District and therefore under the jurisdiction of the Extraterritorial Subdivision Regulations (ESR).

With the elimination of the Extraterritorial Zoning District in 2009, this development now falls under the regulations of the Santa Fe County Land Development Code, Ordinance No. 1996-10 (Code). The following are the applicable sections of the Code.

Article V, Section 4.5, Staging/Phasing of the Code states:

For large scale developments and large subdivisions, the County Development Review Committee and Board may grant approval of an initial development stage only; and further, the County Development Review Committee may set criteria for development of the first stage as a condition for approval of subsequent stages. However, a subdivider may propose, and the County Development Review Committee and Board may approve, a phasing schedule which permits flexibility in the sequential development of the various stages as to timing and order of development.

Article V, Section 5.3.6.b, Phased Development, of the Code states:

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 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.

Notice requirements were met as per Article II Section 2.4.2, of the Code. In advance of the hearing on the Application, the Applicant provided a certification of posting of the hearing, confirming that the public notice posting regarding the Application was made for twenty-one (21) days on the property beginning on October 29, 2015. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on October 29, 2015, as evidenced by a copy of that legal notice contained in the record.

This Application was submitted on October 9, 2015.

Building and Development Services staff has reviewed this Application for compliance with pertinent Code requirements and finds that the Application is in compliance with the Code criteria through the facts presented, which support this request.

APPROVAL SOUGHT: Approval of a Preliminary Plat, Final Plat, and Development Plan Amendment to sub-phase the previously approved Las Terrazas Unit III residential subdivision (46 lots on 43.63 acres) into two sub-phases. Sub-phase 3A consisting of 24 lots and Sub-phase 3B consisting of 22 lots.

GROWTH MANAGEMENT AREA: El Centro, SDA-2

HYDROLOGIC ZONE: The development is located in the Basin Hydrologic Zone where the minimum lot size is 10-acres per dwelling unit. Lot

size can be reduced to 2.5 acres per dwelling unit with signed and recorded water restrictions.

FIRE PROTECTION:

Agua Fria Fire District – Fire hydrants will be placed so that the furthest buildable portion of a parcel shall be within one thousand (1,000) feet .

WATER SUPPLY:

Las Campanas Water System

LIQUID WASTE:

Las Campanas Liquid Waste System

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
SFC Fire	Approval with Conditions

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat, Final Plat, and Development Plan Amendment to sub-phase the previously approved Las Terrazas Unit III residential subdivision (46 lots on 46.63 acres) into two sub-phases. Sub-phase 3A consisting of 24 lots and Sub-phase 3B consisting of 22 lots subject to the following conditions:

1. The driving surface of Paseo Las Terrazas shall have a minimum width of 24-feet, which meets the requirements of the Santa Fe County Fire Department.
2. The driving surface of the cul-de-sac at the end of Trasera Court shall have a minimum width of 20-feet and a 50-foot radius.

EXHIBITS:

1. Letter of request
2. Site Plans
3. Review Comment
4. December 11, 2001 BCC Meeting Minutes
5. May 14, 2013 BCC Meeting Minutes
6. Aerial Photo of Site and Surrounding Areas

SANTA FE PLANNING GROUP, INC.

P.O. Box 2482

Santa Fe, NM 87504

505.983.1134; 505.983.4884 fax

October 02, 2015

Vicente Archuleta
Case Manager
Santa Fe County Land Use Department
PO Box 276, Santa Fe, New Mexico 87504-0276

Re: Las Terrazas, Phase III
Previous Case #: MIS 15-3029
Preliminary Plat, Final Plat and Development Plan Amendment
Request to Sub-phase Phase III of Las Terrazas into 3a and 3b

Dear Mr. Archuleta:

Cienda Partners, applicant, Scott Hoeft, agent, respectfully requests to divide Phase III of the previously approved Las Terrazas subdivision into two smaller phases (3a and 3b). Phase III of Las Terrazas has been approved for 46 lots. It is proposed that the 46 lots are divided into two smaller phases of 24 lots and 22 lots.

Las Terrazas

Phase I	19 lots	Lots Completed/ Homes Built
Phase II	12 lots	Lots Completed / Homes Built
Phase III	46 lots	
-3a	24 lots	
-3b	22 lots	

Case History

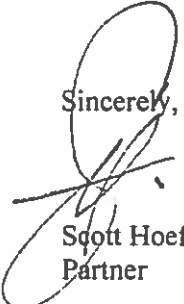
On December 11, 2001, the BCC granted Preliminary and Final Plat and Development Plan approval for 125 lots on 161-acres. In 2004, the project received an extension to maintain the original approvals. On June 14, 2006, Las Terrazas Phase I consisting of 19 lots was recorded and Phase II consisting of 12 lots was recorded. In December 2011, the case was extended via the 2011-193 and 2011-11 Ordinances that defined economic necessity and hardship. In May 2013 the BCC approved a 24-month time extension for this case, and most recently in June 2015 the BCC extended it again pending an economic recovery. The Final Plat and Development Plan will expire December 31, 2016.

Thirty-one (31) lots are completed in Phase I and Phase II, and eleven (11) homes are constructed. Phase III remains undeveloped. It is proposed that this adjustment to two phases will make it more financially palatable for Cienda Partners and a partner home-builder to move forward with the construction of the balance of the Las Terrazas subdivision. It is anticipated that construction of Phase 3a will commence in the Spring/Summer of 2016, with the subsequent series of lots in Phase 3b to commence within 2-years.



Please schedule this project for review at the **November 19, 2015** meeting of the CDRC followed by the BCC. If you have questions or require additional information, please do not hesitate to call me at 412.0309 or email: scotthoefl@hotmail.com.

Sincerely,

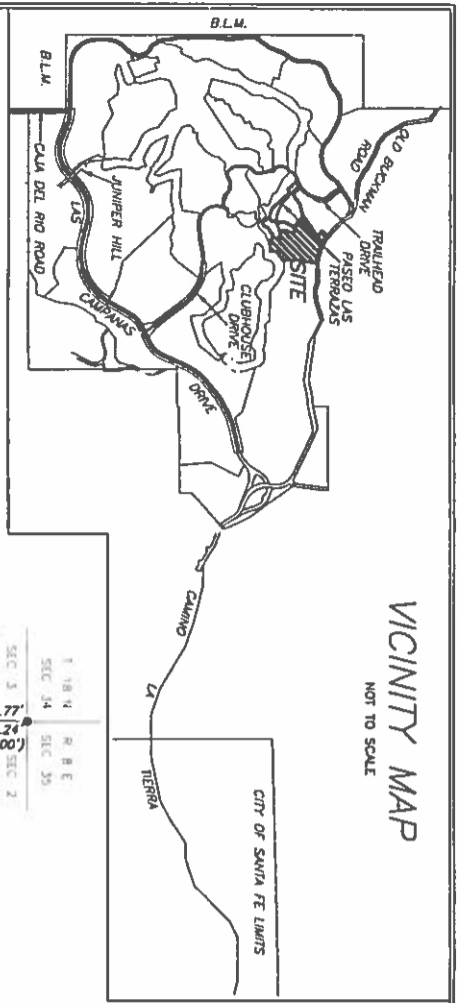


Scott Hoefl
Partner

Attachments:

- Warranty Deed (on file with previous application Case #MIS 15-3029)
- Plat of Record (on file with previous application Case #MIS 15-3029)
- Proposed Plat and Phasing (3 full size sets / 1 reduced)
- Application Fees: \$600

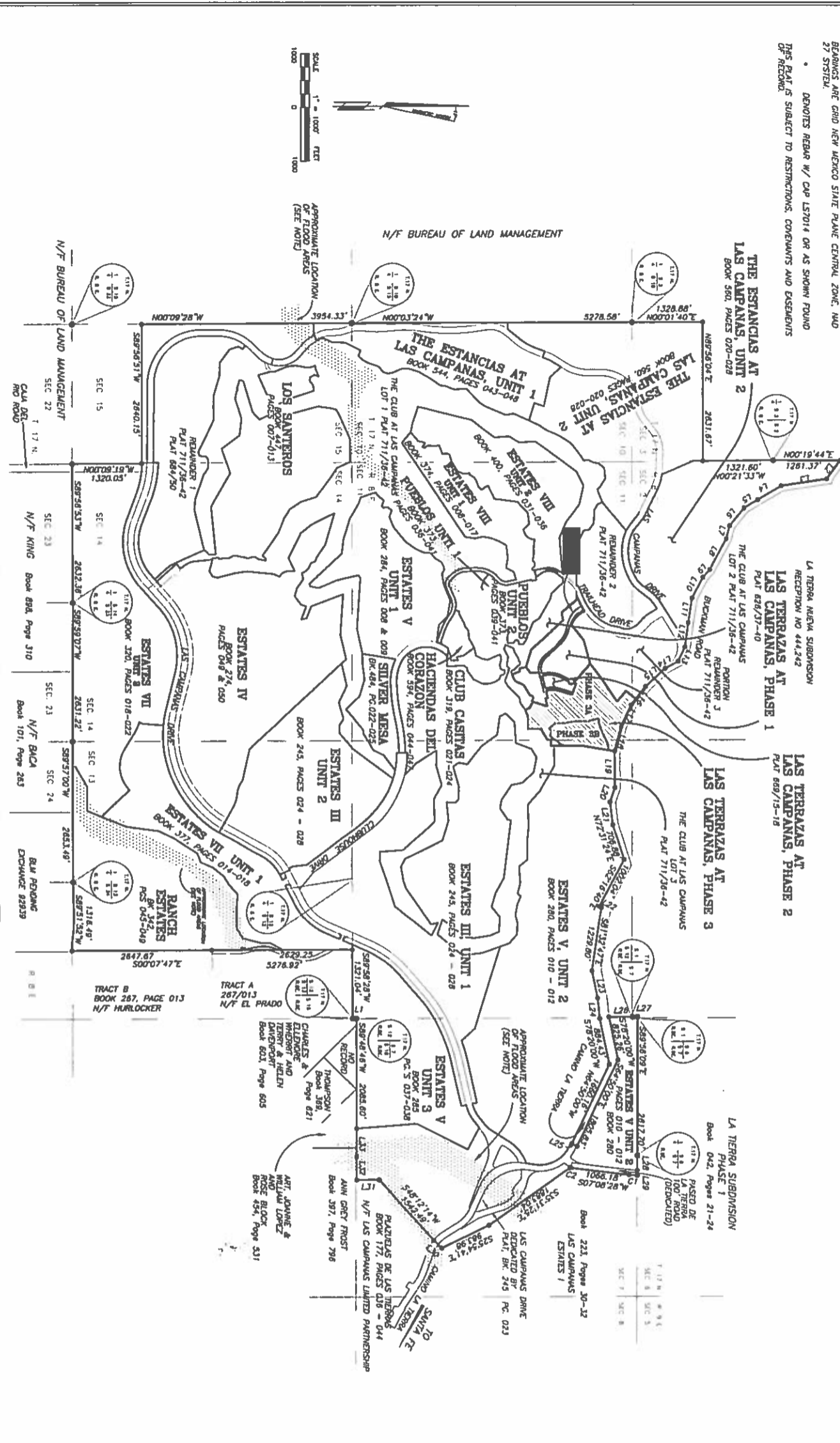
NBF-6



VICINITY MAP
NOT TO SCALE

LEGEND:

BEARINGS ARE GRID NEW MEXICO STATE PLANE CENTRAL ZONE, NAD 83 SYSTEM.
 * DENOTES REBAR W/ CAP LST014 OR AS SHOWN FOUND
 THIS PLAT IS SUBJECT TO RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.



CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHD LENGTH	CHD BEARING
C1	07°10'48"	1240.00	155.39	155.39	S05°33'04"W
C2	05°39'04"	297.96	50.19	50.13	S17°40'20"W

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°08'53"E	71.80
L2	S04°12'32"E	428.04
L3	S06°19'21"E	871.58
L4	S07°57'02"E	508.74
L5	S10°57'21"E	300.55
L6	S07°57'21"E	430.65
L7	S75°12'17"E	255.59
L8	S42°03'58"E	663.63
L9	S47°50'12"E	193.74
L10	S42°30'43"E	443.33
L11	S01°32'17"E	482.63
L12	S02°35'30"E	462.43
L13	S04°33'00"E	302.66
L14	S04°30'08"E	274.40
L15	S43°18'09"E	502.16
L16	S31°58'01"E	447.83
L17	S54°42'28"E	441.81
L18	S08°20'59"E	409.13
L19	S75°13'12"E	691.13
L20	S77°23'21"E	283.47
L21	N42°32'01"E	410.09
L22	N42°10'13"E	48.44
L23	N78°13'43"E	332.31
L24	N42°10'23"E	303.19
L25	N42°10'00"E	109.60
L26	N00°01'59"E	447.89
L27	N00°13'18"W	902.87
L28	S09°38'37"E	278.81
L29	S09°39'37"E	100.00
L30	S44°17'34"E	212.56
L31	S00°24'48"W	425.00
L32	S09°53'31"W	442.37
L33	S09°49'48"W	328.34

LAS TERRAZAS AT LAS CAMPANAS PHASE 3A

FINAL PLAT FOR A RESIDENTIAL SUBDIVISION OF 46 LOTS, 34.68 ACRES BEING A PORTION OF UNIT 3 OF THE COUNTY APPROVED ESTANCIAS (FORMERLY TRACT O) FOR LAS CAMPANAS SANTA FE REMAINDER 3 PLAT BOOK 711 PG. WITH TOWN CENTER, 2171 1/2 TH. RD. N.M.P.L. SANTA FE COUNTY, NEW MEXICO

PURPOSE: TO CREATE 24 RESIDENTIAL LOTS, 3 TRACTS FOR OPEN SPACE AND 3 ROADWAY TRACTS.

DAWSON SURVEY'S INC.
 PROFESSIONAL LAND SURVEYORS
 2502 B CAMINO ENTRADA
 SANTA FE, N.M., 87507
 TEL: 505-833-4444 FAX: 505-833-4444

SHEET 2 OF 3

DAVID J. SERRANO, N.M.P.L.S. 15986 4/8/2015

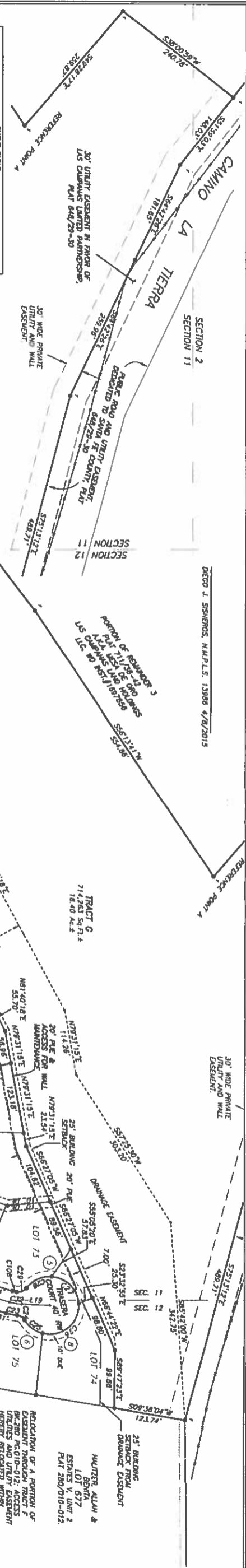


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Table with columns: CLAVE, DELTA, ANCHAS, ANGE, CORDO, CHD BNG. Rows 699-789.

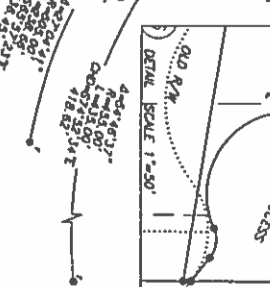
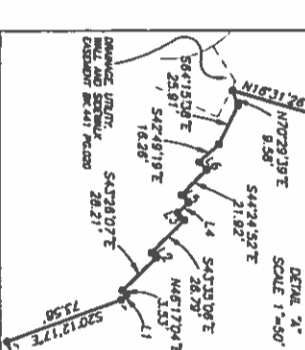
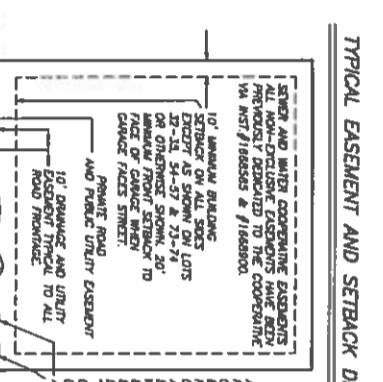
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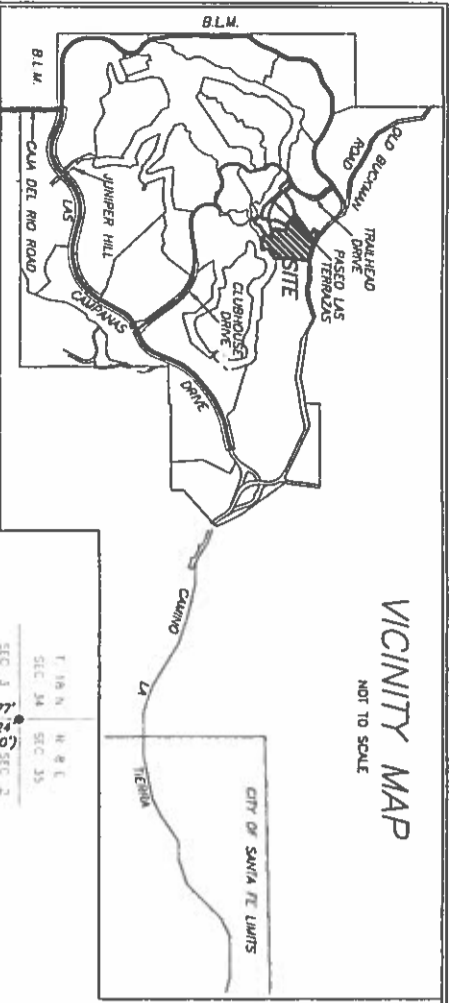
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Table with columns: CLAVE, DELTA, ANCHAS, ANGE, CORDO, CHD BNG. Rows 1063-1153.

LEGEND:
REPAIR AS NOTED FOUND
1/2" REBAR SET WITH CAP IS 13066
CALCULATED POINT NOT SET
DRAINAGE EASEMENT
PUBLIC UTILITY EASEMENT
ACCESS AND PUBLIC UTILITY EASEMENT
EASEMENT ON BOUNDARY VACATED
BOUNDARY OF LANDS DEALT WITH BY THIS
BOUNDARY IS BASED ON INFORMATION
ONLY, NOT VERIFIED FOR ACCURACY AND
IS NOT PART OF THIS PLAN.



LAS TERRAZAS AT LAS CAMPANAS PHASE 3A
FINAL PLAN FOR A RESIDENTIAL SUBDIVISION OF 46 LOTS, 34.66 ACRES BEING A PORTION OF UNIT 3 OF THE COUNTY APPROVED TENTATIVE (FORMERLY TRACT O) FOR LAS CAMPANAS SUBDIVISION, REMOVED 3 PART BOOK 711 PG. 38-42 WITHIN SECTIONS 2, 11, & 12, 17TH. RAE, N.M.P.L.S. SAN JUAN COUNTY, NEW MEXICO.
SHEET 3 OF 3



LEGEND:
 BEARINGS ARE GRID NEW MEXICO STATE PLANE CENTRAL ZONE, NAD 27 SYSTEM
 * DENOTES REBAR W/ CIP L57014 OR AS SHOWN ROUND THIS PLAT IS SUBJECT TO RESTRICTIONS, COMMENTS AND EASEMENTS OF RECORD.

VICINITY MAP
 NOT TO SCALE

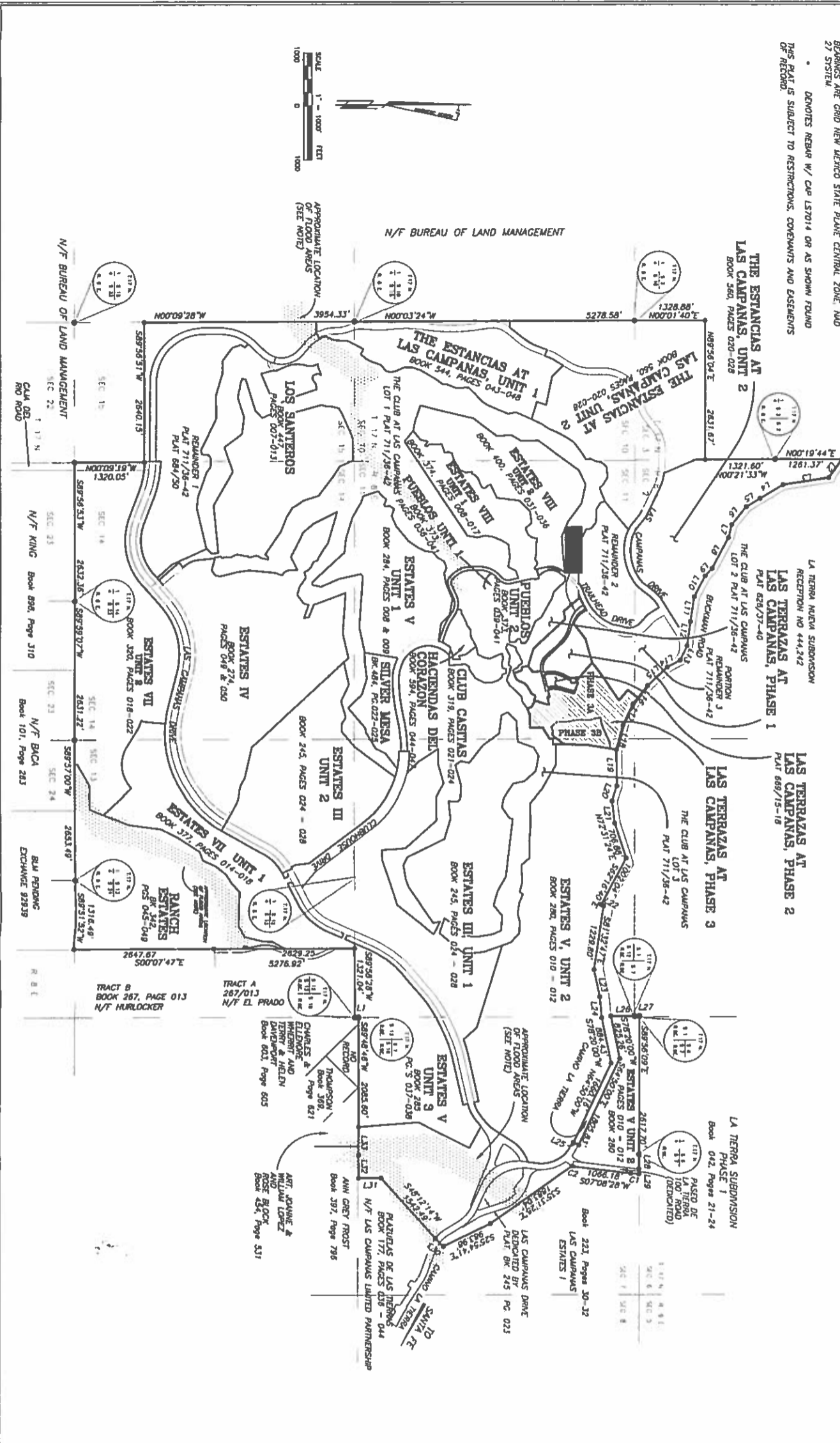
CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHD LENGTH	CHD BEARING
C1	07°10'48"	1240.00	155.39	155.29	S05°33'04"W
C2	08°39'04"	292.98	50.19	50.13	S17°40'30"W

LINE TABLE

LINE	BEARING	DISTANCE
L1	S07°00'52"E	71.80
L2	S54°12'32"E	428.04
L3	S06°39'21"E	871.38
L4	S07°57'02"E	508.74
L5	S10°37'21"E	308.53
L6	S09°51'37"E	430.65
L7	S7°12'37"E	255.59
L8	S62°03'59"E	663.63
L9	S47°50'12"E	183.74
L10	S62°30'43"E	443.33
L11	S81°32'17"E	472.63
L12	S62°35'39"E	462.43
L13	S64°33'03"E	302.88
L14	S28°30'08"E	274.40
L15	S31°18'09"E	502.18
L16	S31°59'01"E	447.63
L17	S64°42'28"E	441.87
L18	S75°13'12"E	489.71
L19	N69°20'59"E	684.13
L20	S71°23'21"E	283.47
L21	N62°52'01"E	410.09
L22	N69°10'13"E	416.48
L23	N70°13'43"E	332.71
L24	N63°10'23"E	382.19
L25	N63°10'23"E	109.60
L26	N60°11'09"E	617.98
L27	N60°11'09"E	617.98
L28	S89°39'57"E	278.01
L29	S89°39'57"E	278.01
L30	S47°17'52"W	2155.00
L31	S07°04'58"E	418.00
L32	S89°33'52"W	443.97
L33	S89°48'48"W	528.34

PHASE 3B



LAS TERRAZAS AT LAS CAMPANAS PHASE 3B

FINAL PLAT FOR A RESIDENTIAL SUBDIVISION OF 22 LOTS, 8.95 ACRES BEING A PORTION OF UNIT 3 OF THE COUNTY APPROVED ESTANCIAS (FORMERLY TRACT D) FOR LAS CAMPANAS SANTA FE, REMAINDER 3 PLAT BOOK 711/26-42, 3RD 4TH SECTION 2, 11N, 17W, R6E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO

PURPOSE: TO CREATE 22 RESIDENTIAL LOTS, 4 TRACTS FOR OPEN SPACE

SHEET 2 OF 3

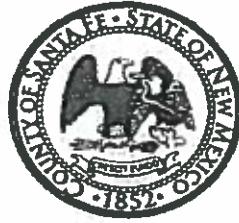
DAWSON SURVEY'S INC.
 PROFESSIONAL LAND SURVEYORS
 2502 B CAMINO ENTRADA
 SANTA FE, N.M., 87505
 TEL: 505/833-8888 FAX: 505/833-8888

SHEET P3-2B

Henry P. Roybal
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 Submittal Review

Date	10/22/2015		
Project Name	Las Terrazas, Phase III Plat Amendment		
Project Location	Camino La Tierra to Las Campanas Dr		
Description	Prelim & Final Plan	Case Manager	V. Archuleta
Applicant Name	Cienda Partners LLC	County Case #	S15-5310
Applicant Address	218 Camino La Tierra Santa Fe, NM 87506	Fire District	Agua Fria
Applicant Phone	505-412-0309		
Review Type	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input checked="" type="checkbox"/>	Final <input checked="" type="checkbox"/>
	Wildland <input checked="" type="checkbox"/>	Variance <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
		Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>
Project Status	Approved <input checked="" type="checkbox"/>	Approved with Conditions <input 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.

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.



NBF-13

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

- **Roadways/Driveways**

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

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

- **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 driveways/fire access shall 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.

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

Fire Protection Systems

- **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.*

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within one thousand feet (1,000') as measured along the access route from hydrant no. AFLC013.

Supply lines shall be capable of delivering a minimum of 500 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.

- **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.*

Urban-Wildland Interface

SFC Ordinance 2001-11, Urban Wildland Interface Code

This subdivision's location is rated within a "Moderate Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

- **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

- **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

- **Vegetation Management**
Optional.

It is recommended that the development also have a vegetation management plan to establish fire-safe areas and to minimize the threat and occurrence of fire in the urban wildland interface areas. Assistance in details and information are available through the Fire Prevention Division.

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.

- **Permits**

As required

Final Status

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

Buster Patty



Fire Marshal

10-22-15

Date

Through: David Sperling, Chief

File: DevRev/Agua Fria/Las Terrazas, Phase III Plat Amendment/10.22.15

Cy: V. Archuleta, Land Use
Applicant
File

2055983

SFC CLERK RECORDING 08/17/2004

give to someone; there's criteria that need to be followed.
MR. DUPUIS: We understand that, sir and we intend to prove that he has sufficient water rights for that property.
CHAIRMAN DURAN: I'd rather see him subdivide it than have a mining operation there.
MR. DUPUIS: He probably would too sir.
CHAIRMAN DURAN: But again, he still has to prove adequate water to not only this Commission, but to his community.
MR. DUPUIS: We understand, sir. Thank you very.
CHAIRMAN DURAN: Thank you. Is there anyone else out there that would like to address the Commission? Okay, this ends the first hearing on the San Pedro Community Plan.

- XI. A. 4. **EZ CASE #S 01-4110 – The Estancias at Las Campanas. Las Campanas Limited Partnership (Michael Baird, Vice President), Applicant is Requesting Final Plat/Development Plan Approval for a Subdivision Phase Consisting of 85 Residential Lots and Master Plat Approval for 40 Residential Lots on a Total of 161 Acres, with a Variance of the Minimum Road Standards to Permit Finished Road Grades Exceeding Three Percent for 100 Feet From the Intersection. The Property is Located off Camino La Tierra/Las Campanas Drive within the Five Mile Extraterritorial District, Section 2 and 11, Township 17 North, Range 8 East**

JOE CATANACH (Review Specialist): Thank you, Mr. Chairman, Commissioners. On May 10, 2001 the EZC recommended preliminary plat/development plan approval and a variance of the minimum road standards. On September 13, 2001, the EZC recommended final approval. As stated, it's a request for 85 residential lots, master plat approval for 40 residential lots, a total of 161 acres. Request for variance of road standards having to do with finished road grades at intersections. My staff report outlines the master plan approval for 1,419 lots on 3,549 acres. My staff outlines the various phases that have been approved by the Board.

The proposed lot sizes range in size from .33 acre to 3.2 acres with 15.7 acres of multiple common open space/park area. The two tracts that are being requested for master plat are two tracts consisting of 9.3 acres and 12.8 acres, being submitted for master plat, which provides flexibility for the seller and buyer to select a lot and road layout based on market demand and conditions. The master plat indicates a general lot/building and road layout, however, the specific platting of the lots and access roads would be accomplished by administrative review and approval.



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Please note that on March 13, 2001 the BCC granted authorization to proceed with a master plat for a portion of this subdivision phase. The subdivision will be developed in sub-phases as follows: Unit 1 = 29 lots; Unit 2 = 29 lots; Unit 3 = 27 lots; Tract A master plat = 16 lots; and, Tract B master plat = 24 lots. Please note that the subdivision regulations require that final plats be recorded within 18 months from the date of approval by the BCC, otherwise the approval becomes null and void unless an extension of time is granted by the BCC. The applicant has requested a one-year extension in order to record the three unit sub-phases within 2.5 years from the date of final approval by the BCC.

The staff report addresses roads and access, water and wastewater, terrain, landscaping, open space, archeology, homeowners association. The requested variance of the minimum road standards is to permit finished road grades exceeding 3 percent for 100 feet from the intersection. The proposed road grades range between 4 and 5 percent for four intersections. The applicant has responded to the variance criteria.

Recommended action: the proposed subdivision phase is in conformance with the approved master plan, the Extraterritorial Subdivision Regulations and the County Land Development Code. Staff considers the requested variance to be a minimum easing of the standards. The EZC recommended final approval with the listed conditions. And if I could—the applicant is in agreement with the conditions, my understanding, Mr. Chairman.

[The conditions are as follows:]

1. Compliance with applicable review comments from the following:
 - a) State Engineer
 - b) State Environment Dept.
 - c) Soil & Water District.
 - d) State Highway Dept.
 - e) Santa Fe County Water Utility
 - f) County Hydrologist
 - g) County Technical Review Div.
 - h) County Fire Marshal
 - i) County Public Works.
 - j) Santa Fe Public School District.
2. The three unit sub-phases shall be recorded within 2 years, 6 months from the date of final approval by the BCC.
3. Final plat to include but shall not be limited to the following:
 - a) Compliance with plat check list.
 - b) Reference common drainage ponds and maximum impervious surface allowed before on-lot ponds are required.
 - c) Note prohibiting direct driveway access to Las Campanas Dr. and Camino La Tierra.
 - d) Lot 9 shall have direct access to a road meeting minimum standards(38 foot easement with a 20 foot roadway)

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- e) Cross reference for disclosure statement/property report.
- f) Approval of street names and rural addressing.
- g) Specify that guest houses are prohibited for the master plat lots.
- h) Minimum 10-foot setback along Camino la Tierra and Las Campanas Drive.
4. Submit solid waste fee in accordance with subdivision regulations.
5. Submit engineers cost estimate and acceptable financial surety for completion of required improvements as approved by staff. Upon completion, submit certification by registered engineer that improvements have been completed in conformance with approved development plans.
6. Provide recreational facilities (tables, benches) and landscaping within passive park areas.
7. Final homeowner documents (covenants, by-laws, articles of incorporation, disclosure statement) subject to approval by staff, and shall include but not be limited to the following:
 - a) Water restrictions of .50 acre-feet per lot and .25 acre-feet for master plat lots with conservation measures.
 - b) Disclosure regarding possible additional assessment to property owners for replacement water system in the event that lease for Buckman facilities terminates and possible additional assessment to property owners in the event that lease of Albuquerque water rights terminates for golf course irrigation.
8. Camino La Tierra improvements from Trailhead Drive to Paseo de la Tierra shall be completed to a minimum base course standard as part of The Estancias, Unit 1. Construction of Trailhead Drive connection with Las Campanas Dr./Camino La Tierra shall be completed no later than development of The Estancias, Unit 2(or Tesoro Enclaves, Unit 2 whichever comes first), and completion of Camino La Tierra to a paved road standard as part of Estancias, Unit 2.
9. Road sections for Camino La Tierra to include continuation of Las Campanas Drive trail.
10. Submit plat for dedication of Camino La Tierra right-of-way to County.
11. Submit traffic sign plan.
12. Remaining balance of density as approved in master plan shall be established at 165 lots/units, this includes The Enclaves pending final approval, and not including guest houses which are based on available water rights. This balance may increase to 171 subject to verification and agreement with staff.

CHAIRMAN DURAN: Any questions of Joe?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Two questions, Mr. Catanach. The first is that the EZC put on a condition about a disclosure regarding possible assessment for a replacement of the water system upon termination of the Albuquerque water contract. And

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they wanted that as part of the disclosure. I guess the applicant responded saying that wasn't necessary because the developer has entered into a transfer agreement, transferring all of the club amenities, which I assume includes the golf course, to the club at Las Campanas and the club members have to understand that they may be eligible, or they may be required to purchase water rights in the future if Albuquerque doesn't renew its lease.

Has there been a review of that letter by our legal staff? Where do we stand on that issue?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, my understanding, I did review the letter. My understanding is that the property owners, the people who buy these lots are not obligated in any way to maintain the golf course. They have the option, I believe of buying in and becoming a member of the club at Las Campanas and if they do that, they assume that risk. But my understanding is that merely be virtue of buying a lot that they don't take on any obligation, responsibility, or get any of the benefits of being a member of the golf course. That was my understanding from looking at that.

COMMISSIONER SULLIVAN: So you're comfortable then that that disclosure is not required in the HUD documents.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, that's correct.
Yes.

COMMISSIONER SULLIVAN: And then, Mr. Catanach, EZC condition 7b is not in the conditions that you entered into the record, is that correct?

MR. CATANACH: Mr. Chairman, Commissioner Sullivan, the discussion I had with Steve and we had with Mickey Baird was that seven—if in fact only club members would incur any liability or responsibility of termination of Albuquerque lease water rights, 7b is stating just that. Then the disclosure should be to club members, that all club facility expenses, including operation and maintenance and replacement water rights in the event that the lease for Albuquerque water rights terminates for golf course irrigation. So that disclosure is actually part of the club membership documentation.

COMMISSIONER SULLIVAN: So it's not a part of staff conditions.

MR. CATANACH: It's a part of the staff conditions, but only to the extent that it's disclosed to club members, which the applicant is—the documentation that the applicant submitted to us does indicate that that is being disclosed to club members.

COMMISSIONER SULLIVAN: I don't see it in the staff conditions.

MR. CATANACH: It's 7b, the second part of the 7b condition.

COMMISSIONER SULLIVAN: Okay. The second part. And disclosure to club members that all club facility expenses including operation and maintenance and replacement water rights in the event that the lease of Albuquerque water rights terminates for golf course irrigation. Okay, so that requires the disclosure to club members. The first part requires the disclosure to lot owners regarding no additional assessment to property owners for a replacement water system in the event that lease for Buckman facilities terminates.

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So what you're saying there is you want a positive disclosure stating what Las Campanas has stated in its letter.

MR. CATANACH: That's correct. If Las Campanas is saying that there's no additional assessment then go ahead and say it.

COMMISSIONER SULLIVAN: Okay. And then conditions 3g and 7a, which were also added by the Extraterritorial Zoning Commission. Are those in the staff conditions? Three-g says guesthouses are prohibited except where specifically allowed by acquisition of water allocation.

MR. CATANACH: Commissioner Sullivan, 3g I believe addresses that. Three-g states that guesthouses are prohibited for the master plat lots because the master plat lots only have the quarter acre-foot allocation.

COMMISSIONER SULLIVAN: Okay, and then the last one is 7a, Water restrictions at a quarter acre-foot per lot with conservation measures except for lots where guesthouses are allowed at .5 acre-feet.

MR. CATANACH: Yes, sir, Commissioner Sullivan. Again, 7a states that water restrictions of .5 acre-foot per lot and .25 acre for the master plat lots with conservation measures.

COMMISSIONER SULLIVAN: Okay. And then the last question I had is they're also asking for a variance in addition to time, on the grades, the road grades where they intersect with main roads. I think asking that they be over three percent. Is that correct?

MR. CATANACH: Yes, Commissioner, that's correct.

COMMISSIONER SULLIVAN: Are these situations where the subdivision roads come up to the main road or come down to the main road?

MR. CATANACH: Commissioner Sullivan, I'm not certain whether they're uphill grades or downhill grades at these particular intersections.

COMMISSIONER SULLIVAN: Maybe someone from Las Campanas can answer that.

CHAIRMAN DURAN: Please state your name for the record, sir.

[Duly sworn, Mike Sanderson testified as follows:]

MIKE SANDERSON: Mike Sanderson, 25 Corn Maiden, Santa Fe. I'm not sure—I'm pretty sure. I'd have to look at the plans to verify that but I'm pretty sure that the major road is usually depressed as we go into our subdivisions. Trailhead Drive, which would be the major variances of the entrances is usually more of a depressed road that's usually at a lower elevation than the subdivision roads as you go to them.

COMMISSIONER SULLIVAN: Okay, the only concern I would have without knowing where they are on the lots, it's a little difficult to articulate but where we're increasing the grades, we generally need to increase the sight distance on the intersecting roads because we're at an angle that makes it more difficult for the vehicle to detect the oncoming vehicles. So usually something has to be done either topographically or with vegetation to increase the sight distance. Are we in that kind of situation on these

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intersections?

MR. SANDERSON: There shouldn't be a problem with sight distances. I don't see that as a conflict at all.

COMMISSIONER SULLIVAN: It would only be a problem if there's vegetation and you're talking about reducing these grades, or increasing these grades so you don't have to do as much earth moving.

MR. SANDERSON: Right, and trying to be able to keep everything as close to natural as we can, is pretty much how we've built the project.

COMMISSIONER SULLIVAN: That would be my only—and I guess we can't resolve it because we don't have information would be the issues of increasing these grades. Is there a maximum to which these grades will go?

MR. SANDERSON: If I'm not mistaken it's four percent.

MR. CATANACH: In the submittal, Commissioner, these road grades are between four and five percent.

COMMISSIONER SULLIVAN: So the maximum is five percent and the staff requirement is three percent. Or the ordinance requirement is three percent.

MR. CATANACH: Yes, Commissioner.

COMMISSIONER SULLIVAN: And is the staff comfortable that we don't have any sight distance problems with these steeper grades.

MR. CATANACH: I have had discussion with James Lujan, with County Public Works and it's also, it also has been common to allow grades to go two percent above the standard and we have had no problems, Commissioner Sullivan. Including sight distance.

COMMISSIONER SULLIVAN: So you're comfortable, sight distance, drainage, that this does not constitute a safety hazard.

MR. CATANACH: Yes, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Okay, is the applicant here? Do you have anything you'd like to say?

MR. SANDERSON: No. We will accept the conditions per the staff report.

CHAIRMAN DURAN: Okay. Any questions of the applicant? This is a public hearing. Is there anyone out there that would like to speak for or against this proposal? If not, what's the pleasure of the Board?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: I have a quick question of Mr. Catanach. Mr. Catanach, a few months ago, I think we heard this—have we heard this before at the BCC or is the first time?

MR. CATANACH: This is the first time.

COMMISSIONER CAMPOS: Okay. There was another case or cases

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involving Las Campanas and we discussed at that time, or at least I raised the issue of the adequacy of the disclosure statement and I think you said that you were going to look into whether there was any problems that you perceived and how to correct them if there were problems. I can't remember the case but it's been a few months.

MR. CATANACH: I do recall that you brought up an issue, Commissioner Campos, regarding disclosure. I believe it would have been for the last or the last two subdivision phases, either Silver Mesa or Tesoro Enclaves. I can't remember the specific question or comment that you had on disclosure though.

COMMISSIONER CAMPOS: Okay. I felt we were going to get some feedback and I just realized that we hadn't received any comment. So maybe we'll have to talk about it some other time

CHAIRMAN DURAN: Okay. What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: With staff's conditions?

COMMISSIONER SULLIVAN: With staff's conditions, which I believe include a one-year time extension. Is that what's being requested, Mr. Catanach?

MR. CATANACH: Yes, Commissioner Sullivan. That's correct and condition number 2 would address that.

COMMISSIONER SULLIVAN: And is there any limit to these time extensions or can they go on for as long as the Commission wants?

MR. CATANACH: I think certainly that's up to the discretion of the Board, and certainly staff looks at certain things. If conditions have changed, if ordinances have changed, the staff would want to certainly have some discussion on whether it's appropriate to extend something if conditions have changed or ordinances.

COMMISSIONER SULLIVAN: But in this case the ordinances are the same as they were at the time of approval.

MR. CATANACH: Yes, Commissioner Sullivan. Yes, sir.

CHAIRMAN DURAN: I'll second it. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

~~XI. A. 7. **EZ CASE #S 96-4341 - Aldea de Santa Fe. Aldea, LLC (Arthur Fields), Applicant is Requesting a Time Extension for the Final Plat/Development Approval Granted by the BCC for Phase 1-B Consisting of 100 Residential Lots. The Property is Located West of the City Limits and North of State Road 599 within the Two Mile Extraterritorial District, Section 20, Township 17 North, Range 9 East**~~

~~MR. CATANACH: Thank you, Mr. Chairman. On December 14, 1999, the BCC granted final plat/development plan approval for Phase 1 of a mixed-use~~

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- XVII. A. 3. **BCC CASE # MIS 13-5020 Las Campanas Time Extension** formerly Estancias at Las Campanas Cienda Partners, Applicant, Scott Hoeft, Agent, Request a 24-Month Time Extension of the Previously Approved Final Plat Approval for the Areas Known as Black Mesa (25 Lots), Mesa del Oro (23 Lots) and Las Terrazas Phase III (46 Lots), Formerly Known as Estancias at Las Campanas Which Consisted of 125 Lots on 161 Acres (31 Lots Have Been Developed). The Property is Located Along Pasco Las Terrazas, off of Trailhead Drive and Las Campanas Drive within Sections 2, 11 and 12, Township 17 North, Range 8 East (Commission District 2)

VICENTE ARCHULETA (Case Manager): It should be clarified that this case is separate from the existing Estancias subdivision which was approved in 2003. Las Campanas ownership on occasion changed the marketing names of the projects in order to suit the needs of the development. These names are now inconsistent with the names of the project at the time of approval. This case is now known as Black Mesa, Mesa del Oro and Las Terrazas Phase III.

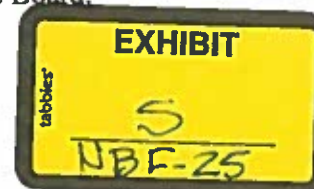
On December 11, 2001, the BCC granted Preliminary and Final Plat and Development Plan approval for 125 lots on 161-acres. In 2004, this project received an extension to maintain the original approvals. Black Mesa and Mesa del Oro received an extension in 2008 and were expected to be recorded within two years from 2008 or 2010.

Black Mesa is Unit I which consists of 25 lots. Mesa del Oro is Unit II, which consists of 23 lots and Las Terrazas is Unit III which consists of 77 lots. Of the 77 lots in Las Terrazas, 31 homes have been constructed leaving 46 approved undeveloped lots. The major infrastructure including Camino La Tierra and Buckman Road as well as Trailhead Drive were completed and approved in 2007. Las Terrazas Phase I consists of 19 lots and was recorded on June 14, 2006 and Las Terrazas Phase II consists of 12 lots and was recorded on November 13, 2007, both of which have been developed. Las Terrazas Phase III consisting of the remaining 46 undeveloped lots expired in 2009.

The Applicant states: "As you can see from the milestones noted, we have been very diligent in keeping the approved subdivisions of Las Campanas active, either through extension, infrastructure completion, Buckman Direct Diversion or even completing lots."

At the time these approvals were granted, the subject property was located in the 5-mile Extraterritorial Zoning District and therefore under the jurisdiction of the Extraterritorial Subdivision Regulations. With the elimination of the Extraterritorial Zoning District in 2009, this development now falls under the regulations of the County Land Development Code.

Article V, Section 5.4.6 of the Code states, "An approved or conditionally approved Final Plat, approved after July 1, 1996 shall be recorded within 24 months after its approval or conditional approval or the plat shall expire. Upon request by the subdivider, an additional period of no more than 36 months may be added to the expiration date by the Board."



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On December 13, 2011, the Board of County Commissioners adopted Resolution 2011-193 which found the existence of severe economic conditions and suspended enforcement of specified provisions of Article V of the Land Development Code that concern expiration of Master Plans, Preliminary Plats and Final Plats.

On December 13, 2011, the Board of County Commissioners also adopted Ordinance 2011-11, which states "the Board of County Commissioners may suspend provisions of Article V, Sections 5.2.7, 5.3.6, and 5.4.6 of the Code upon a finding of economic necessity, which is defined in terms of a score of 100 or less on the Conference Board's Leading Economic Index for the United States for any quarter, and for three years following any such event, and the Board recognizes that these conditions are present and desires to temporarily suspend the enforcement of those sections of Article V that set forth expiration of Master Plans Preliminary Plats and Final Plats for two years pending an economic recovery.

At time of the Plat expiration (December 2009) for the Black Mesa, Mesa del Oro and Las Terrazas Subdivisions, the Conference Board's Leading Economic Index score was approximately 101.6. As of April of 2013 the LEI was 94.7.

The Applicants request a 24-month time extension that would render the Final Plat approval valid until May 14, 2015 and that should be - that's correct, May 14th two years from today.

Staff recommendations: approval for a 24 month time extension of the final plat for the Black Mesa, Mesa de Oro and Las Terrazas Phase III at Las Campanas Subdivision. I stand for questions.

CHAIR HOLIAN: Thank you any questions for staff?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Vicente, this extension is consistent with requests for extension that the Commission has been seeing for quite some time now, correct?

MR. ARCHULETA: Madam Chair, Commissioner Anaya, that's correct.

COMMISSIONER ANAYA: And all of those extensions that we've had prior have been granted, correct?

MR. ARCHULETA: Madam Chair, Commissioner Anaya, that's correct.

COMMISSIONER ANAYA: Thanks, Madam Chair.

CHAIR HOLIAN: Is the applicant here?

[Duly sworn, Scott Hoeft testified as follows:]

SCOTT HOEFT: Scott Hoeft, Santa Fe Planning Group. I do not have a presentation this evening, I stand for questions.

CHAIR HOLIAN: Thank you, Mr. Hoeft. Are there any questions for the applicant? I have one. I noted that the preliminary and final plat and development plan approval was granted in 2001 and so which was quite a long time ago. What do the developers have in mind at this point, for the next 24 months?

MR. HOEFT: From this point heading forward?

CHAIR HOLIAN: Uh huh.

MR. HOEFT: We're looking to try and get started on these final areas. We've just been waiting for the market to rebound and to find a comfortable time to bring

more lots on the market. Right now bringing more lots on the market isn't exactly comfortable. We're looking for a developer as well who is willing take down some of those lots and put structures on those lots.

CHAIR HOLIAN: Okay. Thank you, Mr. Hoeft. This is a public hearing is there anyone here who would like speak on this case either in favor or in opposition to it. Seeing none, the public hearing is closed. Are there any further questions for staff or the applicant? Seeing none, is there a motion.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. I'm going to make a motion to approve the BCC Case MIS 13-5020 Las Campanas time extension and I guess one more for the three different subdivisions is appropriate.

MS. ELLIS-GREEN: Madam Chair, Commissioner Chavez, yes.

CHAIR HOLIAN: Okay, we have a motion do we have a second?

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: Motion and second. All those in favor signify by saying "aye."

The motion passed by unanimous [3-0] voice vote. Commissioner Mayfield was not present for this action.

- XVII. A. 4. **BCC CASE # MIS 13-5021 Las Campanas Time Extension**
(formerly Tesoro Enclaves) Cienda Partners, Applicant, Scott Hoeft, Agent, Request a 24-Month Time Extension of the Previously Approved Final Plat for the Area Known as the Estancias Phase III (Formerly Tesoro Enclaves) Consisting of 37 Lots of the 128 Lot Residential Subdivision on 432 Acres. The Property is Located Off of Las Campanas Drive within Sections 2 and 11 Township 17 North, Range 8 East (Commission District 2)

~~MR. ARCHULETA: Madam Chair, this case is identical to the previous one just a different area of the subdivision. Do you want me to go ahead and read the summary?~~

~~CHAIR HOLIAN: Penny, do we need the summary read into the record?~~

~~MS. ELLIS-GREEN: Madam Chair, I believe we can enter the report into the record.~~

~~CHAIR HOLIAN: Okay, please enter the report into the record then.~~

The report is as follows:

~~On August 14, 2001, the BCC granted Preliminary and Final Plat and Development Plan approval of the Estancias at Las Campanas (formerly Tesoro Enclaves) for a 128 lot residential subdivision on 432-acres.~~

~~On September 12, 2003, the Estancias went back to the BCC for plat approval and was redesigned for 128 residential lots in three phases of development. Estancias Phase I consists of 24 lots, which was recorded in 2003 and Estancias Phase II consisting of 67 lots, was~~



Site

EXHIBIT
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