

**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

**DATE:** November 24, 2015

**TO:** Board of County Commissioners

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

**VIA:** Katherine Miller, County Manager  
Penny Ellis-Green, Growth Management Director *EO*  
Vicki Lucero, Building and Development Services Manager *VZ*  
Wayne Dalton, Building and Development Services Supervisor

**FILE REF.: BCC CASE# MIS 10-5552 Tessera Phase II Preliminary Plat and Development Plan Time Extension**

**ISSUE:**

Homewise, Inc., Applicant, Design Enginuity (Oralynn Guerrerortiz), Agent, requests a 36-month time extension of the previously approved Preliminary Plat and Development Plan for the Tessera Phase II residential subdivision consisting of 78 residential lots on 69.40 acres.

The property is located off of the NM599 West Frontage Road, west of the La Tierra exit within Section 20, Township 17 North, Range 9 East (Commission District 2).

**VICINITY MAP:**



## **SUMMARY:**

Tessera Subdivision is a residential subdivision which consists of 166 residential lots which was to be developed in two (2) phases. Phase 1 consisted of 88 lots and Phase 2 consisted of 78 lots (Exhibit 2 and Exhibit 5).

The subject property received Master Plan approval for 88 lots on 84 acres in the late 1990's under the name of College Hills.

On December 18, 2001, the EZA (Extraterritorial Zoning Authority) granted a Master Plan Amendment for the Tessera Subdivision (formerly College Hills) which consisted of 166 residential lots on 145.97 acres to be developed in 2 phases. Phase 1 consisted of 88 lots on 76.57 acres and Phase 2 consisted of 78 lots on 69.4 acres. Phase 2 will encompass 69.4 acres, with 35 acres or 50% of the property designated as permanent open space.

On December 12, 2002, the EZC granted Preliminary Plat and Development Plan approval for Phase I of the Tessera Subdivision which consisted of 88 lots. On January 13, 2004, the BCC granted Final Plat and Development Plan approval for Phase I. The Final Plat for Phase I was recorded on April 5, 2007.

On August 12, 2014, the Board of County Commissioners (BCC) approved a request for Preliminary Plat and Development Plan for Phase 2 of the Tessera residential subdivision consisting of 78 lots on 69.4 acres (August 12, 2014 BCC Meeting Minutes, Exhibit 3).

The Applicants are requesting a 36-month time extension of the Tessera Residential Subdivision Phase 2 approval under Article V, Section 5.3.6.a of the Santa Fe County Land Development Code, Ordinance 1996-10 (Code). (Exhibit 1)

The Applicant states, “[w]e have been working with the County Utilities Division to apply to the City of Santa Fe for sewer service to get a BCC approval for New Water Deliveries, to enter into a Water Delivery Agreement and a Sewer Service Agreement with the County. All of these issues require County Utility staff preparation. We have provided all information requested and have been waiting more than a year to do what they need to do so that we can proceed to Final Plat and Development Plan. Given that we have no control on the timing of when this work gets done, we are concerned about the delays and the potential of having our preliminary approval expire.”

Article V, Section 5.3.6.a, Expiration of Preliminary Plat, of the Code states:

- a. Expiration. An approved or conditionally approved preliminary plat shall expire twenty-four (24) months after its approval or conditional approval. Prior to the expiration of the preliminary plat, the subdivder may request, from the Board, an extension of the preliminary plat for a period of time not exceeding thirty-six (36) months.
- b. Phased Development. If the preliminary plat was approved for phased development, the subdivider may file final plats for portions of the development, and the expiration

date of the preliminary plat shall be extended for an additional thirty-six (36) months after the date of the filing of each final plat. The number of phased final plats shall be determined by the Board at the time of the approval or conditional approval of the master plan.

c. Expiration effect. The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first processing a new preliminary plat.

Notice requirements were met as per Article II § 2.4.2, of the Code. In advance of a hearing on the Application, the Applicant provided a certification of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one (21) days on the property, beginning on November 17, 2015. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on November 17, 2015, as evidenced by a copy of that legal notice contained in the record. Receipts for certified mailing of notices of the hearing were also contained in the record for all adjacent property owners (Exhibit 4).

The Applicants request a thirty-six (36) month time extension that would render the Preliminary Plat and Development Plan approval valid until December 8, 2018.

**This Application was submitted on August 12, 2019.**

**Building and Development Services staff have reviewed this project for compliance with pertinent Code requirements and have found that the facts presented support this request. The Application is comprehensive in establishing the scope of the project; and the Application satisfies the submittal requirements set forth in the Code.**

**APPROVAL SOUGHT:** Approval of a 36-month time extension of the previously approved Preliminary Plat and Development Plan in accordance with Article V, Section 5.3.6.a.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-2

**HYDROLOGIC ZONE:** Basin Hydrologic Zone, minimum lot size per code is 10 acres per dwelling unit. Lot size can be reduced to 2.5 acres per dwelling unit with signed and recorded water restrictions.

The density as approved in the Amended Master Plan (2001), under the Extraterritorial Zoning Ordinance, was based on a portion of the property consisting of 34 acres within the Santa Fe Urban Area where the zoning allowed one residential unit per .50 acre when utilizing a community water and sewer system. The remaining 112 acres was within the basin zone which is one residential

unit per 2.5 acres, including a 120 percent density bonus based on a minimum 60 percent open space.

**FIRE PROTECTION:**

Agua Fria Fire District

**WATER SUPPLY:**

The project is within the Santa Fe County Utilities service area boundary and Phase 1 is currently serviced by the Santa Fe County Utility. The project is served by a series of County owned 8-inch water lines, all lying within the existing roadways.

Santa Fe County Utilities issued a letter to the Applicant which states that they are ready, willing and able to serve the development subject to the following conditions:

1) The Board of County Commissioners (BCC) approves the New Water Deliveries for Phase 2, as required by Resolution 2006-57, Adopting a Santa Fe County Water Resource Department Line Extension and Water Service Policy and all other conditions in that resolution and other SFCU policies are met.

2) Homewise Inc. obtains a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order to supply the maximum 19.5 acre-foot-per year demand proposed by Phase 2.

3) Homewise Inc. agrees to construct and dedicate all infrastructure needs identified by the City' water utility hydraulic modeling.

4) Homewise Inc. enters into a Water Delivery Agreement and Wastewater Service Agreement with SFCU, which will specify construction standards (e.g, line-taps and meter cans) and inspection and dedication requirements for Phase 2. The agreement will specify many of the requirements identified in SFCU's March 27, 2014 letter.

The Applicant is now working with the County Utilities Division to apply to the City of Santa Fe for sewer service to get a BCC approval for New Water Deliveries, to enter into a Water Delivery Agreement and a Sewer Service Agreement with the County

**LIQUID WASTE:**

The developer previously proposed an on-site advanced wastewater treatment system. No change is proposed.

**STAFF RECOMMENDATION:**

**Approval for a 36-month time extension of the previously approved Preliminary Plat and Development Plan for the Tessera Phase II residential subdivision**

consisting of 78 residential lots on 69.40 acres, which will render the Preliminary Plat and Development Plan valid until August 12, 2019 subject to the following conditions:

1. Homewise Inc. obtains a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order to supply the maximum 19.5 acre-foot-per year demand proposed by Phase 2.
2. Homewise Inc. agrees to construct and dedicate all infrastructure needs identified by the City' water utility hydraulic modeling.
3. Homewise Inc. enters into a Water Delivery Agreement and Wastewater Service Agreement with SFCU, which will specify construction standards (e.g. line taps and meter cans) and inspection and dedication requirements for Phase 2. The agreement will specify many of the requirements identified in SFCU's March 27, 2014 letter.

**EXHIBITS:**

1. Letter of Request
2. Site Plans
3. August 12, 2014, BCC Minutes
4. Legal Notice
5. Aerial Photo of Site

# DESIGN ENGINEERING



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October 22, 2015

Board of County Commissioner

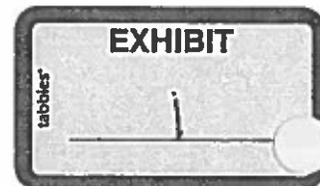
RE: Extension of the Tessera Phase 2 Preliminary Plat and Development Plan Approval

Dear Commissioners,

On behalf of Homewise, Inc. we respectfully request a 3 year extension of the Tessera Phase 2 Preliminary Plat and Development Plan approval. This project received approval by the BCC at your August 2014 meeting. Since that time we have been working with the County Utilities Division to apply to the City of Santa Fe for sewer service, to get a BCC approval for New Water Deliveries, to enter into a Water Delivery Agreement, and a Sewer Service Agreement with the County. All of these issues require County Utility staff preparation. We have provided all information requested of us, and have been waiting more than a year for County staff to do what they need to do so that we can proceed to Final Plat and Development Plan. At this time, we do not know when anyone of these issues will be addressed by Staff. Given that we have no control on the timing of when this work gets done, we are concerned about the delays and the potential of having our preliminary approval expire. We therefore respectfully request an extension of 3 years although we sincerely hope that things move much more quickly.

Sincerely,

Oralynn Guerrero  
Agent for Homewise Inc.



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VIII. B. 7. **CDRC Case # S 10-5551 Tessera Subdivision Phase 2. Homewise Inc., Applicant, Design Enginuity ( Oralynn Guerrerortiz), Agent, Request Preliminary Plat and Development Plan Approval for Phase 2 of the Tessera Subdivision (Formerly College Hills) Which Consists of 78 Residential Lots on the 69.4 Remaining Acres of a 146 Acre Development. The Property is Located Off the NM 599 Frontage Road, West of the La Tierra Exit, within Section 20, Township 17 North, Range 9 East ,Commission District 2 [Exhibit 18: Supporting material]**

MR. ARCHULETA: Thank you, Mr. Chair. On June 19, 2014, the County Development Review Committee recommended Preliminary Plat and Development Plan approval for Phase 2 of the Tessera Subdivision (formerly College Hills) consisting of 78 residential lots on 69.4 acres subject to staff conditions.

The subject property received Master Plan approval for 88 lots on 84 acres in the late 1990's under the name of College Hills. On December 18, 2001, the EZA granted a Master Plan Amendment for the Tessera Subdivision) which consisted of 166 residential lots on 145.97 acres to be developed in two phases. Phase 1 consisted of 88 lots on 76.57 acres and Phase 2 consisted of 78 lots on 69.4 acres. Phase 2 will encompass 69.4 acres, with 35 acres or 50 percent of the property designated as permanent open space.

On December 12, 2002, the EZC granted Preliminary Plat and Development Plan approval for Phase I of the Tessera Subdivision which consisted of 88 lots. On January 13, 2004, the BCC granted Final Plat and Development Plan approval for Phase 1. The Final Plat for Phase 1 was recorded on April 5, 2007. There are currently three homes within Phase 1.

On December 14, 2010, the Board of County Commissioners granted approval of a two-year time extension of the Master Plan for the Tessera Subdivision. On December 11, 2012, the BCC approved an additional two-year time extension of the previously approved Master Plan for Tessera Subdivision consisting of 166 lots on 146 acres

In 2012, Homewise, Inc. purchased the property and intends to build and sell all the homes and it anticipates having the entire 166 lots fully built out within seven years. The previous developer installed the infrastructure needed for Phase 1 prior to the economic downturn. Homewise has posted a financial guarantee for the remaining deficiencies in Phase 1 such as the final lift of asphalt and trails which have not been completed. The remaining deficiencies of Phase 1 will be completed within the next two weeks. A Financial Guarantee will be required for all Phase 2 improvements.

Approval sought: Preliminary Plat and Development Plan approval for Phase 2 of the Tessera Subdivision which consists of 78 residential lots on 69.4 acres.

Staff recommendation: Staff recommends approval of the applicant's request for preliminary Plat and Development Plan for Phase 2 of the Tessera Subdivision which consists of 78 residential lots on 69.4 acres subject to the following conditions:

	<b>EXHIBIT</b>
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1. The Applicant shall comply with all review agency comments and conditions, Article V, Section 7.1.3.c.
2. The Applicant shall submit documentation in regards to the Board of County Commissioners (BCC) approval of New Water Deliveries for Phase 2, as required by Resolution 2006-57, "Adopting A Santa Fe County Water Resource Department Line Extension and Water Service Policy", and all other conditions in that resolution and other SFCU policies are met.
3. In accordance with the Santa Fe County Utility, The Applicant shall obtain a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order supply the maximum 19.5 acre-foot-year demand proposed by Phase 2 prior to Final Plat and Development Plan submittal.
4. The Applicant shall agree to construct and dedicate their fair share of infrastructure needs identified by the City's water utility hydraulic modeling.
5. The Applicant shall enter into a Water Delivery Agreement and Wastewater Service Agreement with SFCU, which will specify construction standards (e.g., line-taps and meter cans) and inspection and dedication requirements for Phase 2 prior to Final Plat and Development Plan submittal. The agreement will specify many of the requirements identified in SFCU's March 27, 2014 letter.
6. Copies of the Water Delivery and Sewer Service agreements between the developer and County shall be submitted to the County Growth Management Department along with the Final Design of the Sewer System for review and approval prior to Final Plat and Development Plan submittal.
7. The Applicant shall implement proper sediment control.

Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Mr. Archuleta, on liquid waste, on page 5 of the memo, it talks about a low-pressure wastewater collection system that was installed in Phase 1. That system passes through the existing roads in Phase 2. A low-pressure line was extended under 599 to a Santa Fe City sewer manhole located on the north bank of the Santa Fe River. The wastewater system is privately owned by the Tessera sewer cooperative. So first, I need a definition of how that low-pressure wastewater collection system works and if it's done to County standards or not, and does that also relate to the condition #5, because I see some connection or correlation between the two, but I just wanted to know for sure that I guess it's done to County standards and that condition 5 also would – it talks about specific construction standards so again, are those standards the same for that one wastewater system that's being discussed?

MR. ARCHULETA: Mr. Chair, I believe Oralynn can probably answer that question better than I can.

CHAIR MAYFIELD: [inaudible]

MS. GUERRERORTIZ: Certainly. I do have a presentation. When would you like to hear that? Can I make the presentation, then can I get into the sewer issue?

CHAIR MAYFIELD: [inaudible]

COMMISSIONER CHAVEZ: That's fine.

CHAIR MAYFIELD: [inaudible]

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MS. GUERRERORTIZ: Thank you. I'm glad to be here again. I'm Orallynn Guerrerortiz. I've already been sworn, and with me today is Rob Gibbs, who is with Homewise. First, we'll start off with where is this project? It's just north of 599. You would take the Camino La Tierra exit to get to it and it's adjacent to Aldea. Aldea is on its west side.

The property under – and I'm not sure if this is the very current map, but we're the light pink next to Aldea. It is zoned, or it's proposed to be zoned as a planned development district. The reason I'm not sure if this is accurate anymore is that I think the Las Campanas hot pink was questioned and I'm not sure if that's still there.

College Hills was approved in the late 90s and it was to be done in two phases. The first phase was constructed in 2005, 2006, 2007, in that range, and it included 88 lots. And it was – this is a picture of Phase 2 – and it actually bordered Las Campanas, and the area that was closest to 599, roads were built through it going into the Phase 1 area, but the front half, in essence, of the project, wasn't developed at the time. And so we're here before you on that front half, which is a 78-lot subdivision.

The project had reverted to a bank and Homewise purchased it in 2012. Homewise is, for those who don't know, a full-service non-profit focused on promoting homeownership in our community. They provide training and tools to help people qualify. They build high quality homes and sell them at reasonable prices. Their goal is to get folks into homes to help them create long-term financial security.

This is hard to see, especially with the lights on, but the roads through Phase 1 that lead into Phase 2 have all been constructed. They are asphalt roads with mountable curbs. There are water lines, sewer lines, gas, electric, cable and telephone in those roadways.

This is a blow-up of the development plan we're building. Again, it's 78 lots on about 69 acres. More than 50 percent of the property is open space. There's the intention of building a loop trail system through the project, and that would connect to an underpass under 599. We propose no variances and we expect full build-out within seven years. There are currently four houses under construction. A couple of them will be in the parade of homes this coming weekend and I've got some photographs of them.

The terrain is very hilly. It's not steep terrain. We have – most of the slopes are 15 percent or less but as you get closer to arroyos we get some steeper slopes. But that up and down is the reason that they had to go to low-pressure grinder pumps. I have one on my guest house where my parents live and that's just a system that grinds up the wastewater and lifts it at a pressure at about 60 psi and so it can go up and down hills. And the existing system serves all of Phase 1 and then has lines through the existing roadways going off to a long line that goes through a bunch of open space till it gets to the Santa Fe River and the main interceptor. And that phase is served by the City's wastewater treatment plant.

We've requested – I think we made our request in March to the City to get sewer service for this second phase and that issue is still pending. We – I think, have heard I'm on the next PUC agenda and I'll pray for that. I don't know if it's in fact going to happen, but hopefully it's coming up fairly soon. Certainly before we come back.

There was mention that we might want to use Aldea's lift station instead. And the reason why that's come up is because Aldea's lift station, there's a connection point to it that's less than 200 feet from our boundary and if we did that then the City would only have one connection to a county facility in this area, and that might be advantageous. We're open

to it. If it's something that would work, and we can work out all the details, but we recognize that the City may prefer only to have one county connection rather than two county connections in this area. But those details have not been worked out. We've kind of left it open and we're willing to consider it.

You'll see that the setback is more than 400 feet from the frontage road right-of-way and we're about 550 feet from 599. The traffic analysis indicated that there are no existing or future projected traffic concerns in this area. There are eight-inch County owned water lines in those main roads and we propose the standard water conservation requirements, timed drip irrigation, systems that deliver hot water to the tap within five seconds and other water conservation measures. The proposal has fire hydrants throughout the project with capacities to deliver 1,000 gallons per minute.

There are two protected archeological sites on our project. They're in open space. WE don't like to point them out to people but we hope to keep those protected for all times.

These are highlighting where the affordable lots are proposed through the development and we just tried to scatter them throughout the development. Here's some shots of the actual project. I don't know if you all have visited it, but it's actually very attractive land. We are paving Phase 1 lots. When we acquired this from the bank they had laid the first mat throughout the project. A second mat was necessary and Homewise posted a bond for that work. Currently, as in tomorrow, you'll see more paving activities going on Phase 1 so we can finalize that area. We're also working on the trails in these last couple of weeks and there have been some horses out there. This was a picture taken from the Santa Fe Hometown News. So I got that from their online edition. Just some other photographs of the project. Horses.

This is one of the models that is going to be shown at the parade of homes. Homewise builds beautiful homes. And we're going to get some marketing in here, so what you're seeing are a couple of the homes that are out there today. Another thing about Homewise is they're very good, very conscientious about low water use on the plants, preserving as many of the natural vegetation that's out there that they can, and stabilizing the soil. So you'll see that they're well mulched or they have a gravel mulch on them.

Anyway, I think that is all that I have other than more pretty photos and we do agree to all conditions as presented by staff. I'll stand for any questions.

CHAIR MAYFIELD: [inaudible]

MS. GUERRERORTIZ: Oh, I should answer your questions, huh, too. Okay, which one did you want to see? Oh, the affordable? There we go.

CHAIR MAYFIELD: [inaudible]

MS. GUERRERORTIZ: It will follow the County's provisions, so there are four categories, I believe, and they start at – I think it's \$120,000, and probably the County staff knows better than I do. And I think at the high end it's \$240,000. But I could be wrong. I'm sorry. I don't have those numbers memorized.

CHAIR MAYFIELD: That's okay. Thank you. Then Commissioner Chavez' question on the wastewater system, please.

MS. GUERRERORTIZ: Well, he asked about why we're doing low-pressure grinder pumps and what they are. Again, they're basically a pump like you would have in your kitchen sink at home. It grinds up the material that comes through. So instead of using a

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typical eight-inch pipe you can use a thinner pipe. And actually, what comes out of these things is an inch and a quarter. The streets themselves are three-inch pipes and those all fit in together and then go off and they can go up and down hills. In general, you can go up and down a hill that's at least 100 feet high before you have to put in another lift station, if you will.

So we had to do that in this terrain or face dealing with putting sewer lines in arroyos, and that's what people did many years ago. We built our sewer lines in arroyos, but we also recognize now that in many cases that was harder to maintain because the arroyos have erosion issues. And so along the Santa Fe River there have been cases where manholes have been in essence gotten very precarious because the Santa Fe River has eroded in locations.

Anyway, we tend to avoid now putting sewers in the lowest locations anymore if we don't have to because of this technology. Where it's used currently, we developed it throughout the High Summit area, which is another County project. We've got probably on the order of 200 homes in Summit that are on low-pressure systems. There's also probably 40 homes or so in the Bishop's Lodge area and we've done several projects around the state that also have them. And I have one personally. We had it on our own house. The reason we put it on our house is because the City sewer has backed up many times in my neighborhood. Right in front of my home an eight-inch sewer goes down to a six-inch sewer. So that was a logical location for a potential backup and my husband, when we built the home for my parents, had no intention of having that house ever get a backup into it and a grinder pump actually prevents ever a backup into your home. So we put it in for completely different reasons than most typically are. But we've had ours in place for 15 years now and never had an issue. They're very dependable, really wonderful pieces of equipment. We usually specify E-I equipment for that. Did I address your question, Commissioner Chavez?

COMMISSIONER CHAVEZ: I think to some extent. The only other comment I would make is that even with this system there's going to be maintenance. I know those grinder pumps are expensive to replace when that time occurs, and so I would imagine that the sewer cooperative or the homeowners association would be responsible for maintaining and replacing those grinder pumps?

MS. GUERRERORTIZ: Usually, the individual homeowner is responsible for it. The initial costs are about \$5,500 or so when you install them, and when they fail, it tends to be just part of the pump that fails. They come with like a manhole, if you will, that has a vault associated with it. When they fail, it's not the vault that fails, it's usually the pump that fails and so it's the pump that you're replacing. And we've had projects where they've had to go and do work. It usually costs on the order of \$1,000 or less to replace those pumps.

COMMISSIONER CHAVEZ: And there would be – but if it's on the individual homeowners, is that a shared cost?

MS. GUERRERORTIZ: No, each individual homeowner has their own grinder pump. And the reason we do that is there are things that you shouldn't put down the grinder pumps like rags or diapers or hypodermic needles, the things that come up, frankly, in our community, and so because those things can stop – it usually jams – just like it would jam your disposal system in your sink. Those jams can happen in these systems. That's the most common problem actually. So we usually recommend that they're on individual systems so people aren't pointing fingers at each other as to who put what down what down what sink

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or toilet.

COMMISSIONER CHAVEZ: That explains it a little bit more. Thank you.

MS. GUERRERORTIZ: You're welcome.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Oralynn, for the presentation. I noted that this subdivision was originally approved back in 2001, I think, as a master plan, and I was wondering whether Homewise has done a market analysis to see whether there is a market for these homes now. Because there aren't very many that have been built over the years.

MS. GUERRERORTIZ: Hopefully I can get Rob to answer that question.

[Duly sworn, Rob Gibbs testified as follows:]

ROB GIBBS: Homewise has done their own internal marketing studies for the Aldea-Tessera communities, and so we do feel that there is a market. Now, the original development that was done had higher price points that they were trying to achieve and our price points are much lower. So we have produce from the mid-\$200,000s to mid-\$400,000s is the price point on that. Those are all market rate homes. Then of course we'll have the homes that we have assistance available for, for down payment assistance in Phase 1 and in Phase 2.

COMMISSIONER HOLIAN: Thank you.

CHAIR MAYFIELD: Commissioners, any other questions of the applicant? Is there anybody from the public wishing to comment? Please come on up.

[Duly sworn, Tom Terwilliger testified as follows:]

TOM TERWILLIGER: My name's Tom Terwilliger. I was the leader of the development of the Tres Arroyos del Poniente Community Plan that was developed over the late 1990s and early 2000s. The TAP plan was approved I think in 2006. Of course as the master plan for this project was approved before the TAP plan was approved and made part of the County code, technically the TAP plan does not apply to this development. I'm very thankful to Homewise for their support in our community and happy about that, and I'd like to just encourage Homewise to voluntarily look through our TAP plan carefully and comply as much as is practical with that plan, in particular considering that the development has been – the master plan has been extended for quite some time after the time it normally would have been expired. Thank you very much.

CHAIR MAYFIELD: Could we just have your address please?

MR. TERWILLIGER: I'm sorry. 68 Camino Espejo, in the Al Lado de Puesto del Sol neighborhood, a little over a mile from the development.

CHAIR MAYFIELD: Thank you, sir.

[Duly sworn, Toby Gass testified as follows:]

TOBY GASS: Toby Gass.

CHAIR MAYFIELD: And your address, Ms. Gass?

MS. GASS: 68 Camino Espejo. The subdivision in question of course has had a long history and the master plan was approved in 2001, I believe. I don't believe Homewise has amended or changed the master plan. The original high density master plan – there was a density bonus given to Mr. Hurlocker on the basis of 60 percent open space for Tessera as

indicated on page 3 of your packet, and for Phase 2 Homewise is saying they will have 50 percent open space. So I'm wondering whether or not Phase 1 and Phase 2 combined meet the 60 percent open space requirement that was part of the density bonus that was granted for this subdivision. I assume the remaining open space cannot be in Phase 3 because Phase 3 is going to be in the city limits and this was a County density bonus. So that's a question. And I would also just like to request that the trail system in Tessera be contiguous with the trail system in Aldea. Thank you.

CHAIR MAYFIELD: Thank you. Is there anybody else from the public wishing to comment? Seeing none, this portion of our public hearing is closed, unless the Commission has a question of anybody.

COMMISSIONER CHAVEZ: Mr. Chair, if I could I'd like to have staff or the applicant respond to the questions that were raised by the last speaker.

MS. GUERRERORTIZ: Yes, certainly. It is a complicated situation, Commissioner Chavez. Under the EZ Code you could get a density bonus if you did 60 percent open space. This property was partially within what was called the urban zone. The urban zone was allowed two units per acre. Everything outside of the urban zone was 2.5 acres per unit. So when you actually looked at – they figured out two units per acre for the portion that was in the urban zone and then they figured out how much was allowed in the other area that only allowed one per 2.5, and then there was on the area outside of the urban zone is where we had to get 60 percent open space.

In the end they came up with a number of the total acreage required and that master plan that was adopted reflected I believe on this phase 35 acres had to be left as open space. So instead of putting it all on the side where Las Campanas is, so that that would have 60 percent and there would be less open space up front closer to 599, they decided it was wiser to spread it more equally through the project. The open space requirements were met fully but it is not a straightforward 60 percent across the whole site because part of the project is in the urban zone.

COMMISSIONER CHAVEZ: So if you assigned a percentage to the open space overall in all three phases, what do you think that would be?

MS. GUERRERORTIZ: It is a little over 50 percent.

COMMISSIONER CHAVEZ: Okay. That's the average?

MS. GUERRERORTIZ: That's the average. Yes.

COMMISSIONER CHAVEZ: And then on the question of the trails, I think it was a question of connectivity between trail systems or the network?

MS. GUERRERORTIZ: The intention – we do have one roadway that does connect to Aldea and the intention is to go ahead and run a trail to connect with them along that roadway. So, yes. And the people who were involved with the designs of the Aldea trail system now work for Homewise and so they're involved on the design of the trails within this project.

COMMISSIONER CHAVEZ: Thank you. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Any other questions? If none – and we've already closed the public hearing. Commissioner Chavez, I think this is your district.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I think all the questions have been answered. The questions that I asked were answered. And so at this time I would

like to make a motion to approve with conditions, CDRC Case #S 10-5551, Tessera Subdivision, Phase 2, preliminary plat and development plan.

CHAIR MAYFIELD: I'll second, Commissioner Chavez. Commissioners, is there any other discussion? Seeing none.

The motion carried by unanimous [5-0] voice vote. [Commissioner Anaya was not present for the vote and requested that his vote be recorded in the affirmative. See page 107.]

VII. B. 8. BCC Case # MIS 14-5231 High Summit III. (TABLED)

VIII. B. 9. CDRC Case # Z/V 13-5131 Ranch At Santa Fe Canyon. Ranch at Santa Fe Canyon, LLC (Formerly Known As Santa Fe Canyon Ranch LLC), Applicant, Requests a Master Plan Amendment to the Previously Approved Master Plan (Santa Fe Canyon Ranch) to Remove Six Tracts of Land (Containing 845 Acres) from the Approved Master Plan Which Consisted of a Total of 1,316 Acres. The Request also Includes a Variance of Article VII, Section 6.6.2g (Water Budgets and Conservation Covenants) and Ordinance No. 2007-1 (Swimming Pool Ordinance) to Allow the Installation of a Swimming Pool on the 845 Acres Utilizing Permitted Water Rights and to Amend the Water Restrictive Covenants to Reflect the Allowance of a Swimming Pool and to Specify that Water Restrictions for Landscaping and Irrigation Restrictions Shall Apply to 72-12-1 Wells Only. The Property is Located off Entrada La Cienega Along Interstate 25 in the La Cienega/La Cieneguilla Traditional Historic Community within Sections 1, 2, 10, 12, 13, Township 15 North, Range 7 East and Sections 5, 6, 7, 8, Township 15 North, Range 8 East, Commission District 3 [Exhibit 19: Declaration of Covenants]

MR. ARCHULETA: Thank you, Mr. Chair. On July 17, 2014, the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of the master plan amendment to the previously approved Santa Fe Canyon Ranch Master Plan to remove six tracts of land from the approved Master Plan which consisted of 1,316 acres. The CDRC also recommended approval of the variance of Article VII, Section 6.6.2g and Ordinance No. 2007-1 to allow the installation of only one swimming pool on the 845 acres utilizing permitted water rights.

As for the request to amend the water restrictive covenants to reflect the allowance of a swimming pool and to specify that water restrictions for landscaping and irrigation restrictions shall apply to 72-12-1 wells only, the CDRC recommended approval of all the applicant's requested changes with the exception of letter J.

Letter J, as proposed by the applicant, states: "To the extent water is being used from a NMSA Section 72-12-1 well, low water use landscaping techniques applying the principles

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DESIGN ENGINUITY, LLC

LEGAL # G8220

BOC CASE # M15 10-5552

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held to consider a request by Homewise Inc., Applicant, for a 36-month time extension of the previously approved Preliminary Plat and Development Plan for the Tessera Phase II residential subdivision consisting of 78 residential lots on 69.40 acres.

The property is located off of the NM599 West Frontage Road, west of the La Tierra exit within Section 20, Township 17 North, Range 9 East (Commission District 2).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 8th day of December, 2015, at 5 p.m. on a petition to the Board of the County Commissioners.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Published in The Santa Fe New Mexican on November 17, 2015.

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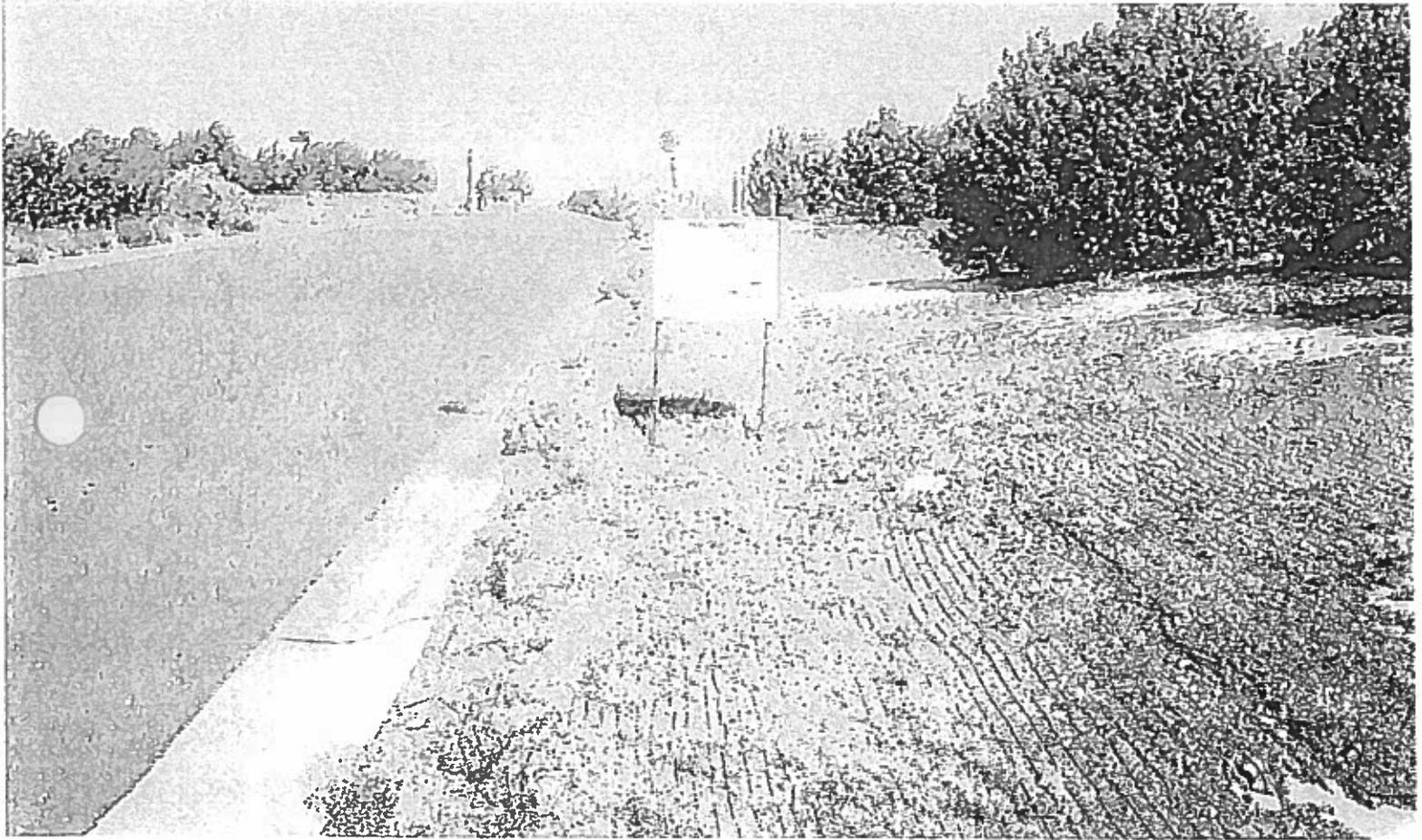
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