

TRANSCRIPT OF THE
SANTA FE COUNTY
SLDC HEARING OFFICER MEETING

Santa Fe, New Mexico

June 23, 2016

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Nancy Long on the above-cited date at approximately 3:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Staff Present:

Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building & Services Manager
Wayne Dalton, Building & Services Supervisor
Vicente Archuleta, Development Review Team Leader
Claudia Borchert, Utilities Division Director
Tony Flores, Deputy County Manager
Mathew Martinez, Case Manager

II. **APPROVAL OF AGENDA**

Vicki Lucero, Building & Services Manager, noted there were no tabled or withdrawn items to be considered.

Hearing Officer Long accepted the agenda as published.

III. **PUBLIC HEARING**

- a. **CP CASE # 16-5090 Turquoise Trail North Conceptual Plan. RCS-Turquoise Trail South I, LLC, Applicant, Sommer Karnes & Associates LLP, Agent, Request Conceptual Plan Approval to Phase the previously approved Turquoise Trail North Residential Subdivision (290 Dwelling Units on 101.49 Acres) into 8 Phases, to modify the Approved Housing Types, and to redesignate the Commercial Lot into a Multi-Family Lot (28 ~~23~~ Dwelling Units). the Property is Located in the Community College District, which is a Planned Development District, East of State Road 14 and North of Vista Del Monte, within Sections 24 and 25, Township 16 North, Range 8 East (Commission District 5). Vicente Archuleta, Case**

Manager

[Exhibit 1: County Utilities Division memo dated 6/23/16]

HEARING OFFICER LONG: We have one public hearing today. It is CP Case 16-5090, Turquoise Trail North Conceptual Plan, RCS-Turquoise Trail South I, LLC, Applicant. Sommer Karnes & Associates LLP is the agent. They're requesting conceptual plan approval to phase the previously approved Turquoise Trail North Residential Subdivision which consists of 290 dwelling units on 101.49 acres into eight phases; to modify the approved housing types, and to redesignate the commercial lot into a multi-family lot of 28 [corrected to be 23] dwelling units. The property is located in the Community College District, which is a planned development district, east of State Road 14 and north of Vista Del Monte. And Mr. Archuleta is the manager on this case.

VICENTE ARCHULETA (Development Review Team Leader): Thank you, Hearing Officer Long. I'd like to make a clarification in the issue, it's 23 dwelling units that the multi-family lot will be 23 dwelling units instead of 28.

HEARING OFFICER LONG: Instead of 28, okay, got it.

MR. ARCHULETA: Thank you.

On September 10, 2002, the Board of County Commissioners (BCC) granted Master Plan approval for a mixed-use development consisting of 294 residential units and 1,480,050 square feet of commercial on 224 acres, known as the Thornburgh Master Plan. On October 12, 2004, the BCC granted approval of a Master Plan Amendment to the previously approved Thornburgh Master Plan to allow an increase in the number of residential units to 512 and to decrease the amount of commercial square footage from 1,480,050 square feet to 711,150 square feet.

On September 10, 2005, the BCC granted Preliminary Plat, Final Plat, and Development Plan approval for the South Phase of the Turquoise Trail subdivision, which consisted of 222 residential units. The survey plat for the South phase has been recorded.

On February 14, 2006, the BCC approved the Preliminary Plat, Final Plat and Development Plan for the Turquoise Trail North subdivision consisting of 178 single family lots, 100 multi-family units, 12 live/work units for a total of 290 residential units and a 1.39 acre commercial tract on 101.49 acres.

The Applicant now requests Conceptual Plan approval per Chapter 14, Section 14.9.9, Conceptual Plan, of Ordinance No. 2015-11, the Santa Fe County Sustainable Land Development Code to phase the Turquoise Trail North residential subdivision into eight phases, for a total of 290 residential units, including 40 affordable units.

The site lies within the Community College District, a Planned Development District, which is within a village zone and is comprised of the following sub-districts: Village Zone, 31.10 acres; Neighborhood Center: 8.67 acres; and Open Space and Fringe Zone, 61.72 acres

The Applicant is also requesting the following modifications to the original approval: modification of the unit mix from 178 single family dwellings, 100 multi-family units and 12 live/work units to 267 single family dwellings and 23 multi-family apartment units to increase marketability of the units; expansion of the street widths in response to input from Turquoise Trail South residents at the community meeting held

for the application; and redesignation of the 1.39 acre commercial tract. This area will consist of a 23-unit apartment complex.

This Application was reviewed for compliance with the applicable standards as set forth in Chapters 6, 7 and 13 of the SLDC. Recommendation: Building and Development Services staff reviewed this project for compliance with pertinent SLDC requirements and found that the facts presented support the request for Conceptual Plan approval to phase the Turquoise Trail North subdivision into eight phases, to modify the approved housing types, and to redesignate the commercial lot to a multi-family lot.

The facts that support the Application's approval are: the Subdivision was previously approved to be built out in a single phase, but due to the downturn in the economy, the Applicant could not build out the subdivision in one phase; and the previous approval was for 290 residential lots which is consistent with the current request. Therefore, staff recommends approval of the Conceptual Plan.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written recommendation. The Santa Fe County Planning Commission will be holding a public hearing on this matter on August 18, 2016.

The Applicants additionally submitted an application for Preliminary Plat approval for all eight phases and Final Plat approval for Phase 1. Prior to the request, which will be presented to the Board of County Commissioners for approval, the following Review Agency comments will need to be addressed. Hearing Officer, may I enter those into record?

HEARING OFFICER LONG: Yes, you may.

Conditions:

1. Compliance with applicable review comments from the following:
 - a. NMDOT
 - b. NMED
 - c. OSE
 - d. SHPO
 - e. County Public Works
 - f. County Fire Marshal
 - g. County Utilities
 - h. County Planning Division
 - i. Soil and Water
 - j. Santa Fe Public Schools
 - k. County Open Space and Trails
 - l. County Affordable Housing
2. Compliance with Chapter 7, Section 7.17.5.2.6 of the SLDC for erosion control setbacks from a FEMA designated floodplain.
3. Conceptual Plan with appropriate signatures shall be recorded with the County Clerk's office.
4. Affordable Housing Agreement must be submitted for review prior to Preliminary and Final Plat approval for Phase 1.

MR. ARCHULETA: Thank you.

HEARING OFFICER LONG: All right. So this request deals only with the north section of this subdivision; is that correct?

MR. ARCHULETA: That's correct.

HEARING OFFICER LONG: And has the south phase been developed?

MR. ARCHULETA: That's correct.

HEARING OFFICER LONG: Okay. And the number of units is remaining the same at 290; is that correct too?

MR. ARCHULETA: That's correct also.

HEARING OFFICER LONG: When I look at the Sustainable Land Development Code and you talk about conceptual approval for a project, I understand it allows for phasing but it is supposed to be a conceptual plan to establish a scope of a project before you get to a detailed site development plan. But this project has already received master plan approval, preliminary plat, final plat – preliminary and final and development plan approval so it kind of seems like we are going in reverse. I'm wondering if the code, if this was anticipated or should we have a separate section that allows for previously approved projects to be phased because this seems a little odd to me.

MS. LUCERO: Hearing Officer Long, you are correct this project actually did have final approval under the old code. But since they are making adjustments by phasing the development we need to review the infrastructure to make sure that it is going to be able to stand alone and that there's adequate connections for those phases as individuals. We also – the Applicants are also proposing to modify their housing types and to expand the street width. So there is a few additional infrastructure changes that are going on as well.

So as far as the conceptual plan, I think it was anticipated in the Community College District, specifically, that any type of change would have to come through a conceptual plan process.

HEARING OFFICER LONG: Okay.

MS. LUCERO: And the Applicants' proposal is actually a lot more extensive than what a normal conceptual plan would be because they've also submitted the application for the final plan along with it, for the final plat.

HEARING OFFICER LONG: And I can understand coming in for amendments but I think it is something that we should look at when we are looking at those periodic code changes is maybe to have a separate phasing section for previously approved plans that could also have amendments to the master plan done at the same time and maybe call it something else other than conceptual plan. But I understand that it had to come back for these adjustments.

So the application for preliminary plat for all eight phases and final plat for Phase 1 is not before me today; that's being made separately?

MR. ARCHULETA: That's correct. That will go to the BCC.

HEARING OFFICER LONG: That will go to the BCC along with this conceptual plan at the same time?

MS. LUCERO: Madame Chair, that is correct.

HEARING OFFICER LONG: Okay. And then in the agency comments I see that NM DOT is incomplete; what is that about?

MR. ARCHULETA: Madame Chair, I got a letter from DOT stating that there were some issues with the TIA so the applicant has their traffic engineer to address those issues. And those issues – the issues by the reviewing agencies will need to be addressed prior to preliminary plat going to the BCC.

HEARING OFFICER LONG: And it's not necessary for today's action then.

MR. ARCHULETA: That's correct.

HEARING OFFICER LONG: All right. Thank you. Will the applicant come forward and be sworn in and give us your name.

JOSEPH KARNES: Do you want to swear all three of us in? We have three folks talking this afternoon.

HEARING OFFICER LONG: That would be great.

[Joseph Karnes, Oralynn Guerrerortiz and Morey Walker were administered the oath]

MR. KARNES: Good afternoon, Hearing Officer Long. My name is Joseph Karnes with Sommer Karnes & Associates, 200 West Marcy Street.

First of all, I want to thank Vicente Archuleta and all of staff for a very thorough staff review. This is working under the new code, it has been challenging too for everyone to comply with the new code requirements. And particularly in a kind of an unusual situation like this, I would say, I appreciate your comments about the process. And to give this a little bit of context, as Vicente stated, the original approval is still alive. The final plat is good until the end of this year and it's been a challenge for the applicant, Real Capital Solutions, who we all represent. And, by the way, I'm here with Oralynn Guerrerortiz, the project engineer and Morey Walker the traffic engineer for the project who will be speaking in a few minutes.

Initially, what we did in order to – there were challenges associated with bonding for the entire project, for 290 units. Initially what we requested under the new code was to get an extension of the final plat approval. That could not be supported by staff based on the review of the code. So then we shifted into, okay, what would make sense to make this project financially viable is to overlay phasing on the original approval and initially that's all we wanted to do. We weren't going to make any changes whatsoever to the approved preliminary plat or the approved final plat. And in reviewing the code and it took some effort and some work from everyone involved to come to the conclusion that, unfortunately, the code doesn't really anticipate, at this point, a situation like this. So I would concur with your comments, Hearing Officer Long, about building in some modifications or amendments to the code because what we're doing here is we're essentially in a yearlong process that is a very involved process. We've had a community meeting already and we have meetings before yourself, the Hearing Officer, the Planning Commission and the BCC. So it's quite a process that we're going through in order to not only do the conceptual plan in order to achieve the phasing but to also reopen the preliminary plat which we're really not excited about doing since we have an approved preliminary plat and final plat. We're reopening the entitlements. We already have the entitlements in place. But so fortunately, you know, that puts us somewhat in a precarious situation, to be honest with you, but we're willing to go through that process and we're working with staff and, again, appreciate all of the review that has taken place.

Here today we're prepared as we understand we are only addressing the conceptual plan today. And we'd like to use this opportunity to address some of the initial comments that have come from staff and New Mexico Department of Transportation. So I'll just go over a couple of items. I could walk through the project, if you'd like, but I know you have a detailed staff report and you have all of the plans, Hearing Officer Long, but if you have any questions we'd be happy to stand for them.

HEARING OFFICER LONG: That's fine.

MR. KARNES: Initially, on page six, I'm just going to make a couple of requested corrections to help us all as we move forward through the process. On page 6 of the staff report towards the top, the second bold faced item addressing signs, Section 7.9, it states that no subdivision signage is being proposed for this development. As a matter of fact, on page six of the project plans there is reference to two proposed monument signs. One at each proposed entrance to the subdivision which Oralynn is going to point to. So as is typical, the project plan shows two proposed monument signs. Unfortunately, I didn't get to that level of fine print on page six of the plans and in the project report which I drafted; I was unaware of those signs. So that carried through to the staff report. Vicente properly, you acted upon my report but if going forward if we could have that corrected that there being two monument signs proposed.

HEARING OFFICER LONG: The signs proposed conform to code provisions for signs I assume.

ORALYNN GUERRERORTIZ: On the development plan sheet it actually stated that the details of the signs will be provided before they are constructed and we will comply with the code. But there is no details on those signs yet.

MR. KARNES: Thanks you. So that is the first of a couple of items I have. Beneath that on the same page six, under Open Space, Section 7.15, the last sentence of the second paragraph references a public trailhead for parking as being proposed to be provided. We reviewed the plans and that was news to us. We're not proposing a public trailhead for parking. And, so, again, going forward if that could be corrected we would appreciate it. We are not familiar with any section of the code that requires it and if it does we will address that but it's not something that we're proposing as part of the project application.

The third comment I would like to address has to do with the Public Works Division memo dated June 2nd from Paul Kavanaugh and I'm looking at page two of that memo right at the top. There's a recommendation that states, Prior to preliminary plat approval, the applicant shall provide Santa Fe County Public Works with a geotechnical engineering report for the project. We would submit and request that the timing of that requirement be shifted to final plat approval. And, I'm just getting this out given that we have the opportunity to communicate at that point. I don't think it is really a conceptual plan issue. This is really more of a preliminary plat and final plat issue. But we would request that the geotechnical report be required prior to final plat approval. That way we know we can anticipate any – or we can act upon any changes there might be when the BCC approves the preliminary plat. And actually, excuse me, it's not final plat approval. It would be recordation of the final plat we would request so that we can take into account any changes that are made to the project by the Planning Commission or the BCC and then do the geotechnical report on the approved project rather than having to anticipate what might be approved.

And the other request having to do with the geotechnical report would just be some clarification. My understanding is that since it comes from Public Works it is really focused on the street sections and the street network and we'd like to clarify that at least as far as the Public Works Department is concerned that the geotechnical report be clarified that it focuses on the street sections and provide some clarity that it is not necessarily the entire project site that we're talking about.

I am just getting these out on the table – so at the earliest possible time.

MS. LUCERO: Hearing Officer Long, if I could just clarify as far as that condition goes. That is something that would need to be reviewed before we can recommend final plat approval. If there was something negative within those comments they may not be able to build out as per their proposed plans.

HEARING OFFICER LONG: Are you saying that that would have to be reviewed prior to it going to the BCC or you would –

MS. LUCERO: Yes, prior to it going to the BCC.

HEARING OFFICER LONG: Okay. All right.

MR. KARNES: Thank you. I appreciate that. And my last comment has to do again with the Public Works memo, the fourth bullet on the same. Page two of the Public Works Department memo stated, the applicant shall provide Santa Fe County with a new TIA for each phase of the development. Under the County code TIA's are good for a period of three years and we prefer that the reference be made to the County code requirement rather than a just blanket requirement that a new one be prepared for each phase of the project. The traffic impact analysis that Mr. Walker has prepared evaluates all eight phases of the project and project built out and I think it would appropriate and most efficient, you know, when the individual phases, when the final plats for the phases come in, we're not sure of the timing at this point and so it could be that the TIA is still good and should not just require a blanket update or new TIA. If the market conditions are such that we come in with say two phases at the same time or one that quickly follows another phase. So that would be the last request that I have as part of my discussion today.

HEARING OFFICER LONG: How does staff feel about that request?

MS. LUCERO: Hearing Officer Long, the Community College District area is a primary growth area so it is constantly changing and developing. So I think that is something that we would need to see every time that they submitted for a new phase. If they submitted and the engineer determined that the circumstances hadn't changed, then they would just relay that in their report. But we would want to see a new report.

MR. KARNES: Hearing Officer Long, I'm wondering if there's a section in the Code, in the Community College District of the Code that states that a TIA is good for less than three years; because absent that I think the requirement of the County code that states that TIAs are good for three years should apply here.

HEARING OFFICER LONG: Is that really an issue for today or is that an issue that you need to work out prior to the plat going to the County Commission?

MS. LUCERO: Hearing Officer Long, that's a condition that we can look at finalizing when this case goes forward for the plat approval.

MR. KARNES: I concur with that and again we're using this opportunity to provide initial feedback and make requests recognizing that it doesn't necessarily address the conceptual plan that is before the Hearing Officer today.

So with that, that's all of my prepared remarks. Morey, is there anything that you would like to add? Okay, he'll stand for any questions and Oralynn if you'd like to address a couple of items.

HEARING OFFICER LONG: Let me just ask you one question. You said you're reopening your preliminary plat approval.

MR. KARNES: That's right.

HEARING OFFICER LONG: Are you – is it being superseded by this request? Is it being rescinded in some way?

MR. KARNES: It's not being rescinded but it's being superseded I think with this request. And I'll just fill in one other item that I didn't fully clarify. Initially, we wanted, we requested an extension of the existing approvals and when that wasn't possible we asked for an overlay of phasing without changing anything within the project. When it turned out the code requires that we go through the whole process including the conceptual plan, we said, okay, let's learn from the development of the south phase of Turquoise Trail and so – for example, at the neighborhood meeting we heard some good comments about street widths, about parking and also we learned from the unit-mix that was developed as part of Turquoise Trail South and so given that we needed to go through this process in order to achieve phasing we made some minor tweaks. For example, in the initial approval there was about a 1.something-acre commercial site that was approved. Again, based on experience that was changed. All the commercial was deleted from the project and that was replaced by the 23-unit apartment complex. So we made those kind of minor tweaks to address market conditions, address the unit mix and make some improvements since we had quote the opportunity to do that.

So that's how we got to this point.

HEARING OFFICER LONG: Thank you. That helps.

MR. KARNES: Thank you.

ORALYNN GUERRERORTIZ: Hi, I'm Orallynn Guerrerortiz with Design Enginuity and I have been sworn.

On Paul Kavanaugh's email – list of conditions there is one issue I'd like to bring up. It is the third bullet from the bottom and it's regarding driveway separations. The problem is the Code requires even on the living streets like residential neighborhood streets a 75 foot separation between driveways and intersections. When you have 40-foot lots that's pretty – 40-foot wide lots, it's pretty difficult to accomplish. When you have a condition from the Public Works Department requiring that the waters be placed on one side with the meters and the sewers on the other side of the lot with cleanouts and cleanouts and meters are not permitted to be within concrete driveways, all very sensible requirements, then it basically precludes having shared driveways. You cannot build a driveway on a property line any more. So you are forced to build driveways somewhere about 40 feet apart in essence and it's impossible to meet the driveway separation requirements. Now, I'm not too concerned about that as long as Penny Ellis-Green approves it. And the reason is the Administrator is allowed to modify the road standard requirements including the driveway separations. And so if that's actually clearly allowed then that would basically wouldn't be a requirement that we have to meet.

And you've got to understand, Paul and I had a conversation. Paul said, he doesn't know where this came from. I don't know where it came from. There's no ASHTO standard. There's no engineering standard that would justify this. I think it came out of when they were preparing the Community College District Ordinance they were really looking at the Oshara project in detail and the Oshara project has back alleys in every case that served the houses for the most part. There is some estate lots that are bigger. But in that case, this driveway separation is a non issue but in every other project in our community that doesn't have back alleys like La Pradera -- this is impossible to

meet and it's impossible to meet for our project. And it was impossible to meet from day one on this project. So the original approval never met the CCDO requirements for driveway separation. And so we have an issue with that and we're hoping that either we get that condition removed or that Penny Ellis-Green comes on the record that she's okay with the driveway separation that we have – I keep looking back at her hoping she will agree with that.

The other issues I would like to raise came from a memo that we received today from Sandra Ely on the design review comments and there are three issues that are not related to water or sewer. They are related to dry utility easements and sidewalks. And, specifically, comment four says that we must have 10-foot easements on all sides of all roadways. We are dedicating rights-of-way that meet the County standards. The 10 foot utility easements outside of the roadways – and the roadways include the sidewalks and, you know, curb and gutter and plenty of room for all of the wet utilities but outside of –

HEARING OFFICER LONG: What condition is this?

MS. GUERRERORTIZ: This is condition four on this sheet that looks like this – I don't know how many pages in, because they have like a nine page memo. But they're stating that they want us to have 10-foot easements everywhere and that's again the dry utility easement, it does not apply to the County and we do not want – there are some locations, just a couple, where we are specifically precluding PNM from putting transformers in and it's because of drainage structures and other plans for the development where we're controlling PNM in essence. And we're choosing to do that. We've had conversations with PNM. They can run their systems without 10-foot easements in these locations so we're not agreeable to putting them everywhere. We are actually making conscious decisions of where we're specifically not going to have them.

And then comment 11 mentions that the roadway typical section shows sidewalks on only one side. And that is correct. That is consistent with the code and that is the development plan. There are not sidewalks on both sides of the road on this project. And condition 13 mentions that waterlines should be under five-foot wide sidewalks. We have some cases where we have five-foot wide sidewalks but we have four-foot wide sidewalks also on this project and we – that's consistent with the original approvals and we would respectfully request to continue to allow that design work to stay in place.

Was there anything else I had to talk about? [Speaking to Mr. Karnes]

HEARING OFFICER LONG: Can the waterline be placed under four foot sidewalks?

MS. GUERRERORTIZ: Yeah, and all we're talking about is the water services and in fact generally speaking the water meters – the County's service lines, they're only responsible up to the water meter and the water meter is right behind the curbs. And then we do an extension going toward the house that go underneath the sidewalks but some places those are only four feet wide and some places there is no sidewalks and some places there are five foot sidewalks.

So it's just kind of a weird comment and we're just not sure why Water cares how wide our sidewalks or where we have sidewalks. But we do believe that we're meeting code requirements and so we'd like to keep it where it is.

Oh, and just one other point. We would request to use the flexibility that is in the Code with regards to the staff condition with regard to the FEMA setback. We have the Arroyo Hondo going through our project. In many locations we can agree to the

standard, new standard, of the 75-foot setback from that flood zone. But we have some cases where our homes will be within – no, our lots will be within 75 feet. And so we're debating either doing arroyo stabilization in those areas so that the full lot width is developable or possibly considering putting in open space setbacks on some of those lots. Because the lots actually, one of the changes that we do is to make some of those lots as deep as 120 feet. So we really do think they have some extra room in the backyard to allow a setback. We're playing with that idea and we just ask for flexibility so that maybe part of our project is on 50-foot setbacks and part of our project may have 75. And I think we'll be in compliance with code in that sense.

Those are the only issues I'd like to raise. Thank you very much.

HEARING OFFICER LONG: Thank you. Let me ask staff, we talked about the geotech report and the traffic impact analysis. You also heard the issue about the driveway separations and I think there was a question for Penny Ellis-Green whether that could be approved, that they can't meet the required 40 feet driveway separations. Is that something that you can look at or is that again something that you're going to need to work out with the applicant?

PENNY ELLIS-GREEN (Growth Management Director): Hearing Officer Long, I haven't specifically looked at a driveway separation so I would have to review that.

HEARING OFFICER LONG: Is that something that you can administratively approve if it deviates from the 40 foot requirement?

MS. ELLIS-GREEN: Hearing Officer Long, it seems as though there is a section in the CCD that is regarding reviewing road designs and circulation plans. I'm not seeing it specific on driveway separations but it does say modification to standards may be considered by the administrator as sound technical evidence demonstrated effective alternates is provided. Is that the section?

MS. GUERRERORTIZ: Um, he cited the section.

HEARING OFFICER LONG: So you're saying the Land Use Administrator can approve the separations but we're looking for the citation to the requirement of 40 feet?

[Ms. Guerrerortiz and Ms. Ellis-Green spoke together away from the microphone]

MS. ELLIS-GREEN: Hearing Officer Long, I would have to review it. It is a different section than the driveway intersection standards. They're onto section 9 of that or subsection 9 and they state in living priority needs 75 foot and then section 11 talks about when reviewing road designs and circulation plans. So I would have to read that whole section to see whether or not that is relevant to driveway separations. Though, I would say in the Community College District we are aware that we have small size lots compared to other areas of the County.

HEARING OFFICER LONG: Thank you, understood. And then there were a few comments to the memo that we received today from Utilities and I'm wondering if Utilities wants to comment about those concerns. And I see that Claudia is here.

CLAUDIA BORCHERT (Utilities Division Director): Good afternoon, Hearing Officer Long, thank you for the opportunity. On comment number four, we withdraw that request. I think that was something that we requested and after meeting – this is a previous comment that we resolved with the applicant. On comment 11, I would

say the same thing that is we would withdraw that and on comment 13 it was strictly an observation that it is my director's understanding that you either have to have four foot wide sidewalks with these square pullouts every so often to meet ADA compliance or make it five feet. I think all that we want to say there is make them ADA compliant. And that is obviously not a utility comment that we would want to put forth but rather just – and I would defer absolutely to Public Works or Traffic on that.

HEARING OFFICER LONG: So that's not a Utility issue?

MS. BORCHERT: No.

HEARING OFFICER LONG: So we could probably delete that as well.

MS. BORCHERT: Yes, and defer it to somewhere else.

HEARING OFFICER LONG: Great, thank you.

MS. BORCHERT: Thank you.

HEARING OFFICER LONG: Vicente, so the conceptual plan approval that is being sought, you are seeking conditions of approval as contained in your report and from the listed agencies at this stage or does that only get attached to the plat approval?

MR. ARCHULETA: Hearing Officer Long, these will be attached to the preliminary plat and the final plat procedures that – so what they'll need to do is they'll need to submit the revisions to us and then we'll send them back to the review agencies before they go to BCC.

HEARING OFFICER LONG: Okay.

MS. LUCERO: Hearing Officer Long, I was just going to clarify that these are items that they need to address before the case goes to the BCC for the plat approval.

HEARING OFFICER LONG: And not necessarily conditions for this conceptual approval.

MS. LUCERO: That's correct.

HEARING OFFICER LONG: Okay, thank you for that clarification.

Is there anyone here that came to speak in regard to this application? And there is no one else that wishing to speak other than the applicant and staff have already addressed issues.

My inclination would be to grant the conceptual plan approval. I do think it's a little bit of, as I said, a backward process but I understand that that's the only process that we have. So it seems like a good way to address your expiration issues to be able to phase it only having to put up your financial guarantee or bond a phase at a time and maybe that will help get the development moving. And I think you heard that there won't necessarily be conditions of approval attached to this but you also are aware of the issues remaining to work out before you go to the Board of County Commissioners and there aren't very many. But we clarified some today so I think it was helpful to go through those and have staff here to address those because you can see it got narrowed down and there will be some more work to be done.

Okay, thank you for your presentations today.

C. Adjournment

Having completed the agenda and with no further business Hearing Officer Long declared this meeting adjourned at approximately 3:45 p.m.

Approved by:

Nancy Long

Nancy Long, SLDC Hearing Officer
Santa Fe County

COUNTY OF SANTA FE) SLDC HEARING OFFICER M
STATE OF NEW MEXICO) ss PAGES: 17

I Hereby Certify That This Instrument Was Filed for
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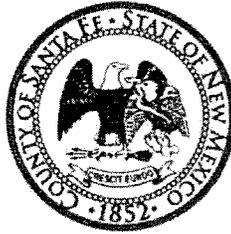


Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Laura Murady* County Clerk, Santa Fe, NM

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: June 23, 2016

TO: Vicente Archuleta, Santa Fe County Land Use Department

FROM: Sandra Ely, Project Manager III, Utilities *SE*

VIA: Michael Kelley, PE, Public Works Director *MK*
Claudia Borchert, Utilities Division Director *CB*

REGARDING: Case #S 16-5090 Turquoise Trail North Conceptual Plan to Phase Project in Eight Phases, Preliminary Plat for all Phases and Final Plat for Phase I

Summary: Santa Fe County Utilities (SFCU) Division finds the submittal for the eight-phase conceptual plan and preliminary plat and the Phase 1 final plat of Turquoise Trail North consistent with the water and wastewater provisions in the Sustainable Land Development Code provided conditions identified herein are met prior to BCC approval.

Background: The SFCU Division is in receipt of the April 25, 2016 request from Land Use to review the submittal by Sommer, Karnes & Associates, LLP on behalf of Real Capital Solutions (RCS) for approval of the eight-phase conceptual plan and preliminary plat and the Phase 1 final plat of Turquoise Trail North. The proposed project consists of 267 single family lots and 23 multi-family units to be constructed in phases on 101.49 acres located north of Highway 14 and between Carson Valley Way and Bisbee Court. Phase 1 of the project will have 30 family dwellings.

Turquoise Trail North is part of the Turquoise Trail Master Association. Per the 2008 and 2013 County-City annexation agreements, the County assumed contractual responsibility to provide water and wastewater service to the development area.

Discussion:

Water Budget: The water budget proposed at full build out is 71.73 acre-feet per year (afy), including the 20% add-on required by Resolution 2006-57; the water budget is not reduced for the water supply provided by the County for affordable housing. The applicant's water budget consists of 0.2 afy per dwelling (single family and multi-family dwelling), and 1.21 afy per acre of park. The proposed water budget for Phase 1, including the 20% add-on, is 7.56 afy. The water budget is consistent with similar SFCU water uses. As identified in SFCU's "ready, willing, and able" letter, Turquoise Trail North will need to provide water rights for the project's water budget, less water provided by the County for affordable housing.

Utility Services: Because the project is a new subdivision in SDA-1, pursuant to the Sustainable Land Development Code (SLDC), the applicant is required to connect to county water and waste

water (SLDC 7.13.3) and obtain and provide documentation that a proposed service provider is ready, willing, and able to provide service (SLDC 7.13.2.3). The submittal packet for the project includes a letter from SFCU dated April 20, 2016, stating that SFCU is ready, willing, and able to provide water service to Turquoise Trail North at full build out, provided certain conditions are met.

RCS must meet the following conditions prior to Board of County Commissioner (BCC) approval of the preliminary plat for and final plat for Phase 1:

Recommended Approval Conditions:

Water

- 1) RCS shall enter into a Water Delivery/Water Line Extension Agreement with SFCU. The Agreement will specify requirements, such as construction standards, metering requirements, design approval process, infrastructure inspections and dedications, easement dedications, payment schedules, fees associated with reserving water capacity and review of plans, and the term limits of the Water Delivery Agreement. The applicant is responsible for the design and construction of all water related infrastructure for this project and is responsible for all associated costs. Following the successful design and construction of these facilities and upon verification that all requirements of the County's ordinances have been met to SFCU's satisfaction as outlined in a Water Delivery/Line Extension Agreement, and following acceptance by the SFCU Director (or the BCC, as appropriate), the County will accept ownership of and adopt all water facilities as part of its infrastructure for operations and maintenance.
- 2) RCS shall submit a \$500.00 payment to the SFCU Division for the resulting Water Delivery Agreement.
- 3) RCS shall contract with the City of Santa Fe Water Division (City) for hydraulic modeling services to identify what, if any, additional water utility infrastructure is needed in order to supply the proposed 71.73 afy demand to this location. The evaluation shall specifically address the additional demand placed upon the Richard's Avenue West connection to the City's system and the Wild West connection to the Buckman Direct Diversion (BDD) 5A transmission line. RCS shall provide SFCU with a copy of this letter, and agree to construct and dedicate all infrastructure needs identified by the outcome of the City's water utility hydraulic modeling, as identified by the City and/or Santa Fe County.
- 4) The Board of County Commissioners (BCC) approves New Water Deliveries (or the equivalent) for all projects including the Turquoise Trail North project as required by Resolution 2006-57, "Adopting A Santa Fe County Water Resource Department Line Extension and Water Service Policy".
- 5) Approval from the BCC for the project's proposed water budget of 71.73 AFY, which is in excess of the maximum of 35 afy identified in Resolution 2006-57, Section IX.C. It is RCS's responsibility to justify the "extraordinary circumstances" that merit an exception to the water allocation limit.
- 6) RCS has provided SFCU a water budget. If requested, RCS will provide SFCU with additional data and calculations upon which the water budget was established. SFCU may adjust Turquoise Trail North's water budget as appropriate. RCS shall construct the project premised on Ordinance 2015-11, the SLDC, which enumerates required water conservation measures.
- 7) RCS shall meet all conditions in Resolution 2006-57, Resolution 2012-88, and all other SFCU water-related ordinances and resolutions.

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Sewer Service

- 1) RCS shall enter into a Wastewater Discharge and Line Extension Agreement with SFCU before final plat approval. The Agreement will specify requirements, such as construction standards, design approval process, infrastructure inspections and dedications, easement dedications and payment schedules. The applicant is responsible for the design and construction of all wastewater related infrastructure for this project and is responsible for all associated costs. Following the successful design and construction of the facilities and upon verification that all requirements of the County's ordinances and specifications have been met to SFCU's satisfaction as outlined in a Wastewater Discharge and Line Extension Agreement, and following acceptance by the SFCU Director (or the BCC, as appropriate), the County will accept ownership of and adopt all wastewater facilities as part of its infrastructure for operations and maintenance. All sanitary sewer shall be video inspected prior to County acceptance. Defects found during inspection shall be repaired by the RCS.
- 2) As provided by the agreement between Santa Fe County and the Turquoise Trail Master Association (Agreement No. 2011-0102-UT/VO), "The County agrees to guarantee the availability of the wastewater capacities specified in the September 9, 2004 and September 15, 2003 agreements with the City to all landowners in the Amended Thornburg Master Development Plan area...regardless of when full use and/or build-out occurs."

Water and Sewer Design Plans

- 1) All future design plans and installation of infrastructure must be consistent with current (at time of design and installation) SFCU specifications and standards.
- 2) RCS submitted draft water and sewer system plans to SFCU for review. RCS will address all comments provided by SFCU on draft plans as described in Attachment A.
- 3) To ensure the safety and general welfare of the public, the infrastructure for each phase of Turquoise Trail North is required to be able to stand alone in meeting County requirements.
- 4) If RCS does not want to interconnect between Turquoise Trail North and Turquoise Trail South (Longford), RCS must demonstrate to SFCU that not constructing the line will have no impact on water supply and fire protection in either area served by the planned connection.



SANTA FE COUNTY UTILITIES DIVISION

Design Review Comments

ATTACHMENT A

Project:	Turquoise Trail North
Project Design Stage:	Conceptual Plan – Preliminary Plat Phase 1-8 and Final Plat Phase 1
Project Design Date:	April 22, 2016
SFCU Project Review Date:	June 15, 2016

Santa Fe County Utilities (SFCU) has conducted a review of the plan set indicated 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.

#	Sheet	Service	Comment
1		General	All water and wastewater mains are to have a minimum easement of at least a 30' - typical
2		General	All water meter cans and sanitary sewer cleanouts shall not be located under the sidewalks or under driveways.
3		General	Please provide double water meter services and sanitary sewer laterals on alternating property lines.
4		General	Must have 10' easement on all sides of roadways including pedestrian walkways and along all open space tracts – examples - Tract FF along Cedar Rock needs easement – Examples – define easement on Mission Hills, Tract FF, Tract KK, Tract DD, Vista Chamisa, Tract GG
5		General	Why are 4 water connections proposed instead of 2?
6		General	There is no graphical index page for utilities indicating which sections are on which sheets. Please add.
7		General	Inconsistent Title Blocks through Document due to multiple sections. Please use consistent title block for all water and wastewater utility sections.
8	9B	General	Will infrastructure be dedicated to (Santa Fe County Utilities) SFCU? Not in Notes
9	9B	General	If dedicating infrastructure to SFCU – SFCU Title Block shall be used
10	9B	General	Specify Easements for all water and wastewater lines to SFCU
11	10	Roads	Road typical sections only showing sidewalks on one side
12	13C	Irrigation	Purple pipe should be used for future use of treated effluent when it becomes available
13	14A-14C	Water	Water line should be under 5' wide (ADA Compliant) sidewalks - typical
14	14A-14C	Water	All terminations leading out of Phase 1 shall have flush valves at termination - typical
15	14A-14C	Water	Valves shall be placed at least every 500' and 3 valves at all 3 way intersections – typical – Water mains shall be C-900 DR18 Pipe with tracer wire and warning tape
16	14C	Water	Meter cans should not be in street – move into easement behind the right of way – typical - example - lots 131 and 132
17	14A-14C	Wastewater	Center gravity sewer mains in all rights of way (center of street) - typical
18	14A-14C	Wastewater	Laterals are not to terminate in manholes, connect all sewer laterals to the sewer main – typical. All sanitary sewer mains shall be 8" PVC SDR 26
19	14A-14C	Wastewater	No curves in gravity sewer mains all straight lines with manholes - typical
20	14A-14C	Wastewater	Laterals shall be dual where possible with 2 45° into single lateral leading to



SANTA FE COUNTY UTILITIES DIVISION

Design Review Comments

SFC CLERK RECORDED 07/27/2016

#	Sheet	Service	Comment
			main - typical
21	14A-14C	Wastewater	All wastewater laterals shall be 6" PVC SDR 26 – no glued fittings
22	14A-14C	Wastewater	Install sewer manholes at the perimeter of Phase 1. Stub out one stick of sewer pipe into adjacent phase.
23	14A-14C	Wastewater	Sanitary Sewer Laterals should not exceed 40'
24	14A-14C	Wastewater	Thrust blocks not permitted, must use mega lug restraints
25	14A	Wastewater	Re-align main – run Manhole 49 through Pebble Creek to HWY 14 – or have minimum of 30' easement through private properties.
26	14A	Wastewater	From lot 38 – Adjust main so lateral is not going into manhole and there is no curve in wastewater main at top of Cedar Rock
27	14B	Wastewater	Sunburst Court – main should extend to allow for lot 237 to connect eliminating long lateral and lots 235 and 236 discharging into manhole
28	15A	Wastewater	Notes do not correspond to correct pages – example Note 1 refers to sheets that don't correspond to content
29	15A	Wastewater	Notes 3 a-e don't indicate what drawings they refer to – Runs not labeled
30	15A	Wastewater	Note 3a specifies SDR32.5, SFCU is now requiring SDR 26 - typical
31	22	General	In the General Construction notes there are multiple notes that are duplicative of sheet 24A. Some notes contradict 24A – all notes on Sheet 22 shall be consistent with sheet 24A
32	22	Wastewater	#65 specifies wastewater lines are to be above storm water lines, Sheets 21A and 21C indicate storm water lines above wastewater – please clarify?
33	24B-24G	Wastewater	All Wastewater Details – Update from 6-8-12 to current version of standards (County will provide most current versions upon request)
34	24B-24G	Wastewater	Crossed-out details seemed to be inconsistent on whether detail was to be used or not. Please review and only X out what will not be used
35	24H	Water	Isolation Valve detail – SFCU prefers Mueller AWWA approved gate vales – no butterfly valves
36	24H	Water	All tapping saddles , including ARV, to be consistent with SFCU approved Materials List (County will provide most current versions upon request)

Missing Details:

- Connections to existing water lines
- Double Service Meter Can
- Water lines leading to dual service cans must be 2" SDR 9 Poly Pipe with tracing wire
- Method for running water line through arroyos
- Connection to existing SFCU wastewater line