DATE: February 25, 2015

TO: Board of County Commissioners

FROM: Vicente Archuleta, Development Review Team Leader VA

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director PE
Vicki Lucero, Building and Development Services Manager VL
Wayne Dalton, Building and Development Services Supervisor WD

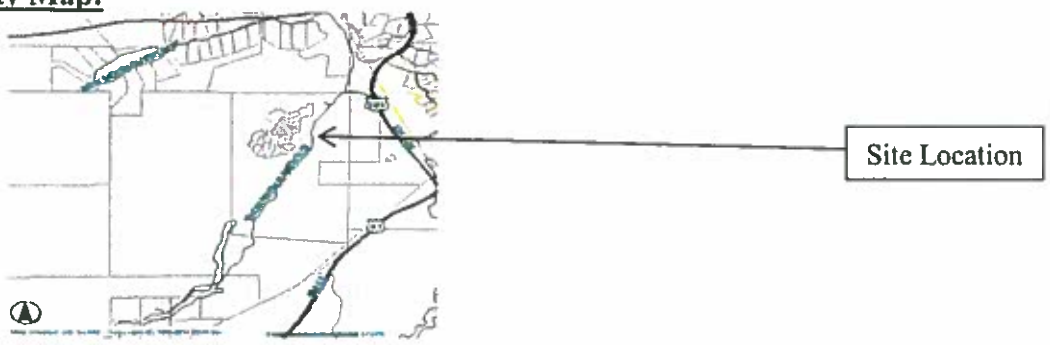
FILE REF.: CDRC CASE # Z 06-5033 Village at Galisteo Basin Preserve ("Trenza") Master Plan Amendment

ISSUE:

Commonweal Conservancy (Ted Harrison), Applicant, requests a Master Plan Amendment to a previously approved Master Plan to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a modification of the original five phase development to six phases that would take place over a period of 12 years.

The property is located south of Eldorado, west off US 285, south of the Railroad tracks, within Sections 1, 3, 11-14 23 and 24, Township 14 North, Range 9 East; Sections 5-7 and 18, Township 14 North, Range 10 East; Sections 34-36, Township 15 North, Range 9 East; and Sections 30 and 31, Township 15 North, Range10 East (Commission District 5).

Vicinity Map:



SUMMARY:

On November 20, 2014, the County Development Review Committee (CDRC) recommended approval of a Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a modification of the original five phase development to six phases that would take place over a period of 12 years (refer to November 20, 2014 CDRC Meeting Minutes as Exhibit "6") .

On June 12, 2007, the Board of County Commissioners (BCC) granted Master Plan Zoning approval for a mixed-use development consisting of 965 residential units; 150,000 sq. ft. of commercial, institutional, educational, and recreational land uses; and open space, parks, and trails on 10,316 acres.

On February 9, 2010, the BCC granted Preliminary Plat and Development Plan approval for Phase I of the referenced subdivision (refer to February 9, 2010 BCC Meeting Minutes as Exhibit "5") which consisted of 131 single family residential lots and 3 multi-family residential lots for a total of 149 residential units, and 5 non-residential lots within a 60 acre development envelope. This approval was set to expire on February 9, 2012.

On December 13, 2011, the BCC granted a 36-month Time Extension of the previously approved Preliminary Plat and Development Plan for Phase 1 which consists of 131 single family residential lots, three (3) multi-family residential lots for a total of 149 residential units and five (5) non-residential lots within a 60 acre development envelope within the 10,316 acre area (refer to December 13, 2011 BCC Meeting Minutes as Exhibit"4"). This time extension is set to expire on Feb 9, 2015. A new Preliminary and Final Plat conforming to the Master Plan will need to be submitted.

The Applicant now requests a Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five phase development to six phases that would take place over a period of 12 years.

The Applicant states: "In the face of a deep and protracted economic recession, Commonweal has been re-evaluating its economic opportunities and development ambitions for Trenza and the larger Galisteo Basin Preserve."

The Applicant proposes to reduce the extent of the original planning envelope from 10,316 acres to 3,560 acres. By constraining the size of the planning envelope, the development's densities

will be reduced from their original allowance of 965 dwelling units and 150,000 sq. ft. of commercial and civic land uses to an allowance of 450 dwelling units and lots with 88,500 sq. ft. of mixed-use, commercial and civic land uses. Although, the building envelope is still expected to encompass approximately 235 acres, the density of the development will be reduced relative to the existing approved plan.

Based on the changed size and scale of the proposed development, the project's water budget will be reduced. Specifically the water budget for the development uses will involve a 78-acre-

foot allocation for residential uses and 20.45 acre-foot allocation for mixed use, commercial and civic land uses. By this allocation, the proposed water demand at full build-out in 2026 would total 98.45-acre-foot.

The Applicant also requests a modification to the original Master Plan to change the location of the proposed Memorial Landscape (aka "Green Cemetery"). The Memorial Landscape will be relocated slightly south of its current location to an area that will allow for improved access from Morning Star Ridge Road.

The Application includes a revision to the original five-phase development to six phases that would take place over a period of 12 years.

Phase 1 of the development, a residential neighborhood ("North Face") will consist of 11 residential units ranging in size from 750 square feet to 1,450 square feet and an 11-acre Memorial/Green Cemetery, a 60-seat community outdoor performance space/amphitheater and a 10,000 square foot storage facility for the Special Use parcel, which will be located approximately 1/3 mile southeast of the North Face neighborhood. The storage facility will be constructed in two phases. The facility's first 5,000 square feet will be constructed in Phase1 with the remaining square footage to be constructed in Phase 3.

The following Phases 2 through 6 will consist of the following:

Phase 2 - 88 residential units and 27,850 sq. ft. of commercial/civic uses;
Phase 3 - 88 residential units and 27,850 sq. ft. of commercial/civic uses;
Phase 4 - 88 residential units and 27,800 sq. ft. of commercial/civic uses;
Phase 5 - 88 residential units; and
Phase 6 - 87 residential units.

This Application was submitted on May 14, 2014.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for Master Plan and Phasing Plan approval.

APPROVAL SOUGHT:	Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five phase development to six phases that would take place over a period of 12 years.
GROWTH MANAGEMENT AREA:	Galisteo, SDA-2
LOCATION:	The development is located south of Eldorado, west off US 285, south of the Railroad tracks.
HYDROLOGIC ZONE:	Basin Fringe and Homestead Hydrologic Zone: Basin Fringe - minimum lot size is 50 acres per dwelling unit. Lot size can be reduced to 12.5 acres per dwelling with a 0.25 acre foot per year water restriction. Lot size can be further reduced if water availability is proven to support the increased density or by connection to a community water system. Homestead – minimum lot size is 160 acres per Dwelling unit Lot size can be reduced to 40 acres per dwelling with a 0.25 acre foot per year per lot water restriction. Lot size can be further reduced if water availability is proven to support increased density or connection to a community water system.
ACCESS AND TRAFFIC:	The site will be accessed off US 84-285 via Astral Valley Road, which is designated a Minor Arterial and is approximately 5-miles south of Eldorado. NMDOT reviewed the original Master plan and stated no further analysis was required. However, more extensive studies would be required as each phase is submitted for platting and development.

The Santa Fe County Public Works Department had no comments.

FIRE PROTECTION:

The Eldorado Fire District will provide fire protection service to the development. There are three volunteer fire sub-stations located in Eldorado. Station No. 3 is located off of Old Road North and US-285, at the Santa Fe County Transfer Station and is approximately 2.5 miles away.

Water tanks will be strategically placed along the northern boundary of the development. Water mains will be sized to supply fire hydrants at a minimum spacing of 1,000 feet in residential areas and 500 feet near commercial and community structures.

WATER SUPPLY:

Water for the development will be a private community water system served by on-site wells. Storage tanks and lines will be sized to service fire flow and peak domestic demands, a fire flow volume of 1,000 gpm for two hours combined with the flow requirements for peak hour water demand, storage capacity of 750,000 gallons will be required at build-out.

A water budget by phase for the entire development was submitted which describes the average residential useage will be between 0.16 and 0.17 acre-feet per year with 20 acre-feet designated for commercial development. At Master Plan level this summary water budget is acceptable but a better understanding of outdoor water usage will be required for Preliminary and Final Development approval.

LIQUID WASTE:

A centralized wastewater treatment plant will be constructed that will process wastewater, as well as generate tertiary quality effluent for use in outdoor irrigation and limited indoor domestic purposes. Treated effluent will be delivered to lots via pressurized reuse lines. The effluent would also be available for use in on-site drip irrigation systems.

SOLID WASTE:

The Homeowner's Association will contract with a solid waste removal service to serve this development. This condition is noted in the Subdivision Disclosure Statement.

FLOODPLAIN & TERRAIN MANAGEMENT:

The terrain management plan is designed to mitigate the effects of stormwater runoff, soil erosion, and/or wildlife habitat loss that could otherwise result from new development.

Stormwater runoff will be addressed through a combination of "low impact design" such as the limitation of the scale and extent of impervious cover across the site, runoff dispersion, and use of pervious pavement as well as swales, constructed wetlands, and rooftop rainwater harvesting. Traditional engineered solutions could include the design and construction of gutters, drains, culverts and detention ponds.

Slopes on the property range from 0-20+%. Grading will generally not occur on slopes greater than 12%, however grading on slopes greater than 16% may occur only in isolated instances such as in arroyo crossings.

OPEN SPACE:

The Amended Master Plan includes a planning envelope of 3,560 acres. The development will be clustered within a 235-acre area of the larger planning envelope. A village park is proposed at the heart of the Village Center. Neighborhood parks are also proposed which will be connected via an internal trail and pathway network to allow residents access to other parks, open space, and and natural areas in "the village".

There are three trailheads that have been located to offer public access to different sections of the trail, which feature parking areas and signage. The trails will provide mobility throughout the Village, as well as to the communities located to the north, south, and east of the Preserve. At present, the trail system is planned to include at least 50 miles of publicly accessible biking, hiking and equestrian paths.

AFFORDABLE HOUSING: The Applicant will meet the 15% affordable housing requirement for the proposed 450 unit development which comes out to 68 affordable units, with 17 affordable units in each of the four income tiers.

The Applicant's Affordable Housing Plan meets the requirements of number and distribution of affordable units proposed, integration, phasing, marketing and sales, product mix and minimum square footage requirements.

The Affordable Housing Plan is acceptable to the Affordable Housing Administrator and can be integrated into an affordable housing agreement that the Applicant must provide as part of its Final Plat and/or Final Development Plan application for the first phase of the project.

The Applicant will integrate affordable units with market units and develop all units with consistent architecture, materials and landscaping. The Final Plat and/or Development Plan for the project and each of its phases must identify the lots that are designated as Affordable Units.

PHASING: The revision to the original five-phase development to six phases would take place over a period of 12 years.

Phase 1 – 11 residential units and 5,000 sq. ft. commercial/civic uses;
Phase 2 – 88 residential units and 27,850 sq. ft. commercial/civic uses;
Phase 3 – 88 residential units and 27,850 sq. ft. commercial/civic uses;
Phase 4 – 88 residential units and 27,850 sq. ft. commercial/civic uses;
Phase 5 – 88 residential units; and
Phase 6 – 87 residential units.

STAFF RECOMMENDATION: Staff recommends approval of the request for Master Plan Amendment and Phasing Plan. The decision of the CDRC was to recommend approval of the Master Plan

Amendment and Phasing Plan subject to the following conditions:

1. The Amended Master Plan must be recorded with the County Clerk's office prior to Preliminary Plat.

2. An Affordable Housing Agreement must be prepared and submitted for consideration by the Board of County Commissioners along with the Final Plat and/or Development Plan for the projects first development phase.

3. The Applicants shall meet all Preliminary and Final Plat and Development Plan requirements for each phase.

4. The Applicants shall construct the Community Water and Community Sewer system with Phase 1.

EXHIBITS:

1. Letter of Request/Developer's Report
2. Developer's Plans
3. Review Agency Letters
4. December 13, 2011 BCC Meeting Minutes
5. February 9, 2010 BCC Meeting Minutes
6. November 20, 2014 CDRC Meeting Minutes
7. Letters of Support
8. Aerial Photo of Site and Surrounding Areas

CommonwealConservancy

October 15, 2014

Vicki Lucero
Building and Development Service Manager
Santa Fe County
102 Grant Street
Santa Fe, NM 87501

RE: Revised Letter of Intent for the Village at Galisteo Basin Preserve (aka "Trenza") Amended Master Plan

Dear Vicki:

This letter serves as a revised "letter of intent" associated with Commonweal Conservancy's amended master plan application for the Village at the Galisteo Basin Preserve (aka "Trenza").

In response to Mr. Vicente Archuleta's email dated October 2, 2014, we have attached the following documents and plan drawings for your review and consideration:

i) a Parks, Open Space and Trails Plan with an accompanying 24 x 36" map showing the Preserve's existing publicly accessible trail network within the proposed Planning Envelope;

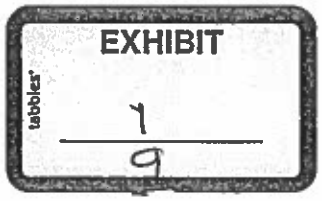
ii) an Affordable Housing Plan; and

iii) a revised site plan showing the Southern Crescent subdivision lot lines which were not included in Commonweal's initial amended master plan application.

In addition, this letter of intent and its attachments offer background and context for a set of illustrative plans that were submitted to Santa Fe County on June 9 and August 20, 2014 including:

- Revised Master Plan Planning Envelope illustration,
- Updated Water Storage Calculations letter from John Shomaker & Associates (JSAI), dated August 8, 2014,
- Updated Water Budget from BioHabitats, dated August 12, 2014,
- Copy of the well log for Village Well No. 1,
- Letter from the Office of the State Engineer approving Commonweal's water rights transfer application relating to the water demand for Trenza's first phase of development,
- Updated Water Availability Summary memo from Commonweal, dated August 20, 2014,

117 N. Guadalupe Street, Suite C, Santa Fe, NM 87501
505.982.0071 voice · 505.982.0270 fax
www.commonwealconservancy.org



- Revised "Bubble Diagram" dated August 14, 2014 with notes that reflect the updated commercial and civic square footage and total water demand for the amended master plan, and
- Revised Phasing Plan dated August 20, 2014 that updates a Plant Nursery/Storage use to Storage Units only in Phase IB.

Collectively, these reports, letters and illustrations constitute Commonweal's amended master plan application for your consideration and use.

Development Approval History

Since 2003, Commonweal Conservancy has advanced an ambitious conservation-based community development initiative known as the Galisteo Basin Preserve.

The Galisteo Basin Preserve is designed to conserve and restore more than 12,700 acres of open space along the northern rim of the Galisteo Basin. Concurrently, the project aspires to demonstrate a new model of environmentally responsible community building – one that incorporates best practices of site planning, low impact engineering, green building and efficient water and energy use.

The Village at the Galisteo Basin Preserve, known as "Trenza," incorporates a mixed-income, mixed-use development program within a 235-acre development envelope. The tightly configured village development plan proposes a variety of housing types and neighborhoods along with a mix of pedestrian-scale commercial and civic land uses.

The Village at the Galisteo Basin Preserve master plan (hereafter, "Trenza Master Plan") was recommended for approval by the County Development Review Committee (CDRC) on March 15, 2007. Subsequently, the Trenza Master Plan won approval from the Board of County Commissioners (BCC) on June 12, 2007.

The original Trenza Master Plan envisioned development of a New Urbanist/Traditional Neighborhood Design community of 965 residential units and 150,000 square feet of commercial, educational and civic land uses. The proposed village was sited within a 235-acre development envelope. It was designed to include an extensive network of trails and open spaces within a 10,360-acre planning envelope.

On June 18, 2009, Commonweal Conservancy secured unanimous approval from the CDRC for Trenza's Phase I Preliminary Plat. The preliminary plat anticipated development of 149 residential parcels and five non-residential lots within a 60-acre building envelope. Subsequently, Trenza's Phase I Preliminary Plat received unanimous approval from the BCC on February 9, 2010.

Since 2010, Commonweal has elected to defer the preparation and submittal of a Phase I Final Plat application. To maintain its development rights, however, Commonweal secured BCC approval for a three-year extension of its Phase I Preliminary Plat in December 2011.

An Evolving Conservation Development Strategy

In the face of a deep and protracted economic recession, Commonweal has been re-evaluating its economic opportunities and development ambitions for Trenza and the larger Galisteo Basin Preserve.

Among other revisions to the project's original master plan, Commonweal secured approval from Santa Fe County for a series of small lot subdivision plats in areas originally targeted as open space within the 10,360-acre Trenza Master Plan Planning Envelope.

In 2008, three parcels located approximately one mile south of Trenza, known as the East Preserve, were approved for subdivision by the Land Use Division and the County Attorney's Office. In 2009, a Boundary Line Adjustment Plat reconfigured more than seven existing "legal lots of record" in an area known as the Conservation Ranches South. In 2012, an additional 140-acre parcel in the East Preserve was approved for subdivision.

Concurrent with the County's approval of the East Preserve plat in 2008, Commonweal agreed to prepare an amended master plan before proceeding with final plat development approvals for Trenza. A note on the East Preserve Plat memorializes Commonweal's master plan amendment obligation.

Since 2009, sales of East Preserve and Conservation Ranches to conservation buyers have allowed Commonweal to fund its operations, albeit at a reduced scale compared to 2004-07. Revenues from property sales and conservation easement tax credits have also allowed the organization to fulfill its primary debt service obligations to its lenders.

Although the platting and sale of conservation ranches were not part of Trenza's original master plan, sales of carefully sited conservation properties have allowed the organization to maintain its operations while simultaneously sustaining its commitment to landscape-scale conservation outcomes.

Master Plan Amendment Rationale

In an effort to document the organization's evolving land stewardship and community development ambitions for Trenza, Commonweal prepared an amendment to the Master Plan (hereafter, "Amended Master Plan") for consideration by staff and the governing bodies of Santa Fe County.

Herein, Commonweal proposes to reconfigure the Planning Envelope of the Trenza Master Plan to address a perceived change in demand for master planned community development offerings in Santa Fe County. Among other revisions, Commonweal proposes to reduce the extent of the original Planning Envelope from 10,360 acres to 3,560 acres.

By voluntarily constraining the size and scale of the Planning Envelope, Trenza's community development densities will be measurably reduced from their original allowance. That is, rather than pursue development of 965 homes and 150,000 square feet of commercial, and civic land uses, this Amended Master Plan proposes a development allowance of 450 homes and lots, along with 88,500 square feet of mixed use, commercial and civic land uses. Although Trenza's building envelope is still expected to encompass an area of approximately 235-acres – consistent with the original Master Plan approval – the density of development will be measurably reduced relative to the organization's existing approved plan.

Mirroring the changed size and scale of the Amended Master Plan, the project's water budget will be correspondingly reduced. Specifically, the water budget for Trenza's development uses will involve a 78-acre/foot allocation for residential uses and 20.45-acre/feet for mixed use, commercial and civic land uses. By this allocation, Trenza's projected water demand at full build out in 2026 would total 98.45 -acre/feet.

As presented in JSAI's letter report to you and Karen Torres dated August 8, 2014, the available water resources associated with the Amended Master Plan closely reflect the development approvals communicated to the CDRC and BCC in 2007. By crediting water supplies documented by JSAI in 2007 -- along with test well data from Village Well No. 1 and County-approved hydrological zoning credits -- the water available for Trenza's 100-year development horizon totals 147.61 acre/feet per year.

The balance of property associated with the original Trenza Master Plan Planning Envelope includes 6,800 acres (10,360-3,560 = 6,800). For purposes of this application, the 6,800 acres excluded from Commonweal's existing master plan (hereafter, the "Excluded Property") shall be zoned in accordance with Santa Fe County's 2014 mapping and code approval process. Toward that end, Commonweal staff is working with Robert Griego and Tim Cannon of the County's Planning staff to assign zoning classifications on the Excluded Property that are consistent with surrounding land uses, and which advance Commonweal's conservation vision for the Excluded Property, as well as for the larger Preserve.

Other Plan Modifications

A less substantial, but still noteworthy, modification to the original Trenza Master Plan involves a slightly changed location for a proposed Memorial Landscape (aka "Green Cemetery"). As presented, the Memorial Landscape will be relocated to an area that corresponds to an existing legal lot of record (i.e., Lot 9 Southern Crescent) to allow for improved access from Morning Star Ridge Road.

No other elements of the original Trenza Master Plan (i.e., road configurations, water supply, liquid waste system, utility development) are proposed for revision by this Amended master plan application.

Development Phasing Modifications

As you will note, this Amended Master Plan application includes a revision to the original five-phase development program for Trenza. By this application, six phases of

development are proposed that would take place over a period of 12 years. In the initial phase of development, a residential neighborhood known as North Face (see Phase I Preliminary Plat approvals for the Village at the Galisteo Basin Preserve) will include 11 residential units ranging in size from 750 sf to 1,450 sf. The water demand of the residential development is budgeted at 0.16 acre/feet per unit (11*0.16 = 1.74 ac/ft).

Separately, an 11-acre Memorial Landscape/Green Cemetery is included in the initial phase of development. Given the natural landscape objectives of this component of the project, a water allocation equivalent to a single residence is projected for the cemetery at 0.16 acre/feet per year.

Additionally, a 10,000-square foot storage facility is proposed for the Special Use Storage envelope located approximately 1/3 mile southeast of the North Face neighborhood. The storage facility will be built in two phases. The facility's first 5,000 square feet will be built in Phase 1B with the remaining square footage to be built in Phase 3. The storage facility will be available to residents of Trenza as well as other residents within the US 285/CR 41 corridor (i.e., Eldorado, Lamy, Galisteo). The facility will be supplied with electrical power and a single water tap. The water budget associated with the storage facility's first phase is projected to be a nominal 0.07 ac/ft per year.

Finally, with regard to a Special Use parcel located west of the Southern Crescent neighborhood, a 60-seat community outdoor performance space/amphitheater is proposed for development on an existing legal lot of record (i.e., Lot 8 Southern Crescent). The amphitheater will be supported with a composting toilet facility and a two-faucet hand washing facility. The water budget associated with the amphitheater is expected to be minimal (i.e., 0.003 ac/ft), given the event calendar planned for the facility (i.e., 30 performance/educational/celebration events per year).

Elements of the Master Plan Remaining Unchanged

The following elements of Trenza's original Master Plan submittal are not changing with the amendment application.

Existing Conditions

The development site has not been developed and is still vegetated with piñon and juniper trees, native shrubs and grasses.

Adjacent Properties

The 235-acre development area for Trenza is bounded on the north by the New Moon Overlook neighborhood. The Southern Crescent neighborhood frames the proposed community's southeastern edge. Except for Lots 8 and 9, which are proposed as the location for a 60-seat outdoor amphitheater and a Green Cemetery, respectively, the other 20 lots associated with the South Crescent are not included (nor impacted by) with this Amended Master Plan application. The western boundary of Trenza is framed by vacant open space lands. The eastern edge of the project is bounded by US 84-285.

Access

Access to Trenza is available from two existing roads that intersect US 84-285 approximately five miles south of Eldorado. Primary access will be from Astral Valley Road; secondary/emergency access will be from New Moon Overlook Road. These two access points will be connected through a looped road system within the development. The original Master Plan was submitted to the State Department of Transportation (DOT) and the County Public Works Department for review. The DOT stated that no further analysis was required, however more extensive studies would be required as each phase is submitted for platting and development. The County Public Works Department had no comments.

Fire Protection

The Eldorado Fire District will provide fire protection service to Trenza's homes and residents. Commonweal has proposed to donate land to the Santa Fe County Fire Department concurrently with the development's implementation to facilitate the SFCFD's improved access and support to the project. Primary roads will be developed to a standard that will allow emergency vehicle access to residential neighborhoods from at least two directions.

In addition to its domestic water service purpose, Trenza's water system will provide fire protection to the community. Water tanks will be strategically placed along the northern boundary of the development. Water mains will be sized to supply fire hydrants at a maximum spacing of 1,000 feet in residential areas and 500 feet near commercial and community structures, as specified by the Santa Fe County Fire Department.

As required by the County Fire Department, storage tanks and lines will be sized to service fire flow and peak domestic demands. To accommodate a fire flow volume of 1,000 gpm for two hours – combined with the flow requirements for peak hour water demand – storage capacity of 750,000 gallons will be required at build out.

Liquid Waste

Commonweal is proposing to construct a centralized wastewater treatment plant that would process wastewater, as well as generate tertiary quality effluent for use in outdoor irrigation and limited indoor domestic purposes. As currently conceived, treated effluent would be delivered to lots via pressurized reuse lines. Such water sources would also be available for use in on-site drip irrigation systems.

Dry Utilities

Over the past ten years, Commonweal worked with Public Service of New Mexico to develop three-phase power and natural gas to support the adjoining community of New Moon Overlook. Three-phase power was separately developed along New Moon Overlook Road and Morningstar Ridge Road to support the electrical power needs of the project. As the project develops, a "looped system" may be constructed by PNM to

ensure that power can be assigned to different pathways within the project and across the region. Natural gas may also be extended from the New Moon Overlook to support the fuel requirements of Trenza.

Solid Waste

Trenza's future Homeowner's Association will contract with a solid waste removal service to serve the community.

Terrain Management/ Landscaping

The terrain management plan for Trenza is designed to mitigate the effects of stormwater runoff, soil erosion, and/or wildlife habitat loss that could otherwise result from new development.

Stormwater runoff will be addressed through a combination of "low impact design" and traditional engineering techniques. Trenza's approach to low impact design will include a number of techniques and strategies such as the limitation of the scale and extent of impervious cover across the site, runoff dispersion, and use of pervious pavement as well as swales, constructed wetlands, and rooftop rainwater harvesting. Traditional engineered solutions could include the design and construction of gutters, drains, culverts and detention ponds.

Slopes on the property range from 0-20+%. Except in isolated instances (i.e., special lot circumstances and arroyo crossings), grading will not occur on slopes greater than 12 percent.

Archaeology

An archaeological survey was prepared and submitted to the County for review and approval. The extensive survey and analysis by Southwestern Archaeological Consultants of Santa Fe identified 39 archaeology sites within Trenza's proposed 235-acre building envelope. Three sites were given archaeological clearance. Thirty-six sites will be overlaid with protective easements and remain undisturbed concurrently with the project's development.

Open Space

The Amended Master Plan includes a planning envelope of 3,560 acres. Trenza's development will be clustered, however, within a 235-acre area of the larger planning envelope. A community central park is planned for Trenza's commercial and civic area. Neighborhood parks are also planned to serve individual neighborhoods. Neighborhood parks will be connected via an internal trail and pathway network to allow residents easy access to other parks, open spaces, and natural areas associated with the project.

Trails will facilitate access throughout the village, as well as to communities located to the north, south, and east of the Preserve. At present, the Preserve's trail system supports

25 miles of publically accessible hiking, mountain biking and equestrian uses. The trail network circumscribes Trenza's planned neighborhoods – offering easy access for residents to the larger trail system and open space resources of the Preserve.

In its fullest expression, the Preserve's trail network is planned to include approximately 50 miles of publicly accessible biking, hiking, and equestrian paths. The Property's trail network is also part of a larger recreational initiative that Commonweal Conservancy is championing in central Santa Fe County for hiking, biking, wildlife viewing/bird watching, and equestrian use. This regional recreational initiative is proposed to be a 100-mile trail network that will link the Santa Fe County-owned Petroglyph Hill open space property on the southwestern edge of the Galisteo Basin Preserve, through the Preserve along its publicly accessible trails to the 18-mile Rail Trail that parallels the Santa Fe Southern rail corridor and terminates at the historic railyard in downtown Santa Fe.

Over the last six years, Commonweal has worked with Santa Fe County Open Space and Trails staff to explore opportunities to link the Santa Fe Southern Rail Trail to the Preserve's trail system. In partnership with County staff, Commonweal is committed to connecting the Preserve trails to a regional trail network that will serve Santa Fe County residents and visitors. (See attached Parks, Open Space and Trails Plan for more information.)

Affordable Housing

In conformance with Santa Fe County's Affordable Housing Ordinance, 15 percent of the community's housing -- 68 of the 450 units -- will be affordable to Santa Fe households earning up to 120 percent of SM Area Median Income (AMI). An affordable housing agreement will be required with Phase I Plat/Development Plan application. (See the attached Affordable Housing Plan for more information.)

Closing

I hope that you and your colleagues find this amended master plan application for the Village at the Galisteo Basin Preserve (aka Trenza) consistent and appropriate for the County's community development ambitions for the region. My colleagues and I hope that this narrative and its attachments demonstrate the organization's commitment to protecting the region's open space, wildlife habitat, hydrologic and cultural resources, while concurrently advancing a new model of environmentally responsible community development.

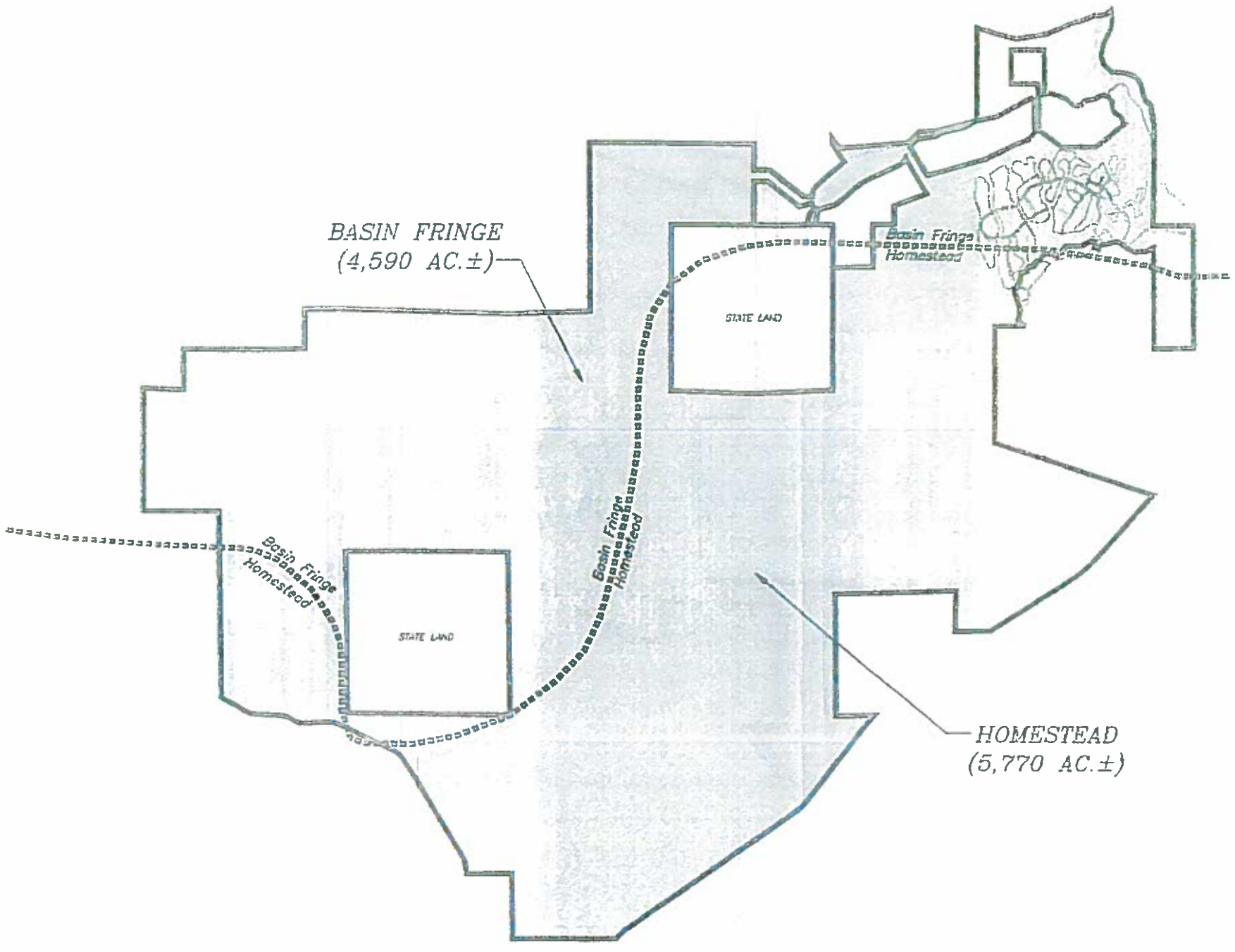
Please feel free to contact me at 505.982.0071 ext 102 or by email at ted.harrson@commonwealconservancy.org during your review of this application.

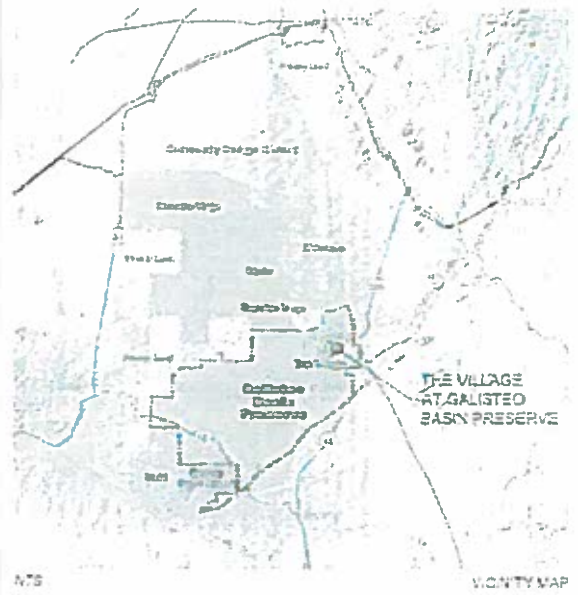
My colleagues and I look forward to presenting this amended master plan application to the Santa Fe County Development Review Committee at its November 20, 2014 hearing.

Sincerely,

Ted O. Harrison
President

ORIGINAL PLANNING ENVELOPE
THE VILLAGE (AKA "TRENZA") AT GALISTEO BASIN PRESERVE





Planning Envelope

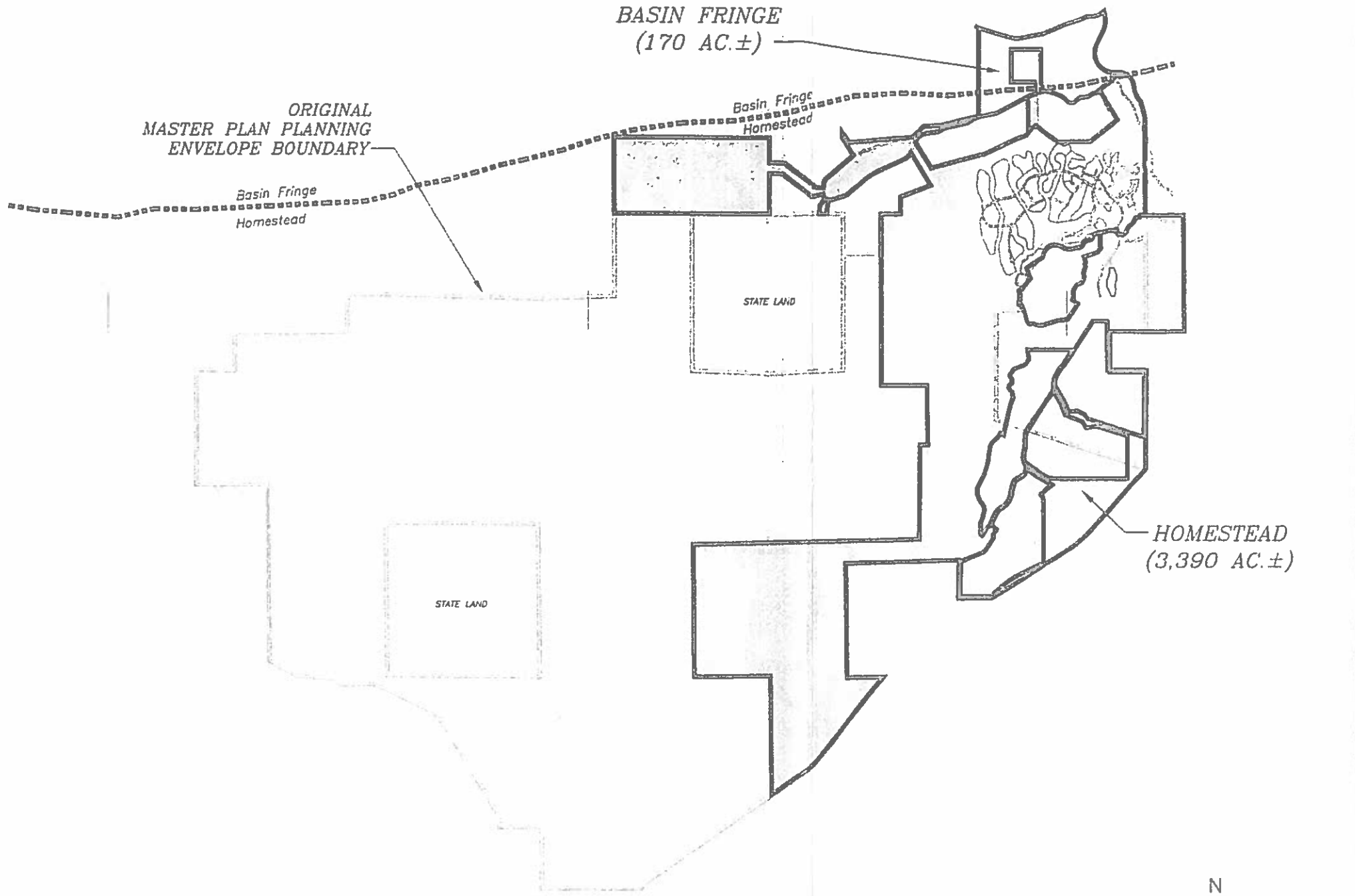
HYDROLOGIC ZONE	ACREAGE
Basin Fringe	4,590
Homestead	5,770
TOTAL	10,360

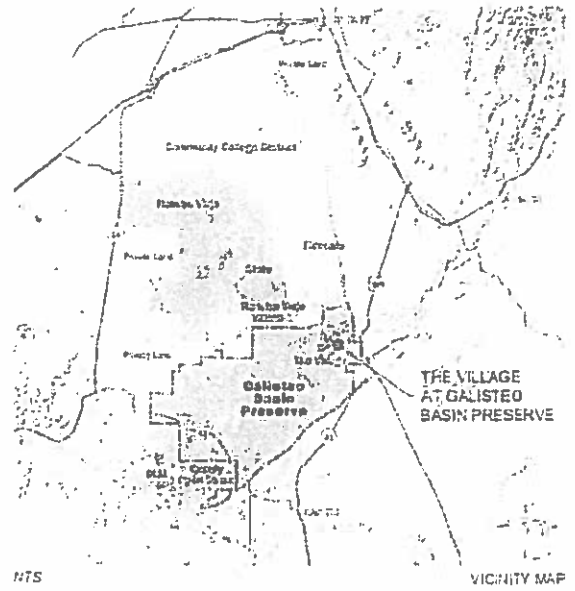
Source: Planning envelope acreages derived from original survey plat maps from Bohannan Surveys, Inc. using CAD software.

Commonweal Conservancy
Santa Fe, New Mexico
June 3, 2024

EXHIBIT
2
18

PROPOSED PLANNING ENVELOPE
THE VILLAGE (AKA "TRENZA") AT GALISTEO BASIN PRESERVE





Planning Envelope

HYDROLOGIC ZONE	ACREAGE
Basin Fringe	170
Homestead	3,390
TOTAL	3,560

Source: Planning envelope acreages derived from original survey plat maps from Dawson Surveys, Inc. using CAD software

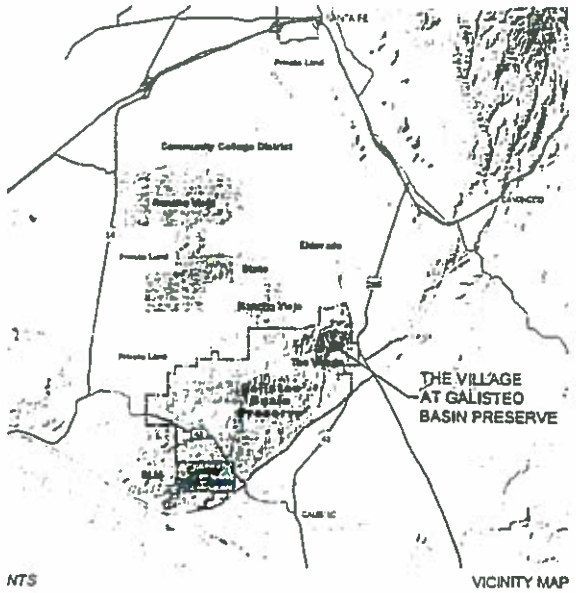
N

SCALE: 1" = 2000'

Commonweal Conservancy
Santa Fe, New Mexico
June 6, 2014

MASTER PLAN AMENDMENT FOR:
THE VILLAGE (AKA "TRENZA") AT GALISTEO BASIN PRESERVE

T15N, R10E, S31



NTS

VICINITY MAP

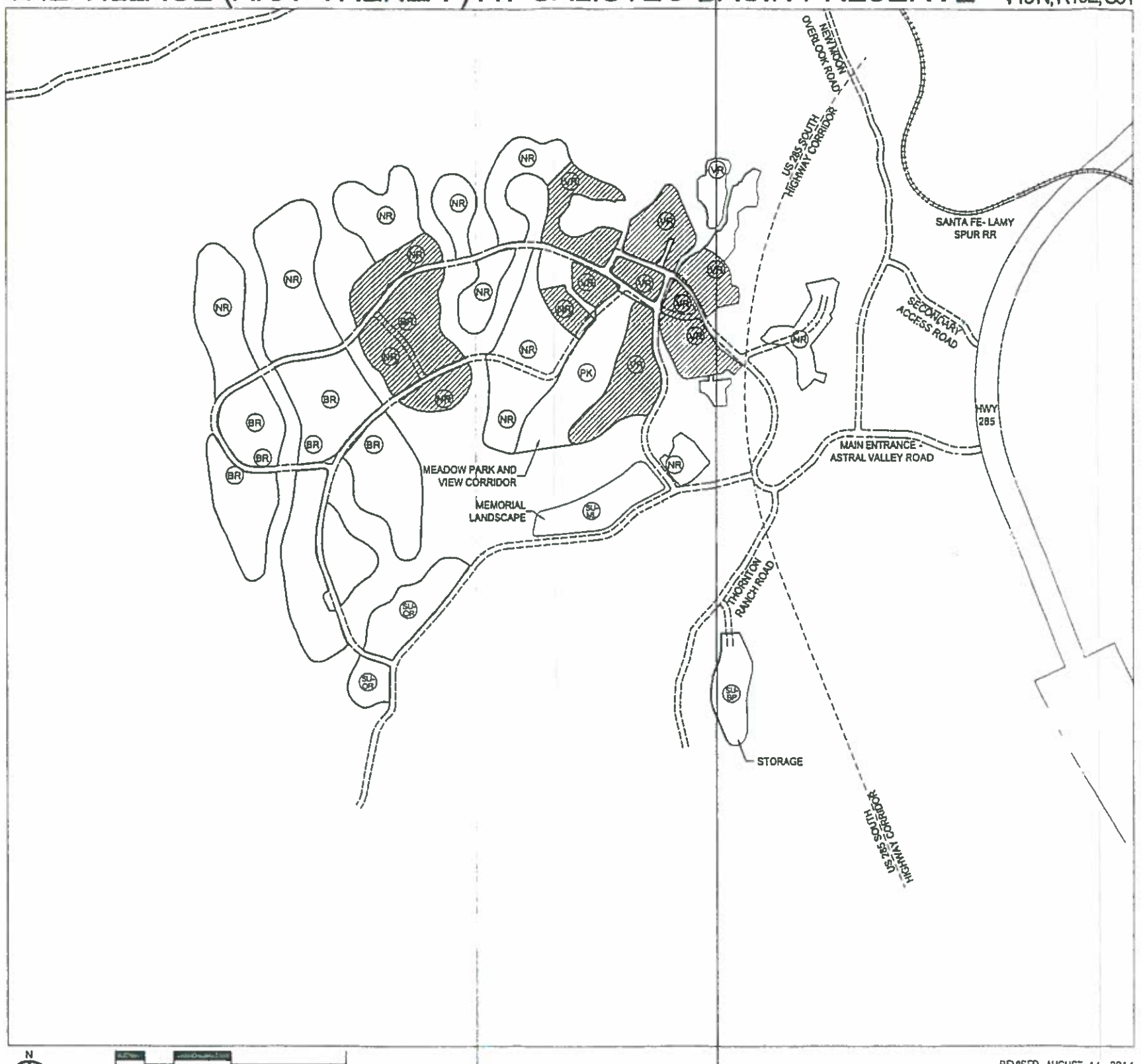
SANTA FE COUNTY NOTES AND CONDITIONS:

1. The developer shall address compliance with the County road standards with the Preliminary Plat/Development application.
2. Development within the US 84-285 Highway Corridor shall comply with the district standards of the US South Highway Corridor Ordinance (Ordinance No. 2005-08).
3. The Village at Galisteo Basin Preserve shall conform to the County's Affordable Housing Ordinance. An affordable housing agreement will be required with the Phase 1 Plat/Development Plan application.
4. A detailed signage and lighting plan will be required with the Phase 1 Plat/Development Plan Submittal.
5. Maximum building height shall not exceed 24 feet.
6. Commonweal Conservancy shall join with the Village of Galisteo in a well monitoring program.

LEGEND

(DU/AC = Dwelling Units per acre)

- (VR) Village Residential (10-25 DU/AC)
- (NR) Neighborhood Residential (5-15 DU/AC)
- (BR) Basin Residential (0-10 DU/AC)
- Mixed Use (i.e., Cafe, General Store, Post Office, Charter School 37)
- (PK) Parks
- (SUZ MP) Special Use Zone Commercial Uses (former borrow pit)
- (SUZ OR) Special Use Zone Recreational Uses
- (SUZ MA) Special Use Zone Memorial Landscape



REVISED AUGUST 14, 2014

PURPOSE STATEMENT:

This Amended Master Plan delineates the approved zoning for Trenza, a mixed use, mixed income community proposed for development in the Galisteo Basin Preserve. Trenza is planned to include 450 residential units and up to 88,500 square feet of commercial, educational and civic land uses, as well as parks, trails and open space on 3,560 acres.

UPC# 1-055-085-203-111

NOTES ON MASTER PLAN REVISIONS

1. Subsequent to CDRC and BCC approvals of the Village at the Galisteo Basin Preserve's (aka Trenza) Master Plan in 2007 and the Plan's amendment in 2009, Commonweal Conservancy reconfigured the project's Planning Envelope to better document the organization's evolving land stewardship and community development ambitions for the original 10,360-acre Trenza Master Plan. The reconfigured Planning Envelope reduces the area associated with Trenza's mixed-use community development proposal from 10,360 acres to 3,560 acres.
2. A reconfigured Planning Envelope for Trenza reduces the overall development intensity of the Galisteo Basin Preserve – changing the number of home sites within Trenza's 235-acre development envelope from 965 to 450 units. Additionally, the commercial/civic land uses associated with the project are being reduced to 88,500 square feet -- instead of 150,000 square feet, as originally approved.
3. In response to a changing demand for new community development in Santa Fe County, a reconfigured Planning Envelope and Amended Master Plan will allow the Galisteo Basin Preserve's water resources to be less intensively developed. The water budget for Trenza will be limited to 98.45 acre/feet per year. By this adjustment, the water demand for the larger 10,360-acre Preserve will be reduced from the approved 195 acre/feet per year to a significantly lesser amount.
4. The Memorial Landscape envelope was repositioned to conform to the boundaries of an existing legal lot of record, as well as to improve access to the site from the adjoining Morning Star Ridge Road.

CDRC CASE # Z 06-5030
APPROVED BY THE CDRC AT THEIR MEETING OF MARCH 15, 2007

CDRC CHAIR _____ DATE _____

APPROVED BY THE BCC AT THEIR MEETING OF JUNE 12, 2007

BCC CHAIR _____ DATE _____

COUNTY CLERK _____ DATE _____

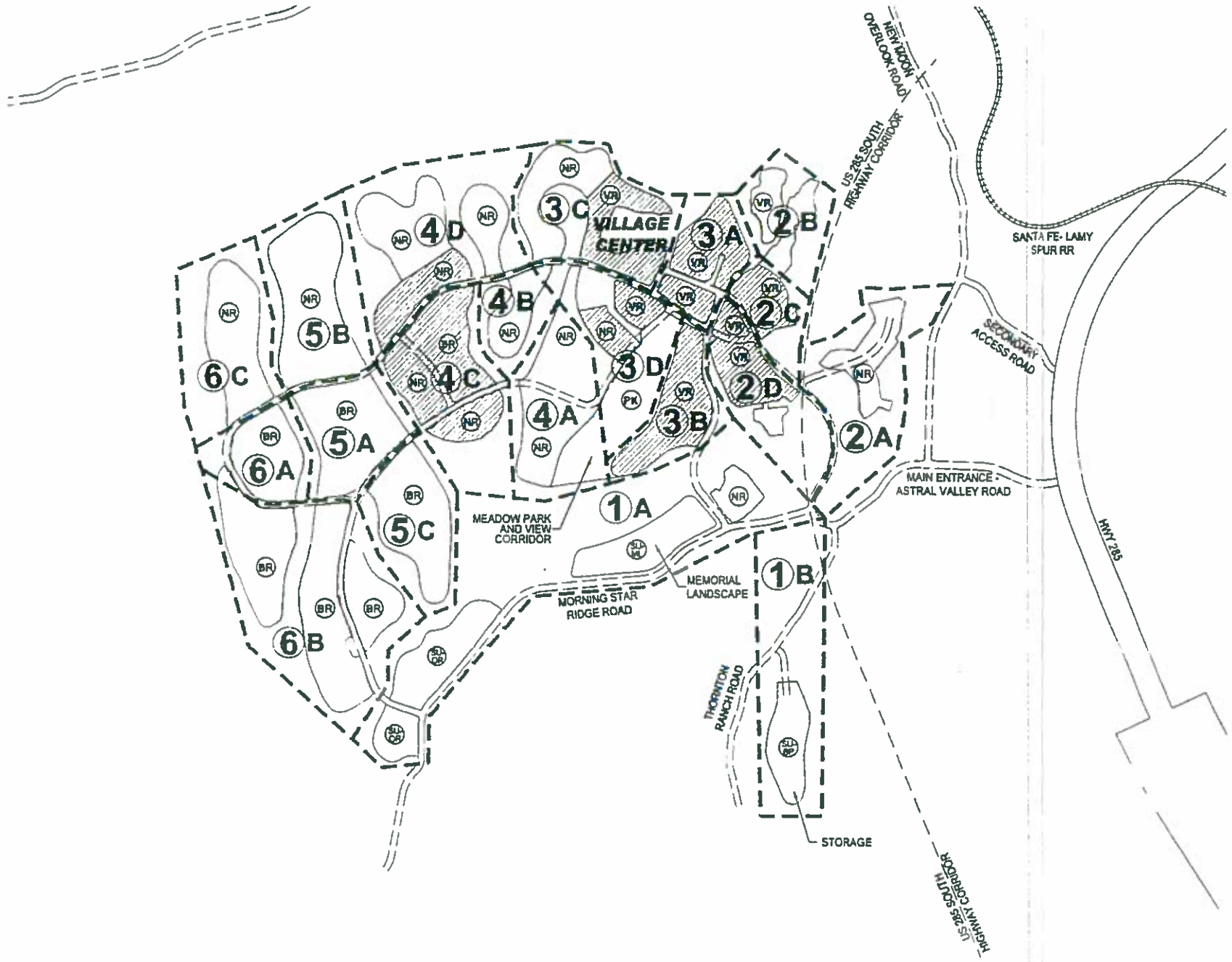
FIRE MARSHALL _____ DATE _____

LAND USE ADMINISTRATOR _____ DATE _____

THIS MASTER PLAN IS OF THE OWNER'S FREE CONSENT

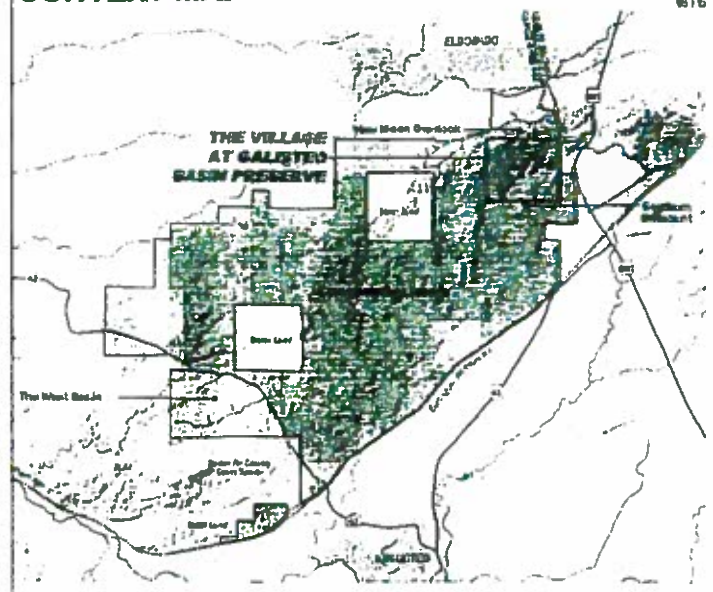
OWNER'S SIGNATURE _____ DATE _____

20



CONTEXT MAP

NTS



LEGEND

(DU/AC = Dwelling Units per acre)

- VR — Village Residential (10-25 DU/AC)
- NR — Neighborhood Residential (5-15 DU/AC)
- BR — Basin Residential (0-10 DU/AC)
- PK — Parks
- SU/CR — Special Use Zone Commercial Uses (former borrow pit)
- SU/RE — Special Use Zone Recreational Uses
- SU/MI — Special Use Zone Memorial Landscape
- Development Envelopes
- Mixed Use (eg. Cafe, General Store, Post Office, School)
- 1 — Phase I Development
- 2 — Phase II Development
- 3 — Phase III Development
- 4 — Phase IV Development
- 5 — Phase V Development
- 6 — Phase VI Development

1 THE VILLAGE (AKA "TRENZA") AT THE GALISTEO BASIN PRESERVE PHASING PLAN

N

0 250' 500' 1000' 2000' FT

Commonweal Conservancy
Conservation-Based Community Development
117 N. Guadalupe Street, Suite C
Santa Fe, New Mexico 87501
505.982.0071
www.commonwealconservancy.org

CommonwealConservancy

SiteWorkshop LLC
Landscape Architecture
222 Etruria St. Suite 206
Seattle, WA 98109
206.259.3026
www.siteworkshop.net

The Village at the Galisteo Basin Preserve
A Conservation-Based Community Development
Santa Fe, New Mexico

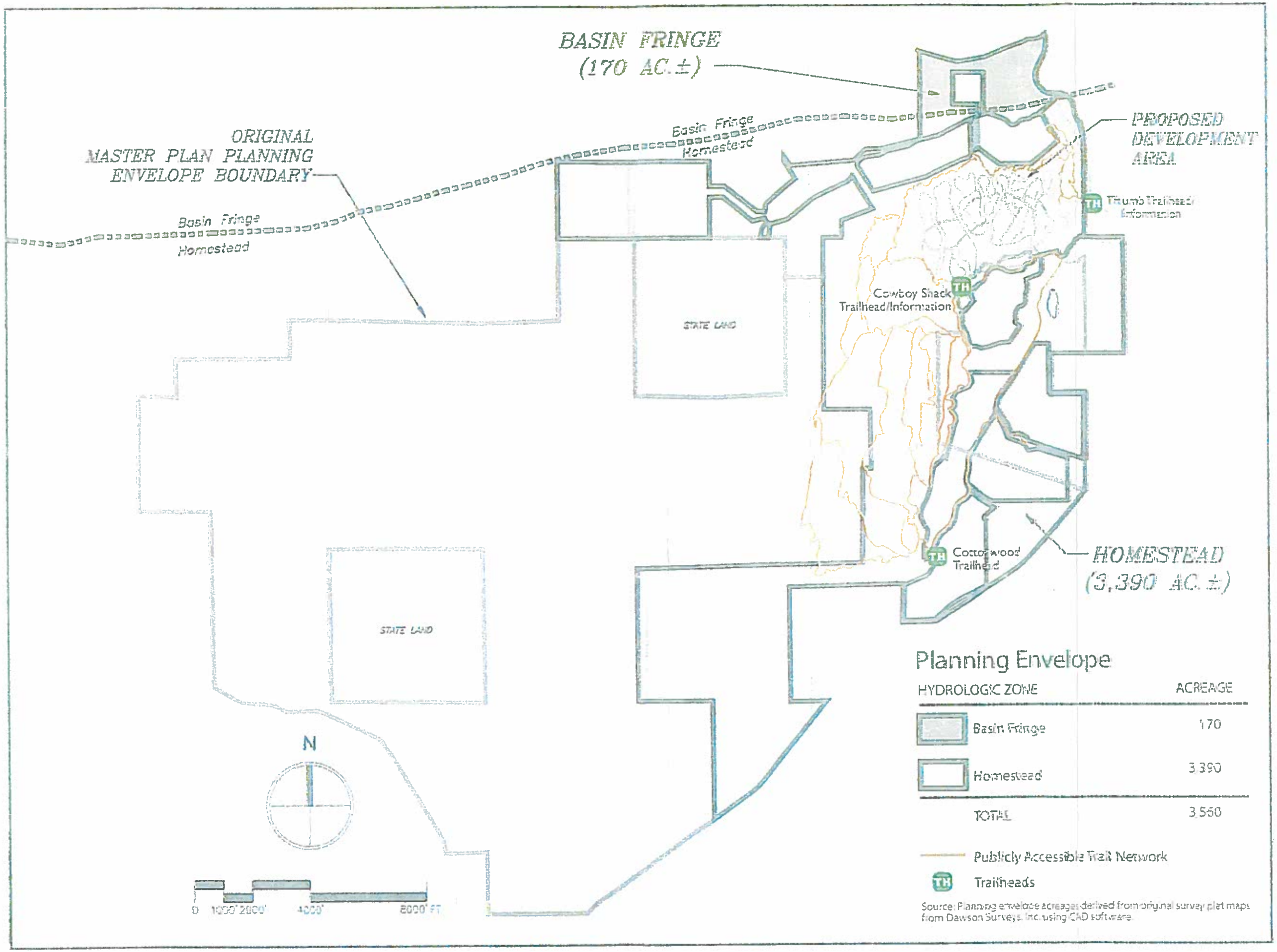
ISSUE DATE		
1	9/24/07	COUNTY PRELIMINARY REVIEW
2	12/19/07	PROGRESS PRINT
3	2/08/08	PRELIMINARY PLAT SUBMITTAL
4	3/30/09	REVISED
5	8/20/14	REVISED
NO.	DATE	DESCRIPTION

JOB NUMBER:	1094.1
DATE:	2/09/08
DESIGNED:	MB
CHECKED:	MB
DRAWN:	AO / SHE
SCALE:	

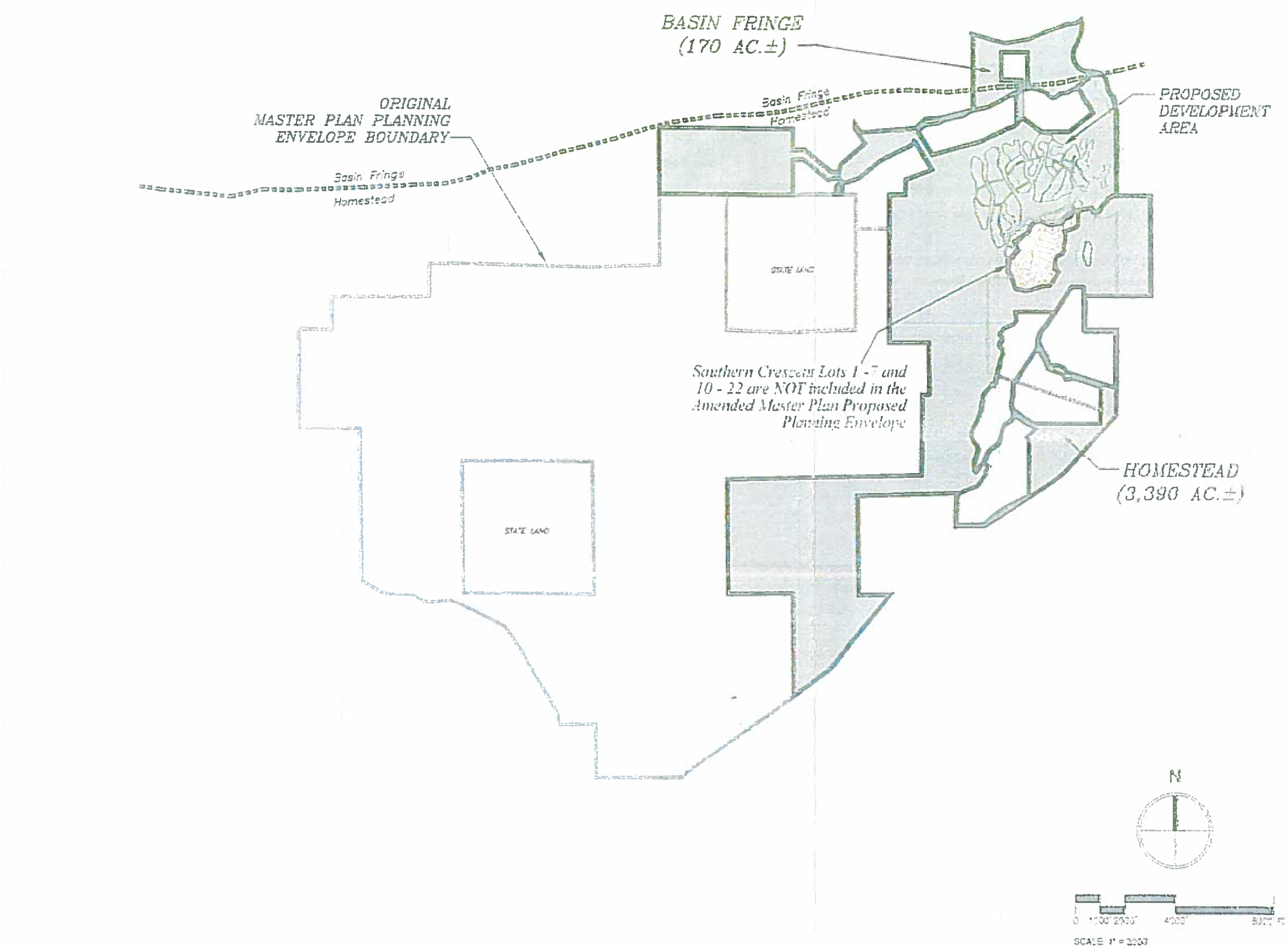
PHASING PLAN

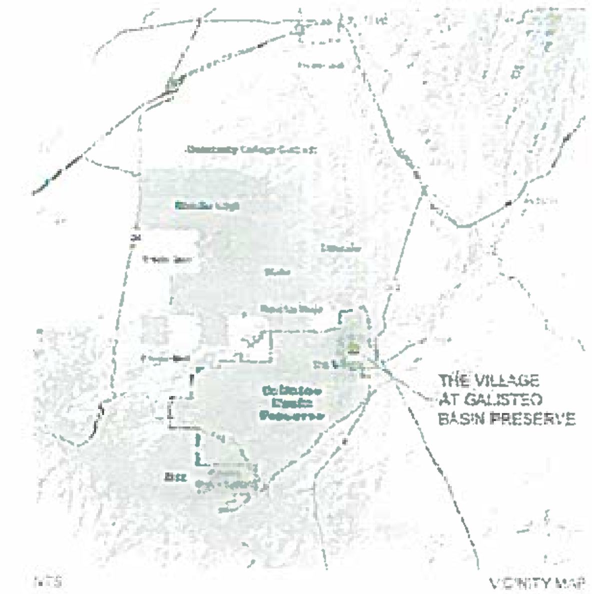
T1.06
21

PUBLICLY-ACCESSIBLE TRAIL NETWORK WITHIN THE VILLAGE (AKA "TRENZ") AT GALISTEO BASIN PRESERVE'S AMENDED MASTERPLAN PROPOSED PLANNING ENVELOPE



AMENDED MASTER PLAN PROPOSED PLANNING ENVELOPE FOR THE VILLAGE (AKA "TRENZA") AT GALISTEO BASIN PRESERVE





Planning Envelope

HYDROLOGIC ZONE	ACREAGE
Basin Fringe	170
Homestead	3390
TOTAL	3560

Commonweal Conservancy

Santa Fe, New Mexico

Z3

MEMORANDUM

DATE: August 25, 2014

TO: Vicente Archuleta, Development Review Team Leader
Vicki Lucero, Building and Development Services Manager

FROM: Robert Griego, Planning Manager

VIA: Penny Ellis-Green, Growth Management Director

FILE REF.: Village at Galisteo Basin Preserve "Trenza" Master Plan Amendment

---

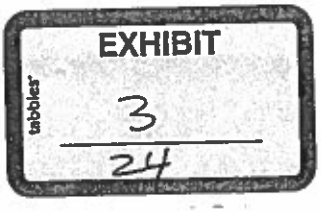
ISSUE:

Village at Galisteo Basin Preserve received Master Plan Approval in 2007 and received a Master Plan Amendment in 2009 on 10,360 acres for a mixed-use development consisting of 965 residential units and up to 150,000 sq. ft. of commercial, institutional, educational, and recreational land uses as well as open space, parks, and trails. The Master Plan established the development project within a 235 acre development area.

The project is now identified as "Trenza Master Plan". This project is proposing to reduce the approved Master Plan from 10,360 acres to 3,560 acres and reducing the total number of residential units from 965 to 450 units within the 235 acre development area.

Staff Analysis: .

1. The application to amend the master plan proposes to:
    a. reconfigure and reduce the area, (10,360 acres), to 3,560 acres.
    b. Develop 450 units and 88,500 sq ft of commercial/civic development within a 235 acre development envelop on the reconfigured/ reduced area of 3,560 acres. The residential gross density will be approximately 1 unit per 7 acres and the net residential density will be approx. 1 unit per .5 acres. Proposed densities within the development envelop range from 1 to 25 units per acre suggesting a variety of housing types and compact development.
2. The Proposed Master Plan Amendment would result in the remaining 6,800 acres of the existing Master Plan to be without a Master Plan. The remaining acreage without a Master Plan would revert to the underling hydrogic zones until such time as the SLDC Zoning Map is approved
3. Affordable Housing----The developer has not submitted an affordable housing plan.
4. The adopted master plan (2007) was not concurrently amended to accommodate residential subdivisions administratively approved in 2008-2009.



RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The Affordable Housing Plan will need to be approved as a condition for the Master Plan Amendment.
2. Any zoning request for the "remainder" areas should submitted as a separate application following zoning procedures, (master plan process if application is made under the 1996-10 or rezoning process if application is made under the SLDC – zoning assignments on the Zone Map Adoption Draft should not be the result of individual petitions).
3. Master Plan needs to address residential subdvisions administratively approved in 2008-2009.

September 16, 2014

To: Vicente Archuleta, Development Review Team Leader

From: Karen Torres, County Hydrologist

Re: CDRC Case # 06-5033 Village at Galisteo Basin Preserve (aka "Trenza") Master Plan Amendment.

The subject master plan amendment was reviewed for technical accuracy and compliance with the SFC Land Development Code. The applicant has met the code requirements for Master Plan. Additional submittals necessary for Preliminary and Final Development Plan are outlined in this conclusions of this memo.

Project Description

The applicant is requesting an amendment to existing master plan approved by the BCC in June of 2007. The amendment proposed a reduction in the original residential development from 965 to 450 dwelling units and a reduction in area designated as mixed use, commercial and civic land from 150,000 to 65,000 square feet. The development will be served by the creation of a new community water and sewer system. Phase I of this development includes 11 residential dwelling units, an 11 acre Memorial Landscape / Green Cemetery and a 10,000 square foot nursery /storage facility with an estimated water budget of 1.97 acre-feet.

Master Plan Requirements for Water

Article V, Section 5.2.2 g, Master Plan Procedures, as amended by Ordinance 2005-2, requires a master plan report to include the following:

1. A preliminary water supply plan and liquid waste disposal plan which identifies the source of water, water budget by phase and water conservation plan.
2. Submission of a water supply plan for the first sustainable phase of development, as required by Article VII, Section 6 of the Code. Water right permits are not required for master plan but sufficient written documentation that water rights are available for Phase I of the development is required.

Article VII, Section 6 – Phase I Only Water Supply Plan Requirements for Master Plan

Article VII, Section 6.2 entitled General Requirements and Submittals for a Water Supply Plan sets forth requirements based on the type and scale of the development. Table 7.4, entitled Required Code Sections for Water Supply, states subdivisions required to have community water systems as listed on Article V Section 9 Table 5.1, which applies to the subject development, is required to submit a water supply plan which consists of submittals compliant with the following code requirements:

1. *Article VII, Section* 6.2.2 entitled "Required Water Right Permits"
2. *Article VII, Section* 6.3 Community Water Systems
3. *Article VII,* Section 6.4.1 entitled "Requirements for Water Availability Assessments"
4. *Article VII,* Section 6.5 entitled "Water Quality"
5. *Article VII,* Section 6.6 entitled "Water Conservation"
6. *Article VII,* Section 6.7 entitled "Fire Protection"

Each code section will be addressed separately as to compliance for Phase I only. Subsequent phases will require a separate review by county staff.

Article VII, Section 6.2.2 entitled "Required Water Right Permits"

This article states for all subdivisions containing 20 or more parcels any one of which are 2 acres or less in size, the subdivider shall provide proof that the person providing water has a valid water right permit.

The Office of the State Engineer approved Permit No. SP-1121-N-A into RG-88989 et al on March 21st, 2014. This allows for the diversion of 5.0 acre-feet of water with a consumptive use of 2.1 acre-feet per year from one existing (Village Well No. 1) and three proposed wells. The Purpose of Use was approved for domestic, livestock, irrigation, municipal and commercial purposes and has a priority date of October 26, 1940. There are sufficient water rights permitted in well RG-88989 aka Village Well No. 1 to serve Phase I of this development.

This code requirement for water right permits has been met for Phase I of this development.

Article VII, Section 6.3: Water Supply Plan - Community Water Systems

This article states community water systems shall be required for subdivisions according to the number and size of lots as indicated in Article V Section 9.3, Table 5.1. From Table 5.1 developments that propose between 100+ lots between the size of less than 1 acre to 10.0 acres are required to have a community water and sewer system to serve the project. The code has specific requirements for submittals and review of community systems as follows:

Requirements for Community Water Systems under Article VII, Section 6.3.1

6.3.1a: When a community water system is required, the developer shall provide water from existing or proposed water supply systems for domestic use, fire protection, and any other use that the developer proposes.

6.3.1b: The developer shall provide for the completion of the proposed water supply systems, in accordance with applicable minimum design standards of the New Mexico Environment Department and the Construction Industries Division.

6.3.1c: The developer shall meet fire flow requirements set forth in Article VII Section 6.7.

6.3.1d: The developer shall provide sufficient potable water for full development of all properties within the proposed development.

6.3.1e: If the development is in a Traditional Community District, the community water system shall be designed to minimize the use of local water resources. The applicant shall obtain water rights as the State Engineer requires. The community water system shall be consistent with the Local Land Use and Utility Plan, if any.

6.3.1f: All distribution mains shall be a minimum of six inches in diameter

6.3.1g: It shall be noted on the final plat and plans and in the covenants and disclosure statement that the drilling or use of individual or shared wells is strictly prohibited.

6.3.1h: The developer shall meet all applicable requirements of the Public Utility Act Articles 1 through 6 and 8 through 13 of Chapter 62 NMSA 1978.

Submittals for Community Water Systems Article VII, Section 6.3.2

The applicant shall submit a water supply plan which demonstrates that the [water] system will comply with the requirements of Section 6.3.1 of Article VII. The water supply plan shall be prepared by or under the supervision of a professional engineer and shall include the following:

6.3.2a: Information showing the volume and peak rate of production of water required for each month to supply each use at full use of the development

6.3.2b: Plans and specifications for production or diversion, storage and distribution facilities and a time schedule for their completion, prepared by or under the supervision of a registered professional engineer.

6.3.2c: A legal description of the location of all construction easements and right-of-way necessary for the installation of the water supply system.

6.3.2d: Well plans indicating casing diameter, total depth, screened interval and proposed pump setting.

6.3.2e: An agreement providing for:

i. The construction and operation of the water supply system as shown in the plat documents and plans

ii. Collateral, in the form of a performance bond or other means, adequately assure the complete construction and operation of the system in accordance with design and time specifications.

iii. Certification of the operator of the system

iv. Involvement as prescribed in the plat documents of a Homeowner's Association, Mutual Domestic Association, or non-profit corporation for the purpose of operation and maintenance of the system.

6.3.2f: If the developer is within a declared basin, the applicant shall obtain a valid water right permit issued by the State Engineer pursuant to Section 6.2.2 of this section.

Though Article VII Section 6.3 code section is technically part of the submittal of a Water Supply Plan for Phase I of this development but it is recommended these items be addressed by the applicant at Preliminary and Final Development Plan approval.

Requirements for Water Availability Assessments - Article VII, Section 6.4.1

Article VII Section 6.4.1a states "For developments where the source of water will be a new community well and community water system permitted pursuant to Section 72-12-3 the applicant shall demonstrate a one hundred year supply and shall submit a geohydrologic report and other information in accordance with Article VII Section 6.4.2 or a reconnaissance water availability assessment in accordance with Section 6.4.6 if applicable."

Water Availability Assessments For New Community Wells and Community Water Systems - Article VII, Section 6.4.2,

Article VII, Section 6.4.2 states the applicant shall submit a water availability assessment, this is only required for the first sustainable phase of the development at Master Plan Level. Such an assessment includes the following:

6.4.2a - Geohydrologic Report Demonstration of Physical Water Overview

A comprehensive geohydrologic report entitled "Hydrologic Report for the Galisteo Basin Preserve, Santa Fe County, New Mexico September 2006" was initially submitted to demonstrate water availability. Portions of this report were subsequently amended 5 times to reflect new data and/or changes to the original master plan. Based on the June 8, 2007 letter by JS&A to Ted Harrison regarding results from drilling, construction, and testing an exploratory well full scale production well (Village Well #1) at the Galisteo Basin Preserve a production of 50 gpm and the drilling of three additional wells was recommended.

The applicant has met this requirement Article VII Section 6.4.2a for Phase I.

6.4.2b - Sufficient Exploratory Wells

For type II subdivisions, one exploratory well shall be made within the development.

The applicant has met this requirement Article VII Section 6.4.2b for Phase I.

6.4.2c – Calculated 100 year schedule of effects (Amended by Ordinance 2005 -2)

Calculations of 100 year drawdown were described in the June 8, 2007 letter by JS&A to Ted Harrison regarding the Village Well #1. It appears the OSE methodology was used based on the Morrison criteria not requirements of the SFC Land Development Code. Based on this method a sustainable production of 50 gpm for 100 years was estimated. Due to the small amount of water required for Phase I (1.97 acre-feet) of this development this method is acceptable but additional calculations of regional decline, drawdown on adjoining properties and submission of model runs for staff review is requested for subsequent phases.

The applicant has met the requirement of Article VII Section 6.4.2c for Phase I but submission of model runs used to determine the regional and long-term drawdown is requested for preliminary and final development of subsequent phases.

6.4.2d – Lowest Practical Pumping Level

This section of the code requires an additional 20% reduction of the total available water column calculated in the previous section. Since the 100 year schedule of effects could not be properly verified it cannot be determined at this point if this reduction will impact the proposed production rate of this well. This is not seen as an issue for Phase I of this development due to the low amount of water required but this code section should be addressed for subsequent phases of this development.

The applicant has met the requirement of Article VII Section 6.4.2d for Phase I but updated calculations of lowest practical pumping level is requested for preliminary and final development of subsequent phases.

6.4.2e – Contents of Geohydrologic Report

Based on the original submittal in 2006 and subsequent amendments this code requirement has been met.

6.4.2 f – Density Calculation pursuant to Article III Section 10.2.

On August 8, 2014 a letter to Vicki Lucero from JS&A revised previous calculations for water is storage to reflect the revised planning envelope. Through the drilling of the Village Well No. 1 (RG-88989) the applicant's consultant has used the Land Use Code water storage equation to estimate water in storage in an area called Aquifer A. A summary is as follows:

Water in Storage = Acres of Land (340) x Specific Yield (0.09) x Saturated Thickness (448) x Reliability Factor (1.0) x Recovery Factor (0.8) = 10,967 acre-feet

Availability is defined as storage (10,967 acre-feet)/ acres of land (340) x 100 years = 0.32 acre-foot per acre per year or 109.7 acre-feet per year for 100 years.

Based on this submittal, the applicant has demonstrated sufficient water availability in Aquifer A to serve the proposed development. Water from this area will be conveyed to the development area approximately two miles to the southwest of well RG-88989.

Article VII, Section 6.5 entitled "Water Quality"

Lab report dated May 4th 2007 for the Village Well No 1 shows exceedances for EPA Secondary Drinking Water Standards for fluoride, total dissolved solids, pH.

The applicant is required to disclose in the disclosure statement on water quality the name of the contaminant, the contaminant level, the EPA SMCL, the expected adverse effects and the recommended treatment method. This can be accomplished as part of the Final Development Plan for Phase I.

Article VII, Section 6.6 entitled "Water Conservation"

A water budget by phase for the entire development was submitted for review which describes the average residential usage as 0.16 and 0.17 acre-foot per year with 20 acre-feet designated for commercial development. At master plan level this summary water budget is acceptable but a better understanding of outdoor water usage will be required for preliminary and final development approval.

For Phase I a combination of storage / nursery facility is proposed and has an estimated water usage of 0.07 acre-foot per year. Further clarification of the nursery portion of this facility is requested for review as a part of the submission of the Phase I Preliminary Plat.

Article VII, Section 6.7 entitled "Fire Protection"

This section to be addressed by the County Fire Department.

Conclusions

The applicant has met the code requirements for Master Plan. Additional submittals necessary for Preliminary and Final Development Plan are as follows:

1. **Submission of necessary submittals for Article VII Section 6.3 code section for Phase I of this development with request for Preliminary and Final Development Plat approval.**

2. **The applicant has met the requirement for Article VII Section 6.4.2c for Phase I but submission of model runs used to determine the regional and long-term drawdown is requested for preliminary and final development of subsequent phases.**

3. **The applicant has met the requirement of Article VII Section 6.4.2d for Phase I but updated calculations of lowest practical pumping level is requested for preliminary and final development of subsequent phases.**

4. **The applicant is required to disclose in the disclosure statement on water quality the name of the contaminant, the contaminant level, the EPA SMCL, the expected adverse effects and the recommended treatment method. This can be accomplished as part of the Final Development Plan for Phase I.**

5. **Further clarification of the water demand for the nursery portion of the storage facility described in Phase I is requested for review as a part of the submission of the Phase I Preliminary Plat.**

If you have any questions, please feel free to call me at 992-9871 or email at ktorres@co.santa-fe.nm.us

Office of Affordable Housing
MEMORANDUM

DATE: October 24, 2014

TO: Vicente Archuleta, Development Review Team Leader

FROM: Steven Brugger, Affordable Housing Administrator

SUBJECT: Case# S 06-5033 Galisteo Basin Preserve (Trenza) Master Plan Amendment

---

Summary of Applicant's Affordable Housing Proposal

The Applicant's Affordable Housing Plan proposes to meet the 15% affordable housing requirement for this 450 unit development by building 68 affordable units, with 17 affordable units in each of the required four income tiers: 0-65% Area Median Income (AMI); 66%-80% AMI; 81%-100% AMI and 101%-120% AMI.

The Applicant's Affordable Housing Plan meets the requirements of the Affordable Housing Ordinances 2006-02 and 2012-1 and the Affordable Housing Regulations enabled by Resolution 2010-189 in terms of number and distribution of affordable units proposed, integration, phasing, marketing and sales, product mix, and minimum square footage requirements.

This Affordable Housing Plan is acceptable to the Affordable Housing Administrator and can be integrated into an affordable housing agreement that the Applicant must provide as part of its final plat and/or development application for the first development phase of this project.

Detailed staff comments, by issue area, are presented below along with staff findings highlighted in bold text.

Staff Comments

Number of Affordable Units: Applicant is required to provide 68 affordable units; this number is calculated by applying the 15% affordable housing requirement per Ordinance 2012-1 to this 450 unit project. **In the Affordable Housing Plan, the Applicant has proposed 68 affordable units which meets this requirement.**

Distribution of Affordable Units: Per the methodology of Section 3.1.2 of the Affordable Housing Regulations, the Applicant must provide 17 affordable units in Income Range 1 (0% to 65% of the Area Median Income); 17 affordable units in Income Range 2 (66% - 80% of the Area Median Income); 17 affordable units in Income Range 3 (81% - 100% of the Area Median Income) and 17 affordable units in Income Range 4 (101% to 120% of the Area Median Income). **In the Affordable Housing Plan, the Applicant meets this distribution requirement.**

Maximum Target Home Prices: The purchase prices to be paid by the affordable buyers for the units shall not exceed the Maximum Target Home Prices by housing type and Income Range, per the Affordable Housing Regulations. **The Applicant shall comply with this requirement as part of its Affordable Housing Agreement. In addition, the Applicant shall comply with Section 3.2.2 of the Affordable Housing Regulations which states that the Maximum Target Home Prices shall be adjusted downward if an HOA fee exceeds $100 per month, so that the affordable buyer's mortgage loan principal amount is reduced by the amount the monthly HOA fee exceeds $100.**

Minimum Bathrooms and Square Footage Requirements: Per Section 3.2.6.1 of the Affordable Housing Regulations, a two bedroom unit must have at least 1 bathroom and have a minimum of 1,000 square feet of heated space; a three bedroom unit must have at least 2 bathrooms and have a minimum of 1,150 square feet of heated space; and a four bedroom unit must have at least 2 bathrooms and have a minimum of 1,250 square feet of heated space. **In the Affordable Housing Plan, the Applicant meets the minimum square footage requirements. The Applicant shall comply with the minimum number of bathrooms, by housing type, as part of its Affordable Housing Agreement.**

Integration of Affordable Units: Per Section 3.2.6.4. of the Affordable Housing Regulations, affordable units shall be integrated with market units in the project and shall be compatible with market units in terms of architecture, exterior materials and landscaping. **In the Affordable Housing Plan, the Applicant has stated its intent to integrate affordable units with market units and to develop all units with consistent architecture, materials and landscaping. The final plat and/or development plan for the project and each of its phases must identify the lots that are designated as affordable units. This must be incorporated into the Affordable Housing Agreement.**

Mix of Unit Sizes and Types: Section 3.2.7 of the Affordable Housing Regulations prescribe an affordable housing mix of 50% 3 bedroom units, 25%, 2 bedroom units, and 25% 4 bedroom units, although the Affordable Housing Administrator may adjust the proposed mix, with BCC approval. **In the Affordable Housing Plan, the Applicant meets the prescribed mix of units. It is understood that this mix may not be uniform across each phase.**

Phasing of Affordable Home Construction: Section 4E of the Affordable Housing Ordinance 2006-02 states that affordable units must be developed and offered for sale in proportion to the number of market rate units which are developed and offered for sale. **In**

the Affordable Housing Plan, the Applicant has stated that each development phase will meet the 15% affordable housing requirement.

Affordable Housing Agreement: **An Affordable Housing Agreement must be prepared and submitted for consideration by the Board of County Commissioners along with the final plat and/or development plan for the project's first development phase.**

SANTA FE COUNTY
OPEN SPACE & TRAILS

MEMORANDUM

DATE: November 3, 2014

TO: Vicente Archuleta, Development Review Team Leader

FROM: Maria Lohmann, Open Space and Trails Planner
Planning Division, Growth Management Department

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

RE: **CASE #S 06-5033 Galisteo Basin Preserve ("Trenza") Master Plan amendment**

I have reviewed the case submittal for technical accuracy and for compliance with the Sustainable Growth Management Plan (SGMP), and I have the following comments:

Background/Summary

- The Trenza Master Plan envisioned development of a New Urbanist/ Traditional Neighborhood community of residential, commercial, educational and civic land uses. It is planned to include an extensive network of trails and open space. The master plan amendment included a parks, trails, and open space plan. This plan includes a robust network of trails, open spaces and parks "designed to cultivate a culture of environmental stewardship." This is consistent with SGMP open space and trails policies.
    - Policy 22.1: New open space and park facilities should be established to match demands of population growth and expansion.
    - Policy 22.2: Protect significant lands including: scenic vistas, environmentally sensitive areas (such as flood hazard areas, hillsides above 11% grade, areas accessible or adjacent to rivers, streams, creeks and springs, acequias, wildlife habitat or migration corridors) and areas of important native vegetation, archaeological, historic, agricultural areas, and ranch lands.
        - Strategy 22.2.1: Open Space that is preserved through clustering of development will be preferentially located on the most environmentally sensitive area of the site and should be interconnected with open space

on adjacent properties when possible.
    - Policy 22.5: Support partnerships with other governmental agencies, Pueblos, non-profits, non-governmental agencies and private interests to permanently protect open space, parks, trails, recreation area, environmentally sensitive and natural resource areas.
    - Policy 22.7: Establish an interconnected system of trails and parks, with regional trail and park connections for pedestrians, equestrians and cyclists.
    - Policy 22.12: Support community-based stewardship of open spaces, trails and public spaces.
- Additional documents provided by Commonweal Conservancy demonstrate the continued vision for the development.
    - The deed of conservation easement demonstrates a viable connection from Commonweal Conservancy property to County-owned Thornton Ranch Open Space along the Burlington Northern/ NM DOT rail easement.
    - A letter from Ted Harrison assures County staff that while the original plans have changed due to the recession, the new scheme is largely in conformance with the founding vision, in that more than 95% of the land will remain undeveloped and conservation easements will allow for publicly accessible trails.

Recommendations

- Staff recommends approval of the master plan amendment.

XV. A. 4. **BCC Case # MIS 06-5032 Trenza Time Extension. Commonweal Conservancy, Inc., Applicant, Ted Harrison, Agent, Request a 36-Month Time Extension of the Previously Approved Preliminary Plat and Development Plan for Phase I of the Trenza Development (aka the Village at Galisteo Basin Preserve) Which Consists of 131 Single-Family Resident Lots and Three Multi-Family Residential Lots for a Total of 149 Residential Units, and Five Non-Residential Lots within a 60 Acre Development Envelope within an Overall 10,000+ Acre Area. The Property is Located South of Eldorado, West of US 285, within Sections 1, 3-5, 7-15, 17, 20-24, and 27 within Township 14 North, Range 9 East; Sections 5-7, and 18 within Township 14 North, Range 10 East; Sections 25 and 34-36, within Township 15 North, Range 9 East; and Sections 30 and 31, within Township 15 North, Range 10 East (Commission District 3) Vicki Lucero, Case Manager**

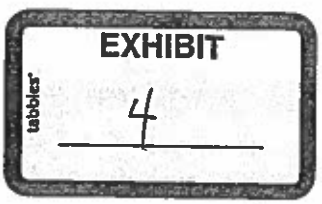
CHAIR VIGIL: Vicki Lucero, Case Planner, it's all yours.

VICKI LUCERO (Case Planner): Thank you, Madam Chair. On June 12, 2007 the BCC granted master plan zoning approval for a mixed-use development consisting of 965 residential units, 150,000 square feet of commercial, institutional, educational and recreational land uses, and open space, parks and trails on 10.316 acres.

On February 9, 2010 the BCC granted preliminary plat and development plan approval for Phase I of the referenced subdivision which consisted of 131 single-family residential lots and three multi-family residential lots for a total of 149 residential units and five non-residential lots within a 60-acre development envelope. This approval is set to expire on February 9, 2012.

Article V, Section 5.3.6 of the County Land Development Code states: "An approved or conditionally approved preliminary plat shall expire 24 months after its approval of conditional approval. Prior to the expiration of the preliminary plat the subdivider may request from the Board an extension of the preliminary plat for a period of time not exceeding 36 months.

The Applicants state that since the BCC's approval of the preliminary plat the national and local real estate market has suffered a devastating decline in valuation and demand. Residential development, especially master planned communities have been particularly hard hit. In an effort to protect their development approvals Commonweal is requesting a 36-month extension of its preliminary plat approval. During the extension period the applicant believes that the market for Trenza will have increasingly strong market appeal and financing. A 36-month time extension will allow Commonweal to prepare a master plan amendment and final plat application for Phase I before February of 2015.



Recommendation: There have been no major changes in the ordinances that govern this area since the time of the previous approvals for this development. Therefore County staff recommends the BCC grant an extension of the prior approval as requested by the Applicant.

Madam Chair, I just wanted to state for the record that staff has handed out a stack of letters of support for this project. *[Exhibit 5]* Thank you, Madam Chair.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to clarify a few things. First of all, today we passed a new ordinance, and Steve, could you clarify whether or not that new ordinance relates to this request?

MR. ROSS: Madam Chair, Commissioner Stefanics, it certainly could, because that ordinance provides for extensions of time just like this in the event of economic circumstance which by resolution we already declared exists. So yes, it could relate to that. There's been no application and there's no resolution under the ordinance to process pursuant to the ordinance, but it certainly is the same issue.

COMMISSIONER STEFANICS: So Madam Chair, Steve, could we actually make a determination tonight different than what's being requested to identify the issue of economic hardship or economic – yes, economic hardship and to grant a four-year extension?

MR. ROSS: Madam Chair, Commissioner Stefanics, we could not probably grant a four-year extension of a preliminary plat because only three years are authorized by the Subdivision Act but aside from that, yes.

CHAIR VIGIL: Steve, on that, doesn't an ordinance take effect 30 days after? Or could we actually approve this tonight?

MR. ROSS: I don't know that you could approve it on those grounds tonight, but you certainly could in 30 days, well before the expiration. And the other thing about the ordinance that was enacted today is it admits approvals to be reinstated, things that have already expired can be revived. That's the word I was looking for, even after they're expired, which is a departure from how we've handled these in the past.

CHAIR VIGIL: So, on that point, let me just finish my line of questioning. Is this case ripe for moving for moving forward with that? And naturally, we're trying to create a larger benefit for you in terms of extension, so don't – that's where we're going. Is it?

MR. ROSS: Well, you couldn't – what we'd need is an application from the developer and a resolution prepared consistent with the resolution and ordinance we passed today. So no, it wouldn't be – you wouldn't want to grant it on those grounds tonight, but you certainly could in 30 days.

CHAIR VIGIL: Okay. Go ahead. I was responding on the point she was giving. I'll give it to you and then you.

COMMISSIONER STEFANICS: So further clarification – thank you, Madam Chair, for your questions. Steve, we could in fact proceed with the request we

have in front of us and the project in the future could expire, and they could approach us again with an application for economic hardship.

MR. ROSS: Correct.

COMMISSIONER STEFANICS: Based upon what we passed today.

MR. ROSS: Correct.

COMMISSIONER STEFANICS: Thank you very much. Thank you, Madam Chair.

CHAIR VIGIL: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. My question was answered.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I was just going to say this request is before the expiration so it's completely different than what we talked about today because what we talked about today was when a plan expires. Right? Just for clarification.

CHAIR VIGIL: And I think wouldn't the applicant want to come to us before it expired?

COMMISSIONER ANAYA: Right. Right. That's what I'm clarifying, that they're just distinctly different because they haven't expired. I guess my other comment would be, along with what we talked about today in the previous discussion relative to expired plats, there could be other things that the Commission may want the applicant to consider as far as conditions now that might be different that what previously existed, right? We can do that, I guess is what I'm suggesting.

MS. LUCERO: Madam Chair, Commissioner Anaya, that's correct. I also wanted to mention that the applicants will have to come back to the BCC for their final plat approval. So you'll have another opportunity to see the project one more time before the first phase gets approved.

COMMISSIONER ANAYA: So Madam Chair, in our previous approval, and I think it was Commissioner Holian that brought it up. She brought up in a master plan that was claiming hardship, we could still look at the master plan and add conditions if we deemed appropriate, right?

MS. LUCERO: Madam Chair, Commissioner Anaya, and Mr. Ross can jump in and correct me if I'm wrong but it's my understanding that you can add additional conditions at this point if you so choose to as part of the master plan extension.

COMMISSIONER ANAYA: So, Madam Chair, this is a public hearing, right?

CHAIR VIGIL: Yes, it is.

COMMISSIONER ANAYA: So there's a lot of people here from Galisteo; I'd like to hear feedback from them and then I may have some more comments.

CHAIR VIGIL: Okay. Vicki, I think we're going to put you on hold for this. Is the applicant here? And would you like to address the Commission on anything. Good evening, Scott.

SCOTT HOEFT: Good evening.

[Duly sworn, Scott Hoeft testified as follows:]

MR. HOEFT: Scott Hoeft, Santa Fe Planning Group, 109 St. Francis, Santa Fe, 87505. Just a point of clarification. The reason why we're here tonight is because we were a little bit uncertain of the ordinance. So what we did was follow proper procedure. Before our case is expired in February of next year we've gone in with an extension, a three-year request. We do have master plan approval that dates back to 2007. We received preliminary plat approval roughly two years ago and that's why we're here this evening requesting an extension due to economic hardship reasons.

The point of clarification, before I turn it over is just simply when we went through this last time we did agree to a condition that you may or may not remember that this development will be subject to the Santa Fe County's Sustainable Development Plan and development code. So that's already one of our conditions. And then we will be back in front of you with a final development plan and plat when the project is ready to proceed. That's all I have for now.

CHAIR VIGIL: Thank you very much. This is a public hearing. Does anyone have questions for Scott?

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Scott. I just have a question about the water. What is the situation now with the water rights and so on?

MR. HOEFT: The applicant is still proceeding with the process of the water rights transfer to the well. It's still an ongoing process.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR VIGIL: This is a public process. Is anyone here to speak on behalf of this project? Anyone against? Okay. Please state your name and address for the record, and you need to be sworn in.

[Duly sworn, J.J. Milder testified as follows:]

J.J. MILDER: J.J. Milder, and I live in Galisteo on 52 West Basin Ridge, which is part of the West Basin Preserve, which is part of this larger Commonweal project. I want to speak in support of the extension. I think what you heard from the Galisteo representatives in terms of community values and principles, protecting open space, Commonweal and their plan is very consistent and one of the things that I recognize, and I've worked with Commonweal along with my husband for almost seven years from the time that we bought the land to now our building our permanent residence is that it's an organization with Ted Harrison's leadership of high integrity, very forthright, and I think does a tremendous job of balancing the economic potential gain for the ranching family, recognizing it's almost 17,000 acres of ranch land, and for them to realize their asset value, but balancing the realization of that value with a community and a program that ultimately avails the vast majority of the land to everyone, whether it's trails, what have you, with the recognition of preserving the open space providing low income housing, creating a community all the time, protecting the visual sight lines.

So I'm very much in support. I think that through the many years and the work of this project that Ted and his team have been very forthright, very conscientious and thorough in their research and communication, obviously water is a concern, and I think there are many other potential projects that might come down the pike where Galisteo and the viewscapes are concerned that would be very disturbing. So I just hope that you'll extend.

COMMISSIONER STEFANICS: Thank you very much. This is a public hearing. Is there anyone else that would like to speak in favor of or against? How many people would like to speak? We should swear everybody in at once. Okay, would you all please stand and come forward and our recorder will swear everybody in at once.

[Those wishing to speak were placed under oath.]

[Duly sworn, Fred Milder testified as follows:]

FRED MILDER: Commissioners, I am Fred Milder. I'm the other half of the woman that you just heard speak to you, and I would also like to very strongly support the extension. We were actually the first people to buy land from Commonweal as part of the beginning of their development and ever since that time back in 2005 I believe it was they have done nothing but continue to support what we all value – the viewshed, the open space. They've committed land to hiking trails and equestrian trails in conjunction with their work and the Santa Fe Conservation Trust. They had land eventually bought by the County to help preserve Petroglyph Hill, which is over in our area.

The water testing again and again and again, so basically, I think they share all of our concerns and all of our values and they've done nothing but support those things in their continued development and their continued planning. It's a shame that it hasn't gone faster but such are the economic conditions of today, and I would just support the extension.

COMMISSIONER STEFANICS: Thank you. Next speaker please.

[Previously sworn, Muriel Fariello testified as follows:]

MUREIL FARIELLO: My name is Muriel Fariello. I'm the vice president of the Galisteo Community Association. I'm the secretary-treasurer for the Ranchitos de Galisteo Water Users Association. What I'm here for is not so much to say, don't do this extension but originally when this plan was approved the Commonweal, Ted Harrison, had gotten approval for the Buckman project to provide water for them and I wanted to know what the status of that is. Rather than drill wells up there and pump water down that could affect Galisteo.

COMMISSIONER STEFANICS: Speaking on behalf of the Commission no conditions have changed. So the conditions that were put in place on Commonweal are still in place. Okay? Next person please. There were two more.

[Previously sworn, Rod Hall testified as follows:]

ROD HALL: My name is Rod Hall. I'm the president of the Galisteo Water Association. I have two points. When the original approval happened discussion about water was cut off because the County promised to supply the development with water. We are currently before the State Engineer. A hearing has been stayed over

technicalities. We're going into mediation Thursday, but we're still arguing about the transfer of water rights, questionable water rights from downstream to upstream. If I remember right, the conditions or the situation that originally happened when you guys approved this was that they would be on County water and not be pumping water out of an area that already has major problems.

One other point that doesn't concern water. I believe there was a condition that was pub on the project to change the name and I think they agreed to drop the Galisteo part of the name. From what we've seen they've got a brand new sign that's got Galisteo Basin Preserve.

COMMISSIONER STEFANICS: We'll ask about that in a minute.

MR. HALL: Okay. Thank you.

COMMISSIONER STEFANICS: Great. Thank you. Lucy, I think you're the last person.

[Previously sworn, Lucy Lippard testified as follows:]

LUCY LIPPARD: I'm not going to get into the technicalities but I was on a committee for a couple of years that was dealing with Commonweal in terms of the water and the dangers to Galisteo, and I have never seen a developer bend over backwards to accommodate a village. We thought we had an agreement. A friend of mine that works for the OSE said he'd never heard of a developer having an agreement like that with a community. It gone done in eventually by people who didn't agree. But I just wanted to say that we are all concerned with the water. There's no question. But we couldn't have – we can't be working with a better person to be dealing with it. And I also have to say thank you for the trails, for the open space. It's fantastic. I know a lot of friends of mine spend a lot of time there and so do I. Thank you.

COMMISSIONER STEFANICS: Great. Thank you very much. Now, before I go to the developer, is there anyone else from the community or anybody else in the public who would like to speak for or against. Okay. The public hearing is not closed but what we have had is a question about one of the conditions about changing the name of the project. Could somebody address that?

[Duly sworn, Ted Harrison testified as follows:]

TED HARRISON: Ted Harrison, and my address is 117 North Guadalupe Street, Santa Fe. Madam Chair, members of the Commission, I am the founder and president of Commonweal Conservancy, which is the developer, a word that I still kind of choke on a bit. In terms of the name change, we did change the name of the community which I know was a concern, Commissioner Anaya, of your brother, who was very worried that there would be confusion by using the name as we had in our master plan approval of the Village at the Galisteo Basin Preserve. So the name was changed to Trenza, which means braid, which is an attempt to speak to the many threads of ambition and purpose that are a part of this project. It actually wasn't a condition to change the name of the entire landscape, which we were hoping was celebrating and recognizing the watershed that we're a part of and to attach the very substantial and purposeful label preserve speaks to the many thousands and thousands of acres that are part of the open space that is a driving force of this project.

So Galisteo Basin Preserve is considered the name and it is signed this way for the larger property, the 13,000 acres, but the village is now known as Trenza. And I think it's part of our application.

COMMISSIONER STEFANICS: Yes. Thank you very much. The public hearing part of this is now closed and we're now to the Commission for questions or comments.

CHAIR VIGIL: Questions or comments? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I want to make sure I completely understand the perspectives. So Muriel, if I could ask you to come back up first. You said you have some concerns about water but you're not necessarily opposed to the project? Can you clarify what that means for me?

MS. FARIELLO: Well, I'm not in favor of the entire project, because that's 2,000 houses or whatever. I don't know how many houses in the end to Phase III. But I'm in favor of their extension on the basis of the original condition. They waved that paper saying that the County is ready, willing and able to provide water to Commonweal through the Buckman project.

COMMISSIONER ANAYA: We're going to get to that. But you're in support of the master plan?

MS. FARIELLO: I would be in support of it. I'm told here tonight that it will come under the Sustainable Growth Development Plan rules and regulations and that's fine with me.

COMMISSIONER ANAYA: I got you. Thanks, Muriel. And then Lucy, if you could come forward. I think I understood you to raise some concerns about water but it sounds like you were supportive of the project overall, or did I miss that?

MS. LIPPARD: Yes, I am supportive of the project overall, by all means. And I know water is always going to be a problem and I hope this gets solved to all our benefits.

COMMISSIONER ANAYA: Okay. And then Rod Hall, Mr. Hall, you commented that you have vast concerns probably about the project overall at any level. Is that appropriate? And also I guess another question for you is did the mutual domestic board take any action associated with this project previously or currently? Or are you speaking as an individual?

MR. HALL: The only action the water association took was to file a protest concerning the water transfer from downstream to upstream.

COMMISSIONER ANAYA: On the Phase I is my understanding?

MR. HALL: Yes, well, their request was for a transfer of 28.5 acre-feet of water, and that's what we filed the protest with the State Engineer.

CCOMMISSIONER ANAYA: Okay. And thanks, Mr. Hall. Appreciate that. So the applicant and staff, it's my understanding that there was no commitment of the County or condition on the water with Phase I, that they had adequate water. Am I wrong or could you clarify that for me? Thanks, Rod. I appreciate it.

MS. LUCERO: Madam Chair, Commissioner Anaya, Phase I was approved on the basis that the applicant would utilize a couple of onsite wells and establish their own community water system. There was a condition though that would

require them to connect to the County system prior to preliminary plat approval of Phases II through VI. So Phase I was approved based on them utilizing a couple of onsite wells as their own community water system.

COMMISSIONER ANAYA: Okay. So is everybody clear with that? I think what Mr. Hall brought up is they're contesting the transfer of rights for that particular well but that Phase I was never required as a condition to be part of the County system. Is that right?

MS. LUCERO: That was correct. Yes.

COMMISSIONER ANAYA: And how many acre-feet are we talking about for the first phase?

SHELLEY COBAU (Building & Development Services): Madam Chair, Commissioner Anaya, 27.9 acre-feet. Rod, if I remember correctly, the Village of Galisteo gets 26 feet, or do you get more now? Twenty-six acre-feet for the traditional community system, or 42 ½. Okay. What are we utilizing right now in Galisteo, of that allocation that we have? We're not using all 42 ½. Thirty?

MR. HALL: It's between 20 and 30.

COMMISSIONER ANAYA: And I could restate it. There's 42 usable acre-feet within the Galisteo – not Ranchitos, right? We're just talking the traditional community. And we utilize somewhere in the range between 20 and 30 acre-feet annually, but they're still allocated hook-ups; they're not connected. Right? As of yet.

So understanding that this was a previous approval that was made by a prior Commission I can say that there is a concern associated with the aquifer at any time. It doesn't mean that I'm opposed to any project in the community but that we also – we need to be cognizant of what we have as allocated water, especially in a long-standing traditional community and what we're using and what we still have available yet to use. Because we don't know how long we're going to have it if at all. So I think that's a valid point. Was there one other item? Is everybody on the same page still? We're talking about extension of a master plan. We're talking about water that's allocated to a community system only in Phase I and subsequent phases would then have to be connected to a County system.

CHAIR VIGIL: Okay. Any further questions? Has the public hearing been closed?

COMMISSIONER STEFANICS: Yes.

CHAIR VIGIL: Okay. What's the pleasure of the Commission?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: As I understand it, aside from the legal issue associated with what you're doing with the State Engineer which is out of the auspices of the County, are there any other considerations that the applicant would have or any other proposed amendments that could bring some of the separation closer together maybe with some of the concerns that are raised today? Do you have any thoughts? We essentially heard – the majority of what the feedback I heard was there supportive of the project generally. There's still the concern associated with water that Mr. Hall has articulated and I think all of them articulated but generally there seems to be acceptance of the project.

In the spirit of coordination or additional cohesiveness between the two entities is there anything you would suggest, or thoughts, Mr. Harrison, that you might have?

MR. HOEFT: Commissioner, one thing that we could monitor is just simply the development of the County water line into this area and again, we don't want to make any commitments because we don't know the timing, but if we're out now a couple of years in terms of our development and when we're going to be submitting for final plat and development plan we may be able to catch up to that line at some point. And so that's one action that we need to kind of be monitoring. And I know that the County Public Works Department is beginning to proceed with the design and development of that line. And so that's something that could possibly come together. And I think that we can address that by the time we get to final development plan and plat, when we actually come back in front of this board a couple of years from now, we could kind of see where the development of that line is at.

COMMISSIONER ANAYA: Okay. I appreciate that. I'm going to ask if I could, Madam Chair, a question, and I'd like to hear from some of the residents in Galisteo. Not just this development but the other development that was approved, the Saddleback Ranch development that was approved by the County. I participated in the discussions as an observer. I wasn't sitting in this chair that I'm sitting in now. And I understand the frustration and heard the issues associated with Saddleback and even some of the concerns articulated with this going back, as far as frustrations.

My question – because I've been getting some different feedback now, and I want to be explicit and clear and I want to hear it from some of the folks that are in this room. In the deliberations on those subdivisions I heard again and again and again that if there was a connection to County water, and if there was a way for projects like that to offset the groundwater that we're pulling out of the aquifer through another source, I heard in those meetings and I'd be happy to go and pull those meetings and pull the exact minutes and when things like that were articulated. I heard that that would be a good thing.

And I'm hearing now from staff that there was a condition and the Village residents are bringing up now that if they hook up to the County water system that that's a good thing. Well, in recent weeks and from some of you in the audience today, tonight, I haven't received that feedback. I've received feedback that's saying what are you doing extending the County water line? I've received that feedback. Why'd you do that? Which goes completely contrary to the feedback that was heard at the Board of County Commissioners and some of the deliberations for the project. So if you don't feel comfortable doing it today and Roger and Anna, maybe this is something you guys can have discussions about as a community later and then bring them back, I'm hearing the opposite now.

And with all due respect, I think we need to vet that discussion and we need to have that discussion, because before it was bringing the County water in and the County is extending a line to the village of Cañoncito because they're in dire need of that line, and I've expressed it in writing and verbally that I believe – I wasn't on the Commission when they did it and it was a bond issue that did it, but I'm supportive that that village of Cañoncito is going to have access to viable water and a water source. And I believe I articulated that to several of you in this room.

But now I'm hearing – I'm getting mixed messages. I'm hearing that no, wait a minute. We don't really want the water line. So I think we're going to have a water summit and we're going to have discussions and they're going to get complex but that strikes to the core of some of what I'm hearing tonight and I think those are tough things I'd like to work with you and learn more about because I'm getting mixed messages. And so as this development goes, like I said, I can't get involved in the State Engineer's issues or the item that you brought up, Mr. Hall, that you've raised concern about. You're in a legal process of mediation to resolve that but at the same time I think we need to be careful how we utilize our water and where we utilize it, but I also think we can't hold everyone hostage associated with prior approvals or be inconsistent with our decisions and allow one area to have an extension of master plan and then turn around five minutes later and disallow one.

So I think it's complex; it's not simple. But I'm publicly letting you know some of the feedback that I'm getting and asking you as a community to help me better understand where is the community, relative to a County water system and moving closer and closer into the outlying areas of the county. And where does the County and those communities fit associated with their acceptance or approval. Because on the one hand I hear that there was a commitment by the County to put water there, but then I get an email that says, hey, we don't want the County system at all. So I want to know. I wasn't a part of all those determinations, but I want to know and have all the information so that I can work through it and understand it as best I can before I render any decision.

CHAIR VIGIL: I think the benefit of this community, Commissioner Anaya, I mean this particular project is we're here tonight only for an extension request. And we can add conditions of approval and what you've requested, the input you're looking for between the time that we actually approved this project would probably be at a monitoring state of the utilities system and the response from the community that you'll be able to have more information, but for tonight we're just approving an extension and I think it would be great maybe your constituency services could coordinate some information gathering to get from the community and we'll be better informed if in fact another condition of approval has to be there we'll still have the opportunity. So with that, I think we're ready to move on this. What is the pleasure of the Commission on this particular – Commissioner Stefanics.

COMMISSIONER STEFANICS: I am going to move approval of BCC Case MIS 06-5032, Trenza Time Extension, and it is for the period of 36 months extension with no changes of conditions. It's also understood they have to come forward for final plat approval.

CHAIR VIGIL: I have a motion.

COMMISSIONER HOLIAN: I will second that.

CHAIR VIGIL: Do you have a question or comment?

CCOMMISSIONER ANAYA: Madam Chair, I would ask that for what I would call a friendly amendment to that. I don't know what other conversations have been held on an ongoing basis with the community but as the applicant, if the extension is granted and as the applicant continues to go forward towards preliminary and final, which gets into the specifics of all the aspects in the development, if they would commit to

meeting with the Village on a regular basis through that process to keep them abreast of what's going on and to seek some input. Would you be acceptable to doing that?

MR. HOEFT: Yes, Commissioner.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I just want to make a couple of comments. First of all I want to note that this development has already agreed that they will comply with the new code if it comes into existence before the development begins and I think that that answers a lot of concerns. And also I want to note they also have agreed that even if – it sounds like even on Phase I at the time that they're going for final plat approval they will consider if it looks feasible to hook into County water that they would even consider at least look at that as a possibility at that time. And I would certainly strongly urge them to do that at that time, if it looks like it's feasible. In other words if we have a pipeline nearby and in time for their development and so on. And also, I would like to also note that that is just Phase I and this is just preliminary plat approval. There still has to be final plat approval.

COMMISSIONER ANAYA: Madam Chair, on the previous point.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, Commissioner Holian, so you're talking about Phase II and subsequent phases, it's a condition that they absolutely would have to connect to the County system, right? So, Commissioner Holian, are you referring to Phase II and III and potentially even including Phase I in that hook-up?

COMMISSIONER HOLIAN: Well, Scott Hoeft indicated that if at the time they were starting in on Phase I, even at that time if we had a County water supply line near they would consider hooking into County water even at that time. That's my understanding.

COMMISSIONER ANAYA: Is that your understanding, Scott?

MR. HOEFT: Just to clarify here. We're out several years in terms of being able to come back for final development plan. As we're coming back we'll check with Public Works Department and Pego to see where they're at with the development of that line. Right now our condition states that we're permitted to do onsite wells in the 28 acre-feet that was referenced early in the OSE approval. At the time, however, when we get back again we will check and see the status and see where the water line is at. Yes, Commissioner.

CCOMMISSIONER ANAYA: Madam Chair, Commissioner Stefanics, would you accept that as a friendly amendment?

COMMISSIONER STEFANICS: Madam Chair, I have no objection to the amendment. I believe though that that has been the tenor of this particular developer all along. Does the developer have any problems with it? I don't have any problems with it but that's what they've been doing all along. In fact they probably can document many, many meetings, the community as well as the developer.

CHAIR VIGIL: Okay, we have a motion with an amendment that the developer will stay in communication with the community to gain further insights as we create the best outcome for resource sharing of water, which is the goal here. And there is a second.

The motion passed by unanimous [4-0] voice vote.

CHAIR VIGIL: Thank you, gentlemen, for being here. Thank you all for testifying.

XV. A. 5. **CDRC Case # V 11-5270 Cuatro Villas Mutual Domestic Water Users Associations. Cuatro Villas Mutual Domestic Water Users Association, Applicant, Kari Edenfield (Souder, Miller and Associates), Agent, Request a Variance, of Article III, Section 4.4.4.C Development and Design Standards, to Allow a Proposed Water Storage Tank to Exceed the Maximum Permitted Height of Thirty-Six Feet. The Project is Located at 51 Placita Road, within Section 4, Township 20 North, Range 9 East (Commission District 1) Jose E. Larrañaga, Case Manager**

MR. LARRAÑAGA: Thank you, Madam Chair. On October 20, 2011, the County Development Review Committee met and acted on this case, the decision of the CDRC was to recommend approval of CDRC CASE # V 11-5270, Cuatro Villas Mutual Domestic Water Users Association.

The Cuatro Villas Mutual Domestic Water Users Association is a nonprofit community organization established under the New Mexico Sanitary Projects Act. The mission of Cuatro Villas MDWUA is to provide safe, reliable drinking water to the communities of La Puebla, Sombrillo, Cuarteles and El Valle de Arroyo Seco.

On May 24, 2011, the Board of County Commissioners approved a request for a Grant of Right of Way, to the Cuatro Villas Mutual Domestic Water Users Association, for the purpose of installing two 500,000-gallon concrete water storage tanks and distribution infrastructure on the site known as La Puebla Park located at 51 Placita Road.

An Administrative review of the site for placement of a five hundred thousand (500,000) gallon concrete water storage tank and distribution infrastructure is currently being processed by Building and Development Services. The development will encompass approximately 0.74 acres within the site. The tank will have an exposed height of 47 feet with eight feet compromising the dome roof. The north side of the tank will be partially buried and have an exposed height of 31 feet . Approval of this development is pending resolution of the proposed height of the tank and technical review by the Utility Department.

The Applicant requests a variance of Article III, Section 4.4.4.c, Development and Design Standards of the Land Development Code, to allow a 500,000-gallon concrete water storage tank to exceed the maximum permitted height of 36 feet. The Applicant states: "The proposed elevation of the tank is needed to provide the optimal elevations for providing the required pressure for the water system. The site was selected for its centralized location within the Cuatro Villas service area and site elevations to provide the gravity flow needed for the system".

XIV. A. 6. **CDRC Case # S 06-5031 the Village at Galisteo Basin Preserve Preliminary Plat/Development Plan. Commonweal Conservancy Inc., Applicant, Ted Harrison, Agent Request Preliminary Plat and Development Plan Approval for Phase 1 of the Village at Galisteo Basin Preserve Which Will Consist of 131 Single-Family Residential Lots, 3 Multi-Family Residential Lots for a Total of 149 Residential Units, and 5 Non-Residential Lots Within a 60-Acre Development Envelope within an Overall 10,000+Acre Area. The Request Also Includes the Following Variances of the County Land Development Code: 1) to Allow Driveway Locations to Be Closer than 100 Feet From Intersections; 2) to Allow Slopes of Up to 5% within 50 Feet of an Intersection Rather Than Required 3% or Less Within 100 Feet of an Intersection; 3) to Allow Driving Lanes for Minor Arterial Roads and Local Sub-Collector Roads to Be Reduced to A Width of Less Than 12 Feet; 4) to Reduce the Required R-O-W Width From 50 Feet to 32 Feet for Local Sub-Collector Roads and 25 Feet for Local Lane Roadways; 5) to Allow a Cul-de-Sac Length of 900 Feet; 6) to Allow Commercial and Residential Building Heights of Up to 30 Feet in Certain Areas (Commission District 3) Vicki Lucero, Case Manager**

MS. LUCERO: Thank you, Mr. Chair. On September 8, 2009, the BCC tabled this case and directed the applicant to submit a new market analysis, to provide more data regarding water availability for the entire development, and to work with the communities of Galisteo, Eldorado, Lamy, Cañoncito, and the Eldorado Area Water and Sanitation District. The applicant has submitted documentation regarding the meetings they have held with these communities and entities. However, as of the time this information was submitted they had not met with the community of Cañoncito. And I believe the applicant had a meeting scheduled last week which got cancelled due to the weather but they have spoken to at least one person within that community and they can expand on that further during their presentation.

The applicant did submit a revised market analysis. Staff's review comments on the market analysis are attached in Exhibit D. The applicant submitted a letter to the County Utilities requesting water service for phases 2 through 5 of the proposed development in order to address the long-term water availability issues as directed by the BCC at the September meeting. The Utilities Department has issued a ready-willing-and-able letter to provide water to the development subject to several conditions. And that letter is referenced in Exhibit L.

Staff believes that a change in water supply from a private system to the County Utility would require a master plan amendment and this should be done prior to the Board taking action on the preliminary plat for phases 2 through 5. Staff also believes this change could have an impact on the design of the water system that should be taken into account. This may required revised plans to be submitted for review

EXHIBIT
5

On June 18, 2009 the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of this request. The request that was presented to the CDRC included a variance to allow cul-de-sacs greater than 500 feet in length. Article V, Section 8.2.1.d of the Land Development Code states that cul-de-sacs shall not be longer than 500 feet. However, in low density residential areas the lengths of cul-de-sacs may be adjusted by the CDRC with the changes consistent with public safety factors. The CDRC approved the cul-de-sac lengths. After several meetings with the applicants regarding the specific issue staff has determined that a variance for the length of cul-de-sac is not needed.

The Land Use Administrator has prepared a statement that I would like to read into the record. "The Village at Galisteo Preserve has presented numerous challenges for the Land Use Development Review staff and other department staff members. The success of the project depends on a number of new planning and development techniques that are not yet in full play in Santa Fe County. The ideas of clustered, mixed-use development patterns, community-based affordable housing, new road configurations, green building, watershed management and restoration, agriculture and open space protection, alternative energy development and localized economic development initiatives are basic growth management principles that were originally considered and outlined in the Santa Fe County 1999 Growth Management Plan.

"Many of these were implemented in the creation of the Community College District and the subsequent adoption of Ordinance No. 2000-12, an ordinance providing for land use and zoning regulations for that district. At this moment, however, those adopted principles apply only to the Community College District and not to the County in general. The Village at Galisteo Basin Preserve has to be reviewed under the existing rules and regulations that apply specifically to it and not to the Community College District. In addition, this has created a more difficult situation for Land Use staff as they fully understand that as part of the development of a new sustainable land use plan and code many of our older and ineffective growth management strategies and techniques are being reconsidered and new rules and regulations are being proposed. Consequently, a number of issues presented by the Village at Galisteo Basin Preserve are variances to our existing codes and must be presented as such, as that is what they are, variances to existing rules and regulations.

"In the majority of the land use cases that we review in our department we do not support variances but present them to the governing body for final consideration and determination. In this case we present the detailed issues of the variances but suggest that in relation to or in comparison with the Community College District ordinance, and in consideration of proposed new growth management techniques and regulations most of these variances might well be in compliance with future rules and regulations. Furthermore, since the last Board of County Commission meeting County Land Use, Public Works and Fire staff have met with the applicant's staff and gone over each variance in more detail to determine in comparison with the CCD regulations and currently proposed new ideas if any of their proposed variances present an immediate threat to health and safety concerns that we might have.

"At this point in the deliberation of this project and in the consideration of our new sustainable land development plan and code it is the opinion of the Land Use Administrator that

these project variances do not pose any threats to health, safety and welfare concerns, and most of them may in fact not be variances under the proposed new plan and code. We hope that you will review these variances in that same context."

Staff recommendation: Article II, Section 3 states that the Development Review Committee may recommend to the Board and the Board may vary, modify, or waive the requirement of the Code, and upon adequate proof that compliance with Code provisions at issue will result in an arbitrary and unreasonable taking of property, or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. The applicant is requesting a variance of allowable building height and several variances having to do with road construction design standards. They are requesting to reduce right-of-way widths, reduce driving surface width, increase roadways at the approach to intersections, and reduce spacing between intersections.

The County Land Development Code states, "The arrangement, character, extent, width, grade and location of all roads shall be considered in relation to convenience and safety and to the proposed use of land to be served by such roads."

Self-sustaining, clustered mixed-use developments such as the Village at Galisteo Basin Preserve are not categorized differently or regulated differently than typical residential, commercial or mixed-use developments under the County Land Development Code. The only regulations that apply specifically to this type of development are found in the Community College District Ordinance. The applicant has somewhat designed this project based on the purpose, principles and guidelines of the Community College District Ordinance. Although staff recognizes that the design standards and regulations of the CCDO are more appropriate standards for this development to follow, staff cannot recommend approval of the variances requested because this development does not fall within the jurisdiction of the Community College and must comply with the regulations and standards set forth in the County Land Development Code.

The decision of the CDRC was to recommend approval of this request. If the BCC 's decision is to approve this request staff recommends the following conditions be imposed. Mr. Chair, may I enter those into the record?

[The conditions are as follows:]

1. All redlines must be addressed.
2. Compliance with applicable review comments from the following:
   a. State Engineer
   b. State Environment Dept
   c. Soil & Water Conservation
   d. State Department of Transportation
   e. County Hydrologist/Water Resources Department
   f. Development Review Director
   g. County Fire Marshal (Site & Building Plans)
   h. County Public Works
   i. State Historic Preservation Division

j. County Technical Review
k. Open Space, Parks & Trails Division
l. Public School District
m. County Housing Division
n. County Planning Division

3. Development within the US 84/285 Highway Corridor shall comply with the district standards of the US 84/285 South Highway Corridor Ordinance (Ordinance No. 2005-08)
4. All archeological easements shall be shown on the plat. The State Historic Preservation Office shall approve all proposed mitigation measures prior to final plat recordation.
5. Base flood elevations for the Arroyo de Los Angeles and its tributaries shall be established prior to final plat approval.
6. All redline comments must be addressed.
7. Road names and addresses must be approved by Rural Addressing prior to final plat recordation.
8. Final homeowners documents and disclosure statement are subject to approval by staff prior to final plat.
9. Water restrictive covenants shall be recorded with the final plat.
10. All utilities must be underground.
11. All lots are subject to the Santa Fe County Fire and Rescue Impact fees. This must be clearly noted on the final plat.
12. The applicant must submit an engineer's cost estimate and final guarantee for all required improvements (i.e., road construction, street and traffic signs, fire protection, etc.) prior to final plat recordation. A schedule of compliance projecting time period for completion of improvements must be included. Upon completion, the applicant must submit a certification by a registered professional engineer that improvements have been completed according to the approved development plan.
13. The following note must be put on the plat: *Permits for building construction will not be issued until required improvements for roads, drainage and fire protection have been completed as required by staff.*
14. An access permit will be required from NMDOT prior to final plat approval.
15. An approved discharge from the Environment Department shall be submitted prior to recording the plat.
16. Compliance with conditions of the master plan approval.
17. A water quality and water system maintenance plan shall be submitted prior to final plat approval.
18. This development will be subject to the Santa Fe County Sustainable Land Development Plan and Sustainable Land Development Code.
19. The top of all swales must be at least ten feet off the pavement to provide a clear zone. Street trees cannot be placed in the clear zone.

20. The proposed streets throughout the development must comply with the exact road standards of the Community College District Ordinance as specifically described in Exhibit M. This includes placement of curb and gutter and increasing right-of-way widths.
21. Master plan must be amended to reflect the change of water service from an onsite community water system to service by the County Water System prior to preliminary plant application of Phases II-VI.
22. Development must comply with Section 5.9 (Culverts, open channels and stormdrain systems) of the County Floodplain Ordinance (Ordinance 2008-10).
23. The applicant must provide road cross-section every 50 feet to show cut and fill slopes. The seconds must include street names and station numbers. These sections must be provided with the submittal of the final plat/development plan for this project in order to facilitate a detailed review.

CHAIRMAN MONTOYA: Questions for staff. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Vicki, did they change the name?

MS. LUCERO: Mr. Chair, Commissioner Anaya, at this point they have not suggested a name change.

COMMISSIONER ANAYA: Okay, I'm going to go ahead and move to table. No, I'm just kidding.

CHAIRMAN MONTOYA: I almost gave you a second there. Okay. The applicant, if he'd please come forward and be sworn in.

[Duly sworn, Scott Hoeft testified as follows:]

SCOTT HOEFT: Scott Hoeft, Santa Fe Planning Group, 109 St. Francis, Santa Fe, New Mexico, 87504. After the last meeting that we had in September Ted asked me to come aboard to help out with some of the outstanding issues. He's pulled in a lot of different ways. We had some issues that we really needed to sit down with staff and solve, mostly the variance issues and so he asked me to come aboard to see if we can sort out these issues. By the reading of the staff report that you just heard you can tell that we've come a long way in the last four months.

What we'd like to do though is not go through a belabored presentation. I'm going to start off where we left off at the last hearing. I'm going to address the five points that were kind of hanging that I looked at in the minutes of the previous hearing and from there – I'll be about five minutes in length, and from there I' I turn it over to the public to make statements if I can have a chance though at the end to speak at the end of the project to conclude. That would be helpful.

So where we left off last were the variances, and we had five to deal with, actually four now, because the issue with the cul-de-sac and the length of it was no longer applicable. And that was an issue related to density. But what I don't want to do is go through each of the variances in turn. What I want to state though is that what we concluded when we met with

staff, with Shelley, with Jack, with Public Works, is that we weren't that far off. What was pretty apparent is that what we were asking for was almost within the confines of the CCD District and in fact there were only a few instances here and there that were beyond the CCD District.

And so when we began to study that it became apparent that what we were asking for really wasn't that abnormal and that in fact it was very progressive, and in fact, even thinking ahead to the new code, the SLDP, we were very consistent with ultimately what was going to be planned. And so I think once we kind of got that all on the table and we really went through each of the instances and literally, the staff of Commonweal brought out drawings and we showed where each of these instances were going to be, that it became, it seemed a lot less onerous for staff to review and overall I think we've come a long way. And I know they can't technically recommend support of variances pursuant to the Code, they can say, as Jack stated in his paragraph, that he feels they don't pose a significant threat to the health, safety and welfare.

And so I think that we've come a long way with those variance issues and again, with staff conditions, I feel we support where we're at right now. What I want to do, however, is at the end of my presentation come back and modify two of the conditions. We met with Shelley and with Vicki yesterday and I think we've come a long way with actually sorting out two more. So the variance issues I think we've come along with.

The second issue that I'd like to point out was I saw where we left off last in September was in neighborhood meetings, and there was a concern that we haven't met with Eldorado, Lamy, and Galisteo. And what Ted did immediately in October, as I mentioned, he pulled in a lot of different ways is had neighborhood meetings. And he did meet with those groups pursuant to the request of this Board to gather additional feedback. And for the most part, they were relatively positive meetings. The one exception was Cañoncito. We tried. Ted had a meeting I think up until last week and it was snowed out. We did have a chance to talk with Ms. Gurule, who is the association representative in that area, and at a glance she didn't quite see why we were meeting with her because it's quite a distance from the project itself. It's about 12 miles away, but she'd be more than willing to sit down with us and discuss the project. But at a glance she was supportive of the project

The next issue was market study. You asked us to update the market study that was completed in 05 and 06. In other words, we did. We submitted those two updated reports and you have a review letter from Santa Fe County staff member Duncan Sill, and overall, those are relatively positive. A couple of things to point out with the market study, and I don't want to get into the nuts and bolts unless you have specific questions, is just generally the theme of what we're talking about here with this project. This project has a competitive advantage, and you read that within those reports, and that competitive advantage is that you have a project on 10,000 acres that's utilizing 300 acres. Okay. 10,000 acres utilizing 300 acres. That's pretty impressive. And why those people are going to buy in that community is for that 10,000 acres.

And so you have a product that has a multiple type of housing units. You have tighter density of a traditional community, which again, goes with the variance request that we're

asking for, and it's going to be a product that we feel is going to be in demand. And so that is the competitive advantage that I believe comes out in those market studies.

The next issue I'd like to talk about is water. We feel that we've satisfied the qualifications and the requirements of the preliminary development plan submittal and plat and Steve Ross can verify that and we went farther in that we received a letter from Marvin Martinez, we worked with the County Utility Department to get a ready-willing-and-able to serve letter for the balance of the project at your request. So we accomplished that. And that letter is in your packet as well and it largely states it would be served by the County utility for the balance of the project beyond Phase 1.

And the last thing I'd like to talk about in terms of the points that you brought up at the last hearing was the name of the project. Commissioner Anaya, we heard the concern regarding the name and as stewards of the community, Commonweal did not want to get in the position of feeling like they were pirating the historical nature of that area, and so we've changed the name. The name of the project is Trenza. A single word, it means braid, and it gets at the community and the weave that is going to be illustrated within the design intent. It's going to have the multiple product types, the multiple income levels, the tighter density, the vast amounts of open space. It's going to be a braid within the community. So the new name of the project is Trenza. The Village at Galisteo Basin Preserve no longer exists.

So the last thing I'd like to talk about in my brief presentation is this comment on the meeting we had with Robert Freilich. So when Ted asked me to come aboard to help him shore up some of these issues I said, look, the first thing we have to do is sit down with Robert Freilich because we have to understand the intent of the project and what we're trying to accomplish. Is this consistent with ultimately where the County wants to go? And so we set up a meeting with Robert, with Roman Abeyta, with Steve Ross, back in October to present the project to him, which he's never seen before, and to say this is what we're trying to accomplish. What do you see? And is this a problem for the County? And he was very supportive of the project.

The variances, he was supportive of most of the variances as well. He thought those were very consistent with ultimately where the Code is going to be. He liked the idea of the traditional community, the neo-traditional planning, the new urban principles and the tight density, the multiple product types, the multiple income levels, all woven into this tight community, while the balance of the land, 10,000 acres left as open space for the benefit of the community and for the public. He liked that idea.

We also talked about the primary and secondary growth areas. We've all seen the maps now in the new plan that shows primary, secondary growth areas and we asked the point specifically, we asked – this area is in a secondary growth area. It's not in a primary growth area. How does that affect you? And he said, that's fine. The intent of the map is not to say everything needs to occur first within the primary growth area and then only then can the secondary growth area come into play. In fact, the secondary growth area, this is a model project, can serve as an example of what others should follow within the community. Tight density, vast amounts of open space - what more can the County ask for?

So in sum, I can't speak for Mr. Freilich; he's not here this evening. But overall, in those meetings that we had, initially, right after the hearing that we had in September, Mr. Freilich was very supportive of the project. So with that, that's my presentation. I'll stand for questions and I'll open it up to the public. Thank you.

CHAIRMAN MONTOYA: Okay, questions for the applicant? Commissioner Anaya.

COMMISSIONER ANAYA: Scott, I was just checking to see if you were awake earlier.

MR. HOEFT: You got me.

CHAIRMAN MONTOYA: Did you see him jump?

COMMISSIONER ANAYA: Tell me about the cemetery.

MR. HOEFT: The cemetery is something that we just talked about today to try to – I needed to get a handle on it as well. And what it is is that what we're going to be doing is not going through the traditional processes of embalming people. It will be natural process, to where people will be put into the ground in a natural way without the normal chemicals that are used in the embalming process. The other option on that will be that be that people who are in fact cremated, rather than using the dollars that they would normally spend on funeral arrangements or on the process would be taking those dollars, donating it to Commonweal, so in turn they would be buying additional land for the preserve.

COMMISSIONER ANAYA: So who can be buried there?

MR. HOEFT: Anyone.

COMMISSIONER ANAYA: And tell me about the natural. What do you mean? You're not going to need a casket?

MR. HOEFT: That I don't know. If you would indulge me, could I just talk to my colleague really briefly?

COMMISSIONER ANAYA: Yes. I want to know the details.

MR. HOEFT: You know maybe it's time. Let me just let Ted answer this question. He has a really good handle on it.

COMMISSIONER ANAYA: Another thing I want to talk about is who can be buried there and how much is it going to cost to be buried there. We've got a lot of indigent people that die and can't pay for places or plots, and I want to know if they can be able to be buried there without being charged.

MR. HOEFT: Ted will have to answer that question. Let me get him up here right now and he can field the question, Commissioner, if that's okay with you.

[Duly sworn, Ted Harrison testified as follows:]

TED HARRISON: Ted Harrison, 2112 Paseo del Monte, Santa Fe, New Mexico. Mr. Chair, Commissioner, actually, there's an individual in the audience that is working with us very specifically on the green burial program, so he can give you – I hesitate to say the gory details. But he can give you quite a story as to the work that he's pursuing to bring forward nationally and to have our project be an example of how we can go back to a burial process that doesn't have all the layering and expense that the funeral industry has

come to apply to the death process.

We were excited about pursuing a project, pursuing a community development that was truly cradle to grave. And to do the grave part of it most responsibly we've looked to experts around the country as to what is the most benign way to take a body into the ground, with the lowest carbon footprint. And the most gentle, lowest-carbon footprint way to do that is to take a body quickly after the person has died, refrigerate them wrap them in a shroud and inter them into the ground. And then another element of the green burial is you don't end up with headstones in the Kentucky bluegrass, that's also a part of a lot of the way we've been doing cemeteries in the last 50 years.

So to keep the land and the burial site native grasses or shrubs. And folks who choose to be buried this way end up essentially with a GPS coordinate as to where their loved one has been buried. There's also a plan for a ritual site so that in the process of acknowledging that person's life and their passing there's a space within this five-acre cemetery. It's not a large piece of the project. That they would have a place at the cemetery to be able to offer last remarks and an acknowledgement.

There is the opportunity for folks to be interred after they were cremated, although the lowest carbon footprint approach is to take the whole body into the earth. How many people could be accommodated? I think the plan right now is a 5 ½-acre cemetery. It's shocking. It's not my experience as to what the density of bodies could be in a cemetery of 5 ½ acres, but I think Joe Sehee who is the head of the US Green Burial Council might describe the density as being 1,500 to 2,000 people. So when we talk about it having be a cemetery that's open to the larger public it would be quickly filled up, I think. So if we want to expand it, if that's an opportunity at a later point, if this is a well received concept then we're certainly open to that. We do have quite a bit of land.

We also have the opportunity to pursue scattering, so people who have gone through the process of being cremated and don't necessarily want to be interred can be scattered within the larger open space and a lot of people – we get calls and they've mentioned this in an earlier presentation, we get calls every week for folks. I wish we had this many folks interested in the lots. But we have folks every week calling us about the opportunity to be scattered or buried in this landscape.

So there may be ways to accommodate people in all variety of practices. Whole body burial, a burial of an urn that has cremated remains or a scattering. In terms of cost, I think a traditional burial can run $12,000 to $20,000. And there's a variety of price points. It isn't our business but Joe Sehee could probably speak to it more specifically, but the idea is to make this available to folks for a couple hundred dollars. So if you're just coming in on a scattering or an interment of ashes it's a very modest cost. The opportunity to use the green burial as a fundraising strategy is something that also we're in discussions on, but it would be totally voluntary. Folks could make a donation to deal with the larger land stewardship goals of the project.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, on this point, since Commissioner Anaya brought it up I understand anyone can come to the County to get a permit for a green burial and that there are several burials such as this all over the county. So this is not a new idea. But I would like to let you know that the company you're dealing with had a very bad experience with a friend of mine's family who died. And they were not prepared to deal with it. And I would hope that the business will get its act together before they ever deal with a dead person and a family again. Thank you.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Scott, I'm just sort of wondering, of the 10,000 acres, how much has been purchased at this point and how much is in a conservation easement at this point.

MR. HOEFT: I need to confer with my colleague really quick. 8,500 has been purchased and 1,250 is under easement.

COMMISSIONER HOLIAN: And the remaining part of the land is under contract in some way or it's being – it will be held until they can purchase it?

MR. HOEFT: Yes. Correct.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIRMAN MONTOYA: Seeing no questions, this is a public hearing so if anyone would like to testify on this case please come forward.

[The following speakers were all sworn in as a group.]

CHAIRMAN MONTOYA: So if you could all go ahead and start. I'm going to give you each two minutes and I ask that we try not to be repetitive. If it is I'll ask you to move to another point or ask that you cease your comments at that point. So I just ask for no redundancy and go ahead.

RICI PETERSON: Good evening, Mr. Chair and Commissioners. My name is Rici Peterson and I'm the executive director of the Santa Fe Conservation Trust. We're located at 316 East Marcy in Santa Fe. And I'm one of the people sworn in just now. I'd like to say that the Santa Fe Conservation Trust is the local land and trails organization and is a very strong supporter of the Commonweal Conservancy Project. We feel that the variances enhance the quality of life for current and future generations as part of their overall plan to create a high standard of living, promote public health, and to protect more than 12,000 acres of open natural land for people and wildlife.

At the Santa Fe Conservation Trust our work is to provide landowners and communities with a partner to protect the land that protects quality of life for all. And I'd like to say that if all developers and landowners worked the way that Commonweal is working there wouldn't be need for land conservation organizations like ours because they are definitely acting in the leadership role to help create good, healthy communities and sustainable land practices as well.

We are very proud at the Santa Fe Conservation Trust of the County's leadership in creating a sustainable land use code and we feel that this project fits well within it. We hope that it will be approved and that it will serve as a role model for other developers in Santa Fe

County and eventually nationwide. This is how it ought to be done. Thank you.

CHAIRMAN MONTOYA: Thank you, Rici. Next.

JOE MILLER: My name's Joe Miller. I've been here before. I just want to make some comments and go on the record here. We're probably the closest neighbors to this project. You go down 285 and you turn west into theirs or you can turn east into ours. And I just want to go on record that we have no objection to it at all. I think it's a good project and going to add to the community. Thank you.

CHAIRMAN MONTOYA: Thank you, Joe. Next.

RICHARD GRISCOM: My name's Richard Griscom and I have been sworn in. 22 Via La Puente, Galisteo. I've been a resident there since 1971. I'm representing the Galisteo Planning Commission in being here tonight. I'm not sure I can do this in two minutes, Mr. Chair, but I'll do my best.

CHAIRMAN MONTOYA: Okay.

MR. GRISCOM: On June 12, 2007 the Galisteo Planning Committee presented to the Board of County Commissioners a series of recommendations about this project. We in our recommendations we recommended approval of the project but based on five conditions. And I want to talk for several seconds this evening about those conditions. The Board of County Commissioners at that meeting in 2007 did accept the recommendations for conditions as a part of its approval.

Following that approval by the County Commission, a committee was formed in Galisteo of eight volunteers to work with Commonweal in negotiating how the conditions would be fulfilled. And the eight people on that committee include representatives of the three relevant organizations in Galisteo, the Galisteo Water Board, the Ranchitos de Galisteo Water Board, and the Galisteo Community Association.

The first of the five conditions was that the County require that the hydrological assumptions used and the testing carried out to estimate water availability for the project be as conservative and thorough as possible. The committee engaged the services of Dr. Peggy Johnson from the New Mexico Bureau of Geology and Mineral Resources to give us a report on those questions, whether the testing was thorough and whether the assumptions were conservative, and her report came through affirmative that indeed that we could consider that condition met.

The second condition was that the total hydrological impact of the project be evaluated by examining the water and water requirements of all three phases of the project before the final approval of phase 1. I understand – if I understand the situation correctly, that is being done now by the Board. The Board is looking at the fact that this project is going to require 197 acre-feet of water, not just 31. Thirty-one is the figure for phase 1; 197 is the figure for the whole project. And as I perceive the posture of what's happening at this and prior meetings I think the Commission is taking all that into consideration, so I think that condition is in the process of being met.

The third condition was that Commonweal be required to show beyond a reasonable doubt that its Galisteo Basin Preserve will not cause an impairment of Galisteo's wells. We

engaged the services of Mr. Neil Blandford with the cooperation of Commonweal to give us an opinion on this question. His report came through also affirmative that the project would not cause an impairment of Galisteo's wells.

The fourth condition was that in case the Galisteo Basin Preserve tied in with the Eldorado Water and Sewage District for its water supply, that the Eldorado Lamy wells not be drawn upon for the projects' water needs. This is something we need to keep an eye on. It's my understanding that Commonweal does not intend to tie in with Eldorado, rather it intends to tie in with the County, and the County's water system. So if that's the case then this condition also would be fulfilled. But it's something we need to be aware of and keep an eye on. We feel very strongly that the Lamy wells operated by the Eldorado system have had a negative effect on our alluvial aquifer and we don't want that negative effect to be increased.

A final condition I want to talk about is that Commonweal post a performance bond to guarantee that Galisteo's water supply be restored to its condition prior to the development if the water supply is impaired due to the development as established by a joint monitoring program. We were unable to get a performance bond. It was our idea initially and in the planning commission to push for a performance bond, and the County went along – the Board went along with it, but when push came to shove and we started contacting real estate and insurance agents about that we weren't able to get one. The reply was uniformly it's too far in the future. We were looking at 100-year impact. It's too speculative. We could not get a policy.

We therefore agreed with Commonweal that we would, in lieu of that, that we would try to forge an agreement between Galisteo and Commonweal Conservancy that would adequately protect us, and that's what we've been working on for the last two years. An agreement that includes several monitoring wells, and I wanted to mention earlier that the CDRC made it a condition of its approval in I think it was March of 2007, that there be a well monitoring program set up to monitor the impact of the Commonweal, if any, on Galisteo's wells. So we have negotiated for the past two years on this agreement that does imply two monitoring wells on the Preserve, located in a direct line between the Preserve and the Village of Galisteo. And the thrust of the agreement is that if the water levels in those two monitoring wells fall beyond a certain agreed upon point then it will be deemed – the deeming will be made that Galisteo's wells are being impacted. And Commonweal will be required at that point to take action to make us whole and to restore our water supply, even though the dropping of the wells may not have occurred in the Village of Galisteo yet.

Commonweal would have at that point three options: to deliver water to us through a pipeline or another avenue; to drill a new well on the reserve for us; or to tie in with another utility that would give us water. And Galisteo would have the choice. Galisteo would have the choice of which of those three options would be acceptable. Galisteo would not have to accept the one that Commonweal initially proposed.

So we're very close to having a final agreement on that contract. Two of the three Galisteo entities that I mentioned earlier have signed off on it. Commonweal is prepared to

sign off on it, but the Galisteo Water Association has some problems with it, so there's some further negotiation that needs to happen. I feel comfortable that given enough time that we can reach an agreement that the Galisteo Water Board would support. So I'm prepared to recommend that the Commission approve this project, or phase 1 of this project, again, with the understanding that that agreement will be finalized. I want to state before closing that all sides, all four entities, Commonweal, the three Galisteo entities, have negotiated in good faith. We're very close to having a final agreement and I want to commend Commonweal for its attitude in wanting to work with us. I think it's a rather new, innovative and commendable approach and I think it's working, and with that I'll close and answer any questions that you might have.

CHAIRMAN MONTOYA: Thank you. Next please.

DANIEL WERWATH: My name is Daniel Werwath with the Santa Fe Community Housing Trust, 1111 Agua Fria Street, and I am under oath. I'll try and keep this nice and brief and maybe make up some of Mr. Griscom's time there. Just a few points I want to make. One, Commonweal's been consulting with us for several years on the affordable housing component of their plan and we like it and we agree with it. The second big point is that I think that we support this project on the basis of its innovation, especially in the areas of sustainability. And the third point is just that we're committed to helping them market these affordable units and find appropriate buyers and income-qualify those folks for this project. Thanks.

CHAIRMAN MONTOYA: Thank you. Next, please.

PAUL WHITE. My name is Paul White and I was sworn in. 94 Camino Chupadero, Santa Fe. First of all I want to say that I think this is an excellent project and I encourage the County to approve this project. I do have concerns about the water supply from the – if it would be from the Buckman Direct Diversion. There's a number of concerns as far as the viability of the Buckman Direct Diversion project and I do not believe that the water rights associated with the diversion are sustainable. They are subject to downstream litigation, currently in process right now, subject to drought, and I think it would be a mistake to continue planning using the Buckman Direct Diversion for large-scale development plans. Thank you.

CHAIRMAN MONTOYA: Thank you. Next, please.

FRED MILDER: My name is Fred Milder. I live at 52 West Basin Ridge in Galisteo and I am under oath. I'll be very brief. Commonweal is one of the few if not the only developers in this area that is not developing for money, is not developing in a self-serving fashion but is in fact developing to serve the community that it intends to be building in. And I can't approve of this project more than that.

CHAIRMAN MONTOYA: Thank you, Fred. Next.

MITCH GUZACH: My name is Mitch Guzach. I reside at 1899 Pacheco and I was sworn in earlier. Mr. Chair, members of the Commission, I've been in the real estate profession for 30 years, plus or minus, and on the other side of that a primary interest of mine has been land use, sustainability, and issues about sprawl. And I was honored with a tour of

the property by Mr. Harrison and I was really impressed with the concept of the cluster development to get away from the 20-acre ranchettes and the 40-acre ranchettes and how much more sustainable the whole project is by being condensed. So that I think is the major point that I want to say is that we've got a really forward-looking development here in terms of the whole cluster concept.

I've got a concern about the water. I was looking at the property, one of the ways I was looking at was as a lender, because I'm in the mortgage business. And I talked to my underwriter, I actually talked to a couple underwriters. And bottom line, their major concern was, well, who's going to deliver the water? And the conversation led to their conclusion which was that the owner of the property was a more dependable source of water than the County was. That there were issues about cost. It was going to be difficult to be able to determine what the cost was going to be, if we were hooked up to a County water system. And then all the questions about water rights – who has senior rights? Who has junior rights? So from a financing standpoint there would be more solidity and security with the owner being in charge of that decision. And the previous speaker talked about what those options were. It ultimately may need to be the County. It doesn't seem to be a need at this point.

I think that's what I wanted to say. Thank you very much.

CHAIRMAN MONTOYA: Okay. Thank you, Next, please.

JOANNE TROFIMUK: Joanne Trofimuk, 882 Camino los Abuelos in Galisteo. And I feel like the grinch, because I don't agree with most of what these people said. Galisteo, all these water things have been studied, the hydrologists, are based on a 100-year study. Galisteo have been there more than 100 years. And I think it is this Commission's responsibility to protect some of these little towns. I understand all about, and I think certainly the conservancy issue and the group housing is fine. However, we are very concerned about our water supply. And I think Mr. Griscom overstated the fact that everybody in Galisteo, we're going to come to this agreement. We have asked another hydrologist to look at it, not on a 100-year study, and she has found some things that are very questionable.

We talk about the health, safety and welfare of people. I'm concerned about the health, safety and welfare of the residents of Galisteo. They are people that have there for generations. And when you create something like this you are going to have all the expenses that go with it for the County. You are going to have police, fire, all of the things, all of the problems that come with basically what is going to be a small city or small town, probably at least 4,000 people. When you go to pay for those, the people who live in Galisteo, the ones who have lived there for generations, and not be able to pay the taxes to support that, they are the ones that will be relocated.

Fortunately, we have a graveyard in Galisteo. It's not green. It's very inexpensive, and the coyotes can't dig them up. I think that this sounds good on paper, but when you get down to it it's impractical. One of the things is water conservation. They're going to collect rainwater. When we tried to do this contract they said they didn't want to be responsible for a year where there was drought. News flash: we are always in a drought. This is the desert. I've

lived here for 25 years. This is the most moisture I've seen this winter in those 25 years. So you can't count on precipitation from the sky. And we are very concerned about our water supply. We are looking into it. We have got another attorney looking at it. The fact that we will have to possibly have them bus in water is not an answer for us. I mean, that doesn't make sense.

So, like I said, I'm the grinch. I don't agree with any of this. I think building cluster building is going to destroy all of these little towns, Cerrillos, Galisteo, Cañoncito, all of these little New Mexico towns that make us different. And it is your obligation to protect us.

CHAIRMAN MONTOYA: Thank you. Next, please.

WALTER WAIT: My name is Walter Wait, 48 Bonanza Creek Road, Santa Fe, and I have been sworn in. Mr. Chair, members of the Commission, I'm here representing the San Marcos Association, and essentially for the San Marcos District Community Plan Our plan does advocate Commonweal's efforts, mainly because of the 12,000 acres of open space that would border the San Marcos District. We're very, very – we think that it is very important to us that this planned cluster development will add to our open space. And when you associate that with the Rancho Viejo open space, the state and BLM land and our own Cerrillos Park, that it creates a very important or even a vital aspect of our future economy in the San Marcos area. So we really advocate the whole concept of this open space for us. Thank you very much. We think it should be encouraged.

CHAIRMAN MONTOYA: It should be encouraged? Thank you. Next, please.

TERRY SMITH: My name is Terry Smith. I live at 7408 Old Santa Fe Trail, and I was sworn in earlier. I'd like to associate myself with the remarks of the first speaker, Rici Peterson. I served until December for three years as board chair of the Santa Fe Conservation Trust, and just a bit of a vignette, when land trusts support development it's quite an amazing proposition. They don't typically do that. But when a developer is putting 96 percent of his or her land into permanent conservation easement to protect it from development in perpetuity we think that's a very significant and very important reality. And we are already holding the easements on the 1,250 acres that Commonweal has put under easement. I think an incredible investment by a development that is not yet fully and finally approved has nonetheless moved forward to begin fulfilling its commitment to conserving the land.

The first 17 miles of a planned 30-mile trail system are now in place. People are using them regularly and enjoying them, and they are connective. They connect to the Community College trail system creating a whole new area for people to hike and bike and enjoy the outside. So I believe that the project is a terrific model. On behalf of myself and reflecting the sense of the board of the Santa Fe Conservation Trust I urge you to do whatever is necessary to approve and to move the project forward.

CHAIRMAN MONTOYA: Thank you. Next, please.

DAVID BACON: David Bacon, 54 San Marcos Road West. I'm sworn in. The little work I've done with Ted has been of the very highest sort and I feel that he's taken great pains and great care in details on this project. It strikes me that this project is exactly

what we want to see going forward in Santa Fe County, especially in that part of the county. I just am very impressed with really everything he's done and especially again, to resonate with many other people, the open space that he's set aside I think is really, really important. And I think it's a model that we need to follow. So I would urge support of it. Thank you.

CHAIRMAN MONTOYA: Thank you. Next, please. There's room for three up here at least here in the front.

DAVID HINKLE: My name is David Hinkle. I live at 3 Cerrado Drive in Eldorado, and I was affirmed to tell the truth a few minutes back. I'm a professor of planning at the University of New Mexico, and until recently was the head of that program, and also the coordinator of natural resources and environmental planning. My students and I have been doing research in this area, in the Galisteo Basin over the last ten years. We've worked with community planning elements in Cañoncito, Lamy, Galisteo, Cerrillos, San Marcos and Santo Domingo. We've done watershed studies and analyses of land health and monitored this over the course of that time, both in cooperation with non-profit organizations and also with the State Environment Department, looking at water issues and water quality.

My sense is that the normal alternative to this is lots of small scale development which is much more injurious to the landscape and to water resources, that unfortunately, many of the other kinds of preferred subdivisions elsewhere in this state have not involved much public input, except for under duress, and that there has been a consistent and well founded and intentioned collaboration between the proposed property developers and the communities. And I think this is a sound project that should be supported. Thank you.

CHAIRMAN MONTOYA: Thank you.

JAN-WILLEM JANSENS: My name is Jan-Willem Jansens. I have been sworn in. I live at 770 West Manhattan, Santa Fe, 87501. I'm here also as a fourth year member of COLTPAC, executive director of Earth Works Institute, and I've been working with Commonweal Conservancy since 2002 on land restoration and stewardship issues for the proposed area, and for four years more in the Galisteo Watershed, working with issues of community organizing regarding land restoration and stewardship.

I urge you all to adopt the proposed plan, including the proposed variances, and this is why. I think the Galisteo Basin Preserve realization is a critical piece in the landscape-wide cultivation of the beauty and the valuable ecological and cultural resources of the Galisteo Watershed. This plan really would help the security and integrity of the landscape, especially because of the large-scale open space that's being preserved, plus the community that's going to be there in place to take care of that land, because even if you have 12,000, 13,000 acres of open space, the fact that you have a community that chooses to live there with the intention and commitment to take care of the land in many different ways is the key to success for a landscape like this.

And why is this landscape so important? Well, in recent studies in the Galisteo Watershed we've discovered that four of the eight eco-regions of New Mexico come together in the Galisteo Watershed, and the Galisteo Basin Preserve is right in the middle, in the transition zone of these eco-regions. This explains why under the smoke of Santa Fe we see a

lot of wildlife crossing east-west and north-south across the Galisteo Creek, following the different open space, grasslands, the different creek systems, and the ridgelines.

We're doing more research in this and a lot of landowners have seen wildlife all over the place. This wildlife is not local. It is part of the continental. The spine of the continent's migration zones across the state and the Galisteo Watershed is a major conservation zone connecting different areas across the state and across the continent. That's why we don't want to have sprawl in this landscape, but a very thought-through way of development and people who know how to take care of this landscape. And just this form of development helps to do this, to take care of these ecological resources that are there.

A lot of other things that I wanted to say have been said, so I think also the site's caretaking, this form of development will invite innovation. Innovation in a lot of ways is stewardship and restoration of the land and the conservation of resources that are very scare, such as water. And the variances that are being asked lead to just the compactness and the integrity of the form of development that's being proposed here and with that the integrity of the landscape surrounding it. So therefore again, I think this is the best thinkable solution and opportunity for this landscape. Thank you for your preservation of this opportunity.

CHAIRMAN MONTOYA: Thank you. Next, please.

BOB KRIEGER: My name is Bob Krieger. I live at 46 Centaurus Ranch Road in Aldea. Obviously, we agree growth will occur with or without our input and without green initiatives. The first speaker described this as leadership in development. I'm a member of the US Green Building Council, not Burial Council, and as a member of this and also the local Green Builders Guild, a subset of the Homebuilders Association, and we're committed to green and we expect to be building in there as a group of small, independent businesses. So local businesses, local employment, local business generation as opposed to exporting dollars like Centex does out of state.

So our commitment is to do good while doing well. Right now, none of us are doing well and we're still doing good. If one of your obligations indeed is to protect, as was mentioned earlier, it is also an obligation I believe, for you to plan. And this is a very well planned development.

CHAIRMAN MONTOYA: Thank you. Next, please.

ALICIA NATION: I'm Alicia Nation. I'm here to represent the New Mexico Mustang and Burro Association. I came to the County with a discussion a few months ago to the Planning Department for a project which would involve bringing wild horses to the area as part of an educational and sustainability education program. This would provide opportunities for young people and for the community at large to learn about sustainable food production, sustainable land management and to have educational opportunities while at the same time creating a place in New Mexico for a small placement of wild horses.

It was suggested that I go and visit with Ted Harrison and he's a very busy gentleman. I finally got around to meet him. And I can tell you I was extraordinarily impressed by this gentleman. He was very, very thoughtful in considering my concerns and very much integrity with the project that he had planned and overall use of the land in terms of all of the areas of

community obligation that he needs to meet. One thing that has impressed me about the Galisteo Basin Preserve project is that it is a community project. It is inclusive. It invites people to come on to the land and to experience the trails there. It opens the property to many, many different uses, consideration of a community including wildlife, including the land itself, including the people in the area, including the resources. It's more than a community when we think of an economic community. It's a community where all aspects of our experience in the ecosystem are needing to be nurtured and preserved and that's what I see him doing.

In my conversations with Ted Harrison we discussed the possibility of having a small placement of wild horses on the land there. This would be an opportunity for New Mexicans to experience something which we would have to go very, very far away to experience. Something very positive.

In my conversations with him, another topic came up which quite frankly stunned me when Mr. Harrison expressed a willingness to consider this. I am one of over 50 million people in the United States who suffer from environmental illness. Environmental illness is a disease which you can't see but is very debilitating. There are many, many people in the Santa Fe area who suffer from this disability and you would not know them when you meet them. It means some days you might see me on alert, and another day, after I've had an exposure, which might happen in a private home, where I would be quite sick. Many people never get out of the house.

When I suggested to Mr. Harrison that perhaps in the affordable housing realm he might be able to make some accommodations to address serving a population like this, he was extremely receptive. I provided him with an extensive list of things and he looked at it and said, you know, we can look at this and consider this as a possibility.

So besides creating an opportunity for the community at large to enjoy and to appreciate and to conserve the land we have an opportunity with this management here with the Commonweal to address a population that is hugely underserved in Santa Fe County. People who have chronic fatigue, environmental illness and similar diseases, often end up sleeping in their cars because they do not have a safe place to live. The normal home environment is not safe for these people. But certain accommodations made in the course of building affordable housing could accommodate many of these people and create opportunities for people to have successful and meaningful lives.

So in addition to supporting the project here for its conservancy and its overall community excellent planning, I would encourage the County to work with Commonweal to develop opportunities for affordable housing that is also environmentally safe for the people in the community who desperately need those resources for residences. Thank you.

CHAIRMAN MONTOYA: Thank you. Next, please.

MURIEL FARIELLO: My name is Muriel Fariello. I live at 35 Camino Los Angelitos in Galisteo, New Mexico. I'm secretary-treasurer for the Water Users Association for Ranchitos de Galisteo and I'm also on the community association. I also have been involved with working with Richard Griscom and the group that was put together to bang out a contract with Commonweal.

My concerns are the scope of the project. I think it's too big in scope, in my personal opinion. I don't think there's enough water to sustain 2,000 houses up there or whatever's there, the number of people that will be brought to the land. But anything like that is going to have a tremendous impact on our lifestyle down in Galisteo.

Eldorado is looking for increased water rights. Saddleback Ranch is looking to break down into 50 parcels. Cimarron Village is just heating up and now Commonweal. Each says they have 100 years of water rights. What is that? 400 years? I don't know how these studies are done. I don't know how in good conscience we can move forward with a lot of these projects on the basis of the same, Office of the State Engineer, same reporting, looking at the same numbers and coming up with them. Our wells haven't dropped yet, but people up river, their wells have dropped. Hacienda Tranquila, those wells have dropped precipitously. And we're very concerned about the water. Thank you.

CHAIRMAN MONTOYA: Thank you. Next, please.

COURTNEY WHITE: My name is Courtney White. I live at 22 Avenida de Monte Alto in Eldorado and I've been sworn in. Mr. Chair, I'm here representing the Quivira Coalition, which is a non-profit based here in Santa Fe. We work with ranchers across the region. We do work in support of sustainable agriculture, land restoration and we've done some ranching ourselves, actually, up on Rowe Mesa. I approached Ted Harrison of Commonweal about eight or nine months ago with the idea of maybe turning out some cows on Thornton Ranch, there on Commonweal property with the idea of creating a demonstration project to take what we've learned in our work about sustainable food production, local grass-fed food production, to kind of a level higher, which is to look at these landscapes potentially for climate change mitigation, which sounds kind of crazy but actually there's a lot of work going on around the country on how to sequester carbon in soils and in plants through sustainable agricultural uses. It's a way of increasing business diversification for ranchers, it gives tremendous opportunities for folks who want to try these kinds of practices.

We want to try a little project on Commonweal's property. We're in discussion with Ted and Commonweal about that. I think the possibilities are actually quite interesting. We would manage the animals in a way to improve land health, grow more grass, would produce local grass-fed food. I'd like to take some of that meat, for example, and apply it to the Eldorado community school my children go to. A friend of mine has a program in Tucson he calls Tacos Sin Carbon.

So I'm here in support of this project and in support of what Commonweal is trying to do with all of its various innovative elements and hope that you will approve it tonight. Thank you.

CHAIRMAN MONTOYA: Thank you. Next, please. How many more are coming forward? Okay, if you'd come closer please.

TED FLEMING: Thank you, Mr. Chair, Commissioners. I was sworn in earlier. My name is Ted Fleming. I'm architect, a sculptor. I've lived in Galisteo for 13 years and I'm also a member of the water board. I'd like to talk just on the broader concept. There's been a lot of good information about specific things but I was hoping just to talk about the

overall project. I'm working with the premise that development in the Galisteo Basin is inevitable, and I think that maybe kind of ridiculously obvious. We're all here for I believe that reason. That's why you all are working as hard as you do. But I do think there are some ways of thinking that I would tend to believe that it's possible to stop any or perhaps all development in the Galisteo Basin in its tracks.

I think that's unrealistic and I want to talk about that, and I also think that posture disallows creative thinking. And I think what we're looking at here is extremely creative thinking. In my opinion the question is not if but how development proceeds here, and how to plan for it and manage it intelligently, as opposed to from a point of fear, but rather intelligently. And I stress the word planning. Commissioner Anaya, I remember in the last BCC hearing, and this has really stayed with me. You talked about going to school on the bus in the morning. Going through what is now Eldorado and seeing – I think you said one house. I can't think of a better example of a contemporary context of what's gone on in this area which we know is thousands of years old, but to see what is now Eldorado over that relatively short span of time, I think is extraordinary.

As I said, I've been in Galisteo – I'm a newcomer. I've only been there for 13 years. But in that time I've seen 15 new houses built just within the historic district, just within the boundaries of our historic village. That represents a 25 percent increase in density as was the village 13 years ago. At this rate, just a this rate, our village will double in size by the year 2048. I hope I'm wrong. I hope that doesn't happen, but that's the direction that things are going in and it certainly is allowable, well allowable within the zoning restrictions. So that doubling of the population could happen within my children's lifetime.

So as you think about how healthy this land was before human settlement, before highways and suburban sprawl. And then if you will, and with all due respect to those who live there, think about Eldorado on the Thornton Ranch. Think what that would be like, how that would affect Galisteo. The Commonweal project preserves and also restores open space, and the restoration aspect I think is a huge part of this. It's the antithesis of standard suburban development. So these next comments are based on what I saw happening last time and I'm really glad to see how the County staff and the Commission has moved forward with thinking to incorporate what has been planned for in the College District. But I do want to stress that if that kind of thinking were abandoned, if the old adage, if the old plan of typical suburban planning where held, which might deny Commonweal its ability to move forward, I really do believe that we're left with something very much like, if not exactly like or maybe worse than Eldorado on the Thornton Ranch. There's no unencumbered open space. Continued depredation of the land and a much greater, much more direct negative impact on Galisteo.

I truly believe that the Galisteo Basin Preserve project represents the true hope for this region. That kind of thinking I believe represents the true hope for us. So I respectfully urge you, Commissioners, to grant Commonweal the variances they've requested and allow them to move forward. I believe in doing so this would represent true collective wisdom, long-range thinking and leadership. Thank you very much.

CHAIRMAN MONTOYA: Thank you. Next, please.

FRAN HARDY: I've been sworn in. Fran Hardy, 31 Old Road, Lamy. My husband and I bike ride all the time in the 285 Corridor since we live in Lamy, and we were zipping down Lamy Crest and we saw the first sign for the Galisteo Basin Preserve and I said, oh, God, more development. Because I really love that basin. I'm not an original resident of New Mexico but I love the small communities. I love the whole feeling of New Mexico. I want to spend the rest of my days here and I'm very concerned about development. But I went on line to their website and I said, oh, my God, this is totally different that business as usual. And we went over and we talked to Ted and we walked around and we got to know about this project and I've been very impressed all the way through with Ted and what he does.

One of the first things he did was put trails in. Not just as a sea cliff out in California for wealthy residents to walk but for the whole community. For everybody. And every time I go over there to hike I encounter people mountain biking, hiking and on horseback that are assuming that this project is going to happen because they're really excited that they have this beautiful place to enjoy now, this public land. And I tell them, please contact your Commissioners, because these people are from all over. Some are from Eldorado. Some are from much further away. Please let them know that you support this project, because if you don't this may not happen and these trails will become development. So please let them know. Because those people are thinking that this is done-deal, that that this project is going to happen. So they're counting on you to preserve these 13,000 acres and I really hope that you'll do that.

And in terms of the people of Galisteo, I really empathize. I think that the whole of this state and the small communities do need to think about water but I think we need to do that on a statewide basis. I think that what Commonweal is proposing and I've gone over and had John Dillon dig in that arroyo that he's restoring and showing me how close to the surface the water is there now that he's been restoring that arroyo. These are the kinds of things that Commonweal is putting their money into, not building a suburban community but restoring the land. And it was amazing how close to the surface that water was in the middle of summer when everything else was totally parched around it.

So this is the kind of things that they're doing. This is going to help the people of Galisteo but I'd also like to see the County not put the whole thing on Commonweal, that it's their fault if Galisteo doesn't have water. Galisteo has a long-term problem that needs to be addressed by the County, whether it's Buckman – I'm not a hydrologist. I don't know what the solution is. The problem is not Commonweal; the problem is that Galisteo has water problems.

CHAIRMAN MONTOYA: Okay, this is a public hearing. Would you please sit down. Thank you. Next please.

NEIL BLANDFORD: My name is Neil Blandford, 7617 Northridge Avenue NE, Albuquerque, New Mexico. I'm a principal hydrologist with Daniel B. Stevens and Associates. I conducted the study, or a study for the Village of Galisteo, considering the water supply for the proposed development and the potential effects on the Village. Subsequent to

that study I met with representatives of the Village, three of which have spoken here tonight. and Mr. Griscom mentioned me earlier.

Essentially, my conclusions were that they effects of the proposed development, if the entire water supply of 195 acre-feet were taken from the development area itself would be negligible on the Village wells. And I'm not going to go through all of that analysis here but if you have questions about that I'd be happy to answer them now or at a later time during this hearing.

CHAIRMAN MONTOYA: Are there any questions at this point? All right. Thank you.

BRENT BONWELL: My name is Brent Bonwell, 31 Agua Viviendo, and I am under oath. Ted asked me to – I'm a cyclist and been living on the 285 Corridor on the east side of 285 for almost 20 years and ridden out there. I ride literally thousands of miles per year. He indicated that Commissioner Stefanics had some questions about bike lanes, possibly on these roads and concerns about the widths that are in some of these adjustments that they're asking for. From the standpoint of a cyclist, on these areas where there's very low traffic, particularly residential areas with no curbside parking the widths of the road should not be of concern. On the main arterial roads from the Village to 285 it's my understanding there will be a separate off main arterial road path as they have in Eldorado to supply easement for cyclists or hikers, so it would not be in the main arterial roads. But in the subarterial roads and the residential streets themselves the amount of traffic that's in there would be negligible compared to the cyclist and that should be fine.

Also, as a resident out there, I'm not a resident of Eldorado so I'm not legally allowed into Eldorado wilderness area; I have to trespass if I go out there. But the preserve, when they built their trails they welcomed the whole community and I've been an enthusiastic user of those trails and really support what they're doing out there and wanted to address those concerns and express my support for this project. I am also a member of COLTPAC for the central area region, so you know that as well, but I am speaking as an individual and a resident of the 285 Corridor.

CHAIRMAN MONTOYA: Thank you. Next please.

LUCY LIPPARD: I have been sworn in. My name is Lucy Lipppard, 14 Avenida Vieja in Galisteo. I too live in Galisteo and I too love it. And I actually do have water problems. I'm not here to talk about my water problems but I have been hauling water for about six or seven years and the Village system cannot accommodate me. But that's not why I'm here. I care about the landscape in Galisteo. I'm a writer and I write often about landscape. And it worries me terribly that if with the usual Ranchette kind of development which everybody is going on about and I agree with what's been said, that the beautiful little village of Galisteo will be simply swallowed up by suburbia. And its rural character will be lost, its historic character will be lost. The archeologists have already been trying to protect all the archeological sites in the Galisteo Basin. It's a different place. I know this sounds kind of like not in my backyard, but the fact remains that this is such a special place I think it deserves to be preserved and not swallowed up by ranchettes. Thank you.

CHAIRMAN MONTOYA: Thank you. Next.

SUBY BOWDEN: Mr. Chair, Commissioners, my name is Suby Bowden. I have been sworn in under oath. My address is 333 Montezuma Avenue. Tonight, you're obviously here to vote on variances and so the focus of my talk will be the variances in particular. Traditionally, the majority of the variances that you address are individual for the pursuit of an individual property owner, an individual developer. There is a second type of variance, which is essentially community variances, what we call planning and changing of code. And there's a long history of code changes, variances in this community that I think that Commonweal is a very fundamental aspect of.

Commonweal as you've heard tonight is a community variance. All of the variances that have been requested are site-based. They're widths of road or they're heights. These are not randomly requested. Commonweal early on analyzed their site to determine where locations could be that would not be seen my any of the highways or the village of Lamy and Galisteo. That led them to their current site. They also analyzed passive solar in order to reduce energy use for our community and they also looked at the fragile ecosystems of the grasslands since the dominance of the Eldorado development.

So in the process of their choosing to analyze all these before picking a site it led them to a hillside. Now, that is more costly development for any developer. No developer would normally pick a hillside to build on. But it did lead to a hillside in their effort to protect the community and think about the community. And in that process the widths of roads are typically narrower in a hillside community, as you've witnessed all over the world, and they also require greater heights in order that buildings can look over other buildings and receive passive solar.

The five major community-based variances that I've seen in the Santa Fe area I consider Commonweal to be number five. The first one is the Law of the Indies, which chose to have a very compact density and narrow streets, and that was obviously in the 1600s. In the 1800s the communities of Santa Fe and Lamy and Galisteo began to spread out, have wider roads, have greater property between houses. In the 1940s what we know as today's subdivisions occurred, and that in Santa Fe became Casa Solana and the west side of St. Francis, and today it is Eldorado as a quite dominant landform for the county.

And then in the 1980s the Rancho Viejo and your own Land Use Department chose to choose a new major variance, and to implement it into Code, and that was the Community College District. And instead of the tradition from the 1600s through to the 1980s of expanding, expanding, expanding and using more land, your County made a major change, major variances, and began to pull the community back together into greater density and narrower roads. And the only difference between – there are two major differences between that and Commonweal. Rancho Viejo has never committed to protect all the rest of their land as open space. They'll be equal in size to the City of Santa Fe someday. Commonweal chose to protect open space and they chose a hillside, and that hillside requires minor variances for roads, four locations where intersections will be closer than 75 feet to a stop sign, and 13 locations where fire trucks will be on more of a slope than they traditionally are if you're

down in the grasslands.

I consider these very minor variances for the tremendous community good. And so I please encourage you to approve the variances tonight and to actually apply them into Code in your Sustainability Land Development Plan as your own Land Use Administrator, Jack Kolkmeyer, has stated, these project variances do not pose any threats to health, safety and welfare concerns, and most of them may in fact not be variances under the proposed new Sustainability Land Development Plan and Code. Thank you very much.

CHAIRMAN MONTOYA: Thank you.

JOE SEHEE: My name is Joe Sehee. I live at 8 Destacada Court. I'd like to say that I don't have a dog in the race but I feel like I have a litter right now. I relocated my family five years ago because I was so moved by the vision of Ted Harrison and the Commonweal Conservancy for this new kind of community. I also came out to help bring forward the first green cemetery in the state, which I do really believe has enormous potential for facilitating landscape level conservation and ecological restoration and being a tremendous amenity for the community.

I wanted to comment on a couple things that were mentioned in our last meeting here, one being that there may not be enough families interested in this kind of community and having lived in Eldorado for the past five years I've come to learn that there are many families wanting an alternative to the single-family, detached [inaudible] or ranchette that is so available in the southern part of the county.

And I found it interesting that the word utopian was used somewhat pejoratively last session, and in fact the fact that this community has such a big vision is one of the reasons I think we should find a way to support it. I think it has the potential to inspire others to embrace a new ethic in market-based conservation and in development and the fact the project has been held up already to inspire others. I've met some of you through Leadership Santa Fe, I was a participant as was Commissioner Holian a couple years ago, and most recently served as chairman of the organization. And for several years we had one project to choose from a development project that would show what a development could and should look like and it was this very project that was brought forward to teach future leaders of Santa Fe, which I think is significant.

And I want to finally, following up on what was just said previously say these variances seem enormously minor compared to the tremendous public good that it going to be generated by this project. And there's a lot of precedents for them being used. I was an affordable housing for a number of years and learned that until developers were incentivized properly, until there was fast-tracking and variances, and such incentives, we had a really hard time getting affordable housing developed. I really hope that beyond this project we can as a County figure out ways to promulgate policies so that more Commonweal Conservancies will be inspired to come forward. Thank you.

CHAIRMAN MONTOYA: Thank you. Is that it? Okay. How many more? So this is the last testimony we'll take.

RODNEY HALL: My name is Rodney Hall, 11-VC, Galisteo, New Mexico,

and I'm under oath. The plan sounds really nice. So far, nobody's talked about where the water is going to come from. We're talking possibly 2,000 to 5,000 people in an area that has very little water. Galisteo is currently threatened by the pumping of the Lamy wells by Eldorado, by proposed developments at Saddleback, and we're looking now at a very large development and no one can say where the water's coming from. It may come from the County, it may come from Eldorado, and we can't get any answers about where that water is going to come from. And we're afraid that it's going to come out of the Galisteo Creek, which will mean that our wells will be in jeopardy.

I would like to request that the Commission table this issue until water supply for this development can be established.

CHAIRMAN MONTOYA: Thank you. Okay. So this public hearing is now closed. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of CDRC Case 06-5031 with approval of the variances.

COMMISSIONER STEFANICS: I'll second.

CHAIRMAN MONTOYA: Have a motion by Commissioner Holian, second by Commissioner Stefanics. Discussion? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. This is an interesting situation. We have a 12,000-acre ranch in the Galisteo Basin. The heirs of the ranch do not want to be ranchers any longer. They want to sell it. So who is going to buy this ranch? It's possible that another rancher might come along and want to buy the ranch and that would be great, but I think in this economic condition, in the economic times that we're in now and other situations I think it's highly unlikely that a rancher would come along.

Is the County going to buy this for open space? That's extremely unlikely. We actually don't have any money for open space at all anymore. We're considering passing a bond issue in the future but as of now we don't have the money and what's going to happen when the next big ranch comes along for sale? It's most likely that a developer or developers would buy this land, and if we were to develop in the traditional model that we have over the past years, what would that look like? It would be divided up into 40-acre lots, and then 20-acre lots and then 10-acre lots and we'd probably get down to 2.5-acre lots after a while.

And what would we have? We'd have a patchwork of homes. We'd have a spider web of roads that would shatter the wildlife habitat and the agriculturally productive land. So the designers of the preserve have an idea, and I think that I won't repeat all that has been said this evening about all the good features of this particular concept, but I would like to particularly highlight that their consideration of land conservation is almost unprecedented. You just look at the sheer area of the open space that is being preserved. And what I think is particularly commendable is that they are actually incorporating food production into their ideas. They've already planted a fruit tree orchard. They have plans for community gardens, and most interesting of all, they're going to actually be considering grazing cattle. If cattle grazing is done properly it can actually be a land restoration technique. It can be a technique to bring the grasslands back. And if we bring the grasslands back in that area what does that

mean? It means that the water, when it rains and the water hits the ground, instead of flowing off and creating erosion and going off to be evaporated somewhere it will actually soak into the ground. It will actually help our aquifers.

So I know that this is not the last large ranch that is going to come on the market out in that area and we need creative solutions as to how to deal with the economic realities that we're faced with as well as, at the same time, to preserve the open space. And I believe that Trenza planned community is that solution. Thank you.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. When you all were talking I was thinking about Bruce King, because Bruce King would say, I got friends that are against it and I got friends that are for it, and I'm for my friends. But I want to thank all of you for your comments, whether they were for it or against the project. I want to thank Ted and Scott for their hard work and for them meeting with the communities. I want to thank Jan for meeting with me after the first meeting, or the last meeting we had to go over each of the variances, and I appreciate you coming in and talking to me about that, Jan. Thank you.

I have a question for staff and that is on the fire impact fees that will be generated from the building permits, what district they go to? I believe they would go to the Eldorado District but I want to make sure that if this gets approved that those impact fees be split up to the Galisteo District and the Eldorado District.

MS. LUCERO: Mr. Chair, Commissioner Anaya, the development is located within the Eldorado Fire District, so typically, that's where the fees would go. I don't know if there's a mechanism for changing that.

COMMISSIONER ANAYA: If I could make an amendment, an extra condition that those fire impact fees be split up and go the Eldorado and Galisteo, because they'll be the ones responding.

I want to thank you all for naming the project a different name than the Village at Galisteo Preserve, because now Trenza is definitely different. And when I heard the name it reminded me of my daughter, because she always had trenzas. Thank you all for including the cemetery, because we always put in developments and we forget that after we pass on we need places to put those individuals so thank you for doing that.

I think that in these tough times that if we support this it will create jobs and stimulate our economy in Santa Fe County. And a lot of these issues that we talk about in terms of water and water availability rely on staff. And their comments and concerns, and I want to thank staff for their hard work because it's not been easy. And we can't – I wonder about water too. I have a well in Galisteo and I hope it never goes dry but we have to rely on the experts that are out there to tell us whether we're going to have water or not, so I rely on them.

I think that the Galisteo community working closely with Ted and his group, with the five conditions that were brought up a few years ago by the community of Galisteo and Richard Griscom. I'm glad to see that most of them or all of them are going to be met. That's all I have, Mr. Chair. Thank you.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I actually wanted to add one condition to the list of conditions here and that is for a well monitoring agreement to be worked out with the Galisteo Water Board. They had mentioned that as their fifth – yes, I'm making a motion – I'm amending my own.

CHAIRMAN MONTOYA: You're amending your motion to add this condition.

COMMISSIONER HOLIAN: Yes. Another condition.

CHAIRMAN MONTOYA: So that's 24.

COMMISSIONER HOLIAN: Shelley?

MS. COBAU: Mr. Chair, members of the Commission we'd like to point out that we met with the applicant yesterday and we would alike to allow the applicant to ask for an amendment to the conditions that staff had added. I think that their request for an amendment to those two conditions was valid and will make the conditions more enforceable in the future. So if the applicant could ask for those I would really appreciate it.

MR. HOEFT: Commissioner Holian, I concur with your condition that you just added. And condition #19 and #20 is what we talked about at length with Shelley and Vicki yesterday. And we just wanted to talk onto the end of the last alternative solution as approved by the Public Works Director prior to final plat submittal. Thank you.

CHAIRMAN MONTOYA: So that's on both #19 and #20?

MR. HOEFT: That's correct.

CHAIRMAN MONTOYA: Okay. So would the maker of the motion accept those changes?

COMMISSIONER HOLIAN: Yes.

CHAIRMAN MONTOYA: Okay. Seconder?

COMMISSIONER STEFANICS: Yes.

CHAIRMAN MONTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Yes. About the impact fees. Does the Commission agree to that? Putting that on? Okay.

COMMISSIONER STEFANICS: So just a point of clarification. You're asking that they be split?

COMMISSIONER ANAYA: Since it's right in the middle of both districts, and they'll both be responding.

COMMISSIONER STEFANICS: And let me ask staff, is Lamy in the Eldorado Fire District? Shelley?

MS. COBAU: We believe so, Mr. Chair, Commissioner Stefanics. We may have a map here. Just give us a moment and we'll check.

COMMISSIONER STEFANICS: So while you're looking that up, this is a question, Mr. Chair, for staff. When a fire call comes in, it goes to the RECC? And then they dispatch it?

MS. COBAU: Mr. Chair, Commissioner Stefanics, I believe that's correct. And we did meet with Buster Patty at length about the Village at Galisteo Basin Preserve because fire was involved in some of the impacts of the variances that were proposed. And Captain Patty had indicated that first response would come from Eldorado in this case.

COMMISSIONER STEFANICS: So my question is, if Eldorado is contacted how would Galisteo ever learn about the call? Just be self-monitoring the radio?

MS. COBAU: They might not learn of it, unless they were needed. If they didn't have enough response with the call to Eldorado and they get there then I don't know why they would call another district, unless there were a large grass fire or something that they needed more equipment on. But that would definitely be a question for Captain Patty or one of the other Fire Department members. I can't speak to that exactly.

COMMISSIONER STEFANICS: Well, Mr. Chair and Commissioner Anaya, I recognize the property is caught between the two. I just would want to make sure that if Galisteo received a portion of the fee that they then would be involved in activity.

COMMISSIONER ANAYA: Mr. Chair,

CHAIRMAN MONTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: If we could – if there's a call in this area that the both page out, on Eldorado and Galisteo.

MR. ROSS: Yes, Mr. Chair, Commissioner Anaya, we'd have to look at those RECC protocols and see what the rules are. I know they have lots of rules and who they call and when they call and when they call for backup and stuff like that. The other thing that we were just talking about is we're not really sure that you can split impact fees, so we'd like to check that and report back to you quickly. I don't think you should change your motion but it's possible state law or our ordinance, which none of us have looked at in a while, might have some guidelines. So we'd like to check that and make sure it's okay to do that.

COMMISSIONER ANAYA: Okay.

CHAIRMAN MONTOYA: Any other discussion? Is there anything else?

The motion passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

Member Anaya asked if there were any utilities within the easement. Mr. Tercero stated the gas line is in the 38-foot proposed easement along with the well. The gas line is within 20 feet. He said there is only one family past the lot which already has all utilities within the original 15-foot easement. No one would be landlocked by what they propose.

Member Gonzales noted that the plat makes mention of an emergency vehicle turnaround. He suggested making provisions for a turnaround at the end rather than having the entire road widened. Member Gonzales noted the report says water and sewer are both 2,000 feet away. He asked if they would be willing to hook up when they are nearer. Ms. Tercero stated they invested heavily in having the wells drilled and she did not want to cause problems for their children in the future. The lot is not amenable to having greater density than two lots due to the presence of arroyos.

Mr. Tercero described the acreage of the nearby properties.

Member Katz asked for staff clarification on the easement requirements. Ms. Lucero said the code requires a 38-foot easement for any roads that are accessing three or more lots, however, that could be reduced to 20 feet with adequate drainage control. Member Katz suggested these issues should be clarified before the CDRC makes a decision.

Mr. Romero said hooking up to community water and sewer were triggered when they were within 200 feet. Ms. Lucero recommended tabling the case to clear up the various issues.

Member Katz moved to table and Member Anaya seconded. The motion passed unanimously [5-0]

F. **CDRC CASE # Z 06-5033 Village at Galisteo Basin Preserve ("Trenza") Master Plan Amendment. Commonweal Conservancy (Ted Harrison), Applicant, requests a Master Plan Amendment to a previously approved Master Plan to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a modification of the original five-phase development to six phases that would take place over a period of 12 years. The property is located south of Eldorado, west off US 285, south of the railroad tracks, within Sections 1, 3, 11-14 23 and 24, Township 14 North, Range 9 East; Sections 5-7 and 18, Township 14 North, Range 10 East; Sections 34-36, Township 15 North, Range 9 East; and Sections 30 and 31, Township 15 North, Range10 East (Commission District 5)**

Vicente Archuleta read the case caption and gave the following staff report:

"On June 12, 2007, the Board of County Commissioners granted Master Plan Zoning approval for a mixed-use development consisting of 965 residential units;

EXHIBIT 9

150,000 square feet of commercial, institutional, educational, and recreational land uses; and open space, parks, and trails on 10,316 acres.

"On February 9, 2010, the BCC granted Preliminary Plat and Development Plan approval for Phase I of the referenced subdivision which consisted of 131 single family residential lots and three multi-family residential lots for a total of 149 residential units, and five non-residential lots within a 60-acre development envelope. This approval was set to expire on February 9, 2012.

"On December 13, 2011, the BCC granted a 36-month time extension of the previously approved Preliminary Plat and Development Plan for Phase 1 which consists of 131 single-family residential lots, three multi-family residential lots for a total of 149 residential units and five non-residential lots within a 60-acre development envelope within the 10,316 acre area. A new Preliminary and Final Plat conforming to the Master Plan will need to be submitted. This time extension is set to expire on Feb 9, 2015.

"The Applicant now requests a Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater, and also requests a revision of the original five-phase development to six phases that would take place over a period of 12 years.

"The Applicant states: 'In the face of a deep and protracted economic recession, Commonweal has been re-evaluating its economic opportunities and development ambitions for Trenza and the larger Galisteo Basin Preserve.'

"The Applicant proposes to reduce the extent of the original planning envelope from 10,316 acres to 3,560 acres.

"Based on the changed size and scale of the proposed development, the project's water budget will be reduced. Specifically the water budget for the development uses will involve a 78 acre-foot allocation for residential uses and 20.45 acre-foot allocation for mixed use, commercial and civic land uses. By this allocation, the proposed water demand at full build-out in 2026 would total 98.45 acre-foot.

"The Applicant also requests a modification to the original Master Plan to change the location of the proposed Memorial Landscape known as the Green Cemetery. The Memorial Landscape will be relocated slightly south of its current location to an area that will allow for improved access from Morning Star Ridge Road.

"The Application includes a revision to the original five-phase development to six phases that would take place over a period of 12 years. Phase 1 of the development, a residential neighborhood will consist of 11 residential units

ranging in size from 750 square feet to 1,450 square feet and an 11-acre Memorial/Green Cemetery, a 60-seat community outdoor performance space/amphitheater and a 10,000 square foot storage facility for the Special Use parcel, which will be located approximately 1/3 mile southeast of the North Face neighborhood. The storage facility will be constructed in two phases. The facility's first 5,000 square feet will be constructed in Phase1 with the remaining square footage to be constructed in Phase 3.

"The following Phases 2 through 6 will consist of the following: Phase 2 - 88 residential units and 27,850 square feet of commercial/civic uses; Phase 3 - 88 residential units and 27,850 square feet of commercial/civic uses; Phase 4 - 88 residential units and 27,800 square feet of commercial/civic uses; Phase 5 - 88 residential units; and Phase 6 - 87 residential units.

Mr. Archuleta stated the Applicant requests a Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a revision of the original five-phase development to six phases that would take place over a period of 12 years. Therefore, staff recommends approval of the request for Master Plan Amendment subject to the following conditions:

1. The Amended Master Plan must be recorded with the County Clerk's office prior to Preliminary Plat.
2. An Affordable Housing Agreement must be prepared and submitted for consideration by the Board of County Commissioners along with the Final Plat and/or Development Plan for the projects first development phase.
3. The Applicants shall meet all Preliminary and Final Plat and Development Plan requirements for each phase.
4. The Applicants shall construct the Community Water and Community Sewer system with Phase 1.

Mr. Archuleta distributed additional pages consisting of the Hydrologist's report. *[Exhibit 2]*

Member Gonzales asked about the average lot size and if the new water budget is adequate for the proposed development. Mr. Archuleta said the hydrologist report says it is sufficient.

Duly sworn, agent Scott Hoeft said they concur with the conditions of approval. In response to the question from Member Gonzales he said the lots range from 4,500 to 6,500 square feet. The water budget allows .16 acre-feet for the residential uses and additional for the civic and commercial uses.

He gave a history of the projects, including a number of extensions, saying through it all the project has been true to its initial vision which emphasizes preservation

of open space. There has been an adjustment to market conditions. He said 25 of the 50 miles of public trails have been completed.

Member Katz asked what was anticipated for commercial development. Mr. Hoeft said in addition to the amphitheater there will be civic uses and small retail and mixed use. It will be evaluated as they proceed.

Member Gonzales asked if the trails were being used and Mr. Hoeft said they see 12,000 users per year. There are three trailheads.

There was no one from the public wishing to speak.

Member Katz moved to approve CDRC #A 06-5033 with conditions. Member Booth seconded. The motion carried by unanimous 5-0 voice vote.

G. **CDRC CASE # FDP Glorieta Fire Station No. 2 Final Development Plan. Santa Fe County, Applicant, Riskin Associates Architecture (Marcie Riskin), Agent, request Final Development Plan approval for an unmanned fire station on 1.52 acres. The proposed 3,140 square foot fire station will consist of 3 apparatus bays and an administration area (restrooms, office, classroom and storage). The property is located at 366 Old Denver Highway in Glorieta, east of Leadville Lane, within Section 1, Township 15 North, Range 11 East (Commission District 4)** *[Exhibit 3: Fire Marshal's Report]*

Mr. Archuleta read the staff report as follows:

"The Applicant is requesting Final Development Plan approval for a 3,140 square foot un-manned volunteer fire station to be located in Glorieta, which will consist of three apparatus bays and administration area, which will consist of restrooms, office, classroom and storage. . The nearest fire station is located approximately four miles to the west on the south side of I-25. The property was acquired from the New Mexico Department of Transportation (NMDOT) on December 9, 2004 and the deed was recorded in the Office of the County Clerk on December 21, 2004 and recorded as Document No. 1359749. The applicant met the Public Notice requirements of the Land Development Code by sending letters to the adjoining property owners and by placing the Public Notice Boards on the subject property.

"Article V, § 7.2, Final Development Plan, states: 'a final development plan conforming to the approved preliminary plan and approved preliminary plat, if required, and containing the same required information shall be submitted. In addition, the final development plan shall show, when applicable, and with appropriate dimensions, the locations and size of buildings, heated floor area of buildings, and minimum building setbacks from lot lines or adjoining streets.'"

SIERRA CLUB
FOUNDED 1892

October 8, 2014

Penny Ellis Green, Manager
Santa Fe County Land Use Administration Office

CDRC CASE #Z 06-5033
RE: Commonweal Conservancy Master Plan Amendment to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000sf of commercial/civic to 450 dwelling units and 88,500sf commercial/civic uses. The applicant also requests that the original 5-phase development be changed to 6 phases over a 12-year period.
The property is south of Eldorado and west off US285, south of the railroad track crossing.

Comments:
The Northern New Mexico Group of the Rio Grande Chapter of Sierra Club has several members that reside in the US285 corridor and are familiar with the Commonweal Conservancy and the plans of the President, Ted Harrison. Since this project came into being 11 years ago, Mr. Harrison has shown his willingness to attend community meetings, meet privately with individuals and to listen and change his plans to better meet the needs of the population he wishes to serve as well as address the concerns of local residents. He has funded 3 independent water studies in the past and is well informed as to the availability of water on his property to sustain this downsized Master Plan. These water reports demonstrate the lack of impact the project will have on nearby water use areas such as Eldorado and Lamy, which is a major ongoing concern of residents in this area.

Over the last several years, the Commonweal Conservancy has followed through on many of its goals for the larger community through establishing a large public Galisteo Preserve and creating over 25 miles of public trails for outdoor hiking, biking, wildlife watching and dog walking. The area is very popular with locals and people come from around the county to enjoy the unusual rock formations, scenic trails, protected cultural resources and extensive varieties of wildflowers and wildlife species.

This amendment to reduce the size and density of this project has the full support of the Northern New Mexico Group, and we commend Commonweal Conservancy for their creation of the Galisteo Preserve and their ongoing efforts to strike the right balance of conservation and development on the land.

Teresa Seamster, Co-chair, Northern New Mexico Group, Sierra Club

Norma McCallan, Co-chair, Northern New Mexico Group, Sierra Club
1807 Second Street, Suite 45, Santa Fe, NM 87505

EXHIBIT
tabbies
7

87.

January 9, 2015

Santa Fe Board of County Commissioners:

mchavez@santafecountynm.gov

ranaya@santafecountynm.gov

kholian@santafecountynm.gov

lstefanics@santafecountynm.gov

hproybal@santafecountynm.gov

vlopez@santafecountynm.gov

Re Galisteo Basin Preserve (Trenza) Master Plan Amendment

Dear Commissioners:

I am writing in support of the proposed GBP Master Plan Amendment. I have lived in Santa Fe for twenty years, and also own property within the Preserve Area, on parts of which we have dedicated conservation easements in furtherance of the goals and philosophy of the overall development.

My son and I regularly take advantage of the many trails and open space that the developer has made available to the public through the Preserve area. For some time now, we have been looking forward to the creation of the modest sized Trenza community, as it would bring some amenities to the broader geographic area as well as housing opportunities. Economic conditions have proved to be an obstacle to success, but we agree with and support the developer's application to amend the Master Plan for the purposes of reducing the density of the Trenza project to bring it in line with current economic expectations.

Commonweal as the developer has been a very careful and conscientious steward of the conservation values that drew my interest to this development and the Galisteo Basin nearly a decade ago. As a board member of several museums, I have also found Commonweals sensitivity to native cultures and archeology, and the landscape, to be worthy of commendation. Throughout the privately held parcels in the Preserve, Commonweal has imposed covenants to guide home construction and long term living in a way that recognizes important water limitations and promotes the conservation of the land, indigenous vegetation and wildlife, among other things. I only wish that other developers and

projects in Santa Fe County were worthy of such commendation. In my view the Preserve is exceptional and this proposed Amendment ought to be championed.

As one drives along 285 it is apparent that the entire corridor south of I-25 has suffered from a kind of "ranchette" sprawl on smallish parcels. On the other side of the County, Arizona-type golf course developments have been completed with an exclusionary feeling for the general public. The proposed GBP Amendment is directed towards a very different kind of development—a more thoughtful and inclusive approach that recognizes the importance of open space, views, the landscape and resources (including water). As well as the notion that all of these things ought to be available to all of our people.

I believe this kind of balanced approach is the appropriate one to adopt and support in our County for these somewhat remote regions like the Galisteo Basin, where we have the opportunity to avoid past mistakes as well as future ones. Naysayers that want nothing in the Preserve, or desire that their own agenda be adopted with respect to the development, must be heard of course. But we should also understand that some of this opposition seems to be guided by unfounded fears and rumors, or simply by a desire to avoid change. But, a much denser development was already approved in the general plan.

I believe that the proposed Amendment should be welcomed as an effort to maintain the values of the original GBP development idea, while adapting the project specifics to the current economic environment. The amended version will use less water, not more. There will be less housing density, not more. Less commercial density, not more. No new actual or potential impositions on the surrounding area are included within the Amendment. And all the surrounding trail system and public access survive.

In conclusion, I add the support of my family to this Amendment and urge you to adopt it as proposed.

Sincerely,

David Cartwright

3301 Camino Lisa

Santa Fe NM 87501

Vicki Lucero

From: Edward Fleming <efa@cybermesa.com>
Sent: Monday, January 12, 2015 8:09 AM
To: Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; Henry P. Roybal; Vicki Lucero
Subject: Commonweal Conservancy: Trenza; Proposed Master Plan Amenment

Dear County Commissioners,

My name is Edward Fleming. I am a resident of and property owner in Galisteo, NM and am writing to you to voice my support for the Trenza project in the Galisteo Basin Preserve that is being developed by Commonweal Conservancy.

I have known Ted Harrison and the Commonweal staff for over 10 years and have on occasion worked with them as an independent contractor (sculptor). I strongly believe that they have upheld the highest standards of professionalism and land stewardship and the Galisteo Basin Preserve represents the greatest hope for sustainable as well as restorative development in this region.

And from a purely practical and realistic point of view, if the Galisteo Basin Preserve and Trenza project are thwarted, we all know that the balance of the Thornton Ranch property will eventually be developed. And if for short-sighted reasons the Commonweal project is defeated, it will not be another conservation development that takes it's place but rather business as usual development that will put a far heavier and unsustainable burden on the land and it's neighbors. We and our families can not afford that cost.

I would like to commend the BCC for it's responsibility to our children, grandchildren and many future generations as has been demonstrated by it's support, so far, for the Galisteo Basin Preserve. This kind of intelligent, un-selfish forward-thinking and action is what will be a model for New Mexico and many other parts of the world facing similar challenges. This is true responsibility.

So, I encourage you to continue your support of Commonweal Conservancy, the Galisteo Basin Preserve and the amendment to the Master Plan.

Sincerely,
Edward Fleming

85

Vicki Lucero

From: Charles Hertz <charles@claybrook.com>
Sent: Sunday, January 11, 2015 4:02 PM
To: Henry P. Roybal; Kathy S. Holian; Liz Stefanics; Miguel Chavez; Robert A. Anaya; Vicki Lucero
Subject: Galisteo Basin Preserve Master Plan Amendment

Dear Commissioners:

I am writing this letter to support the proposed Galisteo Basin Preserve Master Plan Amendment, which is intended primarily to downsize the plans for the Village at Galisteo Basin Preserve, otherwise known as Trenza.

My wife and I are homeowners in Galisteo Basin Preserve, where we have lived for the better part of two years. Prior to that, we lived in a home just off Route 285, a bit south of Eldorado, and we are quite familiar with the whole 285 "corridor" south of Santa Fe.

I am unable to think of any entity that has been had a more thoughtful and creative influence on the area than Commonweal Conservancy. As you know, the bulk of Galisteo Basin Preserve is reserved as open space, laced with biking, hiking, and horse riding trails. Even on the parcel that we own, we are permitted no fences or structures of any sort outside the small building envelope that our house occupies; and we were required (quite willingly) to adhere to strict standards in constructing our house, so that its impact on the land, visual and otherwise, is minimal. The result is that a significant part of the Galisteo Basin remains virtually unspoiled, and accessible to the public, yet satisfying the county's need for residential housing. This strikes me as being in sharp contrast with much of the other development along Route 285, and elsewhere in Santa Fe County.

The plans for Trenza have been thoughtfully and carefully developed, and have been approved by the Commission. The proposed amendment simply reduces the size of the village, in recognition of the new economic realities that have evolved in recent years. I have heard it said that the land freed up in this process could, in theory, be sold off in large residential parcels, and that this would have a negative impact on water resources. This makes no sense; no matter what happens, the population density of the area would be reduced, as would, therefore, the need for water.

In summary, my wife and I are firmly in support of the proposed GBP Master Plan Amendment, and hope that you will approve it.

Sincerely,
Charles S. Hertz, Jr., M.D.

90 Thornton Ranch Road
Lamy, NM 87540

86

Vicki Lucero

From:	John Liddell <jmliddell56@gmail.com>
Sent:	Sunday, January 11, 2015 3:21 PM
To:	Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; Henry P. Roybal; Vicki Lucero
Cc:	John Liddell
Subject:	Galisteo Basin Preserve (Trenza) Master Plan Amendment

Dear Commissioners:

I am writing in support of the proposed Galisteo Basin Preserve Master Plan Amendment. My wife and I live in the Southern Crescent, one of the developments within the Basin and the nearest to the proposed Trenza community. We built a LEED platinum certified home and moved into it in June 2012. When we made the decision to purchase a lot here, we also agreed the Trenza concept. Understanding the economic challenges of the initial proposal, we now agree with Commonweal's more modest amendment that adheres to the initial concept, but reflects a more economically viable approach.

Please approve the proposed amendment. Thank you.

Sincerely,

John Liddell

2 Southern Crescent

Lamy, NM 87540

505.216.1865

87

Vicki Lucero

From: Bob Palardy <Bob.Palardy@lpcorp.com>
Sent: Monday, January 12, 2015 12:40 PM
To: Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Henry P. Roybal; Vicki Lucero; Liz Stefanics
Subject: RE: Galisteo Basin Preserve (Trenza) Master Plan Amendment

January 12, 2015

To: Santa Fe County Board of Commissioners

Dear Commissioners,

As owners of property and future residents of the Galisteo Basin Preserve, we are writing to voice our support for the GBP (Trenza) Master Plan Amendment.

The revised development plan maintains the objectives of the original one, while reflecting changes in economic conditions which have occurred since the approval of the original plan. The adjustments to the plan appear to have been well thought out. The scaled-down footprint of the village will result in a significantly reduced impact on land and water resources, while greatly enhancing access to the Preserve's lifestyle benefits for individuals and families from a wide range of income levels. We welcome, respect, and support this objective.

Our confidence in the Master Plan Amendment is bolstered by the track record of the developer. He has demonstrated, during challenging economic times, not only the unwavering intention, but also the ability to uphold Commonweal's stated values and commitments to GBP's stakeholders, including property owners, the surrounding communities, county government, and the public.

We respectfully encourage the members of the Board to approve the GBP Master Plan Amendment.

Sincerely,

Hollye Gallion and Robert Palardy
Current address:
819 Boscobel Street
Nashville, TN
615-618-2870
Future:
24 Southern Crescent Road, Lamy, NM 87540

88

BCC COMMONWEAL MEETING JANUARY 13TH

TO: COUNTY COMMISSIONERS

FROM: Rod Hall, President -Galisteo Mutual Domestic and
Roger Taylor, President -Ranchitos de Galisteo Water Users Association

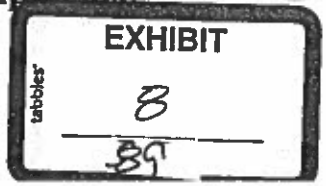
SUBJECT: Village at Galisteo Basin Preserve (Trenza) Master Plan Amendment

We have reviewed the scope of the revised plan by Commonweal filed with and approved by the CDRC on November 20, 2014 which reduces the footprint for this development. In particular, Commonweal Conservancy (Ted Harrison) has requested to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units to 450 dwelling units, to reduce the commercial and civic land uses from 150,000 square feet to 88,500 square feet of mixed use, commercial and civic land use, and a change in the five-phase plan to six phases to take place over a 12 year period.

We do have questions about the impact of these proposed changes, and continued concerns about water impact on the area and to wording about water in this amended proposal.

At the hearing held December 13th 2011 the BCC granted a 36 month extension for a portion of the master plan, Phase one or 131 single family lots and 3 multi-family residential lots for a total of 149 units. This extension was set to expire 2/9/15. A Variance also allowed Commonweal to re-size some acreage and sell them as additional lots. At least 2 parcels of 400-500 acres have been sold to private purchasers, and there is a 4,000 acre "ranch" being marketed. How do these changes impact the proposed development and the Conservancy? What is the disposition of the approximately 7,000 acres from the reduced Planning Envelope? Does this reduction change any of Commonweal's proposed zoning, which may allow for more scattered lot building rather than the prior approved condensed "village" approach?

Mr. Harrison requested that the County consider providing the development (Trenza) with water should the Buckman pipeline be extended to the area. Although Mr Harrison has repeatedly introduced hydrology reports demonstrating sufficient water for this development, **we wish to emphasize**



that it still only has 2.84 afy of water rights (which restricts any large scale well pumping).

As such, the "water budget allocation" quoted in this amended proposal can only be interpreted as the developer's *planned* water needs but has **no** correlation to any water rights secured by the developer. Please note: Commonweal only obtained an estimated 2.84 afy when the property was originally purchased from the Thornton family. His current "water budget allocation" is being reduced from 195 afy to 98.45 afy or 32 million gallons for water per year per the November 20, 2014 CDRC filing. As of now he does not own any water rights except the 2.84afy acquired through the original land purchase.

Prior to the last extension filing, Commonweal was attempting to purchase and transfer water rights (owned by Kay Rivers) to the development from wells located west of this area. The village of Galisteo filed a Water Rights Impairment Protest letter against the transfer of these water rights, arguing it would negatively affect the water source south of Commonweal. The law firm of Ode & Humphrey represented our interests in this dispute before the OSE, which was in the process of denying this transfer (agreeing with us on the basis that these water rights had not been put to beneficial use in the past 30 years and therefore were no longer valid) when Commonweal withdrew its application for this transfer.

Recently, Ted Harrison once again indicated he is reviewing the purchase of water rights (source not disclosed) to be transferred for the express use to provide water to the development. Any transfer of water rights to this area which could adversely affect the water supply to Galisteo will be Protested by us.

Given these facts and this history, we are particularly concerned that Point 4 of the conditions set forth by the BCC during the original development approval indicated "Commonweal shall construct the Community Water and Community Sewer system for Phase 1". Since Commonweal only has 2.84 afy of water rights, it would seem that any approval of Phase 1 would mean Commonweal has only one option: pursuing the County for this water source. We strongly urge the BCC to insure that the water for this development comes from the County rather any wells developed north of Galisteo.

That, of course, may be problematic. We noted with interest the recent story (attached) in the Santa Fe New Mexican (12/29) regarding the shortage in the amount of water derived from the San Juan-Chama Project. It is not unexpected, in fact has been forecasted, but alarming all the same.

From: marypat@sfct.org
Sent: Tuesday, February 10, 2015 11:06 AM
To: Robert A. Anaya; Miguel Chavez; Kathy S. Holian; hroybal@santafecountynm.gov; Liz Stefanics; Vicki Lucero
Cc: charlie@sfct.org
Subject: Letter of support - Galisteo Basin Preserve Master Plan Amendment

Dear Commissioners:

As the Executive Director of the the Santa Fe Conservation Trust (SFCT) I am writing to express my organization's full support for the proposed Galisteo Basin Preserve (GBP) Master Plan Amendment. SFCT has worked closely over the last 6 plus years with the developer to ensure the permanent protection of the Preserve, while simultaneously building one of the largest publicly accessible recreational trail networks in the Southwest on private land.

The GBP is a true model for future development (with a major land conservation component) in Santa Fe County and northern New Mexico, and I urge you to approve this amendment which is necessary to adapt to the realities of today's economy. Not only does the Amendment reduce by half the amount of development, but its corresponding need for water without compromising the original intent of conserving almost 10,000 acres of open space within the boundaries of the Preserve.

SFCT remains a strong partner with Commonweal Conservancy and looks forward to placing additional lands under our conservation protection with the developer in perpetuity.

Sincerely,

Charlie O'Leary
Executive Director
Santa Fe Conservation Trust
P.O. Box 23985
Santa Fe, New Mexico 87502
Charlie@sfct.org
505-989-7019

SIERRA CLUB
FOUNDED 1892

February 9, 2015

Santa Fe Board of County Commissioners
Commissioner Robert Anaya
Commissioner Kathy Holian
Commissioner Liz Stefanics
Commissioner Miquel Chavez
Commissioner Henry Royal

Re: Commonweal Conservancy Trenza Master Plan

Dear Commissioners,

The Northern New Mexico Group of Sierra Club has been a partner in wildlife restoration with Ted Harrison and Commonweal Conservancy in Santa Fe County for the past 5 years.

Through the Commonweal's conservation planning that includes conservation easements, the "re-wilding" of private property and preserve lands has been accomplished with the re-introduction of Gunnison's prairie dogs. This "umbrella species" now has a stable population on grasslands where they were formerly extirpated and a host of birds, insects, lizards, toads, reptiles and larger mammals, that depend upon prairie dog ecology, have *returned* and been documented since 2012.

Commonweal Conservancy has evolved step by step since it was first conceived by owner Ted Harrison. His concern for appropriate land use, low water consumption and good relationships with neighboring landowners is exemplary.

It seems a safe assumption, after all these years, that there will be no speculative home building or commercial facilities built without sound investments by purchasers. If the Plan is approved and something is built – it will be done responsibly – and with real consideration of the water constraints and growth limitations in the county.

We have worked with Ted and the Commonweal staff for many years, and one fact has been demonstrated repeatedly. This group takes land stewardship very seriously. If there were definitions of "good neighbor" and "responsible developer" then the Commonweal would exemplify them.

Vicente Archuleta

From: Vicki Lucero
Sent: Monday, February 09, 2015 12:22 PM
To: Vicente Archuleta
Subject: FW: Support for Galisteo Basin Preserve Master Plan Amendment Application to BCC

From: Ann Jenkins [mailto:jenkinsaa@gmail.com]
Sent: Sunday, February 08, 2015 8:50 PM
To: Vicki Lucero
Subject: Support for Galisteo Basin Preserve Master Plan Amendment Application to BCC

To Board of County Commissioners and Santa Fe County Staff:

I express my personal support for the Master Plan Amendment as proposed by the Galisteo Basin Preserve. Under the stewardship of the Commonweal Conservancy, the Preserve has already proven to be an important part of our lives here in the 285 South Corridor. The vistas of open space, the trails, and the programs held in the area by the Cowboy Shack are enjoyed by many -- and contribute to our better understanding of our environment and our history.

Your support of the revised development plans for the Preserve is critical. Although I cannot attend this meeting in person, I urge you through this email to approve the proposed amendment to the master plan.

ank you.

Ann
--
Ann Jenkins
14 Camino Costadino, Santa Fe, NM 87508
505-466-1519

94

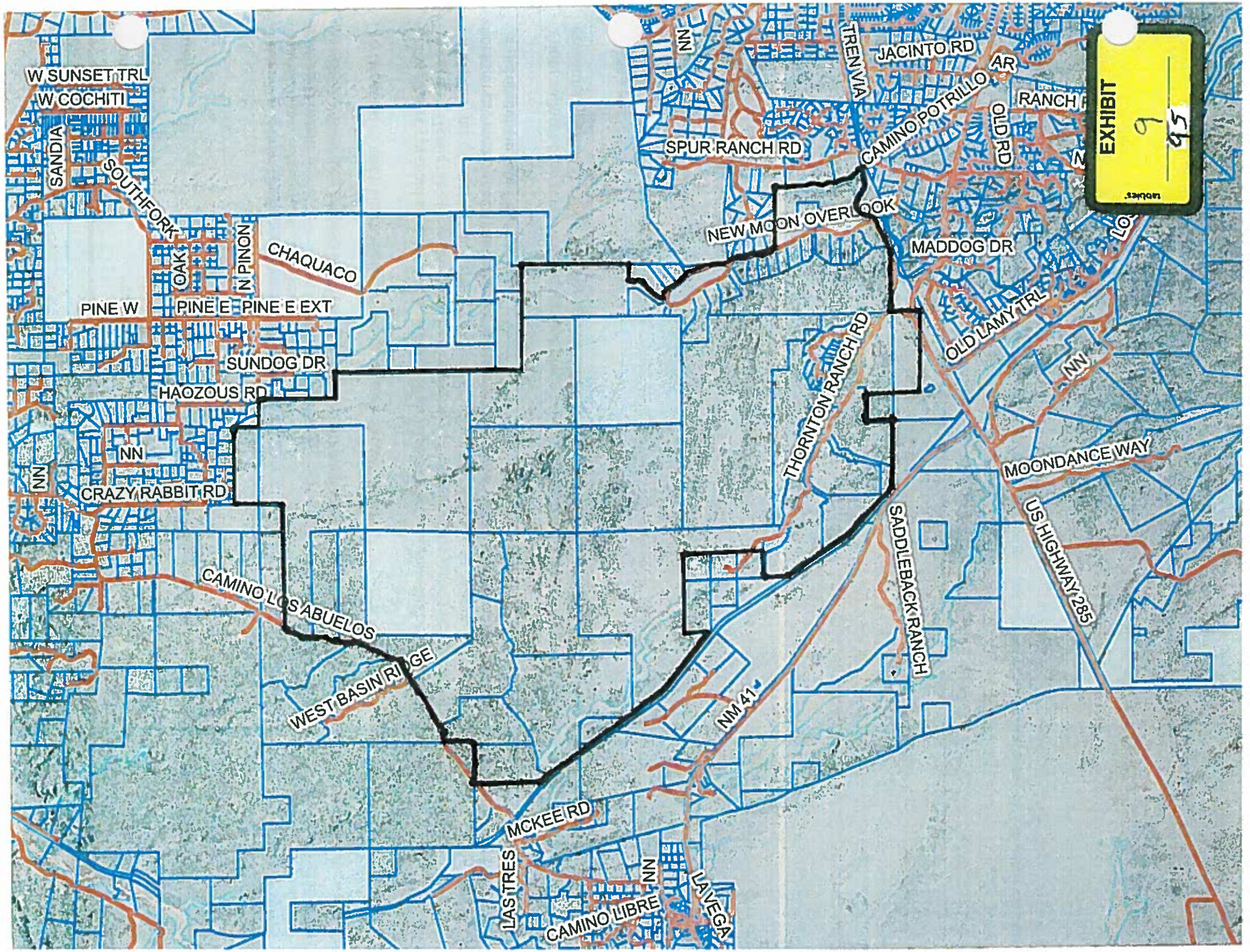


EXHIBIT
9
45
W SUNSET TRL
W COCHITI
SANDIA
SOUTHFORK
OAK
N PINON
CHAQUACO
PINE W
PINE E
PINE E EXT
SUNDOG DR
HAOZOUS RD
NN
CRAZY RABBIT RD
CAMINO LOS ABUELOS
WEST BASIN RIDGE
MCKEE RD
LAS TRES
CAMINO LIBRE
LAVEGA
SPUR RANCH RD
TRENVIA
JACINTO RD
CAMINO POTRILLO
OLD RD
RANCH
NEW MOON OVERLOOK
MADDOG DR
OLD LAMY TRL
THORNTON RANCH RD
MOONDANCE WAY
SADDLEBACK RANCH
US HIGHWAY 285
NM 41