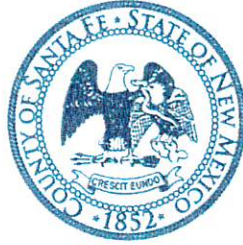


Henry P. Roybal  
Commissioner, District 1

Anna Hansen  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Anna T. Hamilton  
Commissioner, District 4

Ed Moreno  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** May 26, 2017

**TO:** Board of County Commissioners

**FROM:** John M. Salazar, Development Review Specialist Sr. *JMS*

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

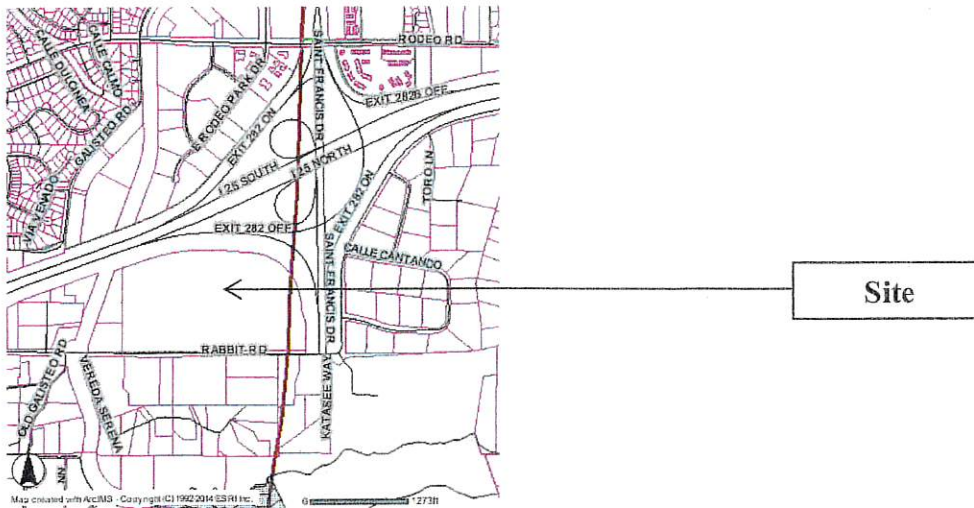
**FILE REF.:** CASE # 10-5364 St. Francis South Preliminary Plat Approval for Phases 1-4 and Final Plat Approval for Phases 1 & 2

### ISSUE:

Vegas Verdes, LLC, Applicant, JenkinsGavin, Inc., Agent, request Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots, on 68.94 acres, of the St. Francis South Mixed-use Subdivision.

The property is located at 199 Rabbit Road, via St. Francis Drive, within Section 11, Township 16 North, Range 9 East, (Commission District 4).

### VICINITY MAP:



## **SUMMARY:**

### **History of the Subdivision:**

On September 16, 2010, the County Development Review Committee (CDRC) recommended approval of a request for Master Plan Zoning for a mixed-use subdivision (commercial, residential and community service) consisting of 22 lots on 68.94 acres, more or less, with approximately 760,000 sq. ft. of structures at full build out.

On December 14, 2010, the Board of County Commissioners (BCC) approved the Master Plan Zoning for the mixed-use subdivision consisting of 22 lots on 69 acres,

On January 14, 2014, the BCC approved a request for Master Plat Authorization to proceed with the creation of up to 22 mixed-use lots on 69 acres.

On March 21, 2017, the Santa Fe County Hearing Officer recommended approval of a variance request to reduce the width of the right-of-way for the loop road within the subdivision to 70 feet.

On May 18, 2017, the Santa Fe County Planning Commission approved the variance request to reduce the right-of-way width of the internal road to 70 feet.

The site for the development is located in SDA-1 within a Planned Development District (PDD) in the SLDC, which requires residential uses and allows commercial, retail, recreational, community and employment uses.

The Applicant now requests Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots, on 68.94 acres.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which governs this Application are the following:

Chapter 5, Section 5.7.1, Applicability, states:

Preliminary plat approval is required for all major subdivisions in accordance with this Section and the procedures as set forth in Table 4-1.

Chapter 5, Section 5.7.2, Application, states:

An application for preliminary plat approval shall be filed with the Administrator and include all information and submittals required by this Chapter, Chapter 4, and any additional submittals required by the Administrator as provided in the application form.

Chapter 5, Section 5.8.1, Final Plat, When Required, states:

Final plat approval is required for all subdivisions, both major and minor. No final plat shall be recorded until a final plat has been approved as provided in this section, or in the case of a minor subdivision as provided in Section 5.6.

Chapter 5, Section 5.8.2, Application, states:

An application for final plat approval shall be filed with the Administrator and include all information and submittals required by this Chapter. If the approved preliminary plat permitted phasing or sectionalizing, the application shall submit an application only for the phase(s) proposed.

Chapter 5.8.3 Compliance with Preliminary Plat (Major Subdivisions), states:

The final plat for a major subdivision shall conform to the approved amended preliminary plat, including all conditions and mitigation requirements contained within the development order approving the preliminary plat. No deviation from the approved or approved amended preliminary plat, together with all conditions and mitigation requirements, shall be authorized to be granted at final approval; any deviation from the development order granting the preliminary plat approval shall require an amendment.

The Applicant's request for Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots meets the requirements of the SLDC.

The Applicant presented the Application to the Technical Advisory Committee (TAC) on October 20, 2016, at the regularly scheduled meeting, as required by Chapter 4, Section 4.4.4.3 Pre-application TAC Meeting and Table 4-1.

The Applicant conducted a pre-application neighborhood meeting which took place on November 16, 2016 at the Genoveva Chavez Community Center and submitted the report as required by Chapter 4, Section 4.4.4.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, and Section 4.6.5, Specific Notice Applicable to Subdivisions of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one days on the property, beginning on May 26, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on May 23, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on February 27, 2017.

**This Application was reviewed for compliance with the applicable standards as set forth in the SLDC as follows:**

**ENVIRONMENTAL IMPACT REPORT (Section 6.3)**

The Applicant submitted an EIR which addressed biological resources; geology, topography, and soils; water resources; air quality; noise; archaeological, cultural, and historic resources; and scenic resources. The Applicant's report states, "Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects."

#### **ADEQUATE PUBLIC FACILITIES & SERVICES ASSESSMENT (Section 6.4)**

The project site is within the Santa Fe County Utilities service area boundary. A Memorandum of Understanding between Santa Fe County and the City of Santa Fe was recorded in the County Clerk's Office on November 11, 2016 in which water and sewer services will be provided to the mixed-use subdivision.

The development will be served by two access points on Rabbit Rd. connected by a private interior loop road. A variance to reduce the right-of-way width from 120 to between 70 and 82 feet was approved by the Planning Commission on May 18, 2017. The interior loop road will be improved to Minor Arterial standards to include two 12 foot wide drive lanes, a 12 foot wide landscaped median, two 5 foot wide bicycle lanes, curb and gutter, and 5 foot wide sidewalks with a landscape buffer.

A looped natural trail system for pedestrian, equestrians and bicyclists that connects to the NM 599 pedestrian-equestrian underpass will be developed.

#### **WATER SERVICE AVAILABILITY REPORT (Section 6.5)**

The Project will be served by the Santa Fe County Water System which will connect to the City of Santa Fe Water System. The developer will install a new 8" public line which will connect to existing City infrastructure in Rodeo Business Park north of I-25 and extend to the Project within a bore under I-25. A Memorandum of Understanding between the City of Santa Fe and Santa County for water and sewer service was recorded on November 17, 2016 as Instrument #1809962.

#### **TRAFFIC IMPACT ASSESSMENT (Section 6.6)**

The Traffic Impact Analysis for St. Francis South indicates that roads will operate at a level D.

State Access Management Manual, September 2001 edition, of New Mexico State Highway and Transportation Department determines that Minimum Acceptable Level of Service Standards for an unsignalized intersection Rural Minor Arterial is a Level of Service D.

#### **ACCESS (Section 7.4) AND ROAD DESIGN STANDARDS (Section 7.11)**

The development will be served by two access points on Rabbit Rd. connected by a private interior loop road. A variance to reduce the right-of-way from 120 to between 70 and 82 feet was approved by the Planning Commission on May 18, 2017. The interior loop road will be improved to Minor Arterial standards to include two 12 foot wide drive lanes, a 12 foot wide landscaped median, two 5 foot wide bicycle lanes, curb and gutter, and 5 foot wide sidewalks with a landscape buffer.

Santa Fe County Public Works supports the proposal with the following conditions:

1. Applicant shall provide a Geo-Technical Engineering Report prior to construction or bonding.
2. Applicant shall comply with all NMDOT regulatory requirements for driveway access onto Rabbit Rd.

#### **FIRE PROTECTION (Section 7.5)**

The Applicant proposes a series of four pressurized fire hydrants set along the interior access drive. It is also anticipated that each facility developed will be constructed with automatic fire suppression systems.

The Santa Fe County Fire Marshal approved the proposal with the following conditions:

1. Roadway shall meet County Standards
2. Driveways shall meet County Standards
3. Automatic fire protection system shall be required
4. Hydrants shall be in place and tested prior to building structures

**LANDSCAPING AND BUFFERING (Section 7.6)**

The Applicant states that all open space will remain undisturbed and will remain in its natural condition during the infrastructure improvements. Any requisite additional landscaping in the required 25 foot buffer area will be installed as part of each individual lot's development.

Landscaping will be installed in the 12 foot wide on-site roadway median and in the planting strips between the driveway and sidewalks. Vegetation will include a mix of deciduous and evergreen trees and a variety of shrubs.

All disturbed areas will be re-vegetated with native grasses.

**LIGHTING (Section 7.8)**

The Applicant is proposing one pole light at each entrance which shall not exceed 25 feet in height and must comply with County requirements.

**SIGNS (Section 7.9)**

The Applicant is proposing one monument subdivision sign at each entrance which will be set back a minimum of 25 feet from the right-of-way with a maximum height of 10 feet. The face of each sign is 180 square feet. This complies with Chapter 7, Section 7.9.

**PARKING/LOADING (Section 7.10)**

Parking will be addressed by each individual lot owner through their site development plan.

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

The Project will be served by the Santa Fe County Water System which will connect to the City of Santa Fe Water System. The developer will install a new 8" public line which will connect to existing City infrastructure in Rodeo Business Park north of I-25 and extend to the Project within a bore under I-25. A Memorandum of Understanding between the City of Santa Fe and Santa County for water and sewer service was recorded on November 17, 2016 as Instrument #1809962.

The Project will be served by the Santa Fe County Wastewater Collection System, which will discharge into the City's wastewater collection and treatment system, per the MOU referenced above. A new 8" sewer line will connect to an existing manhole in Rodeo Business Park and extend to the project within a bore under I-25 per the MOU mentioned above.

Water conservation and water harvesting will be addressed through each individual lot's site development plan.

**OPEN SPACE (Section 7.15)**

The Applicant is proposing 20% passive open space along the Project's perimeter. The remaining 10% of required open space will be provided through each individual lot's site development plan.

The Applicant proposes that a sidewalk and bicycle lane which will be constructed in the Rabbit Road right-of-way that will connect to the Rail Trail west of the Project. The Applicant shall submit permits to NMDOT for these requests since Rabbit Road is an NMDOT facility.

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

Archaeological inventory of the Project area revealed no significant cultural resources. The Historic Preservation Division (HDP) of the State of New Mexico reviewed the report which was initially submitted with the request for Preliminary Plat and Development Plan approval for Phase 1 which came before the BCC in June of 2014 and recognized two recorded archaeological sites within the property. HPD is of the opinion that the sites are not significant and not eligible for listing in either the National Register of Historic Places or the State Register of Cultural Properties and no further archaeological investigations are necessary and the proposed development will have no effect on historic properties.

**TERRAIN MANAGEMENT (Section 7.17)**

The proposed development has been designed to protect the natural vegetation while minimizing soil erosion and sediment transport during storms. The roads have been designed to follow the natural contours of the land and minimize disturbance.

The Applicant is proposing that all increase in stormwater runoff due to the development of roads will be collected in swales located in the 100 foot open space buffer along Rabbit Road and will serve as a passive irrigation for the vegetation. Each lot will be individually responsible for collecting stormwater in on-site retention ponds and cisterns as proposed on each site development plan.

**OPERATION AND MAINTENANCE OF COMMON IMPROVEMENTS (Section 7.23)**

The Applicant has submitted covenants, conditions and restrictions for the St. Francis South Subdivision. These covenants, conditions and restrictions will be enforced by the St. Francis South Lot Owners Association.

**AFFORDABLE HOUSING (Chapter 13)**

The Preliminary and Final Plat does not include any housing units. A Site Development Plan(s) will be submitted for each individual development. Affordable housing will be addressed at the time of submittal for the residential portion of the development.

**AGENCY REVIEW (Exhibit 3)**

<u>Agency</u>	<u>Review Comment</u>
NMDOT	Approval w/Conditions
NMED	No Comment
OSE	Approval
SHPO	No Comment
County Public Works	Approval w/Conditions
County Fire Marshal	Approval w/Conditions
County Utilities	Approval w/Conditions
County Planning Division	Approval w/Conditions
Soil and Water	No Comment

Santa Fe Public Schools	No Comment
County Open Space and Trails	Approval w/Conditions
County Affordable Housing	No Comment

**RECOMMENDATION:**

**Building and Development Services staff reviewed this project for compliance with conditions of the Preliminary and Final Plat approval and for compliance with pertinent SLDC requirements, and found that the facts presented support the request for Preliminary Plat approval for Phases 1-4 and Final Plat approval for Phases 1 and 2 of the St. Francis South Mixed-use subdivision subject to the following conditions:**

1. Compliance with applicable review comments from the following:
  - a. NMDOT
  - b. NMED
  - c. OSE
  - d. SHPO
  - e. Soil and Water
  - f. Santa Fe Public Schools
  - g. County Public Works
  - h. County Fire Marshal
  - i. County Utilities
  - j. County Planning Division
  - k. County Open Space and Trails
  - l. County Affordable Housing
2. Preliminary and Final Plat with appropriate signatures shall be recorded with the County Clerk's office.
3. All Staff redlines and comments shall be addressed prior to plat recordation. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat.
4. The following notes shall be included on the Plat:
  - a. 10% Open Space Required on each lot
  - b. Water restrictions and conservation covenants shall be filed in the County Clerk's Office and referenced on the plat.
5. A financial guaranty shall be submitted prior to Final Plat recordation.
6. Compliance with conditions of the Original Master Plan.
7. The two proposed Street lights located at each of the entrances shall not exceed 25 feet in height.
8. Access permits must be obtained from NMDOT prior to plat recordation

**EXHIBITS:**

1. Development Report, SRA's and MOU for Water & Sewer Service
2. Proposed Plans
3. Reviewing Agency Responses
4. Aerial Photo of Site
5. Legal Notice
6. May 17, 2017 Planning Commission Meeting Minutes